

Union Calendar No. 508

115TH CONGRESS
2^D SESSION

H. R. 2

[Report No. 115–661]

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2018

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

MAY 3, 2018

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 12, 2018]

A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

Sec. 1111. Definitions.

Sec. 1112. Base acres.

Sec. 1113. Payment yields.

Sec. 1114. Payment acres.

Sec. 1115. Producer election.

Sec. 1116. Price loss coverage.

Sec. 1117. Agriculture risk coverage.

Sec. 1118. Producer agreements.

Subtitle B—Marketing Loans

Sec. 1201. Availability of nonrecourse marketing assistance loans for loan com-
modities.

Sec. 1202. Loan rates for nonrecourse marketing assistance loans.

Sec. 1203. Term of loans.

Sec. 1204. Repayment of loans.

Sec. 1205. Loan deficiency payments.

Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.

Sec. 1207. Special marketing loan provisions for upland cotton.

Sec. 1208. Special competitive provisions for extra long staple cotton.

Sec. 1209. Availability of recourse loans.

Sec. 1210. Adjustments of loans.

Subtitle C—Sugar

Sec. 1301. Sugar policy.

Subtitle D—Dairy Risk Management Program and Other Dairy Programs

Sec. 1401. Dairy risk management program for dairy producers.

Sec. 1402. Class I skim milk price.

Sec. 1403. Extension of dairy forward pricing program.

Sec. 1404. Extension of dairy indemnity program.

Sec. 1405. Extension of dairy promotion and research program.

Sec. 1406. Repeal of dairy product donation program.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

Sec. 1501. Modification of supplemental agricultural disaster assistance.

Subtitle F—Administration

Sec. 1601. Administration generally.

Sec. 1602. Suspension of permanent price support authority.

Sec. 1603. Payment limitations.

Sec. 1604. Adjusted gross income limitation.

Sec. 1605. Prevention of deceased individuals receiving payments under farm commodity programs.

Sec. 1606. Assignment of payments.

Sec. 1607. Tracking of benefits.

Sec. 1608. Signature authority.

Sec. 1609. Personal liability of producers for deficiencies.

Sec. 1610. Implementation.

Sec. 1611. Exemption from certain reporting requirements for certain producers.

TITLE II—CONSERVATION

Subtitle A—Wetland Conservation

Sec. 2101. Program ineligibility.

Sec. 2102. Minimal effect regulations.

Subtitle B—Conservation Reserve Program

Sec. 2201. Conservation reserve.

Sec. 2202. Farmable wetland program.

Sec. 2203. Duties of owners and operators.

Sec. 2204. Duties of the Secretary.

Sec. 2205. Payments.

Sec. 2206. Contracts.

Subtitle C—Environmental Quality Incentives Program

Sec. 2301. Definitions.

Sec. 2302. Establishment and administration.

Sec. 2303. Limitation on payments.

Sec. 2304. Conservation innovation grants and payments.

Subtitle D—Other Conservation Programs

Sec. 2401. Conservation of private grazing land.

Sec. 2402. Grassroots source water protection program.

Sec. 2403. Voluntary public access and habitat incentive program.

Sec. 2404. Watershed protection and flood prevention.

Sec. 2405. Feral swine eradication and control pilot program.

Sec. 2406. Emergency conservation program.

Subtitle E—Funding and Administration

Sec. 2501. Commodity Credit Corporation.

Sec. 2502. Delivery of technical assistance.

Sec. 2503. Administrative requirements for conservation programs.

Sec. 2504. Establishment of State technical committees.

Subtitle F—Agricultural Conservation Easement Program

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

Subtitle G—Regional Conservation Partnership Program

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

Subtitle H—Repeals and Transitional Provisions; Technical Amendments

- Sec. 2801. Repeal of conservation security and conservation stewardship programs.*
- Sec. 2802. Repeal of terminal lakes assistance.*
- Sec. 2803. Technical amendments.*

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

Subtitle B—Agricultural Trade Act of 1978

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

Subtitle C—Other Agricultural Trade Laws

- Sec. 3201. Local and regional food aid procurement projects.*
- Sec. 3202. Promotion of agricultural exports to emerging markets.*
- Sec. 3203. Bill Emerson Humanitarian Trust Act.*

- Sec. 3204. Food for Progress Act of 1985.*
- Sec. 3205. McGovern-Dole International Food for Education and Child Nutrition Program.*
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- Sec. 4001. Duplicative enrollment database.*
- Sec. 4002. Retailer-funded incentives pilot.*
- Sec. 4003. Gus Schumacher food insecurity nutrition incentive program.*
- Sec. 4004. Re-evaluation of thrifty food plan.*
- Sec. 4005. Food distribution programs on Indian reservations.*
- Sec. 4006. Update to categorical eligibility.*
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- Sec. 4008. Earned income deduction.*
- Sec. 4009. Simplified homeless housing costs.*
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- Sec. 4016. Modernization of electronic benefit transfer regulations.*
- Sec. 4017. Mobile technologies.*
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- Sec. 4019. Replacement of EBT cards.*
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- Sec. 4021. Requirements for online acceptance of benefits.*
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- Sec. 4024. Transitional benefits.*
- Sec. 4025. Incentivizing technology modernization.*
- Sec. 4026. Supplemental nutrition assistance program benefit transfer transaction data report.*
- Sec. 4027. Adjustment to percentage of recovered funds retained by States.*
- Sec. 4028. Tolerance level for payment errors.*
- Sec. 4029. State performance indicators.*
- Sec. 4030. Public-private partnerships.*
- Sec. 4031. Authorization of appropriations.*
- Sec. 4032. Emergency food assistance.*
- Sec. 4033. Nutrition education.*
- Sec. 4034. Retail food store and recipient trafficking.*
- Sec. 4035. Technical corrections.*
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Subtitle B—Commodity Distribution Programs

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

Subtitle C—Miscellaneous

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

*TITLE V—CREDIT**Subtitle A—Farm Ownership Loans*

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

Subtitle B—Operating Loans

- Sec. 5201. Limitations on amount of operating loans.*
- Sec. 5202. Microloans.*

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- Sec. 5301. Beginning farmer and rancher individual development accounts pilot program.*
- Sec. 5302. Loan authorization levels.*
- Sec. 5303. Loan fund set-asides.*

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

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

Subtitle E—Amendments to the Farm Credit Act of 1971

- Sec. 5501. Elimination of obsolete references.*
- Sec. 5502. Conforming repeals.*
- Sec. 5503. Facility headquarters.*
- Sec. 5504. Sharing privileged and confidential information.*
- Sec. 5505. Scope of jurisdiction.*
- Sec. 5506. Definition.*
- Sec. 5507. Expansion of acreage exception to loan amount limitation.*
- Sec. 5508. Compensation of bank directors.*
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Subtitle F—Miscellaneous

- Sec. 5601. State agricultural mediation programs.*
- Sec. 5602. Study on loan risk.*

*TITLE VI—RURAL INFRASTRUCTURE AND ECONOMIC DEVELOPMENT**Subtitle A—Improving Health Outcomes in Rural Communities*

- Sec. 6001. Prioritizing projects to meet health crises in rural America.*
- Sec. 6002. Distance learning and telemedicine.*

- Sec. 6003. Reauthorization of the Farm and Ranch Stress Assistance Network.*
Sec. 6004. Supporting agricultural association health plans.

Subtitle B—Connecting Rural Americans to High Speed Broadband

- Sec. 6101. Establishing forward-looking broadband standards.*
Sec. 6102. Incentives for hard to reach communities.
Sec. 6103. Requiring guaranteed broadband lending.
Sec. 6104. Smart utility authority for broadband.
Sec. 6105. Modifications to the Rural Gigabit Program.
Sec. 6106. Unified broadband reporting requirements.
Sec. 6107. Improving access by providing certainty to broadband borrowers.
Sec. 6108. Simplified application window.
Sec. 6109. Elimination of requirement to give priority to certain applicants.
Sec. 6110. Modification of buildout requirement.
Sec. 6111. Improving borrower refinancing options.
Sec. 6112. Elimination of unnecessary reporting requirements.
Sec. 6113. Access to broadband telecommunications services in rural areas.
Sec. 6114. Middle mile broadband infrastructure.
Sec. 6115. Outdated broadband systems.
Sec. 6116. Effective date.

Subtitle C—Consolidated Farm and Rural Development Act

- Sec. 6201. Strengthening regional economic development incentives.*
Sec. 6202. Expanding access to credit for rural communities.
Sec. 6203. Providing for additional fees for guaranteed loans.
Sec. 6204. Water, waste disposal, and wastewater facility grants.
Sec. 6205. Rural water and wastewater technical assistance and training programs.
Sec. 6206. Rural water and wastewater circuit rider program.
Sec. 6207. Tribal college and university essential community facilities.
Sec. 6208. Emergency and imminent community water assistance grant program.
Sec. 6209. Water systems for rural and native villages in Alaska.
Sec. 6210. Household water well systems.
Sec. 6211. Solid waste management grants.
Sec. 6212. Rural business development grants.
Sec. 6213. Rural cooperative development grants.
Sec. 6214. Locally or regionally produced agricultural food products.
Sec. 6215. Appropriate technology transfer for rural areas program.
Sec. 6216. Rural economic area partnership zones.
Sec. 6217. Intermediary relending program.
Sec. 6218. Exclusion of prison populations from definition of rural area.
Sec. 6219. National Rural Development Partnership.
Sec. 6220. Grants for NOAA weather radio transmitters.
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Sec. 6302. Expansion of 911 access.

- Sec. 6303. Improvements to the guaranteed underwriter program.*
Sec. 6304. Extension of the rural economic development loan and grant program.

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Sec. 6403. Biorefinery, renewable, chemical, and biobased product manufacturing assistance.
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Sec. 6405. Bioenergy program for advanced biofuels.
Sec. 6406. Biodiesel fuel education program.
Sec. 6407. Rural Energy for America Program.
Sec. 6408. Categorical exclusion for grants and financial assistance made under the Rural Energy for America Program.
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- Sec. 6501. Value-added agricultural product market development grants.*
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- Sec. 6701. Corrections relating to the Consolidated Farm and Rural Development Act.*
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- Sec. 7101. International agriculture research.*
Sec. 7102. Matters related to certain school designations and declarations.
Sec. 7103. National Agricultural Research, Extension, Education, and Economics Advisory Board.
Sec. 7104. Specialty crop committee.
Sec. 7105. Renewable energy committee discontinued.
Sec. 7106. Report on allocations and matching funds for 1890 institutions.
Sec. 7107. Grants and fellowships for food and agriculture sciences education.
Sec. 7108. Agricultural and food policy research centers.
Sec. 7109. Education grants to Alaska Native serving institutions and Native Hawaiian serving institutions.
Sec. 7110. Repeal of nutrition education program.
Sec. 7111. Continuing animal health and disease research programs.
Sec. 7112. Extension carryover at 1890 land-grant colleges, including Tuskegee University.

- Sec. 7113. Scholarships for students at 1890 institutions.*
- Sec. 7114. Grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges, including Tuskegee University.*
- Sec. 7115. Grants to upgrade agriculture and food sciences facilities and equipment at insular area land-grant institutions.*
- Sec. 7116. Hispanic-serving institutions.*
- Sec. 7117. Land-grant designation.*
- Sec. 7118. Competitive grants for international agricultural science and education programs.*
- Sec. 7119. Limitation on indirect costs for agricultural research, education, and extension programs.*
- Sec. 7120. Research equipment grants.*
- Sec. 7121. University research.*
- Sec. 7122. Extension service.*
- Sec. 7123. Supplemental and alternative crops.*
- Sec. 7124. Capacity building grants for NLGCA institutions.*
- Sec. 7125. Aquaculture assistance programs.*
- Sec. 7126. Rangeland research programs.*
- Sec. 7127. Special authorization for biosecurity planning and response.*
- Sec. 7128. Distance education and resident instruction grants program for insular area institutions of higher education.*
- Sec. 7129. Removal of matching funds requirement for certain grants.*

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

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

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

- Sec. 7300. Ending limitation on funding under national food safety training, education, extension, outreach, and technical assistance program.*
- Sec. 7301. National food safety training, education, extension, outreach, and technical assistance program.*
- Sec. 7302. Integrated research, education, and extension competitive grants program.*
- Sec. 7303. Support for research regarding diseases of wheat, triticale, and barley caused by *Fusarium graminearum* or by *Tilletia indica*.*
- Sec. 7304. Grants for youth organizations.*
- Sec. 7305. Specialty crop research initiative.*
- Sec. 7306. Food Animal Residue Avoidance Database program.*
- Sec. 7307. Office of Pest Management Policy.*
- Sec. 7308. Forestry products advanced utilization research.*

*Subtitle D—Food, Conservation, and Energy Act of 2008**PART I—AGRICULTURAL SECURITY*

- Sec. 7401. Agricultural biosecurity communication center.*
- Sec. 7402. Assistance to build local capacity in agricultural biosecurity planning, preparation, and response.*
- Sec. 7403. Research and development of agricultural countermeasures.*
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- Sec. 7412. Natural products research program.*
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- Sec. 7501. Critical Agricultural Materials Act.*
- Sec. 7502. Equity in Educational Land-Grant Status Act of 1994.*
- Sec. 7503. Research Facilities Act.*
- Sec. 7504. Competitive, Special, and Facilities Research Grant Act.*
- Sec. 7505. Renewable Resources Extension Act of 1978.*
- Sec. 7506. National Aquaculture Act of 1980.*
- Sec. 7507. Beginning farmer and rancher development program.*
- Sec. 7508. Federal agriculture research facilities.*
- Sec. 7509. Biomass research and development.*

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- Sec. 7601. Enhanced use lease authority program.*
- Sec. 7602. Functions and Duties of the Under Secretary.*
- Sec. 7603. Reinstatement of District of Columbia matching requirement for certain land-grant university assistance.*
- Sec. 7604. Farmland tenure, transition, and entry data initiative.*
- Sec. 7605. Transfer of administrative jurisdiction, portion of Henry A. Wallace Beltsville Agricultural Research Center, Beltsville, Maryland.*
- Sec. 7606. Simplified plan of work.*
- Sec. 7607. Time and effort reporting exemption.*
- Sec. 7608. Public education on biotechnology in food and agriculture sectors.*

*TITLE VIII—FORESTRY**Subtitle A—Reauthorization and Modification of Certain Forestry Programs*

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

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

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

*Subtitle C—Availability of Categorical Exclusions To Expedite Forest
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- Sec. 8301. Definitions.*
Sec. 8302. Rule of application for National Forest System lands and public lands.
Sec. 8303. Consultation under the Endangered Species Act.
Sec. 8304. Secretarial discretion in the case of two or more categorical exclusions.

PART II—CATEGORICAL EXCLUSIONS

- Sec. 8311. Categorical exclusion to expedite certain critical response actions.*
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Sec. 8313. Categorical exclusion to meet forest plan goals for early successional forests.
Sec. 8314. Categorical exclusion for hazard trees.
Sec. 8315. Categorical exclusion to improve or restore National Forest System lands or public land or reduce the risk of wildfire.
Sec. 8316. Categorical exclusion for forest restoration.
Sec. 8317. Categorical exclusion for infrastructure forest management activities.
Sec. 8318. Categorical exclusion for developed recreation sites.
Sec. 8319. Categorical exclusion for administrative sites.
Sec. 8320. Categorical exclusion for special use authorizations.
Sec. 8321. Clarification of existing categorical exclusion authority related to insect and disease infestation.

PART III—MISCELLANEOUS FOREST MANAGEMENT ACTIVITIES

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

Subtitle D—Tribal Forestry Participation and Protection

- Sec. 8401. Protection of Tribal forest assets through use of stewardship end result contracting and other authorities.*
Sec. 8402. Tribal forest management demonstration project.

Subtitle E—Other Matters

- Sec. 8501. Clarification of research and development program for wood building construction.*

- Sec. 8502. Utility infrastructure rights-of-way vegetation management pilot program.*
- Sec. 8503. Revision of extraordinary circumstances regulations.*
- Sec. 8504. No loss of funds for wildfire suppression.*
- Sec. 8505. Technical corrections.*

TITLE IX—HORTICULTURE

Subtitle A—Horticulture Marketing and Information

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

Subtitle B—Regulatory Reform

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

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

PART II—PESTICIDE REGISTRATION AND USE

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

PART III—AMENDMENTS TO THE PLANT PROTECTION ACT

- Sec. 9121. Methyl bromide.*

PART IV—AMENDMENTS TO OTHER LAWS

- Sec. 9131. Definition of retail facilities.*

Subtitle C—Other Matters

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

TITLE X—CROP INSURANCE

- Sec. 10001. Treatment of forage and grazing.*
- Sec. 10002. Administrative basic fee.*
- Sec. 10003. Prevention of duplicative coverage.*
- Sec. 10004. Repeal of unused authority.*
- Sec. 10005. Continued authority.*
- Sec. 10006. Program administration.*

- Sec. 10007. Maintenance of policies.*
- Sec. 10008. Research and development priorities.*
- Sec. 10009. Extension of funding for research and development.*
- Sec. 10010. Education and risk management assistance.*

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Subtitle A—Livestock

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

Subtitle B—Beginning, Socially Disadvantaged, and Veteran Producers

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

Subtitle C—Textiles

- Sec. 11301. Repeal of Pima Agriculture Cotton Trust Fund.*
- Sec. 11302. Repeal of Agriculture Wool Apparel Manufacturers Trust Fund.*
- Sec. 11303. Repeal of wool research and promotion grants funding.*
- Sec. 11304. Textile Trust Fund.*

Subtitle D—United States Grain Standards Act

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

Subtitle E—Noninsured Crop Disaster Assistance Program

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

Subtitle F—Other Matters

- Sec. 11601. Under Secretary of Agriculture for Farm Production and Conservation.*
- Sec. 11602. Authority of Secretary to carry out certain programs under Department of Agriculture Reorganization Act of 1994.*
- Sec. 11603. Conference report requirement threshold.*
- Sec. 11604. National agriculture imagery program.*
- Sec. 11605. Report on inclusion of natural stone products in Commodity Promotion, Research, and Information Act of 1996.*
- Sec. 11606. South Carolina inclusion in Virginia/Carolina peanut producing region.*
- Sec. 11607. Establishment of Food Loss and Waste Reduction Liaison.*
- Sec. 11608. Cotton classification services.*
- Sec. 11609. Century farms program.*
- Sec. 11610. Report on agricultural innovation.*
- Sec. 11611. Report on dog importation.*
- Sec. 11612. Prohibition on slaughter of dogs and cats for human consumption.*

Subtitle G—Protecting Interstate Commerce

Sec. 11701. Prohibition against interference by State and local governments with production or manufacture of items in other States.

Sec. 11702. Federal cause of action to challenge State regulation of interstate commerce.

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

2 *In this Act, the term “Secretary” means the Secretary*
 3 *of Agriculture.*

4 **TITLE I—COMMODITIES**

5 **Subtitle A—Commodity Policy**

6 **SEC. 1111. DEFINITIONS.**

7 *In this subtitle and subtitle B:*

8 (1) *ACTUAL CROP REVENUE.*—*The term “actual*
 9 *crop revenue”, with respect to a covered commodity*
 10 *for a crop year, means the amount determined by the*
 11 *Secretary under section 1117(b).*

12 (2) *AGRICULTURE RISK COVERAGE.*—*The term*
 13 *“agriculture risk coverage” means coverage provided*
 14 *under section 1117.*

15 (3) *AGRICULTURE RISK COVERAGE GUAR-*
 16 *ANTEE.*—*The term “agriculture risk coverage guar-*
 17 *antee”, with respect to a covered commodity for a*
 18 *crop year, means the amount determined by the Sec-*
 19 *retary under section 1117(c).*

20 (4) *BASE ACRES.*—*The term “base acres” has the*
 21 *meaning given the term in section 1111(4)(A) of the*
 22 *Agricultural Act of 2014 (7 U.S.C. 9011(4)(A)), sub-*

1 *ject to any reallocation, adjustment, or reduction*
 2 *under section 1112.*

3 (5) *COVERED COMMODITY.*—*The term “covered*
 4 *commodity” means wheat, oats, and barley (including*
 5 *wheat, oats, and barley used for haying and grazing),*
 6 *corn, grain sorghum, long grain rice, medium grain*
 7 *rice, pulse crops, soybeans, other oilseeds, seed cotton,*
 8 *and peanuts.*

9 (6) *EFFECTIVE PRICE.*—*The term “effective*
 10 *price”, with respect to a covered commodity for a*
 11 *crop year, means the price calculated by the Secretary*
 12 *under section 1116(b) to determine whether price loss*
 13 *coverage payments are required to be provided for*
 14 *that crop year.*

15 (7) *EFFECTIVE REFERENCE PRICE.*—*The term*
 16 *“effective reference price”, with respect to a covered*
 17 *commodity for a crop year, means the lesser of the fol-*
 18 *lowing:*

19 (A) *An amount equal to 115 percent of the*
 20 *reference price for such covered commodity.*

21 (B) *An amount equal to the greater of—*

22 (i) *the reference price for such covered*
 23 *commodity; or*

24 (ii) *85 percent of the average of the*
 25 *marketing year average price of the covered*

1 *commodity for the most recent 5 crop years,*
2 *excluding each of the crop years with the*
3 *highest and lowest marketing year average*
4 *price.*

5 (8) *EXTRA LONG STAPLE COTTON.*—*The term*
6 *“extra long staple cotton” means cotton that—*

7 (A) *is produced from pure strain varieties*
8 *of the barbadense species or any hybrid of the*
9 *species, or other similar types of extra long sta-*
10 *ple cotton, designated by the Secretary, having*
11 *characteristics needed for various end uses for*
12 *which United States upland cotton is not suit-*
13 *able and grown in irrigated cotton-growing re-*
14 *gions of the United States designated by the Sec-*
15 *retary or other areas designated by the Secretary*
16 *as suitable for the production of the varieties or*
17 *types; and*

18 (B) *is ginned on a roller-type gin or, if au-*
19 *thorized by the Secretary, ginned on another*
20 *type gin for experimental purposes.*

21 (9) *MARKETING YEAR AVERAGE PRICE.*—*The*
22 *term “marketing year average price” means the na-*
23 *tional average market price received by producers*
24 *during the 12-month marketing year for a covered*
25 *commodity, as determined by the Secretary.*

1 (10) *MEDIUM GRAIN RICE*.—The term “medium
2 *grain rice*” includes short grain rice and temperate
3 *japonica rice*.

4 (11) *OTHER OILSEED*.—The term “other oilseed”
5 means a crop of sunflower seed, rapeseed, canola, saf-
6 flower, flaxseed, mustard seed, crambe, sesame seed, or
7 any oilseed designated by the Secretary.

8 (12) *PAYMENT ACRES*.—The term “payment
9 acres”, with respect to the provision of price loss cov-
10 erage payments and agriculture risk coverage pay-
11 ments, means the number of acres determined for a
12 farm under section 1114.

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

15 (A) means the yield used to make payments
16 pursuant to section 1116 of the Agricultural Act
17 of 2014 (7 U.S.C. 9016); or

18 (B) means the yield established under sec-
19 tion 1113.

20 (14) *PRICE LOSS COVERAGE*.—The term “price
21 loss coverage” means coverage provided under section
22 1116.

23 (15) *PRODUCER*.—

24 (A) *IN GENERAL*.—The term “producer”
25 means an owner, operator, landlord, tenant, or

1 *sharecropper that shares in the risk of producing*
 2 *a crop and is entitled to share in the crop avail-*
 3 *able for marketing from the farm, or would have*
 4 *shared had the crop been produced.*

5 *(B) HYBRID SEED.—In determining wheth-*
 6 *er a grower of hybrid seed is a producer, the Sec-*
 7 *retary shall—*

8 *(i) not take into consideration the ex-*
 9 *istence of a hybrid seed contract; and*

10 *(ii) ensure that program requirements*
 11 *do not adversely affect the ability of the*
 12 *grower to receive a payment under this*
 13 *title.*

14 *(16) PULSE CROP.—The term “pulse crop”*
 15 *means dry peas, lentils, small chickpeas, and large*
 16 *chickpeas.*

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

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

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

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

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

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

1 (F) *For long grain rice, \$14.00 per hun-*
2 *dredweight.*

3 (G) *For medium grain rice, \$14.00 per*
4 *hundredweight.*

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

6 (I) *For other oilseeds, \$20.15 per hundred-*
7 *weight.*

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

9 (K) *For dry peas, \$11.00 per hundred-*
10 *weight.*

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

12 (M) *For small chickpeas, \$19.04 per hun-*
13 *dredweight.*

14 (N) *For large chickpeas, \$21.54 per hun-*
15 *dredweight.*

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

17 (18) *SECRETARY.—The term “Secretary” means*
18 *the Secretary of Agriculture.*

19 (19) *SEED COTTON.—The term “seed cotton”*
20 *means unginned upland cotton that includes both lint*
21 *and seed.*

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

23 (A) *a State;*

24 (B) *the District of Columbia;*

25 (C) *the Commonwealth of Puerto Rico; and*

1 (D) any other territory or possession of the
2 United States.

3 (21) *TEMPERATE JAPONICA RICE.*—The term
4 “temperate japonica rice” means rice that is grown
5 in high altitudes or temperate regions of high lati-
6 tudes with cooler climate conditions, in the Western
7 United States, as determined by the Secretary, for the
8 purpose of—

9 (A) the establishment of a reference price
10 (as required under section 1116(g)) and an effec-
11 tive price pursuant to section 1116; and

12 (B) the determination of the actual crop
13 revenue and agriculture risk coverage guarantee
14 pursuant to section 1117.

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

19 (23) *UNITED STATES.*—The term “United
20 States”, when used in a geographical sense, means all
21 of the States.

22 (24) *UNITED STATES PREMIUM FACTOR.*—The
23 term “United States Premium Factor” means the
24 percentage by which the difference in the United
25 States loan schedule premiums for Strict Middling

1 (SM) 1¹/₈-inch upland cotton and for Middling (M)
 2 1³/₃₂-inch upland cotton exceeds the difference in the
 3 applicable premiums for comparable international
 4 qualities.

5 **SEC. 1112. BASE ACRES.**

6 (a) *ADJUSTMENT OF BASE ACRES.*—

7 (1) *IN GENERAL.*—The Secretary shall provide
 8 for an adjustment, as appropriate, in the base acres
 9 for covered commodities for a farm whenever any of
 10 the following circumstances occur:

11 (A) A conservation reserve contract entered
 12 into under section 1231 of the Food Security Act
 13 of 1985 (16 U.S.C. 3831) with respect to the
 14 farm expires or is voluntarily terminated.

15 (B) Cropland is released from coverage
 16 under a conservation reserve contract by the Sec-
 17 retary.

18 (C) The producer has eligible oilseed acreage
 19 as the result of the Secretary designating addi-
 20 tional oilseeds, which shall be determined in the
 21 same manner as eligible oilseed acreage under
 22 section 1101(a)(1)(D) of the Food, Conservation,
 23 and Energy Act of 2008 (7 U.S.C.
 24 8711(a)(1)(D)).

1 (2) *SPECIAL CONSERVATION RESERVE ACREAGE*
 2 *PAYMENT RULES.*—*For the crop year in which a base*
 3 *acres adjustment under subparagraph (A) or (B) of*
 4 *paragraph (1) is first made, the owner of the farm*
 5 *shall elect to receive price loss coverage or agriculture*
 6 *risk coverage with respect to the acreage added to the*
 7 *farm under this subsection or a prorated payment*
 8 *under the conservation reserve contract, but not both.*
 9 *(b) PREVENTION OF EXCESS BASE ACRES.*—

10 (1) *REQUIRED REDUCTION.*—*If the sum of the*
 11 *base acres for a farm and the acreage described in*
 12 *paragraph (2) exceeds the actual cropland acreage of*
 13 *the farm, the Secretary shall reduce the base acres for*
 14 *1 or more covered commodities for the farm so that*
 15 *the sum of the base acres and the acreage described*
 16 *in paragraph (2) does not exceed the actual cropland*
 17 *acreage of the farm.*

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

20 (A) *Any acreage on the farm enrolled in the*
 21 *conservation reserve program or wetlands reserve*
 22 *program (or successor programs) under title XII*
 23 *of the Food Security Act of 1985 (16 U.S.C.*
 24 *3801 et seq.).*

1 (B) *Any other acreage on the farm enrolled*
 2 *in a Federal conservation program for which*
 3 *payments are made in exchange for not pro-*
 4 *ducing an agricultural commodity on the acre-*
 5 *age.*

6 (C) *If the Secretary designates additional*
 7 *oilseeds, any eligible oilseed acreage, which shall*
 8 *be determined in the same manner as eligible oil-*
 9 *seed acreage under subsection (a)(1)(C).*

10 (3) *SELECTION OF ACRES.—The Secretary shall*
 11 *give the owner of the farm the opportunity to select*
 12 *the base acres for a covered commodity for the farm*
 13 *against which the reduction required by paragraph*
 14 *(1) will be made.*

15 (4) *EXCEPTION FOR DOUBLE-CROPPED ACRE-*
 16 *AGE.—In applying paragraph (1), the Secretary shall*
 17 *make an exception in the case of double cropping, as*
 18 *determined by the Secretary.*

19 (c) *REDUCTION IN BASE ACRES.—*

20 (1) *REDUCTION AT OPTION OF OWNER.—*

21 (A) *IN GENERAL.—The owner of a farm*
 22 *may reduce, at any time, the base acres for any*
 23 *covered commodity for the farm.*

1 (B) *EFFECT OF REDUCTION.*—*A reduction*
 2 *under subparagraph (A) shall be permanent and*
 3 *made in a manner prescribed by the Secretary.*

4 (2) *REQUIRED ACTION BY SECRETARY.*—

5 (A) *IN GENERAL.*—*The Secretary shall pro-*
 6 *portionately reduce base acres on a farm for*
 7 *land that has been subdivided and developed for*
 8 *multiple residential units or other nonfarming*
 9 *uses if the size of the tracts and the density of*
 10 *the subdivision is such that the land is unlikely*
 11 *to return to the previous agricultural use, unless*
 12 *the producers on the farm demonstrate that the*
 13 *land—*

14 (i) *remains devoted to commercial ag-*
 15 *ricultural production; or*

16 (ii) *is likely to be returned to the pre-*
 17 *vious agricultural use.*

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

21 (3) *TREATMENT OF UNPLANTED BASE.*—*In the*
 22 *case of a farm on which no covered commodities (in-*
 23 *cluding seed cotton) were planted or prevented from*
 24 *being planted during the period beginning on Janu-*
 25 *ary 1, 2009, and ending on December 31, 2017, the*

1 *Secretary shall allocate all base acres on the farm to*
 2 *unassigned crop base for which no payment shall be*
 3 *made under section 1116 or 1117.*

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

8 **SEC. 1113. PAYMENT YIELDS.**

9 (a) *TREATMENT OF DESIGNATED OILSEEDS.—*

10 (1) *IN GENERAL.—For the purpose of making*
 11 *price loss coverage payments under section 1116, the*
 12 *Secretary shall provide for the establishment of a*
 13 *yield for each farm for any designated oilseed for*
 14 *which a payment yield was not established under sec-*
 15 *tion 1113 of the Agricultural Act of 2014 (7 U.S.C.*
 16 *9013) in accordance with this section.*

17 (2) *PAYMENT YIELDS FOR DESIGNATED OIL-*
 18 *SEEDS.—In the case of designated oilseeds, the pay-*
 19 *ment yield shall be equal to 90 percent of the average*
 20 *of the yield per planted acre for the most recent five*
 21 *crop years, as determined by the Secretary, excluding*
 22 *any crop year in which the acreage planted to the*
 23 *covered commodity was zero.*

1 (3) *APPLICATION.*—*This subsection shall apply*
2 *to oilseeds designated after the date of the enactment*
3 *of this Act.*

4 (b) *EFFECT OF LACK OF PAYMENT YIELD.*—

5 (1) *ESTABLISHMENT BY SECRETARY.*—*In the*
6 *case of a covered commodity on a farm for which base*
7 *acres have been established, if no payment yield is*
8 *otherwise established for the covered commodity on the*
9 *farm, the Secretary shall establish an appropriate*
10 *payment yield for the covered commodity on the farm*
11 *under paragraph (2).*

12 (2) *USE OF SIMILARLY SITUATED FARMS.*—*To*
13 *establish an appropriate payment yield for a covered*
14 *commodity on a farm as required by paragraph (1),*
15 *the Secretary shall take into consideration the farm*
16 *program payment yields applicable to that covered*
17 *commodity for similarly situated farms. The use of*
18 *such data in an appeal, by the Secretary or by the*
19 *producer, shall not be subject to any other provision*
20 *of law.*

21 (c) *SINGLE OPPORTUNITY TO UPDATE YIELDS IN*
22 *COUNTIES AFFECTED BY DROUGHT.*—

23 (1) *ELECTION TO UPDATE.*—*In the case of a*
24 *farm that is physically located in a county in which*
25 *any area of the county was rated by the U.S. Drought*

1 *Monitor as having a D4 (exceptional drought) inten-*
 2 *sity for 20 or more consecutive weeks during the pe-*
 3 *riod beginning January 1, 2008 and ending Decem-*
 4 *ber 31, 2012, at the sole discretion of the owner of*
 5 *such farm, the owner of a farm shall have a 1-time*
 6 *opportunity to update, on a covered commodity-by*
 7 *covered-commodity basis, the payment yield that*
 8 *would otherwise be used in calculating any price loss*
 9 *coverage payment for each covered commodity on the*
 10 *farm for which the election is made.*

11 (2) *METHOD OF UPDATING YIELDS FOR COVERED*
 12 *COMMODITIES.—If the owner of a farm elects to up-*
 13 *date yields under paragraph (1), the payment yield*
 14 *for covered commodities on the farm, for the purpose*
 15 *of calculating price loss coverage payments only, shall*
 16 *be equal to 90 percent of the average of the yield per*
 17 *planted acre for the crop of covered commodities on*
 18 *the farm for the 2013 through 2017 crop years, as de-*
 19 *termined by the Secretary, excluding any crop year*
 20 *in which the acreage planted to the covered com-*
 21 *modity was zero.*

22 (3) *USE OF COUNTY AVERAGE YIELD.—For the*
 23 *purposes of determining the average yield under*
 24 *paragraph (2), if the yield per planted acre for a crop*
 25 *of a covered commodity for a farm for any of the crop*

1 *years specified in paragraph (2) was less than 75*
 2 *percent of the average of county yields for those same*
 3 *years for that commodity, the Secretary shall assign*
 4 *a yield for that crop year equal to 75 percent of the*
 5 *average of the 2013 through 2017 county yield for the*
 6 *covered commodity.*

7 (4) *UPLAND COTTON CONVERSION.—In the case*
 8 *of seed cotton, for purposes of determining the average*
 9 *of the yield per planted acre under paragraph (2), the*
 10 *average yield for seed cotton per planted acre shall be*
 11 *equal to 2.4 times the average yield for upland cotton*
 12 *per planted acre.*

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

17 **SEC. 1114. PAYMENT ACRES.**

18 (a) *DETERMINATION OF PAYMENT ACRES.—Subject to*
 19 *subsection (d), for the purpose of price loss coverage and*
 20 *agriculture risk coverage, the payment acres for each cov-*
 21 *ered commodity on a farm shall be equal to 85 percent of*
 22 *the base acres for the covered commodity on the farm.*

23 (b) *EFFECT OF MINIMAL PAYMENT ACRES.—*

24 (1) *PROHIBITION ON PAYMENTS.—Notwith-*
 25 *standing any other provision of this title, a producer*

on a farm may not receive price loss coverage payments or agriculture risk coverage payments if the sum of the base acres on the farm is 10 acres or less, as determined by the Secretary, unless the sum of the base acres on the farm, when combined with the base acres of other farms in which the producer has an interest, is more than 10 acres.

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

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

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

(c) *EFFECT OF PLANTING FRUITS AND VEGETABLES.*—

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

(2) *PRICE LOSS COVERAGE AND AGRICULTURAL RISK COVERAGE.*—In the case of price loss coverage

1 *payments and agricultural risk coverage payments,*
 2 *the reduction under paragraph (1) shall be the*
 3 *amount equal to the base acres planted to crops re-*
 4 *ferred to in such paragraph in excess of 15 percent*
 5 *of base acres.*

6 (3) *REDUCTION EXCEPTIONS.—No reduction to*
 7 *payment acres shall be made under this subsection*
 8 *if—*

9 (A) *cover crops or crops referred to in para-*
 10 *graph (1) are grown solely for conservation pur-*
 11 *poses and not harvested for use or sale, as deter-*
 12 *mined by the Secretary; or*

13 (B) *in any region in which there is a his-*
 14 *tory of double-cropping covered commodities with*
 15 *crops referred to in paragraph (1) and such*
 16 *crops were so double-cropped on the base acres,*
 17 *as determined by the Secretary.*

18 (4) *EFFECT OF REDUCTION.—For each crop year*
 19 *for which fruits, vegetables (other than mung beans*
 20 *and pulse crops), or wild rice are planted to base*
 21 *acres on a farm for which a reduction in payment*
 22 *acres is made under this subsection, the Secretary*
 23 *shall consider such base acres to be planted, or pre-*
 24 *vented from planting, to a covered commodity for*

1 *purposes of any adjustment or reduction of base acres*
 2 *for the farm under section 1112.*

3 *(d) UNASSIGNED CROP BASE.—The Secretary shall*
 4 *maintain information on base acres allocated as unassigned*
 5 *crop base pursuant to—*

6 *(1) section 1112(c)(3); or*

7 *(2) section 1112(a) of the Agricultural Act of*
 8 *2014 (7 U.S.C. 9012(a)).*

9 **SEC. 1115. PRODUCER ELECTION.**

10 *(a) ELECTION REQUIRED.—For the 2019 through*
 11 *2023 crop years, all of the producers on a farm shall make*
 12 *a 1-time, irrevocable election to obtain on a covered-com-*
 13 *modity-by-covered-commodity basis—*

14 *(1) price loss coverage under section 1116; or*

15 *(2) agriculture risk coverage under section 1117.*

16 *(b) EFFECT OF FAILURE TO MAKE UNANIMOUS ELEC-*
 17 *TION.—If all the producers on a farm fail to make a unani-*
 18 *mous election under subsection (a) for the 2019 crop year—*

19 *(1) the Secretary shall not make any payments*
 20 *with respect to the farm for the 2019 crop year under*
 21 *section 1116 or 1117; and*

22 *(2) the producers on the farm shall be deemed to*
 23 *have elected price loss coverage under section 1116 for*
 24 *all covered commodities on the farm for the 2020*
 25 *through 2023 crop years.*

1 (c) *PROHIBITION ON RECONSTITUTION.*—The Sec-
 2 retary shall ensure that producers on a farm do not recon-
 3 stitute the farm to void or change an election made under
 4 this section.

5 **SEC. 1116. PRICE LOSS COVERAGE.**

6 (a) *PRICE LOSS COVERAGE PAYMENTS.*—If all of the
 7 producers on a farm make the election under subsection (a)
 8 of section 1115 to obtain price loss coverage or, subject to
 9 subsection (b)(1) of such section, are deemed to have made
 10 such election under subsection (b)(2) of such section, the
 11 Secretary shall make price loss coverage payments to pro-
 12 ducers on the farm on a covered-commodity-by-covered-com-
 13 modity basis if the Secretary determines that, for any of
 14 the 2019 through 2023 crop years—

15 (1) *the effective price for the covered commodity*
 16 *for the crop year; is less than*

17 (2) *the effective reference price for the covered*
 18 *commodity for the crop year.*

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

21 (1) *the marketing year average price; or*

22 (2) *the national average loan rate for a mar-*
 23 *keting assistance loan for the covered commodity in*
 24 *effect for such crop year under subtitle B.*

1 (c) *PAYMENT RATE.*—*The payment rate shall be equal*
 2 *to the difference between—*

3 (1) *the effective reference price for the covered*
 4 *commodity; and*

5 (2) *the effective price determined under sub-*
 6 *section (b) for the covered commodity.*

7 (d) *PAYMENT AMOUNT.*—*If price loss coverage pay-*
 8 *ments are required to be provided under this section for any*
 9 *of the 2019 through 2023 crop years for a covered com-*
 10 *modity, the amount of the price loss coverage payment to*
 11 *be paid to the producers on a farm for the crop year shall*
 12 *be equal to the product obtained by multiplying—*

13 (1) *the payment rate for the covered commodity*
 14 *under subsection (c);*

15 (2) *the payment yield for the covered commodity;*
 16 *and*

17 (3) *the payment acres for the covered commodity*
 18 *determined under section 1114.*

19 (e) *TIME FOR PAYMENTS.*—*If the Secretary determines*
 20 *under this section that price loss coverage payments are re-*
 21 *quired to be provided for the covered commodity, the pay-*
 22 *ments shall be made beginning October 1, or as soon as*
 23 *practicable thereafter, after the end of the applicable mar-*
 24 *keting year for the covered commodity.*

1 (f) *EFFECTIVE PRICE FOR BARLEY.*—In determining
 2 the effective price for barley under subsection (b), the Sec-
 3 retary shall use the all-barley price.

4 (g) *REFERENCE PRICE FOR TEMPERATE JAPONICA*
 5 *RICE.*—In order to reflect price premiums, the Secretary
 6 shall provide a reference price with respect to temperate ja-
 7 ponica rice in an amount equal to the amount established
 8 under subparagraph (F) of section 1111(17), as adjusted
 9 by paragraph (7) of such section, multiplied by the ratio
 10 obtained by dividing—

11 (1) the simple average of the marketing year av-
 12 erage price of medium grain rice from the 2012
 13 through 2016 crop years; by

14 (2) the simple average of the marketing year av-
 15 erage price of all rice from the 2012 through 2016
 16 crop years.

17 **SEC. 1117. AGRICULTURE RISK COVERAGE.**

18 (a) *AGRICULTURE RISK COVERAGE PAYMENTS.*—If all
 19 of the producers on a farm make the election under section
 20 1115(a) to obtain agriculture risk coverage, the Secretary
 21 shall make agriculture risk coverage payments to producers
 22 on the farm if the Secretary determines that, for any of
 23 the 2019 through 2023 crop years—

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

1 (2) *the agriculture risk coverage guarantee deter-*
 2 *mined under subsection (c) for the crop year.*

3 (b) *ACTUAL CROP REVENUE.*—*The amount of the ac-*
 4 *tual crop revenue for a county for a crop year of a covered*
 5 *commodity shall be equal to the product obtained by multi-*
 6 *plying—*

7 (1) *the actual average county yield per planted*
 8 *acre for the covered commodity, as determined by the*
 9 *Secretary; and*

10 (2) *the higher of—*

11 (A) *the marketing year average price; or*

12 (B) *the national average loan rate for a*
 13 *marketing assistance loan for the covered com-*
 14 *modity in effect for such crop year under subtitle*

15 *B.*

16 (c) *AGRICULTURE RISK COVERAGE GUARANTEE.*—

17 (1) *IN GENERAL.*—*The agriculture risk coverage*
 18 *guarantee for a crop year for a covered commodity*
 19 *shall equal 86 percent of the benchmark revenue.*

20 (2) *BENCHMARK REVENUE.*—*The benchmark rev-*
 21 *enue shall be equal to the product obtained by multi-*
 22 *plying—*

23 (A) *subject to paragraph (3), the average*
 24 *historical county yield as determined by the Sec-*
 25 *retary for the most recent 5 crop years, excluding*

1 *each of the crop years with the highest and low-*
 2 *est yields; and*

3 *(B) subject to paragraph (4), the marketing*
 4 *year average price for the most recent 5 crop*
 5 *years, excluding each of the crop years with the*
 6 *highest and lowest prices.*

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

15 *(4) REFERENCE PRICE.—If the marketing year*
 16 *average price for any of the 5 most recent crop years*
 17 *is lower than the reference price for the covered com-*
 18 *modity, the Secretary shall use the reference price for*
 19 *any of those years for the amounts in paragraph*
 20 *(2)(B).*

21 *(d) PAYMENT RATE.—The payment rate for a covered*
 22 *commodity in a county shall be equal to the lesser of—*

23 *(1) the amount that—*

1 (A) the agriculture risk coverage guarantee
 2 for the crop year applicable under subsection (c);
 3 exceeds

4 (B) the actual crop revenue for the crop
 5 year applicable under subsection (b); or

6 (2) 10 percent of the benchmark revenue for the
 7 crop year applicable under subsection (c).

8 (e) *PAYMENT AMOUNT.*—If agriculture risk coverage
 9 payments are required to be paid for any of the 2019
 10 through 2023 crop years, the amount of the agriculture risk
 11 coverage payment for the crop year shall be determined by
 12 multiplying—

13 (1) the payment rate for the covered commodity
 14 determined under subsection (d); and

15 (2) the payment acres for the covered commodity
 16 determined under section 1114.

17 (f) *TIME FOR PAYMENTS.*—If the Secretary determines
 18 that agriculture risk coverage payments are required to be
 19 provided for the covered commodity, payments shall be
 20 made beginning October 1, or as soon as practicable there-
 21 after, after the end of the applicable marketing year for the
 22 covered commodity.

23 (g) *ADDITIONAL DUTIES OF THE SECRETARY.*—In
 24 providing agriculture risk coverage, the Secretary shall—

1 (1) *to the maximum extent practicable, use all*
2 *available information and analysis, including data*
3 *mining, to check for anomalies in the determination*
4 *of agriculture risk coverage payments;*

5 (2) *calculate a separate actual crop revenue and*
6 *agriculture risk coverage guarantee for irrigated and*
7 *nonirrigated covered commodities;*

8 (3) *assign an actual or benchmark county yield*
9 *for each planted acre for the crop year for the covered*
10 *commodity—*

11 (A) *for a county for which county data col-*
12 *lected by the Risk Management Agency is suffi-*
13 *cient for the Secretary to offer a county-wide in-*
14 *surance product using the actual average county*
15 *yield determined by the Risk Management Agen-*
16 *cy; or*

17 (B) *for a county not described in subpara-*
18 *graph (A) using—*

19 (i) *other sources of yield information,*
20 *as determined by the Secretary; or*

21 (ii) *the yield history of representative*
22 *farms in the State, region, or crop reporting*
23 *district, as determined by the Secretary;*
24 *and*

1 (4) *make payments, as applicable, to producers*
 2 *using the payment rate of the county of the physical*
 3 *location of the base acres of a farm.*

4 **SEC. 1118. PRODUCER AGREEMENTS.**

5 (a) *COMPLIANCE WITH CERTAIN REQUIREMENTS.—*

6 (1) *REQUIREMENTS.—Before the producers on a*
 7 *farm may receive payments under this subtitle with*
 8 *respect to the farm, the producers shall agree, during*
 9 *the crop year for which the payments are made and*
 10 *in exchange for the payments—*

11 (A) *to comply with applicable conservation*
 12 *requirements under subtitle B of title XII of the*
 13 *Food Security Act of 1985 (16 U.S.C. 3811 et*
 14 *seq.);*

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

18 (C) *to effectively control noxious weeds and*
 19 *otherwise maintain the land in accordance with*
 20 *sound agricultural practices, as determined by*
 21 *the Secretary; and*

22 (D) *to use the land on the farm, in a quan-*
 23 *tity equal to the attributable base acres for the*
 24 *farm and any base acres for an agricultural or*
 25 *conserving use, and not for a nonagricultural*

1 *commercial, industrial, or residential use, as de-*
 2 *termined by the Secretary.*

3 (2) *COMPLIANCE.*—*The Secretary may issue such*
 4 *rules as the Secretary considers necessary to ensure*
 5 *producer compliance with the requirements of para-*
 6 *graph (1).*

7 (3) *MODIFICATION.*—*At the request of the trans-*
 8 *feree or owner, the Secretary may modify the require-*
 9 *ments of this subsection if the modifications are con-*
 10 *sistent with the objectives of this subsection, as deter-*
 11 *mined by the Secretary.*

12 (b) *TRANSFER OR CHANGE OF INTEREST IN FARM.*—

13 (1) *TERMINATION.*—

14 (A) *IN GENERAL.*—*Except as provided in*
 15 *paragraph (2), a transfer of (or change in) the*
 16 *interest of the producers on a farm for which*
 17 *payments under this subtitle are provided shall*
 18 *result in the termination of the payments, unless*
 19 *the transferee or owner of the acreage agrees to*
 20 *assume all obligations under subsection (a).*

21 (B) *EFFECTIVE DATE.*—*The termination*
 22 *shall take effect on the date determined by the*
 23 *Secretary.*

24 (2) *EXCEPTION.*—*If a producer entitled to a*
 25 *payment under this subtitle dies, becomes incom-*

1 *petent, or is otherwise unable to receive the payment,*
2 *the Secretary shall make the payment in accordance*
3 *with rules issued by the Secretary.*

4 *(c) ACREAGE REPORTS.—As a condition on the receipt*
5 *of any benefits under this subtitle or subtitle B, the Sec-*
6 *retary shall require producers on a farm to submit to the*
7 *Secretary annual acreage reports with respect to all crop-*
8 *land on the farm.*

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

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

18 *(f) SHARING OF PAYMENTS.—The Secretary shall pro-*
19 *vide for the sharing of payments made under this subtitle*
20 *among the producers on a farm on a fair and equitable*
21 *basis.*

1 ***Subtitle B—Marketing Loans***

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

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

11 (b) *NONRECOURSE LOANS AVAILABLE.*—

12 (1) *IN GENERAL.*—*For each of the 2019 through*
 13 *2023 crops of each loan commodity, the Secretary*
 14 *shall make available to producers on a farm non-*
 15 *recourse marketing assistance loans for loan commod-*
 16 *ities produced on the farm.*

17 (2) *TERMS AND CONDITIONS.*—*The marketing as-*
 18 *istance loans shall be made under terms and condi-*
 19 *tions that are prescribed by the Secretary and at the*
 20 *loan rate established under section 1202 for the loan*
 21 *commodity.*

22 (c) *ELIGIBLE PRODUCTION.*—*The producers on a farm*
 23 *shall be eligible for a marketing assistance loan under sub-*
 24 *section (b) for any quantity of a loan commodity produced*
 25 *on the farm.*

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

9 (e) *SPECIAL RULES FOR PEANUTS.*—

10 (1) *IN GENERAL.*—*This subsection shall apply*
 11 *only to producers of peanuts.*

12 (2) *OPTIONS FOR OBTAINING LOAN.*—*A mar-*
 13 *keting assistance loan under this section, and loan de-*
 14 *ficiency payments under section 1205, may be ob-*
 15 *tained at the option of the producers on a farm*
 16 *through—*

17 (A) *a designated marketing association or*
 18 *marketing cooperative of producers that is ap-*
 19 *proved by the Secretary; or*

20 (B) *the Farm Service Agency.*

21 (3) *STORAGE OF LOAN PEANUTS.*—*As a condi-*
 22 *tion on the approval by the Secretary of an indi-*
 23 *vidual or entity to provide storage for peanuts for*
 24 *which a marketing assistance loan is made under this*
 25 *section, the individual or entity shall agree—*

1 (A) to provide the storage on a nondiscrim-
2 inatory basis; and

3 (B) to comply with such additional require-
4 ments as the Secretary considers appropriate to
5 accomplish the purposes of this section and pro-
6 mote fairness in the administration of the bene-
7 fits of this section.

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

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

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

19 (i) require the repayment of handling
20 and other associated costs paid under sub-
21 paragraph (A) for all peanuts pledged as
22 collateral for a loan that is redeemed under
23 this section; and

24 (ii) pay storage, handling, and other
25 associated costs for all peanuts pledged as

1 *collateral that are forfeited under this sec-*
 2 *tion.*

3 (5) *MARKETING.*—*A marketing association or co-*
 4 *operative may market peanuts for which a loan is*
 5 *made under this section in any manner that conforms*
 6 *to consumer needs, including the separation of pea-*
 7 *nuts by type and quality.*

8 (6) *REIMBURSABLE AGREEMENTS AND PAYMENT*
 9 *OF ADMINISTRATIVE EXPENSES.*—*The Secretary may*
 10 *implement any reimbursable agreements or provide*
 11 *for the payment of administrative expenses under this*
 12 *subsection only in a manner that is consistent with*
 13 *those activities in regard to other loan commodities.*

14 **SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING**
 15 **ASSISTANCE LOANS.**

16 (a) *IN GENERAL.*—*For purposes of each of the 2019*
 17 *through 2023 crop years, the loan rate for a marketing as-*
 18 *sistance loan under section 1201 for a loan commodity shall*
 19 *be equal to the following:*

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

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

22 (3) *In the case of grain sorghum, \$1.95 per bush-*
 23 *el.*

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

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

1 (6)(A) *Subject to subparagraphs (B) and (C), in*
 2 *the case of base quality of upland cotton, the simple*
 3 *average of the adjusted prevailing world price for the*
 4 *2 immediately preceding marketing years, as deter-*
 5 *mined by the Secretary and announced October 1 pre-*
 6 *ceding the next domestic planting.*

7 (B) *Except as provided in subparagraph (C), the*
 8 *loan rate determined under subparagraph (A) may*
 9 *not equal less than an amount equal to 98 percent of*
 10 *the loan rate for base quality of upland cotton for the*
 11 *preceding year.*

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

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

15 (ii) *more than \$0.52 per pound.*

16 (7) *In the case of extra long staple cotton, \$0.95*
 17 *per pound.*

18 (8) *In the case of long grain rice, \$6.50 per hun-*
 19 *dredweight.*

20 (9) *In the case of medium grain rice, \$6.50 per*
 21 *hundredweight.*

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

23 (11) *In the case of other oilseeds, \$10.09 per hun-*
 24 *dredweight for each of the following kinds of oilseeds:*

25 (A) *Sunflower seed.*

1 (B) Rapeseed.

2 (C) Canola.

3 (D) Safflower.

4 (E) Flaxseed.

5 (F) Mustard seed.

6 (G) Crambe.

7 (H) Sesame seed.

8 (I) Other oilseeds designated by the Sec-
9 retary.

10 (12) In the case of dry peas, \$5.40 per hundred-
11 weight.

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

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

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

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

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

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

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

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

24 (b) SINGLE COUNTY LOAN RATE FOR OTHER OIL-
25 SEEDS.—The Secretary shall establish a single loan rate in

1 *each county for each kind of other oilseeds described in sub-*
 2 *section (a)(11).*

3 *(c) RULE FOR SEED COTTON.—*

4 *(1) IN GENERAL.—For purposes of sections*
 5 *1116(b)(2) and 1117(b)(2)(B) only, seed cotton shall*
 6 *be deemed to have a loan rate equal to \$0.25 per*
 7 *pound.*

8 *(2) RULE OF CONSTRUCTION.—Nothing in this*
 9 *subsection shall be construed to authorize nonrecourse*
 10 *marketing assistance loans under this subtitle for seed*
 11 *cotton.*

12 **SEC. 1203. TERM OF LOANS.**

13 *(a) TERM OF LOAN.—In the case of each loan com-*
 14 *modity, a marketing assistance loan under section 1201*
 15 *shall have a term of 9 months beginning on the first day*
 16 *of the first month after the month in which the loan is*
 17 *made.*

18 *(b) EXTENSIONS PROHIBITED.—The Secretary may*
 19 *not extend the term of a marketing assistance loan for any*
 20 *loan commodity.*

21 **SEC. 1204. REPAYMENT OF LOANS.**

22 *(a) GENERAL RULE.—The Secretary shall permit the*
 23 *producers on a farm to repay a marketing assistance loan*
 24 *under section 1201 for a loan commodity (other than up-*
 25 *land cotton, long grain rice, medium grain rice, extra long*

1 *staple cotton, peanuts and confectionery and each other*
2 *kind of sunflower seed (other than oil sunflower seed)) at*
3 *a rate that is the lesser of—*

4 *(1) the loan rate established for the commodity*
5 *under section 1202, plus interest (determined in ac-*
6 *cordance with section 163 of the Federal Agriculture*
7 *Improvement and Reform Act of 1996 (7 U.S.C.*
8 *7283));*

9 *(2) a rate (as determined by the Secretary)*
10 *that—*

11 *(A) is calculated based on average market*
12 *prices for the loan commodity during the pre-*
13 *ceding 30-day period; and*

14 *(B) will minimize discrepancies in mar-*
15 *keting loan benefits across State boundaries and*
16 *across county boundaries; or*

17 *(3) a rate that the Secretary may develop using*
18 *alternative methods for calculating a repayment rate*
19 *for a loan commodity that the Secretary determines*
20 *will—*

21 *(A) minimize potential loan forfeitures;*

22 *(B) minimize the accumulation of stocks of*
23 *the commodity by the Federal Government;*

24 *(C) minimize the cost incurred by the Fed-*
25 *eral Government in storing the commodity;*

1 (D) allow the commodity produced in the
 2 United States to be marketed freely and competi-
 3 tively, both domestically and internationally;
 4 and

5 (E) minimize discrepancies in marketing
 6 loan benefits across State boundaries and across
 7 county boundaries.

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

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

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

21 (c) *REPAYMENT RATES FOR EXTRA LONG STAPLE*
 22 *COTTON.*—Repayment of a marketing assistance loan for
 23 extra long staple cotton shall be at the loan rate established
 24 for the commodity under section 1202, plus interest (deter-
 25 mined in accordance with section 163 of the Federal Agri-

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

3 *(d) PREVAILING WORLD MARKET PRICE.—For pur-*
 4 *poses of this section and section 1207, the Secretary shall*
 5 *prescribe by regulation—*

6 *(1) a formula to determine the prevailing world*
 7 *market price for each of upland cotton, long grain*
 8 *rice and medium grain rice; and*

9 *(2) a mechanism by which the Secretary shall*
 10 *announce periodically those prevailing world market*
 11 *prices.*

12 *(e) ADJUSTMENT OF PREVAILING WORLD MARKET*
 13 *PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND ME-*
 14 *DIUM GRAIN RICE.—*

15 *(1) RICE.—The prevailing world market price*
 16 *for long grain rice and medium grain rice determined*
 17 *under subsection (d) shall be adjusted to United*
 18 *States quality and location.*

19 *(2) COTTON.—The prevailing world market price*
 20 *for upland cotton determined under subsection (d)—*

21 *(A) shall be adjusted to United States qual-*
 22 *ity and location, with the adjustment to in-*
 23 *clude—*

24 *(i) a reduction equal to any United*
 25 *States Premium Factor for upland cotton of*

1 *a quality higher than Middling (M) 1³/₃₂-*
2 *inch; and*

3 *(ii) the average costs to market the*
4 *commodity, including average transpor-*
5 *tation costs, as determined by the Secretary;*
6 *and*

7 *(B) may be further adjusted, during the pe-*
8 *riod beginning on the date of enactment of this*
9 *Act and ending on July 31, 2024, if the Sec-*
10 *retary determines the adjustment is necessary—*

11 *(i) to minimize potential loan forfeit-*
12 *ures;*

13 *(ii) to minimize the accumulation of*
14 *stocks of upland cotton by the Federal Gov-*
15 *ernment;*

16 *(iii) to ensure that upland cotton pro-*
17 *duced in the United States can be marketed*
18 *freely and competitively, both domestically*
19 *and internationally; and*

20 *(iv) to ensure an appropriate transi-*
21 *tion between current-crop and forward-crop*
22 *price quotations, except that the Secretary*
23 *may use forward-crop price quotations*
24 *prior to July 31 of a marketing year only*
25 *if—*

1 (I) there are insufficient current-
2 crop price quotations; and

3 (II) the forward-crop price
4 quotation is the lowest such quotation
5 available.

6 (3) *GUIDELINES FOR ADDITIONAL ADJUST-*
7 *MENTS.—In making adjustments under this sub-*
8 *section, the Secretary shall establish a mechanism for*
9 *determining and announcing the adjustments in*
10 *order to avoid undue disruption in the United States*
11 *market.*

12 (f) *REPAYMENT RATES FOR CONFECTIONERY AND*
13 *OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary*
14 *shall permit the producers on a farm to repay a marketing*
15 *assistance loan under section 1201 for confectionery and*
16 *each other kind of sunflower seed (other than oil sunflower*
17 *seed) at a rate that is the lesser of—*

18 (1) *the loan rate established for the commodity*
19 *under section 1202, plus interest (determined in ac-*
20 *cordance with section 163 of the Federal Agriculture*
21 *Improvement and Reform Act of 1996 (7 U.S.C.*
22 *7283)); or*

23 (2) *the repayment rate established for oil sun-*
24 *flower seed.*

1 (g) *PAYMENT OF COTTON STORAGE COSTS.*—Effective
 2 for each of the 2019 through 2023 crop years, the Secretary
 3 shall make cotton storage payments available in the same
 4 manner, and at the same rates as the Secretary provided
 5 storage payments for the 2006 crop of cotton, except that
 6 the rates shall be reduced by 10 percent.

7 (h) *REPAYMENT RATE FOR PEANUTS.*—The Secretary
 8 shall permit producers on a farm to repay a marketing as-
 9 sistance loan for peanuts under section 1201 at a rate that
 10 is the lesser of—

11 (1) the loan rate established for peanuts under
 12 section 1202(a)(20), plus interest (determined in ac-
 13 cordance with section 163 of the Federal Agriculture
 14 Improvement and Reform Act of 1996 (7 U.S.C.
 15 7283)); or

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

17 (A) minimize potential loan forfeitures;

18 (B) minimize the accumulation of stocks of
 19 peanuts by the Federal Government;

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

22 (D) allow peanuts produced in the United
 23 States to be marketed freely and competitively,
 24 both domestically and internationally.

1 (i) *AUTHORITY TO TEMPORARILY ADJUST REPAY-*
 2 *MENT RATES.*—

3 (1) *ADJUSTMENT AUTHORITY.*—*In the event of a*
 4 *severe disruption to marketing, transportation, or re-*
 5 *lated infrastructure, the Secretary may modify the re-*
 6 *payment rate otherwise applicable under this section*
 7 *for marketing assistance loans under section 1201 for*
 8 *a loan commodity.*

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

14 **SEC. 1205. LOAN DEFICIENCY PAYMENTS.**

15 (a) *AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.*—

16 (1) *IN GENERAL.*—*Except as provided in sub-*
 17 *section (d), the Secretary may make loan deficiency*
 18 *payments available to producers on a farm that, al-*
 19 *though eligible to obtain a marketing assistance loan*
 20 *under section 1201 with respect to a loan commodity,*
 21 *agree to forgo obtaining the loan for the commodity*
 22 *in return for loan deficiency payments under this sec-*
 23 *tion.*

24 (2) *UNSHORN PELTS, HAY, AND SILAGE.*—

1 (A) *MARKETING ASSISTANCE LOANS.*—Sub-
 2 ject to subparagraph (B), nongraded wool in the
 3 form of unshorn pelts and hay and silage derived
 4 from a loan commodity are not eligible for a
 5 marketing assistance loan under section 1201.

6 (B) *LOAN DEFICIENCY PAYMENT.*—Effective
 7 for each of the 2019 through 2023 crop years, the
 8 Secretary may make loan deficiency payments
 9 available under this section to producers on a
 10 farm that produce unshorn pelts or hay and si-
 11 lage derived from a loan commodity.

12 (b) *COMPUTATION.*—A loan deficiency payment for a
 13 loan commodity or commodity referred to in subsection
 14 (a)(2) shall be equal to the product obtained by multi-
 15 plying—

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

18 (2) the quantity of the commodity produced by
 19 the eligible producers, excluding any quantity for
 20 which the producers obtain a marketing assistance
 21 loan under section 1201.

22 (c) *PAYMENT RATE.*—

23 (1) *IN GENERAL.*—In the case of a loan com-
 24 modity, the payment rate shall be the amount by
 25 which—

1 (A) the loan rate established under section
2 1202 for the loan commodity; exceeds

3 (B) the rate at which a marketing assist-
4 ance loan for the loan commodity may be repaid
5 under section 1204.

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

9 (A) the loan rate established under section
10 1202 for ungraded wool; exceeds

11 (B) the rate at which a marketing assist-
12 ance loan for ungraded wool may be repaid
13 under section 1204.

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

17 (A) the loan rate established under section
18 1202 for the loan commodity from which the hay
19 or silage is derived; exceeds

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

23 (d) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—
24 This section shall not apply with respect to extra long staple
25 cotton.

1 (e) *EFFECTIVE DATE FOR PAYMENT RATE DETER-*
 2 *MINATION.—The Secretary shall determine the amount of*
 3 *the loan deficiency payment to be made under this section*
 4 *to the producers on a farm with respect to a quantity of*
 5 *a loan commodity or commodity referred to in subsection*
 6 *(a)(2) using the payment rate in effect under subsection (c)*
 7 *as of the date the producers request the payment.*

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

10 (a) *ELIGIBLE PRODUCERS.—*

11 (1) *IN GENERAL.—Effective for each of the 2019*
 12 *through 2023 crop years, in the case of a producer*
 13 *that would be eligible for a loan deficiency payment*
 14 *under section 1205 for wheat, barley, or oats, but that*
 15 *elects to use acreage planted to the wheat, barley, or*
 16 *oats for the grazing of livestock, the Secretary shall*
 17 *make a payment to the producer under this section if*
 18 *the producer enters into an agreement with the Sec-*
 19 *retary to forgo any other harvesting of the wheat, bar-*
 20 *ley, or oats on that acreage.*

21 (2) *GRAZING OF TRITICALE ACREAGE.—Effective*
 22 *for each of the 2019 through 2023 crop years, with re-*
 23 *spect to a producer on a farm that uses acreage plant-*
 24 *ed to triticale for the grazing of livestock, the Sec-*
 25 *retary shall make a payment to the producer under*

1 *this section if the producer enters into an agreement*
 2 *with the Secretary to forgo any other harvesting of*
 3 *triticale on that acreage.*

4 *(b) PAYMENT AMOUNT.—*

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

9 *(A) the loan deficiency payment rate deter-*
 10 *mined under section 1205(c) in effect, as of the*
 11 *date of the agreement, for the county in which*
 12 *the farm is located; by*

13 *(B) the payment quantity determined by*
 14 *multiplying—*

15 *(i) the quantity of the grazed acreage*
 16 *on the farm with respect to which the pro-*
 17 *ducer elects to forgo harvesting of wheat,*
 18 *barley, or oats; and*

19 *(ii)(I) the payment yield in effect for*
 20 *the calculation of price loss coverage under*
 21 *section 1116 with respect to that loan com-*
 22 *modity on the farm;*

23 *(II) in the case of a farm for which ag-*
 24 *riculture risk coverage is elected under sec-*
 25 *tion 1117, the payment yield that would*

1 *otherwise be in effect with respect to that*
 2 *loan commodity on the farm in the absence*
 3 *of such election; or*

4 *(III) in the case of a farm for which*
 5 *no payment yield is otherwise established*
 6 *for that loan commodity on the farm, an*
 7 *appropriate yield established by the Sec-*
 8 *retary in a manner consistent with section*
 9 *1113(b).*

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

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

19 *(B) the payment quantity determined by*
 20 *multiplying—*

21 *(i) the quantity of the grazed acreage*
 22 *on the farm with respect to which the pro-*
 23 *ducer elects to forgo harvesting of triticale;*
 24 *and*

1 (ii)(I) *the payment yield in effect for*
 2 *the calculation of price loss coverage under*
 3 *subtitle A with respect to wheat on the*
 4 *farm;*

5 (II) *in the case of a farm for which ag-*
 6 *riculture risk coverage is elected under sec-*
 7 *tion 1117, the payment yield that would*
 8 *otherwise be in effect for wheat on the farm*
 9 *in the absence of such election; or*

10 (III) *in the case of a farm for which*
 11 *no payment yield is otherwise established*
 12 *for wheat on the farm, an appropriate yield*
 13 *established by the Secretary in a manner*
 14 *consistent with section 1113(b).*

15 (c) *TIME, MANNER, AND AVAILABILITY OF PAYMENT.—*

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

20 (2) *AVAILABILITY.—*

21 (A) *IN GENERAL.—The Secretary shall es-*
 22 *tablish an availability period for the payments*
 23 *authorized by this section.*

24 (B) *CERTAIN COMMODITIES.—In the case of*
 25 *wheat, barley, and oats, the availability period*

1 *shall be consistent with the availability period*
 2 *for the commodity established by the Secretary*
 3 *for marketing assistance loans authorized by this*
 4 *subtitle.*

5 (d) *PROHIBITION ON CROP INSURANCE INDEMNITY OR*
 6 *NONINSURED CROP ASSISTANCE.—A 2019 through 2023*
 7 *crop of wheat, barley, oats, or triticale planted on acreage*
 8 *that a producer elects, in the agreement required by sub-*
 9 *section (a), to use for the grazing of livestock in lieu of any*
 10 *other harvesting of the crop shall not be eligible for an in-*
 11 *demnity under a policy or plan of insurance authorized*
 12 *under the Federal Crop Insurance Act (7 U.S.C. 1501 et*
 13 *seq.) or noninsured crop assistance under section 196 of the*
 14 *Federal Agriculture Improvement and Reform Act of 1996*
 15 *(7 U.S.C. 7333).*

16 **SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UP-**
 17 **LAND COTTON.**

18 (a) *SPECIAL IMPORT QUOTA.—*

19 (1) *DEFINITION OF SPECIAL IMPORT QUOTA.—In*
 20 *this subsection, the term “special import quota”*
 21 *means a quantity of imports that is not subject to the*
 22 *over-quota tariff rate of a tariff-rate quota.*

23 (2) *ESTABLISHMENT.—*

24 (A) *IN GENERAL.—The President shall*
 25 *carry out an import quota program beginning*

1 *on August 1, 2019, as provided in this sub-*
2 *section.*

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

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

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

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

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

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

8 (A) *section 213(d) of the Caribbean Basin*

9 *Economic Recovery Act (19 U.S.C. 2703(d));*

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

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

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

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

24 (b) *LIMITED GLOBAL IMPORT QUOTA FOR UPLAND*

25 *COTTON.—*

1 (1) *DEFINITIONS.—In this subsection:*

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

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

11 (ii) *the larger of—*

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

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

19 (B) *LIMITED GLOBAL IMPORT QUOTA.—The*
20 *term “limited global import quota” means a*
21 *quantity of imports that is not subject to the*
22 *over-quota tariff rate of a tariff-rate quota.*

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

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

5 (ii) production of the current crop; and

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

8 (2) *PROGRAM.*—The President shall carry out an
9 import quota program that provides that whenever
10 the Secretary determines and announces that the av-
11 erage price of the base quality of upland cotton, as de-
12 termined by the Secretary, in the designated spot
13 markets for a month exceeded 130 percent of the aver-
14 age price of the quality of cotton in the markets for
15 the preceding 36 months, notwithstanding any other
16 provision of law, there shall immediately be in effect
17 a limited global import quota subject to the following
18 conditions:

19 (A) *QUANTITY.*—The quantity of the quota
20 shall be equal to 21 days of domestic mill con-
21 sumption of upland cotton at the seasonally ad-
22 justed average rate of the most recent 3 months
23 for which official data of the Department of Ag-
24 riculture are available or, in the absence of suffi-
25 cient data, as estimated by the Secretary.

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

9 (C) *PREFERENTIAL TARIFF TREATMENT.*—
 10 The quantity under a limited global import
 11 quota shall be considered to be an in-quota quan-
 12 tity for purposes of—

13 (i) section 213(d) of the Caribbean
 14 Basin Economic Recovery Act (19 U.S.C.
 15 2703(d));

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

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

20 (iv) General Note 3(a)(iv) to the Har-
 21 monized Tariff Schedule.

22 (D) *QUOTA ENTRY PERIOD.*—When a quota
 23 is established under this subsection, cotton may
 24 be entered under the quota during the 90-day pe-

1 *riod beginning on the date the quota is estab-*
2 *lished by the Secretary.*

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

7 (c) *ECONOMIC ADJUSTMENT ASSISTANCE FOR TEX-*
8 *TILE MILLS.*—

9 (1) *IN GENERAL.*—*Subject to paragraph (2), the*
10 *Secretary shall, on a monthly basis, make economic*
11 *adjustment assistance available to domestic users of*
12 *upland cotton in the form of payments for all docu-*
13 *mented use of that upland cotton during the previous*
14 *monthly period regardless of the origin of the upland*
15 *cotton.*

16 (2) *VALUE OF ASSISTANCE.*—*The value of the as-*
17 *sistance provided under paragraph (1) shall be 3.15*
18 *cents per pound.*

19 (3) *ALLOWABLE PURPOSES.*—*Economic adjust-*
20 *ment assistance under this subsection shall be made*
21 *available only to domestic users of upland cotton that*
22 *certify that the assistance shall be used only to ac-*
23 *quire, construct, install, modernize, develop, convert,*
24 *or expand land, plant, buildings, equipment, facili-*
25 *ties, or machinery.*

1 (4) *REVIEW OR AUDIT.*—*The Secretary may con-*
 2 *duct such review or audit of the records of a domestic*
 3 *user under this subsection as the Secretary determines*
 4 *necessary to carry out this subsection.*

5 (5) *IMPROPER USE OF ASSISTANCE.*—*If the Sec-*
 6 *retary determines, after a review or audit of the*
 7 *records of the domestic user, that economic adjustment*
 8 *assistance under this subsection was not used for the*
 9 *purposes specified in paragraph (3), the domestic user*
 10 *shall be—*

11 (A) *liable for the repayment of the assist-*
 12 *ance to the Secretary, plus interest, as deter-*
 13 *mined by the Secretary; and*

14 (B) *ineligible to receive assistance under*
 15 *this subsection for a period of 1 year following*
 16 *the determination of the Secretary.*

17 **SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA**
 18 **LONG STAPLE COTTON.**

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

23 (1) *to maintain and expand the domestic use of*
 24 *extra long staple cotton produced in the United*
 25 *States;*

1 (2) *to increase exports of extra long staple cotton*
2 *produced in the United States; and*

3 (3) *to ensure that extra long staple cotton pro-*
4 *duced in the United States remains competitive in*
5 *world markets.*

6 (b) *PAYMENTS UNDER PROGRAM; TRIGGER.—Under*
7 *the program, the Secretary shall make payments available*
8 *under this section whenever—*

9 (1) *for a consecutive 4-week period, the world*
10 *market price for the lowest priced competing growth*
11 *of extra long staple cotton (adjusted to United States*
12 *quality and location and for other factors affecting*
13 *the competitiveness of such cotton), as determined by*
14 *the Secretary, is below the prevailing United States*
15 *price for a competing growth of extra long staple cot-*
16 *ton; and*

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

23 (c) *ELIGIBLE RECIPIENTS.—The Secretary shall make*
24 *payments available under this section to domestic users of*
25 *extra long staple cotton produced in the United States and*

1 *exporters of extra long staple cotton produced in the United*
 2 *States that enter into an agreement with the Commodity*
 3 *Credit Corporation to participate in the program under*
 4 *this section.*

5 *(d) PAYMENT AMOUNT.—Payments under this section*
 6 *shall be based on the amount of the difference in the prices*
 7 *referred to in subsection (b)(1) during the fourth week of*
 8 *the consecutive 4-week period multiplied by the amount of*
 9 *documented purchases by domestic users and sales for ex-*
 10 *port by exporters made in the week following such a con-*
 11 *secutive 4-week period.*

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

13 *(a) HIGH MOISTURE FEED GRAINS.—*

14 *(1) DEFINITION OF HIGH MOISTURE STATE.—In*
 15 *this subsection, the term “high moisture state” means*
 16 *corn or grain sorghum having a moisture content in*
 17 *excess of Commodity Credit Corporation standards*
 18 *for marketing assistance loans made by the Secretary*
 19 *under section 1201.*

20 *(2) RECOURSE LOANS AVAILABLE.—For each of*
 21 *the 2019 through 2023 crops of corn and grain sor-*
 22 *ghum, the Secretary shall make available recourse*
 23 *loans, as determined by the Secretary, to producers on*
 24 *a farm that—*

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

4 (B) present—

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

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

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

1 *by the users of corn and grain sorghum in a*
 2 *high moisture state; and*

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

8 *(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—*
 9 *A loan under this subsection shall be made on a*
 10 *quantity of corn or grain sorghum of the same crop*
 11 *acquired by the producer equivalent to a quantity de-*
 12 *termined by multiplying—*

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

16 *(B) the lower of—*

17 *(i) the payment yield in effect for the*
 18 *calculation of price loss coverage under sec-*
 19 *tion 1116, or the payment yield deemed to*
 20 *be in effect or established under subclause*
 21 *(II) or (III) of section 1206(b)(1)(B)(ii),*
 22 *with respect to corn or grain sorghum on a*
 23 *field that is similar to the field from which*
 24 *the corn or grain sorghum referred to in*
 25 *subparagraph (A) was obtained; or*

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

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

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

19 (d) *REPAYMENT RATES.—Repayment of a recourse*
20 *loan made under this section shall be at the loan rate estab-*
21 *lished for the commodity by the Secretary, plus interest (de-*
22 *termined in accordance with section 163 of the Federal Ag-*
23 *riculture Improvement and Reform Act of 1996 (7 U.S.C.*
24 *7283)).*

1 **SEC. 1210. ADJUSTMENTS OF LOANS.**

2 (a) *ADJUSTMENT AUTHORITY.*—Subject to subsection
3 (e), the Secretary may make appropriate adjustments in
4 the loan rates for any loan commodity (other than cotton)
5 for differences in grade, type, quality, location, and other
6 factors.

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

13 (c) *COST SAVING OPTION.*—In carrying out this title,
14 the Secretary shall consider methods to enhance the support,
15 loan, or assistance provided under this title in a manner
16 that further minimizes the potential for forfeitures.

17 (d) *ADJUSTMENT ON COUNTY BASIS.*—

18 (1) *IN GENERAL.*—The Secretary may establish
19 loan rates for a crop for producers in individual
20 counties in a manner that results in the lowest loan
21 rate being 95 percent of the national average loan
22 rate, if those loan rates do not result in an increase
23 in outlays.

24 (2) *PROHIBITION.*—Adjustments under this sub-
25 section shall not result in an increase in the national
26 average loan rate for any year.

1 (e) *ADJUSTMENT IN LOAN RATE FOR COTTON.*—

2 (1) *IN GENERAL.*—*The Secretary may make ap-*
 3 *propriate adjustments in the loan rate for cotton for*
 4 *differences in quality factors.*

5 (2) *TYPES OF ADJUSTMENTS.*—*Loan rate adjust-*
 6 *ments under paragraph (1) may include—*

7 (A) *the use of non-spot market price data,*
 8 *in addition to spot market price data, that*
 9 *would enhance the accuracy of the price informa-*
 10 *tion used in determining quality adjustments*
 11 *under this subsection;*

12 (B) *adjustments in the premiums or dis-*
 13 *counts associated with upland cotton with a sta-*
 14 *ple length of 33 or above due to micronaire with*
 15 *the goal of eliminating any unnecessary artifi-*
 16 *cial splits in the calculations of the premiums or*
 17 *discounts; and*

18 (C) *such other adjustments as the Secretary*
 19 *determines appropriate, after consultations con-*
 20 *ducted in accordance with paragraph (3).*

21 (3) *CONSULTATION WITH PRIVATE SECTOR.*—

22 (A) *PRIOR TO REVISION.*—*In making ad-*
 23 *justments to the loan rate for cotton (including*
 24 *any review of the adjustments) as provided in*
 25 *this subsection, the Secretary shall consult with*

1 *representatives of the United States cotton indus-*
 2 *try.*

3 *(B) INAPPLICABILITY OF FEDERAL ADVI-*
 4 *SORY COMMITTEE ACT.—The Federal Advisory*
 5 *Committee Act (5 U.S.C. App.) shall not apply*
 6 *to consultations under this subsection.*

7 *(4) REVIEW OF ADJUSTMENTS.—The Secretary*
 8 *may review the operation of the upland cotton quality*
 9 *adjustments implemented pursuant to this subsection*
 10 *and may make further adjustments to the administra-*
 11 *tion of the loan program for upland cotton, by revok-*
 12 *ing or revising any adjustment taken under para-*
 13 *graph (2).*

14 *(f) RICE.—The Secretary shall not make adjustments*
 15 *in the loan rates for long grain rice and medium grain*
 16 *rice, except for differences in grade and quality (including*
 17 *milling yields).*

18 *(g) CONTINUATION OF AUTHORITY.—Section 166 of the*
 19 *Federal Agriculture Improvement and Reform Act of 1996*
 20 *(7 U.S.C. 7286) is amended by striking “and Subtitle B*
 21 *of title I of the Agricultural Act of 2014” each place it ap-*
 22 *pears and inserting “subtitle B of title I of the Agricultural*
 23 *Act of 2014, and subtitle B of title I of the Agriculture and*
 24 *Nutrition Act of 2018”.*

Subtitle C—Sugar

SEC. 1301. SUGAR POLICY.

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

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

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

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

*(b) FLEXIBLE MARKETING ALLOTMENTS FOR
SUGAR.—*

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

(2) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C.

1 1359ll(a)) is amended by striking “2018” and insert-
 2 ing “2023”.

3 **Subtitle D—Dairy Risk Manage-**
 4 **ment Program and Other Dairy**
 5 **Programs**

6 **SEC. 1401. DAIRY RISK MANAGEMENT PROGRAM FOR DAIRY**
 7 **PRODUCERS.**

8 (a) *REVIEW OF DATA USED IN CALCULATION OF AV-*
 9 *ERAGE FEED COST.*—Not later than 60 days 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 report evaluating the
 14 extent to which the average cost of feed used by a dairy
 15 operation to produce a hundredweight of milk calculated
 16 by the Secretary as required by section 1402(a) of the Agri-
 17 cultural Act of 2014 (7 U.S.C. 9052(a)) is representative
 18 of actual dairy feed costs.

19 (b) *CORN SILAGE REPORT.*—Not later than 1 year
 20 after the date of the enactment of this Act, the Secretary
 21 of Agriculture shall submit to the Committee on Agriculture
 22 of the House of Representatives and the Committee on Agri-
 23 culture, Nutrition, and Forestry of the Senate a report de-
 24 tailing the costs incurred by dairy operations in the use

1 of corn silage as feed, and the difference between the feed
2 cost of corn silage and the feed cost of corn.

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

10 (d) *REGISTRATION OF MULTIPRODUCER DAIRY OPER-*
11 *ATIONS.*—Section 1404(b) of the Agricultural Act of 2014
12 (7 U.S.C. 9054(b)) is amended—

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

15 (2) by adding at the end the following new para-
16 graph:

17 “(5) *CERTAIN MULTIPRODUCER DAIRY OPER-*
18 *ATION EXCLUSIONS.*—

19 “(A) *EXCLUSION OF LOW-PERCENTAGE*
20 *OWNERS.*—To promote administrative efficiency
21 in the dairy risk management program, a multi-
22 producer dairy operation covered by paragraph
23 (3) may elect, at the option of the multiproducer
24 dairy operation, to exclude information from the
25 registration process regarding any individual

1 owner of the multiproducer dairy operation
2 that—

3 “(i) holds less than a five percent own-
4 ership interest in the multiproducer dairy
5 operation; or

6 “(ii) is entitled to less than five per-
7 cent of the income, revenue, profit, gain,
8 loss, expenditure, deduction, or credit of the
9 multiproducer dairy operation for any
10 given year.

11 “(B) *EFFECT OF EXCLUSION ON DAIRY RISK*
12 *MANAGEMENT PAYMENTS.—To the extent that an*
13 *individual owner of a multiproducer dairy oper-*
14 *ation is excluded under subparagraph (A) from*
15 *the registration of the multiproducer dairy oper-*
16 *ation, any dairy risk management payment*
17 *made to the multiproducer dairy operation shall*
18 *be reduced by an amount equal to the greater of*
19 *the following:*

20 “(i) *The amount determined by multi-*
21 *plying the dairy risk management payment*
22 *otherwise determined under section 1406 by*
23 *the total percentage of ownership interests*
24 *represented by the excluded owners.*

1 “(ii) *The amount determined by multi-*
 2 *plying the dairy risk management payment*
 3 *otherwise determined under section 1406 by*
 4 *the total percentage of the income, revenue,*
 5 *profit, gain, loss, expenditure, deduction, or*
 6 *credit of the multiproducer dairy operation*
 7 *represented by the excluded owners.”.*

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

11 (1) *by striking “but not both” and inserting “but*
 12 *not on the same production”;*

13 (2) *by striking “or the” and inserting “and the”;*
 14 *and*

15 (3) *by striking “margin protection program”*
 16 *and inserting “dairy risk management program”.*

17 (f) *PRODUCTION HISTORY OF PARTICIPATING DAIRY*
 18 *OPERATORS.*—

19 (1) *CONTINUED USE OF PRIOR DAIRY OPERATION*
 20 *PRODUCTION HISTORY.*—*Section 1405(a)(1) of the Ag-*
 21 *ricultural Act of 2014 (7 U.S.C. 9055(a)(1)) is*
 22 *amended by adding at the end the following new sen-*
 23 *tence: “The production history of a participating*
 24 *dairy operation shall continue to be based on annual*
 25 *milk marketings during the 2011, 2012, or 2013 cal-*

1 *endar year notwithstanding the operation of the dairy*
 2 *risk management program through 2023.”.*

3 (2) *ADJUSTMENT.—Section 1405(a) of the Agri-*
 4 *cultural Act of 2014 (7 U.S.C. 9055(a)) is amended—*

5 (A) *in paragraph (2), by striking “In subse-*
 6 *quent years” and inserting “In the subsequent*
 7 *calendar years ending before January 1, 2019”;*
 8 *and*

9 (B) *in paragraph (3), by inserting “, as ap-*
 10 *plicable” after “paragraph (2)”.*

11 (3) *LIMITATION ON CHANGES TO BUSINESS*
 12 *STRUCTURE.—Section 1405 of the Agricultural Act of*
 13 *2014 (7 U.S.C. 9055) is amended by adding at the*
 14 *end the following new subsection:*

15 “(d) *LIMITATION ON CHANGES TO BUSINESS STRUC-*
 16 *TURE.—The Secretary may not make dairy risk manage-*
 17 *ment payments to a participating dairy operation if the*
 18 *Secretary determines that the participating dairy operation*
 19 *has reorganized the structure of such operation solely for*
 20 *the purpose of qualifying as a new operation under sub-*
 21 *section (b).”.*

22 (g) *DAIRY RISK MANAGEMENT PAYMENTS.—*

23 (1) *ELECTION OF COVERAGE LEVEL THRESHOLD*
 24 *AND COVERAGE PERCENTAGE.—Section 1406 of the*

1 *Agricultural Act of 2014 (7 U.S.C. 9056) is amend-*
 2 *ed—*

3 *(A) in subsection (a), by striking “annu-*
 4 *ally”; and*

5 *(B) by adding at the end the following new*
 6 *subsection:*

7 *“(d) DEADLINE FOR ELECTION; DURATION.—Not later*
 8 *than 90 days after the date of the enactment of this sub-*
 9 *section, each participating dairy operation shall elect a cov-*
 10 *erage level threshold under subsection (a)(1) and a coverage*
 11 *percentage under subsection (a)(2) to be used to determine*
 12 *dairy risk management payments. This election shall re-*
 13 *main in effect for the participating dairy operation for the*
 14 *duration of the dairy risk management program, as speci-*
 15 *fied in section 1409.”.*

16 *(2) ADDITIONAL COVERAGE LEVEL THRESHOLDS*
 17 *FOR CERTAIN PRODUCERS.—Section 1406(a)(1) of the*
 18 *Agricultural Act of 2014 (7 U.S.C. 9056(a)(1)) is*
 19 *amended by inserting after “or \$8.00” the following:*
 20 *“(and in the case of production subject to premiums*
 21 *under section 1407(b), also \$8.50 or \$9.00)”.*

22 *(3) ELECTION OF PRODUCTION HISTORY COV-*
 23 *ERAGE PERCENTAGE.—Section 1406(a)(2) of the Ag-*
 24 *ricultural Act of 2014 (7 U.S.C. 9056(a)(2)) is*

1 *amended by striking “beginning with 25 percent and*
 2 *not exceeding” and inserting “but not to exceed”.*

3 *(h) PREMIUMS FOR PARTICIPATION IN DAIRY RISK*
 4 *MANAGEMENT PROGRAM.—*

5 *(1) PREMIUM PER HUNDREDWEIGHT FOR FIRST*
 6 *5 MILLION POUNDS OF PRODUCTION.—Section 1407(b)*
 7 *of the Agricultural Act of 2014 (7 U.S.C. 9057(b)) is*
 8 *amended—*

9 *(A) by striking paragraph (2) and inserting*
 10 *the following new paragraph:*

11 *“(2) PRODUCER PREMIUMS.—The following an-*
 12 *nual premiums apply:*

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

13 *(B) by striking paragraph (3).*

14 *(2) TECHNICAL CORRECTION.—Section 1407(d)*
 15 *of the Agricultural Act of 2014 (7 U.S.C. 9057(d)) is*
 16 *amended in the subsection heading by striking “TIME*
 17 *FOR” and inserting “METHOD OF”.*

18 *(i) CONFORMING AMENDMENTS RELATED TO PRO-*
 19 *GRAM NAME.—*

1 (1) *HEADING.*—*The heading of part I of subtitle*
 2 *D of title I of the Agricultural Act of 2014 (Public*
 3 *Law 113–79; 128 Stat. 688) is amended to read as*
 4 *follows:*

5 **“PART I—DAIRY RISK MANAGEMENT PROGRAM**
 6 **FOR DAIRY PRODUCERS”.**

7 (2) *DEFINITIONS.*—*Section 1401 of the Agricul-*
 8 *tural Act of 2014 (7 U.S.C. 9051) is amended—*

9 *(A) by striking paragraphs (5) and (6) and*
 10 *inserting the following new paragraphs:*

11 “(5) *DAIRY RISK MANAGEMENT PROGRAM.*—*The*
 12 *terms ‘dairy risk management program’ and ‘pro-*
 13 *gram’ mean the dairy risk management program re-*
 14 *quired by section 1403.*

15 “(6) *DAIRY RISK MANAGEMENT PAYMENT.*—*The*
 16 *term ‘dairy risk management payment’ means a pay-*
 17 *ment made to a participating dairy operation under*
 18 *the program pursuant to section 1406.”; and*

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

21 (3) *CALCULATION OF ACTUAL DAIRY PRODUCTION*
 22 *MARGIN.*—*Section 1402(b)(1) of the Agricultural Act*
 23 *of 2014 (7 U.S.C. 9052(b)(1)) is amended by striking*
 24 *“margin protection” and inserting “dairy risk man-*
 25 *agement”.*

1 (4) *PROGRAM OPERATION*.—Section 1403 of the
 2 *Agricultural Act of 2014* (7 U.S.C. 9053) is amend-
 3 ed—

4 (A) in the section heading, by striking “**ES-**
 5 **TABLISHMENT OF MARGIN PROTECTION**”
 6 and inserting “**DAIRY RISK MANAGEMENT**”;

7 (B) by striking “Not later than September
 8 1, 2014, the Secretary shall establish and admin-
 9 ister a margin protection program” and insert-
 10 ing “The Secretary shall continue to administer
 11 a dairy risk management program”; and

12 (C) by striking “margin protection pay-
 13 ment” both places it appears and inserting
 14 “dairy risk management payment”.

15 (5) *PARTICIPATION*.—Section 1404 of the *Agri-*
 16 *cultural Act of 2014* (7 U.S.C. 9054) is amended—

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

19 (B) in subsection (a), by striking “margin
 20 protection program to receive margin protection
 21 payments” and inserting “dairy risk manage-
 22 ment program to receive dairy risk management
 23 payments”; and

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

1 (6) *PRODUCTION HISTORY*.—Section 1405 of the
 2 *Agricultural Act of 2014* (7 U.S.C. 9055) is amend-
 3 ed—

4 (A) in subsection (a)(1)—

5 (i) by striking “margin protection pro-
 6 gram” the first place it appears and insert-
 7 ing “dairy risk management program”; and

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

10 (B) in subsection (c), by striking “margin
 11 protection”.

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

14 (A) in the section heading, by striking
 15 “**MARGIN PROTECTION**” and inserting
 16 “**DAIRY RISK MANAGEMENT**”;

17 (B) by striking “margin protection” each
 18 place it appears and inserting “dairy risk man-
 19 agement”; and

20 (C) in the heading of subsection (c), by
 21 striking “**MARGIN PROTECTION**”.

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

1 (A) in the section heading, by striking
 2 “**MARGIN PROTECTION**” and inserting
 3 “**DAIRY RISK MANAGEMENT**”;

4 (B) in subsection (a), by striking “margin
 5 protection program” and inserting “dairy risk
 6 management program”; and

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

9 (9) *PENALTIES*.—Section 1408 of the *Agricultural Act of 2014* (7 U.S.C. 9058) is amended by
 10 striking “margin protection” both places it appears
 11 and inserting “dairy risk management”.

12 (10) *ADMINISTRATION AND ENFORCEMENT*.—Section
 13 1410 of the *Agricultural Act of 2014* (7 U.S.C.
 14 9060) is amended by striking “margin protection”
 15 each place it appears and inserting “dairy risk man-
 16 agement”.

17 (j) *EFFECTIVE DATE*.—The amendments made by this
 18 section shall take effect 60 days after the date of the enact-
 19 ment of this Act.

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

22 (1) by striking “margin protection” and insert-
 23 ing “dairy risk management”; and
 24 (2) by striking “2018” and inserting “2023”.

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

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

2 (a) *CLASS I SKIM MILK PRICE.*—Section 8c(5)(A) of
 3 *the Agricultural Adjustment Act* (7 U.S.C. 608c(5)(A)), re-
 4 *enacted with amendments by the Agricultural Marketing*
 5 *Agreement Act of 1937*, is amended by striking “Throughout
 6 *the 2-year period*” and all that follows through “such han-
 7 *dlers.*” and inserting the following new sentence: “Through-
 8 *out the 2-year period beginning on the effective date of this*
 9 *sentence (and subsequent to such 2-year period unless modi-*
 10 *fied by amendment to the order involved), for purposes of*
 11 *determining prices for milk of the highest use classification,*
 12 *the Class I skim milk price per hundredweight specified in*
 13 *section 1000.50(b) of title 7, Code of Federal Regulations*
 14 *(or successor regulation), shall be the sum of the adjusted*
 15 *Class I differential specified in section 1000.52 of such title*
 16 *7, plus the adjustment to Class I prices specified in sections*
 17 *1005.51(b), 1006.51(b), and 1007.51(b) of such title 7 (or*
 18 *successor regulation), plus the simple average of the ad-*
 19 *vanced pricing factors computed in sections 1000.50(q)(1)*
 20 *and 1000.50(q)(2) of such title 7 (or successor regulation),*
 21 *plus \$0.74.”.*

22 (b) *EFFECTIVE DATE AND IMPLEMENTATION.*—

23 (1) *EFFECTIVE DATE.*—The amendment made by
 24 subsection (a) shall take effect on the first day of the
 25 first month beginning more than 120 days after the
 26 date of the enactment of this Act.

1 (2) *IMPLEMENTATION.*—*Implementation of the*
 2 *amendment made by subsection (a) is not subject to*
 3 *any of the following:*

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

6 (B) *The notice and hearing requirements of*
 7 *paragraphs (3) and (4) of section 8c of the Agri-*
 8 *cultural Adjustment Act (7 U.S.C. 608c), reen-*
 9 *acted with amendments by the Agricultural Mar-*
 10 *keting Agreement Act of 1937.*

11 (C) *The order amendment requirements of*
 12 *section 8c(17) of such Act (7 U.S.C. 608c(17)).*

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

15 **SEC. 1403. EXTENSION OF DAIRY FORWARD PRICING PRO-**
 16 **GRAM.**

17 *Section 1502(e) of the Food, Conservation, and Energy*
 18 *Act of 2008 (7 U.S.C. 8772(e)) is amended—*

19 (1) *in paragraph (1), by striking “2018” and in-*
 20 *serting “2023”; and*

21 (2) *in paragraph (2), by striking “2021” and in-*
 22 *serting “2026”.*

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

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

1 **SEC. 1405. EXTENSION OF DAIRY PROMOTION AND RE-**
 2 **SEARCH PROGRAM.**

3 *Section 113(e)(2) of the Dairy Production Stabiliza-*
 4 *tion Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by strik-*
 5 *ing “2018” and inserting “2023”.*

6 **SEC. 1406. REPEAL OF DAIRY PRODUCT DONATION PRO-**
 7 **GRAM.**

8 *Section 1431 of the Agricultural Act of 2014 (7 U.S.C.*
 9 *9071) is repealed.*

10 ***Subtitle E—Supplemental Agricul-***
 11 ***tural Disaster Assistance Pro-***
 12 ***grams***

13 **SEC. 1501. MODIFICATION OF SUPPLEMENTAL AGRICUL-**
 14 **TURAL DISASTER ASSISTANCE.**

15 *(a) COVERED LIVESTOCK LOSSES FOR LIVESTOCK IN-*
 16 *DEMNITY PAYMENTS.—Section 1501(b) of the Agricultural*
 17 *Act of 2014 (7 U.S.C. 9081(b)) is amended—*

18 *(1) in paragraph (1)—*

19 *(A) by striking “or” at the end of subpara-*
 20 *graph (A);*

21 *(B) by striking the period at the end of sub-*
 22 *paragraph (B) and inserting “; or”; and*

23 *(C) by adding at the end the following new*
 24 *subparagraph:*

25 *“(C) disease that, as determined by the Sec-*
 26 *retary—*

1 “(i) is caused or transmitted by a vec-
2 tor; and

3 “(ii) is not susceptible to control by
4 vaccination or acceptable management
5 practices.”; and

6 (2) in paragraph (4), by striking “A payment”
7 and inserting “PAYMENT REDUCTIONS.—A payment”.

8 (b) PAYMENT LIMITATIONS AND EXCLUSION OF GROSS
9 INCOME LIMITATION.—Section 1501(f) of the Agricultural
10 Act of 2014 (7 U.S.C. 9081(f)) is amended—

11 (1) in paragraph (2)—

12 (A) by striking “this section (excluding
13 payments received under subsections (b) and
14 (e))” and inserting “subsection (c)”; and

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

20 (2) by adding at the end the following new para-
21 graph:

22 “(4) EXCLUSION OF GROSS INCOME LIMITA-
23 TION.—For purposes of this section only, subsection
24 (b) of section 1001D of the Food Security Act of 1985
25 (7 U.S.C. 1308–3a) shall not apply to a person or

1 *legal entity if 75 percent or greater of the average ad-*
 2 *justed gross income (as such term is defined in sub-*
 3 *section (a) of such section) of such person or legal en-*
 4 *tity derives from farming, ranching, or silviculture*
 5 *activities.”.*

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

10 ***Subtitle F—Administration***

11 ***SEC. 1601. ADMINISTRATION GENERALLY.***

12 (a) *USE OF COMMODITY CREDIT CORPORATION.*—The
 13 *Secretary shall use the funds, facilities, and authorities of*
 14 *the Commodity Credit Corporation to carry out this title.*

15 (b) *DETERMINATIONS BY SECRETARY.*—A determina-
 16 *tion made by the Secretary under this title shall be final*
 17 *and conclusive.*

18 (c) *REGULATIONS.*—

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

1 (2) *PROCEDURE.*—*The promulgation of the regu-*
 2 *lations and administration of this title and the*
 3 *amendments made by this title shall be made without*
 4 *regard to—*

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

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

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

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

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

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

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

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

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

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

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

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

2 (b) *AGRICULTURAL ACT OF 1949.—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (1) *in subsection (a)—*

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

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

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

9 (D) by inserting after paragraph (4) the fol-
10 lowing new paragraph:

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

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

1 (3) in subsection (d) by striking “associated”
 2 and all that follows through the end of the sentence
 3 and inserting “associated with subtitle B of title I of
 4 the Agriculture and Nutrition Act of 2018.”; and

5 (4) in subsection (f), by adding the end the fol-
 6 lowing new paragraph:

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

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

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

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

23 (3) by striking “joint ventures and general part-
 24 nerships” and inserting “qualified pass through enti-
 25 ties”; and

1 (4) by striking “joint venture or general partner-
2 ship” and inserting “qualified pass through entity”.

3 (c) *CONFORMING AMENDMENTS.*—

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

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

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

15 (2) *FOREIGN PERSONS INELIGIBLE.*—Section
16 1001C(a) of the Food Security Act of 1985 (7 U.S.C.
17 1308–3(a)) is amended by inserting “title I of the Agri-
18 culture and Nutrition Act of 2018,” after “2014,”.

19 (d) *APPLICATION.*—The amendments made by this sec-
20 tion shall apply beginning with the 2019 crop year.

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

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

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

4 (2) *in subparagraph (C)—*

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

7 (B) *by striking “Starting with fiscal year*
 8 *2015, a” and inserting “A”;*

9 (3) *by striking subparagraphs (B) and (D); and*

10 (4) *by redesignating subparagraphs (C) and (E)*
 11 *as subparagraphs (B) and (C), respectively.*

12 (b) *EXCEPTIONS.—*

13 (1) *IN GENERAL.—Section 1001D(b) of the Food*
 14 *Security Act of 1985 (7 U.S.C. 1308–3a(b)) is amend-*
 15 *ed by adding at the end the following:*

16 “(3) *EXCEPTIONS.—*

17 “(A) *EXCEPTION FOR QUALIFIED PASS*
 18 *THROUGH ENTITIES.—Paragraph (1) shall not*
 19 *apply with respect to a qualified pass through*
 20 *entity (as such term is defined in section*
 21 *1001(a)(5)).*

22 “(B) *WAIVER.—The Secretary may waive*
 23 *the limitation established by paragraph (1) with*
 24 *respect to a payment pursuant to a covered ben-*
 25 *efit described in paragraph (2)(B), on a case-by-*

1 *case basis, if the Secretary determines that envi-*
 2 *ronmentally sensitive land of special significance*
 3 *would be protected as a result of such waiver.”.*

4 (2) *CONFORMING AMENDMENTS.—Section 1001D*
 5 *of the Food Security Act of 1985 (7 U.S.C. 1308–3a)*
 6 *is amended—*

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

9 (B) *in subsection (d), by striking “, general*
 10 *partnership, or joint venture” both places it ap-*
 11 *pears.*

12 (c) *TRANSITION.—Section 1001D of the Food Security*
 13 *Act of 1985 (7 U.S.C. 1308–3a), as in effect on the day*
 14 *before the date of the enactment of this Act, shall apply with*
 15 *respect to the 2018 crop, fiscal, or program year, as appro-*
 16 *priate, for each program described in subsection (b)(2) of*
 17 *that section (as so in effect on that day).*

18 **SEC. 1605. PREVENTION OF DECEASED INDIVIDUALS RE-**
 19 **CEIVING PAYMENTS UNDER FARM COM-**
 20 **MODITY PROGRAMS.**

21 (a) *RECONCILIATION.—At least twice each year, the*
 22 *Secretary shall reconcile Social Security numbers of all in-*
 23 *dividuals who receive payments under this title, whether di-*
 24 *rectly or indirectly, with the Commissioner of Social Secu-*
 25 *rity to determine if the individuals are alive.*

1 (b) *PRECLUSION.*—*The Secretary shall preclude the*
 2 *issuance of payments to, and on behalf of, deceased individ-*
 3 *uals that were not eligible for payments.*

4 **SEC. 1606. ASSIGNMENT OF PAYMENTS.**

5 (a) *IN GENERAL.*—*The provisions of section 8(g) of the*
 6 *Soil Conservation and Domestic Allotment Act (16 U.S.C.*
 7 *590h(g)), relating to assignment of payments, shall apply*
 8 *to payments made under this title.*

9 (b) *NOTICE.*—*The producer making the assignment, or*
 10 *the assignee, shall provide the Secretary with notice, in such*
 11 *manner as the Secretary may require, of any assignment*
 12 *made under this section.*

13 **SEC. 1607. TRACKING OF BENEFITS.**

14 *As soon as practicable after the date of enactment of*
 15 *this Act, the Secretary may track the benefits provided, di-*
 16 *rectly or indirectly, to individuals and entities under titles*
 17 *I and II and the amendments made by those titles.*

18 **SEC. 1608. SIGNATURE AUTHORITY.**

19 (a) *IN GENERAL.*—*In carrying out this title and title*
 20 *II and amendments made by those titles, if the Secretary*
 21 *approves a document, the Secretary shall not subsequently*
 22 *determine the document is inadequate or invalid because*
 23 *of the lack of authority of any person signing the document*
 24 *on behalf of the applicant or any other individual, entity,*
 25 *or qualified pass through entity (as such term is defined*

1 *in paragraph (5) of section 1001(a) of the Food Security*
 2 *Act of 1985 (7 U.S.C. 1308(a)) or the documents relied*
 3 *upon were determined inadequate or invalid, unless the per-*
 4 *son signing the program document knowingly and willfully*
 5 *falsified the evidence of signature authority or a signature.*

6 (b) *AFFIRMATION.*—

7 (1) *IN GENERAL.*—*Nothing in this section pro-*
 8 *hibits the Secretary from asking a proper party to af-*
 9 *firm any document that otherwise would be consid-*
 10 *ered approved under subsection (a).*

11 (2) *NO RETROACTIVE EFFECT.*—*A denial of bene-*
 12 *fits based on a lack of affirmation under paragraph*
 13 *(1) shall not be retroactive with respect to third-party*
 14 *producers who were not the subject of the erroneous*
 15 *representation of authority, if the third-party pro-*
 16 *ducers—*

17 (A) *relied on the prior approval by the Sec-*
 18 *retary of the documents in good faith; and*

19 (B) *substantively complied with all pro-*
 20 *gram requirements.*

21 **SEC. 1609. PERSONAL LIABILITY OF PRODUCERS FOR DEFICI-**
 22 **ENCIES.**

23 *Section 164(a) of the Federal Agriculture Improvement*
 24 *and Reform Act of 1996 (7 U.S.C. 7284(a)) is amended by*
 25 *striking “this title” and all that follows through “unless”*

1 *and inserting “this title, title I of the Farm Security and*
 2 *Rural Investment Act of 2002, title I of the Food, Conserva-*
 3 *tion, and Energy Act of 2008 (7 U.S.C. 8702 et seq.), title*
 4 *I of the Agricultural Act of 2014, or Agriculture and Nutri-*
 5 *tion Act of 2018”.*

6 **SEC. 1610. IMPLEMENTATION.**

7 (a) *MAINTENANCE OF BASE ACRES AND PAYMENT*
 8 *YIELDS.—The Secretary shall maintain, for each covered*
 9 *commodity, base acres and payment yields on a farm estab-*
 10 *lished under sections 1001 and 1301 of the Food, Conserva-*
 11 *tion, and Energy Act of 2008 (7 U.S.C. 8702, 8751), as*
 12 *adjusted pursuant to sections 1101, 1102, 1108, and 1302*
 13 *of such Act (7 U.S.C. 8711, 8712, 8718, 8752), as in effect*
 14 *on September 30, 2013, and as adjusted pursuant to sec-*
 15 *tions 1112 and 1113 of the Agricultural Act of 2014 (7*
 16 *U.S.C. 9012, 9013).*

17 (b) *STREAMLINING.—In implementing this title and*
 18 *amendments made by this title, the Secretary shall—*

19 (1) *continue to reduce administrative burdens*
 20 *and costs to producers by streamlining and reducing*
 21 *paperwork, forms, and other administrative require-*
 22 *ments, including through the continuation of the*
 23 *Acreage Crop Reporting and Streamlining Initiative*
 24 *that, in part, shall ensure that—*

1 (A) a producer (or an agent of a producer)
2 may report information, electronically (includ-
3 ing geospatial data) or conventionally, to the De-
4 partment;

5 (B) upon the request of the producer (or
6 agent thereof), the Department of Agriculture
7 electronically shares with the producer (or agent)
8 in real time and without cost to the producer (or
9 agent) the common land unit data, related farm
10 level data, and other information of the pro-
11 ducer; and

12 (C) no agent, approved insurance provider,
13 or employee or contractor of an agency or ap-
14 proved insurance provider, bears responsibility
15 or liability under the Acreage Crop Reporting
16 and Streamlining Initiative for the eligibility of
17 a producer for programs administered by the De-
18 partment of Agriculture that are not policies or
19 plans of insurance offered under the Federal
20 Crop Insurance Act (7 U.S.C. 1501 et. seq.) ex-
21 cept in cases of misrepresentation, fraud, or
22 scheme and device;

23 (2) continue to improve coordination, informa-
24 tion sharing, and administrative work with the Farm

1 *Service Agency, Risk Management Agency, and the*
 2 *Natural Resources Conservation Service;*

3 *(3) continue to take advantage of new tech-*
 4 *nologies to enhance efficiency and effectiveness of pro-*
 5 *gram delivery to producers; and*

6 *(4) reduce administrative burdens on producers*
 7 *by offering such producers an option to remotely and*
 8 *electronically sign annual contracts for participation*
 9 *in coverage under sections 1116 and 1117.*

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

13 *(d) LOAN IMPLEMENTATION.—*

14 *(1) IN GENERAL.—Section 1614(d)(1) of the Ag-*
 15 *ricultural Act of 2014 (7 U.S.C. 9097(d)(1)) is*
 16 *amended—*

17 *(A) by inserting “or subtitles B and C of*
 18 *the Agriculture and Nutrition Act of 2018” after*
 19 *“this title”;*

20 *(B) by striking “made by subtitles B or C”*
 21 *and inserting “made by such subtitles”; and*

22 *(C) by inserting “of this title, and sections*
 23 *1207(c) and 1208 of the Agriculture and Nutri-*
 24 *tion Act of 2018” after “1208”.*

1 (2) *REPAYMENT*.—Section 1614(d)(2) of the Ag-
 2 ricultural Act of 2014 (7 U.S.C. 9097(d)(2)) is
 3 amended—

4 (A) by striking “of subtitles B or C” and
 5 inserting “of subtitle B or C of this title, or sub-
 6 title B or C of the Agriculture and Nutrition Act
 7 of 2018”; and

8 (B) by striking “under subtitles B or C”
 9 and inserting “of subtitle B or C of this title, or
 10 subtitle B or C of the Agriculture and Nutrition
 11 Act of 2018”.

12 **SEC. 1611. EXEMPTION FROM CERTAIN REPORTING RE-**
 13 **QUIREMENTS FOR CERTAIN PRODUCERS.**

14 (a) *DEFINITION OF EXEMPTED PRODUCER*.—In this
 15 section, the term “exempted producer” means a producer
 16 or landowner eligible to participate in any conservation or
 17 commodity program administered by the Secretary.

18 (b) *EXEMPTION*.—Notwithstanding any other provi-
 19 sion of law, including the Federal Funding Accountability
 20 and Transparency Act of 2006 (Public Law 109–282; 31
 21 U.S.C. 6101 note), the requirements of parts 25 and 170
 22 of title 2, Code of Federal Regulations (and any successor
 23 regulations), shall not apply with respect to assistance re-
 24 ceived by an exempted producer from the Secretary, acting

1 *through the Natural Resources Conservation Service or the*
 2 *Farm Service Agency.*

3 ***TITLE II—CONSERVATION***

4 ***Subtitle A—Wetland Conservation***

5 ***SEC. 2101. PROGRAM INELIGIBILITY.***

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

8 *(1) by striking “Except as provided” and insert-*
 9 *ing the following:*

10 *“(A) IN GENERAL.—Except as provided”;*

11 *and*

12 *(2) by adding at the end the following:*

13 *“(B) DUTY OF THE SECRETARY.—Before de-*
 14 *termining that a person is ineligible for program*
 15 *benefits under this subsection, the Secretary shall*
 16 *determine that no exemption under section 1222*
 17 *applies.”.*

18 ***SEC. 2102. MINIMAL EFFECT REGULATIONS.***

19 *(a) IDENTIFICATION OF MINIMAL EFFECT EXEMP-*
 20 *TIONS.—Section 1222(d) of the Food Security Act of 1985*
 21 *(16 U.S.C. 3822(d)) is amended by inserting “not later*
 22 *than 180 days after the date of enactment of the Agriculture*
 23 *and Nutrition Act of 2018,” before “the Secretary shall*
 24 *identify”.*

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

4 “(B) *FUNDING*.—

5 “(i) *FUNDS OF COMMODITY CREDIT*
 6 *CORPORATION*.—To carry out this para-
 7 graph, the Secretary shall use \$10,000,000
 8 of the funds of the Commodity Credit Cor-
 9 poration beginning in fiscal year 2019,
 10 which funds shall remain available until ex-
 11 pended.

12 “(ii) *AUTHORIZATION OF APPROPRIA-*
 13 *TIONS*.—In addition to amounts made
 14 available under clause (i), there are author-
 15 ized to be appropriated to the Secretary to
 16 carry out this paragraph \$5,000,000 for
 17 each of fiscal years 2019 through 2023.”.

18 ***Subtitle B—Conservation Reserve***
 19 ***Program***

20 ***SEC. 2201. CONSERVATION RESERVE.***

21 (a) *IN GENERAL*.—Section 1231(a) of the Food Secu-
 22 rity Act of 1985 (16 U.S.C. 3831(a)) is amended by striking
 23 “2018” and inserting “2023”.

24 (b) *ENROLLMENT*.—Section 1231(d) of the Food Secu-
 25 rity Act of 1985 (16 U.S.C. 3831(d)) is amended—

1 (1) in paragraph (1)—

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

4 (B) in subparagraph (E), by striking the
5 period at the end and inserting a semicolon; and

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

7 “(F) fiscal year 2019, no more than
8 25,000,000 acres;

9 “(G) fiscal year 2020, no more than
10 26,000,000 acres;

11 “(H) fiscal year 2021, no more than
12 27,000,000 acres;

13 “(I) fiscal year 2022, no more than
14 28,000,000 acres; and

15 “(J) fiscal year 2023, no more than
16 29,000,000 acres.”;

17 (2) in paragraph (2)—

18 (A) by amending subparagraph (A) to read
19 as follows:

20 “(A) *LIMITATION.*—For purposes of apply-
21 ing the limitations in paragraph (1)—

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

1 “(ii) the Secretary shall enroll and
 2 maintain in the conservation reserve not
 3 fewer than 3,000,000 acres of the land de-
 4 scribed in subsection (b)(3) by September
 5 30, 2023; and

6 “(iii) in carrying out clause (ii), to the
 7 maximum extent practicable, the Secretary
 8 shall maintain in the conservation reserve
 9 at any one time during—

10 “(I) fiscal year 2019, 1,000,000
 11 acres;

12 “(II) fiscal year 2020, 1,500,000
 13 acres;

14 “(III) fiscal year 2021, 2,000,000
 15 acres;

16 “(IV) fiscal year 2022, 2,500,000
 17 acres; and

18 “(V) fiscal year 2023, 3,000,000
 19 acres.”; and

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

21 “(D) RESERVATION OF UNENROLLED
 22 ACRES.—If the Secretary is unable in a fiscal
 23 year to enroll enough acres of land described in
 24 subsection (b)(3) to meet the number of acres de-
 25 scribed in clause (ii) or (iii) of subparagraph

1 (A) for the fiscal year, the Secretary shall reserve
2 the remaining number of acres for that fiscal
3 year for the enrollment of land described in sub-
4 section (b)(3), and that number of acres shall not
5 be available for the enrollment of any other type
6 of eligible land.”; and

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

8 “(3) STATE ENROLLMENT RATES.—During each
9 of fiscal years 2019 through 2023, to the maximum
10 extent practicable, the Secretary shall carry out this
11 subchapter in such a manner as to enroll and main-
12 tain acreage in the conservation reserve in accordance
13 with historical State enrollment rates, considering—

14 “(A) the average number of acres of all
15 lands enrolled in the conservation reserve in each
16 State during each of fiscal years 2007 through
17 2016;

18 “(B) the average number of acres of all
19 lands enrolled in the conservation reserve nation-
20 ally during each of fiscal years 2007 through
21 2016; and

22 “(C) the acres available for enrollment dur-
23 ing each of fiscal years 2019 through 2023, ex-
24 cluding acres described in paragraph (2).

1 “(4) *FREQUENCY.*—*In carrying out this sub-*
 2 *chapter, for contracts that are not available on a con-*
 3 *tinuous enrollment basis, the Secretary shall hold a*
 4 *signup not less often than once every other year.”.*

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

8 “(e) *DURATION OF CONTRACT.*—

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

13 “(2) *CERTAIN CONTINUOUS CONTRACTS.*—*With*
 14 *respect to contracts under this subchapter for the en-*
 15 *rollment of land described in paragraph (4) or (5) of*
 16 *subsection (b), the Secretary shall enter into contracts*
 17 *of a period of 15 or 30 years.”.*

18 (d) *ELIGIBILITY FOR CONSIDERATION.*—*Section*
 19 *1231(h) of the Food Security Act of 1985 (16 U.S.C.*
 20 *3831(h)) is amended—*

21 (1) *by striking “On the expiration” and insert-*
 22 *ing the following:*

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

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

1 “(2) *REENROLLMENT LIMITATION FOR CERTAIN*
 2 *LAND.*—*Land subject to a contract entered into under*
 3 *this subchapter shall be eligible for only one reenroll-*
 4 *ment in the conservation reserve under paragraph (1)*
 5 *if the land is devoted to hardwood trees.”.*

6 **SEC. 2202. FARMABLE WETLAND PROGRAM.**

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

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

13 “(2) *BUFFER ACREAGE.*—*Subject to subsections*
 14 *(c) and (d), an owner or operator may enroll in the*
 15 *conservation reserve, pursuant to the program estab-*
 16 *lished under this section, buffer acreage that, with re-*
 17 *spect to land described in subparagraph (A), (B), or*
 18 *(C) of paragraph (1)—*

19 “(A) *is contiguous to such land;*

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

21 “(C) *is of such width as the Secretary deter-*
 22 *mines is necessary to protect such land, taking*
 23 *into consideration and accommodating the farm-*
 24 *ing practices (including the straightening of*
 25 *boundaries to accommodate machinery) used*

1 *with respect to the cropland that surrounds such*
2 *land.”.*

3 (c) *PROGRAM LIMITATIONS.*—*Section 1231B(c) of the*
4 *Food Security Act of 1985 (16 U.S.C. 3831b(c)) is amend-*
5 *ed—*

6 (1) *in paragraph (1)(B), by striking “750,000”*
7 *and inserting “500,000”;*

8 (2) *in paragraph (2), by striking “Subject to*
9 *paragraph (3), any acreage” and inserting “Any*
10 *acreage”;* *and*

11 (3) *by striking paragraphs (3) and (4).*

12 (d) *DUTIES OF OWNERS AND OPERATORS.*—*Section*
13 *1231B(e) of the Food Security Act of 1985 (16 U.S.C.*
14 *3831b(e)) is amended—*

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

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

18 (3) *by redesignating paragraph (4) as para-*
19 *graph (3).*

20 (e) *DUTIES OF THE SECRETARY.*—*Section 1231B(f) of*
21 *the Food Security Act of 1985 (16 U.S.C. 3831b(f)) is*
22 *amended—*

23 (1) *in paragraph (1), by striking “paragraphs*
24 *(2) and (3)” and inserting “paragraph (2)”;*

1 (2) in paragraph (2), by striking “section
 2 1234(d)(2)(A)(ii)” and inserting “section
 3 1234(d)(2)(A)”; and
 4 (3) by striking paragraph (3).

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

6 (a) *IN GENERAL.*—Section 1232(a) of the Food Secu-
 7 rity Act of 1985 (16 U.S.C. 3832(a)) is amended—

8 (1) in paragraph (5), by inserting “, which may
 9 include the use of grazing in accordance with para-
 10 graph (8),” after “management on the land”; and

11 (2) by redesignating paragraphs (10) and (11)
 12 as paragraphs (11) and (12), respectively, and insert-
 13 ing after paragraph (9) the following:

14 “(10) on land devoted to hardwood or other trees,
 15 excluding windbreaks and shelterbelts, to carry out
 16 proper thinning and other practices to improve the
 17 condition of resources, promote forest management,
 18 and enhance wildlife habitat on the land;”.

19 (b) *CONSERVATION PLANS.*—Section 1232(b)(2) of the
 20 Food Security Act of 1985 (16 U.S.C. 3832(b)(2)) is amend-
 21 ed by striking “, if any,”.

22 **SEC. 2204. DUTIES OF THE SECRETARY.**

23 (a) *COST-SHARE AND RENTAL PAYMENTS.*—Section
 24 1233(a)(2) of the Food Security Act of 1985 (16 U.S.C.
 25 3833(a)(2)) is amended by striking “pay an annual rental

1 *payment in an amount necessary to compensate for” and*
 2 *inserting “pay an annual rental payment, in accordance*
 3 *with section 1234(d), for”.*

4 (b) *SPECIFIED ACTIVITIES PERMITTED.*—Section
 5 *1233(b) of the Food Security Act of 1985 (16 U.S.C.*
 6 *3833(b)) is amended—*

7 (1) *in paragraph (2)—*

8 (A) *in the matter preceding subparagraph*

9 (A)—

10 (i) *by striking “not less than 25 per-*
 11 *cent” and inserting “25 percent”; and*

12 (ii) *by inserting “(except that vegeta-*
 13 *tive cover may not be harvested for seed)”*
 14 *after “managed harvesting”;*

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

17 (C) *in subparagraph (B), by striking “is at*
 18 *least every 5 but not more than once every 3*
 19 *years;” and inserting “contributes to the health*
 20 *and vigor of the established cover, and is not*
 21 *more than once every 3 years; and”; and*

22 (D) *by adding at the end the following:*

23 “(C) *shall ensure that 25 percent of the*
 24 *acres covered by the contract are not harvested,*

1 *in accordance with an approved plan that pro-*
2 *vides for wildlife cover and shelter;”;*

3 *(2) in paragraph (3)—*

4 *(A) in the matter preceding subparagraph*
5 *(A), by striking “not less than 25 percent” and*
6 *inserting “25 percent”; and*

7 *(B) in subparagraph (B)—*

8 *(i) in the matter preceding clause (i),*
9 *by striking “routine grazing, except that in*
10 *permitting such routine grazing” and in-*
11 *serting “grazing, except that in permitting*
12 *such grazing”;*

13 *(ii) in clause (i), by striking “contin-*
14 *ued routine grazing; and” and inserting*
15 *“grazing;”;*

16 *(iii) in clause (ii)—*

17 *(I) in the matter preceding sub-*
18 *clause (I), by striking “routine grazing*
19 *may be conducted, such that the fre-*
20 *quency is not more than once every 2*
21 *years” and inserting “grazing may be*
22 *conducted, such that the frequency con-*
23 *tributes to the health and vigor of the*
24 *established cover”;*

1 (II) in subclause (II), by striking
2 “the number of years that should be re-
3 quired between routine” and inserting
4 “the appropriate frequency and dura-
5 tion of”; and

6 (III) in subclause (III), by strik-
7 ing “routine” each place it appears;
8 and

9 (iv) by adding at the end the following:
10 “(iii) shall ensure that the grazing is
11 conducted in accordance with an approved
12 plan that does not restrict grazing during
13 the primary nesting season and will reduce
14 the stocking rate determined under clause
15 (i) by 50 percent; and”;

16 (3) by redesignating paragraphs (4) and (5) as
17 paragraphs (5) and (6), respectively;

18 (4) by inserting after paragraph (3) the fol-
19 lowing:

20 “(4) grazing during the applicable normal graz-
21 ing period determined under subclause (I) of section
22 1501(c)(3)(D)(i) of the Agricultural Act of 2014 (7
23 U.S.C. 9081(c)(3)(D)(i)), without any restriction on
24 grazing during the primary nesting period, subject to
25 the condition that the grazing shall be at 50 percent

1 *of the normal carrying capacity determined under*
 2 *that subclause.”;*

3 *(5) in paragraph (5), as so redesignated, by*
 4 *striking “; and” and inserting “and retains suitable*
 5 *vegetative structure for wildlife cover and shelter;”;*

6 *(6) in paragraph (6)(C), as so redesignated, by*
 7 *striking the period at the end and inserting “; and”;*
 8 *and*

9 *(7) by adding at the end the following:*

10 *“(7) grazing pursuant to section 1232(a)(5),*
 11 *without any reduction in the rental rate, if the graz-*
 12 *ing is consistent with the conservation of soil, water*
 13 *quality, and wildlife habitat.”.*

14 *(c) NATURAL DISASTER OR ADVERSE WEATHER AS*
 15 *MID-CONTRACT MANAGEMENT.—Section 1233 of the Flood*
 16 *Security Act of 1985 (16 U.S.C. 3833) is amended by add-*
 17 *ing at the end the following:*

18 *“(e) NATURAL DISASTER OR ADVERSE WEATHER AS*
 19 *MID-CONTRACT MANAGEMENT.—In the case of a natural*
 20 *disaster or adverse weather event that has the effect of a*
 21 *management practice consistent with the conservation plan,*
 22 *the Secretary shall not require further management prac-*
 23 *tices pursuant to section 1232(a)(5) that are intended to*
 24 *achieve the same effect.”.*

1 **SEC. 2205. PAYMENTS.**

2 (a) *COST SHARING PAYMENTS.*—Section 1234(b) of the
3 *Food Security Act of 1985 (16 U.S.C. 3834(b))* is amend-
4 *ed—*

5 (1) *in paragraph (1), by striking “50 percent”*
6 *and inserting “not more than 40 percent”;*

7 (2) *by amending paragraph (2) to read as fol-*
8 *lows:*

9 “(2) *LIMITATIONS.*—

10 “(A) *EXCEPTION FOR SEED COSTS.*—*In the*
11 *case of seed costs related to the establishment of*
12 *cover, cost share shall not exceed 25 percent of*
13 *the total cost of the seed mixture.*

14 “(B) *ADDITIONAL INCENTIVE PAYMENTS.*—
15 *Except as provided in subsection (c), the Sec-*
16 *retary may not make additional incentive pay-*
17 *ments beyond the actual cost of installing meas-*
18 *ures and practices described in paragraph (1).*

19 “(C) *MID-CONTRACT MANAGEMENT GRAZ-*
20 *ING.*—*The Secretary may not make any cost*
21 *sharing payment to an owner or operator under*
22 *this subchapter pursuant to section 1232(a)(5).”;*
23 *and*

24 (3) *by striking paragraphs (3) and (4) and re-*
25 *designating paragraph (5) as paragraph (3).*

1 (b) *INCENTIVE PAYMENTS*.—Section 1234(c) of the
 2 *Food Security Act of 1985* (16 U.S.C. 3834(c)) is amend-
 3 ed—

4 (1) in the subsection heading, by striking “*IN-*
 5 *CENTIVE*” and inserting “*FOREST MANAGEMENT PAY-*
 6 *MENT*”;

7 (2) in paragraph (1), by striking “*The Sec-*
 8 *retary*” and inserting “*Using funds made available*
 9 *under section 1241(a)(1)(A), the Secretary*”; and

10 (3) in paragraph (2), by striking “*150 percent*”
 11 and inserting “*100 percent*”.

12 (c) *ANNUAL RENTAL PAYMENTS*.—Section 1234(d) of
 13 the *Food Security Act of 1985* (16 U.S.C. 3834(d)) is
 14 amended—

15 (1) in paragraph (1)—

16 (A) by striking “*less intensive use, the Sec-*
 17 *retary may consider*” and inserting the fol-
 18 *lowing: “less intensive use—*

19 “(A) *the Secretary may consider*”;

20 (B) by striking the period at the end and
 21 inserting “; and”; and

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

23 “(B) *the Secretary shall consider the impact*
 24 *on the local farmland rental market.*”;

25 (2) in paragraph (2)—

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

3 “(A) *IN GENERAL.*—

4 “(i) *INITIAL ENROLLMENT.*—The
5 amounts payable to an owner or operator
6 in the form of annual rental payments
7 under a contract entered into under this
8 subchapter with respect to land that has not
9 previously been subject to such a contract
10 shall be not more than 80 percent of the ap-
11 plicable estimated average county rental
12 rate published pursuant to paragraph (4)
13 for the year in which the contract is entered
14 into.

15 “(ii) *MULTIPLE ENROLLMENTS.*—If
16 land subject to a contract entered into
17 under this subchapter is reenrolled in the
18 conservation reserve under section
19 1231(h)(1)—

20 “(I) for the first such reenroll-
21 ment, the annual rental payment shall
22 be in an amount that is not more than
23 65 percent of the applicable estimated
24 average county rental rate published

1 *pursuant to paragraph (4) for the year*
2 *in which the reenrollment occurs;*

3 *“(II) for the second such reenroll-*
4 *ment, the annual rental payment shall*
5 *be in an amount that is not more than*
6 *55 percent of the applicable estimated*
7 *average county rental rate published*
8 *pursuant to paragraph (4) for the year*
9 *in which the reenrollment occurs;*

10 *“(III) for the third such reenroll-*
11 *ment, the annual rental payment shall*
12 *be in an amount that is not more than*
13 *45 percent of the applicable estimated*
14 *average county rental rate published*
15 *pursuant to paragraph (4) for the year*
16 *in which the reenrollment occurs; and*

17 *“(IV) for the fourth such reenroll-*
18 *ment, the annual rental payment shall*
19 *be in an amount that is not more than*
20 *35 percent of the applicable estimated*
21 *average county rental rate published*
22 *pursuant to paragraph (4) for the year*
23 *in which the reenrollment occurs.”; and*

1 (B) in subparagraph (B), by striking “In
2 the case” and inserting “Notwithstanding sub-
3 paragraph (A), in the case”;

4 (3) by striking paragraph (4) and redesignating
5 paragraph (5) as paragraph (4); and

6 (4) in paragraph (4), as so redesignated—

7 (A) by striking “cash” each place it ap-
8 pears;

9 (B) in subparagraph (A)—

10 (i) by striking “, not less frequently
11 than once every other year,” and inserting
12 “annually”; and

13 (ii) by inserting “, and shall publish
14 the estimates derived from such survey not
15 later than September 15 of each year” be-
16 fore the period at the end; and

17 (C) in subparagraph (C)—

18 (i) by striking “may” and inserting
19 “shall”; and

20 (ii) by striking “as a factor in deter-
21 mining” and inserting “to determine”.

22 (d) *PAYMENT LIMITATION FOR RENTAL PAYMENTS.*—
23 Section 1234(g)(2) of the Food Security Act of 1985 (16
24 U.S.C. 3834(g)(2)) is amended by adding at the end the
25 following:

1 “(C) *LIMITATION ON PAYMENTS.*—*Payments*
 2 *under subparagraph (B) shall not exceed 50 per-*
 3 *cent of the cost of activities carried out under the*
 4 *applicable agreement entered into under such*
 5 *subparagraph.”.*

6 **SEC. 2206. CONTRACTS.**

7 (a) *EARLY TERMINATION BY OWNER OR OPERATOR.*—
 8 *Section 1235(e)(1)(A) of the Food Security Act of 1985 (16*
 9 *U.S.C. 3835(e)(1)(A)) is amended by striking “2015” and*
 10 *inserting “2019”.*

11 (b) *TRANSITION OPTION FOR CERTAIN FARMERS OR*
 12 *RANCHERS.*—*Section 1235(f) of the Food Security Act of*
 13 *1985 (16 U.S.C. 3835(f)) is amended—*

14 (1) *in paragraph (1)—*

15 (A) *by amending subparagraph (A) to read*
 16 *as follows:*

17 “(A) *beginning on the date that is 1 year*
 18 *before the date of termination of the contract,*
 19 *allow the covered farmer or rancher, in conjunc-*
 20 *tion with the retired or retiring owner or oper-*
 21 *ator, to make conservation and land improve-*
 22 *ments, including preparing to plant an agricul-*
 23 *tural crop;”;*

24 (B) *by redesignating subparagraphs (B)*
 25 *through (E) as subparagraphs (C) through (F),*

1 *respectively, and inserting after subparagraph*
2 *(A) the following:*

3 *“(B) beginning on the date that is 3 years*
4 *before the date of termination of the contract,*
5 *allow the covered farmer or rancher to begin the*
6 *certification process under the Organic Foods*
7 *Production Act of 1990 (7 U.S.C. 6501 et seq.);”;*

8 *(C) in subparagraph (D), as so redesign-*
9 *ated, by inserting “, and provide to such farm-*
10 *er or rancher technical and financial assistance*
11 *to carry out the requirements of the plan, if*
12 *any” before the semicolon at the end; and*

13 *(D) in subparagraph (E), as so redesign-*
14 *ated, by striking “the conservation stewardship*
15 *program or”; and*

16 *(2) in paragraph (2)—*

17 *(A) in the matter preceding subparagraph*
18 *(A), by striking “The Secretary” and inserting*
19 *“To the extent the maximum number of acres*
20 *permitted to be enrolled under the program has*
21 *not been met, the Secretary”; and*

22 *(B) in subparagraph (A), by striking “eligi-*
23 *ble for enrollment under the continuous signup*
24 *option pursuant to section 1234(d)(2)(A)(ii)”*

1 *and inserting “is carried out on land described*
 2 *in paragraph (4) or (5) of section 1231(b)”.*

3 (c) *END OF CONTRACT CONSIDERATIONS.—Section*
 4 *1235(g) of the Food Security Act of 1985 (16 U.S.C.*
 5 *3835(g)) is amended to read as follows:*

6 “(g) *END OF CONTRACT CONSIDERATIONS.—The Sec-*
 7 *retary shall not consider an owner or operator to be in vio-*
 8 *lation of a term or condition of the conservation reserve*
 9 *contract if—*

10 “(1) *during the year prior to expiration of the*
 11 *contract, the owner or operator—*

12 “(A) *enters into an environmental quality*
 13 *incentives program contract; and*

14 “(B) *begins the establishment of an environ-*
 15 *mental quality incentives practice; or*

16 “(2) *during the three years prior to the expira-*
 17 *tion of the contract, the owner or operator begins the*
 18 *certification process under the Organic Foods Produc-*
 19 *tion Act of 1990.”.*

20 ***Subtitle C—Environmental Quality***
 21 ***Incentives Program***

22 ***SEC. 2301. DEFINITIONS.***

23 (a) *PRACTICE.—Section 1240A(4)(B) of the Food Se-*
 24 *curity Act of 1985 (16 U.S.C. 3839aa–1(4)(B)) is amend-*
 25 *ed—*

1 (1) in clause (i), by striking “; and” and insert-
2 ing a semicolon; and

3 (2) by redesignating clause (ii) as clause (iv)
4 and inserting after clause (i) the following:

5 “(ii) precision conservation manage-
6 ment planning;

7 “(iii) the use of cover crops and re-
8 source conserving crop rotations; and”.

9 (b) *PRIORITY RESOURCE CONCERN*.—Section 1240A of
10 the Food Security Act of 1985 (16 U.S.C. 3839aa–1) is
11 amended by redesignating paragraph (5) as paragraph (6)
12 and inserting after paragraph (4) the following:

13 “(5) *PRIORITY RESOURCE CONCERN*.—The term
14 ‘priority resource concern’ means a natural resource
15 concern or problem, as determined by the Secretary,
16 that—

17 “(A) is identified at the national, State, or
18 local level as a priority for a particular area of
19 a State; and

20 “(B) represents a significant concern in a
21 State or region.”.

22 (c) *STEWARDSHIP PRACTICE*.—Section 1240A of the
23 Food Security Act of 1985 (16 U.S.C. 3839aa–1) is amend-
24 ed by adding at the end the following:

1 “(7) *STEWARDSHIP PRACTICE*.—The term ‘stew-

2 ardship practice’ means a practice or set of practices

3 approved by the Secretary that, when implemented

4 and maintained on eligible land, address 1 or more

5 priority resource concerns.”.

6 **SEC. 2302. ESTABLISHMENT AND ADMINISTRATION.**

7 (a) *ESTABLISHMENT*.—Section 1240B(a) of the Food

8 Security Act of 1985 (16 U.S.C. 3839aa–2(a)) is amended

9 by striking “2019” and inserting “2023”.

10 (b) *ALLOCATION OF FUNDING*.—Section 1240B(f) of

11 the Food Security Act of 1985 (16 U.S.C. 3839aa–2(f)) is

12 amended to read as follows:

13 “(f) *ALLOCATION OF FUNDING*.—For each of fiscal

14 years 2014 through 2023, at least 5 percent of the funds

15 made available for payments under the program shall be

16 targeted at practices benefitting wildlife habitat under sub-

17 section (g).”.

18 (c) *WATER CONSERVATION OR IRRIGATION EFFI-*

19 *CIENCY PRACTICE*.—Section 1240B(h) of the Food Security

20 Act of 1985 (16 U.S.C. 3839aa–2(h)) is amended—

21 (1) by amending paragraph (1) to read as fol-

22 lows:

23 “(1) *AVAILABILITY OF PAYMENTS*.—The Sec-

24 retary may provide water conservation and system ef-

1 *iciency payments under this subsection to a producer*
 2 *for—*

3 “(A) *a water conservation scheduling tech-*
 4 *nology or water conservation scheduling manage-*
 5 *ment;*

6 “(B) *irrigation-related structural practices;*
 7 *or*

8 “(C) *a transition to water-conserving crops*
 9 *or water-conserving crop rotations.”;*

10 (2) *by redesignating paragraph (2) as para-*
 11 *graph (3) and inserting after paragraph (1) the fol-*
 12 *lowing:*

13 “(2) *LIMITED ELIGIBILITY OF IRRIGATION DIS-*
 14 *TRICTS, IRRIGATION ASSOCIATIONS, AND ACEQUIAS.—*

15 “(A) *IN GENERAL.—Notwithstanding sec-*
 16 *tion 1001(f)(6), the Secretary may enter into a*
 17 *contract under this subsection with an irrigation*
 18 *district, irrigation association, or acequia to im-*
 19 *plement water conservation or irrigation prac-*
 20 *tices pursuant to a watershed-wide project that*
 21 *will effectively conserve water, as determined by*
 22 *the Secretary.*

23 “(B) *IMPLEMENTATION.—Water conserva-*
 24 *tion or irrigation practices that are the subject*

1 *of a contract entered into under this paragraph*
 2 *shall be implemented on—*

3 “(i) *eligible land of a producer; or*

4 “(ii) *land that is under the control of*
 5 *the irrigation district, irrigation associa-*
 6 *tion, or acequia, and adjacent to such eligi-*
 7 *ble land, as determined by the Secretary.*

8 “(C) *WAIVER AUTHORITY.—The Secretary*
 9 *may waive the applicability of the limitations in*
 10 *section 1001D(b)(2) or section 1240G of this Act*
 11 *for a payment made under a contract entered*
 12 *into under this paragraph if the Secretary deter-*
 13 *mines that such a waiver is necessary to fulfill*
 14 *the objectives of the project.*

15 “(D) *CONTRACT LIMITATIONS.—If the Sec-*
 16 *retary grants a waiver under subparagraph (C),*
 17 *the Secretary may impose a separate payment*
 18 *limitation for the contract with respect to which*
 19 *the waiver applies.”; and*
 20 *(3) in paragraph (3), as so redesignated—*

21 *(A) in the matter preceding subparagraph*
 22 *(A), by striking “to a producer” and inserting*
 23 *“under this subsection”;*

24 *(B) in subparagraph (A), by striking “the*
 25 *eligible land of the producer is located, there is*

1 *a reduction in water use in the operation of the*
 2 *producer” and inserting “the land on which the*
 3 *practices will be implemented is located, there is*
 4 *a reduction in water use in the operation on*
 5 *such land”;* and

6 (C) *in subparagraph (B), by inserting*
 7 *“with respect to an application under paragraph*
 8 *(1),” before “the producer agrees”.*

9 (d) *STEWARDSHIP CONTRACTS.—Section 1240B of the*
 10 *Food Security Act of 1985 (16 U.S.C. 3839aa–2) is amend-*
 11 *ed by adding at the end the following:*

12 “(j) *STEWARDSHIP CONTRACTS.—*

13 “(1) *IDENTIFICATION OF ELIGIBLE PRIORITY RE-*
 14 *SOURCE CONCERNS FOR STATES.—*

15 “(A) *IN GENERAL.—The Secretary, in con-*
 16 *sultation with the State technical committee,*
 17 *shall identify priority resource concerns within a*
 18 *State that are eligible to be the subject of a stew-*
 19 *ardship contract under this subsection.*

20 “(B) *LIMITATION.—The Secretary shall*
 21 *identify not more than 3 eligible priority re-*
 22 *source concerns under subparagraph (A) within*
 23 *each area of a State.*

24 “(2) *CONTRACTS.—*

1 “(A) *IN GENERAL.*—*The Secretary shall*
2 *enter into contracts with producers under this*
3 *subsection that—*

4 “(i) *provide incentives, through annual*
5 *payments, to producers to attain increased*
6 *conservation stewardship on eligible land;*

7 “(ii) *adopt and install a stewardship*
8 *practice to effectively address a priority re-*
9 *source concern identified as eligible under*
10 *paragraph (1); and*

11 “(iii) *require management and main-*
12 *tenance of such stewardship practice for the*
13 *term of the contract.*

14 “(B) *TERM.*—*A contract under this sub-*
15 *section shall have a term of not less than 5, nor*
16 *more than 10, years.*

17 “(C) *PRIORITIZATION.*—*Section 1240C(b)*
18 *shall not apply to applications for contracts*
19 *under this subsection.*

20 “(3) *STEWARDSHIP PAYMENTS.*—

21 “(A) *IN GENERAL.*—*The Secretary shall*
22 *provide payments to producers through contracts*
23 *entered into under paragraph (2) for—*

24 “(i) *adopting and installing steward-*
25 *ship practices; and*

1 “(ii) managing, maintaining, and im-
2 proving the stewardship practices for the
3 duration of the contract, as determined ap-
4 propriate by the Secretary.

5 “(B) PAYMENT AMOUNTS.—In determining
6 the amount of payments under subparagraph
7 (A), the Secretary shall consider, to the extent
8 practicable—

9 “(i) the level and extent of the steward-
10 ship practice to be installed, adopted, com-
11 pleted, maintained, managed, or improved;

12 “(ii) the cost of the installation, adop-
13 tion, completion, management, mainte-
14 nance, or improvement of the stewardship
15 practice;

16 “(iii) income foregone by the producer;
17 and

18 “(iv) the extent to which compensation
19 would ensure long-term continued mainte-
20 nance, management, and improvement of
21 the stewardship practice.

22 “(C) LIMITATION.—The total amount of
23 payments a person or legal entity receives pursu-
24 ant to subparagraph (A) shall not exceed \$50,000
25 for any fiscal year.

1 “(4) *RESERVATION OF FUNDS.*—*The Secretary*
 2 *may use not more than 50 percent of the funds made*
 3 *available under section 1241 to carry out this chapter*
 4 *for payments made pursuant to this subsection.”.*

5 **SEC. 2303. LIMITATION ON PAYMENTS.**

6 *Section 1240G of the Food Security Act of 1985 (16*
 7 *U.S.C. 3839aa–7) is amended by inserting “or the period*
 8 *of fiscal years 2019 through 2023,” after “2018.”.*

9 **SEC. 2304. CONSERVATION INNOVATION GRANTS AND PAY-**
 10 **MENTS.**

11 *(a) COMPETITIVE GRANTS FOR INNOVATIVE CON-*
 12 *SERVATION APPROACHES.*—*Section 1240H(a) of the Food*
 13 *Security Act of 1985 (16 U.S.C. 3839aa–8(a)) is amend-*
 14 *ed—*

15 *(1) in paragraph (1), by inserting “use not more*
 16 *than \$25,000,000 in each of fiscal years 2019 through*
 17 *2023 to” after “the Secretary may”; and*

18 *(2) in paragraph (2)(A), by inserting “or per-*
 19 *sons participating in an educational activity through*
 20 *an institution of higher education, including by car-*
 21 *rying out demonstration projects on lands of the in-*
 22 *stitution” before the semicolon at the end.*

23 *(b) AIR QUALITY CONCERNS FROM AGRICULTURAL*
 24 *OPERATIONS.*—*Section 1240H(b)(2) of the Food Security*
 25 *Act of 1985 (16 U.S.C. 3839aa–8(b)(2)) is amended by in-*

1 *serting “, and \$37,500,000 for each of fiscal years 2019*
 2 *through 2023” after “2018”.*

3 *(c) ON-FARM CONSERVATION INNOVATION TRIALS; RE-*
 4 *PORTING AND DATABASE.—Section 1240H of the Food Se-*
 5 *curity Act of 1985 (16 U.S.C. 3839aa–8) is amended by*
 6 *striking subsection (c) and inserting the following:*

7 *“(c) ON-FARM CONSERVATION INNOVATION TRIALS.—*

8 *“(1) IN GENERAL.—Using not more than*
 9 *\$25,000,000 of the funds made available to carry out*
 10 *this chapter in each of fiscal years 2019 through*
 11 *2023, the Secretary shall carry out on-farm conserva-*
 12 *tion innovation trials, on eligible land of producers,*
 13 *to test new or innovative conservation approaches—*

14 *“(A) directly with producers; or*

15 *“(B) through eligible entities.*

16 *“(2) INCENTIVE PAYMENTS.—*

17 *“(A) AGREEMENTS.—In carrying out para-*
 18 *graph (1), the Secretary shall enter into agree-*
 19 *ments with producers on whose land an on-farm*
 20 *conservation innovation trial is being carried*
 21 *out to provide payments (including payments to*
 22 *compensate for foregone income, as appropriate*
 23 *to address the increased economic risk poten-*
 24 *tially associated with new or innovative con-*
 25 *servation approaches) to the producers to assist*

1 *with adopting and evaluating new or innovative*
2 *conservation approaches.*

3 “(B) *LENGTH OF INCENTIVES.*—*An agree-*
4 *ment entered into under subparagraph (A) shall*
5 *be for a period determined by the Secretary that*
6 *is—*

7 “(i) *not less than 3 years; and*

8 “(ii) *if appropriate, more than 3*
9 *years, including if such a period is appro-*
10 *priate to support—*

11 “(I) *adaptive management over*
12 *multiple crop years; and*

13 “(II) *adequate data collection and*
14 *analysis to report the natural resource*
15 *and agricultural production benefits of*
16 *the new or innovative conservation ap-*
17 *proaches.*

18 “(3) *FLEXIBLE ADOPTION.*—*A producer or eligi-*
19 *ble entity participating in an on-farm conservation*
20 *innovation trial under paragraph (1) may determine*
21 *the scale of adoption of the new or innovative con-*
22 *servation approaches in the on-farm conservation in-*
23 *novation trial, which may include multiple scales on*
24 *an operation, including whole farm, field-level, or*
25 *sub-field scales.*

1 “(4) *TECHNICAL ASSISTANCE.*—*The Secretary*
2 *shall provide technical assistance—*

3 “(A) *to a producer or eligible entity partici-*
4 *pating in an on-farm conservation innovation*
5 *trial under paragraph (1), with respect to the*
6 *design, installation, and management of the new*
7 *or innovative conservation approaches; and*

8 “(B) *to an eligible entity participating in*
9 *an on-farm conservation innovation trial under*
10 *paragraph (1), with respect to data analyses of*
11 *the on-farm conservation innovation trial.*

12 “(5) *DEFINITIONS.*—*In this subsection:*

13 “(A) *ELIGIBLE ENTITY.*—*The term ‘eligible*
14 *entity’ means a third-party private entity the*
15 *primary business of which is related to agri-*
16 *culture.*

17 “(B) *NEW OR INNOVATIVE CONSERVATION*
18 *APPROACHES.*—*The term ‘new or innovative con-*
19 *servation approaches’ means—*

20 “(i) *new or innovative—*

21 “(I) *precision agriculture tech-*
22 *nologies;*

23 “(II) *enhanced nutrient manage-*
24 *ment plans, nutrient recovery systems,*
25 *and fertilization systems;*

1 “(III) soil health management
2 systems;

3 “(IV) water management systems;

4 “(V) resource-conserving crop ro-
5 tations;

6 “(VI) cover crops; and

7 “(VII) irrigation systems; and

8 “(ii) any other conservation approach
9 approved by the Secretary as new or inno-
10 vative.

11 “(d) *REPORTING AND DATABASE.*—

12 “(1) *REPORT REQUIRED.*—Not later than De-
13 cember 31, 2014, and every two years thereafter, the
14 Secretary shall submit to the Committee on Agri-
15 culture, Nutrition, and Forestry of the Senate and the
16 Committee on Agriculture of the House of Representa-
17 tives a report on the status of activities funded under
18 this section, including—

19 “(A) funding awarded;

20 “(B) results of the activities; and

21 “(C) incorporation of findings from the ac-
22 tivities, such as new technology and innovative
23 approaches, into the conservation efforts imple-
24 mented by the Secretary.

25 “(2) *CONSERVATION PRACTICE DATABASE.*—

“(A) *IN GENERAL.*—*The Secretary shall use the data reported under paragraph (1) to establish and maintain a publicly available conservation practice database that provides—*

“(i) *a compilation and analysis of effective conservation practices for soil health, nutrient management, and source water protection in varying soil compositions, cropping systems, slopes, and landscapes; and*

“(ii) *a list of recommended new and effective conservation practices.*

“(B) *PRIVACY.*—*Information provided under subparagraph (A) shall be transformed into a statistical or aggregate form so as to not include any identifiable or personal information of individual producers.”.*

Subtitle D—Other Conservation Programs

SEC. 2401. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(e)) is amended by striking “2018” and inserting “2023”.

1 **SEC. 2402. GRASSROOTS SOURCE WATER PROTECTION PRO-**
 2 **GRAM.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 4 1240O(b)(1) of the Food Security Act of 1985 (16 U.S.C.
 5 3839bb–2(b)(1)) is amended by striking “2018” and insert-
 6 ing “2023”.

7 (b) *AVAILABILITY OF FUNDS.*—Section 1240O(b) of the
 8 Food Security Act of 1985 (16 U.S.C. 3839bb–2(b)) is
 9 amended by adding at the end the following:

10 “(3) *ADDITIONAL FUNDING.*—In addition to any
 11 other funds made available under this subsection, of
 12 the funds of the Commodity Credit Corporation, the
 13 Secretary shall use \$5,000,000 beginning in fiscal
 14 year 2019, to remain available until expended.”.

15 **SEC. 2403. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**
 16 **CENTIVE PROGRAM.**

17 Section 1240R(f)(1) of the Food Security Act of 1985
 18 (16 U.S.C. 3839bb–5(f)(1)) is amended—

19 (1) by striking “2012 and” and inserting
 20 “2012,”; and

21 (2) by inserting “, and \$50,000,000 for the pe-
 22 riod of fiscal years 2019 through 2023” before the pe-
 23 riod at the end.

1 **SEC. 2404. WATERSHED PROTECTION AND FLOOD PREVEN-**
 2 **TION.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 4 14(h)(2)(E) of the Watershed Protection and Flood Preven-
 5 tion Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking
 6 “2018” and inserting “2023”.

7 (b) *FUNDS OF COMMODITY CREDIT CORPORATION.*—
 8 The Watershed Protection and Flood Prevention Act (16
 9 U.S.C. 1001 et seq.) is amended by adding at the end the
 10 following:

11 **“SEC. 15. FUNDING.**

12 “In addition to any other funds made available by this
 13 Act, of the funds of the Commodity Credit Corporation, the
 14 Secretary shall make available to carry out this Act
 15 \$100,000,000 for each of fiscal years 2019 through 2023,
 16 to remain available until expended.”.

17 **SEC. 2405. FERAL SWINE ERADICATION AND CONTROL**
 18 **PILOT PROGRAM.**

19 (a) *IN GENERAL.*—The Secretary of Agriculture shall
 20 establish a feral swine eradication and control pilot pro-
 21 gram to respond to the threat feral swine pose to agri-
 22 culture, native ecosystems, and human and animal health.

23 (b) *DUTIES OF THE SECRETARY.*—In carrying out the
 24 pilot program, the Secretary shall—

25 (1) study and assess the nature and extent of
 26 damage to the pilot areas caused by feral swine;

1 (2) *develop methods to eradicate or control feral*
2 *swine in the pilot areas;*

3 (3) *develop methods to restore damage caused by*
4 *feral swine; and*

5 (4) *provide financial assistance to agricultural*
6 *producers in pilot areas.*

7 (c) *ASSISTANCE.*—*The Secretary may provide finan-*
8 *cial assistance to agricultural producers under the pilot*
9 *program to implement methods to—*

10 (1) *eradicate or control feral swine in the pilot*
11 *areas; and*

12 (2) *restore damage caused by feral swine.*

13 (d) *COORDINATION.*—*The Secretary shall ensure that*
14 *the Natural Resources Conservation Service and the Animal*
15 *and Plant Health Inspection Service coordinate for pur-*
16 *poses of this section through State technical committees es-*
17 *tablished under section 1261 of the Food Security Act of*
18 *1985.*

19 (e) *PILOT AREAS.*—*The Secretary shall carry out the*
20 *pilot program in areas of States in which feral swine have*
21 *been identified as a threat to agriculture, native ecosystems,*
22 *or human or animal health, as determined by the Secretary.*

23 (f) *COST SHARING.*—

1 (1) *FEDERAL SHARE.*—*The Federal share of the*
 2 *costs activities under the pilot program may not ex-*
 3 *ceed 75 percent of the total costs of such activities.*

4 (2) *IN-KIND CONTRIBUTIONS.*—*The non-Federal*
 5 *share of the costs of activities under the pilot program*
 6 *may be provided in the form of in-kind contributions*
 7 *of materials or services.*

8 (g) *FUNDING.*—

9 (1) *MANDATORY FUNDING.*—*Of the funds of the*
 10 *Commodity Credit Corporation, the Secretary shall*
 11 *use to carry out this section \$100,000,000 for the pe-*
 12 *riod of fiscal years 2019 through 2023.*

13 (2) *DISTRIBUTION OF FUNDS.*—*Of the funds*
 14 *made available under paragraph (1)—*

15 (A) *50 percent shall be allocated to the Nat-*
 16 *ural Resources Conservation Service to carry out*
 17 *the pilot program, including the provision of fi-*
 18 *nancial assistance to producers for on-farm trap-*
 19 *ping and technology related to capturing and*
 20 *confining feral swine; and*

21 (B) *50 percent shall be allocated to the Ani-*
 22 *mal and Plant Health Inspection Service to*
 23 *carry out the pilot program, including the use of*
 24 *established, and testing of innovative, population*
 25 *reduction methods.*

1 (3) *LIMITATION ON ADMINISTRATIVE EX-*
 2 *PENSES.*—Not more than 10 percent of funds made
 3 available under this section may be used for adminis-
 4 trative expenses of the pilot program.

5 **SEC. 2406. EMERGENCY CONSERVATION PROGRAM.**

6 (a) *REPAIR OR REPLACEMENT OF FENCING.*—

7 (1) *IN GENERAL.*—Section 401 of the Agricul-
 8 tural Credit Act of 1978 (16 U.S.C. 2201) is amend-
 9 ed—

10 (A) by striking the section designation and
 11 all that follows through “The Secretary of Agri-
 12 culture” and inserting the following:

13 **“SEC. 401. PAYMENTS TO PRODUCERS.**

14 “(a) *IN GENERAL.*—The Secretary of Agriculture (re-
 15 ferred to in this title as the ‘Secretary’);

16 (B) in subsection (a), as so designated, by
 17 inserting “wildfires,” after “hurricanes,”; and

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

19 “(b) *REPAIR OR REPLACEMENT OF FENCING.*—With
 20 respect to a payment to an agricultural producer under
 21 subsection (a) for the repair or replacement of fencing, the
 22 Secretary shall give the agricultural producer the option of
 23 receiving the payment, determined based on the applicable
 24 percentage of the fair market value of the cost of the repair
 25 or replacement, as determined by the Secretary, before the

1 *agricultural producer carries out the repair or replace-*
 2 *ment.”.*

3 (2) *CONFORMING AMENDMENTS.*—

4 (A) *Sections 402, 403, 404, and 405 of the*
 5 *Agricultural Credit Act of 1978 (16 U.S.C. 2202,*
 6 *2203, 2204, 2205) are amended by striking “Sec-*
 7 *retary of Agriculture” each place it appears and*
 8 *inserting “Secretary”.*

9 (B) *Section 407(a) of the Agricultural Cred-*
 10 *it Act of 1978 (16 U.S.C. 2206(a)) is amended*
 11 *by striking paragraph (4).*

12 (b) *COST SHARE PAYMENTS.*—*Title IV of the Agricul-*
 13 *tural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is amended*
 14 *by inserting after section 402 the following:*

15 **“SEC. 402A. COST SHARE REQUIREMENT.**

16 “(a) *COST-SHARE RATE.*—*The maximum cost-share*
 17 *payment under section 401 and section 402 shall not exceed*
 18 *75 percent of the total allowable cost, as determined by the*
 19 *Secretary.*

20 “(b) *EXCEPTION.*—*Not withstanding subsection (a), a*
 21 *qualified limited resource, socially disadvantaged, or begin-*
 22 *ning farmer or rancher payment under section 401 and 402*
 23 *shall not exceed 90 percent of the total allowable cost, as*
 24 *determined by the Secretary.*

1 “(c) *LIMITATION.*—*In no case shall the total payment*
 2 *under section 401 and 402 for a single event exceed 50 per-*
 3 *cent of what the Secretary has determined to be the agri-*
 4 *culture value of the land.*”.

5 ***Subtitle E—Funding and***
 6 ***Administration***

7 ***SEC. 2501. COMMODITY CREDIT CORPORATION.***

8 (a) *ANNUAL FUNDING.*—*Section 1241(a) of the Food*
 9 *Security Act of 1985 (16 U.S.C. 3841(a)) is amended—*

10 (1) *in the matter preceding paragraph (1), by*
 11 *striking “2018 (and fiscal year 2019 in the case of the*
 12 *program specified in paragraph (5))” and inserting*
 13 *“2023”;*

14 (2) *in paragraph (1), by striking “2018” each*
 15 *place it appears and inserting “2023”;*

16 (3) *in paragraph (2)—*

17 (A) *in subparagraph (D), by striking “and”*
 18 *at the end;*

19 (B) *in subparagraph (E), by striking the*
 20 *period at the end and inserting “; and”; and*

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

22 “(F) \$500,000,000 for each of fiscal years
 23 2019 through 2023.”;

(4) by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(5) in paragraph (3) (as so redesignated), by inserting “, as in effect on the day before the date of enactment of the Agriculture and Nutrition Act of 2018, using such sums as are necessary to administer contracts entered into before the earlier of September 30, 2018, or such date of enactment” before the period at the end; and

(6) in paragraph (4) (as so redesignated)—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by striking “each of fiscal years 2018 through 2019.” and inserting “fiscal year 2018;”; and

(C) by adding at the end the following:

“(F) \$2,000,000,000 for fiscal year 2019;

“(G) \$2,500,000,000 for fiscal year 2020;

“(H) \$2,750,000,000 for fiscal year 2021;

“(I) \$2,935,000,000 for fiscal year 2022;

and

“(J) \$3,000,000,000 for fiscal year 2023.”.

(b) AVAILABILITY OF FUNDS.—Section 1241(b) of the Food Security Act of 1985 (16 U.S.C. 3841(b)) is amended

1 *by striking “2018 (and fiscal year 2019 in the case of the*
 2 *program specified in subsection (a)(5))” and inserting*
 3 *“2023”.*

4 *(c) TECHNICAL ASSISTANCE.—Section 1241(c) of the*
 5 *Food Security Act of 1985 (16 U.S.C. 3841(c)) is amend-*
 6 *ed—*

7 *(1) by amending paragraph (2) to read as fol-*
 8 *lows:*

9 *“(2) PRIORITY.—In the delivery of technical as-*
 10 *sistance under the Soil Conservation and Domestic*
 11 *Allotment Act (16 U.S.C. 590a et seq.), the Secretary*
 12 *shall give priority to producers who request technical*
 13 *assistance from the Secretary in order to comply for*
 14 *the first time with the requirements of subtitle B and*
 15 *subtitle C of this title as a result of the amendments*
 16 *made by section 2611 of the Agricultural Act of*
 17 *2014.”; and*

18 *(2) by striking paragraph (3) and redesignating*
 19 *paragraph (4) as paragraph (3).*

20 *(d) REGIONAL EQUITY.—*

21 *(1) IN GENERAL.—Section 1241 of the Food Se-*
 22 *curity Act of 1985 (16 U.S.C. 3841) is amended by*
 23 *striking subsection (e) and redesignating subsections*
 24 *(f) through (i) as subsections (e) through (h), respec-*
 25 *tively.*

1 (2) CONFORMING AMENDMENTS.—Section
 2 1221(c) of the Food Security Act of 1985 (16 U.S.C.
 3 3821(c)) is amended by striking “1241(f)” and insert-
 4 ing “1241(e)” each place it appears.

5 (e) RESERVATION OF FUNDS TO PROVIDE ASSISTANCE
 6 TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION
 7 ACCESS.—Section 1241(g) of the Food Security Act of 1985
 8 (as redesignated by subsection (d) of this section) is amend-
 9 ed—

10 (1) in paragraph (1), by striking “2018 to carry
 11 out the environmental quality incentives program
 12 and the acres made available for each of such fiscal
 13 years to carry out the conservation stewardship pro-
 14 gram” and inserting “2023 to carry out the environ-
 15 mental quality incentives program”; and

16 (2) by striking paragraph (3) and redesignating
 17 paragraph (4) as paragraph (3).

18 (f) REPORT ON PROGRAM ENROLLMENTS AND ASSIST-
 19 ANCE.—Section 1241(h) of the Food Security Act of 1985
 20 (as redesignated by subsection (d) of this section) is amend-
 21 ed to read as follows:

22 “(h) REPORT ON PROGRAM ENROLLMENTS AND AS-
 23 SISTANCE.—Not later than December 15 of each of calendar
 24 years 2018 through 2023, the Secretary shall submit to the
 25 Committee on Agriculture of the House of Representatives

1 *and the Committee on Agriculture, Nutrition, and Forestry*
2 *of the Senate an annual report containing statistics by*
3 *State related to enrollments in conservation programs*
4 *under this subtitle, as follows:*

5 “(1) *The annual and current cumulative activity*
6 *reflecting active agreement and contract enrollment*
7 *statistics.*

8 “(2) *Secretarial exceptions, waivers, and signifi-*
9 *cant payments, including—*

10 “(A) *payments made under the agricultural*
11 *conservation easement program for easements*
12 *valued at \$250,000 or greater;*

13 “(B) *payments made under the regional*
14 *conservation partnership program subject to the*
15 *waiver of adjusted gross income limitations pur-*
16 *suant to section 1271C(c)(3);*

17 “(C) *waivers granted by the Secretary*
18 *under section 1001D(b)(3) of this Act;*

19 “(D) *exceptions and activity associated*
20 *with section 1240B(h)(2); and*

21 “(E) *exceptions provided by the Secretary*
22 *under section 1265B(b)(2)(C).”.*

1 **SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.**

2 (a) *DEFINITIONS.*—Section 1242(a) of the Food Secu-
 3 rity Act of 1985 (16 U.S.C. 3842(a)) is amended to read
 4 as follows:

5 “(a) *DEFINITIONS.*—In this section:

6 “(1) *ELIGIBLE PARTICIPANT.*—The term ‘eligible
 7 participant’ means a producer, landowner, or entity
 8 that is participating in, or seeking to participate in,
 9 programs in which the producer, landowner, or entity
 10 is otherwise eligible to participate under this title.

11 “(2) *THIRD-PARTY PROVIDER.*—The term ‘third-
 12 party provider’ means a commercial entity (including
 13 a farmer cooperative, agriculture retailer, or other
 14 commercial entity (as defined by the Secretary)), a
 15 nonprofit entity, a State or local government (includ-
 16 ing a conservation district), or a Federal agency, that
 17 has expertise in the technical aspect of conservation
 18 planning, including nutrient management planning,
 19 watershed planning, or environmental engineering.”.

20 (b) *CERTIFICATION OF THIRD-PARTY PROVIDERS.*—
 21 Section 1242(e) of the Food Security Act of 1985 (16 U.S.C.
 22 3842(e)) is amended by adding at the end the following:

23 “(4) *ALTERNATIVE CERTIFICATION.*—

24 “(A) *IN GENERAL.*—In carrying out this
 25 subsection, the Secretary shall approve any
 26 qualified certification that the Secretary deter-

1 *mines meets or exceeds the national criteria pro-*
 2 *vided under paragraph (3)(B).*

3 “(B) *QUALIFIED CERTIFICATION.*—*In this*
 4 *paragraph, the term ‘qualified certification’*
 5 *means a professional certification that is estab-*
 6 *lished by the Secretary, an agriculture retailer,*
 7 *a farmer cooperative, the American Society of*
 8 *Agronomy, or the National Alliance of Inde-*
 9 *pendent Crop Consultants, including certifi-*
 10 *cation—*

11 *“(i) as a Certified Crop Advisor by the*
 12 *American Society of Agronomy;*

13 *“(ii) as a Certified Professional Agron-*
 14 *omist by the American Society of Agron-*
 15 *omy; and*

16 *“(iii) as a Comprehensive Nutrient*
 17 *Management Plan Specialist by the Sec-*
 18 *retary.”.*

19 **SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CON-**
 20 **SERVATION PROGRAMS.**

21 *Section 1244 of the Food Security Act of 1985 (16*
 22 *U.S.C. 3844) is amended—*

23 *(1) by striking subsection (m);*

1 (2) *by redesignating subsections (i) through (l)*
 2 *as subsections (j) through (m), respectively, and in-*
 3 *serting after subsection (h) the following:*

4 “(i) *SOURCE WATER PROTECTION THROUGH TAR-*
 5 *GETING OF AGRICULTURAL PRACTICES.—*

6 “(1) *IN GENERAL.—In carrying out any con-*
 7 *servaion program administered by the Secretary, the*
 8 *Secretary shall encourage practices that relate to*
 9 *water quality and water quantity that protect source*
 10 *waters for drinking water (including protecting*
 11 *against public health threats) while also benefitting*
 12 *agricultural producers.*

13 “(2) *COLLABORATION WITH WATER SYSTEMS AND*
 14 *INCREASED INCENTIVES.—In encouraging practices*
 15 *under paragraph (1), the Secretary shall—*

16 “(A) *work collaboratively with community*
 17 *water systems and State technical committees es-*
 18 *tablished under section 1261 to identify, in each*
 19 *State, local priority areas for the protection of*
 20 *source waters for drinking water; and*

21 “(B) *offer to producers increased incentives*
 22 *and higher payment rates than are otherwise*
 23 *statutorily authorized through conservation pro-*
 24 *grams administered by the Secretary for prac-*

1 *tices that result in significant environmental*
 2 *benefits that the Secretary determines—*

3 *“(i) relate to water quality or water*
 4 *quantity; and*

5 *“(ii) occur primarily outside of the*
 6 *land on which the practices are imple-*
 7 *mented.*

8 *“(3) RESERVATION OF FUNDS.—In each of fiscal*
 9 *years 2019 through 2023, the Secretary shall use, to*
 10 *carry out this subsection, not less than 10 percent of*
 11 *any funds available with respect to each conservation*
 12 *program administered by the Secretary under this*
 13 *title except the conservation reserve program.”; and*

14 *(3) in subsection (m), as so redesignated, by*
 15 *striking “the conservation stewardship program under*
 16 *subchapter B of chapter 2 of subtitle D and”.*

17 **SEC. 2504. ESTABLISHMENT OF STATE TECHNICAL COMMIT-**
 18 **TEES.**

19 *Section 1261(c) of the Food Security Act of 1985 (16*
 20 *U.S.C. 3861(c)) is amended by adding at the end the fol-*
 21 *lowing:*

22 *“(14) The State 1862 Institution (as defined in*
 23 *section 2(1) of the Agricultural Research, Extension,*
 24 *and Education Reform Act of 1998).”.*

1 ***Subtitle F—Agricultural***
 2 ***Conservation Easement Program***

3 ***SEC. 2601. ESTABLISHMENT AND PURPOSES.***

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

6 (1) *in paragraph (3), by inserting “that nega-*
 7 *tively affect the agricultural uses and conservation*
 8 *values” after “that land”; and*

9 (2) *in paragraph (4), by striking “restoring*
 10 *and” and inserting “restoring or”.*

11 ***SEC. 2602. DEFINITIONS.***

12 (a) *AGRICULTURAL LAND EASEMENT.—Section*
 13 *1265A(1)(B) of the Food Security Act of 1985 (16 U.S.C.*
 14 *3865a(1)(B)) is amended by striking “subject to an agricul-*
 15 *tural land easement plan, as approved by the Secretary”.*

16 (b) *ELIGIBLE LAND.—Section 1265A(3) of the Food*
 17 *Security Act of 1985 (16 U.S.C. 3865a(3)) is amended—*

18 (1) *by amending subparagraph (A)(iii)(VI) to*
 19 *read as follows:*

20 *“(VI) nonindustrial private forest*
 21 *land that contributes to the economic*
 22 *viability of an offered parcel, or serves*
 23 *as a buffer to protect such land from*
 24 *development, which may include up to*
 25 *100 percent of the parcel if the Sec-*

1 retary determines enrolling the land is
 2 important to protect a forest to provide
 3 significant conservation benefits;” and
 4 (2) in subparagraph (B)(i)(II), by striking “, as
 5 determined by the Secretary in consultation with the
 6 Secretary of the Interior at the local level”.

7 (c) *MONITORING REPORT*.—Section 1265A of the Food
 8 Security Act of 1985 (16 U.S.C. 3865a) is amended by re-
 9 designating paragraphs (4) and (5) as paragraphs (5) and
 10 (6), respectively, and inserting after paragraph (3) the fol-
 11 lowing:

12 “(4) *MONITORING REPORT*.—The term ‘moni-
 13 toring report’ means a report, the contents of which
 14 are formulated and prepared by the holder of an agri-
 15 cultural land easement, that documents whether the
 16 land subject to the agricultural land easement is in
 17 compliance with the terms and conditions of the agri-
 18 cultural land easement.”.

19 **SEC. 2603. AGRICULTURAL LAND EASEMENTS.**

20 (a) *AVAILABILITY OF ASSISTANCE*.—Section
 21 1265B(a)(2) of the Food Security Act of 1985 (16 U.S.C.
 22 3865b(a)(2)) is amended by striking “provide for the con-
 23 servation of natural resources pursuant to an agricultural
 24 land easement plan” and inserting “implement the pro-
 25 gram”.

1 **(b) COST-SHARE ASSISTANCE.**—

2 **(1) SCOPE OF ASSISTANCE AVAILABLE.**—*Section*
 3 *1265B(b)(2) of the Food Security Act of 1985 (16*
 4 *U.S.C. 3865b(b)(2)) is amended by striking subpara-*
 5 *graphs (B) and (C) and inserting the following:*

6 **“(B) NON-FEDERAL SHARE.**—*An eligible*
 7 *entity may use for any part of its share—*

8 *“(i) a cash contribution;*

9 *“(ii) a charitable donation or qualified*
 10 *conservation contribution (as defined by*
 11 *section 170(h) of the Internal Revenue Code*
 12 *of 1986) from the landowner from which the*
 13 *agricultural land easement will be pur-*
 14 *chased; or*

15 *“(iii) funding from a Federal source*
 16 *other than the Department of Agriculture.*

17 **“(C) GRASSLANDS EXCEPTION.**—*In the case*
 18 *of grassland of special environmental signifi-*
 19 *cance, as determined by the Secretary, the Sec-*
 20 *retary may provide an amount not to exceed 75*
 21 *percent of the fair market value of the agricul-*
 22 *tural land easement.”.*

23 **(2) EVALUATION AND RANKING OF APPLICA-**
 24 **TIONS.**—*Section 1265B(b)(3) of the Food Security Act*
 25 *of 1985 (16 U.S.C. 3865b(b)(3)) is amended by redes-*

ignating subparagraph (C) as subparagraph (D) and
inserting after subparagraph (B) the following:

“(C) ACCOUNTING FOR GEOGRAPHIC DIFFERENCES.—The Secretary shall, in coordination with State technical committees, adjust the criteria established under subparagraph (A) to account for geographic differences among States, if such adjustments—

“(i) meet the purposes of the program;

and

“(ii) continue to maximize the benefit of the Federal investment under the program.”.

(3) AGREEMENTS WITH ELIGIBLE ENTITIES.—Section 1265B(b)(4) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(4)) is amended—

(A) in subparagraph (C)—

(i) in clause (i), by inserting “and the agricultural use of the land that is subject to the agricultural land easement” after “the program”; and

(ii) by striking clauses (iii) and (iv) and inserting the following:

“(iii) include a right of enforcement for the Secretary that—

1 “(I) may be used only if the terms
2 and conditions of the easement are not
3 enforced by the eligible entity; and

4 “(II) does not extend to a right of
5 inspection unless the holder of the ease-
6 ment fails to provide monitoring re-
7 ports in a timely manner;

8 “(iv) include a conservation plan only
9 for any portion of the land subject to the
10 agricultural land easement that is highly
11 erodible cropland; and”;

12 (B) in subparagraph (E)(ii), by inserting
13 “in the case of fraud or gross negligence,” before
14 “the Secretary may require”; and

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

16 “(F) MINERAL DEVELOPMENT.—Upon re-
17 quest by an eligible entity, the Secretary shall
18 allow, under an agreement under this subsection,
19 mineral development on land subject to the agri-
20 cultural land easement, if the Secretary deter-
21 mines that the mineral development—

22 “(i) has limited and localized effects;

23 “(ii) is not irretrievably destructive of
24 significant conservation interests; and

1 “(iii) would not alter or affect the to-
2 pography or landscape.

3 “(G) ENVIRONMENTAL SERVICES MAR-
4 KETTS.—The Secretary may not prohibit, through
5 an agreement under this subsection, an owner of
6 land subject to the agricultural land easement
7 from participating in, and receiving compensa-
8 tion from, an environmental services market if a
9 purpose of the market is the facilitation of addi-
10 tional conservation benefits that are consistent
11 with the purposes of the program.”.

12 (4) CERTIFICATION OF ELIGIBLE ENTITIES.—
13 Section 1265B(b)(5) of the Food Security Act of 1985
14 (16 U.S.C. 3865b(b)(5)) is amended—

15 (A) in subparagraph (A)—

16 (i) in clause (ii), by striking “; and”
17 and inserting a semicolon;

18 (ii) in clause (iii), by striking the pe-
19 riod at the end and inserting “; and”; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(iv) allow a certified eligible entity to
23 use its own terms and conditions, notwith-
24 standing paragraph (4)(C), as long as the

1 *terms and conditions are consistent with the*
2 *purposes of the program.”; and*

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

5 “(B) *CERTIFICATION CRITERIA.—In order*
6 *to be certified, an eligible entity shall dem-*
7 *onstrate to the Secretary that the entity—*

8 “(i) *is a land trust that has—*

9 “(I) *been accredited by the Land*
10 *Trust Accreditation Commission, or by*
11 *an equivalent accrediting body (as de-*
12 *termined by the Secretary); and*

13 “(II) *acquired not fewer than five*
14 *agricultural land easements under the*
15 *program; or*

16 “(ii) *will maintain, at a minimum,*
17 *for the duration of the agreement—*

18 “(I) *a plan for administering*
19 *easements that is consistent with the*
20 *purpose of the program;*

21 “(II) *the capacity and resources*
22 *to monitor and enforce agricultural*
23 *land easements; and*

24 “(III) *policies and procedures to*
25 *ensure—*

1 “(aa) the long-term integrity
2 of agricultural land easements on
3 land subject to such easements;

4 “(bb) timely completion of
5 acquisitions of such easements;
6 and

7 “(cc) timely and complete
8 evaluation and reporting to the
9 Secretary on the use of funds pro-
10 vided under the program.”.

11 (c) *TECHNICAL ASSISTANCE*.—Section 1265B(d) of the
12 *Food Security Act of 1985* (16 U.S.C. 3865b(d)) is amended
13 to read as follows:

14 “(d) *TECHNICAL ASSISTANCE*.—The Secretary may
15 provide technical assistance, if requested, to assist in com-
16 pliance with the terms and conditions of easements.”.

17 **SEC. 2604. WETLAND RESERVE EASEMENTS.**

18 Section 1265C(b)(5)(D)(i)(III) of the *Food Security*
19 *Act of 1985* (16 U.S.C. 3865c(b)(5)(D)(i)(III)) is amended
20 by inserting after “under subsection (f)” the following: “or
21 a grazing management plan that is consistent with the wet-
22 land reserve easement plan and has been reviewed, and
23 modified as necessary, at least every five years”.

1 **SEC. 2605. ADMINISTRATION.**

2 (a) *INELIGIBLE LAND*.—Section 1265D(a)(4) of the
3 *Food Security Act of 1985* (16 U.S.C. 3865d(a)(4)) is
4 amended—

5 (1) by striking “or off-site”; and

6 (2) by striking “proposed or” and inserting
7 “permitted or”.

8 (b) *SUBORDINATION, EXCHANGE, MODIFICATION, AND*
9 *TERMINATION*.—

10 (1) *SUBORDINATION AND EXCHANGE*.—Section
11 1265D(c)(1) of the *Food Security Act of 1985* (16
12 U.S.C. 3865d(c)(1)) is amended—

13 (A) in the paragraph heading, by striking
14 “IN GENERAL” and inserting “SUBORDINATION
15 AND EXCHANGE”;

16 (B) by striking “subordinate, exchange,
17 modify, or terminate” each place it appears and
18 inserting “subordinate or exchange”; and

19 (C) by striking “subordination, exchange,
20 modification, or termination” each place it ap-
21 pears and inserting “subordination or ex-
22 change”.

23 (2) *MODIFICATION; TERMINATION*.—Section
24 1265D(c) of the *Food Security Act of 1985* (16 U.S.C.
25 3865d(c)) is amended—

1 (A) by redesignating paragraphs (2) and
2 (3) as paragraphs (4) and (5), respectively;

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

5 “(2) *MODIFICATION.*—

6 “(A) *AUTHORITY.*—The Secretary may
7 modify any interest in land, or portion of such
8 interest, administered by the Secretary, either di-
9 rectly or on behalf of the Commodity Credit Cor-
10 poration under the program if the modifica-
11 tion—

12 “(i) has a neutral effect on, or in-
13 creases, the conservation values;

14 “(ii) is consistent with the original in-
15 tent of the easement; and

16 “(iii) is consistent with the purposes of
17 the program.

18 “(B) *LIMITATION.*—In modifying an inter-
19 est in land, or portion of such interest, under
20 this paragraph, the Secretary may not increase
21 any payment to an eligible entity.

22 “(3) *TERMINATION.*—The Secretary may termi-
23 nate any interest in land, or portion of such interest,
24 administered by the Secretary, either directly or on

1 *behalf of the Commodity Credit Corporation under*
 2 *the program if—*

3 “(A) *the current owner of the land that is*
 4 *subject to the easement and the holder of the ease-*
 5 *ment agree to the termination; and*

6 “(B) *the Secretary determines that the ter-*
 7 *mination would be in the public interest.”; and*

8 (C) *in paragraph (5) (as so redesignated),*
 9 *by striking “paragraph (1)” and inserting*
 10 *“paragraph (3)”.*

11 (c) *LANDOWNER ELIGIBILITY.—Section 1265D of the*
 12 *Food Security Act of 1985 (16 U.S.C. 3865d) is amended*
 13 *by adding at the end the following:*

14 “(f) *LANDOWNER ELIGIBILITY.—The limitation de-*
 15 *scribed in paragraph (1) of section 1001D(b) shall not*
 16 *apply to a landowner from which an easement under the*
 17 *program is to be purchased with respect to any benefit de-*
 18 *scribed in paragraph (2)(B) of such section related to the*
 19 *purchase of such easement.”.*

20 ***Subtitle G—Regional Conservation*** 21 ***Partnership Program***

22 ***SEC. 2701. DEFINITIONS.***

23 (a) *COVERED PROGRAM.—Section 1271A(1) of the*
 24 *Food Security Act of 1985 (16 U.S.C. 3871a(1)) is amend-*
 25 *ed—*

1 (1) *by striking subparagraph (C) and redesign-*
 2 *ating subparagraph (D) as subparagraph (C); and*
 3 (2) *by adding at the end the following:*

4 “(D) *The conservation reserve program es-*
 5 *tablished under subchapter B of chapter 1 of sub-*
 6 *title D.*

7 “(E) *Programs provided for in the Water-*
 8 *shed Protection and Flood Prevention Act (16*
 9 *U.S.C. 1001 et seq.), other than section 14 of*
 10 *such Act (16 U.S.C. 1012).”.*

11 (b) *ELIGIBLE ACTIVITY.*—Section 1271A(2) of the
 12 *Food Security Act of 1985 (16 U.S.C. 3871a(2)) is amend-*
 13 *ed—*

14 (1) *in subparagraph (B), by inserting “resource-*
 15 *conserving crop rotations,” before “or dryland farm-*
 16 *ing”;* and

17 (2) *by redesignating subparagraphs (C) through*
 18 *(J) as subparagraphs (D) through (K), respectively,*
 19 *and inserting after subparagraph (B) the following:*

20 “(C) *Protection of source waters for drink-*
 21 *ing water.”.*

22 **SEC. 2702. REGIONAL CONSERVATION PARTNERSHIPS.**

23 (a) *LENGTH.*—Section 1271B(b) of the *Food Security*
 24 *Act of 1985 (16 U.S.C. 3871b(b)) is amended to read as*
 25 *follows:*

1 “(b) *LENGTH*.—A partnership agreement, including a
 2 renewal of a partnership agreement under subsection (d)(5),
 3 shall be—

4 “(1) for a period not to exceed 5 years, which pe-
 5 riod the Secretary may extend one time for up to 12
 6 months; or

7 “(2) for a period that is longer than 5 years, if
 8 such longer period is necessary to meet the objectives
 9 of the program, as determined by the Secretary.”.

10 (b) *DUTIES OF PARTNERS*.—Section 1271B(c)(1)(E)
 11 of the Food Security Act of 1985 (16 U.S.C. 3871b(c)(1)(E))
 12 is amended by inserting “, including quantification of the
 13 project’s environmental outcomes” before the semicolon.

14 (c) *APPLICATIONS*.—Section 1271B(d) of the Food Se-
 15 curity Act of 1985 (16 U.S.C. 3871b(d)) is amended—

16 (1) in paragraph (1), by inserting “simplified”
 17 before “competitive process to select”; and

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

19 “(5) *RENEWALS*.—If a project that is the subject
 20 of a partnership agreement has met or exceeded the
 21 objectives of the project, as determined by the Sec-
 22 retary, the eligible partners may submit, through an
 23 expedited program application process, an applica-
 24 tion to—

1 “(A) continue to implement the project
 2 under a renewal of the partnership agreement; or
 3 “(B) expand the scope of the project under
 4 a renewal of the partnership agreement.”.

5 **SEC. 2703. ASSISTANCE TO PRODUCERS.**

6 Section 1271C(c) of the Food Security Act of 1985 (16
 7 U.S.C. 3871c(c)) is amended—

8 (1) in paragraph (2), in the matter preceding
 9 subparagraph (A), by striking “a period of 5 years”
 10 and inserting “the applicable period under section
 11 1271B(b)”; and

12 (2) in paragraph (3), by striking “the Secretary
 13 may waive the applicability of the limitation in sec-
 14 tion 1001D(b)(2) of this Act for participating pro-
 15 ducers” and inserting “notwithstanding the require-
 16 ments of paragraph (3) of section 1001D(b), the Sec-
 17 retary may waive the applicability of the limitation
 18 in paragraph (2) of such section, and any limitation
 19 on the maximum amount of payments related to the
 20 covered programs, for participating producers”.

21 **SEC. 2704. FUNDING.**

22 Section 1271D(a) of the Food Security Act of 1985 (16
 23 U.S.C. 3871d(a)) is amended to read as follows:

1 “(a) *AVAILABILITY OF FUNDS.*—Of the funds of the
2 *Commodity Credit Corporation, the Secretary shall use, to*
3 *carry out the program—*

4 “(1) \$100,000,000 for each of fiscal years 2014
5 *through 2018; and*

6 “(2) \$250,000,000 for each of fiscal years 2019
7 *through 2023.”.*

8 **SEC. 2705. ADMINISTRATION.**

9 *Section 1271E of the Food Security Act of 1985 (16*
10 *U.S.C. 3871e) is amended—*

11 (1) *by redesignating subsection (b) as subsection*
12 *(c) and inserting after subsection (a) the following:*

13 “(b) *GUIDANCE.*—*The Secretary shall provide eligible*
14 *partners and producers participating in the partnership*
15 *agreements with guidance on how to quantify and report*
16 *on environmental outcomes associated with the adoption of*
17 *conservation practices under the program.”; and*

18 (2) *in subsection (c), as so redesignated—*

19 (A) *in paragraph (3), by striking “; and”*
20 *and inserting a semicolon;*

21 (B) *in paragraph (4)(C), by striking the pe-*
22 *riod and inserting “; and”; and*

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

24 “(5) *the progress that eligible partners and pro-*
25 *ducers participating in the partnership agreements*

1 are making in quantifying and reporting on environ-
 2 mental outcomes associated with the adoption of con-
 3 servation practices under the program.”.

4 **SEC. 2706. CRITICAL CONSERVATION AREAS.**

5 Section 1271F(c) of the Food Security Act of 1985 (16
 6 U.S.C. 3871f(c)) is amended by striking paragraph (3).

7 **Subtitle H—Repeals and Transi-**
 8 **tional Provisions; Technical**
 9 **Amendments**

10 **SEC. 2801. REPEAL OF CONSERVATION SECURITY AND CON-**
 11 **SERVATION STEWARDSHIP PROGRAMS.**

12 (a) *REPEAL.*—Except as provided in subsection (b),
 13 chapter 2 of subtitle D of title XII of the Food Security
 14 Act of 1985 (16 U.S.C. 3838d et seq.) is repealed.

15 (b) *TRANSITIONAL PROVISIONS FOR CONSERVATION*
 16 *STEWARDSHIP PROGRAM.*—

17 (1) *EFFECT ON EXISTING CONTRACTS.*—The
 18 amendment made by this section shall not affect the
 19 validity or terms of any contract entered into by the
 20 Secretary of Agriculture under subchapter B of chap-
 21 ter 2 of subtitle D of title XII of the Food Security
 22 Act of 1985 (16 U.S.C. 3838d et seq.) before the date
 23 of enactment of this Act, or any payments required
 24 to be made in connection with the contract.

1 (2) *NO RENEWALS*.—*Notwithstanding paragraph*
 2 *(1), the Secretary may not renew a contract described*
 3 *in such paragraph.*

4 **SEC. 2802. REPEAL OF TERMINAL LAKES ASSISTANCE.**

5 *Section 2507 of the Farm Security and Rural Invest-*
 6 *ment Act of 2002 (16 U.S.C. 3839bb–6) is repealed.*

7 **SEC. 2803. TECHNICAL AMENDMENTS.**

8 (a) *DELINEATION OF WETLANDS; EXEMPTIONS*.—*Sec-*
 9 *tion 1222(j) of the Food Security Act of 1985 (16 U.S.C.*
 10 *3822(j)) is amended by striking “National Resources Con-*
 11 *servation Service” and inserting “Natural Resources Con-*
 12 *servation Service”.*

13 (b) *DELIVERY OF TECHNICAL ASSISTANCE*.—*Section*
 14 *1242 of the Food Security Act of 1985 (16 U.S.C. 3842)*
 15 *is amended by striking “third party” each place it appears*
 16 *and inserting “third-party”.*

17 (c) *ADMINISTRATIVE REQUIREMENTS FOR CONSERVA-*
 18 *TION PROGRAMS*.—*Section 1244(b)(4)(B) of the Food Secu-*
 19 *rity Act of 1985 (16 U.S.C. 3844(b)(4)(B)) is amended by*
 20 *striking “General Accounting Office” and inserting “Gen-*
 21 *eral Accountability Office”.*

22 (d) *WATERSHED PROTECTION AND FLOOD PREVEN-*
 23 *TION ACT*.—*Section 5(4) of the Watershed Protection and*
 24 *Flood Prevention Act (16 U.S.C. 1005(4)) is amended—*

1 (1) by striking “goodwater” and inserting
2 “floodwater”; and

3 (2) by striking “Secretary of Health, Education,
4 and Welfare” each place it appears and inserting
5 “Secretary of Health and Human Services”.

6 **TITLE III—TRADE**
7 **Subtitle A—Food for Peace Act**

8 **SEC. 3001. FINDINGS.**

9 (a) *FINDINGS.*—Congress finds the following:

10 (1) *The United States has long been the world’s*
11 *largest donor of international food assistance.*

12 (2) *American farmers have been instrumental in*
13 *the success of United States international food assist-*
14 *ance programs by providing an affordable, safe, and*
15 *reliable source of nutritious agricultural commodities.*

16 (3) *Through the efforts of the United States mar-*
17 *itime industry and private voluntary organizations,*
18 *agricultural commodities grown in the United States*
19 *have been delivered to millions of people in need*
20 *around the globe.*

21 (4) *The United States should continue to use its*
22 *abundant agricultural productivity to promote the*
23 *foreign policy of the United States by enhancing the*
24 *food security of the developing world through the*
25 *timely provision of agricultural commodities.*

1 **SEC. 3002. LABELING REQUIREMENTS.**

2 *Subsection (g) of section 202 of the Food for Peace Act*
3 *(7 U.S.C. 1722) is amended to read as follows:*

4 *“(g) LABELING OF ASSISTANCE.—Agricultural com-*
5 *modities and other assistance provided under this title*
6 *shall, to the extent practicable, be clearly identified with*
7 *appropriate markings on the package or container of such*
8 *commodities and food procured outside of the United States,*
9 *or on printed material that accompanies other assistance,*
10 *in the language of the locality in which such commodities*
11 *and other assistance are distributed, as being furnished by*
12 *the people of the United States of America.”.*

13 **SEC. 3003. FOOD AID QUALITY ASSURANCE.**

14 *Section 202(h)(3) of the Food for Peace Act (7 U.S.C.*
15 *1722(h)(3)) is amended by striking “2018” and inserting*
16 *“2023”.*

17 **SEC. 3004. LOCAL SALE AND BARTER OF COMMODITIES.**

18 *Section 203 of the Food for Peace Act (7 U.S.C. 1723)*
19 *is amended—*

20 *(1) in subsection (a), by inserting “to generate*
21 *proceeds to be used as provided in this section” before*
22 *the period at the end;*

23 *(2) by striking subsection (b); and*

24 *(3) by redesignating subsections (c) and (d) as*
25 *subsections (b) and (c), respectively.*

1 **SEC. 3005. MINIMUM LEVELS OF ASSISTANCE.**

2 Section 204(a) of the Food for Peace Act (7 U.S.C.
3 1724(a)) is amended in paragraphs (1) and (2) by striking
4 “2018” both places it appears and inserting “2023”.

5 **SEC. 3006. EXTENSION OF TERMINATION DATE OF FOOD**
6 **AID CONSULTATIVE GROUP.**

7 Section 205(f) of the Food for Peace Act (7 U.S.C.
8 1725(f)) is amended by striking “2018” and inserting
9 “2023”.

10 **SEC. 3007. ISSUANCE OF REGULATIONS.**

11 Section 207(c)(1) of the Food for Peace Act (7 U.S.C.
12 1726a(c)(1)) is amended by striking “the Agricultural Act
13 of 2014” and inserting “the Agriculture and Nutrition Act
14 of 2018”.

15 **SEC. 3008. FUNDING FOR PROGRAM OVERSIGHT, MONI-**
16 **TORING, AND EVALUATION.**

17 Section 207(f)(4) of the Food for Peace Act (7 U.S.C.
18 1726a(f)(4)) is amended—

19 (1) in subparagraph (A)—

20 (A) by striking “\$17,000,000” and inserting
21 “1.5 percent”; and

22 (B) by striking “2014 through 2018” the
23 first place it appears and inserting “2019
24 through 2023”; and

25 (C) by striking “2018” the second place it
26 appears and inserting “2023”; and

1 (2) *in subparagraph (B)—*

2 (A) *in clause (i), by striking “2018” and*
3 *inserting “2023”; and*

4 (B) *in clause (ii), by striking “chapter 1 of*
5 *part I of”.*

6 **SEC. 3009. ASSISTANCE FOR STOCKPILING AND RAPID**
7 **TRANSPORTATION, DELIVERY, AND DIS-**
8 **TRIBUTION OF SHELF-STABLE PREPACKAGED**
9 **FOODS.**

10 *Section 208 the Food for Peace Act (7 U.S.C. 1726b)*
11 *is amended—*

12 (1) *by amending the section heading to read as*
13 *follows: “**INTERNATIONAL FOOD RELIEF PART-***
14 ***nership**”; and*

15 (2) *in subsection (f), by striking “2018” and in-*
16 *serting “2023”.*

17 **SEC. 3010. CONSIDERATION OF IMPACT OF PROVISION OF**
18 **AGRICULTURAL COMMODITIES AND OTHER**
19 **ASSISTANCE ON LOCAL FARMERS AND ECON-**
20 **OMY.**

21 (a) *INCLUSION OF ALL MODALITIES.—Section 403(a)*
22 *of the Food for Peace Act (7 U.S.C. 1733(a)) is amended—*

23 (1) *in the matter preceding paragraph (1), by*
24 *inserting “, food procured outside of the United*

1 *States, food voucher, or cash transfer for food,” after*
 2 *“agricultural commodity”;*

3 *(2) in paragraph (1), by inserting “in the case*
 4 *of the provision of an agricultural commodity,” before*
 5 *“adequate”; and*

6 *(3) in paragraph (2), by striking “commodity”*
 7 *and inserting “agricultural commodity or use of the*
 8 *food procured outside of the United States, food*
 9 *vouchers, or cash transfers for food”.*

10 ***(b) AVOIDANCE OF DISRUPTIVE IMPACT.***—*Section*
 11 *403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is*
 12 *amended—*

13 *(1) in the first sentence, by inserting “, food pro-*
 14 *cured outside of the United States, food vouchers, and*
 15 *cash transfers for food” after “agricultural commod-*
 16 *ities”; and*

17 *(2) in the second sentence, by striking “of sales*
 18 *of agricultural commodities”.*

19 ***SEC. 3011. PREPOSITIONING OF AGRICULTURAL COMMOD-***
 20 ***ITIES.***

21 *Section 407(c)(4)(A) of the Food for Peace Act (7*
 22 *U.S.C. 1736a(c)(4)(A)) is amended by striking “2018” each*
 23 *place it appears and inserting “2023”.*

1 **SEC. 3012. ANNUAL REPORT REGARDING FOOD AID PRO-**
2 **GRAMS AND ACTIVITIES.**

3 (a) *IN GENERAL.*—Section 407(f) of the Food for Peace
4 Act (7 U.S.C. 1736a(f)(1)) is amended to read as follows:

5 “(f) *ANNUAL REPORT REGARDING FOOD AID PRO-*
6 *GRAMS AND ACTIVITIES.*—

7 “(1) *IN GENERAL.*—Not later than April 1 of
8 each fiscal year, the Administrator and the Secretary
9 shall prepare, either jointly or separately, a report re-
10 garding each program and activity carried out under
11 this Act during the prior fiscal year. If the report for
12 a fiscal year will not be submitted to the appropriate
13 committees of Congress by the date specified in this
14 subparagraph, the Administrator and the Secretary
15 shall promptly notify such committees about the
16 delay, including the reasons for the delay, the steps
17 being taken to complete the report, and an estimated
18 submission date.

19 “(2) *CONTENTS.*—An annual report described in
20 paragraph (1) shall include, with respect to the prior
21 fiscal year, the following:

22 “(A) A list that contains a description of
23 each country and organization that receives food
24 and other assistance under this Act (including
25 the quantity of food and assistance provided to
26 each country and organization).

1 “(B) *A general description of each project*
 2 *and activity implemented under this Act (in-*
 3 *cluding each activity funded through the use of*
 4 *local currencies) and the total number of bene-*
 5 *ficiaries of the project.*

6 “(C) *A statement describing the quantity of*
 7 *agricultural commodities made available to, and*
 8 *the total number of beneficiaries in, each country*
 9 *pursuant to—*

10 “(i) *this Act;*

11 “(ii) *section 416(b) of the Agricultural*
 12 *Act of 1949 (7 U.S.C. 1431(b));*

13 “(iii) *the Food for Progress Act of 1985*
 14 *(7 U.S.C. 1736o); and*

15 “(iv) *the McGovern-Dole International*
 16 *Food for Education and Child Nutrition*
 17 *Program established by section 3107 of the*
 18 *Farm Security and Rural Investment Act of*
 19 *2002 (7 U.S.C. 1736o–1).*

20 “(D) *An assessment of the progress made*
 21 *through programs under this Act towards reduc-*
 22 *ing food insecurity in the populations receiving*
 23 *food assistance from the United States.*

24 “(E) *A description of efforts undertaken by*
 25 *the Food Aid Consultative Group under section*

1 205 to achieve an integrated and effective food
2 assistance program.

3 “(F) An assessment of—

4 “(i) each program oversight, moni-
5 toring, and evaluation system implemented
6 under section 207(f); and

7 “(ii) the impact of each program over-
8 sight, monitoring, and evaluation system on
9 the effectiveness and efficiency of assistance
10 provided under this title.

11 “(G) An assessment of the progress made by
12 the Administrator in addressing issues relating
13 to quality with respect to the provision of food
14 assistance.

15 “(H) A statement of the amount of funds
16 (including funds for administrative costs, indi-
17 rect cost recovery, internal transportation, stor-
18 age and handling, and associated distribution
19 costs) provided to each eligible organization that
20 received assistance under this Act, that further
21 describes the following:

22 “(i) How such funds were used by the
23 eligible organization.

24 “(ii) The actual rate of return for each
25 commodity made available under this Act,

1 including factors that influenced the rate of
2 return, and, for the commodity, the costs of
3 bagging or further processing, ocean trans-
4 portation, inland transportation in the re-
5 cipient country, storage costs, and any other
6 information that the Administrator and the
7 Secretary determine to be necessary.

8 “(iii) For each instance in which a
9 commodity was made available under this
10 Act at a rate of return less than 70 percent,
11 the reasons for the rate of return realized.

12 “(I) For funds expended for the purposes of
13 section 202(e), 406(b)(6), and 407(c)(1)(B), a de-
14 tailed accounting of the expenditures and pur-
15 poses of such expenditures with respect to each
16 section.

17 “(3) RATE OF RETURN DESCRIBED.—For pur-
18 poses of applying subparagraph (H), the rate of re-
19 turn for a commodity shall be equal to the proportion
20 that—

21 “(A) the proceeds the implementing part-
22 ners generate through monetization; bears to

23 “(B) the cost to the Federal Government to
24 procure and ship the commodity to a recipient
25 country for monetization.”.

1 (b) *CONFORMING REPEAL.*—Subsection (m) of section
2 403 of the Food for Peace Act (7 U.S.C. 1733) is repealed.

3 **SEC. 3013. DEADLINE FOR AGREEMENTS TO FINANCE SALES**
4 **OR TO PROVIDE OTHER ASSISTANCE.**

5 Section 408 of the Food for Peace Act (7 U.S.C. 1736b)
6 is amended by striking “2018” and inserting “2023”.

7 **SEC. 3014. MINIMUM LEVEL OF NONEMERGENCY FOOD AS-**
8 **SISTANCE.**

9 Subsection (e) of section 412 of the Food for Peace Act
10 (7 U.S.C. 1736f) is amended to read as follows:

11 “(e) *MINIMUM LEVEL OF NONEMERGENCY FOOD AS-*
12 *SISTANCE.*—

13 “(1) *IN GENERAL.*—For each of fiscal years 2019
14 through 2023, not less than \$365,000,000 of the
15 amounts made available to carry out emergency and
16 nonemergency food assistance programs under title II,
17 nor more than 30 percent of such amounts, shall be
18 expended for nonemergency food assistance programs
19 under such title.

20 “(2) *COMMUNITY DEVELOPMENT FUNDS.*—Funds
21 appropriated each year to carry out part I of the For-
22 eign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)
23 that are made available through grants or cooperative
24 agreements to strengthen food security in developing
25 countries and that are consistent with section

1 202(e)(1)(C) may be deemed to be expended on non-
 2 emergency food assistance programs for purposes of
 3 this section.”.

4 **SEC. 3015. TERMINATION DATE FOR MICRONUTRIENT FOR-**
 5 **TIFICATION PROGRAMS.**

6 Section 415(c) of the Food for Peace Act (7 U.S.C.
 7 1736g–2(c)) is amended by striking “2018” and inserting
 8 “2023”.

9 **SEC. 3016. JOHN OGONOWSKI AND DOUG BEREUTER FARM-**
 10 **ER-TO-FARMER PROGRAM.**

11 (a) *CLARIFICATION OF NATURE OF ASSISTANCE.*—Sec-
 12 tion 501(b)(1) of the Food for Peace Act (7 U.S.C.
 13 1737(b)(1)) is amended by inserting “technical” before “as-
 14 sistance”.

15 (b) *ELIGIBLE PARTICIPANTS.*—Section 501(b)(2) of
 16 the Food for Peace Act (7 U.S.C. 1737(b)(2)) is amended
 17 by inserting “retired extension staff of the Department of
 18 Agriculture,” after “private corporations,”.

19 (c) *ADDITIONAL PURPOSE.*—Section 501(b) of the
 20 Food for Peace Act (7 U.S.C. 1737(b)) is amended—

21 (1) by striking “and” at the end of paragraph
 22 (5);

23 (2) by redesignating paragraph (6) as para-
 24 graph (7); and

1 (3) by inserting after paragraph (5) the fol-
 2 lowing new paragraph:

3 “(6) foster appropriate investments in institu-
 4 tional capacity-building and allow longer-term and
 5 sequenced assignments and partnerships to provide
 6 deeper engagement and greater continuity on such
 7 projects; and”.

8 (d) *MINIMUM FUNDING*.—Subsection (d) of section 501
 9 of the Food for Peace Act (7 U.S.C. 1737) is amended to
 10 read as follows:

11 “(d) *MINIMUM FUNDING*.—

12 “(1) *IN GENERAL*.—Notwithstanding any other
 13 provision of law, in addition to any funds that may
 14 be specifically appropriated to carry out this section,
 15 not less than the greater of \$15,000,000 or 0.6 percent
 16 of the amounts made available for each of fiscal years
 17 2014 through 2023, to carry out this Act shall be used
 18 to carry out programs under this section, of which—

19 “(A) not less than 0.2 percent to be used for
 20 programs in developing countries; and

21 “(B) not less than 0.1 percent to be used for
 22 programs in sub-Saharan African and Carib-
 23 bean Basin countries.

24 “(2) *TREATMENT OF EXPENDITURES*.—Funds
 25 used to carry out programs under this section shall

7 ***Subtitle B—Agricultural Trade Act***
8 ***of 1978***

10 Congress finds the following:

(2) Our global competitors provide substantially more public support for export promotion than is provided to United States agricultural exporters. The Market Access Program and Foreign Market Development Program receive combined annual funding of approximately \$234,500,000. In comparison, the European Union allocates \$255,000,000 annually for the international promotion of wine alone.

1 (3) *The preservation and streamlining of United*
 2 *States export market development programs com-*
 3 *plements the recent reorganization within the Depart-*
 4 *ment of Agriculture by ensuring the newly established*
 5 *Under Secretary for Trade and Foreign Agricultural*
 6 *Affairs has the tools necessary to enhance the competi-*
 7 *tiveness of the United States agricultural industry on*
 8 *the global stage.*

9 **SEC. 3102. CONSOLIDATION OF CURRENT PROGRAMS AS**
 10 **NEW INTERNATIONAL MARKET DEVELOP-**
 11 **MENT PROGRAM.**

12 (a) *INTERNATIONAL MARKET DEVELOPMENT PRO-*
 13 *GRAM.—Section 205 of the Agricultural Trade Act of 1978*
 14 *(7 U.S.C. 5625) is amended to read as follows:*

15 **“SEC. 205. INTERNATIONAL MARKET DEVELOPMENT PRO-**
 16 **GRAM.**

17 “(a) *PROGRAM REQUIRED.—The Secretary and the*
 18 *Commodity Credit Corporation shall establish and carry*
 19 *out a program, to be known as the ‘International Market*
 20 *Development Program’, to encourage the development,*
 21 *maintenance, and expansion of commercial export markets*
 22 *for United States agricultural commodities.*

23 “(b) *MARKET ACCESS PROGRAM COMPONENT.—*

24 “(1) *IN GENERAL.—As one of the components of*
 25 *the International Market Development Program, the*

1 *Commodity Credit Corporation shall carry out a pro-*
2 *gram to encourage the development, maintenance, and*
3 *expansion of commercial export markets for United*
4 *States agricultural commodities through cost-share as-*
5 *sistance to eligible trade organizations that imple-*
6 *ment a foreign market development program.*

7 “(2) *TYPES OF ASSISTANCE.*—*Assistance under*
8 *this subsection may be provided in the form of funds*
9 *of, or commodities owned by, the Commodity Credit*
10 *Corporation, as determined appropriate by the Sec-*
11 *retary.*

12 “(3) *PARTICIPATION REQUIREMENTS.*—

13 “(A) *MARKETING PLAN AND OTHER RE-*
14 *QUIREMENTS.*—*To be eligible for cost-share as-*
15 *sistance under this subsection, an eligible trade*
16 *organization shall—*

17 “(i) *prepare and submit a marketing*
18 *plan to the Secretary that meets the guide-*
19 *lines governing such a marketing plan spec-*
20 *ified in this paragraph or otherwise estab-*
21 *lished by the Secretary;*

22 “(ii) *meet any other requirements es-*
23 *tablished by the Secretary; and*

24 “(iii) *enter into an agreement with the*
25 *Secretary.*

1 “(B) *PURPOSE OF MARKETING PLAN.*—A
 2 *marketing plan submitted under this paragraph*
 3 *shall describe the advertising or other market*
 4 *oriented export promotion activities to be carried*
 5 *out by the eligible trade organization with re-*
 6 *spect to which assistance under this subsection is*
 7 *being requested.*

8 “(C) *SPECIFIC ELEMENTS.*—*To be approved*
 9 *by the Secretary, a marketing plan submitted*
 10 *under this paragraph shall—*

11 “(i) *specifically describe the manner in*
 12 *which assistance received by the eligible*
 13 *trade organization, in conjunction with*
 14 *funds and services provided by the eligible*
 15 *trade organization, will be expended in im-*
 16 *plementing the marketing plan;*

17 “(ii) *establish specific market goals to*
 18 *be achieved under the marketing plan; and*

19 “(iii) *contain whatever additional re-*
 20 *quirements are determined by the Secretary*
 21 *to be necessary.*

22 “(D) *BRANDED PROMOTION.*—*A marketing*
 23 *plan approved by the Secretary may provide for*
 24 *the use of branded advertising to promote the*
 25 *sale of United States agricultural commodities*

1 *in a foreign country under such terms and con-*
 2 *ditions as may be established by the Secretary.*

3 “(E) *AMENDMENTS.—An approved mar-*
 4 *keting plan may be amended by the eligible trade*
 5 *organization at any time, subject to the approval*
 6 *by the Secretary of the amendments.*

7 “(4) *LEVEL OF ASSISTANCE AND COST-SHARE*
 8 *REQUIREMENTS.—*

9 “(A) *IN GENERAL.—The Secretary shall jus-*
 10 *tify in writing the level of assistance to be pro-*
 11 *vided to an eligible trade organization under this*
 12 *subsection and the level of cost sharing required*
 13 *of the organization.*

14 “(B) *LIMITATION ON BRANDED PRO-*
 15 *MOTION.—Assistance provided under this sub-*
 16 *section for activities described in paragraph*
 17 *(3)(D) shall not exceed 50 percent of the cost of*
 18 *implementing the marketing plan, except that*
 19 *the Secretary may determine not to apply such*
 20 *limitation in the case of United States agricul-*
 21 *tural commodities with respect to which there*
 22 *has been a favorable decision by the United*
 23 *States Trade Representative under section 301 of*
 24 *the Trade Act of 1974 (19 U.S.C. 2411). Criteria*
 25 *used by the Secretary for determining that the*

1 *limitation shall not apply shall be consistent and*
 2 *documented.*

3 “(5) *OTHER TERMS AND CONDITIONS.*—

4 “(A) *MULTI-YEAR BASIS.*—*The Secretary*
 5 *may provide assistance under this subsection on*
 6 *a multi-year basis, subject to annual review by*
 7 *the Secretary for compliance with the approved*
 8 *marketing plan.*

9 “(B) *TERMINATION OF ASSISTANCE.*—*The*
 10 *Secretary may terminate any assistance made,*
 11 *or to be made, available under this subsection if*
 12 *the Secretary determines that—*

13 “(i) *the eligible trade organization is*
 14 *not adhering to the terms and conditions*
 15 *applicable to the provision of the assistance;*

16 “(ii) *the eligible trade organization is*
 17 *not implementing the approved marketing*
 18 *plan or is not adequately meeting the estab-*
 19 *lished goals of the plan;*

20 “(iii) *the eligible trade organization is*
 21 *not adequately contributing its own re-*
 22 *sources to the implementation of the plan;*
 23 *or*

24 “(iv) *the Secretary determines that ter-*
 25 *mination of assistance in a particular in-*

1 *stance is in the best interests of the pro-*
2 *gram.*

3 “(C) *EVALUATIONS.—Beginning not later*
4 *than 15 months after the initial provision of as-*
5 *sistance under this subsection to an eligible trade*
6 *organization, the Secretary shall monitor the ex-*
7 *penditures by the eligible trade organization of*
8 *such assistance, including the following:*

9 “(i) *An evaluation of the effectiveness*
10 *of the marketing plan of the eligible trade*
11 *organization in developing or maintaining*
12 *markets for United States agricultural com-*
13 *modities.*

14 “(ii) *An evaluation of whether assist-*
15 *ance provided under this subsection is nec-*
16 *essary to maintain such markets.*

17 “(iii) *A thorough accounting of the ex-*
18 *penditure by the eligible trade organization*
19 *of the assistance provided under this sub-*
20 *section.*

21 “(6) *RESTRICTIONS ON USE OF FUNDS.—Assist-*
22 *ance provided under this subsection to an eligible*
23 *trade organization shall not be used—*

1 “(A) to provide direct assistance to any for-
 2 eign for-profit corporation for the corporation’s
 3 use in promoting foreign-produced products; or

4 “(B) to provide direct assistance to any for-
 5 profit corporation that is not recognized as a
 6 small business concern, excluding a cooperative,
 7 an association described in the first section of the
 8 Act entitled ‘An Act To authorize association of
 9 producers of agricultural products’, approved
 10 February 18, 1922 (7 U.S.C. 291), or a non-
 11 profit trade association.

12 “(7) *PERMISSIVE USE OF FUNDS.*—Assistance
 13 provided under this subsection to a United States ag-
 14 ricultural trade association, cooperative, or small
 15 business may be used for individual branded pro-
 16 motional activity related to a United States branded
 17 product, if the beneficiaries of the activity have pro-
 18 vided funds for the activity in an amount that is at
 19 least equivalent to the amount of assistance provided
 20 under this subsection.

21 “(8) *PROGRAM CONSIDERATIONS AND PRIOR-*
 22 *ITIES.*—In providing assistance under this subsection,
 23 the Secretary, to the maximum extent practicable,
 24 shall—

25 “(A) give equal consideration to—

1 “(i) proposals submitted by organiza-
 2 tions that were participating organizations
 3 in prior fiscal years; and

4 “(ii) proposals submitted by eligible
 5 trade organizations that have not previously
 6 participated in the program established
 7 under this title;

8 “(B) give equal consideration to—

9 “(i) proposals submitted for activities
 10 in emerging markets; and

11 “(ii) proposals submitted for activities
 12 in markets other than emerging markets.

13 “(9) *PRIORITY.*—In providing assistance for
 14 branded promotion, the Secretary should give priority
 15 to small-sized entities.

16 “(10) *CONTRIBUTION LEVEL.*—

17 “(A) *IN GENERAL.*—The Secretary should
 18 require a minimum contribution level of 10 per-
 19 cent from an eligible trade organization that re-
 20 ceives assistance for nonbranded promotion.

21 “(B) *INCREASES IN CONTRIBUTION*
 22 *LEVEL.*—The Secretary may increase the con-
 23 tribution level in any subsequent year that an el-
 24 igible trade organization receives assistance for
 25 nonbranded promotion.

1 “(11) *ADDITIONALITY.*—*The Secretary should re-*
 2 *quire each participant in the program to certify that*
 3 *any Federal funds received supplement, but do not*
 4 *supplant, private or third party participant funds or*
 5 *other contributions to program activities.*

6 “(12) *INDEPENDENT AUDITS.*—*If as a result of*
 7 *an evaluation or audit of activities of a participant*
 8 *under the program, the Secretary determines that a*
 9 *further review is justified in order to ensure compli-*
 10 *ance with the requirements of the program, the Sec-*
 11 *retary should require the participant to contract for*
 12 *an independent audit of the program activities, in-*
 13 *cluding activities of any subcontractor.*

14 “(13) *TOBACCO.*—*No funds made available*
 15 *under the market promotion program may be used for*
 16 *activities to develop, maintain, or expand foreign*
 17 *markets for tobacco.*

18 “(c) *FOREIGN MARKET DEVELOPMENT COOPERATOR*
 19 *COMPONENT.*—

20 “(1) *IN GENERAL.*—*As one of the components of*
 21 *the International Market Development Program, the*
 22 *Secretary shall carry out a foreign market develop-*
 23 *ment cooperator program to maintain and develop*
 24 *foreign markets for United States agricultural com-*
 25 *modities.*

1 “(2) *COOPERATION.*—*The Secretary shall carry*
2 *out the foreign market development cooperator pro-*
3 *gram in cooperation with eligible trade organizations.*

4 “(3) *ADMINISTRATION.*—*Funds made available*
5 *to carry out the foreign market development coop-*
6 *erator program shall be used only to provide—*

7 “(A) *cost-share assistance to an eligible*
8 *trade organization under a contract or agree-*
9 *ment with the organization; and*

10 “(B) *assistance for other costs that are nec-*
11 *essary or appropriate to carry out the foreign*
12 *market development cooperator program, includ-*
13 *ing contingent liabilities that are not otherwise*
14 *funded.*

15 “(4) *PROGRAM CONSIDERATIONS.*—*In providing*
16 *assistance under this subsection, the Secretary, to the*
17 *maximum extent practicable, shall—*

18 “(A) *give equal consideration to—*

19 “(i) *proposals submitted by eligible*
20 *trade organizations that were participating*
21 *organizations in the foreign market develop-*
22 *ment cooperator program in prior fiscal*
23 *years; and*

24 “(ii) *proposals submitted by eligible*
25 *trade organizations that have not previously*

1 *participated in the foreign market develop-*
2 *ment cooperator program; and*

3 *“(B) give equal consideration to—*

4 *“(i) proposals submitted for activities*
5 *in emerging markets; and*

6 *“(ii) proposals submitted for activities*
7 *in markets other than emerging markets.*

8 *“(d) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS*
9 *COMPONENT.—*

10 *“(1) IN GENERAL.—As one of the components of*
11 *the International Market Development Program, the*
12 *Secretary shall carry out an export assistance pro-*
13 *gram to address existing or potential barriers that*
14 *prohibit or threaten the export of United States spe-*
15 *cialty crops.*

16 *“(2) PURPOSE.—The export assistance program*
17 *required by this subsection shall provide direct assist-*
18 *ance through public and private sector projects and*
19 *technical assistance to remove, resolve, or mitigate ex-*
20 *isting or potential sanitary and phytosanitary and*
21 *technical barriers to trade.*

22 *“(3) PRIORITY.—The export assistance program*
23 *required by this subsection shall address time sen-*
24 *sitive and strategic market access projects based on—*

1 “(A) *trade effect on market retention, mar-*
2 *ket access, and market expansion; and*

3 “(B) *trade impact.*

4 “(4) *ANNUAL REPORT.—The Secretary shall sub-*
5 *mit to the appropriate committees of Congress an an-*
6 *nual report that contains, for the period covered by*
7 *the report, a description of each factor that affects the*
8 *export of specialty crops, including each factor relat-*
9 *ing to any significant sanitary or phytosanitary*
10 *issue or trade barrier.*

11 “(e) *E. (KIKI) DE LA GARZA EMERGING MARKETS*
12 *PROGRAM COMPONENT.—*

13 “(1) *IN GENERAL.—*

14 “(A) *ESTABLISHMENT OF PROGRAM.—The*
15 *Secretary, in order to develop, maintain, or ex-*
16 *pand export markets for United States agricul-*
17 *tural commodities, is directed—*

18 “(i) *to make available to emerging*
19 *markets the expertise of the United States to*
20 *make assessments of the food and rural*
21 *business systems needs of such emerging*
22 *markets;*

23 “(ii) *to make recommendations on*
24 *measures necessary to enhance the effective-*

1 ness of the systems, including potential re-
2 ductions in trade barriers; and

3 “(iii) to identify and carry out specific
4 opportunities and projects to enhance the ef-
5 fectiveness of those systems.

6 “(B) *EXTENT OF PROGRAM.*—The Secretary
7 shall implement this paragraph with respect to
8 at least 3 emerging markets in each fiscal year.

9 “(2) *IMPLEMENTATION OF PROGRAM.*—The Sec-
10 retary may implement the requirements of paragraph
11 (1)—

12 “(A) by providing assistance to teams con-
13 sisting primarily of agricultural consultants,
14 farmers, other persons from the private sector
15 and government officials expert in assessing the
16 food and rural business systems of other coun-
17 tries to enable such teams to conduct the assess-
18 ments, make the recommendations, and identify
19 the opportunities and projects specified in such
20 paragraph in emerging markets; and

21 “(B) by providing for necessary subsistence
22 and transportation expenses of—

23 “(i) United States food and rural busi-
24 ness system experts, including United States
25 agricultural producers and other United

1 *States individuals knowledgeable in agricul-*
2 *tural and agribusiness matters, to enable*
3 *such United States food and rural business*
4 *system experts to assist in transferring*
5 *knowledge and expertise to entities in*
6 *emerging markets; and*

7 *“(ii) individuals designated by emerg-*
8 *ing markets to enable such designated indi-*
9 *viduals to consult with such United States*
10 *experts to enhance food and rural business*
11 *systems of such emerging markets and to*
12 *transfer knowledge and expertise to such*
13 *emerging markets.*

14 *“(3) COST-SHARING.—The Secretary shall en-*
15 *courage the nongovernmental experts described in*
16 *paragraph (2) to share the costs of, and otherwise as-*
17 *sist in, the participation of such experts in the pro-*
18 *gram under this paragraph.*

19 *“(4) TECHNICAL ASSISTANCE.—The Secretary is*
20 *authorized to provide, or pay the necessary costs for,*
21 *technical assistance (including the establishment of*
22 *extension services) necessary to enhance the effective-*
23 *ness of food and rural business systems needs of*
24 *emerging markets, including potential reductions in*
25 *trade barriers.*

1 “(5) *REPORTS TO SECRETARY.*—A team that re-
 2 *ceives assistance under paragraph (2) shall prepare*
 3 *such reports with respect to the use of such assistance*
 4 *as the Secretary may require.*

5 “(f) *DEFINITIONS.*—In this section:

6 “(1) *ELIGIBLE TRADE ORGANIZATION.*—

7 “(A) *MARKET ACCESS PROGRAM COMPO-*
 8 *NENT.*—In subsection (b), the term ‘eligible trade
 9 *organization’ means—*

10 “(i) *a United States agricultural trade*
 11 *organization or regional State-related orga-*
 12 *nization that promotes the export and sale*
 13 *of United States agricultural commodities*
 14 *and that does not stand to profit directly*
 15 *from specific sales of United States agricul-*
 16 *tural commodities;*

17 “(ii) *a cooperative organization or*
 18 *State agency that promotes the sale of*
 19 *United States agricultural commodities; or*

20 “(iii) *a private organization that pro-*
 21 *motes the export and sale of United States*
 22 *agricultural commodities if the Secretary*
 23 *determines that such organization would*
 24 *significantly contribute to United States ex-*
 25 *port market development.*

1 “(B) *FOREIGN MARKET DEVELOPMENT CO-*
 2 *OPERATOR COMPONENT.*—*In subsection (c), the*
 3 *term ‘eligible trade organization’ means a*
 4 *United States trade organization that—*

5 *“(i) promotes the export of one or more*
 6 *United States agricultural commodities;*
 7 *and*

8 *“(ii) does not have a business interest*
 9 *in or receive remuneration from specific*
 10 *sales of United States agricultural commod-*
 11 *ities.*

12 “(2) *EMERGING MARKET.*—*The term ‘emerging*
 13 *market’ means any country that the Secretary deter-*
 14 *mines—*

15 *“(A) is taking steps toward a market-ori-*
 16 *ented economy through the food, agriculture, or*
 17 *rural business sectors of the economy of the coun-*
 18 *try; and*

19 *“(B) has the potential to provide a viable*
 20 *and significant market for United States agri-*
 21 *cultural commodities.*

22 “(3) *SMALL-BUSINESS CONCERN.*—*The term*
 23 *‘small-business concern’ has the meaning given that*
 24 *term in section 3(a) of the Small Business Act (15*
 25 *U.S.C. 632(a)).*

1 “(4) *UNITED STATES AGRICULTURAL COM-*
 2 *MODITY.*—*The term ‘United States agricultural com-*
 3 *modity’ has the meaning given the term in section*
 4 *102 of the Agriculture Trade Act of 1978 (7 U.S.C.*
 5 *5602) and includes commodities that are organically*
 6 *produced (as defined in section 2103 of the Organic*
 7 *Foods Production Act of 1990 (7 U.S.C. 6502)).’.*”

8 (b) *FUNDING PROVISION.*—*Subsection (c) of section*
 9 *211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5641)*
 10 *is amended to read as follows:*

11 “(c) *INTERNATIONAL MARKET DEVELOPMENT PRO-*
 12 *GRAM.*—

13 “(1) *IN GENERAL.*—*Of the funds of the Com-*
 14 *modity Credit Corporation, the Secretary shall make*
 15 *available for the International Market Development*
 16 *Program under section 205 \$255,000,000 for each of*
 17 *the fiscal years 2019 through 2023. Such amounts*
 18 *shall remain available until expended.*

19 “(2) *SET-ASIDES.*—

20 “(A) *MARKET ACCESS PROGRAM COMPO-*
 21 *NENT.*—*Of the funds made available under para-*
 22 *graph (1) for a fiscal year, not less than*
 23 *\$200,000,000 shall be used for the market access*
 24 *program component of the International Market*

1 *Development Program under subsection (b) of*
2 *section 205.*

3 “(B) *FOREIGN MARKET DEVELOPMENT CO-*
4 *OPERATOR COMPONENT.—Of the funds made*
5 *available under paragraph (1) for a fiscal year,*
6 *not less than \$34,500,000 shall be used for the*
7 *foreign market development cooperator compo-*
8 *nent of the International Market Development*
9 *Program under subsection (c) of section 205.*

10 “(C) *TECHNICAL ASSISTANCE FOR SPE-*
11 *CIALTY CROPS COMPONENT.—Of the funds made*
12 *available under paragraph (1) for a fiscal year,*
13 *not more than \$9,000,000, shall be used for the*
14 *specialty crops component of the International*
15 *Market Development Program under subsection*
16 *(d) of section 205.*

17 “(D) *AGRICULTURAL EXPORTS TO EMERG-*
18 *ING MARKETS COMPONENT.—Of the funds made*
19 *available under paragraph (1) for a fiscal year,*
20 *not more than \$10,000,000 shall be used to pro-*
21 *mote agricultural exports to emerging markets*
22 *under the International Market Development*
23 *Program under subsection (e) of section 205.”.*

24 (c) *REPEAL OF SUPERSEDED PROGRAMS.—*

1 (1) *MARKET ACCESS PROGRAM*.—Section 203 of
2 the *Agricultural Trade Act of 1978* (7 U.S.C. 5623)
3 is repealed.

4 (2) *PROMOTIONAL ASSISTANCE*.—Section 1302 of
5 the *Omnibus Budget Reconciliation Act of 1993* is re-
6 pealed.

7 (3) *FOREIGN MARKET DEVELOPMENT COOP-*
8 *ERATOR PROGRAM*.—Title VII of the *Agricultural*
9 *Trade Act of 1978* (7 U.S.C. 5721–5723) is repealed.

10 (4) *EXPORT ASSISTANCE PROGRAM FOR SPE-*
11 *CIALTY CROPS*.—Section 3205 of the *Farm Security*
12 and *Rural Investment Act of 2002* (7 U.S.C. 5680) is
13 repealed.

14 (5) *EMERGING MARKETS PROGRAM*.—Section
15 1542 of the *Food, Agriculture, Conservation, and*
16 *Trade Act of 1990* (7 U.S.C. 5622 note; *Public Law*
17 101–624) is amended by striking subsection (d) and
18 by redesignating subsection (e) and (f) as subsections
19 (d) and (e), respectively.

20 (d) *CONFORMING AMENDMENTS*.—

21 (1) *AGRICULTURAL TRADE ACT OF 1978*.—The
22 *Agricultural Trade Act of 1978* is amended—

23 (A) in section 202 (7 U.S.C. 5622), by add-
24 ing at the end the following new subsection:

1 “(k) COMBINATION OF PROGRAMS.—*The Commodity*
 2 *Credit Corporation may carry out a program under which*
 3 *commercial export credit guarantees available under this*
 4 *section are combined with direct credits from the Com-*
 5 *modity Credit Corporation under section 201 to reduce the*
 6 *effective rate of interest on export sales of United States*
 7 *agricultural commodities.*”; and

8 (B) in section 402(a)(1) (7 U.S.C.
 9 5662(a)(1)), by striking “203” and inserting
 10 “205(b)”.

11 (2) AGRICULTURAL MARKETING ACT OF 1946.—
 12 Section 282(f)(2)(C) of the *Agricultural Marketing*
 13 *Act of 1946 (7 U.S.C. 1638a(f)(2)(C)) is amended by*
 14 *striking “section 203 of the Agricultural Trade Act of*
 15 *1978 (7 U.S.C. 5623)” and inserting “section 205 of*
 16 *the Agricultural Trade Act of 1978”.*

17 (3) FOOD, AGRICULTURE, CONSERVATION, AND
 18 TRADE ACT OF 1990.—Section 1543(b)(5) of the *Food,*
 19 *Agriculture, Conservation, and Trade Act of 1990 (7*
 20 *U.S.C. 3293(b)(5)) is amended by striking “1542(f)”*
 21 *and inserting “1542(e)”.*

1 ***Subtitle C—Other Agricultural***
2 ***Trade Laws***

3 ***SEC. 3201. LOCAL AND REGIONAL FOOD AID PROCUREMENT***
4 ***PROJECTS.***

5 *Section 3206(e)(1) of the Food, Conservation, and En-*
6 *ergy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended by*
7 *striking “2018” and inserting “2023”.*

8 ***SEC. 3202. PROMOTION OF AGRICULTURAL EXPORTS TO***
9 ***EMERGING MARKETS.***

10 *Section 1542(a) of the Food, Agriculture, Conserva-*
11 *tion, and Trade Act of 1990 (7 U.S.C. 5622 note; Public*
12 *Law 101–624) is amended by striking “2018” and inserting*
13 *“2023”.*

14 ***SEC. 3203. BILL EMERSON HUMANITARIAN TRUST ACT.***

15 *Section 302 of the Bill Emerson Humanitarian Trust*
16 *Act (7 U.S.C. 1736f–1) is amended—*

17 *(1) in subsection (b)(2)(B)(i), by striking “2018”*
18 *each place it appears and inserting “2023”; and*

19 *(2) in subsection (h), by striking “2018” each*
20 *place it appears and inserting “2023”.*

21 ***SEC. 3204. FOOD FOR PROGRESS ACT OF 1985.***

22 *(a) EXTENSION.—Section 1110 of the Food Security*
23 *Act of 1985 (also known as the Food for Progress Act of*
24 *1985; 7 U.S.C. 1736o) is amended—*

1 (1) in subsection (f)(3), by striking “2018” and
2 inserting “2023”;

3 (2) in subsection (g), by striking “2018” and in-
4 serting “2023”;

5 (3) in subsection (k), by striking “2018” and in-
6 serting “2023”; and

7 (4) in subsection (l)(1), by striking “2018” and
8 inserting “2023”.

9 (b) *ELIGIBLE ENTITIES*.—Section 1110(b)(5) of the
10 *Food Security Act of 1985 (also known as the Food for*
11 *Progress Act of 1985; 7 U.S.C. 1736o(b)(5)) is amended—*

12 (1) by striking “and” at the end of subpara-
13 graph (E);

14 (2) by redesignating subparagraph (F) as sub-
15 paragraph (G); and

16 (3) by inserting after subparagraph (E) the fol-
17 lowing new subparagraph:

18 “(F) a college or university (as such terms
19 are defined in section 1404(4) of the *Food and*
20 *Agriculture Act of 1977 (7 U.S.C. 3103(4));*
21 and”.

22 (c) *PRIVATE VOLUNTARY ORGANIZATIONS AND OTHER*
23 *PRIVATE ENTITIES*.—Section 1110(o) of the *Food Security*
24 *Act of 1985 is amended in paragraph (1) by striking “(F)”*
25 *and inserting “(G)”.*

1 **SEC. 3205. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**
2 **EDUCATION AND CHILD NUTRITION PRO-**
3 **GRAM.**

4 (a) CONSIDERATION OF PROPOSALS.—Section
5 3107(f)(1)(B) of the Farm Security and Rural Investment
6 Act of 2002 (7 U.S.C. 1736o–1(f)(1)(B)) is amended by in-
7 serting before the semicolon the following: “and, to the ex-
8 tent practicable, that assistance will be provided on a time-
9 ly basis so as to coincide with the beginning of and when
10 needed during the relevant school year”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
12 3107(l)(2) of the Farm Security and Rural Investment Act
13 of 2002 (7 U.S.C. 1736o–1(l)(2)) is amended by striking
14 “2018” and inserting “2023”.

15 **SEC. 3206. COCHRAN FELLOWSHIP PROGRAM.**

16 (a) AUTHORIZED LOCATIONS FOR TRAINING.—Section
17 1543(a) of the Food, Agriculture, Conservation, and Trade
18 Act of 1990 (7 U.S.C. 3293(a)) is amended by striking “for
19 study in the United States.” and inserting the following:
20 “for study—

21 “(1) in the United States; or

22 “(2) at a college or university located in an eli-
23 gible country that the Secretary determines—

24 “(A) has sufficient scientific and technical
25 facilities;

1 “(B) has established a partnership with at
 2 least one college or university in the United
 3 States; and

4 “(C) has substantial participation by fac-
 5 ulty members of the United States college or uni-
 6 versity in the design of the fellowship curriculum
 7 and classroom instruction under the fellowship.”.

8 (b) *FELLOWSHIP PURPOSES*.—Section 1543(c)(2) of
 9 the Food, Agriculture, Conservation, and Trade Act of 1990
 10 (7 U.S.C. 3293(c)(2)) is amended by inserting before the
 11 period at the end the following: “, including trade linkages
 12 involving regulatory systems governing sanitary and phyto-
 13 sanitary standards for agricultural products”.

14 **SEC. 3207. BORLAUG FELLOWSHIP PROGRAM.**

15 Section 1473G of the National Agricultural Research,
 16 Extension, and Teaching Policy Act of 1977 (7 U.S.C.
 17 3319j) is amended to read as follows:

18 **“SEC. 1473G. BORLAUG INTERNATIONAL AGRICULTURAL**
 19 **SCIENCE AND TECHNOLOGY FELLOWSHIP**
 20 **PROGRAM.**

21 “(a) *FELLOWSHIP PROGRAM*.—

22 “(1) *ESTABLISHMENT*.—The Secretary shall es-
 23 tablish a fellowship program, to be known as the
 24 ‘Borlaug International Agricultural Science and
 25 Technology Fellowship Program’.

1 “(2) *FELLOWSHIPS TO INDIVIDUALS FROM ELIGI-*
2 *BLE COUNTRIES.*—As part of the fellowship program,
3 *the Secretary shall provide fellowships to individuals*
4 *from eligible countries as described in subsection (b)*
5 *who specialize in agricultural education, research,*
6 *and extension for scientific training and study de-*
7 *signed to assist individual fellowship recipients, in-*
8 *cluding the following 3 programs:*

9 “(A) *A graduate studies program in agri-*
10 *culture to assist individuals who participate in*
11 *graduate agricultural degree training at a*
12 *United States institution.*

13 “(B) *An individual career improvement*
14 *program to assist agricultural scientists from de-*
15 *veloping countries in upgrading skills and un-*
16 *derstanding in agricultural science and tech-*
17 *nology.*

18 “(C) *A Borlaug agricultural policy execu-*
19 *tive leadership course to assist senior agricul-*
20 *tural policy makers from eligible countries, with*
21 *an initial focus on individuals from sub-Saha-*
22 *ran Africa and the independent states of the*
23 *former Soviet Union.*

24 “(3) *FELLOWSHIPS TO UNITED STATES CITI-*
25 *ZENS.*—As part of the fellowship program, the Sec-

1 *retary shall provide fellowships to citizens of the*
2 *United States to assist eligible countries in developing*
3 *school-based agricultural education and youth exten-*
4 *sion programs.*

5 *“(b) ELIGIBLE COUNTRY DESCRIBED.—For purposes*
6 *of this section, an eligible country is a developing country,*
7 *as determined by the Secretary using a gross national in-*
8 *come per capita test selected by the Secretary.*

9 *“(c) PURPOSE OF FELLOWSHIPS.—*

10 *“(1) FELLOWSHIPS TO INDIVIDUALS FROM ELIGI-*
11 *BLE COUNTRIES.—A fellowship provided under sub-*
12 *section (a)(2) shall—*

13 *“(A) promote food security and economic*
14 *growth in eligible countries by—*

15 *“(i) educating a new generation of ag-*
16 *ricultural scientists;*

17 *“(ii) increasing scientific knowledge*
18 *and collaborative research to improve agri-*
19 *cultural productivity; and*

20 *“(iii) extending that knowledge to users*
21 *and intermediaries in the marketplace; and*

22 *“(B) support—*

23 *“(i) training and collaborative re-*
24 *search opportunities through exchanges for*
25 *entry level international agricultural re-*

1 *search scientists, faculty, and policymakers*
 2 *from eligible countries;*

3 “(ii) *collaborative research to improve*
 4 *agricultural productivity;*

5 “(iii) *the transfer of new science and*
 6 *agricultural technologies to strengthen agri-*
 7 *cultural practice; and*

8 “(iv) *the reduction of barriers to tech-*
 9 *nology adoption.*

10 “(2) *FELLOWSHIPS TO UNITED STATES CITI-*
 11 *ZENS.—A fellowship provided under subsection (a)(3)*
 12 *shall—*

13 “(A) *develop globally minded United States*
 14 *agriculturists with experience living abroad;*

15 “(B) *focus on meeting the food and fiber*
 16 *needs of the domestic population of eligible coun-*
 17 *tries; and*

18 “(C) *strengthen and enhance trade linkages*
 19 *between eligible countries and the United States*
 20 *agricultural industry.*

21 “(d) *FELLOWSHIP RECIPIENTS.—*

22 “(1) *FELLOWSHIPS TO INDIVIDUALS FROM ELIGI-*
 23 *BLE COUNTRIES.—*

24 “(A) *ELIGIBLE CANDIDATES.—The Sec-*
 25 *retary may provide fellowships under subsection*

1 *(a)(2) to individuals from eligible countries who*
2 *specialize or have experience in agricultural edu-*
3 *cation, research, extension, or related fields, in-*
4 *cluding—*

5 *“(i) individuals from the public and*
6 *private sectors; and*

7 *“(ii) private agricultural producers.*

8 *“(B) CANDIDATE IDENTIFICATION.—For fel-*
9 *lowships under subsection (a)(2), the Secretary*
10 *shall use the expertise of United States land-*
11 *grant colleges and universities and similar uni-*
12 *versities, international organizations working in*
13 *agricultural research and outreach, and national*
14 *agricultural research organizations to help iden-*
15 *tify program candidates for fellowships from the*
16 *public and private sectors of eligible countries.*

17 *“(C) LOCATION OF TRAINING.—The sci-*
18 *entific training or study of fellowship recipients*
19 *under subsection (a)(2) shall occur—*

20 *“(i) in the United States; or*

21 *“(ii) at a college or university located*
22 *in an eligible country that the Secretary de-*
23 *termines—*

24 *“(I) has sufficient scientific and*
25 *technical facilities;*

1 “(II) *has established a partner-*
2 *ship with at least one college or univer-*
3 *sity in the United States; and*

4 “(III) *has substantial participa-*
5 *tion by faculty members of the United*
6 *States college or university in the de-*
7 *sign of the fellowship curriculum and*
8 *classroom instruction under the fellow-*
9 *ship.*

10 “(2) *FELLOWSHIPS TO UNITED STATES CITI-*
11 *ZENS.—*

12 “(A) *ELIGIBLE CANDIDATES.—The Sec-*
13 *retary may provide fellowships under subsection*
14 *(a)(3) to citizens of the United States who—*

15 “(i) *hold at least a bachelors degree in*
16 *an agricultural related field of study; and*

17 “(ii) *have an understanding of United*
18 *States school-based agricultural education*
19 *and youth extension programs, as deter-*
20 *mined by the Secretary.*

21 “(B) *CANDIDATE IDENTIFICATION.—For fel-*
22 *lowships under subsection (a)(3), the Secretary*
23 *shall consult with the National FFA Organiza-*
24 *tion, the National 4-H Council, and other enti-*

1 *ties as the Secretary deems appropriate to iden-*
2 *tify candidates for fellowships.*

3 “(e) *PROGRAM IMPLEMENTATION.—The Secretary*
4 *shall provide for the management, coordination, evaluation,*
5 *and monitoring of the Borlaug International Agricultural*
6 *Science and Technology Fellowship Program and for the*
7 *individual programs described in subsection (a), except*
8 *that—*

9 “(1) *the Secretary may contract out to 1 or more*
10 *collaborating universities the management of 1 or*
11 *more of the fellowship programs under subsection*
12 *(a)(2); and*

13 “(2) *the Secretary may contract out the manage-*
14 *ment of the fellowship program under subsection*
15 *(a)(3) to an outside organization with experience in*
16 *implementing fellowship programs focused on build-*
17 *ing capacity for school-based agricultural education*
18 *and youth extension programs in developing coun-*
19 *tries.*

20 “(f) *AUTHORIZATION OF APPROPRIATIONS.—*

21 “(1) *IN GENERAL.—There are authorized to be*
22 *appropriated \$6,000,000 to carry out this section.*

23 “(2) *SET-ASIDES.—Of any funds made available*
24 *pursuant to paragraph (1), not less than \$2,800,000*
25 *shall be used to carry out the fellowship program for*

1 *individuals from eligible countries under subsection*
2 *(a)(2).*

3 “(3) *DURATION.—Any funds made available*
4 *pursuant to paragraph (1) shall remain available*
5 *until expended.*”.

6 **SEC. 3208. GLOBAL CROP DIVERSITY TRUST.**

7 (a) *UNITED STATES CONTRIBUTION LIMIT.—Section*
8 *3202(b) of the Food, Conservation, and Energy Act of 2008*
9 *(22 U.S.C. 2220a note; Public Law 110–246(b)) is amended*
10 *by striking “25 percent” and inserting “33 percent”.*

11 (b) *AUTHORIZATION OF APPROPRIATIONS.—Section*
12 *3202(c) of the Food, Conservation, and Energy Act of 2008*
13 *(Public Law 110–246; 22 U.S.C. 2220a note) is amended*
14 *by striking “for the period of fiscal years 2014 through*
15 *2018” and inserting “for the period of fiscal years 2019*
16 *through 2023”.*

17 **SEC. 3209. GROWING AMERICAN FOOD EXPORTS ACT OF**
18 **2018.**

19 *Section 1543A of the Food, Agriculture, Conservation,*
20 *and Trade Act of 1990 (7 U.S.C. 5679) is amended to read*
21 *as follows:*

1 **“SEC. 1543A. BIOTECHNOLOGY AND AGRICULTURAL TRADE**
2 **PROGRAM.**

3 “(a) *ESTABLISHMENT.*—*There is established in the De-*
4 *partment of Agriculture a program to be known as the ‘Bio-*
5 *technology and Agricultural Trade Program’.*

6 “(b) *PURPOSE.*—*The purpose of the program estab-*
7 *lished under this section shall be to remove, resolve, or miti-*
8 *gate significant regulatory nontariff barriers to the export*
9 *of United States agricultural commodities into foreign mar-*
10 *kets through policy advocacy and targeted projects that ad-*
11 *dress—*

12 “(1) *issues relating to United States agricultural*
13 *commodities produced with the use of biotechnology or*
14 *new agricultural production technologies;*

15 “(2) *advocacy for science-based regulation in for-*
16 *oreign markets of biotechnology or new agricultural*
17 *production technologies; or*

18 “(3) *quick-response intervention regarding non-*
19 *tariff barriers to United States exports produced*
20 *through biotechnology or new agricultural production*
21 *technologies.*

22 “(c) *ELIGIBLE PROGRAMS.*—*Depending on need, as*
23 *determined by the Secretary, activities authorized under*
24 *this section may be carried out through—*

25 “(1) *this section;*

1 “(2) the emerging markets program under sec-
2 tion 1542; or

3 “(3) the Cochran Fellowship Program under sec-
4 tion 1543.”.

5 **TITLE IV—NUTRITION**
6 **Subtitle A—Supplemental Nutrition**
7 **Assistance Program**

8 **SEC. 4001. DUPLICATIVE ENROLLMENT DATABASE.**

9 (a) *EXPANSION OF THE DUPLICATIVE ENROLLMENT*
10 *DATABASE.—The Food and Nutrition Act of 2008 (7 U.S.C.*
11 *2011 et seq.) is amended by adding at the end the following:*

12 **“SEC. 30. DUPLICATIVE ENROLLMENT DATABASE.**

13 “(a) *IN GENERAL.—The Secretary shall establish an*
14 *interstate database, or system of databases, of supplemental*
15 *nutrition assistance program information to be known as*
16 *the Duplicative Enrollment Database that shall include the*
17 *data submitted by each State pursuant to section 11(e)(26)*
18 *and that shall meet security standards as determined by*
19 *the Secretary.*

20 “(b) *PURPOSE.—Any database, or system of databases,*
21 *established pursuant to subsection (a) shall be used by*
22 *States when making eligibility determinations to prevent*
23 *supplemental nutrition assistance program participants*
24 *from receiving duplicative benefits in multiple States.*

25 “(c) *IMPLEMENTATION.—*

1 “(1) *ISSUANCE OF INTERIM FINAL REGULA-*
2 *TIONS.—Not later than 18 months after the effective*
3 *date of this section, the Secretary shall issue interim*
4 *final regulations to carry out this section that—*

5 “(A) *incorporate best practices and lessons*
6 *learned from the regional pilot project referenced*
7 *in section 4032(c) of the Agricultural Act of 2014*
8 *(7 U.S.C. 2036c(c));*

9 “(B) *protect the privacy of supplemental*
10 *nutrition assistance program participants and*
11 *applicants consistent with section 11(e)(8); and*

12 “(C) *detail the process States will be re-*
13 *quired to follow for—*

14 “(i) *conducting initial and ongoing*
15 *matches of participant and applicant data;*

16 “(ii) *identifying and acting on all ap-*
17 *parent instances of duplicative participa-*
18 *tion by participants or applicants in mul-*
19 *tiple States;*

20 “(iii) *disenrolling an individual who*
21 *has applied to participate in another State*
22 *in a manner sufficient to allow the State in*
23 *which the individual is currently applying*
24 *to comply with sections 11(e)(3) and (9);*
25 *and*

1 “(iv) *complying with such other rules*
 2 *and standards the Secretary determines ap-*
 3 *propriate to carry out this section.*

4 “(2) *TIMING.—The initial match and cor-*
 5 *responding actions required by paragraph (1)(C)*
 6 *shall occur within 3 years after the date of the enact-*
 7 *ment of the Agriculture and Nutrition Act of 2018.*

8 “(d) *REPORTS.—Using the data submitted to the Du-*
 9 *plicative Enrollment Database, the Secretary shall publish*
 10 *an annual report analyzing supplemental nutrition assist-*
 11 *ance program participant characteristics, including partic-*
 12 *ipant tenure on the program. The report shall be made*
 13 *available to the public in a manner that prevents identifica-*
 14 *tion of participants that receive supplemental nutrition as-*
 15 *sistance program benefits.”.*

16 “(b) *STATE DATA COLLECTION AND SUBMISSION RE-*
 17 *QUIREMENTS.—Section 11(e) of the Food and Nutrition Act*
 18 *of 2008 (7 U.S.C. 2020(e)) is amended—*

19 (1) *in paragraph (24) by striking “and” at the*
 20 *end,*

21 (2) *in paragraph (25) by striking the period at*
 22 *the end and inserting “; and”, and*

23 (3) *by adding at the end the following:*

24 “(26) *that the State agency shall collect and sub-*
 25 *mit supplemental nutrition assistance program data*

1 to the Duplicative Enrollment Database established in
 2 section 30, in accordance with guidance or rules
 3 issued by the Secretary establishing a uniform method
 4 and format for the collection and submission of data,
 5 including for each member of a participating house-
 6 hold—

7 “(A) the social security number or the social
 8 security number substitute;

9 “(B) the employment status of such member;

10 “(C) the amount of income and whether
 11 that income is earned or unearned;

12 “(D) that member’s portion of the household
 13 monthly allotment, and

14 “(E) the portion of the aggregate value of
 15 household assets attributed to that member.”.

16 **SEC. 4002. RETAILER-FUNDED INCENTIVES PILOT.**

17 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
 18 et seq.), as amended by section 4001, is amended by adding
 19 at the end the following:

20 **“SEC. 31. RETAILER-FUNDED INCENTIVES PILOT.**

21 “(a) *IN GENERAL.*—The Secretary shall establish a
 22 pilot project in accordance with subsection (d) through
 23 which participating retail food stores provide bonuses to
 24 participating households based on household purchases of
 25 fruits, vegetables, and fluid milk.

1 “(b) *DEFINITIONS.*—*For purposes of this section—*

2 “(1) *The term ‘bonus’ means a financial incen-*
3 *tive provided at the point of sale to a participating*
4 *household that expends a portion of its allotment for*
5 *the purchase of fruits, vegetables, or fluid milk.*

6 “(2) *The term ‘fluid milk’ means cow milk with-*
7 *out flavoring or sweeteners and packaged in liquid*
8 *form.*

9 “(3) *The term ‘fruits’ means minimally proc-*
10 *essed fruits.*

11 “(4) *The term ‘retail food store’ means a retail*
12 *food store as defined in section 3(o)(1) that is author-*
13 *ized to accept and redeem benefits under the supple-*
14 *mental nutrition assistance program.*

15 “(5) *The term ‘vegetables’ means minimally*
16 *processed vegetables.*

17 “(c) *PROJECT PARTICIPANT PLANS.*—*To participate*
18 *in the pilot project established under subsection (a), a retail*
19 *food store shall submit to the Secretary for approval a plan*
20 *that includes—*

21 “(1) *a method of quantifying the cost of fruits,*
22 *vegetables, and fluid milk, that will earn households*
23 *a bonus;*

1 “(2) a method of providing bonuses to partici-
2 pating households and adequately testing such meth-
3 od;

4 “(3) a method of ensuring bonuses earned by
5 households may be used only to purchase food eligible
6 for purchase under the supplemental nutrition assist-
7 ance program;

8 “(4) a method of educating participating house-
9 holds about the availability and use of a bonus;

10 “(5) a method of providing data and reports, as
11 requested by the Secretary, for purposes of analyzing
12 the impact of the pilot project established under sub-
13 section (a) on household access, ease of bonus use, and
14 program integrity; and

15 “(6) such other criteria, including security cri-
16 teria, as established by the Secretary.

17 “(d) *PILOT PROJECT REQUIREMENTS.*—Retail food
18 stores with plans approved under subsection (c) to partici-
19 pate in the pilot project established under subsection (a)
20 shall—

21 “(1) provide a bonus in a dollar amount not to
22 exceed 10 percent of the price of the purchased fruits,
23 vegetables, and fluid milk;

24 “(2) fund the dollar amount of bonuses used by
25 households, and pay for administrative costs, such as

1 *fees and system costs, associated with providing such*
2 *bonuses;*

3 *“(3) ensure that bonuses earned by households*
4 *may be used only to purchase food eligible for pur-*
5 *chase under the supplemental nutrition assistance*
6 *program; and*

7 *“(4) provide data and reports as requested by the*
8 *Secretary for purposes of analyzing the impact of the*
9 *pilot project established under subsection (a) on*
10 *household access, ease of bonus use, and program in-*
11 *tegrity.*

12 *“(e) LIMITATION.—A retail food store participating in*
13 *a project under section 4405 of the Food, Conservation, and*
14 *Energy Act of 2008 (7 U.S.C. 7517) shall not be eligible*
15 *to participate in the pilot project established under sub-*
16 *section (a).*

17 *“(f) IMPLEMENTATION.—Not later than 18 months*
18 *after the date of the enactment of Agriculture and Nutrition*
19 *Act of 2018, the Secretary shall solicit and approve plans*
20 *submitted under subsection (c) that satisfy the requirements*
21 *of such subsection.*

22 *“(g) REIMBURSEMENTS.—*

23 *“(1) RATE OF REIMBURSEMENT.—Subject to*
24 *paragraphs (2) and (3), the Secretary shall reimburse*
25 *retail food stores with plans approved under sub-*

1 *section (f) in an amount not to exceed 25 percent of*
2 *the dollar value of bonuses earned by households and*
3 *used to purchase food eligible for purchase under the*
4 *supplemental nutrition assistance program.*

5 “(2) *AGGREGATE AMOUNT OF REIMBURSE-*
6 *MENTS.—The aggregate amount of reimbursements*
7 *paid in a fiscal year to all retail food stores that par-*
8 *ticipate in the pilot project established under sub-*
9 *section (a) in such fiscal year shall not exceed*
10 *\$120,000,000.*

11 “(3) *REQUIREMENTS.—*

12 “(A) *TIMELINE.—Not later than 1 year*
13 *after the date of the enactment of the Agriculture*
14 *and Nutrition Act of 2018, the Secretary shall*
15 *establish requirements to implement this section,*
16 *including criteria for prioritizing reimburse-*
17 *ments to such stores within the limit established*
18 *in paragraph (2) and subject to subparagraph*
19 *(B).*

20 “(B) *DISTRIBUTION OF REIMBURSE-*
21 *MENTS.—*

22 “(i) *MONTHLY PAYMENTS.—Reim-*
23 *bursments payable under this subsection*
24 *shall be paid on a monthly basis.*

1 “(ii) *PRORATED PAYMENTS.*—If funds
 2 made available under subsection (h) are in-
 3 sufficient to pay in full reimbursements
 4 payable for a month because of the oper-
 5 ation of paragraph (2), such reimburse-
 6 ments shall be paid on a pro rata basis to
 7 the extent funds remain available for pay-
 8 ment.

9 “(h) *FUNDING.*—From funds made available under
 10 section 18(a)(1) for a fiscal year, the Secretary shall allo-
 11 cate not to exceed \$120,000,000 for reimbursements payable
 12 under this section for such fiscal year.”.

13 **SEC. 4003. GUS SCHUMACHER FOOD INSECURITY NUTRI-**
 14 **TION INCENTIVE PROGRAM.**

15 (a) *AMENDMENTS.*—Section 4405 of the Food, Con-
 16 servation, and Energy Act of 2008 (7 U.S.C. 7517) is
 17 amended—

18 (1) by striking the heading and inserting “**GUS**
 19 **SCHUMACHER FOOD INSECURITY NUTRITION**
 20 **INCENTIVE PROGRAM**”,

21 (2) in subsection (b)—

22 (A) in paragraph (2)—

23 (i) in subparagraph (A)(ii)—

24 (I) in subclause (II) by inserting
 25 “financial” after “providing”,

1 (II) by amending subclause (III)
2 to read as follows:

3 “(III) has adequate plans to col-
4 lect data for reporting and agrees to
5 participate in a program evaluation;
6 and”.

7 (III) in subclause (IV) by striking
8 “; and” at the end and inserting a pe-
9 riod, and

10 (IV) by striking subclause (V),
11 and

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

14 “(B) *PRIORITIES.*—In awarding grants
15 under this section—

16 “(i) the Secretary shall give priority to
17 projects that—

18 “(I) maximize the share of funds
19 used for direct incentives to partici-
20 pants;

21 “(II) include coordination with
22 multiple stakeholders, such as farm or-
23 ganizations, nutrition education pro-
24 grams, cooperative extension service
25 programs, public health departments,

1 *health providers, private and public*
2 *health insurance agencies, cooperative*
3 *grocers, grocery associations, and com-*
4 *munity-based and non-governmental*
5 *organizations;*

6 *“(III) have the capacity to gen-*
7 *erate sufficient data and analysis to*
8 *demonstrate effectiveness of program*
9 *incentives; and*

10 *“(ii) the Secretary may also give pri-*
11 *ority to projects that—*

12 *“(I) are located in underserved*
13 *communities;*

14 *“(II) use direct-to-consumer sales*
15 *marketing;*

16 *“(III) demonstrate a track record*
17 *of designing and implementing success-*
18 *ful nutrition incentive programs that*
19 *connect low-income consumers and ag-*
20 *ricultural producers;*

21 *“(IV) provide locally or regionally*
22 *produced fruits and vegetables;*

23 *“(V) offer supplemental services in*
24 *high-need communities, including on-*

1 *line ordering, transportation between*
2 *home and store, and delivery services;*
3 “(VI) *provide year-round access to*
4 *program incentives; and*
5 “(VII) *address other criteria as*
6 *established by the Secretary.*”,

7 *(B) by amending paragraph (4) to read as*
8 *follows:*

9 “(4) *TRAINING, EVALUATION, AND INFORMATION*
10 *CENTER.—*

11 “(A) *IN GENERAL.—The Secretary, in con-*
12 *sultation with the Director of the National Insti-*
13 *tute of Food and Agriculture, shall establish a*
14 *Food Insecurity Nutrition Incentive Program*
15 *Training, Evaluation, and Information Center*
16 *capable of providing services related to grants*
17 *under subsection (b), including—*

18 “(i) *offering incentive program train-*
19 *ing and technical assistance to applicants*
20 *and grantees to the extent practicable;*

21 “(ii) *collecting, evaluating, and shar-*
22 *ing information on best practices on com-*
23 *mon incentive activities;*

1 “(iii) assisting with collaboration
2 among grantee projects, State agencies, and
3 nutrition education programs;

4 “(iv) facilitating communication be-
5 tween grantees and the Department of Agri-
6 culture; and

7 “(v) compiling program data from
8 grantees and generating an annual report
9 to Congress on grant outcomes.

10 “(B) COOPERATIVE AGREEMENT.—To carry
11 out subparagraph (A), the Secretary may enter
12 into a cooperative agreement with an organiza-
13 tion with expertise in the supplemental nutrition
14 assistance program incentive programs, includ-
15 ing—

16 “(i) nongovernmental organizations;

17 “(ii) State cooperative extension serv-
18 ices;

19 “(iii) regional food system centers;

20 “(iv) Federal and State agencies;

21 “(v) public, private, and land-grant
22 colleges and universities; and

23 “(vi) other appropriate entities as de-
24 termined by the Secretary.

1 “(C) *FUNDING LIMITATION*.—Of the funds
2 made available under subsection (c), the Sec-
3 retary may use to carry out this paragraph not
4 more than—

5 “(i) \$2,000,000 for each of the fiscal
6 years 2019 and 2020, and

7 “(ii) \$1,000,000 for each fiscal year
8 thereafter.”, and

9 (3) in subsection (c)—

10 (A) in paragraph (1) by striking “2014
11 through 2018” and inserting “2019 through
12 2023”, and

13 (B) in paragraph (2)—

14 (i) in subparagraph (B) by striking
15 “and” at the end;

16 (ii) in subparagraph (C) by striking
17 the period at the end and inserting “;”, and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(D) \$45,000,000 for fiscal year 2019;

21 “(E) \$50,000,000 for fiscal year 2020;

22 “(F) \$55,000,000 for fiscal year 2021;

23 “(G) \$60,000,000 for fiscal year 2022; and

24 “(H) \$65,000,000 for fiscal year 2023 and
25 each fiscal year thereafter.”.

1 (b) *CONFORMING AMENDMENT.*—*The table of contents*
 2 *of Food, Conservation, and Energy Act of 2008 is amended*
 3 *by striking the item relating to section 4405 by inserting*
 4 *the following:*

“Sec. 4405. Gus Schumacher food insecurity nutrition incentive program.”.

5 **SEC. 4004. RE-EVALUATION OF THRIFTY FOOD PLAN.**

6 Section 3(u) of the Food and Nutrition Act of 2008
 7 (7 U.S.C. 2012(u)) is amended by inserting after the 1st
 8 sentence the following:

9 “By 2022 and at 5-year intervals thereafter, the Secretary
 10 shall re-evaluate and publish the market baskets of the
 11 thrifty food plan based on current food prices, food composi-
 12 tion data, and consumption patterns.”.

13 **SEC. 4005. FOOD DISTRIBUTION PROGRAMS ON INDIAN**
 14 **RESERVATIONS.**

15 Section 4(b) of the Food and Nutrition Act of 2008
 16 (7 U.S.C. 2013(b)) is amended—

17 (1) in paragraph (6)—

18 (A) in the heading by striking “LOCALLY-
 19 GROWN” and inserting “LOCALLY- AND REGION-
 20 ALLY-GROWN”,

21 (B) in subparagraph (A) by striking “lo-
 22 cally-grown” and inserting “locally- and region-
 23 ally-grown”,

24 (C) in subparagraph (C)—

1 (i) by striking “LOCALLY GROWN” and
 2 inserting “LOCALLY- AND REGIONALLY-
 3 GROWN”, and

4 (ii) by striking “locally-grown” and
 5 inserting “locally- and regionally-grown”,

6 (D) by amending subparagraph (D) to read
 7 as follows:

8 “(D) *PURCHASE OF FOODS.*—In carrying
 9 out this paragraph, the Secretary shall purchase
 10 or offer to purchase those traditional foods that
 11 may be procured cost-effectively.”;

12 (E) by striking subparagraph (E), and
 13 (F) in subparagraph (F)—

14 (i) by striking “(F)” and inserting
 15 “(E)”, and

16 (ii) by striking “2018” and inserting
 17 “2023”, and

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

19 “(7) *FUNDS AVAILABILITY.*—Funds made avail-
 20 able for a fiscal year to carry out this subsection shall
 21 remain available for obligation for a period of 2 fiscal
 22 years.”.

23 **SEC. 4006. UPDATE TO CATEGORICAL ELIGIBILITY.**

24 Section 5 of the Food and Nutrition Act of 2008 (7
 25 U.S.C. 2014) is amended—

1 (1) in the 2d sentence of subsection (a)—

2 (A) by striking “receives benefits” and in-
3 serting “(1) receives cash assistance or ongoing
4 and substantial services”,

5 (B) by striking “supplemental security”
6 and inserting “with an income eligibility limit
7 of not more than 130 percent of the poverty line
8 as defined in section 5(c)(1), (2) is elderly or
9 disabled and receives cash assistance or ongoing
10 and substantial services under a State program
11 funded under part A of title IV of the Social Se-
12 curity Act (42 U.S.C. 601 et seq.) with an in-
13 come eligibility limit of not more than 200 per-
14 cent of the poverty line as defined in section
15 5(c)(1), (3) receives supplemental security”, and

16 (C) by striking “or aid” and inserting “or
17 (4) receives aid”, and
18 (2) in subsection (j)—

19 (A) by striking “or who receives benefits”
20 and inserting “cash assistance or ongoing and
21 substantial services” and

22 (B) by striking “to have” and inserting
23 “with an income eligibility limit of not more
24 than 130 percent of the poverty line as defined
25 in section 5(c)(1), or who is elderly or disabled

1 *and receives cash assistance or ongoing and sub-*
 2 *stantial services under a State program funded*
 3 *under part A of title IV of the Act (42 U.S.C.*
 4 *601 et seq.) with an income eligibility limit of*
 5 *not more than 200 percent of the poverty line as*
 6 *defined in section 5(c)(1), to have”.*

7 **SEC. 4007. BASIC ALLOWANCE FOR HOUSING.**

8 *(a) EXCLUSION OF BASIC ALLOWANCE FOR HOUS-*
 9 *ING.—Section 5(d) of the Food and Nutrition Act of 2008*
 10 *(7 U.S.C. 2014(d)) is amended—*

11 *(1) in paragraph (18) by striking “and” at the*
 12 *end,*

13 *(2) in paragraph (19)(B) by striking the period*
 14 *and inserting “; and”, and*

15 *(3) by adding at the end the following:*

16 *“(20) the value of an allowance received under*
 17 *section 403 of title 37 of the United States Code that*
 18 *does not exceed \$500 monthly.”.*

19 *(b) UPDATE TO EXCESS SHELTER EXPENSE DEDUC-*
 20 *TION.—Section 5(e)(6)(A) of the Food and Nutrition Act*
 21 *of 2008 (7 U.S.C. 2014(e)(6)(A)) is amended by inserting*
 22 *before the period at the end the following:*

23 *“, except that for a household that receives the al-*
 24 *lowance under section 403 of title 37, United*
 25 *States Code, only the expenses in excess of that*

1 *allowance shall be counted towards a household's*
 2 *expenses for the calculation of the excess shelter*
 3 *deduction”.*

4 **SEC. 4008. EARNED INCOME DEDUCTION.**

5 *Section 5(e)(2)(B) of the Food and Nutrition Act of*
 6 2008 (7 U.S.C. 2014(e)(2)(B)) *is amended by striking “20”*
 7 *and inserting “22”.*

8 **SEC. 4009. SIMPLIFIED HOMELESS HOUSING COSTS.**

9 *Section 5(e)(6)(D) of the Food and Nutrition Act of*
 10 2008 (7 U.S.C. 2014(e)(6)(D)) *is amended—*

11 *(1) by redesignating clause (ii) as clause (iii),*

12 *and*

13 *(2) by striking clause (i) and inserting the fol-*
 14 *lowing:*

15 “(i) *ALTERNATIVE DEDUCTION.—The*
 16 *State agency shall allow a deduction of*
 17 *\$143 a month for households—*

18 “(I) *in which all members are*
 19 *homeless individuals;*

20 “(II) *that are not receiving free*
 21 *shelter throughout the month; and*

22 “(III) *that do not opt to claim an*
 23 *excess shelter expense deduction under*
 24 *subparagraph (A).*

1 “(ii) *ADJUSTMENT.*—*For fiscal year*
 2 *2019 and each subsequent fiscal year the*
 3 *amount of the homeless shelter deduction*
 4 *specified in clause (i) shall be adjusted to*
 5 *reflect changes for the 12-month period end-*
 6 *ing the preceding November 30 in the Con-*
 7 *sumer Price Index for All Urban Consumers*
 8 *published by the Bureau of Labor Statistics*
 9 *of the Department of Labor.*”.

10 ***SEC. 4010. AVAILABILITY OF STANDARD UTILITY ALLOW-***
 11 ***ANCES BASED ON RECEIPT OF ENERGY AS-***
 12 ***SISTANCE.***

13 *(a) ALLOWANCE TO RECIPIENTS OF ENERGY ASSIST-*
 14 *ANCE.*—

15 *(1) STANDARD UTILITY ALLOWANCE.*—*Section*
 16 *5(e)(6)(C)(iv)(I) of the of the Food and Nutrition Act*
 17 *of 2008 (7 U.S.C. 2014(e)(6)(C)(iv)(I)) is amended by*
 18 *inserting “with an elderly member” after “house-*
 19 *holds”.*

20 *(2) CONFORMING AMENDMENTS.*—*Section*
 21 *2605(f)(2)(A) of the Low-Income Home Energy As-*
 22 *istance Act is amended by inserting “received by a*
 23 *household with an elderly member” before “, con-*
 24 *sistent with section 5(e)(6)(C)(iv)(I)”.*

1 (b) *THIRD-PARTY ENERGY ASSISTANCE PAYMENTS.*—
 2 Section 5(k)(4) of the Food and Nutrition Act of 2008 (7
 3 U.S.C. 2014(k)(4)) is amended—

4 (1) in subparagraph (A) by inserting “without
 5 an elderly member” after “household” the 1st place it
 6 appears; and

7 (2) in subparagraph (B) by inserting “with an
 8 elderly member” after “household” the 1st place it ap-
 9 pears.

10 **SEC. 4011. CHILD SUPPORT; COOPERATION WITH CHILD**
 11 **SUPPORT AGENCIES.**

12 (a) *DEDUCTIONS FOR CHILD SUPPORT PAYMENTS.*—

13 (1) *AMENDMENTS.*—Section 5(e) of the Food and
 14 Nutrition Act of 2008 (7 U.S.C. 2014(e)) is amend-
 15 ed—

16 (A) by striking paragraph (4), and

17 (B) by redesignating paragraphs (5) and
 18 (6) as paragraphs (4) and (5), respectively.

19 (2) *CONFORMING AMENDMENT.*—Section 5 of the
 20 Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
 21 amended—

22 (A) in subsection (k)(4)(B) by striking
 23 “(e)(6)” and inserting “(e)(5)”, and

24 (B) in subsection (n) by striking “Regard-
 25 less of whether a State agency elects to provide

1 *a deduction under subsection (e)(4), the” and in-*
 2 *serting “The”.*

3 **(b) COOPERATION WITH CHILD SUPPORT AGEN-**
 4 **CIES.—**

5 **(1) AMENDMENTS.—***Section 6 of the Food and*
 6 *Nutrition Act of 2008 (7 U.S.C. 2015) is amended—*

7 **(A)** *in subsection (l)(1) by striking “At the*
 8 *option of a State agency, subject” and inserting*
 9 *“Subject”,*

10 **(B)** *in subsection (m)(1) by striking “At the*
 11 *option of a State agency, subject” and inserting*
 12 *“Subject”, and*

13 **(C)** *by striking subsection (n).*

14 **(2) CONFORMING AMENDMENT.—***Section 5(a) of*
 15 *the Food and Nutrition Act of 2008 (7 U.S.C.*
 16 *2014(a)) is amended by striking “and (r)” and in-*
 17 *serting “and (p)”.*

18 **SEC. 4012. ADJUSTMENT TO ASSET LIMITATIONS.**

19 *Section 5(g)(1) of the Food and Nutrition Act of 2008*
 20 *(7 U.S.C. 2014(g)(1)) is amended—*

21 **(1)** *in subparagraph (A)—*

22 **(A)** *by striking “\$2,000” and inserting*
 23 *“\$7,000”, and*

24 **(B)** *by striking “\$3,000” and inserting*
 25 *“\$12,000”, and—*

1 (2) in subparagraph (B) by striking “2008” and
2 inserting “2019”.

3 **SEC. 4013. UPDATED VEHICLE ALLOWANCE.**

4 Section 5(g) of the Food and Nutrition Act of 2008
5 (7 U.S.C. 2014(g)) is amended—

6 (1) in paragraph (1)(B)(i)—

7 (A) by striking “(i) IN GENERAL.—Begin-
8 ning” and inserting the following:

9 “(i) IN GENERAL.—

10 “(I) Beginning”, and

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

12 “(II) Beginning on October 1,
13 2019, and each October 1 thereafter,
14 the amount specified in paragraph
15 (2)(B)(iv) shall be adjusted in the
16 manner described in subclause (I).”,
17 and

18 (2) in paragraph (2)—

19 (A) by amending subparagraph (B)(iv) to
20 read as follows:

21 “(iv) subject to subparagraph (C), with
22 respect to any licensed vehicle that is used
23 for household transportation or to obtain or
24 continue employment—

1 “(I) 1 vehicle for each licensed
 2 driver who is a member of such house-
 3 hold to the extent that the fair market
 4 value of the vehicle exceeds \$12,000;
 5 and

6 “(II) each additional vehicle;
 7 and”, and

8 (B) by striking subparagraph (D).

9 **SEC. 4014. SAVINGS EXCLUDED FROM ASSETS.**

10 Section 5(g) of the Food and Nutrition Act of 2008
 11 (7 U.S.C. 2014(g)), as amended by section 4013, is amend-
 12 ed—

13 (1) in paragraph (1)(B)(i) by adding at the end
 14 the following:

15 “(III) Beginning on October 1,
 16 2019, and each October 1 thereafter,
 17 the amount specified in paragraph
 18 (2)(B)(v) shall be adjusted in the man-
 19 ner described in subclause (I).”, and

20 (2) in paragraph (2)(B)(v) by inserting “to the
 21 extent that the value exceeds \$2,000” after “account”.

22 **SEC. 4015. WORKFORCE SOLUTIONS.**

23 (a) **CONDITIONS OF PARTICIPATION.**—Section 6(d) of
 24 the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)) is
 25 amended—

1 (1) in paragraph (1)—

2 (A) in subparagraph (A)—

3 (i) by striking “No” and inserting
4 “Subject to subparagraph (C), no”,

5 (ii) by striking “over the age of 15 and
6 under the age of 60” and inserting “at least
7 18 years of age and less than 60 years of
8 age”,

9 (iii) by amending clause (i) to read as
10 follows:

11 “(i) without good cause, fails to work
12 or refuses to participate in either an em-
13 ployment and training program established
14 in paragraph (4), a work program, or any
15 combination of work, an employment and
16 training program, or work program—

17 “(I) a minimum of 20 hours per
18 week, averaged monthly in fiscal years
19 2021 through 2025; or

20 “(II) a minimum of 25 hours per
21 week, averaged monthly in fiscal years
22 2026 and each fiscal year thereafter;”.

23 (iv) by striking clauses (ii) and (vi),

24 (v) in clause (iv) by adding “or” at the
25 end,

(vi) in clause (v)(II) by striking “30 hours per week; or” and inserting “the hourly requirements applicable under paragraph (1)(B)(i).”, and

(vii) by redesignating clauses (iii), (iv), and (v) as clauses (ii), (iii), and (iv), respectively,

(B) by striking subparagraph (B),

(C) by amending subparagraph (C) to read as follows:

“(C) *LIMITATION.*—Subparagraph (B) shall not apply to an individual during the first month that individual would otherwise become subject to subparagraph (B) and be found in noncompliance with such subparagraph.”,

(D) in subparagraph (D)—

(i) in clause (iii)(I) by striking “(A)” each place it appears and inserting “(B)”,

(ii) in clause (iv) by striking “(A)(v)” and inserting “(B)(iv)”, and

(iii) by striking clauses (v) and (vi),

(E) by redesignating subparagraphs (A) and (D) as subparagraphs (B) and (I), respectively,

1 (F) by inserting before subparagraph (B),
2 as so redesignated, the following:

3 “(A) *DEFINITION OF WORK PROGRAM.*—In
4 this subsection, the term ‘work program’
5 means—

6 “(i) a program under title I of the
7 Workforce Innovation and Opportunity Act;

8 “(ii) a program under section 236 of
9 the Trade Act of 1974 (19 U.S.C. 2296);
10 and

11 “(iii) a program of employment and
12 training operated or supervised by a State
13 or political subdivision of a State that
14 meets standards approved by the chief exec-
15 utive officer of the State and the Secretary,
16 other than a program under paragraph
17 (4).”, and

18 (G) by inserting after subparagraph (C) the
19 following:

20 “(D) *TRANSITION PERIOD.*—During each of
21 the fiscal years 2019 and 2020, States shall con-
22 tinue to implement and enforce the work and
23 employment and training program requirements
24 consistent with this subsection, subsection (e),
25 subsection (o) excluding paragraph (6)(F), sec-

tion 7(i), section 11(e)(19), and section 16 (excluding subparagraphs (A), (B), (D), and (C) of subsection (h)(1)) as those provisions were in effect on the day before the effective date of this subparagraph.

“(E) INELIGIBILITY.—

“(i) NOTIFICATION OF FAILURE TO MEET WORK REQUIREMENTS.—The State agency shall issue a notice of adverse action to an individual not later than 10 days after the State agency determines that the individual has failed to meet the requirements applicable under subparagraph (B).

“(ii) FIRST VIOLATION.—The 1st time an individual receives a notice of adverse action issued under clause (i), the individual shall remain ineligible to participate in the supplemental nutrition assistance program until—

“(I) the date that is 12 months after the date the individual became ineligible;

“(II) the date the individual obtains employment sufficient to meet the

1 *hourly requirements applicable under*
2 *subparagraph (B)(i); or*

3 “(III) *the date that the individual*
4 *is no longer subject to the requirements*
5 *of subparagraph (B);*

6 *whichever is earliest.*

7 “(iii) *SECOND OR SUBSEQUENT VIOLA-*
8 *TION.—The 2d or subsequent time an indi-*
9 *vidual receives a notice of adverse action*
10 *issued under clause (i), the individual shall*
11 *remain ineligible to participate in the sup-*
12 *plemental nutrition assistance program*
13 *until—*

14 “(I) *the date that is 36 months*
15 *after the date the individual became*
16 *ineligible;*

17 “(II) *the date the individual ob-*
18 *tains employment sufficient to meet the*
19 *hourly requirements applicable under*
20 *subparagraph (B)(i); or*

21 “(III) *the date the individual is*
22 *no longer subject to the requirements of*
23 *subparagraph (B);*

24 *whichever is earliest.*

25 “(F) *WAIVER.—*

1 “(i) *IN GENERAL.*—On the request of a
2 State agency, the Secretary may waive the
3 applicability of subparagraph (B) to indi-
4 viduals in the State if the Secretary makes
5 a determination that the area in which the
6 individuals reside—

7 “(I) *has an unemployment rate of*
8 *over 10 percent;*

9 “(II) *is designated as a Labor*
10 *Surplus Area by the Employment and*
11 *Training Administration of the De-*
12 *partment of Labor for the current fis-*
13 *cal year based on the criteria for excep-*
14 *tional circumstances as described in*
15 *section 654.5 of title 20 of the Code of*
16 *Federal Regulations;*

17 “(III) *has a 24-month average*
18 *unemployment rate 20 percent or high-*
19 *er than the national average for the*
20 *same 24-month period unless the 24-*
21 *month average unemployment rate of*
22 *the area is less than 6 percent, except*
23 *that the 24-month period shall begin*
24 *no earlier than the 24-month period*
25 *the Employment and Training Admin-*

1 *istration of the Department of Labor*
2 *uses to designate Labor Surplus Areas*
3 *for the current fiscal year; or*

4 *“(IV) is in a State—*

5 *“(aa) that is in an extended*
6 *benefit period (within the mean-*
7 *ing of section 203 of the Federal-*
8 *State Extended Unemployment*
9 *Compensation Act of 1970); or*

10 *“(bb) in which temporary or*
11 *emergency unemployment com-*
12 *pensation is being provided under*
13 *any Federal law.*

14 *“(ii) JURISDICTIONS WITH LIMITED*
15 *DATA.—In carrying out clause (i), in the*
16 *case of a jurisdiction for which Bureau of*
17 *Labor Statistics unemployment data is lim-*
18 *ited or unavailable, such as an Indian Res-*
19 *ervation or a territory of the United States,*
20 *a State may support its request based on*
21 *other economic indicators as determined by*
22 *the Secretary.*

23 *“(iii) LIMIT ON COMBINING JURISDIC-*
24 *TIONS.—In carrying out clause (i), the Sec-*
25 *retary may waive the applicability of sub-*

1 paragraph (B) only to a State or indi-
2 vidual jurisdictions within a State, except
3 in the case of combined jurisdictions that
4 are designated as Labor Market Areas by
5 the Department of Labor.

6 “(iv) *REPORT.*—The Secretary shall
7 submit to the Committee on Agriculture of
8 the House of Representatives and the Com-
9 mittee on Agriculture, Nutrition, and For-
10 estry of the Senate, and shall make avail-
11 able to the public, an annual report on the
12 basis for granting a waiver under clause
13 (i).

14 “(G) *15-PERCENT EXEMPTION.*—

15 “(i) *DEFINITIONS.*—In this subpara-
16 graph:

17 “(I) *CASELOAD.*—The term ‘case-
18 load’ means the average monthly num-
19 ber of individuals receiving supple-
20 mental nutrition assistance program
21 benefits during the 12-month period
22 ending the preceding June 30.

23 “(II) *COVERED INDIVIDUAL.*—The
24 term ‘covered individual’ means a
25 member of a household that receives

1 *supplemental nutrition assistance pro-*
2 *gram benefits, or an individual denied*
3 *eligibility for supplemental nutrition*
4 *assistance program benefits solely due*
5 *to the applicability of subparagraph*
6 *(B), who—*

7 *“(aa) is not eligible for an*
8 *exception under paragraph (2);*

9 *“(bb) does not reside in an*
10 *area covered by a waiver granted*
11 *under subparagraph (F); and*

12 *“(cc) is not complying with*
13 *subparagraph (B).*

14 *“(ii) GENERAL RULE.—Subject to*
15 *clauses (iii) through (v), a State agency*
16 *may provide an exemption from the re-*
17 *quirements of subparagraph (B) for covered*
18 *individuals.*

19 *“(iii) FISCAL YEAR 2021 AND THERE-*
20 *AFTER.—Subject to clauses (iv) and (v), for*
21 *fiscal year 2021 and each subsequent fiscal*
22 *year, a State agency may provide a number*
23 *of exemptions such that the average monthly*
24 *number of the exemptions in effect during*
25 *the fiscal year does not exceed 15 percent of*

1 the number of covered individuals in the
2 State in fiscal year 2019, as estimated by
3 the Secretary, based on the survey conducted
4 to carry out section 16(c) for the most re-
5 cent fiscal year and such other factors as
6 the Secretary considers appropriate due to
7 the timing and limitations of the survey.

8 “(iv) CASELOAD ADJUSTMENTS.—The
9 Secretary shall adjust the number of indi-
10 viduals estimated for a State under clause
11 (iii) during a fiscal year if the number of
12 members of households that receive supple-
13 mental nutrition assistance program bene-
14 fits in the State varies from the State’s
15 caseload by more than 10 percent, as deter-
16 mined by the Secretary.

17 “(v) REPORTING REQUIREMENTS.—

18 “(I) REPORTS BY STATE AGEN-
19 CIES.—A State agency shall submit
20 such reports to the Secretary as the
21 Secretary determines are necessary to
22 ensure compliance with this para-
23 graph.

24 “(II) ANNUAL REPORT BY THE
25 SECRETARY.—The Secretary shall an-

1 *nually compile and submit to the Com-*
 2 *mittee on Agriculture of the House of*
 3 *Representatives and the Committee on*
 4 *Agriculture, Nutrition, and Forestry of*
 5 *the Senate, and shall make available to*
 6 *the public, an annual report that con-*
 7 *tains the reports submitted under sub-*
 8 *clause (I) by State agencies.*

9 *“(H) OTHER PROGRAM RULES.—Nothing in*
 10 *this subsection shall make an individual eligible*
 11 *for benefits under this Act if the individual is*
 12 *not otherwise eligible for benefits under the other*
 13 *provisions of this Act.”,*

14 *(2) in paragraph (2)—*

15 *(A) in the 1st sentence—*

16 *(i) by striking “paragraph (1)” and*
 17 *inserting “paragraph (1)(B)”, and*

18 *(ii) by striking “(E)” and all that fol-*
 19 *lows through the period at the end, and in-*
 20 *serting the following:*

21 *“(E) receiving weekly earnings which equal the minimum*
 22 *hourly rate under section 6(a)(1) of the Fair Labor Stand-*
 23 *ards Act of 1938 (29 U.S.C. 206(a)(1)), multiplied by the*
 24 *hourly requirement as specified in subparagraph (B); (F)*

1 *medically certified as mentally or physically unfit for em-*
 2 *ployment; or (G) a pregnant woman.”, and*

3 *(B) by striking the last sentence,*

4 *(3) in paragraph (3) by striking “registration*
 5 *requirements” and inserting “requirement”,*

6 *(4) in paragraph (4)—*

7 *(A) in subparagraph (A)—*

8 *(i) by redesignating clause (ii) as*
 9 *clause (iii), and*

10 *(ii) by inserting after clause (i) the fol-*
 11 *lowing:*

12 *“(ii) MANDATORY MINIMUM SERV-*
 13 *ICES.—Each State agency shall offer em-*
 14 *ployment and training program services*
 15 *sufficient for all individuals subject to the*
 16 *requirements of paragraph (1)(B)(i) who*
 17 *are not currently ineligible pursuant to*
 18 *paragraph (1)(E), exempt pursuant to sub-*
 19 *paragraphs (F) and (G) or paragraph (2)*
 20 *of subsection (d), and for all individuals*
 21 *covered by paragraph (1)(C), to meet the*
 22 *hourly requirements specified in paragraph*
 23 *(1)(B)(i) to the extent that such require-*
 24 *ments will not be satisfied by hours of work*
 25 *or participation in a work program.”, and*

1 (B) in subparagraph (B)—

2 (i) by inserting after “contains” the
3 following:

4 “case management services consisting of comprehensive in-
5 take assessments, individualized service plans, progress
6 monitoring, and coordination with service providers, and”,

7 (ii) by amending clause (i) to read as
8 follows:

9 “(i) Supervised job search programs that occur
10 at State-approved locations in which the activities of
11 participants shall be directly supervised and the tim-
12 ing and activities of participants tracked in accord-
13 ance with guidelines set forth by the State.”,

14 (iii) in clause (ii) by striking “jobs
15 skills assessments, job finding clubs, train-
16 ing in techniques for” and inserting “em-
17 ployability assessments, training in tech-
18 niques to increase”,

19 (iv) by striking clause (iii),

20 (v) in clause (iv) in the 1st sentence by
21 inserting “, including subsidized employ-
22 ment, apprenticeships, and unpaid or vol-
23 unteer work that is limited to 6 months out
24 of a 12-month period” before the period at
25 the end,

1 (vi) in clause (v) by inserting “, in-
 2 cluding family literacy and financial lit-
 3 eracy,” after “literacy”,

4 (vii) in clause (vii) by striking “not
 5 more than”, and

6 (viii) by redesignating clauses (iv)
 7 through (viii) as clauses (iii) through (vii),
 8 respectively,

9 (C) by striking subparagraphs (D), (E),
 10 and (F), and inserting the following:

11 “(D) Each State agency shall establish requirements
 12 for participation by non-exempt individuals in the employ-
 13 ment and training program components listed in clauses
 14 (i) through (vii) of subparagraph (B). Such requirements
 15 may vary among participants.”,

16 (D) in subparagraph (H) by striking
 17 “(B)(v)” and inserting “(B)(iv)”, and

18 (E) by redesignating subparagraphs (G)
 19 through (M) as subparagraphs (E) through (K),
 20 respectively.

21 (b) CONFORMING AMENDMENTS.—

22 (1) AMENDMENTS TO THE FOOD AND NUTRITION
 23 ACT OF 2008.—Section 5(d)(14) of the Food and Nu-
 24 trition Act of 2008 (7 U.S.C. 2014(d)(14)) is amend-

1 *ed by striking “6(d)(4)(I)” and inserting*
 2 *“6(d)(4)(G)”.*

3 *(2) AMENDMENT TO OTHER LAWS.—*

4 *(A) INTERNAL REVENUE CODE OF 1986.—*
 5 *Section 51(d)(8)(A)(ii) of the Internal Revenue*
 6 *Code of 1986 (26 U.S.C. 51(d)(8)(A)(ii)) is*
 7 *amended—*

8 *(i) in subclause (I) by striking “, or”*
 9 *and inserting a period,*

10 *(ii) by striking “family—” and all*
 11 *that follows through “(I) receiving” and in-*
 12 *serting “family receiving”, and*

13 *(iii) by striking subclause (II).*

14 *(B) WORKFORCE INNOVATION AND OPPOR-*
 15 *TUNITY ACT.—The Workforce Innovation and*
 16 *Opportunity Act (Public Law 113–128; 128*
 17 *Stat. 1425) is amended—*

18 *(i) in section 103(a)(2) by striking*
 19 *subparagraph (D), and*

20 *(ii) in section 121(b)(2)(B) by striking*
 21 *clause (iv).*

22 *(c) RELATED REQUIREMENTS.—Section 6 of the Food*
 23 *and Nutrition Act of 2008 (7 U.S.C. 2015) is amended—*

24 *(1) in subsection (e)(5)(A) by inserting “or of an*
 25 *incapacitated person” after “6”, and*

1 (2) *by striking subsection (o).*

2 (d) *CONFORMING AMENDMENTS.—The Food and Nu-*
3 *trition Act of 2008 (7 U.S.C. 2011 et seq.) is amended—*

4 (1) *in section 6, as amended by section 4011 and*
5 *subsection (c), by redesignating subsections (p)*
6 *through (s) as subparagraphs (n) through (q), respec-*
7 *tively, and*

8 (2) *in section 7(i)(1) by striking “6(o)(2)” and*
9 *inserting “6(d)(1)(B)”.*

10 (e) *STATE PLAN.—Section 11(e)(19) of the Food and*
11 *Nutrition Act of 2008 (7 U.S.C. 2020(e)(19)) is amended*
12 *by striking “geographic areas and households to be covered*
13 *under such program, and the basis, including any cost in-*
14 *formation,” and inserting “extent to which such programs*
15 *will be carried out in coordination with the activities car-*
16 *ried out under title I of the Workforce Innovation and Op-*
17 *portunity Act, the plan for meeting the minimum services*
18 *requirement under section 6(d)(4)(A)(ii) including any cost*
19 *information, and the basis”.*

20 (f) *FUNDING OF EMPLOYMENT AND TRAINING PRO-*
21 *GRAMS.—Section 16(h) of the Food and Nutrition Act of*
22 *2008 (7 U.S.C. 2025(h)) is amended—*

23 (1) *in paragraph (1)—*

1 (A) in subparagraph (A) by striking
2 “\$90,000,000” and all that follows through the
3 period at the end and inserting the following:

4 “under section 18(a)(1)—

5 “(i) \$90,000,000 for fiscal year 2019;

6 “(ii) \$250,000,000 for fiscal year 2020;

7 and

8 “(iii) \$1,000,000,000 for each fiscal
9 year thereafter.”,

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

12 “(ii) takes into account—

13 “(I) for fiscal years 2019 and
14 2020, the number of individuals who
15 are not exempt from the work require-
16 ment under section 6(o) as that section
17 existed on the day before the date of the
18 enactment of the Agriculture and Nu-
19 trition Act of 2018; and

20 “(II) for fiscal years 2021 and
21 each fiscal year thereafter, the number
22 of individuals who are not exempt
23 from the requirements under section
24 6(d)(1)(B).”,

1 (C) in subparagraph (D) by striking
2 “\$50,000” and inserting “\$100,000”, and

3 (D) by amending subparagraph (E) to read
4 as follows:

5 “(E) *RESERVATION OF FUNDS.*—Of the
6 funds made available under this paragraph for
7 fiscal year 2021 and for each fiscal year there-
8 after, not more than \$150,000,000 shall be re-
9 served for allocation to States to provide train-
10 ing services by eligible providers identified under
11 section 122 of the Workforce Innovation and Op-
12 portunity Act for participants in the supple-
13 mental nutrition assistance program to meet the
14 hourly requirements under section 6(d)(1)(B) of
15 this Act.”, and

16 (2) in paragraph (5)(C)—

17 (A) in clause (ii) by adding “and” at the
18 end,

19 (B) in clause (iii) by striking “; and” and
20 inserting a period, and

21 (C) by striking clause (iv).

22 (g) *WORK SUPPLEMENTATION OR WORK SUPPORT*
23 *PROGRAM.*—

1 (1) *REPEALER*.—Subsection (b) of section 16 of
 2 the Food and Nutrition Act of 2008 (7 U.S.C.
 3 2025(b)) is repealed.

4 (2) *CONFORMING AMENDMENT*.—Section
 5 5(e)(2)(A) of the Food and Nutrition Act of 2008 (7
 6 U.S.C. 2014(e)(2)(A)) is amended to read as follows:

7 “(A) *DEFINITION OF EARNED INCOME*.—In
 8 this paragraph, the term “earned income” does
 9 not include income excluded by subsection (d).”.

10 (h) *WORKFARE*.—

11 (1) *REPEALER*.—Section 20 of the Food and Nu-
 12 trition Act of 2008 (7 U.S.C. 2029) is repealed.

13 (2) *CONFORMING AMENDMENTS*.—The Food and
 14 Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*) is
 15 amended—

16 (A) in section 16(h)—

17 (i) in paragraph (1)(F)—

18 (I) in clause (i)—

19 (aa) in subclause (I) by in-
 20 serting “(as in effect on the day
 21 before the date of the enactment of
 22 the Agriculture and Nutrition Act
 23 of 2018)” after “this Act”, and

24 (bb) in subclause (II)(bb) by
 25 inserting “(as in effect on the day

1 *before the date of the enactment of*
2 *the Agriculture and Nutrition Act*
3 *of 2018)” before the period at the*
4 *end,*

5 *(II) in clause (ii)—*

6 *(aa) in subclause (II)(cc) by*
7 *inserting “(as in effect on the day*
8 *before the date of the enactment of*
9 *the Agriculture and Nutrition Act*
10 *of 2018)” after “20”, and*

11 *(bb) in subclause*
12 *(III)(ee)(AA) by inserting “as in*
13 *effect on the day before the date of*
14 *the enactment of the Agriculture*
15 *and Nutrition Act of 2018” after*
16 *“6(o)”, and*

17 *(III) in clause (vi)(I) by inserting*
18 *“as in effect on the day before the date*
19 *of the enactment of the Agriculture and*
20 *Nutrition Act of 2018” after “6(d)”,*
21 *and*

22 *(ii) in paragraph (3) by striking*
23 *“under section 6(d)(4)(I)(i)(II)” and insert-*
24 *ing “for dependent care expenses under sec-*
25 *tion 6(d)(4)”, and*

1 *(B) in section 17(b)—*

2 *(i) in paragraph (1)(B)(iv)(III)(jj) by*
 3 *inserting “as in effect on the day before the*
 4 *date of the enactment of the Agriculture and*
 5 *Nutrition Act of 2018” after “20”, and*
 6 *(ii) by striking paragraph (2).*

7 **SEC. 4016. MODERNIZATION OF ELECTRONIC BENEFIT**
 8 **TRANSFER REGULATIONS.**

9 *Section 7(h)(2) of the Food and Nutrition Act of 2008*
 10 *(7 U.S.C. 2016(h)(2)) is amended—*

11 *(1) in the 1st sentence by inserting “and shall*
 12 *periodically review such regulations and modify such*
 13 *regulations to take into account evolving technology*
 14 *and comparable industry standards” before the period*
 15 *at the end, and*

16 *(2) in subparagraph (C)—*

17 *(A) by striking “(C)(i)” and all that follows*
 18 *through “abuse; and”, by inserting the following:*

19 *“(C)(i) risk-based measures to maximize the se-*
 20 *curity of a system using the most effective technology*
 21 *available that the State agency considers appropriate*
 22 *and cost effective including consideration of recipient*
 23 *access and ease of use and which may include per-*
 24 *sonal identification numbers, photographic identifica-*
 25 *tion on electronic benefit transfer cards, alternatives*

1 *for securing transactions, and other measures to pro-*
 2 *tect against fraud and abuse; and”, and*

3 *(B) by moving the left margin of clause (ii)*
 4 *4 ems to the left.*

5 **SEC. 4017. MOBILE TECHNOLOGIES.**

6 *Section 7(h)(14) of the Food and Nutrition Act of 2008*
 7 *(7 U.S.C. 2016(h)(14) is amended—*

8 *(1) by amending subparagraph (A) to read as*
 9 *follows:*

10 “(A) *IN GENERAL.*—Subject to subpara-
 11 *graph (B), the Secretary shall authorize the use*
 12 *of mobile technologies for the purpose of accessing*
 13 *supplemental nutrition assistance program bene-*
 14 *fits.”,*

15 *(2) in subparagraph (B)—*

16 *(A) by striking the heading and inserting*
 17 *“DEMONSTRATION PROJECTS ON ACCESS OF BEN-*
 18 *EFITS THROUGH MOBILE TECHNOLOGIES”,*

19 *(B) by amending clause (i) to read as fol-*
 20 *lows:*

21 “(i) *DEMONSTRATION PROJECTS.*—Be-
 22 *fore authorizing implementation of sub-*
 23 *paragraph (A) in all States, the Secretary*
 24 *shall approve not more than 5 demonstra-*
 25 *tion project proposals submitted by State*

1 *agencies that will pilot the use of mobile*
 2 *technologies for supplemental nutrition as-*
 3 *sistance program benefits access.”,*

4 *(C) in clause (ii)—*

5 *(i) in the heading by striking “DEM-*
 6 *ONSTRATION PROJECTS” and inserting*
 7 *“PROJECT REQUIREMENTS”,*

8 *(ii) by striking “retail food store” the*
 9 *first place it appears and inserting “State*
 10 *agency”,*

11 *(iii) by striking “includes”,*

12 *(iv) by striking subclauses (I), (II),*
 13 *(III), and (IV), and inserting the following:*

14 *“(I) provides recipient protections*
 15 *regarding privacy, ease of use, house-*
 16 *hold access to benefits, and support*
 17 *similar to the protections provided*
 18 *under existing methods;*

19 *“(II) ensures that all recipients,*
 20 *including those without access to mo-*
 21 *bile payment technology and those who*
 22 *shop across State borders, have a*
 23 *means of benefit access;*

24 *“(III) requires retail food stores,*
 25 *unless exempt under section 7(f)(2)(B),*

1 to bear the costs of acquiring and ar-
2 ranging for the implementation of
3 point-of-sale equipment and supplies
4 for the redemption of benefits that are
5 accessed through mobile technologies,
6 including any fees not described in
7 paragraph (13);

8 “(IV) requires that foods pur-
9 chased with benefits issued under this
10 section through mobile technologies are
11 purchased at a price not higher than
12 the price of the same food purchased by
13 other methods used by the retail food
14 store, as determined by the Secretary;

15 “(V) ensures adequate documenta-
16 tion for each authorized transaction,
17 adequate security measures to deter
18 fraud, and adequate access to retail
19 food stores that accept benefits accessed
20 through mobile technologies, as deter-
21 mined by the Secretary;

22 “(VI) provides for an evaluation
23 of the demonstration project, including,
24 but not limited to, an evaluation of
25 household access to benefits; and

1 “(VII) meets other criteria as es-
2 tablished by the Secretary.”,

3 (D) by amending clause (iii) to read as fol-
4 lows:

5 “(iv) DATE OF PROJECT APPROVAL.—
6 The Secretary shall solicit and approve the
7 qualifying demonstration projects required
8 under subparagraph (B)(i) not later than
9 January 1, 2020.”, and

10 (E) by inserting after clause (ii) the fol-
11 lowing:

12 “(iii) PRIORITY.—The Secretary may
13 prioritize demonstration project proposals
14 that would—

15 “(I) reduce fraud;

16 “(II) encourage positive nutri-
17 tional outcomes; and

18 “(III) meet such other criteria as
19 determined by the Secretary.”, and

20 (3) in subparagraph (C)(i)—

21 (A) by striking “2017” and inserting
22 “2022”, and

23 (B) by inserting “requires further study by
24 way of an extended pilot period or” after
25 “States” the 2d place it appears .

1 **SEC. 4018. PROCESSING FEES.**

2 (a) *LIMITATION.*—Section 7(h)(13) of the Food and
3 Nutrition Act of 2008 (7 U.S.C. 2016(h)(13)) is amended
4 to read as follows:

5 “(13) *FEES.*—No interchange fees shall apply to
6 electronic benefit transfer transactions under this sub-
7 section. Neither a State, nor any agent, contractor, or
8 subcontractor of a State who facilitates the provision
9 of supplemental nutrition assistance program benefits
10 in such State may impose a fee for switching or rout-
11 ing such benefits.”.

12 (b) *CONFORMING AMENDMENT.*—Section 7(j)(1)(H) of
13 the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
14 amended to read as follows:

15 “(H) *SWITCHING.*—The term “switching”
16 means the routing of an intrastate or interstate
17 transaction that consists of transmitting the de-
18 tails of a transaction electronically recorded
19 through the use of an electronic benefit transfer
20 card in one State to the issuer of the card that
21 may be in the same or different State.”.

22 **SEC. 4019. REPLACEMENT OF EBT CARDS.**

23 Section 7(h)(8)(B)(ii) of the Food and Nutrition Act
24 of 2008 (7 U.S.C. 2016(h)(8)(B)(ii)) is amended by striking
25 “an excessive number of lost cards” and inserting “2 lost
26 cards in a 12-month period”.

1 **SEC. 4020. BENEFIT RECOVERY.**

2 *Section 7(h)(12) of the Food and Nutrition Act of 2008*
 3 *(7 U.S.C. 2016(h)(12)) is amended—*

4 *(1) in subparagraph (A) by inserting “, or due*
 5 *to the death of all members of the household” after*
 6 *“inactivity”,*

7 *(2) in subparagraph (B) by striking “6” and in-*
 8 *serting “3”, and*

9 *(3) in subparagraph (C) by striking “12*
 10 *months” and inserting “6 months, or upon*
 11 *verification that all members of the household are de-*
 12 *ceased”.*

13 **SEC. 4021. REQUIREMENTS FOR ONLINE ACCEPTANCE OF**
 14 **BENEFITS.**

15 *(a) DEFINITION.—Section 3(o)(1) of the Food and Nu-*
 16 *trition Act of 2008 (7 U.S.C. 2012(o)(1)) is amended by*
 17 *striking “or house-to-house trade route” and inserting “,*
 18 *house-to-house trade route, or online entity”.*

19 *(b) ACCEPTANCE OF BENEFITS.—Section 7(k) of the*
 20 *Food and Nutrition Act of 2008 (7 U.S.C. 2016(k)) is*
 21 *amended—*

22 *(1) by striking the heading and inserting “AC-*
 23 *CEPTANCE OF PROGRAM BENEFITS THROUGH ONLINE*
 24 *TRANSACTIONS”,*

25 *(2) in paragraph (4) by striking subparagraph*
 26 *(C), and*

1 (3) *by striking paragraph (5).*

2 **SEC. 4022. NATIONAL GATEWAY.**

3 (a) *ISSUANCE OF BENEFITS.*—Section 7 of the Flood
4 *and Nutrition Act of 2008 (7 U.S.C. 2016) is amended—*

5 (1) *in subsection (d) by striking “benefits by*
6 *benefit issuers” and inserting “benefit issuers and*
7 *other independent sales organizations, third-party*
8 *processors, and web service providers that provide*
9 *electronic benefit transfer services or equipment to re-*
10 *tail food stores and wholesale food concerns,” and*

11 (2) *by adding at the end the following:*

12 “(l) *REQUIREMENT TO ROUTE ALL SUPPLEMENTAL*
13 *NUTRITION ASSISTANCE PROGRAM BENEFIT TRANSFER*
14 *TRANSACTIONS THROUGH A NATIONAL GATEWAY.*—

15 “(1) *DEFINITIONS.*—For purposes of this section:

16 “(A) The term ‘independent sales organiza-
17 *tion ’ means a person or entity that—*

18 “(i) *is not a third-party processor; and*

19 “(ii) *engages in sales or service to re-*
20 *tail food stores with respect to point-of-sale*
21 *equipment necessary for electronic benefit*
22 *transfer transaction processing.*

23 “(B) The term ‘third-party processor’ means
24 *an entity, including a retail food store operating*
25 *its own point-of-sale terminals, that is capable of*

1 *routing electronic transfer benefit transactions*
2 *for authorization.*

3 “(C) *The term ‘web service provider’ means*
4 *an entity that operates a generic online pur-*
5 *chasing website that can be customized for online*
6 *electronic benefit transfer transactions for au-*
7 *thorized retail food stores.*

8 “(2) *IN GENERAL.—Subject to paragraph (5), the*
9 *Secretary shall establish a national gateway for the*
10 *purpose of routing all supplemental nutrition assist-*
11 *ance program benefit transfer transactions (in this*
12 *subsection referred to as ‘transactions’ unless the con-*
13 *text specifies otherwise) to the appropriate benefit*
14 *issuers for purposes of transaction validation and set-*
15 *tlement.*

16 “(3) *REQUIREMENTS TO ROUTE TRANS-*
17 *ACTIONS.—The Secretary shall—*

18 “(A) *ensure that protections regarding pri-*
19 *vacy, security, ease of use, and access relating to*
20 *supplemental nutrition assistance benefits are*
21 *maintained for benefit recipients and retail food*
22 *stores;*

23 “(B) *ensure redundancy for processing of*
24 *transactions;*

1 “(C) ensure real-time monitoring of trans-
2 actions;

3 “(D) ensure that all entities that connect to
4 such gateway, and all others that connect to such
5 entities, meet and follow transaction messaging
6 standards, and other requirements, established by
7 the Secretary;

8 “(E) ensure the security of transactions by
9 using the most effective technology available that
10 the Secretary considers to be appropriate and
11 cost-effective; and

12 “(F) ensure that all transactions are routed
13 through such gateway.

14 “(4) STATE AGENCY ACTION.—Each State agency
15 shall ensure that all of its benefit issuers connect to
16 such gateway. A State agency may opt to require its
17 benefit issuer to route cash transactions through such
18 gateway, subject to terms established by the Secretary.

19 “(5) ROUTING OF TRANSACTIONS THROUGH A
20 NATIONAL GATEWAY.—

21 “(A) IN GENERAL.—Before the Secretary
22 implements in all the States a national gateway
23 established under paragraph (2), the Secretary
24 shall conduct a feasibility study to assess the fea-

1 *sibility of routing transactions through such*
2 *gateway.*

3 “(B) *FEASIBILITY STUDY.*—*The feasibility*
4 *study conducted under subparagraph (A) shall*
5 *provide, at a minimum, all of the following:*

6 “(i) *A comprehensive analysis of op-*
7 *portunities and challenges presented by im-*
8 *plementation of such gateway.*

9 “(ii) *One or more options for carrying*
10 *forward each of such opportunities and for*
11 *mitigating each of such challenges.*

12 “(iii) *Data for purposes of analyzing*
13 *the implementation of, and on-going cost of*
14 *managing, such gateway.*

15 “(iv) *One or more models for cost-neu-*
16 *tral on-going operation of a national gate-*
17 *way.*

18 “(v) *Other criteria, including security*
19 *criteria, established by the Secretary.*

20 “(C) *DATE OF COMPLETION OF STUDY.*—
21 *The Secretary shall complete the feasibility study*
22 *required by subparagraph (B) not later than 1*
23 *year after the date of the enactment of the Agri-*
24 *culture and Nutrition Act of 2018.*

1 “(D) *IMPLEMENTATION OF A NATIONAL*
2 *GATEWAY.*—Not later than 1 year after the date
3 of the completion of such study, the Secretary
4 shall complete the nationwide implementation of
5 a national gateway established under paragraph
6 (2) unless the Secretary determines, based on
7 such study, that more time is needed to imple-
8 ment such gateway nationwide or that nation-
9 wide implementation of such gateway is not in
10 the best interest of the operation of the supple-
11 mental nutrition assistance program.

12 “(E) *REPORT TO CONGRESS.*—If the Sec-
13 retary makes a determination described in sub-
14 paragraph (D), the Secretary shall submit to the
15 Committee on Agriculture of the House of Rep-
16 resentatives and the Committee on Agriculture,
17 Nutrition, and Forestry of the Senate a report
18 that includes the basis of such determination.

19 “(F) *NONDISCLOSURE OF INFORMATION.*—
20 Any information collected through such gateway
21 about a specific retail food store, wholesale food
22 concern, person, or other entity, and any inves-
23 tigative methodology or criteria used for pro-
24 gram integrity purposes that operates at or in
25 conjunction with such gateway, shall be exempt

1 *from the disclosure requirements of section*
2 *552(a) of title 5 of the United States Code pursu-*
3 *ant to section 552(b)(3)(B) of title 5 of the*
4 *United States Code. The Secretary shall limit the*
5 *use or disclosure of information obtained under*
6 *this subsection in a manner consistent with sec-*
7 *tion 9(c).*

8 “(6) *AUTHORIZATION OF APPROPRIATIONS.—*

9 *There are authorized to be appropriated \$10,500,000*
10 *for fiscal year 2019, and \$9,500,000 for each of the*
11 *fiscal years 2020 through 2023, to carry out this sub-*
12 *section. Not more than \$1,000,000 of the funds appro-*
13 *priated under this paragraph may be used for the fea-*
14 *sibility study under paragraph (5)(B).*

15 “(7) *GATEWAY SUSTAINABILITY.—Benefit issuers*

16 *and third-party processors shall pay fees to the gate-*
17 *way operator, in a manner prescribed by the Sec-*
18 *retary, to directly access and route transactions*
19 *through the national gateway.*

20 “(A) *PURPOSE.—The Secretary shall ensure*

21 *that fees are collected and used solely for the op-*
22 *eration of the gateway.*

23 “(B) *AMOUNT.—Fees shall be established by*

24 *the Secretary in amounts proportionate to the*
25 *number of transactions routed through the gate-*

1 way by each benefit issuer and third-party proc-
 2 essor, and based on the cost of operating the gate-
 3 way in a fiscal year.

4 “(C) *ADJUSTMENT.*—The Secretary shall
 5 evaluate annually the cost of operating such
 6 gateway and shall adjust the fee in effect for a
 7 fiscal year to reflect the cost of operating such
 8 gateway, except that an adjustment under this
 9 subparagraph for any fiscal year may not exceed
 10 10 percent of the fee charged under this para-
 11 graph in the preceding fiscal year.”.

12 (b) *APPROVAL OF RETAIL FOOD STORES AND WHOLE-*
 13 *SALE FOOD CONCERNS.*—The 1st sentence of section 9(c)
 14 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(c))
 15 is amended by inserting “contracts for electronic benefit
 16 transfer services and equipment, records necessary to vali-
 17 date the FNS authorization number to accept and redeem
 18 benefits,” after “invoices,”.

19 **SEC. 4023. ACCESS TO STATE SYSTEMS.**

20 (a) *RECORDS.*—Section 11(a)(3)(B) of the Food and
 21 Nutrition Act of 2008 (7 U.S.C. 2020(a)(3)(B)) is amend-
 22 ed—

23 (1) by striking “Records described” and insert-
 24 ing “All records, and the entire information systems

1 *in which records are contained, that are covered”,*
2 *and*

3 *(2) by amending clause (i) to read as follows:*

4 *“(i) be made available for inspection*
5 *and audit by the Secretary, subject to data*
6 *and security protocols agreed to by the*
7 *State agency and Secretary;”.*

8 *(b) REPORTING REQUIREMENTS.—Section 16 of the*
9 *Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amend-*
10 *ed—*

11 *(1) in the last sentence of subsection (c)(4) by in-*
12 *serting “including providing access to applicable*
13 *State records and the entire information systems in*
14 *which the records are contained,” after “Secretary,”*
15 *and*

16 *(2) in subsection (g)(1)—*

17 *(A) in subparagraph (E) by striking “and”*
18 *at the end,*

19 *(B) in subparagraph (F) by striking the pe-*
20 *riod at the end and inserting “; and”, and*

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

22 *“(G) would be accessible by the Secretary*
23 *for the purposes of program oversight and would*
24 *be used by the State agency to make available all*
25 *records required by the Secretary.”.*

1 **SEC. 4024. TRANSITIONAL BENEFITS.**

2 *Section 11(s) of the Food and Nutrition Act of 2008*
 3 *(7 U.S.C. 2020(s)) is amended—*

4 *(1) by striking the heading and inserting “TRAN-*
 5 *SITIONAL BENEFITS”,*

6 *(2) in paragraph (1)—*

7 *(A) by striking “may” and inserting*
 8 *“shall”, and*

9 *(B) in subparagraph (B) by striking “at the*
 10 *option of the State,” and*

11 *(3) in paragraph (2)—*

12 *(A) by striking “may” and inserting*
 13 *“shall”, and*

14 *(B) by striking “not more than”.*

15 **SEC. 4025. INCENTIVIZING TECHNOLOGY MODERNIZATION.**

16 *Section 11(t) of the Food and Nutrition Act of 2008*
 17 *(7 U.S.C. 2020(t)) is amended—*

18 *(1) by striking the heading and inserting*
 19 *“GRANTS FOR SIMPLIFIED SUPPLEMENTAL NUTRI-*
 20 *TION ASSISTANCE PROGRAM APPLICATION AND ELIGI-*
 21 *BILITY DETERMINATION SYSTEMS”,*

22 *(2) in paragraph (1) by striking “implement—*
 23 *” and all that follows through the period at the end,*
 24 *and inserting “implement simplified supplemental*
 25 *nutrition assistance program application and eligi-*
 26 *bility determination systems.”, and*

1 (3) in paragraph (2)—

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

4 “(B) establishing enhanced technological
5 methods for applying for benefits and deter-
6 mining eligibility that improve the administra-
7 tive infrastructure used in processing applica-
8 tions and determining eligibility; or”,

9 (B) by striking subparagraphs (C) and (D),
10 and

11 (C) by redesignating subparagraph (E) as
12 subparagraph (C).

13 **SEC. 4026. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**
14 **GRAM BENEFIT TRANSFER TRANSACTION**
15 **DATA REPORT.**

16 Section 9 of the Food and Nutrition Act of 2008 (7
17 U.S.C. 2018) is amended—

18 (1) in subsection (a)(2)—

19 (A) in subparagraph (A) by striking “and”
20 at the end,

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

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

1 “(C) *parameters for retail food store cooperation*
 2 *with the Secretary sufficient to carry out subsection*
 3 *(i).*”.

4 (2) *by adding at the end the following:*

5 “(i) *DATA COLLECTION FOR RETAIL FOOD STORE*
 6 *TRANSACTIONS.*—

7 “(1) *COLLECTION OF DATA.*—*To assist in mak-*
 8 *ing improvements to supplemental nutrition assist-*
 9 *ance program design, for each interval not greater*
 10 *than a 2-year period, the Secretary shall—*

11 “(A) *collect a statistically significant sam-*
 12 *ple of retail food store transaction data, includ-*
 13 *ing the cost and description of items purchased*
 14 *with supplemental nutrition assistance program*
 15 *benefits, to the extent practicable and without af-*
 16 *fecting retail food store document retention prac-*
 17 *tices; and*

18 “(B) *make a summarized report of aggre-*
 19 *gated data collected under subparagraph (A)*
 20 *available to the public in a manner that prevents*
 21 *identification of individual retail food stores, in-*
 22 *dividual retail food store chains, and individual*
 23 *members of households that use such benefits.*

24 “(2) *NONDISCLOSURE.*—*Any transaction data*
 25 *that contains information specific to a retail food*

1 store, a retail food store location, a person, or other
 2 entity shall be exempt from the disclosure require-
 3 ments of Section 552(a) of title 5 of the United States
 4 Code pursuant to section 552(b)(3)(B) of title 5 of the
 5 United States Code. The Secretary shall limit the use
 6 or disclosure of information obtained under this sub-
 7 section in a manner consistent with sections 9(c) and
 8 11(e)(8).”.

9 **SEC. 4027. ADJUSTMENT TO PERCENTAGE OF RECOVERED**
 10 **FUNDS RETAINED BY STATES.**

11 Section 16(a) of the Food and Nutrition Act of 2008
 12 (7 U.S.C. 2025(a)) is amended—

13 (1) in the 1st sentence by striking “35 percent”
 14 and inserting “50 percent”, and

15 (2) by inserting after the 1st sentence the fol-
 16 lowing:

17 “A State agency may use such funds retained only to carry
 18 out the supplemental nutrition assistance program, includ-
 19 ing investments in technology, improvements in adminis-
 20 tration and distribution, and actions to prevent fraud.”.

21 **SEC. 4028. TOLERANCE LEVEL FOR PAYMENT ERRORS.**

22 Section 16(c)(1) of the Food and Nutrition Act of 2008
 23 (7 U.S.C. 2025(c)(1)) is amended—

24 (1) in subparagraph (A)(ii)—

1 (A) in subclause (I) by striking “and” at
2 the end,

3 (B) in subclause (II)—

4 (i) by striking “fiscal year thereafter”
5 and inserting “of the fiscal years 2015
6 through 2017”, and

7 (ii) by striking the period at the end
8 and inserting “; and”, and

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

10 “(III) for each fiscal year there-
11 after, \$0.”, and

12 (2) in subparagraph (C) by striking “fiscal year
13 2004” and all that follows through “second”, and in-
14 serting “any of the fiscal years 2004 through 2018 for
15 which the Secretary determines that for the second or
16 subsequent consecutive fiscal year, and with respect to
17 fiscal year 2019 and any fiscal year thereafter for
18 which the Secretary determines that for the third”.

19 **SEC. 4029. STATE PERFORMANCE INDICATORS.**

20 Section 16(d) of the Food and Nutrition Act of 2008
21 (7 U.S.C. 2025(d)) is amended—

22 (1) by striking the heading and inserting
23 “STATE PERFORMANCE INDICATORS”,

24 (2) in paragraph (2)—

1 (A) in the heading by striking “AND
2 THEREAFTER” and inserting “THROUGH 2017”,

3 (B) in subparagraph (A) by striking “and
4 each fiscal year thereafter” and inserting
5 “through fiscal year 2017”, and

6 (C) in subparagraph (B) by striking “and
7 each fiscal year thereafter” and inserting
8 “through fiscal year 2017”, and

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

10 “(6) FISCAL YEAR 2018 AND FISCAL YEARS
11 THEREAFTER.—With respect to fiscal year 2018 and
12 each fiscal year thereafter, the Secretary shall estab-
13 lish, by regulation, performance criteria relating to—

14 “(A) actions taken to correct errors, reduce
15 rates of error, and improve eligibility determina-
16 tions; and

17 “(B) other indicators of effective adminis-
18 tration determined by the Secretary.”.

19 **SEC. 4030. PUBLIC-PRIVATE PARTNERSHIPS.**

20 Section 17 of the Food and Nutrition Act of 2008 (7
21 U.S.C. 2026) is amended by adding at the end the following:

22 “(m) PILOT PROJECTS TO ENCOURAGE THE USE OF
23 PUBLIC-PRIVATE PARTNERSHIPS COMMITTED TO ADDRESS-
24 ING FOOD INSECURITY.—

1 “(1) *IN GENERAL.*—*The Secretary may, on ap-*
2 *plication, permit not more than 10 eligible entities to*
3 *carry out pilot projects to support public-private*
4 *partnerships that address food insecurity and poverty.*

5 “(2) *DEFINITION.*—*For purposes of this sub-*
6 *section, an ‘eligible entity’ means—*

7 “(A) *a State;*

8 “(B) *a unit of local government;*

9 “(C) *a nonprofit organization;*

10 “(D) *a community-based organization; and*

11 “(E) *an institution of higher education.*

12 “(3) *PROJECT REQUIREMENTS.*—*Projects ap-*
13 *proved under this subsection shall be limited to 2*
14 *years in length and evaluate the impact of the ability*
15 *of eligible entities to—*

16 “(A) *improve the effectiveness and impact of*
17 *the supplemental nutrition assistance program;*

18 “(B) *develop food security solutions that are*
19 *contextualized to the needs of a community or re-*
20 *gion; and*

21 “(C) *strengthen the capacity of communities*
22 *to address food insecurity and poverty.*

23 “(4) *REPORTING.*—*Participating entities shall*
24 *report annually to the Secretary who shall submit a*
25 *final report to the Committee on Agriculture of the*

1 *House of Representatives and the Committee on Agri-*
 2 *culture, Nutrition, and Forestry of the Senate. Such*
 3 *report shall include—*

4 “(A) a summary of the activities conducted
 5 under the pilot projects;

6 “(B) an assessment of the effectiveness of the
 7 pilot projects; and

8 “(C) best practices regarding the use of pub-
 9 lic-private partnerships to improve the effective-
 10 ness of public benefit programs to address food
 11 insecurity and poverty.

12 “(5) AUTHORIZATION AND ADVANCE AVAIL-
 13 ABILITY OF APPROPRIATIONS.—

14 “(A) AUTHORIZATION OF APPROPRIA-
 15 TIONS.—There is authorized to be appropriated
 16 to carry out this subsection \$5,000,000 to remain
 17 available until expended.

18 “(B) APPROPRIATION IN ADVANCE.—Only
 19 funds appropriated under subparagraph (A) in
 20 advance specifically to carry out this subsection
 21 shall be available to carry out this subsection.”.

22 **SEC. 4031. AUTHORIZATION OF APPROPRIATIONS.**

23 *The 1st sentence of section 18(a)(1) of the Food and*
 24 *Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended*
 25 *by striking “2018” and inserting “2023”.*

1 **SEC. 4032. EMERGENCY FOOD ASSISTANCE.**

2 *Section 27(a) of the Food and Nutrition Act of 2008*
3 *(7 U.S.C. 2036(a)) is amended—*

4 *(1) in paragraph (1) by striking “2018” and in-*
5 *serting “2023”,*

6 *(2) in paragraph (2)—*

7 *(A) in subparagraph (C) by striking “2018”*
8 *and inserting “2023”,*

9 *(B) in subparagraph (D)—*

10 *(i) by striking “2018” the 1st place it*
11 *appears and inserting “2019”,*

12 *(ii) in clause (iii) by striking “and” at*
13 *the end, and*

14 *(iii) by adding at the end the fol-*
15 *lowing:*

16 *“(v) for fiscal year 2019, \$60,000,000;*
17 *and”, and*

18 *(C) in subparagraph (E)—*

19 *(i) by striking “2019” and inserting*
20 *“2020”,*

21 *(ii) by striking “(D)(iv)” and insert-*
22 *ing “(D)(v)”, and*

23 *(iii) by striking “2017” and inserting*
24 *“2018”, and*

25 *(3) by adding at the end the following:*

1 “(4) *FARM-TO-FOOD-BANK FUND.*—*From*
2 *amounts made available under subparagraphs (D)*
3 *and (E) of paragraph (2), the Secretary shall dis-*
4 *tribute \$20,000,000 in accordance with section 214 of*
5 *the Emergency Food Assistance Act of 1983 (7 U.S.C.*
6 *7515) that States shall use to procure or enter into*
7 *agreements with a food bank to procure excess fresh*
8 *fruits and vegetables grown in the State, or sur-*
9 *rounding regions in the United States, to be provided*
10 *to eligible recipient agencies as defined in section*
11 *201A(3) of the Emergency Food Assistance Act of*
12 *1983 (7 U.S.C. 7501(3)).”.*

13 **SEC. 4033. NUTRITION EDUCATION.**

14 *(a) NUTRITION EDUCATION AND OBESITY PREVENTION*
15 *GRANT PROGRAM.*—*Section 28 of the Food and Nutrition*
16 *Act of 2008 (7 U.S.C. 2036a) is amended—*

17 *(1) by amending subsection (a) to read as fol-*
18 *lows:*

19 “(a) *DEFINITIONS.*—*As used in this section:*

20 “(1) *ELIGIBLE INDIVIDUAL.*—*The term ‘eligible*
21 *individual’ means an individual who is eligible to re-*
22 *ceive benefits under a nutrition education and obesity*
23 *prevention program under this section as a result of*
24 *being—*

1 “(A) an individual eligible for benefits
2 under—

3 “(i) this Act;

4 “(ii) sections 9(b)(1)(A) and 17(c)(4)
5 of the Richard B Russell National School
6 Lunch Act (42 U.S.C. 1758(b)(1)(A),
7 1766(c)(4)); or

8 “(iii) section 4(e)(1)(A) of the Child
9 Nutrition Act of 1966 (42 U.S.C.
10 1773(e)(1)(A));

11 “(B) an individual who resides in a com-
12 munity with a significant low-income popu-
13 lation, as determined by the Secretary; or

14 “(C) such other low-income individual as is
15 determined to be eligible by the Secretary.

16 “(2) *ELIGIBLE INSTITUTION.*—The term ‘eligible
17 institution’ includes any ‘1862 Institution’ or ‘1890
18 Institution’, as defined in section 2 of the Research,
19 Extension, and Education Reform Act of 1998 (7
20 U.S.C. 7601).”,

21 (2) in subsection (b) by striking “Consistent with
22 the terms and conditions of grants awarded under
23 this section, State agencies may” and inserting “The
24 Secretary, acting through the Director of the National
25 Institute of Food and Agriculture, in consultation

1 *with the Administrator of the Food and Nutrition*
2 *Service, shall”,*

3 *(3) in subsection (c)—*

4 *(A) by amending paragraph (1) to read as*
5 *follows:*

6 *“(1) IN GENERAL.—Consistent with the terms*
7 *and conditions of grants awarded under this section,*
8 *eligible institutions shall deliver nutrition education*
9 *and obesity prevention services under a program de-*
10 *scribed in subsection (b) that—*

11 *“(A) to the extent practicable, provide for*
12 *the employment and training of professional and*
13 *paraprofessional aides from the target popu-*
14 *lation to engage in direct nutrition education;*
15 *and*

16 *“(B) partner with other public and private*
17 *entities as appropriate to optimize program de-*
18 *livery.”,*

19 *(B) in paragraph (2)—*

20 *(i) by amending subparagraph (A) to*
21 *read as follows:*

22 *“(A) IN GENERAL.—A State agency, in con-*
23 *sultation with eligible institutions that provide*
24 *nutrition education and obesity prevention serv-*
25 *ices under this subsection, shall submit to the*

1 *Secretary for approval a nutrition education*
 2 *State plan.”,*

3 *(ii) in subparagraph (B) by striking*
 4 *“Except as provided in subparagraph (C),*
 5 *a” and inserting “A”, and*

6 *(iii) by striking subparagraph (C),*
 7 *(C) in paragraph (3)—*

8 *(i) in subparagraph (A)—*

9 *(I) by striking “A State agency”*
 10 *and inserting “An eligible institution”,*
 11 *and*

12 *(II) by inserting “the Director of*
 13 *the National Institute of Food and Ag-*
 14 *riculture and” after “by”, and*

15 *(ii) in subparagraph (B) by inserting*
 16 *“the Director of the National Institute of*
 17 *Food and Agriculture and” after “edu-*
 18 *cation,”, and*

19 *(D) in paragraph (4) by inserting “and eli-*
 20 *gible institutions” after “agencies”, and*

21 *(E) in paragraph (5) by striking “State*
 22 *agency” and inserting “eligible institutions”,*

23 *(4) in subsection (d)—*

24 *(A) in paragraph (1)—*

1 (i) in the heading by striking “IN GEN-
2 ERAL” and inserting “BASIC FUNDING”,

3 (ii) by striking “to State agencies”,

4 (iii) in subparagraph (E) by striking
5 “and” at the end,

6 (iv) in subparagraph (F)—

7 (I) by striking “year 2016 and
8 each subsequent fiscal year” and in-
9 serting “years 2016 through 2018”,
10 and

11 (II) by striking the period at the
12 end and inserting a semicolon, and

13 (v) by adding at the end the following:

14 “(G) for fiscal year 2019, \$485,000,000;
15 and

16 “(H) for fiscal year 2020 and each subse-
17 quent fiscal year, the applicable amount during
18 the preceding fiscal year, as adjusted to reflect
19 any increases for the 12-month period ending the
20 preceding June 30 in the Consumer Price Index
21 for All Urban Consumers published by the Bu-
22 reau of Labor Statistics of the Department of
23 Labor.”,

24 (B) in paragraph (2)—

25 (i) in subparagraph (A)—

1 (I) by inserting “and appropriated
2 under the authority of paragraph (2)” after
3 “paragraph (1)”, and

4 (II) in clause (ii)—

5 (aa) by inserting “(as that section
6 existed on the day before the date of the
7 enactment of the Agriculture and Nu-
8 trition Act of 2018)” after “(B)” and

9 (bb) in subclause (V) by striking

10 “and each fiscal year thereafter”, and

11 (ii) by amending subparagraph (B) to read

12 as follows:

13 “(C) *REALLOCATION*.—If the Secretary de-
14 termines that an eligible institution will not ex-
15 pend all of the funds allocated to the eligible in-
16 stitution for a fiscal year under paragraph (1)
17 or in the case of an eligible institution that elects
18 not to receive the entire amount of funds allo-
19 cated to the eligible institution for a fiscal year,
20 the Secretary shall reallocate the unexpended
21 funds to other eligible institutions during the fis-
22 cal year or the subsequent fiscal year (as deter-
23 mined by the Secretary) that have approved
24 State plans under which the eligible institutions
25 may expend the reallocated funds.”, and

1 (iii) by inserting after subparagraph (A)
2 the following:

3 “(B) *SUBSEQUENT ALLOCATION.*—Of the
4 funds set aside under paragraph (1) and appro-
5 priated under the authority of paragraph (2) for
6 fiscal year 2019 and each fiscal year thereafter,
7 100 percent shall be allocated to eligible institu-
8 tions pro rata based on the respective share of
9 each State of the number of individuals partici-
10 pating in the supplemental nutrition assistance
11 program during the 12-month period ending the
12 preceding January 31, as determined by the Sec-
13 retary.”,

14 (C) by redesignating paragraphs (2) and
15 (3) as paragraphs (3) and (4), respectively,

16 (D) by inserting after paragraph (1) the fol-
17 lowing:

18 “(2) *AUTHORIZATION AND ADVANCE AVAIL-*
19 *ABILITY OF APPROPRIATIONS.*—

20 “(A) *AUTHORIZATION OF APPROPRIA-*
21 *TIONS.*—There is authorized to be appropriated
22 to carry out this section \$65,000,000 for each of
23 the fiscal years 2019 through 2023.

24 “(B) *APPROPRIATION IN ADVANCE.*—Except
25 as provided in subparagraph (C), only funds ap-

1 *propriated under subparagraph (A) in advance*
 2 *specifically to carry out this section shall be*
 3 *available to carry out this section.*

4 “(C) *OTHER FUNDS.—Funds appropriated*
 5 *under this paragraph shall be in addition to*
 6 *funds made available under paragraph (1).”,*
 7 *and*

8 *(E) by inserting after paragraph (4), as so*
 9 *redesignated, the following:*

10 “(5) *ADMINISTRATIVE COSTS.—Not more than 10*
 11 *percent of the funds allocated to eligible institutions*
 12 *may be used by the eligible institutions for adminis-*
 13 *trative costs.”, and*

14 *(5) in subsection (e) by striking “January 1,*
 15 *2012” and inserting “18 months after the date of the*
 16 *enactment of the Agriculture and Nutrition Act of*
 17 *2018”.*

18 (b) *RELATED AMENDMENT.—Section 18(a)(3)(A)(ii)*
 19 *of the Food and Nutrition Act of 2008 (7 U.S.C.*
 20 *2027(a)(3)(A)(ii)) is amended by striking “, such as the ex-*
 21 *panded food and nutrition education program”.*

1 **SEC. 4034. RETAIL FOOD STORE AND RECIPIENT TRAF-**
 2 **FICKING.**

3 *Section 29(c)(1) of the Food and Nutrition Act of 2008*
 4 *(7 U.S.C. 2036b(c)(1)) is amended by striking “2018” and*
 5 *inserting “2023”.*

6 **SEC. 4035. TECHNICAL CORRECTIONS.**

7 *The Food and Nutrition Act of 2008 (7 U.S.C. 2011*
 8 *et seq.) is amended—*

9 *(1) in section 3—*

10 *(A) in subsections (d) and (i) by striking*
 11 *“7(i)” and inserting “7(h)”, and*

12 *(B) in subsection (o)(1)(A) by striking*
 13 *“(r)(1)” and inserting “(q)(1)”,*

14 *(2) in section 5(a) by striking “and section”*
 15 *each place it appears and all that follows through*
 16 *“households” the respective next place it appears, and*
 17 *inserting “and section 3(m)(4), households”,*

18 *(3) in subsections (e)(1) and (f)(1)(A)(i) of sec-*
 19 *tion 8 by striking “3(n)(5)” and inserting “3(m)(5)”,*

20 *(4) in the 1st sentence of section 10—*

21 *(A) by striking “or the Federal Savings and*
 22 *Loan Insurance Corporation” each place it ap-*
 23 *pears, and*

24 *(B) by striking “3(p)(4)” and inserting*
 25 *“3(o)(4)”,*

26 *(5) in section 11—*

1 (A) in subsection (a)(2) by striking
2 “3(t)(1)” and inserting “3(s)(1)”, and

3 (B) in subsection (d)—

4 (i) by striking “3(t)(1)” each place it
5 appears and inserting “3(s)(1)”, and

6 (ii) by striking “3(t)(2)” each place it
7 appears and inserting “3(s)(2)”,

8 (C) in subsection (e)—

9 (i) in paragraph (17) by striking
10 “3(t)(1)” inserting “3(s)(1)”, and

11 (ii) in paragraph (23) by striking
12 “Simplified Supplemental Nutrition Assist-
13 ance Program” and inserting “simplified
14 supplemental nutrition assistance pro-
15 gram”,

16 (6) in section 15(e) by striking “exchange” and
17 all that follows through “anything”, and inserting
18 “exchange for benefits, or anything”,

19 (7) in section 17(b)(1)(B)(iv)—

20 (A) in subclause (III)(aa) by striking
21 “3(n)” and inserting “3(m)”, and

22 (B) in subclause (VII) by striking “7(i)”
23 and inserting “7(h)”,

24 (8) in section 25(a)(1)(B)(i)(I) by striking the
25 2d semicolon at the end, and

1 (9) in section 26(b) by striking “out” and all
 2 that follows through “(referred”, and inserting “out a
 3 simplified supplemental nutrition assistance program
 4 (referred”.

5 **SEC. 4036. IMPLEMENTATION FUNDS.**

6 Out of any funds made available under section 18(a)
 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a))
 8 for fiscal year 2019, the Secretary shall use to carry out
 9 the amendments made by this subtitle \$150,000,000, to re-
 10 main available until expended.

11 **Subtitle B—Commodity Distribution**
 12 **Programs**

13 **SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.**

14 The 1st sentence of section 4(a) of the Agriculture and
 15 Consumer Protection Act of 1973 (7 U.S.C. 612c note) is
 16 amended by striking “2018” and inserting “2023”.

17 **SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

18 Section 5 of the Agriculture and Consumer Protection
 19 Act of 1973 (7 U.S.C. 612c note) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1) by striking “2018”
 22 and inserting “2023”, and

23 (B) in paragraph (2) by striking “2018”
 24 and inserting “2023”, and

1 (2) in subsection (d)(2) by striking “2018” and
2 inserting “2023”.

3 **SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO**
4 **SPECIAL NUTRITION PROJECTS.**

5 Section 1114(a)(2)(A) of the Agriculture and Food Act
6 of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended by striking
7 “2018” and inserting “2023”.

8 **Subtitle C—Miscellaneous**

9 **SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES**
10 **FOR DISTRIBUTION TO SCHOOLS AND SERV-**
11 **ICE INSTITUTIONS.**

12 Section 10603(b) of the Farm Security and Rural In-
13 vestment Act of 2002 (7 U.S.C. 612c-4(b)) is amended by
14 striking “2018” and inserting “2023”.

15 **SEC. 4202. SENIORS FARMERS’ MARKET NUTRITION PRO-**
16 **GRAM.**

17 Section 4402(a) of the Farm Security and Rural In-
18 vestment Act of 2002 (7 U.S.C. 3007(a)) is amended by
19 striking “2018” and inserting “2023”.

20 **SEC. 4203. HEALTHY FOOD FINANCING INITIATIVE.**

21 Section 243(d) of the Department of Agriculture Reor-
22 ganization Act of 1994 (7 U.S.C. 6953) is amended by strik-
23 ing “until expended” and inserting “until October 1, 2023”.

1 **SEC. 4204. AMENDMENTS TO THE FRUIT AND VEGETABLE**
 2 **PROGRAM.**

3 *Section 19 of the Richard B. Russell National School*
 4 *Lunch Act (42 U.S.C. 1769a) is amended—*

5 *(1) in the section heading, by striking “FRESH”*
 6 *;*

7 *(2) in subsection (a), by inserting “, canned,*
 8 *dried, frozen, or pureed” after “fresh”;*

9 *(3) in subsection (b), by inserting “, canned,*
 10 *dried, frozen, or pureed” after “fresh”; and*

11 *(4) in subsection (e), by inserting “, canned,*
 12 *dried, frozen, or pureed” after “fresh”.*

13 **TITLE V—CREDIT**

14 **Subtitle A—Farm Ownership Loans**

15 **SEC. 5101. MODIFICATION OF THE 3-YEAR EXPERIENCE ELI-**
 16 **GIBILITY REQUIREMENT FOR FARM OWNER-**
 17 **SHIP LOANS.**

18 *Section 302(b) of the Consolidated Farm and Rural*
 19 *Development Act (7 U.S.C. 1922(b)) is amended by adding*
 20 *at the end the following:*

21 *“(4) WAIVER AUTHORITY.—In the case of a*
 22 *qualified beginning farmer or rancher, the Secretary*
 23 *may—*

24 *“(A) reduce the 3-year requirement in para-*
 25 *graph (1) to—*

1 “(i) 2 years, if the farmer or rancher
2 has—

3 “(I) 16 credit hours of post-sec-
4 ondary education in a field related to
5 agriculture;

6 “(II) at least 1 year of direct sub-
7 stantive management experience in a
8 business;

9 “(III) been honorably discharged
10 from the armed forces of the United
11 States;

12 “(IV) successfully repaid a youth
13 loan made under section 311(b); or

14 “(V) an established relationship
15 with an individual participating as a
16 counselor in a Service Corps of Retired
17 Executives program authorized under
18 section 8(b)(1)(B) of the Small Busi-
19 ness Act (15 U.S.C. 637(b)(1)(B)), or
20 with a local farm or ranch operator or
21 organization, approved by the Sec-
22 retary, that is committed to mentoring
23 the farmer or rancher; or

24 “(ii) 1 year, if the farmer or rancher
25 has military leadership or management ex-

1 *perience from having completed an accept-*
 2 *able military leadership course; or*

3 *“(B) waive the 3-year requirement in para-*
 4 *graph (1) if the farmer or rancher—*

5 *“(i) meets a requirement of subpara-*
 6 *graph (A)(i) (other than subclause (V)*
 7 *thereof) and meets the requirement of sub-*
 8 *paragraph (A)(ii); and*

9 *“(ii) meets the requirement of subpara-*
 10 *graph (A)(i)(V).”.*

11 **SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE**
 12 **PROGRAM.**

13 *Section 304(h) of the Consolidated Farm and Rural*
 14 *Development Act (7 U.S.C. 1924(h)) is amended—*

15 *(1) by striking “\$150,000,000” and inserting*
 16 *“\$75,000,000”; and*

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

18 **SEC. 5103. FARM OWNERSHIP LOAN LIMITS.**

19 *Section 305(a) of the Consolidated Farm and Rural*
 20 *Development Act (7 U.S.C. 1925(a)) is amended—*

21 *(1) by striking “\$700,000” and inserting*
 22 *“\$1,750,000”; and*

23 *(2) by striking “2000” and inserting “2019”.*

1 ***Subtitle B—Operating Loans***

2 ***SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING***
 3 ***LOANS.***

4 *Section 313(a)(1) of the Consolidated Farm and Rural*
 5 *Development Act (7 U.S.C. 1943(a)(1)) is amended—*

6 (1) *by striking “\$700,000” and inserting*
 7 *“\$1,750,000”; and*

8 (2) *by striking “2000” and inserting “2019”.*

9 ***SEC. 5202. MICROLOANS.***

10 *Section 313(c)(2) of the Consolidated Farm and Rural*
 11 *Development Act (7 U.S.C. 1943(c)(2)) is amended by strik-*
 12 *ing “title” and inserting “subsection”.*

13 ***Subtitle C—Administrative***
 14 ***Provisions***

15 ***SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL***
 16 ***DEVELOPMENT ACCOUNTS PILOT PROGRAM.***

17 *Section 333B(h) of the Consolidated Farm and Rural*
 18 *Development Act (7 U.S.C. 1983b(h)) is amended by strik-*
 19 *ing “2018” and inserting “2023”.*

20 ***SEC. 5302. LOAN AUTHORIZATION LEVELS.***

21 *Section 346(b)(1) of the Consolidated Farm and Rural*
 22 *Development Act (7 U.S.C. 1994(b)(1)) is amended in the*
 23 *matter preceding subparagraph (A) by striking “2018” and*
 24 *inserting “2023”.*

1 **SEC. 5303. LOAN FUND SET-ASIDES.**

2 *Section 346(b)(2)(A)(ii)(III) of the Consolidated Farm*
 3 *and Rural Development Act (7 U.S.C.*
 4 *1994(b)(2)(A)(ii)(III)) is amended by striking “2018” and*
 5 *inserting “2023”.*

6 ***Subtitle D—Technical Corrections***
 7 ***to the Consolidated Farm and***
 8 ***Rural Development Act***

9 **SEC. 5401. TECHNICAL CORRECTIONS TO THE CONSOLI-**
 10 **DATED FARM AND RURAL DEVELOPMENT**
 11 **ACT.**

12 *(a)(1) Section 310E(d)(3) of the Consolidated Farm*
 13 *and Rural Development Act (7 U.S.C. 1935(d)(3)) is*
 14 *amended by inserting “and socially disadvantaged farmers*
 15 *or ranchers” after “ranchers” the second place it appears.*

16 *(2) The amendment made by this subsection shall take*
 17 *effect as if included in the enactment of section*
 18 *5004(4)(A)(i) of the Food, Conservation, and Energy Act*
 19 *of 2008 (Public Law 110–246) in lieu of the amendment*
 20 *made by such section.*

21 *(b)(1) Section 321(a) of the Consolidated Farm and*
 22 *Rural Development Act (7 U.S.C. 1961(a)) is amended in*
 23 *the second sentence by striking “and limited liability com-*
 24 *panies” and inserting “limited liability companies, and*
 25 *such other legal entities”.*

1 (2) *The amendment made by this subsection shall take*
2 *effect as if included in the enactment of section 5201 of the*
3 *Agricultural Act of 2014 (Public Law 113–79) in lieu of*
4 *the amendment made by such section.*

5 (c)(1) *Section 331D(e) of the Consolidated Farm and*
6 *Rural Development Act (7 U.S.C. 1981d(e)) is amended by*
7 *inserting after “within 60 days after receipt of the notice*
8 *required in this section” the following: “or, in extraor-*
9 *dinary circumstances as determined by the applicable State*
10 *director, after the 60-day period”.*

11 (2) *The amendment made by this subsection shall take*
12 *effect as if included in the enactment of section 10 of the*
13 *Agricultural Credit Improvement Act of 1992 (Public Law*
14 *102–554).*

15 (d)(1) *Section 333A(f)(1)(A) of the Consolidated Farm*
16 *and Rural Development Act (7 U.S.C. 1983a(f)(1)(A)) is*
17 *amended by striking “114” and inserting “339”.*

18 (2) *The amendment made by this subsection shall take*
19 *effect as if included in the enactment of section 14 of the*
20 *Agricultural Credit Improvement Act of 1992 (Public Law*
21 *102–554).*

22 (e) *Section 339(d)(3) of the Consolidated Farm and*
23 *Rural Development Act (7 U.S.C.1989(d)(3)) is amended*
24 *by striking “preferred certified lender” and inserting “Pre-*
25 *ferred Certified Lender”.*

1 (f)(1) *Section 343(a)(11)(C) of the Consolidated Farm*
 2 *and Rural Development Act (7 U.S.C. 1991(a)(11)(C)) is*
 3 *amended by striking “or joint operators” and inserting*
 4 *“joint operator, or owners”.*

5 (2) *The amendment made by this subsection shall take*
 6 *effect as of the effective date of section 5303(a)(2) of the Ag-*
 7 *ricultural Act of 2014.*

8 (g)(1) *Section 343(b) of the Consolidated Farm and*
 9 *Rural Development Act (7 U.S.C. 1991(b)) is amended by*
 10 *striking “307(e)” and inserting “307(d)”.*

11 (2) *The amendment made by paragraph (1) shall take*
 12 *effect as if included in the enactment of section 5004 of the*
 13 *Agricultural Act of 2014 (Public Law 113–79).*

14 (h) *Section 346(a) of the Consolidated Farm and*
 15 *Rural Development Act (7 U.S.C.1994(a)) is amended by*
 16 *striking the last comma.*

17 ***Subtitle E—Amendments to the***
 18 ***Farm Credit Act of 1971***

19 ***SEC. 5501. ELIMINATION OF OBSOLETE REFERENCES.***

20 (a) *Section 1.2(a) of the Farm Credit Act of 1971 (12*
 21 *U.S.C. 2002(a)) is amended to read as follows:*

22 “(a) *COMPOSITION.—The Farm Credit System shall*
 23 *include the Farm Credit Banks, banks for cooperatives, Ag-*
 24 *ricultural Credit Banks, the Federal land bank associations,*
 25 *the Federal land credit associations, the production credit*

1 *associations, the Agricultural Credit Associations, the Fed-*
 2 *eral Farm Credit Banks Funding Corporation, the Federal*
 3 *Agricultural Mortgage Corporation, service corporations es-*
 4 *tablished pursuant to section 4.25 of this Act, and such*
 5 *other institutions as may be made a part of the System,*
 6 *all of which shall be chartered by and subject to regulation*
 7 *by the Farm Credit Administration.”.*

8 (b) *Section 2.4 of such Act (12 U.S.C. 2075) is amend-*
 9 *ed by striking subsection (d).*

10 (c) *Section 3.0 of such Act (12 U.S.C. 2121) is amend-*
 11 *ed—*

12 (1) *in the 3rd sentence, by striking “and a Cen-*
 13 *tral Bank for Cooperatives”; and*

14 (2) *by striking the 5th sentence.*

15 (d) *Section 3.2(a)(1) of such Act (12 U.S.C.*
 16 *2123(a)(1)) is amended—*

17 (1) *by striking “not merged into the United*
 18 *Bank for Cooperatives or the National Bank for Co-*
 19 *operatives”; and*

20 (2) *by adding at the end the following: “Section*
 21 *7.12(c) shall apply to the board of directors of a*
 22 *merged bank for cooperatives.”.*

23 (e) *Section 3.2(a)(2)(A) of such Act (12 U.S.C.*
 24 *2123(a)(2)(A)) is amended by striking “(other than the Na-*
 25 *tional Bank for Cooperatives)”.*

1 (f) *Section 3.2 of such Act (12 U.S.C. 2123) is amend-*
2 *ed—*

3 (1) *by striking subsection (b);*

4 (2) *in subsection (a)(2)(B), by striking “para-*
5 *graph” and inserting “subsection”;*

6 (3) *by striking “(a)(1)” and inserting “(a)”;*

7 (4) *by striking “(2)(A)” and inserting “(b)(1)”;*

8 (5) *by striking “(i)” and inserting “(A)”;*

9 (6) *by striking “(ii)” and inserting “(B)”;* and
10 (7) *by striking “(B)” and inserting “(2)”.*

11 (g) *Section 3.5 of such Act (12 U.S.C. 2126) is amend-*
12 *ed by striking “district”.*

13 (h) *Section 3.7(a) of such Act (12 U.S.C. 2128(a)) is*
14 *amended by striking the second sentence.*

15 (i) *Section 3.8(b)(1)(A) of such Act (12 U.S.C.*
16 *2129(b)(1)(A)) is amended by inserting “(or successor agen-*
17 *cy)” after “Rural Electrification Administration”.*

18 (j) *Section 3.9(a) of such Act (12 U.S.C. 2130(a)) is*
19 *amended by striking the 3rd sentence.*

20 (k) *Section 3.10(c) of such Act (12 U.S.C. 2131(c)) is*
21 *amended by striking the second sentence.*

22 (l) *Section 3.10(d) of such Act (12 U.S.C. 2131(d)) is*
23 *amended—*

24 (1) *by striking “district” each place it appears;*
25 *and*

1 (2) by inserting “for cooperatives or successor
2 bank” before “on account of such indebtedness”.

3 (m) Section 3.11 of such Act (12 U.S.C. 2132) is
4 amended—

5 (1) in subsection (a), by striking “subsections (b)
6 and (c)” and inserting “subsection (b)”;

7 (2) in subsection (b)—

8 (A) by striking “district”; and

9 (B) by striking “Except as provided in sub-
10 section (c) below, all” and inserting “All”; and

11 (3) by striking subsection (c) and redesignating
12 subsections (d) through (f) as subsections (c) through
13 (e), respectively.

14 (n) The heading for part B of title III of such Act
15 is amended by striking “UNITED AND”.

16 (o) Section 3.20(a) of such Act (12 U.S.C. 2141(a))
17 is amended by striking “or the United Bank for Coopera-
18 tives, as the case may be”.

19 (p) Section 3.20(b) of such Act (12 U.S.C. 2141(b))
20 is amended by striking “the district banks for cooperatives
21 and the Central Bank for Cooperatives” and inserting “all
22 constituent banks referred to in section 413 of the Agricul-
23 tural Credit Act of 1987”.

24 (q) Section 3.21 of such Act (12 U.S.C. 2142) is re-
25 pealed.

1 (r) Section 3.28 of such Act (12 U.S.C. 2149) is
 2 amended by striking “a district bank for cooperatives and
 3 the Central Bank for Cooperatives” and inserting “its con-
 4 stituent banks referred to in section 413 of the Agricultural
 5 Credit Act of 1987”.

6 (s) Section 3.29 of such Act (12 U.S.C. 2150) is re-
 7 pealed.

8 (t)(1) Section 4.0 of such Act (12 U.S.C. 2151) is re-
 9 pealed.

10 (2) Section 5.60(b) of such Act (12 U.S.C. 2277a-9(b))
 11 is amended to read as follows:

12 “(b) AMOUNTS IN FUND.—The Corporation shall de-
 13 posit in the Insurance Fund all premium payments re-
 14 ceived by the Corporation under this part.”.

15 (u)(1) Section 4.8 of such Act (12 U.S.C. 2159) is
 16 amended—

17 (A) by striking “(a)”; and

18 (B) by striking subsection (b).

19 (2) Section 1.1(c) of such Act (12 U.S.C. 2001(c)) is
 20 amended by striking “including any costs of defeasance
 21 under section 4.8(b),”.

22 (v) Section 4.9(d)(2) of such Act (12 U.S.C.
 23 2160(d)(2)) is amended to read as follows:

24 “(2) REPRESENTATION ON BOARD.—The Farm
 25 Credit System Insurance Corporation shall have no

1 *representation on the board of directors of the Cor-*
2 *poration.”.*

3 *(w) Section 4.9 of such Act (12 U.S.C. 2160) is amend-*
4 *ed by striking subsection (e) and redesignating subsection*
5 *(f) as subsection (e).*

6 *(x) Section 4.9A(c) of such Act (12 U.S.C. 2162(c))*
7 *is amended to read as follows:*

8 *“(c) INABILITY TO RETIRE STOCK AT PAR VALUE.—*
9 *If an institution is unable to retire eligible borrower stock*
10 *at par value due to the liquidation of the institution, the*
11 *Farm Credit System Insurance Corporation, acting as re-*
12 *ceiver, shall retire such stock at par value as would have*
13 *been retired in the ordinary course of business of the institu-*
14 *tion. The Farm Credit System Insurance Corporation shall*
15 *make use of sufficient funds from the Farm Credit Insur-*
16 *ance Fund to carry out this section.”.*

17 *(y) Section 4.12A(a)(1) of such Act (12 U.S.C.*
18 *2184(a)(1)) is amended to read as follows:*

19 *“(1) IN GENERAL.—Every Farm Credit System*
20 *bank or association shall provide a current list of its*
21 *stockholders, within 7 calendar days after receipt of*
22 *a written request by a stockholder, to the requesting*
23 *stockholder.”.*

1 (z) Section 4.14A(a) of such Act (12 U.S.C. 2202a(a))
2 is amended by inserting “and section 4.36” after “As used
3 in this part”.

4 (aa)(1) Section 4.14A of such Act (12 U.S.C. 2202a)
5 is amended—

6 (A) in subsection (l), by striking “production
7 credit”; and

8 (B) by striking subsection (h) and redesignating
9 subsections (i) through (l) as subsections (h) through
10 (k), respectively.

11 (2)(A) Section 5.31 of such Act (12 U.S.C. 2267) is
12 amended by striking “4.14A(i)” and inserting “4.14A(h)”.

13 (B) Section 5.32(h) of such Act (12 U.S.C. 2268(h))
14 is amended by striking “4.14A(i)” and inserting
15 “4.14A(h)”.

16 (bb)(1) Section 4.14C of such Act (12 U.S.C. 2202c)
17 is repealed.

18 (2)(A) Section 4.14A(a)(5)(B)(ii)(I) of such Act (12
19 U.S.C. 2202a(a)(5)(B)(ii)(I)) is amended by striking
20 “4.14C,”.

21 (B) Section 8.9 of such Act (12 U.S.C. 2279aa–9) is
22 amended by striking “4.14C,” each place it appears.

23 (cc) Section 4.17 of such Act (12 U.S.C. 2205) is
24 amended by striking “Federal intermediate credit banks
25 and”.

1 (dd) Section 4.19(a) of such Act (12 U.S.C. 2207(a))
2 is amended—

3 (1) by striking “district”;

4 (2) by striking “Federal land bank association
5 and production credit”; and

6 (3) by striking “units” and inserting “institu-
7 tions”.

8 (ee) Section 4.38 of such Act (12 U.S.C. 2219c) is
9 amended by striking “The Assistance Board established
10 under section 6.0 and all” and inserting “All”.

11 (ff) Section 5.17(a)(2) of such Act (12 U.S.C.
12 2252(a)(2)) is amended by striking the second and 3rd sen-
13 tences.

14 (gg) Section 5.18 of such Act (12 U.S.C. 2253) is re-
15 pealed.

16 (hh) Section 5.19(a) of such Act (12 U.S.C. 2254(a))
17 is amended—

18 (1) by striking “Except for Federal land bank
19 associations, each” and inserting “Each”; and

20 (2) by striking the second sentence.

21 (ii) Section 5.19(b) of such Act (12 U.S.C. 2254(b))
22 is amended—

23 (1) in the second sentence of paragraph (1), by
24 striking “except with respect to any actions taken by
25 any banks of the System under section 4.8(b),”;

1 (2) *by striking the third sentence of paragraph*
 2 (1);

3 (3) *by striking “(b)(1)” and inserting “(b)”*; and
 4 (4) *by striking paragraphs (2) and (3).*

5 (jj) *Section 5.35(4) of such Act (12 U.S.C. 2271(4))*
 6 *is amended—*

7 (1) *in subparagraph (C)—*

8 (A) *by striking “after December 31, 1992,”*;
 9 and

10 (B) *by striking “by the Farm Credit Sys-*
 11 *tem Assistance Board under section 6.6 or”*; and
 12 (2) *by striking subparagraph (B) and redesign-*
 13 *ating subparagraph (C) as subparagraph (B).*

14 (kk) *Section 5.38 of such Act (12 U.S.C. 2274) is*
 15 *amended by striking “a farm credit district board, bank*
 16 *board, or bank officer or employee shall not remove any di-*
 17 *rector or officer of any production credit association or Fed-*
 18 *eral land bank association” and inserting “a Farm Credit*
 19 *Bank board, officer, or employee shall not remove any direc-*
 20 *tor or officer of any association”.*

21 (ll) *Section 5.44 of such Act (12 U.S.C. 2275) is re-*
 22 *pealed.*

23 (mm) *Section 5.58(2) of such Act (12 U.S.C. 2277a–*
 24 *7) is amended by striking the second sentence.*

1 (nn) Subtitle A of title VI of such Act (12 U.S.C.
2 2278a-2278a-11) is repealed.

3 (oo) Title VI of such Act (12 U.S.C. 2278a-2278b-11)
4 is amended by adding at the end the following:

5 **“SEC. 6.32. TERMINATION OF AUTHORITY.**

6 *“The authority provided in this subtitle shall termi-*
7 *nate on December 31, 2018.”.*

8 (pp) Section 7.9 of such Act (12 U.S.C. 2279c-2) is
9 amended by striking subsection (c).

10 (qq) Section 7.10(a)(4) of such Act (12 U.S.C.
11 2279d(a)(4)) is amended to read as follows:

12 *“(4) the institution pays to the Farm Credit In-*
13 *surance Fund the amount by which the total capital*
14 *of the institution exceeds 6 percent of the assets;”.*

15 (rr) Section 8.0(2) of such Act (12 U.S.C. 2279aa(2))
16 is amended to read as follows:

17 *“(2) BOARD.—The term ‘Board’ means the board*
18 *of directors established under section 8.2.”.*

19 (ss)(1) Section 8.0 of such Act (12 U.S.C. 2279aa) is
20 amended by striking paragraphs (6) and (8), and redesi-
21 gnating paragraphs (7), (9), and (10) as paragraphs (6)
22 through (8), respectively.

23 (2)(A) Section 4.39 of such Act (12 U.S.C. 2219d) is
24 amended by striking “8.0(7)” and inserting “8.0(6)”.

1 (B) Section 8.6(e)(2) of such Act (12 U.S.C. 2279aa–
 2 6(e)(2)) is amended by striking “8.0(9)” and inserting
 3 “8.0(7)”.

4 (C) Section 8.11(e) of such Act (12 U.S.C. 2279aa–
 5 11(e)) is amended by striking “8.0(7)” and inserting
 6 “8.0(6)”.

7 (D) Section 8.32(a)(1)(B) of such Act (12 U.S.C.
 8 2279bb–1(a)(1)(B)) is amended by striking “8.0(9)(C)” and
 9 inserting “8.0(7)(C)”.

10 (tt)(1) Section 8.2 of such Act (12 U.S.C. 2279aa-2)
 11 is amended—

12 (A) in subsection (b)—

13 (i) in the subsection heading, by striking
 14 “PERMANENT BOARD” and inserting “BOARD OF
 15 DIRECTORS”;

16 (ii) by striking paragraph (1) and inserting
 17 the following:

18 “(1) ESTABLISHMENT.—The Corporation shall
 19 be under the management of the Board of Directors.”;

20 (iii) by striking paragraph (3) and redesignig-
 21 nating paragraphs (4) through (10) as para-
 22 graphs (3) through (9), respectively; and

23 (iv) by striking “permanent” each place it
 24 appears in paragraphs (2), and (3) through (9)
 25 (as so redesignated); and

1 (B) by striking subsection (a) and redesignating
2 subsections (b) and (c) as subsections (a) and (b), re-
3 spectively.

4 (2) Section 8.4(a)(1) of such Act (12 U.S.C. 2279aa–
5 4) is amended—

6 (A) by striking the 3rd sentence;

7 (B) by inserting after the 1st sentence the fol-
8 lowing: “Voting common stock shall be offered to
9 banks, other financial entities, insurance companies,
10 and System institutions under such terms and condi-
11 tions as the Board may adopt. The voting stock shall
12 be fairly and broadly offered to ensure that no insti-
13 tution or institutions acquire a disproportionate
14 amount of the total amount of voting common stock
15 outstanding of a class and that capital contributions
16 and issuances of voting common stock for the con-
17 tributions are fairly distributed between entities eligi-
18 ble to hold Class A and Class B stock, as provided
19 under this paragraph.”;

20 (C) by striking “8.2(b)(2)(A)” and inserting
21 “8.2(a)(2)(A)”; and

22 (D) by striking “8.2(b)(2)(B)” and inserting
23 “8.2(a)(2)(B)”.

1 (uu)(1) *Section 8.6 of such Act (12 U.S.C. 2279aa–*
 2 *6) is amended by striking subsection (d) and redesignating*
 3 *subsection (e) as subsection (d).*

4 (2)(A) *Paragraph (7)(B)(i) of section 8.0 of such Act*
 5 *(12 U.S.C. 2279aa), as redesignated by subsection (ss)(1),*
 6 *is amended by striking “through (d)” and inserting “and*
 7 *(c)”.*

8 (B) *Section 8.33(b)(2)(A) of such Act (12 U.S.C.*
 9 *2279bb–2(b)(2)(A)) is amended by striking “8.6(e)” and in-*
 10 *serting “8.6(d)”.*

11 (vv) *Section 8.32(a) of such Act (12 U.S.C. 2279bb–*
 12 *1(a)) is amended by striking “Not sooner than the expira-*
 13 *tion of the 3-year period beginning on the date of enactment*
 14 *of the Farm Credit System Reform Act of 1996, the” and*
 15 *inserting “The”.*

16 (ww) *Section 8.35 of such Act (12 U.S.C. 2279bb–4)*
 17 *is amended by striking subsection (e).*

18 (xx) *Section 8.38 of such Act (12 U.S.C. 2279bb–7)*
 19 *is repealed.*

20 **SEC. 5502. CONFORMING REPEALS.**

21 (a) *Sections 4, 5, 6, 7, 8, 14, and 15 of the Agricultural*
 22 *Marketing Act (12 U.S.C. 1141b, 1141c, 1141d, 1141e,*
 23 *1141f, 1141i, and 1141j) are repealed.*

24 (b) *The Act of June 22, 1939, (Chapter 239; 53 Stat.*
 25 *853; 12 U.S.C. 1141d–1) is repealed.*

1 (c) *Section 201 of the Emergency Relief and Construc-*
 2 *tion Act of 1932 (12 U.S.C. 1148) is repealed.*

3 (d) *Section 2 of the Act of July 14, 1953, (Chapter*
 4 *192; 67 Stat. 150; 12 U.S.C. 1148a–4) is repealed.*

5 (e) *Sections 32 through 34 of the Farm Credit Act of*
 6 *1937 (12 U.S.C. 1148b, 1148c, and 1148d) are repealed.*

7 (f) *Sections 1 through 4 of the Act of March 3, 1932,*
 8 *(12 U.S.C. 1401 through 1404) are repealed.*

9 **SEC. 5503. FACILITY HEADQUARTERS.**

10 *Section 5.16 of the Farm Credit Act of 1971 (12 U.S.C.*
 11 *2251) is amended by striking all that precedes “to the rental*
 12 *of quarters” and inserting the following:*

13 **“SEC. 5.16. QUARTERS AND FACILITIES FOR THE FARM**
 14 **CREDIT ADMINISTRATION.**

15 *“(a) The Farm Credit Administration shall maintain*
 16 *its principal office within the Washington D.C.-Maryland-*
 17 *Virginia standard metropolitan statistical area, and such*
 18 *other offices within the United States as in its judgment*
 19 *are necessary.*

20 *“(b) As an alternate”.*

21 **SEC. 5504. SHARING PRIVILEGED AND CONFIDENTIAL IN-**
 22 **FORMATION.**

23 *Section 5.19 of the Farm Credit Act of 1971 (12 U.S.C.*
 24 *2254) is amended by adding at the end the following:*

1 “(e) A System institution shall not be considered to
 2 have waived the confidentiality of a privileged communica-
 3 tion with an attorney or accountant if the institution pro-
 4 vides the content of the communication to the Farm Credit
 5 Administration pursuant to the supervisory or regulatory
 6 authorities of the Farm Credit Administration.”.

7 **SEC. 5505. SCOPE OF JURISDICTION.**

8 Part C of title V of the Farm Credit Act of 1971 (12
 9 U.S.C. 2261–2274) is amended by inserting after section
 10 5.31 the following:

11 **“SEC. 5.31A. SCOPE OF JURISDICTION.**

12 “(a) For purposes of sections 5.25, 5.26, and 5.33, the
 13 jurisdiction of the Farm Credit Administration over par-
 14 ties, and the authority of the Farm Credit Administration
 15 to initiate actions, shall include enforcement authority over
 16 institution-affiliated parties.

17 “(b) The resignation, termination of employment or
 18 participation, or separation of an institution-affiliated
 19 party (including a separation caused by the merger, con-
 20 solidation, conservatorship, or receivership of a System in-
 21 stitution) shall not affect the jurisdiction and authority of
 22 the Farm Credit Administration to issue any notice or
 23 order and proceed under this part against any such party,
 24 if the notice or order is served before the end of the 6-year
 25 period beginning on the date the party ceased to be such

1 *a party with respect to the System institution (whether the*
 2 *date occurs before, on, or after the date of the enactment*
 3 *of this section).”.*

4 **SEC. 5506. DEFINITION.**

5 *Section 5.35 of the Farm Credit Act of 1971 (12 U.S.C.*
 6 *2271) is amended—*

7 *(1) by striking “and” at the end of paragraph*
 8 *(3); and*

9 *(2) by redesignating paragraph (4) as para-*
 10 *graph (5) and inserting after paragraph (3) the fol-*
 11 *lowing:*

12 *“(4) the term ‘institution-affiliated party’*
 13 *means—*

14 *“(A) any director, officer, employee, share-*
 15 *holder, or agent of a System institution;*

16 *“(B) any independent contractor (including*
 17 *any attorney, appraiser, or accountant) who*
 18 *knowingly or recklessly participates in—*

19 *“(i) any violation of law (including*
 20 *regulations) that is associated with the op-*
 21 *erations and activities of 1 or more institu-*
 22 *tions;*

23 *“(ii) any breach of fiduciary duty; or*

24 *“(iii) any unsafe or unsound practice,*
 25 *which caused or is likely to cause more than*

1 *a minimal financial loss to, or a significant*
 2 *adverse effect on, a System institution; and*
 3 *“(C) any other person, as determined by the*
 4 *Farm Credit Administration (by regulation or*
 5 *on a case-by-case basis) who participates in the*
 6 *conduct of the affairs of a System institution;*
 7 *and”.*

8 **SEC. 5507. EXPANSION OF ACREAGE EXCEPTION TO LOAN**
 9 **AMOUNT LIMITATION.**

10 *(a) IN GENERAL.—Section 8.8(c)(2) of the Farm Cred-*
 11 *it Act of 1971 (12 U.S.C. 2279aa–8(c)(2)) is amended by*
 12 *striking “1,000” and inserting “2,000”.*

13 *(b) EFFECTIVE DATE.—The amendment made by sub-*
 14 *section (a) shall take effect 1 year after the date a report*
 15 *submitted in accordance with section 5602 of this Act indi-*
 16 *cates that it is feasible to increase the acreage limitation*
 17 *in section 8.8(c)(2) of the Farm Credit Act of 1971 to 2,000*
 18 *acres.*

19 **SEC. 5508. COMPENSATION OF BANK DIRECTORS.**

20 *Section 4.21 of the Farm Credit Act of 1971 (12 U.S.C.*
 21 *2209) is repealed.*

22 **SEC. 5509. PROHIBITION ON USE OF FUNDS.**

23 *Section 5.65 of the Farm Credit Act of 1971 (12 U.S.C.*
 24 *2277a–14) is amended by adding at the end the following:*

1 “(e) *PROHIBITION ON USES OF FUNDS RELATED TO*
 2 *FEDERAL AGRICULTURAL MORTGAGE CORPORATION.—No*
 3 *funds from administrative accounts or from the Farm Cred-*
 4 *it System Insurance Fund may be used by the Corporation*
 5 *to provide assistance to the Federal Agricultural Mortgage*
 6 *Corporation or to support any activities related to the Fed-*
 7 *eral Agricultural Mortgage Corporation.”.*

8 ***Subtitle F—Miscellaneous***

9 ***SEC. 5601. STATE AGRICULTURAL MEDIATION PROGRAMS.***

10 *Section 506 of the Agricultural Credit Act of 1987 (7*
 11 *U.S.C. 5106) is amended by striking “2018”and inserting*
 12 *“2023”.*

13 ***SEC. 5602. STUDY ON LOAN RISK.***

14 (a) *STUDY.—The Farm Credit Administration shall*
 15 *conduct a study that—*

16 (1) *analyzes and compares the financial risks in-*
 17 *herent in loans made, held, securitized, or purchased*
 18 *by Farm Credit banks, associations, and the Federal*
 19 *Agricultural Mortgage Corporation and how such*
 20 *risks are required to be capitalized under statute and*
 21 *regulations in effect as of the date of the enactment*
 22 *of this Act; and*

23 (2) *assesses the feasibility of increasing the acre-*
 24 *age exception provided in section 8.8(c)(2) of the*
 25 *Farm Credit Act of 1971 to 2,000 acres.*

1 (b) *TIMELINE.*—*The Farm Credit Administration*
 2 *shall provide the results of the study required by subsection*
 3 *(a) to the Committee on Agriculture of the House of Rep-*
 4 *resentatives and the Committee on Agriculture, Nutrition,*
 5 *and Forestry of the Senate no later than 180 days after*
 6 *the date of the enactment of this Act.*

7 ***TITLE VI—RURAL INFRASTRUC-***
 8 ***TURE AND ECONOMIC DEVEL-***
 9 ***OPMENT***

10 ***Subtitle A—Improving Health***
 11 ***Outcomes in Rural Communities***

12 ***SEC. 6001. PRIORITIZING PROJECTS TO MEET HEALTH CRI-***
 13 ***SES IN RURAL AMERICA.***

14 (a) *TEMPORARY PRIORITIZATION OF RURAL HEALTH*
 15 *ASSISTANCE.*—*Title VI of the Rural Development Act of*
 16 *1972 (7 U.S.C. 2204a–2204b) is amended by adding at the*
 17 *end the following:*

18 ***“SEC. 608. TEMPORARY PRIORITIZATION OF RURAL HEALTH***
 19 ***ASSISTANCE.***

20 ***“(a) AUTHORITY TO PRIORITIZE CERTAIN RURAL***
 21 ***HEALTH APPLICATIONS.***—*The Secretary, after consultation*
 22 *with such public health officials as may be necessary, may*
 23 *announce a temporary reprioritization for certain rural de-*
 24 *velopment loan and grant applications to assist rural com-*
 25 *munities in responding to a specific health emergency.*

1 “(b) *CONTENT OF ANNOUNCEMENT.*—*In the announce-*
2 *ment, the Secretary shall—*

3 “(1) *specify the nature of the emergency affecting*
4 *the health of rural Americans;*

5 “(2) *describe the actual and potential effects of*
6 *the emergency on the rural United States;*

7 “(3) *identify the services and treatments which*
8 *can be used to reduce those effects; and*

9 “(4) *publish the specific temporary changes need-*
10 *ed to assist rural communities in responding to the*
11 *emergency*

12 “(c) *NOTICE.*—*Not later than 48 hours after making*
13 *or extending an announcement under this section, the Sec-*
14 *retary shall submit to the Committee on Agriculture of the*
15 *House of Representatives and the Committee on Agri-*
16 *culture, Nutrition, and Forestry of the Senate, and trans-*
17 *mit to the Secretary of Health and Human Services, a writ-*
18 *ten notice of the declaration or extension.*

19 “(d) *EXTENSION.*—*The Secretary may extend an an-*
20 *nouncement under subsection (a) if the Secretary deter-*
21 *mines that the emergency will continue after the declaration*
22 *would otherwise expire.*

23 “(e) *EXPIRATION.*—*An announcement under sub-*
24 *section (a) shall expire on the earlier of—*

1 “(1) the date the Secretary determines that the
2 emergency has ended; or

3 “(2) the end of the 360-day period beginning
4 with the later of—

5 “(A) the date the announcement was made;
6 or

7 “(B) the date the announcement was most
8 recently extended.”.

9 (b) *DISTANCE LEARNING AND TELEMEDICINE.*—Sec-
10 tion 2333(c) of the Food, Agriculture, Conservation, and
11 Trade Act of 1990 (7 U.S.C. 950aaa–2(c)) is amended by
12 adding at the end the following:

13 “(5) *PROCEDURE DURING TEMPORARY*
14 *REPRIORITIZATIONS.*—

15 “(A) *IN GENERAL.*—While a temporary
16 reprioritization announced under section 608 of
17 the Rural Development Act of 1972 is in effect,
18 the Secretary shall make available not less than
19 10 percent of the amounts made available under
20 section 2335A for financial assistance under this
21 chapter, for telemedicine services to identify and
22 treat individuals affected by the emergency, sub-
23 ject to subparagraph (B).

24 “(B) *EXCEPTION.*—In the case of a fiscal
25 year for which the Secretary determines that

1 *there are not sufficient qualified applicants to*
 2 *receive financial assistance to reach the 10-per-*
 3 *cent requirement under subparagraph (A), the*
 4 *Secretary may make available less than 10 per-*
 5 *cent of the amounts made available under section*
 6 *2335A for those services.”.*

7 (c) *COMMUNITY FACILITIES DIRECT LOANS AND*
 8 *GRANTS.—Section 306(a) of the Consolidated Farm and*
 9 *Rural Development Act (7 U.S.C. 1926(a)) is amended by*
 10 *adding at the end the following:*

11 “(27) *PROCEDURE DURING TEMPORARY*
 12 *REPRIORITIZATIONS.—*

13 “(A) *SELECTION PRIORITY.—While a tem-*
 14 *porary reprioritization announced under section*
 15 *608 of the Rural Development Act of 1972 is in*
 16 *effect, in selecting recipients of loans, loan guar-*
 17 *antees, or grants for the development of essential*
 18 *community facilities under this section, the Sec-*
 19 *retary shall give priority to entities eligible for*
 20 *those loans or grants—*

21 “(i) *to develop facilities to provide*
 22 *services related to reducing the effects of the*
 23 *health emergency, including—*

24 “(I) *prevention services;*

25 “(II) *treatment services;*

1 “(III) recovery services; or

2 “(IV) any combination of those
3 services; and

4 “(ii) that employ staff that have ap-
5 propriate expertise and training in how to
6 identify and treat individuals affected by
7 the emergency.

8 “(B) *USE OF FUNDS.*—An eligible entity de-
9 scribed in subparagraph (A) that receives a loan
10 or grant described in that subparagraph may use
11 the loan or grant funds for the development of
12 telehealth facilities and systems to provide for
13 treatment directly related to the emergency in-
14 volved.”.

15 (d) *RURAL HEALTH AND SAFETY EDUCATION PRO-*
16 *GRAMS.*—

17 (1) *IN GENERAL.*—Section 502(i) of the Rural
18 Development Act of 1972 (7 U.S.C. 2662(i)) is
19 amended—

20 (A) by redesignating paragraph (5) as
21 paragraph (6); and

22 (B) by inserting after paragraph (4) the fol-
23 lowing:

24 “(5) *PROCEDURE DURING TEMPORARY*
25 *REPRIORITIZATIONS.*—While a temporary

1 *reprioritization announced under section 608 of the*
 2 *Rural Development Act of 1972 is in effect, in mak-*
 3 *ing grants under this subsection, the Secretary shall*
 4 *give priority to an applicant that will use the grant*
 5 *to address the announced emergency.”.*

6 (2) *TECHNICAL AMENDMENTS.—Title V of the*
 7 *Rural Development Act of 1972 (7 U.S.C. 2661 et*
 8 *seq.), as amended by paragraph (1) of this subsection,*
 9 *is amended—*

10 (A) *in section 502, in the matter preceding*
 11 *subsection (a), by inserting “(referred to in this*
 12 *title as the ‘Secretary’)” after “Agriculture”; and*

13 (B) *by striking “Secretary of Agriculture”*
 14 *each place it appears (other than in section 502*
 15 *in the matter preceding subsection (a)) and in-*
 16 *serting “Secretary”.*

17 **SEC. 6002. DISTANCE LEARNING AND TELEMEDICINE.**

18 (a) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 19 *2335A of the Food, Agriculture, Conservation, and Trade*
 20 *Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking*
 21 *“\$75,000,000 for each of fiscal years 2014 through 2018”*
 22 *and inserting “\$82,000,000 for each of fiscal years 2019*
 23 *through 2023”.*

1 (b) *CONFORMING AMENDMENT.*—Section 1(b) of Public
2 Law 102–551 (7 U.S.C. 950aaa note) is amended by strik-
3 ing “2018” and inserting “2023”.

4 **SEC. 6003. REAUTHORIZATION OF THE FARM AND RANCH**
5 **STRESS ASSISTANCE NETWORK.**

6 Section 7522 of the Food, Conservation, and Energy
7 Act of 2008 (7 U.S.C. 5936) is amended—

8 (1) in subsection (a), by striking “coordination
9 with the Secretary of Health and Human Services,
10 shall make competitive grants to support cooperative
11 programs between State cooperative extension services
12 and nonprofit organizations” and inserting “con-
13 sultation with the Secretary of Health and Human
14 Services, shall make competitive grants to State coop-
15 erative extension services and Indian Tribes to sup-
16 port programs with nonprofit organizations in
17 order”;

18 (2) in subsection (b)—

19 (A) in paragraph (1), by inserting “Inter-
20 net” before “websites”;

21 (B) by striking paragraph (2) and inserting
22 the following:

23 “(2) training for individuals who may assist
24 farmers in crisis, including programs and work-
25 shops;” and

1 (C) in paragraph (4), by inserting “, in-
2 cluding the dissemination of information and
3 materials” before the semicolon at the end;

4 (3) in subsection (c), by striking “to enable the
5 State cooperative extension services” and inserting
6 “or Indian Tribes, as applicable,”;

7 (4) in subsection (d), by striking “fiscal years”
8 and all that follows and inserting “fiscal years 2018
9 through 2023”; and

10 (5) by redesignating subsection (d) as subsection
11 (e) and inserting after subsection (c) the following:

12 “(d) *OVERSIGHT AND EVALUATION.*—The Secretary,
13 in consultation with the Secretary of Health and Human
14 Services, shall review and evaluate the stress assistance pro-
15 grams carried out pursuant to this section.

16 “(1) *PROGRAM REVIEW.*—Not later than 2 years
17 after the date on which a grant is first provided
18 under this section, and annually thereafter, the Sec-
19 retary shall—

20 “(A) review the programs funded under a
21 grant made under this section to evaluate the ef-
22 fectiveness of the services offered through such a
23 program, and suggest alternative services not of-
24 fered by such a grant recipient that would be ap-
25 propriate for behavioral health services; and

1 “(B) submit to the Congress, and make
 2 available on the public Internet website of the
 3 Department of Agriculture, a report containing
 4 the results of the review conducted under sub-
 5 paragraph (A) and a description of the services
 6 provided through programs funded under such a
 7 grant.

8 “(2) *PUBLIC AVAILABILITY.*—In making the re-
 9 port under paragraph (1) publicly available, the Sec-
 10 retary shall take such steps as may be necessary to
 11 ensure that the report does not contain any informa-
 12 tion that would identify any person who received
 13 services under a program funded under a grant made
 14 under this section.”.

15 **SEC. 6004. SUPPORTING AGRICULTURAL ASSOCIATION**
 16 **HEALTH PLANS.**

17 (a) *IN GENERAL.*—The Secretary of Agriculture may
 18 establish a loan program and a grant program to assist
 19 in the establishment of agricultural association health
 20 plans, in order to help bring new health options and lower
 21 priced health care coverage to rural Americans.

22 (b) *LOANS.*—

23 (1) *IN GENERAL.*—With respect to plan years
 24 2019 through 2022, the Secretary of Agriculture, in
 25 consultation with the Secretary of Labor, may make

1 *not more than 10 loans under this section, for pur-*
2 *poses of establishing agricultural association health*
3 *plans, to qualified agricultural associations that have*
4 *not received a loan under this section.*

5 (2) *USE OF FUNDS.—The proceeds of a loan*
6 *made under this section may only be used to finance*
7 *costs associated with establishing and carrying out an*
8 *agricultural association health plan.*

9 (3) *LOAN TERMS.—A loan made under this sec-*
10 *tion shall—*

11 (A) *bear interest at an annual rate equiva-*
12 *lent to the cost of borrowing to the Department*
13 *of the Treasury for obligations of comparable*
14 *maturities;*

15 (B) *have a term of such length, not exceed-*
16 *ing 20 years, as the borrower may request;*

17 (C) *be in an amount not to exceed*
18 *\$15,000,000;*

19 (D) *require that the borrower submit an-*
20 *ual audited financial statements to the Sec-*
21 *retary; and*

22 (E) *include any other requirements or docu-*
23 *mentation the Secretary deems necessary to*
24 *carry out this section.*

1 (c) *GRANTS.*—*The Secretary may make grants to agri-*
 2 *cultural trade associations or industry associations which*
 3 *have been in existence for at least three years prior to ap-*
 4 *plying for such a grant to provide for technical assistance*
 5 *in establishing an agricultural association health plan.*

6 (d) *AUTHORIZATION OF APPROPRIATIONS.*—

7 (1) *IN GENERAL.*—*There are authorized to be ap-*
 8 *propriated to carry out this section \$65,000,000 for*
 9 *the period of fiscal years 2019 through 2022, to be*
 10 *available until expended.*

11 (2) *RESERVATION OF FUNDS.*—*Of the funds*
 12 *made available under paragraph (1), not more than*
 13 *15 percent of such funds shall be made available to*
 14 *make grants under subsection (c).*

15 (e) *DEFINITIONS.*—*In this section:*

16 (1) *AGRICULTURAL ASSOCIATION HEALTH*
 17 *PLAN.*—*The term “agricultural association health*
 18 *plan” means a group health plan within the meaning*
 19 *of section 733(a)(1) of the Employee Retirement In-*
 20 *come Security Act of 1974 (42 U.S.C. 1191b)—*

21 (A) *that is sponsored by a qualified agricul-*
 22 *tural association; and*

23 (B) *with respect to which the Secretary has*
 24 *received a letter from the relevant State insur-*

1 *ance commissioner certifying that such associa-*
 2 *tion may offer such plan in such State.*

3 (2) *QUALIFIED AGRICULTURAL ASSOCIATION.—*
 4 *The term “qualified agricultural association” means*
 5 *an association—*

6 (A) *composed of members that operate a*
 7 *farm or ranch or operate an agribusiness;*

8 (B) *that qualifies as an association health*
 9 *plan within the meaning of guidance or regula-*
 10 *tion issued by the Department of Labor;*

11 (C) *that acts directly or indirectly in the*
 12 *interest of its members in relation to the plan;*

13 (D) *that is able to demonstrate an ability*
 14 *to implement and manage a group health plan;*
 15 *and*

16 (E) *that meets any other criteria the Sec-*
 17 *retary deems necessary to meet the intent of this*
 18 *section.*

19 ***Subtitle B—Connecting Rural***
 20 ***Americans to High Speed***
 21 ***Broadband***

22 ***SEC. 6101. ESTABLISHING FORWARD-LOOKING BROADBAND***
 23 ***STANDARDS.***

24 (a) *IN GENERAL.—Section 601 of the Rural Elec-*
 25 *trification Act of 1936 (7 U.S.C. 950bb) is amended—*

1 (1) in subsection (d)(1)(A), by striking clause (i)
2 and inserting the following:

3 “(i) demonstrate the ability to furnish
4 or improve service in order to meet the
5 broadband service standards established
6 under subsection (e)(1) in all or part of an
7 unserved or underserved rural area;”;

8 (2) in subsection (e)—

9 (A) by striking paragraphs (1) and (2) and
10 inserting the following:

11 “(1) *IN GENERAL*.—Subject to paragraph (2), for
12 purposes of this section, the Secretary shall establish
13 broadband service standards for rural areas which
14 provide for—

15 “(A) a minimum acceptable standard of
16 service that requires the speed to be at least 25
17 megabits per second downstream transmission
18 capacity and 3 megabits per second upstream
19 transmission capacity; and

20 “(B) projections of minimum acceptable
21 standards of service for 5, 10, 15, 20, and 30
22 years into the future.

23 “(2) *ADJUSTMENTS*.—

24 “(A) *IN GENERAL*.—At least once every 2
25 years, the Secretary shall review, and may ad-

1 *just through notice published in the Federal Reg-*
2 *ister, the broadband service standards in effect*
3 *under paragraph (1) to encourage the delivery of*
4 *high quality, cost-effective broadband service in*
5 *rural areas.*

6 “(B) *CONSIDERATIONS.—In establishing*
7 *and adjusting the broadband service standards*
8 *in effect under paragraph (1), the Secretary shall*
9 *consider—*

10 “(i) *the broadband service needs of*
11 *rural families and businesses;*

12 “(ii) *broadband service available to*
13 *urban and suburban areas;*

14 “(iii) *future technology needs of rural*
15 *residents;*

16 “(iv) *advances in broadband tech-*
17 *nology; and*

18 “(v) *other relevant factors as deter-*
19 *mined by the Secretary.”; and*

20 *(B) by adding at the end the following:*

21 “(4) *AGREEMENT.—The Secretary shall not pro-*
22 *vide a loan or loan guarantee under this section for*
23 *a project unless the Secretary determines, at the time*
24 *the agreement to provide the loan or loan guarantee*
25 *is entered into, that, at any time while the loan or*

1 *loan guarantee is outstanding, the project will be ca-*
 2 *pable of providing broadband service at not less than*
 3 *the minimum acceptable standard of service estab-*
 4 *lished under paragraph (1)(B) for that time.*

5 *“(5) SUBSTITUTE SERVICE STANDARDS FOR*
 6 *UNIQUE SERVICE TERRITORIES.—If an applicant*
 7 *shows that it would be cost prohibitive to meet the*
 8 *minimum acceptable level of broadband service estab-*
 9 *lished under paragraph (1)(B) for the entirety of a*
 10 *proposed service territory due to the unique character-*
 11 *istics of the proposed service territory, the Secretary*
 12 *and the applicant may agree to utilize substitute*
 13 *standards for any unserved portion of the project.*
 14 *Any substitute service standards should continue to*
 15 *consider the matters described in paragraph (2)(B)*
 16 *and reflect the best technology available to meet the*
 17 *needs of the residents in the unserved area.”; and*

18 *(3) in subsection (g)—*

19 *(A) in paragraph (2)(A), by striking “level*
 20 *of broadband service established under subsection*
 21 *(e)” and inserting “standard of service estab-*
 22 *lished under subsection (e)(1)(A)”;* and

23 *(B) by adding at the end the following:*

24 *“(4) MINIMUM STANDARDS.—To the extent pos-*
 25 *sible, the terms and conditions under which a loan or*

1 *loan guarantee is provided to an applicant for a*
2 *project shall require that, at any time while the loan*
3 *or loan guarantee is outstanding, the broadband net-*
4 *work provided by the project will meet the lower of—*

5 *“(A) the minimum acceptable standard of*
6 *service projected under subsection (e)(1)(B) for*
7 *that time, as agreed to by the applicant at the*
8 *time the loan or loan guarantee is provided; or*

9 *“(B) the minimum acceptable standard of*
10 *service in effect under subsection (e)(1)(A) for*
11 *that time.”.*

12 *(b) REPORT TO CONGRESS.—Within 12 months after*
13 *the date of the enactment of this Act, the Administrator of*
14 *the Rural Utilities Service (in this subsection referred to*
15 *as the “RUS”) shall submit to the Committee on Agri-*
16 *culture of the House of Representatives and the Committee*
17 *on Agriculture, Nutrition, and Forestry of the Senate a*
18 *written report on the effectiveness of RUS loan and loan*
19 *guarantee programs for the purpose of expanding*
20 *broadband to rural areas (as defined in RUS regulations),*
21 *which shall—*

22 *(1) identify administrative and legislative op-*
23 *tions for incentivizing private investment by utilizing*
24 *RUS loan guarantee programs for the purpose of ex-*
25 *panding broadband to rural areas;*

1 (2) *evaluate the existing borrower and lending*
 2 *guidelines for RUS loan and loan guarantee appli-*
 3 *cants to incentivize participation in both programs;*

4 (3) *evaluate the loan and loan guarantee appli-*
 5 *cation processes for lenders and borrowers by elimi-*
 6 *nating burdensome and unnecessary steps in the ap-*
 7 *plication process and providing a more streamlined*
 8 *process to decrease the complexity of the application*
 9 *and the timeline from application to approval or de-*
 10 *nial;*

11 (4) *identify opportunities to provide technical*
 12 *assistance and pre-development planning activities to*
 13 *assist rural counties and communities to assess cur-*
 14 *rent and future broadband needs; and*

15 (5) *identify and evaluate emerging technologies,*
 16 *including next-generation satellite technologies, and*
 17 *ways to leverage the technologies to provide high-*
 18 *speed, low-latency internet connectivity to rural*
 19 *areas.*

20 **SEC. 6102. INCENTIVES FOR HARD TO REACH COMMU-**
 21 **NITIES.**

22 *Title VI of the Rural Electrification Act of 1936 (7*
 23 *U.S.C. 950bb) is amended by adding at the end the fol-*
 24 *lowing:*

1 **“SEC. 604. INCENTIVES FOR HARD TO REACH COMMU-**
2 **NITIES.**

3 “(a) *DEFINITIONS.—In this section:*

4 “(1) *ASSOCIATED LOAN.—The term ‘associated*
5 *loan’ means a loan or loan guarantee to finance all*
6 *or part of a project under title I or II or this title*
7 *for which an application has been submitted under*
8 *such title and for which an application has also been*
9 *submitted for a grant under this section.*

10 “(2) *DENSITY.—*

11 “(A) *IN GENERAL.—The term ‘density’*
12 *means service points per road mile.*

13 “(B) *METHOD OF CALCULATION.—The Sec-*
14 *retary shall further define, by rule, a method for*
15 *calculating service points per road-mile, where*
16 *appropriate by geography, which—*

17 “(i) *divides the total number of service*
18 *points by the total number of road-miles in*
19 *a proposed service territory;*

20 “(ii) *requires an applicant to count all*
21 *potential service points in a proposed serv-*
22 *ice territory; and*

23 “(iii) *includes any other requirements*
24 *the Secretary deems necessary to protect the*
25 *integrity of the program.*

1 “(3) *ELIGIBLE PROJECT*.—The term ‘eligible
2 project’ means any project for which the applicant—

3 “(A) has submitted an application for an
4 associated loan; and

5 “(B) does not receive any other broadband
6 grant administered by the Rural Utilities Serv-
7 ice; and

8 “(C) proposes to—

9 “(i) offer retail broadband service to
10 rural households;

11 “(ii) serve an area with a density of
12 less than 12;

13 “(iii) provide service that meets the
14 standard that would apply under section
15 601(e)(4) if the associated loan had been ap-
16 plied for under section 601;

17 “(iv) provide service in an area where
18 no incumbent provider delivers fixed terres-
19 trial broadband service at or above the min-
20 imum broadband speed described in section
21 601(e)(1); and

22 “(v) provide service in an area where
23 no eligible borrower, other than the appli-
24 cant, has outstanding Rural Utilities Serv-
25 ice telecommunications debt or is subject to

1 a current Rural Utilities Service tele-
2 communications grant agreement.

3 “(4) *SERVICE POINT*.—The term ‘service point’
4 means a home, business, or institution in a proposed
5 service area.

6 “(5) *ROAD-MILE*.—The term ‘road-mile’ means a
7 mile of road in a proposed service area.

8 “(b) *ESTABLISHMENT OF GRANT PROGRAM*.—The Sec-
9 retary shall establish a competitive grant program to pro-
10 vide applicants funds to carry out eligible projects for the
11 purposes of construction, improvement, or acquisition of fa-
12 cilities for the provision of broadband service in rural areas.

13 “(c) *APPLICATIONS*.—The Secretary shall establish an
14 application process for grants under this section that—

15 “(1) has 1 application window per year;

16 “(2) permits a single application for the grant
17 and the associated loan; and

18 “(3) provides a single decision to award the
19 grant and the associated loan.

20 “(d) *PRIORITY*.—In making grants under this section,
21 the Secretary shall prioritize applications in which the ap-
22 plicant proposes to—

23 “(1) provide the highest quality of service as
24 measured by—

25 “(A) network speed;

1 “(B) *network latency; and*

2 “(C) *data allowances;*

3 “(2) *serve the greatest number of service points;*

4 *and*

5 “(3) *use the greatest proportion of non-Federal*

6 *dollars.*

7 “(e) *AMOUNT.—The Secretary shall make each grant*

8 *under this section in an amount that is—*

9 “(1) *not greater than 75 percent of the total*

10 *project cost with respect to an area with a density of*

11 *less than 4;*

12 “(2) *not greater than 50 percent of the total*

13 *project cost with respect to an area with a density of*

14 *4 or more and not more than 9; and*

15 “(3) *not greater than 25 percent of the total*

16 *project cost with respect to an area with a density of*

17 *more than 9 and not more than 12.*

18 “(f) *TERMS AND CONDITIONS.—With respect to a*

19 *grant provided under this section, the Secretary shall re-*

20 *quire that—*

21 “(1) *the associated loan is secured by the assets*

22 *purchased with funding from the grant and from the*

23 *loan;*

1 “(2) *the agreement in which the terms of the*
2 *grant are established is for a period equal to the du-*
3 *ration of the associated loan; and*

4 “(3) *at any time at which the associated loan is*
5 *outstanding, the broadband service provided by the*
6 *project will meet the lower of the standards that*
7 *would apply under section 601(g)(4) if the associated*
8 *loan had been made under section 601.*

9 “(g) *PAYMENT ASSISTANCE FOR CERTAIN APPLICANTS*
10 *UNDER THIS TITLE.—*

11 “(1) *IN GENERAL.—As part of the grant pro-*
12 *gram under this section, the Secretary, at the sole dis-*
13 *cretion of the Secretary, may provide to applicants*
14 *who are eligible borrowers under this title and not eli-*
15 *gible borrowers under title I or II all or a portion of*
16 *the grant funds in the form of payment assistance.*

17 “(2) *PAYMENT ASSISTANCE.—The Secretary may*
18 *provide payment assistance under paragraph (1) by*
19 *reducing a borrower’s interest rate or periodic prin-*
20 *cipal payments or both.*

21 “(3) *AGREEMENT ON MILESTONES AND OBJEC-*
22 *TIVES.—With respect to payment assistance provided*
23 *under paragraph (1), before entering into the agree-*
24 *ment for the grant and associated loan under which*
25 *the payment assistance will be provided, the appli-*

1 *cant and the Secretary shall agree to milestones and*
 2 *objectives of the project.*

3 *“(4) CONDITION.—The Secretary shall condition*
 4 *any payment assistance provided under paragraph*
 5 *(1) on—*

6 *“(A) the applicant fulfilling the terms and*
 7 *conditions of the grant agreement under which*
 8 *the payment assistance will be provided; and*

9 *“(B) completion of the milestones and objec-*
 10 *tives agreed to under paragraph (3).*

11 *“(5) AMENDMENT OF MILESTONES AND OBJEC-*
 12 *TIVES.—The Secretary and the applicant may jointly*
 13 *agree to amend the milestones and objectives agreed to*
 14 *under paragraph (3).*

15 *“(h) EXISTING PROJECTS.—The Secretary may not*
 16 *provide a grant under this section to an applicant for a*
 17 *project that was commenced before the date of the enactment*
 18 *of this section.*

19 *“(i) AUTHORIZATION OF APPROPRIATIONS.—There are*
 20 *authorized to be appropriated to carry out this section*
 21 *\$350,000,000 for each of fiscal years 2019 to 2023.”.*

22 **SEC. 6103. REQUIRING GUARANTEED BROADBAND LEND-**
 23 **ING.**

24 *Section 601(c)(1) of the Rural Electrification Act of*
 25 *1936 (7 U.S.C. 950bb(c)(1)) is amended by striking “shall*

1 *make or guarantee loans” and inserting “shall make loans*
 2 *and shall guarantee loans”.*

3 **SEC. 6104. SMART UTILITY AUTHORITY FOR BROADBAND.**

4 *(a) Section 331 of the Consolidated Farm and Rural*
 5 *Development Act (7 U.S.C. 1981) is amended by adding*
 6 *at the end the following:*

7 *“(e)(1) Except as provided in paragraph (2), the Sec-*
 8 *retary may allow a recipient of a grant, loan, or loan guar-*
 9 *antee provided by the Office of Rural Development under*
 10 *this title to use not more than 10 percent of the amount*
 11 *so provided—*

12 *“(A) for any activity for which assistance may*
 13 *be provided under section 601 of the Rural Elec-*
 14 *trification Act of 1936; or*

15 *“(B) to construct other broadband infrastructure.*

16 *“(2) Paragraph (1) of this subsection shall not apply*
 17 *to a recipient who is seeking to provide retail broadband*
 18 *service in any area where retail broadband service is avail-*
 19 *able at the minimum broadband speeds, as defined under*
 20 *section 601(e) of the Rural Electrification Act of 1936.”.*

21 *(b) Title I of the Rural Electrification Act of 1936 (7*
 22 *U.S.C. 901–918a) is amended by inserting after section 7*
 23 *the following:*

1 **“SEC. 8. LIMITATIONS ON USE OF ASSISTANCE.**

2 “(a) Subject to subsections (b) and (c) of this section,
3 the Secretary may allow a recipient of a grant, loan, or
4 loan guarantee under this title to set aside not more than
5 10 percent of the amount so received to provide retail
6 broadband service.

7 “(b) A recipient who sets aside funds under subsection
8 (a) of this section may use the funds only in an area that
9 is not being provided with the minimum acceptable level
10 of broadband service established under section 601(e), unless
11 the recipient meets the requirements of section 601(d).

12 “(c) Nothing in this section shall be construed to limit
13 the ability of any borrower to finance or deploy services
14 authorized under this title.”.

15 **SEC. 6105. MODIFICATIONS TO THE RURAL GIGABIT PRO-**
16 **GRAM.**

17 Section 603 of the Rural Electrification Act of 1936
18 (7 U.S.C. 950bb–2) is amended—

19 (1) in the section heading, by striking “**RURAL**
20 **GIGABIT NETWORK PILOT**” and inserting “**INNO-**
21 **VATIVE BROADBAND ADVANCEMENT**”;

22 (2) in subsection (d), by striking “2014 through
23 2018” and inserting “2019 through 2023”;

24 (3) by redesignating subsection (d) as subsection
25 (e); and

1 (4) *by striking subsections (a) through (c) and*
2 *inserting the following:*

3 “(a) *IN GENERAL.—The Secretary shall establish a*
4 *program to be known as the ‘Innovative Broadband Ad-*
5 *vancement Program’, under which the Secretary may pro-*
6 *vide a grant, a loan, or both to an eligible entity for the*
7 *purpose of demonstrating innovative broadband tech-*
8 *nologies or methods of broadband deployment that signifi-*
9 *cantly decrease the cost of broadband deployment, and pro-*
10 *vide substantially faster broadband speeds than are avail-*
11 *able, in a rural area.*

12 “(b) *RURAL AREA.—In this section, the term ‘rural*
13 *area’ has the meaning provided in section 601(b)(3).*

14 “(c) *ELIGIBILITY.—To be eligible to obtain assistance*
15 *under this section for a project, an entity shall—*

16 “(1) *submit to the Secretary an application—*

17 “(A) *that describes a project designed to de-*
18 *crease the cost of broadband deployment, and*
19 *substantially increase broadband speed to not*
20 *less than the 20-year broadband speed established*
21 *by the Rural Utilities Service under this title, in*
22 *a rural area to be served by the project; and*

23 “(B) *at such time, in such manner, and*
24 *containing such other information as the Sec-*
25 *retary may require;*

1 “(2) demonstrate that the entity is able to carry
2 out the project; and

3 “(3) agree to complete the project build-out with-
4 in 5 years after the date the assistance is first pro-
5 vided for the project.

6 “(d) *PRIORITIZATION*.—In awarding assistance under
7 this section, the Secretary shall give priority to proposals
8 for projects that—

9 “(1) involve partnerships between or among mul-
10 tiple entities;

11 “(2) would provide broadband service to the
12 greatest number of rural residents at or above the
13 minimum broadband speed referred to in subsection
14 (c)(1)(A); and

15 “(3) the Secretary determines could be replicated
16 in rural areas described in paragraph (2).”.

17 **SEC. 6106. UNIFIED BROADBAND REPORTING REQUIRE-**
18 **MENTS.**

19 Section 601 of the Rural Electrification Act of 1936
20 (7 U.S.C. 950bb) is amended—

21 (1) in subsection (j)—

22 (A) in the matter preceding paragraph (1),
23 by striking “Not later than” and all that follows
24 through “section” and inserting “Each year, the
25 Secretary shall submit to the Congress a report

1 *that describes the extent of participation in the*
2 *broadband loan, loan guarantee, and grant pro-*
3 *grams administered by the Secretary”;*

4 *(B) in paragraph (1), by striking “loans*
5 *applied for and provided under this section” and*
6 *inserting “loans, loan guarantees, and grants*
7 *applied for and provided under the programs”;*

8 *(C) in paragraph (2)—*

9 *(i) in subparagraph (A), by striking*
10 *“loan”; and*

11 *(ii) in subparagraph (B), by striking*
12 *“loans and loan guarantees provided under*
13 *this section” and inserting “loans, loan*
14 *guarantees, and grants provided under the*
15 *programs”;*

16 *(D) in paragraph (3), by striking “loan ap-*
17 *plication under this section” and inserting “ap-*
18 *plication under the programs”;*

19 *(E) in each of paragraphs (4) and (6), by*
20 *striking “this section” and inserting “the pro-*
21 *grams”; and*

22 *(F) in paragraph (5)—*

23 *(i) by striking “service” and inserting*
24 *“technology”; and*

1 (ii) by striking “(b)(1)” and inserting
 2 “(e)(1)”; and
 3 (2) in subsection (k)(2), in each of subpara-
 4 graphs (A)(i) and (C), by striking “loans” and insert-
 5 ing “grants, loans,”.

6 **SEC. 6107. IMPROVING ACCESS BY PROVIDING CERTAINTY**
 7 **TO BROADBAND BORROWERS.**

8 (a) *TELEPHONE LOAN PROGRAM.*—Title II of the
 9 *Rural Electrification Act of 1936* (7 U.S.C. 922–928) is
 10 amended by adding at the end the following:

11 **“SEC. 208. AUTHORITY TO OBLIGATE, BUT NOT DISBURSE,**
 12 **FUNDS BEFORE THE COMPLETION OF RE-**
 13 **VIEWS.**

14 “(a) *IN GENERAL.*—The Secretary may obligate, but
 15 shall not disburse, funds under this title for a project before
 16 the completion of any otherwise required environmental,
 17 historical, or other review of the project.

18 “(b) *AUTHORITY TO DEOBLIGATE FUNDS.*—The Sec-
 19 retary may deobligate funds under this title for a project
 20 if any such review will not be completed within a reason-
 21 able period of time.”.

22 (b) *RURAL BROADBAND PROGRAM.*—Section 601(d) of
 23 the *Rural Electrification Act of 1936* (7 U.S.C. 950bb(d))
 24 is amended by adding at the end the following:

1 “(11) *AUTHORITY TO OBLIGATE, BUT NOT DIS-*
2 *BURSE, FUNDS BEFORE COMPLETION OF REVIEWS;*
3 *AUTHORITY TO DEOBLIGATE FUNDS.—The Secretary*
4 *may obligate, but shall not disburse, funds under this*
5 *section for a project before the completion of any oth-*
6 *erwise required environmental, historical, or other re-*
7 *view of the project. The Secretary may deobligate*
8 *funds under this section for a project if any such re-*
9 *view will not be completed within a reasonable period*
10 *of time.”.*

11 **SEC. 6108. SIMPLIFIED APPLICATION WINDOW.**

12 *Section 601(c)(2)(A) of the Rural Electrification Act*
13 *of 1936 (7 U.S.C. 950bb(c)(2)(A)) is amended by striking*
14 *“not less than 2 evaluation periods” and inserting “1 eval-*
15 *uation period”.*

16 **SEC. 6109. ELIMINATION OF REQUIREMENT TO GIVE PRI-**
17 **ORITY TO CERTAIN APPLICANTS.**

18 *Section 601(c)(2) of the Rural Electrification Act of*
19 *1936 (7 U.S.C. 950bb(c)(2)) is amended—*

20 (1) *by striking “; and” at the end of subpara-*
21 *graph (C) and inserting a period; and*

22 (2) *by striking subparagraph (D).*

23 **SEC. 6110. MODIFICATION OF BUILDOUT REQUIREMENT.**

24 *Section 601(d)(1)(A)(iii) of the Rural Electrification*
25 *Act of 1936 (7 U.S.C. 950bb(d)(1)(A)(iii)) is amended—*

1 (1) by striking “service” and inserting “infra-
2 structure”; and

3 (2) by striking “3” and inserting “5”.

4 **SEC. 6111. IMPROVING BORROWER REFINANCING OPTIONS.**

5 (a) *REFINANCING OF BROADBAND LOANS.*—Section
6 201 of the Rural Electrification Act of 1936 (7 U.S.C. 922)
7 is amended by inserting “including indebtedness on a loan
8 made under section 601” after “furnishing telephone service
9 in rural areas”.

10 (b) *REFINANCING OF OTHER LOANS.*—Section 601(i)
11 of such Act (7 U.S.C. 950bb(i)) is amended by inserting
12 “, or on any other loan if the purpose for which such other
13 loan was made is a telecommunications purpose for which
14 assistance may be provided under this Act,” before “if the
15 use of”.

16 **SEC. 6112. ELIMINATION OF UNNECESSARY REPORTING RE-**
17 **QUIREMENTS.**

18 Section 601(d)(8)(A)(ii) of the Rural Electrification
19 Act of 1936 (7 U.S.C. 950bb(d)(8)(A)(ii)) is amended—

20 (1) in subclause (I), by striking “and location”;
21 and

22 (2) in subclause (IV), by striking “any changes
23 in broadband service adoption rates, including”.

1 **SEC. 6113. ACCESS TO BROADBAND TELECOMMUNICATIONS**
 2 **SERVICES IN RURAL AREAS.**

3 *Section 601 of the Rural Electrification Act of 1936*
 4 *(7 U.S.C. 950bb) is amended—*

5 *(1) in subsection (k), by striking paragraph (1)*
 6 *and inserting the following:*

7 *“(1) LIMITATIONS ON AUTHORIZATION OF AP-*
 8 *PROPRIATIONS.—For loans and loan guarantees*
 9 *under this section, there is authorized to be appro-*
 10 *priated to the Secretary \$150,000,000 for each of fis-*
 11 *cal years 2019 through 2023, to remain available*
 12 *until expended.”; and*

13 *(2) in subsection (l), by striking “2018” and in-*
 14 *serting “2023”.*

15 **SEC. 6114. MIDDLE MILE BROADBAND INFRASTRUCTURE.**

16 *Section 601 of the Rural Electrification Act of 1936*
 17 *(7 U.S.C. 950bb) is amended—*

18 *(1) in subsection (a), by inserting “or middle*
 19 *mile infrastructure” before “in rural areas”;*

20 *(2) in subsection (b), by redesignating para-*
 21 *graphs (2) and (3) as paragraphs (3) and (4) and in-*
 22 *serting after paragraph (1) the following:*

23 *“(2) MIDDLE MILE INFRASTRUCTURE.—The term*
 24 *‘middle mile infrastructure’ means any broadband in-*
 25 *frastructure that does not connect directly to end user*
 26 *locations (including anchor institutions) and may in-*

1 *clude interoffice transport, backhaul, Internet*
 2 *connectivity, data centers, or special access transport*
 3 *to rural areas.”;*

4 *(3) in subsection (c)—*

5 *(A) in paragraph (1), by inserting “and to*
 6 *construct, improve, or acquire middle mile infra-*
 7 *structure” before “in rural areas”;*

8 *(B) in paragraph (2)(B), by inserting “, or*
 9 *in the case of middle mile infrastructure, offer*
 10 *the future ability to link,” before “the greatest*
 11 *proportion”; and*

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

13 *“(3) LIMITATION ON MIDDLE MILE INFRASTRUC-*
 14 *TURE PROJECTS.—The Secretary shall limit loans or*
 15 *loan guarantees for middle mile infrastructure*
 16 *projects to no more than 20 percent of the amounts*
 17 *made available to carry out this section.”;*

18 *(4) in subsection (d)—*

19 *(A) in paragraph (1)(A)—*

20 *(i) in clause (i) (as amended by section*
 21 *6101(1) of this Act), by inserting “or extend*
 22 *middle mile infrastructure” before “in all”;*
 23 *and*

1 (ii) in clause (iii), by inserting “or
2 middle mile infrastructure” before “de-
3 scribed”;

4 (B) in paragraph (2)—

5 (i) in subparagraph (B), by inserting
6 “or install middle mile infrastructure” be-
7 fore “in the proposed”;

8 (ii) in subparagraph (C), by striking
9 clause (ii) and inserting the following:

10 “(i) *EXCEPTION.*—Clause (i) shall not
11 apply with respect to a project if the project
12 is eligible for funding under another title of
13 this Act.”; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(D) *EXCEPTION FOR MIDDLE MILE INFRA-*
17 *STRUCTURE.*—Portions of a middle mile infra-
18 structure project that ultimately meet the rural
19 service requirements of this section may traverse
20 an area not described in subsection (b)(4) when
21 necessary.”;

22 (C) in paragraph (4), by inserting “, or
23 construct, improve, or acquire middle mile infra-
24 structure in,” before “a rural area”;

1 (D) in paragraph (5)(A)(v), by inserting
 2 “or, in the case of middle mile infrastructure,
 3 connect” before the semicolon; and

4 (E) in paragraph (8)(A)(ii)—

5 (i) in subclause (I), by inserting “or
 6 may” before “receive”;

7 (ii) in subclause (II), by inserting “or
 8 capability of middle mile infrastructure”
 9 before the semicolon; and

10 (iii) in subclause (III), by inserting “,
 11 if applicable” before the semicolon;

12 (5) in subsection (i)—

13 (A) in the subsection heading, by inserting
 14 “OR MIDDLE MILE INFRASTRUCTURE” after
 15 “SERVICE”; and

16 (B) by inserting “or middle mile infrastruc-
 17 ture” before “in rural areas”; and

18 (6) in subsection (j)(6), by inserting “or middle
 19 mile infrastructure” after “service” the 1st and 3rd
 20 places it appears.

21 **SEC. 6115. OUTDATED BROADBAND SYSTEMS.**

22 Title VI of the Rural Electrification Act of 1936 (7
 23 U.S.C. 950bb et seq.) is amended by adding at the end the
 24 following:

1 **“SEC. 605. OUTDATED BROADBAND SYSTEMS.**

2 *“Beginning October 1, 2020, the Secretary shall con-*
3 *sider any portion of a service territory subject to an out-*
4 *standing grant agreement between the Secretary and a*
5 *broadband provider in which broadband service is not pro-*
6 *vided at at least 10 megabits per second download and at*
7 *least 1 megabit per second upload as unserved for the pur-*
8 *poses of all broadband loan programs under this Act, unless*
9 *the broadband provider has constructed or begun to con-*
10 *struct broadband facilities in the service territory that meet*
11 *the minimum acceptable standard of service established*
12 *under section 601(e)(1) for the area in which the service*
13 *territory is located.”.*

14 **SEC. 6116. EFFECTIVE DATE.**

15 *(a) IN GENERAL.—The amendments made by this sub-*
16 *title shall not take effect until the Secretary of Agriculture*
17 *has issued final regulations to implement the amendments.*

18 *(b) DEADLINE FOR ISSUING REGULATIONS.—Within*
19 *90 days after the date of the enactment of this Act, the Sec-*
20 *retary of Agriculture shall prescribe final regulations to im-*
21 *plement the amendments made by sections 6101 and 6102.*

1 ***Subtitle C—Consolidated Farm and***
 2 ***Rural Development Act***

3 ***SEC. 6201. STRENGTHENING REGIONAL ECONOMIC DEVEL-***
 4 ***OPMENT INCENTIVES.***

5 *Section 379H of the Consolidated Farm and Rural De-*
 6 *velopment Act (7 U.S.C. 2008v) is amended to read as fol-*
 7 *lows:*

8 ***“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DE-***
 9 ***VELOPMENT.***

10 *“(a) IN GENERAL.—In the case of any program as de-*
 11 *termined by the Secretary, the Secretary shall give priority*
 12 *to an application for a project that, as determined and ap-*
 13 *proved by the Secretary—*

14 *“(1) meets the applicable eligibility requirements*
 15 *of this title or other applicable authorizing law;*

16 *“(2) will be carried out in a rural area; and*

17 *“(3) supports the implementation of a strategic*
 18 *community investment plan described in subsection*
 19 *(d) on a multisectoral and multijurisdictional basis.*

20 *“(b) RESERVE.—*

21 *“(1) IN GENERAL.—Subject to paragraph (2), the*
 22 *Secretary shall reserve a portion of the funds made*
 23 *available for a fiscal year for programs as determined*
 24 *by the Secretary, for projects that support the imple-*
 25 *mentation of a strategic community investment plan*

1 *described in subsection (d) on a multisectoral and*
 2 *multijurisdictional basis.*

3 “(2) *PERIOD.*—*The reservation of funds de-*
 4 *scribed in paragraph (1) may only extend through a*
 5 *date of the fiscal year in which the funds were first*
 6 *made available, as determined by the Secretary.*

7 “(c) *APPROVED APPLICATIONS.*—

8 “(1) *IN GENERAL.*—*Any applicant who sub-*
 9 *mitted a funding application that was approved be-*
 10 *fore the date of enactment of this section may amend*
 11 *the application to qualify for the funds reserved under*
 12 *subsection (b).*

13 “(2) *RURAL UTILITIES.*—*Any rural development*
 14 *application authorized under section 306(a)(2),*
 15 *306(a)(14), 306(a)(24), 306A, or 310B(b) and ap-*
 16 *proved by the Secretary before the date of enactment*
 17 *of this section shall be eligible for the funds reserved*
 18 *under subsection (b) on the same basis as the applica-*
 19 *tions submitted under this section, until September*
 20 *30, 2019.*

21 “(d) *STRATEGIC COMMUNITY INVESTMENT PLANS.*—

22 “(1) *IN GENERAL.*—*The Secretary shall provide*
 23 *assistance to rural communities for developing stra-*
 24 *tegic community investment plans.*

1 “(2) *PLANS.*—A strategic community investment
2 plan described in paragraph (1) shall include—

3 “(A) a variety of activities designed to fa-
4 cilitate a rural community’s vision for its future;

5 “(B) participation by multiple stakeholders,
6 including local and regional partners;

7 “(C) leverage of applicable regional re-
8 sources;

9 “(D) investment from strategic partners,
10 such as—

11 “(i) private organizations;

12 “(ii) cooperatives;

13 “(iii) other government entities;

14 “(iv) tribes; and

15 “(v) philanthropic organizations;

16 “(E) clear objectives with the ability to es-
17 tablish measurable performance metrics;

18 “(F) action steps for implementation; and

19 “(G) any other elements necessary to ensure
20 that the plan results in a comprehensive and
21 strategic approach to rural economic develop-
22 ment, as determined by the Secretary.

23 “(3) *COORDINATION.*—The Secretary shall co-
24 ordinate with tribes and local, State, regional, and

1 *Federal partners to develop strategic community in-*
 2 *vestment plans under this subsection.*

3 “(4) *LIMITATIONS ON AUTHORIZATION OF AP-*
 4 *PROPRIATIONS.—*

5 “(A) *IN GENERAL.—There is authorized to*
 6 *be appropriated \$5,000,000 for fiscal years 2018*
 7 *through 2023 to carry out this subsection.*

8 “(B) *AVAILABILITY.—The amounts made*
 9 *available to carry out this subsection are author-*
 10 *ized to remain available until expended.”.*

11 **SEC. 6202. EXPANDING ACCESS TO CREDIT FOR RURAL**
 12 **COMMUNITIES.**

13 *(a) CERTAIN PROGRAMS UNDER THE CONSOLIDATED*
 14 *FARM AND RURAL DEVELOPMENT ACT.—Section*
 15 *343(a)(13) of the Consolidated Farm and Rural Develop-*
 16 *ment Act (7 U.S.C. 1991(a)(13)) is amended—*

17 *(1) in subparagraph (B)—*

18 *(A) in the heading, by striking “AND GUAR-*
 19 *ANTEED”; and*

20 *(B) in the text—*

21 *(i) by striking “and guaranteed”; and*

22 *(ii) by striking “(1), (2), and (24)”*

23 *and inserting “(1) and (2)”;* *and*

24 *(2) in subparagraph (C)—*

25 *(A) by striking “and guaranteed”; and*

1 (B) by striking “(21), and (24)” and insert-
2 ing “and (21)”.

3 (b) *RURAL BROADBAND PROGRAM*.—Paragraph
4 (4)(A)(ii) of section 601(b) of the *Rural Electrification Act*
5 of 1936 (7 U.S.C. 950bb(b)), as redesignated by section
6 6114(2), is amended by inserting “in the case of a direct
7 loan,” before “a city”.

8 **SEC. 6203. PROVIDING FOR ADDITIONAL FEES FOR GUAR-**
9 **ANTEED LOANS.**

10 (a) *CERTAIN PROGRAMS UNDER THE CONSOLIDATED*
11 *FARM AND RURAL DEVELOPMENT ACT*.—Section 333 of the
12 *Consolidated Farm and Rural Development Act* (7 U.S.C.
13 1983) is amended—

14 (1) by striking “and” at the end of paragraph
15 (5);

16 (2) by striking the period at the end of para-
17 graph (6) and inserting “; and”; and

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

19 “(7) in the case of an insured or guaranteed loan
20 issued or modified under section 306(a), charge and
21 collect from the recipient of the insured or guaranteed
22 loan fees in such amounts as are necessary so that the
23 sum of the total amount of fees so charged in each fis-
24 cal year and the total of the amounts appropriated
25 for all such insured or guaranteed loans for the fiscal

1 year equals the subsidy cost for the insured or guar-
 2 anteed loans in the fiscal year.”.

3 (b) *RURAL BROADBAND PROGRAM*.—Section 601(c) of
 4 the *Rural Electrification Act of 1936* (7 U.S.C. 950bb(c)),
 5 as amended by section 6114, is further amended by adding
 6 at the end the following:

7 “(4) *FEES*.—In the case of a loan guarantee
 8 issued or modified under this section, the Secretary
 9 shall charge and collect from the recipient of the guar-
 10 antee fees in such amounts as are necessary so that
 11 the sum of the total amount of fees so charged in each
 12 fiscal year and the total of the amounts appropriated
 13 for all such loan guarantees for the fiscal year equals
 14 the subsidy cost for the loan guarantees in the fiscal
 15 year.”.

16 **SEC. 6204. WATER, WASTE DISPOSAL, AND WASTEWATER FA-**
 17 **CILITY GRANTS.**

18 Section 306(a)(2)(B) of the *Consolidated Farm and*
 19 *Rural Development Act* (7 U.S.C. 1926(a)(2)(B)) is amend-
 20 ed—

21 (1) in clause (iii), by striking “\$100,000” each
 22 place it appears and inserting “\$200,000”; and

23 (2) in clause (vii), by striking “\$30,000,000 for
 24 each of fiscal years 2008 through 2018” and inserting

1 “\$15,000,000 for each of fiscal years 2019 through
2 2023”.

3 **SEC. 6205. RURAL WATER AND WASTEWATER TECHNICAL**
4 **ASSISTANCE AND TRAINING PROGRAMS.**

5 (a) Section 306(a)(14)(A) of the Consolidated Farm
6 and Rural Development Act (7 U.S.C. 1926(a)(14)(A)) is
7 amended—

8 (1) by striking “and” at the end of clause (ii);

9 (2) by striking the period at the end of clause

10 (iii) and inserting “; and”; and

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

12 “(iv) identify options to enhance long
13 term sustainability of rural water and
14 waste systems to include operational prac-
15 tices, revenue enhancements, policy revi-
16 sions, partnerships, consolidation, regional-
17 ization, or contract services.”.

18 (b) Section 306(a)(14)(C) of such Act (7 U.S.C.
19 1926(a)(14)(C)) is amended by striking “1 nor more than
20 3” and inserting “3 nor more than 5”.

21 **SEC. 6206. RURAL WATER AND WASTEWATER CIRCUIT**
22 **RIDER PROGRAM.**

23 Section 306(a)(22)(B) of the Consolidated Farm and
24 Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is

1 *amended by striking “\$20,000,000 for fiscal year 2014” and*
 2 *inserting “\$25,000,000 for fiscal year 2018”.*

3 **SEC. 6207. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL**
 4 **COMMUNITY FACILITIES.**

5 *Section 306(a)(25)(C) of the Consolidated Farm and*
 6 *Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is*
 7 *amended by striking “\$10,000,000 for each of fiscal years*
 8 *2008 through 2018” and inserting “\$5,000,000 for each of*
 9 *fiscal years 2019 through 2023”.*

10 **SEC. 6208. EMERGENCY AND IMMINENT COMMUNITY WATER**
 11 **ASSISTANCE GRANT PROGRAM.**

12 *Section 306A(i) of the Consolidated Farm and Rural*
 13 *Development Act (7 U.S.C. 1926a(i)) is amended—*

14 *(1) in paragraph (1), by striking subparagraph*
 15 *(B) and inserting the following:*

16 *“(B) RELEASE.—*

17 *“(i) IN GENERAL.—Except as provided*
 18 *in clause (ii), funds reserved under sub-*
 19 *paragraph (A) for a fiscal year shall be re-*
 20 *served only until July 1 of the fiscal year.*

21 *“(ii) EXCEPTION.—In response to an*
 22 *eligible community where the drinking*
 23 *water supplies are inadequate due to a nat-*
 24 *ural disaster, as determined by the Sec-*
 25 *retary, including drought or severe weather,*

1 the Secretary may provide potable water
 2 under this section for an additional period
 3 not to exceed 120 days beyond the estab-
 4 lished period otherwise provided under this
 5 section, in order to protect public health.”;
 6 and

7 (2) in paragraph (2), by striking “\$35,000,000
 8 for each of fiscal years 2008 through 2018” and in-
 9 serting “\$27,000,000 for each of fiscal years 2019
 10 through 2023”.

11 **SEC. 6209. WATER SYSTEMS FOR RURAL AND NATIVE VIL-**
 12 **LAGES IN ALASKA.**

13 Section 306D(d)(1) of the Consolidated Farm and
 14 Rural Development Act (7 U.S.C. 1926d(d)(1)) is amended
 15 by striking “2018” and inserting “2023”.

16 **SEC. 6210. HOUSEHOLD WATER WELL SYSTEMS.**

17 Section 306E(d) of the Consolidated Farm and Rural
 18 Development Act (7 U.S.C. 1926e(d)) is amended by strik-
 19 ing “2018” and inserting “2023”.

20 **SEC. 6211. SOLID WASTE MANAGEMENT GRANTS.**

21 Section 310B(b)(2) of the Consolidated Farm and
 22 Rural Development Act (7 U.S.C. 1932(b)(2)) is amended
 23 by striking “2018” and inserting “2023”.

1 **SEC. 6212. RURAL BUSINESS DEVELOPMENT GRANTS.**

2 Section 310B(c)(4)(A) of the Consolidated Farm and
3 Rural Development Act (7 U.S.C. 1932(c)(4)(A)) is amend-
4 ed by striking “2018” and inserting “2023”.

5 **SEC. 6213. RURAL COOPERATIVE DEVELOPMENT GRANTS.**

6 (a) *IN GENERAL.*—Section 310B(e)(13) of the Consoli-
7 dated Farm and Rural Development Act (7 U.S.C.
8 1932(e)(13)) is amended by striking “2018” and inserting
9 “2023”.

10 (b) **TECHNICAL CORRECTION.**—Section
11 310B(e)(11)(B)(i) of the Consolidated Farm and Rural De-
12 velopment Act (7 U.S.C. 1932(e)(11)(B)(i)) is amended by
13 striking “(12)” and inserting “(13)”.

14 **SEC. 6214. LOCALLY OR REGIONALLY PRODUCED AGRICUL-**
15 **TURAL FOOD PRODUCTS.**

16 Section 310B(g)(9)(B)(iv)(I) of the Consolidated Farm
17 and Rural Development Act (7 U.S.C. 1932(g)(9)(B)(iv)(I))
18 is amended by striking “2018” and inserting “2023”.

19 **SEC. 6215. APPROPRIATE TECHNOLOGY TRANSFER FOR**
20 **RURAL AREAS PROGRAM.**

21 Section 310B(i)(4) of the Consolidated Farm and
22 Rural Development Act (7 U.S.C. 1932(i)(4)) is amended
23 by striking “2018” and inserting “2023”.

1 **SEC. 6216. RURAL ECONOMIC AREA PARTNERSHIP ZONES.**

2 Section 310B(j) of the Consolidated Farm and Rural
3 Development Act (7 U.S.C. 1932(j)) is amended by striking
4 “2018” and inserting “2023”.

5 **SEC. 6217. INTERMEDIARY RELENDING PROGRAM.**

6 Section 310H(e) of the Consolidated Farm and Rural
7 Development Act (7 U.S.C. 1936b(e)) is amended by strik-
8 ing “\$25,000,000 for each of fiscal years 2014 through
9 2018” and inserting “\$10,000,000 for each of fiscal years
10 2019 through 2023”.

11 **SEC. 6218. EXCLUSION OF PRISON POPULATIONS FROM**
12 **DEFINITION OF RURAL AREA.**

13 Section 343(a)(13) of the Consolidated Farm and
14 Rural Development Act (7 U.S.C. 1991(a)(13)) is amend-
15 ed—

16 (1) in subparagraph (A), by striking “(G)” and
17 inserting “(H)”; and

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

19 “(H) EXCLUSION OF POPULATIONS INCAR-
20 CERATED ON A LONG-TERM BASIS.—Populations
21 of individuals incarcerated on a long-term or re-
22 gional basis shall not be included in determining
23 whether an area is ‘rural’ or a ‘rural area’.”.

24 **SEC. 6219. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.**

25 Section 378 of the Consolidated Farm and Rural De-
26 velopment Act (7 U.S.C. 2008m) is amended—

1 (1) in subsection (g)(1), by striking “2018” and
2 inserting “2023”; and

3 (2) in subsection (h), by striking “2018” and in-
4 serting “2023”.

5 **SEC. 6220. GRANTS FOR NOAA WEATHER RADIO TRANSMIT-**
6 **TERS.**

7 Section 379B(d) of the Consolidated Farm and Rural
8 Development Act (7 U.S.C. 2008p(d)) is amended by strik-
9 ing “2018” and inserting “2023”.

10 **SEC. 6221. RURAL MICROENTREPRENEUR ASSISTANCE PRO-**
11 **GRAM.**

12 Section 379E(d) of the Consolidated Farm and Rural
13 Development Act (7 U.S.C. 2008s(d)) is amended to read
14 as follows:

15 “(d) *FUNDING.*—There are authorized to be appro-
16 priated to carry out this section \$4,000,000 for each of fiscal
17 years 2019 through 2023.”.

18 **SEC. 6222. HEALTH CARE SERVICES.**

19 Section 379G(e) of the Consolidated Farm and Rural
20 Development Act (7 U.S.C. 2008u(e)) is amended by strik-
21 ing “2018” and inserting “2023”.

22 **SEC. 6223. DELTA REGIONAL AUTHORITY.**

23 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
24 382M(a) of the Consolidated Farm and Rural Development

1 *Act (7 U.S.C. 2009aa–12(a)) is amended by striking “2008*
2 *through 2018” and inserting “2019 through 2023”.*

3 (b) *TERMINATION OF AUTHORITY.—Section 382N of*
4 *such Act (7 U.S.C. 2009aa–13) is amended by striking*
5 *“2018” and inserting “2023”.*

6 **SEC. 6224. NORTHERN GREAT PLAINS REGIONAL AUTHOR-**
7 **ITY.**

8 (a) *AUTHORIZATION OF APPROPRIATIONS.—Section*
9 *383N(a) of the Consolidated Farm and Rural Development*
10 *Act (7 U.S.C. 2009bb–12(a)) is amended by striking*
11 *“\$30,000,000 for each of fiscal years 2008 through 2018”*
12 *and inserting “\$2,000,000 for each of fiscal years 2019*
13 *through 2023”.*

14 (b) *TERMINATION OF AUTHORITY.—Section 383O of*
15 *such Act (7 U.S.C. 2009bb–13) is amended by striking*
16 *“2018” and inserting “2023”.*

17 **SEC. 6225. RURAL BUSINESS INVESTMENT PROGRAM.**

18 *Section 384S of the Consolidated Farm and Rural De-*
19 *velopment Act (7 U.S.C. 2009cc–18) is amended by striking*
20 *“2018” and inserting “2023”.*

1 ***Subtitle D—Rural Electrification***
 2 ***Act of 1936***

3 ***SEC. 6301. GUARANTEES FOR BONDS AND NOTES ISSUED***
 4 ***FOR ELECTRIFICATION OR TELEPHONE PUR-***
 5 ***POSES.***

6 *Section 313A(f) of the Rural Electrification Act of*
 7 *1936 (7 U.S.C. 940c-1(f)) is amended by striking “2018”*
 8 *and inserting “2023”.*

9 ***SEC. 6302. EXPANSION OF 911 ACCESS.***

10 *Section 315(d) of the Rural Electrification Act of 1936*
 11 *(7 U.S.C. 940e(d)) is amended by striking “2018” and in-*
 12 *serting “2023”.*

13 ***SEC. 6303. IMPROVEMENTS TO THE GUARANTEED UNDER-***
 14 ***WRITER PROGRAM.***

15 *(a) Section 313A of the Rural Electrification Act of*
 16 *1936 (7 U.S.C. 940c-1) is amended—*

17 *(1) by striking subsection (a) and inserting the*
 18 *following:*

19 *“(a) GUARANTEES.—*

20 *“(1) IN GENERAL.—Subject to subsection (b), the*
 21 *Secretary shall guarantee payments on bonds or notes*
 22 *issued by cooperative or other lenders organized on a*
 23 *not-for-profit basis, if the proceeds of the bonds or*
 24 *notes are used to make utility infrastructure loans, or*
 25 *refinance bonds or notes issued for such purposes, to*

1 *a borrower that has at any time received, or is eligi-*
 2 *ble to receive, a loan under this Act.*

3 *“(2) TERMS.—A bond or note guaranteed under*
 4 *this section shall—*

5 *“(A) have a term of 35 years; and*

6 *“(B) by agreement between the Secretary*
 7 *and the borrower, be repaid by the borrower*
 8 *by—*

9 *“(i) periodic installments of principal*
 10 *and interest;*

11 *“(ii) periodic installments of interest*
 12 *and, at the end of the term of the bond or*
 13 *note, by the repayment of the outstanding*
 14 *principal; or*

15 *“(iii) a combination of the methods for*
 16 *repayment provided under clauses (i) and*
 17 *(ii).”;* and

18 *(2) in subsection (b)—*

19 *(A) in paragraph (1), by striking “for eligi-*
 20 *ble electrification or telephone purposes con-*
 21 *sistent with this Act” and inserting “to bor-*
 22 *rowers described in subsection (a)”;* and

23 *(B) in paragraph (3)—*

24 *(i) in subparagraph (A), by striking*
 25 *“for electrification or telephone purposes”*

1 and inserting “to borrowers under this
2 Act”; and

3 (ii) in subparagraph (C), by striking
4 “for eligible purposes described in subsection
5 (a)” and inserting “to borrowers described
6 in subsection (a)”.

7 (b)(1) The Secretary shall carry out section 313A of
8 the Rural Electrification Act of 1936 (7 U.S.C. 940c–1),
9 including the amendments made by this section, under a
10 Notice of Solicitation of Applications until all regulations
11 necessary to carry out the amendments made by this section
12 are fully implemented.

13 (2) Paragraph (1) shall take effect on the date of the
14 enactment of this Act.

15 **SEC. 6304. EXTENSION OF THE RURAL ECONOMIC DEVELOP-**
16 **MENT LOAN AND GRANT PROGRAM.**

17 (a) Section 12(b)(3)(D) of the Rural Electrification
18 Act of 1936 (7 U.S.C. 912(b)(3)(D)) is amended by striking
19 “313(b)(2)(A)” and inserting “313(b)(2)”.

20 (b) Section 313(b)(2) of such Act (7 U.S.C. 940c(b)(2))
21 is amended—

22 (1) by striking all that precedes “shall main-
23 tain” and inserting the following:

24 “(2) RURAL ECONOMIC DEVELOPMENT SUB-
25 ACCOUNT.—The Secretary”; and

1 (2) *by striking subparagraphs (B) through (E).*

2 (c) *Title III of such Act (7 U.S.C. 931–940h) is amend-*
 3 *ed by inserting after section 313A the following:*

4 **“SEC. 313B. RURAL DEVELOPMENT LOANS AND GRANTS.**

5 “(a) *IN GENERAL.*—*The Secretary shall provide grants*
 6 *or zero interest loans to borrowers under this Act for the*
 7 *purpose of promoting rural economic development and job*
 8 *creation projects, including funding for project feasibility*
 9 *studies, start-up costs, incubator projects, and other reason-*
 10 *able expenses for the purpose of fostering rural development.*

11 “(b) *REPAYMENTS.*—*In the case of zero interest loans,*
 12 *the Secretary shall establish such reasonable repayment*
 13 *terms as will encourage borrower participation.*

14 “(c) *PROCEEDS.*—*All proceeds from the repayment of*
 15 *such loans made under this section shall be returned to the*
 16 *subaccount that the Secretary shall maintain in accordance*
 17 *with sections 313(b)(2) and 313B(f).*

18 “(d) *NUMBER OF GRANTS.*—*Loans and grants re-*
 19 *quired under this section shall be made during each fiscal*
 20 *year to the full extent of the amounts made available under*
 21 *subsection (e).*

22 “(e) *FUNDING.*—

23 “(1) *DISCRETIONARY FUNDING.*—*In addition to*
 24 *other funds that are available to carry out this sec-*
 25 *tion, there is authorized to be appropriated not more*

1 *than \$10,000,000 for each of fiscal years 2019 through*
 2 *2023 to carry out this section, to remain available*
 3 *until expended.*

4 *“(2) OTHER FUNDS.—In addition to the funds*
 5 *described in paragraph (1), the Secretary shall use to*
 6 *provide grants and loans under this section—*

7 *“(A) the interest differential sums credited*
 8 *to the subaccount described in subsection (c); and*

9 *“(B) subject to section 313A(e)(2), the fees*
 10 *described in subsection (c)(4) of such section.*

11 *“(f) MAINTENANCE OF ACCOUNT.—The Secretary shall*
 12 *maintain the subaccount described in section 313(b)(2), as*
 13 *in effect in fiscal year 2017, for purposes of carrying out*
 14 *this section.”.*

15 *(d) Section 313A of the Rural Electrification Act of*
 16 *1936 (7 U.S.C. 940c-1) is amended—*

17 *(1) in subsection (c)(4)—*

18 *(A) in subparagraph (A), by striking*
 19 *“maintained under section 313(b)(2)(A)” and*
 20 *inserting “that shall be maintained as required*
 21 *by sections 313(b)(2) and 313B(f)”;* and

22 *(B) in subparagraph (B), by striking*
 23 *“313(b)(2)(B)” and inserting “313(b)(2)”;* and

24 *(2) in subsection (e)(2), by striking “main-*
 25 *tained under section 313(b)(2)(A)” and inserting “re-*

1 *quired to be maintained by sections 313(b)(2) and*
 2 *313B(f)”.*

3 *(e)(1) Subject to section 313B(e) of the Rural Elec-*
 4 *trification Act of 1936 (as added by this section), the Sec-*
 5 *retary of Agriculture shall carry out the loan and grant*
 6 *program required under such section in the same manner*
 7 *as the loan and grant program under section 313(b)(2) of*
 8 *such Act is carried out on the day before the date of the*
 9 *enactment of this Act, until such time as any regulations*
 10 *necessary to carry out the amendments made by this section*
 11 *are fully implemented.*

12 *(2) Paragraph (1) shall take effect on the date of the*
 13 *enactment of this Act.*

14 ***Subtitle E—Farm Security and***
 15 ***Rural Investment Act of 2002***

16 ***SEC. 6401. RURAL ENERGY SAVINGS PROGRAM.***

17 *Section 6407 of the Farm Security and Rural Invest-*
 18 *ment Act of 2002 (7 U.S.C. 8107a) is amended—*

19 *(1) in subsection (c)—*

20 *(A) by redesignating paragraphs (4)*
 21 *through (7) as paragraphs (5) through (8), re-*
 22 *spectively;*

23 *(B) by inserting after paragraph (3) the fol-*
 24 *lowing:*

1 “(4) *ELIGIBILITY FOR OTHER LOANS.*—*The Sec-*
 2 *retary shall not include any debt incurred under this*
 3 *section in the calculation of a borrower’s debt-equity*
 4 *ratio for purposes of eligibility for loans made pursu-*
 5 *ant to the Rural Electrification Act of 1936 (7 U.S.C.*
 6 *901 et. seq.).”*; and

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

8 “(9) *ACCOUNTING.*—*The Secretary shall take ap-*
 9 *propriate steps to streamline the accounting require-*
 10 *ments imposed on borrowers under this section while*
 11 *maintaining adequate assurances of repayment of the*
 12 *loan.”*;

13 *(2) in subsection (d)(1)(A), by striking “3 per-*
 14 *cent” and inserting “5 percent”*;

15 *(3) by redesignating subsection (h) as subsection*
 16 *(i)*;

17 *(4) by inserting after subsection (g) the fol-*
 18 *lowing:*

19 “(h) *REPORT TO CONGRESS.*—*Not later than 120 days*
 20 *after the end of each fiscal year, the Secretary shall submit*
 21 *to the Committees on Agriculture and Appropriations of the*
 22 *House of Representatives and the Committees on Agri-*
 23 *culture, Nutrition, and Forestry and Appropriations of the*
 24 *Senate a report that describes—*

1 “(1) the number of applications received under
2 this section in such fiscal year;

3 “(2) the number of loans made to eligible entities
4 under this section in such fiscal year; and

5 “(3) the recipients of such loans.”; and

6 (5) in subsection (i), as so redesignated, by strik-
7 ing “2018” and inserting “2023”.

8 **SEC. 6402. BIOBASED MARKETS PROGRAM.**

9 Section 9002 of the Farm Security and Rural Invest-
10 ment Act of 2002 (7 U.S.C. 8102) is amended—

11 (1) by amending subsection (i) to read as fol-
12 lows:

13 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—There is
14 authorized to be appropriated to carry out this section
15 \$2,000,000 for each of fiscal years 2014 through 2023.”; and

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

17 “(k) *WOOD AND WOOD-BASED PRODUCTS.*—Notwith-
18 standing any other provision of law, a Federal agency may
19 not place limitations on the procurement of wood and wood-
20 based products that are more limiting than those in this
21 section.”.

1 **SEC. 6403. BIOREFINERY, RENEWABLE, CHEMICAL, AND**
 2 **BIOBASED PRODUCT MANUFACTURING AS-**
 3 **SISTANCE.**

4 *Section 9003 of the Farm Security and Rural Invest-*
 5 *ment Act of 2002 (7 U.S.C. 8103) is amended—*

6 *(1) in subsection (b)(3)(A), by striking “and” at*
 7 *the end and inserting “or”; and*

8 *(2) by amending subsection (g) to read as fol-*
 9 *lows:*

10 *“(g) AUTHORIZATION OF APPROPRIATIONS.—There is*
 11 *authorized to be appropriated to carry out this section*
 12 *\$75,000,000 for each of fiscal years 2014 through 2023.”.*

13 **SEC. 6404. REPOWERING ASSISTANCE PROGRAM.**

14 *Section 9004(d) of the Farm Security and Rural In-*
 15 *vestment Act of 2002 (7 U.S.C. 8104(d)) is amended to read*
 16 *as follows:*

17 *“(d) AUTHORIZATION OF APPROPRIATIONS.—There is*
 18 *authorized to be appropriated to carry out this section*
 19 *\$10,000,000 for each of fiscal years 2014 through 2023.”.*

20 **SEC. 6405. BIOENERGY PROGRAM FOR ADVANCED**
 21 **BIOFUELS.**

22 *Section 9005 of the Farm Security and Rural Invest-*
 23 *ment Act of 2002 (7 U.S.C. 8105) is amended—*

24 *(1) in subsection (e)—*

25 *(A) by striking “The Secretary may” and*
 26 *inserting the following new paragraph:*

1 “(1) *AMOUNT.*—*The Secretary shall*”; and

2 (B) *by adding at the end the following new*
3 *paragraph:*

4 “(2) *FEEDSTOCK.*—*The total amount of pay-*
5 *ments made in a fiscal year under this section to one*
6 *or more eligible producers for the production of ad-*
7 *vanced biofuels derived from a single eligible com-*
8 *modity shall not exceed one-third of the total amount*
9 *of funds made available under subsection (g).”; and*
10 *(2) in subsection (g)—*

11 *(A) by striking paragraphs (1) and (2) and*
12 *inserting the following new paragraph:*

13 “(1) *AUTHORIZATION OF APPROPRIATIONS.*—
14 *There is authorized to be appropriated to carry out*
15 *this section \$50,000,000 for each of fiscal years 2019*
16 *through 2023.”; and*

17 *(B) by redesignating paragraph (3) as*
18 *paragraph (2).*

19 **SEC. 6406. BIODIESEL FUEL EDUCATION PROGRAM.**

20 *Section 9006(d) of the Farm Security and Rural In-*
21 *vestment Act of 2002 (7 U.S.C. 8106(d)) is amended to read*
22 *as follows:*

23 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
24 *authorized to be appropriated to carry out this section*
25 *\$2,000,000 for each of fiscal years 2019 through 2023.”.*

1 **SEC. 6407. RURAL ENERGY FOR AMERICA PROGRAM.**

2 *Section 9007(g) of the Farm Security and Rural In-*
 3 *vestment Act of 2002 (7 U.S.C. 8107(g)) is amended—*

4 *(1) in paragraph (1)(E), by striking “for fiscal*
 5 *year 2014 and each fiscal year thereafter” and insert-*
 6 *ing “for each of the fiscal years 2014 through 2018”;*
 7 *and*

8 *(2) in paragraph (3), by striking “2018” and in-*
 9 *serting “2023”.*

10 **SEC. 6408. CATEGORICAL EXCLUSION FOR GRANTS AND FI-**
 11 **NANCIAL ASSISTANCE MADE UNDER THE**
 12 **RURAL ENERGY FOR AMERICA PROGRAM.**

13 *Section 9007 of the Farm Security and Rural Invest-*
 14 *ment Act of 2002 (7 U.S.C. 8107) is amended by adding*
 15 *at the end the following:*

16 *“(h) CATEGORICAL EXCLUSION.—The provision of a*
 17 *grant or financial assistance under this section to any elec-*
 18 *tric generating facility, including one fueled with wind,*
 19 *solar, or biomass, that has a rating of 10 average megawatts*
 20 *or less is a category of actions hereby designated as being*
 21 *categorically excluded from any requirement to prepare an*
 22 *environmental assessment or an environmental impact*
 23 *statement under section 102 of the National Environmental*
 24 *Policy Act of 1969 (42 U.S.C. 4332).”.*

1 **SEC. 6409. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.**

2 *Section 9009 of the Farm Security and Rural Invest-*
 3 *ment Act of 2002 (7 U.S.C. 8109) is repealed.*

4 **SEC. 6410. FEEDSTOCK FLEXIBILITY.**

5 *Section 9010(b) of the Farm Security and Rural In-*
 6 *vestment Act of 2002 (7 U.S.C. 8110(b)) is amended—*

7 *(1) in paragraph (1)(A), by striking “2018” and*
 8 *inserting “2023”; and*

9 *(2) in paragraph (2)(A), by striking “2018” and*
 10 *inserting “2023”.*

11 **SEC. 6411. BIOMASS CROP ASSISTANCE PROGRAM.**

12 *Section 9011(f) of the Farm Security and Rural In-*
 13 *vestment Act of 2002 (7 U.S.C. 8111(f)) is amended by*
 14 *striking paragraph (1) and inserting the following new*
 15 *paragraph:*

16 *“(1) AUTHORIZATION OF APPROPRIATIONS.—*
 17 *There is authorized to be appropriated to carry out*
 18 *this section \$25,000,000 for each of fiscal years 2019*
 19 *through 2023.”.*

20 ***Subtitle F—Miscellaneous***

21 **SEC. 6501. VALUE-ADDED AGRICULTURAL PRODUCT MAR-**
 22 ***KET DEVELOPMENT GRANTS.***

23 *Section 231(b)(7) of the Agricultural Risk Protection*
 24 *Act of 2000 (7 U.S.C. 1632a(b)(7)) is amended—*

25 *(1) in subparagraph (B), by striking*
 26 *“\$40,000,000 for each of fiscal years 2008 through*

1 2018” and inserting “\$50,000,000 for each of fiscal
2 years 2019 through 2023”; and

3 (2) by striking subparagraph (A) and redesign-
4 nating subparagraphs (B) and (C) as subparagraphs
5 (A) and (B), respectively.

6 **SEC. 6502. AGRICULTURE INNOVATION CENTER DEM-**
7 **ONSTRATION PROGRAM.**

8 Section 6402(i) of the Farm Security and Rural In-
9 vestment Act of 2002 (7 U.S.C. 1632b(i)) is amended by
10 striking “2018” and inserting “2023”.

11 **SEC. 6503. REGIONAL ECONOMIC AND INFRASTRUCTURE**
12 **DEVELOPMENT COMMISSIONS.**

13 Section 15751(a) of title 40, United States Code, is
14 amended by striking “2018” and inserting “2023”.

15 **SEC. 6504. DEFINITION OF RURAL AREA FOR PURPOSES OF**
16 **THE HOUSING ACT OF 1949.**

17 The second sentence of section 520 of the Housing Act
18 of 1949 (42 U.S.C. 1490) is amended—

19 (1) by striking “or 2010 decennial census” and
20 inserting “2010, or 2020 decennial census”;

21 (2) by striking “December 31, 2010,” and insert-
22 ing “December 31, 2020,” ; and

23 (3) by striking “year 2020” and inserting “year
24 2030”.

1 ***Subtitle G—Program Repeals***

2 ***SEC. 6601. ELIMINATION OF UNFUNDED PROGRAMS.***

3 *(a) CONSOLIDATED FARM AND RURAL DEVELOPMENT*
4 *ACT.—*

5 *(1) REPEALERS.—The following provisions of the*
6 *Consolidated Farm and Rural Development Act are*
7 *hereby repealed:*

8 *(A) Section 306(a)(23) (7 U.S.C.*
9 *1926(a)(23)).*

10 *(B) Section 310B(f) (7 U.S.C. 1932(f)).*

11 *(C) Section 379 (7 U.S.C. 2008n).*

12 *(D) Section 379A (7 U.S.C. 2008o).*

13 *(E) Section 379C (7 U.S.C. 2008q).*

14 *(F) Section 379D (7 U.S.C. 2008r).*

15 *(G) Section 379F (7 U.S.C. 2008t).*

16 *(H) Subtitle I (7 U.S.C. 2009dd–2009dd-7).*

17 *(2) CONFORMING AMENDMENT.—Section 333A(h)*
18 *of such Act (7 U.S.C. 1983a(h)) is amended by strik-*
19 *ing “310B(f),”.*

20 *(b) RURAL ELECTRIFICATION ACT OF 1936.—*

21 *(1) IN GENERAL.—The following provisions of*
22 *the Rural Electrification Act of 1936 are hereby re-*
23 *pealed:*

24 *(A) Section 314 (7 U.S.C. 940d).*

25 *(B) Section 602 (7 U.S.C. 950bb-1).*

1 (2) *CONFORMING AMENDMENT.*—Sections 604
 2 and 605 of such Act, as added by sections 6102 and
 3 6115 of this Act, are redesignated as sections 602 and
 4 604, respectively, and section 602 (as so redesignated)
 5 is transferred to just after section 601 of the Rural
 6 Electrification Act of 1936.

7 **SEC. 6602. REPEAL OF RURAL TELEPHONE BANK.**

8 (a) *REPEAL.*—Title IV of the Rural Electrification Act
 9 of 1936 (7 U.S.C. 941–950b) is repealed.

10 (b) *CONFORMING AMENDMENTS.*—

11 (1) Section 18 of such Act (7 U.S.C. 918) is
 12 amended in each of subsections (a) and (b) by strik-
 13 ing “and the Governor of the telephone bank”.

14 (2) Section 204 of such Act (7 U.S.C. 925) is
 15 amended by striking “and the Governor of the tele-
 16 phone bank”.

17 (3) Section 205(a) of such Act (7 U.S.C. 926) is
 18 amended—

19 (A) in the matter preceding paragraph (1),
 20 by striking “and the Governor of the telephone
 21 bank”; and

22 (B) in paragraph (2), by striking “or the
 23 Governor of the telephone bank”.

24 (4) Section 206(a) of such Act (7 U.S.C. 927(a))
 25 is amended—

1 (A) in the matter preceding paragraph (1),
 2 by striking “and the Governor of the telephone
 3 bank”; and

4 (B) in paragraph (4), by striking “or 408”.

5 (5) Section 206(b) of such Act (7 U.S.C. 927(b))
 6 is amended—

7 (A) in the matter preceding paragraph (1),
 8 by striking “and the Governor of the telephone
 9 bank”;

10 (B) in paragraph (1), by striking “, or a
 11 Rural Telephone Bank loan,”; and

12 (C) in paragraph (2), by striking “, the
 13 Rural Telephone Bank,”.

14 (6) Section 207(1) of such Act (7 U.S.C. 928(1))
 15 is amended—

16 (A) by striking “305,” and inserting “ 305
 17 or”;

18 (B) by striking “, or a loan under section
 19 408,”.

20 (7) Section 301 of such Act (7 U.S.C. 931) is
 21 amended—

22 (A) in paragraph (3), by striking “except
 23 for net collection proceeds previously appro-
 24 priated for the purchase of class A stock in the
 25 Rural Telephone Bank,”;

1 (B) by adding “or” at the end of paragraph
2 (4);

3 (C) by striking “; and” at the end of para-
4 graph (5) and inserting a period; and

5 (D) by striking paragraph (6).

6 (8) Section 305(d)(2)(B) of such Act (7 U.S.C.
7 935(d)(2)(B)) is amended—

8 (A) in clause (i), by striking “and a loan
9 under section 408”; and

10 (B) in clause (ii), by striking “and under
11 section 408” each place it appears.

12 (9) Section 305(d)(3)(C) of such Act (7 U.S.C.
13 935(d)(3)(C)) is amended by striking “and section
14 408(b)(4)(C), the Secretary and the Governor of the
15 telephone bank” and inserting “the Secretary”.

16 (10) Section 306 of such Act (7 U.S.C. 936) is
17 amended by striking “the Rural Telephone Bank, Na-
18 tional Rural Utilities Cooperative Finance Corpora-
19 tion,” and inserting “the National Rural Utilities Co-
20 operative Finance Corporation”.

21 (11) Section 309 of such Act (7 U.S.C. 739) is
22 amended by striking the last sentence.

23 (12) Section 2352(b) of the Food, Agriculture,
24 Conservation, and Trade Act of 1990 (7 U.S.C. 901

1 *note) is amended by striking “the Rural Telephone*
2 *Bank and”.*

3 *(13) The first section of Public Law 92–12 (7*
4 *U.S.C. 921a) is repealed.*

5 *(14) The first section of Public Law 92–324 (7*
6 *U.S.C. 921b) is repealed.*

7 *(15) Section 1414 of the Omnibus Budget Rec-*
8 *onciliation Act of 1987 (7 U.S.C. 944a) is repealed.*

9 *(16) Section 1411 of the Omnibus Budget Rec-*
10 *onciliation Act of 1987 (7 U.S.C. 948 notes) is*
11 *amended by striking subsections (a) and (b).*

12 *(17) Section 3.8(b)(1)(A) of the Farm Credit Act*
13 *of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended by*
14 *striking “or a loan or loan commitment from the*
15 *Rural Telephone Bank,”.*

16 *(18) Section 105(d) of the National Consumer*
17 *Cooperative Bank Act (12 U.S.C. 3015(d)) is amend-*
18 *ed by striking “the Rural Telephone Bank,”.*

19 *(19) Section 9101 of title 31, United States*
20 *Code, is amended—*

21 *(A) in paragraph (2), by striking subpara-*
22 *graph (H) and redesignating subparagraphs (I),*
23 *(J), and (K) as subparagraphs (H), (I), and (J),*
24 *respectively; and*

1 (B) in paragraph (3), by striking subpara-
 2 graph (K) and redesignating subparagraphs (L)
 3 through (R) as subparagraphs (K) through (P),
 4 respectively.

5 (20) Section 9108(d)(2) of title 31, United States
 6 Code, is amended by striking “the Rural Telephone
 7 Bank (when the ownership, control, and operation of
 8 the Bank are converted under section 410(a) of the
 9 Rural Electrification Act of 1936 (7 U.S.C.
 10 950(a))),”.

11 **SEC. 6603. AMENDMENTS TO LOCAL TV ACT.**

12 The Launching Our Communities’ Access to Local Tel-
 13 evision Act of 2000 (title X of H.R. 5548 of the 106th Con-
 14 gress, as enacted by section 1(a)(2) of Public Law 106–553;
 15 114 Stat. 2762A–128) is amended—

16 (1) by striking the title heading and inserting
 17 the following:

18 **“TITLE X—SATELLITE CARRIER**
 19 **RETRANSMISSION ELIGIBILITY”;**

20 (2) by striking sections 1001 through 1007 and
 21 1009 through 1012; and

22 (3) by redesignating section 1008 as section
 23 1001.

1 ***Subtitle H—Technical Corrections***

2 ***SEC. 6701. CORRECTIONS RELATING TO THE CONSOLI-***
 3 ***DATED FARM AND RURAL DEVELOPMENT***
 4 ***ACT.***

5 *(a)(1) Section 306(a)(19)(A) of the Consolidated Farm*
 6 *and Rural Development Act (7 U.S.C. 1926(a)(19)(A)) is*
 7 *amended by inserting after “nonprofit corporations” the*
 8 *following: “, Indian tribes (as defined in section 4(e) of the*
 9 *Indian Self-Determination and Education Assistance*
 10 *Act)”.*

11 *(2) The amendment made by this subsection shall take*
 12 *effect as if included in section 773 of the Agriculture, Rural*
 13 *Development, Food and Drug Administration, and Related*
 14 *Agencies Appropriations Act, 2001 (H.R. 5426 of the 106th*
 15 *Congress, as enacted by Public Law 106–387 (114 Stat.*
 16 *1549A–45)) in lieu of the amendment made by such section.*

17 *(b)(1) Section 309A(b) of the Consolidated Farm and*
 18 *Rural Development Act (7 U.S.C. 1929a(b)) is amended by*
 19 *striking “and section 308”.*

20 *(2) The amendment made by this subsection shall take*
 21 *effect as if included in the enactment of section 661(c)(2)*
 22 *of the Federal Agricultural Improvement and Reform Act*
 23 *of 1996 (Public Law 104–127).*

24 *(c) Section 310B(c)(3)(A)(v) of the Consolidated Farm*
 25 *and Rural Development Act (7 U.S.C. 1932(c)(3)(A)(v)) is*

1 amended by striking “and” after the semicolon and insert-
 2 ing “or”.

3 (d)(1) Section 310B(e)(5)(F) of the Consolidated Farm
 4 and Rural Development Act (7 U.S.C. 1932(e)(5)(F)) is
 5 amended by inserting “, except that the Secretary shall not
 6 require non-Federal financial support in an amount that
 7 is greater than 5 percent in the case of a 1994 institution
 8 (as defined in section 532 of the Equity in Educational
 9 Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public
 10 Law 103–382))” before the period at the end.

11 (2) The amendment made by this subsection shall take
 12 effect as if included in the enactment of section 6015 of the
 13 Farm Security and Rural Investment Act of 2002 (Public
 14 Law 107–171).

15 (e)(1) Section 381E(d)(3) of the Consolidated Farm
 16 and Rural Development Act (7 U.S.C. 2009d(d)(3)) is
 17 amended by striking subparagraph (A) and redesignating
 18 subparagraphs (B) and (C) as subparagraphs (A) and (B),
 19 respectively.

20 (2) The amendment made by paragraph (1) shall take
 21 effect as if included in the enactment of section 6012(b) of
 22 the Agricultural Act of 2014 (Public Law 113–79).

23 (f)(1) Section 382A of the Consolidated Farm and
 24 Rural Development Act (7 U.S.C. 2009aa) is amended by
 25 adding at the end the following:

1 “(4) Notwithstanding any other provision of law,
 2 the State of Alabama shall be a full member of the
 3 Delta Regional Authority and shall be entitled to all
 4 rights and privileges that said membership affords to
 5 all other participating States in the Delta Regional
 6 Authority.”.

7 (2) The amendment made by this subsection shall take
 8 effect as if included in the enactment of section 153(b) of
 9 division B of H.R. 5666, as introduced in the 106th Con-
 10 gress, and as enacted by section 1(4) of the Consolidated
 11 Appropriations Act, 2001 (Appendix D of Public Law 106–
 12 554; 114 Stat. 2763A–252).

13 (g) Section 382E(a)(1)(B) of the Consolidated Farm
 14 and Rural Development Act (7 U.S.C.2009aa-4(a)(1)(B))
 15 is amended by moving clause (iv) 2 ems to the right.

16 (h) Section 383G(c) of the Consolidated Farm and
 17 Rural Development Act (7 U.S.C. 2009bb-5(c)) is amend-
 18 ed—

19 (1) in the subsection heading by striking “TELE-
 20 COMMUNICATION RENEWABLE ENERGY,” and insert-
 21 ing “TELECOMMUNICATION, RENEWABLE ENERGY,”;
 22 and

23 (2) in the text, by striking “,” and inserting a
 24 comma.

1 **SEC. 6702. CORRECTIONS RELATING TO THE RURAL ELEC-**
 2 **TRIFICATION ACT OF 1936.**

3 *(a) Section 201 of the Rural Electrification Act of*
 4 *1936 (7 U.S.C. 922) is amended in the 3rd sentence by*
 5 *striking “wildest” and inserting “widest”.*

6 *(b)(1) Section 601(d)(8)(A)(ii)(V) of such Act (7*
 7 *U.S.C. 950bb(d)(8)(A)(ii)(V)) is amended by striking the*
 8 *semicolon and inserting a period.*

9 *(2) The amendment made by paragraph (1) shall take*
 10 *effect as if included in the enactment of section*
 11 *6104(a)(2)(E) of the Agricultural Act of 2014 (Public Law*
 12 *113–79).*

13 **TITLE VII—RESEARCH, EXTEN-**
 14 **SION, AND RELATED MAT-**
 15 **TERS**

16 **Subtitle A—National Agricultural**
 17 **Research, Extension, and Teach-**
 18 **ing Policy Act of 1977**

19 **SEC. 7101. INTERNATIONAL AGRICULTURE RESEARCH.**

20 *Section 1402 of the National Agricultural Research,*
 21 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 22 *3101) is amended—*

23 *(1) in paragraph (7), by striking “and” at the*
 24 *end;*

25 *(2) in paragraph (8), by striking the period at*
 26 *the end and inserting “; and”; and*

1 (3) *by adding at the end the following new para-*
 2 *graph:*

3 “(9) *support international scientific collabora-*
 4 *tion that leverages resources and advances the food*
 5 *and agricultural interests of the United States.”.*

6 **SEC. 7102. MATTERS RELATED TO CERTAIN SCHOOL DES-**
 7 **IGNATIONS AND DECLARATIONS.**

8 (a) *STUDY OF FOOD AND AGRICULTURAL SCIENCES.—*

9 (1) *AMENDMENT.—Section 1404(14) of the Na-*
 10 *tional Agricultural Research, Extension, and Teach-*
 11 *ing Policy Act of 1977 (7 U.S.C. 3103(14)) is amend-*
 12 *ed—*

13 (A) *by amending subparagraph (A) to read*
 14 *as follows:*

15 “(A) *IN GENERAL.—*

16 “(i) *DEFINITION.—The terms ‘NLGCA*
 17 *Institution’ and ‘non-land-grant college of*
 18 *agriculture’ mean a public college or uni-*
 19 *versity offering a baccalaureate or higher*
 20 *degree in the study of agricultural sciences,*
 21 *forestry, or both in any area of study speci-*
 22 *fied in clause (ii).*

23 “(ii) *CLARIFICATION.—For purposes of*
 24 *clause (i), an area of study specified in this*
 25 *clause is any of the following:*

1 “(I) Agriculture.

2 “(II) Agricultural business and
3 management.

4 “(III) Agricultural economics.

5 “(IV) Agricultural mechanization.

6 “(V) Agricultural production op-
7 erations.

8 “(VI) Aquaculture.

9 “(VII) Agricultural and food
10 products processing.

11 “(VIII) Agricultural and domestic
12 animal services.

13 “(IX) Equestrian or equine stud-
14 ies.

15 “(X) Applied horticulture or hor-
16 ticulture operations.

17 “(XI) Ornamental horticulture.

18 “(XII) Greenhouse operations and
19 management.

20 “(XIII) Turf and turfgrass man-
21 agement.

22 “(XIV) Plant nursery operations
23 and management.

24 “(XV) Floriculture or floristry op-
25 erations and management.

1 “(XVI) *International agriculture.*

2 “(XVII) *Agricultural public serv-*
3 *ices.*

4 “(XVIII) *Agricultural and exten-*
5 *sion education services.*

6 “(XIX) *Agricultural communica-*
7 *tion or agricultural journalism.*

8 “(XX) *Animal sciences.*

9 “(XXI) *Food science.*

10 “(XXII) *Plant sciences.*

11 “(XXIII) *Soil sciences.*

12 “(XXIV) *Forestry.*

13 “(XXV) *Forest sciences and biol-*
14 *ogy.*

15 “(XXVI) *Natural resources or con-*
16 *servation.*

17 “(XXVII) *Natural resources man-*
18 *agement and policy.*

19 “(XXVIII) *Natural resource eco-*
20 *nomics.*

21 “(XXIX) *Urban forestry.*

22 “(XXX) *Wood science and wood*
23 *products or pulp or paper technology.*

24 “(XXXI) *Range science and man-*
25 *agement.*

1 “(XXXII) *Agricultural engineer-*
2 *ing.*”; and

3 (B) *in subparagraph (C)*—

4 (i) *in the matter preceding clause (i),*
5 *by inserting “any institution designated*
6 *under” after “include”;*

7 (ii) *by striking clause (i); and*

8 (iii) *in clause (ii)*—

9 (I) *by striking “(ii) any institu-*
10 *tion designated under—”;*

11 (II) *by striking subclause (IV);*

12 (III) *in subclause (II), by adding*
13 *“or” at the end;*

14 (IV) *in subclause (III), by strik-*
15 *ing “; or” at the end and inserting a*
16 *period; and*

17 (V) *by redesignating subclauses*
18 *(I), (II), and (III) (as so amended) as*
19 *clauses (i), (ii), and (iii), respectively,*
20 *and by moving the margins of such*
21 *clauses (as so redesignated) two ems to*
22 *the left.*

23 (2) *DESIGNATION REVIEW.*—

24 (A) *IN GENERAL.*—*Not later than 90 days*
25 *after the date of the enactment of this Act, the*

1 *Secretary shall establish a process to review each*
 2 *designated NLGCA Institution (as defined in*
 3 *section 1404(14)(A) of the National Agricultural*
 4 *Research, Extension, and Teaching Policy Act of*
 5 *1977 (7 U.S.C. 3103(14)(A))) to ensure compli-*
 6 *ance with such section, as amended by this sub-*
 7 *section.*

8 *(B) VIOLATION.—An NLGCA Institution*
 9 *that the Secretary determines under subpara-*
 10 *graph (A) to be not in compliance shall have the*
 11 *designation of such institution revoked.*

12 *(b) TERMINATION OF CERTAIN DECLARATIONS OF IN-*
 13 *TENT.—Section 1404 of the National Agricultural Research,*
 14 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 15 *3103) is amended—*

16 *(1) in paragraph (5)(B), by striking “2018” and*
 17 *inserting “2023”; and*

18 *(2) in paragraph (10)(C), by striking “2018”*
 19 *and inserting “2023”.*

20 **SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTEN-**
 21 **SION, EDUCATION, AND ECONOMICS ADVI-**
 22 **SORY BOARD.**

23 *Section 1408 of the National Agricultural Research,*
 24 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 25 *3123) is amended—*

1 (1) in subsection (b)—

2 (A) in paragraph (1), by striking “25” and
3 inserting “15”; and

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

6 “(3) *MEMBERSHIP CATEGORIES.*—*The Advisory*
7 *Board shall consist of members from each of the fol-*
8 *lowing categories:*

9 “(A) 3 members representing national farm
10 or producer organizations, which may include
11 members—

12 “(i) representing farm cooperatives;

13 “(ii) who are producers actively en-
14 gaged in the production of a food animal
15 commodity and who are recommended by a
16 coalition of national livestock organizations;

17 “(iii) who are producers actively en-
18 gaged in the production of a plant com-
19 modity and who are recommended by a coa-
20 lition of national crop organizations; or

21 “(iv) who are producers actively en-
22 gaged in aquaculture and who are rec-
23 ommended by a coalition of national
24 aquacultural organizations.

1 “(B) 2 members representing academic or
2 research societies, which may include members
3 representing—

4 “(i) a national food animal science so-
5 ciety;

6 “(ii) a national crop, soil, agronomy,
7 horticulture, plant pathology, or weed
8 science society;

9 “(iii) a national food science organiza-
10 tion;

11 “(iv) a national human health associa-
12 tion; or

13 “(v) a national nutritional science so-
14 ciety.

15 “(C) 5 members representing agricultural
16 research, extension, and education, which shall
17 include each of the following:

18 “(i) 1 member representing the land-
19 grant colleges and universities eligible to re-
20 ceive funds under the Act of July 2, 1862
21 (7 U.S.C. 301 et seq.).

22 “(ii) 1 member representing the land-
23 grant colleges and universities eligible to re-
24 ceive funds under the Act of August 30,

1 1890 (7 U.S.C. 321 et seq.), including
2 *Tuskegee University.*

3 “(iii) 1 member representing the 1994
4 *Institutions (as defined in section 532 of the*
5 *Equity in Educational Land-Grant Status*
6 *Act of 1994 (7 U.S.C. 301 note; Public Law*
7 *103–382)).*

8 “(iv) 1 member representing *NLGCA*
9 *Institutions or Hispanic-serving institu-*
10 *tions.*

11 “(v) 1 member representing the *Amer-*
12 *ican Colleges of Veterinary Medicine.*

13 “(D) 5 members representing industry, con-
14 sumer, or rural interests, including members
15 representing—

16 “(i) entities engaged in transportation
17 of food and agricultural products to domes-
18 tic and foreign markets;

19 “(ii) food retailing and marketing in-
20 terests;

21 “(iii) food and fiber processors;

22 “(iv) rural economic development in-
23 terests;

24 “(v) a national consumer interest
25 group;

1 “(vi) a national forestry group;

2 “(vii) a national conservation or nat-
3 ural resource group;

4 “(viii) a national social science asso-
5 ciation; or

6 “(ix) private sector organizations in-
7 volved in international development.”;

8 (2) in subsection (c)—

9 (A) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A), by striking “review and” and
12 inserting “make recommendations, review,
13 and”;

14 (ii) by striking subparagraph (A) and
15 inserting the following new subparagraph:

16 “(A) long-term and short-term national
17 policies and priorities consistent with the—

18 “(i) purposes specified in section 1402
19 for agricultural research, extension, edu-
20 cation, and economics; and

21 “(ii) priority areas of the Agriculture
22 and Food Research Initiative specified in
23 subsection (b)(2) of the Competitive, Spe-
24 cial, and Facilities Research Grant Act (7
25 U.S.C. 3157(b)(2));”; and

1 (iii) in subparagraph (B), by striking
2 clause (i) and inserting the following new
3 clause:

4 “(i) are in accordance with the—

5 “(I) purposes specified in a provi-
6 sion of a covered law (as defined in
7 subsection (d) of section 1492) under
8 which competitive grants (described in
9 subsection (c) of such section) are
10 awarded; and

11 “(II) priority areas of the Agri-
12 culture and Food Research Initiative
13 specified in subsection (b)(2) of the
14 Competitive, Special, and Facilities
15 Research Grant Act (7 U.S.C.
16 3157(b)(2)); and”;

17 (B) in paragraph (2), by inserting “and
18 make recommendations to the Secretary based on
19 such evaluation” after “priorities”; and

20 (C) in paragraph (4), by inserting “and
21 make recommendations on” after “review”; and

22 (3) in subsection (h), by striking “2018” and in-
23 serting “2023”.

1 **SEC. 7104. SPECIALTY CROP COMMITTEE.**

2 *Section 1408A(a)(2) of the National Agricultural Re-*
 3 *search, Extension, and Teaching Policy Act of 1977 (7*
 4 *U.S.C. 3123a(a)(2)) is amended—*

5 *(1) in subparagraph (A), by striking “spe-*
 6 *ciality” and inserting “specialty”;*

7 *(2) in subparagraph (B)—*

8 *(A) in the matter preceding clause (i), by*
 9 *striking “9” and inserting “11”; and*

10 *(B) in clause (i), by striking “Three” and*
 11 *inserting “Five”; and*

12 *(3) in subparagraph (D), by striking “2018”*
 13 *and inserting “2023”.*

14 **SEC. 7105. RENEWABLE ENERGY COMMITTEE DISCON-**
 15 **TINUED.**

16 *Subtitle B of the National Agricultural Research, Ex-*
 17 *tension, and Teaching Policy Act of 1977 (7 U.S.C. 3121*
 18 *et seq.) is amended by striking section 1408B.*

19 **SEC. 7106. REPORT ON ALLOCATIONS AND MATCHING**
 20 **FUNDS FOR 1890 INSTITUTIONS.**

21 *The Secretary of Agriculture shall annually transmit*
 22 *to Congress a report on the allocations made to, and match-*
 23 *ing funds received by, eligible institutions pursuant to sec-*
 24 *tions 1444 and 1445 of the National Agricultural Research,*
 25 *Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221,*
 26 *3222).*

1 **SEC. 7107. GRANTS AND FELLOWSHIPS FOR FOOD AND AG-**
 2 **RICULTURE SCIENCES EDUCATION.**

3 *Section 1417(m)(2) of the National Agricultural Re-*
 4 *search, Extension, and Teaching Policy Act of 1977 (7*
 5 *U.S.C. 3152(m)(2)) is amended by striking “2018” and in-*
 6 *serting “2023”.*

7 **SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH**
 8 **CENTERS.**

9 *Section 1419A(e) of the National Agricultural Re-*
 10 *search, Extension, and Teaching Policy Act of 1977 (7*
 11 *U.S.C. 3155(e)) is amended by striking “2018” and insert-*
 12 *ing “2023”.*

13 **SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERV-**
 14 **ING INSTITUTIONS AND NATIVE HAWAIIAN**
 15 **SERVING INSTITUTIONS.**

16 *Section 1419B of the National Agricultural Research,*
 17 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 18 *3156) is amended—*

19 *(1) in subsection (a)(3), by striking “2018” and*
 20 *inserting “2023”; and*

21 *(2) in subsection (b)(3), by striking “2018” and*
 22 *inserting “2023”.*

23 **SEC. 7110. REPEAL OF NUTRITION EDUCATION PROGRAM.**

24 *The National Agricultural Research, Extension, and*
 25 *Teaching Policy Act of 1977 is amended by striking section*
 26 *1425 (7 U.S.C. 3175).*

1 **SEC. 7111. CONTINUING ANIMAL HEALTH AND DISEASE RE-**
 2 **SEARCH PROGRAMS.**

3 *Section 1433(c)(1) of the National Agricultural Re-*
 4 *search, Extension, and Teaching Policy Act of 1977 (7*
 5 *U.S.C. 3195(c)(1)) is amended by striking “2018” and in-*
 6 *serting “2023”.*

7 **SEC. 7112. EXTENSION CARRYOVER AT 1890 LAND-GRANT**
 8 **COLLEGES, INCLUDING TUSKEGEE UNIVER-**
 9 **SITY.**

10 *Effective on October 1, 2018, section 1444(a) of the Na-*
 11 *tional Agricultural Research, Extension, and Teaching Pol-*
 12 *icy Act of 1977 (7 U.S.C. 3221(a)) is amended by striking*
 13 *paragraph (4).*

14 **SEC. 7113. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTITU-**
 15 **TIONS.**

16 *Subtitle G of the National Agricultural Research, Ex-*
 17 *tension, and Teaching Policy Act of 1977 is amended by*
 18 *inserting after section 1445 (7 U.S.C. 3222) the following*
 19 *new section:*

20 **“SEC. 1446. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTI-**
 21 **TUTIONS.**

22 *“(a) IN GENERAL.—*

23 *“(1) SCHOLARSHIP GRANT PROGRAM ESTAB-*
 24 *LISHED.—The Secretary shall establish and carry out*
 25 *a grant program to make grants to each college or*
 26 *university eligible to receive funds under the Act of*

1 *August 30, 1890 (commonly known as the Second*
2 *Morrill Act; 7 U.S.C. 322 et seq.), including Tuskegee*
3 *University, for purposes of awarding scholarships to*
4 *individuals who—*

5 *“(A) have been accepted for admission at*
6 *such college or university;*

7 *“(B) will be enrolled at such college or uni-*
8 *versity not later than one year after the date of*
9 *such acceptance; and*

10 *“(C) intend to pursue a career in the food*
11 *and agricultural sciences, including a career*
12 *in—*

13 *“(i) agribusiness;*

14 *“(ii) energy and renewable fuels; or*

15 *“(iii) financial management.*

16 *“(2) AMOUNT OF GRANT.—Each grant made*
17 *under this section shall be in the amount of*
18 *\$1,000,000.*

19 *“(b) AUTHORIZATION OF APPROPRIATIONS.—There is*
20 *authorized to be appropriated to carry out this section*
21 *\$19,000,000 for each of fiscal years 2019 through 2023.”.*

1 **SEC. 7114. GRANTS TO UPGRADE AGRICULTURAL AND FOOD**
 2 **SCIENCES FACILITIES AT 1890 LAND-GRANT**
 3 **COLLEGES, INCLUDING TUSKEGEE UNIVER-**
 4 **SITY.**

5 *Section 1447(b) of the National Agricultural Research,*
 6 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 7 *3222b(b)) is amended by striking “2018” and inserting*
 8 *“2023”.*

9 **SEC. 7115. GRANTS TO UPGRADE AGRICULTURE AND FOOD**
 10 **SCIENCES FACILITIES AND EQUIPMENT AT**
 11 **INSULAR AREA LAND-GRANT INSTITUTIONS.**

12 *Section 1447B(d) of the National Agricultural Re-*
 13 *search, Extension, and Teaching Policy Act of 1977 (7*
 14 *U.S.C. 3222b–2(d)) is amended by striking “2018” and in-*
 15 *serting “2023”.*

16 **SEC. 7116. HISPANIC-SERVING INSTITUTIONS.**

17 *Section 1455(c) of the National Agricultural Research,*
 18 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 19 *3241(c)) is amended by striking “2018” and inserting*
 20 *“2023”.*

21 **SEC. 7117. LAND-GRANT DESIGNATION.**

22 *Subtitle C of the National Agricultural Research, Ex-*
 23 *tension, and Teaching Policy Act of 1977 (7 U.S.C. 3151*
 24 *et seq.) is amended by adding at the end the following new*
 25 *section:*

1 **“SEC. 1419C. LAND-GRANT DESIGNATION.**

2 “(a) *IN GENERAL.*—Notwithstanding any other provi-
 3 sion of law, beginning on the date of the enactment of this
 4 section, no additional entity may be designated as eligible
 5 to receive funds under a covered program.

6 “(b) *STATE FUNDING.*—No State shall receive an in-
 7 crease in funding under a covered program as a result of
 8 the State’s designation of additional entities as eligible to
 9 receive such funding.

10 “(c) *COVERED PROGRAM DEFINED.*—For purposes of
 11 this section, the term ‘covered program’ means agricultural
 12 research, extension, education, and related programs or
 13 grants established or available under any of the following:

14 “(1) Subsections (b), (c), and (d) of section 3 of
 15 the Smith-Lever Act (7 U.S.C. 343).

16 “(2) The Hatch Act of 1887 (7 U.S.C. 361a et
 17 seq.).

18 “(3) Sections 1444, 1445, and 1447 of the Na-
 19 tional Agricultural Research, Extension, and Teach-
 20 ing Policy Act of 1977 (7 U.S.C. 3221; 3222; 3222b).

21 “(4) Public Law 87–788 (commonly known as
 22 the McIntire-Stennis Cooperative Forestry Act; 16
 23 U.S.C. 582a et seq.).

24 “(d) *EXCEPTION.*—Nothing in this section shall be con-
 25 strued as limiting eligibility for a capacity and infrastruc-
 26 ture program specified in section 251(f)(1)(C) of the De-

1 *partment of Agriculture Reorganization Act of 1994 (7*
 2 *U.S.C. 6971(f)(1)(C)) that is not a covered program. ”.*

3 **SEC. 7118. COMPETITIVE GRANTS FOR INTERNATIONAL AG-**
 4 **RICULTURAL SCIENCE AND EDUCATION PRO-**
 5 **GRAMS.**

6 *Section 1459A(c)(2) of the National Agricultural Re-*
 7 *search, Extension, and Teaching Policy Act of 1977 (7*
 8 *U.S.C. 3292b(c)(2)) is amended by striking “2018” and in-*
 9 *serting “2023”.*

10 **SEC. 7119. LIMITATION ON INDIRECT COSTS FOR AGRICUL-**
 11 **TURAL RESEARCH, EDUCATION, AND EXTEN-**
 12 **SION PROGRAMS.**

13 *Section 1462 of the National Agricultural Research,*
 14 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 15 *3310) is amended—*

16 *(1) in subsection (a), by striking “22 percent”*
 17 *and inserting “30 percent”;*

18 *(2) in subsection (b), by striking “Subsection*
 19 *(a)” and inserting “Subsections (a) and (c)”;* and

20 *(3) by adding at the end the following:*

21 *“(c) TREATMENT OF SUBGRANTS.—In the case of a*
 22 *grant described in subsection (a), the limitation on indirect*
 23 *costs specified in such subsection shall be applied to both*
 24 *the initial grant award and any subgrant of the Federal*
 25 *funds provided under the initial grant award so that the*

1 *total of all indirect costs charged against the total of the*
 2 *Federal funds provided under the initial grant award does*
 3 *not exceed such limitation.”.*

4 **SEC. 7120. RESEARCH EQUIPMENT GRANTS.**

5 *The National Agricultural Research, Extension, and*
 6 *Teaching Policy Act of 1977 is amended by inserting after*
 7 *section 1462 (7 U.S.C. 3310) the following new section:*

8 **“SEC. 1462A. RESEARCH EQUIPMENT GRANTS.**

9 *“(a) IN GENERAL.—The Secretary may make competi-*
 10 *tive grants for the acquisition of special purpose scientific*
 11 *research equipment for use in the food and agricultural*
 12 *sciences programs of eligible institutions.*

13 *“(b) MAXIMUM AMOUNT.—The amount of a grant*
 14 *made to an eligible institution under this section may not*
 15 *exceed \$500,000.*

16 *“(c) PROHIBITION ON CHARGE OR EQUIPMENT AS IN-*
 17 *DIRECT COSTS.—The cost of acquisition or depreciation of*
 18 *equipment purchased with a grant under this section shall*
 19 *not be—*

20 *“(1) charged as an indirect cost against another*
 21 *Federal grant; or*

22 *“(2) included as part of the indirect cost pool for*
 23 *purposes of calculating the indirect cost rate of an eli-*
 24 *gible institution.*

1 “(d) *ELIGIBLE INSTITUTIONS DEFINED.*—*In this sec-*
 2 *tion, the term ‘eligible institution’ means—*

3 “(1) *a college or university; or*

4 “(2) *a State cooperative institution.*

5 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 6 *authorized to be appropriated to carry out this section*
 7 *\$5,000,000 for each of fiscal years 2019 through 2023.”.*

8 **SEC. 7121. UNIVERSITY RESEARCH.**

9 *Section 1463 of the National Agricultural Research,*
 10 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 11 *3311) is amended by striking “2018” each place it appears*
 12 *in subsections (a) and (b) and inserting “2023”.*

13 **SEC. 7122. EXTENSION SERVICE.**

14 *Section 1464 of the National Agricultural Research,*
 15 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 16 *3312) is amended by striking “2018” and inserting “2023”.*

17 **SEC. 7123. SUPPLEMENTAL AND ALTERNATIVE CROPS.**

18 *Section 1473D of the National Agricultural Research,*
 19 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 20 *3319d) is amended—*

21 *(1) in subsection (a)—*

22 *(A) by striking “2018” and inserting*
 23 *“2023”; and*

24 *(B) by striking “crops,” and inserting*
 25 *“crops (including canola),”;*

1 (2) in subsection (b)—

2 (A) by inserting “for agronomic rotational
3 purposes and for use as a habitat for honey bees
4 and other pollinators” after “alternative crops”;
5 and

6 (B) by striking “commodities whose” and
7 all that follows through the period at the end and
8 inserting “commodities.”; and

9 (3) in subsection (e)(2), by striking “2018” and
10 inserting “2023”.

11 **SEC. 7124. CAPACITY BUILDING GRANTS FOR NLGCA INSTI-**
12 **TUTIONS.**

13 Section 1473F(b) of the National Agricultural Re-
14 search, Extension, and Teaching Policy Act of 1977 (7
15 U.S.C. 3319i(b)) is amended by striking “2018” and insert-
16 ing “2023”.

17 **SEC. 7125. AQUACULTURE ASSISTANCE PROGRAMS.**

18 Section 1477(a)(2) of the National Agricultural Re-
19 search, Extension, and Teaching Policy Act of 1977 (7
20 U.S.C. 3324(a)(2)) is amended by striking “2018” and in-
21 serting “2023”.

22 **SEC. 7126. RANGELAND RESEARCH PROGRAMS.**

23 Section 1483(a)(2) of the National Agricultural Re-
24 search, Extension, and Teaching Policy Act of 1977 (7

1 *U.S.C. 3336(a)(2)) is amended by striking “2018” and in-*
2 *serting “2023”.*

3 ***SEC. 7127. SPECIAL AUTHORIZATION FOR BIOSECURITY***
4 ***PLANNING AND RESPONSE.***

5 *Section 1484 of the National Agricultural Research,*
6 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
7 *3351) is amended—*

8 *(1) in subsection (a)—*

9 *(A) in paragraph (1), by striking “and” at*
10 *the end;*

11 *(B) in paragraph (2), by striking the period*
12 *at the end and inserting “; and”; and*

13 *(C) by adding at the end the following new*
14 *paragraph:*

15 *“(3) \$30,000,000 for each of fiscal years 2019*
16 *through 2023.”; and*

17 *(2) in subsection (b)—*

18 *(A) in the matter preceding paragraph (1),*
19 *by inserting “and cooperative agreements” after*
20 *“competitive grants”;*

21 *(B) in paragraph (3), by striking “make*
22 *competitive grants” and inserting “award com-*
23 *petitive grants and cooperative agreements”; and*

24 *(C) by adding at the end the following new*
25 *paragraph:*

1 “(5) To coordinate the tactical science activities
 2 of the Research, Education, and Economics mission
 3 area of the Department that protect the integrity, re-
 4 liability, sustainability, and profitability of the food
 5 and agricultural system of the United States against
 6 biosecurity threats from pests, diseases, contaminants,
 7 and disasters.”.

8 **SEC. 7128. DISTANCE EDUCATION AND RESIDENT INSTRU-**
 9 **CTION GRANTS PROGRAM FOR INSULAR AREA**
 10 **INSTITUTIONS OF HIGHER EDUCATION.**

11 (a) *DISTANCE EDUCATION GRANTS FOR INSULAR*
 12 *AREAS.*—Section 1490(f)(2) of the National Agricultural
 13 *Research, Extension, and Teaching Policy Act of 1977 (7*
 14 *U.S.C. 3362(f)(2)) is amended by striking “2018” and in-*
 15 *serting “2023”.*

16 (b) *RESIDENT INSTRUCTION GRANTS FOR INSULAR*
 17 *AREAS.*—Section 1491(c)(2) of the National Agricultural
 18 *Research, Extension, and Teaching Policy Act of 1977 (7*
 19 *U.S.C. 3363(c)(2)) is amended by striking “2018” and in-*
 20 *serting “2023”.*

21 **SEC. 7129. REMOVAL OF MATCHING FUNDS REQUIREMENT**
 22 **FOR CERTAIN GRANTS.**

23 Section 1492(d) of the National Agricultural Research,
 24 *Extension, and Teaching Policy Act of 1977 (7 U.S.C.*
 25 *3371(d)) is amended by striking paragraph (5).*

1 ***Subtitle B—Food, Agriculture, Con-***
2 ***servation, and Trade Act of 1990***

3 ***SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICA-***
4 ***TIONS.***

5 *Section 1624 of the Food, Agriculture, Conservation,*
6 *and Trade Act of 1990 (7 U.S.C. 5814) is amended in the*
7 *first sentence by striking “2018” and inserting “2023”.*

8 ***SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.***

9 *Section 1627(d) of the Food, Agriculture, Conserva-*
10 *tion, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended*
11 *by striking “2018” and inserting “2023”.*

12 ***SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-***
13 ***VELOPMENT AND TRANSFER PROGRAM.***

14 *Section 1628(f)(2) of the Food, Agriculture, Conserva-*
15 *tion, and Trade Act of 1990 (7 U.S.C. 5831(f)(2)) is amend-*
16 *ed by striking “2018” and inserting “2023”.*

17 ***SEC. 7204. NATIONAL TRAINING PROGRAM.***

18 *Section 1629(i) of the Food, Agriculture, Conservation,*
19 *and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended by*
20 *striking “2018” and inserting “2023”.*

21 ***SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.***

22 *Section 1635(b)(2) of the Food, Agriculture, Conserva-*
23 *tion, and Trade Act of 1990 (7 U.S.C. 5844(b)(2)) is*
24 *amended by striking “2018” and inserting “2023”.*

1 **SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMA-**
 2 **TION SYSTEM.**

3 *Section 1641(c) of the Food, Agriculture, Conservation,*
 4 *and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended by*
 5 *striking “2018” and inserting “2023”.*

6 **SEC. 7207. AGRICULTURAL GENOME TO PHENOME INITIA-**
 7 **TIVE.**

8 *Section 1671 of the Food, Agriculture, Conservation,*
 9 *and Trade Act of 1990 (7 U.S.C. 5924) is amended—*

10 *(1) in the section heading, by inserting “**TO***
 11 ***PHENOME**” after “**GENOME**”;*

12 *(2) by amending subsection (a) to read as fol-*
 13 *lows:*

14 *“(a) GOALS.—The goals of this section are—*

15 *“(1) to expand knowledge concerning genomes*
 16 *and phenomes of crops of importance to United States*
 17 *agriculture;*

18 *“(2) to understand how variable weather, envi-*
 19 *ronments, and production systems impact the growth*
 20 *and productivity of specific varieties of crops, thereby*
 21 *providing greater accuracy in predicting crop per-*
 22 *formance under variable growing conditions;*

23 *“(3) to support research that leverages plant*
 24 *genomic information with phenotypic and environ-*
 25 *mental data through an interdisciplinary framework,*
 26 *leading to a novel understanding of plant processes*

1 *that affect crop growth, productivity, and the ability*
2 *to predict crop performance, resulting in the deploy-*
3 *ment of superior varieties to growers and improved*
4 *crop management recommendations for farmers;*

5 *“(4) to promote and coordinate research linking*
6 *genomics and predictive phenomics at different sites*
7 *nationally to achieve advances in crops that generate*
8 *societal benefits;*

9 *“(5) to combine fields such as genetics, genomics,*
10 *plant physiology, agronomy, climatology, and crop*
11 *modeling with computation and informatics, statis-*
12 *tics, and engineering;*

13 *“(6) to focus on crops that will yield scientif-*
14 *ically important results that will enhance the useful-*
15 *ness of many other crops;*

16 *“(7) to build on genomic research, such as the*
17 *Plant Genome Research Project, to understand gene*
18 *function in production environments that are ex-*
19 *pected to have considerable payoffs for crops of impor-*
20 *tance to United States agriculture;*

21 *“(8) to develop improved data analytics to en-*
22 *hance understanding of the biological function of crop*
23 *genes;*

24 *“(9) to allow resources developed under this sec-*
25 *tion, including data, software, germplasm, and other*

1 *biological materials, to be openly accessible to all per-*
2 *sons, subject to any confidentiality requirements im-*
3 *posed by law; and*

4 *“(10) to encourage international partnerships*
5 *with each partner country responsible for financing*
6 *its own research.”;*

7 *(3) by amending subsection (b) to read as fol-*
8 *lows:*

9 *“(b) DUTIES OF SECRETARY.—The Secretary of Agri-*
10 *culture shall conduct a research initiative (to be known as*
11 *the ‘Agricultural Genome to Phenome Initiative’) for the*
12 *purpose of—*

13 *“(1) studying agriculturally significant crops in*
14 *production environments to achieve sustainable and*
15 *secure agricultural production;*

16 *“(2) ensuring that current gaps in existing*
17 *knowledge of agricultural crop genetics and*
18 *phenomics knowledge are filled;*

19 *“(3) identifying and developing a functional un-*
20 *derstanding of agronomically relevant genes from*
21 *crops of importance to United States agriculture;*

22 *“(4) ensuring future genetic improvement of*
23 *crops of importance to United States agriculture;*

1 “(5) *studying the relevance of diverse germplasm*
 2 *as a source of unique genes that may be of importance*
 3 *to United States agriculture in the future;*

4 “(6) *enhancing crop genetics to reduce the eco-*
 5 *nomic impact of plant pathogens on crops of impor-*
 6 *tance to United States agriculture; and*

7 “(7) *disseminating findings to relevant audi-*
 8 *ences.*”;

9 (4) *in subsection (c)(1), by inserting “, acting*
 10 *through the National Institute of Food and Agri-*
 11 *culture,” after “The Secretary”;*

12 (5) *in subsection (e), by inserting “to Phenome”*
 13 *after “Genome”; and*

14 (6) *by adding at the end the following new sub-*
 15 *section:*

16 “(f) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 17 *authorized to be appropriated to carry out this section*
 18 *\$30,000,000 for each of fiscal years 2019 through 2023.”.*

19 **SEC. 7208. HIGH-PRIORITY RESEARCH AND EXTENSION INI-**
 20 **TIATIVES.**

21 *Section 1672 of the Food, Agriculture, Conservation,*
 22 *and Trade Act of 1990 (7 U.S.C. 5925) is amended—*

23 (1) *in subsection (d)—*

24 (A) *in paragraph (8)—*

1 (i) *in the heading, by striking “AL-*
 2 *FALFA AND FORAGE” and inserting “AL-*
 3 *FALFA SEED AND ALFALFA FORAGE SYS-*
 4 *TEMS”;*

5 (ii) *by striking “alfalfa and forage”*
 6 *and inserting “alfalfa seed and alfalfa for-*
 7 *age systems”; and*

8 (iii) *by striking “alfalfa and other for-*
 9 *ages, and” and inserting “alfalfa seed and*
 10 *other alfalfa forage”; and*

11 (B) *by adding at the end the following new*
 12 *paragraphs:*

13 “(11) *MACADAMIA TREE HEALTH INITIATIVE.—*
 14 *Research and extension grants may be made under*
 15 *this section for the purposes of—*

16 “(A) *developing and disseminating science-*
 17 *based tools and treatments to combat the maca-*
 18 *damia felted coccid (*Eriococcus ironsidei*); and*

19 “(B) *establishing an areawide integrated*
 20 *pest management program in areas affected by,*
 21 *or areas at risk of being affected by, the maca-*
 22 *damia felted coccid.*

23 “(12) *NATIONAL TURFGRASS RESEARCH INITIA-*
 24 *TIVE.—Research and extension grants may be made*
 25 *under this section for the purposes of—*

1 “(A) carrying out or enhancing research re-
2 lated to turfgrass and sod issues;

3 “(B) enhancing production and uses of
4 turfgrass for the general public;

5 “(C) identifying new turfgrass varieties
6 with superior drought, heat, cold, and pest toler-
7 ance to reduce water, fertilizer, and pesticide use;

8 “(D) selecting genetically superior
9 turfgrasses and developing improved technologies
10 for managing commercial, residential, and rec-
11 reational turfgrass areas;

12 “(E) producing turfgrasses that—

13 “(i) aid in mitigating soil erosion;

14 “(ii) protect against pollutant runoff
15 into waterways; or

16 “(iii) provide other environmental ben-
17 efits;

18 “(F) investigating, preserving, and pro-
19 tecting native plant species, including grasses
20 not currently utilized in turfgrass systems;

21 “(G) creating systems for more economical
22 and viable turfgrass seed and sod production
23 throughout the United States; and

1 “(H) investigating the turfgrass phytobiome
2 and developing biologic products to enhance soil,
3 enrich plants, and mitigate pests.

4 “(13) FERTILIZER MANAGEMENT INITIATIVE.—

5 “(A) IN GENERAL.—Research and extension
6 grants may be made under this section for the
7 purpose of carrying out research to improve fer-
8 tilizer use efficiency in crops—

9 “(i) to maximize crop yield; and

10 “(ii) to minimize nutrient losses to
11 surface and groundwater and the atmos-
12 phere.

13 “(B) PRIORITY.—In awarding grants under
14 subparagraph (A), the Secretary shall give pri-
15 ority to research examining the impact of the
16 source, rate, timing, and placement of plant nu-
17 trients.

18 “(14) CATTLE FEVER TICK PROGRAM.—Research
19 and extension grants may be made under this section
20 to study cattle fever ticks—

21 “(A) to facilitate the understanding of the
22 role of wildlife in the persistence and spread of
23 cattle fever ticks;

24 “(B) to develop advanced methods for eradi-
25 cation of cattle fever ticks, including—

1 “(i) *alternative treatment methods for*
2 *cattle and other susceptible species;*

3 “(ii) *field treatment for premises, in-*
4 *cluding corral pens and pasture loafing*
5 *areas;*

6 “(iii) *methods for treatment and con-*
7 *trol on infested wildlife;*

8 “(iv) *biological control agents; and*

9 “(v) *new and improved vaccines;*

10 “(C) *to evaluate rangeland vegetation that*
11 *impacts the survival of cattle fever ticks;*

12 “(D) *to improve management of diseases re-*
13 *lating to cattle fever ticks that are associated*
14 *with wildlife, livestock, and human health;*

15 “(E) *to improve diagnostic detection of tick-*
16 *infested or infected animals and pastures; and*

17 “(F) *to conduct outreach to impacted ranch-*
18 *ers, hunters, and landowners to integrate tactics*
19 *and document sustainability of best practices.*

20 “(15) *LAYING HEN AND TURKEY RESEARCH PRO-*
21 *GRAM.—Research grants may be made under this sec-*
22 *tion for the purpose of improving the efficiency and*
23 *sustainability of laying hen and turkey production*
24 *through integrated, collaborative research and tech-*
25 *nology transfer. Emphasis may be placed on laying*

1 *hen and turkey disease prevention, antimicrobial re-*
 2 *sistance, nutrition, gut health, and alternative hous-*
 3 *ing systems under extreme seasonal weather condi-*
 4 *tions.*

5 “(16) *ALGAE AGRICULTURE RESEARCH PRO-*
 6 *GRAM.—Research and extension grants may be made*
 7 *under this section for the development and testing of*
 8 *algae and algae systems (including micro- and*
 9 *macro-algae systems).”;*

10 (2) *in subsection (e)(5), by striking “2018” and*
 11 *inserting “2023”;*

12 (3) *in subsection (f)(5), by striking “2018” and*
 13 *inserting “2023”;*

14 (4) *in subsection (g), by striking “2018” each*
 15 *place it appears and inserting “2023”; and*

16 (5) *in subsection (h), by striking “2018” and in-*
 17 *serting “2023”.*

18 **SEC. 7209. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**
 19 **SION INITIATIVE.**

20 *Section 1672B of the Food, Agriculture, Conservation,*
 21 *and Trade Act of 1990 (7 U.S.C. 5925b) is amended—*

22 (1) *in subsection (a)(7), by inserting “, soil*
 23 *health,” after “conservation”; and*

24 (2) *in subsection (e)—*

25 (A) *in paragraph (1)—*

1 (i) in subparagraph (B), by striking
2 “and” at the end;

3 (ii) in subparagraph (C), by striking
4 the period at the end and inserting “; and”;
5 and

6 (iii) by adding at the end the following
7 new subparagraph:

8 “(D) \$30,000,000 for each of fiscal years
9 2019 through 2023.”; and

10 (B) in paragraph (2)—

11 (i) in the paragraph heading, by strik-
12 ing “FOR FISCAL YEARS 2014 THROUGH
13 2018”; and

14 (ii) by striking “2018” and inserting
15 “2023”.

16 **SEC. 7210. FARM BUSINESS MANAGEMENT.**

17 Section 1672D of the Food, Agriculture, Conservation,
18 and Trade Act of 1990 (7 U.S.C. 5925f) is amended—

19 (1) by amending subsection (a) to read as fol-
20 lows:

21 “(a) *IN GENERAL.*—The Secretary may make competi-
22 tive research and extension grants for the purpose of im-
23 proving the farm management knowledge and skills of agri-
24 cultural producers by maintaining and expanding a na-

1 tional, publicly available farm financial management data-
 2 base to support improved farm management.”;

3 (2) in subsection (b)—

4 (A) in paragraph (2), by striking “and pro-
 5 ducer” and inserting “educational programs
 6 and”; and

7 (B) in paragraph (4), by striking “use and
 8 support” and inserting “contribute data to”; and

9 (3) in subsection (d)(2), by striking “2018” and
 10 inserting “2023”.

11 **SEC. 7211. CLARIFICATION OF VETERAN ELIGIBILITY FOR**
 12 **ASSISTIVE TECHNOLOGY PROGRAM FOR**
 13 **FARMERS WITH DISABILITIES.**

14 Section 1680 of the Food, Agriculture, Conservation,
 15 and Trade Act of 1990 (7 U.S.C. 5933) is amended—

16 (1) in subsection (a), by adding at the end the
 17 following new paragraph:

18 “(7) CLARIFICATION OF APPLICATION OF PROVI-
 19 SIONS TO VETERANS WITH DISABILITIES.—This sub-
 20 section shall apply with respect to veterans with dis-
 21 abilities, and their families, who—

22 “(A) are engaged in farming or farm-re-
 23 lated occupations; or

24 “(B) are pursuing new farming opportuni-
 25 ties.”;

1 (2) in subsection (b)—

2 (A) by inserting “(including veterans)”
3 after “individuals”; and

4 (B) by inserting “or, in the case of veterans
5 with disabilities, who are pursuing new farming
6 opportunities” before the period at the end; and

7 (3) in subsection (c)(1)(B), by striking “2018”
8 and inserting “2023”.

9 **SEC. 7212. NATIONAL RURAL INFORMATION CENTER**
10 **CLEARINGHOUSE.**

11 Section 2381(e) of the Food, Agriculture, Conservation,
12 and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by
13 striking “2018” and inserting “2023”.

14 **Subtitle C—Agricultural Research,**
15 **Extension, and Education Re-**
16 **form Act of 1998**

17 **SEC. 7300. ENDING LIMITATION ON FUNDING UNDER NA-**
18 **TIONAL FOOD SAFETY TRAINING, EDU-**
19 **CATION, EXTENSION, OUTREACH, AND TECH-**
20 **NICAL ASSISTANCE PROGRAM.**

21 Section 405(e)(3) of the Agricultural Research, Exten-
22 sion, And Education Reform Act of 1998 (7 U.S.C.
23 7625(e)(3)) is amended to read as follows:

1 “(3) *TERM OF GRANT.*—A grant under this sec-
 2 tion shall have a term that is not more than 3
 3 years.”.

4 **SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION,**
 5 **EXTENSION, OUTREACH, AND TECHNICAL AS-**
 6 **SISTANCE PROGRAM.**

7 Section 405(j) of the Agricultural Research, Extension,
 8 and Education Reform Act of 1998 (7 U.S.C. 7625(j)) is
 9 amended by striking “2011 through 2015” and inserting
 10 “2019 through 2023”.

11 **SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EX-**
 12 **TENSION COMPETITIVE GRANTS PROGRAM.**

13 Section 406(e) of the Agricultural Research, Extension,
 14 and Education Reform Act of 1998 (7 U.S.C. 7626(e)) is
 15 amended by striking “2018” and inserting “2023”.

16 **SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES**
 17 **OF WHEAT, TRITICALE, AND BARLEY CAUSED**
 18 **BY FUSARIUM GRAMINEARUM OR BY**
 19 **TILLETIA INDICA.**

20 Section 408(e)(2) of the Agricultural Research, Exten-
 21 sion, and Education Reform Act of 1998 (7 U.S.C.
 22 7628(e)(2)) is amended by striking “2018” and inserting
 23 “2023”.

1 **SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.**

2 Section 410(d)(2) of the Agricultural Research, Extension,
3 and Education Reform Act of 1998 (7 U.S.C.
4 7630(d)(2)) is amended by striking “2018” and inserting
5 “2023”.

6 **SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.**

7 (a) *ELEMENTS OF INITIATIVE.*—Section 412(b) of the
8 Agricultural Research, Extension, and Education Reform
9 Act of 1998 (7 U.S.C. 7632(b)) is amended—

10 (1) in paragraph (1)—

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

13 (B) in subparagraph (E), by adding “and”
14 at the end; and

15 (C) by adding at the end the following new
16 subparagraph:

17 “(F) size-controlling rootstock systems for
18 perennial crops;”;

19 (2) in paragraph (2)—

20 (A) by striking “including threats to spe-
21 cialty crop pollinators;” and inserting the fol-
22 lowing: “including—

23 “(A) threats to specialty crop pollinators;
24 and”; and

25 (B) by adding at the end the following new
26 subparagraph:

1 “(B) emerging and invasive species;”;
2 (3) in paragraph (3), by striking “marketing);”
3 and inserting the following: “marketing) and a better
4 understanding of the soil rhizosphere microbiome, in-
5 cluding—
6 “(A) pesticide application systems and cer-
7 tified drift-reduction technologies; and
8 “(B) systems to improve and extend storage
9 life of specialty crops;”;
10 (4) by redesignating paragraphs (4) and (5) as
11 paragraphs (5) and (6), respectively;
12 (5) by inserting after paragraph (3) the fol-
13 lowing new paragraph:
14 “(4) efforts to promote a more effective under-
15 standing and use of existing natural enemy com-
16 plexes;”; and
17 (6) in paragraph (5) (as redesignated by para-
18 graph (4))—
19 (A) by striking “including improved mecha-
20 nization and technologies that delay or inhibit
21 ripening; and” and inserting the following: “in-
22 cluding—
23 “(A) technologies that delay or inhibit rip-
24 ening;”; and

1 (B) by adding at the end the following new
2 subparagraphs:

3 “(B) mechanization and automation of
4 labor-intensive tasks on farms and in packing
5 facilities;

6 “(C) decision support systems driven by
7 phenology and environmental factors;

8 “(D) improved monitoring systems for agri-
9 cultural pests; and

10 “(E) effective systems for pre- and post-har-
11 vest management of quarantine pests; and”.

12 (b) *EMERGENCY CITRUS DISEASE RESEARCH AND EX-*
13 *TENSION PROGRAM.*—Section 412 of the Agricultural Re-
14 search, Extension, and Education Reform Act of 1998 (7
15 U.S.C. 7632) is amended—

16 (1) in subsection (j)(5), by striking “2018” and
17 inserting “2023”; and

18 (2) in subsection (k)(1)(C), by striking “2018”
19 and inserting “2023”.

20 (c) *AUTHORIZATION OF APPROPRIATIONS.*—Section
21 412(k)(2) of the Agricultural Research, Extension, and
22 Education Reform Act of 1998 (7 U.S.C. 7632(k)(2)) is
23 amended—

24 (1) in the subsection heading, by striking “2018”
25 and inserting “2023”; and

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

2 **SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE**
 3 **PROGRAM.**

4 Section 604(e) of the Agricultural Research, Extension,
 5 and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is
 6 amended by striking “2018” and inserting “2023”.

7 **SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.**

8 Section 614(f)(2) of the Agricultural Research, Exten-
 9 sion, and Education Reform Act of 1998 (7 U.S.C.
 10 7653(f)(2)) is amended by striking “2018” and inserting
 11 “2023”.

12 **SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION**
 13 **RESEARCH.**

14 Section 617(f)(1) of the Agricultural Research, Exten-
 15 sion, and Education Reform Act of 1998 (7 U.S.C.
 16 7655b(f)(1)) is amended by striking “2018” and inserting
 17 “2023”.

18 **Subtitle D—Food, Conservation,**
 19 **and Energy Act of 2008**

20 **PART I—AGRICULTURAL SECURITY**

21 **SEC. 7401. AGRICULTURAL BIOSECURITY COMMUNICATION**
 22 **CENTER.**

23 Section 14112(c)(2) of the Food, Conservation, and
 24 Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by
 25 striking “2018” and inserting “2023”.

1 **SEC. 7402. ASSISTANCE TO BUILD LOCAL CAPACITY IN AG-**
 2 **RICULTURAL BIOSECURITY PLANNING, PREP-**
 3 **ARATION, AND RESPONSE.**

4 *Section 14113 of the Food, Conservation, and Energy*
 5 *Act of 2008 (7 U.S.C. 8913) is amended—*

6 *(1) in subsection (a)(2)(B), by striking “2018”*
 7 *and inserting “2023”; and*

8 *(2) in subsection (b)(2)(B), by striking “2018”*
 9 *and inserting “2023”.*

10 **SEC. 7403. RESEARCH AND DEVELOPMENT OF AGRICUL-**
 11 **TURAL COUNTERMEASURES.**

12 *Section 14121(b)(2) of the Food, Conservation, and*
 13 *Energy Act of 2008 (7 U.S.C. 8921(b)(2)) is amended by*
 14 *striking “2018” and inserting “2023”.*

15 **SEC. 7404. AGRICULTURAL BIOSECURITY GRANT PROGRAM.**

16 *Section 14122(e)(2) of the Food, Conservation, and*
 17 *Energy Act of 2008 (7 U.S.C. 8922(e)(2)) is amended by*
 18 *striking “2018” and inserting “2023”.*

19 **PART II—MISCELLANEOUS**

20 **SEC. 7411. GRAZINGLANDS RESEARCH LABORATORY.**

21 *Section 7502 of the Food, Conservation, and Energy*
 22 *Act of 2008 (Public Law 110–246; 122 Stat. 2019) is*
 23 *amended by striking “10-year period” and inserting “15-*
 24 *year period”.*

1 **SEC. 7412. NATURAL PRODUCTS RESEARCH PROGRAM.**

2 *Section 7525(e) of the Food, Conservation, and Energy*
 3 *Act of 2008 (7 U.S.C. 5937(e)) is amended by striking*
 4 *“2018” and inserting “2023”.*

5 **SEC. 7413. SUN GRANT PROGRAM.**

6 *Section 7526(g) of the Food, Conservation, and Energy*
 7 *Act of 2008 (7 U.S.C. 8114(g)) is amended by striking*
 8 *“2018” and inserting “2023”.*

9 ***Subtitle E—Amendments to Other***
 10 ***Laws***

11 **SEC. 7501. CRITICAL AGRICULTURAL MATERIALS ACT.**

12 *Section 16(a)(2) of the Critical Agricultural Materials*
 13 *Act (7 U.S.C. 178n(a)(2)) is amended by striking “2018”*
 14 *and inserting “2023”.*

15 **SEC. 7502. EQUITY IN EDUCATIONAL LAND-GRANT STATUS**

16 **ACT OF 1994.**

17 *(a) 1994 INSTITUTION DEFINED.—Section 532 of the*
 18 *Equity in Educational Land-Grant Status Act of 1994 (7*
 19 *U.S.C. 301 note; Public Law 103–382) is amended to read*
 20 *as follows:*

21 **“SEC. 532. DEFINITION OF 1994 INSTITUTION.**

22 *“In this part, the term ‘1994 Institution’ means any*
 23 *of the following colleges:*

24 *“(1) Aaniiih Nakoda College.*

25 *“(2) Bay Mills Community College.*

26 *“(3) Blackfeet Community College.*

1 “(4) *Cankdeska Cikana Community College.*

2 “(5) *Chief Dull Knife College.*

3 “(6) *College of Menominee Nation.*

4 “(7) *College of the Muscogee Nation.*

5 “(8) *D–Q University.*

6 “(9) *Dine College.*

7 “(10) *Fond du Lac Tribal and Community Col-*
8 *lege.*

9 “(11) *Fort Peck Community College.*

10 “(12) *Haskell Indian Nations University.*

11 “(13) *Iisagvik College.*

12 “(14) *Institute of American Indian and Alaska*
13 *Native Culture and Arts Development.*

14 “(15) *Keweenaw Bay Ojibwa Community Col-*
15 *lege.*

16 “(16) *Lac Courte Oreilles Ojibwa Community*
17 *College.*

18 “(17) *Leech Lake Tribal College.*

19 “(18) *Little Big Horn College.*

20 “(19) *Little Priest Tribal College.*

21 “(20) *Navajo Technical University.*

22 “(21) *Nebraska Indian Community College.*

23 “(22) *Northwest Indian College.*

24 “(23) *Nueta Hidatsa Sahnish College.*

25 “(24) *Oglala Lakota College.*

1 “(25) *Red Lake Nation College*.

2 “(26) *Saginaw Chippewa Tribal College*.

3 “(27) *Salish Kootenai College*.

4 “(28) *Sinte Gleska University*.

5 “(29) *Sisseton Wahpeton College*.

6 “(30) *Sitting Bull College*.

7 “(31) *Southwestern Indian Polytechnic Institute*.

8 “(32) *Stone Child College*.

9 “(33) *Tohono O’odham Community College*.

10 “(34) *Turtle Mountain Community College*.

11 “(35) *United Tribes Technical College*.

12 “(36) *White Earth Tribal and Community Col-*
13 *lege.*”.

14 (b) *ENDOWMENT FOR 1994 INSTITUTIONS*.—Section
15 *533(b) of the Equity in Educational Land-Grant Status*
16 *Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is*
17 *amended in the first sentence by striking “2018” and in-*
18 *serting “2023”.*

19 (c) *INSTITUTIONAL CAPACITY BUILDING GRANTS*.—
20 *Section 535 of the Equity in Educational Land-Grant Sta-*
21 *tus Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)*
22 *is amended by striking “2018” each place it appears in*
23 *subsections (b)(1) and (c) and inserting “2023”.*

24 (d) *RESEARCH GRANTS*.—Section 536(c) of the *Equity*
25 *in Educational Land-Grant Status Act of 1994 (7 U.S.C.*

1 301 note; Public Law 103–382) is amended in the first sen-
 2 tence by striking “2018” and inserting “2023”.

3 **SEC. 7503. RESEARCH FACILITIES ACT.**

4 (a) *AGRICULTURAL RESEARCH FACILITY DEFINED.*—

5 *The Research Facilities Act is amended—*

6 (1) in section 2(1) (7 U.S.C. 390(1)) by striking
 7 “a college, university, or nonprofit institution” and
 8 inserting “an entity eligible to receive funds under a
 9 capacity and infrastructure program (as defined in
 10 section 251(f)(1)(C) of the Department of Agriculture
 11 Reorganization Act of 1994 (7 U.S.C.
 12 6971(f)(1)(C)))”; and

13 (2) in section 3(c)(2)(D) (7 U.S.C.
 14 390a(c)(2)(D)), by striking “recipient college, univer-
 15 sity, or nonprofit institution” and inserting “recipi-
 16 ent entity”.

17 (b) *LONG-TERM SUPPORT.*—Section 3(c)(2)(D) of the
 18 *Research Facilities Act* (7 U.S.C. 390a(c)(2)(D)), as
 19 amended by subsection (a), is further amended by striking
 20 “operating costs” and inserting “operating and mainte-
 21 nance costs”.

22 (c) *COMPETITIVE GRANT PROGRAM.*—*The Research*
 23 *Facilities Act* is amended by inserting after section 3 (7
 24 U.S.C. 390a) the following new section:

1 **“SEC. 4. COMPETITIVE GRANT PROGRAM.**

2 *“The Secretary shall establish a program to make com-*
 3 *petitive grants to assist in the construction, alteration, ac-*
 4 *quisition, modernization, renovation, or remodeling of agri-*
 5 *cultural research facilities.”.*

6 *(d) AUTHORIZATION OF APPROPRIATIONS AND FUND-*
 7 *ING LIMITATIONS.—Section 6 of the Research Facilities Act*
 8 *(7 U.S.C. 390d) is amended—*

9 *(1) in subsection (a)—*

10 *(A) by striking “subsection (b),” and insert-*
 11 *ing “subsections (b), (c), and (d),”;*

12 *(B) by striking “2018” and inserting*
 13 *“2023”; and*

14 *(C) by adding at the end the following new*
 15 *sentence: “Funds appropriated pursuant to the*
 16 *preceding sentence shall be available until ex-*
 17 *pended.”; and*

18 *(2) by adding at the end the following new sub-*
 19 *sections:*

20 *“(c) MAXIMUM AMOUNT.—Not more than 25 percent*
 21 *of the funds made available pursuant to subsection (a) for*
 22 *any fiscal year shall be used for any single agricultural*
 23 *research facility project.*

24 *“(d) PROJECT LIMITATION.—An entity eligible to re-*
 25 *ceive funds under this Act may receive funds for only one*
 26 *project at a time.”.*

1 **SEC. 7504. COMPETITIVE, SPECIAL, AND FACILITIES RE-**
2 **SEARCH GRANT ACT.**

3 *Subsection (b) of the Competitive, Special, and Facili-*
4 *ties Research Grant Act (7 U.S.C. 3157(b)) is amended—*

5 *(1) in paragraph (2)—*

6 *(A) in subparagraph (D)—*

7 *(i) by redesignating clauses (iii)*
8 *through (vii) as clauses (iv) through (viii),*
9 *respectively; and*

10 *(ii) by inserting after clause (ii) the*
11 *following new clause:*

12 *“(iii) soil health;”;*

13 *(B) in subparagraph (E)—*

14 *(i) in clause (iii), by striking “and” at*
15 *the end;*

16 *(ii) in clause (iv), by striking the pe-*
17 *riod at the end and inserting “; and”; and*

18 *(iii) by adding at the end the following*
19 *new clause:*

20 *“(v) tools that accelerate the use of au-*
21 *tomation or mechanization for labor-inten-*
22 *sive tasks in the production and distribu-*
23 *tion of crops.”; and*

24 *(C) in subparagraph (F)—*

25 *(i) in clause (vi), by striking “and” at*
26 *the end;*

1 (ii) in clause (vii), by striking the pe-
 2 riod at the end and inserting “; and”; and
 3 (iii) by adding at the end the following
 4 new clause:

5 “(viii) barriers and bridges to entry
 6 and farm viability for young, beginning, so-
 7 cially disadvantaged, veteran, and immi-
 8 grant farmers and ranchers, including farm
 9 succession, transition, transfer, entry, and
 10 profitability issues.”;

11 (2) in paragraph (5)—

12 (A) in subparagraph (A)(ii), by striking
 13 “and” at the end; and

14 (B) in subparagraph (B), by striking the
 15 period at the end and inserting the following:
 16 “that—

17 “(i) is of national scope; or

18 “(ii) is commodity-specific, so long as
 19 any such funds allocated for commodity-spe-
 20 cific research are matched with funds from
 21 a non-Federal source at least equal to the
 22 amount of such funds so allocated.”;

23 (3) in paragraph (9)—

24 (A) in subparagraph (A), by striking clause
 25 (iii); and

1 (B) in subparagraph (B)—

2 (i) in clause (i), by striking “clauses

3 (ii) and (iii)” and inserting “clause (ii)”;

4 and

5 (ii) by striking clause (iii); and

6 (4) in paragraph (11)(A)—

7 (A) in the matter preceding clause (i), by

8 striking “2018” and inserting “2023”; and

9 (B) in clause (ii), by striking “4” and in-
10 serting “5”.

11 **SEC. 7505. RENEWABLE RESOURCES EXTENSION ACT OF**

12 **1978.**

13 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section 6
14 *of the Renewable Resources Extension Act of 1978 (16*
15 *U.S.C. 1675) is amended in the first sentence by striking*
16 *“2018” and inserting “2023”.*

17 (b) *TERMINATION DATE.*—Section 8 of the *Renewable*
18 *Resources Extension Act of 1978 (16 U.S.C. 1671 note; Pub-*
19 *lic Law 95–306) is amended by striking “2018” and insert-*
20 *ing “2023”.*

21 **SEC. 7506. NATIONAL AQUACULTURE ACT OF 1980.**

22 Section 10 of the *National Aquaculture Act of 1980*
23 *(16 U.S.C. 2809) is amended by striking “2018” each place*
24 *it appears and inserting “2023”.*

1 **SEC. 7507. BEGINNING FARMER AND RANCHER DEVELOP-**
2 **MENT PROGRAM.**

3 *Section 7405 of the Farm Security and Rural Invest-*
4 *ment Act of 2002 (7 U.S.C. 3319f) is amended—*

5 *(1) by striking subsection (b) and redesignating*
6 *subsection (c) as subsection (b);*

7 *(2) in subsection (b), as so redesignated—*

8 *(A) in the heading, by striking “GRANTS”*
9 *and inserting “PROGRAMS”;*

10 *(B) by amending paragraph (1) to read as*
11 *follows:*

12 *“(1) IN GENERAL.—The Secretary shall establish*
13 *a beginning farmer and rancher development pro-*
14 *gram to provide training, education, outreach, and*
15 *technical assistance initiatives to increase opportuni-*
16 *ties for beginning farmers or ranchers.”;*

17 *(C) by inserting “or cooperative agree-*
18 *ments” after “grants” each place it appears;*

19 *(D) by inserting “or cooperative agreement”*
20 *after “grant” each place it appears;*

21 *(E) by striking “subsection” each place it*
22 *appears and inserting “section”;*

23 *(F) by amending paragraph (4) to read as*
24 *follows:*

25 *“(4) MATCHING REQUIREMENT.—*

1 “(A) *IN GENERAL.*—*Except as provided in*
2 *subparagraph (B), to be eligible to receive a*
3 *grant under this subsection, a recipient shall*
4 *provide a match in the form of cash or in-kind*
5 *contributions in an amount equal to 25 percent*
6 *of the funds provided by the grant.*

7 “(B) *EXCEPTION.*—*The Secretary may*
8 *waive or reduce the matching requirement in*
9 *subparagraph (A) if the Secretary determines*
10 *such a waiver or modification is necessary to ef-*
11 *fectively reach an underserved area or popu-*
12 *lation.”; and*

13 (G) *by striking paragraph (8), and redesign-*
14 *ating paragraphs (9), (10), (11), and (12) as*
15 *paragraphs (8), (9), (10), and (11), respectively;*
16 *(3) by inserting after subsection (b), as so redes-*
17 *ignated, the following new subsection:*

18 “(c) *GRANT REQUIREMENTS.*—

19 “(1) *IN GENERAL.*—*In carrying out this section,*
20 *the Secretary shall make competitive grants to sup-*
21 *port new and established local and regional training,*
22 *education, outreach, and technical assistance initia-*
23 *tives to increase opportunities for beginning farmers*
24 *or ranchers, including programs and services (as ap-*
25 *propriate) relating to—*

1 “(A) basic livestock, forest management,
2 and crop farming practices;

3 “(B) innovative farm, ranch, and private
4 nonindustrial forest land access, and transfer
5 and succession strategies and programs;

6 “(C) entrepreneurship and business train-
7 ing;

8 “(D) financial and risk management train-
9 ing (including the acquisition and management
10 of agricultural credit);

11 “(E) natural resource management and
12 planning;

13 “(F) diversification and marketing strate-
14 gies;

15 “(G) curriculum development;

16 “(H) mentoring, apprenticeships, and in-
17 ternships;

18 “(I) resources and referral;

19 “(J) farm financial benchmarking;

20 “(K) technical assistance to help beginning
21 farmers or ranchers acquire land from retiring
22 farmers and ranchers;

23 “(L) agricultural rehabilitation and voca-
24 tional training for veterans;

1 “(M) food safety (including good agricul-
2 tural practices training);

3 “(N) farm safety and awareness; and

4 “(O) other similar subject areas of use to be-
5 ginning farmers or ranchers.

6 “(2) SET-ASIDE.—

7 “(A) IN GENERAL.—Not less than 5 percent
8 of the funds used to carry out this subsection for
9 a fiscal year shall be used to support programs
10 and services that address the needs of—

11 “(i) limited resource beginning farmers
12 or ranchers (as defined by the Secretary);

13 “(ii) socially disadvantaged farmers or
14 ranchers (as defined in section 355(e) of the
15 Consolidated Farm and Rural Development
16 Act (7 U.S.C. 2003(e))) who are beginning
17 farmers and ranchers; and

18 “(iii) farmworkers desiring to become
19 farmers or ranchers.

20 “(B) VETERAN FARMERS AND RANCHERS.—

21 Not less than 5 percent of the funds used to carry
22 out this subsection for a fiscal year shall be used
23 to support programs and services that address
24 the needs of veteran farmers and ranchers (as de-
25 fined in section 2501(e) of the Food, Agriculture,

1 *Conservation, and Trade Act of 1990 (7 U.S.C.*
2 *2279(e)).”;*

3 *(4) in subsection (d)—*

4 *(A) in paragraph (1)—*

5 *(i) by striking “and conduct” and in-*
6 *serting “, conduct”; and*

7 *(ii) by striking the period at the end*
8 *and inserting “, or provide training and*
9 *technical assistance initiatives for begin-*
10 *ning farmers or ranchers or for trainers*
11 *and service providers that work with begin-*
12 *ning farmers or ranchers.”; and*

13 *(B) in paragraph (2)—*

14 *(i) by inserting “, educational pro-*
15 *grams and workshops, or training and tech-*
16 *nical assistance initiatives” after “cur-*
17 *ricula”; and*

18 *(ii) by striking “modules” and insert-*
19 *ing “content”;*

20 *(5) in subsection (g)—*

21 *(A) by inserting “(including retiring farm-*
22 *ers and nonfarming landowners)” before “from*
23 *participating in programs”; and*

24 *(B) by striking “educating” and inserting*
25 *“increasing opportunities for”; and*

1 (6) in subsection (h)—

2 (A) in paragraph (1)—

3 (i) in the heading, by striking “FOR
4 FISCAL YEARS 2009 THROUGH 2018”; and

5 (ii) in subparagraph (C), by striking
6 “2018” and inserting “2023”;

7 (B) in paragraph (2)—

8 (i) in the paragraph heading, by strik-
9 ing “FOR FISCAL YEARS 2014 THROUGH
10 2018”; and

11 (ii) by striking “2018” and inserting
12 “2023”; and

13 (C) by striking paragraph (3).

14 **SEC. 7508. FEDERAL AGRICULTURE RESEARCH FACILITIES.**

15 Section 1431 of the National Agricultural Research,
16 Extension, and Teaching Policy Act Amendments of 1985
17 (title XIV of Public Law 99–198; 99 Stat. 1556) is amended
18 by striking “2018” and inserting “2023”.

19 **SEC. 7509. BIOMASS RESEARCH AND DEVELOPMENT.**

20 Section 9008(h) of the Farm Security and Rural In-
21 vestment Act of 2002 (7 U.S.C. 8108(h)) is amended to read
22 as follows:

23 “(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is
24 authorized to be appropriated to carry out this section
25 \$20,000,000 for each of fiscal years 2019 through 2023.”.

1 ***Subtitle F—Other Matters***

2 ***SEC. 7601. ENHANCED USE LEASE AUTHORITY PROGRAM.***

3 (a) *TRANSITION TO PERMANENT PROGRAM.*—Section
4 308 of the Federal Crop Insurance Reform and Department
5 of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a
6 note) is amended—

7 (1) in the section heading, by striking “**PILOT**”;
8 and

9 (2) in subsection (a), by striking “pilot”.

10 (b) *NO ONSITE SALES.*—Section 308(b)(1)(C) of the
11 Federal Crop Insurance Reform and Department of Agri-
12 culture Reorganization Act of 1994 is amended by inserting
13 “onsite” before “public”.

14 (c) *TERMINATION OF AUTHORITY EXTENDED.*—Sec-
15 tion 308(b)(6)(A) of the Federal Crop Insurance Reform
16 and Department of Agriculture Reorganization Act of 1994
17 (7 U.S.C. 3125a note) is amended by striking “on the date
18 that is 10 years after the date of enactment of this section”
19 and inserting “on June 18, 2023”.

20 (d) *REPORTS.*—Section 308(d)(2) of the Federal Crop
21 Insurance Reform and Department of Agriculture Reorga-
22 nization Act of 1994 (7 U.S.C. 3125a note) is amended by
23 striking “Not later than 6, 8, and 10 years after the date
24 of enactment of this section” and inserting “Not later than
25 June 18, 2019, June 18, 2021, and June 18, 2023”.

1 **SEC. 7602. FUNCTIONS AND DUTIES OF THE UNDER SEC-**
 2 **RETARY.**

3 *Subparagraph (B) of section 251(d)(2) of the Depart-*
 4 *ment of Agriculture Reorganization Act of 1994 (7 U.S.C.*
 5 *6971(d)(2)) is amended to read as follows:*

6 *“(B) ensure that agricultural research, edu-*
 7 *cation, extension, economics, and statistical pro-*
 8 *grams—*

9 *“(i) are effectively coordinated and in-*
 10 *tegrated—*

11 *“(I) across disciplines, agencies,*
 12 *and institutions; and*

13 *“(II) among applicable partici-*
 14 *pants, grantees, and beneficiaries; and*

15 *“(ii) address the priority areas of the*
 16 *Agriculture and Food Research Initiative*
 17 *specified in subsection (b)(2) of the Com-*
 18 *petitive, Special, and Facilities Research*
 19 *Grant Act (7 U.S.C. 3157(b)(2));”.*

20 **SEC. 7603. REINSTATEMENT OF DISTRICT OF COLUMBIA**
 21 **MATCHING REQUIREMENT FOR CERTAIN**
 22 **LAND-GRANT UNIVERSITY ASSISTANCE.**

23 *(a) IN GENERAL.—Section 209(c) of the District of Co-*
 24 *lumbia Public Postsecondary Education Reorganization*
 25 *Act (Public Law 93–471; sec. 38–1202.09(c), D.C. Official*
 26 *Code) is amended in the first sentence, by striking the pe-*

1 riod at the end and inserting “, which may be used to pay
 2 no more than one-half of the total cost of providing such
 3 extension work.”.

4 (b) *EFFECTIVE DATE.*—The amendment made by this
 5 section shall take effect on October 1, 2018.

6 **SEC. 7604. FARMLAND TENURE, TRANSITION, AND ENTRY**
 7 **DATA INITIATIVE.**

8 (a) *IN GENERAL.*—The Secretary shall collect and re-
 9 port data and analysis on farmland ownership, tenure,
 10 transition, and entry of beginning farmers or ranchers.

11 (b) *REQUIREMENTS.*—In carrying out subsection (a),
 12 the Secretary shall—

13 (1) collect and distribute comprehensive annual
 14 reporting of trends in farmland ownership, tenure,
 15 transition, barriers to entry, profitability, and viabil-
 16 ity of beginning farmers or ranchers; and

17 (2) develop surveys and report statistical and
 18 economic analysis on farmland ownership, tenure,
 19 transition, barriers to entry, profitability, and viabil-
 20 ity of beginning farmers.

21 (c) *FUNDING.*—There are authorized to be appro-
 22 priated to carry out this section \$2,000,000 for each of fiscal
 23 years 2019 through 2023, to remain available until ex-
 24 pended.

1 (d) *CONFORMING AMENDMENT REGARDING CONFIDEN-*
 2 *TIALITY OF INFORMATION.*—Section 1770(d) of the Food Se-
 3 *curity Act of 1985 (7 U.S.C. 2276(d)) is amended—*

4 (1) *in paragraph (11), by striking “or” at the*
 5 *end;*

6 (2) *in paragraph (12), by striking the period at*
 7 *the end and inserting “; or”; and*

8 (3) *by adding at the end the following new para-*
 9 *graph:*

10 “(13) *section 7604 of the Agriculture and Nutri-*
 11 *tion Act of 2018.”.*

12 **SEC. 7605. TRANSFER OF ADMINISTRATIVE JURISDICTION,**
 13 **PORTION OF HENRY A. WALLACE BELTSVILLE**
 14 **AGRICULTURAL RESEARCH CENTER, BELTS-**
 15 **VILLE, MARYLAND.**

16 (a) *TRANSFER AUTHORIZED.*—The Secretary of Agri-
 17 *culture may transfer to the administrative jurisdiction of*
 18 *the Secretary of the Treasury a parcel of real property at*
 19 *the Henry A. Wallace Beltsville Agricultural Research Cen-*
 20 *ter consisting of approximately 100 acres, which was origi-*
 21 *nally acquired by the United States through land acquisi-*
 22 *tions in 1910 and 1925 and is generally located off of Poul-*
 23 *try Road lying between Powder Mill Road and Odell Road*
 24 *in Beltsville, Maryland, for the purpose of facilitating the*

1 *establishment of Bureau of Engraving and Printing facili-*
2 *ties on the parcel.*

3 *(b) LEGAL DESCRIPTION AND MAP.—*

4 *(1) PREPARATION.—The Secretary of Agriculture*
5 *shall prepare a legal description and map of the par-*
6 *cel of real property to be transferred under subsection*
7 *(a).*

8 *(2) FORCE OF LAW.—The legal description and*
9 *map prepared under paragraph (1) shall have the*
10 *same force and effect as if included in this Act, except*
11 *that the Secretary of Agriculture may correct errors*
12 *in the legal description and map.*

13 *(c) RETENTION OF INTERESTS.—The transfer of ad-*
14 *ministrative jurisdiction under subsection (a) shall be sub-*
15 *ject to easements and rights of record and such other res-*
16 *ervations, terms, and conditions as the Secretary of Agri-*
17 *culture considers to be necessary.*

18 *(d) WAIVER.—The parcel of real property to be trans-*
19 *ferred under subsection (a) is exempt from Federal screen-*
20 *ing for other possible use as there is an identified Federal*
21 *need for the parcel as the site for Bureau of Engraving and*
22 *Printing facilities.*

23 *(e) CONDITION ON TRANSFER.—As a condition of the*
24 *transfer of administrative jurisdiction under subsection (a),*

1 *the Secretary of the Treasury shall agree to pay the Sec-*
2 *retary of Agriculture the following costs:*

3 *(1) The appraisal required under subsection (f).*

4 *(2) Any environmental or administrative anal-*
5 *ysis required by Federal law with respect to the real*
6 *property so transferred.*

7 *(3) Any necessary survey of such real property.*

8 *(4) Any hazardous substances assessment of such*
9 *real property.*

10 *(f) APPRAISAL.—To determine the fair market value*
11 *of the parcel of real property to be transferred under sub-*
12 *section (a), the Secretary of the Treasury shall have the par-*
13 *cel appraised for its highest and best use in conformity with*
14 *the Uniform Appraisal Standards for Federal Land Acqui-*
15 *sitions developed by the Interagency Land Acquisition Con-*
16 *ference. The appraisal shall be subject to the review and*
17 *approval by the Secretary of Agriculture.*

18 *(g) HAZARDOUS MATERIALS.—For the parcel of real*
19 *property to be transferred under subsection (a), the Sec-*
20 *retary of Agriculture shall meet disclosure requirements for*
21 *hazardous substances, but shall otherwise not be required*
22 *to remediate or abate those substances or any other haz-*
23 *ardous pollutants, contaminants, or waste that might be*
24 *present on the parcel at the time of transfer of administra-*
25 *tive jurisdiction.*

1 **SEC. 7606. SIMPLIFIED PLAN OF WORK.**

2 (a) *SMITH-LEVER ACT.*—*The Smith-Lever Act is*
 3 *amended—*

4 (1) *in section 3(h)(2) (7 U.S.C. 343(h)(2)), by*
 5 *striking subparagraph (D); and*

6 (2) *in section 4 (7 U.S.C. 344)—*

7 (A) *in subsection (c), by striking para-*
 8 *graphs (1) through (5) and inserting the fol-*
 9 *lowing new paragraphs:*

10 “(1) *A summary of planned projects or programs*
 11 *in the State using formula funds.*

12 “(2) *A description of the manner in which the*
 13 *State will meet the requirements of section 3(h).*

14 “(3) *A description of the manner in which the*
 15 *State will meet the requirements of section 3(i)(2) of*
 16 *the Hatch Act of 1887.*

17 “(4) *A description of matching funds provided*
 18 *by the State with respect to the previous fiscal year.”;*
 19 *and*

20 (B) *by adding at the end the following new*
 21 *subsection:*

22 “(f) *RELATIONSHIP TO AUDITS.*—*Notwithstanding*
 23 *any other provision of law, the procedures established pur-*
 24 *suant to subsection (c) shall not be subject to audit to deter-*
 25 *mine the sufficiency of such procedures.”.*

1 (b) *HATCH ACT*.—*The Hatch Act of 1887 is amend-*
2 *ed—*

3 (1) *in section 3 (7 U.S.C. 361c)—*

4 (A) *by amending subsection (h) to read as*
5 *follows:*

6 “(h) *PEER REVIEW*.—*Research carried out under sub-*
7 *section (c)(3) shall be subject to scientific peer review. The*
8 *review of a project conducted under this subsection shall be*
9 *considered to satisfy the merit review requirements of sec-*
10 *tion 103(e) of the Agricultural Research, Extension, and*
11 *Education Reform Act of 1998.”; and*

12 (B) *in subsection (i)(2), by striking sub-*
13 *paragraph (D); and*

14 (2) *in section 7 (7 U.S.C. 361g)—*

15 (A) *in subsection (e), by striking para-*
16 *graphs (1) through (4) and inserting the fol-*
17 *lowing new paragraphs:*

18 “(1) *A summary of planned projects or programs*
19 *in the State using formula funds.*

20 “(2) *A description of the manner in which the*
21 *State will meet the requirements of subsections (c)(3)*
22 *and (i)(2) of section 3.*

23 “(3) *A description of matching funds provided*
24 *by the State with respect to the previous fiscal year.”;*
25 *and*

1 (B) by adding at the end the following new
2 subsection:

3 “(h) *RELATIONSHIP TO AUDITS.*—Notwithstanding
4 any other provision of law, the procedures established pur-
5 suant to subsection (e) shall not be subject to audit to deter-
6 mine the sufficiency of such procedures.”.

7 (c) *EXTENSION AND RESEARCH AT 1890 INSTITU-*
8 *TIONS.*—

9 (1) *EXTENSION.*—Section 1444(d) of the Na-
10 tional Agricultural Research, Extension, and Teach-
11 ing Policy Act of 1977 (7 U.S.C. 3221(d)) is amend-
12 ed—

13 (A) in paragraph (3), by striking subpara-
14 graphs (A) through (E) and inserting the fol-
15 lowing new subparagraphs:

16 “(A) A summary of planned projects or pro-
17 grams in the State using formula funds.

18 “(B) A description of matching funds pro-
19 vided by the State with respect to the previous
20 fiscal year.”; and

21 (B) by adding at the end the following new
22 paragraph:

23 “(6) *RELATIONSHIP TO AUDITS.*—Notwith-
24 standing any other provision of law, the procedures
25 established pursuant to paragraph (3) shall not be

1 *subject to audit to determine the sufficiency of such*
 2 *procedures.”.*

3 (2) *RESEARCH.*—*Section 1445(c) of the National*
 4 *Agricultural Research, Extension, and Teaching Pol-*
 5 *icy Act of 1977 (7 U.S.C. 3222(c)) is amended—*

6 (A) *in paragraph (3), by striking subpara-*
 7 *graphs (A) through (E) and inserting the fol-*
 8 *lowing new subparagraphs:*

9 “(A) *A summary of planned projects or pro-*
 10 *grams in the State using formula funds.*

11 “(B) *A description of matching funds pro-*
 12 *vided by the State with respect to the previous*
 13 *fiscal year.”; and*

14 (B) *by adding at the end the following new*
 15 *paragraph:*

16 “(6) *RELATIONSHIP TO AUDITS.*—*Notwith-*
 17 *standing any other provision of law, the procedures*
 18 *established pursuant to paragraph (3) shall not be*
 19 *subject to audit to determine the sufficiency of such*
 20 *procedures.”.*

21 **SEC. 7607. TIME AND EFFORT REPORTING EXEMPTION.**

22 *Any entity receiving funds under a program referred*
 23 *to in clause (iii), (iv), (vii), (viii), or (xii) of section*
 24 *251(f)(1)(C) of the Department of Agriculture Reorganiza-*
 25 *tion Act of 1994 (7 U.S.C. 6971(f)(1)(C)) shall be exempt*

1 *from the time and effort reporting requirements under part*
2 *200 of title 2, Code of Federal Regulations (or successor reg-*
3 *ulations), with respect to the use of such funds.*

4 **SEC. 7608. PUBLIC EDUCATION ON BIOTECHNOLOGY IN**
5 **FOOD AND AGRICULTURE SECTORS.**

6 (a) *IN GENERAL.*—*The Secretary, in consultation with*
7 *the Secretary of Health and Human Services, the Secretary*
8 *of Education, and such other persons and organizations as*
9 *the Secretary determines to be appropriate, shall develop*
10 *and carry out a national science-based education campaign*
11 *to increase public awareness regarding the use of technology*
12 *in food and agriculture production, including—*

13 (1) *the science of biotechnology as applied to the*
14 *development of products in the food and agricultural*
15 *sectors, including information about which products*
16 *of biotechnology in the food and agricultural sectors*
17 *have been approved for use in the United States;*

18 (2) *the Federal science-based regulatory review*
19 *process for products made using biotechnology in the*
20 *food and agricultural sectors conducted under the Co-*
21 *ordinated Framework for Regulation of Biotechnology*
22 *published by the Office of Science and Technology*
23 *Policy in the Federal Register on June 26, 1986 (51*
24 *Fed. Reg. 23302), including the studies performed*
25 *and analyses conducted to ensure that such products*

1 *are as safe to produce and as safe to eat as products*
 2 *that are not produced using biotechnology;*

3 *(3) developments in the science of plant and ani-*
 4 *mal breeding over time and the impacts of such devel-*
 5 *opments on farmers, consumers, the environment, and*
 6 *the rural economy; and*

7 *(4) the effects of the use of biotechnology on food*
 8 *security, nutrition, and the environment.*

9 *(b) CONSUMER FRIENDLY INFORMATIONAL*
 10 *WEBSITE.—The Secretary, in consultation with the Sec-*
 11 *retary of Health and Human Services, the Administrator*
 12 *of the Environmental Protection Agency, the Office of*
 13 *Science and Technology Policy, and such other persons and*
 14 *organizations as the Secretary determines to be appro-*
 15 *priate, shall develop, establish, and update as necessary, a*
 16 *single Federal government-sponsored public Internet website*
 17 *through which the public may obtain, in an easy to under-*
 18 *stand and user-friendly format, information about bio-*
 19 *technology used in the food and agricultural sectors, includ-*
 20 *ing—*

21 *(1) scientific findings and other data on bio-*
 22 *technology used in the food and agricultural sectors;*

23 *(2) Federal agencies' decisions regarding specific*
 24 *products made using biotechnology in the food and*
 25 *agricultural sectors;*

1 (3) a list of frequently asked questions per-
 2 taining to the use of biotechnology in the food and ag-
 3 ricultural sectors;

4 (4) an easy-to-understand description of the role
 5 of Federal agencies in overseeing the use of bio-
 6 technology in the food and agricultural sectors;

7 (5) information about novel, emerging tech-
 8 nologies within the broader field of biotechnology; and

9 (6) a glossary of terms with respect to bio-
 10 technology used in the food and agricultural sectors.

11 (c) *SOCIAL MEDIA RESOURCES*.—The Secretary may,
 12 as appropriate, utilize publicly-available social media plat-
 13 forms to supplement the campaign established under sub-
 14 section (a), and as an extension of the website established
 15 under subsection (b).

16 **TITLE VIII—FORESTRY**
 17 **Subtitle A—Reauthorization and**
 18 **Modification of Certain Forestry**
 19 **Programs**

20 **SEC. 8101. SUPPORT FOR STATE ASSESSMENTS AND STRAT-**
 21 **EGIES FOR FOREST RESOURCES.**

22 Section 2A(f)(1) of the Cooperative Forestry Assistance
 23 Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by striking
 24 “2018” and inserting “2023”.

1 **SEC. 8102. FOREST LEGACY PROGRAM.**

2 *Subsection (m) of section 7 of the Cooperative Forestry*
 3 *Assistance Act of 1978 (16 U.S.C. 2103c) is amended to*
 4 *read as follows:*

5 “(m) *AUTHORIZATION OF APPROPRIATIONS.—There*
 6 *are authorized to be appropriated to carry out this section*
 7 *\$35,000,000 for each of fiscal years 2019 through 2023.”.*

8 **SEC. 8103. COMMUNITY FOREST AND OPEN SPACE CON-**
 9 **SERVATION PROGRAM.**

10 *Subsection (g) of section 7A of the Cooperative For-*
 11 *estry Assistance Act of 1978 (16 U.S.C. 2103d) is amended*
 12 *to read as follows:*

13 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There*
 14 *are authorized to be appropriated to carry out this section*
 15 *\$5,000,000 for each of fiscal years 2019 through 2023.”.*

16 **SEC. 8104. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**
 17 **RESTORATION PROGRAM.**

18 *Section 13A of the Cooperative Forestry Assistance Act*
 19 *of 1978 (16 U.S.C. 2109a) is amended to read as follows:*

20 **“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE**
 21 **RESTORATION PROGRAM.**

22 “(a) *PURPOSE.—The purpose of this section is to es-*
 23 *tablish a landscape-scale restoration program to support*
 24 *landscape-scale restoration and management that results in*
 25 *measurable improvements to public benefits derived from*
 26 *State and private forest land, as identified in—*

1 “(1) a State-wide assessment described in section
2 2A(a)(1); and

3 “(2) a long-term State-wide forest resource strat-
4 egy described in section 2A(a)(2).

5 “(b) DEFINITIONS.—In this section:

6 “(1) PRIVATE FOREST LAND.—The term ‘private
7 forest land’ means land that—

8 “(A)(i) has existing tree cover; or

9 “(ii) is suitable for growing trees; and

10 “(B) is owned by—

11 “(i) an Indian Tribe (as defined in
12 section 4 of the Indian Self-Determination
13 and Education Assistance Act (25 U.S.C.
14 5304)); or

15 “(ii) any private individual or entity.

16 “(2) REGIONAL.—The term ‘regional’ means of
17 any region of the National Association of State For-
18 esters.

19 “(3) SECRETARY.—The term ‘Secretary’ means
20 the Secretary of Agriculture, acting through the Chief
21 of the Forest Service.

22 “(4) STATE FOREST LAND.—The term ‘State for-
23 est land’ means land that is owned by a State or unit
24 of local government.

1 “(5) *STATE FORESTER*.—The term ‘State For-
 2 ester’ means a State Forester or equivalent State offi-
 3 cial.

4 “(c) *ESTABLISHMENT*.—The Secretary, in consultation
 5 with State Foresters or other appropriate State agencies,
 6 shall establish a landscape-scale restoration program—

7 “(1) to provide financial and technical assist-
 8 ance for landscape-scale restoration projects on State
 9 forest land or private forest land; and

10 “(2) that maintains or improves benefits from
 11 trees and forests on such land.

12 “(d) *REQUIREMENTS*.—The landscape-scale restora-
 13 tion program established under subsection (c) shall—

14 “(1) measurably address the national private
 15 forest conservation priorities described in section 2(c);

16 “(2) enhance public benefits from trees and for-
 17 ests, as identified in—

18 “(A) a State-wide assessment described in
 19 section 2A(a)(1); and

20 “(B) a long-term State-wide forest resource
 21 strategy described in section 2A(a)(2); and

22 “(3) in accordance with the purposes described
 23 in section 2(b), include one or more of the following
 24 objectives—

1 “(A) protecting or improving water quality
2 or quantity;

3 “(B) reducing wildfire risk, including
4 through hazardous fuels treatment;

5 “(C) protecting or enhancing wildlife habi-
6 tat, consistent with wildlife objectives established
7 by the applicable State fish and wildlife agency;

8 “(D) improving forest health and forest eco-
9 systems, including addressing native, nonnative,
10 and invasive pests; or

11 “(E) enhancing opportunities for new and
12 existing markets in which the production and
13 use of wood products strengthens local and re-
14 gional economies.

15 “(e) MEASUREMENT.—The Secretary, in consultation
16 with State Foresters, shall establish a measurement system
17 (including measurement tools) that—

18 “(1) consistently measures the results of land-
19 scape-scale restoration projects described in subsection
20 (c); and

21 “(2) is consistent with the measurement systems
22 of other Federal programs delivered by State For-
23 esters.

24 “(f) USE OF AMOUNTS.—

1 “(1) *ALLOCATION.*—Of the amounts made avail-
 2 able for the landscape-scale restoration program estab-
 3 lished under subsection (c), the Secretary shall allo-
 4 cate to State Foresters—

5 “(A) 50 percent for the competitive process
 6 in accordance with subsection (g); and

7 “(B) 50 percent proportionally to States, in
 8 consultation with State Foresters—

9 “(i) to maximize the achievement of the
 10 objectives described in subsection (d)(3); and

11 “(ii) to address the highest national
 12 priorities, as identified in—

13 “(I) State-wide assessments de-
 14 scribed in section 2A(a)(1); and

15 “(II) long-term State-wide forest
 16 resource strategies described in section
 17 2A(a)(2).

18 “(2) *MULTIYEAR PROJECTS.*—The Secretary
 19 may provide amounts under this section for
 20 multiyear projects.

21 “(g) *COMPETITIVE PROCESS.*—

22 “(1) *IN GENERAL.*—The Secretary shall dis-
 23 tribute amounts described in subsection (f)(1)(A)
 24 through a competitive process for landscape-scale res-
 25 toration projects described in subsection (c) to maxi-

1 *mize the achievement of the objectives described in*
2 *subsection (d)(3).*

3 *“(2) ELIGIBILITY.—To be eligible for funding*
4 *through the competitive process under paragraph (1),*
5 *a State Forester, or another entity on approval of the*
6 *State Forester, shall submit to the Secretary one or*
7 *more landscape-scale restoration proposals that—*

8 *“(A) in accordance with paragraph (3)(A),*
9 *include priorities identified in—*

10 *“(i) State-wide assessments described*
11 *in section 2A(a)(1); and*

12 *“(ii) long-term State-wide forest re-*
13 *source strategies described in section*
14 *2A(a)(2);*

15 *“(B) identify one or more measurable re-*
16 *sults to be achieved through the project;*

17 *“(C) to the maximum extent practicable, in-*
18 *clude activities on all land necessary to accom-*
19 *plish the measurable results in the applicable*
20 *landscape;*

21 *“(D) to the maximum extent practicable,*
22 *are developed in collaboration with other public*
23 *and private sector organizations and local com-*
24 *munities; and*

1 “(E) derive not less than 50 percent of the
2 funding for the project from non-Federal sources,
3 unless the Secretary determines—

4 “(i) the applicant is unable to derive
5 not less than 50 percent of the funding for
6 the project from non-Federal sources; and

7 “(ii) the benefits of the project justify
8 pursuing the project.

9 “(3) *PRIORITIZATION.*—In carrying out the com-
10 petitive process under paragraph (1), the Secretary—

11 “(A) shall give priority to projects that, as
12 determined by the Secretary, best carry out pri-
13 orities identified in State-wide assessments de-
14 scribed in section 2A(a)(1) and long-term State-
15 wide forest resource strategies described in sec-
16 tion 2A(a)(2), including—

17 “(i) involvement of public and private
18 partnerships;

19 “(ii) inclusion of cross-boundary ac-
20 tivities on—

21 “(I) Federal forest land;

22 “(II) State forest land; or

23 “(III) private forest land;

24 “(iii) involvement of areas also identi-
25 fied for cost-share funding by the Natural

1 *Resources Conservation Service or any other*
2 *relevant Federal agency;*

3 “(iv) *protection or improvement of*
4 *water quality or quantity;*

5 “(v) *reduction of wildfire risk; and*

6 “(vi) *otherwise addressing the national*
7 *private forest conservation priorities de-*
8 *scribed in section 2(c); and*

9 “(B) *may give priority to projects in prox-*
10 *imity to other landscape-scale projects on other*
11 *land under the jurisdiction of the Secretary, the*
12 *Secretary of the Interior, or a Governor of a*
13 *State, including—*

14 “(i) *ecological restoration treatments*
15 *under the Collaborative Forest Landscape*
16 *Restoration Program established under sec-*
17 *tion 4003 of the Omnibus Public Land*
18 *Management Act of 2009 (16 U.S.C. 7303);*

19 “(ii) *projects on landscape-scale areas*
20 *designated for insect and disease treatment*
21 *under section 602 of the Healthy Forests*
22 *Restoration Act of 2003 (16 U.S.C. 6591a);*

23 “(iii) *authorized restoration services*
24 *under section 8206 of the Agricultural Act*
25 *of 2014 (16 U.S.C. 2113a);*

1 “(iv) watershed restoration and protec-
 2 tion services under section 331 of the De-
 3 partment of the Interior and Related Agen-
 4 cies Appropriations Act, 2001 (Public Law
 5 106–291; 16 U.S.C. 1011 note);

6 “(v) stewardship end result contracting
 7 projects under section 604 of the Healthy
 8 Forests Restoration Act of 2003 (16 U.S.C.
 9 6591c); or

10 “(vi) projects under other relevant pro-
 11 grams, as determined by the Secretary.

12 “(4) PROPOSAL REVIEW.—

13 “(A) IN GENERAL.—The Secretary shall es-
 14 tablish a process for the review of proposals sub-
 15 mitted under paragraph (2) that ranks each pro-
 16 posal based on—

17 “(i) the extent to which the proposal
 18 would achieve the requirements described in
 19 subsection (d); and

20 “(ii) the priorities described in para-
 21 graph (3)(A).

22 “(B) REGIONAL REVIEW.—The Secretary
 23 may carry out the process described in subpara-
 24 graph (A) at a regional level.

1 “(5) *COMPLIANCE WITH NEPA.*—*Financial and*
2 *technical assistance carried out under this section for*
3 *landscape restoration projects on State forest land or*
4 *private forest land shall not constitute a major Fed-*
5 *eral action for the purposes of section 102(2)(C) of the*
6 *National Environmental Policy Act of 1969 (42*
7 *U.S.C. 4332(2)(C)).*

8 “(h) *REPORT.*—*Not later than 3 years after the date*
9 *of the enactment of the Agriculture and Nutrition Act of*
10 *2018, the Secretary shall submit to the Committee on Agri-*
11 *culture of the House of Representatives and the Committee*
12 *on Agriculture, Nutrition, and Forestry of the Senate a re-*
13 *port that includes—*

14 “(1) *a description of the status of the develop-*
15 *ment, execution, and administration of landscape-*
16 *scale projects selected under the program under this*
17 *section;*

18 “(2) *an accounting of expenditures under such*
19 *program; and*

20 “(3) *specific accomplishments that have resulted*
21 *from landscape-scale projects under such program.*

22 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
23 *authorized to be appropriated to the Secretary for the land-*
24 *scape-scale restoration program established under sub-*

1 *section (c) \$10,000,000 for each of fiscal years 2019 through*
 2 *2023, to remain available until expended.”.*

3 **SEC. 8105. RURAL REVITALIZATION TECHNOLOGIES.**

4 *Section 2371(d)(2) of the Food, Agriculture, Conserva-*
 5 *tion, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is*
 6 *amended by striking “2018” and inserting “2023”.*

7 **SEC. 8106. COMMUNITY WOOD ENERGY AND WOOD INNOVA-**
 8 **TION PROGRAM.**

9 *Section 9013 of the Farm Security and Rural Invest-*
 10 *ment Act of 2002 (7 U.S.C. 8113) is amended to read as*
 11 *follows:*

12 **“SEC. 9013. COMMUNITY WOOD ENERGY AND WOOD INNO-**
 13 **VATION PROGRAM.**

14 *“(a) DEFINITIONS.—In this section:*

15 *“(1) COMMUNITY WOOD ENERGY SYSTEM.—*

16 *“(A) IN GENERAL.—The term ‘community*
 17 *wood energy system’ means an energy system*
 18 *that—*

19 *“(i) produces thermal energy or com-*
 20 *bined thermal energy and electricity where*
 21 *thermal is the primary energy output;*

22 *“(ii) services public facilities owned or*
 23 *operated by State or local governments (in-*
 24 *cluding schools, town halls, libraries, and*
 25 *other public buildings) or private or non-*

1 *profit facilities (including commercial and*
2 *business facilities, such as hospitals, office*
3 *buildings, apartment buildings, and manu-*
4 *facturing and industrial buildings); and*

5 *“(iii) uses woody biomass, including*
6 *residuals from wood processing facilities, as*
7 *the primary fuel.*

8 *“(B) INCLUSIONS.—The term ‘community*
9 *wood energy system’ includes single-facility cen-*
10 *tral heating, district heating systems serving*
11 *multiple buildings, combined heat and electric*
12 *systems where thermal energy is the primary en-*
13 *ergy output, and other related biomass energy*
14 *systems.*

15 *“(2) INNOVATIVE WOOD PRODUCT FACILITY.—*
16 *The term ‘innovative wood product facility’ means a*
17 *manufacturing or processing plant or mill that pro-*
18 *duces—*

19 *“(A) building components or systems that*
20 *use large panelized wood construction, including*
21 *mass timber;*

22 *“(B) wood products derived from nanotech-*
23 *nology or other new technology processes, as de-*
24 *termined by the Secretary; or*

1 “(C) *other innovative wood products that*
 2 *use low-value, low-quality wood, as determined*
 3 *by the Secretary.*

4 “(3) *MASS TIMBER.*—*The term ‘mass timber’ in-*
 5 *cludes—*

6 “(A) *cross-laminated timber;*

7 “(B) *nail-laminated timber;*

8 “(C) *glue-laminated timber;*

9 “(D) *laminated strand lumber; and*

10 “(E) *laminated veneer lumber.*

11 “(4) *PROGRAM.*—*The term ‘Program’ means the*
 12 *Community Wood Energy and Wood Innovation Pro-*
 13 *gram established under subsection (b).*

14 “(b) *COMPETITIVE GRANT PROGRAM.*—*The Secretary,*
 15 *acting through the Chief of the Forest Service, shall establish*
 16 *a competitive grant program to be known as the ‘Commu-*
 17 *nity Wood Energy and Wood Innovation Program’.*

18 “(c) *MATCHING GRANTS.*—

19 “(1) *IN GENERAL.*—*Under the Program, the Sec-*
 20 *retary shall make grants to cover not more than 35*
 21 *percent of the capital cost for installing a community*
 22 *wood energy system or building an innovative wood*
 23 *product facility.*

24 “(2) *SPECIAL CIRCUMSTANCES.*—*The Secretary*
 25 *may establish special circumstances, such as in the*

1 *case of a community wood energy system project or*
 2 *innovative wood product facility project involving a*
 3 *school or hospital in a low-income community, under*
 4 *which grants under the Program may cover up to 50*
 5 *percent of the capital cost.*

6 “(3) *SOURCE OF MATCHING FUNDS.—Matching*
 7 *funds required pursuant to this subsection from a*
 8 *grant recipient must be derived from non-Federal*
 9 *funds.*

10 “(d) *PROJECT CAP.—The total amount of grants*
 11 *under the Program for a community wood energy system*
 12 *project or innovative wood product facility project may not*
 13 *exceed—*

14 “(1) *in the case of grants under the general au-*
 15 *thority provided under subsection (c)(1), \$1,000,000;*
 16 *and*

17 “(2) *in the case of grants for which the special*
 18 *circumstances apply under subsection (c)(2),*
 19 *\$1,500,000.*

20 “(e) *SELECTION CRITERIA.—In selecting applicants*
 21 *for grants under the Program, the Secretary shall consider*
 22 *the following:*

23 “(1) *The energy efficiency of the proposed com-*
 24 *munity wood energy system or innovative wood prod-*
 25 *uct facility.*

1 “(2) *The cost effectiveness of the proposed com-*
2 *munity wood energy system or innovative wood prod-*
3 *uct facility.*

4 “(3) *The extent to which the proposed commu-*
5 *nity wood energy system or innovative wood product*
6 *facility represents the best available commercial tech-*
7 *nology.*

8 “(4) *The extent to which the applicant has dem-*
9 *onstrated a high likelihood of project success by com-*
10 *pleting detailed engineering and design work in ad-*
11 *vance of the grant application.*

12 “(5) *Other technical, economic, conservation, and*
13 *environmental criteria that the Secretary considers*
14 *appropriate.*

15 “(f) *GRANT PRIORITIES.—In selecting applicants for*
16 *grants under the Program, the Secretary shall give priority*
17 *to proposals that—*

18 “(1) *would be carried out in a location where*
19 *markets are needed for the low-value, low-quality*
20 *wood;*

21 “(2) *would be carried out in a location with lim-*
22 *ited access to natural gas pipelines;*

23 “(3) *would include the use or retrofitting (or*
24 *both) of existing sawmill facilities located in a loca-*
25 *tion where the average annual unemployment rate ex-*

1 ceeded the national average unemployment rate by
 2 more than 1 percent during the previous calendar
 3 year; or

4 “(4) would be carried out in a location where the
 5 project will aid with forest restoration.

6 “(g) *LIMITATIONS.*—

7 “(1) *CAPACITY OF COMMUNITY WOOD ENERGY*
 8 *SYSTEMS.*—A community wood energy system ac-
 9 quired with grant funds under the Program shall not
 10 exceed nameplate capacity of 10 megawatts of thermal
 11 energy or combined thermal and electric energy.

12 “(2) *FUNDING FOR INNOVATIVE WOOD PRODUCT*
 13 *FACILITIES.*—Not more than 25 percent of funds pro-
 14 vided as grants under the Program for a fiscal year
 15 may go to applicants proposing innovative wood
 16 product facilities, unless the Secretary has received an
 17 insufficient number of qualified proposals for commu-
 18 nity wood energy systems.

19 “(h) *FUNDING.*—There is authorized to be appro-
 20 priated to carry out the Program \$25,000,000 for each of
 21 fiscal years 2019 through 2023.”.

22 **SEC. 8107. HEALTHY FORESTS RESTORATION ACT OF 2003**
 23 **AMENDMENTS.**

24 (a) *HEALTHY FORESTS RESERVE PROGRAM.*—

1 (1) *ADDITIONAL PURPOSE OF PROGRAM.*—Sec-
2 tion 501(a) of the *Healthy Forests Restoration Act of*
3 2003 (16 U.S.C. 6571(a)) is amended—

4 (A) by striking “and” at the end of para-
5 graph (2);

6 (B) by redesignating paragraph (3) as
7 paragraph (4); and

8 (C) by inserting after paragraph (2) the fol-
9 lowing new paragraph:

10 “(3) to conserve forest land that provides habitat
11 for species described in section 502(b)(1); and”.

12 (2) *ELIGIBILITY FOR ENROLLMENT.*—Subsection
13 (b) of section 502 of the *Healthy Forests Restoration*
14 Act of 2003 (16 U.S.C. 6572) is amended to read as
15 follows:

16 “(b) *ELIGIBILITY.*—To be eligible for enrollment in the
17 healthy forests reserve program, land shall be private forest
18 land, or private land being restored to forest land, the en-
19 rollment of which will maintain, restore, enhance, or other-
20 wise measurably—

21 “(1) increase the likelihood of recovery of a spe-
22 cies that is listed as endangered or threatened under
23 section 4 of the *Endangered Species Act of 1973* (16
24 U.S.C. 1533); or

25 “(2) improve the well-being of a species that—

1 “(A) is—

2 “(i) *not listed as endangered or threat-*
3 *ened under such section; and*

4 “(ii) *a candidate for such listing, a*
5 *State-listed species, or a special concern*
6 *species; or*

7 “(B) *is deemed a species of greatest con-*
8 *servation need by a State wildlife action plan.”.*

9 (3) *OTHER ENROLLMENT CONSIDERATIONS.—*
10 *Section 502(c) of the Healthy Forests Restoration Act*
11 *of 2003 (16 U.S.C. 6572(c)) is amended—*

12 (A) *by striking “and” at the end of para-*
13 *graph (1);*

14 (B) *by redesignating paragraph (2) as*
15 *paragraph (3); and*

16 (C) *by inserting after paragraph (1) the fol-*
17 *lowing new paragraph:*

18 “(2) *conserve forest lands that provide habitat*
19 *for species described in subsection (b)(1); and”.*

20 (4) *ELIMINATION OF LIMITATION ON USE OF*
21 *EASEMENTS.—Section 502(e) of the Healthy Forests*
22 *Restoration Act of 2003 (16 U.S.C. 6572(e)) is*
23 *amended by striking paragraph (2) and redesignating*
24 *paragraph (3) as paragraph (2).*

1 (5) *ENROLLMENT OF ACREAGE OWNED BY AN IN-*
 2 *DIAN TRIBE.—Section 502(e)(2)(B) of the Healthy*
 3 *Forests Restoration Act of 2003 (16 U.S.C.*
 4 *6572(e)(3)(B)), as redesignated under paragraph (4),*
 5 *is amended by striking clauses (ii) and (iii) and in-*
 6 *serting the following new clauses:*

7 *“(ii) a 10-year, cost-share agreement;*
 8 *“(iii) a permanent easement; or*
 9 *“(iv) any combination of the options*
 10 *described in clauses (i) through (iii).”.*

11 (6) *SPECIES-RELATED ENROLLMENT PRIORITY.—*
 12 *Subparagraph (B) of section 502(f)(1) of the Healthy*
 13 *Forests Restoration Act of 2003 (16 U.S.C.*
 14 *6572(f)(1)) is amended to read as follows:*

15 *“(B) secondarily, species that—*
 16 *“(i) are—*
 17 *“(I) not listed as endangered or*
 18 *threatened under section 4 of the En-*
 19 *dangered Species Act of 1973 (16*
 20 *U.S.C. 1533); and*
 21 *“(II) candidates for such listing,*
 22 *State-listed species, or special concern*
 23 *species; or*

1 “(ii) are species of greatest conserva-
 2 tion need, as identified in State wildlife ac-
 3 tion plans.”.

4 (7) *RESTORATION PLANS*.—Subsection (b) of sec-
 5 tion 503 of the Healthy Forests Restoration Act of
 6 2003 (16 U.S.C. 6573) is amended to read as follows:

7 “(b) *PRACTICES*.—The restoration plan shall require
 8 such restoration practices and measures, as are necessary
 9 to restore and enhance habitat for species described in sec-
 10 tion 502(b), including the following:

11 “(1) Land management practices.

12 “(2) Vegetative treatments.

13 “(3) Structural practices and measures.

14 “(4) Other practices and measures.”.

15 (8) *FUNDING*.—Section 508(b) of the Healthy
 16 Forests Restoration Act of 2003 (16 U.S.C. 6578(b))
 17 is amended—

18 (A) in the subsection heading, by striking
 19 “FISCAL YEARS 2014 THROUGH 2018” and in-
 20 serting “AUTHORIZATION OF APPROPRIATIONS”;
 21 and

22 (B) by striking “2018” and inserting
 23 “2023”.

24 (9) *TECHNICAL CORRECTION*.—Section 503(a) of
 25 the Healthy Forests Restoration Act of 2003 (16

1 *U.S.C. 6573(a)) is amended by striking “Secretary of*
2 *Interior” and inserting “Secretary of the Interior”.*

3 *(b) INSECT AND DISEASE INFESTATION.—*

4 *(1) TREATMENT OF AREAS.—Section 602(d)(1)*
5 *of the Healthy Forests Restoration Act of 2003 (16*
6 *U.S.C. 6591a(d)(1)) is amended by striking “sub-*
7 *section (b) to reduce the risk or extent of, or increase*
8 *the resilience to, insect or disease infestation in the*
9 *areas.” and inserting the following: “subsection (b)—*

10 *“(A) to reduce the risk or extent of, or in-*
11 *crease the resilience to, insect or disease infesta-*
12 *tion; or*

13 *“(B) to reduce hazardous fuels.”.*

14 *(2) PERMANENT AUTHORITY.—Section 602(d)(2)*
15 *of the Healthy Forests Restoration Act of 2003 (16*
16 *U.S.C. 6591a(d)(2)) is amended by striking “for*
17 *which a public notice to initiate scoping is issued on*
18 *or before September 30, 2018,”.*

19 *(c) ADMINISTRATIVE REVIEW.—*

20 *(1) CLARIFICATION OF TREATMENT OF AREAS.—*
21 *Section 603(a) of the Healthy Forests Restoration Act*
22 *of 2003 (16 U.S.C. 6591b(a)) is amended by striking*
23 *“in accordance with section 602(d)” and inserting*
24 *“in accordance with section 602(d)(1)”.*

1 (2) *PROJECT SIZE AND LOCATION.*—Section
 2 603(c)(1) of the *Healthy Forests Restoration Act of*
 3 2003 (16 U.S.C. 6591b(c)(1)) is amended by striking
 4 “3000” and inserting “6,000”.

5 **SEC. 8108. NATIONAL FOREST FOUNDATION ACT AUTHORI-**
 6 **TIES.**

7 (a) *EXTENSION OF AUTHORITY TO PROVIDE MATCH-*
 8 *ING FUNDS FOR ADMINISTRATIVE AND PROJECT EX-*
 9 *PENSES.*—Section 405(b) of the *National Forest Founda-*
 10 *tion Act* (16 U.S.C. 583j–3(b)) is amended by striking
 11 “2018” and inserting “2023”.

12 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 13 410(b) of the *National Forest Foundation Act* (16 U.S.C.
 14 583j–8(b)) is amended by striking “2018” and inserting
 15 “2023”.

16 ***Subtitle B—Secure Rural Schools***
 17 ***and Community Self-Determina-***
 18 ***tion Act of 2000 Amendments***

19 **SEC. 8201. USE OF RESERVED FUNDS FOR TITLE II**
 20 ***PROJECTS ON FEDERAL LAND AND CERTAIN***
 21 ***NON-FEDERAL LAND.***

22 Section 204(f) of the *Secure Rural Schools and Com-*
 23 *munity Self-Determination Act of 2000* (16 U.S.C. 7124(f))
 24 is amended to read as follows:

25 “(f) *REQUIREMENTS FOR PROJECT FUNDS.*—

1 “(1) *IN GENERAL.*—Subject to paragraph (2), the
 2 Secretary concerned shall ensure that at least 50 per-
 3 cent of the project funds reserved under section 102(d)
 4 by a participating county shall be available only for
 5 projects that—

6 “(A) include—

7 “(i) the sale of timber or other forest
 8 products;

9 “(ii) reduce fire risks; or

10 “(iii) improve water supplies; and

11 “(B) implement stewardship objectives that
 12 enhance forest ecosystems or restore and improve
 13 land health and water quality.

14 “(2) *APPLICABILITY.*—The requirement in para-
 15 graph (1) shall apply only to project funds reserved
 16 by a participating county whose boundaries include
 17 Federal land that the Secretary concerned determines
 18 has been subject to a timber or other forest products
 19 program within 5 fiscal years before the fiscal year
 20 in which the funds are reserved.”.

21 **SEC. 8202. RESOURCE ADVISORY COMMITTEES.**

22 (a) *RECOGNITION OF RESOURCE ADVISORY COMMIT-*
 23 *TEES.*—Section 205(a)(4) of the Secure Rural Schools and
 24 *Community Self-Determination Act of 2000 (16 U.S.C.*

1 7125(a)(4)) is amended by striking “2018” each place it
 2 appears and inserting “2023”.

3 (b) *REDUCTION IN COMPOSITION OF COMMITTEES.*—
 4 Section 205(d) of the Secure Rural Schools and Community
 5 Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is
 6 amended—

7 (1) in paragraph (1), by striking “15 members”
 8 and inserting “9 members”; and

9 (2) by striking “5 persons” each place it appears
 10 and inserting “3 persons”.

11 (c) *EXPANDING LOCAL PARTICIPATION ON COMMIT-*
 12 *TEES.*—Section 205(d) of the Secure Rural Schools and
 13 Community Self-Determination Act of 2000 (16 U.S.C.
 14 7125(d)) is further amended—

15 (1) in paragraph (3), by inserting before the pe-
 16 riod at the end the following: “, consistent with the
 17 requirements of paragraph (4)”; and

18 (2) by striking paragraph (4) and inserting the
 19 following new paragraph:

20 “(4) *GEOGRAPHIC DISTRIBUTION.*—The members
 21 of a resource advisory committee shall reside within
 22 the county or counties in which the committee has ju-
 23 risdiction, or an adjacent county.”.

24 (d) *APPOINTMENT OF RESOURCE ADVISORY COMMIT-*
 25 *TEES BY APPLICABLE DESIGNEE.*—

1 (1) *IN GENERAL.*—*Section 205 of the Secure*
2 *Rural Schools and Community Self-Determination*
3 *Act of 2000 (16 U.S.C. 7125) is further amended—*

4 *(A) in subsection (a)—*

5 *(i) in paragraph (1), by inserting “(or*
6 *applicable designee)” after “The Secretary*
7 *concerned”;*

8 *(ii) in paragraph (3), by inserting*
9 *“(or applicable designee)” after “the Sec-*
10 *retary concerned”; and*

11 *(iii) in paragraph (4), by inserting*
12 *“(or applicable designee)” after “the Sec-*
13 *retary concerned” both places it appears;*

14 *(B) in subsection (b)(6), by inserting “(or*
15 *applicable designee)” after “the Secretary con-*
16 *cerned”;*

17 *(C) in subsection (c)—*

18 *(i) in the subsection heading, by insert-*
19 *ing “OR APPLICABLE DESIGNEE” after “BY*
20 *THE SECRETARY”;*

21 *(ii) in paragraph (1), by inserting*
22 *“(or applicable designee)” after “The Sec-*
23 *retary concerned” both places it appears;*

1 (iii) in paragraph (2), by inserting
 2 “(or applicable designee)” after “The Sec-
 3 retary concerned”;

4 (iv) in paragraph (4), by inserting
 5 “(or applicable designee)” after “The Sec-
 6 retary concerned”; and

7 (v) by adding at the end the following
 8 new paragraph:

9 “(6) *APPLICABLE DESIGNEE.*—In this section,
 10 the term ‘applicable designee’ means—

11 “(A) with respect to Federal land described
 12 in section 3(7)(A), the applicable Regional For-
 13 ester; and

14 “(B) with respect to Federal land described
 15 in section 3(7)(B), the applicable Bureau of
 16 Land Management State Director.”;

17 (D) in subsection (d)(3), by inserting “(or
 18 applicable designee)” after “the Secretary con-
 19 cerned”; and

20 (E) in subsection (f)(1)—

21 (i) by inserting “(or applicable des-
 22 ignee)” after “the Secretary concerned”; and

23 (ii) by inserting “(or applicable des-
 24 ignee)” after “of the Secretary”.

1 (2) *CONFORMING AMENDMENT.*—Section 201(3)
 2 of the Secure Rural Schools and Community Self-Determination
 3 Act of 2000 (16 U.S.C. 7121(3)) is
 4 amended by inserting “(or applicable designee (as de-
 5 fined in section 205(c)(6)))” after “Secretary con-
 6 cerned” both places it appears.

7 **SEC. 8203. PROGRAM FOR TITLE II SELF-SUSTAINING RE-**
 8 **SOURCE ADVISORY COMMITTEE PROJECTS.**

9 (a) *SELF-SUSTAINING RESOURCE ADVISORY COM-*
 10 *MITTEE PROJECTS.*—Title II of the Secure Rural Schools
 11 and Community Self-Determination Act of 2000 (16 U.S.C.
 12 7121 et seq.) is amended by adding at the end the following
 13 new section:

14 **“SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE AD-**
 15 **VISORY COMMITTEE PROJECTS.**

16 “(a) *RAC PROGRAM.*—The Chief of the Forest Service
 17 shall conduct a program (to be known as the ‘self-sustaining
 18 resource advisory committee program’ or ‘RAC program’)
 19 under which 10 resource advisory committees will propose
 20 projects authorized by subsection (c) to be carried out using
 21 project funds reserved by a participating county under sec-
 22 tion 102(d).

23 “(b) *SELECTION OF PARTICIPATING RESOURCE ADVI-*
 24 *SORY COMMITTEES.*—The selection of resource advisory

1 *committees to participate in the RAC program is in the*
2 *sole discretion of the Chief of the Forest Service.*

3 “(c) *AUTHORIZED PROJECTS.—Notwithstanding the*
4 *project purposes specified in sections 202(b), 203(c), and*
5 *204(a)(5), projects under the RAC program are intended*
6 *to—*

7 “(1) *accomplish forest management objectives or*
8 *support community development; and*

9 “(2) *generate receipts.*

10 “(d) *DEPOSIT AND AVAILABILITY OF REVENUES.—*
11 *Any revenue generated by a project conducted under the*
12 *RAC program, including any interest accrued from the rev-*
13 *enues, shall be—*

14 “(1) *deposited in the special account in the*
15 *Treasury established under section 102(d)(2)(A); and*

16 “(2) *available, in such amounts as may be pro-*
17 *vided in advance in appropriation Acts, for addi-*
18 *tional projects under the RAC program.*

19 “(e) *TERMINATION OF AUTHORITY.—*

20 “(1) *IN GENERAL.—The authority to initiate a*
21 *project under the RAC program shall terminate on*
22 *September 30, 2023.*

23 “(2) *DEPOSITS IN TREASURY.—Any funds avail-*
24 *able for projects under the RAC program and not ob-*

1 *ligated by September 30, 2024, shall be deposited in*
 2 *the Treasury of the United States.”.*

3 (b) *EXCEPTION TO GENERAL RULE REGARDING*
 4 *TREATMENT OF RECEIPTS.*—Section 403(b) of the Secure
 5 *Rural Schools and Community Self-Determination Act of*
 6 *2000 (16 U.S.C. 7153(b)) is amended by striking “All reve-*
 7 *nues” and inserting “Except as provided in section 209,*
 8 *all revenues”.*

9 ***Subtitle C—Availability of Categorical Exclusions To Expedite Forest Management Activities***
 10 ***est Management Activities***

12 ***PART I—GENERAL PROVISIONS***

13 ***SEC. 8301. DEFINITIONS.***

14 *In this subtitle:*

15 (1) *CATASTROPHIC EVENT.*—The term “cata-
 16 *strophic event” means any natural disaster (such as*
 17 *hurricane, tornado, windstorm, snow or ice storm,*
 18 *rain storm, high water, wind-driven water, tidal*
 19 *wave, earthquake, volcanic eruption, landslide,*
 20 *mudslide, drought, or insect or disease outbreak) or*
 21 *any fire, flood, or explosion, regardless of cause.*

22 (2) *COOS BAY WAGON ROAD GRANT LANDS.*—The
 23 *term “Coos Bay Wagon Road Grant lands” means*
 24 *the lands reconveyed to the United States pursuant to*

1 *the first section of the Act of February 26, 1919 (40*
2 *Stat. 1179).*

3 (3) *FOREST MANAGEMENT ACTIVITY.*—*The term*
4 *“forest management activity” means a project or ac-*
5 *tivity carried out by the Secretary concerned on Na-*
6 *tional Forest System lands or public lands consistent*
7 *with the forest plan covering the lands.*

8 (4) *FOREST PLAN.*—*The term “forest plan”*
9 *means—*

10 (A) *a land use plan prepared by the Bureau*
11 *of Land Management for public lands pursuant*
12 *to section 202 of the Federal Land Policy and*
13 *Management Act of 1976 (43 U.S.C. 1712); or*

14 (B) *a land and resource management plan*
15 *prepared by the Forest Service for a unit of the*
16 *National Forest System pursuant to section 6 of*
17 *the Forest and Rangeland Renewable Resources*
18 *Planning Act of 1974 (16 U.S.C. 1604).*

19 (5) *NATIONAL FOREST SYSTEM.*—*The term “Na-*
20 *tional Forest System” has the meaning given that*
21 *term in section 11(a) of the Forest and Rangeland*
22 *Renewable Resources Planning Act of 1974 (16*
23 *U.S.C. 1609(a)).*

1 (6) OREGON AND CALIFORNIA RAILROAD GRANT
2 LANDS.—*The term “Oregon and California Railroad*
3 *Grant lands” means the following lands:*

4 (A) *All lands in the State of Oregon re-*
5 *vested in the United States under the Act of*
6 *June 9, 1916 (39 Stat. 218), that are adminis-*
7 *tered by the Secretary of the Interior, acting*
8 *through the Bureau of Land Management, pur-*
9 *suant to the first section of the Act of August 28,*
10 *1937 (43 U.S.C. 1181a).*

11 (B) *All lands in that State obtained by the*
12 *Secretary of the Interior pursuant to the land ex-*
13 *changes authorized and directed by section 2 of*
14 *the Act of June 24, 1954 (43 U.S.C. 1181h).*

15 (C) *All lands in that State acquired by the*
16 *United States at any time and made subject to*
17 *the provisions of title II of the Act of August 28,*
18 *1937 (43 U.S.C. 1181f).*

19 (7) PUBLIC LANDS.—*The term “public lands”*
20 *has the meaning given that term in section 103 of the*
21 *Federal Land Policy and Management Act of 1976*
22 *(43 U.S.C. 1702), except that the term includes Coos*
23 *Bay Wagon Road Grant lands and Oregon and Cali-*
24 *fornia Railroad Grant lands.*

1 (8) *REFORESTATION ACTIVITY.*—*The term “refor-*
2 *estation activity” means a forest management activ-*
3 *ity carried out by the Secretary concerned where the*
4 *primary purpose is the reforestation of impacted*
5 *lands following a catastrophic event. The term in-*
6 *cludes planting, evaluating and enhancing natural*
7 *regeneration, clearing competing vegetation, and other*
8 *activities related to reestablishment of forest species*
9 *on the impacted lands.*

10 (9) *RESOURCE ADVISORY COMMITTEE.*—*The*
11 *term “resource advisory committee” has the meaning*
12 *given that term in section 201 of the Secure Rural*
13 *Schools and Community Self-Determination Act of*
14 *2000 (16 U.S.C. 7121).*

15 (10) *SALVAGE OPERATION.*—*The term “salvage*
16 *operation” means a forest management activity car-*
17 *ried out in response to a catastrophic event where the*
18 *primary purpose is—*

19 (A) *to prevent wildfire as a result of the*
20 *catastrophic event, or, if the catastrophic event*
21 *was wildfire, to prevent a re-burn of the fire-im-*
22 *acted area;*

23 (B) *to provide an opportunity for utiliza-*
24 *tion of forest materials damaged as a result of*
25 *the catastrophic event; or*

1 (C) to provide a funding source for reforest-
 2 ation for the National Forest System lands or
 3 public lands impacted by the catastrophic event.

4 (11) SECRETARY CONCERNED.—The term “Sec-
 5 retary concerned” means—

6 (A) the Secretary of Agriculture, with re-
 7 spect to National Forest System lands; and

8 (B) the Secretary of the Interior, with re-
 9 spect to public lands.

10 **SEC. 8302. RULE OF APPLICATION FOR NATIONAL FOREST**
 11 **SYSTEM LANDS AND PUBLIC LANDS.**

12 Unless specifically provided by a provision of this sub-
 13 title, the authorities provided by this subtitle do not apply
 14 with respect to any National Forest System lands or public
 15 lands—

16 (1) that are included in the National Wilderness
 17 Preservation System;

18 (2) that are located within a national or State-
 19 specific inventoried roadless area established by the
 20 Secretary of Agriculture through regulation, unless—

21 (A) the forest management activity to be
 22 carried out under such authority is consistent
 23 with the forest plan applicable to the area; or

24 (B) the Secretary of Agriculture determines
 25 the forest management activity is permissible

1 *under the applicable roadless rule governing such*
2 *lands; or*

3 *(3) on which timber harvesting for any purpose*
4 *is prohibited by Federal statute.*

5 **SEC. 8303. CONSULTATION UNDER THE ENDANGERED SPE-**
6 **CIES ACT.**

7 *(a) NO CONSULTATION IF ACTION NOT LIKELY TO AD-*
8 *VERSELY AFFECT A LISTED SPECIES OR DESIGNATED*
9 *CRITICAL HABITAT.—With respect to a forest management*
10 *activity carried out pursuant to this subtitle, consultation*
11 *under section 7 of the Endangered Species Act of 1973 (16*
12 *U.S.C. 1536) shall not be required if the Secretary con-*
13 *cerned determines that such forest management activity is*
14 *not likely to adversely affect a listed species or designated*
15 *critical habitat.*

16 *(b) EXPEDITED CONSULTATION.—With respect to a*
17 *forest management activity carried out pursuant to this*
18 *subtitle, consultation required under section 7 of the En-*
19 *dangered Species Act of 1973 (16 U.S.C. 1536) shall be con-*
20 *cluded within the 90-day period beginning on the date on*
21 *which such consultation was requested by the Secretary con-*
22 *cerned.*

1 **SEC. 8304. SECRETARIAL DISCRETION IN THE CASE OF TWO**
 2 **OR MORE CATEGORICAL EXCLUSIONS.**

3 *To the extent that a forest management activity may*
 4 *be categorically excluded under more than one of the sec-*
 5 *tions of this subtitle, the Secretary concerned shall have full*
 6 *discretion to determine which categorical exclusion to use.*

7 **PART II—CATEGORICAL EXCLUSIONS**

8 **SEC. 8311. CATEGORICAL EXCLUSION TO EXPEDITE CER-**
 9 **TAIN CRITICAL RESPONSE ACTIONS.**

10 *(a) CATEGORICAL EXCLUSION ESTABLISHED.—Forest*
 11 *management activities described in subsection (b) are a cat-*
 12 *egory of actions hereby designated as being categorically ex-*
 13 *cluded from the preparation of an environmental assess-*
 14 *ment or an environmental impact statement under section*
 15 *102 of the National Environmental Policy Act of 1969 (42*
 16 *U.S.C. 4332).*

17 *(b) FOREST MANAGEMENT ACTIVITIES DESIGNATED*
 18 *FOR CATEGORICAL EXCLUSION.—The category of forest*
 19 *management activities designated under this section for a*
 20 *categorical exclusion are forest management activities car-*
 21 *ried out by the Secretary concerned on National Forest Sys-*
 22 *tem lands or public lands where the primary purpose of*
 23 *such activity is—*

- 24 *(1) to address an insect or disease infestation;*
 25 *(2) to reduce hazardous fuel loads;*
 26 *(3) to protect a municipal water source;*

1 (4) to maintain, enhance, or modify critical
2 habitat to protect it from catastrophic disturbances;
3 (5) to increase water yield; or
4 (6) any combination of the purposes specified in
5 paragraphs (1) through (5).

6 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—On
7 and after the date of the enactment of this Act, the Secretary
8 concerned may use the categorical exclusion established
9 under subsection (a) in accordance with this section.

10 (d) *ACREAGE LIMITATIONS.*—A forest management ac-
11 tivity covered by the categorical exclusion established under
12 subsection (a) may not contain treatment units exceeding
13 a total of 6,000 acres.

14 **SEC. 8312. CATEGORICAL EXCLUSION TO EXPEDITE SAL-**
15 **VAGE OPERATIONS IN RESPONSE TO CATA-**
16 **STROPHIC EVENTS.**

17 (a) *CATEGORICAL EXCLUSION ESTABLISHED.*—Sal-
18 vage operations carried out by the Secretary concerned on
19 National Forest System lands or public lands are a cat-
20 egory of actions hereby designated as being categorically ex-
21 cluded from the preparation of an environmental assess-
22 ment or an environmental impact statement under section
23 102 of the National Environmental Policy Act of 1969 (42
24 U.S.C. 4332).

1 (b) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—On
2 and after the date of the enactment of this Act, the Secretary
3 concerned may use the categorical exclusion established
4 under subsection (a) in accordance with this section.

5 (c) *ACREAGE LIMITATION.*—A salvage operation cov-
6 ered by the categorical exclusion established under sub-
7 section (a) may not contain treatment units exceeding a
8 total of 6,000 acres.

9 (d) *ADDITIONAL REQUIREMENTS.*—

10 (1) *STREAM BUFFERS.*—A salvage operation cov-
11 ered by the categorical exclusion established under
12 subsection (a) shall comply with the standards and
13 guidelines for stream buffers contained in the applica-
14 ble forest plan, except that the Regional Forester, in
15 the case of National Forest System lands, or the State
16 Director of the Bureau of Land Management, in the
17 case of public lands, may, on a case-by-case basis,
18 waive the standards and guidelines.

19 (2) *REFORESTATION PLAN.*—A reforestation plan
20 shall be developed under section 3 of the Act of June
21 9, 1930 (commonly known as the Knutson-Vanden-
22 berg Act; (16 U.S.C. 576b)), as part of a salvage oper-
23 ation covered by the categorical exclusion established
24 under subsection (a).

1 **SEC. 8313. CATEGORICAL EXCLUSION TO MEET FOREST**
2 **PLAN GOALS FOR EARLY SUCCESSIONAL FOR-**
3 **ESTS.**

4 (a) *CATEGORICAL EXCLUSION ESTABLISHED.*—*Forest*
5 *management activities described in subsection (b) are a cat-*
6 *egory of actions hereby designated as being categorically ex-*
7 *cluded from the preparation of an environmental assess-*
8 *ment or an environmental impact statement under section*
9 *102 of the National Environmental Policy Act of 1969 (42*
10 *U.S.C. 4332).*

11 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
12 *FOR CATEGORICAL EXCLUSION.*—*The category of forest*
13 *management activities designated under this section for a*
14 *categorical exclusion are forest management activities car-*
15 *ried out by the Secretary concerned on National Forest Sys-*
16 *tem lands or public lands where the primary purpose of*
17 *such activity is to improve, enhance, or create early succes-*
18 *sional forests for wildlife habitat improvement and other*
19 *purposes, consistent with the applicable forest plan.*

20 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—*On*
21 *and after the date of the enactment of this Act, the Secretary*
22 *concerned may use the categorical exclusion established*
23 *under subsection (a) in accordance with this section.*

24 (d) *PROJECT GOALS.*—*To the maximum extent prac-*
25 *ticable, the Secretary concerned shall design a forest man-*
26 *agement activity under this section to meet early succes-*

1 sional forest goals in such a manner so as to maximize pro-
 2 duction and regeneration of priority species, as identified
 3 in the forest plan and consistent with the capability of the
 4 activity site.

5 (e) *ACREAGE LIMITATIONS.*—A forest management ac-
 6 tivity covered by the categorical exclusion established under
 7 subsection (a) may not contain treatment units exceeding
 8 a total of 6,000 acres.

9 **SEC. 8314. CATEGORICAL EXCLUSION FOR HAZARD TREES.**

10 (a) *CATEGORICAL EXCLUSION ESTABLISHED.*—Forest
 11 management activities carried out by the Secretary con-
 12 cerned to remove hazard trees for purposes of the protection
 13 of public health or safety, water supply, or public infra-
 14 structure are a category of actions hereby designated as
 15 being categorically excluded from the preparation of an en-
 16 vironmental assessment or an environmental impact state-
 17 ment under section 102 of the National Environmental Pol-
 18 icy Act of 1969 (42 U.S.C. 4332).

19 (b) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—On
 20 and after the date of the enactment of this Act, the Secretary
 21 concerned may use the categorical exclusion established
 22 under subsection (a) in accordance with this section.

1 **SEC. 8315. CATEGORICAL EXCLUSION TO IMPROVE OR RE-**
2 **STORE NATIONAL FOREST SYSTEM LANDS OR**
3 **PUBLIC LAND OR REDUCE THE RISK OF WILD-**
4 **FIRE.**

5 (a) *CATEGORICAL EXCLUSION ESTABLISHED.—Forest*
6 *management activities described in subsection (b) are a cat-*
7 *egory of actions hereby designated as being categorically ex-*
8 *cluded from the preparation of an environmental assess-*
9 *ment or an environmental impact statement under section*
10 *102 of the National Environmental Policy Act of 1969 (42*
11 *U.S.C. 4332).*

12 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
13 *FOR CATEGORICAL EXCLUSION.—*

14 (1) *DESIGNATION.—The category of forest man-*
15 *agement activities designated under this section for a*
16 *categorical exclusion are forest management activities*
17 *described in paragraph (2) that are carried out by the*
18 *Secretary concerned on National Forest System lands*
19 *or public lands where the primary purpose of such ac-*
20 *tivity is to improve or restore such lands or reduce*
21 *the risk of wildfire on those lands.*

22 (2) *ACTIVITIES AUTHORIZED.—The following*
23 *forest management activities may be carried out pur-*
24 *suant to the categorical exclusion established under*
25 *subsection (a):*

1 (A) *Removal of juniper trees, medusahead*
2 *rye, conifer trees, piñon pine trees, cheatgrass,*
3 *and other noxious or invasive weeds specified on*
4 *Federal or State noxious weeds lists through late-*
5 *season livestock grazing, targeted livestock graz-*
6 *ing, prescribed burns, and mechanical treat-*
7 *ments.*

8 (B) *Performance of hazardous fuels manage-*
9 *ment.*

10 (C) *Creation of fuel and fire breaks.*

11 (D) *Modification of existing fences in order*
12 *to distribute livestock and help improve wildlife*
13 *habitat.*

14 (E) *Stream restoration and erosion control,*
15 *including the installation of erosion control de-*
16 *vices.*

17 (F) *Construction of new and maintenance*
18 *of permanent infrastructure, including stock*
19 *ponds, water catchments, and water spring boxes*
20 *used to benefit livestock and improve wildlife*
21 *habitat.*

22 (G) *Performance of soil treatments, native*
23 *and non-native seeding, and planting of and*
24 *transplanting sagebrush, grass, forb, shrub, and*
25 *other species.*

1 (H) *Use of herbicides, so long as the Sec-*
2 *retary concerned determines that the activity is*
3 *otherwise conducted consistently with agency*
4 *procedures, including any forest plan applicable*
5 *to the area covered by the activity.*

6 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.—On*
7 *and after the date of the enactment of this Act, the Secretary*
8 *concerned may use the categorical exclusion established*
9 *under subsection (a) in accordance with this section.*

10 (d) *ACREAGE LIMITATIONS.—A forest management ac-*
11 *tivity covered by the categorical exclusion established under*
12 *subsection (a) may not contain treatment units exceeding*
13 *a total of 6,000 acres.*

14 (e) *DEFINITIONS.—In this section:*

15 (1) *HAZARDOUS FUELS MANAGEMENT.—The*
16 *term “hazardous fuels management” means any vege-*
17 *tation management activities that reduce the risk of*
18 *wildfire.*

19 (2) *LATE-SEASON GRAZING.—The term “late-sea-*
20 *son grazing” means grazing activities that occur after*
21 *both the invasive species and native perennial species*
22 *have completed their current-year annual growth*
23 *cycle until new plant growth begins to appear in the*
24 *following year.*

1 (3) *TARGETED LIVESTOCK GRAZING.*—*The term*
 2 *“targeted livestock grazing” means grazing used for*
 3 *purposes of hazardous fuels management.*

4 **SEC. 8316. CATEGORICAL EXCLUSION FOR FOREST RES-**
 5 **TORATION.**

6 (a) *CATEGORICAL EXCLUSION ESTABLISHED.*—*Forest*
 7 *management activities described in subsection (b) are a cat-*
 8 *egory of actions hereby designated as being categorically ex-*
 9 *cluded from the preparation of an environmental assess-*
 10 *ment or an environmental impact statement under section*
 11 *102 of the National Environmental Policy Act of 1969 (42*
 12 *U.S.C. 4332).*

13 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
 14 *FOR CATEGORICAL EXCLUSION.*—

15 (1) *DESIGNATION.*—*The category of forest man-*
 16 *agement activities designated under this section for*
 17 *categorical exclusion are forest management activities*
 18 *described in paragraph (2) that are carried out by the*
 19 *Secretary concerned on National Forest System lands*
 20 *or public lands where the primary purpose of such ac-*
 21 *tivity is—*

22 (A) *to improve forest health and resiliency*
 23 *to disturbances;*

24 (B) *to reduce hazardous fuels; or*

25 (C) *to improve wildlife and aquatic habitat.*

1 (2) *ACTIVITIES AUTHORIZED.*—*The following*
 2 *forest management activities may be carried out pur-*
 3 *suant the categorical exclusion established under sub-*
 4 *section (a):*

5 (A) *Timber harvests, including commercial*
 6 *and pre-commercial timber harvest, salvage har-*
 7 *vest, and regeneration harvest.*

8 (B) *Hazardous fuels reduction.*

9 (C) *Prescribed burning.*

10 (D) *Improvement or establishment of wild-*
 11 *life and aquatic habitat.*

12 (E) *Stream restoration and erosion control.*

13 (F) *Road and trail decommissioning.*

14 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—*On*
 15 *and after the date of the enactment of this Act, the Secretary*
 16 *concerned may use the categorical exclusion established*
 17 *under subsection (a) in accordance with this section.*

18 (d) *ACREAGE LIMITATIONS.*—*A forest management ac-*
 19 *tivity covered by the categorical exclusion established under*
 20 *subsection (a) may not contain treatment units exceeding*
 21 *a total of 6,000 acres.*

22 (e) *LIMITATIONS ON ROAD BUILDING.*—

23 (1) *PERMANENT ROADS.*—*A forest management*
 24 *activity covered by the categorical exclusion estab-*
 25 *lished by subsection (a) may include—*

1 (A) the construction of permanent roads not
2 to exceed 3 miles; and

3 (B) the maintenance and reconstruction of
4 existing permanent roads and trails, including
5 the relocation of segments of existing roads and
6 trails to address resource impacts.

7 (2) *TEMPORARY ROADS.*—Any temporary road
8 constructed for a forest management activity covered
9 by the categorical exclusion established by subsection
10 (a) shall be decommissioned not later than 3 years
11 after the date on which the project is completed.

12 **SEC. 8317. CATEGORICAL EXCLUSION FOR INFRASTRUC-**
13 **TURE FOREST MANAGEMENT ACTIVITIES.**

14 (a) *CATEGORICAL EXCLUSION ESTABLISHED.*—Forest
15 management activities described in subsection (b) are a cat-
16 egory of actions hereby designated as being categorically ex-
17 cluded from the preparation of an environmental assess-
18 ment or an environmental impact statement under section
19 102 of the National Environmental Policy Act of 1969 (42
20 U.S.C. 4332).

21 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
22 *FOR CATEGORICAL EXCLUSION.*—The category of forest
23 management activities designated under this section for cat-
24 egorical exclusion are forest management activities carried

1 out by the Secretary of Agriculture on National Forest Sys-
 2 tem lands where the primary purpose of such activity is—

3 (1) constructing, reconstructing, or decommis-
 4 sioning National Forest System roads not exceeding 3
 5 miles;

6 (2) adding an existing road to the forest trans-
 7 portation system;

8 (3) reclassifying a National Forest System road
 9 at a different maintenance level;

10 (4) reconstructing, rehabilitating, or decommis-
 11 sioning bridges;

12 (5) removing dams; or

13 (6) maintaining facilities through the use of pes-
 14 ticides as authorized by applicable Federal and State
 15 law and as applied in accordance with label instruc-
 16 tions.

17 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.*—On
 18 and after the date of the enactment of this Act, the Secretary
 19 of Agriculture may use the categorical exclusion established
 20 under subsection (a) in accordance with this section.

21 **SEC. 8318. CATEGORICAL EXCLUSION FOR DEVELOPED**
 22 **RECREATION SITES.**

23 (a) *CATEGORICAL EXCLUSION ESTABLISHED.*—Forest
 24 management activities described in subsection (b) are a cat-
 25 egory of actions hereby designated as being categorically ex-

1 *cluded from the preparation of an environmental assess-*
2 *ment or an environmental impact statement under section*
3 *102 of the National Environmental Policy Act of 1969 (42*
4 *U.S.C. 4332).*

5 *(b) FOREST MANAGEMENT ACTIVITIES DESIGNATED*
6 *FOR CATEGORICAL EXCLUSION.—*

7 *(1) DESIGNATION.—The category of forest man-*
8 *agement activities designated under this section for a*
9 *categorical exclusion are forest management activities*
10 *described in paragraph (2) carried out by the Sec-*
11 *retary of Agriculture on National Forest System*
12 *lands where the primary purpose of such activity is*
13 *to operate, maintain, modify, reconstruct, or decom-*
14 *mission existing developed recreation sites.*

15 *(2) ACTIVITIES AUTHORIZED.—The following*
16 *forest management activities may be carried out pur-*
17 *suant to the categorical exclusion under subsection*
18 *(a):*

19 *(A) Constructing, modifying, or recon-*
20 *structing toilet or shower facilities.*

21 *(B) Constructing, modifying, or recon-*
22 *structing fishing piers, wildlife viewing plat-*
23 *forms, docks, or other constructed recreation sites*
24 *or facilities.*

1 (C) *Constructing, reconstructing, or main-*
2 *taining, parking areas, National Forest System*
3 *roads, or National Forest System trails within*
4 *or connecting to recreation sites, including pav-*
5 *ing and road and trail rerouting, except that—*

6 (i) *permanent roads constructed under*
7 *this section may not exceed 3 miles; and*

8 (ii) *temporary roads constructed for*
9 *projects covered by this section shall be de-*
10 *commissioned within 3 years of completion*
11 *of the project.*

12 (D) *Modifying or reconstructing existing*
13 *water or waste disposal systems.*

14 (E) *Constructing, modifying, or recon-*
15 *structing single or group use sites.*

16 (F) *Decommissioning recreation facilities or*
17 *portions of recreation facilities.*

18 (G) *Decommissioning National Forest Sys-*
19 *tem roads or National Forest System trails not*
20 *exceeding 3 miles within or connecting to devel-*
21 *oped recreation sites.*

22 (H) *Constructing, modifying, or recon-*
23 *structing boat landings.*

24 (I) *Reconstructing existing ski lifts.*

1 (K) *Modifying or reconstructing a recre-*
2 *ation lodging rental.*

3 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.—On*
4 *and after the date of the enactment of this Act, the Secretary*
5 *of Agriculture may use the categorical exclusion established*
6 *under subsection (a) in accordance with this section.*

7 **SEC. 8319. CATEGORICAL EXCLUSION FOR ADMINISTRATIVE**
8 **SITES.**

9 (a) *CATEGORICAL EXCLUSION ESTABLISHED.—Forest*
10 *management activities described in subsection (b) are a cat-*
11 *egory of actions hereby designated as being categorically ex-*
12 *cluded from the preparation of an environmental assess-*
13 *ment or an environmental impact statement under section*
14 *102 of the National Environmental Policy Act of 1969 (42*
15 *U.S.C. 4332).*

16 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
17 *FOR CATEGORICAL EXCLUSION.—The category of forest*
18 *management activities designated under this section for a*
19 *categorical exclusion are forest management activities car-*
20 *ried out by the Secretary of Agriculture on National Forest*
21 *System lands where the primary purpose of such activity*
22 *is to construct, reconstruct, maintain, decommission, relo-*
23 *cate, or dispose of an administrative site.*

24 (c) *AVAILABILITY OF CATEGORICAL EXCLUSION.—On*
25 *and after the date of the enactment of this Act, the Secretary*

1 *of Agriculture may use the categorical exclusion established*
2 *under subsection (a) in accordance with this section.*

3 *(d) LIMITATIONS.—*

4 *(1) PERMANENT ROADS.—A project covered by*
5 *the categorical exclusion established by subsection (a)*
6 *may include—*

7 *(A) the construction of permanent roads not*
8 *to exceed 3 miles; and*

9 *(B) the maintenance and reconstruction of*
10 *existing permanent roads and trails, including*
11 *the relocation of segments of existing roads and*
12 *trails to address resource impacts.*

13 *(2) TEMPORARY ROADS.—Any temporary road*
14 *constructed for a project covered by the categorical ex-*
15 *clusion established by subsection (a) shall be decom-*
16 *missioned not later than 3 years after the date on*
17 *which the project is completed.*

18 *(3) PESTICIDES.—Pesticides may only be used to*
19 *carry out a project covered by the categorical exclu-*
20 *sion established by subsection (a) as authorized by ap-*
21 *plicable Federal and State law and as applied in ac-*
22 *cordance with label instructions.*

23 *(e) DEFINITION OF ADMINISTRATIVE SITE.—In this*
24 *section, the term “administrative site” has the meaning*
25 *given the term in section 502(1) of the Forest Service Facil-*

1 *ity Realignment and Enhancement Act of 2005 (16 U.S.C.*
2 *580d note).*

3 **SEC. 8320. CATEGORICAL EXCLUSION FOR SPECIAL USE AU-**
4 **THORIZATIONS.**

5 (a) *CATEGORICAL EXCLUSION ESTABLISHED.—Forest*
6 *management activities described in subsection (b) are a cat-*
7 *egory of actions hereby designated as being categorically ex-*
8 *cluded from the preparation of an environmental assess-*
9 *ment or an environmental impact statement under section*
10 *102 of the National Environmental Policy Act of 1969 (42*
11 *U.S.C. 4332).*

12 (b) *FOREST MANAGEMENT ACTIVITIES DESIGNATED*
13 *FOR CATEGORICAL EXCLUSION.—The category of forest*
14 *management activities designated under this section for a*
15 *categorical exclusion are forest management activities car-*
16 *ried out by the Secretary of Agriculture on National Forest*
17 *System lands where the primary purpose of such activity*
18 *is:*

19 (1) *Issuance of a new special use authorization*
20 *for an existing or expired special use authorization,*
21 *without any substantial change in the scope and scale*
22 *of the authorized use and occupancy when—*

23 (A) *the issuance is a purely ministerial ac-*
24 *tion to account for administrative changes, such*

1 *as a change in ownership or expiration of the*
2 *current authorization; and*

3 *(B) the applicant or holder is in compliance*
4 *with the terms and conditions of the existing or*
5 *expired special use authorization.*

6 *(2) Modification, removal, repair, maintenance,*
7 *reconstruction, or replacement of a facility or im-*
8 *provement for an existing special use authorization.*

9 *(3) Issuance of a new special use authorization*
10 *or amendment to an existing special use authoriza-*
11 *tion for activities that will occur on existing roads,*
12 *trails, facilities, or areas approved for use in a land*
13 *management plan or other documented decision.*

14 *(4) Approval, modification, or continuation of*
15 *minor, short-term (5 years or less) special uses of Na-*
16 *tional Forest System lands or public lands.*

17 *(5) Issuance of a special use authorization for an*
18 *existing unauthorized use or occupancy that has not*
19 *been deemed in trespass where no new ground dis-*
20 *turbance is proposed.*

21 *(6) Approval or modification of minor special*
22 *uses of National Forest System lands or public lands*
23 *that require less than 20 contiguous acres.*

24 *(7) Approval of vegetative management plans,*
25 *and vegetation management activities in accordance*

1 *with an approved vegetation management plan, under*
 2 *a special use authorization for an electric trans-*
 3 *mission and distribution facility right-of-way.*

4 (c) *AVAILABILITY OF EXCLUSION.*—*On and after the*
 5 *date of the enactment of this Act, the Secretary of Agri-*
 6 *culture may use the categorical exclusion established under*
 7 *subsection (a) in accordance with this section.*

8 (d) *DOCUMENT REQUIREMENTS.*—*The Secretary of*
 9 *Agriculture shall not be required to prepare a project file*
 10 *or decision memorandum to categorically exclude a forest*
 11 *management activity described under paragraphs (1)*
 12 *through (4) of subsection (b).*

13 **SEC. 8321. CLARIFICATION OF EXISTING CATEGORICAL EX-**
 14 **CLUSION AUTHORITY RELATED TO INSECT**
 15 **AND DISEASE INFESTATION.**

16 *Section 603(c)(2)(B) of the Healthy Forests Restora-*
 17 *tion Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended by*
 18 *striking “Fire Regime Groups I, II, or III” and inserting*
 19 *“Fire Regime I, Fire Regime II, Fire Regime III, Fire Re-*
 20 *gime IV, or Fire Regime V”.*

21 **PART III—MISCELLANEOUS FOREST**
 22 **MANAGEMENT ACTIVITIES**

23 **SEC. 8331. GOOD NEIGHBOR AGREEMENTS.**

24 *Section 8206 of the Agricultural Act of 2014 (16*
 25 *U.S.C. 2113a) is amended—*

1 (1) in subsection (a)—

2 (A) in paragraph (1)(B), by striking “Sec-
3 retary or a Governor” and inserting “Secretary,
4 Governor, or Indian Tribe”;

5 (B) in paragraph (4) by striking “Secretary
6 and a Governor” and inserting “Secretary and
7 either a Governor or an Indian Tribe”;

8 (C) by redesignating paragraphs (6), (7),
9 and (8) as paragraphs (7), (8), and (9), respec-
10 tively; and

11 (D) by inserting after paragraph (5) the fol-
12 lowing new paragraph:

13 “(6) *INDIAN TRIBE*.—The term ‘Indian Tribe’
14 has the meaning given the term in section 4 of the In-
15 dian Self-Determination and Education Assistance
16 Act (25 U.S.C. 5304));”;

17 (2) in subsection (b)—

18 (A) in paragraph (1)(A), by inserting “or
19 an Indian Tribe” after “Governor”; and

20 (B) in paragraph (3), by inserting “or an
21 Indian Tribe” after “Governor”.

22 **SEC. 8332. PROMOTING CROSS-BOUNDARY WILDFIRE MITI-**
23 **GATION.**

24 Section 103 of the Healthy Forests Restoration Act of
25 2003 (16 U.S.C. 6513) is amended—

1 (1) *in subsection (d), by adding at the end the*
2 *following new paragraph:*

3 “(3) *CROSS-BOUNDARY CONSIDERATIONS.—For*
4 *any fiscal year for which the amount appropriated to*
5 *the Secretary for hazardous fuels reduction is in ex-*
6 *cess of \$300,000,000, the Secretary—*

7 “(A) *is encouraged to use the excess*
8 *amounts for hazardous fuels reduction projects*
9 *that incorporate cross-boundary treatments of*
10 *landscapes on Federal land and non-Federal*
11 *land; and*

12 “(B) *may use the excess amounts to support*
13 *authorized hazardous fuels reduction projects on*
14 *non-Federal lands through grants to State For-*
15 *esters, or equivalent State officials, in accordance*
16 *with subsection (e) in an amount equal to the*
17 *greater of—*

18 “(i) *20 percent of the excess amount;*

19 *and*

20 “(ii) *\$20,000,000.”; and*

21 (2) *by adding at the end the following new sub-*
22 *section:*

23 “(e) *CROSS-BOUNDARY FUELS REDUCTION*
24 *PROJECTS.—*

1 “(1) *IN GENERAL.*—*To the maximum extent*
2 *practicable, the Secretary shall use the excess funds*
3 *described in subsection (d)(3) to support hazardous*
4 *fuels reduction projects that incorporate treatments*
5 *for hazardous fuels reduction in landscapes across*
6 *ownership boundaries on Federal, State, county, or*
7 *Tribal land, private land, and other non-Federal*
8 *land, particularly in areas identified as priorities in*
9 *applicable State-wide forest resource assessments or*
10 *strategies under section 2A(a) of the Cooperative For-*
11 *estry Assistance Act of 1978 (16 U.S.C. 2101a(a)), as*
12 *mutually agreed to by the State Forester and the Re-*
13 *gional Forester.*

14 “(2) *LAND TREATMENTS.*—*To conduct and fund*
15 *treatments for projects that include Federal and non-*
16 *Federal land, the Secretary may—*

17 “(A) *use the authorities of the Secretary re-*
18 *lating to cooperation and technical and financial*
19 *assistance, including the good neighbor authority*
20 *under—*

21 “(i) *section 8206 of the Agricultural*
22 *Act of 2014 (16 U.S.C. 2113a); and*

23 “(ii) *section 331 of the Department of*
24 *the Interior and Related Agencies Appro-*

1 *priations Act, 2001 (16 U.S.C. 1011 note;*
2 *Public Law 106–291); and*

3 *“(B) allocate excess funds under subsection*
4 *(d)(3) for projects carried out pursuant to sec-*
5 *tion 8206 of the Agricultural Act of 2014 (16*
6 *U.S.C. 2113a).*

7 *“(3) COOPERATION.—In carrying out this sub-*
8 *section, the State Forester, in consultation with the*
9 *Secretary (or a designee)—*

10 *“(A) shall consult with the owners of State,*
11 *county, Tribal, and private land and other non-*
12 *Federal land with respect to hazardous fuels re-*
13 *duction projects; and*

14 *“(B) shall not implement any project on*
15 *non-Federal land without the consent of the*
16 *owner of the non-Federal land.*

17 *“(4) EXISTING LAWS.—Regardless of the indi-*
18 *vidual or entity implementing a project on non-Fed-*
19 *eral land under this subsection, only the laws and*
20 *regulations that apply to non-Federal land shall be*
21 *applicable with respect to the project.”.*

1 **SEC. 8333. REGULATIONS REGARDING DESIGNATION OF**
2 **DEAD OR DYING TREES OF CERTAIN TREE**
3 **SPECIES ON NATIONAL FOREST SYSTEM**
4 **LANDS IN CALIFORNIA AS EXEMPT FROM**
5 **PROHIBITION ON EXPORT OF UNPROCESSED**
6 **TIMBER ORIGINATING FROM FEDERAL**
7 **LANDS.**

8 (a) *ISSUANCE OF REGULATIONS.*—Consistent with the
9 rulemaking procedures specified in paragraph (2) of sub-
10 section (b) of section 489 of the Forest Resources Conserva-
11 tion and Shortage Relief Act of 1990 (16 U.S.C. 620a), the
12 Secretary of Agriculture shall make a determination under
13 paragraph (1) of such subsection that unprocessed timber
14 derived from dead or dying trees of a covered tree species
15 originating on National Forest System lands in the State
16 of California are surplus to domestic manufacturing needs
17 and therefore exempt from the export prohibition contained
18 in subsection (a) of such section.

19 (b) *ELIMINATION OF ADVERSE EFFECTS.*—In making
20 the determination under subsection (a) and in imple-
21 menting any regulations issued under such subsection, the
22 Secretary of Agriculture shall—

23 (1) *consult with representatives of sawmills in*
24 *the State of California and other interested persons;*
25 *and*

1 (2) *make reasonable efforts to avoid adversely*
2 *impacting the domestic sawmill industry in the State*
3 *of California.*

4 (c) *SPECIAL CONTRACT PROVISIONS.—The Secretary*
5 *of Agriculture may adjust contract provisions for Forest*
6 *Service contracts in region 5 of the National Forest System*
7 *as the Secretary considers appropriate to ensure successful*
8 *implementation of, and compliance with, the regulations*
9 *issued under subsection (a).*

10 (d) *RELATION TO LIMITATIONS ON TIMBER SUBSTI-*
11 *TUTION.—Section 490 of the Forest Resources Conservation*
12 *and Shortage Relief Act of 1990 (16 U.S.C. 620b) shall not*
13 *apply to unprocessed timber designated as surplus pursuant*
14 *to the regulations issued under subsection (a).*

15 (e) *ADDITIONAL STAFF FOR IMPLEMENTATION.—*
16 *Using funds otherwise available to the Forest Service for*
17 *management, protection, improvement, and utilization of*
18 *the National Forest System, the Secretary of Agriculture*
19 *may hire additional Forest Service employees to implement*
20 *the regulations issued under subsection (a).*

21 (f) *DURATION OF REGULATIONS; PERIODIC REVIEW.—*
22 *The regulations issued under subsection (a) shall remain*
23 *in effect for a 10-year period beginning on the date of the*
24 *issuance of the regulations, except that the continued need*
25 *for the regulations shall be subject to the periodic review*

1 *required by the second sentence of section 489(b)(2) of the*
 2 *Forest Resources Conservation and Shortage Relief Act of*
 3 *1990 (16 U.S.C. 620a(b)(2)).*

4 *(g) DEFINITIONS.—In this section:*

5 *(1) COVERED TREE SPECIES.—The term “cov-*
 6 *ered tree species” means the following pine species:*

7 *(A) Ponderosa pine (Pinus ponderosa).*

8 *(B) Sugar pine (Pinus lambertiana).*

9 *(C) Jeffrey pine (Pinus jefferyi).*

10 *(D) Lodgepole pine (Pinus contorta).*

11 *(2) DIED OR DYING.—The term “died or dying”,*
 12 *with respect to a covered tree species, shall be deter-*
 13 *mined in a manner consistent with applicable Forest*
 14 *Service standards.*

15 ***Subtitle D—Tribal Forestry***
 16 ***Participation and Protection***

17 ***SEC. 8401. PROTECTION OF TRIBAL FOREST ASSETS***
 18 ***THROUGH USE OF STEWARDSHIP END RE-***
 19 ***SULT CONTRACTING AND OTHER AUTHORI-***
 20 ***TIES.***

21 *(a) PROMPT CONSIDERATION OF TRIBAL RE-*
 22 *QUESTS.—Section 2(b) of the Tribal Forest Protection Act*
 23 *of 2004 (25 U.S.C. 3115a(b)) is amended—*

24 *(1) in paragraph (1), by striking “Not later than*
 25 *120 days after the date on which an Indian tribe sub-*

mits to the Secretary” and inserting “In response to the submission by an Indian Tribe of”; and

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

“(4) *TIME PERIODS FOR CONSIDERATION.*—

“(A) *INITIAL RESPONSE.*—Not later than 120 days after the date on which the Secretary receives a Tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian Tribe regarding—

“(i) whether the request may meet the selection criteria described in subsection (c); and

“(ii) the likelihood of the Secretary entering into an agreement or contract with the Indian Tribe under paragraph (2) for activities described in paragraph (3).

“(B) *NOTICE OF DENIAL.*—Notice under subsection (d) of the denial of a Tribal request under paragraph (1) shall be provided not later than 1 year after the date on which the Secretary received the request.

“(C) *COMPLETION.*—Not later than 2 years after the date on which the Secretary receives a Tribal request under paragraph (1), other than

1 *a Tribal request denied under subsection (d), the*
 2 *Secretary shall—*

3 “(i) complete all environmental reviews
 4 *necessary in connection with the agreement*
 5 *or contract and proposed activities under*
 6 *the agreement or contract; and*

7 “(ii) enter into the agreement or con-
 8 *tract with the Indian Tribe under para-*
 9 *graph (2).”.*

10 (b) *CONFORMING AND TECHNICAL AMENDMENTS.—*
 11 *Section 2 of the Tribal Forest Protection Act of 2004 (25*
 12 *U.S.C. 3115a) is amended—*

13 (1) *in subsections (b)(1) and (f)(1), by striking*
 14 *“section 347 of the Department of the Interior and*
 15 *Related Agencies Appropriations Act, 1999 (16*
 16 *U.S.C. 2104 note; Public Law 105–277) (as amended*
 17 *by section 323 of the Department of the Interior and*
 18 *Related Agencies Appropriations Act, 2003 (117 Stat.*
 19 *275))” and inserting “section 604 of the Healthy For-*
 20 *ests Restoration Act of 2003 (16 U.S.C. 6591c)”;* and

21 (2) *in subsection (d), by striking “subsection*
 22 *(b)(1), the Secretary may” and inserting “paragraphs*
 23 *(1) and (4)(B) of subsection (b), the Secretary shall”.*

1 **SEC. 8402. TRIBAL FOREST MANAGEMENT DEMONSTRATION**
 2 **PROJECT.**

3 *The Secretary of the Interior and the Secretary of Ag-*
 4 *riculture may carry out demonstration projects by which*
 5 *federally recognized Indian Tribes or Tribal organizations*
 6 *may contract to perform administrative, management, and*
 7 *other functions of programs of the Tribal Forest Protection*
 8 *Act of 2004 (25 U.S.C. 3115a et seq.) through contracts en-*
 9 *tered into under the Indian Self-Determination and Edu-*
 10 *cation Assistance Act (25 U.S.C. 5304 et seq.).*

11 **Subtitle E—Other Matters**

12 **SEC. 8501. CLARIFICATION OF RESEARCH AND DEVELOP-**
 13 **MENT PROGRAM FOR WOOD BUILDING CON-**
 14 **STRUCTION.**

15 *(a) IN GENERAL.—The Secretary shall conduct per-*
 16 *formance-driven research and development, education, and*
 17 *technical assistance for the purpose of facilitating the use*
 18 *of innovative wood products in wood building construction*
 19 *in the United States.*

20 *(b) ACTIVITIES.—In carrying out subsection (a), the*
 21 *Secretary shall—*

22 *(1) after receipt of input and guidance from,*
 23 *and collaboration with, the wood products industry,*
 24 *conservation organizations, and institutions of higher*
 25 *education, conduct research and development, edu-*
 26 *cation, and technical assistance that meets measur-*

1 *able performance goals for the achievement of the pri-*
2 *orities described in subsection (c); and*

3 *(2) after coordination and collaboration with the*
4 *wood products industry and conservation organiza-*
5 *tions, make competitive grants to institutions of high-*
6 *er education to conduct research and development,*
7 *education, and technical assistance that meets meas-*
8 *urable performance goals for the achievement of the*
9 *priorities described in subsection (c).*

10 *(c) PRIORITIES.—The research and development, edu-*
11 *cation, and technical assistance conducted under subsection*
12 *(a) shall give priority to—*

13 *(1) ways to improve the commercialization of in-*
14 *novative wood products;*

15 *(2) analyzing the safety of tall wood building*
16 *materials;*

17 *(3) calculations by the Secretary of the life cycle*
18 *environmental footprint, from extraction of raw mate-*
19 *rials through the manufacturing process, of tall wood*
20 *building construction;*

21 *(4) analyzing methods to reduce the life cycle en-*
22 *vironmental footprint of tall wood building construc-*
23 *tion;*

1 (5) *analyzing the potential implications of the*
 2 *use of innovative wood products in building construc-*
 3 *tion on wildlife; and*

4 (6) *one or more other research areas identified*
 5 *by the Secretary, in consultation with conservation*
 6 *organizations, institutions of higher education, and*
 7 *the wood products industry.*

8 (d) *TIMEFRAME.—To the maximum extent practicable,*
 9 *the measurable performance goals for the research and de-*
 10 *velopment, education, and technical assistance conducted*
 11 *under subsection (a) shall be achievable within a 5-year pe-*
 12 *riod.*

13 (e) *DEFINITIONS.—In this section:*

14 (1) *INNOVATIVE WOOD PRODUCT.—The term “in-*
 15 *novative wood product” means a type of building*
 16 *component or system that uses large panelized wood*
 17 *construction, including mass timber.*

18 (2) *MASS TIMBER.—The term “mass timber” in-*
 19 *cludes—*

20 (A) *cross-laminated timber;*

21 (B) *nail-laminated timber;*

22 (C) *glue-laminated timber;*

23 (D) *laminated strand lumber; and*

24 (E) *laminated veneer lumber.*

1 (3) *SECRETARY*.—The term “Secretary” means
 2 the Secretary of Agriculture, acting through the Re-
 3 search and Development deputy area and the State
 4 and Private Forestry deputy area of the Forest Serv-
 5 ice.

6 (4) *TALL WOOD BUILDING*.—The term “tall wood
 7 building” means a building designed to be—

8 (A) constructed with mass timber; and

9 (B) more than 85 feet in height.

10 **SEC. 8502. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY**
 11 **VEGETATION MANAGEMENT PILOT PROGRAM.**

12 (a) *PILOT PROGRAM REQUIRED*.—To encourage own-
 13 ers or operators of rights-of-way on National Forest System
 14 land to partner with the Forest Service to voluntarily per-
 15 form vegetation management on a proactive basis to better
 16 protect utility infrastructure from potential passing
 17 wildfires, the Secretary shall conduct a limited, voluntary
 18 pilot program, in the manner described in this section, to
 19 permit vegetation management projects on National Forest
 20 System land adjacent to or near such rights-of-way.

21 (b) *ELIGIBLE PARTICIPANTS*.—A participant in the
 22 pilot program must have a right-of-way on National Forest
 23 System land. In selecting participants, the Secretary shall
 24 give priority to holders of a right-of-way who have worked
 25 with Forest Service fire scientists and used technologies,

1 *such as Light Detection and Ranging surveys, to improve*
2 *utility infrastructure protection prescriptions.*

3 (c) *PROJECT ELEMENTS.*—*A vegetation management*
4 *project under the pilot program involves limited and selec-*
5 *tive vegetation management activities, which—*

6 (1) *shall create the least amount of disturbance*
7 *reasonably necessary to protect utility infrastructure*
8 *from passing wildfires based on applicable models, in-*
9 *cluding Forest Service fuel models;*

10 (2) *may include thinning, fuel reduction, cre-*
11 *ation and treatment of shaded fuel breaks, and other*
12 *measures as appropriate;*

13 (3) *shall only take place adjacent to the partici-*
14 *part's right-of-way or within 75 feet of the partici-*
15 *pant's right-of-way;*

16 (4) *shall not take place in any designated wil-*
17 *derness area, wilderness study area, or inventoried*
18 *roadless area; and*

19 (5) *shall be subject to approval by the Forest*
20 *Service in accordance with this section.*

21 (d) *PROJECT COSTS.*—*A participant in the pilot pro-*
22 *gram shall be responsible for all costs, as determined by the*
23 *Secretary, incurred in participating in the pilot program,*
24 *unless the Secretary determines that it is in the public in-*
25 *terest for the Forest Service to contribute funds for a vegeta-*

1 *tion management project conducted under the pilot pro-*
2 *gram.*

3 *(e) LIABILITY.—*

4 *(1) IN GENERAL.—Participation in the pilot*
5 *program does not affect any existing legal obligations*
6 *or liability standards that—*

7 *(A) arise under the right-of-way for activi-*
8 *ties in the right-of-way; or*

9 *(B) apply to fires resulting from causes*
10 *other than activities conducted pursuant to an*
11 *approved vegetation management project.*

12 *(2) PROJECT WORK.—A participant shall not be*
13 *liable to the United States for damage proximately*
14 *caused by activities conducted pursuant to an ap-*
15 *proved vegetation management project unless—*

16 *(A) such activities were carried out in a*
17 *manner that was grossly negligent or that vio-*
18 *lated criminal law; or*

19 *(B) the damage was caused by the failure of*
20 *the participant to comply with specific safety re-*
21 *quirements expressly imposed by the Forest Serv-*
22 *ice as a condition of participating in the pilot*
23 *program.*

24 *(f) IMPLEMENTATION.—The Secretary shall utilize ex-*
25 *isting laws and regulations in the conduct of the pilot pro-*

1 gram and, in order to implement the pilot program in an
 2 efficient and expeditious manner, may waive or modify spe-
 3 cific provisions of the Federal Acquisition Regulation, in-
 4 cluding modifications to allow for formation of contracts
 5 or agreements on a noncompetitive basis.

6 (g) *TREATMENT OF PROCEEDS.*—Notwithstanding any
 7 other provision of law, the Secretary may—

8 (1) retain any funds provided to the Forest Serv-
 9 ice by a participant in the pilot program; and

10 (2) use such funds, in such amounts as may be
 11 appropriated, in the conduct of the pilot program.

12 (h) *DEFINITIONS.*—In this section:

13 (1) *NATIONAL FOREST SYSTEM LAND.*—The term
 14 “National Forest System land” means land within
 15 the National Forest System, as defined in section
 16 11(a) of the Forest and Rangeland Renewable Re-
 17 sources Planning Act of 1974 (16 U.S.C. 1609(a)) ex-
 18 clusive of the National Grasslands and land utiliza-
 19 tion projects designated as National Grasslands ad-
 20 ministered pursuant to the Act of July 22, 1937 (7
 21 U.S.C. 1010–1012).

22 (2) *PASSING WILDFIRE.*—The term “passing
 23 wildfire” means a wildfire that originates outside the
 24 right-of-way.

8 (i) *DURATION.*—The authority to conduct the pilot
9 program, and any vegetation management project under the
10 pilot program, expires December 21, 2027.

(j) *REPORT TO CONGRESS.*—Not later than December 31, 2019, and every two years thereafter, the Secretary shall issue a report to the Committee on Energy and Natural Resources of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Agriculture of the House of Representatives on the status of the program and any projects established under this section.

20 *SEC. 8503. REVISION OF EXTRAORDINARY CIRCUMSTANCES*
21 *REGULATIONS.*

(a) DETERMINATIONS OF EXTRAORDINARY CIRCUMSTANCES.—In determining whether extraordinary circumstances related to a proposed action preclude use of a

1 *categorical exclusion, the Forest Service shall not be re-*
2 *quired to—*

3 (1) *consider whether a proposed action is within*
4 *a potential wilderness area;*

5 (2) *consider whether a proposed action affects a*
6 *Forest Service sensitive species;*

7 (3) *conduct an analysis under section 220.4(f) of*
8 *title 36, Code of Federal Regulations, of the proposed*
9 *action's cumulative impact (as the term is defined in*
10 *section 1508.7 of title 40, Code of Federal Regula-*
11 *tions);*

12 (4) *consider a determination under section 7 of*
13 *the Endangered Species Act of 1973 (16 U.S.C. 1536)*
14 *that a proposed action may affect, but is not likely*
15 *to adversely affect, threatened, endangered, or can-*
16 *didate species, or designated critical habitats; or*

17 (5) *consider a determination under section 7 of*
18 *the Endangered Species Act of 1973 (16 U.S.C. 1536)*
19 *that a proposed action may affect, and is likely to ad-*
20 *versely affect threatened, endangered, candidate spe-*
21 *cies, or designated critical habitat if the agency is in*
22 *compliance with the applicable provisions of the bio-*
23 *logical opinion.*

24 (b) *PROPOSED RULEMAKING.—Not later than 60 days*
25 *after the date of the enactment of this Act, the Secretary*

1 of Agriculture shall publish a notice of proposed rulemaking
 2 to revise section 220.6(b) of title 36, Code of Federal Regula-
 3 tions to conform such section with subsection (a).

4 (c) *ADDITIONAL REVISION.*—As part of the proposed
 5 rulemaking described in subsection (b), the Secretary of Ag-
 6 riculture shall revise section 220.5(a)(2) of title 36, Code
 7 of Federal Regulations, to provide that the Forest Service
 8 shall not be required to consider proposals that would sub-
 9 stantially alter a potential wilderness area as a class of
 10 actions normally requiring environmental impact state-
 11 ments.

12 (d) *ADDITIONAL ACTIONS.*—Not later than 120 days
 13 after the date of the enactment of this Act, the Secretary
 14 of Agriculture shall issue final regulations to carry out the
 15 revisions described in subsections (b) and (c).

16 **SEC. 8504. NO LOSS OF FUNDS FOR WILDFIRE SUPPRES-**
 17 **SION.**

18 Nothing in this title or the amendments made by this
 19 title may be construed to limit from the availability of
 20 funds or other resources for wildfire suppression.

21 **SEC. 8505. TECHNICAL CORRECTIONS.**

22 (a) *WILDFIRE SUPPRESSION FUNDING AND FOREST*
 23 *MANAGEMENT ACTIVITIES ACT.*—

1 (1) *IN GENERAL.*—*The Wildfire Suppression*
 2 *Funding and Forest Management Activities Act (Pub-*
 3 *lic Law 115–141) is amended—*

4 (A) *in section 102(a)(2), by striking “the*
 5 *date of enactment” and inserting “the date of the*
 6 *enactment”; and*

7 (B) *in section 401(a)(1), by inserting “of*
 8 *2000” after “Self-Determination Act”.*

9 (2) *EFFECTIVE DATE.*—*The amendments made*
 10 *by paragraph (1) shall take effect as if enacted as*
 11 *part of the Wildfire Suppression Funding and Forest*
 12 *Management Activities Act (Public Law 115–141).*

13 (b) *AGRICULTURAL ACT OF 2014.*—*Section 8206(a) of*
 14 *the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is*
 15 *amended—*

16 (1) *in paragraph (3)(B)(i)(II), by striking*
 17 *“Good Neighbor Authority Improvement Act” and in-*
 18 *serting “Wildfire Suppression Funding and Forest*
 19 *Management Activities Act”; and*

20 (2) *in paragraph (7), as redesignated by section*
 21 *8331, by striking “Good Neighbor Authority Improve-*
 22 *ment Act” and inserting “Wildfire Suppression*
 23 *Funding and Forest Management Activities Act”.*

1 ***TITLE IX—HORTICULTURE***
 2 ***Subtitle A—Horticulture Marketing***
 3 ***and Information***

4 ***SEC. 9001. SPECIALTY CROPS MARKET NEWS ALLOCATION.***

5 *Section 10107(b) of the Food, Conservation, and En-*
 6 *ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking*
 7 *“2018” and inserting “2023”.*

8 ***SEC. 9002. FARMERS’ MARKET AND LOCAL FOOD PRO-***
 9 ***MOTION PROGRAM.***

10 *Section 6(g) of the Farmer-to-Consumer Direct Mar-*
 11 *keting Act of 1976 (7 U.S.C. 3005(g)) is amended—*

12 *(1) in paragraph (3), by striking “this section”*
 13 *and all that follows through “2018.” and inserting the*
 14 *following: “this section—*

15 *“(A) \$10,000,000 for each of fiscal years*
 16 *2014 through 2018; and*

17 *“(B) \$30,000,000 for each of fiscal years*
 18 *2019 through 2023.”;*

19 *(2) by striking paragraph (2); and*

20 *(3) by redesignating paragraphs (3), (4), (5),*
 21 *and (6) as paragraphs (2), (3), (4), and (5), respec-*
 22 *tively.*

1 **SEC. 9003. FOOD SAFETY EDUCATION INITIATIVES.**

2 Section 10105(c) of the Food, Conservation, and En-
3 ergy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking
4 “2018” and inserting “2023”.

5 **SEC. 9004. SPECIALTY CROP BLOCK GRANTS.**

6 Section 101 of the Specialty Crops Competitiveness Act
7 of 2004 (7 U.S.C. 1621 note; Public Law 108–465) is
8 amended—

9 (1) in subsection (a)—

10 (A) by striking “2018” and inserting
11 “2023”; and

12 (B) by striking “agriculture solely to en-
13 hance the competitiveness of specialty crops.”
14 and inserting the following: “agriculture to—

15 “(1) enhance the competitiveness of specialty
16 crops;

17 “(2) leverage efforts to market and promote spe-
18 cialty crops;

19 “(3) assist producers with research and develop-
20 ment;

21 “(4) expand availability and access to specialty
22 crops;

23 “(5) address local, regional, and national chal-
24 lenges confronting specialty crop producers; and

1 “(6) other priorities as determined by the Sec-
 2 retary in consultation with relevant State depart-
 3 ments of agriculture.”;

4 (2) in subsection (k), by adding at the end the
 5 following new paragraph:

6 “(3) *EVALUATION OF PERFORMANCE.*—The Sec-
 7 retary shall enter into a cooperative agreement with
 8 relevant State departments of agriculture and spe-
 9 cialty crop industry stakeholders that agree to—

10 “(A) develop, in consultation with the Sec-
 11 retary, performance measures to be used as the
 12 sole means for performing an evaluation under
 13 subparagraph (B); and

14 “(B) periodically evaluate the performance
 15 of the program established under this section.”;
 16 and

17 (3) in subsection (l)(2)(E), by striking “fiscal
 18 year 2018” and inserting “each of fiscal years 2018
 19 through 2023”.

20 **SEC. 9005. AMENDMENTS TO THE PLANT VARIETY PROTEC-**
 21 **TION ACT.**

22 (a) *ASEXUALLY REPRODUCED DEFINED.*—Section
 23 41(a) of the Plant Variety Protection Act (7 U.S.C.
 24 2401(a)) is amended—

1 (1) *by redesignating paragraphs (1), (2), (3),*
 2 (4), (5), (6), (7), (8), and (9) as paragraphs (2), (3),
 3 (4), (5), (6), (7), (8), (9), and (10), respectively; and

4 (2) *by inserting before paragraph (2), as so re-*
 5 *designated, the following new paragraph:*

6 “(1) *ASEXUALLY REPRODUCED.*—*The term*
 7 *‘asexually reproduced’ means produced by a method*
 8 *of plant propagation using vegetative material (other*
 9 *than seed) from a single parent, including cuttings,*
 10 *grafting, tissue culture, and propagation by root divi-*
 11 *sion.’”.*

12 (b) *RIGHT TO PLANT VARIETY PROTECTION; PLANT*
 13 *VARIETIES PROTECTABLE.*—*Section 42(a) of the Plant Va-*
 14 *riety Protection Act (7 U.S.C. 2402(a)) is amended by*
 15 *striking “or tuber propagated” and inserting “, tuber prop-*
 16 *agated, or asexually reproduced”.*

17 (c) *INFRINGEMENT OF PLANT VARIETY PROTEC-*
 18 *TION.*—*Section 111(a)(3) of the Plant Variety Protection*
 19 *Act (7 U.S.C. 2541(a)(3)) is amended by inserting “or*
 20 *asexually” after “sexually”.*

21 (d) *FALSE MARKETING; CEASE AND DESIST OR-*
 22 *DERS.*—*Section 128(a) of the Plant Variety Protection Act*
 23 *(7 U.S.C. 2568(a)) is amended, in the matter preceding*
 24 *paragraph (1), by inserting “or asexually” after “sexually”.*

1 **SEC. 9006. ORGANIC PROGRAMS.**

2 (a) *ADDITIONAL ACCREDITATION AUTHORITY.*—Sec-
 3 tion 2115 of the Organic Foods Production Act of 1990 (7
 4 U.S.C. 6514) is amended—

5 (1) by redesignating subsection (c) as subsection
 6 (d); and

7 (2) by inserting after subsection (b) the following
 8 new subsection:

9 “(c) *SATELLITE OFFICES AND OVERSEAS OPER-*
 10 *ATIONS.*—The Secretary—

11 “(1) has oversight and approval authority with
 12 respect to a certifying agent accredited under this sec-
 13 tion who is operating as a certifying agent in a for-
 14 eign country for the purpose of certifying a farm or
 15 handling operation in such foreign country as a cer-
 16 tified organic farm or handling operation; and

17 “(2) shall require that each certifying agent that
 18 intends to operate in any foreign country as described
 19 in paragraph (1) is authorized by the Secretary to so
 20 operate on an annual basis.”.

21 (b) *NATIONAL LIST OF APPROVED AND PROHIBITED*
 22 *SUBSTANCES FOR ORGANIC FARMING OR HANDLING OPER-*
 23 *ATIONS.*—Section 2119(n) of the Organic Foods Production
 24 Act of 1990 (7 U.S.C. 6518(n)) is amended to read as fol-
 25 lows:

26 “(n) *PETITIONS.*—

1 “(1) *IN GENERAL.*—*The Board shall establish*
2 *procedures under which persons may petition the*
3 *Board for the purpose of evaluating substances for in-*
4 *clusion on the National List.*

5 “(2) *EXPEDITED REVIEW.*—*The Secretary shall*
6 *develop procedures under which the review of a peti-*
7 *tion referred to in paragraph (1) may be expedited if*
8 *the petition seeks to include on the National List a*
9 *postharvest handling substance that is related to food*
10 *safety or a class of such substances.*

11 “(3) *RULE OF CONSTRUCTION.*—*Nothing in*
12 *paragraph (2) shall be construed as providing that*
13 *section 2118(d) does not apply with respect to the in-*
14 *clusion of a substance on the National List pursuant*
15 *to such paragraph.”.*

16 “(c) *CERTAIN EMPLOYEES ELIGIBLE TO SERVE AS NA-*
17 *TIONAL ORGANICS STANDARDS BOARD MEMBERS.*—*Section*
18 *2119(b) of the Organic Foods Production Act of 1990 (7*
19 *U.S.C. 6518(b)) is amended—*

20 (1) *in paragraph (1), by inserting “, or employ-*
21 *ees of such individuals” after “operation”;*

22 (2) *in paragraph (2), by inserting “, or employ-*
23 *ees of such individuals” after “operation”; and*

24 (3) *in paragraph (3), by inserting “, or an em-*
25 *ployee of such individual” after “products”.*

1 (d) *NATIONAL ORGANIC STANDARDS BOARD CON-*
2 *SULTATION REQUIREMENTS.*—*Section 2119(l) of the Or-*
3 *ganic Foods Production Act of 1990 (7 U.S.C. 6518(l)) is*
4 *amended—*

5 (1) *in paragraph (2), by striking “; and” at the*
6 *end and inserting a semicolon;*

7 (2) *in paragraph (3)—*

8 (A) *by striking “and the evaluation of the*
9 *technical advisory panel” and inserting “, the*
10 *evaluation of the technical advisory panel, and*
11 *the determinations of the task force required*
12 *under paragraph (4)”;* and

13 (B) *by striking the period at the end and*
14 *inserting “; and”;* and

15 (3) *by adding at the end the following new para-*
16 *graph:*

17 “(4) *in the case of a substance not included in*
18 *the National List that the Commissioner of Food and*
19 *Drugs has determined to be safe for use within the*
20 *meaning of section 201(s) of the Federal Food, Drug,*
21 *and Cosmetic Act (21 U.S.C. 321(s)) or the Adminis-*
22 *trator of the Environmental Protection Agency has*
23 *determined there is a reasonable certainty that no*
24 *harm will result from aggregate exposure to the pes-*
25 *ticide chemical residue, including all anticipated die-*

1 *tary exposures and all other exposures for which there*
 2 *is reliable information, convene a task force to consult*
 3 *with the Commissioner or Administrator (or the des-*
 4 *ignees thereof), as applicable, to determine if such*
 5 *substance should be included in the National List.”.*

6 *(e) RECORDKEEPING, INVESTIGATION, AND ENFORCE-*
 7 *MENT.—*

8 *(1) COLLABORATIVE INVESTIGATIONS AND EN-*
 9 *FORCEMENT.—Section 2120 of the Organic Foods*
 10 *Production Act of 1990 (7 U.S.C. 6519) is amended*
 11 *by adding at the end the following new subsection:*

12 *“(d) COLLABORATIVE INVESTIGATIONS AND ENFORCE-*
 13 *MENT.—*

14 *“(1) INFORMATION SHARING DURING ACTIVE IN-*
 15 *VESTIGATION.—In carrying out this title, all parties*
 16 *to an active investigation (including certifying*
 17 *agents, State organic certification programs, and the*
 18 *national organic program) may share confidential*
 19 *business information with Federal and State govern-*
 20 *ment officers and employees and certifying agents in-*
 21 *volved in the investigation as necessary to fully inves-*
 22 *tigate and enforce potential violations of this title.*

23 *“(2) ACCESS TO DATA DOCUMENTATION SYS-*
 24 *TEMS.—The Secretary shall have access to available*

1 *data from cross-border documentation systems admin-*
2 *istered by other Federal agencies, including—*

3 “(A) *the Automated Commercial Environ-*
4 *ment system of U.S. Customs and Border Protec-*
5 *tion; and*

6 “(B) *the Phytosanitary Certificate Issuance*
7 *and Tracking system of the Animal and Plant*
8 *Health Inspection Service.*

9 “(3) *ADDITIONAL DOCUMENTATION AND*
10 *VERIFICATION.—The Secretary, acting through the*
11 *Deputy Administrator of the national organic pro-*
12 *gram under this title, has the authority, and shall*
13 *grant an accredited certifying agent the authority, to*
14 *require producers and handlers to provide additional*
15 *documentation or verification before granting certifi-*
16 *cation under section 2104, in the case of a known*
17 *area of risk or when there is a specific area of con-*
18 *cern, with respect to meeting the national standards*
19 *for organic production established under section 2105,*
20 *as determined by the Secretary or the certifying*
21 *agent.”.*

22 (2) *MODIFICATION OF REGULATIONS ON EXCLU-*
23 *SIONS FROM CERTIFICATION.—Not later than 1 year*
24 *after the date of the enactment of this Act, the Sec-*
25 *retary of Agriculture shall issue regulations to limit*

1 *the type of operations that are excluded from certifi-*
 2 *cation under section 205.101 of title 7, Code of Fed-*
 3 *eral Regulations (or a successor regulation).*

4 *(f) REPORTING REQUIREMENT.—Section 2122 of the*
 5 *Organic Foods Production Act of 1990 (7 U.S.C. 6521) is*
 6 *amended by adding at the end the following new subsection:*

7 *“(c) REPORTING REQUIREMENT.—Not later than*
 8 *March 1, 2019, and annually thereafter through March 1,*
 9 *2023, the Secretary shall submit to Congress a report de-*
 10 *scribing national organic program activities with respect*
 11 *to all domestic and overseas investigations and compliance*
 12 *actions taken pursuant to this title during the preceding*
 13 *year.”.*

14 *(g) AUTHORIZATION OF APPROPRIATIONS FOR NA-*
 15 *TIONAL ORGANIC PROGRAM.—Subsection (b) of section*
 16 *2123 of the Organic Foods Production Act of 1990 (7 U.S.C.*
 17 *6522) is amended to read as follows:*

18 *“(b) NATIONAL ORGANIC PROGRAM.—Notwithstanding*
 19 *any other provision of law, in order to carry out activities*
 20 *under the national organic program established under this*
 21 *title, there are authorized to be appropriated—*

22 *“(1) \$15,000,000 for fiscal year 2018;*

23 *“(2) \$16,500,000 for fiscal year 2019;*

24 *“(3) \$18,000,000 for fiscal year 2020;*

25 *“(4) \$20,000,000 for fiscal year 2021;*

1 “(5) \$22,000,000 for fiscal year 2022; and

2 “(6) \$24,000,000 for fiscal year 2023.”.

3 (h) *INTERNATIONAL TRADE TECHNOLOGY SYSTEMS*

4 *AND DATA COLLECTION.*—Subsection (c) of section 2123 of

5 *the Organic Foods Production Act of 1990 (7 U.S.C. 6522)*

6 *is amended to read as follows:*

7 “(c) *MODERNIZATION AND IMPROVEMENT OF INTER-*

8 *NATIONAL TRADE TECHNOLOGY SYSTEMS AND DATA COL-*

9 *LECTION.*—

10 “(1) *IN GENERAL.*—The Secretary shall mod-

11 *ernize international trade tracking and data collec-*

12 *tion systems of the national organic program.*

13 “(2) *ACTIVITIES.*—In carrying out paragraph

14 (1), the Secretary shall modernize trade and trans-

15 *action certificates to ensure full traceability without*

16 *unduly hindering trade, such as through an electronic*

17 *trade document exchange system.*

18 “(3) *FUNDING.*—Of the funds of the Commodity

19 *Credit Corporation, the Secretary shall make avail-*

20 *able \$5,000,000 for fiscal year 2019 for the purposes*

21 *of—*

22 “(A) *carrying out this subsection; and*

23 “(B) *maintaining the database and tech-*

24 *nology upgrades previously carried out under*

25 *this subsection, as in effect on the day before the*

1 *date of the enactment of the Agriculture and Nu-*
2 *trition Act of 2018.*

3 “(4) *AVAILABILITY.*—*The amounts made avail-*
4 *able under paragraph (3) are in addition to any*
5 *other funds made available for the purposes specified*
6 *in such paragraph and shall remain available until*
7 *expended.”.*

8 (i) *ORGANIC PRODUCTION AND MARKET DATA INITIA-*
9 *TIVES.*—*Section 7407(d) of the Farm Security and Rural*
10 *Investment Act of 2002 (7 U.S.C. 5925c(d)) is amended—*

11 *(1) by striking paragraphs (1) and (2) and in-*
12 *serting the following new paragraph:*

13 “(1) *MANDATORY FUNDING FOR FISCAL YEAR*
14 *2019.*—*Of the funds of the Commodity Credit Corpora-*
15 *tion, the Secretary shall use to carry out this section*
16 *\$5,000,000 for fiscal year 2019, to remain available*
17 *until expended.”;*

18 *(2) in paragraph (3)—*

19 *(A) by striking “paragraphs (1) and (2)”*
20 *and inserting “paragraph (1)”;* and

21 *(B) by striking “2018” and inserting*
22 *“2023”;* and

23 *(3) by redesignating paragraph (3), as so*
24 *amended, as paragraph (2).*

1 ***Subtitle B—Regulatory Reform***

2 ***PART I—STATE LEAD AGENCIES UNDER FEDERAL***
 3 ***INSECTICIDE, FUNGICIDE, AND***
 4 ***RODENTICIDE ACT***

5 ***SEC. 9101. RECOGNITION AND ROLE OF STATE LEAD AGEN-***
 6 ***CIES.***

7 (a) *STATE LEAD AGENCY DEFINED.*—Section 2(aa) of
 8 the Federal Insecticide, Fungicide, and Rodenticide Act (7
 9 U.S.C. 136(aa)) is amended—

10 (1) by striking “(aa) STATE.—The term” and
 11 inserting the following:

12 “(aa) STATE; STATE LEAD AGENCY.—

13 “(1) STATE.—The term”; and

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

15 “(2) STATE LEAD AGENCY.—The term ‘State lead
 16 agency’ means a statewide department, agency, board,
 17 bureau, or other entity in a State that is authorized
 18 to regulate, in a manner consistent with section
 19 24(a), the sale or use of any federally registered pes-
 20 ticide or device in such State.”.

21 (b) *UNIFORM REGULATION OF PESTICIDES.*—

22 (1) *COOPERATION WITH AND ROLE OF STATE*
 23 *LEAD AGENCY.*—Section 22(b) of the Federal Insecti-
 24 cide, Fungicide, and Rodenticide Act (7 U.S.C.
 25 136t(b)) is amended by inserting before the period at

1 the end the following: “promulgated by the Adminis-
 2 trator or, when authorized pursuant to a cooperative
 3 agreement entered into under section 23(a)(1), by a
 4 State lead agency for a State”.

5 (2) *AUTHORITY TO ESTABLISH AND MAINTAIN*
 6 *UNIFORM REGULATIONS.*—Section 23(a)(1) of the
 7 *Federal Insecticide, Fungicide, and Rodenticide Act*
 8 (7 U.S.C. 136u(a)(1)) is amended by inserting after
 9 “enforcement of this Act,” the following: “to authorize
 10 the State or Indian Tribe to establish and maintain
 11 uniform regulation of pesticides within the State or
 12 for the Indian Tribe,”.

13 (3) *CONDITION ON MORE RESTRICTIVE REGULA-*
 14 *TION.*—Section 24(a) of the *Federal Insecticide, Fun-*
 15 *gicide, and Rodenticide Act* (7 U.S.C. 136v(a)) is
 16 amended by striking “A State may” and inserting “A
 17 State, but not a political subdivision of a State,
 18 may”.

19 (c) *ROLE OF STATE LEAD AGENCIES IN PROMULGA-*
 20 *TION OF REGULATIONS.*—Section 25(a)(2) of the *Federal*
 21 *Insecticide, Fungicide, and Rodenticide Act* (7 U.S.C.
 22 136w(a)(2)) is amended—

23 (1) in subparagraph (A)—

24 (A) in the first sentence, by inserting “and
 25 each State lead agency” after “Agriculture”;

1 (B) by striking the second sentence and in-
2 serting the following: “If the Secretary or any
3 State lead agency comments in writing to the
4 Administrator regarding any such regulation
5 within 30 days after receiving the copy of the
6 regulation, the Administrator shall publish in
7 the Federal Register (with the proposed regula-
8 tion) all such comments and the response of the
9 Administrator to the comments.”; and

10 (C) in the third sentence, by inserting “or
11 any State lead agency” after “Secretary”;
12 (2) in subparagraph (B)—

13 (A) in the first sentence, by inserting “and
14 each State lead agency” after “Agriculture”;

15 (B) by striking the second sentence and in-
16 serting the following: “If the Secretary or any
17 State lead agency comments in writing to the
18 Administrator regarding any such regulation
19 within 15 days after receiving the copy of the
20 regulation, the Administrator shall publish in
21 the Federal Register (with the final regulation)
22 the comments of the Secretary or State lead
23 agency, if requested by the Secretary or State
24 lead agency, and the response of the Adminis-
25 trator to the comments.”; and

1 (C) in the third sentence, by inserting “or
 2 any State lead agency” after “Secretary”; and
 3 (3) in subparagraph (C), by inserting before the
 4 period at the end the following: “, in consultation
 5 with the State lead agencies”.

6 **PART II—PESTICIDE REGISTRATION AND USE**

7 **SEC. 9111. REGISTRATION OF PESTICIDES.**

8 (a) *APPROVAL OF REGISTRATION.*—Section 3(c)(5) of
 9 the Federal Insecticide, Fungicide, and Rodenticide Act (7
 10 U.S.C. 136a(c)(5)) is amended—

11 (1) by redesignating subparagraphs (A) through
 12 (D) as clauses (i) through (iv), respectively and mov-
 13 ing the margins of such clauses (as so redesignated)
 14 2 ems to the right;

15 (2) by striking “REGISTRATION.—The Adminis-
 16 trator” and inserting the following: “REGISTRA-
 17 TION.—

18 “(A) *IN GENERAL.*—The Administrator;”;

19 (3) in clause (iii), as so redesignated, by striking
 20 “; and” at the end and inserting a semicolon;

21 (4) in clause (iv), as so redesignated, by striking
 22 the period at the end and inserting “; and”;

23 (5) in the matter following clause (iv), as so re-
 24 designated, by striking “The Administrator shall not

1 *make any lack” and all that follows through “for use*
2 *of the pesticide in such State.”;*

3 *(6) in subparagraph (A), as amended, by adding*
4 *at the end the following new clause:*

5 *“(v) when used in accordance with*
6 *widespread and commonly recognized prac-*
7 *tice it is not likely to jeopardize the sur-*
8 *vival of a federally listed threatened or en-*
9 *dangered species or directly or indirectly*
10 *alter, in a manner that is likely to appre-*
11 *ciably diminish its value, critical habitat*
12 *for both the survival and recovery of such*
13 *species.”; and*

14 *(7) by adding at the end the following new sub-*
15 *paragraphs:*

16 *“(B) PRINCIPLES TO BE APPLIED TO CER-*
17 *TAIN DETERMINATIONS.—In determining whether*
18 *the condition specified in subparagraph (A)(v) is*
19 *met, the Administrator shall take into account*
20 *the best scientific and commercial information*
21 *and data available, and shall consider all direc-*
22 *tions for use and restrictions on use specified by*
23 *the registration. In making such determination,*
24 *the Administrator shall use an economical and*
25 *effective screening process that includes higher-*

1 *tiered probabilistic ecological risk assessments, as*
2 *appropriate. Notwithstanding any other provi-*
3 *sion of law, the Administrator shall not be re-*
4 *quired to consult or otherwise communicate with*
5 *the Secretary of the Interior and the Secretary of*
6 *Commerce except to the extent specified in sub-*
7 *paragraphs (C) and (D).*

8 *“(C) SPECIES INFORMATION AND DATA.—*

9 *“(i) REQUEST.—Not later than 30*
10 *days after the Administrator begins any de-*
11 *termination under subparagraph (A)(v)*
12 *with respect to the registration of a pes-*
13 *ticide, the Administrator shall request that*
14 *the Secretary of the Interior and the Sec-*
15 *retary of Commerce transmit, with respect*
16 *to any federally listed threatened and en-*
17 *dangered species involved in such deter-*
18 *mination, the Secretaries’ best available and*
19 *authoritative information and data on—*

20 *“(I) the location, life history,*
21 *habitat needs, distribution, threats,*
22 *population trends and conservation*
23 *needs of such species; and*

1 “(II) *relevant physical and bio-*
2 *logical features of designated critical*
3 *habitat for such species.*

4 “(ii) *TRANSMISSION OF DATA.—After*
5 *receiving a request under clause (i), the Sec-*
6 *retary of the Interior and the Secretary of*
7 *Commerce shall transmit the information*
8 *described in such clause to the Adminis-*
9 *trator on a timely basis, unless the Sec-*
10 *retary of the Interior and the Secretary of*
11 *Commerce have made such information*
12 *available through a web-based platform that*
13 *is updated on at least a quarterly basis.*

14 “(iii) *FAILURE TO TRANSMIT DATA.—*
15 *The failure of the Secretary of the Interior*
16 *or the Secretary of Commerce to provide in-*
17 *formation to the Administrator under*
18 *clause (ii) shall not constitute grounds for*
19 *extending any deadline for action under*
20 *section 33(f).*

21 “(D) *CONSULTATION.—*

22 “(i) *IN GENERAL.—At the request of an*
23 *applicant, the Administrator shall request*
24 *consultation with the Secretary of the Inte-*
25 *rior and the Secretary of Commerce.*

1 “(ii) *REQUIREMENTS*.—With respect to
 2 a consultation under this subparagraph, the
 3 Administrator and the Secretary of the In-
 4 terior and the Secretary of Commerce shall
 5 comply with subpart D of part 402 of title
 6 50, Code of Federal Regulations (commonly
 7 known as the Joint Counterpart Endan-
 8 gered Species Act Section 7 Consultation),
 9 or successor regulations.

10 “(E) *FAILURE TO CONSULT*.—

11 “(i) *NOT ACTIONABLE*.—Notwith-
 12 standing any other provision of law, begin-
 13 ning on the date of the enactment of this
 14 subparagraph, the failure of the Adminis-
 15 trator to consult with the Secretary of the
 16 Interior and the Secretary of Commerce, ex-
 17 cept as provided by this section, is not ac-
 18 tionable in any Federal court.

19 “(ii) *REMEDY*.—In any action pending
 20 in Federal court on the date of the enact-
 21 ment of this subparagraph or any action
 22 brought in Federal court after such date,
 23 with respect to the Administrator’s failure
 24 to consult with the Secretary of the Interior
 25 and the Secretary of Commerce, the sole and

1 *exclusive remedy for any such action, other*
2 *than as otherwise specified in this Act, shall*
3 *be scheduling the determinations required*
4 *by section 3(c)(5)(E) for an active ingre-*
5 *dient consistent with the periodic review of*
6 *registrations established by this section.*

7 “(F) *ESSENTIALITY AND EFFICACY.—The*
8 *Administrator shall not make any lack of essen-*
9 *tiality a criterion for denying registration of*
10 *any pesticide. Where two pesticides meet the re-*
11 *quirements of this paragraph, one should not be*
12 *registered in preference to the other. In consid-*
13 *ering an application for the registration of a*
14 *pesticide, the Administrator may waive data re-*
15 *quirements pertaining to efficacy, in which event*
16 *the Administrator may register the pesticide*
17 *without determining that the pesticide’s composi-*
18 *tion is such as to warrant proposed claims of ef-*
19 *ficacy. If a pesticide is found to be efficacious by*
20 *any State under section 24(c), a presumption is*
21 *established that the Administrator shall waive*
22 *data requirements pertaining to efficacy for use*
23 *of the pesticide in such State.”.*

24 (b) *REGISTRATION UNDER SPECIAL CIR-*
25 *CUMSTANCES.—Section 3(c)(7) of the Federal Insecticide,*

1 *Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(7)) is*
2 *amended—*

3 *(1) in subparagraph (A)—*

4 *(A) by inserting “and when used in accord-*
5 *ance with widespread and commonly recognized*
6 *practice, it is not likely to jeopardize the sur-*
7 *vival of a federally listed threatened or endan-*
8 *gered species or appreciably diminish the value*
9 *of critical habitat for both the survival and re-*
10 *covery of the listed species,” after “or differ only*
11 *in ways that would not significantly increase the*
12 *risk of unreasonable adverse effects on the envi-*
13 *ronment,”; and*

14 *(B) by inserting “and it is not likely to*
15 *jeopardize the survival of a federally listed*
16 *threatened or endangered species or appreciably*
17 *diminish the value of critical habitat for both the*
18 *survival and recovery of the listed species” before*
19 *“.* *An applicant seeking conditional registra-*
20 *tion”; and*

21 *(2) in subparagraph (B), by inserting “and it is*
22 *not likely to jeopardize the survival of a federally list-*
23 *ed threatened or endangered species or directly or in-*
24 *directly appreciably diminish the value of critical*
25 *habitat for both the survival and recovery of the listed*

1 *species” before “. Notwithstanding the foregoing pro-*
2 *visions”.*

3 *(c) REGISTRATION REVIEW.—Section 3(g)(1)(A) of the*
4 *Federal Insecticide, Fungicide, and Rodenticide Act (7*
5 *U.S.C. 136a(g)(1)(A)) is amended by adding at the end the*
6 *following new clause:*

7 *“(vi) ENSURING PROTECTION OF SPECIES*
8 *AND HABITAT.—The Administrator shall com-*
9 *plete the determination required under sub-*
10 *section (c)(5)(A)(v) for an active ingredient con-*
11 *sistent with the periodic review of registrations*
12 *under clauses (ii) and (iii) in accordance with*
13 *the following schedule:*

14 *“(I) With respect to any active ingre-*
15 *dient first registered on or before October 1,*
16 *2007, not later than October 1, 2026.*

17 *“(II) With respect to any active ingre-*
18 *dient first registered between October 1,*
19 *2007, and the day before the date of the en-*
20 *actment of this clause, not later than Octo-*
21 *ber 1, 2033.*

22 *“(III) With respect to any active ingre-*
23 *dient first registered on or after the date of*
24 *the enactment of this clause, not later than*

1 48 months after the effective date of reg-
2 istration.”.

3 **SEC. 9112. EXPERIMENTAL USE PERMITS.**

4 Section 5(a) of the Federal Insecticide, Fungicide, and
5 Rodenticide Act (7 U.S.C. 136c(a)) is amended by inserting
6 “and that the issuance of such a permit is not likely to
7 jeopardize the survival of a federally listed threatened or
8 endangered species or diminish the value of critical habitat
9 for both the survival and recovery of the listed species” after
10 “section 3 of this Act”.

11 **SEC. 9113. ADMINISTRATIVE REVIEW; SUSPENSION.**

12 Section 6(b) of the Federal Insecticide, Fungicide, and
13 Rodenticide Act (7 U.S.C. 136d(b)) is amended by inserting
14 “or does not meet the criteria specified in section
15 3(c)(5)(A)(v)” after “adverse effects on the environment”.

16 **SEC. 9114. UNLAWFUL ACTS.**

17 Section 12 of the Federal Insecticide, Fungicide, and
18 Rodenticide Act (7 U.S.C. 136j) is amended by adding at
19 the end the following new subsection:

20 “(c) *LAWFUL USE OF PESTICIDE RESULTING IN INCI-*
21 *DENTAL TAKING OF CERTAIN SPECIES.*—If the Adminis-
22 trator determines, with respect to a pesticide that is reg-
23 istered under this Act, that the pesticide meets the criteria
24 specified in section 3(c)(5)(A)(v), any taking of a federally
25 listed threatened or endangered species that is incidental

1 *to an otherwise lawful use of such pesticide pursuant to this*
 2 *Act shall not be considered unlawful under—*

3 *“(1) section 4(d) of the Endangered Species Act*
 4 *of 1973 (16 U.S.C. 1533(d)); or*

5 *“(2) section 9(a)(1)(B) of the Endangered Spe-*
 6 *cies Act of 1973 (16 U.S.C. 1538(a)(1)(B)).”.*

7 **SEC. 9115. AUTHORITY OF STATES.**

8 *Section 24(c) of the Federal Insecticide, Fungicide,*
 9 *and Rodenticide Act (7 U.S.C. 136v(c)) is amended—*

10 *(1) in paragraph (2), in the second sentence, by*
 11 *inserting “and the State registration is not likely to*
 12 *jeopardize the survival of a federally listed threatened*
 13 *or endangered species or directly or indirectly alter in*
 14 *a manner that is likely to appreciably diminish the*
 15 *value of critical habitat for both the survival and re-*
 16 *covery of the listed species” before the period at the*
 17 *end; and*

18 *(2) by striking paragraph (4).*

19 **SEC. 9116. REGULATIONS.**

20 *Not later than 180 days after the date of the enactment*
 21 *of this Act, the Administrator of the Environmental Protec-*
 22 *tion Agency shall publish, and revise thereafter as appro-*
 23 *priate, a work plan and processes for completing the deter-*
 24 *minations required by clause (v) of section 3(c)(5)(A) of the*
 25 *Federal Insecticide, Fungicide, and Rodenticide Act (7*

1 *U.S.C. 136a(c)(5)(A)), as added by section 9111(a), and*
 2 *implementing and enforcing standards of registration con-*
 3 *sistent with such clause and consistent with registration re-*
 4 *views and other periodic reviews.*

5 **SEC. 9117. USE OF AUTHORIZED PESTICIDES.**

6 *Section 3(f) of the Federal Insecticide, Fungicide, and*
 7 *Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding*
 8 *at the end the following:*

9 *“(5) USE OF AUTHORIZED PESTICIDES.—Except*
 10 *as provided in section 402(s) of the Federal Water*
 11 *Pollution Control Act, the Administrator or a State*
 12 *may not require a permit under such Act for a dis-*
 13 *charge from a point source into navigable waters of*
 14 *a pesticide authorized for sale, distribution, or use*
 15 *under this Act, or the residue of such a pesticide, re-*
 16 *sulting from the application of such pesticide.”.*

17 **SEC. 9118. DISCHARGES OF PESTICIDES.**

18 *Section 402 of the Federal Water Pollution Control Act*
 19 *(33 U.S.C. 1342) is amended by adding at the end the fol-*
 20 *lowing:*

21 *“(s) DISCHARGES OF PESTICIDES.—*

22 *“(1) NO PERMIT REQUIREMENT.—Except as pro-*
 23 *vided in paragraph (2), a permit shall not be re-*
 24 *quired by the Administrator or a State under this Act*
 25 *for a discharge from a point source into navigable*

1 *waters of a pesticide authorized for sale, distribution,*
2 *or use under the Federal Insecticide, Fungicide, and*
3 *Rodenticide Act, or the residue of such a pesticide, re-*
4 *sulting from the application of such pesticide.*

5 “(2) *EXCEPTIONS.—Paragraph (1) shall not*
6 *apply to the following discharges of a pesticide or pes-*
7 *ticide residue:*

8 “(A) *A discharge resulting from the appli-*
9 *cation of a pesticide in violation of a provision*
10 *of the Federal Insecticide, Fungicide, and*
11 *Rodenticide Act that is relevant to protecting*
12 *water quality, if—*

13 “(i) *the discharge would not have oc-*
14 *curred but for the violation; or*

15 “(ii) *the amount of pesticide or pes-*
16 *ticide residue in the discharge is greater*
17 *than would have occurred without the viola-*
18 *tion.*

19 “(B) *Stormwater discharges subject to regu-*
20 *lation under subsection (p).*

21 “(C) *The following discharges subject to reg-*
22 *ulation under this section:*

23 “(i) *Manufacturing or industrial efflu-*
24 *ent.*

25 “(ii) *Treatment works effluent.*

1 “(iii) Discharges incidental to the nor-
 2 mal operation of a vessel, including a dis-
 3 charge resulting from ballasting operations
 4 or vessel biofouling prevention.”.

5 **SEC. 9119. ENACTMENT OF PESTICIDE REGISTRATION IM-**
 6 **PROVEMENT ENHANCEMENT ACT OF 2017.**

7 *H.R. 1029 of the 115th Congress, entitled the “Pes-*
 8 *ticide Registration Improvement Enhancement Act of*
 9 *2017”, as passed by the House of Representatives on March*
 10 *20, 2017, is hereby enacted into law.*

11 **PART III—AMENDMENTS TO THE PLANT**
 12 **PROTECTION ACT**

13 **SEC. 9121. METHYL BROMIDE.**

14 *Section 419 of the Plant Protection Act (7 U.S.C.*
 15 *7719) is amended to read as follows:*

16 **“SEC. 419. METHYL BROMIDE.**

17 “(a) *AUTHORIZATION.—*

18 “(1) *IN GENERAL.—Subject to paragraphs (2)*
 19 *and (3), a State, local, or Tribal authority may au-*
 20 *thorize the use of methyl bromide for a qualified use*
 21 *if the authority determines the use is required to re-*
 22 *spond to an emergency event. The Secretary may au-*
 23 *thorize such a use if the Secretary determines such a*
 24 *use is required to respond to an emergency event.*

1 “(2) *NOTIFICATION.*—Not later than 5 days after
2 the date on which a State, local, or Tribal authority
3 makes the determination described in paragraph (1),
4 the State, local, or Tribal authority intending to au-
5 thorize the use of methyl bromide for a qualified use
6 shall submit to the Secretary a notification that con-
7 tains the information described in subsection (b).

8 “(3) *OBJECTION.*—A State, local, or Tribal au-
9 thority may not authorize the use of methyl bromide
10 under paragraph (1) if the Secretary objects to such
11 use under subsection (c) within the 5-day period spec-
12 ified in such subsection.

13 “(b) *NOTIFICATION CONTENTS.*—A notification sub-
14 mitted under subsection (a)(2) by a State, local, or Tribal
15 authority shall contain—

16 “(1) a certification that the State, local, or Trib-
17 al authority requires the use of methyl bromide to re-
18 spond to an emergency event;

19 “(2) a description of the emergency event and the
20 economic loss that would result from such emergency
21 event;

22 “(3) the identity and contact information for the
23 responsible individual of the authority; and

24 “(4) with respect to the qualified use of methyl
25 bromide that is the subject of the notification—

1 “(A) *the specific location in which the meth-*
 2 *yl bromide is to be used and the total acreage of*
 3 *such location;*

4 “(B) *the identity of the pest or pests to be*
 5 *controlled by such use;*

6 “(C) *the total volume of methyl bromide to*
 7 *be used; and*

8 “(D) *the anticipated date of such use.*

9 “(c) *OBJECTION.—*

10 “(1) *IN GENERAL.—The Secretary, not later than*
 11 *5 days after the receipt of a notification submitted*
 12 *under subsection (a)(2), may object to the authoriza-*
 13 *tion of the use of methyl bromide under such sub-*
 14 *section by a State, local, or Tribal authority by send-*
 15 *ing the State, local, or Tribal authority a notification*
 16 *in writing of such objection that—*

17 “(A) *states the reasons for such objection;*
 18 *and*

19 “(B) *specifies any additional information*
 20 *that the Secretary would require to withdraw the*
 21 *objection.*

22 “(2) *REASONS FOR OBJECTION.—The Secretary*
 23 *may object to an authorization described in para-*
 24 *graph (1) if the Secretary determines that—*

1 “(A) the notification submitted under sub-
2 section (a)(2) does not—

3 “(i) contain all of the information
4 specified in paragraphs (1) through (4) of
5 subsection (b); or

6 “(ii) demonstrate the existence of an
7 emergency event; or

8 “(B) the qualified use specified in the noti-
9 fication does not comply with the limitations
10 specified in subsection (e).

11 “(3) *WITHDRAWAL OF OBJECTION.*—The Sec-
12 retary shall withdraw an objection under this sub-
13 section if—

14 “(A) not later than 14 days after the date
15 on which the Secretary sends the notification
16 under paragraph (1) to the State, local, or Trib-
17 al authority involved, the State, local, or Tribal
18 authority submits to the Secretary the additional
19 information specified in such notification; and

20 “(B) such additional information is sub-
21 mitted to the satisfaction of the Secretary.

22 “(4) *EFFECT OF WITHDRAWAL.*—Upon the
23 issuance of a withdrawal under paragraph (3), the
24 State, local, or Tribal authority involved may author-
25 ize the use of methyl bromide for the qualified use

1 *specified in the notification submitted under sub-*
2 *section (a)(2).*

3 “(d) *USE FOR EMERGENCY EVENTS CONSISTENT*
4 *WITH FIFRA.*—*The production, distribution, sale, ship-*
5 *ment, application, or use of a pesticide product containing*
6 *methyl bromide in accordance with an authorization for a*
7 *use under subsection (a) shall be deemed an authorized pro-*
8 *duction, distribution, sale, shipment, application, or use of*
9 *such product under the Federal Insecticide, Fungicide, and*
10 *Rodenticide Act, regardless of whether the intended use is*
11 *registered and included in the label approved for the prod-*
12 *uct by the Administrator of the Environmental Protection*
13 *Agency under such Act.*

14 “(e) *LIMITATIONS ON USE.*—

15 “(1) *LIMITATIONS ON USE PER EMERGENCY*
16 *EVENT.*—*The amount of methyl bromide that may be*
17 *used per emergency event at a specific location shall*
18 *not exceed 20 metric tons.*

19 “(2) *LIMITS ON AGGREGATE AMOUNT.*—*The ag-*
20 *gregate amount of methyl bromide allowed pursuant*
21 *to this section for use in the United States in a cal-*
22 *endar year shall not exceed the total amount author-*
23 *ized by the Parties to the Montreal Protocol pursuant*
24 *to the Montreal Protocol process for critical uses in*
25 *the United States in calendar year 2011.*

1 “(f) *ENSURING ADEQUATE SUPPLY OF METHYL BRO-*
2 *MIDE.*—Notwithstanding any other provision of law, it
3 shall not be unlawful for any person or entity to produce
4 or import methyl bromide, or otherwise supply methyl bro-
5 mide from inventories (produced or imported pursuant to
6 the Clean Air Act for other purposes) in response to an
7 emergency event in accordance with subsection (a).

8 “(g) *EXCLUSIVE AUTHORITY OF THE SECRETARY.*—
9 Nothing in this section shall be construed to alter or modify
10 the authority of the Secretary to use methyl bromide for
11 quarantine and pre-shipment, without limitation, under
12 the Clean Air Act.

13 “(h) *DEFINITIONS.*—

14 “(1) *EMERGENCY EVENT.*—The term ‘emergency
15 event’ means a situation—

16 “(A) that occurs at a location on which a
17 plant or commodity is grown or produced or a
18 facility providing for the storage of, or other
19 services with respect to, a plant or commodity;

20 “(B) for which the lack of availability of
21 methyl bromide for a particular use would result
22 in significant economic loss to the owner, lessee,
23 or operator of such a location or facility or the
24 owner, grower, or purchaser of such a plant or
25 commodity; and

1 “(C) that, in light of the specific agricul-
2 tural, meteorological, or other conditions pre-
3 sented, requires the use of methyl bromide to con-
4 trol a pest or disease in such location or facility
5 because there are no technically or economically
6 feasible alternatives to methyl bromide easily ac-
7 cessible by an entity referred to in subparagraph
8 (B) at the time and location of the event that—

9 “(i) are registered under the Federal
10 Insecticide, Fungicide, and Rodenticide Act
11 (7 U.S.C. 136 et seq.) for the intended use
12 or pest to be so controlled; and

13 “(ii) would adequately control the pest
14 or disease presented at such location or fa-
15 cility.

16 “(2) PEST.—The term ‘pest’ has the meaning
17 given such term in section 2 of the Federal Insecti-
18 cide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

19 “(3) QUALIFIED USE.—The term ‘qualified use’
20 means, with respect to methyl bromide, a methyl bro-
21 mide treatment or application in an amount not to
22 exceed the limitations specified in subsection (e) in re-
23 sponse to an emergency event.”.

1 **PART IV—AMENDMENTS TO OTHER LAWS**

2 **SEC. 9131. DEFINITION OF RETAIL FACILITIES.**

3 *Not later than 180 days of the date of enactment of*
4 *this Act, the Secretary of Labor shall revise the process safe-*
5 *ty management of highly hazardous chemicals standard*
6 *under section 1910.119 of title 29, Code of Federal Regula-*
7 *tions, promulgated pursuant to section 6 of the Occupa-*
8 *tional Safety and Health Act of 1970 (29 U.S.C. 655), to*
9 *provide that the definition of the term “retail facility”,*
10 *when used with respect to a facility that provides direct*
11 *sales of highly hazardous chemicals to end users or con-*
12 *sumers (including farmers or ranchers), means a facility*
13 *that is exempt from such standard because such facility has*
14 *obtained more than half of its income during the most re-*
15 *cent 12-month period from such direct sales.*

16 **Subtitle C—Other Matters**

17 **SEC. 9201. REPORT ON REGULATION OF PLANT BIOSTIMU-**
18 **LANTS.**

19 *(a) REPORT.—Not later than 1 year after the date of*
20 *the enactment of this Act, the Secretary shall submit a re-*
21 *port to the President and Congress that identifies potential*
22 *regulatory and legislative reforms to ensure the expeditious*
23 *and appropriate review, approval, uniform national label-*
24 *ing, and availability of plant biostimulant products to ag-*
25 *ricultural producers.*

1 (b) *CONSULTATION.*—*The Secretary of Agriculture*
 2 *shall prepare the report required by subsection (a) in con-*
 3 *sultation with the Administrator of the Environmental Pro-*
 4 *tection Agency, the several States, industry stakeholders,*
 5 *and such other stakeholders as the Secretary determines nec-*
 6 *essary.*

7 (c) *PLANT BIOSTIMULANT DEFINED.*—*In this section,*
 8 *the term “plant biostimulant” means a substance or micro-*
 9 *organism that, when applied to seeds, plants, or the*
 10 *rhizosphere, stimulates natural processes to enhance or ben-*
 11 *efit nutrient uptake, nutrient efficiency, tolerance to abiotic*
 12 *stress, or crop quality and yield.*

13 **SEC. 9202. PECAN MARKETING ORDERS.**

14 *Section 8e(a) of the Agricultural Adjustment Act, reen-*
 15 *acted with amendments by the Agricultural Marketing*
 16 *Agreement Act of 1937 (7 U.S.C. 608e–1(a)), is amended*
 17 *in the first sentence, by inserting “pecans,” after “wal-*
 18 *nuts,”.*

19 **SEC. 9203. REPORT ON HONEY AND MAPLE SYRUP.**

20 *Not later than 60 days after the date of the enactment*
 21 *of this Act, the Secretary of Agriculture shall submit to the*
 22 *Committee on Agriculture of the House of Representatives*
 23 *and the Committee on Agriculture, Nutrition, and Forestry*
 24 *of the Senate a report examining the effect of the final rule*
 25 *entitled “Food Labeling: Revision of the Nutrition and*

1 *Supplement Facts Labels*”, published in the *Federal Reg-*
 2 *ister* by the Department of Agriculture on May 27, 2016
 3 (81 *Fed. Reg.* 33742), (providing for updates to the nutri-
 4 *tion facts panel on the labeling of packaged food*) has on
 5 *consumer perception regarding the “added sugar” statement*
 6 *required to be included on such panel by such final rule*
 7 *with respect to packaged food in which no sugar is added*
 8 *during processing, including pure honey and maple syrup.*

9 ***TITLE X—CROP INSURANCE***

10 ***SEC. 10001. TREATMENT OF FORAGE AND GRAZING.***

11 (a) *AVAILABILITY OF CATASTROPHIC RISK PROTEC-*
 12 *TION FOR CROPS AND GRASSES USED FOR GRAZING.*—*Sec-*
 13 *tion 508(b)(1) of the Federal Crop Insurance Act (7 U.S.C.*
 14 *1508(b)(1)) is amended—*

15 (1) *by striking “(A) IN GENERAL.—Except as*
 16 *provided in subparagraph (B), the” and inserting*
 17 *“The”; and*

18 (2) *by striking subparagraph (B).*

19 (b) *LIMITATION ON MULTIPLE BENEFITS FOR SAME*
 20 *LOSS.*—*Section 508(n)(2) of the Federal Crop Insurance*
 21 *Act (7 U.S.C. 1508(n)(2)) is amended by inserting before*
 22 *the period the following: “or to coverage described in section*
 23 *508D”.*

1 (c) *COVERAGE FOR FORAGE AND GRAZING.*—The Fed-
 2 eral Crop Insurance Act is amended by inserting after sec-
 3 tion 508C (7 U.S.C. 1508C) the following new section:

4 **“SEC. 508D. COVERAGE FOR FORAGE AND GRAZING.**

5 *“Notwithstanding section 508A, and in addition to*
 6 *any other available coverage, for crops that can be both*
 7 *grazed and mechanically harvested on the same acres dur-*
 8 *ing the same growing season, producers shall be allowed to*
 9 *purchase, and be independently indemnified on, separate*
 10 *policies for each intended use, as determined by the Cor-*
 11 *poration.”.*

12 **SEC. 10002. ADMINISTRATIVE BASIC FEE.**

13 Section 508(b)(5)(A) of the Federal Crop Insurance
 14 Act (7 U.S.C. 1508(b)(5)(A)) is amended by striking
 15 “\$300” and inserting “\$500”.

16 **SEC. 10003. PREVENTION OF DUPLICATIVE COVERAGE.**

17 (a) *IN GENERAL.*—Section 508(c)(1) of the Federal
 18 Crop Insurance Act (7 U.S.C. 1508(c)(1)) is amended by
 19 adding at the end the following new subparagraph:

20 “(C) *INELIGIBLE CROPS AND ACRES.*—
 21 Crops for which the producer has elected under
 22 section 1117 of the Agriculture and Nutrition
 23 Act of 2018 to receive agriculture risk coverage
 24 and acres that are enrolled in the stacked income

1 *protection plan under section 508B shall not be*
 2 *eligible for—*

3 *“(i) coverage based on an area yield*
 4 *and loss basis under paragraph (3)(A)(ii);*
 5 *or*

6 *“(ii) supplemental coverage under*
 7 *paragraph (4)(C).”.*

8 (b) *CONFORMING AMENDMENTS.—Section*
 9 508(c)(4)(C) *of the Federal Crop Insurance Act (7 U.S.C.*
 10 1508(c)(4)(C)) *is amended—*

11 (1) *by striking clause (iv); and*

12 (2) *by redesignating clause (v) as clause (iv).*

13 ***SEC. 10004. REPEAL OF UNUSED AUTHORITY.***

14 (a) *IN GENERAL.—Section 508(d) of the Federal Crop*
 15 *Insurance Act (7 U.S.C. 1508(d)) is amended—*

16 (1) *by striking paragraph (3); and*

17 (2) *by redesignating paragraph (4) as para-*
 18 *graph (3).*

19 (b) *CONFORMING AMENDMENTS.—Section*
 20 508(a)(9)(B) *of the Federal Crop Insurance Act (7 U.S.C.*
 21 1508(a)(9)(B)) *is amended—*

22 (1) *in clause (i), by inserting “or” after the*
 23 *semicolon;*

24 (2) *by striking clause (ii); and*

25 (3) *by redesignating clause (iii) as clause (ii).*

1 **SEC. 10005. CONTINUED AUTHORITY.**

2 *Section 508(g) of the Federal Crop Insurance Act (7*
3 *U.S.C. 1508(g)) is amended by adding at the end the fol-*
4 *lowing new paragraph:*

5 “(6) *CONTINUED AUTHORITY.*—

6 “(A) *IN GENERAL.*—*The Corporation shall*
7 *establish—*

8 “(i) *underwriting rules that limit the*
9 *decrease in the actual production history of*
10 *a producer, at the election of the producer,*
11 *to not more than 10 percent of the actual*
12 *production history of the previous crop year*
13 *provided that the production decline was*
14 *the result of drought, flood, natural disaster,*
15 *or other insurable loss (as determined by the*
16 *Corporation); and*

17 “(ii) *actuarially sound premiums to*
18 *cover additional risk.*

19 “(B) *OTHER AUTHORITY.*—*The authority*
20 *provided under subparagraph (A) is in addition*
21 *to any other authority that adjusts the actual*
22 *production history of the producer under this*
23 *Act.*

24 “(C) *EFFECT.*—*Nothing in this paragraph*
25 *shall be construed to require a change in the car-*

1 *rying out of any provision of this Act as the Act*
 2 *was carried out for the 2018 reinsurance year.”.*

3 **SEC. 10006. PROGRAM ADMINISTRATION.**

4 *Section 516(b)(2)(C)(i) of the Federal Crop Insurance*
 5 *Act (7 U.S.C. 1516(b)(2)(C)(i)) is amended by striking*
 6 *“\$9,000,000” and inserting “\$7,000,000”.*

7 **SEC. 10007. MAINTENANCE OF POLICIES.**

8 *(a) Section 522(b) of the Federal Crop Insurance Act*
 9 *(7 U.S.C. 1522(b)) is amended—*

10 *(1) in paragraph (1), by amending subpara-*
 11 *graph (B) to read as follows:*

12 *“(B) REIMBURSEMENT.—*

13 *“(i) IN GENERAL.—An applicant who*
 14 *submits a policy under section 508(h) shall*
 15 *be eligible for the reimbursement of reason-*
 16 *able and actual research and development*
 17 *costs directly related to the policy if the pol-*
 18 *icy is approved by the Board for sale to*
 19 *producers.*

20 *“(ii) REASONABLE COSTS.—For the*
 21 *purpose of reimbursing research and devel-*
 22 *opment and maintenance costs under this*
 23 *section, costs of the applicant shall be con-*
 24 *sidered reasonable and actual costs if the*
 25 *costs are based on—*

1 “(I) wage rates equal to 2 times
2 the hourly wage rate plus benefits, as
3 provided by the Bureau of Labor Sta-
4 tistics for the year in which such costs
5 are incurred, calculated using the for-
6 mula applied to an applicant by the
7 Corporation in reviewing proposed
8 project budgets under this section on
9 October 1, 2016; or

10 “(II) actual documented costs in-
11 curred by the applicant.”; and

12 (2) in paragraph (4)—

13 (A) in subparagraph (C), by striking “ap-
14 proved insurance provider” and inserting “ap-
15 plicant”; and

16 (B) in subparagraph (D)—

17 (i) in clause (i), by striking “deter-
18 mined by the approved insurance provider”
19 and inserting “determined by the appli-
20 cant”;

21 (ii) by striking clause (ii) and insert-
22 ing the following new clauses:

23 “(ii) *APPROVAL.*—Subject to clause
24 (iii), the Board shall approve the amount of
25 a fee determined under clause (i) unless the

1 *Board determines, based on substantial evi-*
2 *dence in the record, that the amount of the*
3 *fee unnecessarily inhibits the use of the pol-*
4 *icy.*

5 “(iii) *CONSIDERATION.—The Board*
6 *shall not disapprove a fee on the basis of—*

7 *“(I) a comparison to maintenance*
8 *fees paid with respect to the policy; or*

9 *“(II) the potential for the fee to*
10 *result in a financial gain or loss to the*
11 *applicant based on the number of poli-*
12 *cies sold.”.*

13 (b) *APPLICABILITY.—*

14 (1) *IN GENERAL.—The amendments made by*
15 *this section shall apply to reimbursement requests*
16 *made on or after October 1, 2016.*

17 (2) *RESUBMISSION OF DENIED REQUEST.—An*
18 *applicant that was denied all or a portion of a reim-*
19 *bursement request under paragraph (1) of section*
20 *522(b) of the Federal Crop Insurance Act (7 U.S.C.*
21 *1522(b)) during the period between October 1, 2016*
22 *and the date of the enactment of this Act shall be*
23 *given an opportunity to resubmit such request.*

1 **SEC. 10008. RESEARCH AND DEVELOPMENT PRIORITIES.**

2 (a) *REPEAL OF CERTAIN RESEARCH AND DEVELOP-*
 3 *MENT ACTIVITIES.*—Section 522(c) of the Federal Crop In-
 4 *surance Act (7 U.S.C. 1522(c)) is amended—*

5 (1) *by striking paragraphs (7) through (18);*

6 (2) *by striking paragraphs (20) through (23);*

7 *and*

8 (3) *by redesignating paragraphs (19) and (24)*

9 *as paragraphs (7) and (8), respectively.*

10 (b) *WHOLE FARM APPLICATION TO BEGINNING FARM-*
 11 *ERS AND RANCHERS.*—Paragraph (7) of section 522(c) of
 12 the Federal Crop Insurance Act (7 U.S.C. 1522(c)), as re-
 13 designated by subsection (a), is amended by adding at the
 14 end the following new subparagraph:

15 “(E) *BEGINNING FARMER OR RANCHER DE-*
 16 *FINED.*—Notwithstanding section 502(b)(3), with re-
 17 spect to plans described under this paragraph, the
 18 term ‘beginning farmer or rancher’ means a farmer
 19 or rancher who has not actively operated and man-
 20 aged a farm or ranch with a bona fide insurable in-
 21 terest in a crop or livestock as an owner-operator,
 22 landlord, tenant, or sharecropper for more than 10
 23 crop years.”.

24 (c) *RESEARCH AND DEVELOPMENT PRIORITIES.*—Sec-
 25 *tion 522(c) of the Federal Crop Insurance Act (7 U.S.C.*

1 1522(c)) as amended by subsection (a), is further amended
 2 by adding at the end the following new paragraphs:

3 “(9) *TROPICAL STORM OR HURRICANE INSUR-*
 4 *ANCE.*—

5 “(A) *IN GENERAL.*—*The Corporation shall*
 6 *offer to enter into 1 or more contracts with*
 7 *qualified entities to carry out research and devel-*
 8 *opment regarding a policy to insure crops, in-*
 9 *cluding tomatoes, peppers, and citrus, against*
 10 *losses due to a tropical storm or hurricane.*

11 “(B) *RESEARCH AND DEVELOPMENT.*—*Re-*
 12 *search and development with respect to the pol-*
 13 *icy required under subparagraph (A) shall—*

14 “(i) *evaluate the effectiveness of a risk*
 15 *management tool for a low frequency, cata-*
 16 *strophic loss weather event; and*

17 “(ii) *provide protection for production*
 18 *or revenue losses, or both.*

19 “(10) *SUBSURFACE IRRIGATION PRACTICES.*—
 20 *The Corporation shall offer to enter into a contract*
 21 *with a qualified entity to conduct research and devel-*
 22 *opment regarding the creation of a separate practice*
 23 *for subsurface irrigation, including the establishment*
 24 *of a separate transitional yield within the county*
 25 *that is reflective of the average gain in productivity*

1 *and yield associated with the installation of a sub-*
2 *surface irrigation system.*

3 “(11) *STUDY AND REPORT ON GRAIN SORGHUM*
4 *RATES AND YIELDS.—*

5 “(A) *STUDY.—The Corporation shall con-*
6 *tract with a qualified entity to conduct a study*
7 *to assess the difference in rates, average yields,*
8 *and coverage levels of grain sorghum policies as*
9 *compared to other feed grains within a county.*

10 “(B) *REPORT.—Not later than 1 year after*
11 *the date of enactment of this paragraph, the Cor-*
12 *poration shall submit to the Committee on Agri-*
13 *culture of the House of Representatives and the*
14 *Committee on Agriculture, Nutrition, and For-*
15 *estry of the Senate a report that describes the re-*
16 *sults of the study conducted under subparagraph*
17 *(A).*

18 “(12) *QUALITY LOSSES.—*

19 “(A) *IN GENERAL.—The Corporation shall*
20 *offer to enter into a contract with a qualified en-*
21 *tity to conduct research and development regard-*
22 *ing the establishment of an alternative method of*
23 *adjusting for quality losses that does not impact*
24 *the average production history of producers.*

“(B) *REQUIREMENTS.*—Notwithstanding subsections (g) and (m) of section 508, if the Corporation uses any method developed as a result of the contract described in subparagraph (A) to adjust for quality losses, such method shall be—

“(i) optional for producers to elect to use; and

“(ii) offered at an actuarially sound premium rate.”.

SEC. 10009. EXTENSION OF FUNDING FOR RESEARCH AND DEVELOPMENT.

Section 522 of the Federal Crop Insurance Act (7 U.S.C. 1522) is amended—

(1) by striking subsection (d);

(2) in subsection (e)(2)(A)—

(A) by striking “under subsections (c) and (d)” and inserting “under subsection (c)” ; and

(B) by striking “not more than \$12,500,000 for fiscal year 2008 and each subsequent fiscal year.” and inserting the following: “not more than—

“(i) \$12,500,000 for fiscal year 2008 through 2018; and”; and

(C) by adding at the end the following:

1 “(ii) \$8,000,000 for fiscal year 2019
 2 and each fiscal year thereafter.”; and
 3 (3) by redesignating subsection (e), as so amend-
 4 ed, as subsection (d).

5 **SEC. 10010. EDUCATION AND RISK MANAGEMENT ASSIST-**
 6 **ANCE.**

7 Section 524 of the Federal Crop Insurance Act (7
 8 U.S.C. 1524) is amended to read as follows:

9 **“SEC. 524. EDUCATION AND RISK MANAGEMENT ASSIST-**
 10 **ANCE.**

11 “(a) *EDUCATION ASSISTANCE.*—Subject to the
 12 amounts made available under subsection (d), the Sec-
 13 retary, acting through the National Institute of Food and
 14 Agriculture, shall carry out the program established under
 15 subsection (b).

16 “(b) *PARTNERSHIPS FOR RISK MANAGEMENT EDU-*
 17 *CATION.*—

18 “(1) *AUTHORITY.*—The Secretary, acting through
 19 the National Institute of Food and Agriculture, shall
 20 establish a program under which competitive grants
 21 are made to qualified public and private entities (in-
 22 cluding land-grant colleges, cooperative extension
 23 services, and colleges or universities), as determined
 24 by the Secretary, for the purpose of educating agricul-
 25 tural producers about the full range of risk manage-

1 *ment activities, including futures, options, agricul-*
 2 *tural trade options, crop insurance, cash forward con-*
 3 *tracting, debt reduction, production diversification,*
 4 *farm resources risk reduction, farm financial*
 5 *benchmarking, and other risk management strategies.*

6 *“(2) BASIS FOR GRANTS.—A grant under this*
 7 *subsection shall be awarded on the basis of merit and*
 8 *shall be subject to peer or merit review.*

9 *“(3) OBLIGATION PERIOD.—Funds for a grant*
 10 *under this subsection shall be available to the Sec-*
 11 *retary for obligation for a 2-year period.*

12 *“(4) ADMINISTRATIVE COSTS.—The Secretary*
 13 *may use not more than 4 percent of the funds made*
 14 *available for grants under this subsection for admin-*
 15 *istrative costs incurred by the Secretary in carrying*
 16 *out this subsection.*

17 *“(c) REQUIREMENTS.—In carrying out the program*
 18 *established under subsection (b), the Secretary shall place*
 19 *special emphasis on risk management strategies (including*
 20 *farm financial benchmarking), education, and outreach*
 21 *specifically targeted at—*

22 *“(1) beginning farmers or ranchers;*

23 *“(2) legal immigrant farmers or ranchers that*
 24 *are attempting to become established producers in the*
 25 *United States;*

1 “(3) *socially disadvantaged farmers or ranchers;*
2 *and*
3 “(4) *farmers or ranchers that—*
4 “(A) *are preparing to retire;*
5 “(B) *are using transition strategies to help*
6 *new farmers or ranchers get started; and*
7 “(C) *new or established farmers or ranchers*
8 *that are converting production and marketing*
9 *systems to pursue new markets.*
10 “(d) *FUNDING.—From the insurance fund established*
11 *under section 516(c), there is transferred for the partner-*
12 *ships for risk management education program established*
13 *under subsection (b) \$5,000,000 for fiscal year 2018 and*
14 *each subsequent fiscal year.”.*

15 ***TITLE XI—MISCELLANEOUS***

16 ***Subtitle A—Livestock***

17 ***SEC. 11101. ANIMAL DISEASE PREPAREDNESS AND RE-*** 18 ***SPONSE.***

19 (a) *NATIONAL ANIMAL DISEASE PREPAREDNESS AND*
20 *RESPONSE PROGRAM.—The Animal Health Protection Act*
21 *is amended by inserting after section 10409A (7 U.S.C.*
22 *8308A) the following new section:*

1 **“SEC. 10409B. NATIONAL ANIMAL DISEASE PREPAREDNESS**
2 **AND RESPONSE PROGRAM.**

3 “(a) *PROGRAM REQUIRED.*—*The Secretary shall estab-*
4 *lish a program, to be known as the ‘National Animal Dis-*
5 *ease Preparedness and Response Program’, to address the*
6 *increasing risk of the introduction and spread of animal*
7 *pests and diseases affecting the economic interests of the*
8 *livestock and related industries of the United States, includ-*
9 *ing the maintenance and expansion of export markets.*

10 “(b) *ELIGIBLE ENTITIES.*—*To carry out the National*
11 *Animal Disease Preparedness and Response Program, the*
12 *Secretary shall offer to enter into cooperative agreements,*
13 *or other legal instruments, with eligible entities, to be se-*
14 *lected by the Secretary, which may include any of the fol-*
15 *lowing entities, either individually or in combination:*

16 “(1) *A State department of agriculture.*

17 “(2) *The office of the chief animal health official*
18 *of a State.*

19 “(3) *A land-grant college or university or*
20 *NLGCA Institution (as those terms are defined in sec-*
21 *tion 1404 of the National Agricultural Research, Ex-*
22 *tension, and Teaching Policy Act of 1977 (7 U.S.C.*
23 *3103)).*

24 “(4) *A college of veterinary medicine, including*
25 *a veterinary emergency team at such college.*

1 “(5) *A State or national livestock producer orga-*
2 *nization with direct and significant economic interest*
3 *in livestock production.*

4 “(6) *A State emergency agency.*

5 “(7) *A State, national, allied, or regional veteri-*
6 *nary organization or specialty board recognized by*
7 *the American Veterinary Medical Association.*

8 “(8) *An Indian Tribe (as defined in section 4 of*
9 *the Indian Self-Determination and Education Assist-*
10 *ance Act (25 U.S.C. 5304)).*

11 “(9) *A Federal agency.*

12 “(c) *ACTIVITIES.—*

13 “(1) *PROGRAM ACTIVITIES.—Activities under the*
14 *National Animal Disease Preparedness and Response*
15 *Program shall include, to the extent practicable, the*
16 *following:*

17 “(A) *Enhancing animal pest and disease*
18 *analysis and surveillance.*

19 “(B) *Expanding outreach and education.*

20 “(C) *Targeting domestic inspection activi-*
21 *ties at vulnerable points in the safeguarding con-*
22 *tinuum.*

23 “(D) *Enhancing and strengthening threat*
24 *identification and technology.*

25 “(E) *Improving biosecurity.*

1 “(F) *Enhancing emergency preparedness*
2 *and response capabilities, including training ad-*
3 *ditional emergency response personnel.*

4 “(G) *Conducting technology development*
5 *and enhancing electronic sharing of animal*
6 *health data for risk analysis between State and*
7 *Federal animal health officials.*

8 “(H) *Enhancing the development and effec-*
9 *tiveness of animal health technologies to treat*
10 *and prevent animal disease, including—*

11 “(i) *veterinary biologics and*
12 *diagnostics;*

13 “(ii) *animal drugs for minor use and*
14 *minor species; and*

15 “(iii) *animal medical devices.*

16 “(I) *Such other activities as determined ap-*
17 *propriate by the Secretary, in consultation with*
18 *eligible entities specified in subsection (b).*

19 “(2) *PRIORITIES.—In entering into cooperative*
20 *agreements or other legal instruments under sub-*
21 *section (b), the Secretary shall give priority to appli-*
22 *cations submitted by—*

23 “(A) *a State department of agriculture or*
24 *an office of the chief animal health official of a*
25 *State; or*

1 “(B) an eligible entity that will carry out
2 program activities in a State or region—

3 “(i) in which an animal pest or dis-
4 ease is a Federal concern; or

5 “(ii) which the Secretary determines
6 has potential for the spread of an animal
7 pest or disease after taking into consider-
8 ation—

9 “(I) the agricultural industries in
10 the State or region;

11 “(II) factors contributing to ani-
12 mal disease or pest in the State or re-
13 gion, such as the climate, natural re-
14 sources, and geography of, and native
15 and exotic wildlife species and other
16 disease vectors in, the State or region;
17 and

18 “(III) the movement of animals in
19 the State or region.

20 “(3) CONSULTATION.—For purposes of setting
21 priorities under this subsection, the Secretary shall
22 consult with eligible entities specified in subsection
23 (b). The Federal Advisory Committee Act (5 U.S.C.
24 App.) shall not apply to consultation carried out
25 under this paragraph.

1 “(d) *APPLICATION.*—

2 “(1) *IN GENERAL.*—An eligible entity specified
3 in subsection (b) seeking to enter into a cooperative
4 agreement, or other legal instrument, under the Na-
5 tional Animal Disease Preparedness and Response
6 Program shall submit to the Secretary an application
7 containing such information as the Secretary may re-
8 quire.

9 “(2) *NOTIFICATION.*—The Secretary shall notify
10 each applicant of—

11 “(A) the requirements to be imposed on the
12 recipient of funds under the Program for audit-
13 ing of, and reporting on, the use of such funds;
14 and

15 “(B) the criteria to be used to ensure activi-
16 ties supported using such funds are based on
17 sound scientific data or thorough risk assess-
18 ments.

19 “(3) *NON-FEDERAL CONTRIBUTIONS.*—When de-
20 ciding whether to enter into an agreement or other
21 legal instrument under the Program with an eligible
22 entity described in subsection (b), the Secretary—

23 “(A) may take into consideration an eligible
24 entity’s ability to contribute non-Federal funds

1 to carry out such a cooperative agreement or
2 other legal instrument under the Program; and

3 “(B) shall not require such an entity to
4 make such a contribution.

5 “(e) *USE OF FUNDS.*—

6 “(1) *USE CONSISTENT WITH TERMS OF COOPER-*
7 *ATIVE AGREEMENT.*—The recipient of funds under the
8 National Animal Disease Preparedness and Response
9 Program shall use the funds for the purposes and in
10 the manner provided in the cooperative agreement, or
11 other legal instrument, under which the funds are
12 provided.

13 “(2) *SUB-AGREEMENT.*—Nothing in this section
14 prevents an eligible entity from using funds received
15 under the Program to enter into sub-agreements with
16 political subdivisions of State that have legal respon-
17 sibilities relating to animal disease prevention, sur-
18 veillance, or rapid response.

19 “(f) *REPORTING REQUIREMENT.*—Not later than 90
20 days after the date of completion of an activity conducted
21 using funds provided under the National Animal Disease
22 Preparedness and Response Program, the recipient of such
23 funds shall submit to the Secretary a report that describes
24 the purposes and results of the activities.”.

1 (b) *NATIONAL ANIMAL HEALTH VACCINE BANK.*—*The*
2 *Animal Health Protection Act (7 U.S.C. 8301 et seq.) is*
3 *amended by inserting after section 10409B, as added by*
4 *subsection (a), the following new section:*

5 **“SEC. 10409C. NATIONAL ANIMAL HEALTH VACCINE BANK.**

6 “(a) *ESTABLISHMENT.*—*The Secretary shall establish*
7 *a national vaccine bank (to be known as the ‘National Ani-*
8 *mal Health Vaccine Bank’)* *for the benefit of the domestic*
9 *interests of the United States and to help protect the United*
10 *States agriculture and food system against terrorist attack,*
11 *major disaster, and other emergencies.*

12 “(b) *ELEMENTS OF VACCINE BANK.*—*Through the Na-*
13 *tional Animal Health Vaccine Bank, the Secretary shall—*

14 “(1) *maintain sufficient quantities of animal*
15 *vaccine, antiviral, therapeutic, or diagnostic products*
16 *to appropriately and rapidly respond to an outbreak*
17 *of those animal diseases that would have the most*
18 *damaging effect on human health or the United States*
19 *economy; and*

20 “(2) *leverage, when appropriate, the mechanisms*
21 *and infrastructure that have been developed for the*
22 *management, storage, and distribution of the Na-*
23 *tional Veterinary Stockpile of the Animal and Plant*
24 *Health Inspection Service.*

1 “(c) *PRIORITY FOR RESPONSE TO FOOT AND MOUTH*
 2 *DISEASE.*—*The Secretary shall prioritize the acquisition of*
 3 *sufficient quantities of foot and mouth disease vaccine, and*
 4 *accompanying diagnostic products, for the National Ani-*
 5 *mal Health Vaccine Bank. As part of such prioritization,*
 6 *the Secretary shall consider contracting with one or more*
 7 *entities that are capable of producing foot and mouth dis-*
 8 *ease vaccine and that have surge production capacity of the*
 9 *vaccine.”.*

10 (c) *FUNDING.*—

11 (1) *IN GENERAL.*—*Section 10417 of the Animal*
 12 *Health Protection Act (7 U.S.C. 8316) is amended by*
 13 *adding at the end the following new subsection:*

14 “(d) *AVAILABILITY OF FUNDS FOR SPECIFIED PUR-*
 15 *POSES.*—

16 “(1) *MANDATORY FUNDING.*—

17 “(A) *FISCAL YEAR 2019.*—*Of the funds of*
 18 *the Commodity Credit Corporation, the Sec-*
 19 *retary shall make available for fiscal year 2019*
 20 *\$250,000,000 to carry out sections 10409A,*
 21 *10409B, and 10409C, of which—*

22 “(i) *\$30,000,000 shall be made avail-*
 23 *able to carry out the National Animal*
 24 *Health Laboratory Network under section*
 25 *10409A;*

1 “(ii) \$70,000,000 shall be made avail-
2 able to carry out the National Animal Dis-
3 ease Preparedness and Response Program
4 under section 10409B; and

5 “(iii) \$150,000,000 shall be made
6 available to establish and maintain the Na-
7 tional Animal Health Vaccine Bank under
8 section 10409C.

9 “(B) *SUBSEQUENT FISCAL YEARS.*—Of the
10 funds of the Commodity Credit Corporation, the
11 Secretary shall make available to carry out sec-
12 tions 10409A, 10409B, and 10409C, \$50,000,000
13 for each of fiscal years 2020 through 2023, of
14 which not less than \$30,000,000 shall be made
15 available for each of those fiscal years to carry
16 out the National Animal Disease Preparedness
17 and Response Program under section 10409B.

18 “(2) *ADDITIONAL AUTHORIZATION OF APPRO-*
19 *PRIATIONS.*—In addition to the funds made available
20 under subparagraphs (A)(i) and (B) of paragraph (1)
21 and funds authorized to be appropriated by sub-
22 section (a), there are authorized to be appropriated
23 \$15,000,000 for each of fiscal years 2019 through
24 2023 to carry out the National Animal Health Lab-
25 oratory Network under section 10409A.

1 “(3) *ADMINISTRATIVE COSTS.*—Of the funds
2 made available under subparagraphs (A)(i), (A)(ii),
3 and (B) and subparagraph (B) of paragraph (1), not
4 more than four percent may be retained by the Sec-
5 retary to pay administrative costs incurred by the
6 Secretary to carry out the National Animal Health
7 Laboratory Network under section 10409A and the
8 National Animal Disease Preparedness and Response
9 Program under section 10409B. Of the funds made
10 available under subparagraphs (A)(ii) and (B) to
11 carry out the National Animal Disease Preparedness
12 and Response Program under section 10409B and (B)
13 of such paragraph, not more than ten percent may be
14 retained by an eligible entity to pay administrative
15 costs incurred by the eligible entity to carry out such
16 program.

17 “(4) *DURATION OF AVAILABILITY.*—Funds made
18 available under this subsection, including any pro-
19 ceeds credited under paragraph (5), shall remain
20 available until expended.

21 “(5) *PROCEEDS FROM VACCINE SALES.*—Any
22 proceeds of a sale of vaccine or antigen from the Na-
23 tional Animal Health Vaccine Bank shall be—

24 “(A) deposited into the Treasury of the
25 United States; and

1 “(B) credited to the account for the oper-
 2 ation of the National Animal Health Vaccine
 3 Bank.

4 “(6) LIMITATIONS ON USE OF FUNDS FOR CER-
 5 TAIN PURPOSES.—Funds made available under the
 6 National Animal Health Laboratory Network, the Na-
 7 tional Animal Disease Preparedness and Response
 8 Program, and the National Animal Health Vaccine
 9 Bank shall not be used for the construction of a new
 10 building or facility or the acquisition or expansion of
 11 an existing building or facility, including site grad-
 12 ing and improvement and architect fees.”.

13 (2) CONFORMING AMENDMENTS.—

14 (A) SECTION HEADING.—The heading of
 15 section 10417 of the Animal Health Protection
 16 Act (7 U.S.C. 8316) is amended to read as fol-
 17 lows:

18 **“SEC. 10417. FUNDING.”.**

19 (B) OTHER AMENDMENTS.—Section 10417
 20 of the Animal Health Protection Act (7 U.S.C.
 21 8316) is further amended—

22 (i) in subsection (a), by striking “IN
 23 GENERAL” and inserting “GENERAL AU-
 24 THORIZATION OF APPROPRIATIONS”; and

1 (ii) in subsection (c), by striking “to
2 carry out this subtitle” and inserting “pur-
3 suant to the authorization of appropriations
4 in subsection (a)”.

5 (3) **REPEAL OF SEPARATE AUTHORIZATION OF**
6 **NATIONAL ANIMAL HEALTH LABORATORY NETWORK.**—
7 Section 10409A of the Animal Health Protection Act
8 (7 U.S.C. 8308A(d)) is amended by striking sub-
9 section (d).

10 **SEC. 11102. NATIONAL AQUATIC ANIMAL HEALTH PLAN.**

11 Section 11013(d) of the Food, Conservation, and En-
12 ergy Act of 2008 (7 U.S.C. 8322(d)) is amended by striking
13 “2018” and inserting “2023”.

14 **SEC. 11103. VETERINARY TRAINING.**

15 Section 10504 of the Farm Security and Rural Invest-
16 ment Act of 2002 (7 U.S.C. 8318) is amended—

17 (1) by inserting “and veterinary teams, includ-
18 ing those based at colleges of veterinary medicine,”
19 after “veterinarians”; and

20 (2) by inserting before the period at the end the
21 following: “and who are capable of providing effective
22 services before, during, and after emergencies”.

1 **SEC. 11104. REPORT ON FSIS GUIDANCE AND OUTREACH TO**
2 **SMALL MEAT PROCESSORS.**

3 *Not later than one year after the date of the enactment*
4 *of this Act, the Inspector General of the Department of Agri-*
5 *culture shall submit to the Secretary a report on the effec-*
6 *tiveness of existing Food Safety and Inspection Service*
7 *guidance materials and other tools used by small and very*
8 *small establishments, as defined by regulations issued by*
9 *the Food Safety and Inspection Service, as in effect on such*
10 *date of enactment, including—*

11 *(1) an evaluation of the effectiveness of the out-*
12 *reach conducted by the Food Safety and Inspection*
13 *Service to small and very small establishments;*

14 *(2) an evaluation of the effectiveness of the guid-*
15 *ance materials and other tools used by the Food Safe-*
16 *ty and Inspection Service to assist small and very*
17 *small establishments;*

18 *(3) an evaluation of the responsiveness of Food*
19 *Safety and Inspection Service personnel to inquiries*
20 *and issues from small and very small establishments;*
21 *and*

22 *(4) recommendations on measures the Food Safe-*
23 *ty and Inspection Service should take to improve reg-*
24 *ulatory clarity and consistency and ensure all guid-*
25 *ance materials and other tools take into account small*
26 *and very small establishments.*

1 ***Subtitle B—Beginning, Socially Dis-***
 2 ***advantaged, and Veteran Pro-***
 3 ***ducers***

4 ***SEC. 11201. OUTREACH AND ASSISTANCE FOR SOCIALLY***
 5 ***DISADVANTAGED FARMERS AND RANCHERS***
 6 ***AND VETERAN FARMERS AND RANCHERS.***

7 *Section 2501(a)(4) of the Food, Agriculture, Conserva-*
 8 *tion, and Trade Act of 1990 (7 U.S.C. 2279(a)(4)) is*
 9 *amended—*

10 *(1) in subparagraph (A)—*

11 *(A) in the heading, by striking “2018” and*
 12 *inserting “2023”; and*

13 *(B) in clause (iii), by striking “2018” and*
 14 *inserting “2023”;*

15 *(2) by redesignating subparagraph (E) as sub-*
 16 *paragraph (F);*

17 *(3) by inserting after subparagraph (D) the fol-*
 18 *lowing new subparagraph:*

19 *“(E) PRIORITY.—In making grants and en-*
 20 *tering into contracts and other agreements under*
 21 *this section, the Secretary shall give priority to*
 22 *projects that—*

23 *“(i) deliver agricultural education to*
 24 *youth under the age of 18 in underserved*
 25 *and underrepresented communities;*

1 “(ii) provide youth under the age of 18
 2 with agricultural employment or volunteer
 3 opportunities, or both; and

4 “(iii) demonstrate experience in pro-
 5 viding such education or opportunities to
 6 socially disadvantaged youth.”; and

7 (4) in subparagraph (F), as so redesignated, by
 8 striking “2018” and inserting “2023”.

9 **SEC. 11202. OFFICE OF PARTNERSHIPS AND PUBLIC EN-**
 10 **GAGEMENT.**

11 (a) *CHANGING NAME OF OFFICE.*—

12 (1) *IN GENERAL.*—Section 226B of the Depart-
 13 ment of Agriculture Reorganization Act of 1994 (7
 14 U.S.C. 6934) is amended—

15 (A) in the section heading, by striking “**AD-**
 16 **VOCACY AND OUTREACH**” and inserting
 17 “**PARTNERSHIPS AND PUBLIC ENGAGE-**
 18 **MENT**”;

19 (B) by striking “Advocacy and Outreach”
 20 each place it appears in subsections (a)(2),
 21 (b)(1), and (d)(4)(B) and inserting “Partner-
 22 ships and Public Engagement”;

23 (2) *REFERENCES.*—Beginning on the date of the
 24 enactment of this Act, any reference to the Office of
 25 Advocacy and Outreach established under section

1 *226B of the Department of Agriculture Reorganiza-*
 2 *tion Act of 1994 (7 U.S.C. 6934) in any other provi-*
 3 *sion of Federal law shall be deemed to be a reference*
 4 *to the Office of Partnerships and Public Engagement.*

5 *(b) INCREASING OUTREACH.—Section 226B of the De-*
 6 *partment of Agriculture Reorganization Act of 1994 (7*
 7 *U.S.C. 6934), as amended by subsection (a), is further*
 8 *amended—*

9 *(1) in subsection (b)(1)—*

10 *(A) in subparagraph (A), by striking “and”*
 11 *at the end;*

12 *(B) in subparagraph (B)—*

13 *(i) in clause (ii), by striking “and” at*
 14 *the end;*

15 *(ii) in clause (iii), by striking the pe-*
 16 *riod at the end and inserting “; and”; and*

17 *(iii) by adding at the end the following*
 18 *new clauses:*

19 *“(iv) limited resource producers;*

20 *“(v) veteran farmers and ranchers; and*

21 *“(vi) Tribal farmers and ranchers;*
 22 *and”; and*

23 *(C) by adding at the end the following new*
 24 *subparagraph:*

25 *“(C) to promote youth outreach.”; and*

1 (2) *in subsection (c)—*

2 (A) *in the matter preceding paragraph (1),*
 3 *by inserting “veteran farmers and ranchers,*
 4 *Tribal farmers and ranchers,” after “beginning*
 5 *farmers or ranchers,”;*

6 (B) *in paragraph (1), by striking “or so-*
 7 *cially disadvantaged” and inserting “socially*
 8 *disadvantaged, veteran, or Tribal”;* and

9 (C) *in paragraph (5), by inserting “veteran*
 10 *farmers or ranchers, Tribal farmers or ranch-*
 11 *ers,” after “beginning farmers or ranchers,”.*

12 (c) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 13 *226B(f)(3)(B) of the Department of Agriculture Reorga-*
 14 *nization Act of 1994 (7 U.S.C. 6934(f)(3)(B)) is amended*
 15 *by striking “2018” and inserting “2023”.*

16 (d) *OFFICE OF TRIBAL RELATIONS.—Section 309 of*
 17 *the Federal Crop Insurance Reform and Department of Ag-*
 18 *riculture Reorganization Act of 1994 (7 U.S.C. 6921) is*
 19 *amended by striking “of the Secretary” and inserting “of*
 20 *Partnerships and Public Engagement established under sec-*
 21 *tion 226B”.*

22 **SEC. 11203. COMMISSION ON FARM TRANSITIONS—NEEDS**
 23 **FOR 2050.**

24 (a) *ESTABLISHMENT.—There is established a commis-*
 25 *sion to be known as the “Commission on Farm Transi-*

1 *tions—Needs for 2050” (referred to in this section as the*
2 *“Commission”).*

3 *(b) STUDY.—The Commission shall conduct a study on*
4 *issues impacting the transition of agricultural operations*
5 *from established farmers and ranchers to the next genera-*
6 *tion of farmers and ranchers, including—*

7 *(1) access to, and availability of—*

8 *(A) quality land and necessary infrastruc-*
9 *ture;*

10 *(B) affordable credit; and*

11 *(C) adequate risk management tools;*

12 *(2) agricultural asset transfer strategies in use*
13 *as of the date of the enactment of this Act and im-*
14 *provements to such strategies;*

15 *(3) incentives that may facilitate agricultural*
16 *asset transfers to the next generation of farmers and*
17 *ranchers, including recommendations for new Federal*
18 *tax policies to facilitate lifetime and estate transfers;*

19 *(4) the causes of the failures of such transitions,*
20 *if any; and*

21 *(5) the status of programs and incentives pro-*
22 *viding assistance with respect to such transitions in*
23 *effect on the date of the enactment of this Act, and op-*
24 *portunities for the revision or modernization of such*
25 *programs.*

1 (c) *MEMBERSHIP.*—

2 (1) *COMPOSITION.*—*The Commission shall be*
3 *composed of 10 members as follows:*

4 (A) *3 members appointed by the Secretary.*

5 (B) *3 members appointed by the Committee*
6 *on Agriculture, Nutrition, and Forestry of the*
7 *Senate.*

8 (C) *3 members appointed by the Committee*
9 *on Agriculture of the House of Representatives.*

10 (D) *The Chief Economist of the Department*
11 *of Agriculture.*

12 (2) *FEDERAL GOVERNMENT EMPLOYMENT.*—*In*
13 *addition to the Chief Economist of the Department of*
14 *Agriculture, the membership of the Commission may*
15 *include 1 or more employees of the Department of Ag-*
16 *riculture or other Federal agencies.*

17 (3) *DATE OF APPOINTMENTS.*—*The appointment*
18 *of a member of the Commission shall be made not*
19 *later than 60 days after the date of enactment of this*
20 *Act.*

21 (4) *TERM; VACANCIES.*—

22 (A) *TERM.*—*A member shall be appointed*
23 *for the life of the Commission.*

24 (B) *VACANCIES.*—*A vacancy on the Com-*
25 *mission—*

1 (i) shall not affect the powers of the
2 Commission; and

3 (ii) shall be filled in the same manner
4 as the original appointment was made.

5 (5) *INITIAL MEETING.*—Not later than 30 days
6 after the date on which all members of the Commis-
7 sion have been appointed, the Commission shall hold
8 the initial meeting of the Commission.

9 (d) *QUORUM.*—A majority of the members of the Com-
10 mission shall constitute a quorum for the transaction of
11 business, but a lesser number of members may hold hear-
12 ings.

13 (e) *CHAIRPERSON.*—The Secretary shall appoint 1 of
14 the members of the Commission to serve as Chairperson of
15 the Commission.

16 (f) *REPORT.*—Not later than 1 year after the date of
17 enactment of this Act, the Commission shall submit to the
18 President, the Committee on Agriculture of the House of
19 Representatives, and the Committee on Agriculture, Nutri-
20 tion, and Forestry of the Senate a report containing the
21 results of the study required by subsection (b), including
22 such recommendations as the Commission considers appro-
23 priate.

24 (g) *HEARINGS.*—The Commission may hold such hear-
25 ings, meet and act at such times and places, take such testi-

1 *mony, and receive such evidence as the Commission con-*
2 *siders advisable to carry out this section.*

3 *(h) INFORMATION FROM FEDERAL AGENCIES.—The*
4 *Commission may secure directly from a Federal agency*
5 *such information as the Commission considers necessary to*
6 *carry out this section. On request of the Chairperson of the*
7 *Commission, the head of the agency shall provide the infor-*
8 *mation to the Commission.*

9 *(i) POSTAL SERVICES.—The Commission may use the*
10 *United States mail in the same manner and under the same*
11 *conditions as other agencies of the Federal Government.*

12 *(j) ASSISTANCE FROM SECRETARY.—The Secretary*
13 *may provide to the Commission appropriate office space*
14 *and such reasonable administrative and support services as*
15 *the Commission may request.*

16 *(k) COMPENSATION OF MEMBERS.—*

17 *(1) NON-FEDERAL EMPLOYEES.—A member of*
18 *the Commission who is not an officer or employee of*
19 *the Federal Government shall be compensated at a*
20 *rate equal to the daily equivalent of the annual rate*
21 *of basic pay prescribed for level IV of the Executive*
22 *Schedule under section 5315 of title 5, United States*
23 *Code, for each day (including travel time) during*
24 *which the member is engaged in the performance of*
25 *the duties of the Commission.*

1 (2) *FEDERAL EMPLOYEES.*—A member of the
 2 Commission who is an officer or employee of the Fed-
 3 eral Government shall serve without compensation in
 4 addition to the compensation received for the services
 5 of the member as an officer or employee of the Federal
 6 Government.

7 (3) *TRAVEL EXPENSES.*—A member of the Com-
 8 mission shall be allowed travel expenses, including
 9 per diem in lieu of subsistence, at rates authorized for
 10 an employee of an agency under subchapter I of chap-
 11 ter 57 of title 5, United States Code, while away from
 12 the home or regular place of business of the member
 13 in the performance of the duties of the Commission.

14 (4) *FEDERAL ADVISORY COMMITTEE ACT.*—The Fed-
 15 eral Advisory Committee Act (5 U.S.C. App.) shall not
 16 apply to the Commission or any proceeding of the Commis-
 17 sion.

18 **SEC. 11204. AGRICULTURAL YOUTH ORGANIZATION COOR-**
 19 **DINATOR.**

20 *Subtitle A of the Department of Agriculture Reorga-*
 21 *nization Act of 1994 is amended by inserting after section*
 22 *220 (7 U.S.C. 6920) the following new section:*

1 **“SEC. 221. AGRICULTURAL YOUTH ORGANIZATION COORDI-**
2 **NATOR.**

3 “(a) *AUTHORIZATION.*—*The Secretary shall establish*
4 *in the Department the position of Agricultural Youth Orga-*
5 *nization Coordinator.*

6 “(b) *DUTIES.*—*The Agricultural Youth Organization*
7 *Coordinator shall—*

8 “(1) *promote the role of youth-serving organiza-*
9 *tions and school-based agricultural education in moti-*
10 *vating and preparing young people to pursue careers*
11 *in the agriculture, food, and natural resources sys-*
12 *tems;*

13 “(2) *work to help build awareness of the reach*
14 *and importance of agriculture, across a diversity of*
15 *fields and disciplines;*

16 “(3) *identify short-term and long-term interests*
17 *of the Department and provide opportunities, re-*
18 *sources, input, and coordination with programs and*
19 *agencies of the Department to youth-serving organiza-*
20 *tions and school-based agricultural education, includ-*
21 *ing the development of internship opportunities;*

22 “(4) *share, internally and externally, the extent*
23 *to which active steps are being taken to encourage col-*
24 *laboration with, and support of, youth-serving orga-*
25 *nizations and school-based agricultural education;*

1 “(5) provide information to young farmers con-
2 cerning the availability of, and eligibility require-
3 ments for, participation in agricultural programs,
4 with particular emphasis on beginning farmer and
5 rancher programs;

6 “(6) serve as a resource for assisting young
7 farmers in applying for participation in agricultural
8 programs; and

9 “(7) advocate on behalf of young farmers in
10 interactions with employees of the Department.

11 “(c) *CONTRACTS AND COOPERATIVE AGREEMENTS.*—
12 For purposes of carrying out the duties under subsection
13 (b), the Agricultural Youth Organization Coordinator shall
14 consult with the cooperative extension and the land-grant
15 university systems, and may enter into contracts or cooper-
16 ative agreements with the research centers of the Agricul-
17 tural Research Service, cooperative extension and the land-
18 grant university systems, non-land-grant colleges of agri-
19 culture, or nonprofit organizations for—

20 “(1) the conduct of regional research on the prof-
21 itability of small farms;

22 “(2) the development of educational materials;

23 “(3) the conduct of workshops, courses, and cer-
24 tified vocational training;

25 “(4) the conduct of mentoring activities; or

1 “(5) the provision of internship opportunities.”.

2 ***Subtitle C—Textiles***

3 ***SEC. 11301. REPEAL OF PIMA AGRICULTURE COTTON TRUST***

4 ***FUND.***

5 *Effective December 31, 2018, the Agricultural Act of*
 6 *2014 (7 U.S.C. 2101 note; Public Law 113–79) is amended*
 7 *by striking section 12314 (and by conforming the items re-*
 8 *lating to such section in the table of sections accordingly).*

9 ***SEC. 11302. REPEAL OF AGRICULTURE WOOL APPAREL MAN-***
 10 ***UFACTURERS TRUST FUND.***

11 *Effective December 31, 2018, the Agricultural Act of*
 12 *2014 (7 U.S.C. 2101 note; Public Law 113–79) is amended*
 13 *by striking section 12315 (and by conforming the items re-*
 14 *lating to such section in the table of sections accordingly).*

15 ***SEC. 11303. REPEAL OF WOOL RESEARCH AND PROMOTION***
 16 ***GRANTS FUNDING.***

17 *Effective December 31, 2018, the Agricultural Act of*
 18 *2014 (7 U.S.C. 2101 note; Public Law 113–79) is amended*
 19 *by striking section 12316 (and by conforming the items re-*
 20 *lating to such section in the table of sections accordingly).*

21 ***SEC. 11304. TEXTILE TRUST FUND.***

22 *(a) ESTABLISHMENT.—There is established in the*
 23 *Treasury of the United States a trust fund, to be known*
 24 *as the “Textile Trust Fund”, consisting of such amounts*

1 *as may be transferred to the Textile Trust Fund pursuant*
2 *to subsection (e), and to be used for the purposes of—*

3 *(1) reducing the injury to domestic manufactur-*
4 *ers resulting from tariffs on cotton fabric that are*
5 *higher than tariffs on certain apparel articles made*
6 *of cotton fabric;*

7 *(2) reducing the injury to domestic manufactur-*
8 *ers resulting from tariffs on wool products that are*
9 *higher than tariffs on certain apparel articles made*
10 *of wool products; and*

11 *(3) wool research and promotion.*

12 *(b) DISTRIBUTION OF FUNDS.—From amounts in the*
13 *Textile Trust Fund, the Secretary shall make payments an-*
14 *nually, beginning in calendar year 2019, for each of cal-*
15 *endar years 2019 through 2023 as follows:*

16 *(1) PIMA COTTON.—From amounts specified in*
17 *subsection (e)(2)(A), the Secretary shall make pay-*
18 *ments as follows:*

19 *(A) Twenty-five percent of such amounts for*
20 *a calendar year shall be paid to one or more na-*
21 *tionally recognized associations established for*
22 *the promotion of pima cotton for use in textile*
23 *and apparel goods.*

24 *(B) Twenty-five percent of such amounts for*
25 *a calendar year shall be paid to yarn spinners*

1 *of pima cotton that produce ring spun cotton*
2 *yarns in the United States, to be allocated to*
3 *each spinner in an amount that bears the same*
4 *ratio as—*

5 *(i) the spinner's production of ring*
6 *spun cotton yarns, measuring less than*
7 *83.33 decitex (exceeding 120 metric number)*
8 *from pima cotton in single and plied form*
9 *during the previous calendar year (as evi-*
10 *denced by an affidavit provided by the spin-*
11 *ner that meets the requirements of sub-*
12 *section (c)(1)); bears to*

13 *(ii) the production of the yarns de-*
14 *scribed in clause (i) during the previous*
15 *calendar year for all spinners who qualify*
16 *under this subparagraph.*

17 *(C) Fifty percent of such amounts for a cal-*
18 *endar year shall be paid to manufacturers who*
19 *cut and sew cotton shirts in the United States*
20 *who certify that they used imported cotton fabric*
21 *during the previous calendar year, to be allo-*
22 *cated to each such manufacturer in an amount*
23 *that bears the same ratio as—*

24 *(i) the dollar value (excluding duty,*
25 *shipping, and related costs) of imported*

1 woven cotton shirting fabric of 80s or higher
2 count and 2-ply in warp purchased by the
3 manufacturer during the previous calendar
4 year (as evidenced by an affidavit provided
5 by the manufacturer that meets the require-
6 ments of subsection (c)(2)) used in the man-
7 ufacturing of men's and boys' cotton shirts;
8 bears to

9 (ii) the dollar value (excluding duty,
10 shipping, and related costs) of the fabric de-
11 scribed in clause (i) purchased during the
12 previous calendar year by all manufactur-
13 ers who qualify under this subparagraph.

14 (2) WOOL MANUFACTURERS.—From amounts
15 specified in subsection (e)(2)(B), the Secretary shall
16 make payments as follows:

17 (A) To each eligible manufacturer under
18 paragraph (3) of section 4002(c) of the Wool
19 Suit and Textile Trade Extension Act of 2004
20 (Public Law 108–429; 118 Stat. 2600), as
21 amended by section 1633(c) of the Miscellaneous
22 Trade and Technical Corrections Act of 2006
23 (Public Law 109–280; 120 Stat. 1166) and sec-
24 tion 325(b) of the Tax Extenders and Alternative
25 Minimum Tax Relief Act of 2008 (division C of

1 *Public Law 110–343; 122 Stat. 3875), and any*
2 *successor-in-interest to such a manufacturer as*
3 *provided for under paragraph (4) of such section*
4 *4002(c), that submits an affidavit in accordance*
5 *with subsection (c)(3) for the year of the pay-*
6 *ment for calendar years 2019 through 2023, pay-*
7 *ments in amounts authorized under that para-*
8 *graph.*

9 *(B) To each eligible manufacturer under*
10 *paragraph (6) of such section 4002(c) for cal-*
11 *endar years 2019 through 2023, payments in*
12 *amounts authorized under that paragraph.*

13 *(c) AFFIDAVITS.—*

14 *(1) YARN SPINNERS.—The affidavit required by*
15 *subsection (b)(1)(B)(i) for a calendar year is a nota-*
16 *rized affidavit provided by an officer of a producer of*
17 *ring spun yarns that affirms—*

18 *(A) that the producer used pima cotton dur-*
19 *ing the year in which the affidavit is filed and*
20 *during the previous calendar year to produce*
21 *ring spun cotton yarns in the United States,*
22 *measuring less than 83.33 decitex (exceeding 120*
23 *metric number), in single and plied form;*

24 *(B) the quantity, measured in pounds, of*
25 *ring spun cotton yarns, measuring less than*

1 83.33 decitex (exceeding 120 metric number), in
2 single and plied form during the previous cal-
3 endar year; and

4 (C) that the producer maintains supporting
5 documentation showing the quantity of such
6 yarns produced, and evidencing the yarns as
7 ring spun cotton yarns, measuring less than
8 83.33 decitex (exceeding 120 metric number), in
9 single and plied form during the previous cal-
10 endar year.

11 (2) *SHIRTING MANUFACTURERS.*—

12 (A) *IN GENERAL.*—The affidavit required
13 by subsection (b)(1)(C)(i) for a calendar year is
14 a notarized affidavit provided by an officer of a
15 manufacturer of men’s and boys’ shirts that af-
16 firms—

17 (i) that the manufacturer used im-
18 ported cotton fabric during the year in
19 which the affidavit is filed and during the
20 previous calendar year, to cut and sew
21 men’s and boys’ woven cotton shirts in the
22 United States;

23 (ii) the dollar value of imported woven
24 cotton shirting fabric of 80s or higher count

1 *and 2-ply in warp purchased by the manu-*
2 *facturer during the previous calendar year;*

3 *(iii) that the manufacturer maintains*
4 *invoices along with other supporting docu-*
5 *mentation (such as price lists and other*
6 *technical descriptions of the fabric qualities)*
7 *showing the dollar value of such fabric pur-*
8 *chased, the date of purchase, and evidencing*
9 *the fabric as woven cotton fabric of 80s or*
10 *higher count and 2-ply in warp; and*

11 *(iv) that the fabric was suitable for use*
12 *in the manufacturing of men's and boys'*
13 *cotton shirts.*

14 *(B) DATE OF PURCHASE.—For purposes of*
15 *the affidavit under subparagraph (A), the date of*
16 *purchase shall be the invoice date, and the dollar*
17 *value shall be determined excluding duty, ship-*
18 *ping, and related costs.*

19 *(3) FILING DATE FOR AFFIDAVITS.—Any person*
20 *required to provide an affidavit under this section*
21 *shall file the affidavit with the Secretary or as di-*
22 *rected by the Secretary for any of calendar years*
23 *2019 through 2023, not later than March 15 of that*
24 *calendar year.*

1 (4) *INCREASE IN PAYMENTS TO WOOL MANUFAC-*
2 *TURERS IN CASE OF EXPIRATION OF DUTY SUSPEN-*
3 *SIONS.—*

4 (A) *IN GENERAL.—In any calendar year in*
5 *which the suspension of duty on wool products*
6 *described in subparagraphs (B) and (C) is not*
7 *in effect, the amount of any payment described*
8 *in subsection (b)(2) to a manufacturer or suc-*
9 *cessor-in-interest shall be increased by an*
10 *amount the Secretary, after consultation with the*
11 *Secretary of Commerce, determines is equal to*
12 *the amount the manufacturer or successor-in-in-*
13 *terest would have saved during the calendar year*
14 *of the payment if the suspension of duty on such*
15 *wool products were in effect.*

16 (B) *SPECIAL RULE FOR CERTAIN FABRICS*
17 *OF WORSTED WOOL.—*

18 (i) *IN GENERAL.—With respect to fab-*
19 *rics of worsted wool described in clause (ii),*
20 *subparagraph (A) shall be applied by sub-*
21 *stituting “rate of duty on such wool prod-*
22 *ucts was 10 percent” for “suspension of*
23 *duty on such wool products were in effect”.*

24 (ii) *FABRICS OF WORSTED WOOL DE-*
25 *SCRIBED.—Fabrics of worsted wool de-*

scribed in this paragraph are fabrics of
worsted wool—

(I) with average fiber diameters
greater than 18.5 micron; and

(II) containing 85 percent or
more by weight of wool.

(C) COVERED WOOL PRODUCTS.—Subpara-
graph (A) applies with respect to the following:

(i) Yarn, of combed wool, not put up
for retail sale, containing 85 percent or
more by weight of wool, formed with wool
fibers having average diameters of 18.5 mi-
cron or less.

(ii) Wool fiber, waste, garnetted stock,
combed wool, or wool top, the foregoing hav-
ing average fiber diameters of 18.5 micron
or less.

(iii) Fabrics of combed wool, con-
taining 85 percent or more by weight of
wool, with wool yarns of average fiber di-
ameters of 18.5 micron or less, certified by
the importer as suitable for use in making
men's and boys suits, suit-type jackets, or
trousers and must be imported for the ben-

1 *efit of persons who cut and sew such cloth-*
 2 *ing in the United States.*

3 *(iv) Fabrics of combed wool, con-*
 4 *taining 85 percent or more by weight of*
 5 *wool, with wool yarns of average fiber di-*
 6 *ameters of 18.5 micron or less, certified by*
 7 *the importer as suitable for use in making*
 8 *men's and boys suits, suit-type jackets, or*
 9 *trousers and must be imported for the ben-*
 10 *efit of persons who weave worsted wool fab-*
 11 *ric suitable for use in such clothing in the*
 12 *United States.*

13 *(D) NO APPEAL OF DETERMINATIONS.—A*
 14 *determination of the Secretary under this para-*
 15 *graph shall be final and not subject to appeal or*
 16 *protest.*

17 *(d) TIMING FOR DISTRIBUTIONS.—The Secretary shall*
 18 *make a payment under subsection (b) for each of calendar*
 19 *years 2019 through 2023, not later than April 15 of the*
 20 *year of the payment.*

21 *(e) FUNDING.—*

22 *(1) TRANSFER REQUIRED.—Of the funds of the*
 23 *Commodity Credit Corporation, the Secretary shall*
 24 *transfer to the Textile Trust Fund \$25,250,000 for*
 25 *each of calendar years 2019 through 2023.*

1 (2) *ALLOCATION OF FUNDS.—Of the funds trans-*
2 *ferred under paragraph (1) for a calendar year—*

3 (A) *\$8,000,000 shall be available for dis-*
4 *tribution under subsection (b)(1);*

5 (B) *\$15,000,000 shall be available for dis-*
6 *tribution under subsection (b)(2); and*

7 (C) *notwithstanding subsection (f) of section*
8 *506 of the Trade and Development Act of 2000*
9 *(7 U.S.C. 7101 note; Public Law 106–200),*
10 *\$2,250,000 shall be available to provide grants*
11 *described in subsection (d) of such section.*

12 (3) *SHEEP PRODUCTION AND MARKETING.—In*
13 *addition to funds made available under paragraph*
14 *(1), of the funds of the Commodity Credit Corpora-*
15 *tion, the Secretary shall use to carry out section 209*
16 *of the Agricultural Marketing Act of 1946 (7 U.S.C.*
17 *1627a), \$2,000,000 for fiscal year 2019, to remain*
18 *available until expended.*

19 (4) *DURATION OF AVAILABILITY.—Amounts*
20 *transferred to the Textile Trust Fund pursuant to this*
21 *subsection shall remain available until expended.*

***Subtitle D—United States Grain
Standards Act***

***SEC. 11401. RESTORING CERTAIN EXCEPTIONS TO UNITED
STATES GRAIN STANDARDS ACT.***

(a) IN GENERAL.—Grain handling facilities described in subsection (b) may, on or before the date that is 180 days after the date of the enactment of this Act, restore a prior exception with an official agency designated under the rule entitled “Exceptions to Geographic Areas for Official Agencies Under the USGSA” published by the Department of Agriculture in the Federal Register on April 18, 2003 (68 Fed. Reg. 19137) if—

(1) such grain handling facility and official agency agree to restore such prior exception; and

(2) such grain handling facility notifies the Secretary of Agriculture of—

(A) the exception described in paragraph

(1); and

(B) the effective date of such exception.

(b) ELIGIBLE GRAIN HANDLING FACILITIES.—Subsection (a) shall apply with respect to grain handling facilities that were—

(1) granted exceptions pursuant to the rule specified in subsection (a); and

1 (2) *had such exceptions revoked on or after Sep-*
 2 *tember 30, 2015.*

3 (c) *NO UNILATERAL TERMINATION ALLOWED.—Begin-*
 4 *ning on the date of the enactment of this Act, a nonuse*
 5 *of service exception may only be terminated if two or more*
 6 *parties to such exception, including the grain handling fa-*
 7 *cility, are in joint agreement with respect to such termi-*
 8 *nation.*

9 ***Subtitle E—Noninsured Crop***
 10 ***Disaster Assistance Program***

11 ***SEC. 11501. ELIGIBLE CROPS.***

12 *Section 196(a)(2) of the Federal Agriculture Improve-*
 13 *ment and Reform Act of 1996 (7 U.S.C. 7333(a)(2)) is*
 14 *amended by striking subparagraph (A) and inserting the*
 15 *following new subparagraph:*

16 “(A) *IN GENERAL.—Subject to subpara-*
 17 *graph (B), in this section, the term ‘eligible crop’*
 18 *means each commercial crop or other agricul-*
 19 *tural commodity that is produced for food or*
 20 *fiber (except livestock) for which catastrophic*
 21 *risk protection under subsection (b) of section*
 22 *508 of the Federal Crop Insurance Act (7 U.S.C.*
 23 *1508) and additional coverage under subsections*
 24 *(c) and (h) of such section are not available or,*
 25 *if such coverage is available, it is only available*

1 under a policy that provides coverage for specific
 2 intervals based on weather indexes or under a
 3 whole farm plan of insurance.”.

4 **SEC. 11502. SERVICE FEE.**

5 Section 196(k)(1) of the Federal Agriculture Improve-
 6 ment and Reform Act of 1996 (7 U.S.C. 7333(k)(1)) is
 7 amended—

8 (1) in subparagraph (A), by striking “\$250” and
 9 inserting “\$350”; and

10 (2) in subparagraph (B)—

11 (A) by striking “\$750” and inserting
 12 “\$1,050”; and

13 (B) by striking “\$1,875” and inserting
 14 “\$2,100”.

15 **SEC. 11503. PAYMENTS EQUIVALENT TO ADDITIONAL COV-**
 16 **ERAGE.**

17 (a) **PREMIUMS.**—Section 196(l)(2)(B)(i) of the Federal
 18 Agriculture Improvement and Reform Act of 1996 (7 U.S.C.
 19 7333(l)(2)(B)(i)) is amended—

20 (1) by striking “and” at the end of subclause
 21 (IV);

22 (2) by striking “or” at the end of subclause (V)
 23 and inserting “and”; and

24 (3) by adding at the end the following new sub-
 25 clause:

1 “(VI) the producer’s share of the
2 crop; or”.

3 (b) *ADDITIONAL AVAILABILITY OF COVERAGE.*—Sec-
4 tion 196(l) of the Federal Agriculture Improvement and Re-
5 form Act of 1996 (7 U.S.C. 7333(l)) is amended—

6 (1) by striking paragraph (3); and

7 (2) by redesignating paragraphs (4) and (5) as
8 paragraphs (3) and (4), respectively.

9 (c) *PERIOD OF AVAILABILITY.*—Paragraph (4) of sec-
10 tion 196(l) of the Federal Agriculture Improvement and Re-
11 form Act of 1996 (7 U.S.C. 7333(l)), as redesignated by sub-
12 section (b)(2), is amended—

13 (1) by striking “Except as provided in para-
14 graph (3)(A), additional” and inserting “Addi-
15 tional”; and

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

17 ***Subtitle F—Other Matters***

18 ***SEC. 11601. UNDER SECRETARY OF AGRICULTURE FOR*** 19 ***FARM PRODUCTION AND CONSERVATION.***

20 (a) *REFERENCES TO FORMER UNDER SECRETARY OF*
21 *AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL*
22 *SERVICES.*—

23 (1) *FOOD AID CONSULTATIVE GROUP.*—Section
24 205(b) of the Food for Peace Act (7 U.S.C. 1725(b))

1 *is amended by striking paragraph (2) and inserting*
2 *the following new paragraph:*

3 *“(2) the Under Secretary of Agriculture for*
4 *Trade and Foreign Agricultural Affairs;”.*

5 *(2) OFFICE OF RISK MANAGEMENT.—Section*
6 *226A(d)(1) of the Department of Agriculture Reorga-*
7 *nization Act of 1994 (7 U.S.C. 6933(d)(1)) is amend-*
8 *ed by striking “Under Secretary of Agriculture for*
9 *Farm and Foreign Agricultural Services” and insert-*
10 *ing “Under Secretary of Agriculture for Farm Pro-*
11 *duction and Conservation”.*

12 *(3) MULTIAGENCY TASK FORCE.—Section*
13 *242(b)(3) of the Department of Agriculture Reorga-*
14 *nization Act of 1994 (7 U.S.C. 6952(b)(3)) is amend-*
15 *ed by striking “Under Secretary for Farm and For-*
16 *ign Agricultural Services” and inserting “Under*
17 *Secretary of Agriculture for Trade and Foreign Agri-*
18 *cultural Affairs”.*

19 *(4) INTERAGENCY COMMITTEE ON MINORITY CA-*
20 *REERS IN INTERNATIONAL AFFAIRS.—Section*
21 *625(c)(1)(A) of the Higher Education Act of 1965 (20*
22 *U.S.C. 1131c(c)(1)(A)) is amended by striking*
23 *“Under Secretary for Farm and Foreign Agricultural*
24 *Services” and inserting “Under Secretary of Agri-*
25 *culture for Trade and Foreign Agricultural Affairs”.*

1 **(b) REFERENCES TO OTHER DESIGNATED DEPART-**
 2 **MENT OFFICIALS.—**

3 **(1) DEFINITIONS UNDER CONSOLIDATED FARM**
 4 **AND RURAL DEVELOPMENT ACT.—***Section*
 5 *343(a)(13)(D) of the Agricultural Act of 1961 (7*
 6 *U.S.C. 1991(a)(13)(D)) is amended—*

7 *(A) in clause (ii)—*

8 *(i) by inserting “(or other official des-*
 9 *ignated by the Secretary)” after “Under*
 10 *Secretary for Rural Development”; and*

11 *(ii) by inserting “or designated offi-*
 12 *cial” after “Under Secretary” each other*
 13 *place it appears; and*

14 *(B) in clause (iii)—*

15 *(i) by inserting “(or other official des-*
 16 *ignated by the Secretary)” after “Under*
 17 *Secretary for Rural Development”; and*

18 *(ii) in subclauses (III) and (IV), by in-*
 19 *serting “or designated official” after “Under*
 20 *Secretary” both places it appears.*

21 **(2) NATIONAL SHEEP INDUSTRY IMPROVEMENT**
 22 **CENTER.—***Section 210(f)(3)(B)(i) of the Agricultural*
 23 *Marketing Act of 1946 (7 U.S.C. 1627b(f)(3)(B)(i)) is*
 24 *amended by inserting “(or other official designated by*

1 *the Secretary of Agriculture)*” after “*Under Secretary*
 2 *of Agriculture for Rural Development*”.

3 (3) *INTERTRIBAL TOURISM DEMONSTRATION*
 4 *PROJECTS.*—Section 6(a)(2)(A) of the *Native Amer-*
 5 *ican Business Development, Trade Promotion, and*
 6 *Tourism Act of 2000* (25 U.S.C. 4305(a)(2)(A)) is
 7 amended by inserting “(or other official designated by
 8 *the Secretary of Agriculture)*” after “*Under Secretary*
 9 *of Agriculture for Rural Development*”.

10 (4) *STATE PLANS FOR VOCATIONAL REHABILITA-*
 11 *TION SERVICES.*—Section 101(a)(11)(C) of the *Reha-*
 12 *bilitation Act of 1973* (29 U.S.C. 721(a)(11)(C)) is
 13 amended by inserting “(or other official designated by
 14 *the Secretary of Agriculture)*” after “*Under Secretary*
 15 *for Rural Development of the Department of Agri-*
 16 *culture*”.

17 **SEC. 11602. AUTHORITY OF SECRETARY TO CARRY OUT CER-**
 18 **TAIN PROGRAMS UNDER DEPARTMENT OF**
 19 **AGRICULTURE REORGANIZATION ACT OF**
 20 **1994.**

21 Section 296(b)(8) of the *Department of Agriculture Re-*
 22 *organization Act of 1994* (7 U.S.C. 7014(b)(8)) is amended
 23 by inserting “, section 772 of the *Agriculture, Rural Devel-*
 24 *opment, Food and Drug Administration, and Related Agen-*

1 *cies Appropriations Act, 2018, or the Agriculture and Nu-*
 2 *trition Act of 2018” before the period at the end.*

3 **SEC. 11603. CONFERENCE REPORT REQUIREMENT THRESH-**
 4 **OLD.**

5 *Section 14208(a)(3)(A) of the Food, Conservation, and*
 6 *Energy Act of 2008 (7 U.S.C. 2255b(a)(3)(A)) is amended*
 7 *by striking “\$10,000” and inserting “\$75,000”.*

8 **SEC. 11604. NATIONAL AGRICULTURE IMAGERY PROGRAM.**

9 *(a) IN GENERAL.—The Secretary of Agriculture, act-*
 10 *ing through the Administrator of the Farm Service Agency,*
 11 *shall carry out a national agriculture imagery program to*
 12 *annually acquire aerial imagery during agricultural grow-*
 13 *ing seasons from the continental United States.*

14 *(b) DATA.—The aerial imagery acquired under this*
 15 *section shall—*

16 *(1) consist of high resolution processed digital*
 17 *imagery;*

18 *(2) be made available in a format that can be*
 19 *provided to Federal, State, and private sector entities;*

20 *(3) be technologically compatible with geospatial*
 21 *information technology; and*

22 *(4) be consistent with the standards established*
 23 *by the Federal Geographic Data Committee.*

1 (c) *SUPPLEMENTAL SATELLITE IMAGERY.*—*The Sec-*
 2 *retary of Agriculture may supplement the aerial imagery*
 3 *collected under this section with satellite imagery.*

4 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 5 *authorized to be appropriated to carry out this section*
 6 *\$23,000,000 for fiscal year 2019 and each fiscal year there-*
 7 *after.*

8 **SEC. 11605. REPORT ON INCLUSION OF NATURAL STONE**
 9 **PRODUCTS IN COMMODITY PROMOTION, RE-**
 10 **SEARCH, AND INFORMATION ACT OF 1996.**

11 *Not later than 180 days after the date of the enactment*
 12 *of this Act, the Secretary of Agriculture shall submit to the*
 13 *Committee on Agriculture of the House of Representatives*
 14 *a report examining the effect the establishment of a Natural*
 15 *Stone Research and Promotion Board pursuant to the Com-*
 16 *modity Promotion, Research, and Information Act of 1996*
 17 *(7 U.S.C. 7401 et seq.) would have on the natural stone*
 18 *industry, including how such a program would effect—*

19 (1) *research conducted on, and the promotion of,*
 20 *natural stone;*

21 (2) *the development and expansion of domestic*
 22 *markets for natural stone;*

23 (3) *economic activity of the natural stone indus-*
 24 *try subject to such a Board;*

25 (4) *economic development in rural areas; and*

1 (5) *benefits to consumers in the United States of*
 2 *natural stone products.*

3 **SEC. 11606. SOUTH CAROLINA INCLUSION IN VIRGINIA/**
 4 **CAROLINA PEANUT PRODUCING REGION.**

5 *Section 1308(c)(2)(B)(iii) of the Farm Security and*
 6 *Rural Investment Act of 2002 (7 U.S.C. 7958(c)(2)(B)(iii))*
 7 *is amended by striking “Virginia and North Carolina” and*
 8 *inserting “Virginia, North Carolina, and South Carolina”.*

9 **SEC. 11607. ESTABLISHMENT OF FOOD LOSS AND WASTE**
 10 **REDUCTION LIAISON.**

11 *Subtitle A of the Department of Agriculture Reorga-*
 12 *nization Act of 1994 (7 U.S.C. 6901 et seq.), as amended*
 13 *by section 11204, is further amended by adding at the end*
 14 *the following:*

15 **“SEC. 222. FOOD LOSS AND WASTE REDUCTION LIAISON.**

16 **“(a) ESTABLISHMENT.—***The Secretary shall establish*
 17 *within the Office of the Secretary a Food Loss and Waste*
 18 *Reduction Liaison to coordinate Federal programs to meas-*
 19 *ure and reduce the incidence of food loss and waste in ac-*
 20 *cordance with this section.*

21 **“(b) DUTIES.—***The Food Loss and Waste Reduction*
 22 *Liaison shall—*

23 **“(1) coordinate food loss and waste reduction ef-**
 24 *forts with other Federal agencies, including the Envi-*

1 *ronmental Protection Agency and the Food and Drug*
2 *Administration;*

3 “(2) *support and promote Federal programs to*
4 *measure and reduce the incidence of food loss and*
5 *waste and increase food recovery;*

6 “(3) *provide information to, and serve as a re-*
7 *source for, entities engaged in food loss and waste re-*
8 *duction and food recovery concerning the availability*
9 *of, and eligibility requirements for, participation in*
10 *Federal programs;*

11 “(4) *raise awareness of the liability protections*
12 *afforded under the Bill Emerson Good Samaritan*
13 *Food Donation Act (42 U.S.C. 1791) to persons en-*
14 *gaged in food loss and waste reduction and food re-*
15 *covery; and*

16 “(5) *make recommendations with respect to ex-*
17 *panding food recovery efforts and reducing the inci-*
18 *dence of food loss and waste.*

19 “(c) *COOPERATIVE AGREEMENTS.—For purposes of*
20 *carrying out the duties under subsection (b), the Food Loss*
21 *and Waste Reduction Liaison may enter into contracts or*
22 *cooperative agreements with the research centers of the Re-*
23 *search, Education, and Economics mission area, institu-*
24 *tions of higher education (as defined in section 101 of the*

1 *Higher Education Act of 1965 (20 U.S.C. 1001)), or non-*
2 *profit organizations for—*

3 *“(1) the development of educational materials;*

4 *“(2) the conduct of workshops and courses; or*

5 *“(3) the conduct of research on best practices*
6 *with respect to food loss and waste reduction and food*
7 *recovery.”.*

8 **SEC. 11608. COTTON CLASSIFICATION SERVICES.**

9 *Section 3a of the Act of March 3, 1927 (7 U.S.C.*
10 *473a), is amended—*

11 *(1) by redesignating subsection (g) as subsection*
12 *(h); and*

13 *(2) by inserting after subsection (f) the following*
14 *new subsection:*

15 *“(g) HIRING AUTHORITY.—Notwithstanding any other*
16 *provision of law, employees hired to provide cotton classi-*
17 *fication services pursuant to this section may work up to*
18 *240 calendar days in a service year and may be rehired*
19 *non-competitively every year in the same or a successor po-*
20 *sition if they meet performance and conduct expectations,*
21 *as determined by the Secretary.”.*

22 **SEC. 11609. CENTURY FARMS PROGRAM.**

23 *The Secretary shall establish a program under which*
24 *the Secretary recognizes any farm that—*

1 (1) a State department of agriculture or similar
 2 statewide agricultural organization recognizes as a
 3 Century Farm; or

4 (2)(A) is defined as a farm or ranch under sec-
 5 tion 4284.902 of title 7, Code of Federal Regulations
 6 (as in effect on the date of enactment of this Act);

7 (B) has been in continuous operation for at least
 8 100 years; and

9 (C) has been owned by the same family for at
 10 least 100 consecutive years, as verified through deeds,
 11 wills, abstracts, tax statements, or other similar legal
 12 documents considered appropriate by the Secretary.

13 **SEC. 11610. REPORT ON AGRICULTURAL INNOVATION.**

14 (a) *IN GENERAL.*—Not later than 180 days after the
 15 date of the enactment of this Act, the Secretary of Agri-
 16 culture, in consultation with the Administrator of the Envi-
 17 ronmental Protection Agency and the Commissioner of the
 18 Food and Drug Administration, shall prepare and submit
 19 a report to the Committee on Agriculture of the House of
 20 Representatives and the Committee on Agriculture, Nutri-
 21 tion, and Forestry of the Senate on plans for improving
 22 the Federal government’s policies and procedures with re-
 23 spect to gene editing and other precision plant breeding
 24 methods.

1 (b) *CONTENT.*—*The report under subsection (a) shall*
2 *include plans to implement measures designed to ensure*
3 *that—*

4 (1) *the United States continues to provide a fa-*
5 *vorable environment for research and development in*
6 *precision plant breeding innovation and maintains*
7 *its leadership with respect to that innovation;*

8 (2) *for plants for which premarket review is re-*
9 *quired under the Plant Protection Act (7 U.S.C. 7701*
10 *et seq.), the Federal Insecticide, Fungicide, and*
11 *Rodenticide Act (7 U.S.C. 136), or the Federal Food,*
12 *Drug, and Cosmetic Act, the process for such review*
13 *is designed—*

14 (A) *to minimize regulatory burden while as-*
15 *suming protection of public health and welfare;*
16 *and*

17 (B) *to ensure that resources of the Depart-*
18 *ment of Agriculture are focused on plants with*
19 *less familiar characteristics, more complex risk*
20 *pathways, or both;*

21 (3) *each agency referred to in subsection (a) rec-*
22 *ognizes that certain applications of gene editing in*
23 *plants do not warrant such a premarket review proc-*
24 *ess;*

1 (4) each agency referred to in subsection (a)
 2 clearly communicates the rationale for the regulatory
 3 policies and decisions of such agency to the public
 4 through broadly available and easily accessible tools;

5 (5) categories of plants that are familiar and
 6 have a history of safe use be identified and exempted
 7 from such premarket review or be subject to an expedited,
 8 independent premarket review process for which
 9 data requirements are reduced;

10 (6) regulatory processes of each agency referred
 11 to in subsection (a) are predictable, efficient, not duplicative,
 12 and designed to accommodate rapid advances in plant breeding
 13 technology; and

14 (7) where Federal law provides for regulatory oversight
 15 of plant breeding technology by more than one Federal agency,
 16 the relevant Federal agencies enter into appropriate interagency
 17 agreements to shift responsibility for particular categories of
 18 plant products and regulatory activities for purposes of meeting
 19 the goals specified in paragraphs (1) through (6).

21 **SEC. 11611. REPORT ON DOG IMPORTATION.**

22 Not later than 180 days after the date of the enactment
 23 of this Act, the Secretary of Agriculture, in consultation
 24 with the Secretary of Commerce, the Secretary of Health
 25 and Human Services, and the Secretary of Homeland Security,

1 rity, shall submit to the Committee on Agriculture of the
 2 House of Representatives and the Committee on Agri-
 3 culture, Nutrition, and Forestry of the Senate a report that
 4 contains the following information, with respect to the im-
 5 portation of dogs into the United States:

6 (1) An estimate of the number of dogs so im-
 7 ported each year.

8 (2) The number of dogs so imported for resale.

9 (3) The number of dogs for which such importa-
 10 tion for resale was requested but denied because such
 11 importation failed to meet the requirements of section
 12 18 of the Animal Welfare Act (7 U.S.C. 2148).

13 (4) The Secretary's recommendations for Federal
 14 statutory changes determined to be necessary for such
 15 importation for resale to meet the requirements of
 16 such section.

17 **SEC. 11612. PROHIBITION ON SLAUGHTER OF DOGS AND**
 18 **CATS FOR HUMAN CONSUMPTION.**

19 *The Animal Welfare Act (7 U.S.C. 2131 et seq.) is*
 20 *amended by adding at the end the following new section:*

21 **“SEC. 30. PROHIBITION OF SLAUGHTER OF DOGS AND CATS**
 22 **FOR HUMAN CONSUMPTION.**

23 **“(a) PROHIBITION.—**No person may—

24 **“(1) knowingly slaughter a dog or cat for human**
 25 **consumption; or**

1 “(2) knowingly ship, transport, move, deliver, re-
2 ceive, possess, purchase, sell, or donate—

3 “(A) a dog or cat to be slaughtered for
4 human consumption; or

5 “(B) dog or cat parts for human consump-
6 tion.

7 “(b) *PENALTY.*—Any person who violates this section
8 shall be subject to imprisonment for not more than 1 year,
9 or a fine of not more than \$2,500, or both.

10 “(c) *SCOPE.*—Subsection (a) shall apply only with re-
11 spect to conduct in or affecting interstate or foreign com-
12 merce or within the special maritime and territorial juris-
13 diction of the United States.

14 “(d) *CONFLICT WITH STATE LAW.*—This section shall
15 not be construed to limit any State or local law or regula-
16 tions protecting the welfare of animals or to prevent a State
17 or local governing body from adopting and enforcing ani-
18 mal welfare laws and regulations that are more stringent
19 than this section.”.

1 ***Subtitle G—Protecting Interstate***
2 ***Commerce***

3 ***SEC. 11701. PROHIBITION AGAINST INTERFERENCE BY***
4 ***STATE AND LOCAL GOVERNMENTS WITH PRO-***
5 ***DUCTION OR MANUFACTURE OF ITEMS IN***
6 ***OTHER STATES.***

7 *(a) IN GENERAL.—Consistent with article I, section 8,*
8 *clause 3 of the Constitution of the United States, the govern-*
9 *ment of a State or locality therein shall not impose a stand-*
10 *ard or condition on the production or manufacture of any*
11 *agricultural product sold or offered for sale in interstate*
12 *commerce if—*

13 *(1) such production or manufacture occurs in*
14 *another State; and*

15 *(2) the standard or condition is in addition to*
16 *the standards and conditions applicable to such pro-*
17 *duction or manufacture pursuant to—*

18 *(A) Federal law; and*

19 *(B) the laws of the State and locality in*
20 *which such production or manufacture occurs.*

21 *(b) AGRICULTURAL PRODUCT DEFINED.—In this sec-*
22 *tion, the term “agricultural product” has the meaning*
23 *given such term in section 207 of the Agricultural Mar-*
24 *keting Act of 1946 (7 U.S.C. 1626).*

1 **SEC. 11702. FEDERAL CAUSE OF ACTION TO CHALLENGE**
2 **STATE REGULATION OF INTERSTATE COM-**
3 **MERCE.**

4 (a) *PRIVATE RIGHT OF ACTION.*—A person, including
5 a producer, transporter, distributor, consumer, laborer,
6 trade association, the Federal Government, a State govern-
7 ment, or a unit of local government, which is affected by
8 a regulation of a State or unit of local government which
9 regulates any aspect of an agricultural product, including
10 any aspect of the method of production, which is sold in
11 interstate commerce, or any means or instrumentality
12 through which such an agriculture product is sold in inter-
13 state commerce, may bring an action in the appropriate
14 court to invalidate such a regulation and seek damages for
15 economic loss resulting from such regulation.

16 (b) *PRELIMINARY INJUNCTION.*—Upon a motion of the
17 plaintiff, the court shall issue a preliminary injunction to
18 preclude the State or unit of local government from enforce-
19 ing the regulation at issue until such time as the court en-
20 ters a final judgment in the case, unless the State or unit
21 of local government proves by clear and convincing evidence
22 that—

23 (1) the State or unit of local government is likely
24 to prevail on the merits at trial; and

25 (2) the injunction would cause irreparable harm
26 to the State or unit of local government.

1 (c) *STATUTE OF LIMITATIONS.*—*No action shall be*
2 *maintained under this section unless it is commenced with-*
3 *in 10 years after the cause of action arose.*

Union Calendar No. 508

115TH CONGRESS
2^D Session

H. R. 2

[Report No. 115-661]

A BILL

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

MAY 3, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed