

117TH CONGRESS  
1ST SESSION

# H. R. 2803

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

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Ms. PINGREE (for herself, Ms. BARRAGÁN, Mr. BLUMENAUER, Ms. BROWNLEY, Mr. CARBAJAL, Mr. COHEN, Mr. CONNOLLY, Mrs. HAYES, Mr. KHANNA, Ms. KUSTER, Mr. MCGOVERN, Ms. NORTON, Mr. QUIGLEY, Mr. RASKIN, Mr. RYAN, Mr. SMITH of Washington, Ms. SPANBERGER, and Mr. WELCH) 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”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 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. Processing Resilience Grant Program.

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

1       heightened emphasis on climate change adaptation  
2       and mitigation, soil health and carbon sequestration,  
3       nutrient and manure management to curb nitrous  
4       oxide and methane emissions, agroforestry, advanced  
5       grazing management and crop-livestock integration,  
6       other agro-ecological systems, on-farm and food sys-  
7       tem energy efficiency and renewable energy produc-  
8       tion, farmland preservation and viability, food waste  
9       reduction, and related topics to accelerate progress  
10      toward net zero emissions by not later than 2040.

11           (2) SOIL HEALTH.—To help achieve the goal  
12      specified in subsection (a) the United States  
13      should—

14                   (A) immediately become a member of the  
15                   4 per 1000 Initiative’s forum and consortium,  
16                   hosted by the Consultative Group for Inter-  
17                   national Agricultural Research (commonly re-  
18                   ferred to as the “CGIAR”), with the aim of in-  
19                   creasing total soil carbon stocks by 0.4 percent  
20                   annually to reduce carbon in the atmosphere,  
21                   restore soil health and productivity, and thereby  
22                   improve food security;

23                   (B) expand adoption of soil health prac-  
24                   tices (including diverse crop rotations, cover  
25                   cropping, conservation tillage, perennial crop

1 production systems, agroforestry, composting,  
2 biologically based nutrient management, and  
3 advanced grazing management including  
4 silvopasture) sufficiently to—

5 (i) reduce nitrous oxide emissions  
6 from agricultural soils in the United States  
7 by 25 percent by not later than 2030 and  
8 75 percent by not later than 2040; and

9 (ii) increase soil carbon stocks by 0.4  
10 percent annually on at least 50 percent of  
11 United States agricultural lands by not  
12 later than 2030, and to meet or exceed  
13 that threshold on all United States agricul-  
14 tural lands by not later than 2040;

15 (C) expand implementation of regionally  
16 appropriate cover crops and other continual liv-  
17 ing cover so that—

18 (i) at least 50 percent of cropland  
19 acres nationwide include one or more cover  
20 crops or other continual living cover in  
21 their rotations by not later than 2030, ris-  
22 ing to at least 75 percent of cropland acres  
23 nationwide by not later than 2040; and

24 (ii) cropland acres are covered by  
25 crops (including forages and hay crops),

1 cover crops, or residue for an average of  
2 75 percent of the calendar year by not  
3 later than 2030, rising to at least 85 per-  
4 cent of the calendar year by not later than  
5 2040; and

6 (D) encourage conversion of at least 15  
7 percent of current annual grain crop acres to  
8 agroforestry, perennial grazing, perennial grain  
9 crops, or other perennial production systems by  
10 not later than 2030, rising to at least 30 per-  
11 cent by not later than 2040.

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

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

22 (A) establish advanced grazing manage-  
23 ment, including management-intensive rota-  
24 tional grazing, on at least 50 percent of all  
25 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 100  
20 percent over 2017 levels by not later than 2030  
21 and by 300 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 compromise the climate resilience and green-  
21 house gas mitigation goals of this Act or ad-  
22 versely impact farmland, soil, and water re-  
23 sources, or food production.

24 (6) FOOD LOSS AND WASTE.—Consistent with  
25 the Food Waste Challenge launched by the Depart-



1       ment of Agriculture and the Environmental Protec-  
2       tion Agency in June 2013 and the national food loss  
3       and waste goal announced in September 2015, the  
4       food and agriculture sector in the United States  
5       should commit to—

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

8               (B) at least a 75 percent reduction in food  
9       loss and waste by not later than 2040; and

10              (C) in a manner consistent with the Food  
11       Recovery Hierarchy established by the Environ-  
12       mental Protection Agency, diverting from land-  
13       fills through composting and other means at  
14       least 50 percent of unavoidable food waste and  
15       food processing byproducts by not later than  
16       2030, and 90 percent of such food waste and  
17       byproducts by not later than 2040.

18   **SEC. 102. ACTION PLAN.**

19       (a) **PLAN DEVELOPMENT.**—The Secretary shall de-  
20   velop a plan for actions to achieve, in combination with  
21   the other Federal agencies, the national goals declared by  
22   section 101. The plan shall include actions that will make  
23   significant and rapid progress toward meeting such goals.

24       (b) **ACTIONS TO MEET GOALS.**—

1           (1) IN GENERAL.—Actions selected by the Sec-  
2       retary to include in a plan developed under sub-  
3       section (a) may include issuing regulations, pro-  
4       viding incentives, carrying out research and develop-  
5       ment programs, and any other action the Secretary  
6       determines appropriate to achieve the goals declared  
7       by section 101.

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

11           (A) fully implement the provisions of this  
12      Act (and the amendments made by this Act);

13           (B) provide benefits for farmers and  
14      ranchers, rural communities, small businesses,  
15      and consumers;

16           (C) improve public health, resilience, and  
17      environmental outcomes, especially for rural  
18      and low-income households, communities of  
19      color, Tribal and indigenous communities, and  
20      communities that are disproportionately vulner-  
21      able to the impacts of climate change, air and  
22      water pollution, and other resource degradation;  
23      and

24           (D) prioritize investments that reduce  
25      emissions of greenhouse gases and sequester

1 carbon while simultaneously helping to solve  
2 other pressing agro-environmental resource con-  
3 cerns, increase farming and ranching opportuni-  
4 ties, create quality jobs, improve farmworker  
5 working conditions and living standards, and  
6 make communities more resilient to the effects  
7 of climate change.

8 (c) PLAN IMPLEMENTATION.—

9 (1) PUBLIC COMMENT.—Not later than 12  
10 months after the date of enactment of this Act, the  
11 Secretary shall make the proposed plan developed  
12 under subsection (a) available for public comment.

13 (2) SUBMISSION.—Not later than 18 months  
14 after the date of enactment of this Act, the Sec-  
15 retary shall make public and submit to Congress a  
16 plan developed under subsection (a) that incor-  
17 porates revisions to the proposed plan, as appro-  
18 priate, to address the recommendations provided by  
19 the public pursuant to paragraph (1).

20 (3) IMPLEMENTATION.—Beginning not later  
21 than 18 months after the date of enactment of this  
22 Act, the Secretary shall implement the plan devel-  
23 oped under subsection (a) and submitted to Con-  
24 gress under paragraph (2).

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

11          (5) ANNUAL REPORT.—The Secretary shall  
12          issue an annual public report on the plan (including  
13          any revisions to such plan), actions taken pursuant  
14          to such plan, and the effects of such actions, during  
15          the preceding calendar year.

## 16                   **TITLE II—RESEARCH**

### 17   **SEC. 201. RESEARCH, EXTENSION, AND EDUCATION PUR-** 18                   **POSE.**

19          Section 1402 of the National Agricultural Research,  
20          Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
21          3101) is amended—

22                (1) by redesignating paragraphs (8) and (9) as  
23                paragraphs (9) and (10), respectively; and

24                (2) by inserting after paragraph (7) the fol-  
25                lowing:

1           “(8) accelerate the ability of agriculture and the  
2           food system of the United States to first achieve net  
3           zero carbon emissions and then go further to be car-  
4           bon positive by removing additional carbon dioxide  
5           from the atmosphere;”.

6 **SEC. 202. REGIONAL HUBS FOR RISK ADAPTATION AND**  
7 **MITIGATION TO CLIMATE CHANGE.**

8           Title IV of the Agricultural Research, Extension, and  
9           Education Reform Act of 1998 is amended by inserting  
10          before section 404 (7 U.S.C. 7624) the following new sec-  
11          tion:

12 **“SEC. 401. REGIONAL HUBS FOR RISK ADAPTATION AND**  
13 **MITIGATION TO CLIMATE CHANGE.**

14          “(a) **ESTABLISHMENT.**—The Secretary shall estab-  
15          lish a national network of regional hubs for risk adapta-  
16          tion and mitigation to climate change to deliver science-  
17          based, region-specific, cost-effective, and practical infor-  
18          mation and program support to farmers, ranchers, forest  
19          landowners, and other agricultural and natural resource  
20          managers to support science-informed decision-making in  
21          light of the increased costs, opportunities, risks, and  
22          vulnerabilities associated with a changing climate, and to  
23          provide access to assistance to implement those decisions.

24          “(b) **ELIGIBILITY.**—An entity is eligible to be selected  
25          as a regional hub under subsection (a) if such entity is

1 any office of the Agricultural Research Service, the Forest  
2 Service, or any other agency of the Department of Agri-  
3 culture that the Secretary determines is appropriate.

4 “(c) ADMINISTRATION.—

5 “(1) IN GENERAL.—The network established  
6 under subsection (a) shall be designated and admin-  
7 istered jointly by the Agricultural Research Service  
8 and the Forest Service, in partnership with other  
9 Federal agencies, including the following:

10 “(A) Within the Department of Agri-  
11 culture, the following agencies:

12 “(i) The Natural Resource Conserva-  
13 tion Service.

14 “(ii) The Farm Service Agency.

15 “(iii) The Risk Management Agency.

16 “(iv) The Animal and Plant Health  
17 Inspection Service.

18 “(v) The National Institute for Food  
19 and Agriculture.

20 “(B) The Department of the Interior.

21 “(C) The Department of Energy.

22 “(D) The Environmental Protection Agen-  
23 cy.

24 “(E) The United States Geological Survey.

1           “(F) National Oceanic and Atmospheric  
2           Administration.

3           “(G) National Aeronautics and Space Ad-  
4           ministration.

5           “(H) Other Federal agencies as the Sec-  
6           retary determines appropriate.

7           “(2) PARTNERS.—The regional hubs estab-  
8           lished under subsection (a) shall work in close part-  
9           nership with other stakeholders and partners, includ-  
10          ing—

11           “(A) colleges and universities;

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

15           “(C) State agricultural experiment stations  
16           (as defined in such section);

17           “(D) private entities;

18           “(E) State, local and regional govern-  
19           ments;

20           “(F) Tribes;

21           “(G) agriculture and commodity organiza-  
22           tions;

23           “(H) nonprofit and community-based orga-  
24           nizations; and

1                   “(I) other partners, as determined by the  
2                   Secretary.

3           “(d) RESPONSIBILITIES.—A regional hub established  
4 under this section shall—

5                   “(1) offer tools, strategic management options,  
6                   and technical support to farmers, ranchers, and for-  
7                   est landowners to help such farmers, ranchers, and  
8                   landowners mitigate and adapt to climate change;

9                   “(2) direct farmers, ranchers, and forest land-  
10                  owners to Federal agencies that can provide pro-  
11                  gram support to enable such farmers, ranchers, and  
12                  forest landowners to implement science-informed  
13                  management practices that address climate change;

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

17                  “(4) provide periodic regional assessments of  
18                  risk and vulnerability in the agricultural and for-  
19                  estry sectors to help farmers, ranchers, and forest  
20                  landowners better understand the potential direct  
21                  and indirect impacts of climate change and to in-  
22                  form the United States Global Change Research  
23                  Program;

24                  “(5) provide to farmers, ranchers, forest land-  
25                  owners, and rural communities outreach, education,



1 and extension on science-based risk management  
2 through partnerships with the land-grant colleges  
3 and universities (as defined in section 1404 of the  
4 Food and Agriculture Act of 1977 (7 U.S.C. 3103)),  
5 cooperative extension services, and other entities;

6 “(6) work with any cooperative extension serv-  
7 ices (as defined in section 1404 of the National Ag-  
8 ricultural Research, Extension, and Teaching Policy  
9 Act of 1977 (7 U.S.C. 3103)), conservation districts,  
10 and non-governmental organizations involved in  
11 farmer outreach in the region served by such hub to  
12 assist producers in developing business plans and  
13 conservation plans that take into account emerging  
14 climate risk science with respect to crop, production,  
15 and conservation system changes that will help pro-  
16 ducers adapt to a changing climate; and

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

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

4               “(1) Improved measurement and monitoring  
5 of—

6                       “(A) soil organic carbon sequestration; and

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

9               “(2) Lifecycle analysis for total net greenhouse  
10 gas emissions related to—

11                       “(A) alternative cropping systems;

12                       “(B) alternative livestock production sys-  
13 tems;

14                       “(C) integrated cropping-livestock systems;

15                       “(D) alternative biofuel crop production  
16 systems and biofuel end uses;

17                       “(E) alternative agroforestry practices and  
18 systems; and

19                       “(F) alternative forestry management sys-  
20 tems.

21               “(3) Research and education on—

22                       “(A) optimal soil health practices;

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

1           “(C) enhanced synergies between crop  
2 roots and soil biota;

3           “(D) linkages between soil, plant, animal,  
4 and human health;

5           “(E) adaption and mitigation needs of  
6 stakeholders;

7           “(F) new crops or new varieties to help  
8 producers be profitable while adapting to a  
9 changing climate;

10          “(G) social and economic barriers to stake-  
11 holder adoption of new practices that improve  
12 adaptation, mitigation, and soil sequestration;  
13 and

14          “(H) evaluation and assessment of climate-  
15 related decision tools of the Department of Ag-  
16 riculture.

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

20               “(A) grazing land carbon sequestration;  
21 and

22               “(B) mitigation of enteric methane.

23          “(5) Perennial production systems that seques-  
24 ter carbon, enhance soil health, and increase resil-  
25 ience, including—

1 “(A) perennial forages;

2 “(B) perennial grains; and

3 “(C) agroforestry.

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

10 “(g) RISK MANAGEMENT.—

11 “(1) IN GENERAL.—The Secretary shall appoint  
12 a team of individuals representing the regional hubs,  
13 regional hub partners, and the Risk Management  
14 Agency to develop recommendations to better ac-  
15 count for—

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

17 “(B) soil health and other risk-reducing  
18 conservation activities in the Federal crop in-  
19 surance program under the Federal Crop Insur-  
20 ance Act (7 U.S.C. 1508 et seq.).

21 “(2) SUBMISSION OF RECOMMENDATIONS.—

22 The team appointed under paragraph (1) shall sub-  
23 mit to the Secretary on an iterative basis, but not  
24 less frequently than once every two years, the team’s

1 recommendations developed pursuant to such para-  
2 graph.

3 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
4 is authorized to be appropriated to carry out this section  
5 \$50,000,000 for each of fiscal years 2022 through 2030.”.

6 **SEC. 203. SUSTAINABLE AGRICULTURE RESEARCH AND**  
7 **EDUCATION RESILIENCE INITIATIVE.**

8 (a) SUSTAINABLE AGRICULTURE RESEARCH AND  
9 EDUCATION.—Section 1619 of the Food, Agriculture,  
10 Conservation, and Trade Act of 1990 (7 U.S.C. 5801) is  
11 amended—

12 (1) in subsection (a)—

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

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

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

18 “(7) increase resilience in the context of a  
19 changing climate and related economic, social, and  
20 environmental shocks.”; and

21 (2) in subsection (b)—

22 (A) in paragraph (2)—

23 (i) by striking “management” and in-  
24 serting “systems and practices”; and

1 (ii) by inserting “resilience,” after  
2 “profitability,”; and

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

5 “(3) The term ‘resilience’ means, with respect  
6 to an agricultural management system, the ability of  
7 such system to absorb and recover from climate and  
8 other disturbances, such that the system thrives in  
9 the face of severe shocks.”.

10 (b) ELIGIBILITY OF TRIBAL COLLEGES TO ENTER  
11 INTO RESEARCH AND EXTENSION PROJECT AGREE-  
12 MENTS.—Section 1621(b) of the Food, Agriculture, Con-  
13 servation, and Trade Act of 1990 (7 U.S.C. 5811(b)) is  
14 amended by striking “or Federal or State” inserting  
15 “1994 Institutions (as defined in section 532 of the Eq-  
16 uity in Educational Land-Grant Status Act of 1994 (7  
17 U.S.C. 301 note; Public Law 103–382)), or Federal,  
18 State, or Tribal”.

19 (c) AGRICULTURAL AND FOOD SYSTEM RESILIENCE  
20 INITIATIVE.—

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

24 (A) in subsection (a)—

1 (i) in the matter preceding paragraph

2 (1)—

3 (I) by striking the first sentence  
4 and inserting the following: “In close  
5 conjunction with programs and  
6 projects established under sections  
7 1621 and 1623, the Secretary shall  
8 establish a research, education, exten-  
9 sion, and outreach initiative, which  
10 may include farmer and rancher re-  
11 search and demonstration grants, and  
12 use an interdisciplinary approach  
13 wherever appropriate, to increase the  
14 resilience of agriculture and the food  
15 system in the context of a changing  
16 climate and related economic, social,  
17 and environmental shocks.”; and

18 (II) in the second sentence, by  
19 striking “program” and inserting  
20 “initiative”;

21 (ii) by striking paragraph (3);

22 (iii) by redesignating paragraphs (1),  
23 (2), (4), and (5) as paragraphs (3), (4),  
24 (5), and (6), respectively;

1 (iv) by inserting before paragraph (3)  
2 (as so redesignated), the following:

3 “(1) to equip farmers to prepare for, adapt, and  
4 transform their farming systems when confronted by  
5 shocks and stresses to their agricultural production  
6 and livelihoods;

7 “(2) to support local and regional food systems  
8 that support resilience and enhance local access and  
9 control over productive resources;”;

10 (v) in paragraph (3) (as redesignated  
11 by clause (iii))—

12 (I) by inserting “climate and”  
13 after “adverse”;

14 (II) by inserting “soil quality  
15 and” after “enhance”; and

16 (III) by inserting “reduce de-  
17 pendency on fossil fuels,” after “in-  
18 puts,”;

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

22 (vii) in paragraph (6) (as redesignated  
23 by clause (iii)), by striking “integrated”  
24 and all that follows through “programs”  
25 and inserting “policies and programs to



1 improve food and agricultural system resil-  
2 ience”;

3 (B) by striking subsections (b), (c), and  
4 (d); and

5 (C) by inserting after subsection (a) the  
6 following:

7 “(b) FUNDING.—

8 “(1) MANDATORY FUNDING.—Of the funds of  
9 the Commodity Credit Corporation, the Secretary  
10 shall make available to carry out this section  
11 \$50,000,000 for fiscal year 2022 and each fiscal  
12 year thereafter.

13 “(2) DISCRETIONARY FUNDING.—There are au-  
14 thorized to be appropriated to carry out this section  
15 through the National Institute of Food and Agri-  
16 culture \$20,000,000 for each of fiscal years 2013  
17 through 2030.”.

18 (2) CONFORMING AMENDMENT.—The chapter  
19 heading of chapter 2 of subtitle B of title XVI of the  
20 Food, Agriculture, Conservation, and Trade Act of  
21 1990 (7 U.S.C. 5821) is amended to read as follows:

22 “**AGRICULTURAL AND FOOD SYSTEM**  
23 **RESILIENCE INITIATIVE**”.

1 **SEC. 204. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**  
2 **VELOPMENT AND TRANSFER PROGRAM.**

3 (a) TECHNICAL GUIDES AND BOOKS.—Section 1628  
4 of the Food, Agriculture, Conservation, and Trade Act of  
5 1990 (7 U.S.C. 5831) is amended—

6 (1) in subsection (d)—

7 (A) by redesignating paragraphs (3) and  
8 (4) as paragraphs (4) and (5), respectively; and

9 (B) by inserting after paragraph (2) the  
10 following:

11 “(3) adapting to and mitigating the effects of  
12 climate change;”; and

13 (2) in subsection (e), by striking “Soil Con-  
14 servation” and inserting “Natural Resources Con-  
15 servation”.

16 (b) NATIONAL TRAINING PROGRAM.—Section 1629  
17 of the Food, Agriculture, Conservation, and Trade Act of  
18 1990 (7 U.S.C. 5832) is amended—

19 (1) in subsection (g)—

20 (A) in paragraph (5), by striking “Soil  
21 Conservation Service and the Agricultural Sta-  
22 bilization and Conservation Service” and insert-  
23 ing “Natural Resources Conservation Service  
24 and the Farm Service Agency”;

1 (B) by redesignating paragraphs (10) and  
 2 (11) as paragraphs (11) and (12), respectively;  
 3 and

4 (C) by inserting after paragraph (9) the  
 5 following;

6 “(10) develop and provide information con-  
 7 cerning climate change adaptation and mitigation  
 8 developed under this subtitle and other research and  
 9 education programs of the Department;”;

10 (2) in subsection (h), by striking “Soil Con-  
 11 servation Service” and inserting “Natural Resources  
 12 Conservation Service”; and

13 (3) in subsection (i), by striking “2023” and in-  
 14 serting the following: “2021, and \$30,000,000 for  
 15 each of fiscal years 2022 through 2030”.

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

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

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

21 “(a) IN GENERAL.—The Secretary, acting through  
 22 the Administrator of the Agricultural Research Service,  
 23 shall provide for the establishment and maintenance of a  
 24 network of research sites operated by the Agricultural Re-  
 25 search Service for research on the sustainability of agricul-

1 tural systems in the United States, to be known as the  
2 ‘Long-Term Agroecological Research Network’ (in this  
3 section referred to as the ‘Network’) with the following  
4 goals:

5 “(1) To understand and enhance the sustain-  
6 ability of agriculture.

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

10 “(3) To develop new farming systems, practices,  
11 and technologies to address agricultural challenges  
12 and opportunities, including challenges and opportu-  
13 nities posed by climate change.

14 “(b) ACTIVITIES DESCRIBED.—The activities of the  
15 Network shall include—

16 “(1) research conducted for a minimum of 30  
17 years to develop novel scientific insights at regional  
18 and national scales and evaluate the applicability  
19 and adaptation to local conditions;

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

24 “(3) the coordination of large-scale data collec-  
25 tion related to the sustainability of agricultural sys-

1       tems and the provision of infrastructure to research  
2       sites to allow for analyzing and disseminating such  
3       data.

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

6               “(1) coordinate long-term agroecological re-  
7       search to improve understanding within the Depart-  
8       ment of Agriculture of how agroecosystems function  
9       at the field, regional, and national scales;

10              “(2) designate research sites for inclusion in  
11       the Network that are representative of major agri-  
12       cultural regions;

13              “(3) ensure that every research site so included  
14       conducts experiments with common goals and meth-  
15       ods—

16                      “(A) to increase agricultural productivity  
17                      and profitability;

18                      “(B) to enhance agricultural resilience and  
19                      the capacity to mitigate and adapt to climate  
20                      change;

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

23                      “(D) improve opportunities for rural com-  
24                      munities;

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

5           “(5) provide infrastructure to research sites in-  
 6           cluded in the Network for data collection, common  
 7           measurements, and data streams that complement  
 8           other national networks, such as the National Eco-  
 9           logical Observatory Network (NEON) and the Long-  
 10          Term Ecological Research (LTER) network.

11          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 12          are authorized to be appropriated to carry out this section  
 13          \$50,000,000 for each of fiscal years 2022 through 2030.”.

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

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

17                  (1) in subsection (a), by adding at the end the  
 18          following:

19          “(3) DEFINITIONS.—In this section:

20                  “(A) CONVENTIONAL BREEDING.—The term  
 21          ‘conventional breeding’ means the development of  
 22          new varieties of an organism through controlled  
 23          mating and selection without the use of transgenic  
 24          methods, provided that information gained through  
 25          gene sequencing, genomic, and metabolomics anal-

1       yses can be used to inform mating and selection  
2       choices.

3               “(B) CULTIVAR.—The term ‘cultivar’ means a  
4       variety of a species of plant that has been inten-  
5       tionally selected for use in cultivation because of the  
6       improved characteristics of that variety of the spe-  
7       cies.

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

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

18              “(1) PUBLIC BREED AND CULTIVAR DEVELOPMENT  
19      FUNDING.—

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

25              “(A) \$50,000,000 for fiscal year 2022;

1 “(B) \$60,000,000 for fiscal year 2023;  
2 “(C) \$70,000,000 for fiscal year 2024;  
3 “(D) \$80,000,000 for fiscal year 2025;  
4 “(E) \$90,000,000 for fiscal year 2026; and  
5 “(F) \$100,000,000 for each of the fiscal  
6 years 2027 through 2030.

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

12 “(3) GRANTS.—The Secretary shall ensure  
13 that—

14 “(A) the terms for any competitive grants  
15 made under subsection (b) are not less than 5  
16 years;

17 “(B) any such term or associated renewal  
18 process facilitates the development and commer-  
19 cialization of public breeds and cultivars  
20 through long-term grants; and

21 “(C) when necessary, Tribal consultation  
22 occurs to ensure public breed and cultivar de-  
23 velopment does not infringe on Tribes’ abilities  
24 to maintain culturally sensitive breeds and  
25 cultivars.”.



1 (b) PUBLIC BREED AND CULTIVAR RESEARCH AC-  
2 TIVITIES COORDINATOR.—Section 251 of the Department  
3 of Agriculture Reorganization Act of 1994 (7 U.S.C.  
4 6971) is amended—

5 (1) in subsection (e), by adding at the end the  
6 following:

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

9 “(A) IN GENERAL.—The Under Secretary  
10 shall appoint a coordinator within the Office of  
11 the Chief Scientist that reports to the Under  
12 Secretary to coordinate research activities at  
13 the Department relating to the breeding of pub-  
14 lic breeds and cultivars (as defined in para-  
15 graph (3) of subsection (a) of the Competitive,  
16 Special, and Facilities Research Grant Act (7  
17 U.S.C. 3157(a))).

18 “(B) DUTIES OF COORDINATOR.—The co-  
19 ordinator appointed under subparagraph (A)  
20 shall—

21 “(i) coordinate animal and plant  
22 breeding research activities funded by the  
23 Department relating to the development  
24 and delivery to producers of climate resil-

1 ient and regionally adapted public breeds  
2 and crop cultivars;

3 “(ii)(I) carry out ongoing analysis and  
4 track activities for any Federal research  
5 funding supporting animal and plant  
6 breeding (including any public breeds and  
7 cultivars developed with Federal funds);  
8 and

9 “(II) ensure that the analysis and ac-  
10 tivities are made available to the public not  
11 later than 60 days after the last day of  
12 each fiscal year;

13 “(iii) develop a strategic plan that es-  
14 tablishes targets for public breed and  
15 cultivar research investments across the  
16 Department to ensure that a diverse range  
17 of animal and crop needs are being met in  
18 a timely and transparent manner, with a  
19 strong focus on delivery of resource-effi-  
20 cient, stress-tolerant, regionally adapted  
21 animal breeds and crop cultivars that help  
22 build agricultural resilience to climate  
23 change and support on-farm carbon se-  
24 questration and greenhouse gas mitigation,

1 nutritional quality, and other farmer-iden-  
2 tified priority agronomic and market traits;

3 “(iv) convene a working group in  
4 order to carry out the coordination func-  
5 tions described in this subparagraph com-  
6 prised of individuals who are responsible  
7 for the management, administration, or  
8 analysis of public breeding programs with-  
9 in the Department from—

10 “(I) the National Institute of  
11 Food and Agriculture;

12 “(II) the Agricultural Research  
13 Service; and

14 “(III) the Economic Research  
15 Service;

16 “(v) in order to maximize delivery of  
17 public breeds and cultivars, promote col-  
18 laboration among—

19 “(I) the coordinator;

20 “(II) the working group convened  
21 under clause (iv);

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

1 “(IV) genetic resource conserva-  
2 tion centers;

3 “(V) land-grant colleges and uni-  
4 versities (as defined in section 1404 of  
5 the National Agricultural Research,  
6 Extension, and Teaching Policy Act of  
7 1977 (7 U.S.C. 3103));

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

12 “(VII) Native American-serving  
13 nontribal institutions (as defined in  
14 section 371(c) of the Higher Edu-  
15 cation Act of 1965 (20 U.S.C.  
16 1067q(c)));

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

21 “(IX) nongovernmental organiza-  
22 tions with interest or expertise in pub-  
23 lic breeding; and

24 “(X) public and private plant  
25 breeders;

1 “(vi) convene regular stakeholder lis-  
 2 tening sessions to provide input on na-  
 3 tional and regional priorities for public  
 4 breed and cultivar research activities  
 5 across the Department; and

6 “(vii) evaluate and make rec-  
 7 ommendations to the Under Secretary on  
 8 training and resource needs to meet future  
 9 breeding challenges, including the chal-  
 10 lenges stemming from climate change.”;  
 11 and

12 (2) in subsection (f)(1)(D)(i), by striking “(7  
 13 U.S.C. 450i(b))” and inserting “(7 U.S.C.  
 14 3157(b))”.

15 (c) CONFORMING AMENDMENT.—Section  
 16 296(b)(6)(B) of the Department of Agriculture Reorga-  
 17 nization Act of 1994 (7 U.S.C. 7014(b)(6)(B)) is amended  
 18 by striking “Office; and” and inserting “Office (including  
 19 the public breed and cultivar research activities coordi-  
 20 nator under subsection (e)(7) of that section); and”.

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

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

2 “(a) FUNDING.—The Secretary of Agriculture, in  
3 conjunction with the Director of the National Genetic Re-  
4 sources Program appointed under section 1633 and acting  
5 through the Agricultural Research Service, shall support  
6 the development of public breeds and cultivars (as defined  
7 in paragraph (3) of subsection (a) of the Competitive, Spe-  
8 cial, and Facilities Research Grant Act (7 U.S.C.  
9 3157(a))) by Federal researchers.

10 “(b) PRIORITY.—In supporting research under sub-  
11 section (a) using funds made available pursuant to sub-  
12 section (d), the Secretary shall give priority to high-poten-  
13 tial research projects that lead to the release of public  
14 breeds and cultivars that assist producers in mitigating  
15 and adapting to climate change.

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

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

24 “(2) areas of high priority research;

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

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

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

11   **SEC. 207. ARS CLIMATE SCIENTIST CAREER DEVELOPMENT**  
12                           **PROGRAM.**

13       (a) IN GENERAL.—The Secretary of Agriculture  
14      shall, in accordance with section 922 of the Federal Agri-  
15      culture Improvement and Reform Act of 1996 (7 U.S.C.  
16      2279c), carry out an internship program within the Agri-  
17      cultural Research Service for graduate students pursuing  
18      a degree or conducting research related to climate change  
19      and agriculture.

20       (b) FUNDING.—Of the funds of the Commodity Cred-  
21      it Corporation, the Secretary may use not more than  
22      \$10,000,000 for each of fiscal years 2022 through 2030  
23      to carry out the program referred to in subsection (a).

1 **SEC. 208. AGRICULTURAL CLIMATE ADAPTATION AND MITI-**  
2 **GATION THROUGH AFRI.**

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

6 “(G) AGRICULTURAL CLIMATE ADAPTA-  
7 TION AND MITIGATION.—Agricultural climate  
8 adaptation and mitigation, including—

9 “(i) strategies for agricultural adapta-  
10 tion to climate change, including adapta-  
11 tion strategies for small and medium-sized  
12 dairy, livestock, crop and other commodity  
13 operations;

14 “(ii) on-farm mitigation strategies and  
15 solutions, including infrastructure, equip-  
16 ment, and agricultural ecosystems-based  
17 strategies;

18 “(iii) the economic costs, benefits, ef-  
19 fectiveness, and viability of producers  
20 adopting conservation practices and tech-  
21 nologies designed to improve soil health,  
22 including carbon sequestration in soil;

23 “(iv) the effectiveness of existing con-  
24 servation practices and enhancements to  
25 improve soil health, including the effective-  
26 ness to sequester carbon in soil;



1 “(v) new technologies to measure and  
2 verify environmentally beneficial outcomes  
3 of healthy soils practices, including carbon  
4 sequestration in soil; and  
5 “(vi) links between human health and  
6 soil health.”.

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

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

11 (1) in subsection (b)—

12 (A) in the matter preceding paragraph (1),  
13 by inserting “, multi-crop production systems,”  
14 after “specific crops”;

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

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

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

20 “(6) efforts to mitigate and adapt to climate  
21 change, including—

22 “(A) on-farm mitigation strategies and so-  
23 lutions, including agricultural ecosystems-based  
24 strategies;

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

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

6           (2) in subsection (g)(3)(A), by striking “equal  
 7           to not less than the amount of the grant” and in-  
 8           serting “in an amount that is equal to not less than  
 9           25 percent of the funds provided through the  
 10          grant”.

11 **SEC. 210. INTEGRATED PEST MANAGEMENT.**

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

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

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

19          “(d) **EMPHASIS ON CLIMATE RESILIENCE.**—The Sec-  
 20          retary shall ensure that grants made under this section  
 21          are, where appropriate, consistent with the development  
 22          of food and agricultural systems that improve climate re-  
 23          silience.

24          “(e) **ECOLOGICALLY BASED PEST MANAGEMENT.**—  
 25          The Secretary shall ensure that grants made under this

1 section to support pest management prioritize ecologically  
2 based approaches that are effective, affordable, and envi-  
3 ronmentally sound, maintain agricultural productivity and  
4 healthy communities, and improve climate resilience.”.

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

6 (a) STUDY.—The Secretary of Agriculture, in con-  
7 sultation with the Secretary of Health and Human Serv-  
8 ices, shall enter into an agreement with the National  
9 Academy of Sciences, under which the National Academy  
10 agrees to produce an analysis of current scientific findings  
11 to determine the links between human health and soil  
12 health by—

13 (1) reviewing existing research on the connec-  
14 tions between the human microbiome and soil  
15 microbiome;

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

19 (3) exploring potential impact of increasing soil  
20 organic matter across the agricultural and food  
21 value chain;

22 (4) determining how to best leverage healthy  
23 soil management practices to maximize benefits and  
24 minimize adverse impacts on human health; and

25 (5) highlighting areas for future research.

(b) REPORT.—The agreement under subsection (a) shall include a requirement that the National Academy of Sciences, not later than 2 years after the date of the enactment of this Act, submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the results of the study conducted pursuant to subsection (a).

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

Section 310B(i)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(i)(2)) is amended—

(1) in subparagraph (C), by striking “and” at 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           (1) in subparagraph (A)(iii), by striking “prac-  
 2           tices” the first place it appears and all that follows  
 3           through the period at the end and inserting “prac-  
 4           tices.”;

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

7           (3) by inserting after subparagraph (A) the fol-  
 8           lowing:

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

12                           “(i) Scientifically sound, sustainable,  
 13                           and organic farming practices, as deter-  
 14                           mined by the Secretary.

15                           “(ii) Conservation farming practices  
 16                           that are approved by—

17                                   “(I) the Natural Resources Con-  
 18                                   servation Service; or

19                                   “(II) an agricultural expert, as  
 20                                   determined by the Secretary.”.

21           (b) RISK-REDUCTION-BASED DISCOUNTS.—Section  
 22           508(d) of the Federal Crop Insurance Act (7 U.S.C.  
 23           1508(d)) is amended—

24                   (1) by redesignating paragraph (4) as para-  
 25                   graph (5); and

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

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

4                 “(A) IN GENERAL.—Effective beginning  
5       with the 2022 reinsurance year, the Corpora-  
6       tion may provide a risk-reduction-based pre-  
7       mium discount for a producer of an agricultural  
8       commodity who uses risk-reduction farming  
9       practices, as determined by the Corporation.

10               “(B) RISK-REDUCTION FARMING PRAC-  
11       TICES.—For purposes of subparagraph (A),  
12       risk-reduction farming practices may include  
13       the following:

14                     “(i) The use of cover crops.

15                     “(ii) Resource-conserving crop rota-  
16       tions.

17                     “(iii) Management-intensive rotational  
18       grazing.

19                     “(iv) Composting.

20                     “(v) Other risk-reducing and soil  
21       health promoting farming practices as de-  
22       termined by the Corporation.”.

23       (c) CROP PRODUCTION ON NATIVE SOD APPLICA-  
24       BILITY.—

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

4           (2) EFFECTIVE DATE.—The amendment made  
 5       by paragraph (1) shall take effect on the first day  
 6       of the first reinsurance year beginning at least 1  
 7       year after the date of the enactment of this Act.

8   **SEC. 302. ENVIRONMENTAL QUALITY INCENTIVES PRO-**  
 9                                   **GRAM.**

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

12           (1) in the matter preceding paragraph (1), by  
 13       striking “and environmental quality” and inserting  
 14       “environmental quality, and climate change adapta-  
 15       tion and mitigation”;

16           (2) in paragraph (1)—

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

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

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

22                           “(D) greenhouse gas emissions reduction  
 23       and carbon sequestration;”;

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

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

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

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

11          (2) by redesignating clause (vi) as clause (vii);  
12       and

13          (3) by inserting after clause (v) the following:  
14                       “(vi) greenhouse gas emissions reduc-  
15                       tion planning; and”.

16       (c) ESTABLISHMENT AND ADMINISTRATION OF EN-  
17       VIRONMENTAL QUALITY INCENTIVES PROGRAM.—

18          (1) ESTABLISHMENT.—Section 1240B(a) of the  
19       Food Security Act of 1985 (16 U.S.C. 3839aa–2(a))  
20       is amended by striking “2023” and inserting  
21       “2030”.

22          (2) PAYMENTS.—Section 1240B(d)(7)(A) of the  
23       Food Security Act of 1985 (16 U.S.C. 3839aa–  
24       2(d)(7)(A)) is amended—



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

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

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

6 “(v) increases carbon sequestration or  
 7 reduces greenhouse gas emissions.”.

8 (3) ALLOCATION OF FUNDING.—Section  
 9 1240B(f) of the Food Security Act of 1985 (16  
 10 U.S.C. 3839aa–2(f)) is amended—

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

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

17 (4) PAYMENTS FOR CONSERVATION PRACTICES  
 18 RELATED TO ORGANIC PRODUCTION.—Section  
 19 1240B(i) of the Food Security Act of 1985 (16  
 20 U.S.C. 3839aa–2(i)) is amended by striking para-  
 21 graph (3) and redesignating paragraphs (4) and (5)  
 22 as paragraphs (3) and (4), respectively.

23 (5) CONSERVATION INCENTIVE CONTRACTS.—  
 24 Section 1240B(j) of the Food Security Act of 1985  
 25 (16 U.S.C. 3839aa–2(j)) is amended—

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

3 “(C) CLIMATE CHANGE ADAPTATION AND  
4 MITIGATION.—For the purposes of this sub-  
5 section, priority resource concerns include cli-  
6 mate change adaptation and mitigation.”;

7 (B) in paragraph (2)(A)(ii)—

8 (i) in subclause (I), by striking “or”;

9 (ii) in subclause (II), by striking the  
10 period at the end and inserting “; or”; and

11 (iii) by adding at the end the fol-  
12 lowing:

13 “(III) funding, through annual  
14 payments, for a suite of incentive  
15 practices that are appropriate for the  
16 region and land use and that best en-  
17 hance soil health and carbon seques-  
18 tration and reduce greenhouse gas  
19 emissions, as determined by the Sec-  
20 retary.”; and

21 (C) by amending paragraph (2)(B) to read  
22 as follows:

23 “(B) TERM.—

1 “(i) IN GENERAL.—A contract under  
2 this subsection shall have a term of not  
3 less than 5, and not more than 10, years.

4 “(ii) GRADUATION OPTION.—The Sec-  
5 retary may reduce the term for a contract  
6 under this subsection if the producer en-  
7 ters into a conservation stewardship con-  
8 tract under section 1240K with respect to  
9 the eligible land that is subject to the con-  
10 tract under this subsection.”.

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

16 (e) LIMITATION ON PAYMENTS.—Section 1240G of  
17 the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is  
18 amended by striking “Not including payments made under  
19 section 1240B(j), a person or legal entity may not receive,  
20 directly or indirectly, cost-share or incentive payments  
21 under this subchapter that, in aggregate, exceed \$450,000  
22 for all contracts entered into under this subchapter by the  
23 person or legal entity during the period of fiscal years  
24 2014 through 2018, or the period of fiscal years 2019  
25 through 2023” and inserting “A person or legal entity (in-

cluding a joint venture and a general partnership) may not receive, directly or indirectly, cost-share or incentive payments under this subchapter that, in aggregate, exceed \$450,000 for all contracts entered into under this subchapter by the person or legal entity during any 5-fiscal-year period”.

(f) CONSERVATION INNOVATION GRANTS.—

(1) AIR QUALITY CONCERNS FROM AGRICULTURAL OPERATIONS.—Section 1240H(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–8(b)) is amended—

(A) in paragraph (1), by inserting “and to meet Federal, State, and local goals with respect to greenhouse gas emissions reductions” after “local regulatory requirements”; and

(B) in paragraph (2), by striking “2019 through 2023” and inserting “2019 through 2021, and \$50,000,000 for each of fiscal years 2022 through 2030”.

(2) ON-FARM CONSERVATION INNOVATION TRIALS.—Section 1240H(c)(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–8(c)(2)) is amended by striking “2019 through 2023” and inserting “2019 through 2021, \$50,000,000 of the funds made available to carry out this subchapter for each

1 of fiscal years 2022 and 2023, and \$100,000,000 of  
 2 the funds made available to carry out this sub-  
 3 chapter for each of fiscal years 2024 through 2030”.

4 **SEC. 303. CONSERVATION STEWARDSHIP PROGRAM.**

5 (a) DEFINITIONS.—Section 1240I of the Food Secu-  
 6 rity Act of 1985 (16 U.S.C. 3839aa–21) is amended—

7 (1) in paragraph (2)—

8 (A) in subparagraph (A), by inserting “en-  
 9 hancements,” after “practices,”; and

10 (B) in subparagraph (B)(v), by inserting  
 11 “and climate change” before the period at the  
 12 end; and

13 (2) in paragraph (3)(C), by inserting “main-  
 14 tained, actively” after “implemented,”.

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

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

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

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

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

3 (c) STEWARDSHIP CONTRACTS.—

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

10 (2) EVALUATION OF CONTRACT OFFERS.—Sec-  
11 tion 1240K(b) of the Food Security Act of 1985 (16  
12 U.S.C. 3839aa–23(b)) is amended—

13 (A) by amending paragraph (1)(A)(iii) to  
14 read as follows:

15 “(iii) other criteria consistent with an  
16 equal weighting of the factors described in  
17 clauses (i) and (ii), as determined by the  
18 Secretary, including criteria the Secretary  
19 determines are necessary to ensure that—

20 “(I) the program effectively tar-  
21 gets improvements to soil health, in-  
22 creases in carbon sequestration, and  
23 reductions in greenhouse gas emis-  
24 sions; and

1 “(II) other national, State, and  
2 local priority resource concerns are ef-  
3 fectively addressed.”; and

4 (B) by striking paragraph (3).

5 (3) CONTRACT RENEWAL.—Section 1240K(e)  
6 of the Food Security Act of 1985 (16 U.S.C.  
7 3839aa–23(e)) is amended to read as follows:

8 “(e) CONTRACT RENEWAL.—

9 “(1) IN GENERAL.—The Secretary may provide  
10 the producer an opportunity to renew an existing  
11 contract in the first half of the fifth year of the con-  
12 tract period if the producer—

13 “(A) demonstrates compliance with the  
14 terms of the existing contract;

15 “(B) agrees to adopt and continue to inte-  
16 grate new or improved conservation activities  
17 across the entire agricultural operation, dem-  
18 onstrating continued improvement during the  
19 additional 5-year period as determined by the  
20 Secretary; and

21 “(C) agrees, by the end of the contract pe-  
22 riod, to meet the stewardship threshold of at  
23 least 2 additional priority resource concerns on  
24 the agricultural operation, if applicable.

1           “(2) RANKING AND PAYMENTS.—In deter-  
 2           mining whether to accept an application for contract  
 3           renewal under this subsection, and when calculating  
 4           payments for such renewal contracts, the Secretary  
 5           shall consider the full conservation benefits across  
 6           the entire agricultural operation, including—

7                   “(A) the number of priority resource con-  
 8                   cerns with respect to which the producer is ex-  
 9                   pected to meet or exceed the stewardship  
 10                  threshold by the end of the contract period; and

11                  “(B) the active management and mainte-  
 12                  nance of ongoing conservation activities, includ-  
 13                  ing—

14                   “(i) the conservation activities adopt-  
 15                   ed during a prior contract period; and

16                   “(ii) the new or improved conservation  
 17                   activities to be adopted if a contract is re-  
 18                   newed.”.

19           (d) DUTIES OF THE SECRETARY.—

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



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

4                   (A) in paragraph (1)—

5                       (i) in subparagraph (A), by inserting  
6                       “on one or more types of eligible land cov-  
7                       ered by the contract” after “activities”;  
8                       and

9                       (ii) in subparagraph (B), by striking  
10                      “improving, maintaining, and managing”  
11                      and inserting “maintaining, actively man-  
12                      aging, and improving”;

13                   (B) in paragraph (2)—

14                       (i) by amending subparagraph (B) to  
15                       read as follows:

16                      “(B) Income forgone by the producer, in-  
17                      cluding amounts that reflect—

18                           “(i) increased economic risk; and

19                           “(ii) loss in revenue due to production  
20                           changes, anticipated reductions in yield,  
21                           transitioning to an organic system, re-  
22                           source-conserving cropping system, or pe-  
23                           rennial production system, or acreage con-  
24                           verted to conservation uses.”;

1 (ii) in subparagraph (E), by inserting  
 2 “, actively managed, and, where applicable,  
 3 improved” after “maintained”; and  
 4 (C) by adding at the end the following:

5 “(6) PAYMENT FOR CONSERVATION ACTIVITIES  
 6 RELATED TO ORGANIC PRODUCTION SYSTEMS.—

7 “(A) IN GENERAL.—The Secretary shall  
 8 provide payments under this subsection for con-  
 9 servation activities related to—

10 “(i) organic production; and

11 “(ii) transitioning to organic produc-  
 12 tion.

13 “(B) CONSERVATION ACTIVITIES.—Such  
 14 conservation activities may include both gen-  
 15 erally available and specifically tailored con-  
 16 servation activities, and both individual con-  
 17 servation activities and bundles of conservation  
 18 activities.

19 “(7) MINIMUM PAYMENT.—The amount of an  
 20 annual payment under the program shall be not less  
 21 than \$2,000.”.

22 (3) SUPPLEMENTAL PAYMENTS.—Section  
 23 1240L(d) of the Food Security Act of 1985 (16  
 24 U.S.C. 3839aa-24(d)) is amended—

(A) in the subsection heading, by inserting  
“, PERENNIAL PRODUCTION SYSTEMS, AND”  
after “ROTATIONS”;

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

“(D) PERENNIAL PRODUCTION SYSTEM.—  
The term ‘perennial production system’  
means—

“(i) the use of cropland for agro-  
forestry, including alley cropping,  
silvopasture, and related production prac-  
tices, as determined by the Secretary;

“(ii) the use of woodland for agro-  
forestry, including forest farming, multi-  
story cropping, and related production  
practices, as determined by the Secretary;  
and

“(iii) the use of cropland for perennial  
forages or perennial grain crops.”;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking  
“or”;

(ii) in subparagraph (B), by striking  
the period and inserting “; or”; and

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

3 “(C) a perennial production system.”; and  
4 (D) in paragraph (3), by striking “or ad-  
5 vanced grazing management” and inserting  
6 “advanced grazing management, or a perennial  
7 production system”.

8 (4) PAYMENT FOR COMPREHENSIVE CONSERVA-  
9 TION PLAN.—Section 1240L(e)(1) of the Food Secu-  
10 rity Act of 1985 (16 U.S.C. 3839aa–24(e)(1)) is  
11 amended to read as follows:

12 “(1) DEFINITION OF COMPREHENSIVE CON-  
13 SERVATION PLAN.—In this subsection, the term  
14 ‘comprehensive conservation plan’ means a conserva-  
15 tion plan that—

16 “(A) meets or exceeds the stewardship  
17 threshold for each priority resource concern  
18 identified by the Secretary under subsection  
19 (a)(2); and

20 “(B) with respect to an organic production  
21 system—

22 “(i) is integrated with an organic sys-  
23 tem plan approved under the national or-  
24 ganic program established under the Or-

1           ganic Foods Production Act of 1990 (7  
2           U.S.C. 6501 et seq.); or

3           “(ii) allows a producer to transition to  
4           organic production systems and pursue  
5           certification under the Organic Foods Pro-  
6           duction Act of 1990 (7 U.S.C. 6501 et  
7           seq.).”.

8           (5) PAYMENT LIMITATIONS.—Section 1240L(f)  
9           of the Food Security Act of 1985 (16 U.S.C.  
10          3839aa–24(f)) is amended—

11          (A) by striking “fiscal years 2019 through  
12          2023” and inserting “any consecutive 5-year  
13          period”; and

14          (B) by inserting “(including joint ventures  
15          and general partnerships)” before the period at  
16          the end.

17          (6) SPECIALTY CROP AND ORGANIC PRO-  
18          DUCERS.—Section 1240L(g) of the Food Security  
19          Act of 1985 (16 U.S.C. 3839aa–24(g)) is amended  
20          by inserting “, and producers transitioning to or-  
21          ganic production systems,” after “organic pro-  
22          ducers”.

23          (7) SOIL HEALTH.—Section 1240L(k) of the  
24          Food Security Act of 1985 (16 U.S.C. 3839aa–

1       24(k)) is amended by striking the period at the end  
 2       and inserting “, including by—

3               “(1) conducting outreach to encourage the use  
 4       of contracts to improve soil health and sequester  
 5       carbon in the soil; and

6               “(2) offering payments for soil testing to pro-  
 7       vide producers and the Secretary with information  
 8       on the soil health and carbon sequestration impacts  
 9       of conservation activities.”.

10       (e) ON-FARM CONSERVATION STEWARDSHIP INNO-  
 11       VATION GRANTS.—Subchapter B of chapter 4 of subtitle  
 12       D of subtitle D of title XII of the Food Security Act of  
 13       1985 (16 U.S.C. 3839aa–21 et seq.) is amended by adding  
 14       at the end the following:

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

17               “(a) DEFINITION.—In this section, the term ‘agricul-  
 18       tural professional’ means university researchers and edu-  
 19       cators, including extension agents and specialists, Federal  
 20       agency field staff, agricultural consultants, State and local  
 21       agency staff, tribal agency staff, Federally-Recognized  
 22       Tribes Extension Program agents, and nonprofit organiza-  
 23       tion staff assisting farmers and ranchers at the local level.

24               “(b) GRANTS.—Out of the funds made available to  
 25       carry out this chapter, the Secretary may pay the cost of

1 competitive grants that are intended to stimulate innova-  
2 tive approaches on farms and ranches to leverage Federal  
3 investment in conservation stewardship, in conjunction  
4 with agricultural production or forest resource manage-  
5 ment, through the program.

6 “(c) PARTICIPANTS.—The Secretary shall carry out  
7 on-farm conservation innovation projects on eligible land  
8 of program participants—

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

11 “(2) through partnerships between agricultural  
12 professionals and small groups of program partici-  
13 pants.

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

19 “(1) facilitate on-farm research and demonstra-  
20 tion or pilot testing of new technologies or innovative  
21 conservation systems and practices that aim to re-  
22 duce greenhouse gas emissions and decarbonize agri-  
23 culture;

24 “(2) facilitate on-farm research and demonstra-  
25 tion or pilot testing of practices and systems with

1 proven high impact for greenhouse gas emissions re-  
2 duction and decarbonization with low national or re-  
3 gional adoption rates; or

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

8 “(e) INCENTIVE PAYMENTS.—

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

23 “(2) ADJUSTED GROSS INCOME REQUIRE-  
24 MENTS.—



1           “(A) IN GENERAL.—Adjusted gross income  
2 requirements under section 1001D(b)(1)  
3 shall—

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

6           “(ii) be enforced by the Secretary.

7           “(B) REPORTING.—A governmental or  
8 non-governmental organization participating in  
9 an on-farm conservation stewardship innovation  
10 partnership project under this subsection shall  
11 report annually to the Secretary on the amount  
12 of payments made to individual farm operations  
13 under this subsection.

14           “(3) RESEARCH, TECHNICAL ASSISTANCE, AND  
15 ADMINISTRATIVE EXPENSES.—The Secretary may  
16 provide partnerships under this section with up to  
17 \$50,000 per project for research, technical assist-  
18 ance, and administrative expenses.

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

22           “(A) not less than 2 years; and

23           “(B) if appropriate, more than 2 years, in-  
24 cluding if such a period is appropriate to sup-  
25 port—

1 “(i) adaptive management over mul-  
 2 tiple crop years; and

3 “(ii) adequate data collection and  
 4 analysis by a producer or partnership to  
 5 report the natural resource and agricul-  
 6 tural production benefits of the new or in-  
 7 novative conservation approaches to the  
 8 Secretary.

9 **“SEC. 1240L-3. CONTRIBUTIONS AND CONTRIBUTION**  
 10 **AGREEMENTS.**

11 “(a) CONTRIBUTIONS.—In carrying out the program,  
 12 the Secretary may accept financial or other contributions  
 13 from individuals and public and private entities, if the Sec-  
 14 retary determines that the contributions will further the  
 15 purposes of the program. Such contributions may include  
 16 support for conservation activities to sequester carbon, re-  
 17 duce greenhouse gas emissions, and achieve other related  
 18 environmental benefits, under such terms and conditions  
 19 as the Secretary may require.

20 “(b) CONTRIBUTION AGREEMENTS.—

21 “(1) IN GENERAL.—The Secretary may accept  
 22 a contribution to the program under subsection (a)  
 23 from an individual or a public or private entity.

24 “(2) CONSIDERATIONS.—In determining wheth-  
 25 er to accept a contribution under this subsection, the

1 Secretary shall consider whether the contribution  
2 would target one or more of the following:

3 “(A) Resource-conserving crop rotations,  
4 advanced grazing management, or perennial  
5 production systems.

6 “(B) Cover crop activities.

7 “(C) Organic production systems.

8 “(D) Beginning and socially disadvantaged  
9 farmers and ranchers, or other underserved  
10 producers.

11 “(3) AGREEMENTS.—Any contribution under  
12 this subsection shall be made subject to an agree-  
13 ment between the contributing individual or entity  
14 and the Secretary, under such terms and conditions  
15 as the Secretary may require.”.

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

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

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

21 “(a) AVAILABILITY AND PURPOSE OF GRANTS.—  
22 Using funds made available under subsection (k), the Sec-  
23 retary shall make grants to States or tribal governments  
24 for each of fiscal years 2022 through 2030 to be used by  
25 State departments of agriculture or appropriate tribal au-

1 thorities to develop and implement plans to improve soil  
2 health on agricultural lands.

3 “(b) APPLICATION.—

4 “(1) IN GENERAL.—A State department of ag-  
5 riculture or tribal government requesting a grant  
6 under this section may prepare and submit, for ap-  
7 proval by the Secretary, an application at such time,  
8 in such a manner, and containing such information  
9 as the Secretary shall require, including an assur-  
10 ance that grant funds received under this section  
11 shall supplement the expenditure of State or tribal  
12 funds in support of soil health, rather than replace  
13 State or tribal funds.

14 “(2) USE OF FUNDS.—A State or tribal govern-  
15 ment may request funds under this section to—

16 “(A) develop or modify a State or tribal  
17 soil health plan; or

18 “(B) implement a State or tribal soil  
19 health plan approved by the Secretary under  
20 this section, including through—

21 “(i) technical assistance;

22 “(ii) financial assistance;

23 “(iii) on-farm research and dem-  
24 onstration;

1 “(iv) education, outreach, and train-  
2 ing;

3 “(v) monitoring and evaluation; or

4 “(vi) such other activities as the Sec-  
5 retary deems appropriate.

6 “(3) PLAN COMPONENTS.—Prior to approving a  
7 State or tribal soil health plan, the Secretary shall  
8 ensure that the plan, at a minimum—

9 “(A) is broadly consistent with the soil  
10 health principles of the Natural Resources Con-  
11 servation Service; and

12 “(B) identifies effective strategies for in-  
13 creasing adoption of regionally appropriate soil  
14 health practices and systems on privately owned  
15 agricultural land under the jurisdiction of the  
16 applicable State or tribal government.

17 “(4) ELIGIBILITY.—A State or tribal govern-  
18 ment may—

19 “(A) apply for a grant under paragraph  
20 (2)(A) at any time; and

21 “(B) apply for a grant under paragraph  
22 (2)(B) upon approval by the Secretary of its  
23 soil health plan.

24 “(c) TRIBAL OPTION.—At the sole discretion of a  
25 tribal government, an Indian tribe or tribal organization

1 shall have the option of being incorporated into a State  
2 application rather than submitting its own application.

3 “(d) GRANT AMOUNT.—

4 “(1) MAXIMUM.—The maximum grant any one  
5 State or tribal government may receive under this  
6 section for a fiscal year shall be—

7 “(A) for a grant under subsection  
8 (b)(2)(A), \$1,000,000.

9 “(B) for a grant under subsection  
10 (b)(2)(B), \$5,000,000.

11 “(2) FEDERAL SHARE.—

12 “(A) GRANTS TO STATES.—The grant  
13 amount to a State shall not exceed 75 percent  
14 of the cost of developing or modifying a soil  
15 health plan, or 50 percent of the cost of imple-  
16 menting the soil health plan.

17 “(B) GRANTS TO TRIBES.—The grant  
18 amount to a tribal government shall not exceed  
19 90 percent of the cost of developing or modi-  
20 fying a soil health plan, or 75 percent of the  
21 cost of implementing the soil health plan.

22 “(3) NON-FEDERAL FUNDS.—A grant made  
23 under this section shall be made on the condition  
24 that the non-Federal share of expenditures under  
25 paragraph (2) be provided by non-Federal sources.

1       “(e) GRANT TERM.—A grant under this section shall  
2 be for one year and may be renewed annually, at the dis-  
3 cretion of the Secretary.

4       “(f) PRIORITY.—The Secretary shall give priority to  
5 States or tribal governments with a climate action plan  
6 that includes soil health, as determined by the Secretary.

7       “(g) PERFORMANCE MEASURES AND EVALUATION.—

8               “(1) PERFORMANCE MEASURES.—Each applica-  
9 tion under subsection (b) shall include performance  
10 measures to be used to evaluate the results of the  
11 assistance received under this section.

12              “(2) REVIEW.—The State department of agri-  
13 culture or the tribal authority shall submit a review  
14 and evaluation of its progress using the performance  
15 measures under paragraph (1) to the Secretary at  
16 such intervals as the Secretary shall establish.

17       “(h) EFFECT OF NONCOMPLIANCE.—If the Sec-  
18 retary, after reasonable notice to a State or tribal govern-  
19 ment, finds that there has been a failure by the State or  
20 tribal government to comply with the terms of a grant  
21 made under this section, the Secretary may disqualify, for  
22 one or more years, the State or tribal government from  
23 receipt of future grants under this section.

24       “(i) AUDIT REQUIREMENT.—For each year that a  
25 State or tribal government receives a grant under this sec-

tion, the State or tribal government shall conduct an audit of the expenditures of grant funds by the State or tribal government and shall submit a copy of the audit to the Secretary within 30 days of its completion.

“(j) ADMINISTRATION.—

“(1) DEPARTMENT.—The Secretary may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.

“(2) STATES OR TRIBES.—A State or tribal government receiving a grant under this section may not use more than 7 percent of the funds received under the grant for a fiscal year for administrative expenses.

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

“(1) \$60,000,000 for fiscal years 2022 through 2023;

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

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

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

(a) COMMODITY CREDIT CORPORATION.—



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

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

8           (B) in paragraph (1)—

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

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

19          (C) in paragraph (2)—

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

22          (ii) in subparagraph (F), by striking  
23       “2023.” and inserting “2022; and”; and

24          (iii) by adding at the end the fol-  
25       lowing:

1                   “(G) \$700,000,000 for each of fiscal years  
2                   2023 through 2030.”; and

3                   (D) in paragraph (3)—

4                   (i) in subparagraph (A)—

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

7                   (II) by adding at the end the fol-  
8                   lowing:

9                   “(vi) \$3,000,000,000 for fiscal years  
10                  2024 through 2030; and”; and

11                  (ii) in subparagraph (B)—

12                  (I) in clause (iii), by striking  
13                  “\$750,000,000” and inserting  
14                  “\$2,000,000,000”;

15                  (II) in clause (iv), by striking  
16                  “\$800,000,000 for fiscal year 2022;  
17                  and” and inserting “\$2,500,000,000  
18                  for fiscal year 2022;”;

19                  (III) in clause (v), by striking  
20                  “\$1,000,000,000 for fiscal year  
21                  2023.” and inserting “\$3,000,000,000  
22                  for fiscal year 2023; and”; and

23                  (IV) by adding at the end the fol-  
24                  lowing:

1 “(vi) \$4,000,000,000 for fiscal years  
2 2024 through 2030.”.

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

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

11 “(5) SPECIAL INITIATIVE.—

12 “(A) IN GENERAL.—Beginning in fiscal  
13 year 2022 and every year thereafter through  
14 fiscal year 2030, the Secretary shall use for a  
15 special technical assistance initiative to assist  
16 producers in mitigating and adapting to climate  
17 change, from the Commodity Credit Corpora-  
18 tion, an amount equal to not less than 1 per-  
19 cent of Commodity Credit Corporation funds  
20 made available for a fiscal year for each of the  
21 programs specified in subsection (a).

22 “(B) PROVISION OF TECHNICAL ASSIST-  
23 ANCE.—The Secretary shall provide technical  
24 assistance under this special initiative to pro-  
25 ducers—

1 “(i) directly;

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

9 “(iii) through a cooperative agreement  
10 or contract with—

11 “(I) a cooperative extension;

12 “(II) a non-governmental organi-  
13 zation; or

14 “(III) a State, tribal, or Federal  
15 agency.

16 “(C) UNDERSERVED PRODUCERS.—In pro-  
17 viding technical assistance under this para-  
18 graph, the Secretary shall give priority to pro-  
19 ducers who are covered persons (as defined in  
20 section 1244(a)(2)).”.

21 (4) ASSISTANCE TO CERTAIN FARMERS OR  
22 RANCHERS FOR CONSERVATION ACCESS.—Section  
23 1241(h) of the Food Security Act of 1985 (16  
24 U.S.C. 3841(h)) is amended—

(A) in paragraph (1)(B), by striking “to the maximum extent practicable” and all that follows through the period at the end and inserting “to the maximum extent practicable, 30 percent to assist beginning farmers or ranchers and socially disadvantaged farmers or ranchers.”; and

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

(b) ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.—

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

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

(B) by striking subparagraph (B) and inserting the following:

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

1           “(C) to enhance other long-term environ-  
2           mental goals.”.

3           (2) REVIEW AND GUIDANCE FOR PRACTICE  
4           COSTS AND PAYMENT RATES.—Section  
5           1244(j)(1)(B) of the Food Security Act of 1985 (16  
6           U.S.C. 3844(j)(1)(B)) is amended—

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

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

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

12                           “(iv) accelerates progress in meeting  
13                           the goals established under title I of the  
14                           Agriculture Resilience Act.”.

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

19                   “(q) ADVANCED GRAZING MANAGEMENT.—

20                           “(1) IN GENERAL.—In carrying out any con-  
21                           servation program administered by the Secretary,  
22                           the Secretary shall encourage advanced grazing  
23                           management, including management-intensive rota-  
24                           tional grazing, as such terms are defined in section  
25                           1240L(d).

1           “(2) RESERVATION OF FUNDS.—In each of fis-  
2       cal years 2022 through 2030, the Secretary shall use  
3       to carry out this subsection not less than two thirds  
4       of any funds available for activities related to live-  
5       stock production under conservation programs ad-  
6       ministered by the Secretary under this title (other  
7       than the conservation reserve program established  
8       under subchapter B of chapter 1 of subtitle D, ex-  
9       cept for acres enrolled under section 1231(d)(2)).”.

10       (c) ENVIRONMENTAL SERVICES MARKETS.—Section  
11   1245 of the Food Security Act of 1985 (16 U.S.C. 3845)  
12   is amended by adding at the end the following:

13       “(f) SOIL HEALTH AND GREENHOUSE GAS FEDERAL  
14   ADVISORY COMMITTEE.—

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

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

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

1           “(B) organizations representing farmers  
2           and ranchers, including those representing  
3           small and mid-sized farms;

4           “(C) scientists;

5           “(D) environmental nonprofit organiza-  
6           tions;

7           “(E) existing private sector carbon and  
8           ecosystem services market development initia-  
9           tives;

10          “(F) businesses working to reduce green-  
11          house gas emissions from agriculture in their  
12          supply chains;

13          “(G) relevant Federal agencies;

14          “(H) youth engaged in the agriculture or  
15          food sector;

16          “(I) tribal communities; and

17          “(J) State agriculture agencies.

18          “(3) TERMS.—

19               “(A) TERM LENGTH.—The term of a  
20               member of the advisory committee shall be 2  
21               years.

22               “(B) REAPPOINTMENT.—The Secretary  
23               may reappoint a member for not more than 2  
24               consecutive terms.



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

4           “(5) RECOMMENDATIONS.—Not later than 12  
5       months after the date on which the advisory com-  
6       mittee is established, and periodically thereafter, the  
7       advisory committee shall submit to the Secretary  
8       recommendations on—

9           “(A) the feasibility of establishing reliable  
10       outcomes-based measurement systems, as de-  
11       scribed in subsection (g);

12           “(B) existing technology that provides reli-  
13       able measurement data;

14           “(C) for those parameters for which exist-  
15       ing technology does not provide reliable meas-  
16       urement data, research and technical needs  
17       and, as appropriate, goals and plans for such  
18       research;

19           “(D) standards for data collection and dis-  
20       semination;

21           “(E) farmer data management and pri-  
22       vacy;

23           “(F) greenhouse gas emissions and soil  
24       health inventories and databases, as described  
25       in subsection (h); and

1           “(G) criteria for soil health and green-  
2           house gas emissions reductions payments and  
3           environmental markets, as described in sub-  
4           section (i).

5           “(g) MEASUREMENT SYSTEM.—

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

17          “(2) GUIDANCE.—Not later than 18 months  
18          after the date of enactment of this subsection, the  
19          Secretary shall issue guidance on the outcomes-  
20          based measurement system evaluated under para-  
21          graph (1), based on recommendations from the advi-  
22          sory committee under subsection (f), and informa-  
23          tion from agroecosystem models (including COMET  
24          Farm and COMET Farm Planner), remote sensing  
25          data and analysis (including the Operational Tillage

1 Information System), soil health demonstration  
2 trials carried out under section 1240H(c)(7), exist-  
3 ing and emerging public and private environmental  
4 services protocols, measurement systems, and bench-  
5 marks, and field-level measurement.

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

9 “(A) establish and maintain such an out-  
10 comes-based measurement system when fea-  
11 sible;

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

14 “(C) establish research and development  
15 goals and plans as needed.

16 “(h) INVENTORY.—

17 “(1) IN GENERAL.—Not later than 18 months  
18 after the date of enactment of this subsection, and  
19 every 2 years thereafter, the Secretary, in consulta-  
20 tion with the advisory committee established under  
21 subsection (f) and the Administrator of the Environ-  
22 mental Protection Agency, shall conduct a nation-  
23 wide soil health and agricultural greenhouse gas  
24 emissions inventory that uses the best available  
25 science and data to establish expected average per-

1       formance for soil carbon drawdown and storage and  
2       greenhouse gas emissions reduction by primary pro-  
3       duction type and production region.

4               “(2) DATABASE.—The Secretary shall create an  
5       accessible and interoperable database for the infor-  
6       mation collected through the inventory conducted  
7       under paragraph (1), and shall improve and update  
8       such database at least once every two years as new  
9       data is collected.

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

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

20               “(2) be based in part on environmental impact  
21      modeling of the changes of shifting from baseline ag-  
22      ricultural practices to new or improved agricultural  
23      practices; and

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

1 “(j) DEMONSTRATION TRIALS.—

2 “(1) IN GENERAL.—The Secretary shall peri-  
3 odically review the results from soil health dem-  
4 onstration trials carried out under section  
5 1240H(c)(7), and other similar public and private  
6 demonstration trials the Secretary determines appro-  
7 priate, to inform the activities under subsections (g),  
8 (h), and (i).

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

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

18 (a) STUDY.—The Secretary of the Treasury (“the  
19 Secretary”), in coordination with the Secretary of Agri-  
20 culture, shall conduct a study of the feasibility of devel-  
21 oping a credit against tax to incentivize carbon capture  
22 on farms and ranches.

23 (b) REPORT.—Not later than one year after the date  
24 of the enactment of this section, the Secretary shall sub-  
25 mit to Congress a report that describes the results of the

1 study in subsection (a), including whether or not to pro-  
2 ceed with a tax credit and, if so, detailed recommendations  
3 for—

4 (1) which taxpayers should be eligible for the  
5 credit;

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

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

12 (4) incentivizing early adoption of carbon cap-  
13 ture practices;

14 (5) the number of years a taxpayer should be  
15 eligible for the credit;

16 (6) establishing rules for recapture in instances  
17 in which carbon capture ceases or carbon is not re-  
18 tained in soil;

19 (7) establishing rules for recapture if ownership  
20 of land is transferred;

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

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

23 (10) establishing certification requirements for  
24 carbon capture;

1           (11) establishing rules for attributing the credit  
2           to a taxpayer;

3           (12) establishing rules for carrying over unused  
4           credits; and

5           (13) such other provisions as the Secretary de-  
6           termines necessary.

7 **SEC. 307. CONSERVATION COMPLIANCE.**

8           (a) DEFINITIONS.—

9           (1) CONSERVATION PLAN.—Section 1201(a)(3)  
10          of the Food Security Act of 1985 (16 U.S.C.  
11          3801(a)(3)) is amended—

12                   (A) by striking “highly erodible” each  
13                   place it appears; and

14                   (B) in subparagraph (B), by striking “and  
15                   conservation treatment measures” and inserting  
16                   “crop rotation and cover crop systems, and  
17                   other relevant conservation treatment meas-  
18                   ures”.

19           (2) CONSERVATION SYSTEM.—Section  
20          1201(a)(4) of the Food Security Act of 1985 (16  
21          U.S.C. 3801(a)(4)) is amended—

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

24                   (B) in subparagraph (B)—

1 (i) by striking “or a substantial im-  
 2 provement in soil conditions on a field or  
 3 group of fields containing highly erodible  
 4 cropland” and inserting “and a substantial  
 5 improvement in soil health conditions (in-  
 6 cluding soil carbon levels) on a field or  
 7 group of fields containing cropland”; and

8 (ii) by striking the period at the end  
 9 and inserting a semicolon; and

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

11 “(C) are designed to achieve, within five  
 12 years of actively applying a conservation plan,  
 13 a level of erosion not to exceed twice the soil  
 14 loss tolerance level; and

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

18 (3) HIGHLY ERODIBLE LAND.—Section  
 19 1201(a)(11)(A)(ii) of the Food Security Act of 1985  
 20 (16 U.S.C. 3801(a)(11)(A)(ii)) is amended by strik-  
 21 ing “excessive average annual rate of erosion in rela-  
 22 tion to” and inserting “average annual rate of ero-  
 23 sion exceeding twice”.

24 (b) CROPLAND CONSERVATION.—



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

4           (A) in subsection (a)—

5               (i) in the matter preceding paragraph  
6               (1), by striking “produces an agricultural  
7               commodity on a field on which highly erod-  
8               ible land is predominant, or designates  
9               land on which highly erodible land is pre-  
10              dominant to be set aside, diverted, devoted  
11              to conservation uses, or otherwise not cul-  
12              tivated under a program administered by  
13              the Secretary to reduce production of an  
14              agricultural commodity, as determined by  
15              the Secretary” and inserting “carries out  
16              an activity described in subsection (b), as  
17              determined by the Secretary,”; and

18              (ii) in paragraph (1)(D), by inserting  
19              “cropland or” before “highly erodible  
20              land”; and

21           (B) by striking subsection (b) and insert-  
22       ing the following:

23       “(b) ACTIVITIES DESCRIBED.—Activities described  
24       in this subsection are—

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

4           “(2) the designation of land on which highly  
5       erodible land cropland is predominant to be set  
6       aside, diverted, devoted to conservation uses, or oth-  
7       erwise not cultivated under a program administered  
8       by the Secretary to reduce production of an agricul-  
9       tural commodity; and

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

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

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

19           (A) in subsection (a)(3), by striking “only  
20       be required to apply a conservation plan estab-  
21       lished under this subtitle. The person shall not  
22       be required to meet a higher conservation  
23       standard than” and inserting “be required to  
24       apply a conservation plan established under this  
25       subtitle consistent with”; and

1 (B) in subsection (f)(4)(A)—

2 (i) in clause (i), by striking “highly  
3 erodible”; and

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

6 (3) CONFORMING AMENDMENT.—Subtitle B of  
7 title XII of the Food Security Act of 1985 (16  
8 U.S.C. 3810 et seq.) is amended in the subtitle  
9 heading by striking “**Highly Erodible Land**”  
10 and inserting “**Cropland**”.

11 **SEC. 308. AGROFORESTRY CENTERS.**

12 Section 1243 of the Food, Agriculture, Conservation,  
13 and Trade Act of 1990 (16 U.S.C. 1642 note; Public Law  
14 101–624) is amended—

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

18 (2) by amending subsection (a) to read as fol-  
19 lows:

20 “(a) NATIONAL AND REGIONAL AGROFORESTRY  
21 CENTERS.—The Secretary of Agriculture shall establish  
22 at the Forestry Sciences Laboratory of the United States  
23 Forest Service, in Lincoln, Nebraska, a Semiarid Agro-  
24 forestry Research, Development, and Demonstration Cen-  
25 ter, and acting through the Chief of the Forest Service

1 and in cooperation with the Natural Resources Conserva-  
2 tion Service, shall establish not less than three additional  
3 regional agroforestry centers at other locations to be de-  
4 termined by the Secretary (referred to in this section as  
5 the ‘Centers’). The Secretary shall appoint a National Di-  
6 rector and Regional Directors to manage and coordinate  
7 the program established under subsection (b).’;

8 (3) in subsection (b)—

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

11 (B) in paragraph (1), by striking “on  
12 semiarid lands that” and inserting “that build  
13 soil health and”;

14 (C) in paragraph (3), by striking “from  
15 semiarid land”;

16 (D) in paragraph (4)—

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

18 and

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

21 (E) by amending paragraph (6) to read as  
22 follows:

23 “(6) develop improved silvopasture, alley crop-  
24 ping, forest farming, multistory cropping, riparian  
25 buffer, windbreak and shelterbelt, and other peren-

1 nial production and conservation systems and tech-  
2 nologies to improve soil health, carbon sequestration,  
3 drought preparedness, soil and water conservation,  
4 environmental quality, and biological diversity;”;

5 (F) in paragraph (7), by striking “on  
6 semiarid lands”;

7 (G) in paragraph (8), by striking “on  
8 semiarid lands worldwide” and inserting  
9 “worldwide, including on semiarid lands”; and

10 (H) in paragraph (9)—

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

12 and

13 (ii) by inserting “and climate change”

14 after “pollution”;

15 (4) in subsection (c), in the matter preceding  
16 paragraph (1), by striking “Center” and inserting  
17 “Centers”; and

18 (5) in subsection (d), by striking “through  
19 2023” and inserting “through 2021 and  
20 \$25,000,000 for each of fiscal years 2022 through  
21 2030”.

1 **TITLE IV—FARMLAND PRESER-**  
2 **VATION AND FARM VIABILITY**

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

4 Section 210A of the Agricultural Marketing Act of  
5 1946 (7 U.S.C. 1627c) is amended—

6 (1) in subsection (a)(12)—

7 (A) by redesignating clauses (iv) and (v) as  
8 clauses (vi) and (vii), respectively; and

9 (B) by inserting after clause (iii) the fol-  
10 lowing:

11 “(iv) is produced and marketed in a  
12 manner that significantly improves soil  
13 health and carbon sequestration or signifi-  
14 cantly reduces greenhouse gas emissions;

15 “(v) when added to the crop or graz-  
16 ing rotation on a farm, will significantly  
17 improve soil health and carbon sequestra-  
18 tion or significantly reduce greenhouse gas  
19 emissions;”;

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 or animals that when added into crop or grazing rotations on a farm will significantly improve soil health and carbon sequestration or significantly reduce greenhouse gas emissions; 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 or significantly reduce greenhouse gas emissions.”;

(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 or significantly reduce greenhouse gas emissions”;

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

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

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

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

7 (3) in subsection (d)—

8 (A) in paragraph (2)—

9 (i) in subparagraph (C)—

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

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

14 (III) by adding at the end the  
15 following:

16 “(iii) agricultural commodities and  
17 products that are produced and marketed  
18 in a manner that significantly improve soil  
19 health and carbon sequestration or signifi-  
20 cantly reduce greenhouse gas emissions, or  
21 that when added to a crop or grazing rota-  
22 tion on a farm will significantly improve  
23 soil health and carbon sequestration or sig-  
24 nificantly reduce greenhouse gas emis-  
25 sions;” and



1 (ii) in subparagraph (F), by striking  
 2 “and value-added agricultural products in  
 3 new and existing markets” and inserting  
 4 the following: “, value-added agricultural  
 5 products in new and existing markets, and  
 6 agricultural commodities and products that  
 7 are produced in a manner that enhances  
 8 soil health and carbon sequestration or sig-  
 9 nificantly reduces greenhouse gas emis-  
 10 sions, or that when added to a crop or  
 11 grazing rotation on a farm will signifi-  
 12 cantly improve soil health and carbon se-  
 13 questration or significantly reduce green-  
 14 house gas emissions”;

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

19 (4) by redesignating subsections (f), (g), (h),  
 20 and (i) as subsections (g), (h), (i), and (j), respec-  
 21 tively;

22 (5) by inserting after subsection (e) the fol-  
 23 lowing new subsection:

24 “(f) FARM VIABILITY AND LOCAL CLIMATE RESIL-  
 25 IENCY CENTERS.—

1           “(1) IN GENERAL.—The Secretary, acting  
2           through the Administrator of the Agricultural Mar-  
3           keting Service and in coordination with Adminis-  
4           trator of the Rural Business-Cooperative Service and  
5           the Chief of the Natural Resources Conservation  
6           Service, shall provide grants to eligible entities de-  
7           scribed in paragraph (2) to serve as farm viability  
8           and local climate resiliency centers (referred to in  
9           this section as ‘centers’) to support efforts to en-  
10          hance farm viability, and the development, coordina-  
11          tion, and expansion of markets for commodities and  
12          farm products that significantly improve soil health  
13          and carbon sequestration or significantly reduce  
14          greenhouse gas emissions.

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

18                 “(A) an agricultural cooperative or other  
19                 agricultural business entity or a producer net-  
20                 work or association;

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

22                 “(C) a nonprofit corporation;

23                 “(D) a public benefit corporation;

24                 “(E) an economic development corporation;

25                 “(F) an institution of higher education; or

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

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

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

8           “(B) assistance in developing marketing  
9           strategies for—

10           “(i) local products; and

11           “(ii) value-added agriculture products  
12           in new and existing markets;

13           “(C) assistance in enterprise development  
14           for the processing, aggregation, distribution,  
15           and storage of—

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

18           “(ii) value-added agricultural prod-  
19           ucts;

20           “(D) assistance related to financial and  
21           recordkeeping;

22           “(E) assistance related to enterprise and  
23           business management;

24           “(F) assistance related to ownership suc-  
25           cession planning;

1           “(G) outreach and assistance in the adop-  
2           tion of farming practices that enhance soil  
3           health and carbon sequestration or significantly  
4           reduce greenhouse gas emissions;

5           “(H) outreach regarding assistance avail-  
6           able under subsection (d);

7           “(I) outreach regarding assistance avail-  
8           able through other programs administers by  
9           any other Federal Agency that supports the  
10          adoption of farming practices that enhance soil  
11          health and carbon sequestration or significantly  
12          reduce greenhouse gas emissions; or

13          “(J) at the request of such an eligible enti-  
14          ty, provide assistance in applying for a grant  
15          under subsection (d), including acting on behalf  
16          of such a producer in applying for a grant  
17          under subsection (d).

18          “(4) GEOGRAPHIC DIVERSITY.—To the max-  
19          imum extent practicable, the Secretary shall ensure  
20          geographic diversity in selecting entities to receive a  
21          grant under this subsection.

22          “(5) NON-FEDERAL SHARE.—An entity receiv-  
23          ing a grant under this subsection shall provide fund-  
24          ing in an amount equal to not less than 25 percent

1 of the total amount of the Federal portion of the  
2 grant.

3 “(6) APPLICATIONS.—

4 “(A) IN GENERAL.—To be eligible to re-  
5 ceive a grant under this subsection an eligible  
6 entity shall submit to the Secretary an applica-  
7 tion at such time, in such manner, and con-  
8 taining such information as the Secretary con-  
9 siders necessary to evaluate and select applica-  
10 tions.

11 “(B) COMPETITIVE PROCESS.—The Sec-  
12 retary—

13 “(i) shall conduct a competitive proc-  
14 ess to select applications submitted under  
15 subparagraph (A);

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

18 “(iii) shall, prior to accepting applica-  
19 tions under such subparagraph, make pub-  
20 lic the criteria to be used in evaluating  
21 such applications.

22 “(7) PRIORITY.—The Secretary may give pri-  
23 ority to applications submitted under paragraph (1)  
24 that include—

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

3           “(B) activities related to improving the uti-  
4           lization and expanded adoption of farming prac-  
5           tices that enhance soil health and carbon se-  
6           questration or significantly reduce greenhouse  
7           gas emissions while simultaneously improving  
8           farm viability.

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

13          (6) in subsection (i)(1) (as redesignated by  
14          paragraph (4)), in the matter preceding subpara-  
15          graph (A), by striking “subsection (i)(3)(E)” and in-  
16          serting “subsection (j)(3)(E)”; and

17          (7) in subsection (j) (as redesignated by para-  
18          graph (4))—

19                 (A) in paragraph (1) by striking “fiscal  
20                 year 2019” and inserting “each of fiscal years  
21                 2019 through 2021 and \$150,000,000 for fiscal  
22                 year 2022”;

23                 (B) in paragraph (3)—

24                         (i) in subparagraph (A)(i), by striking  
25                         “35” and inserting “36”; and

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

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

5 “(i) IN GENERAL.—Of the funds  
6 made available to carry out this section for  
7 a fiscal year, 36 percent shall be used for  
8 grants under subsection (d)(6).

9 “(ii) ALLOCATION AMONG SUBPRO-  
10 GRAMS.—Of the funds reserved under  
11 clause (i) for a fiscal year—

12 “(I) 40 percent shall be made  
13 available for farmers market pro-  
14 motion program grants; and

15 “(II) 60 percent shall be made  
16 available for local food promotion pro-  
17 gram grants.”;

18 (C) by redesignating subparagraphs (D)  
19 and (E) as subparagraphs (E) and (F), respec-  
20 tively; and

21 (D) by inserting after subparagraph (C)  
22 the following:

23 “(D) FARM VIABILITY AND LOCAL CLI-  
24 MATE RESILIENCY.—Of the funds made avail-  
25 able to carry out this section for a fiscal year,

1           10 percent shall be used to provide grants  
2           under subsection (f).”.

3 **SEC. 402. ORGANIC CERTIFICATION COST-SHARE PRO-**  
4 **GRAM.**

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

8           (b) Section 10606(d)(1) of the Farm Security and  
9 Rural Investment Act of 2002 (7 U.S.C. 6523(d)(1)) is  
10 amended by striking “shall make available” and all that  
11 follows through the period at the end and inserting “shall  
12 use such sums as are necessary to carry out this section.”.

13 **SEC. 403. EXCLUSION OF GAIN FROM SALE OF CERTAIN**  
14 **FARM PROPERTY AND AGRICULTURAL EASE-**  
15 **MENTS.**

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

19 **“SEC. 121A. EXCLUSION OF GAIN FROM SALE OF QUALIFIED**  
20 **FARM PROPERTY.**

21           “(a) EXCLUSION.—Gross income shall not include  
22 gain from the sale or exchange of qualified farm property  
23 if such property is sold to or exchanged with a transferee  
24 who—

25           “(1) is a qualified farmer, and



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

3       “(b) LIMITATION.—

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

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

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

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

19       “(c) CERTIFICATION REQUIREMENT.—A qualified  
20       farmer meets the certification requirement of this sub-  
21       section if such person signs a written certification stating  
22       the following:

23           “(1) USE CERTIFICATION AS FARM FOR FARM-  
24       ING PURPOSES.—The use of such property will be as

1 a farm for farming purposes at all times during the  
2 recapture period.

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

7 “(d) TREATMENT OF DISPOSITION OR CHANGE IN  
8 USE OF PROPERTY.—

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

16 “(A) the transferor’s gross income under  
17 subsection (a) with respect to such qualified  
18 farm property, multiplied by

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

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

1           “(A) CESSATION OF OPERATION.—The  
2           cessation of the operation of such property as  
3           a farm for farming purposes at any time in the  
4           recapture period.

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

9           “(C) CHANGE IN OWNERSHIP.—

10           “(i) IN GENERAL.—Except as pro-  
11           vided in clause (ii), the disposition of any  
12           interest in such property by the transferee  
13           referred to in subsection (a) during the re-  
14           capture period.

15           “(ii) AGREEMENT TO ASSUME RECAP-  
16           TURE LIABILITY.—Clause (i) shall not  
17           apply to any farm property if the person  
18           acquiring the interest referred to in such  
19           clause agrees in writing to assume the re-  
20           capture liability of the person disposing of  
21           such interest. In the event of such an as-  
22           sumption, this subsection shall apply to the  
23           person acquiring such interest as though  
24           such person were the transferee referred to  
25           therein (and this subsection shall be ap-

1           plied as if there had been no change in  
2           ownership).

3           “(3) SPECIAL RULES.—

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

9                 “(B) NO RECAPTURE BY REASON OF  
10          HARDSHIP.—The increase in tax under this  
11          subsection shall not apply to any disposition of  
12          property or cessation of the operation of any  
13          property as a farm for farming purposes if such  
14          disposition or cessation occurs by reason of any  
15          hardship.

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

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

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

22                 “(A) a beginning farmer, socially disadvan-  
23          taged farmer, qualified veteran farmer, young  
24          farmer, or

1           “(B) any entity if 50 percent or more of  
2           the capital and profits of such entity are owned  
3           by one or more individuals described in para-  
4           graph (A).

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

7                   “(A) has not operated a farm, or

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

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

14                   “(A) American Indians.

15                   “(B) Alaska Natives.

16                   “(C) Asians.

17                   “(D) Blacks or African Americans.

18                   “(E) Native Hawaiians or other Pacific Is-  
19           landers.

20                   “(F) Hispanics.

21                   “(G) Women.

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

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

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

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

11          “(6) QUALIFIED FARM PROPERTY.—

12           “(A) IN GENERAL.—The term ‘qualified  
13           farm property’ means real property located in  
14           the United States if—

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

22                   “(ii) there was material participation  
23                   by the taxpayer or a member of the family  
24                   of the taxpayer in the operation of the  
25                   farm during such 3 years.

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

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

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

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

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

22          “(b) LIMITATION.—

23               “(1) IN GENERAL.—The amount of gain ex-  
 24          cluded from gross income under subsection (a) with

1       respect to any taxable year shall not exceed the ex-  
2       cess, if any of—

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

5               “(B) the amount excluded from the gross  
6       income of the taxpayer for all prior taxable  
7       years.

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

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

18              “(1) is conveyed for the purpose of protecting  
19      natural resources and the agricultural nature of the  
20      land, and

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

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



1 (b) CONFORMING AMENDMENT.—The table of sec-  
 2 tions for part III of subchapter B of chapter 1 of the In-  
 3 ternal Revenue Code of 1986 is amended by adding after  
 4 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.”.

5 (c) EFFECTIVE DATE.—The amendments made by  
 6 this section shall apply to any sale or exchange in taxable  
 7 years ending after December 31, 2021.

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

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

12 (1) in subsection (a)—

13 (A) by redesignating paragraphs (4)  
 14 through (7) as paragraphs (5) through (8), re-  
 15 spectively; and

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

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

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

23 (3) in subsection (c)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (B), by striking  
2 “that is used for” and inserting “that is  
3 suitable for”; and

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

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

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

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

11 “(6) the term ‘conversion’ means—

12 “(A) the physical conversion of farmland  
13 to a nonagricultural use;

14 “(B) the effective conversion of farmland  
15 as a consequence of physical conversion of adja-  
16 cent farmland, which threatens the continued  
17 viability of the land for agricultural use; or

18 “(C) a change in management of federally  
19 owned land historically used for agriculture to  
20 a non-agricultural use;

21 “(7) the term ‘farmland of national signifi-  
22 cance’ is farmland that is the most suitable for in-  
23 tensive crop and food production, as determined by  
24 the Secretary, taking into consideration, among

1 other factors, its physical and chemical characteris-  
2 tics; and

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

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

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

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

15 “(1) shall minimize the conversion of farmland  
16 to nonagricultural uses; and

17 “(2) shall not convert to nonagricultural uses  
18 farmland—

19 “(A) that is permanently protected farm-  
20 land;

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

24 “(C) that has been defined and delineated  
25 by a State as significant to the State or a pri-

1 ority for inclusion in a State farmland protec-  
2 tion program and for which the State has sub-  
3 mitted a description under subsection (b).

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

5 “(1) NATIONAL SIGNIFICANCE.—The Secretary  
6 shall define and delineate farmland of national sig-  
7 nificance, and shall convene a group of experts, in-  
8 cluding agronomists and soil scientists, to assist in  
9 such definition and delineation.

10 “(2) STATE SIGNIFICANCE.—Any State wishing  
11 to have land recognized under subsection (a)(2)(C)  
12 shall provide a definition and delineation of such  
13 lands to the Secretary.

14 “(c) PROCESS AND CRITERIA.—

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

17 “(A) to—

18 “(i) determine the potential conver-  
19 sion of farmland as a consequence of any  
20 action or activity conducted through a  
21 Federal program;

22 “(ii) minimize the conversion of farm-  
23 land or, for land identified under sub-  
24 section (a)(2), avoid conversion; and

1                   “(iii) provide notice regarding such  
2                   actions to the Secretary; and

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

5                   “(2) USE REQUIRED.—Each department, agen-  
6                   cy, independent commission, and other unit of the  
7                   Federal Government shall use the process and cri-  
8                   teria developed under paragraph (1) in carrying out  
9                   a Federal program.

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

18                  “(e) INFORMATION.—The Secretary may make avail-  
19                  able to States, units of local government, individuals, orga-  
20                  nizations, and other units of the Federal Government in-  
21                  formation—

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

24                   “(2) concerning the location of permanently  
25                   protected farmland.

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

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

“(6) CONDITION OF ASSISTANCE.—As a condition of receiving cost-share assistance under this section, the owner of eligible land must agree to have in place a conservation plan that addresses applicable resource concerns for the land subject to the easement, including soil health and greenhouse gas emissions reduction, not later than three years following the grant of the easement. The requirement of this subparagraph may be satisfied by having in place a conservation plan developed or recognized by the Bureau of Indian Affairs.”; and

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

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

5           “(1) compliance with the terms and conditions  
6       of easements; and

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

13      “(e) FINANCIAL ASSISTANCE.—

14           “(1) IN GENERAL.—

15           “(A) ENROLLMENT IN CSP.—At the sole  
16      option of the owner of the land subject to the  
17      easement, the Secretary shall provide for the  
18      automatic enrollment of the land subject to the  
19      easement in the conservation stewardship pro-  
20      gram established by subchapter B of chapter 4  
21      of subtitle D, including financial assistance for  
22      the development of a comprehensive conserva-  
23      tion plan as provided by 1240L(e), if the person  
24      or entity farming the land is otherwise eligible

1 for the program, as determined by the Sec-  
2 retary.

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

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

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

16 **TITLE V—PASTURE-BASED**  
17 **LIVESTOCK**

18 **SEC. 501. ANIMAL RAISING CLAIMS.**

19 The Agricultural Marketing Act of 1946 (7 U.S.C.  
20 1621 et seq.) is amended by adding at the end the fol-  
21 lowing:



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, after providing notice and  
13 an opportunity to comment, and in a manner consistent  
14 with United States obligations under international agree-  
15 ments—

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

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

22                   “(3) procedures whereby any such verification  
23 is subsequently incorporated seamlessly with labeling  
24 requirements under the Federal Meat Inspection Act

1 (21 U.S.C. 601 et seq.) and the Poultry Products  
2 Inspection Act (21 U.S.C. 451 et seq.); and

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

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

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

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

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

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

21 “(5) age claims;

22 “(6) animal welfare claims;

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

1 “(8) breed claims; and

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

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

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

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

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

22 “(1) detailed written descriptions explaining the  
23 controls used for ensuring that the raising claim is  
24 valid from birth to harvest or the period of raising  
25 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)).”.

21 **SEC. 502. PROCESSING RESILIENCE GRANT PROGRAM.**

22 Subtitle A of the Agricultural Marketing Act of 1946  
23 (7 U.S.C. 1621 et seq.) is amended by adding at the end  
24 the following:

1 **“SEC. 210B. PROCESSING RESILIENCE GRANT PROGRAM.**

2 “(a) ELIGIBLE ENTITY.—In this section, the term  
3 ‘eligible entity’ means—

4 “(1) a small or very small establishment, as de-  
5 fined in the final rule entitled ‘Pathogen Reduction;  
6 Hazard Analysis and Critical Control Point  
7 (HACCP) Systems’ (61 Fed. Reg. 33806 (July 25,  
8 1996));

9 “(2) a slaughtering or processing establishment  
10 operating under a State inspection program that  
11 meets the criteria specified in section 301(a) of the  
12 Federal Meat Inspection Act (21 U.S.C. 661) or sec-  
13 tion 5 of the Poultry Products Inspection Act (21  
14 U.S.C. 454);

15 “(3)(A) a person, firm, or corporation exempt  
16 from inspection under the Federal Meat Inspection  
17 Act (21 U.S.C. 601 et seq.) pursuant to section 23  
18 of such Act (21 U.S.C. 623); and

19 “(B) a retail dealer, poultry producer, or person  
20 exempt from inspection under the Poultry Products  
21 Inspection Act (21 U.S.C. 451 et seq.) pursuant to  
22 section 15 of such Act (21 U.S.C. 464); and

23 “(4) an entity seeking to establish and operate  
24 an establishment that would meet the criteria speci-  
25 fied in paragraph (1), (2), or (3).



1       “(b) GRANTS.—The Secretary shall establish a grant  
2 program to provide competitive grants to eligible entities  
3 to expand processing capacity, create jobs, support health  
4 and safety, and enhance the resilience of the farm and  
5 food sector.

6       “(c) USE OF FUNDS.—An entity selected to receive  
7 a grant under this section may use the funds received  
8 through such grant for activities including—

9               “(1) the cost of developing and issuing (other  
10 than the cost of labor), directly incurred or incurred  
11 by a consultant, a Hazard Analysis and Critical  
12 Control Points plan for the eligible entity;

13               “(2) the actual cost of any facilities, equipment,  
14 processes, and operations necessary for the estab-  
15 lishment to comply with the Federal Meat Inspection  
16 Act (21 U.S.C. 601 et seq.) or Poultry Products In-  
17 spection Act (21 U.S.C. 451 et seq.);

18               “(3) cold storage, equipment, or transportation  
19 services;

20               “(4) constructing or acquiring humane handling  
21 infrastructure, including holding space for livestock  
22 holding prior to slaughter, shade structures, and  
23 knock box structures;

1           “(5) purchasing software and computer equip-  
2           ment for record keeping, production data, Hazard  
3           Analysis and Critical Control Points record review;

4           “(6) the costs of staff time and training for im-  
5           plementing and monitoring health and safety proce-  
6           dures;

7           “(7) the development of a feasibility study or  
8           business plan for those interested in expanding or  
9           starting a new small establishment; and

10          “(8) other costs associated with expanding or  
11          establishing a small establishment or very small es-  
12          tablishment, as determined by the Secretary.

13          “(d) APPLICATIONS.—

14               “(1) IN GENERAL.—An eligible entity seeking a  
15               grant under this section shall submit to the Sec-  
16               retary an application in accordance with an applica-  
17               tion process established by the Secretary.

18               “(2) SIMPLIFIED PROCESS.—In establishing the  
19               application process under paragraph (1), the Sec-  
20               retary shall establish a simplified, separate applica-  
21               tion of up to \$100,000.

22               “(3) REQUIREMENTS.—The Secretary shall en-  
23               sure that the application required under paragraph  
24               (2) is—

25                       “(A) as simple as is practicable;

1 “(B) accessible online; and

2 “(C) available through local staff of the  
3 Department of Agriculture.

4 “(e) MAXIMUM AMOUNT.—The amount of a grant  
5 under this section shall be not more than \$500,000.

6 “(f) ADMINISTRATION.—The administration of this  
7 section, including the promulgation of regulations to carry  
8 out this section, shall be without regard to—

9 “(1) the notice and comment provisions of sec-  
10 tion 553 of title 5, United States Code; and

11 “(2) chapter 35 of title 44, United States Code.

12 “(g) PROCESS.—

13 “(1) OUTREACH.—During the period beginning  
14 on the date on which the Secretary begins to accept  
15 applications, the Secretary shall perform outreach to  
16 States and eligible entities relating to grants under  
17 this section.

18 “(2) REAPPLICATION.—In the case of a denial  
19 of an application under this section, the eligible enti-  
20 ty submitting such application may submit a revised  
21 application, as specified by the Secretary in regula-  
22 tions.

23 “(3) PRIORITY.—In reviewing applications sub-  
24 mitted under paragraph (1), the Secretary shall give  
25 priority to proposals that would—

1           “(A) increase farmer and rancher access to  
2           animal slaughter options within a 200 mile ra-  
3           dius;

4           “(B) support a small or very small plant  
5           with less than 150 employees; or

6           “(C) support minority-owned businesses  
7           that are defined as for-profit businesses where  
8           not less than 51 percent of such business is  
9           owned by 1 or more Black American, Native  
10          American, Hispanic American, or Asian Amer-  
11          ican individuals.

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

16          “(i) FUNDING.—

17                 “(1) MANDATORY FUNDING.—Of the funds of  
18                 the Commodity Credit Corporation, the Secretary  
19                 shall make available to carry out this section  
20                 \$10,000,000 for each of fiscal years 2022 through  
21                 2030.

22                 “(2) AUTHORIZATION OF APPROPRIATIONS.—  
23                 There are authorized to be appropriated to carry out  
24                 this section \$15,000,000 for each of fiscal years  
25                 2022 through 2030.”.

1 **SEC. 503. CONSERVATION OF PRIVATE GRAZING LAND.**

2 (a) PURPOSE.—Section 1240M(a) of the Food Secu-  
3 rity Act of 1985 (16 U.S.C. 3839bb(a)) is amended—

4 (1) in paragraph (6), by inserting “conserving  
5 water and” before “improving”;

6 (2) in paragraph (7), by striking “; and” and  
7 inserting a semicolon;

8 (3) in paragraph (8), by striking the period at  
9 the end and inserting “; and”; and

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

11 “(9) conserving and improving soil health and  
12 improving grazing system resilience in the face of  
13 climate change through advanced grazing manage-  
14 ment practices; and

15 “(10) providing support for producers  
16 transitioning from confinement and feedlot systems  
17 or continuous grazing to managed grazing-based sys-  
18 tems, including support for pasture development and  
19 management.”.

20 (b) DEFINITIONS.—Section 1240M(b)(2) of the Food  
21 Security Act of 1985 (16 U.S.C. 3839bb(b)(2)) is amend-  
22 ed by striking “hay land” and inserting “perennial hay  
23 land, including silvopasture”.

24 (c) PRIVATE GRAZING LAND CONSERVATION ASSIST-  
25 ANCE.—Section 1240M(c) of the Food Security Act of  
26 1985 (16 U.S.C. 3839bb(c)) is amended—

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph  
3 (A), by inserting “and partnerships described in  
4 paragraph (2)(B)” after “local conservation dis-  
5 tricts”;

6 (B) in subparagraph (B), by striking  
7 “grazing land management technologies” and  
8 inserting “regionally appropriate, advanced  
9 grazing land management technologies to im-  
10 prove soil health and maximize carbon seques-  
11 tration”;

12 (C) in subparagraph (C)(iv), by inserting  
13 “through integrated strategies that include ro-  
14 tational and multispecies grazing, integrated  
15 pest management, and other ecological prac-  
16 tices” after “brush encroachment problems”;

17 (D) in subparagraph (H), by striking “;  
18 and” and inserting a semicolon;

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

21 (F) by adding at the end the following:

22 “(J) assisting producers in transitioning  
23 from confinement or feedlot systems or contin-  
24 uous grazing to managed grazing-based sys-

1           tems, including assistance in pasture develop-  
2           ment and management.”; and

3           (2) by amending paragraph (2) to read as fol-  
4       lows:

5           “(2) PROGRAM ELEMENTS.—

6                   “(A) TECHNICAL ASSISTANCE AND EDU-  
7           CATION.—Personnel of the Department trained  
8           in pasture and range management shall be  
9           made available under the program to deliver  
10          and coordinate technical assistance and edu-  
11          cation to owners and managers of private graz-  
12          ing land, including owners and managers inter-  
13          ested in developing new or improved pasture or  
14          grazing-based systems on their land, at the re-  
15          quest of the owners and managers.

16                  “(B) PARTNERSHIPS.—In carrying out the  
17          program under this section, the Secretary shall  
18          provide research, demonstration, education (in-  
19          cluding conferences, workshops, field days, and  
20          trainings), workforce training, planning, and  
21          outreach activities through partnerships with—

22                          “(i) land-grant colleges and univer-  
23                          sities (as defined in section 1404 of the  
24                          National Agricultural Research, Extension,

1 and Teaching Policy Act of 1977 (7 U.S.C.  
2 3103));

3 “(ii) nongovernmental organizations;  
4 and

5 “(iii) tribal organizations.

6 “(C) GRANTS.—

7 “(i) IN GENERAL.—In carrying out  
8 the program under this section, the Sec-  
9 retary shall provide funds on a competitive  
10 basis to partnerships to use for State or  
11 local action grants to conduct grazing land  
12 research, demonstration, education, work-  
13 force training, planning, and outreach  
14 projects.

15 “(ii) DURATION.—Grants made by  
16 partnerships under this section shall be for  
17 a period not to exceed 3 years.

18 “(iii) COST SHARING.—A partnership  
19 that receives funding under this section  
20 shall ensure that any funded project pro-  
21 vides, from non-Federal sources, funds or  
22 in-kind support valued at not less than 25  
23 percent of the total cost of the project.

24 “(iv) LIMITATION ON INDIRECT  
25 COSTS.—A partnership that receives fund-



1 ing under this section may not use more  
2 than 15 percent of the total cost of the  
3 project for the indirect costs of carrying  
4 out the project.

5 “(v) PRIORITY.—Priority shall be  
6 given to projects that—

7 “(I) focus on sustainable grazing  
8 management systems and techniques  
9 that assist producers with multiple  
10 ecosystem services, including climate  
11 change adaptation and mitigation;  
12 and

13 “(II) involve beginning farmers  
14 and ranchers, socially disadvantaged  
15 farmers and ranchers, tribal pro-  
16 ducers, or new graziers (including  
17 State or federally registered appren-  
18 ticeships).”.

19 (d) GRAZING TECHNICAL ASSISTANCE SELF-  
20 HELP.—Section 1240M(d) of the Food Security Act of  
21 1985 (16 U.S.C. 3839bb(d)) is amended—

22 (1) in paragraph (1)(A), by inserting “and for  
23 those interested in beginning grazing” before the  
24 semicolon;

1 (2) in paragraph (2), by striking “may establish  
2 2” and inserting “may establish”; and

3 (3) in paragraph (3)(C)—

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

6 (B) by redesignating clause (iii) as clause  
7 (iv); and

8 (C) by inserting after clause (ii) the fol-  
9 lowing:

10 “(iii) will improve climate change ad-  
11 aptation and mitigation; and”.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
13 1240M(e) of the Food Security Act of 1985 (16 U.S.C.  
14 3839bb(e)) is amended to read as follows:

15 “(e) FUNDING.—

16 “(1) MANDATORY FUNDING.—Of the funds of  
17 the Commodity Credit Corporation, the Secretary  
18 shall use to carry out this section \$50,000,000 for  
19 each of fiscal years 2022 through 2030.

20 “(2) GRANTS.—Of the funds made available  
21 under paragraph (1), the Secretary shall use not  
22 more than 40 percent to carry out subsection  
23 (c)(2)(C).

24 “(3) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1       this section \$60,000,000 for each of fiscal years  
2       2002 through 2030.”.

3   **SEC. 504. CONSERVATION RESERVE PROGRAM.**

4       (a) CONSERVATION RESERVE.—Section 1231(d) of  
5   the Food Security Act of 1985 (16 U.S.C. 3831(d)) is  
6   amended—

7           (1) in paragraph (1)—

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

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

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

13                   “(F) fiscal years 2024 through 2030, not  
14              more than 32,000,000 acres.”; and

15           (2) in paragraph (2)(A)—

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

18               (B) in clause (ii)(III), by striking the pe-  
19              riod and inserting “; and”; and

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

21                   “(iii) the Secretary shall enroll and  
22              maintain in the conservation reserve not  
23              fewer than 7,000,000 acres of land de-  
24              scribed in subsection (b)(3) by September  
25              30, 2030, of which 5,000,000 acres shall

1                   be reserved for the pilot program estab-  
2                   lished under section 1231C(c).”.

3           (b) PILOT PROGRAMS.—Section 1231C of the Food  
4 Security Act of 1985 (16 U.S.C. 3831c) is amended by  
5 adding at the end the following:

6           “(c) GRASSLANDS 30.—

7                   “(1) IN GENERAL.—

8                           “(A) ENROLLMENT.—The Secretary shall  
9                   establish a pilot program to enroll land in the  
10                  conservation reserve program through a 30-year  
11                  conservation reserve contract (referred to in  
12                  this subsection as a ‘Grassland 30 contract’) in  
13                  accordance with this subsection.

14                           “(B) INCLUSION OF ACREAGE LIMITA-  
15                  TION.—For purposes of applying the limitations  
16                  in section 1231(d)(1), the Secretary shall in-  
17                  clude acres of land enrolled under this sub-  
18                  section.

19                           “(2) ELIGIBLE LAND.—Eligible land for enroll-  
20                  ment through a Grassland 30 contract—

21                                   “(A) is land that is eligible to be enrolled  
22                  in the conservation reserve program under the  
23                  grasslands initiative described in section  
24                  1231(d)(2); and

1           “(B) shall not be limited to land that is  
2           subject to an expired covered contract.

3           “(3) EXPIRED CONSERVATION CONTRACT ELEC-  
4           TION.—

5           “(A) DEFINITION OF COVERED CON-  
6           TRACT.—In this paragraph, the term ‘covered  
7           contract’ means a contract entered into under  
8           this subchapter that—

9                   “(i) expires on or after the date of en-  
10                  actment of this subsection; and

11                  “(ii) covers land enrolled in the con-  
12                  servation reserve program under the grass-  
13                  lands initiative described in section  
14                  1231(d)(2).

15           “(B) ELECTION.—On the expiration of a  
16           covered contract, an owner or operator party to  
17           the covered contract shall elect—

18                   “(i) not to reenroll the land under the  
19                  contract;

20                   “(ii) to offer to reenroll the land  
21                  under the contract if the land remains eli-  
22                  gible under the terms in effect as of the  
23                  date of expiration; or

24                   “(iii) not to reenroll the land under  
25                  the contract and to enroll that land

1 through a Grassland 30 contract under  
2 this subsection.

3 “(4) TERM.—The term of a Grassland 30 con-  
4 tract shall be 30 years.

5 “(5) AGREEMENTS.—To be eligible to enroll  
6 land in the conservation reserve program through a  
7 Grassland 30 contract, the owner of the land shall  
8 enter into an agreement with the Secretary—

9 “(A) to implement a conservation reserve  
10 plan developed for the land;

11 “(B) to comply with the terms and condi-  
12 tions of the contract and any related agree-  
13 ments; and

14 “(C) to temporarily suspend the base his-  
15 tory for the land covered by the contract.

16 “(6) TERMS AND CONDITIONS OF GRASSLAND  
17 30 CONTRACTS.—

18 “(A) IN GENERAL.—A Grassland 30 con-  
19 tract shall include terms and conditions that  
20 promote sustainable grazing systems, protect  
21 and enhance soil carbon levels, and are compat-  
22 ible with wildlife habitat conservation, as deter-  
23 mined by the Secretary, and may include any  
24 additional provision that the Secretary deter-  
25 mines is appropriate to carry out this sub-

1 section or facilitate the practical administration  
2 of this subsection.

3 “(B) VIOLATION.—On the violation of a  
4 term or condition of a Grassland 30 contract,  
5 the Secretary may require the owner to refund  
6 all or part of any payments received by the  
7 owner under the conservation reserve program,  
8 with interest on the payments, as determined  
9 appropriate by the Secretary.

10 “(C) COMPATIBLE USES.—Land subject to  
11 a Grassland 30 contract may be used for com-  
12 patible economic uses, including hunting and  
13 fishing, if the use—

14 “(i) is specifically permitted by the  
15 conservation reserve plan developed for the  
16 land; and

17 “(ii) is consistent with the long-term  
18 protection and enhancement of the con-  
19 servation resources for which the contract  
20 was established.

21 “(7) COMPENSATION.—

22 “(A) AMOUNT OF PAYMENTS.—The Sec-  
23 retary shall provide payment under this sub-  
24 section to an owner of land enrolled through a  
25 Grassland 30 contract using 30 annual pay-

1           ments in an amount equal to the amount that  
2           would be used if the land were to be enrolled  
3           in the conservation reserve program under sec-  
4           tion 1231(d)(2).

5           “(B) FORM OF PAYMENT.—Compensation  
6           for a Grassland 30 contract shall be provided  
7           by the Secretary in the form of a cash payment  
8           in an amount determined under subparagraph  
9           (A).

10          “(C) TIMING.—The Secretary shall provide  
11          any annual payment obligation under subpara-  
12          graph (A) as early as practicable in each fiscal  
13          year.

14          “(D) PAYMENTS TO OTHERS.—The Sec-  
15          retary shall make a payment, in accordance  
16          with regulations prescribed by the Secretary, in  
17          a manner as the Secretary determines is fair  
18          and reasonable under the circumstances, if an  
19          owner who is entitled to a payment under this  
20          section—

21                  “(i) dies;

22                  “(ii) becomes incompetent;

23                  “(iii) is succeeded by another person  
24                  or entity who renders or completes the re-  
25                  quired performance; or



1 “(iv) is otherwise unable to receive the  
2 payment.

3 “(8) TECHNICAL ASSISTANCE.—

4 “(A) IN GENERAL.—The Secretary shall  
5 assist owners in complying with the terms and  
6 conditions of a Grassland 30 contract.

7 “(B) CONTRACTS OR AGREEMENTS.—The  
8 Secretary may enter into 1 or more contracts  
9 with private entities or agreements with a  
10 State, nongovernmental organization, or Indian  
11 Tribe to carry out necessary maintenance of a  
12 Grassland 30 contract if the Secretary deter-  
13 mines that the contract or agreement will ad-  
14 vance the purposes of the conservation reserve  
15 program.

16 “(9) ADMINISTRATION.—

17 “(A) CONSERVATION RESERVE PLAN.—  
18 The Secretary shall develop a conservation re-  
19 serve plan for any land subject to a Grassland  
20 30 contract, which shall include practices and  
21 activities necessary to maintain, protect, and  
22 enhance the conservation value of the enrolled  
23 land, including the protection and enhancement  
24 of soil carbon levels.

“(B) DELEGATION OF CONTRACT ADMINISTRATION.—

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

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

**SEC. 505. ALTERNATIVE MANURE MANAGEMENT PROGRAM.**

Chapter 5 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839bb et seq.) is further amended by adding at the end the following:

1 **“SEC. 1240T. ALTERNATIVE MANURE MANAGEMENT PRO-**  
2 **GRAM.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) PASTURE-BASED MANAGEMENT.—The  
5 term ‘pasture-based management’ means a dairy or  
6 livestock production system in which the animals  
7 spend all or a substantial portion of their time graz-  
8 ing on fields in which some or all of the manure is  
9 deposited and left in the field and decomposes  
10 aerobically.

11 “(2) NON-DIGESTER DAIRY OR LIVESTOCK  
12 METHANE MANAGEMENT METHOD.—The term ‘non-  
13 digester dairy or livestock methane management  
14 method’ means a method that may be used by opera-  
15 tors of dairy or livestock operations to transition  
16 from wet manure handling and storage, where an-  
17 aerobic conditions are present, to dry manure han-  
18 dling and storage, including open solar drying or  
19 composting of manure onsite, conversion of dairy  
20 and livestock operations to pasture-based manage-  
21 ment, solid separation technologies, scrape conver-  
22 sion, and other strategies to mitigate methane emis-  
23 sions from manure management, as determined by  
24 the Secretary.

25 “(3) ONSITE OPEN SOLAR DRYING OR  
26 COMPOSTING OF MANURE.—The term ‘onsite open

1 solar drying or composting of manure’ means the  
2 collection, storage, and drying of dairy or livestock  
3 manure in a nonliquid environment on a farm or  
4 ranch.

5 “(4) SCRAPE CONVERSION.—The term ‘scrape  
6 conversion’ means the conversion of flush water la-  
7 goon systems to solid-scrape or dry manure manage-  
8 ment practices, including vacuum technologies for  
9 manure management.

10 “(5) SOLID SEPARATION TECHNOLOGIES.—The  
11 term ‘solid separation technologies’ means tech-  
12 nologies designed to separate liquid components of  
13 manure from mineral and organic solid components,  
14 for the purposes of reducing methane emissions.

15 “(6) ELIGIBLE PRODUCER.—The term ‘eligible  
16 producer’ means a dairy or livestock producer whose  
17 baseline manure management practices prior to en-  
18 rollment in the program include the anaerobic de-  
19 composition of volatile solids stored in a lagoon or  
20 other predominantly liquid anaerobic environment.

21 “(b) ESTABLISHMENT.—The Secretary shall estab-  
22 lish an alternative manure management program to sup-  
23 port non-digester dairy and livestock methane manage-  
24 ment strategies to effectively reduce greenhouse gas emis-  
25 sions and to maximize environmental benefits.

1       “(c) PAYMENTS.—During the 2022 through 2030 fis-  
2 cal years, the Secretary shall provide payments to eligible  
3 producers that enter into contracts with the Secretary  
4 under the program.

5       “(d) PRACTICES.—Each eligible producer requesting  
6 funding for a project under the program shall include at  
7 least one of the following project components that reduce  
8 baseline methane emissions on the operation of the pro-  
9 ducer:

10           “(1) Conversion of dairy and livestock oper-  
11 ations to pasture-based management that eliminates  
12 or reduces the quantity of manure stored in anaer-  
13 obic conditions, including—

14                   “(A) conversion of a non-pasture dairy or  
15 livestock operation to pasture-based manage-  
16 ment;

17                   “(B) increasing the amount of time live-  
18 stock spend at pasture at an existing pasture  
19 operation; or

20                   “(C) improving pasture-based manage-  
21 ment, including transitioning to managed rota-  
22 tional grazing.

23           “(2) Alternative manure treatment and storage  
24 practices, including—

1           “(A) installation of a compost bedded pack  
2           barn that composts manure;

3           “(B) installation of slatted floor pit storage  
4           manure collection that must be cleaned out at  
5           least monthly; or

6           “(C) other similar practices, as determined  
7           by the Secretary.

8           “(3) Conversion to a solid separation system in  
9           which manure solids are separated prior to entry  
10          into a wet, anaerobic environment at a dairy or live-  
11          stock operation, or installation of a new solid separa-  
12          tion system with significantly higher separation effi-  
13          ciency than the existing solid separation system, in  
14          conjunction with one or more of the following prac-  
15          tices:

16               “(A) Open solar drying or composting of  
17               manure onsite.

18               “(B) Solar drying in an enclosed environ-  
19               ment.

20               “(C) Forced evaporation with natural-gas  
21               fueled dryers.

22               “(D) Storage of manure in unconfined  
23               piles or stacks.

24               “(E) Composting in an enclosed vessel,  
25               with forced aeration and continuous mixing.

1           “(F) Composting in piles with forced aer-  
2           ation but no mixing.

3           “(G) Composting in intensive windrows  
4           with regular turning for mixing and aeration.

5           “(H) Composting in passive windrows with  
6           infrequent turning for mixing and aeration.

7           “(4) Scrape conversion in conjunction with one  
8           of the practices listed in paragraph (3).

9           “(e) TERM.—A contract under the program shall  
10          have a term that does not exceed 3 years.

11          “(f) PAYMENTS.—

12               “(1) AVAILABILITY OF PAYMENTS.—Payments  
13               provided to an eligible producer under this section  
14               may be used to implement one or more practices de-  
15               scribed in subsection (d).

16               “(2) PAYMENT AMOUNTS.—The Secretary may  
17               provide a payment to an eligible producer under the  
18               program for an amount that is up to 100 percent of  
19               the costs associated with planning, design, materials,  
20               equipment, installation, labor, management, mainte-  
21               nance, and training related to implementing a prac-  
22               tice described in subsection (d).

23               “(3) LIMITATION ON PAYMENTS.—A person or  
24               legal entity (including a joint venture and a general  
25               partnership) may not receive, directly or indirectly,

1       payments under the program that exceed \$750,000  
2       during any 5-year period.

3               “(4) ADVANCED PAYMENTS.—The Secretary  
4       shall provide at least 50 percent of the amount of  
5       total payments to an eligible producer in advance for  
6       all costs related to purchasing materials and equip-  
7       ment or contracting.

8               “(g) MODIFICATION OR TERMINATION OF CON-  
9       TRACTS.—

10              “(1) VOLUNTARY MODIFICATION OR TERMI-  
11       NATION.—The Secretary may modify or terminate a  
12       contract entered into with an eligible producer under  
13       the program if—

14                      “(A) the producer agrees to the modifica-  
15                      tion or termination; and

16                      “(B) the Secretary determines that the  
17                      modification or termination is in the public in-  
18                      terest.

19              “(2) INVOLUNTARY TERMINATION.—The Sec-  
20       retary may terminate a contract under the program  
21       if the Secretary determines that the eligible producer  
22       violated the contract.

23              “(h) CLUSTER APPLICATIONS.—The Secretary shall  
24       establish procedures under which—



1 “(1) groups of eligible producers may submit a  
2 joint application in order to facilitate centralized  
3 composting facilities; and

4 “(2) the Secretary will apportion payments to  
5 each eligible producer associated with such a joint  
6 application.

7 “(i) EVALUATION OF APPLICATIONS.—

8 “(1) EVALUATION CRITERIA.—The Secretary  
9 shall develop criteria for evaluating applications that  
10 will ensure that the purposes of the program are ful-  
11 filled in a cost effective manner and in a manner  
12 that will maximize greenhouse gas emissions reduc-  
13 tions and overall environmental benefits.

14 “(2) GROUPING OF APPLICATIONS.—The Sec-  
15 retary may group and evaluate applications relative  
16 to other applications for similar farming operations.

17 “(j) DUTIES OF PRODUCERS.—To receive payments  
18 under the program, an eligible producer shall agree—

19 “(1) to implement an alternative manure man-  
20 agement program plan that describes the greenhouse  
21 gas emissions reductions and other environmental  
22 benefits to be achieved through 1 or more practices  
23 that are approved by the Secretary;

1           “(2) to supply information as required by the  
2       Secretary to determine compliance with the program  
3       plan and requirements of the program; and

4           “(3) to comply with such additional provisions  
5       as the Secretary determines are necessary to carry  
6       out the program plan.

7       “(k) DUTIES OF THE SECRETARY.—The Secretary  
8       shall—

9           “(1) determine and publish factors for esti-  
10       mating the emissions reductions for each program  
11       practice to aid eligible producers in development of  
12       applications and program plans; and

13           “(2) assist an eligible producer in achieving the  
14       greenhouse gas emissions reduction and other envi-  
15       ronmental goals of the program plan by—

16           “(A) providing payments for developing  
17       and implementing 1 or more practices, as ap-  
18       propriate; and

19           “(B) providing the producer with informa-  
20       tion, technical assistance, and training to aid in  
21       implementation of the plan.

22       “(l) FUNDING.—The Secretary shall use the funds,  
23       facilities, and authorities of the Commodity Credit Cor-  
24       poration to carry out the program (including the provision  
25       of technical assistance) using, to the maximum extent

1 practicable, \$1,500,000,000 for the period of fiscal years  
2 2022 through 2030.”.

## 3 **TITLE VI—ON-FARM** 4 **RENEWABLE ENERGY**

### 5 **SEC. 601. RURAL ENERGY FOR AMERICA PROGRAM.**

6 Section 9007 of the Farm Security and Rural Invest-  
7 ment Act of 2002 (7 U.S.C. 8107) is amended—

8 (1) in subsection (a)—

9 (A) in the matter preceding paragraph (1),  
10 by striking “and renewable energy develop-  
11 ment” and inserting “, renewable energy devel-  
12 opment, and the reduction of carbon dioxide  
13 and carbon dioxide equivalent emissions”; and

14 (B) in paragraph (2), by striking “and re-  
15 newable energy systems” and inserting “, re-  
16 newable energy systems, and carbon dioxide and  
17 carbon dioxide equivalent gas emissions reduc-  
18 tions”;

19 (2) in subsection (b)—

20 (A) in paragraph (2)—

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

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

1 (iii) by inserting after subparagraph

2 (D) the following:

3 “(E) a nonprofit corporation;

4 “(F) an agricultural cooperative or pro-  
5 ducer group; and”;

6 (B) in paragraph (3)(D), by inserting be-  
7 fore the semicolon at the end the following: “,  
8 including carbon dioxide and carbon dioxide  
9 equivalent emissions reductions”; and

10 (C) in paragraph (4)—

11 (i) in the matter preceding subpara-  
12 graph (A), by inserting “, agricultural  
13 processors,” after “agricultural pro-  
14 ducers”;

15 (ii) in subparagraph (A), by striking  
16 “and” at the end;

17 (iii) in subparagraph (B), by striking  
18 the period at the end and inserting “;  
19 and”; and

20 (iv) by adding at the end the fol-  
21 lowing:

22 “(C) assisting in the development of feasi-  
23 bility studies and plans for implementing rec-  
24 ommendations provided under subparagraph  
25 (B).”;

1 (3) in subsection (c)—

2 (A) in paragraph (1)(A)(i), by inserting “,  
3 agricultural processors,” after “agricultural  
4 producers”;

5 (B) in paragraph (2)—

6 (i) by redesignating subparagraphs  
7 (F) and (G) as subparagraphs (G) and  
8 (H), respectively; and

9 (ii) by inserting after subparagraph  
10 (E) the following:

11 “(F) carbon accounting assessments devel-  
12 oped under subsection (d);”;

13 (C) in paragraph (3)—

14 (i) by amending subparagraph (A) to  
15 read as follows:

16 “(A) GRANTS.—Except as provided in sub-  
17 paragraph (F), the amount of a grant under  
18 this subsection shall not exceed 50 percent of  
19 the cost of the activity carried out using funds  
20 from the grant.”;

21 (ii) in subparagraph (D), by striking  
22 “subsection (f)” and inserting “subsection  
23 (h)”;

24 (iii) by adding at the end the fol-  
25 lowing:

1           “(E) LOAN GUARANTEE.—The portion of a  
2           loan that the Secretary may guarantee under  
3           this section shall be—

4                   “(i) for loans of \$1,000,000 or more,  
5                   80 percent of the principal amount of the  
6                   loan; and

7                   “(ii) for loans of less than  
8                   \$1,000,000, 90 percent of the principal  
9                   amount of the loan.

10           “(F) UNDERSERVED PRODUCERS.—The  
11           amount of a grant under this subsection to an  
12           agricultural producer who is a beginning farmer  
13           or rancher, a socially disadvantaged farmer or  
14           rancher, or a veteran farmer or rancher (as  
15           those terms are defined in section 2501(a) of  
16           the Food, Agriculture, Conservation and Trade  
17           Act of 1990 (7 U.S.C. 2279(a))) shall not ex-  
18           ceed 75 percent of the cost of the activity fund-  
19           ed by the grant.”;

20           (D) in paragraph (4), by adding at the end  
21           the following:

22                   “(F) PRE-APPROVED TECHNOLOGIES.—In  
23                   order to streamline the adoption of renewable  
24                   energy systems and the adoption of energy effi-  
25                   ciency improvements, the Secretary shall—

1 “(i) beginning with fiscal year 2022,  
 2 develop a pre-approved technologies and  
 3 products list and streamlined application  
 4 process for projects utilizing pre-approved  
 5 products; and

6 “(ii) update such list every 2 fiscal  
 7 years.”; and

8 (E) by adding at the end the following:

9 “(5) PRIORITY.—In making grants or loan  
 10 guarantees under this subsection, priority shall be  
 11 provided to proposed projects that utilize tech-  
 12 nologies—

13 “(A) with the lowest carbon footprint; or

14 “(B) that the Secretary determines would  
 15 result in the largest net decreases of carbon di-  
 16 oxide and carbon dioxide equivalent emissions  
 17 as determined through the carbon accounting  
 18 assessments under subsection (d).”;

19 (4) in subsection (d)—

20 (A) in the subsection heading, by inserting  
 21 “AND TECHNICAL ASSISTANCE” after “OUT-  
 22 REACH”;

23 (B) by striking “The Secretary shall” and  
 24 inserting “Using funds made available under  
 25 subsection (h)(4), the Secretary shall”; and

1 (C) by inserting “and technical assistance”  
2 after “outreach”;

3 (5) by redesignating subsections (d), (e), and  
4 (f) as subsections (f), (g), and (h), respectively;

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

7 “(d) CARBON ACCOUNTING.—

8 “(1) IN GENERAL.—Not later than 2 years  
9 after the date of the enactment of this subsection,  
10 the Secretary shall work with the National Renew-  
11 able Energy Laboratory established pursuant to sec-  
12 tion 10 of the Solar Energy Research, Development,  
13 and Demonstration Act of 1974 to develop carbon  
14 accounting estimates for renewable energy systems  
15 and energy efficiency upgrades (including a pre-ap-  
16 proved technologies list and reserve fund tech-  
17 nologies), supported through assistance provided  
18 under this section.

19 “(2) PROGRAM GUIDANCE.—The results of the  
20 carbon accounting assessments shall be used to  
21 guide program actions as much as possible in order  
22 to achieve the purpose specified in subsection (a).

23 “(e) DEMONSTRATION PRACTICE.—

24 “(1) IN GENERAL.—The Secretary shall hold  
25 regional demonstration projects that incentivize agri-



1 cultural producers to reduce the carbon footprint or  
2 overall carbon equivalent emissions of such pro-  
3 ducers to the largest extent possible through the use  
4 of both energy efficiency improvements and renew-  
5 able energy systems.

6 “(2) EXTENSION.—The Secretary shall promote  
7 the results of the regional demonstration projects  
8 carried out under paragraph (1).”; and

9 (7) in subsection (h) (as redesignated by para-  
10 graph (5))—

11 (A) in paragraph (1), by striking subpara-  
12 graphs (A) through (E) and inserting the fol-  
13 lowing:

14 “(A) \$50,000,000 for each of fiscal years  
15 2014 through 2021;

16 “(B) \$100,000,000 for fiscal year 2022;

17 “(C) \$200,000,000 for fiscal year 2023;

18 “(D) \$300,000,000 for fiscal year 2024;

19 and

20 “(E) \$400,000,000 for fiscal year 2025  
21 and each fiscal year thereafter.”;

22 (B) in paragraph (2)(B), by striking “be-  
23 come available” and inserting “be used”; and

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

1           “(4) ADMINISTRATIVE EXPENSES.—Not more  
2           than 8 percent of the amount made available to  
3           carry out this section for a fiscal year may be used  
4           for administrative expenses incurred in carrying out  
5           this section.

6           “(5) RESERVATION OF FUNDS.—Of the funds  
7           made available to carry out this section for a fiscal  
8           year, the Secretary may reserve—

9                   “(A) not more than 10 percent for grants  
10                  under subsection (c) to support the adoption of  
11                  underutilized but proven, commercial tech-  
12                  nologies; and

13                   “(B) not more than 5 percent to carry out  
14                  subsection (e) to hold regional demonstration  
15                  projects and promote the results of such  
16                  projects.”.

17 **SEC. 602. STUDY ON DUAL-USE RENEWABLE ENERGY SYS-**  
18 **TEMS.**

19           (a) IN GENERAL.—The Secretary of Agriculture shall  
20           conduct a study on dual-use renewable energy systems,  
21           which shall include—

22                   (1) an assessment on the compatibility of dif-  
23                  ferent species of livestock with different dual-use re-  
24                  newable energy system designs, including—

1 (A) the optimal height of and distance be-  
2 tween solar panels for—

3 (i) livestock grazing; and

4 (ii) shade for livestock;

5 (B) manure management considerations;

6 (C) fencing requirements; and

7 (D) other animal handling considerations;

8 (2) an assessment of the compatibility of dif-  
9 ferent crop types with different dual-use renewable  
10 energy system designs, including—

11 (A) the optimal height of and distance be-  
12 tween solar panels for—

13 (i) plant shading; and

14 (ii) farm equipment use;

15 (B) the impact on crop yield; and

16 (C) market opportunities to sell crops at a  
17 premium price;

18 (3) a risk-benefit analysis of dual-use renewable  
19 energy systems in different regions of the United  
20 States, including a comparison between the total  
21 greenhouse gas impact of dual-use renewable energy  
22 systems and renewable energy systems that displace  
23 agricultural production; and

24 (4) a 5-year plan for how the research and ex-  
25 tension activities of the Department of Agriculture

1       could be used to better support dual-use renewable  
2       energy systems that do not displace agricultural pro-  
3       duction.

4       (b) DEFINITION OF DUAL-USE RENEWABLE ENERGY  
5       SYSTEMS.—In this section, the term “dual-use renewable  
6       energy systems” means renewable energy production and  
7       agricultural production, including crop or animal produc-  
8       tion, occurring together on the same piece of land.

9       (c) REPORT.—Not later than 1 year after the date  
10      of the enactment of this Act, the Secretary of Agriculture  
11      shall submit to the Committee on Agriculture of the House  
12      of Representatives and the Committee on Agriculture, Nu-  
13      trition, and Forestry of the Senate a written report con-  
14      taining the results of the study required by subsection (a).

15      **SEC. 603. AGSTAR PROGRAM.**

16      (a) IN GENERAL.—The Secretary of Agriculture (in  
17      this section referred to as the “Secretary”) shall maintain  
18      a program, to be known as the AgSTAR program, that—

19              (1) supports anaerobic digestion in the agricul-  
20              tural sector to reduce methane emissions from live-  
21              stock waste;

22              (2) conducts outreach, education, and training  
23              on anaerobic digestion of livestock waste;

24              (3) provides technical and regulatory assistance  
25              on anaerobic digestion of livestock waste to stake-

1 holders, including farmers and ranchers, on issues  
2 including—

3 (A) permitting;

4 (B) codigestion of multiple organic wastes  
5 in one digester; and

6 (C) interconnection to physically link a di-  
7 gester to the electrical power grid;

8 (4) promotes centralized, multi-farm digesters  
9 that use livestock waste from more than 1 farm or  
10 ranch;

11 (5) collects and reports data on anaerobic diges-  
12 tion of livestock waste; and

13 (6) maintains a database of on-farm anaerobic  
14 digester projects in the United States.

15 (b) TRANSITION.—The Administrator of the Environ-  
16 mental Protection Agency shall take such steps as may  
17 be appropriate to provide for an orderly transition of the  
18 activities carried out under the AgSTAR program of the  
19 Environmental Protection Agency to the AgSTAR pro-  
20 gram under this section.

21 (c) ADMINISTRATION.—The Secretary shall carry out  
22 the program through the Natural Resources Conservation  
23 Service, in coordination with the Administrator of the En-  
24 vironmental Protection Agency and other Federal agencies  
25 as necessary, and in partnership with the Regional Cli-

1 mate Hubs, cooperative extension services, and other  
2 agencies of the Department of Agriculture.

3 (d) LIMITATIONS ON AUTHORIZATION OF APPRO-  
4 PRIATIONS.—To carry out the AgSTAR program under  
5 this section, there are authorized to be appropriated to  
6 the Secretary not more than \$5,000,000 for each fiscal  
7 year.

## 8 **TITLE VII—FOOD LOSS AND** 9 **WASTE**

### 10 **Subtitle A—Food Date Labeling**

#### 11 **SEC. 701. DEFINITIONS.**

12 In this title:

13 (1) ADMINISTERING SECRETARIES.—The term  
14 “administering Secretaries” means—

15 (A) the Secretary of Agriculture with re-  
16 spect to any product that is under the Sec-  
17 retary of Agriculture’s jurisdiction and is—

18 (i) a poultry product, as defined in  
19 section 4 of the Poultry Products Inspec-  
20 tion Act (21 U.S.C. 453);

21 (ii) a meat food product, as defined in  
22 section 1 of the Federal Meat Inspection  
23 Act (21 U.S.C. 601); or

1 (iii) an egg product, as defined in sec-  
2 tion 4 of the Egg Products Inspection Act  
3 (21 U.S.C. 1033); and

4 (B) the Secretary of Health and Human  
5 Services with respect to any product that is  
6 under the Secretary of Health and Human  
7 Services' jurisdiction and is a food (as defined  
8 in section 201 of the Federal Food, Drug, and  
9 Cosmetic Act (21 U.S.C. 321)).

10 (2) DISCARD DATE.—The term “discard date”  
11 means a date voluntarily printed on food packaging,  
12 which signifies the end of the estimated period of  
13 shelf life under any stated storage conditions, after  
14 which the food labeler advises the product not be  
15 consumed.

16 (3) FOOD LABELER.—The term “food labeler”  
17 means the producer, manufacturer, distributor, or  
18 retailer that places a date label on food packaging  
19 of a product.

20 (4) QUALITY DATE.—The term “quality date”  
21 means a date voluntarily printed on food packaging  
22 that is intended to communicate to consumers the  
23 date after which—

24 (A) the quality of the product may begin  
25 to deteriorate; but

1 (B) the product remains apparently whole-  
2 some food (as defined in subsection (b)(2) of  
3 section 22 of the Child Nutrition Act of 1966  
4 (42 U.S.C. 1791(b)(2)); also known as the Bill  
5 Emerson Good Samaritan Food Donation Act).

6 **SEC. 702. QUALITY DATES AND DISCARD DATES.**

7 (a) QUALITY DATES.—

8 (1) IN GENERAL.—If a food labeler includes a  
9 quality date on food packaging, the label shall use  
10 the uniform quality date label phrase under para-  
11 graph (2).

12 (2) UNIFORM PHRASE.—The uniform quality  
13 date label phrase under this paragraph shall be  
14 “BEST If Used By” or, if permissible under sub-  
15 section (c)(3), the standard abbreviation of “BB”,  
16 unless and until the administering Secretaries, act-  
17 ing jointly, specify through rulemaking another uni-  
18 form phrase to be used for purposes of complying  
19 with paragraph (1).

20 (3) OPTION OF THE LABELER.—The decisions  
21 on whether to include a quality date on food pack-  
22 aging and which foods should be so labeled shall be  
23 at the discretion of the food labeler.

24 (b) DISCARD DATES.—



1           (1) IN GENERAL.—If a food labeler includes a  
 2       discard date on food packaging, the label shall use  
 3       the uniform discard date label phrase under para-  
 4       graph (2).

5           (2) UNIFORM PHRASE.—The uniform discard  
 6       date label phrase under this paragraph shall be  
 7       “USE By” or, if permissible under subsection  
 8       (c)(3), the standard abbreviation of “UB”, unless  
 9       and until the administering Secretaries, acting joint-  
 10      ly, specify through rulemaking another uniform  
 11      phrase to be used for purposes of complying with  
 12      paragraph (1).

13          (3) OPTION OF THE LABELER.—The decisions  
 14      on whether to include a discard date on food pack-  
 15      aging and which foods should be so labeled shall be  
 16      at the discretion of the food labeler.

17      (c) QUALITY DATE AND DISCARD DATE LABEL-  
 18      ING.—

19          (1) IN GENERAL.—The quality date or discard  
 20      date, as applicable, and immediately adjacent uni-  
 21      form quality date label phrase or discard date label  
 22      phrase—

23              (A) shall be—

24                      (i) in single easy-to-read type style;

25                      and

1 (ii) located in a conspicuous place on  
2 the package of the food; and

3 (B) may be on the label or, at the discre-  
4 tion of the food labeler, elsewhere on the pack-  
5 age.

6 (2) DATE FORMAT.—Each quality date and dis-  
7 card date shall be stated in terms of day and month  
8 and, as appropriate, year.

9 (3) ABBREVIATIONS.—A food labeler may use a  
10 standard abbreviation of “BB” and “UB” for the  
11 quality date and discard date, respectively, only if  
12 the food packaging is too small to include the uni-  
13 form phrase described in subsection (a)(2) or (b)(2),  
14 as applicable.

15 (4) FREEZE BY.—A food labeler may add “or  
16 Freeze By” following a quality date or discard date  
17 uniform phrase.

18 (d) INFANT FORMULA.—This Act and the amend-  
19 ments made by this Act—

20 (1) do not apply with respect to infant formula  
21 (as defined in section 201(z) of the Federal Food,  
22 Drug, and Cosmetic Act (21 U.S.C. 321(z))); and

23 (2) shall not be construed to affect the require-  
24 ments pertaining to infant formula under section  
25 412 of the Federal Food, Drug, and Cosmetic Act

1 (21 U.S.C. 350a) and other applicable provisions of  
2 law.

3 (e) EDUCATION.—Not later than 1 year after the  
4 date of enactment of this Act, the administering Secre-  
5 taries, acting jointly, shall provide consumer education  
6 and outreach on the meaning of quality date and discard  
7 date food labels.

8 (f) RULE OF CONSTRUCTION; PREEMPTION.—

9 (1) RULE OF CONSTRUCTION.—Nothing in this  
10 Act or the amendments made by this Act shall be  
11 construed to prohibit any State or political subdivi-  
12 sion of a State from establishing or continuing in ef-  
13 fect any requirement that prohibits the sale or dona-  
14 tion of foods based on passage of the discard date.

15 (2) PREEMPTION.—No State or political sub-  
16 division of a State may establish or continue in ef-  
17 fect any requirement that—

18 (A) relates to the inclusion in food labeling  
19 of a quality date or a discard date that is dif-  
20 ferent from or in addition to, or that is other-  
21 wise not identical with, the requirements of this  
22 Act and the amendments made by this Act; or

23 (B) prohibits the sale or donation of foods  
24 based on passage of the quality date.

1           (3) ENFORCEMENT.—The administering Secre-  
2           taries, acting jointly and in coordination with the  
3           Federal Trade Commission, shall ensure that the  
4           uniform quality date label phrase and uniform dis-  
5           card date label phrase are standardized across all  
6           food products.

7           (4) SAVINGS.—Notwithstanding paragraph (2),  
8           nothing in this Act, nor any amendment made by  
9           this Act, nor any standard or requirement imposed  
10          pursuant to this Act, shall be construed to preempt,  
11          displace, or supplant any State or Federal common  
12          law rights or any State or Federal statute creating  
13          a remedy for civil relief, including those for civil  
14          damage, or a penalty for criminal conduct.

15          (g) TIME TEMPERATURE INDICATOR LABELS.—  
16          Nothing in this Act or the amendments made by this Act  
17          shall be construed to prohibit or restrict the use of time-  
18          temperature indicator labels or similar technology that is  
19          in addition to or in lieu of any uniform quality date label  
20          phrase under subsection (a)(2) or uniform discard date  
21          label phrase under subsection (b)(2).

22   **SEC. 703. MISBRANDING.**

23          (a) FDA VIOLATIONS.—Section 403 of the Federal  
24          Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-  
25          ed by adding at the end the following:

1       “(z) If it is food and its labeling is in violation of  
2 section 702 of the Agriculture Resilience Act.”.

3       (b) POULTRY PRODUCTS.—Section 4(h) of the Poul-  
4 try Products Inspection Act (21 U.S.C. 453(h)) is amend-  
5 ed—

6           (1) in paragraph (11), by striking “or” at the  
7 end;

8           (2) in paragraph (12), by striking the period at  
9 the end and inserting “; or”; and

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

11           “(13) if its labeling is in violation of section  
12 702 of the Agriculture Resilience Act.”.

13       (c) MEAT PRODUCTS.—Section 1(n) of the Federal  
14 Meat Inspection Act (21 U.S.C. 601(n)) is amended—

15           (1) in paragraph (11), by striking “or” at the  
16 end;

17           (2) in paragraph (12), by striking the period at  
18 the end and inserting “; or”; and

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

20           “(13) if its labeling is in violation of section  
21 702 of the Agriculture Resilience Act.”.

22       (d) EGG PRODUCTS.—Section 7(b) of the Egg Prod-  
23 ucts Inspection Act (21 U.S.C. 1036(b)) is amended in  
24 the first sentence by adding before the period at the end

1 “or if its labeling is in violation of section 702 of the Agri-  
 2 culture Resilience Act”.

3 **SEC. 704. REGULATIONS.**

4 Not later than 2 years after the date of enactment  
 5 of this Act, the Secretaries, acting jointly, shall promul-  
 6 gate final regulations for carrying out the provisions of  
 7 this Act and the amendments made by this Act.

8 **SEC. 705. DELAYED APPLICABILITY.**

9 This Act and the amendments made by this Act shall  
 10 apply only with respect to food products that are labeled  
 11 on or after the date that is 2 years after the date of pro-  
 12 mulgation of final regulations under section 704.

13 **Subtitle B—Other Provisions**

14 **SEC. 711. COMPOSTING AS CONSERVATION PRACTICE.**

15 (a) DEFINITIONS.—Section 1201(a) of the Food Se-  
 16 curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

17 (1) by redesignating paragraphs (3) through  
 18 (27) as paragraphs (4) through (28), respectively;  
 19 and

20 (2) by inserting after paragraph (2) the fol-  
 21 lowing:

22 “(3) COMPOSTING PRACTICE.—The term  
 23 ‘composting practice’ means—

24 “(A) an activity (including an activity that  
 25 does not require the use of a composting facil-

1           ity) to produce compost from organic waste  
2           that is—

3                       “(i) generated on a farm; or

4                       “(ii) brought to a farm from the near-  
5                       by community; and

6                       “(B) the use of compost on a farm to im-  
7                       prove water retention and soil health, subject to  
8                       the condition that such a use shall be in compli-  
9                       ance with applicable Federal, State, and local  
10                      laws.”.

11           (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-  
12   tion 1240I(2)(B)(i) of the Food Security Act of 1985 (16  
13   U.S.C. 3839aa–21(2)(B)(i)) is amended by inserting “and  
14   composting practices” after “agriculture drainage man-  
15   agement systems”.

16           (c) ENVIRONMENTAL QUALITY INCENTIVES PRO-  
17   GRAM.—Section 1240A(6)(A)(ii) of the Food Security Act  
18   of 1985 (16 U.S.C. 3839aa–1(6)(A)(ii)) is amended by in-  
19   serting “, including composting practices” before the semi-  
20   colon at the end.

21           (d) DELIVERY OF TECHNICAL ASSISTANCE.—Section  
22   1242(h) of the Food Security Act of 1985 (16 U.S.C.  
23   3842(h)) is amended by adding at the end the following:

24                       “(5) DEVELOPMENT OF COMPOSTING PRACTICE  
25                      STANDARD.—In addition to conducting a review of

1       any composting facilities practice standard under  
2       this subsection, the Secretary shall develop and im-  
3       plement a composting practice standard.”.

4   **SEC. 712. AMENDMENTS TO FEDERAL FOOD DONATION**  
5                   **ACT.**

6       (a) **PURPOSE.**—Section 2 of the Federal Food Dona-  
7       tion Act of 2008 (Public Law 110–247; 42 U.S.C. 1792  
8       note) is amended by striking “encourage” and inserting  
9       “require”.

10      (b) **DEFINITIONS.**—Section 3 of the Federal Food  
11      Donation Act of 2008 (Public Law 110–247; 42 U.S.C.  
12      1792 note) is amended—

13           (1) by redesignating paragraphs (3) and (4) as  
14      paragraphs (4) and (5), respectively; and

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

17           “(3) **EXECUTIVE AGENCY.**—The term ‘executive  
18      agency’ has the meaning given the term in section  
19      133 of title 41, United States Code.”.

20      (c) **REPORT ON FOOD WASTE BY CERTAIN FEDERAL**  
21      **CONTRACTORS.**—Section 4 of the Federal Food Donation  
22      Act of 2008 (Public Law 110–247; 42 U.S.C. 1792) is  
23      amended—

24           (1) by amending subsection (a) to read as fol-  
25      lows:



1 “(a) IN GENERAL.—

2 “(1) REQUIREMENT.—Not later than 180 days  
3 after the date of enactment of the Act, the Federal  
4 Acquisition Regulation issued in accordance with  
5 section 1121 of title 41, United States Code, shall  
6 be revised to provide that, except as provided in  
7 paragraph (2), all contracts of more than \$10,000  
8 for the provision, service, or sale of food in the  
9 United States, or for the lease or rental of Federal  
10 property to a private entity for events at which food  
11 is provided in the United States, shall include a  
12 clause that—

13 “(A) requires the donation of excess, ap-  
14 parently wholesome food to nonprofit organiza-  
15 tions that provide assistance to food-insecure  
16 people in the United States;

17 “(B) states the terms and conditions de-  
18 scribed in subsection (b); and

19 “(C) requires the annual submission, in a  
20 form and manner specified by the executive  
21 agency awarding the contract, of the report de-  
22 scribed in subsection (d).

23 “(2) EXCEPTION.—Paragraph (1) shall not  
24 apply to a contract with an executive agency that  
25 has issued a regulation in effect on the date of en-

1 actment of the Act that prohibits a donation de-  
2 scribed in paragraph (1)(A).”; and

3 (2) by adding at the end the following new sub-  
4 sections:

5 “(c) APPLICATION TO CONGRESS.—

6 “(1) CONTRACTS.—This Act shall apply to the  
7 House of Representatives and to contracts entered  
8 into by the House of Representatives, and to the  
9 Senate and to contracts entered into by the Senate,  
10 in the same manner and to the same extent as this  
11 Act applies to an executive agency and to contracts  
12 entered into by an executive agency.

13 “(2) ADMINISTRATION.—For purposes of car-  
14 rying out paragraph (1)—

15 “(A) the Chief Administrative Officer of  
16 the House of Representatives shall be consid-  
17 ered to be the head of the House of Representa-  
18 tives; and

19 “(B) the Secretary of the Senate shall be  
20 considered to be the head of the Senate.

21 “(d) DATA; REPORTS.—

22 “(1) REPORT DESCRIBED.—The report de-  
23 scribed in this subsection, with respect to a contract  
24 described in subsection (a) entered into by a con-  
25 tractor and an executive agency, is a report from the

1 contractor to the executive agency that describes, for  
2 each month of performance of the contract during  
3 the year covered by the report, the weight of appar-  
4 ently wholesome food that was, pursuant to the con-  
5 tract, disposed of in each of the following manners:

6 “(A) DONATION.—Donation by the con-  
7 tractor pursuant to this Act (organized by the  
8 name of the organization receiving such food).

9 “(B) COMPOSTING.—Composting or other  
10 recycling by the contractor.

11 “(C) DISCARDING.—Discarding by the  
12 contractor (organized by the reason such food  
13 was so discarded).

14 “(2) REPORTS TO OMB.—Not later than 30  
15 days after the date that an executive agency receives  
16 a report pursuant to paragraph (1)(C), the agency  
17 shall submit a copy of the report to the Director of  
18 the Office of Management and Budget.

19 “(3) REPORTS TO CONGRESS.—The Director of  
20 the Office of Management and Budget shall submit  
21 to Congress an annual report aggregating the infor-  
22 mation in the reports received pursuant to para-  
23 graph (2) during the year covered by the report.”.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—The  
 2 Federal Food Donation Act of 2008 (42 U.S.C. 1792) is  
 3 amended by adding at the end the following:

4 **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

5 “There is authorized to be appropriated to the Sec-  
 6 retary of Agriculture to carry out this Act \$10,000,000  
 7 for fiscal year 2022 and each fiscal year thereafter.”.

8 **SEC. 713. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
 9 **GESTION FOOD WASTE-TO-ENERGY**  
 10 **PROJECTS.**

11 (a) IN GENERAL.—Subtitle G of the Solid Waste Dis-  
 12 posal Act (42 U.S.C. 6971 et seq.) is amended by adding  
 13 at the end the following:

14 **“SEC. 7011. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
 15 **GESTION FOOD WASTE-TO-ENERGY**  
 16 **PROJECTS.**

17 “(a) GRANTS.—The Administrator shall establish a  
 18 grant program to award grants to States eligible to receive  
 19 the grants under subsection (b)(1) to construct large-scale  
 20 composting or anaerobic digestion food waste-to-energy  
 21 projects.

22 “(b) ELIGIBLE STATES.—

23 “(1) ELIGIBILITY.—In order to be eligible to  
 24 receive a grant under this section, a State shall—

1           “(A) have in effect a plan to limit the  
2           quantity of food waste that may be disposed of  
3           in landfills in the State; and

4           “(B) provide to the Administrator—

5           “(i) a written commitment that the  
6           State has read and agrees to comply with  
7           the Food Recovery Hierarchy of the Envi-  
8           ronmental Protection Agency, particularly  
9           as applied to apparently wholesome food  
10          (as defined in section 22(b) of the Child  
11          Nutrition Act of 1966 (42 U.S.C.  
12          1791(b))) that may be provided to or re-  
13          ceived by the State; and

14          “(ii) a written end-product recycling  
15          plan that provides for the beneficial use of  
16          the material resulting from any anaerobic  
17          digestion food waste-to-energy operation  
18          with respect to which the loan or grant is  
19          made, in a manner that meets all applica-  
20          ble Federal, State, and local laws that pro-  
21          tect human health and the environment.

22          “(2) LIMITATION.—A grant under subsection  
23          (a) may not be used for an anaerobic digester that  
24          uses solely manure as undigested biomass.

9       “(d) STATE DEFINED.—In this section, the term  
10 ‘State’ means each State of the United States, the District  
11 of Columbia, each territory or possession of the United  
12 States, and each federally recognized Indian Tribe.”.

“Sec. 7011. Grants for composting and anaerobic digestion food waste-to-energy projects.”.

(a) IN GENERAL.—Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by inserting before subsection (b) the following:

24 “(1) GRANT PROGRAM ESTABLISHED.—

1           “(A) IN GENERAL.—The Secretary shall  
2           carry out a program to make grants, on a com-  
3           petitive basis, to eligible local educational agen-  
4           cies to carry out food waste measurement and  
5           reporting, prevention, education, and reduction  
6           projects.

7           “(B) REGIONAL BALANCE.—In awarding  
8           grants under this subsection, the Secretary  
9           shall, to the maximum extent practicable, en-  
10          sure that—

11                 “(i) a grant is awarded to an eligible  
12                 local educational agency in each region  
13                 served by the Administrator of the Food  
14                 and Nutrition Service; and

15                 “(ii) equitable treatment of rural,  
16                 urban, and tribal communities.

17           “(2) APPLICATION.—To be eligible to receive a  
18           grant under this subsection, an eligible local edu-  
19           cational agency shall submit an application to the  
20           Secretary at such time, in such manner, and con-  
21           taining such information as the Secretary may re-  
22           quire.

23           “(3) PRIORITY.—In making grants under this  
24           subsection the Secretary shall give priority to an eli-  
25           gible local educational agency that demonstrates in

1 the application under paragraph (2) that such eligi-  
2 ble local educational agency will use the grant to—

3 “(A) carry out experiential education ac-  
4 tivities that encourage children enrolled in such  
5 eligible local educational agency to participate  
6 in food waste measurement and education;

7 “(B) prioritize the best use of food in ac-  
8 cordance with the Food Recovery Hierarchy  
9 published by the Administrator of the Environ-  
10 mental Protection Agency;

11 “(C) with respect to food waste prevention  
12 and reduction, collaborate with other eligible  
13 local educational agencies, tribes, nongovern-  
14 mental and community-based organizations,  
15 and other community partners;

16 “(D) evaluate the activities described in  
17 subparagraphs (A) through (C) and make eval-  
18 uation plans; and

19 “(E) establish a food waste measurement,  
20 prevention, and reduction project with long-  
21 term sustainability.

22 “(4) FEDERAL SHARE.—

23 “(A) IN GENERAL.—The Federal share of  
24 a food waste measurement, prevention, and re-  
25 duction project funded through a grant awarded



1 under this subsection shall not exceed 75 per-  
2 cent of the total cost of such food waste reduc-  
3 tion project.

4 “(B) FEDERAL MATCHING.—As a condi-  
5 tion of receiving a grant under this subsection,  
6 an eligible local educational agency shall provide  
7 matching funds in the form of cash or in-kind  
8 contributions, including facilities, equipment, or  
9 services provided by State and local govern-  
10 ments, nonprofit organizations, and private  
11 sources.

12 “(5) USE OF FUNDS.—An eligible local edu-  
13 cational agency that receives a grant under this sec-  
14 tion shall use funds under such grant to carry out  
15 at least one of the following:

16 “(A) Planning a food waste measurement,  
17 prevention, and reduction project.

18 “(B) Carrying out activities under such a  
19 project.

20 “(C) Providing training to support such a  
21 project.

22 “(D) Purchasing equipment to support  
23 such a project.

1           “(E) Offering food waste education to stu-  
2 dents enrolled in such eligible local educational  
3 agency.

4           “(6) EVALUATION.—

5           “(A) AGREEMENT.—As a condition of re-  
6 ceiving a grant under this subsection, each eli-  
7 gible local educational agency shall agree to co-  
8 operate in an evaluation by the Secretary of the  
9 project carried out using grant funds.

10           “(B) PERIODIC EVALUATION.—Not later  
11 than 2 years after the date of the enactment of  
12 this paragraph and every 2 years thereafter, the  
13 Secretary shall carry out an evaluation of the  
14 grants made under this section that includes—

15           “(i) the amount of Federal funds used  
16 to carry out such grants; and

17           “(ii) an evaluation of the outcomes of  
18 the projects carried out pursuant to such  
19 grants.

20           “(7) DEFINITION OF ELIGIBLE LOCAL EDU-  
21 CATIONAL AGENCY.—In this subsection, the term ‘el-  
22 igible local educational agency’ means a local edu-  
23 cational agency that participates in the school lunch  
24 program under this Act or the school breakfast pro-

1       gram established under section 4 of the Child Nutri-  
2       tion Act of 1966 (42 U.S.C. 1773).”.

3       (b) TECHNICAL ASSISTANCE.—Section 21(b) of the  
4       Richard B. Russell National School Lunch Act (42 U.S.C.  
5       1769b–1(b)) is amended—

6               (1) in paragraph (2), by striking “and” at the  
7       end;

8               (2) in paragraph (3), by striking the period at  
9       the end and inserting “; and”; and

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

11              “(4) food waste measurement, prevention, and  
12       reduction.”.

○