

**PRECISION AGRICULTURE
CONNECTIVITY ACT OF 2018**

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 615, S. 2343.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2343) to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 2343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.]

[This Act may be cited as the “Precision Agriculture Connectivity Act of 2018”].

[SEC. 2. FINDINGS.]

[Congress finds the following:

(1) Precision agriculture technologies and practices allow farmers to significantly increase crop yields, eliminate overlap in operations, and reduce inputs such as seed, fertilizer, pesticides, water, and fuel.

(2) These technologies allow farmers to collect data in real time about their fields, automate field management, and maximize resources.

(3) Studies estimate that precision agriculture technologies can reduce agricultural operation costs by up to 25 dollars per acre and increase farm yields by up to 70 percent by 2050.

(4) The critical cost savings and productivity benefits of precision agriculture cannot be realized without the availability of reliable broadband Internet access service delivered to the cropland and ranchland of the United States.

(5) The deployment of broadband Internet access service to unserved and underserved cropland and ranchland is critical to the United States economy and to the continued leadership of the United States in global food production.

(6) Despite the growing demand for broadband Internet access service on cropland and ranchland, broadband Internet access service is not consistently available where needed for agricultural operations.

(7) The Federal Communications Commission has an important role to play in the deployment of broadband Internet access service infrastructure on unserved and underserved cropland and ranchland to promote precision agriculture.

[SEC. 3. TASK FORCE.]

(a) DEFINITIONS.—

(1) IN GENERAL.—In this section—

(A) the term “broadband Internet access service” has the meaning given the term in section 8.2 of title 47, Code of Federal Regulations, or any successor regulation;

(B) the term “Commission” means the Federal Communications Commission;

(C) the term “Department” means the Department of Agriculture;

(D) the term “Secretary” means the Secretary of Agriculture; and

(E) the term “Task Force” means the Task Force for Meeting the Connectivity and

Technology Needs of Precision Agriculture in the United States, as established under subsection (b).

(2) AGRICULTURAL TERMS.—For purposes of this Act, the Secretary shall define the terms “agricultural operations”, “cropland”, and “ranchland”.

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Commission shall establish the Task Force for Meeting the Connectivity and Technology Needs of Precision Agriculture in the United States.

(c) DUTIES.—

(1) IN GENERAL.—The Task Force shall collaborate with the Secretary and public and private stakeholders in the agriculture and technology fields to—

(A) identify and measure current gaps in broadband Internet access service coverage of cropland and ranchland;

(B) assemble a comprehensive guide of all Federal programs or resources working to expand broadband Internet access service on unserved cropland and ranchland;

(C) develop policy recommendations to promote the rapid, expanded deployment of fixed and mobile broadband Internet access service on unserved croplands and ranchlands, with a goal of achieving reliable service on 95 percent of croplands and ranchlands in the United States by 2025;

(D) promote effective policy and regulatory solutions that encourage the adoption of broadband Internet access service on farms and ranches and promote precision agriculture;

(E) propose new rules of the Commission or amendments to existing rules of the Commission to achieve the goals and purposes described in subparagraph (C);

(F) recommend specific steps that the Commission and other Federal agencies should take to obtain reliable and standardized data measurements of broadband Internet access service coverage as may be necessary to target funding support to unserved croplands and ranchlands in need of broadband Internet access service; and

(G) recommend specific steps that the Commission should take to ensure that the expertise of the Secretary and available farm data are reflected in developing Federal programs to deploy broadband Internet access service infrastructure and to direct available funding to unserved croplands and ranchlands where needed.

(2) CONSULTATION.—The Task Force shall consult with the Secretary to develop recommendations for the Commission that utilize the expertise, data mapping information, and resources of the Department that the Department uses to identify croplands, ranchlands, and other areas with agricultural operations.

(d) MEMBERSHIP.—The Task Force shall be—

(1) composed of not more than 15 members who shall—

(A) be selected by the Chairman of the Commission in consultation with appropriate staff of the Commission and with the Secretary; and

(B) include—

(i) agricultural producers representing diverse geographic regions and farm sizes, including owners and operators of farms of less than 100 acres;

(ii) Internet service providers, including regional or rural fixed and mobile broadband Internet access service providers and telecommunications infrastructure providers;

(iii) representatives from the satellite industry;

(iv) representatives from precision agriculture equipment manufacturers, including drone manufacturers, manufacturers of autonomous agricultural machinery, and man-

ufacturers of farming robotics technologies; and

(v) representatives from State and local governments; and

(2) fairly balanced in terms of technologies, points of view, and fields represented on the Task Force.

(e) REPORTS.—Not later than 1 year after the date on which the Commission establishes the Task Force, and annually thereafter, the Commission shall submit to Congress a report that details—

(1) the status of fixed and mobile broadband Internet access service coverage of croplands and ranchlands;

(2) the projected future connectivity needs of agricultural operations, farmers, and ranchers; and

(3) the steps being taken to accurately measure the availability of high speed broadband Internet access service on croplands and ranchlands and the limitations of current, as of the date of the report, measurement processes.

(f) EXISTING FUNDS.—The Commission shall use existing funds of the Commission to carry out the Task Force and the duties of the Commission under this section.

(g) TERMINATION.—The Task Force shall terminate on January 1, 2025.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Precision Agriculture Connectivity Act of 2018”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Precision agriculture technologies and practices allow farmers to significantly increase crop yields, eliminate overlap in operations, and reduce inputs such as seed, fertilizer, pesticides, water, and fuel.

(2) These technologies allow farmers to collect data in real time about their fields, automate field management, and maximize resources.

(3) Studies estimate that precision agriculture technologies can reduce agricultural operation costs by up to 25 dollars per acre and increase farm yields by up to 70 percent by 2050.

(4) The critical cost savings and productivity benefits of precision agriculture cannot be realized without the availability of reliable broadband Internet access service delivered to the agricultural land of the United States.

(5) The deployment of broadband Internet access service to unserved agricultural land is critical to the United States economy and to the continued leadership of the United States in global food production.

(6) Despite the growing demand for broadband Internet access service on agricultural land, broadband Internet access service is not consistently available where needed for agricultural operations.

(7) The Federal Communications Commission has an important role to play in the deployment of broadband Internet access service on unserved agricultural land to promote precision agriculture.

SEC. 3. TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the term “broadband Internet access service” has the meaning given the term in section 8.2 of title 47, Code of Federal Regulations, or any successor regulation;

(2) the term “Commission” means the Federal Communications Commission;

(3) the term “Department” means the Department of Agriculture;

(4) the term “Secretary” means the Secretary of Agriculture; and

(5) the term “Task Force” means the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States established under subsection (b).

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Commission shall establish the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States.

(c) DUTIES.—

(1) IN GENERAL.—The Task Force shall consult with the Secretary, or a designee of the Secretary, and collaborate with public and private stakeholders in the agriculture and technology fields to—

(A) identify and measure current gaps in the availability of broadband Internet access service on agricultural land;

(B) develop policy recommendations to promote the rapid, expanded deployment of broadband Internet access service on unserved agricultural land, with a goal of achieving reliable capabilities on 95 percent of agricultural land in the United States by 2025;

(C) promote effective policy and regulatory solutions that encourage the adoption of broadband Internet access service on farms and ranches and promote precision agriculture;

(D) recommend specific new rules or amendments to existing rules of the Commission that the Commission should issue to achieve the goals and purposes of the policy recommendations described in subparagraph (B);

(E) recommend specific steps that the Commission should take to obtain reliable and standardized data measurements of the availability of broadband Internet access service as may be necessary to target funding support, from future programs of the Commission dedicated to the deployment of broadband Internet access service, to unserved agricultural land in need of broadband Internet access service; and

(F) recommend specific steps that the Commission should consider to ensure that the expertise of the Secretary and available farm data are reflected in future programs of the Commission dedicated to the infrastructure deployment of broadband Internet access service and to direct available funding to unserved agricultural land where needed.

(2) NO DUPLICATE DATA REPORTING.—In performing the duties of the Commission under paragraph (1), the Commission shall ensure that no provider of broadband Internet access service is required to report data to the Commission that is, on the day before the date of enactment of this Act, required to be reported by the provider of broadband Internet access service.

(3) HOLD HARMLESS.—The Task Force and the Commission shall not interpret the phrase “future programs of the Commission”, as used in subparagraphs (E) and (F) of paragraph (1), to include the universal service programs of the Commission established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(4) CONSULTATION.—The Secretary, or a designee of the Secretary, shall explain and make available to the Task Force the expertise, data mapping information, and resources of the Department that the Department uses to identify cropland, rangeland, and other areas with agricultural operations that may be helpful in developing the recommendations required under paragraph (1).

(5) LIST OF AVAILABLE FEDERAL PROGRAMS AND RESOURCES.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Commission shall jointly submit to the Task Force a list of all Federal programs or resources available for the expansion of broadband Internet access service on unserved agricultural land to assist the Task Force in carrying out the duties of the Task Force.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Task Force shall be—

(A) composed of not more than 15 voting members who shall—

(i) be selected by the Chairman of the Commission; and

(ii) include—

(I) agricultural producers representing diverse geographic regions and farm sizes, including owners and operators of farms of less than 100 acres;

(II) an agricultural producer representing tribal agriculture;

(III) Internet service providers, including regional or rural fixed and mobile broadband

Internet access service providers and telecommunications infrastructure providers;

(IV) representatives from the electric cooperative industry;

(V) representatives from the satellite industry;

(VI) representatives from precision agriculture equipment manufacturers, including drone manufacturers, manufacturers of autonomous agricultural machinery, and manufacturers of farming robotics technologies; and

(VII) representatives from State and local governments; and

(B) fairly balanced in terms of technologies, points of view, and fields represented on the Task Force.

(2) PERIOD OF APPOINTMENT; VACANCIES.—

(A) IN GENERAL.—A member of the Commission appointed under paragraph (1)(A) shall serve for a single term of 2 years.

(B) VACANCIES.—Any vacancy in the Task Force—

(i) shall not affect the powers of the Task Force; and

(ii) shall be filled in the same manner as the original appointment.

(3) EX-OFFICIO MEMBER.—The Secretary, or a designee of the Secretary, shall serve as an ex-officio, nonvoting member of the Task Force.

(e) REPORTS.—Not later than 1 year after the date on which the Commission establishes the Task Force, and annually thereafter, the Task Force shall submit to the Chairman of the Commission a report, which shall be made public not later than 30 days after the date on which the Chairman receives the report, that details—

(1) the status of fixed and mobile broadband Internet access service coverage of agricultural land;

(2) the projected future connectivity needs of agricultural operations, farmers, and ranchers; and

(3) the steps being taken to accurately measure the availability of broadband Internet access service on agricultural land and the limitations of current, as of the date of the report, measurement processes.

(f) TERMINATION.—The Commission shall renew the Task Force every 2 years until the Task Force terminates on January 1, 2025.

Mr. CORNYN. I ask unanimous consent that the committee-reported substitute be agreed to, that the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 2343), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ENDANGERED SALMON PREDATION PREVENTION ACT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 702, S. 3119.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3119) to allow for the taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Endangered Salmon Predation Prevention Act”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) preventing predation by sea lions, recovery of listed salmonid stocks, and preventing future listings of fish stocks in the Columbia River under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) is a vital priority; and

(2) the Federal Government should continue to fund lethal and nonlethal removal, and deterrence, measures for preventing such predation.

SEC. 3. TAKING OF SEA LIONS ON THE COLUMBIA RIVER AND ITS TRIBUTARIES TO PROTECT ENDANGERED AND THREATENED SPECIES OF SALMON AND OTHER NONLISTED FISH SPECIES.

Section 120(f) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389(f)) is amended to read as follows:

“(f) TEMPORARY MARINE MAMMAL REMOVAL AUTHORITY ON THE WATERS OF THE COLUMBIA RIVER OR ITS TRIBUTARIES.—

“(1) REMOVAL AUTHORITY.—Notwithstanding any other provision of this Act, the Secretary may issue a permit to an eligible entity to authorize the intentional lethal taking on the waters of the Columbia River and its tributaries of individually identifiable sea lions that are part of a population or stock that is not categorized under this Act as depleted or strategic for the purpose of protecting—

“(A) species of salmon, steelhead, or eulachon that are listed as endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(B) species of lamprey or sturgeon that are not so listed as endangered or threatened but are listed as a species of concern.

“(2) PERMIT PROCESS.—

“(A) IN GENERAL.—An eligible entity may apply to the Secretary for a permit under this subsection.

“(B) TIMELINES AND PROCEDURES OF APPLICATION.—The timelines and procedures described in subsection (c) shall apply to applications for permits under this subsection in the same manner such timelines apply to applications under subsection (b).

“(C) COORDINATION.—The Secretary shall establish procedures to coordinate issuance of permits under this subsection, including application procedures and timelines, delegation and revocation of permits to and between eligible entities, monitoring, periodic review, and geographic, seasonal take, and species-specific considerations.

“(D) DURATION OF PERMIT.—A permit under this subsection shall be effective for a period of not more than 5 years, and may be renewed by the Secretary.

“(E) COORDINATION WITH OTHER TRIBES.—To the extent practicable, and prior to issuing a permit under this section, the Secretary shall consult with all Indian tribes with legal or historic interests in the protection of salmonid species in the area of the Columbia River and its tributaries described in paragraph (8).

“(3) LIMITATIONS ON ANNUAL TAKINGS.—The Secretary shall apply the process for determining limitations on annual take of sea lions under subsection (c) to determinations on limitations under this subsection, and the cumulative number of sea lions authorized to be taken each year under all permits in effect under this subsection shall not exceed 10 percent of the annual potential biological removal level for sea lions.

“(4) QUALIFIED INDIVIDUALS.—Intentional lethal takings under this subsection shall—