

116TH CONGRESS
2D SESSION

H. R. 5861

To address the impact of climate change on agriculture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2020

Ms. PINGREE introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Ways and Means, Education and Labor, Energy and Commerce, Oversight and Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To address the impact of climate change on agriculture,
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 Resilience Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL GOAL

- Sec. 101. Goals.
- Sec. 102. Action plan.

TITLE II—RESEARCH

- Sec. 201. Research, extension, and education purpose.
- Sec. 202. Regional hubs for risk adaptation and mitigation to climate change.
- Sec. 203. Sustainable agriculture research and education resilience initiative.
- Sec. 204. Sustainable agriculture technology development and transfer program.
- Sec. 205. Long-Term Agroecological Network.
- Sec. 206. Public breed and cultivar research.
- Sec. 207. ARS Climate Scientist Career Development Program.
- Sec. 208. Agricultural Climate Adaptation and Mitigation through AFRI.
- Sec. 209. Specialty crop research initiative.
- Sec. 210. Integrated pest management.
- Sec. 211. National Academy of Sciences Study.
- Sec. 212. Appropriate technology transfer to rural areas.

TITLE III—SOIL HEALTH

- Sec. 301. Crop insurance.
- Sec. 302. Environmental Quality Incentives Program.
- Sec. 303. Conservation Stewardship Program.
- Sec. 304. State assistance for soil health.
- Sec. 305. Funding and administration.
- Sec. 306. Carbon tax credit feasibility study.
- Sec. 307. Conservation compliance.
- Sec. 308. Agroforestry centers.

TITLE IV—FARMLAND PRESERVATION AND FARM VIABILITY

- Sec. 401. Local Agriculture Market Program.
- Sec. 402. Organic certification cost-share program.
- Sec. 403. Exclusion of gain from sale of certain farm property and agricultural easements.
- Sec. 404. Farmland Protection Policy Act.
- Sec. 405. Agriculture conservation easement program.

TITLE V—PASTURE-BASED LIVESTOCK

- Sec. 501. Animal raising claims.
- Sec. 502. Grants for reimbursement of compliance costs for very small processors of meat food products and poultry products.
- Sec. 503. Conservation of private grazing land.
- Sec. 504. Conservation reserve program.
- Sec. 505. Alternative Manure Management Program.

TITLE VI—ON-FARM RENEWABLE ENERGY

- Sec. 601. Rural Energy For America Program.
- Sec. 602. Study on dual-use renewable energy systems.
- Sec. 603. AgSTAR program.

TITLE VII—FOOD LOSS AND WASTE

Subtitle A—Food Date Labeling

Sec. 701. Definitions.
 Sec. 702. Quality dates and discard dates.
 Sec. 703. Misbranding.
 Sec. 704. Regulations.
 Sec. 705. Delayed applicability.

Subtitle B—Other Provisions

Sec. 711. Composting as conservation practice.
 Sec. 712. Amendments to Federal Food Donation Act.
 Sec. 713. Grants for composting and anaerobic digestion food waste-to-energy projects.
 Sec. 714. School food waste reduction grant program.

1 **TITLE I—NATIONAL GOAL**

2 **SEC. 101. GOALS.**

3 (a) UNITED STATES AGRICULTURE GOAL.—As part
 4 of a national greenhouse gas emission reduction effort to
 5 prevent climate change from exceeding 1.5 degrees Celsius
 6 of warming above preindustrial levels, the goal for the ag-
 7 ricultural sector in the United States shall be to achieve
 8 at least a 50 percent reduction in net greenhouse gases
 9 from 2010 levels by not later than 2030 and to achieve
 10 net zero emissions by not later than 2040.

11 (b) SUBGOALS.—

12 (1) RESEARCH.—To help achieve the goal speci-
 13 fied in subsection (a), the total Federal investment
 14 in public food and agriculture research and exten-
 15 sion should, at a minimum, triple by not later than
 16 2030 and quadruple by not later than 2040, with a
 17 heightened emphasis on climate change adaptation
 18 and mitigation, soil health, agro-forestry, advanced
 19 grazing management and crop-livestock integration,

1 other agro-ecological systems, on-farm and food sys-
2 tem energy efficiency and renewable energy produc-
3 tion, farmland preservation and viability, food waste
4 reduction, and related topics to accelerate progress
5 toward net zero emissions by not later than 2040.

6 (2) SOIL HEALTH.—To help achieve the goal
7 specified in subsection (a)—

8 (A) the United States should immediately
9 become a member of the 4 per 1000 Initiative’s
10 forum and consortium, hosted by the Consult-
11 ative Group for International Agricultural Re-
12 search (commonly referred to as the “CGIAR”),
13 with the aim of increasing total soil carbon
14 stocks by 0.4 percent annually to reduce carbon
15 in the atmosphere, restore soil health and pro-
16 ductivity, and thereby improve food security;

17 (B) the agricultural sector should expand
18 adoption of soil health practices (including di-
19 verse crop rotations, cover cropping, conserva-
20 tion tillage, perennialization of highly erodible
21 land, agroforestry, composting, biologically
22 based nutrient management, and advanced
23 grazing management including silvopasture)
24 sufficiently to restore at least a quarter of the
25 soil carbon that has been lost in the last 300

1 years by not later than 2030 and at least half
2 of lost soil carbon by not later than 2040; and

3 (C) cover crop acres in the United States
4 should increase to at least 25 percent of crop
5 acres by not later than 2030 and at least 50
6 percent by not later than 2040, with at least 50
7 percent of cropland acres covered by crops,
8 cover crops, or residue year-round by not later
9 than 2030 rising to at least 75 percent by not
10 later than 2040.

11 (3) FARMLAND PRESERVATION.—To help
12 achieve the goal specified in subsection (a), the rate
13 of conversion in the United States of agricultural
14 land to development, as well as the rate of grassland
15 conversion to cropping, should be reduced by at least
16 80 percent by not later than 2030 and eliminated by
17 not later than 2040.

18 (4) PASTURE-BASED LIVESTOCK.—To help
19 achieve the goal specified in subsection (a), the live-
20 stock sector in the United States should—

21 (A) establish advanced grazing manage-
22 ment, including management-intensive rota-
23 tional grazing, on at least 50 percent of all
24 grazing lands by not later than 2030 and 100

1 percent of all grazing land by not later than
2 2040;

3 (B) reduce greenhouse gas emissions re-
4 lated to feeding of ruminants by at least a third
5 by not later than 2030 and by at least 50 per-
6 cent by not later than 2040 by reducing non-
7 grazing feeding of ruminants, growing feed
8 grains and forages with soil health and nutrient
9 management practices that minimize net green-
10 house gas emissions from cropland, and design-
11 ing livestock feed mixtures and supplements to
12 mitigate enteric methane emissions;

13 (C) re-integrate livestock and crop produc-
14 tion systems at farm, local and regional levels
15 to facilitate environmentally sound management
16 and field application of manure and reduce the
17 need for long-term manure storage by increas-
18 ing acreage on individual farms under crop-live-
19 stock integrated management by at least 50
20 percent over 2017 levels by not later than 2030
21 and by 100 percent over 2017 levels by not
22 later than 2040; and

23 (D) immediately cease building any new or
24 expanded waste lagoons for confined animal
25 feeding operations and convert at least one

1 third of wet manure handling and storage to al-
2 ternative manure management (as described in
3 section 1240T of the Food Security Act of
4 1985 (as added by this Act)) by not later than
5 2030 and at least two thirds by not later than
6 2040.

7 (5) ON-FARM RENEWABLE ENERGY.—To help
8 achieve the goal specified in subsection (a), the agri-
9 culture sector in the United States should—

10 (A) implement energy audits and energy
11 efficiency improvements on at least 50 percent
12 of farms by not later than 2030 and 100 per-
13 cent of farms by not later than 2040;

14 (B) expand on-farm clean renewable en-
15 ergy production to at least double 2017 levels
16 by not later than 2030 and at least triple by
17 not later than 2040; and

18 (C) install and manage on-farm renewable
19 energy infrastructure in a way that does not
20 adversely impact farmland, soil, and water re-
21 sources, or food production.

22 (6) FOOD LOSS AND WASTE.—Consistent with
23 the Food Waste Challenge launched by the Depart-
24 ment of Agriculture and the Environmental Protec-
25 tion Agency in June 2013 and the national food loss

1 and waste goal announced in September 2015, the
2 food and agriculture sector in the United States
3 should commit to—

4 (A) at least a 50 percent reduction in food
5 loss and waste by not later than 2030; and

6 (B) at least a 75 percent reduction in food
7 loss and waste by not later than 2040.

8 **SEC. 102. ACTION PLAN.**

9 (a) PLAN DEVELOPMENT.—The Secretary shall de-
10 velop a plan for actions to achieve, in combination with
11 the other Federal agencies, the national goals declared by
12 section 101. The plan shall include actions that will make
13 significant and rapid progress toward meeting such goals.

14 (b) ACTIONS TO MEET GOALS.—

15 (1) IN GENERAL.—Actions selected by the Sec-
16 retary to include in a plan developed under sub-
17 section (a) may include issuing regulations, pro-
18 viding incentives, carrying out research and develop-
19 ment programs, and any other action the Secretary
20 determines appropriate to achieve the goals declared
21 by section 101.

22 (2) SELECTION.—In selecting actions to include
23 in a plan developed under subsection (a), the Sec-
24 retary shall select actions designed to—

1 (A) fully implement the provisions of this
2 Act (and the amendments made by this Act);

3 (B) provide benefits for farmers and
4 ranchers, rural communities, small businesses,
5 and consumers;

6 (C) improve public health, resilience, and
7 environmental outcomes, especially for rural
8 and low-income households, communities of
9 color, Tribal and indigenous communities, and
10 communities that are disproportionately vulner-
11 able to the impacts of climate change, air and
12 water pollution, and other resource degradation;
13 and

14 (D) prioritize investments that reduce
15 emissions of greenhouse gases and sequester
16 carbon while simultaneously helping to solve
17 other pressing agro-environmental resource con-
18 cerns, increase farming and ranching opportuni-
19 ties, create quality jobs, improve farmworker
20 working conditions and living standards, and
21 make communities more resilient to the effects
22 of climate change.

23 (c) PLAN IMPLEMENTATION.—

24 (1) PUBLIC COMMENT.—Not later than 12
25 months after the date of enactment of this Act, the

1 Secretary shall make the proposed plan developed
2 under subsection (a) available for public comment.

3 (2) SUBMISSION.—Not later than 18 months
4 after the date of enactment of this Act, the Sec-
5 retary shall make public and submit to Congress a
6 plan developed under subsection (a) that incor-
7 porates revisions to the proposed plan, as appro-
8 priate, to address the recommendations provided by
9 the public pursuant to paragraph (1).

10 (3) IMPLEMENTATION.—Beginning not later
11 than 18 months after the date of enactment of this
12 Act, the Secretary shall implement the plan devel-
13 oped under subsection (a) and submitted to Con-
14 gress under paragraph (2).

15 (4) REVISIONS.—Beginning 24 months after
16 the date on which the Secretary submits to Congress
17 the plan under paragraph (2) and not less frequently
18 than once every 24 months thereafter, the Secretary
19 shall review and revise the plan to ensure it is suffi-
20 cient to achieve the national goals declared by sec-
21 tion 101. The Secretary shall include the conclusion
22 of each such review and any revised plan resulting
23 from such review in the next annual report required
24 under paragraph (5).

1 (5) ANNUAL REPORT.—The Secretary shall
2 issue an annual public report on the plan (including
3 any revisions to such plan), actions taken pursuant
4 to such plan, and the effects of such actions, during
5 the preceding calendar year.

6 **TITLE II—RESEARCH**

7 **SEC. 201. RESEARCH, EXTENSION, AND EDUCATION PUR-**
8 **POSE.**

9 Section 1402 of the National Agricultural Research,
10 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
11 3101) is amended—

12 (1) by redesignating paragraphs (8) and (9) as
13 paragraphs (9) and (10), respectively; and

14 (2) by inserting after paragraph (7) the fol-
15 lowing:

16 “(8) accelerate the ability of agriculture and the
17 food system of the United States to first achieve net
18 zero carbon emissions and then go further to be car-
19 bon positive by removing additional carbon dioxide
20 from the atmosphere;”.

21 **SEC. 202. REGIONAL HUBS FOR RISK ADAPTATION AND**
22 **MITIGATION TO CLIMATE CHANGE.**

23 Title IV of the Agricultural Research, Extension, and
24 Education Reform Act of 1998 is amended by inserting

1 before section 404 (7 U.S.C. 7624) the following new sec-
2 tion:

3 **“SEC. 401. REGIONAL HUBS FOR RISK ADAPTATION AND**
4 **MITIGATION TO CLIMATE CHANGE.**

5 “(a) ESTABLISHMENT.—The Secretary shall estab-
6 lish a national network of regional hubs for risk adapta-
7 tion and mitigation to climate change to deliver science-
8 based, region-specific, cost-effective, and practical infor-
9 mation and program support to farmers, ranchers, forest
10 landowners, and other agricultural and natural resource
11 managers to support science-informed decision-making in
12 light of the increased costs, opportunities, risks, and
13 vulnerabilities associated with a changing climate, and to
14 provide access to assistance to implement those decisions.

15 “(b) ELIGIBILITY.—An entity is eligible to be selected
16 as a regional hub under subsection (a) if such entity is
17 any office of the Agricultural Research Service, the Forest
18 Service, or any other agency of the Department of Agri-
19 culture that the Secretary determines is appropriate.

20 “(c) ADMINISTRATION.—

21 “(1) IN GENERAL.—The network established
22 under subsection (a) shall be designated and admin-
23 istered jointly by the Agricultural Research Service
24 and the Forest Service, in partnership with other
25 Federal agencies, including the following:

1 “(A) Within the Department of Agri-
2 culture, the following agencies:

3 “(i) The Natural Resource Conserva-
4 tion Service.

5 “(ii) The Farm Service Agency.

6 “(iii) The Risk Management Agency.

7 “(iv) The Animal and Plant Health
8 Inspection Service.

9 “(v) The National Institute for Food
10 and Agriculture.

11 “(B) The Department of the Interior.

12 “(C) The Department of Energy.

13 “(D) The Environmental Protection Agen-
14 cy.

15 “(E) The United States Geological Survey.

16 “(F) National Oceanic and Atmospheric
17 Administration.

18 “(G) National Aeronautics and Space Ad-
19 ministration.

20 “(H) Other Federal agencies as the Sec-
21 retary determines appropriate.

22 “(2) PARTNERS.—The regional hubs estab-
23 lished under subsection (a) shall work in close part-
24 nership with other stakeholders and partners, includ-
25 ing—

1 “(A) colleges and universities;

2 “(B) cooperative extension services (as de-
3 fined in section 1404 of the Food and Agri-
4 culture Act of 1977 (7 U.S.C. 3103));

5 “(C) State agricultural experiment stations
6 (as defined in such section);

7 “(D) private entities;

8 “(E) State, local and regional govern-
9 ments;

10 “(F) Tribes;

11 “(G) agriculture and commodity organiza-
12 tions;

13 “(H) nonprofit and community-based orga-
14 nizations; and

15 “(I) other partners, as determined by the
16 Secretary.

17 “(d) RESPONSIBILITIES.—A regional hub established
18 under this section shall—

19 “(1) offer tools, strategies management options,
20 and technical support to farmers, ranchers, and for-
21 est landowners to help such farmers, ranchers, and
22 landowners mitigate and adapt to climate change;

23 “(2) direct farmers, ranchers, and forest land-
24 owners to Federal agencies that can provide pro-
25 gram support to enable such farmers, ranchers, and

1 forest landowners to implement science-informed
2 management practices that address climate change;

3 “(3) determine how climate and weather projec-
4 tions will impact the agricultural and forestry sec-
5 tors;

6 “(4) provide periodic regional assessments of
7 risk and vulnerability in the agricultural and for-
8 estry sectors to help farmers, ranchers, and forest
9 landowners better understand the potential direct
10 and indirect impacts of climate change and to in-
11 form the United States Global Change Research
12 Program;

13 “(5) provide to farmers, ranchers, forest land-
14 owners, and rural communities outreach, education,
15 and extension on science-based risk management
16 through partnerships with the land-grant colleges
17 and universities (as defined in section 1404 of the
18 Food and Agriculture Act of 1977 (7 U.S.C. 3103)),
19 cooperative extension services, and other entities;

20 “(6) work with any cooperative extension serv-
21 ices (as defined in section 1404 of the National Ag-
22 ricultural Research, Extension, and Teaching Policy
23 Act of 1977 (7 U.S.C. 3103)), conservation districts,
24 and non-governmental organizations involved in
25 farmer outreach in the region served by such hub to

1 assist producers in developing business plans and
2 conservation plans that take into account emerging
3 climate risk science with respect to crop, production,
4 and conservation system changes that will help pro-
5 ducers adapt to a changing climate; and

6 “(7) establish, working in partnership with pro-
7 grams and projects carried out under subtitle B of
8 title XVI of the Food, Agriculture, Conservation,
9 and Trade Act of 1990 (7 U.S.C. 5801 et seq.), ad-
10 ditional partnerships with farmers and non-profit
11 and community-based organizations to conduct ap-
12 plied on-farm research on climate change.

13 “(e) PRIORITIES.—A regional hub established under
14 this section shall prioritize research and data collection ac-
15 tivities in the following areas:

16 “(1) Improved measurement and monitoring
17 of—

18 “(A) soil organic carbon sequestration; and

19 “(B) total net greenhouse gas impacts of
20 different farming systems and practices.

21 “(2) Lifecycle analysis for total net greenhouse
22 gas emissions related to—

23 “(A) alternative cropping systems;

24 “(B) alternative livestock production sys-
25 tems;

1 “(C) integrated cropping-livestock systems;

2 “(D) alternative biofuel crop production
3 systems and biofuel end uses;

4 “(E) alternative agroforestry practices and
5 systems; and

6 “(F) alternative forestry management sys-
7 tems.

8 “(3) Research and education on—

9 “(A) optimal soil health practices;

10 “(B) advanced biological nutrient manage-
11 ment based on optimal soil health practices;

12 “(C) enhanced synergies between crop
13 roots and soil biota;

14 “(D) linkages between soil, plant, animal,
15 and human health;

16 “(E) adaption and mitigation needs of
17 stakeholders;

18 “(F) new crops or new varieties to help
19 producers be profitable while adapting to a
20 changing climate;

21 “(G) social and economic barriers to stake-
22 holder adoption of new practices that improve
23 adaptation, mitigation, and soil sequestration;
24 and

1 “(H) evaluation and assessment of climate-
 2 related decision tools of the Department of Ag-
 3 riculture.

4 “(4) Grazing-based livestock management sys-
 5 tems to optimize net greenhouse gas footprint in-
 6 cluding—

7 “(A) grazing land carbon sequestration;
 8 and

9 “(B) mitigation of enteric methane.

10 “(f) STAKEHOLDER INPUT.—Each regional hub es-
 11 tablished under this section shall solicit input from stake-
 12 holders on pressing needs, important issues, and outreach
 13 strategies through a variety of mechanisms including re-
 14 gional stakeholder committees and may partner with
 15 stakeholders in conducting research and developing tools.

16 “(g) RISK MANAGEMENT.—

17 “(1) IN GENERAL.—The Secretary shall appoint
 18 a team of individuals representing the regional hubs,
 19 regional hub partners, and the Risk Management
 20 Agency to develop recommendations to better ac-
 21 count for—

22 “(A) climate risk in actuarial tables; and

23 “(B) soil health and other risk-reducing
 24 conservation activities in the Federal crop in-

1 surance program under the Federal Crop Insur-
 2 ance Act (7 U.S.C. 1508 et seq.).

3 “(2) SUBMISSION OF RECOMMENDATIONS.—

4 The team appointed under paragraph (1) shall sub-
 5 mit to the Secretary on an iterative basis, but not
 6 less frequently than once every two years, the team’s
 7 recommendations developed pursuant to such para-
 8 graph.

9 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 10 is authorized to be appropriated to carry out this section
 11 \$50,000,000 for each fiscal years 2021 through 2030.”.

12 **SEC. 203. SUSTAINABLE AGRICULTURE RESEARCH AND**
 13 **EDUCATION RESILIENCE INITIATIVE.**

14 (a) SUSTAINABLE AGRICULTURE RESEARCH AND
 15 EDUCATION.—Section 1619 of the Food, Agriculture,
 16 Conservation, and Trade Act of 1990 (7 U.S.C. 5801) is
 17 amended—

18 (1) in subsection (a)—

19 (A) in paragraph (5), by striking “and” at
 20 the end;

21 (B) in paragraph (6), by striking the pe-
 22 riod at the end and inserting “; and”; and

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

1 “(7) increase resilience in the context of a
 2 changing climate and related economic, social, and
 3 environmental shocks.”; and

4 (2) in subsection (b)—

5 (A) in paragraph (2)—

6 (i) by striking “management” and in-
 7 serting “systems and practices”; and

8 (ii) by inserting “resilience,” after
 9 “profitability,”; and

10 (B) by amending paragraph (3) to read as
 11 follows:

12 “(3) The term ‘resilience’ means, with respect
 13 to an agricultural management system, the ability of
 14 such system to absorb and recover from climate and
 15 other disturbances, such that the system thrives in
 16 the face of severe shocks.”.

17 (b) ELIGIBILITY OF TRIBAL COLLEGES TO ENTER
 18 INTO RESEARCH AND EXTENSION PROJECT AGREE-
 19 MENTS.—Section 1621(b) of the Food, Agriculture, Con-
 20 servation, and Trade Act of 1990 (7 U.S.C. 5811(b)) is
 21 amended by striking “or Federal or State” inserting
 22 “1994 Institutions (as defined in section 532 of the Eq-
 23 uity in Educational Land-Grant Status Act of 1994 (7
 24 U.S.C. 301 note; Public Law 103–382)), or Federal,
 25 State, or Tribal”.

1 (c) AGRICULTURAL AND FOOD SYSTEM RESILIENCE
2 INITIATIVE.—

3 (1) IN GENERAL.—Section 1627 of the Food,
4 Agriculture, Conservation, and Trade Act of 1990 (7
5 U.S.C. 5821) is amended—

6 (A) in subsection (a)—

7 (i) in the matter preceding paragraph
8 (1)—

9 (I) by striking the first sentence
10 and inserting the following: “In close
11 conjunction with programs and
12 projects established under sections
13 1621 and 1623, the Secretary shall
14 establish a research, education, exten-
15 sion, and outreach initiative, which
16 may include farmer and rancher re-
17 search and demonstration grants, and
18 use an interdisciplinary approach
19 wherever appropriate, to increase the
20 resilience of agriculture and the food
21 system in the context of a changing
22 climate and related economic, social,
23 and environmental shocks.”; and

1 (II) in the second sentence, by
2 striking “program” and inserting
3 “initiative”;

4 (ii) by striking paragraph (3);

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

8 (iv) by inserting before paragraph (3)
9 (as so redesignated), the following:

10 “(1) to equip farmers to prepare for, adapt, and
11 transform their farming systems when confronted by
12 shocks and stresses to their agricultural production
13 and livelihoods;

14 “(2) to support local and regional food systems
15 that support resilience and enhance local access and
16 control over productive resources;”;

17 (v) in paragraph (3) (as redesignated
18 by clause (iii))—

19 (I) by inserting “climate and”
20 after “adverse”;

21 (II) by inserting “soil quality
22 and” after “enhance”; and

23 (III) by inserting “reduce de-
24 pendency on fossil fuels,” after “in-
25 puts,”;

1 (vi) in paragraph (4) (as redesignated
2 by clause (iii)), by inserting “increase resil-
3 ience” after “practices to”; and

4 (vii) in paragraph (6) (as redesignated
5 by clause (iii)), by striking “integrated”
6 and all that follows through “programs”
7 and inserting “policies and programs to
8 improve food and agricultural system resil-
9 ience”;

10 (B) by striking subsections (b), (c), and
11 (d); and

12 (C) by inserting after subsection (a) the
13 following:

14 “(b) FUNDING.—

15 “(1) MANDATORY FUNDING.—Of the funds of
16 the Commodity Credit Corporation, the Secretary
17 shall make available to carry out this section
18 \$50,000,000 for fiscal year 2021 and each fiscal
19 year thereafter.

20 “(2) DISCRETIONARY FUNDING.—There are au-
21 thorized to be appropriated to carry out this section
22 through the National Institute of Food and Agri-
23 culture \$20,000,000 for each of fiscal years 2013
24 through 2023.”.

1 (2) CONFORMING AMENDMENT.—The chapter
2 heading of chapter 2 of subtitle B of title XVI of the
3 Food, Agriculture, Conservation, and Trade Act of
4 1990 (7 U.S.C. 5821) is amended to read as follows:
5 **“AGRICULTURAL AND FOOD SYSTEM**
6 **RESILIENCE INITIATIVE”**.

7 **SEC. 204. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**
8 **VELOPMENT AND TRANSFER PROGRAM.**

9 (a) TECHNICAL GUIDES AND BOOKS.—Section 1628
10 of the Food, Agriculture, Conservation, and Trade Act of
11 1990 (7 U.S.C. 5831) is amended—

12 (1) in subsection (d)—

13 (A) by redesignating paragraphs (3) and

14 (4) as paragraphs (4) and (5), respectively; and

15 (B) by inserting after paragraph (2) the
16 following:

17 “(3) adapting to and mitigating the effects of
18 climate change;”; and

19 (2) in subsection (e), by striking “Soil Con-
20 servation” and inserting “Natural Resources Con-
21 servation”.

22 (b) NATIONAL TRAINING PROGRAM.—Section 1629
23 of the Food, Agriculture, Conservation, and Trade Act of
24 1990 (7 U.S.C. 5832) is amended—

25 (1) in subsection (g)—

1 (A) in paragraph (5), by striking “Soil
2 Conservation Service and the Agricultural Sta-
3 bilization and Conservation Service” and insert-
4 ing “Natural Resources Conservation Service
5 and the Farm Service Agency”;

6 (B) by redesignating paragraphs (10) and
7 (11) as paragraphs (11) and (12), respectively;
8 and

9 (C) by inserting after paragraph (9) the
10 following;

11 “(10) develop and provide information con-
12 cerning climate change adaptation and mitigation
13 developed under this subtitle and other research and
14 education programs of the Department;”;

15 (2) in subsection (h), by striking “Soil Con-
16 servation Service” and inserting “Natural Resources
17 Conservation Service”; and

18 (3) in subsection (i), by striking “2023” and in-
19 serting the following: “2020, and \$30,000,000 for
20 each of fiscal years 2021 through 2030”.

21 **SEC. 205. LONG-TERM AGROECOLOGICAL NETWORK.**

22 Title IV of the Agricultural Research, Extension, and
23 Education Reform Act of 1998 is amended by inserting
24 after section 401 (as added by section 201), the following:

1 **“SEC. 402. LONG-TERM AGROECOLOGICAL NETWORK.**

2 “(a) IN GENERAL.—The Secretary, acting through
3 the Administrator of the Agricultural Research Service,
4 shall provide for the establishment and maintenance of a
5 network of research sites operated by the Agricultural Re-
6 search Service for research on the sustainability of agricul-
7 tural systems in the United States, to be known as the
8 ‘Long-Term Agroecological Research Network’ (in this
9 section referred to as the ‘Network’) with the following
10 goals:

11 “(1) To understand and enhance the sustain-
12 ability of agriculture.

13 “(2) To integrate research projects with com-
14 mon measurements on multiple agroecosystems
15 (such as croplands, rangelands, and pasturelands).

16 “(3) To develop new farming systems, practices,
17 and technologies to address agricultural challenges
18 and opportunities, including challenges and opportu-
19 nities posed by climate change.

20 “(b) ACTIVITIES DESCRIBED.—The activities of the
21 Network shall include—

22 “(1) research conducted for a minimum of 30
23 years to develop novel scientific insights at regional
24 and national scales and evaluate the applicability
25 and adaptation to local conditions;

1 “(2) the establishment and maintenance of mul-
2 tiple sites or research centers that capture the diver-
3 sity of agricultural production systems that function
4 as a network; and

5 “(3) the coordination of large-scale data collec-
6 tion related to the sustainability of agricultural sys-
7 tems and the provision of infrastructure to research
8 sites to allow for analyzing and disseminating such
9 data.

10 “(c) COORDINATION OF RESEARCH.—The Secretary,
11 shall, in carrying out subsection (a)—

12 “(1) coordinate long-term agroecological re-
13 search to improve understanding within the Depart-
14 ment of Agriculture of how agroecosystems function
15 at the field, regional, and national scales;

16 “(2) designate research sites for inclusion in
17 the Network that are representative of major agri-
18 cultural regions;

19 “(3) ensure that every research site so included
20 conducts experiments with common goals and meth-
21 ods—

22 “(A) to increase agricultural productivity
23 and profitability;

1 “(B) to enhance agricultural resilience and
2 the capacity to mitigate and adapt to climate
3 change;

4 “(C) boost the provision of ecosystem serv-
5 ices from agricultural landscapes; and

6 “(D) improve opportunities for rural com-
7 munities;

8 “(4) make data collected at research sites in-
9 cluded in the Network open to researchers and the
10 public whenever practicable, and integrate data
11 across the network and partner sites; and

12 “(5) provide infrastructure to research sites in-
13 cluded in the Network for data collection, common
14 measurements, and data streams that complement
15 other national networks, such as the National Eco-
16 logical Observatory Network (NEON) and the Long-
17 Term Ecological Research (LTER) network.

18 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 \$50,000,000 for each of fiscal years 2021 through 2030.”.

21 **SEC. 206. PUBLIC BREED AND CULTIVAR RESEARCH.**

22 (a) IN GENERAL.—The Competitive, Special, and Fa-
23 cilities Research Grant Act (7 U.S.C. 3157) is amended—

24 (1) in subsection (a), by adding at the end the
25 following:

1 “(3) DEFINITIONS.—In this section:

2 “(A) CONVENTIONAL BREEDING.—The term
3 ‘conventional breeding’ means the development of
4 new varieties of an organism through controlled
5 mating and selection without the use of transgenic
6 methods, provided that information gained through
7 gene sequencing, genomic, and metabolomics anal-
8 yses can be used to inform mating and selection
9 choices.

10 “(B) CULTIVAR.—The term ‘cultivar’ means a
11 variety of a species of plant that has been inten-
12 tionally selected for use in cultivation because of the
13 improved characteristics of that variety of the spe-
14 cies.

15 “(C) PUBLIC BREED AND CULTIVAR.—The
16 term ‘public breed and cultivar’ means an animal
17 breed or crop cultivar that is the commercially avail-
18 able end product of a publicly funded breeding pro-
19 gram that has been sufficiently tested to dem-
20 onstrate improved characteristics and stable per-
21 formance, and for which the farmers’ rights to save
22 and use, and breeders’ rights to share and improve
23 are protected.”; and

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

1 “(l) PUBLIC BREED AND CULTIVAR DEVELOPMENT
2 FUNDING.—

3 “(1) IN GENERAL.—Of the amount of grants
4 made under subsections (b) and (c), the Secretary
5 shall ensure that not less than the following amounts
6 are used for competitive research grants that sup-
7 port the development of public breeds and cultivars:

8 “(A) \$50,000,000 for fiscal year 2021;

9 “(B) \$60,000,000 for fiscal year 2022;

10 “(C) \$70,000,000 for fiscal year 2023;

11 “(D) \$80,000,000 for fiscal year 2024;

12 “(E) \$90,000,000 for fiscal year 2025; and

13 “(F) \$100,000,000 for each of the fiscal
14 years 2026 through 2030.

15 “(2) PRIORITY.—In making grants under para-
16 graph (1), the Secretary shall give priority to high-
17 potential research projects that lead to the release of
18 public breeds and cultivars that assist producers in
19 mitigating and adapting to climate change.

20 “(3) GRANTS.—The Secretary shall ensure
21 that—

22 “(A) the terms for any competitive grants
23 made under subsection (b) are not less than 5
24 years;

1 “(B) any such term or associated renewal
 2 process facilitates the development and commer-
 3 cialization of public breeds and cultivars
 4 through long-term grants; and

5 “(C) when necessary, Tribal consultation
 6 occurs to ensure public breed and cultivar de-
 7 velopment does not infringe on Tribes’ abilities
 8 to maintain culturally sensitive breeds and
 9 cultivars.”.

10 (b) PUBLIC BREED AND CULTIVAR RESEARCH AC-
 11 TIVITIES COORDINATOR.—Section 251 of the Department
 12 of Agriculture Reorganization Act of 1994 (7 U.S.C.
 13 6971) is amended—

14 (1) in subsection (e), by adding at the end the
 15 following:

16 “(7) PUBLIC BREED AND CULTIVAR RESEARCH
 17 ACTIVITIES COORDINATOR.—

18 “(A) IN GENERAL.—The Under Secretary
 19 shall appoint a coordinator within the Office of
 20 the Chief Scientist that reports to the Under
 21 Secretary to coordinate research activities at
 22 the Department relating to the breeding of pub-
 23 lic breeds and cultivars (as defined in para-
 24 graph (3) of subsection (a) of the Competitive,

1 Special, and Facilities Research Grant Act (7
2 U.S.C. 3157(a))).

3 “(B) DUTIES OF COORDINATOR.—The co-
4 ordinator appointed under subparagraph (A)
5 shall—

6 “(i) coordinate animal and plant
7 breeding research activities funded by the
8 Department relating to the development
9 and delivery to producers of climate resil-
10 ient and regionally adapted public breeds
11 and crop cultivars;

12 “(ii)(I) carry out ongoing analysis and
13 track activities for any Federal research
14 funding supporting animal and plant
15 breeding (including any public breeds and
16 cultivars developed with Federal funds);
17 and

18 “(II) ensure that the analysis and ac-
19 tivities are made available to the public not
20 later than 60 days after the last day of
21 each fiscal year;

22 “(iii) develop a strategic plan that es-
23 tablishes targets for public breed and
24 cultivar research investments across the
25 Department to ensure that a diverse range

1 of animal and crop needs are being met in
2 a timely and transparent manner, with a
3 strong focus on delivery of resource-effi-
4 cient, stress-tolerant, regionally adapted
5 animal breeds and crop cultivars that help
6 build agricultural resilience to climate
7 change and support on-farm carbon se-
8 questration and greenhouse gas mitigation,
9 nutritional quality, and other farmer-iden-
10 tified priority agronomic and market traits;

11 “(iv) convene a working group in
12 order to carry out the coordination func-
13 tions described in this subparagraph com-
14 prised of individuals who are responsible
15 for the management, administration, or
16 analysis of public breeding programs with-
17 in the Department from—

18 “(I) the National Institute of
19 Food and Agriculture;

20 “(II) the Agricultural Research
21 Service; and

22 “(III) the Economic Research
23 Service;

1 “(v) in order to maximize delivery of
2 public breeds and cultivars, promote col-
3 laboration among—

4 “(I) the coordinator;

5 “(II) the working group convened
6 under clause (iv);

7 “(III) the advisory council estab-
8 lished under section 1634 of the
9 Food, Agriculture, Conservation, and
10 Trade Act of 1990 (7 U.S.C. 5843);

11 “(IV) genetic resource conserva-
12 tion centers;

13 “(V) land-grant colleges and uni-
14 versities (as defined in section 1404 of
15 the National Agricultural Research,
16 Extension, and Teaching Policy Act of
17 1977 (7 U.S.C. 3103));

18 “(VI) Hispanic-serving institu-
19 tions (as defined in section 502(a) of
20 the Higher Education Act of 1965 (20
21 U.S.C. 1101a(a));

22 “(VII) Native American-serving
23 nontribal institutions (as defined in
24 section 371(c) of the Higher Edu-

1 cation Act of 1965 (20 U.S.C.
2 1067q(c));

3 “(VIII) Tribal organizations (as
4 defined in section 4 of the Indian
5 Self-Determination and Education As-
6 sistance Act (25 U.S.C. 5304));

7 “(IX) nongovernmental organiza-
8 tions with interest or expertise in pub-
9 lic breeding; and

10 “(X) public and private plant
11 breeders;

12 “(vi) convene regular stakeholder lis-
13 tening sessions to provide input on na-
14 tional and regional priorities for public
15 breed and cultivar research activities
16 across the Department; and

17 “(vii) evaluate and make rec-
18 ommendations to the Under Secretary on
19 training and resource needs to meet future
20 breeding challenges, including the chal-
21 lenges stemming from climate change.”;
22 and

23 (2) in subsection (f)(1)(D)(i), by striking “(7
24 U.S.C. 450i(b))” and inserting “(7 U.S.C.
25 3157(b))”.

1 (c) CONFORMING AMENDMENT.—Section
 2 296(b)(6)(B) of the Department of Agriculture Reorga-
 3 nization Act of 1994 (7 U.S.C. 7014(b)(6)(B)) is amended
 4 by striking “Office; and” and inserting “Office (including
 5 the public breed and cultivar research activities coordi-
 6 nator under subsection (e)(7) of that section); and”.

7 (d) PUBLIC BREED AND CULTIVAR DEVELOP-
 8 MENT.—Subtitle H of the Food, Agriculture, Conserva-
 9 tion, and Trade Act of 1990 (7 U.S.C. 5921) is amended
 10 by adding at the end the following new section:

11 **“SEC. 1681. PUBLIC BREED AND CULTIVAR DEVELOPMENT.**

12 “(a) FUNDING.—The Secretary of Agriculture, in
 13 conjunction with the Director of the National Genetic Re-
 14 sources Program appointed under section 1633 and acting
 15 through the Agricultural Research Service, shall support
 16 the development of public breeds and cultivars (as defined
 17 in paragraph (3) of subsection (a) of the Competitive, Spe-
 18 cial, and Facilities Research Grant Act (7 U.S.C.
 19 3157(a))) by Federal researchers.

20 “(b) PRIORITY.—In supporting research under sub-
 21 section (a) using funds made available pursuant to sub-
 22 section (d), the Secretary shall give priority to high-poten-
 23 tial research projects that lead to the release of public
 24 breeds and cultivars that assist producers in mitigating
 25 and adapting to climate change.

1 “(c) REPORT.—Not later than October 1 of each
 2 year, the Secretary shall submit to Congress a report that
 3 provides information on all public breed and cultivar re-
 4 search funded by the Agricultural Research Service and
 5 the National Institute for Food and Agriculture, includ-
 6 ing—

7 “(1) a list of public breeds and cultivars devel-
 8 oped and released in a commercially available form;

9 “(2) areas of high priority research;

10 “(3) identified research gaps relating to public
 11 breed and cultivar development, including newly
 12 emerging needs stemming from climate change; and

13 “(4) an assessment of the state of commer-
 14 cialization for breeds and cultivars that have been
 15 developed.

16 “(d) FUNDING.—Of the funds made available to the
 17 Administrator of the Agricultural Research Service for a
 18 fiscal year, not less than \$50,000,000 shall be made avail-
 19 able to carry out this section.”.

20 **SEC. 207. ARS CLIMATE SCIENTIST CAREER DEVELOPMENT**
 21 **PROGRAM.**

22 (a) IN GENERAL.—The Secretary of Agriculture
 23 shall, in accordance with section 922 of the Federal Agri-
 24 culture Improvement and Reform Act of 1996 (7 U.S.C.
 25 2279c), carry out an internship program within the Agri-

1 cultural Research Service for graduate students pursuing
 2 a degree or conducting research related to climate change
 3 and agriculture.

4 (b) FUNDING.—Of the funds of the Commodity Cred-
 5 it Corporation, the Secretary may use not more than
 6 \$10,000,000 for each of fiscal years 2021 through 2030
 7 to carry out the program referred to in subsection (a).

8 **SEC. 208. AGRICULTURAL CLIMATE ADAPTATION AND MITI-**
 9 **GATION THROUGH AFRI.**

10 Subsection (b)(2) of the Competitive, Special, and
 11 Facilities Grant Act (7 U.S.C. 3157(b)(2)) is amended by
 12 adding at the end the following:

13 “(G) AGRICULTURAL CLIMATE ADAPTA-
 14 TION AND MITIGATION.—Agricultural climate
 15 adaptation and mitigation, including—

16 “(i) strategies for agricultural adapta-
 17 tion to climate change, including adapta-
 18 tion strategies for small and medium-sized
 19 dairy, livestock, crop and other commodity
 20 operations;

21 “(ii) on-farm mitigation strategies and
 22 solutions, including infrastructure, equip-
 23 ment, and agricultural ecosystems-based
 24 strategies;

1 “(iii) the economic costs, benefits, ef-
 2 fectiveness, and viability of producers
 3 adopting conservation practices and tech-
 4 nologies designed to improve soil health,
 5 including carbon sequestration in soil;

6 “(iv) the effectiveness of existing con-
 7 servation practices and enhancements to
 8 improve soil health, including the effective-
 9 ness to sequester carbon in soil;

10 “(v) new technologies to measure and
 11 verify environmentally beneficial outcomes
 12 of healthy soils practices, including carbon
 13 sequestration in soil; and

14 “(vi) links between human health and
 15 soil health.”.

16 **SEC. 209. SPECIALTY CROP RESEARCH INITIATIVE.**

17 Section 412 of the Agricultural Research, Extension,
 18 and Education Reform Act of 1998 (7 U.S.C. 7632) is
 19 amended—

20 (1) in subsection (b)—

21 (A) in the matter preceding paragraph (1),
 22 by inserting “, multi-crop production systems,”
 23 after “specific crops”;

24 (B) in paragraph (4)(E), by striking “;
 25 and” at the end and inserting a semicolon;

1 (C) in paragraph (5), by striking the pe-
 2 riod at the end and inserting “; and”; and

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

4 “(6) efforts to mitigate and adapt to climate
 5 change, including—

6 “(A) on-farm mitigation strategies and so-
 7 lutions, including agricultural ecosystems-based
 8 strategies;

9 “(B) conservation practices and tech-
 10 nologies designed to improve soil health, includ-
 11 ing those that sequester carbon in soil; and

12 “(C) breeding research and cultivar devel-
 13 opment to help adapt to climate change.”; and

14 (2) in subsection (g)(3)(A), by striking “equal
 15 to not less than the amount of the grant” and in-
 16 serting “in an amount that is equal to not less than
 17 25 percent of the funds provided through the
 18 grant”.

19 **SEC. 210. INTEGRATED PEST MANAGEMENT.**

20 Section 406 of the Agricultural Research, Extension,
 21 and Education Reform Act of 1998 (7 U.S.C. 7626) is
 22 amended—

23 (1) by redesignating subsections (d), (e), and
 24 (f) as subsections (f), (g), and (h), respectively; and

1 (2) by inserting after subsection (c) the fol-
2 lowing:

3 “(d) EMPHASIS ON CLIMATE RESILIENCE.—The Sec-
4 retary shall ensure that grants made under this section
5 are, where appropriate, consistent with the development
6 of food and agricultural systems that improve climate re-
7 silience.

8 “(e) ECOLOGICALLY BASED PEST MANAGEMENT.—
9 The Secretary shall ensure that grants made under this
10 section to support pest management prioritize ecologically
11 based approaches that are effective, affordable, and envi-
12 ronmentally sound, maintain agricultural productivity and
13 healthy communities, and improve climate resilience.”.

14 **SEC. 211. NATIONAL ACADEMY OF SCIENCES STUDY.**

15 (a) STUDY.—The Secretary of Agriculture, in con-
16 sultation with the Secretary of Health and Human Serv-
17 ices, shall enter into an agreement with the National
18 Academy of Sciences, under which the National Academy
19 agrees to produce an analysis of current scientific findings
20 to determine the links between human health and soil
21 health by—

22 (1) reviewing existing research on the connec-
23 tions between the human microbiome and soil
24 microbiome;

1 (2) identifying linkages between soil manage-
2 ment practices and the nutrient density of foods for
3 human consumption;

4 (3) exploring potential impact of increasing soil
5 organic matter across the agricultural and food
6 value chain;

7 (4) determining how to best leverage healthy
8 soil management practices to maximize benefits and
9 minimize adverse impacts on human health; and

10 (5) highlighting areas for future research.

11 (b) REPORT.—The agreement under subsection (a)
12 shall include a requirement that the National Academy of
13 Sciences, not later than 2 years after the date of the enact-
14 ment of this Act, submit to the Committee on Agriculture
15 of the House of Representatives and the Committee on
16 Agriculture, Nutrition, and Forestry of the Senate a re-
17 port on the results of the study conducted pursuant to
18 subsection (a).

19 **SEC. 212. APPROPRIATE TECHNOLOGY TRANSFER TO**
20 **RURAL AREAS.**

21 Section 310B(i)(2) of the Consolidated Farm and
22 Rural Development Act (7 U.S.C. 1932(i)(2)) is amend-
23 ed—

24 (1) in subparagraph (C), by striking “and” at
25 the end; and

(2) by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

“(D) increase resilience by adapting to and mitigating the effects of climate change; and”.

TITLE III—SOIL HEALTH

SEC. 301. CROP INSURANCE.

(a) VOLUNTARY GOOD FARMING PRACTICES.—Section 508(a)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(3)) is amended—

(1) in subparagraph (A)(iii), by striking “practices” the first place it appears and all that follows through the period at the end and inserting “practices.”;

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

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

“(B) GOOD FARMING PRACTICES.—For purposes of subparagraph (A)(iii), good farming practices include the following:

“(i) Scientifically sound, sustainable, and organic farming practices, as determined by the Secretary.

1 “(ii) Conservation farming practices
2 that are approved by—

3 “(I) the Natural Resources Con-
4 servation Service; or

5 “(II) an agricultural expert, as
6 determined by the Secretary.”.

7 (b) RISK-REDUCTION-BASED DISCOUNTS.—Section
8 508(d) of the Federal Crop Insurance Act (7 U.S.C.
9 1508(d)) is amended—

10 (1) by redesignating paragraph (4) as para-
11 graph (5); and

12 (2) by inserting after paragraph (3) the fol-
13 lowing:

14 “(4) RISK-REDUCTION-BASED DISCOUNT.—

15 “(A) IN GENERAL.—Effective beginning
16 with the 2021 reinsurance year, the Corpora-
17 tion may provide a risk-reduction-based pre-
18 mium discount for a producer of an agricultural
19 commodity who uses risk-reduction farming
20 practices, as determined by the Corporation.

21 “(B) RISK-REDUCTION FARMING PRAC-
22 TICES.— For purposes of subparagraph (A),
23 risk-reduction farming practices may include
24 the following:

25 “(i) The use of cover crops.

1 “(ii) Resource-conserving crop rota-
2 tions.

3 “(iii) Management-intensive rotational
4 grazing.

5 “(iv) Composting.

6 “(v) Other risk-reducing and soil
7 health promoting farming practices as de-
8 termined by the Corporation.”.

9 (c) CROP PRODUCTION ON NATIVE SOD APPLICA-
10 BILITY.—

11 (1) AMENDMENT.—Section 508(o) of the Fed-
12 eral Crop Insurance Act (7 U.S.C. 1508(o)) is
13 amended by striking paragraph (3).

14 (2) EFFECTIVE DATE.—The amendment made
15 by paragraph (1) shall take effect on the first day
16 of the first reinsurance year beginning at least 1
17 year after the date of the enactment of this Act.

18 **SEC. 302. ENVIRONMENTAL QUALITY INCENTIVES PRO-**
19 **GRAM.**

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

22 (1) in the matter preceding paragraph (1), by
23 striking “and environmental quality” and inserting
24 “environmental quality, and climate change adapta-
25 tion and mitigation”;

1 (2) in paragraph (1)—

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

4 (B) in subparagraph (C), by striking the
5 semicolon at the end and inserting “; and”; and

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

7 “(D) greenhouse gas emissions reduction
8 and carbon sequestration;”;

9 (3) in paragraph (3)(C), by inserting “reducing
10 greenhouse gas emissions and” before “conserving
11 energy”; and

12 (4) in paragraph (4), by inserting “climate
13 change and” before “increasing weather volatility”.

14 (b) DEFINITIONS.—Section 1240A(6)(B) of the Food
15 Security Act of 1985 (16 U.S.C. 3839aa–1(6)(B)) is
16 amended—

17 (1) in clause (v), by striking “; and” and insert-
18 ing a semicolon;

19 (2) by redesignating clause (vi) as clause (vii);
20 and

21 (3) by inserting after clause (v) the following:

22 “(vi) greenhouse gas emissions reduc-
23 tion planning; and”.

24 (c) ESTABLISHMENT AND ADMINISTRATION OF EN-
25 VIRONMENTAL QUALITY INCENTIVES PROGRAM.—

1 (1) ESTABLISHMENT.—Section 1240B(a) of the
2 Food Security Act of 1985 (16 U.S.C. 3839aa–2(a))
3 is amended by striking “2023” and inserting
4 “2030”.

5 (2) PAYMENTS.—Section 1240B(d)(7)(A) of the
6 Food Security Act of 1985 (16 U.S.C. 3839aa–
7 2(d)(7)(A)) is amended—

8 (A) in clause (iii), by striking “; or” and
9 inserting a semicolon;

10 (B) in clause (iv), by striking the period at
11 the end and inserting “; or”; and

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

13 “(v) increases carbon sequestration or
14 reduces greenhouse gas emissions.”.

15 (3) ALLOCATION OF FUNDING.—Section
16 1240B(f) of the Food Security Act of 1985 (16
17 U.S.C. 3839aa–2(f)) is amended—

18 (A) by striking “2023” each place it ap-
19 pears and inserting “2030”; and

20 (B) in paragraph (1), by striking “includ-
21 ing grazing management” and inserting “of
22 which not less than two thirds shall be targeted
23 at practices relating to grazing management”.

24 (4) PAYMENTS FOR CONSERVATION PRACTICES
25 RELATED TO ORGANIC PRODUCTION.—Section

1 1240B(i) of the Food Security Act of 1985 (16
2 U.S.C. 3839aa-2(i)) is amended by striking para-
3 graph (3) and redesignating paragraphs (4) and (5)
4 as paragraphs (3) and (4), respectively.

5 (5) CONSERVATION INCENTIVE CONTRACTS.—
6 Section 1240B(j)(1) of the Food Security Act of
7 1985 (16 U.S.C. 3839aa-2(j)(1)) is amended by
8 adding at the end the following:

9 “(C) CLIMATE CHANGE ADAPTATION AND
10 MITIGATION.—For the purposes of this sub-
11 section, priority resource concerns include cli-
12 mate change adaptation and mitigation.”.

13 (d) ENVIRONMENTAL QUALITY INCENTIVES PLAN.—
14 Section 1240E(a)(3) of the Food Security Act of 1985 (16
15 U.S.C. 3839aa-5(a)(3)) is amended by inserting “, and
16 a greenhouse gas emissions reduction plan” after “if appli-
17 cable”.

18 (e) LIMITATION ON PAYMENTS.—Section 1240G of
19 the Food Security Act of 1985 (16 U.S.C. 3839aa-7) is
20 amended by striking “Not including payments made under
21 section 1240B(j), a person or legal entity may not receive,
22 directly or indirectly, cost-share or incentive payments
23 under this subchapter that, in aggregate, exceed \$450,000
24 for all contracts entered into under this subchapter by the
25 person or legal entity during the period of fiscal years

1 2014 through 2018, or the period of fiscal years 2019
 2 through 2023” and inserting “A person or legal entity (in-
 3 cluding a joint venture and a general partnership) may
 4 not receive, directly or indirectly, cost-share or incentive
 5 payments under this subchapter that, in aggregate, exceed
 6 \$450,000 for all contracts entered into under this sub-
 7 chapter by the person or legal entity during any 5-fiscal-
 8 year period”.

9 (f) CONSERVATION INNOVATION GRANTS.—

10 (1) AIR QUALITY CONCERNS FROM AGRICUL-
 11 TURAL OPERATIONS.—Section 1240H(b) of the
 12 Food Security Act of 1985 (16 U.S.C. 3839aa–8(b))
 13 is amended—

14 (A) in paragraph (1), by inserting “and to
 15 meet Federal, State, and local goals with re-
 16 spect to greenhouse gas emissions reductions”
 17 after “local regulatory requirements”; and

18 (B) in paragraph (2), by striking “2019
 19 through 2023” and inserting “2019 and 2020,
 20 and \$50,000,000 for each of fiscal years 2021
 21 through 2030”.

22 (2) ON-FARM CONSERVATION INNOVATION
 23 TRIALS.—Section 1240H(c)(2) of the Food Security
 24 Act of 1985 (16 U.S.C. 3839aa–8(c)(2)) is amended
 25 by striking “2019 through 2023” and inserting

1 “2019 and 2020, \$50,000,000 of the funds made
2 available to carry out this subchapter for each of fis-
3 cal years 2021 through 2023, and \$100,000,000 of
4 the funds made available to carry out this sub-
5 chapter for each of fiscal years 2024 through 2030”.

6 **SEC. 303. CONSERVATION STEWARDSHIP PROGRAM.**

7 (a) DEFINITIONS.—Section 1240I(2) of the Food Se-
8 curity Act of 1985 (16 U.S.C. 3839aa–21(2)) is amend-
9 ed—

10 (1) in subparagraph (A), by inserting “enhance-
11 ments,” after “practices,”; and

12 (2) in subparagraph (B)(v), by inserting “and
13 climate change” before the period at the end.

14 (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-
15 tion 1240J(a) of the Food Security Act of 1985 (16
16 U.S.C. 3839aa–22(a)) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “2023” and inserting “2030”; and

19 (2) by striking paragraphs (1) and (2) and in-
20 serting the following:

21 “(1) by maintaining, actively managing, and,
22 where possible, improving upon existing conservation
23 activities; and

24 “(2) by undertaking additional conservation ac-
25 tivities.”.

1 (c) STEWARDSHIP CONTRACTS.—

2 (1) SUBMISSION OF CONTRACT OFFERS.—Sec-
 3 tion 1240K(a)(2)(B) of the Food Security Act of
 4 1985 (16 U.S.C. 3839aa–23(a)(2)(B)) is amended
 5 by striking “improving, maintaining, and managing”
 6 and inserting “maintaining, actively managing, and,
 7 where possible, improving”.

8 (2) EVALUATION OF CONTRACT OFFERS.—Sec-
 9 tion 1240K(b)(3) of the Food Security Act of 1985
 10 (16 U.S.C. 3839aa–23(b)(3)) is amended by striking
 11 “that national, State, and local priority resource
 12 concerns are effectively addressed” and inserting
 13 “that the program effectively targets improvements
 14 to soil health, increases in carbon sequestration, and
 15 reductions in greenhouse gas emissions”.

16 (3) CONTRACT RENEWAL.—Section
 17 1240K(e)(3) of the Food Security Act of 1985 (16
 18 U.S.C. 3839aa–23(e)(3)) is amended to read as fol-
 19 lows:

20 “(3) agrees, by the end of the contract period,
 21 to meet the stewardship threshold of at least 2 addi-
 22 tional priority resource concerns on the agricultural
 23 operation, if applicable.”.

24 (d) DUTIES OF THE SECRETARY.—

1 (1) CLIMATE CHANGE ADAPTATION AND MITI-
 2 GATION.—Section 1240L(a)(2) of the Food Security
 3 Act of 1985 (16 U.S.C. 3839aa–24(a)(2)) is amend-
 4 ed by inserting “(which may include climate change
 5 adaptation and mitigation)” after “priority resource
 6 concerns”.

7 (2) CONSERVATION STEWARDSHIP PAY-
 8 MENTS.—Section 1240L(c) of the Food Security Act
 9 of 1985 (16 U.S.C. 3839aa–24(c)) is amended—

10 (A) in paragraph (1)(B), by striking “im-
 11 proving, maintaining, and managing” and in-
 12 serting “maintaining, actively managing, and
 13 improving”; and

14 (B) in paragraph (2)(E), by inserting “,
 15 actively managed, and, where applicable, im-
 16 proved” after “maintained”.

17 (3) PAYMENT LIMITATIONS.—Section 1240L(f)
 18 of the Food Security Act of 1985 (16 U.S.C.
 19 3839aa–24(f)) is amended—

20 (A) by striking “fiscal years 2019 through
 21 2023” and inserting “any consecutive 5-year
 22 period”; and

23 (B) by inserting “(including joint ventures
 24 and general partnerships)” before the period at
 25 the end.

1 (e) ON-FARM CONSERVATION STEWARDSHIP INNO-
 2 VATION GRANTS.—Subchapter B of chapter 4 of subtitle
 3 D of subtitle D of title XII of the Food Security Act of
 4 1985 (16 U.S.C. 3839aa–21 et seq.) is amended by adding
 5 at the end the following:

6 **“SEC. 1240L–2. ON-FARM CONSERVATION STEWARDSHIP IN-**
 7 **NOVATION GRANTS.**

8 “(a) DEFINITION.—In this section, the term ‘agricul-
 9 tural professional’ means university researchers and edu-
 10 cators, including extension agents and specialists, Federal
 11 agency field staff, agricultural consultants, State and local
 12 agency staff, tribal agency staff, Federally-Recognized
 13 Tribes Extension Program agents, and nonprofit organiza-
 14 tion staff assisting farmers and ranchers at the local level.

15 “(b) GRANTS.—Out of the funds made available to
 16 carry out this chapter, the Secretary may pay the cost of
 17 competitive grants that are intended to stimulate innova-
 18 tive approaches on farms and ranches to leverage Federal
 19 investment in conservation stewardship, in conjunction
 20 with agricultural production or forest resource manage-
 21 ment, through the program.

22 “(c) PARTICIPANTS.—The Secretary shall carry out
 23 on-farm conservation innovation projects on eligible land
 24 of program participants—

1 “(1) directly with producers participating in the
2 program; or

3 “(2) through partnerships between agricultural
4 professionals and small groups of program partici-
5 pants.

6 “(d) USE.—The Secretary may provide grants di-
7 rectly or through partnerships under this section to agri-
8 cultural operations enrolled in the program, or groups of
9 such operations, on a competitive basis, to carry out
10 projects that—

11 “(1) facilitate on-farm research and demonstra-
12 tion or pilot testing of new technologies or innovative
13 conservation systems and practices that aim to re-
14 duce greenhouse gas emissions and decarbonize agri-
15 culture;

16 “(2) facilitate on-farm research and demonstra-
17 tion or pilot testing of practices and systems with
18 proven high impact for greenhouse gas emissions re-
19 duction and decarbonization with low national or re-
20 gional adoption rates; or

21 “(3) help prepare program participants for par-
22 ticipation in environmental services markets that
23 have as a primary goal greenhouse gas emissions re-
24 duction or decarbonization of agriculture.

25 “(e) INCENTIVE PAYMENTS.—

1 “(1) AGREEMENTS.—In carrying out this sec-
2 tion, the Secretary shall enter into agreements with
3 producers (either directly or through governmental
4 or non-governmental organizations involved in a
5 partnership) on whose land an on-farm conservation
6 innovation trial is being carried out to provide pay-
7 ments to the producers to assist with adopting and
8 evaluating new or innovative conservation ap-
9 proaches to achieve conservation benefits. Payments
10 shall reflect the direct costs of the research and
11 demonstration and compensation for foregone in-
12 come, as appropriate to address the increased eco-
13 nomic risk or lower economic return potentially asso-
14 ciated with the innovative conservation approach.

15 “(2) ADJUSTED GROSS INCOME REQUIRE-
16 MENTS.—

17 “(A) IN GENERAL.—Adjusted gross income
18 requirements under section 1001D(b)(1)
19 shall—

20 “(i) apply to producers receiving pay-
21 ments under this subsection; and

22 “(ii) be enforced by the Secretary.

23 “(B) REPORTING.—A governmental or
24 non-governmental organization participating in
25 an on-farm conservation stewardship innovation

1 partnership project under this subsection shall
2 report annually to the Secretary on the amount
3 of payments made to individual farm operations
4 under this subsection.

5 “(3) RESEARCH, TECHNICAL ASSISTANCE, AND
6 ADMINISTRATIVE EXPENSES.—The Secretary may
7 provide partnerships under this section with up to
8 \$50,000 per project for research, technical assist-
9 ance, and administrative expenses.

10 “(4) LENGTH OF AGREEMENTS.—An agreement
11 entered into under paragraph (1) shall be for a pe-
12 riod determined by the Secretary that is—

13 “(A) not less than 2 years; and

14 “(B) if appropriate, more than 2 years, in-
15 cluding if such a period is appropriate to sup-
16 port—

17 “(i) adaptive management over mul-
18 tiple crop years; and

19 “(ii) adequate data collection and
20 analysis by a producer or partnership to
21 report the natural resource and agricul-
22 tural production benefits of the new or in-
23 novative conservation approaches to the
24 Secretary.”.

1 **SEC. 304. STATE ASSISTANCE FOR SOIL HEALTH.**

2 Chapter 5 of subtitle D of title XII of the Food Secu-
3 rity Act of 1985 (16 U.S.C. 3839bb et seq.) is amended
4 by adding at the end the following:

5 **“SEC. 1240S. STATE ASSISTANCE FOR SOIL HEALTH.**

6 “(a) AVAILABILITY AND PURPOSE OF GRANTS.—
7 Using funds made available under subsection (l), the Sec-
8 retary shall make grants to States or tribal governments
9 for each of fiscal years 2021 through 2030 to be used by
10 State departments of agriculture or appropriate tribal au-
11 thorities to improve soil health on agricultural lands.

12 “(b) ELIGIBILITY.—

13 “(1) IN GENERAL.—To be eligible to receive a
14 grant under this section, a State legislature or tribal
15 government shall have enacted and be currently
16 funding a State or tribal soil health program for ag-
17 ricultural land. A State department of agriculture or
18 tribal government may then prepare and submit, for
19 approval by the Secretary, an application at such
20 time, and in such a manner, and containing such in-
21 formation as the Secretary shall require, including
22 an assurance that grant funds received under this
23 section shall supplement the expenditure of State or
24 tribal funds in support of soil health in that State,
25 rather than replace State or tribal funds.

1 “(2) COMPONENTS.—A State or tribal soil
2 health program may include—

3 “(A) technical assistance;

4 “(B) financial assistance;

5 “(C) on-farm research and demonstration;

6 “(D) education, outreach, and training;

7 “(E) monitoring and evaluation; or

8 “(F) such other components as the Sec-
9 retary deems appropriate.

10 “(c) TRIBAL OPTION.—At the sole discretion of a
11 tribal government, an Indian tribe or tribal organization
12 shall have the option of being incorporated into a State
13 application rather than submitting its own application.

14 “(d) GRANT AMOUNT.—

15 “(1) MAXIMUM.—The maximum grant any one
16 State or tribe may receive under this section for a
17 fiscal year shall be \$5,000,000.

18 “(2) FEDERAL SHARE.—The grant amount to a
19 State or tribe shall not exceed—

20 “(A) 50 percent of the State expenditure
21 for its soil health program; or

22 “(B) 75 percent of the tribal expenditure
23 for its soil health program.

24 “(e) GRANT TERM.—A grant under this section shall
25 be for one year and may be renewed annually.

1 “(f) PRIORITY.—The Secretary shall give priority to
2 States or tribes with a climate action plan that includes
3 soil health, as determined by the Secretary.

4 “(g) PERFORMANCE MEASURES AND EVALUATION.—

5 “(1) PERFORMANCE MEASURES.—Each applica-
6 tion under subsection (b) shall include performance
7 measures to be used to evaluate the State or tribal
8 program and the results of the assistance received
9 under this section.

10 “(2) REVIEW.—The State department of agri-
11 culture or the tribal authority shall submit a review
12 and evaluation of its program to the Secretary at
13 such intervals as the Secretary shall establish.

14 “(h) REVIEW OF APPLICATION.—In reviewing an ap-
15 plication submitted under subsection (b), the Secretary
16 shall ensure the State or tribal program is properly fo-
17 cused on soil health improvement, is broadly consistent
18 with the soil health principles of the Natural Resources
19 Conservation Service, and is meeting or exceeding its per-
20 formance measures.

21 “(i) EFFECT OF NONCOMPLIANCE.—If the Secretary,
22 after reasonable notice to a State or tribe, finds that there
23 has been a failure by the State or tribe to comply with
24 the terms of a grant made under this section, the Sec-

1 retary may disqualify, for one or more years, the State
2 or tribe from receipt of future grants under this section.

3 “(j) AUDIT REQUIREMENT.—For each year that a
4 State or tribe receives a grant under this section, the State
5 or tribe shall conduct an audit of the expenditures of grant
6 funds by the State or tribe and shall submit a copy of
7 the audit to the Secretary within 30 days of its completion.

8 “(k) ADMINISTRATION.—

9 “(1) DEPARTMENT.—The Secretary may not
10 use more than 3 percent of the funds made available
11 to carry out this section for a fiscal year for admin-
12 istrative expenses.

13 “(2) STATES OR TRIBES.—A State or tribe re-
14 ceiving a grant under this section may not use more
15 than 7 percent of the funds received under the grant
16 for a fiscal year for administrative expenses.

17 “(l) FUNDING.—Of the funds of the Commodity
18 Credit Corporation, the Secretary shall make grants under
19 this section using—

20 “(1) \$60,000,000 for fiscal years 2021 through
21 2023;

22 “(2) \$80,000,000 for fiscal years 2024 through
23 2026; and

24 “(3) \$100,000,000 for fiscal year 2027 and
25 each fiscal year thereafter.”.

1 **SEC. 305. FUNDING AND ADMINISTRATION.**

2 (a) COMMODITY CREDIT CORPORATION.—

3 (1) ANNUAL FUNDING.—Section 1241(a) of the
4 Food Security Act of 1985 (16 U.S.C. 3841(a)) is
5 amended—

6 (A) in the matter preceding paragraph (1),
7 by striking “For each of fiscal years 2014
8 through 2023, the Secretary” and inserting
9 “The Secretary”;

10 (B) in paragraph (1)—

11 (i) in subparagraph (A), by inserting
12 “, and \$17,000,000 for the period of fiscal
13 years 2024 through 2030,” after “2023”;
14 and

15 (ii) in subparagraph (B), by inserting
16 “and \$70,000,000 for the period of fiscal
17 years 2024 through 2030, including not
18 more than \$5,000,000 to provide outreach
19 and technical assistance,” after “technical
20 assistance,”;

21 (C) in paragraph (2)—

22 (i) in subparagraph (E), by striking “;
23 and” and inserting a semicolon;

24 (ii) in subparagraph (F), by striking
25 “2023.” and inserting “2021; and”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(G) \$700,000,000 for each of fiscal years
4 2022 through 2030.”; and

5 (D) in paragraph (3)—

6 (i) in subparagraph (A)—

7 (I) in clause (iv), by striking “;
8 and” and inserting a semicolon; and

9 (II) by adding at the end the fol-
10 lowing:

11 “(vi) \$3,000,000,000 for fiscal years
12 2024 through 2030; and”; and

13 (ii) in subparagraph (B)—

14 (I) in clause (iii), by striking
15 “\$750,000,000” and inserting
16 “\$2,000,000,000”;

17 (II) in clause (iv), by striking
18 “\$800,000,000 for fiscal year 2022;
19 and” and inserting “\$2,500,000,000
20 for fiscal year 2022.”;

21 (III) in clause (v), by striking
22 “\$1,000,000,000 for fiscal year
23 2023.” and inserting “\$3,000,000,000
24 for fiscal year 2023; and”; and

1 (IV) by adding at the end the fol-
2 lowing:

3 “(vi) \$4,000,000,000 for fiscal years
4 2024 through 2030.”.

5 (2) AVAILABILITY OF FUNDS.—Section 1241(b)
6 of the Food Security Act of 1985 (16 U.S.C.
7 3841(b)) is amended by striking “2023” and insert-
8 ing “2030”.

9 (3) TECHNICAL ASSISTANCE.—Section 1241(c)
10 of the Food Security Act of 1985 (16 U.S.C.
11 3841(c)) is amended by adding at the end the fol-
12 lowing:

13 “(5) SPECIAL INITIATIVE.—

14 “(A) IN GENERAL.—Beginning in fiscal
15 year 2021 and every year thereafter through
16 fiscal year 2030, the Secretary shall use for a
17 special technical assistance initiative to assist
18 producers in mitigating and adapting to climate
19 change, from the Commodity Credit Corpora-
20 tion, an amount equal to not less than 1 per-
21 cent of Commodity Credit Corporation funds
22 made available for a fiscal year for each of the
23 programs specified in subsection (a).

24 “(B) PROVISION OF TECHNICAL ASSIST-
25 ANCE.—The Secretary shall provide technical

1 assistance under this special initiative to pro-
 2 ducers—

3 “(i) directly;

4 “(ii) through an agreement with a
 5 third-party provider (as defined in section
 6 1242), or, at the option of the producer,
 7 through a payment, as determined by the
 8 Secretary, to the producer for a third-party
 9 provider approved under section 1242, if
 10 available; or

11 “(iii) through a cooperative agreement
 12 or contract with—

13 “(I) a cooperative extension;

14 “(II) a non-governmental organi-
 15 zation; or

16 “(III) a State, tribal, or Federal
 17 agency.”.

18 (4) ASSISTANCE TO CERTAIN FARMERS OR
 19 RANCHERS FOR CONSERVATION ACCESS.—Section
 20 1241(h) of the Food Security Act of 1985 (16
 21 U.S.C. 3841(h)) is amended—

22 (A) in paragraph (1)(B), by striking “to
 23 the maximum extent practicable” and all that
 24 follows through the period at the end and in-
 25 serting “to the maximum extent practicable, 30

1 percent to assist beginning farmers or ranchers
2 and socially disadvantaged farmers or ranch-
3 ers.”; and

4 (B) in paragraph (2), by striking “2023”
5 and inserting “2030”.

6 (b) ADMINISTRATIVE REQUIREMENTS FOR CON-
7 SERVATION PROGRAMS.—

8 (1) INCENTIVES FOR CERTAIN FARMERS AND
9 RANCHERS AND INDIAN TRIBES.—Section
10 1244(a)(1) of the Food Security Act of 1985 (16
11 U.S.C. 3844(a)(1)) is amended—

12 (A) in subparagraph (A), by striking “;
13 and” and inserting a semicolon; and

14 (B) by striking subparagraph (B) and in-
15 serting the following:

16 “(B) to establish a new generation of pro-
17 ducers who use the full array of climate-friendly
18 conservation activities that reduce greenhouse
19 gas emissions, increase soil carbon, and improve
20 resilience to weather extremes; and

21 “(C) to enhance other long-term environ-
22 mental goals.”.

23 (2) REVIEW AND GUIDANCE FOR PRACTICE
24 COSTS AND PAYMENT RATES.—Section

1 1244(j)(1)(B) of the Food Security Act of 1985 (16
2 U.S.C. 3844(j)(1)(B)) is amended—

3 (A) in clause (ii), by striking “; and” and
4 inserting a semicolon;

5 (B) in clause (iii), by striking the period at
6 the end and inserting “; and”; and

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

8 “(iv) accelerates progress in meeting
9 the goals established under title I of the
10 Agriculture Resilience Act.”.

11 (3) ADVANCED GRAZING MANAGEMENT.—Sec-
12 tion 1244 of the Food Security Act of 1985 (16
13 U.S.C. 3844) is amended by adding at the end the
14 following:

15 “(q) ADVANCED GRAZING MANAGEMENT.—

16 “(1) IN GENERAL.—In carrying out any con-
17 servation program administered by the Secretary,
18 the Secretary shall encourage advanced grazing
19 management, including management-intensive rota-
20 tional grazing, as such terms are defined in section
21 1240L(d).

22 “(2) RESERVATION OF FUNDS.—In each of fis-
23 cal years 2021 through 2030, the Secretary shall use
24 to carry out this subsection not less than two thirds
25 of any funds available for activities related to live-

1 stock production under conservation programs ad-
2 ministered by the Secretary under this title (other
3 than the conservation reserve program established
4 under subchapter B of chapter 1 of subtitle D, ex-
5 cept for acres enrolled under section 1231(d)(2)).”.

6 (c) ENVIRONMENTAL SERVICES MARKETS.—Section
7 1245 of the Food Security Act of 1985 (16 U.S.C. 3845)
8 is amended by adding at the end the following:

9 “(f) SOIL HEALTH AND GREENHOUSE GAS FEDERAL
10 ADVISORY COMMITTEE.—

11 “(1) ESTABLISHMENT.—Not later than 6
12 months after the date of enactment of this sub-
13 section, the Secretary shall establish an advisory
14 committee, to be known as the Soil Health and
15 Greenhouse Gas Federal Advisory Committee.

16 “(2) MEMBERSHIP.—In carrying out paragraph
17 (1), the Secretary shall appoint members to the ad-
18 visory committee that reflect diversity in gender,
19 age, race, and geography and include—

20 “(A) farmers and ranchers, including those
21 operating small and mid-sized farms;

22 “(B) organizations representing farmers
23 and ranchers, including those representing
24 small and mid-sized farms;

25 “(C) scientists;

1 “(D) environmental nonprofit organiza-
2 tions;

3 “(E) existing private sector carbon and
4 ecosystem services market development initia-
5 tives;

6 “(F) businesses working to reduce green-
7 house gas emissions from agriculture in their
8 supply chains;

9 “(G) relevant Federal agencies;

10 “(H) youth engaged in the agriculture or
11 food sector;

12 “(I) tribal communities; and

13 “(J) State agriculture agencies.

14 “(3) TERMS.—

15 “(A) TERM LENGTH.—The term of a
16 member of the advisory committee shall be 2
17 years.

18 “(B) REAPPOINTMENT.—The Secretary
19 may reappoint a member for not more than 2
20 consecutive terms.

21 “(4) MEETINGS.—The advisory committee shall
22 meet at least 4 times in the first year after it is es-
23 tablished, and at least twice annually thereafter.

24 “(5) RECOMMENDATIONS.—Not later than 12
25 months after the date on which the advisory com-

1 mittee is established, and periodically thereafter, the
2 advisory committee shall submit to the Secretary
3 recommendations on—

4 “(A) the feasibility of establishing reliable
5 outcomes-based measurement systems, as de-
6 scribed in subsection (g);

7 “(B) existing technology that provides reli-
8 able measurement data;

9 “(C) for those parameters for which exist-
10 ing technology does not provide reliable meas-
11 urement data, research and technical needs
12 and, as appropriate, goals and plans for such
13 research;

14 “(D) standards for data collection and dis-
15 semination;

16 “(E) farmer data management and pri-
17 vacy;

18 “(F) greenhouse gas emissions and soil
19 health inventories and databases, as described
20 in subsection (h); and

21 “(G) criteria for soil health and green-
22 house gas emissions reductions payments and
23 environmental markets, as described in sub-
24 section (i).

25 “(g) MEASUREMENT SYSTEM.—

1 “(1) PURPOSE.—The Secretary shall evaluate
2 existing outcomes-based measurement systems for
3 recordkeeping, modeling, and measurement of farm-
4 level greenhouse gas emissions and soil carbon se-
5 questration, including measures of soil disturbance,
6 plant diversity, continual living cover, residue man-
7 agement, advanced grazing management, and crop-
8 livestock integration, to determine which such sys-
9 tems can be implemented quickly, improve in accu-
10 racy and ease over time, use the best available
11 science and technology, and are cost-effective.

12 “(2) GUIDANCE.—Not later than 18 months
13 after the date of enactment of this subsection, the
14 Secretary shall issue guidance on the outcomes-
15 based measurement system evaluated under para-
16 graph (1), based on recommendations from the advi-
17 sory committee under subsection (f), and informa-
18 tion from agroecosystem models (including COMET
19 Farm and COMET Farm Planner), remote sensing
20 data and analysis (including the Operational Tillage
21 Information System), soil health demonstration
22 trials carried out under section 1240H(c)(7), exist-
23 ing and emerging public and private environmental
24 services protocols, measurement systems, and bench-
25 marks, and field-level measurement.

1 “(3) REVIEW.—The Secretary, based on rec-
2 ommendations from the advisory committee estab-
3 lished under subsection (f), shall—

4 “(A) establish and maintain such an out-
5 comes-based measurement system when fea-
6 sible;

7 “(B) conduct periodic review of such sys-
8 tem, and any necessary updates; and

9 “(C) establish research and development
10 goals and plans as needed.

11 “(h) INVENTORY.—

12 “(1) IN GENERAL.—Not later than 18 months
13 after the date of enactment of this subsection, and
14 every 2 years thereafter, the Secretary, in consulta-
15 tion with the advisory committee established under
16 subsection (f) and the Administrator of the Environ-
17 mental Protection Agency, shall conduct a nation-
18 wide soil health and agricultural greenhouse gas
19 emissions inventory that uses the best available
20 science and data to establish expected average per-
21 formance for soil carbon drawdown and storage and
22 greenhouse gas emissions reduction by primary pro-
23 duction type and production region.

24 “(2) DATABASE.—The Secretary shall create an
25 accessible and interoperable database for the infor-

1 mation collected through the inventory conducted
2 under paragraph (1), and shall improve and update
3 such database at least once every two years as new
4 data is collected.

5 “(i) CRITERIA.—The Secretary, in consultation with
6 the advisory committee established under subsection (f),
7 shall establish criteria for payments, credits, or other
8 forms of incentives to inform policy and markets estab-
9 lished to promote soil carbon sequestration or greenhouse
10 gas emissions reductions. The criteria shall—

11 “(1) have a documented likelihood to lead to
12 long-term net increases in soil carbon sequestration
13 and net reductions in greenhouse gas emissions, ac-
14 cording to the best available science;

15 “(2) be based in part on environmental impact
16 modeling of the changes of shifting from baseline ag-
17 ricultural practices to new or improved agricultural
18 practices; and

19 “(3) be designed to prevent the degradation of
20 other natural resource or environmental conditions.

21 “(j) DEMONSTRATION TRIALS.—

22 “(1) IN GENERAL.—The Secretary shall peri-
23 odically review the results from soil health dem-
24 onstration trials carried out under section
25 1240H(c)(7), and other similar public and private

1 demonstration trials the Secretary determines appro-
2 priate, to inform the activities under subsections (g),
3 (h), and (i).

4 “(2) RECOMMENDATIONS.—In submitting re-
5 ports pursuant to section 1240H(c)(7)(C), the Sec-
6 retary shall include any recommendations to Con-
7 gress for changes or additions to the conservation
8 programs under this Act the Secretary determines
9 appropriate to accelerate net increases in soil carbon
10 sequestration and other improvements in soil
11 health.”.

12 **SEC. 306. CARBON TAX CREDIT FEASIBILITY STUDY.**

13 (a) STUDY.—The Secretary of the Treasury (“the
14 Secretary”), in coordination with the Secretary of Agri-
15 culture, shall conduct a study of the feasibility of devel-
16 oping a credit against tax to incentivize carbon capture
17 on farms and ranches.

18 (b) REPORT.—Not later than one year after the date
19 of the enactment of this section, the Secretary shall sub-
20 mit to Congress a report that describes the results of the
21 study in subsection (a), including whether or not to pro-
22 ceed with a tax credit and, if so, detailed recommendations
23 for—

24 (1) which taxpayers should be eligible for the
25 credit;

1 (2) methods for measuring (if feasible) or esti-
2 mating baseline soil carbon conditions on a farm or
3 ranch;

4 (3) methods for measuring (if feasible) or esti-
5 mating the amount of soil carbon sequestered or
6 abated on a farm or ranch;

7 (4) incentivizing early adoption of carbon cap-
8 ture practices;

9 (5) the number of years a taxpayer should be
10 eligible for the credit;

11 (6) establishing rules for recapture in instances
12 in which carbon capture ceases or carbon is not re-
13 tained in soil;

14 (7) establishing rules for recapture if ownership
15 of land is transferred;

16 (8) setting the dollar value of the tax credit;

17 (9) setting phase outs for tax credit eligibility;

18 (10) establishing certification requirements for
19 carbon capture;

20 (11) establishing rules for attributing the credit
21 to a taxpayer;

22 (12) establishing rules for carrying over unused
23 credits; and

24 (13) such other provisions as the Secretary de-
25 termines necessary.

1 **SEC. 307. CONSERVATION COMPLIANCE.**

2 (a) DEFINITIONS.—

3 (1) CONSERVATION PLAN.—Section 1201(a)(3)
4 of the Food Security Act of 1985 (16 U.S.C.
5 3801(a)(3)) is amended—

6 (A) by striking “highly erodible” each
7 place it appears; and

8 (B) in subparagraph (B), by striking “and
9 conservation treatment measures” and inserting
10 “crop rotation and cover crop systems, and
11 other relevant conservation treatment meas-
12 ures”.

13 (2) CONSERVATION SYSTEM.—Section
14 1201(a)(4) of the Food Security Act of 1985 (16
15 U.S.C. 3801(a)(4)) is amended—

16 (A) in subparagraph (A), by striking “;
17 and” and inserting a semicolon;

18 (B) in subparagraph (B)—

19 (i) by striking “or a substantial im-
20 provement in soil conditions on a field or
21 group of fields containing highly erodible
22 cropland” and inserting “and a substantial
23 improvement in soil health conditions (in-
24 cluding soil carbon levels) on a field or
25 group of fields containing cropland”; and

1 (ii) by striking the period at the end
 2 and inserting a semicolon; and

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

4 “(C) are designed to achieve, within five
 5 years of actively applying a conservation plan,
 6 a level of erosion not to exceed twice the soil
 7 loss tolerance level; and

8 “(D) are designed to effectively prevent the
 9 formation of new, or treat all existing, ephem-
 10 eral gullies.”.

11 (3) HIGHLY ERODIBLE LAND.—Section
 12 1201(a)(11)(A)(ii) of the Food Security Act of 1985
 13 (16 U.S.C. 3801(a)(11)(A)(ii)) is amended by strik-
 14 ing “excessive average annual rate of erosion in rela-
 15 tion to” and inserting “average annual rate of ero-
 16 sion exceeding twice”.

17 (b) CROPLAND CONSERVATION.—

18 (1) PROGRAM INELIGIBILITY.—Section 1211 of
 19 the Food Security Act of 1985 (16 U.S.C. 3811) is
 20 amended—

21 (A) in subsection (a)—

22 (i) in the matter preceding paragraph
 23 (1), by striking “produces an agricultural
 24 commodity on a field on which highly erod-
 25 ible land is predominant, or designates

1 land on which highly erodible land is pre-
 2 dominant to be set aside, diverted, devoted
 3 to conservation uses, or otherwise not cul-
 4 tivated under a program administered by
 5 the Secretary to reduce production of an
 6 agricultural commodity, as determined by
 7 the Secretary” and inserting “carries out
 8 an activity described in subsection (b), as
 9 determined by the Secretary,”; and

10 (ii) in paragraph (1)(D), by inserting
 11 “cropland or” before “highly erodible
 12 land”; and

13 (B) by striking subsection (b) and insert-
 14 ing the following:

15 “(b) ACTIVITIES DESCRIBED.—Activities described
 16 in this subsection are—

17 “(1) the production of an agricultural com-
 18 modity on a field on which highly erodible land is
 19 predominant;

20 “(2) the designation of land on which highly
 21 erodible land cropland is predominant to be set
 22 aside, diverted, devoted to conservation uses, or oth-
 23 erwise not cultivated under a program administered
 24 by the Secretary to reduce production of an agricul-
 25 tural commodity; and

1 “(3) the production of an agricultural com-
2 modity without having in place a conservation plan.

3 “(c) AUTHORITY OF SECRETARY.—The Secretary
4 shall have, and shall not delegate to any private person
5 or entity, authority to determine whether a person has
6 complied with this subtitle.”.

7 (2) EXEMPTIONS.—Section 1212 of the Food
8 Security Act of 1985 (16 U.S.C. 3812) is amend-
9 ed—

10 (A) in subsection (a)(3), by striking “only
11 be required to apply a conservation plan estab-
12 lished under this subtitle. The person shall not
13 be required to meet a higher conservation
14 standard than” and inserting “be required to
15 apply a conservation plan established under this
16 subtitle consistent with”; and

17 (B) in subsection (f)(4)(A)—

18 (i) in clause (i), by striking “highly
19 erodible”; and

20 (ii) in clause (ii)(II), by inserting
21 “and soil health” after “erosion control”.

22 (3) CONFORMING AMENDMENT.—Subtitle B of
23 title XII of the Food Security Act of 1985 (16
24 U.S.C. 3810 et seq.) is amended in the subtitle

1 heading by striking “**Highly Erodible Land**”
2 and inserting “**Cropland**”.

3 **SEC. 308. AGROFORESTRY CENTERS.**

4 Section 1243 of the Food, Agriculture, Conservation,
5 and Trade Act of 1990 (16 U.S.C. 1642 note; Public Law
6 101–624) is amended—

7 (1) by amending the section heading to read as
8 follows: “**NATIONAL AND REGIONAL AGRO-**
9 **FORESTRY CENTERS**”;

10 (2) by amending subsection (a) to read as fol-
11 lows:

12 “(a) NATIONAL AND REGIONAL AGROFORESTRY
13 CENTERS.—The Secretary of Agriculture shall establish
14 at the Forestry Sciences Laboratory of the United States
15 Forest Service, in Lincoln, Nebraska, a Semiarid Agro-
16 forestry Research, Development, and Demonstration Cen-
17 ter, and acting through the Chief of the Forest Service
18 and in cooperation with the Natural Resources Conserva-
19 tion Service, shall establish three additional regional agro-
20 forestry centers at other locations to be determined by the
21 Secretary (referred to in this section as the ‘Centers’). The
22 Secretary shall appoint a National Director and three Re-
23 gional Directors to manage and coordinate the program
24 established under subsection (b).”;

25 (3) in subsection (b)—

1 (A) in the matter preceding paragraph (1),
2 by striking “Center” and inserting “Centers”;

3 (B) in paragraph (1), by striking “on
4 semiarid lands that” and inserting “that build
5 soil health and”;

6 (C) in paragraph (4)—

7 (i) by striking “in semiarid regions”;

8 and

9 (ii) by striking “the Great Plains re-
10 gion” and inserting “particular regions”;

11 (D) in paragraph (7), by striking “on
12 semiarid lands”;

13 (E) in paragraph (8), by striking “on
14 semiarid lands worldwide” and inserting
15 “worldwide, including on semiarid lands”; and

16 (F) in paragraph (9)—

17 (i) by striking “on semiarid lands”;

18 and

19 (ii) by inserting “and climate change”
20 after “pollution”;

21 (4) in subsection (c), in the matter preceding
22 paragraph (1), by striking “Center” and inserting
23 “Centers”; and

1 (5) in subsection (d), by striking “through
 2 2023” and inserting “and 2020 and \$25,000,000
 3 for each of the fiscal years 2021 through 2030”.

4 **TITLE IV—FARMLAND PRESER-** 5 **VATION AND FARM VIABILITY**

6 **SEC. 401. LOCAL AGRICULTURE MARKET PROGRAM.**

7 Section 210A of the Agricultural Marketing Act of
 8 1946 (7 U.S.C. 1627c) is amended—

9 (1) in subsection (a)(12)—

10 (A) by redesignating clauses (iv) and (v) as
 11 clauses (vi) and (vii), respectively; and

12 (B) by inserting after clause (iii) the fol-
 13 lowing:

14 “(iv) is produced and marketed in a
 15 manner that significantly improves soil
 16 health and carbon sequestration;

17 “(v) when added to the crop rotation
 18 on a farm, will significantly improve soil
 19 health and carbon sequestration;”;

20 (2) in subsection (b)—

21 (A) in paragraph (1)—

22 (i) in subparagraph (B), by striking “;
 23 and” and inserting a semicolon;

24 (ii) in subparagraph (C), by striking
 25 the period at the end and inserting “, in-

cluding value-added agricultural products from crops that when added into crop rotations on a farm will significantly improve soil health and carbon sequestration; and”; and

(iii) by adding at the end the following:

“(D) markets for agricultural commodities and products produced in a manner that significantly improve soil health and carbon sequestration.”;

(B) in paragraph (3)—

(i) by striking “and local” and inserting “, local”; and

(ii) by inserting before the semicolon at the end the following: “, and production and marketing approaches to significantly improve soil health and carbon sequestration”;

(C) in paragraph (5), by striking “and” at the end;

(D) by redesignating paragraph (6) as paragraph (7); and

(E) by inserting after paragraph (5) the following:

1 “(6) enhances the economic viability of pro-
2 ducers and related agricultural enterprises; and”;

3 (3) in subsection (d)—

4 (A) in paragraph (2)—

5 (i) in subparagraph (C)—

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

8 (II) in clause (ii), by adding
9 “and” at the end; and

10 (III) by adding at the end the
11 following:

12 “(iii) agricultural commodities and
13 products that are produced and marketed
14 in a manner that significantly improve soil
15 health and carbon sequestration, or that
16 when added to a crop rotation on a farm
17 will significantly improve soil health and
18 carbon sequestration;”; and

19 (ii) in subparagraph (F), by striking
20 “and value-added agricultural products in
21 new and existing markets” and inserting
22 the following: “, value-added agricultural
23 products in new and existing markets, and
24 agricultural commodities and products that
25 are produced in a manner that enhances

1 soil health and carbon sequestration, or
 2 that when added to a crop rotation on a
 3 farm will significantly improve soil health
 4 and carbon sequestration”;

5 (B) in paragraph (5)(A), by inserting be-
 6 fore the period at the end the following: “and
 7 the Chief of the Natural Resources Conserva-
 8 tion Service”;

9 (4) by redesignating subsections (f), (g), (h),
 10 and (i) as subsections (g), (h), (i), and (j), respec-
 11 tively;

12 (5) by inserting after subsection (e) the fol-
 13 lowing new subsection:

14 “(f) FARM VIABILITY AND LOCAL CLIMATE RESIL-
 15 IENCY CENTERS.—

16 “(1) IN GENERAL.—The Secretary, acting
 17 through the Administrator of the Agricultural Mar-
 18 keting Service and in coordination with Adminis-
 19 trator of the Rural Business-Cooperative Service and
 20 the Chief of the Natural Resources Conservation
 21 Service, shall provide grants to eligible entities de-
 22 scribed in paragraph (2) to serve as farm viability
 23 and local climate resiliency centers (referred to in
 24 this section as ‘centers’) to support efforts to en-
 25 hance farm viability, and the development, coordina-

tion, and expansion of markets for commodities and farm products that significantly improve soil health and carbon sequestration.

“(2) ELIGIBLE ENTITIES.—An entity is eligible to receive a grant under this subsection if the entity is—

“(A) an agricultural cooperative or other agricultural business entity or a producer network or association;

“(B) a local, State or Tribal government;

“(C) a nonprofit corporation;

“(D) a public benefit corporation;

“(E) an economic development corporation;

“(F) an institution of higher education; or

“(G) such other entity as the Secretary may designate.

“(3) USE OF FUNDS.—An eligible entity receiving a grant under this subsection may use grant funds to provide to entities described in (d)(5)(B)—

“(A) assistance for the development of business plans and feasibility studies;

“(B) assistance in developing marketing strategies for—

“(i) local products; and

1 “(ii) value-added agriculture products
2 in new and existing markets;

3 “(C) assistance in enterprise development
4 for the processing, aggregation, distribution,
5 and storage of—

6 “(i) local and regional food products
7 that are marketed locally or regionally; and

8 “(ii) value-added agricultural prod-
9 ucts;

10 “(D) assistance related to financial and
11 recordkeeping;

12 “(E) assistance related to enterprise and
13 business management;

14 “(F) assistance related to ownership suc-
15 cession planning;

16 “(G) outreach and assistance in the adop-
17 tion of farming practices that enhance soil
18 health and carbon sequestration;

19 “(H) outreach regarding assistance avail-
20 able under subsection (d);

21 “(I) outreach regarding assistance avail-
22 able through other programs administers by
23 any other Federal Agency that supports the
24 adoption of farming practices that enhance soil
25 health and carbon sequestration; or

1 “(J) at the request of such an eligible enti-
2 ty, provide assistance in applying for a grant
3 under subsection (d), including acting on behalf
4 of such a producer in applying for a grant
5 under subsection (d).

6 “(4) GEOGRAPHIC DIVERSITY.—To the max-
7 imum extent practicable, the Secretary shall ensure
8 geographic diversity in selecting entities to receive a
9 grant under this subsection.

10 “(5) NON-FEDERAL SHARE.—An entity receiv-
11 ing a grant under this subsection shall provide fund-
12 ing in an amount equal to not less than 25 percent
13 of the total amount of the Federal portion of the
14 grant.

15 “(6) APPLICATIONS.—

16 “(A) IN GENERAL.—To be eligible to re-
17 ceive a grant under this subsection an eligible
18 entity shall submit to the Secretary an applica-
19 tion at such time, in such manner, and con-
20 taining such information as the Secretary con-
21 siders necessary to evaluate and select applica-
22 tions.

23 “(B) COMPETITIVE PROCESS.—The Sec-
24 retary—

1 “(i) shall conduct a competitive proc-
 2 ess to select applications submitted under
 3 subparagraph (A);

4 “(ii) may assess and rank applications
 5 with similar proposals as a group; and

6 “(iii) shall, prior to accepting applica-
 7 tions under such subparagraph, make pub-
 8 lic the criteria to be used in evaluating
 9 such applications.

10 “(7) PRIORITY.—The Secretary may give pri-
 11 ority to applications submitted under paragraph (1)
 12 that include—

13 “(A) plans to use funds for 3 or more of
 14 purposes specified in paragraph (3); or

15 “(B) activities related to improving the uti-
 16 lization and expanded adoption of farming prac-
 17 tices that enhance soil health and carbon se-
 18 questration while simultaneously improving
 19 farm viability.

20 “(8) ADMINISTRATIVE EXPENSES.—An entity
 21 receiving a grant under paragraph (1) may use not
 22 more than 4 percent of funds received through the
 23 grant for administrative expenses.”;

24 (6) in subsection (i)(1) (as redesignated by
 25 paragraph (4)), in the matter preceding subpara-

graph (A), by striking “subsection (i)(3)(E)” and inserting “subsection (j)(3)(E)”; and

(7) in subsection (j) (as redesignated by paragraph (4))—

(A) in paragraph (1) by striking “fiscal year 2019” and inserting “each of fiscal years 2019 and 2020 and \$150,000,000 for fiscal year 2021”;

(B) in paragraph (3)—

(i) in subparagraph (A)(i), by striking “35” and inserting “36”; and

(ii) by amending subparagraph (B) to read as follows:

“(B) FARMERS’ MARKET AND LOCAL FOOD PROMOTION GRANTS.—

“(i) IN GENERAL.—Of the funds made available to carry out this section for a fiscal year, 47 percent shall be used for grants under subsection (d)(6).

“(ii) ALLOCATION AMONG SUBPROGRAMS.—Of the funds reserved under clause (i) for a fiscal year—

“(I) 40 percent shall be made available for farmers market promotion program grants; and

1 “(II) 60 percent shall be made
2 available for local food promotion pro-
3 gram grants.”;

4 (C) by redesignating subparagraphs (D)
5 and (E) as subparagraphs (E) and (F), respec-
6 tively; and

7 (D) by inserting after subparagraph (C)
8 the following:

9 “(D) FARM VIABILITY AND LOCAL CLI-
10 MATE RESILIENCY.—Of the funds made avail-
11 able to carry out this section for a fiscal year,
12 10 percent shall be used to provide grants
13 under subsection (f).”.

14 **SEC. 402. ORGANIC CERTIFICATION COST-SHARE PRO-**
15 **GRAM.**

16 Section 10606(b)(2) of the Farm Security and Rural
17 Investment Act of 2002 (7 U.S.C. 6523(b)(2)) is amended
18 by striking “\$750” and inserting “\$1,000”.

19 **SEC. 403. EXCLUSION OF GAIN FROM SALE OF CERTAIN**
20 **FARM PROPERTY AND AGRICULTURAL EASE-**
21 **MENTS.**

22 (a) IN GENERAL.—Part III of subchapter B of chap-
23 ter 1 of the Internal Revenue Code of 1986 is amended
24 by adding after section 121 the following new sections:

1 **“SEC. 121A. EXCLUSION OF GAIN FROM SALE OF QUALIFIED**
2 **FARM PROPERTY.**

3 “(a) EXCLUSION.—Gross income shall not include
4 gain from the sale or exchange of qualified farm property
5 if such property is sold to or exchanged with a transferee
6 who—

7 “(1) is a qualified farmer, and

8 “(2) meets the certification requirement of sub-
9 section (c).

10 “(b) LIMITATION.—

11 “(1) IN GENERAL.—The amount of gain ex-
12 cluded from gross income under subsection (a) with
13 respect to any taxable year shall not exceed the ex-
14 cess, if any of—

15 “(A) \$500,000 (\$1,000,000 in the case of
16 a joint return), over

17 “(B) the amount excluded from the gross
18 income of the taxpayer for all prior taxable
19 years.

20 “(2) SPECIAL RULE FOR JOINT RETURNS.—The
21 amount of the exclusion under subsection (a) on a
22 joint return for any taxable year shall be allocated
23 equally between the spouses for purposes of applying
24 the limitation under paragraph (1) for any suc-
25 ceeding taxable year.

1 “(c) CERTIFICATION REQUIREMENT.—A qualified
 2 farmer meets the certification requirement of this sub-
 3 section if such person signs a written certification stating
 4 the following:

5 “(1) USE CERTIFICATION AS FARM FOR FARM-
 6 ING PURPOSES.—The use of such property will be as
 7 a farm for farming purposes at all times during the
 8 recapture period.

9 “(2) RECAPTURE AGREEMENT.—The transferee
 10 has been notified of the recapture liability arising
 11 from a disposition or change in the use of such prop-
 12 erty at any time during the recapture period.

13 “(d) TREATMENT OF DISPOSITION OR CHANGE IN
 14 USE OF PROPERTY.—

15 “(1) IN GENERAL.—If there is a recapture
 16 event during the recapture period with respect to
 17 any qualified farm property, then the tax imposed
 18 under this chapter on the transferee referred to in
 19 subsection (a) for the taxable year which includes
 20 the first such recapture event shall be increased by
 21 the amount excluded from the product of—

22 “(A) the transferor’s gross income under
 23 subsection (a) with respect to such qualified
 24 farm property, multiplied by

1 “(B) the rate of tax in effect under section
2 (1)(h)(1)(D).

3 “(2) RECAPTURE EVENT DEFINED.—For pur-
4 poses of this subsection, the term ‘recapture event’
5 means, with respect to any qualified farm prop-
6 erty—

7 “(A) CESSATION OF OPERATION.—The
8 cessation of the operation of such property as
9 a farm for farming purposes at any time in the
10 recapture period.

11 “(B) FAILURE TO MATERIALLY PARTICI-
12 PATE.—The failure of a qualified farmer to ma-
13 terially participate in the operation of the farm
14 at any time during the recapture period.

15 “(C) CHANGE IN OWNERSHIP.—

16 “(i) IN GENERAL.—Except as pro-
17 vided in clause (ii), the disposition of any
18 interest in such property by the transferee
19 referred to in subsection (a) during the re-
20 capture period.

21 “(ii) AGREEMENT TO ASSUME RECAP-
22 TURE LIABILITY.—Clause (i) shall not
23 apply to any farm property if the person
24 acquiring the interest referred to in such
25 clause agrees in writing to assume the re-

1 capture liability of the person disposing of
2 such interest. In the event of such an as-
3 sumption, this subsection shall apply to the
4 person acquiring such interest as though
5 such person were the transferee referred to
6 therein (and this subsection shall be ap-
7 plied as if there had been no change in
8 ownership).

9 “(3) SPECIAL RULES.—

10 “(A) NO CREDITS AGAINST TAX.—Any in-
11 crease in tax under this subsection shall not be
12 treated as a tax imposed by this chapter for
13 purposes of determining the amount of any
14 credit under subpart A, B, or D of this part.

15 “(B) NO RECAPTURE BY REASON OF
16 HARDSHIP.—The increase in tax under this
17 subsection shall not apply to any disposition of
18 property or cessation of the operation of any
19 property as a farm for farming purposes if such
20 disposition or cessation occurs by reason of any
21 hardship.

22 “(e) SPECIAL RULES.—For purposes of this section,
23 rules similar to the rules of subsections (e) and (f) of sec-
24 tion 121 shall apply.

25 “(f) DEFINITIONS.—For purposes of this section—

1 “(1) QUALIFIED FARMER.—The term ‘qualified
2 farmer’ means—

3 “(A) a beginning farmer, socially disadvan-
4 tagged farmer, qualified veteran farmer, young
5 farmer, or

6 “(B) any entity if 50 percent or more of
7 the capital and profits of such entity are owned
8 by one or more individuals described in para-
9 graph (A).

10 “(2) BEGINNING FARMER.—The term ‘begin-
11 ning farmer’ means an individual that—

12 “(A) has not operated a farm, or

13 “(B) has operated a farm for not more
14 than 10 years.

15 “(3) SOCIALLY DISADVANTAGED FARMER.—The
16 term ‘socially disadvantaged farmer’ means an indi-
17 vidual who is a member of one or more of the fol-
18 lowing groups:

19 “(A) American Indians.

20 “(B) Alaska Natives.

21 “(C) Asians.

22 “(D) Blacks or African Americans.

23 “(E) Native Hawaiians or other Pacific Is-
24 landers.

25 “(F) Hispanics.

1 “(G) Women.

2 “(4) QUALIFIED VETERAN FARMER.—The term
3 ‘qualified veteran farmer’ means an individual
4 who—

5 “(A) first obtained status as a veteran (as
6 defined in section 101(2) of title 38 United
7 States Code) in the most recent 10-year period,
8 and

9 “(B) has not operated a farm for more
10 than 10 years.

11 “(5) YOUNG FARMER.—The term ‘young farm-
12 er’ means an individual who has not attained age 46
13 as of the date of the sale or transfer referred to in
14 subsection (a).

15 “(6) QUALIFIED FARM PROPERTY.—

16 “(A) IN GENERAL.—The term ‘qualified
17 farm property’ means real property located in
18 the United States if—

19 “(i) during the 5-year period ending
20 on the date of the sale or exchange re-
21 ferred to in subsection (a), such property
22 has been used by the taxpayer or a mem-
23 ber of the family of the taxpayer as a farm
24 for farming purposes for periods aggre-
25 gating 3 years or more, and

1 “(ii) there was material participation
 2 by the taxpayer or a member of the family
 3 of the taxpayer in the operation of the
 4 farm during such 3 years.

5 “(B) SPECIAL RULE FOR QUALIFIED FARM
 6 PROPERTY HELD BY AN ENTITY.—For purposes
 7 of this section, if the taxpayer referred to in
 8 paragraph (A) is other than an individual and
 9 all of the capital and profits interests of such
 10 entity are held by members of a single family,
 11 then such members shall be treated as members
 12 of the family of such taxpayer.

13 “(7) RECAPTURE PERIOD.—The term ‘recap-
 14 ture period’ means the 10-year period following the
 15 sale or exchange of qualified farm property described
 16 in subsection (a).

17 “(8) OTHER DEFINITIONS.—The terms ‘mem-
 18 ber of the family’, ‘farm’, ‘farming purposes’, and
 19 ‘material participation’ have the respective meanings
 20 given such terms in section 2032A(e).

21 **“SEC. 121B. EXCLUSION OF GAIN FROM SALE OF AGRICUL-**
 22 **TURAL CONSERVATION EASEMENT.**

23 “(a) EXCLUSION.—Gross income shall not include
 24 gain from the sale or exchange of an agricultural conserva-
 25 tion easement.

1 “(b) LIMITATION.—

2 “(1) IN GENERAL.—The amount of gain ex-
3 cluded from gross income under subsection (a) with
4 respect to any taxable year shall not exceed the ex-
5 cess, if any of—

6 “(A) \$500,000 (\$1,000,000 in the case of
7 a joint return), over

8 “(B) the amount excluded from the gross
9 income of the taxpayer for all prior taxable
10 years.

11 “(2) SPECIAL RULE FOR JOINT RETURNS.—The
12 amount of the exclusion under subsection (a) on a
13 joint return for any taxable year shall be allocated
14 equally between the spouses for purposes of applying
15 the limitation under paragraph (1) for any suc-
16 ceeding taxable year.

17 “(c) AGRICULTURAL CONSERVATION EASEMENT DE-
18 FINED.—The term ‘agricultural conservation easement’
19 means an easement or conservation-related restriction on
20 agricultural land (granted in perpetuity) that—

21 “(1) is conveyed for the purpose of protecting
22 natural resources and the agricultural nature of the
23 land, and

24 “(2) permits the landowner the right to con-
25 tinue agricultural production and related uses.

1 “(d) SPECIAL RULES.—For purposes of this section,
 2 rules similar to the rules of subsections (e) and (f) of sec-
 3 tion 121 shall apply.”.

4 (b) CONFORMING AMENDMENT.—The table of sec-
 5 tions for part III of subchapter B of chapter 1 of the In-
 6 ternal Revenue Code of 1986 is amended by adding after
 7 the item relating to section 121 the following new items:

“121A. Exclusion of gain from sale of qualified farm property.

“121B. Exclusion of gain from sale of agricultural conservation easement.”.

8 (c) EFFECTIVE DATE.—The amendments made by
 9 this section shall apply to any sale or exchange in taxable
 10 years ending after December 31, 2020.

11 **SEC. 404. FARMLAND PROTECTION POLICY ACT.**

12 (a) FINDINGS, PURPOSE, AND DEFINITIONS.—Sec-
 13 tion 1540 of the Agriculture and Food Act of 1981 (7
 14 U.S.C. 4201) is amended—

15 (1) in subsection (a)—

16 (A) by redesignating paragraphs (4)
 17 through (7) as paragraphs (5) through (8), re-
 18 spectively; and

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

21 “(4) the Nation’s farmland is a vital source of
 22 environmental services, such as carbon sequestra-
 23 tion;”;

1 (2) in subsection (b), by inserting “tribal,”
2 after “State,”; and

3 (3) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (B), by striking
6 “that is used for” and inserting “that is
7 suitable for”; and

8 (ii) in subparagraph (C), by inserting
9 “and is suitable” after “local importance”;

10 (B) in paragraph (4), by striking “; and”
11 and inserting a semicolon;

12 (C) in paragraph (5), by striking the pe-
13 riod at the end and inserting a semicolon; and

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

15 “(6) the term ‘conversion’ means—

16 “(A) the physical conversion of farmland
17 to a nonagricultural use;

18 “(B) the effective conversion of farmland
19 as a consequence of physical conversion of adja-
20 cent farmland, which threatens the continued
21 viability of the land for agricultural use; or

22 “(C) a change in management of federally
23 owned land historically used for agriculture to
24 a non-agricultural use;

1 “(7) the term ‘farmland of national signifi-
 2 cance’ is farmland that is the most suitable for in-
 3 tensive crop and food production, as determined by
 4 the Secretary, taking into consideration, among
 5 other factors, its physical and chemical characteris-
 6 tics; and

7 “(8) the term ‘permanently protected farmland’
 8 means farmland encumbered by a conservation ease-
 9 ment held by the Federal government, by a State,
 10 tribal, or local unit of government, or by a land con-
 11 servation organization, that is perpetual or the max-
 12 imum number of years allowed by State law.”.

13 (b) FARMLAND PROTECTION POLICY.—Section 1541
 14 of the Agriculture and Food Act of 1981 (7 U.S.C. 4202)
 15 is amended to read as follows:

16 **“SEC. 1541. FARMLAND PROTECTION POLICY.**

17 “(a) IN GENERAL.—It is the policy of the United
 18 States that Federal programs—

19 “(1) shall minimize the conversion of farmland
 20 to nonagricultural uses; and

21 “(2) shall not convert to nonagricultural uses
 22 farmland—

23 “(A) that is permanently protected farm-
 24 land;

1 “(B) that has been defined and delineated
2 by the Secretary under subsection (b) as farm-
3 land of national significance; or

4 “(C) that has been defined and delineated
5 by a State as significant to the State or a pri-
6 ority for inclusion in a State farmland protec-
7 tion program and for which the State has sub-
8 mitted a description under subsection (b).

9 “(b) DEFINITION AND DELINEATION OF LAND.—

10 “(1) NATIONAL SIGNIFICANCE.—The Secretary
11 shall define and delineate farmland of national sig-
12 nificance, and shall convene a group of experts, in-
13 cluding agronomists and soil scientists, to assist in
14 such definition and delineation.

15 “(2) STATE SIGNIFICANCE.—Any State wishing
16 to have land recognized under subsection (a)(2)(C)
17 shall provide a definition and delineation of such
18 lands to the Secretary.

19 “(c) PROCESS AND CRITERIA.—

20 “(1) PROCESS AND CRITERIA.—The Secretary
21 shall develop a process, including criteria—

22 “(A) to—

23 “(i) determine the potential conver-
24 sion of farmland as a consequence of any

1 action or activity conducted through a
2 Federal program;

3 “(ii) minimize the conversion of farm-
4 land or, for land identified under sub-
5 section (a)(2), avoid conversion; and

6 “(iii) provide notice regarding such
7 actions to the Secretary; and

8 “(B) that the Secretary shall use to make
9 determinations under subsection (d).

10 “(2) USE REQUIRED.—Each department, agen-
11 cy, independent commission, and other unit of the
12 Federal Government shall use the process and cri-
13 teria developed under paragraph (1) in carrying out
14 a Federal program.

15 “(d) EXEMPTION.—Subsection (a)(2) shall not apply
16 if the Secretary determines, based on the process and cri-
17 teria developed under subsection (c), that converting farm-
18 land to nonagricultural uses cannot be avoided. In in-
19 stances where the Secretary makes such a determination,
20 the Federal program shall minimize the conversion of land
21 described in subsection (a)(2) to the maximum extent
22 practicable.

23 “(e) INFORMATION.—The Secretary may make avail-
24 able to States, units of local government, individuals, orga-

1 nizations, and other units of the Federal Government in-
2 formation—

3 “(1) useful in restoring, maintaining, and im-
4 proving the quantity and quality of farmland; and

5 “(2) concerning the location of permanently
6 protected farmland.

7 “(f) ASSISTANCE.—The Secretary shall provide as-
8 sistance to departments, agencies, independent commis-
9 sions, and other units of the Federal Government, upon
10 request, in using the process and criteria developed under
11 subsection (e).”.

12 **SEC. 405. AGRICULTURE CONSERVATION EASEMENT PRO-**
13 **GRAM.**

14 Section 1265B of the Food Security Act of 1985 (16
15 U.S.C. 3865b) is amended—

16 (1) in subsection (b)—

17 (A) in paragraph (4)(C)(iv), by striking
18 “only”; and

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

20 “(6) CONDITION OF ASSISTANCE.—As a condi-
21 tion of receiving cost-share assistance under this sec-
22 tion, the owner of eligible land must agree to have
23 in place a conservation plan that addresses applica-
24 ble resource concerns for the land subject to the
25 easement, including soil health and greenhouse gas

1 emissions reduction, not later than three years fol-
2 lowing the grant of the easement. The requirement
3 of this subparagraph may be satisfied by having in
4 place a conservation plan developed or recognized by
5 the Bureau of Indian Affairs.”; and

6 (2) by striking subsection (d) and inserting the
7 following:

8 “(d) TECHNICAL ASSISTANCE.—The Secretary may
9 provide technical assistance, if requested, to assist in—

10 “(1) compliance with the terms and conditions
11 of easements; and

12 “(2) development and implementation of a con-
13 servation plan required under subsection (b)(6), in-
14 cluding, as applicable, a conservation plan for highly
15 erodible land required under subsection (b)(4)(C)(iv)
16 or a comprehensive conservation plan developed pur-
17 suant to subsection (e)(1).

18 “(e) FINANCIAL ASSISTANCE.—

19 “(1) IN GENERAL.—

20 “(A) ENROLLMENT IN CSP.—At the sole
21 option of the owner of the land subject to the
22 easement, the Secretary shall provide for the
23 automatic enrollment of the land subject to the
24 easement in the conservation stewardship pro-
25 gram established by subchapter B of chapter 4

of subtitle D, including financial assistance for the development of a comprehensive conservation plan as provided by 1240L(e), if the person or entity farming the land is otherwise eligible for the program, as determined by the Secretary.

“(B) DETERMINATION OF COMPLIANCE.—Determining compliance with the terms of the conservation stewardship program contract is the sole responsibility of the Secretary.

“(C) FUNDING.—Funding received by an eligible entity pursuant to this paragraph shall not be considered in the calculation of costs under subsection (b).

“(2) TIMING.—The owner of the land subject to the easement shall have up to three years after the grant of the easement to exercise the option to enroll in the conservation stewardship program as provided under subparagraph (A).”.

TITLE V—PASTURE-BASED LIVESTOCK

SEC. 501. ANIMAL RAISING CLAIMS.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

1 **“Subtitle H—Animal Raising**
2 **Claims**

3 **“SEC. 298. REQUIRED VERIFICATION PROCESS FOR ANIMAL**
4 **RAISING CLAIMS.**

5 “(a) IN GENERAL.—In order to facilitate marketing,
6 truth in labeling, and new economic opportunities for pro-
7 ducers and businesses using animal raising claims, the
8 Secretary, acting through the Administrator of the Agri-
9 cultural Marketing Service in coordination with the Ad-
10 ministrator of the Food Safety and Inspection Service,
11 shall establish, not later than 2 years after the date of
12 the enactment of this subtitle and in a manner consistent
13 with United States obligations under international agree-
14 ments—

15 “(1) mandatory standards with respect to ani-
16 mal raising claims that may be made on the labeling
17 of any meat food products or poultry product;

18 “(2) procedures to verify any such claims prior
19 to the use in commerce of any meat food product or
20 poultry product bearing labeling with such a claim;

21 “(3) procedures whereby any such verification
22 is subsequently incorporated seamlessly with labeling
23 requirements under the Federal Meat Inspection Act
24 (21 U.S.C. 601 et seq.) and the Poultry Products
25 Inspection Act (21 U.S.C. 451 et seq.); and

1 “(4) on-farm and supply chain auditing and
2 verification procedures for ensuring the truthfulness
3 of such claims.

4 “(b) STANDARDS.—In developing and approving ani-
5 mal raising claim standards under subsection (a), the Sec-
6 retary shall include standards relating to—

7 “(1) diet claims, including grass-fed, vege-
8 tarian-fed, and fed no animal byproducts;

9 “(2) living and raising condition claims, includ-
10 ing but not limited to cage free, free range, and pas-
11 ture raised;

12 “(3) antibiotic and hormone claims, including
13 but not limited to raised without antibiotics, no hor-
14 mones added (beef cattle, sheep), and raised without
15 growth promotants;

16 “(4) source claims demonstrating the animal
17 can be traced back to its farm of origin from birth
18 to slaughter;

19 “(5) age claims;

20 “(6) animal welfare claims;

21 “(7) environmental stewardship claims, includ-
22 ing greenhouse gas reduction and carbon sequestra-
23 tion claims;

24 “(8) breed claims; and

1 “(9) any other such claim as the Secretary de-
2 termines is appropriate.

3 “(c) THIRD-PARTY CERTIFICATION.—A producer of
4 a meat food product or a poultry product may use an ani-
5 mal raising claim that is verified by a third party so long
6 as—

7 “(1) the claim is made consistent with stand-
8 ards established by the Secretary pursuant to sub-
9 section (a); and

10 “(2) the procedures used by such third party
11 for purposes of that verification and any subsequent
12 auditing are equivalent (as determined by the Sec-
13 retary) to the procedures used by the Secretary for
14 that verification and auditing.

15 “(d) APPROVAL PROCESS.—To the maximum extent
16 practicable, the Secretary shall require that a producer
17 seeking to make an animal raising claim, submit to the
18 Secretary prior to using the product that is the subject
19 of such animal raising claim the following documentation
20 to support such claim—

21 “(1) detailed written descriptions explaining the
22 controls used for ensuring that the raising claim is
23 valid from birth to harvest or the period of raising
24 being referenced by the claim;

1 “(2) a signed and dated document describing
2 how the animals are raised to support that specific
3 claim made is truthful and not misleading;

4 “(3) a written description of the product trac-
5 ing and segregation mechanism from time of slaugh-
6 ter or further processing through packaging and dis-
7 tribution;

8 “(4) a written description for the identification,
9 control, and segregation of non-conforming animals
10 or products; and

11 “(5) if a third party certifies a claim, a current
12 copy of the certificate.

13 “(e) EFFECT ON OTHER LAWS.—Nothing in this sec-
14 tion shall be construed to alter the authority of the Sec-
15 retary under the Federal Meat Inspection Act (21 U.S.C.
16 601 et seq.) or the Poultry Products Inspection Act (21
17 U.S.C. 451 et. seq.).

18 “(f) CONSISTENCY WITH OTHER LAWS.—The Sec-
19 retary shall ensure consistency between the animal raising
20 claims standards established pursuant to subsection (a)
21 and the Organic Food Production Act of 1990 (7 U.S.C.
22 6501 et seq.) and any rules or regulations implementing
23 that Act.

1 “(g) COMPLIANCE REQUIREMENTS.—Beginning on
2 the date that is three years after the date of the enactment
3 of this Act—

4 “(1) in the case of a domestic meat food prod-
5 uct or poultry product—

6 “(A) a person may sell or label a meat
7 food product or poultry product with an animal
8 raising label claim only if such products is pro-
9 duced and handled in accordance with the
10 standards established pursuant to subsection
11 (a); and

12 “(B) no person may sell or label a meat
13 food product or poultry product with an animal
14 raising label claim that is not in compliance
15 with such standards; and

16 “(2) in the case of an imported meat food prod-
17 uct or poultry product, such a product may be sold
18 or labeled with animal raising label claims if the
19 Secretary determines such product has been pro-
20 duced and handled under a verification program that
21 provides safeguards and guidelines that are at least
22 equivalent to the requirements of the standards es-
23 tablished pursuant to subsection (a).

24 “(h) VIOLATION OF THIS TITLE.—

1 “(1) MISUSE OF LABEL.—Any person who,
2 after notice and an opportunity to be heard, is found
3 by the Secretary to have knowingly sold or labeled
4 any meat food product or poultry product with an
5 animal raising claim, except in accordance with this
6 subtitle, shall be assessed a civil penalty of not more
7 than \$10,000.

8 “(2) FALSE STATEMENT.—Any person who
9 after notice and an opportunity to be heard, has
10 been found by the Secretary to makes a false, fraud-
11 ulent, or fictitious statement to the Secretary, a gov-
12 erning Federal or State official, or a third-party cer-
13 tifier, or conceals, covers up, falsifies, or deceives a
14 material fact to the Secretary, a governing Federal
15 or State official, or a third-party certifier with re-
16 spect to an animal raising claim subject to the re-
17 quirements of this subtitle shall be subject to a pen-
18 alty specified in section 1001 of title 18, United
19 States Code.

20 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this subtitle
22 such sums as may be necessary.

23 **“SEC. 299. APPLICABILITY.**

24 “‘This subtitle shall only apply to meat food products
25 and poultry products that are subject to labeling require-

1 ments under the Federal Meat Inspection Act (21 U.S.C.
2 601 et seq.) and the Poultry Products Inspection Act (21
3 U.S.C. 451 et seq.).

4 **“SEC. 300. DEFINITIONS.**

5 “In this subtitle:

6 “(1) The term ‘animal raising claim’ means a
7 statement on the labeling of meat food products or
8 poultry products used in interstate commerce that
9 reference the way that the source animal for a meat
10 food product or poultry product was raised, includ-
11 ing production practices that were used, such as liv-
12 ing or raising conditions, the breed, or the location
13 or source of where the product is born, raised, and
14 processed.

15 “(2) The term ‘meat food product’ has the
16 meaning given such term in section 1(j) of the Fed-
17 eral Meat Inspection Act (21 U.S.C. 601(j)).

18 “(3) The term ‘poultry product’ has the mean-
19 ing given such term in section 4(f) of the Poultry
20 Products Inspection Act (7 U.S.C. 453(f)).”.

1 **SEC. 502. GRANTS FOR REIMBURSEMENT OF COMPLIANCE**
2 **COSTS FOR VERY SMALL PROCESSORS OF**
3 **MEAT FOOD PRODUCTS AND POULTRY PROD-**
4 **UCTS.**

5 (a) MEAT FOOD PRODUCTS.—Title V of the Federal
6 Meat Inspection Act (21 U.S.C. 683 et seq.) is amended
7 by adding at the end the following new section:

8 **“SEC. 502. GRANTS FOR REIMBURSEMENT OF COMPLIANCE**
9 **COSTS FOR VERY SMALL PROCESSORS.**

10 “(a) ESTABLISHMENT.—The Secretary shall estab-
11 lish a grant program to provide competitive grants to eligi-
12 ble establishments to assist such establishments in making
13 adjustments to the facilities, equipment, processes, and
14 operations of such establishments to meet the require-
15 ments of this Act. The Secretary may carry out such pro-
16 gram with any agency within the Department of Agri-
17 culture that the Secretary determines is appropriate.

18 “(b) ELIGIBLE ESTABLISHMENTS.—An establish-
19 ment is eligible to receive a grant under this section if
20 such establishment is—

21 “(1) subject to Federal or State inspection
22 under this Act; and

23 “(2)(A) has fewer than 10 employees; or

24 “(B) has annual gross sales of less than
25 \$2,500,000.

1 “(c) USE OF FUNDS.—An establishment receiving a
2 grant under this section shall use the funds made available
3 through such grant to cover—

4 “(1) the cost of developing and issuing (other
5 than the cost of labor), directly incurred or incurred
6 by a consultant, a Hazard Analysis and Critical
7 Control Points plan for the establishment; and

8 “(2) the actual costs of any adjustments to fa-
9 cilities, equipment, processes, and operations nec-
10 essary for the establishment to comply with this Act.

11 “(d) AMOUNT OF GRANT.—The total amount of
12 funds provided to a recipient of a grant under this section
13 shall not exceed \$50,000.

14 “(e) FEDERAL SHARE.—Funds provided under a
15 grant under this section shall not exceed 50 percent of
16 the costs referred to in subsection (c), as determined by
17 the Secretary.

18 “(f) FUNDING.—

19 “(1) MANDATORY FUNDING.—Of the funds of
20 the Commodity Credit Corporation, the Secretary
21 shall make available to carry out this section
22 \$10,000,000 for each of fiscal years 2021 through
23 2030.

24 “(2) AUTHORIZATION OF APPROPRIATIONS.—
25 There are authorized to be appropriated to carry out

1 this section \$10,000,000 for each of fiscal years
2 2021 through 2030.”.

3 (b) POULTRY PRODUCTS.—The Poultry Products In-
4 spection Act (7 U.S.C. 451 et seq.) is amended by insert-
5 ing after section 25 (7 U.S.C. 468) the following:

6 “GRANTS FOR REIMBURSEMENT OF COMPLIANCE COSTS
7 FOR VERY SMALL PROCESSORS

8 “SEC. 25A.

9 “(a) ESTABLISHMENT.—The Secretary shall estab-
10 lish a grant program to provide competitive grants to eligi-
11 ble establishments to assist such establishments in making
12 adjustments to the facilities, equipment, processes, and
13 operations of such establishments to meet the require-
14 ments of this Act. The Secretary may carry out such pro-
15 gram with any agency within the Department of Agri-
16 culture that the Secretary determines is appropriate.

17 “(b) ELIGIBLE ESTABLISHMENTS.—An establish-
18 ment is eligible to receive a grant under this section if
19 such establishment is—

20 “(1) subject to Federal or State inspection
21 under this Act; and

22 “(2)(A) has fewer than 10 employees; or

23 “(B) has annual gross sales of less than
24 \$2,500,000.

1 “(c) USE OF FUNDS.—An establishment receiving a
2 grant under this section shall use the funds made available
3 through such grant to cover—

4 “(1) the cost of developing and issuing (other
5 than the cost of labor), directly incurred or incurred
6 by a consultant, a Hazard Analysis and Critical
7 Control Points plan for the establishment; and

8 “(2) the actual costs of any adjustments to fa-
9 cilities, equipment, processes, and operations nec-
10 essary for the establishment to comply with this Act.

11 “(d) AMOUNT OF GRANT.—The total amount of
12 funds provided to a recipient of a grant under this section
13 shall not exceed \$50,000.

14 “(e) FEDERAL SHARE.—Funds provided under a
15 grant under this section shall not exceed 50 percent of
16 the costs referred to in subsection (c), as determined by
17 the Secretary.

18 “(f) FUNDING.—

19 “(1) MANDATORY FUNDING.—Of the funds of
20 the Commodity Credit Corporation, the Secretary
21 shall make available to carry out this section
22 \$10,000,000 for each of fiscal years 2021 through
23 2030.

24 “(2) AUTHORIZATION OF APPROPRIATIONS.—
25 There are authorized to be appropriated to carry out

1 this section \$10,000,000 for each of fiscal years
2 2021 through 2030.”.

3 **SEC. 503. CONSERVATION OF PRIVATE GRAZING LAND.**

4 (a) PURPOSE.—Section 1240M(a) of the Food Secu-
5 rity Act of 1985 (16 U.S.C. 3839bb(a)) is amended—

6 (1) in paragraph (6), by inserting “conserving
7 water and” before “improving”;

8 (2) in paragraph (7), by striking “; and” and
9 inserting a semicolon;

10 (3) in paragraph (8), by striking the period at
11 the end and inserting “; and”; and

12 (4) by adding at the end the following:

13 “(9) conserving and improving soil health and
14 improving grazing system resilience in the face of
15 climate change through advanced grazing manage-
16 ment practices; and

17 “(10) providing support for producers
18 transitioning from confinement and feedlot systems
19 or continuous grazing to managed grazing-based sys-
20 tems, including support for pasture development and
21 management.”.

22 (b) DEFINITIONS.—Section 1240M(b)(2) of the Food
23 Security Act of 1985 (16 U.S.C. 3839bb(b)(2)) is amend-
24 ed by striking “hay land” and inserting “perennial hay
25 land, including silvopasture”.

1 (c) PRIVATE GRAZING LAND CONSERVATION ASSIST-
2 ANCE.—Section 1240M(c) of the Food Security Act of
3 1985 (16 U.S.C. 3839bb(c)) is amended—

4 (1) in paragraph (1)—

5 (A) in the matter preceding subparagraph
6 (A), by inserting “and partnerships described in
7 paragraph (2)(B)” after “local conservation dis-
8 tricts”;

9 (B) in subparagraph (B), by striking
10 “grazing land management technologies” and
11 inserting “regionally appropriate, advanced
12 grazing land management technologies to im-
13 prove soil health and maximize carbon seques-
14 tration”;

15 (C) in subparagraph (C)(iv), by inserting
16 “through integrated strategies that include ro-
17 tational and multispecies grazing, integrated
18 pest management, and other ecological prac-
19 tices” after “brush encroachment problems”;

20 (D) in subparagraph (H), by striking “;
21 and” and inserting a semicolon;

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

24 (F) by adding at the end the following:

1 “(J) assisting producers in transitioning
2 from confinement or feedlot systems or contin-
3 uous grazing to managed grazing-based sys-
4 tems, including assistance in pasture develop-
5 ment and management.”; and

6 (2) by amending paragraph (2) to read as fol-
7 lows:

8 “(2) PROGRAM ELEMENTS.—

9 “(A) TECHNICAL ASSISTANCE AND EDU-
10 CATION.—Personnel of the Department trained
11 in pasture and range management shall be
12 made available under the program to deliver
13 and coordinate technical assistance and edu-
14 cation to owners and managers of private graz-
15 ing land, including owners and managers inter-
16 ested in developing new or improved pasture or
17 grazing-based systems on their land, at the re-
18 quest of the owners and managers.

19 “(B) PARTNERSHIPS.—In carrying out the
20 program under this section, the Secretary shall
21 provide research, demonstration, education (in-
22 cluding conferences, workshops, field days, and
23 trainings), workforce training, planning, and
24 outreach activities through partnerships with—

1 “(i) land-grant colleges and univer-
2 sities (as defined in section 1404 of the
3 National Agricultural Research, Extension,
4 and Teaching Policy Act of 1977 (7 U.S.C.
5 3103));

6 “(ii) nongovernmental organizations;
7 and

8 “(iii) tribal organizations.

9 “(C) GRANTS.—

10 “(i) IN GENERAL.—In carrying out
11 the program under this section, the Sec-
12 retary shall provide funds on a competitive
13 basis to partnerships to use for State or
14 local action grants to conduct grazing land
15 research, demonstration, education, work-
16 force training, planning, and outreach
17 projects.

18 “(ii) DURATION.—Grants made by
19 partnerships under this section shall be for
20 a period not to exceed 3 years.

21 “(iii) COST SHARING.—A partnership
22 that receives funding under this section
23 shall ensure that any funded project pro-
24 vides, from non-Federal sources, funds or

1 in-kind support valued at not less than 25
2 percent of the total cost of the project.

3 “(iv) LIMITATION ON INDIRECT
4 COSTS.—A partnership that receives fund-
5 ing under this section may not use more
6 than 15 percent of the total cost of the
7 project for the indirect costs of carrying
8 out the project.

9 “(v) PRIORITY.—Priority shall be
10 given to projects that—

11 “(I) focus on sustainable grazing
12 management systems and techniques
13 that assist producers with multiple
14 ecosystem services, including climate
15 change adaptation and mitigation;
16 and

17 “(II) involve beginning farmers
18 and ranchers, tribal producers, or new
19 graziers (including State or federally
20 registered apprenticeships).”.

21 (d) GRAZING TECHNICAL ASSISTANCE SELF-
22 HELP.—Section 1240M(d) of the Food Security Act of
23 1985 (16 U.S.C. 3839bb(d)) is amended—

1 (1) in paragraph (1)(A), by inserting “and for
2 those interested in beginning grazing” before the
3 semicolon;

4 (2) in paragraph (2), by striking “may establish
5 2” and inserting “may establish”; and

6 (3) in paragraph (3)(C)—

7 (A) in clause (ii), by striking “; and” and
8 inserting a semicolon;

9 (B) by redesignating clause (iii) as clause
10 (iv); and

11 (C) by inserting after clause (ii) the fol-
12 lowing:

13 “(iii) will improve climate change ad-
14 aptation and mitigation; and”.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
16 1240M(e) of the Food Security Act of 1985 (16 U.S.C.
17 3839bb(e)) is amended to read as follows:

18 “(e) FUNDING.—

19 “(1) MANDATORY FUNDING.—Of the funds of
20 the Commodity Credit Corporation, the Secretary
21 shall use to carry out this section \$50,000,000 for
22 each of fiscal years 2021 through 2030.

23 “(2) GRANTS.—Of the funds made available
24 under paragraph (1), the Secretary shall use not

1 more than 40 percent to carry out subsection
 2 (c)(2)(C).

3 “(3) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
 5 this section \$60,000,000 for each of fiscal years
 6 2002 through 2030.”.

7 **SEC. 504. CONSERVATION RESERVE PROGRAM.**

8 (a) CONSERVATION RESERVE.—Section 1231(d) of
 9 the Food Security Act of 1985 (16 U.S.C. 3831(d)) is
 10 amended—

11 (1) in paragraph (1)—

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

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

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

17 “(F) fiscal years 2024 through 2030, not
 18 more than 32,000,000 acres.”; and

19 (2) in paragraph (2)(A)—

20 (A) in clause (i), by striking “; and” and
 21 inserting a semicolon;

22 (B) in clause (ii)(III), by striking the pe-
 23 riod and inserting “; and”; and

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

1 “(iii) the Secretary shall enroll and
2 maintain in the conservation reserve not
3 fewer than 7,000,000 acres of land de-
4 scribed in subsection (b)(3) by September
5 30, 2030, of which 5,000,000 acres shall
6 be reserved for the pilot program estab-
7 lished under section 1231C(c).”.

8 (b) PILOT PROGRAMS.—Section 1231C of the Food
9 Security Act of 1985 (16 U.S.C. 3831c) is amended by
10 adding at the end the following:

11 “(c) GRASSLANDS 30.—

12 “(1) IN GENERAL.—

13 “(A) ENROLLMENT.—The Secretary shall
14 establish a pilot program to enroll land in the
15 conservation reserve program through a 30-year
16 conservation reserve contract (referred to in
17 this subsection as a ‘Grassland 30 contract’) in
18 accordance with this subsection.

19 “(B) INCLUSION OF ACREAGE LIMITA-
20 TION.—For purposes of applying the limitations
21 in section 1231(d)(1), the Secretary shall in-
22 clude acres of land enrolled under this sub-
23 section.

24 “(2) ELIGIBLE LAND.—Eligible land for enroll-
25 ment through a Grassland 30 contract—

1 “(A) is land that is eligible to be enrolled
2 in the conservation reserve program under the
3 grasslands initiative described in section
4 1231(d)(2); and

5 “(B) shall not be limited to land that is
6 subject to an expired covered contract.

7 “(3) EXPIRED CONSERVATION CONTRACT ELEC-
8 TION.—

9 “(A) DEFINITION OF COVERED CON-
10 TRACT.—In this paragraph, the term ‘covered
11 contract’ means a contract entered into under
12 this subchapter that—

13 “(i) expires on or after the date of en-
14 actment of this subsection; and

15 “(ii) covers land enrolled in the con-
16 servation reserve program under the grass-
17 lands initiative described in section
18 1231(d)(2).

19 “(B) ELECTION.—On the expiration of a
20 covered contract, an owner or operator party to
21 the covered contract shall elect—

22 “(i) not to reenroll the land under the
23 contract;

24 “(ii) to offer to reenroll the land
25 under the contract if the land remains eli-

1 gible under the terms in effect as of the
2 date of expiration; or

3 “(iii) not to reenroll the land under
4 the contract and to enroll that land
5 through a Grassland 30 contract under
6 this subsection.

7 “(4) TERM.—The term of a Grassland 30 con-
8 tract shall be 30 years.

9 “(5) AGREEMENTS.—To be eligible to enroll
10 land in the conservation reserve program through a
11 Grassland 30 contract, the owner of the land shall
12 enter into an agreement with the Secretary—

13 “(A) to implement a conservation reserve
14 plan developed for the land;

15 “(B) to comply with the terms and condi-
16 tions of the contract and any related agree-
17 ments; and

18 “(C) to temporarily suspend the base his-
19 tory for the land covered by the contract.

20 “(6) TERMS AND CONDITIONS OF GRASSLAND
21 30 CONTRACTS.—

22 “(A) IN GENERAL.—A Grassland 30 con-
23 tract shall include terms and conditions that
24 promote sustainable grazing systems, protect
25 and enhance soil carbon levels, and are compat-

1 ible with wildlife habitat conservation, as deter-
2 mined by the Secretary, and may include any
3 additional provision that the Secretary deter-
4 mines is appropriate to carry out this sub-
5 section or facilitate the practical administration
6 of this subsection.

7 “(B) VIOLATION.—On the violation of a
8 term or condition of a Grassland 30 contract,
9 the Secretary may require the owner to refund
10 all or part of any payments received by the
11 owner under the conservation reserve program,
12 with interest on the payments, as determined
13 appropriate by the Secretary.

14 “(C) COMPATIBLE USES.—Land subject to
15 a Grassland 30 contract may be used for com-
16 patible economic uses, including hunting and
17 fishing, if the use—

18 “(i) is specifically permitted by the
19 conservation reserve plan developed for the
20 land; and

21 “(ii) is consistent with the long-term
22 protection and enhancement of the con-
23 servation resources for which the contract
24 was established.

25 “(7) COMPENSATION.—

1 “(A) AMOUNT OF PAYMENTS.—The Sec-
2 retary shall provide payment under this sub-
3 section to an owner of land enrolled through a
4 Grassland 30 contract using 30 annual pay-
5 ments in an amount equal to the amount that
6 would be used if the land were to be enrolled
7 in the conservation reserve program under sec-
8 tion 1231(d)(2).

9 “(B) FORM OF PAYMENT.—Compensation
10 for a Grassland 30 contract shall be provided
11 by the Secretary in the form of a cash payment
12 in an amount determined under subparagraph
13 (A).

14 “(C) TIMING.—The Secretary shall provide
15 any annual payment obligation under subpara-
16 graph (A) as early as practicable in each fiscal
17 year.

18 “(D) PAYMENTS TO OTHERS.—The Sec-
19 retary shall make a payment, in accordance
20 with regulations prescribed by the Secretary, in
21 a manner as the Secretary determines is fair
22 and reasonable under the circumstances, if an
23 owner who is entitled to a payment under this
24 section—

25 “(i) dies;

1 “(ii) becomes incompetent;

2 “(iii) is succeeded by another person
3 or entity who renders or completes the re-
4 quired performance; or

5 “(iv) is otherwise unable to receive the
6 payment.

7 “(8) TECHNICAL ASSISTANCE.—

8 “(A) IN GENERAL.—The Secretary shall
9 assist owners in complying with the terms and
10 conditions of a Grassland 30 contract.

11 “(B) CONTRACTS OR AGREEMENTS.—The
12 Secretary may enter into 1 or more contracts
13 with private entities or agreements with a
14 State, nongovernmental organization, or Indian
15 Tribe to carry out necessary maintenance of a
16 Grassland 30 contract if the Secretary deter-
17 mines that the contract or agreement will ad-
18 vance the purposes of the conservation reserve
19 program.

20 “(9) ADMINISTRATION.—

21 “(A) CONSERVATION RESERVE PLAN.—
22 The Secretary shall develop a conservation re-
23 serve plan for any land subject to a Grassland
24 30 contract, which shall include practices and
25 activities necessary to maintain, protect, and

1 enhance the conservation value of the enrolled
2 land, including the protection and enhancement
3 of soil carbon levels.

4 “(B) DELEGATION OF CONTRACT ADMINIS-
5 TRATION.—

6 “(i) FEDERAL, STATE, TRIBAL, OR
7 LOCAL GOVERNMENT AGENCIES.—The Sec-
8 retary may delegate any of the manage-
9 ment, monitoring, and enforcement respon-
10 sibilities of the Secretary under this sub-
11 section to other Federal, State, Tribal, or
12 local government agencies that have the
13 appropriate authority, expertise, and re-
14 sources necessary to carry out those dele-
15 gated responsibilities.

16 “(ii) CONSERVATION ORGANIZA-
17 TIONS.—The Secretary may delegate any
18 management responsibilities of the Sec-
19 retary under this subsection to conserva-
20 tion organizations if the Secretary deter-
21 mines the conservation organization has
22 similar expertise and resources.”.

1 **SEC. 505. ALTERNATIVE MANURE MANAGEMENT PROGRAM.**

2 Chapter 5 of subtitle D of title XII of the Food Secu-
3 rity Act of 1985 (16 U.S.C. 3839bb et seq.) is further
4 amended by adding at the end the following:

5 **“SEC. 1240T. ALTERNATIVE MANURE MANAGEMENT PRO-**
6 **GRAM.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) PASTURE-BASED MANAGEMENT.—The
9 term ‘pasture-based management’ means a dairy or
10 livestock production system in which the animals
11 spend all or a substantial portion of their time graz-
12 ing on fields in which some or all of the manure is
13 deposited and left in the field and decomposes
14 aerobically.

15 “(2) NON-DIGESTER DAIRY OR LIVESTOCK
16 METHANE MANAGEMENT METHOD.—The term ‘non-
17 digester dairy or livestock methane management
18 method’ means a method that may be used by opera-
19 tors of dairy or livestock operations to transition
20 from wet manure handling and storage, where an-
21 aerobic conditions are present, to dry manure han-
22 dling and storage, including open solar drying or
23 composting of manure onsite, conversion of dairy
24 and livestock operations to pasture-based manage-
25 ment, solid separation technologies, scrape conver-
26 sion, and other strategies to mitigate methane emis-

1 sions from manure management, as determined by
2 the Secretary.

3 “(3) ONSITE OPEN SOLAR DRYING OR
4 COMPOSTING OF MANURE.—The term ‘onsite open
5 solar drying or composting of manure’ means the
6 collection, storage, and drying of dairy or livestock
7 manure in a nonliquid environment on a farm or
8 ranch.

9 “(4) SCRAPE CONVERSION.—The term ‘scrape
10 conversion’ means the conversion of flush water la-
11 goon systems to solid-scrape or dry manure manage-
12 ment practices, including vacuum technologies for
13 manure management.

14 “(5) SOLID SEPARATION TECHNOLOGIES.—The
15 term ‘solid separation technologies’ means tech-
16 nologies designed to separate liquid components of
17 manure from mineral and organic solid components,
18 for the purposes of reducing methane emissions.

19 “(6) ELIGIBLE PRODUCER.—The term ‘eligible
20 producer’ means a dairy or livestock producer whose
21 baseline manure management practices prior to en-
22 rollment in the program include the anaerobic de-
23 composition of volatile solids stored in a lagoon or
24 other predominantly liquid anaerobic environment.

1 “(b) ESTABLISHMENT.—The Secretary shall estab-
2 lish an alternative manure management program to sup-
3 port non-digester dairy and livestock methane manage-
4 ment strategies to effectively reduce greenhouse gas emis-
5 sions and to maximize environmental benefits.

6 “(c) PAYMENTS.—During the 2021 through 2030 fis-
7 cal years, the Secretary shall provide payments to eligible
8 producers that enter into contracts with the Secretary
9 under the program.

10 “(d) PRACTICES.—Each eligible producer requesting
11 funding for a project under the program shall include at
12 least one of the following project components that reduce
13 baseline methane emissions on the operation of the pro-
14 ducer:

15 “(1) Conversion of dairy and livestock oper-
16 ations to pasture-based management that eliminates
17 or reduces the quantity of manure stored in anaer-
18 obic conditions, including—

19 “(A) conversion of a non-pasture dairy or
20 livestock operation to pasture-based manage-
21 ment;

22 “(B) increasing the amount of time live-
23 stock spend at pasture at an existing pasture
24 operation; or

1 “(C) improving pasture-based manage-
2 ment, including transitioning to managed rota-
3 tional grazing.

4 “(2) Alternative manure treatment and storage
5 practices, including—

6 “(A) installation of a compost bedded pack
7 barn that composts manure;

8 “(B) installation of slatted floor pit storage
9 manure collection that must be cleaned out at
10 least monthly; or

11 “(C) other similar practices, as determined
12 by the Secretary.

13 “(3) Conversion to a solid separation system in
14 which manure solids are separated prior to entry
15 into a wet, anaerobic environment at a dairy or live-
16 stock operation, or installation of a new solid separa-
17 tion system with significantly higher separation effi-
18 ciency than the existing solid separation system, in
19 conjunction with one or more of the following prac-
20 tices:

21 “(A) Open solar drying or composting of
22 manure onsite.

23 “(B) Solar drying in an enclosed environ-
24 ment.

1 “(C) Forced evaporation with natural-gas
2 fueled dryers.

3 “(D) Storage of manure in unconfined
4 piles or stacks.

5 “(E) Composting in an enclosed vessel,
6 with forced aeration and continuous mixing.

7 “(F) Composting in piles with forced aer-
8 ation but no mixing.

9 “(G) Composting in intensive windrows
10 with regular turning for mixing and aeration.

11 “(H) Composting in passive windrows with
12 infrequent turning for mixing and aeration.

13 “(4) Scrape conversion in conjunction with one
14 of the practices listed in paragraph (3).

15 “(e) TERM.—A contract under the program shall
16 have a term that does not exceed 3 years.

17 “(f) PAYMENTS.—

18 “(1) AVAILABILITY OF PAYMENTS.—Payments
19 provided to an eligible producer under this section
20 may be used to implement one or more practices de-
21 scribed in subsection (d).

22 “(2) PAYMENT AMOUNTS.—The Secretary may
23 provide a payment to an eligible producer under the
24 program for an amount that is up to 100 percent of
25 the costs associated with planning, design, materials,

1 equipment, installation, labor, management, maintenance,
2 nance, and training related to implementing a practice
3 described in subsection (d).

4 “(3) LIMITATION ON PAYMENTS.—A person or
5 legal entity (including a joint venture and a general
6 partnership) may not receive, directly or indirectly,
7 payments under the program that exceed \$750,000
8 during any 5-year period.

9 “(4) ADVANCED PAYMENTS.—The Secretary
10 shall provide at least 50 percent of the amount of
11 total payments to an eligible producer in advance for
12 all costs related to purchasing materials and equipment
13 or contracting.

14 “(g) MODIFICATION OR TERMINATION OF CONTRACTS.—
15

16 “(1) VOLUNTARY MODIFICATION OR TERMINATION.—The Secretary may modify or terminate a
17 contract entered into with an eligible producer under
18 the program if—
19

20 “(A) the producer agrees to the modification or termination; and
21

22 “(B) the Secretary determines that the
23 modification or termination is in the public interest.
24

1 “(2) INVOLUNTARY TERMINATION.—The Sec-
2 retary may terminate a contract under the program
3 if the Secretary determines that the eligible producer
4 violated the contract.

5 “(h) CLUSTER APPLICATIONS.—The Secretary shall
6 establish procedures under which—

7 “(1) groups of eligible producers may submit a
8 joint application in order to facilitate centralized
9 composting facilities; and

10 “(2) the Secretary will apportion payments to
11 each eligible producer associated with such a joint
12 application.

13 “(i) EVALUATION OF APPLICATIONS.—

14 “(1) EVALUATION CRITERIA.—The Secretary
15 shall develop criteria for evaluating applications that
16 will ensure that the purposes of the program are ful-
17 filled in a cost effective manner and in a manner
18 that will maximize greenhouse gas emissions reduc-
19 tions and overall environmental benefits.

20 “(2) GROUPING OF APPLICATIONS.—The Sec-
21 retary may group and evaluate applications relative
22 to other applications for similar farming operations.

23 “(j) DUTIES OF PRODUCERS.—To receive payments
24 under the program, an eligible producer shall agree—

1 “(1) to implement an alternative manure man-
2 agement program plan that describes the greenhouse
3 gas emissions reductions and other environmental
4 benefits to be achieved through 1 or more practices
5 that are approved by the Secretary;

6 “(2) to supply information as required by the
7 Secretary to determine compliance with the program
8 plan and requirements of the program; and

9 “(3) to comply with such additional provisions
10 as the Secretary determines are necessary to carry
11 out the program plan.

12 “(k) DUTIES OF THE SECRETARY.—The Secretary
13 shall—

14 “(1) determine and publish factors for esti-
15 mating the emissions reductions for each program
16 practice to aid eligible producers in development of
17 applications and program plans; and

18 “(2) assist an eligible producer in achieving the
19 greenhouse gas emissions reduction and other envi-
20 ronmental goals of the program plan by—

21 “(A) providing payments for developing
22 and implementing 1 or more practices, as ap-
23 propriate; and

1 “(B) providing the producer with informa-
 2 tion, technical assistance, and training to aid in
 3 implementation of the plan.

4 “(1) FUNDING.—The Secretary shall use the funds,
 5 facilities, and authorities of the Commodity Credit Cor-
 6 poration to carry out the program (including the provision
 7 of technical assistance) using, to the maximum extent
 8 practicable, \$1,500,000,000 for the period of fiscal years
 9 2021 through 2030.”.

10 **TITLE VI—ON-FARM** 11 **RENEWABLE ENERGY**

12 **SEC. 601. RURAL ENERGY FOR AMERICA PROGRAM.**

13 Section 9007 of the Farm Security and Rural Invest-
 14 ment Act of 2002 (7 U.S.C. 8106) is amended—

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph (1),
 17 by striking “and renewable energy develop-
 18 ment” and inserting “, renewable energy devel-
 19 opment, and the reduction of carbon dioxide
 20 and carbon dioxide equivalent emissions”; and

21 (B) in paragraph (2), by striking “and re-
 22 newable energy systems” and inserting “, re-
 23 newable energy systems, and carbon dioxide and
 24 carbon dioxide equivalent gas emissions reduc-
 25 tions”;

1 (2) in subsection (b)—

2 (A) in paragraph (2)—

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

5 (ii) by redesignating subparagraph
6 (E) as subparagraph (G); and

7 (iii) by inserting after subparagraph
8 (D) the following:

9 “(E) a nonprofit corporation;

10 “(F) an agricultural cooperative or pro-
11 ducer group; and”;

12 (B) in paragraph (3)(D), by inserting be-
13 fore the semicolon at the end the following: “,
14 including carbon dioxide and carbon dioxide
15 equivalent emissions reductions”; and

16 (C) in paragraph (4)—

17 (i) in the matter preceding subpara-
18 graph (A), by inserting “, agricultural
19 processors,” after “agricultural pro-
20 ducers”;

21 (ii) in subparagraph (A), by striking
22 “and” at the end;

23 (iii) in subparagraph (B), by striking
24 the period at the end and inserting “;
25 and”; and

1 (iv) by adding at the end the fol-
2 lowing:

3 “(C) assisting in the development of feasi-
4 bility studies and plans for implementing rec-
5 ommendations provided under subparagraph
6 (B).”;

7 (3) in subsection (c)—

8 (A) in paragraph (1)(A)(i), by inserting “,
9 agricultural processors,” after “agricultural
10 producers”;

11 (B) in paragraph (2)—

12 (i) by redesignating subparagraphs
13 (F) and (G) as subparagraphs (G) and
14 (H), respectively; and

15 (ii) by inserting after subparagraph
16 (E) the following:

17 “(F) carbon accounting assessments devel-
18 oped under subsection (d);”;

19 (C) in paragraph (3)(A), by striking “25”
20 and inserting “50”;

21 (D) in paragraph (4), by adding at the end
22 the following:

23 “(F) PRE-APPROVED TECHNOLOGIES.—In
24 order to streamline the adoption of renewable

1 energy systems and the adoption of energy effi-
2 ciency improvements, the Secretary shall—

3 “(i) beginning with fiscal year 2021,
4 develop a pre-approved technologies and
5 products list and streamlined application
6 process for projects utilizing pre-approved
7 products; and

8 “(ii) update such list every 2 fiscal
9 years.”; and

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

11 “(5) PRIORITY.—In making grants or loan
12 guarantees under this subsection, priority shall be
13 provided to proposed projects that utilize tech-
14 nologies—

15 “(A) with the lowest carbon footprint; or

16 “(B) that the Secretary determines would
17 result in the largest net decreases of carbon di-
18 oxide and carbon dioxide equivalent emissions
19 as determined through the carbon accounting
20 assessments under subsection (d).”;

21 (4) in subsection (d)—

22 (A) in the subsection heading, by inserting
23 “AND TECHNICAL ASSISTANCE” after “OUT-
24 REACH”;

1 (B) by striking “The Secretary shall” and
2 inserting “Using funds made available under
3 subsection (h)(4), the Secretary shall”; and

4 (C) by inserting “and technical assistance”
5 after “outreach”;

6 (5) by redesignating subsections (d), (e), and
7 (f) as subsections (f), (g), and (h), respectively;

8 (6) by inserting after subsection (c) the fol-
9 lowing:

10 “(d) CARBON ACCOUNTING.—

11 “(1) IN GENERAL.—Not later than 2 years
12 after the date of the enactment of this subsection,
13 the Secretary shall work with the National Renew-
14 able Energy Laboratory established pursuant to sec-
15 tion 10 of the Solar Energy Research, Development,
16 and Demonstration Act of 1974 to develop carbon
17 accounting estimates for renewable energy systems
18 and energy efficiency upgrades (including a pre-ap-
19 proved technologies list and reserve fund tech-
20 nologies), supported through assistance provided
21 under this section.

22 “(2) PROGRAM GUIDANCE.—The results of the
23 carbon accounting assessments shall be used to
24 guide program actions as much as possible in order
25 to achieve the purpose specified in subsection (a).

1 “(e) DEMONSTRATION PRACTICE.—

2 “(1) IN GENERAL.—The Secretary shall hold
3 regional demonstration projects that incentivize agri-
4 cultural producers to reduce the carbon footprint or
5 overall carbon equivalent emissions of such pro-
6 ducers to the largest extent possible through the use
7 of both energy efficiency improvements and renew-
8 able energy systems.

9 “(2) EXTENSION.—The Secretary shall promote
10 the results of the regional demonstration projects
11 carried out under paragraph (1).”; and

12 (7) in subsection (h) (as redesignated by para-
13 graph (5))—

14 (A) in paragraph (1), by striking subpara-
15 graphs (A) through (E) and inserting the fol-
16 lowing:

17 “(A) \$50,000,000 for each of fiscal years
18 2014 through 2020;

19 “(B) \$100,000,000 for fiscal year 2021;

20 “(C) \$200,000,000 for fiscal year 2022;

21 “(D) \$300,000,000 for fiscal year 2023;

22 and

23 “(E) \$400,000,000 for fiscal year 2024
24 and each fiscal year thereafter.”;

1 (B) in paragraph (2)(B), by striking “be-
2 come available” and inserting “be used”; and

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

4 “(4) ADMINISTRATIVE EXPENSES.—Not more
5 than 8 percent of the amount made available to
6 carry out this section for a fiscal year may be used
7 for administrative expenses incurred in carrying out
8 this section.

9 “(5) RESERVATION OF FUNDS.—Of the funds
10 made available to carry out this section for a fiscal
11 year, the Secretary may reserve—

12 “(A) not more than 10 percent for grants
13 under subsection (c) to support the adoption of
14 underutilized but proven, commercial tech-
15 nologies; and

16 “(B) not more than 5 percent to carry out
17 subsection (e) to hold regional demonstration
18 projects and promote the results of such
19 projects.”.

20 **SEC. 602. STUDY ON DUAL-USE RENEWABLE ENERGY SYS-**
21 **TEMS.**

22 (a) IN GENERAL.—The Secretary of Agriculture shall
23 conduct a study on dual-use renewable energy systems,
24 which shall include—

1 (1) an assessment on the compatibility of dif-
2 ferent species of livestock with different dual-use re-
3 newable energy system designs, including—

4 (A) the optimal height of and distance be-
5 tween solar panels for—

6 (i) livestock grazing; and

7 (ii) shade for livestock;

8 (B) manure management considerations;

9 (C) fencing requirements; and

10 (D) other animal handling considerations;

11 (2) an assessment of the compatibility of dif-
12 ferent crop types with different dual-use renewable
13 energy system designs, including—

14 (A) the optimal height of and distance be-
15 tween solar panels for—

16 (i) plant shading; and

17 (ii) farm equipment use;

18 (B) the impact on crop yield; and

19 (C) market opportunities to sell crops at a
20 premium price;

21 (3) a risk-benefit analysis of dual-use renewable
22 energy systems in different regions of the United
23 States, including a comparison between the total
24 greenhouse gas impact of dual-use renewable energy

1 systems and renewable energy systems that displace
2 agricultural production; and

3 (4) a 5-year plan for how the research and ex-
4 tension activities of the Department of Agriculture
5 could be used to better support dual-use renewable
6 energy systems that do not displace agricultural pro-
7 duction.

8 (b) DEFINITION OF DUAL-USE RENEWABLE ENERGY
9 SYSTEMS.—In this section, the term “dual-use renewable
10 energy systems” means renewable energy production and
11 agricultural production, including crop or animal produc-
12 tion, occurring together on the same piece of land.

13 (c) REPORT.—Not later than 1 year after the date
14 of the enactment of this Act, the Secretary of Agriculture
15 shall submit to the Committee on Agriculture of the House
16 of Representatives and the Committee on Agriculture, Nu-
17 trition, and Forestry of the Senate a written report con-
18 taining the results of the study required by subsection (a).

19 **SEC. 603. AGSTAR PROGRAM.**

20 (a) IN GENERAL.—The Secretary of Agriculture (in
21 this section referred to as the “Secretary”) shall maintain
22 a program, to be known as the AgSTAR program, that—

23 (1) supports anaerobic digestion in the agricul-
24 tural sector to reduce methane emissions from live-
25 stock waste;

1 (2) conducts outreach, education, and training
2 on anaerobic digestion of livestock waste;

3 (3) provides technical and regulatory assistance
4 on anaerobic digestion of livestock waste to stake-
5 holders, including farmers and ranchers, on issues
6 including—

7 (A) permitting;

8 (B) codigestion of multiple organic wastes
9 in one digester; and

10 (C) interconnection to physically link a di-
11 gester to the electrical power grid;

12 (4) promotes centralized, multi-farm digesters
13 that use livestock waste from more than 1 farm or
14 ranch;

15 (5) collects and reports data on anaerobic diges-
16 tion of livestock waste; and

17 (6) maintains a database of on-farm anaerobic
18 digester projects in the United States.

19 (b) TRANSITION.—The Administrator of the Environ-
20 mental Protection Agency shall take such steps as may
21 be appropriate to provide for an orderly transition of the
22 activities carried out under the AgSTAR program of the
23 Environmental Protection Agency to the AgSTAR pro-
24 gram under this section.

1 (c) ADMINISTRATION.—The Secretary shall carry out
 2 the program through the Natural Resources Conservation
 3 Service, in coordination with the Administrator of the En-
 4 vironmental Protection Agency and other Federal agencies
 5 as necessary, and in partnership with the Regional Cli-
 6 mate Hubs, cooperative extension services, and other
 7 agencies of the Department of Agriculture.

8 (d) LIMITATIONS ON AUTHORIZATION OF APPRO-
 9 PRIATIONS.—To carry out the AgSTAR program under
 10 this section, there are authorized to be appropriated to
 11 the Secretary not more than \$5,000,000 for each fiscal
 12 year.

13 **TITLE VII—FOOD LOSS AND** 14 **WASTE**

15 **Subtitle A—Food Date Labeling**

16 **SEC. 701. DEFINITIONS.**

17 In this title:

18 (1) ADMINISTERING SECRETARIES.—The term
 19 “administering Secretaries” means—

20 (A) the Secretary of Agriculture with re-
 21 spect to any product that is under the Sec-
 22 retary of Agriculture’s jurisdiction and is—

23 (i) a poultry product, as defined in
 24 section 4 of the Poultry Products Inspec-
 25 tion Act (21 U.S.C. 453);

1 (ii) a meat food product, as defined in
2 section 1 of the Federal Meat Inspection
3 Act (21 U.S.C. 601); or

4 (iii) an egg product, as defined in sec-
5 tion 4 of the Egg Products Inspection Act
6 (21 U.S.C. 1033); and

7 (B) the Secretary of Health and Human
8 Services with respect to any product that is
9 under the Secretary of Health and Human
10 Services' jurisdiction and is a food (as defined
11 in section 201 of the Federal Food, Drug, and
12 Cosmetic Act (21 U.S.C. 321)).

13 (2) DISCARD DATE.—The term “discard date”
14 means a date voluntarily printed on food packaging,
15 which signifies the end of the estimated period of
16 shelf life under any stated storage conditions, after
17 which the food labeler advises the product not be
18 consumed.

19 (3) FOOD LABELER.—The term “food labeler”
20 means the producer, manufacturer, distributor, or
21 retailer that places a date label on food packaging
22 of a product.

23 (4) QUALITY DATE.—The term “quality date”
24 means a date voluntarily printed on food packaging

1 that is intended to communicate to consumers the
2 date after which—

3 (A) the quality of the product may begin
4 to deteriorate; but

5 (B) the product remains apparently whole-
6 some food (as defined in subsection (b)(2) of
7 section 22 of the Child Nutrition Act of 1966
8 (42 U.S.C. 1791(b)(2)); also known as the Bill
9 Emerson Good Samaritan Food Donation Act).

10 **SEC. 702. QUALITY DATES AND DISCARD DATES.**

11 (a) **QUALITY DATES.**—

12 (1) **IN GENERAL.**—If a food labeler includes a
13 quality date on food packaging, the label shall use
14 the uniform quality date label phrase under para-
15 graph (2).

16 (2) **UNIFORM PHRASE.**—The uniform quality
17 date label phrase under this paragraph shall be
18 “BEST If Used By” or, if permissible under sub-
19 section (c)(3), the standard abbreviation of “BB”,
20 unless and until the administering Secretaries, act-
21 ing jointly, specify through rulemaking another uni-
22 form phrase to be used for purposes of complying
23 with paragraph (1).

24 (3) **OPTION OF THE LABELER.**—The decisions
25 on whether to include a quality date on food pack-

1 aging and which foods should be so labeled shall be
2 at the discretion of the food labeler.

3 (b) DISCARD DATES.—

4 (1) IN GENERAL.—If a food labeler includes a
5 discard date on food packaging, the label shall use
6 the uniform discard date label phrase under para-
7 graph (2).

8 (2) UNIFORM PHRASE.—The uniform discard
9 date label phrase under this paragraph shall be
10 “USE By” or, if permissible under subsection
11 (c)(3), the standard abbreviation of “UB”, unless
12 and until the administering Secretaries, acting joint-
13 ly, specify through rulemaking another uniform
14 phrase to be used for purposes of complying with
15 paragraph (1).

16 (3) OPTION OF THE LABELER.—The decisions
17 on whether to include a discard date on food pack-
18 aging and which foods should be so labeled shall be
19 at the discretion of the food labeler.

20 (c) QUALITY DATE AND DISCARD DATE LABEL-
21 ING.—

22 (1) IN GENERAL.—The quality date or discard
23 date, as applicable, and immediately adjacent uni-
24 form quality date label phrase or discard date label
25 phrase—

1 (A) shall be—

2 (i) in single easy-to-read type style;

3 and

4 (ii) located in a conspicuous place on
5 the package of the food; and

6 (B) may be on the label or, at the discre-
7 tion of the food labeler, elsewhere on the pack-
8 age.

9 (2) DATE FORMAT.—Each quality date and dis-
10 card date shall be stated in terms of day and month
11 and, as appropriate, year.

12 (3) ABBREVIATIONS.—A food labeler may use a
13 standard abbreviation of “BB” and “UB” for the
14 quality date and discard date, respectively, only if
15 the food packaging is too small to include the uni-
16 form phrase described in subsection (a)(2) or (b)(2),
17 as applicable.

18 (4) FREEZE BY.—A food labeler may add “or
19 Freeze By” following a quality date or discard date
20 uniform phrase.

21 (d) INFANT FORMULA.—This Act and the amend-
22 ments made by this Act—

23 (1) do not apply with respect to infant formula
24 (as defined in section 201(z) of the Federal Food,
25 Drug, and Cosmetic Act (21 U.S.C. 321(z))); and

1 (2) shall not be construed to affect the require-
2 ments pertaining to infant formula under section
3 412 of the Federal Food, Drug, and Cosmetic Act
4 (21 U.S.C. 350a) and other applicable provisions of
5 law.

6 (e) EDUCATION.—Not later than 1 year after the
7 date of enactment of this Act, the administering Secre-
8 taries, acting jointly, shall provide consumer education
9 and outreach on the meaning of quality date and discard
10 date food labels.

11 (f) RULE OF CONSTRUCTION; PREEMPTION.—

12 (1) RULE OF CONSTRUCTION.—Nothing in this
13 Act or the amendments made by this Act shall be
14 construed to prohibit any State or political subdivi-
15 sion of a State from establishing or continuing in ef-
16 fect any requirement that prohibits the sale or dona-
17 tion of foods based on passage of the discard date.

18 (2) PREEMPTION.—No State or political sub-
19 division of a State may establish or continue in ef-
20 fect any requirement that—

21 (A) relates to the inclusion in food labeling
22 of a quality date or a discard date that is dif-
23 ferent from or in addition to, or that is other-
24 wise not identical with, the requirements of this
25 Act and the amendments made by this Act; or

1 (B) prohibits the sale or donation of foods
2 based on passage of the quality date.

3 (3) ENFORCEMENT.—The administering Secre-
4 taries, acting jointly and in coordination with the
5 Federal Trade Commission, shall ensure that the
6 uniform quality date label phrase and uniform dis-
7 card date label phrase are standardized across all
8 food products.

9 (4) SAVINGS.—Notwithstanding paragraph (2),
10 nothing in this Act, nor any amendment made by
11 this Act, nor any standard or requirement imposed
12 pursuant to this Act, shall be construed to preempt,
13 displace, or supplant any State or Federal common
14 law rights or any State or Federal statute creating
15 a remedy for civil relief, including those for civil
16 damage, or a penalty for criminal conduct.

17 (g) TIME TEMPERATURE INDICATOR LABELS.—
18 Nothing in this Act or the amendments made by this Act
19 shall be construed to prohibit or restrict the use of time-
20 temperature indicator labels or similar technology that is
21 in addition to or in lieu of any uniform quality date label
22 phrase under subsection (a)(2) or uniform discard date
23 label phrase under subsection (b)(2).

1 **SEC. 703. MISBRANDING.**

2 (a) FDA VIOLATIONS.—Section 403 of the Federal
3 Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-
4 ed by adding at the end the following:

5 “(z) If it is food and its labeling is in violation of
6 section 3 of the Food Date Labeling Act of 2019.”.

7 (b) POULTRY PRODUCTS.—Section 4(h) of the Poul-
8 try Products Inspection Act (21 U.S.C. 453(h)) is amend-
9 ed—

10 (1) in paragraph (11), by striking “or” at the
11 end;

12 (2) in paragraph (12), by striking the period at
13 the end and inserting “; or”; and

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

15 “(13) if its labeling is in violation of section 3
16 of the Food Date Labeling Act of 2019.”.

17 (c) MEAT PRODUCTS.—Section 1(n) of the Federal
18 Meat Inspection Act (21 U.S.C. 601(n)) is amended—

19 (1) in paragraph (11), by striking “or” at the
20 end;

21 (2) in paragraph (12), by striking the period at
22 the end and inserting “; or”; and

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

24 “(13) if its labeling is in violation of section 3
25 of the Food Date Labeling Act of 2019.”.

1 (d) EGG PRODUCTS.—Section 7(b) of the Egg Prod-
2 ucts Inspection Act (21 U.S.C. 1036(b)) is amended in
3 the first sentence by adding before the period at the end
4 “or if its labeling is in violation of section 3 of the Food
5 Date Labeling Act of 2019”.

6 **SEC. 704. REGULATIONS.**

7 Not later than 2 years after the date of enactment
8 of this Act, the Secretaries, acting jointly, shall promul-
9 gate final regulations for carrying out the provisions of
10 this Act and the amendments made by this Act.

11 **SEC. 705. DELAYED APPLICABILITY.**

12 This Act and the amendments made by this Act shall
13 apply only with respect to food products that are labeled
14 on or after the date that is 2 years after the date of pro-
15 mulgation of final regulations under section 5.

16 **Subtitle B—Other Provisions**

17 **SEC. 711. COMPOSTING AS CONSERVATION PRACTICE.**

18 (a) DEFINITIONS.—Section 1201(a) of the Food Se-
19 curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

20 (1) by redesignating paragraphs (3) through
21 (27) as paragraphs (4) through (28), respectively;
22 and

23 (2) by inserting after paragraph (2) the fol-
24 lowing:

1 “(3) COMPOSTING PRACTICE.—The term
2 ‘composting practice’ means—

3 “(A) an activity (including an activity that
4 does not require the use of a composting facil-
5 ity) to produce compost from organic waste
6 that is—

7 “(i) generated on a farm; or

8 “(ii) brought to a farm from the near-
9 by community; and

10 “(B) the use of compost on a farm to im-
11 prove water retention and soil health, subject to
12 the condition that such a use shall be in compli-
13 ance with applicable Federal, State, and local
14 laws.”.

15 (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-
16 tion 1240I(2)(B)(i) of the Food Security Act of 1985 (16
17 U.S.C. 3839aa–21(2)(B)(i)) is amended by inserting “and
18 composting practices” after “agriculture drainage man-
19 agement systems”.

20 (c) ENVIRONMENTAL QUALITY INCENTIVES PRO-
21 GRAM.—Section 1240A(6)(A)(ii) of the Food Security Act
22 of 1985 (16 U.S.C. 3839aa–1(6)(A)(ii)) is amended by in-
23 serting “, including composting practices” before the semi-
24 colon at the end.

1 (d) DELIVERY OF TECHNICAL ASSISTANCE.—Section
 2 1242(h) of the Food Security Act of 1985 (16 U.S.C.
 3 3842(h)) is amended by adding at the end the following:

4 “(5) DEVELOPMENT OF COMPOSTING PRACTICE
 5 STANDARD.—In addition to conducting a review of
 6 any composting facilities practice standard under
 7 this subsection, the Secretary shall develop and im-
 8 plement a composting practice standard.”.

9 **SEC. 712. AMENDMENTS TO FEDERAL FOOD DONATION**
 10 **ACT.**

11 (a) PURPOSE.—Section 2 of the Federal Food Dona-
 12 tion Act of 2008 (Public Law 110–247; 42 U.S.C. 1792
 13 note) is amended by striking “encourage” and inserting
 14 “require”.

15 (b) DEFINITIONS.—Section 3 of the Federal Food
 16 Donation Act of 2008 (Public Law 110–247; 42 U.S.C.
 17 1792 note) is amended—

18 (1) by redesignating paragraphs (3) and (4) as
 19 paragraphs (4) and (5), respectively; and

20 (2) by inserting after paragraph (2) the fol-
 21 lowing:

22 “(3) EXECUTIVE AGENCY.—The term ‘executive
 23 agency’ has the meaning given the term in section
 24 133 of title 41, United States Code.”.

1 (c) REPORT ON FOOD WASTE BY CERTAIN FEDERAL
2 CONTRACTORS.—Section 4 of the Federal Food Donation
3 Act of 2008 (Public Law 110–247; 42 U.S.C. 1792) is
4 amended—

5 (1) by amending subsection (a) to read as fol-
6 lows:

7 “(a) IN GENERAL.—

8 “(1) REQUIREMENT.—Not later than 180 days
9 after the date of enactment of the Act, the Federal
10 Acquisition Regulation issued in accordance with
11 section 1121 of title 41, United States Code, shall
12 be revised to provide that, except as provided in
13 paragraph (2), all contracts of more than \$10,000
14 for the provision, service, or sale of food in the
15 United States, or for the lease or rental of Federal
16 property to a private entity for events at which food
17 is provided in the United States, shall include a
18 clause that—

19 “(A) requires the donation of excess, ap-
20 parently wholesome food to nonprofit organiza-
21 tions that provide assistance to food-insecure
22 people in the United States;

23 “(B) states the terms and conditions de-
24 scribed in subsection (b); and

1 “(C) requires the annual submission, in a
2 form and manner specified by the executive
3 agency awarding the contract, of the report de-
4 scribed in subsection (d).

5 “(2) EXCEPTION.—Paragraph (1) shall not
6 apply to a contract with an executive agency that
7 has issued a regulation in effect on the date of en-
8 actment of the Act that prohibits a donation de-
9 scribed in paragraph (1)(A).”; and

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

12 “(c) APPLICATION TO CONGRESS.—

13 “(1) CONTRACTS.—This Act shall apply to the
14 House of Representatives and to contracts entered
15 into by the House of Representatives, and to the
16 Senate and to contracts entered into by the Senate,
17 in the same manner and to the same extent as this
18 Act applies to an executive agency and to contracts
19 entered into by an executive agency.

20 “(2) ADMINISTRATION.—For purposes of car-
21 rying out paragraph (1)—

22 “(A) the Chief Administrative Officer of
23 the House of Representatives shall be consid-
24 ered to be the head of the House of Representa-
25 tives; and

1 “(B) the Secretary of the Senate shall be
2 considered to be the head of the Senate.

3 “(d) DATA; REPORTS.—

4 “(1) REPORT DESCRIBED.—The report de-
5 scribed in this subsection, with respect to a contract
6 described in subsection (a) entered into by a con-
7 tractor and an executive agency, is a report from the
8 contractor to the executive agency that describes, for
9 each month of performance of the contract during
10 the year covered by the report, the weight of appar-
11 ently wholesome food that was, pursuant to the con-
12 tract, disposed of in each of the following manners:

13 “(A) DONATION.—Donation by the con-
14 tractor pursuant to this Act (organized by the
15 name of the organization receiving such food).

16 “(B) COMPOSTING.—Composting or other
17 recycling by the contractor.

18 “(C) DISCARDING.—Discarding by the
19 contractor (organized by the reason such food
20 was so discarded).

21 “(2) REPORTS TO OMB.—Not later than 30
22 days after the date that an executive agency receives
23 a report pursuant to paragraph (1)(C), the agency
24 shall submit a copy of the report to the Director of
25 the Office of Management and Budget.

1 “(3) REPORTS TO CONGRESS.—The Director of
 2 the Office of Management and Budget shall submit
 3 to Congress an annual report aggregating the infor-
 4 mation in the reports received pursuant to para-
 5 graph (2) during the year covered by the report.”.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—The
 7 Federal Food Donation Act of 2008 (42 U.S.C. 1792) is
 8 amended by adding at the end the following:

9 **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

10 “‘There is authorized to be appropriated to the Sec-
 11 retary of Agriculture to carry out this Act \$10,000,000
 12 for fiscal year 2021 and each fiscal year thereafter.’”.

13 **SEC. 713. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**
 14 **GESTION FOOD WASTE-TO-ENERGY**
 15 **PROJECTS.**

16 (a) IN GENERAL.—Subtitle G of the Solid Waste Dis-
 17 posal Act (42 U.S.C. 6971 et seq.) is amended by adding
 18 at the end the following:

19 **“SEC. 7011. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**
 20 **GESTION FOOD WASTE-TO-ENERGY**
 21 **PROJECTS.**

22 “(a) GRANTS.—The Administrator shall establish a
 23 grant program to award grants to States eligible to receive
 24 the grants under subsection (b)(1) to construct large-scale

1 composting or anaerobic digestion food waste-to-energy
2 projects.

3 “(b) ELIGIBLE STATES.—

4 “(1) ELIGIBILITY.—In order to be eligible to
5 receive a grant under this section, a State shall—

6 “(A) have in effect a plan to limit the
7 quantity of food waste that may be disposed of
8 in landfills in the State; and

9 “(B) provide to the Administrator—

10 “(i) a written commitment that the
11 State has read and agrees to comply with
12 the Food Recovery Hierarchy of the Envi-
13 ronmental Protection Agency, particularly
14 as applied to apparently wholesome food
15 (as defined in section 22(b) of the Child
16 Nutrition Act of 1966 (42 U.S.C.
17 1791(b))) that may be provided to or re-
18 ceived by the State; and

19 “(ii) a written end-product recycling
20 plan that provides for the beneficial use of
21 the material resulting from any anaerobic
22 digestion food waste-to-energy operation
23 with respect to which the loan or grant is
24 made, in a manner that meets all applica-

6 “(3) PREFERENCE.—The Administrator shall
7 give preference to grants under subsection (a) for
8 anaerobic digesters that use primarily nonedible
9 food, crop waste, or nonedible food and crop waste
10 as undigested biomass.

“(d) STATE DEFINED.—In this section, the term
‘State’ means each State of the United States, the District
of Columbia, each territory or possession of the United
States, and each federally recognized Indian Tribe.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) is amended by inserting after the item relating to section 7010 the following:

•HR 5861 IH

1 **SEC. 714. SCHOOL FOOD WASTE REDUCTION GRANT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Section 18 of the Richard B. Rus-
4 sell National School Lunch Act (42 U.S.C. 1769) is
5 amended by inserting before subsection (b) the following:

6 “(a) SCHOOL FOOD WASTE REDUCTION GRANT PRO-
7 GRAM.—

8 “(1) GRANT PROGRAM ESTABLISHED.—

9 “(A) IN GENERAL.—The Secretary shall
10 carry out a program to make grants, on a com-
11 petitive basis, to eligible local educational agen-
12 cies to carry out food waste measurement and
13 reporting, prevention, education, and reduction
14 projects.

15 “(B) REGIONAL BALANCE.—In awarding
16 grants under this subsection, the Secretary
17 shall, to the maximum extent practicable, en-
18 sure that—

19 “(i) a grant is awarded to an eligible
20 local educational agency in each region
21 served by the Administrator of the Food
22 and Nutrition Service; and

23 “(ii) equitable treatment of rural,
24 urban, and tribal communities.

25 “(2) APPLICATION.—To be eligible to receive a
26 grant under this subsection, an eligible local edu-

1 cational agency shall submit an application to the
2 Secretary at such time, in such manner, and con-
3 taining such information as the Secretary may re-
4 quire.

5 “(3) PRIORITY.—In making grants under this
6 subsection the Secretary shall give priority to an eli-
7 gible local educational agency that demonstrates in
8 the application under paragraph (2) that such eligi-
9 ble local educational agency will use the grant to—

10 “(A) carry out experiential education ac-
11 tivities that encourage children enrolled in such
12 eligible local educational agency to participate
13 in food waste measurement and education;

14 “(B) prioritize the best use of food in ac-
15 cordance with the Food Recovery Hierarchy
16 published by the Administrator of the Environ-
17 mental Protection Agency;

18 “(C) with respect to food waste prevention
19 and reduction, collaborate with other eligible
20 local educational agencies, tribes, nongovern-
21 mental and community-based organizations,
22 and other community partners;

23 “(D) evaluate the activities described in
24 subparagraphs (A) through (C) and make eval-
25 uation plans; and

1 “(E) establish a food waste measurement,
2 prevention, and reduction project with long-
3 term sustainability.

4 “(4) FEDERAL SHARE.—

5 “(A) IN GENERAL.—The Federal share of
6 a food waste measurement, prevention, and re-
7 duction project funded through a grant awarded
8 under this subsection shall not exceed 75 per-
9 cent of the total cost of such food waste reduc-
10 tion project.

11 “(B) FEDERAL MATCHING.—As a condi-
12 tion of receiving a grant under this subsection,
13 an eligible local educational agency shall provide
14 matching funds in the form of cash or in-kind
15 contributions, including facilities, equipment, or
16 services provided by State and local govern-
17 ments, nonprofit organizations, and private
18 sources.

19 “(5) USE OF FUNDS.—An eligible local edu-
20 cational agency that receives a grant under this sec-
21 tion shall use funds under such grant to carry out
22 at least one of the following:

23 “(A) Planning a food waste measurement,
24 prevention, and reduction project.

1 “(B) Carrying out activities under such a
2 project.

3 “(C) Providing training to support such a
4 project.

5 “(D) Purchasing equipment to support
6 such a project.

7 “(E) Offering food waste education to stu-
8 dents enrolled in such eligible local educational
9 agency.

10 “(6) EVALUATION.—

11 “(A) AGREEMENT.—As a condition of re-
12 ceiving a grant under this subsection, each eli-
13 gible local educational agency shall agree to co-
14 operate in an evaluation by the Secretary of the
15 project carried out using grant funds.

16 “(B) PERIODIC EVALUATION.—Not later
17 than 2 years after the date of the enactment of
18 this paragraph and every 2 years thereafter, the
19 Secretary shall carry out an evaluation of the
20 grants made under this section that includes—

21 “(i) the amount of Federal funds used
22 to carry out such grants; and

23 “(ii) an evaluation of the outcomes of
24 the projects carried out pursuant to such
25 grants.

1 “(7) DEFINITION OF ELIGIBLE LOCAL EDU-
2 CATIONAL AGENCY.—In this subsection, the term ‘el-
3 igible local educational agency’ means a local edu-
4 cational agency that participates in the school lunch
5 program under this Act or the school breakfast pro-
6 gram established under section 4 of the Child Nutri-
7 tion Act of 1966 (42 U.S.C. 1773).”.

8 (b) TECHNICAL ASSISTANCE.—Section 21(b) of the
9 Richard B. Russell National School Lunch Act (42 U.S.C.
10 1769b–1(b)) is amended—

11 (1) in paragraph (2), by striking “and” at the
12 end;

13 (2) in paragraph (3), by striking the period at
14 the end and inserting “; and”; and

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

16 “(4) food waste measurement, prevention, and
17 reduction.”.

○