

118TH CONGRESS
2D SESSION

S. 3838

To amend the Agricultural Credit Act of 1978 to authorize assistance for emergency measures in response to pine beetle outbreaks, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Mrs. HYDE-SMITH introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Agricultural Credit Act of 1978 to authorize assistance for emergency measures in response to pine beetle outbreaks, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Pine Beetle
5 Response Act of 2024”.

6 **SEC. 2. EMERGENCY MEASURES IN RESPONSE TO PINE**
7 **BEETLE OUTBREAKS.**

8 Section 407 of the Agricultural Credit Act of 1978
9 (16 U.S.C. 2206) is amended—

1 (1) by redesignating subsection (e) as sub-
2 section (f); and

3 (2) by inserting after subsection (d) the fol-
4 lowing:

5 “(e) EMERGENCY MEASURES IN RESPONSE TO PINE
6 BEETLE OUTBREAKS.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) ELIGIBLE ITEMIZED COSTS.—The
9 term ‘eligible itemized costs’ means expenses in-
10 curred by a timber service business in carrying
11 out contractual services associated with out-
12 break response measures, including—

13 “(i) labor or hours for truck drivers or
14 equipment operators;

15 “(ii) mileage or hours for use of
16 equipment, such as transports, bulldozers,
17 and skidders; and

18 “(iii) materials, such as gravel, grass
19 seed, culverts, and mats.

20 “(B) OUTBREAK RESPONSE MEASURES.—

21 The term ‘outbreak response measures’ means
22 measures necessary to address pine beetle out-
23 breaks on nonindustrial private forest land, in-
24 cluding—

25 “(i) timber harvesting or thinning;

1 “(ii) prescribed burning;

2 “(iii) debris removal;

3 “(iv) insecticide treatment;

4 “(v) establishment of buffer areas;

5 and

6 “(vi) such other measures as the Sec-
7 retary determines to be appropriate.

8 “(C) TIMBER SERVICE BUSINESS.—The
9 term ‘timber service business’ means a business
10 that derives gross revenue from—

11 “(i) cutting or transporting timber
12 from forest land; or

13 “(ii) inspecting, planting, pruning, or
14 removing trees in residential or commercial
15 areas.

16 “(2) ASSISTANCE FOR OWNERS OF NONINDUS-
17 TRIAL PRIVATE FOREST LAND.—

18 “(A) IN GENERAL.—The Secretary shall
19 make payments to an owner of nonindustrial
20 private forest land who carries out outbreak re-
21 sponse measures to restore forest health and
22 forest-related resources after the land is dam-
23 aged by a pine beetle outbreak.

24 “(B) COST SHARE REQUIREMENT.—Pay-
25 ments made under subparagraph (A) shall not

1 exceed 85 percent of the total cost of the out-
2 break response measures carried out by an
3 owner of nonindustrial private forest land.

4 “(3) ASSISTANCE FOR TIMBER SERVICE BUSI-
5 NESSES.—

6 “(A) IN GENERAL.—The Secretary shall
7 make payments to a timber service business to
8 cover eligible itemized costs incurred in carrying
9 out contractual services associated with out-
10 break response measures to restore forest
11 health and forest-related resources on nonindus-
12 trial private forest land after the land is dam-
13 aged by a pine beetle outbreak.

14 “(B) COST SHARE REQUIREMENT.—Pay-
15 ments made under subparagraph (A) shall not
16 exceed 50 percent of the total eligible itemized
17 costs incurred by a timber service business.

18 “(4) ELIGIBILITY AND PROVISION OF PAY-
19 MENTS.—

20 “(A) ELIGIBILITY.—To be eligible for a
21 payment under paragraph (2) or (3), an owner
22 of nonindustrial private forest land or a timber
23 service business, respectively, shall submit to
24 the applicable local office of the Farm Service
25 Agency an application demonstrating that—

1 “(i) to the satisfaction of the local of-
2 fice, the nonindustrial private forest land
3 on which the outbreak response measures
4 are carried out had tree cover immediately
5 before the pine beetle outbreak;

6 “(ii) the nonindustrial private forest
7 land is located in a county that the Sec-
8 retary has designated as a primary natural
9 disaster area due to drought in the most
10 recent calendar year; and

11 “(iii) forest pest surveys conducted by
12 the Forest Service or a State forestry
13 agency confirm pine beetle infestations on
14 or within a reasonable distance from the
15 nonindustrial private forest land on which
16 the outbreak response measures are car-
17 ried out.

18 “(B) IMPLEMENTATION BY LOCAL OF-
19 FICES.—The local offices of the Farm Service
20 Agency, in consultation with the applicable
21 county committees of the Farm Service Agency,
22 shall—

23 “(i) determine whether applicants for
24 payments under paragraphs (2) and (3)
25 are eligible for the payments; and

1 “(ii) provide payments to eligible ap-
 2 plicants.

3 “(5) EMERGENCY OUTBREAK PUBLIC ASSIST-
 4 ANCE GRANTS.—The Secretary may provide supple-
 5 mental grants to State, Tribal, and local govern-
 6 ments to aid in the response to, and repair of dam-
 7 age caused by, pine beetle outbreaks.”.

8 **SEC. 3. EMERGENCY LOANS.**

9 Section 321 of the Consolidated Farm and Rural De-
 10 velopment Act (7 U.S.C. 1961) is amended—

11 (1) by redesignating subsection (d) as sub-
 12 section (e); and

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

15 “(d) LOANS TO OWNERS OF NONINDUSTRIAL PRI-
 16 VATE FOREST LAND.—

17 “(1) DEFINITIONS.—In this subsection:

18 “(A) NONINDUSTRIAL PRIVATE FOREST
 19 LAND.—The term ‘nonindustrial private forest
 20 land’ has the meaning given the term in section
 21 407(a) of the Agricultural Credit Act of 1978
 22 (16 U.S.C. 2206(a)).

23 “(B) OUTBREAK RESPONSE MEASURES.—
 24 The term ‘outbreak response measures’ has the
 25 meaning given the term in section 407(e)(1) of

1 the Agricultural Credit Act of 1978 (16 U.S.C.
2 2206(e)(1)).

3 “(2) LOANS.—Notwithstanding any other provi-
4 sion of this subtitle, the Secretary may make an
5 emergency loan to an owner of nonindustrial private
6 forest land to carry out outbreak response measures.

7 “(3) AMOUNT.—The amount of an emergency
8 loan under this subsection shall be not less than 75
9 percent of the estimated total cost of the outbreak
10 response measures to be carried out to address a
11 pine beetle outbreak.

12 “(4) LOAN REPAYMENT OPTIONS.—In the case
13 of an owner of nonindustrial private forest land who
14 receives an emergency loan under this subsection
15 and subsequently receives a cost-share payment
16 under section 407(e)(2) of the Agricultural Credit
17 Act of 1978 (16 U.S.C. 2206(e)(2)) with respect to
18 the same pine beetle outbreak on the same land, the
19 owner may, at the option of the owner, apply the
20 amount of the cost-share payment to the remaining
21 principal on the emergency loan.”.

○