

119TH CONGRESS
1ST SESSION

H. R. 575

To amend the Food Security Act of 1985 to modify the delivery of technical assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2025

Mr. BAIRD (for himself, Mr. SORENSEN, Mr. VASQUEZ, Mr. BOST, Mr. STEIL, Ms. PETTERSEN, Ms. TOKUDA, Mr. FINSTAD, Mr. LAHOOD, Mr. FLOOD, Mr. JOHNSON of South Dakota, Mr. YAKYM, Mr. DAVIS of North Carolina, Ms. LEE of Nevada, Mr. SCOTT FRANKLIN of Florida, Ms. HOYLE of Oregon, Mr. FEENSTRA, Ms. BUDZINSKI, Mr. BACON, Ms. SALINAS, Ms. SCHRIER, and Mr. POCAN) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food Security Act of 1985 to modify the delivery of technical assistance, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Increased TSP Access
5 Act of 2025”.

6 **SEC. 2. DELIVERY OF TECHNICAL ASSISTANCE.**

7 Section 1242 of the Food Security Act of 1985 (16
8 U.S.C. 3842) is amended—

1 (1) in subsection (a)—

2 (A) by redesignating paragraph (2) as
3 paragraph (3); and

4 (B) by inserting after paragraph (1) the
5 following:

6 “(2) NON-FEDERAL CERTIFYING ENTITY.—The
7 term ‘non-Federal certifying entity’ means a non-
8 Federal entity or State agency described in subpara-
9 graph (A) or (B), respectively, of subsection (e)(4).”;

10 (2) in subsection (b), by striking “science-
11 based, site-specific practices designed” and inserting
12 “timely, science-based, and site-specific practice de-
13 sign and implementation assistance”;

14 (3) in subsection (d), by inserting “(including
15 private sector entities)” after “non-Federal entities”;

16 (4) in subsection (e)—

17 (A) in paragraph (2), by striking “Food,
18 Conservation, and Energy Act of 2008” and in-
19 serting “Increased TSP Access Act of 2025”;

20 (B) in paragraph (3)—

21 (i) in subparagraph (A), by striking
22 “ensure” and all that follows through “en-
23 gineering,” and inserting “ensure that
24 third-party providers with expertise in the
25 technical aspects of conservation planning,

1 watershed planning, environmental engi-
2 neering, conservation practice design, im-
3 plementation, and evaluation, or other
4 technical skills, as determined by the Sec-
5 retary,”; and

6 (ii) in subparagraph (C), by inserting
7 “by the Secretary” after “established”;
8 and

9 (C) by striking paragraphs (4) and (5) and
10 inserting the following:

11 “(4) CERTIFICATION.—The Secretary shall cer-
12 tify a third-party provider through—

13 “(A) a certification process administered
14 by the Secretary, acting through the Chief of
15 the Natural Resources Conservation Service;

16 “(B) a non-Federal entity (other than a
17 State agency) approved by the Secretary to per-
18 form the certification; or

19 “(C) a State agency with statutory author-
20 ity to certify, administer, or license profes-
21 sionals in one or more fields of natural re-
22 sources, agriculture, or engineering approved by
23 the Secretary to perform the certification.

24 “(5) TIMELY DECISIONS.—Not later than 10
25 business days after the date on which the Secretary

1 receives a notification submitted by a non-Federal
2 certifying entity that the non-Federal certifying enti-
3 ty has certified a third-party provider, the Secretary
4 shall—

5 “(A) review the certification; and

6 “(B) if the certification is satisfactory to
7 the Secretary, include the name of the third-
8 party provider on the registry of certified third-
9 party providers maintained by the Secretary.

10 “(6) NON-FEDERAL CERTIFYING ENTITY PROC-
11 ESS.—

12 “(A) ESTABLISHMENT.—Not later than
13 180 days after the date of enactment of the In-
14 creased TSP Access Act of 2025, the Secretary
15 shall establish a process for the certification of
16 third-party providers by non-Federal certifying
17 entities, with the goal of increasing third-party
18 provider capacity, including the certification of
19 qualified agricultural retailers, cooperatives,
20 professional societies, service providers, and or-
21 ganizations described in section 1265A(3)(B)(i).

22 “(B) ELIGIBILITY OF NON-FEDERAL CER-
23 TIFYING ENTITIES.—In determining the eligi-
24 bility of a non-Federal certifying entity under

1 subparagraph (A), the Secretary shall con-
2 sider—

3 “(i) the ability of the non-Federal cer-
4 tifying entity to assess qualifications of a
5 third-party provider and certify third-party
6 providers at scale;

7 “(ii) the experience of the non-Federal
8 certifying entity in working with third-
9 party providers and eligible participants;

10 “(iii) the expertise of the non-Federal
11 certifying entity in the technical and
12 science-based aspects of conservation deliv-
13 ery described in paragraph (3)(A);

14 “(iv) the history of the non-Federal
15 certifying entity in working with agricul-
16 tural producers; and

17 “(v) such other qualifications as the
18 Secretary determines to be appropriate.

19 “(C) APPROVAL.—Not later than 40 busi-
20 ness days after the date on which the Secretary
21 receives an application submitted by a non-Fed-
22 eral certifying entity to certify third-party pro-
23 viders under this section, the Secretary shall
24 make a decision on whether to approve the non-

1 Federal certifying entity to certify third-party
2 providers.

3 “(D) DUTIES OF NON-FEDERAL CERTI-
4 FYING ENTITIES.—A non-Federal certifying en-
5 tity approved by the Secretary to certify third-
6 party providers shall—

7 “(i) assess the ability of a third-party
8 provider to appropriately provide technical
9 assistance to eligible participants;

10 “(ii) provide training to ensure that a
11 third-party provider certified by the non-
12 Federal certifying entity is qualified to
13 provide that technical assistance;

14 “(iii) submit to the Secretary a timely
15 notice of—

16 “(I) each third-party provider
17 certified by the non-Federal certifying
18 entity, for inclusion on the registry of
19 certified third-party providers main-
20 tained by the Secretary; and

21 “(II) each third-party provider
22 the certification of which is withdrawn
23 by the non-Federal certifying entity.

24 “(7) STREAMLINED CERTIFICATION.—Not later
25 than 180 days after the date of enactment of the In-

1 creased TSP Access Act of 2025, the Secretary shall
2 provide a streamlined certification process for a
3 third-party provider that has an appropriate spe-
4 cialty certification, including a certified crop advisor
5 certified by the American Society of Agronomy, a
6 professional engineer, or a holder of a technical cer-
7 tification approved by the Secretary.”; and

8 (5) in subsection (f)—

9 (A) in paragraph (2), in the matter pre-
10 ceding subparagraph (A), by inserting “or a
11 non-Federal certifying entity” after “third-
12 party provider”;

13 (B) by striking paragraph (3) and insert-
14 ing the following:

15 “(3) REVIEW.—Not later than 1 year after the
16 date of enactment of the Increased TSP Access Act
17 of 2025, and additionally thereafter at the discretion
18 of the Secretary, the Secretary shall—

19 “(A) review certification requirements for
20 third-party providers;

21 “(B) make any adjustments considered
22 necessary by the Secretary to improve participa-
23 tion and the quality and effectiveness of con-
24 servation practices implemented and adopted
25 with support from technical service providers;

1 “(C) conduct outreach to and receive input
 2 from third-party providers, both that currently
 3 participate in the program under this section
 4 and those that no longer participate in the pro-
 5 gram, and entities, organizations, and associa-
 6 tions providing or supporting consultative serv-
 7 ices to agriculture, livestock, and forest pro-
 8 ducers to assess barriers and opportunities for
 9 the use of third-party provider assistance for
 10 improved conservation program delivery; and

11 “(D) set a target utilization rate for third-
 12 party providers.”;

13 (C) in paragraph (4)(A)(i), by inserting
 14 “maintenance,” after “outreach,”; and

15 (D) by striking paragraph (5) and insert-
 16 ing the following:

17 “(5) PAYMENT AMOUNTS.—

18 “(A) IN GENERAL.—The Secretary shall
 19 establish fair and reasonable amounts of pay-
 20 ments for technical services provided by third-
 21 party providers at rates equivalent to, but that
 22 do not exceed, technical assistance provided by
 23 the Secretary.

24 “(B) CONSIDERATIONS.—In determining
 25 fair and reasonable payment amounts under

1 subparagraph (A), the Secretary shall consider
2 specialized equipment, frequency of site visits,
3 training, travel and transportation, and such
4 other factors as the Secretary determines to be
5 appropriate.

6 “(C) EXCLUSION.—A payment provided
7 under another Federal program directly to an
8 eligible participant for technical assistance pro-
9 vided by a third-party provider certified under
10 this section shall be—

11 “(i) excluded from cost-sharing re-
12 quirements under the program under
13 which the payment was provided; and

14 “(ii) equal to not more than 100 per-
15 cent of the fair and reasonable payment
16 amount for the applicable technical assist-
17 ance determined under subparagraph (B).

18 “(6) TRANSPARENCY.—Not later than 1 year
19 after the date of enactment of the Increased TSP
20 Access Act of 2025, the Secretary shall provide ac-
21 cessible public information on—

22 “(A) funds obligated to third-party pro-
23 viders through—

1 “(i) contracts entered into between el-
2 igible participants and individual third-
3 party providers; and

4 “(ii) agreements with public and pri-
5 vate sector entities to secure third-party
6 technical assistance;

7 “(B) certification results, including—

8 “(i) the number of third-party pro-
9 viders certified by the Secretary;

10 “(ii) the number of non-Federal certi-
11 fying entities approved by the Secretary;

12 “(iii) the number of third-party pro-
13 viders certified by non-Federal certifying
14 entities; and

15 “(iv) the number of third-party pro-
16 viders certified based on State agency or
17 professional association credentialing;

18 “(C) how third-party providers contribute
19 to the quality and effectiveness of conservation
20 practices implemented and adopted, and what
21 improvements are needed; and

22 “(D) the target utilization rate set under
23 paragraph (3)(D) and how actual utilization
24 compares to that target rate.”.

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