

PROVIDING FOR FURTHER CONSIDERATION OF THE BILL
(H.R. 2) TO PROVIDE FOR THE REFORM AND CONTINU-
ATION OF AGRICULTURAL AND OTHER PROGRAMS OF
THE DEPARTMENT OF AGRICULTURE THROUGH FISCAL
YEAR 2023, AND FOR OTHER PURPOSES

MAY 16, 2018.—Referred to the House Calendar and ordered to be printed

Mr. NEWHOUSE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 900]

The Committee on Rules, having had under consideration House Resolution 900, by a 8 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for further consideration of H.R. 2, the Agriculture and Nutrition Act of 2018, under a structured rule. The resolution provides for no additional general debate. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against further amendments printed in this report includes a waiver of:

- Clause 5(a) of Rule XXI, which prohibits a bill or joint resolution carrying a tax or tariff measure from being reported by a com-

mittee not having jurisdiction to report tax or tariff measures for amendment #1 by Rep. Foxx (R-NC).

- Section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) allocation of such authority for amendment #112 by Rep. Conaway

- Section 311 of the Congressional Budget Act, which prohibits consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided for amendment #112 by Rep. Conaway

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 214

Motion by Mr. Polis to make in order and provide the appropriate waivers to amendment # 63, offered by Rep. Comer (KY) and Rep. Blumenauer (OR) and Rep. Bonamici (OR) and Rep. Barr (KY) and Rep. Polis (CO) and Rep. Taylor (VA), removes industrial hemp from the definition of marihuana under the Controlled Substances Act and places it under the jurisdiction of the USDA as an agricultural commodity. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Collins	Nay	Mrs. Torres	Yea
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Buck		
Ms. Cheney	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 215

Motion by Mr. Cole report the rule. Adopted: 8–3

Majority Members	Vote	Minority Members	Vote
Mr. Cole	Yea	Mr. McGovern	Nay
Mr. Woodall	Yea	Mr. Hastings of Florida
Mr. Burgess	Yea	Mr. Polis	Nay
Mr. Collins	Yea	Mrs. Torres	Nay
Mr. Byrne	Yea		
Mr. Newhouse	Yea		
Mr. Buck		
Ms. Cheney	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Foxx (NC), Davis, Danny K. (IL), Shuster (PA), Blumenauer (OR), Chabot (OH), Speier (CA), Barletta (PA), Kind (WI), Perry (PA), Biggs (AZ): Modernizes and reforms the sugar program by re-

moving barriers to domestic production and implementing market reforms. (20 minutes)

2. Conaway (TX): MANAGERS Makes technical and conforming changes, in addition to making amendments to titles IV, VI and XI of H.R. 2. These amendments consist of changes to nutrition programs, requiring consultation between USDA and NTIA on broadband loan and grant programs and establishing a food access liaison at USDA. (10 minutes)

3. McClintock (CA): Phases out agricultural subsidies. (10 minutes)

4. LaHood, Darin (IL): Streamlines the sign up process for Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) by directing the Secretary of Agriculture to change the regulatory requirements from an annual sign up to a “one and done” process for ARC and PLC only. (10 minutes)

5. Rogers (AL): Amends the Conservation Title to cap the number of CRP acres at 24 million a year. (10 minutes)

6. Faso (NY): Expands USDA’s ability to assess natural resource concerns through enhanced measurement, evaluation, and reporting on conservation program outcomes. (10 minutes)

7. Fortenberry (NE): Provides sequencing and prioritization for volunteer visits and improves communication and coordination between USDA, USAID and implementing partners. The amendment also establishes a geographically defined crop yield metrics system and an Internet-based resource for data and knowledge sharing among the participants, stakeholders and the public. (10 minutes)

8. McClintock (CA), Grothman (WI), Gohmert (TX): Amends SNAP work requirements to repeal geographic area waivers to allow states to exempt only 5% of SNAP recipients, set the same hour per week work requirement for married parents as for single parents, exempt parents of children under 3 instead of children under 6, require participants in training programs to go through E Verify. (10 minutes)

9. MacArthur (NJ): Ensures that if an individual becomes ineligible to participate in the supplemental nutrition assistance program as a household member due to failure to meet the requirements under subparagraph (B), the remaining household members (including children), shall not become ineligible to apply to participate in the supplemental nutrition assistance program due to such individual’s ineligibility. (10 minutes)

10. Davidson (OH): Instructs USDA to distribute employment and training funds based on actual usage of the program rather than eligibility. Any unused funds would be sent back to the treasury. (10 minutes)

11. Holding (NC), Reed (NY): Ends eligibility for the Supplemental Nutrition Assistance Program for convicted violent rapists, pedophiles and murderers after enactment into law. (10 minutes)

12. González-Colón (PR): Requires the Secretary of Agriculture to conduct a feasibility study on developing a Thrifty Food Plan to calculate the amount of the Nutritional Assistance Program for Puerto Rico. (10 minutes)

13. Faso (NY), Hartzler (MO), Poliquin (ME), Marshall (KS): Provides states the flexibility to contract out administrative functions of SNAP (10 minutes)

14. Young, Don (AK): Expands access to traditional foods for native populations first created in Sec. 4033 of PL 113–79. (10 minutes)

15. González-Colón (PR): Requires the Secretary of Agriculture to provide an extension of study on comparable access to Supplemental Nutrition Assistance for Puerto Rico. (10 minutes)

16. Biggs (AZ), Rooney, Francis (FL): Repeals the bioenergy subsidy programs established in title IX of the 2002 farm bill. (10 minutes)

17. Russell (OK): Amends the Agricultural Risk Protection act of 2000 to prohibit the Department of Agriculture (USDA) from awarding value-added agricultural product market development grants to support the marketing of beer, wine, distilled spirits, hard cider, or other alcohol products. The amendment also rescinds \$8 million of the unobligated funds that were previously provided to USDA for grants. (10 minutes)

18. Turner (OH): REVISION: Ensures that newly designated 1890 Institution's base funding is calculated by using the same formula as already established 1890 Institutions. (10 minutes)

19. Stefanik (NY): Adds invasive vegetation to Section 602 of the Healthy Forests Restoration Act. (10 minutes)

20. Cheney (WY), Newhouse (WA): Directs the USFS and DOI to make vacant allotments available to grazing permit or lease holders in the event of a natural disaster, conflict with wildlife, or court-issued injunction. To prevent a court injunction in the event that the federal agency is unable to make a vacant allotment available. (10 minutes)

21. Pearce (NM): Establishes a pilot program to demonstrate effective tools and techniques for safeguarding national forests and watersheds. (10 minutes)

22. Stefanik (NY): Prioritizes grants for forest restoration under the Competitive Forestry, Natural Resources, and Environmental Grants Program. (10 minutes)

23. Faso (NY): Improves cooperation with the Forest Service to intercept tree and wood pests and would require a report on the interception of forest pests. (10 minutes)

24. Brat (VA), Blumenauer (OR), Titus (NV): Establishes transparency and accountability requirements for checkoff programs. It requires that a checkoff board or its employees or agents acting in their official capacity may not engage in any act that may involve a conflict of interest, anti-competitive activity, unfair or deceptive act or practice, or act that may be disparaging to, or in any way negatively portray, another agricultural commodity or product. (10 minutes)

25. Massie (KY), Rohrabacher (CA), Polis (CO): Prohibits federal interference with the interstate traffic of unpasteurized milk and milk products between States that allow the distribution of unpasteurized milk or milk products for direct human consumption. (10 minutes)

26. Costello (PA), Emmer (MN): Directs the Secretary to designate, among existing USDA staff, a Beginning Farmer and Rancher (BFR) Coordinator in each state, without associated cost. (10 minutes)

27. Noem (SD): Creates a new initiative to allow the United States Department of Agriculture to match funds invested in educational programs or services for Indians. (10 minutes)

28. Roskam (IL), Blumenauer (OR), Faso (NY), Knight (CA): Strengthens prohibitions against animal fighting by ensuring the law applies to all US territories. (10 minutes)

29. Johnson, Mike (LA), Gosar (AZ): Requires the Secretary to consider the totality of conservation measures already in place, or proposed, to mitigate species or habitat loss when determining whether Federal action is likely to jeopardize either. (10 minutes)

30. Hollingsworth (IN), Goodlatte (VA), Womack (AR), Palazzo (MS), Comer (KY), DesJarlais (TN), Luetkemeyer (MO), Stivers (OH), Crawford (AR), Rokita (IN): Allows the Secretary of the Interior, in conjunction with the Director of the US Fish and Wildlife Service, to issue depredation permits to livestock farmers authorizing the taking of black vultures otherwise prohibited by law to prevent damage to livestock during calving season. (10 minutes)

31. Banks (IN), Gosar (AZ), Pearce (NM), Smith, Jason (MO), Cramer, Kevin (ND), Rokita (IN), Walorski (IN), Hollingsworth (IN), Walker (NC), Duncan (SC), Mullin, Markwayne (OK), Rohrabacher (CA), Estes, Ron (KS), Tipton (CO), Herrera-Beutler (WA), Hunter (CA), Amodei (NV): Repeals the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" (80 Fed. Reg. 37053 (June 29, 2015)). (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 20 MINUTES

Strike section 1301 and insert the following new sections:

SEC. 1301. SUGAR PROGRAM.

(a) **LOAN RATES.**—Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is amended by striking subsections (a) and (b) and inserting the following new subsections:

“(a) **SUGARCANE.**—The Secretary shall make loans available to processors of domestically grown sugarcane at a rate equal to—

“(1) 18.75 cents per pound for raw cane sugar for the 2018 crop year; and

“(2) 18.00 cents per pound for raw cane sugar for the 2019 through 2023 crop years.

“(b) **SUGAR BEETS.**—The Secretary shall make loans available to processors of domestically grown sugar beets at a rate equal to 128.5 percent of the loan rate per pound of raw cane sugar for the applicable crop year under subsection (a) for each of the 2018 through 2023 crop years.”.

(b) **AVOIDING FORFEITURES WHILE ENSURING ADEQUATE SUPPLIES AT REASONABLE PRICES.**—Section 156(f) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(f)) is amended—

(1) in the subsection heading, by inserting “**WHILE ENSURING ADEQUATE SUPPLIES AT REASONABLE PRICES**” after “**FORFEITURES**”; and

(2) in paragraph (1), by inserting “ensure adequate supplies of sugar at reasonable prices and” after “shall”.

(c) 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”.

SEC. 1302. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS TERMINATION.

Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is amended by adding at the end the following new subsection:

“(c) TERMINATION.—The Secretary may not carry out the feedstock flexibility program under subsection (b) for the 2019 or subsequent crops of eligible commodities.”.

SEC. 1303. ADMINISTRATION OF TARIFF-RATE QUOTAS.

Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is amended to read as follows:

“PART VII—SUGAR

“SEC. 359. ADMINISTRATION OF TARIFF-RATE QUOTAS.

“(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of fiscal year 2019 and each fiscal year thereafter through the end of the effective period, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices, but at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

“(b) ADJUSTMENT AUTHORITY.—The Secretary shall adjust tariff-rate quotas established under subsection (a) in such a manner as to ensure, to the maximum extent practicable, that stocks of raw cane and refined beet sugar are adequate throughout the crop year to meet the needs of the marketplace, including the efficient utilization of cane refining capacity.

“(c) TRANSFER OF QUOTA SHARES.—

“(1) IN GENERAL.—The Secretary shall promulgate regulations that—

“(A) promote full use of the tariff-rate quotas for raw cane sugar and refined sugar and ensure adequate supplies for cane refiners in the United States;

“(B) provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

“(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only pursuant to a voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

“(3) LIMITATIONS ON TRANSFERS WITH RESPECT TO FISCAL YEAR.—

“(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the fiscal year during which the transfer is made.

“(B) FOLLOWING FISCAL YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following fiscal year.

“(d) EFFECTIVE PERIOD.—This section shall be effective for fiscal years only through the 2023 crop year for sugar.”.

Strike section 6410.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CONAWAY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 28, line 3, insert a comma after “2008”.

Page 28, line 6, strike “covered commodity” and all that follows through “basis” on line 7, and insert the following: “covered-commodity-by-covered-commodity basis”.

Page 103, strike lines 4 through 8.

Page 110, line 17, insert “, or eligible for indemnity or compensation payments through programs administered by the Secretary” before the period at the end.

Page 111, line 1, insert “, the Animal and Plant Health Inspection Service,” after “Conservation Service”.

Page 218, line 15, strike “bachelors” and insert “bachelor’s”.

Page 224, line 22, strike “; and” and insert “a semicolon”.

Page 225, line 13, strike “, and” and insert “; and”.

Page 225, line 15, strike “member.” and insert “member; and”.

Page 228, line 18, strike “enactment of” and insert “enactment of the”.

Page 232, line 5, add “and” at the end.

Page 233, line 4, strike “and” and insert “or”.

Page 237, line 24, strike “Section 5” and insert “Effective October 1, 2020, section 5”.

Page 238, strike line 5, and insert the following:

(B) by striking “, supplemental security”

Page 241, line 18, insert “or disabled” after “elderly”.

Page 241, line 23, insert “or disabled” after “elderly”.

Page 242, line 5, insert “or disabled” after “elderly”.

Page 242, line 8, insert “or disabled” after “elderly”.

Page 246, line 11, insert “(including volunteer work that is limited to 6 months out of a 12-month period)” after “work”.

Page 248, strike line 10.

Page 248, line 17, strike the period and the close quotation marks.

Page 248, after line 17, insert the following:

“(iv) a program of employment and training for veterans operated by the Department of Labor or the Department of Veterans Affairs, and approved by the Secretary.”, and

Page 248, line 25, strike “paragraph” and insert “paragraphs (4) and”.

Page 249, line 2, strike “(D), and (C)” and insert “(C), and (D)”.

Page 251, line 2, insert “and with the approval of the chief executive officer of the State,” after “agency”.

Page 251, line 22, strike “6” and insert “7”.

Page 251, line 24, insert “most recent 24-month period for which Department of Labor unemployment rates are available, nor earlier than the” after “the”.

Page 253, line 14, strike “15-PERCENT” and insert “PERCENTAGE”.

Page 254, line 11, strike “; and” at the end, and insert a period.

Page 254, strike lines 12 and 13.

Page 254, strike lines 19 through 22, and insert the following:

“(iii) FISCAL YEARS 2021 THROUGH 2025.—Subject to clauses (v) and (vi), for each of the fiscal years 2021 through 2025, a State agency may provide a number”

Page 255, after line 7, insert the following:

“(iv) FISCAL YEAR 2026 AND THEREAFTER.—Subject to clauses (v) and (vi), for fiscal year 2026 and each fiscal year thereafter, a State agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 12 percent of the number of covered individuals in the State in fiscal year 2019, as estimated by the Secretary, based on the survey conducted to carry out section 16(c) for the most recent fiscal year and such other factors as the Secretary considers appropriate due to the timing and limitations of the survey.”

Page 255, line 8, strike “(iv)” and insert “(v)”.

Page 255, line 17, strike “(v)” and insert “(vi)”.

Page 258, line 19, strike clause (iv) and redesignate succeeding clauses accordingly.

Page 258, beginning on line 22, strike “unpaid or volunteer work that is limited to 6 months out of a 12-month period” and insert “other work experience”.

Page 259, line 3, add “and” at the end.

Page 259, line 5, strike “and” at the end.

Page 259, strike lines 6 through 8.

Page 259, strike lines 9 and 10, and insert the following:

(C) in subparagraph (F)—

(i) clause (ii) by striking “one hundred and twenty hours per month” and inserting “the hours required under section 6(d)(1)(B)”, and

(ii) by striking clause (iii),

(D) by striking subparagraphs (D) and (E), and inserting the following:

Page 259, line 16, strike “(D)” and insert “(E)”.

Page 259, strike lines 18 and 19, and insert the following:

(F) by redesignating subparagraphs (F) through (M) as subparagraphs (E) through (L),

Beginning on page 259, strike line 22 and all that follows through line 2 on page 260, and insert the following:

(1) AMENDMENTS TO THE FOOD AND NUTRITION ACT OF 2008.—
The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended—

(A) in section 5(d)(14) by striking “6(d)(4)(I)” and inserting “6(d)(4)(G)”, and

(B) in section 17(b)(1)(B)(iv)(III)(dd) by striking “(4)(F)(i), or (4)(K)” and inserting “(4)(A)(ii), (4)(E)(i), or (4)(J)”.

Page 260, strike lines 24 and 25, and insert the following:

(1) by amending subsection (e)(5) to read as follows:

“(5) is—

“(A) a parent or other household member with responsibility for the care of a dependent child under age 6 or of an incapacitated person; or

“(B) a parent or other household member with responsibility for the care of a dependent child above the age of 5 and under the age of 12 for whom adequate child care is not available to enable the individual to attend class and satisfy the requirements of paragraph (4); and”.

Page 262, after line 24, insert the following:

(C) by amending subparagraph (C) to read as follows:

“(C) RETURN OF UNUSED EMPLOYMENT AND TRAINING FUNDS TO THE TREASURY.—If a State agency will not expend all of the funds allocated to the State agency for a fiscal year under subparagraph (B), the Secretary shall deposit such unused funds in the general receipts of the Treasury.”,

Page 263, line 1, strike “(C)” and insert “(D)”.

Page 263, line 3, strike “(D)” and insert “(E)”

Page 263, beginning on line 22, strike subsection (g).

Page 264, line 10, strike “(h)” and insert “(g).”

Page 264, strike lines 11 and 12, and insert the following:

(1) AMENDMENTS.—Section 20(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 3029(b) is amended—

(A) in paragraph (1)—

(i) by striking “6(d)(1)” and inserting “6(d)(1)(B)”,

and

(ii) by striking “or (F)” and inserting “(F), or (G)”,

and

(B) in paragraph (4) by striking “sixteen” and inserting

“18”.

Page 266, strike lines 1 through 6, and insert the following:

(B) in section 17(b) by striking paragraph (2).

Page 266, after line 6, insert the following:

(h) EQUITABLE TREATMENT OF HOUSEHOLDS.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)), as amended by section 4001, is amended by adding at the end the following:

“(27) that the State agency may, for purposes of ensuring equitable treatment among all households (including those containing a married couple), request earned income data from the Internal Revenue Service relevant to determining eligibility to receive supplemental nutrition assistance program benefits and determining the correct amount of such benefits at the time of household certification.”.

Page 269, line 5, strike the comma at the end and insert a semicolon.

Page 269, strike lines 6 and 7.

Page 269, line 25, strike “and” at the end.

Page 269, after line 25, insert the following:

“(VII) requires that the State demonstration projects are voluntary for all retail food stores and that all recipients are able to use benefits in non-participating retail food stores; and”.

Page 270, line 1, strike “(VII)” and insert “(VIII)”.

Page 271, line 1, strike “**processing**” and insert “**prohibited**”.

Page 271, line 10, insert “(as defined in subsection (j)(1)(H)” after “switching”.

Page 273, line 16, strike “independent” and all that follows through “means” on line 17, and insert the following: “independent sales organization’ means”.

Page 291, line 5, strike “B Russell” and insert “B. Russell”.

Page 296, after line 13, insert the following:

(C) in paragraph (3)(B) by inserting “, other than those incurred by State agencies in preparing State plans pursuant to subsection (c)(2) and notifying applicants, participants, and eligible individuals pursuant to subsection (c)(4),” after “this section”.

Page 296, line 14, strike “(C)” and insert “(D)”.

Page 296, line 16, strike “(D)” and insert “(E)”.

Page 297, line 6, strike the close quotation marks and the comma at the end.

Page 297, strike line 7 and insert the following:

“(D) FUNDS AVAILABILITY.—Funds appropriated under this paragraph shall remain available for obligation for a period of 2 fiscal years.”, and

Page 299, strike lines 19 through 23, and insert the following:

(7) in section 17(b)(1)(B)(iv)(III)(aa) by striking “3(n)” and inserting “3(m)”.

Page 300, after line 10, insert the following:

SEC. 4037. REVIEW OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM OPERATIONS.

Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018), as amended by section 4026, is amended by adding at the end the following:

“(j) REVIEW OF PROGRAM OPERATIONS.—

“(1) The Secretary—

“(A) shall review a representative sample of currently authorized retail food stores as defined in subsections (o)(2) and (k)(3) of section 3 to determine whether benefits are properly used by or on behalf of participating households residing in such facilities and whether such facilities are using more than one source of Federal or State funding to meet the food needs of residents;

“(B) may carry out similar reviews for currently participating residential drug and alcohol treatment and rehabilitation programs, and group living arrangements for the blind and disabled;

“(C) shall gather information and these entities shall be required to submit information deemed necessary for a full and thorough review; and

“(D) shall report the results of these reviews to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate not later than 3 years after the date of the enactment of the Food and Nutrition Act of 2018, along with recommendations as to any additional requirements or oversight that would be appropriate for such facilities and retailers, and whether these entities should continue to be authorized to participate in the supplemental nutrition assistance program.

“(2) Nothing in this section shall authorize the Secretary to deny any application for continued authorization, any application for authorization, or any request to withdraw the authorization of any facility or entity referenced in subsections (o)(2) and (k)(3) of section 3 based on a determination that residents of any such facility or entity are residents of an institution prior to—

“(A) the submission of the report described in paragraph (1)(D); or

“(B) 3 years after the date of enactment of the Food and Nutrition Act of 2018; whichever is earlier.”.

Page 301, after line 2, insert the following:

SEC. 4103. ELIGIBILITY FOR COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5(g) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended—

(1) by striking “Except” and inserting the following:

“(1) IN GENERAL.—Except”, and

(2) by adding at the end the following:

“(2) CERTIFICATION.—

“(A) DEFINITION OF CERTIFICATION PERIOD.—In this paragraph, the term ‘certification period’ means the period that a participant in the commodity supplemental food program may continue to receive benefits under that program without a formal review of the eligibility of the participant.

“(B) MINIMUM CERTIFICATION PERIOD.—Subject to subparagraph (C), a State shall establish a certification period of not less than 1 year.

“(C) EXTENSIONS.—On the request of a State, the Secretary shall approve a State certification period of more than 1 year on the condition that, on an annual basis, the local agency in the State administering the commodity supplemental food program—

“(i) verifies the address and continued interest of each participant in receiving program benefits; and

“(ii) has sufficient reason to determine that the participant still meets the income eligibility standards, which may include a determination that the participant has a fixed income.”.

Page 301, line 3, redesignate section 4103 as section 4104.

At the end of subtitle C of title IV, add the following:

SEC. 4205. REVIEW AND REVISION OF CERTAIN NUTRITION REGULATIONS.

(a) REVIEW OF EXISTING REGULATIONS.—Not later than 90 days after the date of the enactment of this Act and for the purposes described in subsection (b), the Secretary shall review—

(1) the final regulations on “National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010” published by the Department of Agriculture in the Federal Register on July 29, 2016 (81 Fed. Reg. 50123 et seq.); and

(2) the final regulations on “Nutrition Standards in the National School Lunch and School Breakfast Programs” published

by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.).

(b) FINALIZING NEW REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with school nutrition personnel and school leaders (including school administrators, school boards, and parents), shall finalize new regulations that revise the regulations described in subsection (a) based on the review of such regulations under such subsection, including any requirements for milk, to ensure that the requirements of such regulations—

(1) are based on research based on school-age children;

(2) do not add costs in addition to the reimbursements required to carry out the school lunch program authorized under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773); and

(3) maintain healthy meals for students.

Page 327, line 4, strike “heath” and insert “health”.

Page 327, line 11, add a period at the end.

Page 343, line 12, strike “road mile” and insert “road-mile”.

Page 344, line 4, strike “and” at the end.

Page 361, after line 13, insert the following (and redesignate any succeeding section accordingly):

SEC. 6116. FEDERAL BROADBAND PROGRAM COORDINATION.

(a) CONSULTATION BETWEEN USDA AND NTIA.—The Secretary shall consult with the Assistant Secretary to assist in the verification of eligibility of the broadband loan and grant programs of the Department of Agriculture. In providing assistance under the preceding sentence, the Assistant Secretary shall make available the broadband assessment and mapping capabilities of the National Telecommunications and Information Administration.

(b) CONSULTATION BETWEEN USDA AND FCC.—

(1) BY USDA.—The Secretary shall consult with the Commission before making a broadband loan or grant for a project to serve an area with respect to which another entity is receiving Connect America Fund or Mobility Fund support under the Federal universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(2) BY FCC.—The Commission shall consult with the Secretary before offering or providing Connect America Fund or Mobility Fund support under the Federal universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) to serve an area with respect to which another entity has received an award under a broadband loan or grant program of the Department of Agriculture.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary, the Commission, and the Assistant Secretary shall submit to the Committee on Agriculture and the Committee on Energy and Commerce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Commerce, Science, and Transportation of the Senate a report on how best to coordinate federally

supported broadband programs and activities in order to achieve the following objectives:

(1) Promote high-quality broadband service that meets the long-term needs of rural residents and businesses, by evaluating the broadband service needs in rural areas for each decade through 2050.

(2) Support the long-term viability, sustainability, and utility of federally supported rural broadband infrastructure, by analyzing the technical capabilities of the technologies currently available and reasonably expected to be available by 2035 to meet the broadband service needs of rural residents identified under paragraph (1), including by analyzing the following:

(A) The real-world performance of such technologies, including data rates, latency, data usage restrictions, and other aspects of service quality, as defined by the Commission.

(B) The suitability of each such technology for residential, agricultural, educational, healthcare, commercial, and industrial purposes in rural areas.

(C) The cost to deploy and support such technologies in several rural geographies.

(D) The costs associated with online platforms, specifically the resulting constraints on rural network bandwidth.

(3) Identify and quantify the availability of broadband service and ongoing broadband deployment in rural areas, including ways to do the following:

(A) Harmonize broadband notification and reporting requirements and develop common verification procedures across all federally supported broadband programs.

(B) Consolidate and utilize the existing broadband service data.

(C) Collect and share data on those projects in rural areas where Federal programs are currently supporting broadband deployment, including areas with respect to which an entity is receiving—

(i) support under a broadband loan or grant program of the Department of Agriculture; or

(ii) Connect America Fund or Mobility Fund support under the Federal universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(D) Leverage support technologies and services from online platforms for providers of broadband service in rural areas.

(d) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) RURAL AREA.—The term “rural area” has the meaning given the term in section 601(b)(3) of the Rural Electrification Act of 1936.

Page 364, line 14, strike “tribes” and insert “Tribes”.

Page 374, line 1, strike “U.S.C.” and insert “U.S.C.”.

Page 379, line 24, strike “by striking” and all that follows through “and inserting” on line 25, and insert the following: “by striking ‘maintained under section 313(b)(2)(A)’ and inserting”.

Page 390, line 16, strike “and inserting” and all that follows through “; and” on line 17, and insert the following: “and inserting ‘305 or’; and”.

Page 394, line 8, strike “tribes” and insert “Tribes”.

Page 414, line 2, strike the extra space before the closed quotation mark.

Page 436, after line 11, insert the following:

(b) PRIORITIES.—Section 412(h)(1) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(h)(1)) is amended by striking “multi-institutional” and inserting “or multi-institutional”.

Page 436, line 12, strike “(b)” and insert “(c)”.

Page 436, line 20, strike “(c)” and insert “(d)”.

Page 455, line 20, insert “or ranchers” after “farmers”.

Page 541, line 1, insert “address” before “other”.

Page 546, line 5, strike “in” and insert “on”.

Page 554, line 18, strike “The Administrator;” and insert “The Administrator”.

Page 575, line 2, strike “Department of Agriculture” and insert “Food and Drug Administration”.

Page 598, line 3, strike “and subparagraph (B) of paragraph (1)” and all that follows through “Secretary” on line 6, and insert the following: “of paragraph (1)”.

Page 598, line 9, insert “, not more than 4 percent may be retained by the Secretary to pay administrative costs incurred by the Secretary” after “10409B”.

Page 598, line 10, insert “of such paragraph” after “(B)”.

Page 598, line 12, strike “and (B)” and all that follows through “paragraph” on line 13.

Page 598, line 13, strike “ten” and insert “10”.

Page 599, line 3, insert before the period at the end the following: “to be made available for expenditure without further appropriation”.

Page 621, line 23, strike “boys” and insert “boys”.

Page 622, line 8, strike “boys” and insert “boys”.

Page 635, after line 7, insert the following:

SEC. 11608. ESTABLISHMENT OF FOOD ACCESS LIAISON.

(a) IN GENERAL.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.), as amended by sections 11204 and 11607, is amended by adding at the end the following:

“SEC. 223. FOOD ACCESS LIAISON.

“(a) ESTABLISHMENT.—The Secretary shall establish the position of Food Access Liaison to coordinate Department programs to reduce barriers to food access and monitor and evaluate the progress of such programs in accordance with this section.

“(b) DUTIES.—The Food Access Liaison shall—

“(1) coordinate the efforts of the Department, including regional offices, to experiment and consider programs and policies aimed at reducing barriers to food access for consumers,

including but not limited to participants in nutrition assistance programs;

“(2) provide outreach to entities engaged in activities to reduce barriers to food access in accordance with the statutory authorization for each program;

“(3) provide outreach to entities engaged in activities to reduce barriers to food access, including retailers, markets, producers, and others involved in food production and distribution, with respect to the availability of, and eligibility for, Department programs;

“(4) raise awareness of food access issues in interactions with employees of the Department;

“(5) make recommendations to the Secretary with respect to efforts to reduce barriers to food access; and

“(6) submit to Congress an annual report with respect to the efforts of the Department to reduce barriers to food access.”.

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to entities that are participants, or seek to participate, in Department of Agriculture programs related to reduction of barriers to food access.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCLINTOCK OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 29, line 18, strike subsection (a) and insert the following new subsection:

(a) DETERMINATION OF PAYMENT ACRES.—Subject to subsection (d), for the purpose of price loss coverage and agriculture risk coverage, the payment acres for each covered commodity on a farm shall be equal to, with respect to base acres for the covered commodity on the farm—

(1) for crop years 2019 and 2020, 85 percent of such base acres;

(2) for crop year 2021, 76.5 percent of such base acres;

(3) for crop year 2022, 68 percent of such base acres;

(4) for crop year 2023, 59.5 percent of such base acres;

(5) for crop year 2024, 51 percent of such base acres;

(6) for crop year 2025, 42.5 percent of such base acres;

(7) for crop year 2026, 34 percent of such base acres;

(8) for crop year 2027, 25.5 percent of such base acres;

(9) for crop year 2028, 17 percent of such base acres; and

(10) for crop year 2029, 8.5 percent of such base acres.

Page 32, line 11, strike “2023” and insert “2029”.

Page 32, line 25, strike “2023” and insert “2029”.

Page 33, line 14, strike “2023” and insert “2029”.

Page 34, line 9, strike “2023” and insert “2029”.

Page 35, after line 16, insert the following new subsection:

(h) TERMINATION OF AUTHORITY.—The Secretary may not make payments under this section after crop year 2029.

Page 35, line 23, strike “2023” and insert “2029”.

Page 38, line 10, strike “2023” and insert “2029”.

Page 40, after line 3, insert the following new subsection:

(h) TERMINATION OF AUTHORITY.—The Secretary may not make payments under this section after crop year 2029.

Strike section 1301 and insert the following new section:

SEC. 1301. SUGAR POLICY.

(a) PHASE OUT OF CURRENT PROGRAM AND LOAN RATES.—

(1) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4)—

(i) by striking “2018” and inserting “2020”; and

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

(C) by adding at the end the following new paragraphs:

“(5) 16.88 cents per pound for raw cane sugar for the 2021 crop year;

“(6) 15.01 cents per pound for raw cane sugar for the 2022 crop year;

“(7) 13.14 cents per pound for raw cane sugar for the 2023 crop year;

“(8) 11.27 cents per pound for raw cane sugar for the 2024 crop year;

“(9) 9.4 cents per pound for raw cane sugar for the 2025 crop year;

“(10) 7.53 cents per pound for raw cane sugar for the 2021 crop year;

“(11) 5.66 cents per pound for raw cane sugar for the 2027 crop year;

“(12) 3.79 cents per pound for raw cane sugar for the 2028 crop year; and

“(13) 1.92 cents per pound for raw cane sugar for the 2029 crop year.”.

(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 “2029”.

(3) TERMINATION OF EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended—

(A) by striking “2018” and inserting “2029”; and

(B) by adding at the end the following new sentence:
“The authority to carry out this section shall terminate on September 30, 2029.”

(b) PHASE OUT OF 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 “2029”.

(2) SUGAR ALLOTMENTS.—Section 359b(b)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(b)(1)) is amended—

(A) by striking subparagraphs (A) and (B);

(B) by striking “at a level that is” and inserting the following: “at a level equal to—

“(A) for crop year 2021, 76.5 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(B) for crop year 2022, 68 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(C) for crop year 2023, 59.5 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(D) for crop year 2024, 51 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(E) for crop year 2025, 42.5 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(F) for crop year 2026, 34 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(G) for crop year 2027, 25.5 percent of the estimated quantity of sugar for domestic human consumption for such crop year;

“(H) for crop year 2028, 17 percent of the estimated quantity of sugar for domestic human consumption for such crop year; and

“(I) for crop year 2029, 8.5 percent of the estimated quantity of sugar for domestic human consumption for such crop year.”.

(3) TERMINATION OF EFFECTIVE PERIOD.—Section 3591(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 13591l(a)) is amended—

(A) by striking “2018” and inserting “2029”; and

(B) by adding at the end the following new sentence: “The authority to carry out this part shall terminate on September 30, 2029.”

Page 85, strike line 22 and all that follows through page 86, line 2, and insert the following:

(3) ELECTION OF PRODUCTION HISTORY COVERAGE PERCENTAGE.—Section 1406(a)(2) of the Agricultural Act of 2014 (7 U.S.C. 9056(a)(2)) is amended to read as follows:

“(2) a percentage of coverage, in 5-percent increments, not exceeding, with respect to the production history of the participating dairy operation—

“(A) for calendar year 2019 and 2020, 90 percent;

“(B) for calendar year 2021, 81 percent;

“(C) for calendar year 2022, 72 percent;

“(D) for calendar year 2023, 63 percent;

“(E) for calendar year 2024, 54 percent;

“(F) for calendar year 2025, 45 percent;

“(G) for calendar year 2026, 36 percent;

“(H) for calendar year 2027, 27 percent;

“(I) for calendar year 2028, 18 percent; and

“(J) for calendar year 2029, 10 percent.”.

Page 90, line 25, strike “2023” and insert “2029”.

Page 579, after 2, insert the following new sections:

SEC. 10006. PHASE OUT OF CROP INSURANCE PREMIUMS.

(a) PHASE OUT OF PREMIUMS.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended—

(1) in paragraph (2), by striking “and (7)” and inserting “(7), (9), and (10)”;

(2) by adding at the end the following new paragraphs:

“(9) PHASE OUT OF PREMIUMS.—Beginning with reinsurance year 2021, in determining the amount of premium to be paid under paragraphs (2), (6), and (7), the Corporation shall multiply the amount specified in subparagraphs (B)(i), (C)(i), (D)(i), (E)(i), (F)(i), (G)(i), and (H)(i) of paragraph (2), subparagraphs (A)(i), (B)(i), (C)(i), and (D)(i) of paragraph (6), and subparagraphs (A)(i), (B)(i), and (C)(i) of paragraphs (7), by—

“(A) in reinsurance year 2021, 0.9;

“(B) in reinsurance year 2022, 0.8;

“(C) in reinsurance year 2023, 0.7;

“(D) in reinsurance year 2024, 0.6;

“(E) in reinsurance year 2025, 0.5;

“(F) in reinsurance year 2026, 0.4;

“(G) in reinsurance year 2027, 0.3;

“(H) in reinsurance year 2028, 0.2; and

“(I) in reinsurance year 2029, 0.1.

“(10) TERMINATION OF AUTHORITY.—The authority to make payments under this subsection shall terminate on the first day of reinsurance year 2030.”.

(b) PHASE OUT OF ADMINISTRATION AND OPERATING COST REIMBURSEMENTS.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended—

(1) by striking subparagraphs (B), (C), (E), and (F); and

(2) by inserting after subparagraph (A) the following new subparagraphs:

“(A) REDUCTIONS.—

“(i) IN GENERAL.—Beginning with reinsurance year 2021, in calculating the rate established by the Board to reimburse approved insurance providers and agents for the administrative and operating costs of the providers and agents, the Secretary shall multiply the percent specified in subparagraph (A)(ii) by—

“(I) in reinsurance year 2021, 0.9;

“(II) in reinsurance year 2022, 0.8;

“(III) in reinsurance year 2023, 0.7;

“(IV) in reinsurance year 2024, 0.6;

“(V) in reinsurance year 2025, 0.5;

“(VI) in reinsurance year 2026, 0.4;

“(VII) in reinsurance year 2027, 0.3;

“(VIII) in reinsurance year 2028, 0.2; and

“(IX) in reinsurance year 2029, 0.1.

“(ii) TERMINATION.—The authority to make reimbursements under this paragraph shall terminate on the first day of reinsurance year 2030.

“(B) REPORT.—Not later than December 31, 2023, the Secretary shall submit a report to Congress that includes an assessment of whether reimbursements under this paragraph for administrative and operating costs are effective.”.

SEC. 10007. REQUIREMENTS TO PROVIDE INSURANCE.

(a) STACKED INCOME PROTECTION PLAN.—Section 508B(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1508b(a)) is amend-

ed by striking “the Corporation shall” and inserting “the Corporation may”.

(b) PEANUT REVENUE CROP INSURANCE.—Section 508C(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1508c(a)) is amended by striking “the Corporation shall” and inserting “the Corporation may”.

(c) UPDATE STANDARD REINSURANCE AGREEMENT.—The Secretary shall update the 2019 Standard Reinsurance Agreement to include that the Company may offer and market all plans of insurance for all crops in any State where actuarial documents are available in which it writes an eligible crop insurance contract and shall accept and approve applications from all eligible producers.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAHOOD OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle F of title I, insert the following new section:

SEC. 1612. ONE-TIME FILING FOR ARC AND PLC.

(a) ONE-TIME FILING.—Except as provided in subsection (b), during the first enrollment period announced by the Farm Service Agency after the date of the enactment of this Act, producers on a farm may file a one-time program contract with the Secretary to enroll in agricultural risk coverage or price loss coverage through crop year 2023.

(b) UPDATED PROGRAM CONTRACT REQUIRED.—In the case of a change in a farming operation for which producers on a farm have filed a one-time program contract pursuant to subsection (a), such producers shall file an updated program contract with the Secretary not later than one year after such change in the farming operation occurs.

(c) NOTICE OF OTHER ANNUAL REPORTING.—The Secretary shall provide to each producer that files a one-time program contract pursuant to subsection (a) a notice that includes the annual and other periodic reporting requirements applicable to such producer, as determined by the Secretary.

(d) REGULATIONS REVISED.—The Secretary shall—

- (1) issue such regulations as are necessary to carry out this section; and
- (2) revise section 1412.41 of title 7, Code of Federal Regulations, in accordance with this section.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROGERS OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 113, line 5, strike “inserting a semicolon” and insert “inserting ‘; and’”.

Page 113, strike lines 7 through 16 and insert the following:

“(F) each of fiscal years 2019 through 2023, no more than 24,000,000 acres.”;

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FASO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle D of title II, add the following:

SEC. 2407. SOIL AND WATER RESOURCES CONSERVATION.

The Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001 et seq.) is amended—

(1) in section 5(e), by striking “and December 31, 2015” and inserting “December 31, 2015, and December 31, 2022”;

(2) in section 6(d), by striking “, respectively” and inserting “, and a program update shall be completed by December 31, 2023”;

(3) in section 7—

(A) in subsection (a), by striking “and 2016” and inserting “, 2016, and 2022”; and

(B) in subsection (b), in the matter preceding paragraph (1), by striking “and 2017” and inserting “, 2017, and 2023”;

(4) in section 10, by striking “2018” and inserting “2023”;

(5) by redesignating sections 8 through 10 as sections 9 through 11, respectively; and

(6) by inserting after section 7 the following:

“SEC. 8. CONSERVATION PROGRAMS ASSESSMENT.

“(a) IN GENERAL.—In coordination with the appraisal of soil, water, and related resources and with the national soil and water conservation program established under this Act, the Secretary may carry out a conservation effects assessment project to quantify the environmental and economic effects of conservation practices, develop the science base for managing the agricultural landscape for environmental quality and sustainable productive capacity, and improve the efficacy of conservation practices and programs by evaluating conservation effects.

“(b) SCOPE.—The project under this subsection may be carried out at national, regional, and watershed scales, and may include cropland, grazing lands, wetlands, forests, and such other lands as the Secretary may determine appropriate.

“(c) ACTIVITIES.—The project under this subsection may include research, literature reviews and bibliographies, modeling, assessment, monitoring and data collection, outreach, extension education, and such other activities as the Secretary may determine appropriate.

“SEC. 9. GOALS AND ASSESSMENT PROCESS FOR CONSERVATION PROGRAMS.

“(a) NATURAL RESOURCE AND ENVIRONMENTAL OBJECTIVES AND OUTCOMES.—

“(1) IN GENERAL.—In coordination with the appraisal of soil, water, and related resources, the soil and water conservation program, and the conservation effects assessment project established by this Act, the Secretary shall identify, and periodically revise, specific natural resource and environmental objectives and anticipated conservation outcomes and results, by resource concern, for the conservation programs established under subtitles D and H of title XII of the Food Security Act

of 1985 and the landscape conservation initiatives developed by the Secretary.

“(2) ASSESSMENTS.—To help measure outcomes and results, the Secretary shall, to the maximum extent practicable, make assessments of changes in the status and conditions of natural resources and the environment that result from the application of conservation activities supported directly by such conservation programs and initiatives.

“(3) MONITORING AND PROGRAM EVALUATION.—The Secretary shall establish a coordinated monitoring and evaluation process for programs and initiatives to assess progress toward the identified objectives, to gather information to improve program and initiative implementation in accordance with desired program and initiative outcomes and results, and to assess the need for modifications to program or initiative rules or statutes.

“(b) MONITORING AND PROGRAM EVALUATION.—

“(1) IN GENERAL.—The Secretary shall establish a comprehensive monitoring and program evaluation process to assess progress in reaching natural resource and environmental objectives identified in accordance with subsection (a) and the contribution of individual programs and initiatives, as well as the programs and initiatives collectively, to that progress.

“(2) IMPLEMENTATION.—In implementing the monitoring and program evaluation process under paragraph (1), the Secretary may consider and incorporate resource concern inventories, quality criteria, conservation practices and enhancements, and such other information as the Secretary determines relevant for applying the monitoring and program evaluation process across each of the major land uses identified by the Secretary.

“(3) MONITORING AND EVALUATION PROCESS.—

“(A) IN GENERAL.—Not later than two years after the date of enactment of this section, the Secretary shall issue a design for the comprehensive monitoring and evaluation process, a schedule for implementing the process, and a plan for coordinating the process with the national soil and water conservation program and conservation effects assessment project established under this Act.

“(B) METHODOLOGY.—The design for the monitoring and evaluation process shall—

“(i) include detailed information concerning the requisite frequency of the monitoring process at the field, water body, habitat, or other level and the manner in which the data will be aggregated at the landscape or watershed level, county or local level, State level, national level, and any other level the Secretary determines necessary; and

“(ii) take into account the cumulative nature of conservation over time, the interactions and sequencing effects between conservation activities, the differing times for conservation effects to be realized, and other related measurement challenges.

“(C) PUBLIC RESEARCH.—Notwithstanding any other provision of law, in order to facilitate implementation of the monitoring and evaluation process, the Secretary shall

make available conservation activity and program data to cooperators and researchers engaged in public research and evaluation activities to improve conservation outcomes under this subsection, provided that—

“(i) adequate assurances are provided to the Secretary that any resulting research or information will be made publicly available and in a form that protects personally identifiable information; and

“(ii) the National Technical Committee finds that any such research is likely to generate information that furthers the purpose of this section.

“(4) COOPERATIVE AGREEMENTS.—The Secretary may implement the monitoring evaluation process in part through cooperative or contribution agreements with Federal, State, and local agencies, universities and colleges, nongovernmental organizations with requisite expertise, as determined by the Secretary in consultation with the National Technical Committee.

“(5) NATIONAL TECHNICAL COMMITTEE.—

“(A) COMPOSITION.—The monitoring and evaluation process shall be administered by the Natural Resources Conservation Service with assistance from a national technical committee appointed by the Secretary and composed of individuals with relevant technical and scientific expertise representing—

“(i) the Agricultural Research Service of the Department of Agriculture;

“(ii) the Economic Research Service of the Department of Agriculture;

“(iii) the Farm Service Agency of the Department of Agriculture;

“(iv) the Forest Service;

“(v) the National Institute for Food and Agriculture;

“(vi) the United States Geological Survey;

“(vii) State and tribal agencies;

“(viii) land grant university natural resource research programs;

“(ix) nongovernmental organizations with expertise in the full array of conservation issues and measurement and evaluation of conservation outcomes; and

“(x) such other agencies, institutions, or organizations as the Secretary may determine appropriate.

“(B) FACA EXEMPTION.—The national technical committee shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

“(C) TRANSPARENCY.—The Secretary shall ensure the proceedings and recommendations of the national technical committee are available to the public.

“(6) VOLUNTARY PARTICIPATION.—In carrying out this subsection, the Secretary shall ensure that any on-farm monitoring activities that may be included as part of the monitoring and program evaluation process are voluntary on the part of the producer, and may include appropriate compensation, as determined by the Secretary.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, for each

fiscal year, the amount that is equal to one percent of the total annual funding from the funds of the Commodity Credit Corporation made available in the preceding fiscal year for the conservation programs established under subtitles D and H of title XII of the Food Security Act of 1985, excluding the conservation reserve program.

“(c) REPORTING.—

“(1) REPORT ON OBJECTIVES AND METHODS.—Beginning in the fiscal year that is 3 years after the date of enactment of this subsection, and periodically thereafter, as determined by the Secretary, the Secretary shall submit to Congress, and make publicly available, a report that includes—

“(A) a description of conservation outcome objectives that are, to the maximum extent practicable, quantitative, measurable, and time-bound for each program established under subtitle D or H of the Food Security Act of 1985 and the landscape conservation initiatives developed by the Secretary;

“(B) a description of the approaches, tools, and methods used to measure or model the conservation outcomes and results and to estimate the cost-effectiveness of each such program; and

“(C) guidance to the conservation project partners working to implement conservation programs within a landscape-level project that provides a description of the approaches, tools, and methods the partners might consider using to measure and model the conservation outcomes and results of their projects.

“(2) REPORT ON OUTCOMES.—In conjunction with each of the reports to Congress pursuant to section 7, the Secretary shall submit to Congress, and make publicly available, a report that includes—

“(A) an assessment of progress made towards achieving conservation program objectives and anticipated outcomes and results for each conservation program established under subtitle D or H of title XII of the Food Security Act of 1985, as well as for such programs collectively, and the landscape conservation initiatives developed by the Secretary;

“(B) an evaluation of the cost-effectiveness of each such conservation program and initiative; and

“(C) recommendations, in light of the assessment and evaluation, to improve program implementation and improve the scientific and economic tools (including any new or revised conservation practices, conservation enhancements, or conservation planning tools) used to achieve stated natural resource conservation and environmental objectives.

“(3) COORDINATION.—The Secretary may coordinate the reports required under paragraphs (1) and (2) with any reports developed as part of the conservation effects assessment project authorized by section 8, whenever such coordination is feasible and warranted, as determined by the Secretary.”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FORTENBERRY OF NEBRASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 187, after line 10, insert the following (and redesignate the subsequent subsections accordingly):

(a) STATEMENT OF POLICY.—

(1) IN GENERAL.—It is in the national interests of the United States to advance food security in developing countries and open new markets for agricultural trade through programs that leverage the unique capabilities of Federal departments and agencies, and improve coordination between donors, beneficiaries, and the private sector.

(2) ROLE OF DEPARTMENT OF AGRICULTURE.—The Department of Agriculture plays an important role in establishing trade between the United States and other nations and should enhance its role in facilitating the transfer of the knowledge, skills, and experience of American farmers, land-grant universities, and extension services through the John Ogonowski and Doug Bereuter Farmer-To-Farmer Program under title V of the Food for Peace Act (7 U.S.C. 1737).

Page 187, strike lines 11 through 14 and insert the following:

(b) CLARIFICATION OF NATURE OF ASSISTANCE.—Section 501(b)(1) of the Food for Peace Act (7 U.S.C. 1737(b) is amended—

(1) in paragraph (1) by inserting “technical” before “assistance”; and

(2) in paragraph (2)(A)—

(A) by striking “; and” at the end of clause (viii); and

(B) by striking clause (ix) and inserting the following:

“(ix) agricultural education and extension;

“(x) selection of seed varieties and plant stocks;

“(xi) knowledge of insecticide and sanitation procedures to prevent crop destruction;

“(xii) use and maintenance of agricultural equipment and irrigation systems; and

“(xiii) selection of fertilizers and methods of soils treatment; and”.

Page 189, after line 6, insert the following:

(g) CROP YIELDS AND INNOVATIVE PARTNERSHIPS.—Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended by adding at the end the following:

“(f) ESTABLISHMENT OF A GEOGRAPHICALLY DEFINED CROP YIELD METRICS.—The Secretary of Agriculture, in cooperation with the Administrator of the Agency for International Development, should—

“(1) establish a geographically defined crop yield metrics system to assess improvements in crop yields in countries and areas receiving assistance under this title; and

“(2) store the data resulting from such geographically defined crop yield metrics system in a publicly available Internet database system.

“(g) GRANT PROGRAM TO CREATE NEW PARTNERS AND INNOVATION.—

“(1) IN GENERAL.—The Administrator of the Agency for International Development shall develop a grant program for fiscal

years 2019 through 2023 to facilitate new and innovative partnerships and activities under this title.

“(2) USE OF FUNDS.—Grant recipients under this subsection shall use such funds—

“(A) to prioritize new implementing partners;

“(B) on innovative volunteer models;

“(C) on strategic partnerships with other United States development programs; and

“(D) on expanding the footprint and impact of the programs and activities under this title, and diversity among program participants, including land grant colleges or universities and extension services.

“(h) APPROPRIATIONS.—None of the amounts made available to carry out this title may be used to carry out subsections (f) and (g) of this section except to the extent that such subsections are carried out using authorities otherwise provided by this title.”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCCLINTOCK OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Beginning on page 250, strike line 25 and all that follows through line 13 on page 253.

Page 253, line 14, strike “(G) 15-PERCENT” and insert “(F) 5-PERCENT”.

Page 254, line 25, strike “15 percent” and insert “5 percent”.

Page 256, line 17, strike “and” at the end.

Page 256, after line 17 insert the following:

(ii) by striking “age six” and inserting “3 years of age”, and

Page 256, line 18, strike “(ii)” and insert “(iii)”.

Page 257, line 2, strike “or (G) a pregnant woman.” and insert “(G) a married individual who is responsible for a dependent individual and who resides in the household with a spouse who complies with the requirements of paragraph (1)(B); or (H) a pregnant woman.”.

Page 257, line 9, strike “(iii)” and insert “(iv)”.

Page 257 line 25, strike the close quotation marks, the comma, and “and”.

Page 257, after line 25, insert the following:

“(iii) E-VERIFY.—An employment and training program designed by the State agency may not be approved unless such program requires that each individual who participates in such program is permitted to engage in employment in the United States on the basis of the status of such individual as determined under the employment verification system in effect under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).”, and

Page 260, strike lines 24 and 25, and insert the following:

(1) in subsection (e)—

(A) in paragraph (5)—

(i) in subparagraph (A) by striking “age 6” and inserting “age 3 or of an incapacitated person”, and

- (ii) in subparagraph (B) by striking “of 5” and inserting “of 2”,
- (B) in paragraph (7) by striking “or” at the end,
- (C) in paragraph (8) by striking the period at the end and inserting “; or”, and
- (D) and by adding at the end the following:
“(9) is a married individual who is responsible for a dependent individual and who resides in the household with a spouse who complies with the requirements of subsection (d)(1).”, and

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MACARTHUR OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 247, line 23, strike “(I)” and insert “(J)”.

Page 256, line 13, strike the close quotation marks and the comma at the end.

Page 256, after line 13, insert the following:

“(I) HOUSEHOLD INELIGIBILITY.—If an individual becomes ineligible to participate in the supplemental nutrition assistance program as a household member due to failure to meet the requirements under subparagraph (B), the remaining household members (including children), shall not become ineligible to apply to participate in the supplemental nutrition assistance program due to such individual’s ineligibility.”.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIDSON OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 262, line 12, insert “actual program use and” after “account”.

Page 262, line 24, insert “who choose to participate in employment and training program services” after “6(d)(1)(B)”.

At the end of subtitle A of title IV, insert the following:

SEC. ____ . RETURN OF UNUSED EMPLOYMENT AND TRAINING FUNDS TO THE TREASURY.

Section 16(h)(1)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. (h)(1)(C)) is amended by striking “(C) REALLOCATION. ___” and all that follows through “equitable.”, and inserting the following:

“(C) RETURN OF UNUSED EMPLOYMENT AND TRAINING FUNDS TO THE TREASURY.—

“(i) RETURN OF FUNDS.—If a State agency will not expend all of the funds allocated to the State agency for a fiscal year under subparagraph (B), the Secretary shall deposit such unused funds in the general receipts of the Treasury.”.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLDING OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title IV, insert the following:

SEC. ____ . DISQUALIFICATION OF CERTAIN CONVICTED FELONS.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), as amended by section 4015, is amended in subsection (p)(1)—

- (1) in subparagraph (A) by striking “: and” at the end and inserting a period, and
- (2) by striking subparagraph (B).

12. AN AMENDMENT TO BE OFFERED BY RESIDENT COMMISSIONER GONZÁLEZ-COLÓN OF PUERTO RICO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title IV, insert the following:

SEC. ____ . DETERMINATION OF AMOUNT OF BLOCK GRANT PAYABLE TO PUERTO RICO.

(a) **STUDY.**—With funds appropriated to carry out this subsection, the Secretary of Agriculture shall conduct a study to determine the feasibility and impact of using a thrifty food plan developed exclusively to apply under section 19(a)(2)(A)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028(a)(2)(A)) to calculate the amount of the block grant payable to Puerto Rico.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out subsection (a).

(c) **APPROPRIATION IN ADVANCE.**—Only funds appropriated under subsection (b) in advance specifically to carry out subsection (a) shall be available to carry out such subsection.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FASO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title IV, insert the following:

SEC. ____ . ADMINISTRATIVE FLEXIBILITY FOR STATES.

Section 11(e)(6)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(6)(B)) is amended to read as follows:

“(B) personnel of the State agency or, at the option of the State agency and by contract with the State agency, personnel of an entity that has no direct or indirect financial interest in an approved retail food store, may undertake such certification or carry out any other function of the State agency under the supplemental nutrition assistance program and without restriction by the Secretary on the State agency’s use of nongovernmental employees to perform program eligibility or any other administrative function to carry out such program;”.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE YOUNG OF ALASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title IV, insert the following:

SEC. ____ . SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

Section 4033 of the Agricultural Act of 2014 (128 STAT. 818) is amended—

- (1) in subsection (c) —

(A) by inserting “, a State, a country equivalent, or a local education agency,” after “programs” the 1st place it appears,

(B) by striking “ and facilities operated by tribal organizations, that primarily serve Indians” and inserting “and federally funded child nutrition and senior meal programs,”, and

(2) in subsection (d)(1) —

(A) by striking “and” the 1st place it appears, and

(B) by inserting “, a State, a county or county equivalent, a local educational agency, and an entity or person authorized to facilitate the donation, storage, preparation, or serving of traditional food by the operator of a food service program” after “organization”.

15. AN AMENDMENT TO BE OFFERED BY RESIDENT COMMISSIONER GONZÁLEZ COLÓN OF PUERTO RICO OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle A of title IV, insert the following:

SEC. ____ . EXTENSION OF STUDY ON COMPARABLE ACCESS TO SUPPLEMENTAL NUTRITION ASSISTANCE FOR PUERTO RICO.

(a) AMENDMENTS.—Section 4142 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 STAT. 1881) is amended—

(1) in subsection (b) by striking “this Act” and inserting “Agriculture and Nutrition Act of 2018”, and

(2) in subsection (d)(1) by striking “2008” and inserting “2018”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out section 4142 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 STAT. 1881) as amended by subsection (a).

(c) APPROPRIATION IN ADVANCE.—Only funds appropriated under subsection (b) in advance specifically to carry out section 4142 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 STAT. 1881) as amended by subsection (a) shall be available to carry out such section as so amended.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BIGGS OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike page 382, line 8, and all that follows through page 386, line 19, and insert the following:

SEC. 6402. REPEAL OF DEPARTMENT OF AGRICULTURE BIOENERGY SUBSIDY PROGRAMS AND OTHER RELATED SUBSIDY PROGRAMS.

Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is hereby repealed.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUSSELL OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 386, line 23, insert “(a) IN GENERAL.—” before “Section”.

Page 387, after line 5, insert the following:

(b) **EXCLUSION OF ALCOHOL PRODUCTS FROM DEFINITION.**—Section 231(a)(5) of such Act (7 U.S.C. 1632a(a)(5)) is amended by adding below subparagraph (B) the following:

“The term ‘value-added agricultural product’ does not include beer, wine, distilled spirits, hard cider, or other alcohol product.”

(c) **RESCISSION.**—Of the funds made available under section 231(b)(7)(A) of the Agricultural Risk Protection Act of 2000 (as in effect before the date of the enactment of this section) to the Secretary of Agriculture to make value-added agricultural product market development grants and unobligated as of such date of enactment, \$8,000,000 is hereby rescinded.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TURNER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 410, after line 13, insert the following:

SEC. 7113. RESEARCH AND EXTENSION FUNDING EQUITY FOR RECENTLY DESIGNATED 1890 INSTITUTIONS.

(a) **EXTENSION.**—Section 1444(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(b)) is amended, in the matter following paragraph (2)(B), by adding at the end the following: “Beginning with fiscal year 2019, in making the calculation under paragraph (1), any recently designated 1890 Institution shall be deemed to have been designated as an eligible institution on or before September 30, 1978. For purposes of the preceding sentence, a ‘recently designated 1890 Institution’ means an 1890 Institution designated as such on or after September 30, 1999.”

(b) **RESEARCH.**—Section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222) is amended— by adding at the end the following new paragraph:

“(3) Beginning with fiscal year 2019, in making the calculation under paragraph (2)(A), any recently designated 1890 Institution (as defined in section 1444(b)) shall be deemed to have been designated as an eligible institution on or before September 30, 1978.”

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STEFANIK OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Subtitle A of title VIII is amended by adding at the end the following:

SEC. 8109. INCLUSION OF INVASIVE VEGETATION IN DESIGNATED TREATMENT AREAS.

Section 602 of the Healthy Forests Restoration Act of 2003 is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, invasive vegetation,” after “insect”; and

(B) in paragraph (2), by inserting “, invasive vegetation,” after “insects”; and

(2) in subsection (b)(2), by inserting “, invasive vegetation,” after “insect”.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CHENEY OF WYOMING OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of part III of subtitle C of title VIII, add the following new section:

SEC. 8334. VACANT GRAZING ALLOTMENTS MADE AVAILABLE TO CERTAIN GRAZING PERMIT HOLDERS.

(a) **IN GENERAL.**—The Secretary concerned shall, to the maximum extent practicable, make vacant grazing allotments available to a holder of a grazing permit or lease issued by such Secretary if the lands covered by the permit or lease are unusable because of a natural disaster (including a drought or wildfire), court-issued injunction, or conflict with wildlife, as determined by the Secretary concerned.

(b) **TERMS AND CONDITIONS.**—The terms and conditions contained in a permit or lease for a vacant grazing allotment made available pursuant to this subsection (a) shall be the terms and conditions of the most recent permit or lease that was applicable to such allotment.

(c) **COURT-ISSUED INJUNCTIONS.**—A court may not issue any order enjoining the use of any allotment for which a permit or lease has been issued by the Secretary concerned and continues in effect unless the Secretary concerned can make a vacant grazing allotment available to the holder of such permit or lease.

(d) **ENVIRONMENTAL ASSESSMENT UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT.**—Activities carried out by the Secretary concerned pursuant to subsection (a) are a category of actions hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PEARCE OF NEW MEXICO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of part III of subtitle C of title VIII, add the following new section:

SEC. 8334. PILOT PROJECT FOR FOREST HEALTH, WATERSHED IMPROVEMENT, AND HABITAT RESTORATION IN NEW MEXICO.

(a) **PILOT PROJECT ESTABLISHED.**—The Secretary of Agriculture, acting through the Chief of the Forest Service, shall conduct a pilot project within the Lincoln National Forest, Cibola National Forest, and Gila National Forest in the State of New Mexico to analyze and demonstrate the effectiveness of various tools and techniques to address the following natural resource concerns:

- (1) Thinning for forest health.
- (2) Watershed improvement.
- (3) Habitat restoration.

(b) **AUTHORIZED ACTIVITIES.**—The Secretary of Agriculture in carrying out the pilot project established under subsection (a) may

conduct applied silvicultural investigations and treatments, including—

(1) silvicultural investigations conducted for the purposes of information gathering and research relating to the natural resource concerns described in subsection (a); and

(2) mechanical thinning.

(c) COUNTY REFUSAL OF SILVICULTURAL INVESTIGATION OR TREATMENT.—The Secretary may not carry out a silvicultural investigation or treatment under this section if a county in which such investigation or treatment would be conducted provides a refusal to the Secretary with respect to such investigation or treatment.

(d) ENVIRONMENTAL ASSESSMENT UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT.—Forest management activities carried out by the Secretary of Agriculture under this section are a category of actions hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(f) PUBLIC PARTICIPATION.—The Secretary shall encourage meaningful public participation during preparation of a silvicultural investigation or treatment under this section.

(g) USE OF ARBITRATION INSTEAD OF LITIGATION TO ADDRESS CHALLENGES TO FOREST MANAGEMENT ACTIVITIES.—

(1) DISCRETIONARY ARBITRATION PROCESS PILOT PROGRAM.—

(A) IN GENERAL.—The Secretary of Agriculture shall establish a discretionary arbitration pilot program as an alternative dispute resolution process in lieu of judicial review for the an objection or protest to a forest management activity carried out pursuant to this section.

(B) ACTIVITIES DESCRIBED.—The Secretary of Agriculture, at the sole discretion of the Secretary, may designate objections or protests to forest management activities for arbitration under the arbitration pilot program established under subparagraph (A).

(C) MAXIMUM AMOUNT OF ARBITRATIONS.—Under the arbitration pilot program, the Secretary concerned may not arbitrate more than 10 objections or protests to forest management activities in a fiscal year in each Forest Service Region.

(D) DETERMINING AMOUNT OF ARBITRATIONS.—An objection or protest to a forest management activity shall not be counted towards the limitation on number of arbitrations under subparagraph (C) unless—

(i) on the date such objection or protest is designated for arbitration, the forest management activity for which such objection or protest is filed has not been the subject of arbitration proceedings under the pilot program; and

(ii) the arbitration proceeding has commenced with respect to such objection or protest.

(2) INTERVENING PARTIES.—

(A) REQUIREMENTS.—Any person that submitted a public comment on the forest management activity that is subject to arbitration may intervene in the arbitration—

(i) by endorsing—

(I) the forest management activity; or

(II) the modification proposal submitted under clause (ii); or

(ii) by submitting a proposal to further modify the forest management activity.

(B) DEADLINE FOR SUBMISSION.—With respect to an objection or protest that is designated for arbitration under paragraph (1)(B), a request to intervene in an arbitration must be submitted not later than the date that is 30 days after the date on which such objection or protest was designated for arbitration.

(C) MULTIPLE PARTIES.—Multiple intervening parties may submit a joint proposal so long as each intervening party meets the eligibility requirements of subparagraph (A).

(3) APPOINTMENT OF ARBITRATOR.—

(A) APPOINTMENT.—The Secretary of Agriculture shall develop and publish a list of not fewer than 20 individuals eligible to serve as arbitrators for the arbitration pilot program under this section.

(B) QUALIFICATIONS.—In order to be eligible to serve as an arbitrator under this paragraph, an individual shall be, on the date of the appointment of such arbitrator—

(i) certified by the American Arbitration Association; and

(ii) not a registered lobbyist.

(C) SELECTION OF ARBITRATOR.—

(i) IN GENERAL.—For each arbitration commenced under this subsection, the Secretary concerned and each applicable objector or protestor shall agree, not later than 14 days after the agreement process is initiated, on a mutually acceptable arbitrator from the list published under subparagraph (A).

(ii) APPOINTMENT AFTER 14-DAYS.—In the case of an agreement with respect to a mutually acceptable arbitrator not being reached within the 14-day limit described in clause (i), the Secretary concerned shall appoint an arbitrator from the list published under subparagraph (A).

(4) SELECTION OF PROPOSALS.—

(A) IN GENERAL.—The arbitrator appointed under paragraph (3)—

(i) may not modify any of the proposals submitted with the objection, protest, or request to intervene; and

(ii) shall select to be conducted—

(I) the forest management activity, as approved by the Secretary; or

(II) a proposal submitted by an objector or an intervening party.

(B) SELECTION CRITERIA.—An arbitrator shall, when selecting a proposal, consider—

(i) whether the proposal is consistent with the applicable forest plan, laws, and regulations;

(ii) whether the proposal can be carried out by the Secretary of Agriculture; and

(iii) the effect of each proposal on—

(I) forest health;

(II) habitat diversity;

(III) wildfire potential;

(IV) insect and disease potential;

(V) timber production; and

(VI) the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation, given fire and insect and disease historic cycles, on—

(aa) domestic water costs;

(bb) wildlife habitat loss; and

(cc) other economic and social factors.

(5) EFFECT OF DECISION.—The decision of an arbitrator with respect to the forest management activity—

(A) shall not be considered a major Federal action;

(B) shall be binding; and

(C) shall not be subject to judicial review, except as provided in section 10(a) of title 9, United States Code.

(6) DEADLINE FOR COMPLETION.—Not later than 90 days after the date on which the arbitration is filed with respect to the forest management activity, the arbitration process shall be completed.

(h) TERMINATION.—The authority to carry out this section shall terminate on the date that is 7 years after the date of the enactment of this section.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STEFANIK OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle E of title VIII, insert the following:

SEC. ____ . COMPETITIVE FORESTRY, NATURAL RESOURCES, AND ENVIRONMENTAL GRANTS PROGRAM.

Section 1232 of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 582a–8) is amended—

(1) in subsection (a) by inserting “or forest restoration” after “research”; and

(2) by amending subsection (c) to read as follows:

“(c) PRIORITIES.—

“(1) RESEARCH.—In awarding the initial grants under subsection (a) the Secretary shall give priority to applicants who will use such grants for research concerning—

“(A) the biology of forest organisms, including physiology, genetic mechanisms, and biotechnology;

“(B) ecosystem function and management, including forest ecosystem research, biodiversity, forest productivity, pest management, water resources, and alternative silvicultural systems;

“(C) wood as a raw material, including forest products and harvesting;

“(D) human forest interactions, including outdoor recreation, public policy formulation, economics, sociology, and administrative behavior;

“(E) international trade, competition, and cooperation related to forest products;

“(F) alternative native crops, products, and services that can be produced from renewable natural resources associated with privately held forest lands;

“(G) viable economic production and marketing systems for alternative natural resource products and services;

“(H) economic and environmental benefits of various conservation practices on forest lands;

“(I) genetic tree improvement; and

“(J) market expansion.

“(2) FOREST RESTORATION.—Grants may be used to support programs that restore forest tree species native to American forests that may have suffered severe levels of mortality caused by non-native insects, plant pathogens, or others pests.

“(A) REQUIRED COMPONENT OF FOREST RESTORATION STRATEGY.—To receive a grant under this subsection, an eligible institution shall demonstrate that it offers a program with a forest restoration strategy that incorporates not less than one of the following components:

“(i) Collection and conservation of native tree genetic material.

“(ii) Production of propagules of native trees in numbers large enough for landscape scale restoration.

“(iii) Site preparation of former of native tree habitat.

“(iv) Planting of native tree seedlings.

“(v) Post-planting maintenance of native trees.

“(B) AWARD OF GRANTS.—The Secretary shall award competitive grants under this subsection based on the degree to which the applicant addresses the following criteria:

“(i) Risk posed to the forests of that State by non-native pests, as measured by such factors as the number of such pests present in the State.

“(ii) The proportion of the State’s forest composed of species vulnerable to non-native pests present in the United States.

“(iii) The pests’ rate of spread via natural or human-assisted means.”.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FASO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 572, after line 23, add the following:

SEC. 9122. PREVENTING THE ARRIVAL IN THE UNITED STATES OF FOREST PESTS THROUGH RESTRICTIONS ON THE IMPORTATION OF CERTAIN PLANTS FOR PLANTING.

(a) CRITERIA FOR ADDING PLANTS TO NOT AUTHORIZED PENDING PEST RISK ANALYSIS LIST.—Section 412(a) of the Plant Protection Act (7 U.S.C. 7711(a)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) REGULATION OF MOVEMENT.—The Secretary”; and

(2) by adding at the end the following new paragraph:

“(2) CRITERIA FOR ADDING PLANTS TO NOT AUTHORIZED PENDING PEST RISK ANALYSIS LIST.—In determining whether to add a genus of a plant for planting to the not authorized pending pest risk analysis list, the Secretary shall consider the environmental impact on natural, managed, and urban ecosystems in the United States of a pest that may be carried on a plant for planting.”

(b) REPORTING REQUIREMENT.—Section 412(e) of the Plant Protection Act (7 U.S.C. 7712(e)) is amended to read as follows:

“(e) REPORT ON INTERCEPTION OF FOREST PESTS.—Not later than March 1, 2021, the Secretary shall submit to Congress a report—

“(1) evaluating the effectiveness of the Federal Government in intercepting pests in international shipping and on plants for planting;

“(2) describing the geographic sources of intercepted pests and the commodities or plant species most often associated with infested shipments;

“(3) quantifying the detection of forest pests in the national surveillance networks, including the Cooperative Agricultural Pest Survey and the Early Detection and Rapid Response network of the Forest Service;

“(4) describing new outbreaks of forest pests in the United States and the spread of existing infestations;

“(5) describing how the numbers of such interceptions, detections, and outbreaks described in a preceding paragraph have changed since January 1, 2018;

“(6) containing proposed additional actions to further reduce the rate of arrival for forest pests across the borders of the United States; and

“(7) identifying current challenges with intercepting, detecting, and addressing outbreaks of tree and wood pests, as well as challenges in achieving compliance with this Act and recommendations with respect to such challenges.”

(c) DECLARATION OF EXTRAORDINARY EMERGENCY AND RESULTING AUTHORITIES.—Section 415(a) of the Plant Protection Act (7 U.S.C. 7715(a)) is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) use available funds for all activities necessary for pest eradication, including pest identification, development of a pest-specific management plan, and implementation of that plan.”

(d) FOREST SERVICE AND ANIMAL AND PLANT HEALTH INSPECTION SERVICE COOPERATION IN RESPONSE TO FOREST PLANT PESTS.—Section 431(a) of the Plant Protection Act (7 U.S.C. 7751(a)) is amended—

(1) by striking “(a) IN GENERAL.—” and inserting the following:

“(a) COOPERATION AUTHORITY.—

“(1) IN GENERAL.—”; and

(2) by adding at the end the following new paragraph:

“(2) IMPROVED COOPERATION WITH FOREST SERVICE AGAINST FOREST PLANT PESTS.—The Secretary shall ensure that appro-

appropriate coordination and collaboration is occurring between the Animal and Plant Health Inspection Service and the Forest Service with respect to—

“(A) periodically identifying and prioritizing critical detection, surveillance, and eradication needs for tree and wood pests; and

“(B) identifying the actions each agency will take within their respective missions with respect to addressing identified priorities.”

(e) **EFFECTIVE DATE AND IMPLEMENTATION.**—

(1) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 60 days after the date of the enactment of this Act.

(2) **IMPLEMENTATION.**—The Secretary shall issue or revise such regulations as may be necessary to implement the amendments made by this section.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRAT OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title IX, add the following:

SEC. 9204. REQUIREMENTS RELATING TO CONFLICTS OF INTEREST OF MEMBERS OF COMMODITY PROMOTION BOARDS.

(a) **DEFINITIONS.**—In this section:

(1) **BOARD.**—The term “Board” means a board, committee, or similar entity established to carry out a checkoff program or an order issued by the Secretary under a checkoff program.

(2) **CHECKOFF PROGRAM.**—The term “checkoff program” means a program to promote and provide research and information for a particular agricultural commodity without reference to specific producers or brands, including a program carried out under any of the following:

(A) The Cotton Research and Promotion Act (7 U.S.C. 2101 et seq.).

(B) The Potato Research and Promotion Act (7 U.S.C. 2611 et seq.).

(C) The Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.).

(D) The Beef Research and Information Act (7 U.S.C. 2901 et seq.).

(E) The Wheat and Wheat Foods Research and Nutrition Education Act (7 U.S.C. 3401 et seq.).

(F) The Floral Research and Consumer Information Act (7 U.S.C. 4301 et seq.).

(G) Subtitle B of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).

(H) The Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4601 et seq.).

(I) The Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4801 et seq.).

(J) The Watermelon Research and Promotion Act (7 U.S.C. 4901 et seq.).

(K) The Pecan Promotion and Research Act of 1990 (7 U.S.C. 6001 et seq.).

- (L) The Mushroom Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6101 et seq.).
- (M) The Lime Research, Promotion, and Consumer Information Act of 1990 (7 U.S.C. 6201 et seq.).
- (N) The Soybean Promotion, Research, and Consumer Information Act (7 U.S.C. 6301 et seq.).
- (O) The Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401 et seq.).
- (P) The Fresh Cut Flowers and Fresh Cut Greens Promotion and Information Act of 1993 (7 U.S.C. 6801 et seq.).
- (Q) The Sheep Promotion, Research, and Information Act of 1994 (7 U.S.C. 7101 et seq.).
- (R) Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401).
- (S) The Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411 et seq.).
- (T) The Canola and Rapeseed Research, Promotion, and Consumer Information Act (7 U.S.C. 7441 et seq.).
- (U) The National Kiwifruit Research, Promotion, and Consumer Information Act (7 U.S.C. 7461 et seq.).
- (V) The Popcorn Promotion, Research, and Consumer Information Act (7 U.S.C. 7481 et seq.).
- (W) The Hass Avocado Promotion, Research, and Information Act of 2000 (7 U.S.C. 7801 et seq.).
- (3) CONFLICT OF INTEREST.—The term “conflict of interest” means a direct or indirect financial interest in a person or entity that performs a service for, or enters into a contract or agreement with, a Board for anything of economic value.
- (4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.
- (b) REQUIREMENTS OF CHECKOFF PROGRAMS.—
- (1) PROHIBITIONS.—
- (A) IN GENERAL.—A Board shall not enter into any contract or agreement to carry out checkoff program activities with a party that engages in activities for the purpose of influencing any government policy or action that relates to agriculture.
- (B) CONFLICT OF INTEREST.—A Board shall not engage in, and shall prohibit the employees and agents of the Board, acting in their official capacity, from engaging in, any act that may involve a conflict of interest.
- (C) OTHER PROHIBITIONS.—A Board shall not engage in, and shall prohibit the employees and agents of the Board, acting in their official capacity, from engaging in—
- (i) any anticompetitive activity;
 - (ii) any unfair or deceptive act or practice; or
 - (iii) any act that may be disparaging to, or in any way negatively portray, another agricultural commodity or product.
- (2) AUTHORITY TO ENTER INTO CONTRACTS.—Notwithstanding any other provision of law, on approval of the Secretary, a Board may enter directly into contracts and agreements to carry out generic promotion, research, or other activities authorized by law.

(3) PRODUCTION OF RECORDS.—

(A) IN GENERAL.—Each contract or agreement of a check-off program shall provide that the entity that enters into the contract or agreement shall produce to the Board accurate records that account for all funds received under the contract or agreement, including any goods or services provided or costs incurred in connection with the contract or agreement.

(B) MAINTENANCE OF RECORDS.—A Board shall maintain any records received under subparagraph (A).

(4) PUBLICATION OF BUDGETS AND DISBURSEMENTS.—

(A) IN GENERAL.—The Board shall publish and make available for public inspection all budgets and disbursements of funds entrusted to the Board that are approved by the Secretary, immediately on approval by the Secretary.

(B) REQUIRED DISCLOSURES.—In carrying out subparagraph (A), the Board shall disclose—

- (i) the amount of the disbursement;
- (ii) the purpose of the disbursement, including the activities to be funded by the disbursement;
- (iii) the identity of the recipient of the disbursement; and
- (iv) the identity of any other parties that may receive the disbursed funds, including any contracts or subcontractors of the recipient of the disbursement.

(5) AUDITS.—

(A) PERIODIC AUDITS BY INSPECTOR GENERAL OF USDA.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 5 years thereafter, the Inspector General of the Department of Agriculture shall conduct an audit to determine the compliance of each checkoff program with this section during the period of time covered by the audit.

(ii) REVIEW OF RECORDS.—An audit conducted under clause (i) shall include a review of any records produced to the Board under paragraph (3)(A).

(iii) SUBMISSION OF REPORTS.—On completion of each audit under clause (i), the Inspector General of the Department of Agriculture shall—

- (I) prepare a report describing the audit; and
- (II) submit the report described in subclause (I)

to—

(aa) the appropriate committees of Congress, including the Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary of the Senate; and

(bb) the Comptroller General of the United States.

(B) AUDIT BY COMPTROLLER GENERAL.—

(i) IN GENERAL.—Not earlier than 3 years, and not later than 5 years, after the date of enactment of this

Act, the Comptroller General of the United States shall—

(I) conduct an audit to assess—

(aa) the status of actions taken for each checkoff program to ensure compliance with this section; and

(bb) the extent to which actions described in item (aa) have improved the integrity of a checkoff program; and

(II) prepare a report describing the audit conducted under subclause (I), including any recommendations for—

(aa) strengthening the effect of actions described in subclause (I)(aa); and

(bb) improving Federal legislation relating to checkoff programs.

(ii) **CONSIDERATION OF INSPECTOR GENERAL REPORTS.**—The Comptroller General of the United States shall consider reports described in subparagraph (A)(iii) in preparing any recommendations in the report under subclause (II).

(c) **SEVERABILITY.**—If any provision of this Act or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this Act, and the application of the provision to any other person or circumstance, shall not be affected.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MASSIE OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle C of title IX, add the following:

SEC. 9204. INTERSTATE TRAFFIC OF UNPASTEURIZED MILK AND MILK PRODUCTS.

(a) **IN GENERAL.**—Notwithstanding the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), section 361 of the Public Health Service Act (42 U.S.C. 264), and any regulations or other guidance thereunder, a Federal department, agency, or court may not take any action (including any administrative, civil, criminal, or other action) that would prohibit, interfere with, regulate, or otherwise restrict the interstate traffic of milk, or a milk product, that is unpasteurized and packaged for direct human consumption, if—

(1) such prohibition, interference, regulation, or restriction is based on a determination that, solely because such milk or milk product is unpasteurized, such milk or milk product is adulterated, misbranded, or otherwise in violation of Federal law;

(2) the milk or milk product's State of origin allows (by law, regulation, or policy) unpasteurized milk or unpasteurized milk products to be distributed for direct human consumption by any means, including any form of retail sale, direct farm to consumer distribution, or cowshare;

(3) the milk or milk product is produced, packaged, and moved in compliance with the laws of such State of origin, including any such laws relating to labeling, warning, and packaging requirements; and

- (4) the milk or milk product is moved from the State of origin with the intent to transport the milk or milk product to another State which allows the distribution of unpasteurized milk or unpasteurized milk products for direct human consumption, as described in paragraph (2), irrespective of whether the applicable laws of such other State are identical to the laws of the State of origin.
- (b) NO PREEMPTION.—Nothing in this section preempts any State law.
- (c) DEFINITIONS.—In this section, the following definitions apply:
- (1) The term “cowshare” means an undivided interest in a milk-producing animal (such as a cow, goat, sheep, or water buffalo, or a herd of such animals) created by a written contractual relationship between a consumer and a farmer—
- (A) that includes a legal bill of sale to the consumer for an interest in the animal or dairy herd and a boarding contract under which the consumer boards the animal or dairy herd in which the consumer has an interest with the farmer for care and milking; and
- (B) under which the consumer is entitled to receive a share of milk from the animal or dairy herd.
- (2) The term “milk” means the lacteal secretion, practically free from colostrum, obtained by the milking of one or more healthy animals.
- (3) The term “milk product”—
- (A) means a food product made from milk; and
- (B) includes low-fat milk, skim milk, cream, half and half, dry milk, nonfat milk, dry cream, condensed or concentrated milk products, cultured or acidified milk or milk products, kefir, eggnog, yogurt, butter, cheese, whey, condensed or dry whey or whey products, ice cream, ice milk, and other frozen dairy desserts.
- (4) The term “packaged for direct human consumption” with respect to milk or milk products—
- (A) means packaged for the final consumer and intended for human consumption; and
- (B) does not apply if the milk or milk products are packaged for additional processing, including pasteurization, before being consumed by humans.
- (5) The term “pasteurized” means the process of—
- (A) heating milk or milk products to the applicable temperature specified in the tables contained in section 1240.61 of title 21, Code of Federal Regulations (as in effect on the date of enactment of this Act); and
- (B) holding the milk or milk product continuously at or above that temperature for at least the corresponding specified time in such tables.
- (6) The term “unpasteurized” means not pasteurized.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COSTELLO OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

After section 11201, insert the following (and make such conforming changes as may be necessary):

SEC. ____ . STATE BEGINNING FARMER AND RANCHER COORDINATOR.

Section 226 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934) is amended by adding at the end the following new subsection:

“(i) STATE BEGINNING FARMER AND RANCHER COORDINATOR.—

“(1) IN GENERAL.—The Secretary shall designate a State beginning farmer and rancher coordinator from among existing employees of the Farm Service Agency, the Natural Resources Conservation Service, the Risk Management Agency, the Rural Business-Cooperative Service, and the Rural Utilities Service.

“(2) TRAINING.—The Agency shall coordinate the development of a training plan so that each State coordinator shall receive sufficient training to have a general working knowledge of the programs and services available from each agency of the Department to assist beginning farmers and ranchers and be familiar with issues relating to beginning farmers and ranchers.

“(3) DUTIES.—The coordinator shall—

“(A) coordinate technical assistance at the State level to help beginning farmers and ranchers gain access to programs of the Department;

“(B) work with outreach coordinators in the State offices of the Farm Service Agency, the Natural Resources Conservation Service, the Risk Management Agency, the Rural Business-Cooperative Service, and the Rural Utilities Service to ensure appropriate information about technical assistance is available at outreach events and activities; and

“(C) work with the Office of Partnerships and Public Engagement and regional, state, and local offices of the Department to facilitate partnerships and joint outreach efforts with State regional, state, and local organizations and key stakeholders serving beginning farmers and ranchers through contracts and cooperative agreements.”.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NOEM OF SOUTH DAKOTA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 605, strike lines 16 through 21 and insert the following:

SEC. 11203. OFFICE OF TRIBAL RELATIONS.

Section 309 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921) is amended to read as follows:

“SEC. 309. OFFICE OF TRIBAL RELATIONS.

“(a) ESTABLISHMENT.—The Secretary shall maintain in the Office of Partnerships and Public Engagement established under section 226B an Office of Tribal Relations, which shall advise the Secretary on policies related to Indian tribes and carry out such other functions as the Secretary considers appropriate.

“(b) NEW BEGINNINGS INITIATIVE.—Not later than one year after the date of the enactment of the Agriculture and Nutrition Act of 2018, the Secretary shall establish, in consultation with the Office of Tribal Relations, an initiative (to be known as the ‘New Beginnings Initiative’) under which the Secretary shall provide funds to

a land-grant college or university in an amount equal to the amount of funds such land-grant college or university expends for providing educational programs and services for, or tuition paid with respect to, Indians (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) at such land-grant college or university.”.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROSKAM OF ILLINOIS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle F of title XI, add the following (and make such conforming changes as may be necessary):

SEC. 11613. EXTENDING PROHIBITION ON ANIMAL FIGHTING TO THE TERRITORIES.

(a) IN GENERAL.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “Except as provided in paragraph (3), it” and inserting “It”; and

(B) by striking paragraph (3);

(2) by striking subsection (d); and

(3) by redesignating subsections (e), (f), (g), (h), (i), and (j) as subsections (d), (e), (f), (g), (h), and (i), respectively.

(b) USE OF POSTAL SERVICE OR OTHER INTERSTATE INSTRUMENTALITIES.—Section 26(c) of the Animal Welfare Act (7 U.S.C. 2156(c)) is amended by striking “(e)” and inserting “(d)”.

(c) CRIMINAL PENALTIES.—Subsection (i) of section 26 of the Animal Welfare Act (7 U.S.C. 2156), as redesignated by section 2(3), is amended by striking “(e)” and inserting “(d)”.

(d) ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.—Section 49(a) of title 18, United States Code, is amended by striking “(e)” and inserting “(d)”.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JOHNSON OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle F of title XI, insert the following:

SEC. 116__ . CONSIDERATION OF THE TOTALITY OF CONSERVATION MEASURES.

Section 7(b)(3) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(3)) is amended by adding at the end the following:

“(C) In determining whether a Federal agency action is likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of the critical habitat of a species, the Secretary shall consider the offsetting effects of all avoidance, minimization, and other species-protection or conservation measures that are already in place or proposed to be implemented as part of the action, including the development, improvement, protection, or management of species habitat whether or not it is designated as critical habitat of such species.”.

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLLINGSWORTH OF INDIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

In title XI, at the end of subtitle F insert the following:

SEC. ____ . DEPREDATION PERMITS FOR BLACK VULTURES.

(a) **IN GENERAL.**—The Secretary of the Interior, in conjunction with the Director of the United States Fish and Wildlife Service, may issue depredation permits to livestock farmers, authorizing takings of black vultures otherwise prohibited by Federal law to prevent such vultures from taking livestock during the calving season.

(b) **LIMITED TO AFFECTED STATES OR REGIONS.**—The Secretary may issue such permits only to livestock farmers in States and regions in which livestock farmers are affected by black vultures, as determined by Secretary in conjunction with the Director.

(c) **REPORTING.**—The Secretary shall require, as a condition of such a permit, that the permit holder shall report to the appropriate enforcement agencies the takings of black vultures under the permit.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BANKS OF INDIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of subtitle F of title XI, add the following:

SEC. 11613. WATERS OF THE UNITED STATES RULE.

The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: Definition of ‘Waters of the United States’”, published on June 29, 2015 (80 Fed. Reg. 37054), is repealed, and any regulation or policy revised under, or otherwise affected as a result of, that rule shall be applied as if that rule had not been issued.