

117TH CONGRESS
2^D SESSION

H. R. 7606

AN ACT

To establish the Office of the Special Investigator for
Competition Matters within the Department of Agriculture.

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

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

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Lower Food and Fuel Costs Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

TITLE I—MEAT AND POULTRY SPECIAL INVESTIGATOR

Sec. 101. Office of the Special Investigator for Competition Matters.

TITLE II—CROP NUTRIENT USE AND PRECISION AGRICULTURE
PRACTICE ADOPTION ASSISTANCE

Sec. 201. Crop nutrient use and precision agriculture practice adoption assist-
ance.

Sec. 202. Rule of construction.

TITLE III—AGRICULTURE AND FOOD SUPPLY CHAIN RESILIENCY

Subtitle A—Agriculture and Food System Supply Chain Resilience and Crisis
Response Task Force

Sec. 301. Agriculture and Food System Supply Chain Resilience and Crisis Re-
sponse Task Force.

Subtitle B—Addressing Fertilizer Shortages

Sec. 311. Addressing fertilizer shortages.

Subtitle C—American Food Supply Chain Resiliency

Sec. 321. Supply Chain Regional Resource Centers.

Sec. 322. Agriculture Innovation Centers Program.

TITLE IV—BIOFUEL INFRASTRUCTURE AND AGRICULTURE
PRODUCT MARKET EXPANSION

Sec. 401. Biofuel infrastructure and agriculture product market expansion.

TITLE V—YEAR-ROUND FUEL CHOICE

Sec. 501. Ethanol waiver.

TITLE VI—PRODUCING RESPONSIBLE ENERGY AND CONSERVA-
TION INCENTIVES AND SOLUTIONS FOR THE ENVIRONMENT
(PRECISE)

Sec. 601. Conservation loan and loan guarantee program.

Sec. 602. Assistance to rural entities.

Sec. 603. Environmental Quality Incentives Program.

Sec. 604. Conservation Stewardship Program.

Sec. 605. Delivery of technical assistance.

TITLE VII—BUTCHER BLOCK ACT

Sec. 701. Assistance for new and expanded livestock or poultry processors.

Sec. 702. New and expanding livestock or poultry processing grants.

TITLE VIII—LOWER FOOD AND FUEL COSTS SUPPLEMENTAL
APPROPRIATIONS ACT, 20221 **SEC. 2. SECRETARY DEFINED.**

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

4 **TITLE I—MEAT AND POULTRY**
5 **SPECIAL INVESTIGATOR**6 **SEC. 101. OFFICE OF THE SPECIAL INVESTIGATOR FOR**
7 **COMPETITION MATTERS.**

8 (a) IN GENERAL.—The Department of Agriculture
9 Reorganization Act of 1994 is amended by inserting after
10 section 216 (7 U.S.C. 6916) the following:

11 **“SEC. 217. OFFICE OF THE SPECIAL INVESTIGATOR FOR**
12 **COMPETITION MATTERS.**

13 “(a) ESTABLISHMENT.—There is established in the
14 Department an office, to be known as the ‘Office of the
15 Special Investigator for Competition Matters’ (referred to
16 in this section as the ‘Office’).

17 “(b) SPECIAL INVESTIGATOR FOR COMPETITION
18 MATTERS.—The Office shall be headed by the Special In-
19 vestigator for Competition Matters (referred to in this sec-
20 tion as the ‘Special Investigator’), who shall be a senior
21 career employee appointed by the Secretary.

22 “(c) DUTIES.—The Special Investigator shall—

1 “(1) use all available tools, including subpoenas,
2 to investigate and prosecute violations of the Pack-
3 ers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.)
4 by packers and live poultry dealers with respect to
5 competition and trade practices in the food and agri-
6 cultural sector;

7 “(2) serve as a Department liaison to, and act
8 in consultation with, the Department of Justice and
9 the Federal Trade Commission with respect to com-
10 petition and trade practices in the food and agricul-
11 tural sector;

12 “(3) act in consultation with the Department of
13 Homeland Security with respect to national security
14 and critical infrastructure security in the food and
15 agricultural sector;

16 “(4) maintain a staff of attorneys and other
17 professionals with appropriate expertise; and

18 “(5) in carrying out the requirements of this
19 subsection, coordinate with the Office of the General
20 Counsel and the Packers and Stockyards Division of
21 the Agricultural Marketing Service.

22 “(d) PROSECUTORIAL AUTHORITY.—

23 “(1) IN GENERAL.—Notwithstanding title 28,
24 United States Code, the Special Investigator shall
25 have the authority to bring any civil or administra-

1 tive action authorized under the Packers and Stock-
2 yards Act, 1921 (7 U.S.C. 181 et seq.) against a
3 packer.

4 “(2) EFFECT.—Nothing in this section alters
5 the authority of the Secretary to issue a subpoena
6 pursuant to the Packers and Stockyards Act, 1921
7 (7 U.S.C. 181 et seq.).

8 “(3) NOTIFICATION.—With respect to any of
9 the actions brought under this subsection in Federal
10 district court, the Special Investigator shall notify
11 the Attorney General.”.

12 (b) CONFORMING AMENDMENT.—Section 296(b) of
13 the Department of Agriculture Reorganization Act of
14 1994 (7 U.S.C. 7014(b)) is amended by adding at the end
15 the following:

16 “(11) The authority of the Secretary to carry
17 out section 217.”.

18 (c) TECHNICAL AMENDMENT.—Subtitle A of the De-
19 partment of Agriculture Reorganization Act of 1994 is
20 amended by redesignating the first section 225 (relating
21 to Food Access Liaison) (7 U.S.C. 6925) as section 224A.

1 **TITLE II—CROP NUTRIENT USE**
2 **AND PRECISION AGRI-**
3 **CULTURE PRACTICE ADOPT-**
4 **ION ASSISTANCE**

5 **SEC. 201. CROP NUTRIENT USE AND PRECISION AGRI-**
6 **CULTURE PRACTICE ADOPTION ASSISTANCE.**

7 (a) PAYMENTS.—During the period beginning on the
8 date of enactment of this section and ending on September
9 30, 2023, the Secretary shall make payments under this
10 section to producers—

11 (1) to assist in reducing the costs associated
12 with the utilization of crop nutrients; or

13 (2) to adopt precision agriculture practices to
14 address the utilization of crop nutrients or water
15 availability.

16 (b) AMOUNT.—

17 (1) IN GENERAL.—A payment to a producer
18 under this section shall not exceed 100 percent of
19 the costs of the activity for which the assistance is
20 provided.

21 (2) COST SHARE.—If the Secretary determines
22 that a producer is receiving other Federal funds for
23 the activity for which the assistance is provided, a
24 payment to the producer under this section shall be
25 in an amount that does not, in combination with

1 such other funds, exceed 100 percent of the costs of
2 such activity.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$500,000,000 for the period of fiscal years 2022 and
6 2023.

7 **SEC. 202. RULE OF CONSTRUCTION.**

8 Nothing in this title shall be construed as a conserva-
9 tion or environmental program within the meaning of sec-
10 tion 5(g) of the Commodity Credit Corporation Charter
11 Act (15 U.S.C. 714c(g)).

12 **TITLE III—AGRICULTURE AND**
13 **FOOD SUPPLY CHAIN RESIL-**
14 **IENCY**

15 **Subtitle A—Agriculture and Food**
16 **System Supply Chain Resilience**
17 **and Crisis Response Task Force**

18 **SEC. 301. AGRICULTURE AND FOOD SYSTEM SUPPLY CHAIN**
19 **RESILIENCE AND CRISIS RESPONSE TASK**
20 **FORCE.**

21 (a) IN GENERAL.—Subtitle B of title II of the De-
22 partment of Agriculture Reorganization Act of 1994 (7
23 U.S.C. 6931 et seq.) is amended by adding at the end
24 the following:

1 **“SEC. 229. AGRICULTURE AND FOOD SYSTEM SUPPLY**
2 **CHAIN RESILIENCE AND CRISIS RESPONSE**
3 **TASK FORCE.**

4 “(a) ESTABLISHMENT.—Not later than 60 days after
5 the date of the enactment of this section, the Secretary
6 shall establish within the Department an Agriculture and
7 Food System Supply Chain Resilience and Crisis Response
8 Task Force (in this section referred to as the ‘Task
9 Force’).

10 “(b) MISSION.—The mission of the Task Force shall
11 be to—

12 “(1) help to promote the leadership of the
13 United States with respect to the stability of the ag-
14 riculture and food system supply chain;

15 “(2) encourage a government-wide approach
16 through partnerships and collaboration with the pri-
17 vate sector, labor organizations, the governments of
18 countries that are allies or key international part-
19 ners of the United States, States or political subdivi-
20 sions thereof, and Tribal governments in order to—

21 “(A) promote the resilience of the agri-
22 culture and food system supply chain; and

23 “(B) identify, prepare for, and respond to
24 shocks to the agriculture and food system sup-
25 ply chain;

1 “(3) monitor the resilience, diversity, security,
2 and strength of the agriculture and food system sup-
3 ply chain;

4 “(4) support the availability of agriculture and
5 food system supply chain goods for domestic manu-
6 facturers, domestic producers, and domestic enter-
7 prises in the United States and in countries that are
8 allies or key international partners;

9 “(5) assist the Federal Government in pre-
10 paring for and responding to shocks to the agri-
11 culture and food system supply chain;

12 “(6) support the creation of jobs with competi-
13 tive wages in the United States agriculture and food
14 system sector; and

15 “(7) coordinate executive branch actions nec-
16 essary to carry out the functions described in para-
17 graphs (1) through (6).

18 “(c) SPECIAL ADVISOR ON SUPPLY CHAIN RESIL-
19 IENCE AND CRISIS RESPONSE.—The head of the Task
20 Force shall be the Special Advisor on Supply Chain Resil-
21 ience and Crisis Response (in this section, referred to as
22 the ‘Special Advisor’) who shall be appointed by the Sec-
23 retary.

24 “(d) AGRICULTURAL AND FOOD SYSTEM SUPPLY
25 CHAIN EVALUATION AND REPORT.—

1 “(1) EVALUATION.—The Special Advisor, in
2 consultation with the Secretary of Commerce and
3 the Secretary of Transportation, shall conduct an
4 evaluation of the stability and reliability of the agri-
5 culture and food system supply chain. The evalua-
6 tion shall focus on the items listed in subsection (b).

7 “(2) REPORT TO CONGRESS.—Not later than
8 270 days after the date of the enactment of this sec-
9 tion, the Special Advisor shall submit to the Com-
10 mittee on Agriculture, the Committee on Energy and
11 Commerce, and the Committee on Transportation
12 and Infrastructure of the House of Representatives
13 and the Committee on Agriculture, Nutrition, and
14 Forestry and the Committee on Commerce, Science,
15 and Transportation of the Senate a report on the
16 evaluation conducted under subsection (a) that in-
17 cludes the following:

18 “(A) An evaluation of—

19 “(i) the strengths of the agriculture
20 and food system supply chain;

21 “(ii) the weaknesses of the agriculture
22 and food system supply chain;

23 “(iii) current and potential future
24 critical bottlenecks in the agriculture and
25 food system supply chain, including trans-

1 portation bottlenecks in the distribution of
2 agricultural inputs, processed and unproc-
3 essed food and food input products, and
4 consumer-ready food products;

5 “(iv) workforce challenges and oppor-
6 tunities in the agriculture and food system
7 supply chain; and

8 “(v) the overall stability and reliability
9 of the agriculture and food system supply
10 chain.

11 “(B) A discussion of existing Federal legal
12 barriers, if any, that negatively impact the sta-
13 bility and reliability of the agriculture and food
14 system supply chain.

15 “(C) Specific recommendations to improve
16 the security, safety, and resilience of the agri-
17 culture and food system supply chain, including
18 recommendations that address challenges iden-
19 tified under paragraph (1) and that also ad-
20 dress—

21 “(i) long-term strategies;

22 “(ii) industry best practices;

23 “(iii) risk-mitigation actions to pre-
24 vent future bottlenecks and vulnerabilities

1 at all levels of the agriculture and food sys-
2 tem supply chain; and

3 “(iv) legislative and regulatory actions
4 that would positively impact the security
5 and resilience of the agriculture and food
6 system supply chain.

7 “(e) TERMINATION.—The Task Force shall terminate
8 on the earlier of—

9 “(1) the date on which the report required by
10 subsection (d) is submitted; or

11 “(2) September 30, 2023.”.

12 (b) TECHNICAL AMENDMENT.—Section 296(b) of the
13 Department of Agriculture Reorganization Act of 1994 (7
14 U.S.C. 7014(b)), as amended by section 101, is further
15 amended by adding at the end the following:

16 “(12) The authority of the Secretary to estab-
17 lish in the Department the Agriculture and Food
18 System Supply Chain Resilience and Crisis Response
19 Task Force in accordance with section 229.”.

20 **Subtitle B—Addressing Fertilizer** 21 **Shortages**

22 **SEC. 311. ADDRESSING FERTILIZER SHORTAGES.**

23 (a) IN GENERAL.—The Secretary of Agriculture shall
24 support and incentivize domestic activities through grants,
25 loans, and other forms of assistance, to address fertilizer

1 shortages and deficiencies, diversify fertilizer sources, and
2 reduce dependency on foreign sources for fertilizer, includ-
3 ing by—

4 (1) increasing the availability of innovative fer-
5 tilizer and fertilizer alternatives, including nitrogen,
6 phosphate, potassium, biological products and tech-
7 nologies, and other nutrients that may assist in the
8 production of agricultural commodities;

9 (2) increasing materials or tools that reduce the
10 need for fertilizer or support the more efficient use
11 of fertilizer, including nitrogen, phosphate, potas-
12 sium, biological products and technologies, and other
13 nutrients that may assist in the production of agri-
14 cultural commodities;

15 (3) supporting materials and facilities and re-
16 search and development, that may support the pur-
17 poses of this section;

18 (4) supporting sustainable agriculture produc-
19 tion through the supporting production of—

20 (A) sustainable fertilizer produced in, or
21 used in a manner that, reduces the greenhouse
22 gas impact; or

23 (B) fertilizer produced through the use of
24 renewable energy sources, including
25 incentivizing greater precision in fertilizer use;

1 (5) supporting activities or other measures that
2 may otherwise address competition-related chal-
3 lenges in the United States fertilizer market and ob-
4 stacles to producers in obtaining affordable, respon-
5 sibly manufactured fertilizer as referred to in the no-
6 tice entitled “Access to Fertilizer: Competition and
7 Supply Chain Concerns” published by the Depart-
8 ment of Agriculture in the Federal Register on
9 March 17, 2022 (87 Fed Reg. 15191 et seq.); and

10 (6) using the facilities and authorities of the
11 Commodity Credit Corporation and the authorities
12 under section 1473H of the National Agricultural
13 Research, Extension, and Teaching Policy Act of
14 1977 (7 U.S.C. 3319k).

15 (b) PRIORITY APPLICANTS.—In selecting activities to
16 support under this section, the Secretary shall give pri-
17 ority to applications for such support containing proposals
18 that the Secretary determines will most quickly address
19 fertilizer shortages in the near term and mid-term.

20 (c) STREAMLINED PROCESS.—In providing assist-
21 ance pursuant to this section, the Secretary shall ensure
22 that such assistance be provided through a streamlined
23 and expedient process (as determined necessary by the
24 Secretary) to quickly address fertilizer shortages.

1 (d) ADMINISTRATIVE FUNDING.—Not more than 3
2 percent of the funding provided under this section may
3 be used by the Secretary for administrative purposes.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—In addi-
5 tion to amounts otherwise available, there are authorized
6 to be appropriated to carry out this section, \$100,000,000,
7 to remain available until expended.

8 **Subtitle C—American Food Supply**
9 **Chain Resiliency**

10 **SEC. 321. SUPPLY CHAIN REGIONAL RESOURCE CENTERS.**

11 The Agricultural Marketing Act of 1946 (7 U.S.C.
12 1621 et seq.) is amended by adding at the end the fol-
13 lowing:

14 **“Subtitle H—Food Supply Chain**
15 **Resiliency**

16 **“SEC. 298. SUPPLY CHAIN REGIONAL RESOURCE CENTERS.**

17 “(a) IN GENERAL.—The Secretary, acting through
18 the Administrator of the Agricultural Marketing Service,
19 shall enter into cooperative agreements with eligible enti-
20 ties to establish not fewer than 6 Supply Chain Regional
21 Resource Centers to support small-sized and medium-sized
22 producers of agricultural products and small-sized and
23 medium-sized agricultural businesses through activities,
24 which may include—

1 “(1) offering coordination, technical assistance,
2 and capacity building support to small-sized and me-
3 dium-sized producers of agricultural products and
4 agricultural businesses;

5 “(2) supporting supply chain and value chain
6 coordination—

7 “(A) in the region in which such producers
8 or businesses are located; and

9 “(B) with the Department of Agriculture,
10 other Federal, State, and Tribal agencies with
11 relevant resources, regional commissions, and
12 other Supply Chain Regional Resource Centers;

13 “(3) providing technical assistance to such pro-
14 ducers and businesses;

15 “(4) providing grants or other financial assist-
16 ance to such producers and businesses looking to ex-
17 pand production or a business or start production or
18 a business in such region; and

19 “(5) carrying out such other activities as may
20 be specified by the Secretary.

21 “(b) FOCUS ON TRIBAL SUPPLY CHAIN ISSUES.—At
22 least one Supply Chain Regional Resource Center estab-
23 lished pursuant to subsection (a) shall provide coordina-
24 tion, assistance, and capacity building support to address
25 supply chain issues faced by Indian tribes and Tribal orga-

1 nizations (as defined in section 4 of the Indian Self-Deter-
2 mination and Education Assistance Act (25 U.S.C.
3 5304)).

4 “(c) APPLICATION.—

5 “(1) IN GENERAL.—An eligible entity (includ-
6 ing an entity representing a partnership) seeking to
7 enter into a cooperative agreement under this sec-
8 tion shall submit to the Secretary an application, at
9 such time, in such manner, and containing such in-
10 formation as the Secretary may require, including
11 how the Supply Chain Regional Resource Centers es-
12 tablished by such entity will address food and agri-
13 cultural supply chain issues faced by underserved
14 communities.

15 “(2) REGIONAL DIVERSITY.—In selecting eligi-
16 ble entities to enter into a cooperative agreement
17 under this section, the Secretary shall ensure the re-
18 gional diversity of such entities.

19 “(d) TERM.—The term of a cooperative agreement
20 entered into under this section shall be not less than 4
21 years.

22 “(e) COORDINATION.—A Supply Chain Regional Re-
23 source Center shall, as a condition on entering into a coop-
24 erative agreement under this section, agree to coordinate

1 with other Supply Chain Regional Resource Centers, when
2 appropriate.

3 “(f) REPORT TO CONGRESS.—Beginning not later
4 than 2 years after the date of the enactment of the Lower
5 Food and Fuel Costs Act, and every 2 years thereafter,
6 the Secretary shall submit to the Committee on Agri-
7 culture of the House of Representatives and the Com-
8 mittee on Agriculture, Nutrition, and Forestry of the Sen-
9 ate a report on—

10 “(1) with respect to the activities carried out by
11 the Secretary under this section—

12 “(A) a description of such activities; and

13 “(B) the impact of such activities on sup-
14 ply chain issues faced by small-sized and me-
15 dium-sized producers of agricultural products;
16 and

17 “(2) with respect to the activities carried out by
18 the Supply Chain Regional Resource Centers under
19 this section—

20 “(A) a description of such activities;

21 “(B) the impact of such activities on sup-
22 ply chain issues faced by small-sized and me-
23 dium-sized producers of agricultural products
24 and agricultural businesses; and

1 “(C) any grants awarded by Supply Chain
2 Regional Resource Centers to such producers
3 and businesses.

4 “(g) DEFINITIONS.—In this section:

5 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
6 tity’ means—

7 “(A) a State government (or a political
8 subdivision thereof), regional authority, or an
9 Indian Tribe or Tribal organization;

10 “(B) a college or university (as defined in
11 section 1404 of the National Agricultural Re-
12 search, Extension, and Teaching Policy Act of
13 1977 (7 U.S.C. 3103)) (including a land-grant
14 college or university); or

15 “(C) a nonprofit organization, including a
16 producer network or association, a food council,
17 an economic development corporation, or an-
18 other organization.

19 “(2) STATE.—The term ‘State’ has the mean-
20 ing given such term in section 1404 of the National
21 Agricultural Research, Extension, and Teaching Pol-
22 icy Act of 1977 (7 U.S.C. 3103).

23 “(h) FUNDING.—In addition to amounts otherwise
24 available, there is authorized to be appropriated to carry

1 out this section \$6,000,000 for each of fiscal years 2023
2 through 2026.

3 “(i) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion may be interpreted to undermine or narrow the au-
5 thority of the Secretary to carry out activities described
6 in subsection (a) under any other authority of the Sec-
7 retary.”.

8 **SEC. 322. AGRICULTURE INNOVATION CENTERS PROGRAM.**

9 Section 6402(a) of the Farm Security and Rural In-
10 vestment Act of 2002 (7 U.S.C. 1632b(a)) is amended—

11 (1) in paragraph (2), by striking “and” at the
12 end;

13 (2) in paragraph (3), by striking the period at
14 the end and inserting “; and”; and

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

16 “(4) applied research, technical assistance, sup-
17 port services, outreach, and other services to
18 strengthen, maintain, and secure supply chains re-
19 lated to value-added agricultural commodities and
20 products produced in the United States.”.

1 **TITLE IV—BIOFUEL INFRA-**
2 **STRUCTURE AND AGRICULTURE**
3 **PRODUCT MARKET**
4 **EXPANSION**

5 **SEC. 401. BIOFUEL INFRASTRUCTURE AND AGRICULTURE**
6 **PRODUCT MARKET EXPANSION.**

7 (a) **AUTHORIZATION OF APPROPRIATIONS.**—In addi-
8 tion to amounts otherwise available, there is authorized
9 to be appropriated to the Secretary \$200,000,000 for the
10 period of fiscal years 2022 and 2023, to remain available
11 until expended, to carry out this section.

12 (b) **USE OF FUNDS.**—The Secretary shall use the
13 amounts made available pursuant to subsection (a) to pro-
14 vide grants, on a competitive basis, to eligible entities de-
15 scribed in subsection (c)—

16 (1) to install, retrofit, or otherwise upgrade fuel
17 dispensers or pumps and related equipment, storage
18 tank system components, and other infrastructure
19 required at a location to ensure the environmentally
20 safe availability of fuel containing ethanol blends at
21 levels greater than 10 percent (as determined by the
22 Secretary) or fuel containing biodiesel blends at lev-
23 els greater than 5 percent (as determined by the
24 Secretary); and

1 (2) to build and retrofit distribution systems for
2 ethanol blends, traditional and pipeline biodiesel ter-
3 minal operations (including rail lines), and home
4 heating oil distribution centers or equivalent enti-
5 ties—

6 (A) to blend biodiesel; and

7 (B) to carry ethanol and biodiesel.

8 (c) ELIGIBLE ENTITIES.—Entities eligible to receive
9 a grant under this section are transportation fueling facili-
10 ties and distribution facilities, including fueling stations,
11 convenience stores, hypermarket retailer fueling stations,
12 fleet facilities, as well as fuel terminal operations, mid-
13 stream partners, and heating oil distribution facilities or
14 equivalent entities.

15 (d) FEDERAL SHARE.—The Federal share of the
16 total cost of carrying out a project for which a grant is
17 provided under this section shall be not more than 75 per-
18 cent.

19 (e) LIMITATION.—The Secretary may not limit the
20 amount of funding an eligible entity may receive under
21 this section, except that such funding is subject to the
22 availability of appropriations.

1 (i) in the matter preceding subpara-
 2 graph (A), by inserting “or more” after
 3 “10 percent”; and

4 (ii) in subparagraph (C), by striking
 5 “additional alcohol or”; and

6 (B) in paragraph (5)(A), by inserting “or
 7 more” after “10 percent”.

8 **TITLE VI—PRODUCING RESPON-**
 9 **SIBLE ENERGY AND CON-**
 10 **SERVATION INCENTIVES AND**
 11 **SOLUTIONS FOR THE ENVI-**
 12 **RONMENT (PRECISE)**

13 **SEC. 601. CONSERVATION LOAN AND LOAN GUARANTEE**
 14 **PROGRAM.**

15 Section 304 of the Consolidated Farm and Rural De-
 16 velopment Act (7 U.S.C. 1924) is amended—

17 (1) in subsection (b)(3), by redesignating sub-
 18 paragraphs (F) and (G) as subparagraphs (G) and
 19 (H), respectively, and inserting after subparagraph
 20 (E) the following:

21 “(F) the adoption of precision agriculture
 22 practices, and the acquisition of precision agri-
 23 culture technology;”;

24 (2) in subsection (d)—

25 (A) in paragraph (2), by striking “and”;

1 (B) in paragraph (3), by striking the pe-
2 riod and inserting “; and”; and

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

4 “(4) producers who use the loans to adopt pre-
5 cision agriculture practices or acquire precision agri-
6 culture technology, including adoption or acquisition
7 for the purpose of participating in the environmental
8 quality incentives program under subchapter A of
9 chapter 4 of subtitle D of title XII of the Food Se-
10 curity Act of 1985.”;

11 (3) in subsection (e), by striking paragraph (2)
12 and inserting the following:

13 “(2) 90 percent of the principal amount of the
14 loan in the case of—

15 “(A) a producer that is a qualified socially
16 disadvantaged farmer or rancher or a beginning
17 farmer or rancher; or

18 “(B) loans that are used for the purchase
19 of precision agriculture technology.”; and

20 (4) in subsection (f)—

21 (A) by striking “The Secretary” and in-
22 sserting the following:

23 “(1) GEOGRAPHIC DIVERSITY.—The Sec-
24 retary”; and

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

1 “(2) COORDINATION WITH NRCS.—In making
2 or guaranteeing loans under this section, the Sec-
3 retary shall ensure that there is coordination be-
4 tween the Farm Service Agency and the Natural Re-
5 sources Conservation Service.”.

6 **SEC. 602. ASSISTANCE TO RURAL ENTITIES.**

7 Section 310B(a)(2) of the Consolidated Farm and
8 Rural Development Act (7 U.S.C. 1932(a)(2)) is amend-
9 ed—

10 (1) by striking “and” at the end of subpara-
11 graph (C);

12 (2) by striking the period at the end of sub-
13 paragraph (D) and inserting “; and”; and

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

15 “(E) expanding precision agriculture prac-
16 tices, including by financing equipment and
17 farm-wide broadband connectivity, in order to
18 promote best-practices, reduce costs, and im-
19 prove the environment.”.

20 **SEC. 603. ENVIRONMENTAL QUALITY INCENTIVES PRO-**
21 **GRAM.**

22 (a) DEFINITIONS.—Section 1240A(6)(B)(v) of the
23 Food Security Act of 1985 (16 U.S.C. 3839aa-
24 1(6)(B)(v)) is amended by inserting “(including the adop-

1 tion of precision agriculture practices and the acquisition
2 of precision agriculture technology)” after “planning”.

3 (b) PAYMENTS.—

4 (1) OTHER PAYMENTS.—Section 1240B(d)(6)
5 of the Food Security Act of 1985 (16 U.S.C.
6 3839aa-2(d)(6)) is amended—

7 (A) by striking “A producer shall” and in-
8 serting the following:

9 “(A) PAYMENTS UNDER THIS SUBTITLE.—
10 A producer shall”; and

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

12 “(B) CONSERVATION LOAN AND LOAN
13 GUARANTEE PROGRAM PAYMENTS.—

14 “(i) IN GENERAL.—A producer receiv-
15 ing payments for practices on eligible land
16 under the program may also receive a loan
17 or loan guarantee under section 304 of the
18 Consolidated Farm and Rural Develop-
19 ment Act to cover costs for the same prac-
20 tices on the same land.

21 “(ii) NOTICE TO PRODUCER.—The
22 Secretary shall inform a producer partici-
23 pating in the program in writing of the
24 availability of a loan or loan guarantee
25 under section 304 of the Consolidated

1 Farm and Rural Development Act as it re-
2 lates to costs of implementing practices
3 under this program.”.

4 (2) INCREASED PAYMENTS FOR HIGH-PRIORITY
5 PRACTICES.—Section 1240B(d)(7) of the Food Se-
6 curity Act of 1985 (16 U.S.C. 3839aa–2(d)(7)) is
7 amended, in the subsection heading, by inserting
8 “STATE-DETERMINED” before “HIGH-PRIORITY”.

9 (3) INCREASED PAYMENTS FOR PRECISION AG-
10 RICULTURE.—Section 1240B(d) of the Food Secu-
11 rity Act of 1985 (16 U.S.C. 3839aa–2(d)) is amend-
12 ed by adding at the end the following:

13 “(8) INCREASED PAYMENTS FOR PRECISION AG-
14 RICULTURE.—Notwithstanding paragraph (2), the
15 Secretary may increase the amount that would oth-
16 erwise be provided for a practice under this sub-
17 section to not more than 90 percent of the costs as-
18 sociated with adopting precision agriculture practices
19 and acquiring precision agriculture technology.”.

20 (c) CONSERVATION INCENTIVE CONTRACTS.—Sec-
21 tion 1240B(j)(2)(A)(i) of the Food Security Act of 1985
22 (16 U.S.C. 3839aa–2(j)(3)(A)(i)) is amended by inserting
23 “(which may include the adoption of precision agriculture
24 practices and the acquisition of precision agriculture tech-
25 nology)” after “incentive practices”.

1 **SEC. 604. CONSERVATION STEWARDSHIP PROGRAM.**

2 (a) SUPPLEMENTAL PAYMENTS FOR RESOURCE-
3 CONSERVING CROP ROTATIONS AND ADVANCED GRAZING
4 MANAGEMENT.—Section 1240L(d) of the Food Security
5 Act of 1985 (16 U.S.C. 3839aa–24(d)) is amended—

6 (1) in the subsection heading, by striking “AND
7 ADVANCED GRAZING MANAGEMENT” and inserting
8 “, ADVANCED GRAZING MANAGEMENT, AND PRECI-
9 SION AGRICULTURE”;

10 (2) in paragraph (2)—

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

13 (B) in subparagraph (B), by striking the
14 period at the end and inserting “; or”; and

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

16 “(C) precision agriculture.”; and

17 (3) in paragraph (3), by striking “or advanced
18 grazing management” and inserting “, advanced
19 grazing management, or precision agriculture”.

20 **SEC. 605. DELIVERY OF TECHNICAL ASSISTANCE.**

21 Section 1242(f) of the Food Security Act of 1985 (16
22 U.S.C. 3842(f)) is amended by adding at the end the fol-
23 lowing:

24 “(6) SOIL HEALTH PLANNING.—The Secretary
25 shall emphasize the use of third-party providers in
26 providing technical assistance for soil health plan-

1 ning, including planning related to the use of cover
2 crops, precision conservation management, com-
3 prehensive nutrient management planning, and other
4 innovative plans.”.

5 **TITLE VII—BUTCHER BLOCK**
6 **ACT**

7 **SEC. 701. ASSISTANCE FOR NEW AND EXPANDED LIVE-**
8 **STOCK OR POULTRY PROCESSORS.**

9 (a) IN GENERAL.—The Secretary may make or guar-
10 antee a loan for the purpose of—

11 (1) increasing capacity of livestock and poultry
12 processing, facilitating economic opportunity for live-
13 stock and poultry producers through processing ac-
14 tivities, and diversifying processing ownership;

15 (2) increasing the customer base or revenue re-
16 turns of livestock and poultry producers through in-
17 vestment in processing capacity;

18 (3) improving, developing, or financing livestock
19 and poultry processing capacity or employment in-
20 cluding through the financing of working capital; or

21 (4) promoting the interstate trade and local
22 sales of processed livestock and poultry by financing
23 improvements to meet relevant Federal, State, and
24 local regulatory standards.

25 (b) ELIGIBILITY; GENERAL LIMITATIONS.—

1 (1) ELIGIBLE RECIPIENT.—An entity shall be
2 eligible for a loan or guarantee under this section if
3 the entity is—

4 (A) a public, private, or cooperative organi-
5 zation organized on a for-profit or nonprofit
6 basis;

7 (B) an Indian tribe on a Federal or State
8 reservation, or any other federally recognized
9 Indian tribal group; or

10 (C) an individual.

11 (2) FACILITY LOCATION.—

12 (A) IN GENERAL.—Except as provided in
13 subparagraph (B), a facility constructed, ex-
14 panded, modified, refurbished, or re-equipped
15 with proceeds from a loan made or guaranteed
16 under this section shall be in a rural area.

17 (B) EXCEPTION.—A facility constructed,
18 expanded, modified, refurbished, or re-equipped
19 with proceeds from a loan made or guaranteed
20 under this section may be in a non-rural area
21 if—

22 (i) the primary use of the loan in-
23 volved is for the facility, and the facility
24 will increase the customer base or revenue
25 returns of livestock and poultry producers

1 that are located within 300 miles of the fa-
2 cility;

3 (ii) the loan involved will be used to
4 increase the capacity in livestock and poul-
5 try processing in a region; and

6 (iii) the principal amount of the loan
7 involved does not exceed \$50,000,000.

8 (C) RURAL AREA DEFINED.—In this para-
9 graph, the term “rural area” has the meaning
10 given the term in section 343(a)(13) of the
11 Consolidated Farm and Rural Development Act
12 (7 U.S.C. 1991(a)(13)).

13 (3) LIMITATIONS.—

14 (A) LIMITATION ON AMOUNT OF LOAN IN-
15 VOLVED.—A loan of more than \$50,000,000
16 may not be made or guaranteed under this sec-
17 tion.

18 (B) LIMITATION ON ELIGIBILITY.—A loan
19 may not be made or guaranteed under this sec-
20 tion to an entity that is owned in partnership
21 or in whole by—

22 (i) a foreign entity; or

23 (ii) an entity that currently processes
24 over 5 percent of the daily harvest of any
25 species.

1 (c) SPECIAL RULES APPLICABLE WITH RESPECT TO
2 COOPERATIVES.—

3 (1) LIMITATION ON AMOUNT OF LOAN IN-
4 VOLVED.—

5 (A) IN GENERAL.—Notwithstanding sub-
6 section (b)(3), a loan of not more than
7 \$100,000,000 may be made or guaranteed for
8 a cooperative organization under this section.

9 (B) CONDITIONS APPLICABLE IF LOAN IN-
10 VOLVED IS FOR MORE THAN \$50,000,000.—A
11 loan of more than \$50,000,000 may not be
12 made or guaranteed for a cooperative organiza-
13 tion under this section unless the loan is used
14 to carry out a project that significantly in-
15 creases the livestock and poultry processing in
16 a region, where insufficient processing capacity
17 exists, as determined by the Secretary.

18 (2) INTANGIBLE ASSETS.—

19 (A) IN GENERAL.—In determining whether
20 a cooperative organization is eligible for a loan
21 or guarantee under this section, the Secretary
22 may consider the market value of a properly ap-
23 praised brand name, patent, or trademark of
24 the cooperative.

1 (B) ACCOUNTS RECEIVABLE.—In the sole
2 discretion of the Secretary, if the Secretary de-
3 termines that the action would not create or
4 otherwise contribute to an unreasonable risk of
5 default or loss to the Federal Government, the
6 Secretary may take accounts receivable as secu-
7 rity for the obligations entered into in connec-
8 tion with a loan made or guaranteed under this
9 section, and a borrower may use accounts re-
10 ceivable as collateral to secure such a loan.

11 (3) PURCHASE OF COOPERATIVE STOCK.—

12 (A) IN GENERAL.—The Secretary may
13 make or guarantee a loan in accordance with
14 this section to an individual farmer or rancher
15 for the purpose of purchasing capital stock of
16 a farmer or rancher cooperative undertaking an
17 eligible project under this section.

18 (B) PROCESSING CONTRACTS DURING INI-
19 TIAL PERIOD.—A cooperative described in sub-
20 paragraph (A) with respect to which a farmer
21 or rancher receives a guarantee to purchase
22 stock under subparagraph (A) may contract for
23 services to fulfill any eligible purpose under this
24 section, during the 5-year period beginning on
25 the date the cooperative commences operations,

1 in order to provide adequate time for the plan-
2 ning and construction of the processing facility
3 of the cooperative.

4 (C) FINANCIAL INFORMATION.—A farmer
5 or rancher from whom the Secretary requires fi-
6 nancial information as a condition of making or
7 guaranteeing a loan under subparagraph (A)
8 shall provide the information in the manner
9 generally required by commercial agricultural
10 lenders in the geographical area in which the
11 farmer or rancher is located.

12 (d) CONDITIONS APPLICABLE WITH RESPECT TO
13 USING LOAN INVOLVED FOR REFINANCING.—A borrower
14 may use 25 percent of a loan made or guaranteed under
15 this section to refinance a loan made for a purpose de-
16 scribed in subsection (a) if—

17 (1) the borrower is current and performing with
18 respect to the loan to be refinanced;

19 (2) the borrower has not defaulted on any pay-
20 ment required to be made with respect to the loan
21 to be refinanced;

22 (3) none of the collateral for the loan to be refi-
23 nanced has been converted; and

24 (4) there is adequate security or full collateral
25 for the loan to be refinanced.

1 (e) LOAN APPRAISAL.—The Secretary may require
2 that any appraisal made in connection with a loan made
3 or guaranteed under this section be conducted by a spe-
4 cialized appraiser that uses standards that are similar to
5 standards used for similar purposes in the private sector,
6 as determined by the Secretary.

7 (f) PREFERENCE.—In making or guaranteeing a loan
8 under this section, the Secretary shall give a preference
9 to applicants that have experience in livestock and poultry
10 processing and can quickly scale-up to increase overall
11 processing capacity in the region involved.

12 (g) AUTHORIZATION OF APPROPRIATIONS.—In addi-
13 tion to amounts otherwise available, there is authorized
14 to be appropriated to carry out this section \$100,000,000
15 for each of fiscal years 2023 through 2025.

16 **SEC. 702. NEW AND EXPANDING LIVESTOCK OR POULTRY**
17 **PROCESSING GRANTS.**

18 (a) IN GENERAL.—The Secretary may make grants
19 to—

20 (1) expand, diversify, and increase capacity in
21 livestock or poultry processing activities;

22 (2) improve compliance with livestock and poul-
23 try processing statutes (including the regulations
24 issued thereunder), such as the Federal Meat In-

1 spection Act (21 U.S.C. 661) and the Poultry Prod-
2 ucts Inspection Act (21 U.S.C. 454);

3 (3) identify and reduce barriers to entry for
4 new livestock and poultry processors; or

5 (4) update, expand, or otherwise improve exist-
6 ing facilities.

7 (b) ELIGIBLE GRANTEES.—An entity shall be eligible
8 for a grant under this section if the entity is—

9 (1) a governmental entity;

10 (2) a public, private, or cooperative organiza-
11 tion organized on a for-profit or nonprofit basis; or

12 (3) an Indian tribe on a Federal or State res-
13 ervation or any other federally recognized Indian
14 tribal group.

15 (c) USE OF FUNDS.—An entity to which a grant is
16 made under this section may use the grant funds to estab-
17 lish or support new or expanded livestock or poultry proc-
18 essing activity, or other activity which will increase the
19 customer base or revenue returns of livestock and poultry
20 producers, by undertaking a project, that—

21 (1) identifies and analyzes business opportuni-
22 ties, including feasibility studies as required for
23 creditworthiness;

1 (2) identifies, trains, and provides technical as-
2 sistance to existing or prospective rural entre-
3 preneurs and managers or processing facilities;

4 (3) provides technical assistance to gain compli-
5 ance with Federal, State, or local regulations;

6 (4) conducts regional, community, and local
7 economic development planning and coordination,
8 and leadership development; or

9 (5) establishes a center for training, technology,
10 and trade that will provide training to livestock or
11 poultry processing employees.

12 (d) PREFERENCE.—In awarding grants under this
13 section, the Secretary shall give a preference to applicants
14 that have experience in livestock and poultry processing
15 and can quickly scale-up to increase overall processing ca-
16 pacity in the region involved.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—In addi-
18 tion to amounts otherwise available, there is authorized
19 to be appropriated to carry out this section \$20,000,000
20 for each of fiscal years 2023 through 2025.

21 **TITLE VIII—LOWER FOOD AND FUEL COSTS**

22 **SUPPLEMENTAL APPROPRIATIONS ACT, 2022**

23 The following sums are appropriated, out of any
24 money in the Treasury not otherwise appropriated, for the

1 fiscal year ending September 30, 2022, and for other pur-
2 poses, namely:

3 AGRICULTURAL PROGRAMS
4 PROCESSING, RESEARCH, AND MARKETING
5 OFFICE OF THE SECRETARY
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “Office of the Sec-
8 retary”, \$200,000,000, to remain available until expended,
9 to carry out title IV of the Lower Food and Fuel Costs
10 Act: *Provided*, That the Secretary may use up to 5 percent
11 of amounts made available under this heading in this title
12 for administrative costs, including salaries and expenses,
13 research, data collection, and other associated costs, for
14 carrying out such title IV: *Provided further*, That amounts
15 made available for administrative costs pursuant to the
16 preceding proviso may be transferred to “Rural Develop-
17 ment Programs—Rural Development—Salaries and Ex-
18 penses” for the purposes specified in such proviso.

19 GENERAL PROVISIONS—THIS TITLE

20 SEC. 801. In addition to amounts otherwise available,
21 there is appropriated to the Department of Agriculture,
22 \$500,000,000, to remain available until expended, to carry
23 out title II of the Lower Food and Fuel Costs Act, of
24 which up to 5 percent may be used by the Secretary to
25 provide technical assistance under such title II.

1 SEC. 802. Each amount appropriated or made avail-
2 able by this title is in addition to amounts otherwise ap-
3 propriated for the fiscal year involved.

4 SEC. 803. Unless otherwise provided for by this title,
5 the additional amounts appropriated by this title to appro-
6 priations accounts shall be available under the authorities
7 and conditions applicable to such appropriations accounts
8 for fiscal year 2022.

9 SEC. 804. Each amount provided by this title is des-
10 ignated by the Congress as being for an emergency re-
11 quirement pursuant to section 4001(a)(1) and section
12 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
13 rent resolution on the budget for fiscal year 2022.

14 SEC. 805. (a) STATUTORY PAYGO SCORECARDS.—
15 The budgetary effects of this title shall not be entered on
16 either PAYGO scorecard maintained pursuant to section
17 4(d) of the Statutory Pay As-You-Go Act of 2010.

18 (b) SENATE PAYGO SCORECARDS.—The budgetary
19 effects of this title shall not be entered on any PAYGO
20 scorecard maintained for purposes of section 4106 of H.
21 Con. Res. 71 (115th Congress).

22 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
23 Notwithstanding Rule 3 of the Budget Scorekeeping
24 Guidelines set forth in the joint explanatory statement of
25 the committee of conference accompanying Conference Re-

1 port 105–217 and section 250(c)(7) and (c)(8) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985,
3 the budgetary effects of this title shall be estimated for
4 purposes of section 251 of such Act and as appropriations
5 for discretionary accounts for purposes of the allocation
6 to the Committee on Appropriations pursuant to section
7 302(a) of the Congressional Budget Act of 1974.

8 This title may be cited as the “Lower Food and Fuel
9 Costs Supplemental Appropriations Act, 2022”.

Passed the House of Representatives June 16, 2022.

Attest:

Clerk.

117TH CONGRESS
2^D SESSION

H. R. 7606

AN ACT

To establish the Office of the Special Investigator
for Competition Matters within the Department
of Agriculture.