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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

# H. R.

To address the impact of climate change on agriculture, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. PINGREE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To address the impact of climate change on agriculture, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Agriculture Resilience Act”.

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

Sec. 1. Short title; table of contents.

### TITLE I—NATIONAL GOAL

- Sec. 101. Goals.
- Sec. 102. Action plan.

#### TITLE II—RESEARCH

- Sec. 201. Research, extension, and education purpose.
- Sec. 202. Regional hubs for risk adaptation and mitigation to climate change.
- Sec. 203. Sustainable agriculture research and education resilience initiative.
- Sec. 204. Sustainable agriculture technology development and transfer program.
- Sec. 205. Long-Term Agroecological Network.
- Sec. 206. Public breed and cultivar research.
- Sec. 207. ARS Climate Scientist Career Development Program.
- Sec. 208. Agricultural Climate Adaptation and Mitigation through AFRI.
- Sec. 209. Specialty crop research initiative.
- Sec. 210. Integrated pest management.
- Sec. 211. National Academy of Sciences Study.
- Sec. 212. Appropriate technology transfer to rural areas.

#### TITLE III—SOIL HEALTH

- Sec. 301. Crop insurance.
- Sec. 302. Environmental Quality Incentives Program.
- Sec. 303. Conservation Stewardship Program.
- Sec. 304. State assistance for soil health.
- Sec. 305. Funding and administration.
- Sec. 306. Carbon tax credit feasibility study.
- Sec. 307. Conservation compliance.
- Sec. 308. Agroforestry centers.

#### TITLE IV—FARMLAND PRESERVATION AND FARM VIABILITY

- Sec. 401. Local Agriculture Market Program.
- Sec. 402. Organic certification cost-share program.
- Sec. 403. Exclusion of gain from sale of certain farm property and agricultural easements.
- Sec. 404. Farmland Protection Policy Act.
- Sec. 405. Agriculture conservation easement program.

#### TITLE V—PASTURE-BASED LIVESTOCK

- Sec. 501. Animal raising claims.
- Sec. 502. Processing Resilience Grant Program.
- Sec. 503. Conservation of private grazing land.
- Sec. 504. Conservation reserve program.
- Sec. 505. Alternative Manure Management Program.

#### TITLE VI—ON-FARM RENEWABLE ENERGY

- Sec. 601. Rural Energy For America Program.
- Sec. 602. Study on dual-use renewable energy systems.
- Sec. 603. AgSTAR program.

#### TITLE VII—FOOD LOSS AND WASTE

##### Subtitle A—Food Date Labeling

- Sec. 701. Definitions.

- Sec. 702. Quality dates and discard dates.
- Sec. 703. Misbranding.
- Sec. 704. Regulations.
- Sec. 705. Delayed applicability.

Subtitle B—Other Provisions

- Sec. 711. Composting as conservation practice.
- Sec. 712. Amendments to Federal Food Donation Act.
- Sec. 713. Grants for composting and anaerobic digestion food waste-to-energy projects.
- Sec. 714. School food waste reduction grant program.

## 1           **TITLE I—NATIONAL GOAL**

### 2   **SEC. 101. GOALS.**

3           (a) UNITED STATES AGRICULTURE GOAL.—As part  
4 of a national greenhouse gas emission reduction effort to  
5 prevent climate change from exceeding 1.5 degrees Celsius  
6 of warming above preindustrial levels, the goal for the ag-  
7 ricultural sector in the United States shall be to achieve  
8 at least a 50 percent reduction in net greenhouse gases  
9 from 2010 levels by not later than 2030 and to achieve  
10 net zero emissions by not later than 2040.

11           (b) SUBGOALS.—

12           (1) RESEARCH.—To help achieve the goal speci-  
13 fied in subsection (a), the total Federal investment  
14 in public food and agriculture research and exten-  
15 sion should, at a minimum, triple by not later than  
16 2030 and quadruple by not later than 2040, with a  
17 heightened emphasis on climate change adaptation  
18 and mitigation, soil health and carbon sequestration,  
19 nutrient and manure management to curb nitrous  
20 oxide and methane emissions, agroforestry, advanced

1 grazing management and crop-livestock integration,  
2 other agro-ecological systems, on-farm and food sys-  
3 tem energy efficiency and renewable energy produc-  
4 tion, farmland preservation and viability, food waste  
5 reduction, and related topics to accelerate progress  
6 toward net zero emissions by not later than 2040.

7 (2) SOIL HEALTH.—To help achieve the goal  
8 specified in subsection (a) the United States  
9 should—

10 (A) immediately become a member of the  
11 4 per 1000 Initiative’s forum and consortium,  
12 hosted by the Consultative Group for Inter-  
13 national Agricultural Research (commonly re-  
14 ferred to as the “CGIAR”), with the aim of in-  
15 creasing total soil carbon stocks by 0.4 percent  
16 annually to reduce carbon in the atmosphere,  
17 restore soil health and productivity, and thereby  
18 improve food security;

19 (B) expand adoption of soil health prac-  
20 tices (including diverse crop rotations, cover  
21 cropping, conservation tillage, perennial crop  
22 production systems, agroforestry, composting,  
23 biologically based nutrient management, and  
24 advanced grazing management including  
25 silvopasture) sufficiently to—

1 (i) reduce nitrous oxide emissions  
2 from agricultural soils in the United States  
3 by 25 percent by not later than 2030 and  
4 75 percent by not later than 2040; and

5 (ii) increase soil carbon stocks by 0.4  
6 percent annually on at least 50 percent of  
7 United States agricultural lands by not  
8 later than 2030, and to meet or exceed  
9 that threshold on all United States agricul-  
10 tural lands by not later than 2040;

11 (C) expand implementation of regionally  
12 appropriate cover crops and other continual liv-  
13 ing cover so that—

14 (i) at least 50 percent of cropland  
15 acres nationwide include one or more cover  
16 crops or other continual living cover in  
17 their rotations by not later than 2030, ris-  
18 ing to at least 75 percent of cropland acres  
19 nationwide by not later than 2040;

20 (ii) cropland acres are covered by  
21 crops (including forages and hay crops),  
22 cover crops, or residue for an average of  
23 75 percent of the calendar year by not  
24 later than 2030, rising to at least 85 per-

1 cent of the calendar year by not later than  
2 2040;

3 (D) encourage conversion of at least 15  
4 percent of current annual grain crop acres to  
5 agroforestry, perennial grazing, perennial grain  
6 crops, or other perennial production systems by  
7 not later than 2030, rising to at least 30 per-  
8 cent by not later than 2040.

9 (3) FARMLAND PRESERVATION.—To help  
10 achieve the goal specified in subsection (a), the rate  
11 of conversion in the United States of agricultural  
12 land to development, as well as the rate of grassland  
13 conversion to cropping, should be reduced by at least  
14 80 percent by not later than 2030 and eliminated by  
15 not later than 2040.

16 (4) PASTURE-BASED LIVESTOCK.—To help  
17 achieve the goal specified in subsection (a), the live-  
18 stock sector in the United States should—

19 (A) establish advanced grazing manage-  
20 ment, including management-intensive rota-  
21 tional grazing, on at least 50 percent of all  
22 grazing lands by not later than 2030 and 100  
23 percent of all grazing land by not later than  
24 2040;

1 (B) reduce greenhouse gas emissions re-  
2 lated to feeding of ruminants by at least a third  
3 by not later than 2030 and by at least 50 per-  
4 cent by not later than 2040 by reducing non-  
5 grazing feeding of ruminants, growing feed  
6 grains and forages with soil health and nutrient  
7 management practices that minimize net green-  
8 house gas emissions from cropland, and design-  
9 ing livestock feed mixtures and supplements to  
10 mitigate enteric methane emissions;

11 (C) re-integrate livestock and crop produc-  
12 tion systems at farm, local and regional levels  
13 to facilitate environmentally sound management  
14 and field application of manure and reduce the  
15 need for long-term manure storage by increas-  
16 ing acreage on individual farms under crop-live-  
17 stock integrated management by at least 100  
18 percent over 2017 levels by not later than 2030  
19 and by 300 percent over 2017 levels by not  
20 later than 2040; and

21 (D) immediately cease building any new or  
22 expanded waste lagoons for confined animal  
23 feeding operations and convert at least one  
24 third of wet manure handling and storage to al-  
25 ternative manure management (as described in

1 section 1240T of the Food Security Act of  
2 1985 (as added by this Act)) by not later than  
3 2030 and at least two thirds by not later than  
4 2040.

5 (5) ON-FARM RENEWABLE ENERGY.—To help  
6 achieve the goal specified in subsection (a), the agri-  
7 culture sector in the United States should—

8 (A) implement energy audits and energy  
9 efficiency improvements on at least 50 percent  
10 of farms by not later than 2030 and 100 per-  
11 cent of farms by not later than 2040;

12 (B) expand on-farm clean renewable en-  
13 ergy production to at least double 2017 levels  
14 by not later than 2030 and at least triple by  
15 not later than 2040; and

16 (C) install and manage on-farm renewable  
17 energy infrastructure in a way that does not  
18 compromise the climate resilience and green-  
19 house gas mitigation goals of this Act or ad-  
20 versely impact farmland, soil, and water re-  
21 sources, or food production.

22 (6) FOOD LOSS AND WASTE.—Consistent with  
23 the Food Waste Challenge launched by the Depart-  
24 ment of Agriculture and the Environmental Protec-  
25 tion Agency in June 2013 and the national food loss



1 and waste goal announced in September 2015, the  
2 food and agriculture sector in the United States  
3 should commit to—

4 (A) at least a 50 percent reduction in food  
5 loss and waste by not later than 2030;

6 (B) at least a 75 percent reduction in food  
7 loss and waste by not later than 2040; and

8 (C) in a manner consistent with the Food  
9 Recovery Hierarchy established by the Environ-  
10 mental Protection Agency, diverting from land-  
11 fills through composting and other means at  
12 least 50 percent of unavoidable food waste and  
13 food processing byproducts by not later than  
14 2030, and 90 percent of such food waste and  
15 byproducts by not later than 2040.

16 **SEC. 102. ACTION PLAN.**

17 (a) **PLAN DEVELOPMENT.**—The Secretary shall de-  
18 velop a plan for actions to achieve, in combination with  
19 the other Federal agencies, the national goals declared by  
20 section 101. The plan shall include actions that will make  
21 significant and rapid progress toward meeting such goals.

22 (b) **ACTIONS TO MEET GOALS.**—

23 (1) **IN GENERAL.**—Actions selected by the Sec-  
24 retary to include in a plan developed under sub-  
25 section (a) may include issuing regulations, pro-

1       viding incentives, carrying out research and develop-  
2       ment programs, and any other action the Secretary  
3       determines appropriate to achieve the goals declared  
4       by section 101.

5               (2) SELECTION.—In selecting actions to include  
6       in a plan developed under subsection (a), the Sec-  
7       retary shall select actions designed to—

8                       (A) fully implement the provisions of this  
9                       Act (and the amendments made by this Act);

10                      (B) provide benefits for farmers and  
11                      ranchers, rural communities, small businesses,  
12                      and consumers;

13                      (C) improve public health, resilience, and  
14                      environmental outcomes, especially for rural  
15                      and low-income households, communities of  
16                      color, Tribal and indigenous communities, and  
17                      communities that are disproportionately vulner-  
18                      able to the impacts of climate change, air and  
19                      water pollution, and other resource degradation;  
20                      and

21                      (D) prioritize investments that reduce  
22                      emissions of greenhouse gases and sequester  
23                      carbon while simultaneously helping to solve  
24                      other pressing agro-environmental resource con-  
25                      cerns, increase farming and ranching opportuni-

1           ties, create quality jobs, improve farmworker  
2           working conditions and living standards, and  
3           make communities more resilient to the effects  
4           of climate change.

5           (c) PLAN IMPLEMENTATION.—

6           (1) PUBLIC COMMENT.—Not later than 12  
7           months after the date of enactment of this Act, the  
8           Secretary shall make the proposed plan developed  
9           under subsection (a) available for public comment.

10          (2) SUBMISSION.—Not later than 18 months  
11          after the date of enactment of this Act, the Sec-  
12          retary shall make public and submit to Congress a  
13          plan developed under subsection (a) that incor-  
14          porates revisions to the proposed plan, as appro-  
15          priate, to address the recommendations provided by  
16          the public pursuant to paragraph (1).

17          (3) IMPLEMENTATION.—Beginning not later  
18          than 18 months after the date of enactment of this  
19          Act, the Secretary shall implement the plan devel-  
20          oped under subsection (a) and submitted to Con-  
21          gress under paragraph (2).

22          (4) REVISIONS.—Beginning 24 months after  
23          the date on which the Secretary submits to Congress  
24          the plan under paragraph (2) and not less frequently  
25          than once every 24 months thereafter, the Secretary

1 shall review and revise the plan to ensure it is suffi-  
2 cient to achieve the national goals declared by sec-  
3 tion 101. The Secretary shall include the conclusion  
4 of each such review and any revised plan resulting  
5 from such review in the next annual report required  
6 under paragraph (5).

7 (5) ANNUAL REPORT.—The Secretary shall  
8 issue an annual public report on the plan (including  
9 any revisions to such plan), actions taken pursuant  
10 to such plan, and the effects of such actions, during  
11 the preceding calendar year.

## 12 **TITLE II—RESEARCH**

### 13 **SEC. 201. RESEARCH, EXTENSION, AND EDUCATION PUR-** 14 **POSE.**

15 Section 1402 of the National Agricultural Research,  
16 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
17 3101) is amended—

18 (1) by redesignating paragraphs (8) and (9) as  
19 paragraphs (9) and (10), respectively; and

20 (2) by inserting after paragraph (7) the fol-  
21 lowing:

22 “(8) accelerate the ability of agriculture and the  
23 food system of the United States to first achieve net  
24 zero carbon emissions and then go further to be car-

1 bon positive by removing additional carbon dioxide  
2 from the atmosphere;”.

3 **SEC. 202. REGIONAL HUBS FOR RISK ADAPTATION AND**  
4 **MITIGATION TO CLIMATE CHANGE.**

5 Title IV of the Agricultural Research, Extension, and  
6 Education Reform Act of 1998 is amended by inserting  
7 before section 404 (7 U.S.C. 7624) the following new sec-  
8 tion:

9 **“SEC. 401. REGIONAL HUBS FOR RISK ADAPTATION AND**  
10 **MITIGATION TO CLIMATE CHANGE.**

11 “(a) ESTABLISHMENT.—The Secretary shall estab-  
12 lish a national network of regional hubs for risk adapta-  
13 tion and mitigation to climate change to deliver science-  
14 based, region-specific, cost-effective, and practical infor-  
15 mation and program support to farmers, ranchers, forest  
16 landowners, and other agricultural and natural resource  
17 managers to support science-informed decision-making in  
18 light of the increased costs, opportunities, risks, and  
19 vulnerabilities associated with a changing climate, and to  
20 provide access to assistance to implement those decisions.

21 “(b) ELIGIBILITY.—An entity is eligible to be selected  
22 as a regional hub under subsection (a) if such entity is  
23 any office of the Agricultural Research Service, the Forest  
24 Service, or any other agency of the Department of Agri-  
25 culture that the Secretary determines is appropriate.

1 “(c) ADMINISTRATION.—

2 “(1) IN GENERAL.—The network established  
3 under subsection (a) shall be designated and admin-  
4 istered jointly by the Agricultural Research Service  
5 and the Forest Service, in partnership with other  
6 Federal agencies, including the following:

7 “(A) Within the Department of Agri-  
8 culture, the following agencies:

9 “(i) The Natural Resource Conserva-  
10 tion Service.

11 “(ii) The Farm Service Agency.

12 “(iii) The Risk Management Agency.

13 “(iv) The Animal and Plant Health  
14 Inspection Service.

15 “(v) The National Institute for Food  
16 and Agriculture.

17 “(B) The Department of the Interior.

18 “(C) The Department of Energy.

19 “(D) The Environmental Protection Agen-  
20 cy.

21 “(E) The United States Geological Survey.

22 “(F) National Oceanic and Atmospheric  
23 Administration.

24 “(G) National Aeronautics and Space Ad-  
25 ministration.

1           “(H) Other Federal agencies as the Sec-  
2           retary determines appropriate.

3           “(2) PARTNERS.—The regional hubs estab-  
4           lished under subsection (a) shall work in close part-  
5           nership with other stakeholders and partners, includ-  
6           ing—

7           “(A) colleges and universities;

8           “(B) cooperative extension services (as de-  
9           fined in section 1404 of the Food and Agri-  
10          culture Act of 1977 (7 U.S.C. 3103));

11          “(C) State agricultural experiment stations  
12          (as defined in such section);

13          “(D) private entities;

14          “(E) State, local and regional govern-  
15          ments;

16          “(F) Tribes;

17          “(G) agriculture and commodity organiza-  
18          tions;

19          “(H) nonprofit and community-based orga-  
20          nizations; and

21          “(I) other partners, as determined by the  
22          Secretary.

23          “(d) RESPONSIBILITIES.—A regional hub established  
24          under this section shall—

1           “(1) offer tools, strategic management options,  
2           and technical support to farmers, ranchers, and for-  
3           est landowners to help such farmers, ranchers, and  
4           landowners mitigate and adapt to climate change;

5           “(2) direct farmers, ranchers, and forest land-  
6           owners to Federal agencies that can provide pro-  
7           gram support to enable such farmers, ranchers, and  
8           forest landowners to implement science-informed  
9           management practices that address climate change;

10          “(3) determine how climate and weather projec-  
11          tions will impact the agricultural and forestry sec-  
12          tors;

13          “(4) provide periodic regional assessments of  
14          risk and vulnerability in the agricultural and for-  
15          estry sectors to help farmers, ranchers, and forest  
16          landowners better understand the potential direct  
17          and indirect impacts of climate change and to in-  
18          form the United States Global Change Research  
19          Program;

20          “(5) provide to farmers, ranchers, forest land-  
21          owners, and rural communities outreach, education,  
22          and extension on science-based risk management  
23          through partnerships with the land-grant colleges  
24          and universities (as defined in section 1404 of the



1 Food and Agriculture Act of 1977 (7 U.S.C. 3103)),  
2 cooperative extension services, and other entities;

3 “(6) work with any cooperative extension serv-  
4 ices (as defined in section 1404 of the National Ag-  
5 ricultural Research, Extension, and Teaching Policy  
6 Act of 1977 (7 U.S.C. 3103)), conservation districts,  
7 and non-governmental organizations involved in  
8 farmer outreach in the region served by such hub to  
9 assist producers in developing business plans and  
10 conservation plans that take into account emerging  
11 climate risk science with respect to crop, production,  
12 and conservation system changes that will help pro-  
13 ducers adapt to a changing climate; and

14 “(7) establish, working in partnership with pro-  
15 grams and projects carried out under subtitle B of  
16 title XVI of the Food, Agriculture, Conservation,  
17 and Trade Act of 1990 (7 U.S.C. 5801 et seq.), ad-  
18 ditional partnerships with farmers and non-profit  
19 and community-based organizations to conduct ap-  
20 plied on-farm research on climate change.

21 “(e) PRIORITIES.—A regional hub established under  
22 this section shall prioritize research and data collection ac-  
23 tivities in the following areas:

24 “(1) Improved measurement and monitoring  
25 of—

1           “(A) soil organic carbon sequestration; and

2           “(B) total net greenhouse gas impacts of  
3 different farming systems and practices.

4           “(2) Lifecycle analysis for total net greenhouse  
5 gas emissions related to—

6           “(A) alternative cropping systems;

7           “(B) alternative livestock production sys-  
8 tems;

9           “(C) integrated cropping-livestock systems;

10           “(D) alternative biofuel crop production  
11 systems and biofuel end uses;

12           “(E) alternative agroforestry practices and  
13 systems; and

14           “(F) alternative forestry management sys-  
15 tems.

16           “(3) Research and education on—

17           “(A) optimal soil health practices;

18           “(B) advanced biological nutrient manage-  
19 ment based on optimal soil health practices;

20           “(C) enhanced synergies between crop  
21 roots and soil biota;

22           “(D) linkages between soil, plant, animal,  
23 and human health;

24           “(E) adaption and mitigation needs of  
25 stakeholders;

1           “(F) new crops or new varieties to help  
2           producers be profitable while adapting to a  
3           changing climate;

4           “(G) social and economic barriers to stake-  
5           holder adoption of new practices that improve  
6           adaptation, mitigation, and soil sequestration;  
7           and

8           “(H) evaluation and assessment of climate-  
9           related decision tools of the Department of Ag-  
10          riculture.

11          “(4) Grazing-based livestock management sys-  
12          tems to optimize net greenhouse gas footprint in-  
13          cluding—

14                 “(A) grazing land carbon sequestration;  
15                 and

16                 “(B) mitigation of enteric methane.

17          “(5) Perennial production systems that seques-  
18          ter carbon, enhance soil health, and increase resil-  
19          ience, including—

20                 “(A) perennial forages;

21                 “(B) perennial grains; and

22                 “(C) agroforestry.

23          “(f) STAKEHOLDER INPUT.—Each regional hub es-  
24          tablished under this section shall solicit input from stake-  
25          holders on pressing needs, important issues, and outreach

1 strategies through a variety of mechanisms including re-  
2 gional stakeholder committees and may partner with  
3 stakeholders in conducting research and developing tools.

4 “(g) RISK MANAGEMENT.—

5 “(1) IN GENERAL.—The Secretary shall appoint  
6 a team of individuals representing the regional hubs,  
7 regional hub partners, and the Risk Management  
8 Agency to develop recommendations to better ac-  
9 count for—

10 “(A) climate risk in actuarial tables; and

11 “(B) soil health and other risk-reducing  
12 conservation activities in the Federal crop in-  
13 surance program under the Federal Crop Insur-  
14 ance Act (7 U.S.C. 1508 et seq.).

15 “(2) SUBMISSION OF RECOMMENDATIONS.—

16 The team appointed under paragraph (1) shall sub-  
17 mit to the Secretary on an iterative basis, but not  
18 less frequently than once every two years, the team’s  
19 recommendations developed pursuant to such para-  
20 graph.

21 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
22 is authorized to be appropriated to carry out this section  
23 \$50,000,000 for each of fiscal years 2022 through 2030.”.

1 **SEC. 203. SUSTAINABLE AGRICULTURE RESEARCH AND**  
2 **EDUCATION RESILIENCE INITIATIVE.**

3 (a) SUSTAINABLE AGRICULTURE RESEARCH AND  
4 EDUCATION.—Section 1619 of the Food, Agriculture,  
5 Conservation, and Trade Act of 1990 (7 U.S.C. 5801) is  
6 amended—

7 (1) in subsection (a)—

8 (A) in paragraph (5), by striking “and” at  
9 the end;

10 (B) in paragraph (6), by striking the pe-  
11 riod at the end and inserting “; and”; and

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

13 “(7) increase resilience in the context of a  
14 changing climate and related economic, social, and  
15 environmental shocks.”; and

16 (2) in subsection (b)—

17 (A) in paragraph (2)—

18 (i) by striking “management” and in-  
19 serting “systems and practices”; and

20 (ii) by inserting “resilience,” after  
21 “profitability,”; and

22 (B) by amending paragraph (3) to read as  
23 follows:

24 “(3) The term ‘resilience’ means, with respect  
25 to an agricultural management system, the ability of  
26 such system to absorb and recover from climate and

1 other disturbances, such that the system thrives in  
2 the face of severe shocks.”.

3 (b) ELIGIBILITY OF TRIBAL COLLEGES TO ENTER  
4 INTO RESEARCH AND EXTENSION PROJECT AGREE-  
5 MENTS.—Section 1621(b) of the Food, Agriculture, Con-  
6 servation, and Trade Act of 1990 (7 U.S.C. 5811(b)) is  
7 amended by striking “or Federal or State” inserting  
8 “1994 Institutions (as defined in section 532 of the Eq-  
9 uity in Educational Land-Grant Status Act of 1994 (7  
10 U.S.C. 301 note; Public Law 103–382)), or Federal,  
11 State, or Tribal”.

12 (c) AGRICULTURAL AND FOOD SYSTEM RESILIENCE  
13 INITIATIVE.—

14 (1) IN GENERAL.—Section 1627 of the Food,  
15 Agriculture, Conservation, and Trade Act of 1990 (7  
16 U.S.C. 5821) is amended—

17 (A) in subsection (a)—

18 (i) in the matter preceding paragraph

19 (1)—

20 (I) by striking the first sentence  
21 and inserting the following: “In close  
22 conjunction with programs and  
23 projects established under sections  
24 1621 and 1623, the Secretary shall  
25 establish a research, education, exten-

1 sion, and outreach initiative, which  
2 may include farmer and rancher re-  
3 search and demonstration grants, and  
4 use an interdisciplinary approach  
5 wherever appropriate, to increase the  
6 resilience of agriculture and the food  
7 system in the context of a changing  
8 climate and related economic, social,  
9 and environmental shocks.”; and

10 (II) in the second sentence, by  
11 striking “program” and inserting  
12 “initiative”;

13 (ii) by striking paragraph (3);

14 (iii) by redesignating paragraphs (1),  
15 (2), (4), and (5) as paragraphs (3), (4),  
16 (5), and (6), respectively;

17 (iv) by inserting before paragraph (3)  
18 (as so redesignated), the following:

19 “(1) to equip farmers to prepare for, adapt, and  
20 transform their farming systems when confronted by  
21 shocks and stresses to their agricultural production  
22 and livelihoods;

23 “(2) to support local and regional food systems  
24 that support resilience and enhance local access and  
25 control over productive resources;”;

1 (v) in paragraph (3) (as redesignated  
2 by clause (iii))—

3 (I) by inserting “climate and”  
4 after “adverse”;

5 (II) by inserting “soil quality  
6 and” after “enhance”; and

7 (III) by inserting “reduce de-  
8 pendency on fossil fuels,” after “in-  
9 puts,”;

10 (vi) in paragraph (4) (as redesignated  
11 by clause (iii)), by inserting “increase resil-  
12 ience” after “practices to”; and

13 (vii) in paragraph (6) (as redesignated  
14 by clause (iii)), by striking “integrated”  
15 and all that follows through “programs”  
16 and inserting “policies and programs to  
17 improve food and agricultural system resil-  
18 ience”;

19 (B) by striking subsections (b), (c), and  
20 (d); and

21 (C) by inserting after subsection (a) the  
22 following:

23 “(b) FUNDING.—

24 “(1) MANDATORY FUNDING.—Of the funds of  
25 the Commodity Credit Corporation, the Secretary



1 shall make available to carry out this section  
2 \$50,000,000 for fiscal year 2022 and each fiscal  
3 year thereafter.

4 “(2) DISCRETIONARY FUNDING.—There are au-  
5 thORIZED to be appropriated to carry out this section  
6 through the National Institute of Food and Agri-  
7 culture \$20,000,000 for each of fiscal years 2013  
8 through 2030.”.

9 (2) CONFORMING AMENDMENT.—The chapter  
10 heading of chapter 2 of subtitle B of title XVI of the  
11 Food, Agriculture, Conservation, and Trade Act of  
12 1990 (7 U.S.C. 5821) is amended to read as follows:  
13 “**AGRICULTURAL AND FOOD SYSTEM**  
14 **RESILIENCE INITIATIVE**”.

15 **SEC. 204. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**  
16 **VELOPMENT AND TRANSFER PROGRAM.**

17 (a) TECHNICAL GUIDES AND BOOKS.—Section 1628  
18 of the Food, Agriculture, Conservation, and Trade Act of  
19 1990 (7 U.S.C. 5831) is amended—

20 (1) in subsection (d)—

21 (A) by redesignating paragraphs (3) and  
22 (4) as paragraphs (4) and (5), respectively; and

23 (B) by inserting after paragraph (2) the  
24 following:

1           “(3) adapting to and mitigating the effects of  
2 climate change;” and

3           (2) in subsection (e), by striking “Soil Con-  
4 servation” and inserting “Natural Resources Con-  
5 servation”.

6           (b) NATIONAL TRAINING PROGRAM.—Section 1629  
7 of the Food, Agriculture, Conservation, and Trade Act of  
8 1990 (7 U.S.C. 5832) is amended—

9           (1) in subsection (g)—

10           (A) in paragraph (5), by striking “Soil  
11 Conservation Service and the Agricultural Sta-  
12 bilization and Conservation Service” and insert-  
13 ing “Natural Resources Conservation Service  
14 and the Farm Service Agency”;

15           (B) by redesignating paragraphs (10) and  
16 (11) as paragraphs (11) and (12), respectively;  
17 and

18           (C) by inserting after paragraph (9) the  
19 following;

20           “(10) develop and provide information con-  
21 cerning climate change adaptation and mitigation  
22 developed under this subtitle and other research and  
23 education programs of the Department;”;

1           (2) in subsection (h), by striking “Soil Con-  
2           servation Service” and inserting “Natural Resources  
3           Conservation Service”; and

4           (3) in subsection (i), by striking “2023” and in-  
5           serting the following: “2021, and \$30,000,000 for  
6           each of fiscal years 2022 through 2030”.

7   **SEC. 205. LONG-TERM AGROECOLOGICAL NETWORK.**

8           Title IV of the Agricultural Research, Extension, and  
9           Education Reform Act of 1998 is amended by inserting  
10          after section 401 (as added by section 201), the following:

11   **“SEC. 402. LONG-TERM AGROECOLOGICAL NETWORK.**

12          “(a) IN GENERAL.—The Secretary, acting through  
13          the Administrator of the Agricultural Research Service,  
14          shall provide for the establishment and maintenance of a  
15          network of research sites operated by the Agricultural Re-  
16          search Service for research on the sustainability of agricul-  
17          tural systems in the United States, to be known as the  
18          ‘Long-Term Agroecological Research Network’ (in this  
19          section referred to as the ‘Network’) with the following  
20          goals:

21                 “(1) To understand and enhance the sustain-  
22                 ability of agriculture.

23                 “(2) To integrate research projects with com-  
24                 mon measurements on multiple agroecosystems  
25                 (such as croplands, rangelands, and pasturelands).

1           “(3) To develop new farming systems, practices,  
2           and technologies to address agricultural challenges  
3           and opportunities, including challenges and opportu-  
4           nities posed by climate change.

5           “(b) ACTIVITIES DESCRIBED.—The activities of the  
6 Network shall include—

7           “(1) research conducted for a minimum of 30  
8           years to develop novel scientific insights at regional  
9           and national scales and evaluate the applicability  
10          and adaptation to local conditions;

11          “(2) the establishment and maintenance of mul-  
12          tiple sites or research centers that capture the diver-  
13          sity of agricultural production systems that function  
14          as a network; and

15          “(3) the coordination of large-scale data collec-  
16          tion related to the sustainability of agricultural sys-  
17          tems and the provision of infrastructure to research  
18          sites to allow for analyzing and disseminating such  
19          data.

20          “(c) COORDINATION OF RESEARCH.—The Secretary,  
21 shall, in carrying out subsection (a)—

22          “(1) coordinate long-term agroecological re-  
23          search to improve understanding within the Depart-  
24          ment of Agriculture of how agroecosystems function  
25          at the field, regional, and national scales;

1           “(2) designate research sites for inclusion in  
2           the Network that are representative of major agri-  
3           cultural regions;

4           “(3) ensure that every research site so included  
5           conducts experiments with common goals and meth-  
6           ods—

7                   “(A) to increase agricultural productivity  
8                   and profitability;

9                   “(B) to enhance agricultural resilience and  
10                  the capacity to mitigate and adapt to climate  
11                  change;

12                  “(C) boost the provision of ecosystem serv-  
13                  ices from agricultural landscapes; and

14                  “(D) improve opportunities for rural com-  
15                  munities;

16           “(4) make data collected at research sites in-  
17           cluded in the Network open to researchers and the  
18           public whenever practicable, and integrate data  
19           across the network and partner sites; and

20           “(5) provide infrastructure to research sites in-  
21           cluded in the Network for data collection, common  
22           measurements, and data streams that complement  
23           other national networks, such as the National Eco-  
24           logical Observatory Network (NEON) and the Long-  
25           Term Ecological Research (LTER) network.

1       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$50,000,000 for each of fiscal years 2022 through 2030.”.

4 **SEC. 206. PUBLIC BREED AND CULTIVAR RESEARCH.**

5       (a) IN GENERAL.—The Competitive, Special, and Fa-  
6 cilities Research Grant Act (7 U.S.C. 3157) is amended—

7           (1) in subsection (a), by adding at the end the  
8 following:

9       “(3) DEFINITIONS.—In this section:

10           “(A) CONVENTIONAL BREEDING.—The term  
11 ‘conventional breeding’ means the development of  
12 new varieties of an organism through controlled  
13 mating and selection without the use of transgenic  
14 methods, provided that information gained through  
15 gene sequencing, genomic, and metabolomics anal-  
16 yses can be used to inform mating and selection  
17 choices.

18           “(B) CULTIVAR.—The term ‘cultivar’ means a  
19 variety of a species of plant that has been inten-  
20 tionally selected for use in cultivation because of the  
21 improved characteristics of that variety of the spe-  
22 cies.

23           “(C) PUBLIC BREED AND CULTIVAR.—The  
24 term ‘public breed and cultivar’ means an animal  
25 breed or crop cultivar that is the commercially avail-

1       able end product of a publicly funded breeding pro-  
2       gram that has been sufficiently tested to dem-  
3       onstrate improved characteristics and stable per-  
4       formance, and for which the farmers’ rights to save  
5       and use, and breeders’ rights to share and improve  
6       are protected.”; and

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

8       “(1) PUBLIC BREED AND CULTIVAR DEVELOPMENT  
9       FUNDING.—

10              “(1) IN GENERAL.—Of the amount of grants  
11       made under subsections (b) and (c), the Secretary  
12       shall ensure that not less than the following amounts  
13       are used for competitive research grants that sup-  
14       port the development of public breeds and cultivars:

15                      “(A) \$50,000,000 for fiscal year 2022;

16                      “(B) \$60,000,000 for fiscal year 2023;

17                      “(C) \$70,000,000 for fiscal year 2024;

18                      “(D) \$80,000,000 for fiscal year 2025;

19                      “(E) \$90,000,000 for fiscal year 2026; and

20                      “(F) \$100,000,000 for each of the fiscal  
21       years 2027 through 2030.

22              “(2) PRIORITY.—In making grants under para-  
23       graph (1), the Secretary shall give priority to high-  
24       potential research projects that lead to the release of

1 public breeds and cultivars that assist producers in  
2 mitigating and adapting to climate change.

3 “(3) GRANTS.—The Secretary shall ensure  
4 that—

5 “(A) the terms for any competitive grants  
6 made under subsection (b) are not less than 5  
7 years;

8 “(B) any such term or associated renewal  
9 process facilitates the development and commer-  
10 cialization of public breeds and cultivars  
11 through long-term grants; and

12 “(C) when necessary, Tribal consultation  
13 occurs to ensure public breed and cultivar de-  
14 velopment does not infringe on Tribes’ abilities  
15 to maintain culturally sensitive breeds and  
16 cultivars.”.

17 (b) PUBLIC BREED AND CULTIVAR RESEARCH AC-  
18 TIVITIES COORDINATOR.—Section 251 of the Department  
19 of Agriculture Reorganization Act of 1994 (7 U.S.C.  
20 6971) is amended—

21 (1) in subsection (e), by adding at the end the  
22 following:

23 “(7) PUBLIC BREED AND CULTIVAR RESEARCH  
24 ACTIVITIES COORDINATOR.—



1           “(A) IN GENERAL.—The Under Secretary  
2 shall appoint a coordinator within the Office of  
3 the Chief Scientist that reports to the Under  
4 Secretary to coordinate research activities at  
5 the Department relating to the breeding of pub-  
6 lic breeds and cultivars (as defined in para-  
7 graph (3) of subsection (a) of the Competitive,  
8 Special, and Facilities Research Grant Act (7  
9 U.S.C. 3157(a))).

10           “(B) DUTIES OF COORDINATOR.—The co-  
11 ordinator appointed under subparagraph (A)  
12 shall—

13           “(i) coordinate animal and plant  
14 breeding research activities funded by the  
15 Department relating to the development  
16 and delivery to producers of climate resil-  
17 ient and regionally adapted public breeds  
18 and crop cultivars;

19           “(ii)(I) carry out ongoing analysis and  
20 track activities for any Federal research  
21 funding supporting animal and plant  
22 breeding (including any public breeds and  
23 cultivars developed with Federal funds);  
24 and

1           “(II) ensure that the analysis and ac-  
2           tivities are made available to the public not  
3           later than 60 days after the last day of  
4           each fiscal year;

5           “(iii) develop a strategic plan that es-  
6           tablishes targets for public breed and  
7           cultivar research investments across the  
8           Department to ensure that a diverse range  
9           of animal and crop needs are being met in  
10          a timely and transparent manner, with a  
11          strong focus on delivery of resource-effi-  
12          cient, stress-tolerant, regionally adapted  
13          animal breeds and crop cultivars that help  
14          build agricultural resilience to climate  
15          change and support on-farm carbon se-  
16          questration and greenhouse gas mitigation,  
17          nutritional quality, and other farmer-iden-  
18          tified priority agronomic and market traits;

19          “(iv) convene a working group in  
20          order to carry out the coordination func-  
21          tions described in this subparagraph com-  
22          prised of individuals who are responsible  
23          for the management, administration, or  
24          analysis of public breeding programs with-  
25          in the Department from—

1                   “(I) the National Institute of  
2                   Food and Agriculture;

3                   “(II) the Agricultural Research  
4                   Service; and

5                   “(III) the Economic Research  
6                   Service;

7                   “(v) in order to maximize delivery of  
8                   public breeds and cultivars, promote col-  
9                   laboration among—

10                   “(I) the coordinator;

11                   “(II) the working group convened  
12                   under clause (iv);

13                   “(III) the advisory council estab-  
14                   lished under section 1634 of the  
15                   Food, Agriculture, Conservation, and  
16                   Trade Act of 1990 (7 U.S.C. 5843);

17                   “(IV) genetic resource conserva-  
18                   tion centers;

19                   “(V) land-grant colleges and uni-  
20                   versities (as defined in section 1404 of  
21                   the National Agricultural Research,  
22                   Extension, and Teaching Policy Act of  
23                   1977 (7 U.S.C. 3103));

24                   “(VI) Hispanic-serving institu-  
25                   tions (as defined in section 502(a) of

1 the Higher Education Act of 1965 (20  
2 U.S.C. 1101a(a));

3 “(VII) Native American-serving  
4 nontribal institutions (as defined in  
5 section 371(e) of the Higher Edu-  
6 cation Act of 1965 (20 U.S.C.  
7 1067q(c));

8 “(VIII) Tribal organizations (as  
9 defined in section 4 of the Indian  
10 Self-Determination and Education As-  
11 sistance Act (25 U.S.C. 5304));

12 “(IX) nongovernmental organiza-  
13 tions with interest or expertise in pub-  
14 lic breeding; and

15 “(X) public and private plant  
16 breeders;

17 “(vi) convene regular stakeholder lis-  
18 tening sessions to provide input on na-  
19 tional and regional priorities for public  
20 breed and cultivar research activities  
21 across the Department; and

22 “(vii) evaluate and make rec-  
23 ommendations to the Under Secretary on  
24 training and resource needs to meet future  
25 breeding challenges, including the chal-

1 lenges stemming from climate change.”;

2 and

3 (2) in subsection (f)(1)(D)(i), by striking “(7  
4 U.S.C. 450i(b))” and inserting “(7 U.S.C.  
5 3157(b))”.

6 (c) CONFORMING AMENDMENT.—Section  
7 296(b)(6)(B) of the Department of Agriculture Reorga-  
8 nization Act of 1994 (7 U.S.C. 7014(b)(6)(B)) is amended  
9 by striking “Office; and” and inserting “Office (including  
10 the public breed and cultivar research activities coordi-  
11 nator under subsection (e)(7) of that section); and”.

12 (d) PUBLIC BREED AND CULTIVAR DEVELOP-  
13 MENT.—Subtitle H of the Food, Agriculture, Conserva-  
14 tion, and Trade Act of 1990 (7 U.S.C. 5921) is amended  
15 by adding at the end the following new section:

16 **“SEC. 1681. PUBLIC BREED AND CULTIVAR DEVELOPMENT.**

17 “(a) FUNDING.—The Secretary of Agriculture, in  
18 conjunction with the Director of the National Genetic Re-  
19 sources Program appointed under section 1633 and acting  
20 through the Agricultural Research Service, shall support  
21 the development of public breeds and cultivars (as defined  
22 in paragraph (3) of subsection (a) of the Competitive, Spe-  
23 cial, and Facilities Research Grant Act (7 U.S.C.  
24 3157(a))) by Federal researchers.

1       “(b) PRIORITY.—In supporting research under sub-  
2 section (a) using funds made available pursuant to sub-  
3 section (d), the Secretary shall give priority to high-poten-  
4 tial research projects that lead to the release of public  
5 breeds and cultivars that assist producers in mitigating  
6 and adapting to climate change.

7       “(c) REPORT.—Not later than October 1 of each  
8 year, the Secretary shall submit to Congress a report that  
9 provides information on all public breed and cultivar re-  
10 search funded by the Agricultural Research Service and  
11 the National Institute for Food and Agriculture, includ-  
12 ing—

13               “(1) a list of public breeds and cultivars devel-  
14 oped and released in a commercially available form;

15               “(2) areas of high priority research;

16               “(3) identified research gaps relating to public  
17 breed and cultivar development, including newly  
18 emerging needs stemming from climate change; and

19               “(4) an assessment of the state of commer-  
20 cialization for breeds and cultivars that have been  
21 developed.

22       “(d) FUNDING.—Of the funds made available to the  
23 Administrator of the Agricultural Research Service for a  
24 fiscal year, not less than \$50,000,000 shall be made avail-  
25 able to carry out this section.”.

1 **SEC. 207. ARS CLIMATE SCIENTIST CAREER DEVELOPMENT**  
2 **PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Agriculture  
4 shall, in accordance with section 922 of the Federal Agri-  
5 culture Improvement and Reform Act of 1996 (7 U.S.C.  
6 2279c), carry out an internship program within the Agri-  
7 cultural Research Service for graduate students pursuing  
8 a degree or conducting research related to climate change  
9 and agriculture.

10 (b) FUNDING.—Of the funds of the Commodity Cred-  
11 it Corporation, the Secretary may use not more than  
12 \$10,000,000 for each of fiscal years 2022 through 2030  
13 to carry out the program referred to in subsection (a).

14 **SEC. 208. AGRICULTURAL CLIMATE ADAPTATION AND MITI-**  
15 **GATION THROUGH AFRI.**

16 Subsection (b)(2) of the Competitive, Special, and  
17 Facilities Grant Act (7 U.S.C. 3157(b)(2)) is amended by  
18 adding at the end the following:

19 “(G) AGRICULTURAL CLIMATE ADAPTA-  
20 TION AND MITIGATION.—Agricultural climate  
21 adaptation and mitigation, including—

22 “(i) strategies for agricultural adapta-  
23 tion to climate change, including adapta-  
24 tion strategies for small and medium-sized  
25 dairy, livestock, crop and other commodity  
26 operations;

1 “(ii) on-farm mitigation strategies and  
2 solutions, including infrastructure, equip-  
3 ment, and agricultural ecosystems-based  
4 strategies;

5 “(iii) the economic costs, benefits, ef-  
6 fectiveness, and viability of producers  
7 adopting conservation practices and tech-  
8 nologies designed to improve soil health,  
9 including carbon sequestration in soil;

10 “(iv) the effectiveness of existing con-  
11 servation practices and enhancements to  
12 improve soil health, including the effective-  
13 ness to sequester carbon in soil;

14 “(v) new technologies to measure and  
15 verify environmentally beneficial outcomes  
16 of healthy soils practices, including carbon  
17 sequestration in soil; and

18 “(vi) links between human health and  
19 soil health.”.

20 **SEC. 209. SPECIALTY CROP RESEARCH INITIATIVE.**

21 Section 412 of the Agricultural Research, Extension,  
22 and Education Reform Act of 1998 (7 U.S.C. 7632) is  
23 amended—

24 (1) in subsection (b)—



1 (A) in the matter preceding paragraph (1),  
2 by inserting “, multi-crop production systems,”  
3 after “specific crops”;

4 (B) in paragraph (4)(E), by striking “;  
5 and” at the end and inserting a semicolon;

6 (C) in paragraph (5), by striking the pe-  
7 riod at the end and inserting “; and”; and

8 (D) by adding at the end the following:

9 “(6) efforts to mitigate and adapt to climate  
10 change, including—

11 “(A) on-farm mitigation strategies and so-  
12 lutions, including agricultural ecosystems-based  
13 strategies;

14 “(B) conservation practices and tech-  
15 nologies designed to improve soil health, includ-  
16 ing those that sequester carbon in soil; and

17 “(C) breeding research and cultivar devel-  
18 opment to help adapt to climate change.”; and

19 (2) in subsection (g)(3)(A), by striking “equal  
20 to not less than the amount of the grant” and in-  
21 serting “in an amount that is equal to not less than  
22 25 percent of the funds provided through the  
23 grant”.

1 **SEC. 210. INTEGRATED PEST MANAGEMENT.**

2 Section 406 of the Agricultural Research, Extension,  
3 and Education Reform Act of 1998 (7 U.S.C. 7626) is  
4 amended—

5 (1) by redesignating subsections (d), (e), and  
6 (f) as subsections (f), (g), and (h), respectively; and

7 (2) by inserting after subsection (c) the fol-  
8 lowing:

9 “(d) **EMPHASIS ON CLIMATE RESILIENCE.**—The Sec-  
10 retary shall ensure that grants made under this section  
11 are, where appropriate, consistent with the development  
12 of food and agricultural systems that improve climate re-  
13 silience.

14 “(e) **ECOLOGICALLY BASED PEST MANAGEMENT.**—  
15 The Secretary shall ensure that grants made under this  
16 section to support pest management prioritize ecologically  
17 based approaches that are effective, affordable, and envi-  
18 ronmentally sound, maintain agricultural productivity and  
19 healthy communities, and improve climate resilience.”.

20 **SEC. 211. NATIONAL ACADEMY OF SCIENCES STUDY.**

21 (a) **STUDY.**—The Secretary of Agriculture, in con-  
22 sultation with the Secretary of Health and Human Serv-  
23 ices, shall enter into an agreement with the National  
24 Academy of Sciences, under which the National Academy  
25 agrees to produce an analysis of current scientific findings

1 to determine the links between human health and soil  
2 health by—

3 (1) reviewing existing research on the connec-  
4 tions between the human microbiome and soil  
5 microbiome;

6 (2) identifying linkages between soil manage-  
7 ment practices and the nutrient density of foods for  
8 human consumption;

9 (3) exploring potential impact of increasing soil  
10 organic matter across the agricultural and food  
11 value chain;

12 (4) determining how to best leverage healthy  
13 soil management practices to maximize benefits and  
14 minimize adverse impacts on human health; and

15 (5) highlighting areas for future research.

16 (b) REPORT.—The agreement under subsection (a)  
17 shall include a requirement that the National Academy of  
18 Sciences, not later than 2 years after the date of the enact-  
19 ment of this Act, submit to the Committee on Agriculture  
20 of the House of Representatives and the Committee on  
21 Agriculture, Nutrition, and Forestry of the Senate a re-  
22 port on the results of the study conducted pursuant to  
23 subsection (a).

1 **SEC. 212. APPROPRIATE TECHNOLOGY TRANSFER TO**  
2 **RURAL AREAS.**

3 Section 310B(i)(2) of the Consolidated Farm and  
4 Rural Development Act (7 U.S.C. 1932(i)(2)) is amend-  
5 ed—

6 (1) in subparagraph (C), by striking “and” at  
7 the end; and

8 (2) by redesignating subparagraph (D) as sub-  
9 paragraph (E) and inserting after subparagraph (C)  
10 the following:

11 “(D) increase resilience by adapting to and  
12 mitigating the effects of climate change; and”.

13 **TITLE III—SOIL HEALTH**

14 **SEC. 301. CROP INSURANCE.**

15 (a) VOLUNTARY GOOD FARMING PRACTICES.—Sec-  
16 tion 508(a)(3) of the Federal Crop Insurance Act (7  
17 U.S.C. 1508(a)(3)) is amended—

18 (1) in subparagraph (A)(iii), by striking “prac-  
19 tices” the first place it appears and all that follows  
20 through the period at the end and inserting “prac-  
21 tices.”;

22 (2) by redesignating subparagraphs (B) and  
23 (C) as subparagraphs (C) and (D), respectively; and

24 (3) by inserting after subparagraph (A) the fol-  
25 lowing:

1           “(B) GOOD FARMING PRACTICES.—For  
2 purposes of subparagraph (A)(iii), good farming  
3 practices include the following:

4                   “(i) Scientifically sound, sustainable,  
5 and organic farming practices, as deter-  
6 mined by the Secretary.

7                   “(ii) Conservation farming practices  
8 that are approved by—

9                           “(I) the Natural Resources Con-  
10 servation Service; or

11                           “(II) an agricultural expert, as  
12 determined by the Secretary.”.

13       (b) RISK-REDUCTION-BASED DISCOUNTS.—Section  
14 508(d) of the Federal Crop Insurance Act (7 U.S.C.  
15 1508(d)) is amended—

16           (1) by redesignating paragraph (4) as para-  
17 graph (5); and

18           (2) by inserting after paragraph (3) the fol-  
19 lowing:

20                   “(4) RISK-REDUCTION-BASED DISCOUNT.—

21                           “(A) IN GENERAL.—Effective beginning  
22 with the 2022 reinsurance year, the Corpora-  
23 tion may provide a risk-reduction-based pre-  
24 mium discount for a producer of an agricultural

1 commodity who uses risk-reduction farming  
2 practices, as determined by the Corporation.

3 “(B) RISK-REDUCTION FARMING PRAC-  
4 TICES.— For purposes of subparagraph (A),  
5 risk-reduction farming practices may include  
6 the following:

7 “(i) The use of cover crops.

8 “(ii) Resource-conserving crop rota-  
9 tions.

10 “(iii) Management-intensive rotational  
11 grazing.

12 “(iv) Composting.

13 “(v) Other risk-reducing and soil  
14 health promoting farming practices as de-  
15 termined by the Corporation.”.

16 (c) CROP PRODUCTION ON NATIVE SOD APPLICA-  
17 BILITY.—

18 (1) AMENDMENT.—Section 508(o) of the Fed-  
19 eral Crop Insurance Act (7 U.S.C. 1508(o)) is  
20 amended by striking paragraph (3).

21 (2) EFFECTIVE DATE.—The amendment made  
22 by paragraph (1) shall take effect on the first day  
23 of the first reinsurance year beginning at least 1  
24 year after the date of the enactment of this Act.

1 **SEC. 302. ENVIRONMENTAL QUALITY INCENTIVES PRO-**  
2 **GRAM.**

3 (a) PURPOSES.—Section 1240 of the Food Security  
4 Act of 1985 (16 U.S.C. 3839aa) is amended—

5 (1) in the matter preceding paragraph (1), by  
6 striking “and environmental quality” and inserting  
7 “environmental quality, and climate change adapta-  
8 tion and mitigation”;

9 (2) in paragraph (1)—

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

12 (B) in subparagraph (C), by striking the  
13 semicolon at the end and inserting “; and”; and

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

15 “(D) greenhouse gas emissions reduction  
16 and carbon sequestration;”;

17 (3) in paragraph (3)(C), by inserting “reducing  
18 greenhouse gas emissions and” before “conserving  
19 energy”; and

20 (4) in paragraph (4), by inserting “climate  
21 change and” before “increasing weather volatility”.

22 (b) DEFINITIONS.—Section 1240A(6)(B) of the Food  
23 Security Act of 1985 (16 U.S.C. 3839aa–1(6)(B)) is  
24 amended—

25 (1) in clause (v), by striking “; and” and insert-  
26 ing a semicolon;

1           (2) by redesignating clause (vi) as clause (vii);

2           and

3           (3) by inserting after clause (v) the following:

4                       “(vi) greenhouse gas emissions reduc-  
5                       tion planning; and”.

6           (c) ESTABLISHMENT AND ADMINISTRATION OF EN-  
7           VIRONMENTAL QUALITY INCENTIVES PROGRAM.—

8                       (1) ESTABLISHMENT.—Section 1240B(a) of the  
9           Food Security Act of 1985 (16 U.S.C. 3839aa–2(a))  
10          is amended by striking “2023” and inserting  
11          “2030”.

12                      (2) PAYMENTS.—Section 1240B(d)(7)(A) of the  
13          Food Security Act of 1985 (16 U.S.C. 3839aa–  
14          2(d)(7)(A)) is amended—

15                      (A) in clause (iii), by striking “; or” and  
16          inserting a semicolon;

17                      (B) in clause (iv), by striking the period at  
18          the end and inserting “; or”; and

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

20                               “(v) increases carbon sequestration or  
21                               reduces greenhouse gas emissions.”.

22                      (3) ALLOCATION OF FUNDING.—Section  
23          1240B(f) of the Food Security Act of 1985 (16  
24          U.S.C. 3839aa–2(f)) is amended—



1 (A) by striking “2023” each place it ap-  
2 pears and inserting “2030”; and

3 (B) in paragraph (1), by striking “includ-  
4 ing grazing management” and inserting “of  
5 which not less than two thirds shall be targeted  
6 at practices relating to grazing management”.

7 (4) PAYMENTS FOR CONSERVATION PRACTICES  
8 RELATED TO ORGANIC PRODUCTION.—Section  
9 1240B(i) of the Food Security Act of 1985 (16  
10 U.S.C. 3839aa–2(i)) is amended by striking para-  
11 graph (3) and redesignating paragraphs (4) and (5)  
12 as paragraphs (3) and (4), respectively.

13 (5) CONSERVATION INCENTIVE CONTRACTS.—  
14 Section 1240B(j) of the Food Security Act of 1985  
15 (16 U.S.C. 3839aa–2(j)) is amended—

16 (A) in paragraph (1), by adding at the end  
17 the following:

18 “(C) CLIMATE CHANGE ADAPTATION AND  
19 MITIGATION.—For the purposes of this sub-  
20 section, priority resource concerns include cli-  
21 mate change adaptation and mitigation.”;

22 (B) in paragraph (2)(A)(ii)—

23 (i) in subclause (I), by striking “or”;

24 (ii) in subclause (II), by striking the  
25 period at the end and inserting “; or”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(III) funding, through annual  
4 payments, for a suite of incentive  
5 practices that are appropriate for the  
6 region and land use and that best en-  
7 hance soil health and carbon seques-  
8 tration and reduce greenhouse gas  
9 emissions, as determined by the Sec-  
10 retary.”; and

11 (C) by amending paragraph (2)(B) to read  
12 as follows:

13 “(B) TERM.—

14 “(i) IN GENERAL.—A contract under  
15 this subsection shall have a term of not  
16 less than 5, and not more than 10, years.

17 “(ii) GRADUATION OPTION.—The Sec-  
18 retary may reduce the term for a contract  
19 under this subsection if the producer en-  
20 ters into a conservation stewardship con-  
21 tract under section 1240K with respect to  
22 the eligible land that is subject to the con-  
23 tract under this subsection.”.

24 (d) ENVIRONMENTAL QUALITY INCENTIVES PLAN.—

25 Section 1240E(a)(3) of the Food Security Act of 1985 (16

1 U.S.C. 3839aa–5(a)(3)) is amended by inserting “, and  
2 a greenhouse gas emissions reduction plan” after “if appli-  
3 cable”.

4 (e) LIMITATION ON PAYMENTS.—Section 1240G of  
5 the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is  
6 amended by striking “Not including payments made under  
7 section 1240B(j), a person or legal entity may not receive,  
8 directly or indirectly, cost-share or incentive payments  
9 under this subchapter that, in aggregate, exceed \$450,000  
10 for all contracts entered into under this subchapter by the  
11 person or legal entity during the period of fiscal years  
12 2014 through 2018, or the period of fiscal years 2019  
13 through 2023” and inserting “A person or legal entity (in-  
14 cluding a joint venture and a general partnership) may  
15 not receive, directly or indirectly, cost-share or incentive  
16 payments under this subchapter that, in aggregate, exceed  
17 \$450,000 for all contracts entered into under this sub-  
18 chapter by the person or legal entity during any 5-fiscal-  
19 year period”.

20 (f) CONSERVATION INNOVATION GRANTS.—

21 (1) AIR QUALITY CONCERNS FROM AGRICUL-  
22 TURAL OPERATIONS.—Section 1240H(b) of the  
23 Food Security Act of 1985 (16 U.S.C. 3839aa–8(b))  
24 is amended—

1 (A) in paragraph (1), by inserting “and to  
2 meet Federal, State, and local goals with re-  
3 spect to greenhouse gas emissions reductions”  
4 after “local regulatory requirements”; and

5 (B) in paragraph (2), by striking “2019  
6 through 2023” and inserting “2019 through  
7 2021, and \$50,000,000 for each of fiscal years  
8 2022 through 2030”.

9 (2) ON-FARM CONSERVATION INNOVATION  
10 TRIALS.—Section 1240H(c)(2) of the Food Security  
11 Act of 1985 (16 U.S.C. 3839aa–8(c)(2)) is amended  
12 by striking “2019 through 2023” and inserting  
13 “2019 through 2021, \$50,000,000 of the funds  
14 made available to carry out this subchapter for each  
15 of fiscal years 2022 and 2023, and \$100,000,000 of  
16 the funds made available to carry out this sub-  
17 chapter for each of fiscal years 2024 through 2030”.

18 **SEC. 303. CONSERVATION STEWARDSHIP PROGRAM.**

19 (a) DEFINITIONS.—Section 1240I of the Food Secu-  
20 rity Act of 1985 (16 U.S.C. 3839aa–21) is amended—

21 (1) in paragraph (2)—

22 (A) in subparagraph (A), by inserting “en-  
23 hancements,” after “practices,”; and

1 (B) in subparagraph (B)(v), by inserting  
2 “and climate change” before the period at the  
3 end; and

4 (2) in paragraph (3)(C), by inserting “main-  
5 tained, actively” after “implemented.”.

6 (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-  
7 tion 1240J(a) of the Food Security Act of 1985 (16  
8 U.S.C. 3839aa–22(a)) is amended—

9 (1) in the matter preceding paragraph (1), by  
10 striking “2023” and inserting “2030”; and

11 (2) by striking paragraphs (1) and (2) and in-  
12 serting the following:

13 “(1) by maintaining, actively managing, and,  
14 where possible, improving upon existing conservation  
15 activities; and

16 “(2) by undertaking additional conservation ac-  
17 tivities.”.

18 (c) STEWARDSHIP CONTRACTS.—

19 (1) SUBMISSION OF CONTRACT OFFERS.—Sec-  
20 tion 1240K(a)(2)(B) of the Food Security Act of  
21 1985 (16 U.S.C. 3839aa–23(a)(2)(B)) is amended  
22 by striking “improving, maintaining, and managing”  
23 and inserting “maintaining, actively managing, and,  
24 where possible, improving”.

1           (2) EVALUATION OF CONTRACT OFFERS.—Sec-  
2           tion 1240K(b) of the Food Security Act of 1985 (16  
3           U.S.C. 3839aa–23(b)) is amended—

4                   (A) by amending paragraph (1)(A)(iii) to  
5           read as follows:

6                           “(iii) other criteria consistent with an  
7                           equal weighting of the factors described in  
8                           clauses (i) and (ii), as determined by the  
9                           Secretary, including criteria the Secretary  
10                          determines are necessary to ensure that—

11                                   “(I) the program effectively tar-  
12                                   gets improvements to soil health, in-  
13                                   creases in carbon sequestration, and  
14                                   reductions in greenhouse gas emis-  
15                                   sions; and

16   “(II) other national, State, and  
17   local priority resource concerns are ef-  
18   fectively addressed.”; and

19                           (B) by striking paragraph (3).

20           (3) CONTRACT RENEWAL.—Section 1240K(e)  
21           of the Food Security Act of 1985 (16 U.S.C.  
22           3839aa–23(e)) is amended to read as follows:

23           “(e) CONTRACT RENEWAL.—

24                           “(1) IN GENERAL.—The Secretary may provide  
25           the producer an opportunity to renew an existing

1 contract in the first half of the fifth year of the con-  
2 tract period if the producer—

3 “(A) demonstrates compliance with the  
4 terms of the existing contract;

5 “(B) agrees to adopt and continue to inte-  
6 grate new or improved conservation activities  
7 across the entire agricultural operation, dem-  
8 onstrating continued improvement during the  
9 additional 5-year period as determined by the  
10 Secretary; and

11 “(C) agrees, by the end of the contract pe-  
12 riod, to meet the stewardship threshold of at  
13 least 2 additional priority resource concerns on  
14 the agricultural operation, if applicable.

15 “(2) RANKING AND PAYMENTS.—In deter-  
16 mining whether to accept an application for contract  
17 renewal under this subsection, and when calculating  
18 payments for such renewal contracts, the Secretary  
19 shall consider the full conservation benefits across  
20 the entire agricultural operation, including—

21 “(A) the number of priority resource con-  
22 cerns with respect to which the producer is ex-  
23 pected to meet or exceed the stewardship  
24 threshold by the end of the contract period; and

1           “(B) the active management and mainte-  
2           nance of ongoing conservation activities, includ-  
3           ing—

4                   “(i) the conservation activities adopt-  
5                   ed during a prior contract period; and

6                   “(ii) the new or improved conservation  
7                   activities to be adopted if a contract is re-  
8                   newed.”.

9           (d) DUTIES OF THE SECRETARY.—

10                   (1) CLIMATE CHANGE ADAPTATION AND MITI-  
11                   GATION.—Section 1240L(a)(2) of the Food Security  
12                   Act of 1985 (16 U.S.C. 3839aa–24(a)(2)) is amend-  
13                   ed by inserting “(which may include climate change  
14                   adaptation and mitigation)” after “priority resource  
15                   concerns”.

16                   (2) CONSERVATION STEWARDSHIP PAY-  
17                   MENTS.—Section 1240L(c) of the Food Security Act  
18                   of 1985 (16 U.S.C. 3839aa–24(c)) is amended—

19                           (A) in paragraph (1)—

20                                   (i) in subparagraph (A), by inserting  
21                                   “on one or more types of eligible land cov-  
22                                   ered by the contract” after “activities”;  
23                                   and

24                                   (ii) in subparagraph (B), by striking  
25                                   “improving, maintaining, and managing”



1 and inserting “maintaining, actively man-  
2 aging, and improving”;

3 (B) in paragraph (2)—

4 (i) by amending subparagraph (B) to  
5 read as follows:

6 “(B) Income forgone by the producer, in-  
7 cluding amounts that reflect—

8 “(i) increased economic risk; and

9 “(ii) loss in revenue due to production  
10 changes, anticipated reductions in yield,  
11 transitioning to an organic system, re-  
12 source-conserving cropping system, or pe-  
13 rennial production system, or acreage con-  
14 verted to conservation uses.”;

15 (ii) in subparagraph (E), by inserting  
16 “, actively managed, and, where applicable,  
17 improved” after “maintained”; and

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

19 “(6) PAYMENT FOR CONSERVATION ACTIVITIES  
20 RELATED TO ORGANIC PRODUCTION SYSTEMS.—

21 “(A) IN GENERAL.—The Secretary shall  
22 provide payments under this subsection for con-  
23 servation activities related to—

24 “(i) organic production; and

1                   “(ii) transitioning to organic produc-  
2                   tion.

3                   “(B) CONSERVATION ACTIVITIES.—Such  
4                   conservation activities may include both gen-  
5                   erally available and specifically tailored con-  
6                   servation activities, and both individual con-  
7                   servation activities and bundles of conservation  
8                   activities.

9                   “(7) MINIMUM PAYMENT.—The amount of an  
10                  annual payment under the program shall be not less  
11                  than \$2,000.”.

12                  (3) SUPPLEMENTAL PAYMENTS.—Section  
13                  1240L(d) of the Food Security Act of 1985 (16  
14                  U.S.C. 3839aa-24(d)) is amended—

15                         (A) in the subsection heading, by inserting  
16                         “, PERENNIAL PRODUCTION SYSTEMS, AND”  
17                         after “ROTATIONS”;

18                         (B) in paragraph (1), by adding at the end  
19                         the following:

20                                 “(D) PERENNIAL PRODUCTION SYSTEM.—  
21                                 The term ‘perennial production system’  
22                                 means—

23   “(i) the use of cropland for agro-  
24   forestry, including alley cropping,

1 silvopasture, and related production prac-  
2 tices, as determined by the Secretary;

3 “(ii) the use of woodland for agro-  
4 forestry, including forest farming, multi-  
5 story cropping, and related production  
6 practices, as determined by the Secretary;  
7 and

8 “(iii) the use of cropland for perennial  
9 forages or perennial grain crops.”;

10 (C) in paragraph (2)—

11 (i) in subparagraph (A), by striking  
12 “or”;

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

15 (iii) by adding at the end the fol-  
16 lowing:

17 “(C) a perennial production system.”; and

18 (D) in paragraph (3), by striking “or ad-  
19 vanced grazing management” and inserting  
20 “advanced grazing management, or a perennial  
21 production system”.

22 (4) PAYMENT FOR COMPREHENSIVE CONSERVA-  
23 TION PLAN.—Section 1240L(e)(1) of the Food Secu-  
24 rity Act of 1985 (16 U.S.C. 3839aa–24(e)(1)) is  
25 amended to read as follows:

1           “(1) DEFINITION OF COMPREHENSIVE CON-  
2           SERVATION PLAN.—In this subsection, the term  
3           ‘comprehensive conservation plan’ means a conserva-  
4           tion plan that—

5                   “(A) meets or exceeds the stewardship  
6           threshold for each priority resource concern  
7           identified by the Secretary under subsection  
8           (a)(2); and

9                   “(B) with respect to an organic production  
10           system—

11                   “(i) is integrated with an organic sys-  
12           tem plan approved under the national or-  
13           ganic program established under the Or-  
14           ganic Foods Production Act of 1990 (7  
15           U.S.C. 6501 et seq.); or

16                   “(ii) allows a producer to transition to  
17           organic production systems and pursue  
18           certification under the Organic Foods Pro-  
19           duction Act of 1990 (7 U.S.C. 6501 et  
20           seq.).”.

21           (5) PAYMENT LIMITATIONS.—Section 1240L(f)  
22           of the Food Security Act of 1985 (16 U.S.C.  
23           3839aa–24(f)) is amended—

1 (A) by striking “fiscal years 2019 through  
2 2023” and inserting “any consecutive 5-year  
3 period”; and

4 (B) by inserting “(including joint ventures  
5 and general partnerships)” before the period at  
6 the end.

7 (6) SPECIALTY CROP AND ORGANIC PRO-  
8 DUCERS.—Section 1240L(g) of the Food Security  
9 Act of 1985 (16 U.S.C. 3839aa-24(g)) is amended  
10 by inserting “, and producers transitioning to or-  
11 ganic production systems,” after “organic pro-  
12 ducers”.

13 (7) SOIL HEALTH.—Section 1240L(k) of the  
14 Food Security Act of 1985 (16 U.S.C. 3839aa-  
15 24(k)) is amended by striking the period at the end  
16 and inserting “, including by—

17 “(1) conducting outreach to encourage the use  
18 of contracts to improve soil health and sequester  
19 carbon in the soil; and

20 “(2) offering payments for soil testing to pro-  
21 vide producers and the Secretary with information  
22 on the soil health and carbon sequestration impacts  
23 of conservation activities.”.

24 (i) ON-FARM CONSERVATION STEWARDSHIP INNOVA-  
25 TION GRANTS.—Subchapter B of chapter 4 of subtitle D

1 of subtitle D of title XII of the Food Security Act of 1985  
2 (16 U.S.C. 3839aa–21 et seq.) is amended by adding at  
3 the end the following:

4 **“SEC. 1240L–2. ON-FARM CONSERVATION STEWARDSHIP IN-**  
5 **NOVATION GRANTS.**

6 “(a) DEFINITION.—In this section, the term ‘agricul-  
7 tural professional’ means university researchers and edu-  
8 cators, including extension agents and specialists, Federal  
9 agency field staff, agricultural consultants, State and local  
10 agency staff, tribal agency staff, Federally-Recognized  
11 Tribes Extension Program agents, and nonprofit organiza-  
12 tion staff assisting farmers and ranchers at the local level.

13 “(b) GRANTS.—Out of the funds made available to  
14 carry out this chapter, the Secretary may pay the cost of  
15 competitive grants that are intended to stimulate innova-  
16 tive approaches on farms and ranches to leverage Federal  
17 investment in conservation stewardship, in conjunction  
18 with agricultural production or forest resource manage-  
19 ment, through the program.

20 “(c) PARTICIPANTS.—The Secretary shall carry out  
21 on-farm conservation innovation projects on eligible land  
22 of program participants—

23 “(1) directly with producers participating in the  
24 program; or

1           “(2) through partnerships between agricultural  
2           professionals and small groups of program partici-  
3           pants.

4           “(d) USE.—The Secretary may provide grants di-  
5           rectly or through partnerships under this section to agri-  
6           cultural operations enrolled in the program, or groups of  
7           such operations, on a competitive basis, to carry out  
8           projects that—

9           “(1) facilitate on-farm research and demonstra-  
10          tion or pilot testing of new technologies or innovative  
11          conservation systems and practices that aim to re-  
12          duce greenhouse gas emissions and decarbonize agri-  
13          culture;

14          “(2) facilitate on-farm research and demonstra-  
15          tion or pilot testing of practices and systems with  
16          proven high impact for greenhouse gas emissions re-  
17          duction and decarbonization with low national or re-  
18          gional adoption rates; or

19          “(3) help prepare program participants for partici-  
20          pation in environmental services markets that  
21          have as a primary goal greenhouse gas emissions re-  
22          duction or decarbonization of agriculture.

23          “(e) INCENTIVE PAYMENTS.—

24          “(1) AGREEMENTS.—In carrying out this sec-  
25          tion, the Secretary shall enter into agreements with

1 producers (either directly or through governmental  
2 or non-governmental organizations involved in a  
3 partnership) on whose land an on-farm conservation  
4 innovation trial is being carried out to provide pay-  
5 ments to the producers to assist with adopting and  
6 evaluating new or innovative conservation ap-  
7 proaches to achieve conservation benefits. Payments  
8 shall reflect the direct costs of the research and  
9 demonstration and compensation for foregone in-  
10 come, as appropriate to address the increased eco-  
11 nomic risk or lower economic return potentially asso-  
12 ciated with the innovative conservation approach.

13 “(2) ADJUSTED GROSS INCOME REQUIRE-  
14 MENTS.—

15 “(A) IN GENERAL.—Adjusted gross income  
16 requirements under section 1001D(b)(1)  
17 shall—

18 “(i) apply to producers receiving pay-  
19 ments under this subsection; and

20 “(ii) be enforced by the Secretary.

21 “(B) REPORTING.—A governmental or  
22 non-governmental organization participating in  
23 an on-farm conservation stewardship innovation  
24 partnership project under this subsection shall  
25 report annually to the Secretary on the amount



1           of payments made to individual farm operations  
2           under this subsection.

3           “(3) RESEARCH, TECHNICAL ASSISTANCE, AND  
4           ADMINISTRATIVE EXPENSES.—The Secretary may  
5           provide partnerships under this section with up to  
6           \$50,000 per project for research, technical assist-  
7           ance, and administrative expenses.

8           “(4) LENGTH OF AGREEMENTS.—An agreement  
9           entered into under paragraph (1) shall be for a pe-  
10          riod determined by the Secretary that is—

11                   “(A) not less than 2 years; and

12                   “(B) if appropriate, more than 2 years, in-  
13           cluding if such a period is appropriate to sup-  
14           port—

15                           “(i) adaptive management over mul-  
16                           tiple crop years; and

17                           “(ii) adequate data collection and  
18                           analysis by a producer or partnership to  
19                           report the natural resource and agricul-  
20                           tural production benefits of the new or in-  
21                           novative conservation approaches to the  
22                           Secretary.

1 **“SEC. 1240L-3. CONTRIBUTIONS AND CONTRIBUTION**  
2 **AGREEMENTS.**

3 “(a) CONTRIBUTIONS.—In carrying out the program,  
4 the Secretary may accept financial or other contributions  
5 from individuals and public and private entities, if the Sec-  
6 retary determines that the contributions will further the  
7 purposes of the program. Such contributions may include  
8 support for conservation activities to sequester carbon, re-  
9 duce greenhouse gas emissions, and achieve other related  
10 environmental benefits, under such terms and conditions  
11 as the Secretary may require.

12 “(b) CONTRIBUTION AGREEMENTS.—

13 “(1) IN GENERAL.—The Secretary may accept  
14 a contribution to the program under subsection (a)  
15 from an individual or a public or private entity.

16 “(2) CONSIDERATIONS.—In determining wheth-  
17 er to accept a contribution under this subsection, the  
18 Secretary shall consider whether the contribution  
19 would target one or more of the following:

20 “(A) Resource-conserving crop rotations,  
21 advanced grazing management, or perennial  
22 production systems.

23 “(B) Cover crop activities.

24 “(C) Organic production systems.

1           “(D) Beginning and socially disadvantaged  
2           farmers and ranchers, or other underserved  
3           producers.

4           “(3) AGREEMENTS.—Any contribution under  
5           this subsection shall be made subject to an agree-  
6           ment between the contributing individual or entity  
7           and the Secretary, under such terms and conditions  
8           as the Secretary may require.”.

9   **SEC. 304. STATE ASSISTANCE FOR SOIL HEALTH.**

10          Chapter 5 of subtitle D of title XII of the Food Secu-  
11          rity Act of 1985 (16 U.S.C. 3839bb et seq.) is amended  
12          by adding at the end the following:

13   **“SEC. 1240S. STATE ASSISTANCE FOR SOIL HEALTH.**

14          “(a) AVAILABILITY AND PURPOSE OF GRANTS.—  
15          Using funds made available under subsection (k), the Sec-  
16          retary shall make grants to States or tribal governments  
17          for each of fiscal years 2022 through 2030 to be used by  
18          State departments of agriculture or appropriate tribal au-  
19          thorities to develop and implement plans to improve soil  
20          health on agricultural lands.

21          “(b) APPLICATION.—

22                  “(1) IN GENERAL.—A State department of ag-  
23                  riculture or tribal government requesting a grant  
24                  under this section may prepare and submit, for ap-  
25                  proval by the Secretary, an application at such time,

1 in such a manner, and containing such information  
2 as the Secretary shall require, including an assur-  
3 ance that grant funds received under this section  
4 shall supplement the expenditure of State or tribal  
5 funds in support of soil health, rather than replace  
6 State or tribal funds.

7 “(2) USE OF FUNDS.—A State or tribal govern-  
8 ment may request funds under this section to—

9 “(A) develop or modify a State or tribal  
10 soil health plan; or

11 “(B) implement a State or tribal soil  
12 health plan approved by the Secretary under  
13 this section, including through—

14 “(i) technical assistance;

15 “(ii) financial assistance;

16 “(iii) on-farm research and dem-  
17 onstration;

18 “(iv) education, outreach, and train-  
19 ing;

20 “(v) monitoring and evaluation; or

21 “(vi) such other activities as the Sec-  
22 retary deems appropriate.

23 “(3) PLAN COMPONENTS.—Prior to approving a  
24 State or tribal soil health plan, the Secretary shall  
25 ensure that the plan, at a minimum—

1           “(A) is broadly consistent with the soil  
2 health principles of the Natural Resources Con-  
3 servation Service; and

4           “(B) identifies effective strategies for in-  
5 creasing adoption of regionally appropriate soil  
6 health practices and systems on privately owned  
7 agricultural land under the jurisdiction of the  
8 applicable State or tribal government.

9           “(4) ELIGIBILITY.—A State or tribal govern-  
10 ment may—

11           “(A) apply for a grant under paragraph  
12 (2)(A) at any time; and

13           “(B) apply for a grant under paragraph  
14 (2)(B) upon approval by the Secretary of its  
15 soil health plan.

16           “(c) TRIBAL OPTION.—At the sole discretion of a  
17 tribal government, an Indian tribe or tribal organization  
18 shall have the option of being incorporated into a State  
19 application rather than submitting its own application.

20           “(d) GRANT AMOUNT.—

21           “(1) MAXIMUM.—The maximum grant any one  
22 State or tribal government may receive under this  
23 section for a fiscal year shall be—

24           “(A) for a grant under subsection  
25 (b)(2)(A), \$1,000,000.

1           “(B) for a grant under subsection  
2           (b)(2)(B), \$5,000,000.

3           “(2) FEDERAL SHARE.—

4           “(A) GRANTS TO STATES.—The grant  
5           amount to a State shall not exceed 75 percent  
6           of the cost of developing or modifying a soil  
7           health plan, or 50 percent of the cost of imple-  
8           menting the soil health plan.

9           “(B) GRANTS TO TRIBES.—The grant  
10          amount to a tribal government shall not exceed  
11          90 percent of the cost of developing or modi-  
12          fying a soil health plan, or 75 percent of the  
13          cost of implementing the soil health plan.

14          “(3) NON-FEDERAL FUNDS.—A grant made  
15          under this section shall be made on the condition  
16          that the non-Federal share of expenditures under  
17          paragraph (2) be provided by non-Federal sources.

18          “(e) GRANT TERM.—A grant under this section shall  
19          be for one year and may be renewed annually, at the dis-  
20          cretion of the Secretary.

21          “(f) PRIORITY.—The Secretary shall give priority to  
22          States or tribal governments with a climate action plan  
23          that includes soil health, as determined by the Secretary.

24          “(g) PERFORMANCE MEASURES AND EVALUATION.—

1           “(1) PERFORMANCE MEASURES.—Each applica-  
2           tion under subsection (b) shall include performance  
3           measures to be used to evaluate the results of the  
4           assistance received under this section.

5           “(2) REVIEW.—The State department of agri-  
6           culture or the tribal authority shall submit a review  
7           and evaluation of its progress using the performance  
8           measures under paragraph (1) to the Secretary at  
9           such intervals as the Secretary shall establish.

10          “(h) EFFECT OF NONCOMPLIANCE.—If the Sec-  
11          retary, after reasonable notice to a State or tribal govern-  
12          ment, finds that there has been a failure by the State or  
13          tribal government to comply with the terms of a grant  
14          made under this section, the Secretary may disqualify, for  
15          one or more years, the State or tribal government from  
16          receipt of future grants under this section.

17          “(i) AUDIT REQUIREMENT.—For each year that a  
18          State or tribal government receives a grant under this sec-  
19          tion, the State or tribal government shall conduct an audit  
20          of the expenditures of grant funds by the State or tribal  
21          government and shall submit a copy of the audit to the  
22          Secretary within 30 days of its completion.

23          “(j) ADMINISTRATION.—

24                 “(1) DEPARTMENT.—The Secretary may not  
25                 use more than 3 percent of the funds made available

1 to carry out this section for a fiscal year for admin-  
2 istrative expenses.

3 “(2) STATES OR TRIBES.—A State or tribal  
4 government receiving a grant under this section may  
5 not use more than 7 percent of the funds received  
6 under the grant for a fiscal year for administrative  
7 expenses.

8 “(k) FUNDING.—Of the funds of the Commodity  
9 Credit Corporation, the Secretary shall make grants under  
10 this section using—

11 “(1) \$60,000,000 for fiscal years 2022 through  
12 2023;

13 “(2) \$80,000,000 for fiscal years 2024 through  
14 2026; and

15 “(3) \$100,000,000 for fiscal year 2027 and  
16 each fiscal year thereafter.”

17 **SEC. 305. FUNDING AND ADMINISTRATION.**

18 (a) COMMODITY CREDIT CORPORATION.—

19 (1) ANNUAL FUNDING.—Section 1241(a) of the  
20 Food Security Act of 1985 (16 U.S.C. 3841(a)) is  
21 amended—

22 (A) in the matter preceding paragraph (1),  
23 by striking “For each of fiscal years 2014  
24 through 2023, the Secretary” and inserting  
25 “The Secretary”;



1 (B) in paragraph (1)—

2 (i) in subparagraph (A), by inserting  
3 “, and \$17,000,000 for the period of fiscal  
4 years 2024 through 2030,” after “2023”;  
5 and

6 (ii) in subparagraph (B), by inserting  
7 “and \$70,000,000 for the period of fiscal  
8 years 2024 through 2030, including not  
9 more than \$5,000,000 to provide outreach  
10 and technical assistance,” after “technical  
11 assistance,”;

12 (C) in paragraph (2)—

13 (i) in subparagraph (E), by striking “;  
14 and” and inserting a semicolon;

15 (ii) in subparagraph (F), by striking  
16 “2023.” and inserting “2022; and”; and

17 (iii) by adding at the end the fol-  
18 lowing:

19 “(G) \$700,000,000 for each of fiscal years  
20 2023 through 2030.”; and

21 (D) in paragraph (3)—

22 (i) in subparagraph (A)—

23 (I) in clause (iv), by striking “;  
24 and” and inserting a semicolon; and

1 (II) by adding at the end the fol-  
2 lowing:

3 “(vi) \$3,000,000,000 for fiscal years  
4 2024 through 2030; and”;

5 (ii) in subparagraph (B)—

6 (I) in clause (iii), by striking  
7 “\$750,000,000” and inserting  
8 “\$2,000,000,000”;

9 (II) in clause (iv), by striking  
10 “\$800,000,000 for fiscal year 2022;  
11 and” and inserting “\$2,500,000,000  
12 for fiscal year 2022;”;

13 (III) in clause (v), by striking  
14 “\$1,000,000,000 for fiscal year  
15 2023.” and inserting “\$3,000,000,000  
16 for fiscal year 2023; and”;

17 (IV) by adding at the end the fol-  
18 lowing:

19 “(vi) \$4,000,000,000 for fiscal years  
20 2024 through 2030.”.

21 (2) AVAILABILITY OF FUNDS.—Section 1241(b)  
22 of the Food Security Act of 1985 (16 U.S.C.  
23 3841(b)) is amended by striking “2023” and insert-  
24 ing “2030”.

1           (3) TECHNICAL ASSISTANCE.—Section 1241(c)  
2 of the Food Security Act of 1985 (16 U.S.C.  
3 3841(c)) is amended by adding at the end the fol-  
4 lowing:

5           “(5) SPECIAL INITIATIVE.—

6           “(A) IN GENERAL.—Beginning in fiscal  
7 year 2022 and every year thereafter through  
8 fiscal year 2030, the Secretary shall use for a  
9 special technical assistance initiative to assist  
10 producers in mitigating and adapting to climate  
11 change, from the Commodity Credit Corpora-  
12 tion, an amount equal to not less than 1 per-  
13 cent of Commodity Credit Corporation funds  
14 made available for a fiscal year for each of the  
15 programs specified in subsection (a).

16           “(B) PROVISION OF TECHNICAL ASSIST-  
17 ANCE.—The Secretary shall provide technical  
18 assistance under this special initiative to pro-  
19 ducers—

20                   “(i) directly;

21                   “(ii) through an agreement with a  
22 third-party provider (as defined in section  
23 1242), or, at the option of the producer,  
24 through a payment, as determined by the  
25 Secretary, to the producer for a third-party

1 provider approved under section 1242, if  
2 available; or

3 “(iii) through a cooperative agreement  
4 or contract with—

5 “(I) a cooperative extension;

6 “(II) a non-governmental organi-  
7 zation; or

8 “(III) a State, tribal, or Federal  
9 agency.

10 “(C) UNDERSERVED PRODUCERS.—In pro-  
11 viding technical assistance under this para-  
12 graph, the Secretary shall give priority to pro-  
13 ducers who are covered persons (as defined in  
14 section 1244(a)(2)).”.

15 (4) ASSISTANCE TO CERTAIN FARMERS OR  
16 RANCHERS FOR CONSERVATION ACCESS.—Section  
17 1241(h) of the Food Security Act of 1985 (16  
18 U.S.C. 3841(h)) is amended—

19 (A) in paragraph (1)(B), by striking “to  
20 the maximum extent practicable” and all that  
21 follows through the period at the end and in-  
22 serting “to the maximum extent practicable, 30  
23 percent to assist beginning farmers or ranchers  
24 and socially disadvantaged farmers or ranch-  
25 ers.”; and

1 (B) in paragraph (2), by striking “2023”  
2 and inserting “2030”.

3 (b) ADMINISTRATIVE REQUIREMENTS FOR CON-  
4 SERVATION PROGRAMS.—

5 (1) INCENTIVES FOR CERTAIN FARMERS AND  
6 RANCHERS AND INDIAN TRIBES.—Section  
7 1244(a)(1) of the Food Security Act of 1985 (16  
8 U.S.C. 3844(a)(1)) is amended—

9 (A) in subparagraph (A), by striking “;  
10 and” and inserting a semicolon; and

11 (B) by striking subparagraph (B) and in-  
12 serting the following:

13 “(B) to establish a new generation of pro-  
14 ducers who use the full array of climate-friendly  
15 conservation activities that reduce greenhouse  
16 gas emissions, increase soil carbon, and improve  
17 resilience to weather extremes; and

18 “(C) to enhance other long-term environ-  
19 mental goals.”.

20 (2) REVIEW AND GUIDANCE FOR PRACTICE  
21 COSTS AND PAYMENT RATES.—Section  
22 1244(j)(1)(B) of the Food Security Act of 1985 (16  
23 U.S.C. 3844(j)(1)(B)) is amended—

24 (A) in clause (ii), by striking “; and” and  
25 inserting a semicolon;

1 (B) in clause (iii), by striking the period at  
2 the end and inserting “; and”; and

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

4 “(iv) accelerates progress in meeting  
5 the goals established under title I of the  
6 Agriculture Resilience Act.”.

7 (3) ADVANCED GRAZING MANAGEMENT.—Sec-  
8 tion 1244 of the Food Security Act of 1985 (16  
9 U.S.C. 3844) is amended by adding at the end the  
10 following:

11 “(q) ADVANCED GRAZING MANAGEMENT.—

12 “(1) IN GENERAL.—In carrying out any con-  
13 servation program administered by the Secretary,  
14 the Secretary shall encourage advanced grazing  
15 management, including management-intensive rota-  
16 tional grazing, as such terms are defined in section  
17 1240L(d).

18 “(2) RESERVATION OF FUNDS.—In each of fis-  
19 cal years 2022 through 2030, the Secretary shall use  
20 to carry out this subsection not less than two thirds  
21 of any funds available for activities related to live-  
22 stock production under conservation programs ad-  
23 ministered by the Secretary under this title (other  
24 than the conservation reserve program established

1 under subchapter B of chapter 1 of subtitle D, ex-  
2 cept for acres enrolled under section 1231(d)(2)).”.

3 (c) ENVIRONMENTAL SERVICES MARKETS.—Section  
4 1245 of the Food Security Act of 1985 (16 U.S.C. 3845)  
5 is amended by adding at the end the following:

6 “(f) SOIL HEALTH AND GREENHOUSE GAS FEDERAL  
7 ADVISORY COMMITTEE.—

8 “(1) ESTABLISHMENT.—Not later than 6  
9 months after the date of enactment of this sub-  
10 section, the Secretary shall establish an advisory  
11 committee, to be known as the Soil Health and  
12 Greenhouse Gas Federal Advisory Committee.

13 “(2) MEMBERSHIP.—In carrying out paragraph  
14 (1), the Secretary shall appoint members to the ad-  
15 visory committee that reflect diversity in gender,  
16 age, race, and geography and include—

17 “(A) farmers and ranchers, including those  
18 operating small and mid-sized farms;

19 “(B) organizations representing farmers  
20 and ranchers, including those representing  
21 small and mid-sized farms;

22 “(C) scientists;

23 “(D) environmental nonprofit organiza-  
24 tions;

1           “(E) existing private sector carbon and  
2           ecosystem services market development initia-  
3           tives;

4           “(F) businesses working to reduce green-  
5           house gas emissions from agriculture in their  
6           supply chains;

7           “(G) relevant Federal agencies;

8           “(H) youth engaged in the agriculture or  
9           food sector;

10          “(I) tribal communities; and

11          “(J) State agriculture agencies.

12          “(3) TERMS.—

13                 “(A) TERM LENGTH.—The term of a  
14                 member of the advisory committee shall be 2  
15                 years.

16                 “(B) REAPPOINTMENT.—The Secretary  
17                 may reappoint a member for not more than 2  
18                 consecutive terms.

19                 “(4) MEETINGS.—The advisory committee shall  
20                 meet at least 4 times in the first year after it is es-  
21                 tablished, and at least twice annually thereafter.

22                 “(5) RECOMMENDATIONS.—Not later than 12  
23                 months after the date on which the advisory com-  
24                 mittee is established, and periodically thereafter, the



1 advisory committee shall submit to the Secretary  
2 recommendations on—

3 “(A) the feasibility of establishing reliable  
4 outcomes-based measurement systems, as de-  
5 scribed in subsection (g);

6 “(B) existing technology that provides reli-  
7 able measurement data;

8 “(C) for those parameters for which exist-  
9 ing technology does not provide reliable meas-  
10 urement data, research and technical needs  
11 and, as appropriate, goals and plans for such  
12 research;

13 “(D) standards for data collection and dis-  
14 semination;

15 “(E) farmer data management and pri-  
16 vacy;

17 “(F) greenhouse gas emissions and soil  
18 health inventories and databases, as described  
19 in subsection (h); and

20 “(G) criteria for soil health and green-  
21 house gas emissions reductions payments and  
22 environmental markets, as described in sub-  
23 section (i).

24 “(g) MEASUREMENT SYSTEM.—

1           “(1) PURPOSE.—The Secretary shall evaluate  
2 existing outcomes-based measurement systems for  
3 recordkeeping, modeling, and measurement of farm-  
4 level greenhouse gas emissions and soil carbon se-  
5 questration, including measures of soil disturbance,  
6 plant diversity, continual living cover, residue man-  
7 agement, advanced grazing management, and crop-  
8 livestock integration, to determine which such sys-  
9 tems can be implemented quickly, improve in accu-  
10 racy and ease over time, use the best available  
11 science and technology, and are cost-effective.

12           “(2) GUIDANCE.—Not later than 18 months  
13 after the date of enactment of this subsection, the  
14 Secretary shall issue guidance on the outcomes-  
15 based measurement system evaluated under para-  
16 graph (1), based on recommendations from the advi-  
17 sory committee under subsection (f), and informa-  
18 tion from agroecosystem models (including COMET  
19 Farm and COMET Farm Planner), remote sensing  
20 data and analysis (including the Operational Tillage  
21 Information System), soil health demonstration  
22 trials carried out under section 1240H(c)(7), exist-  
23 ing and emerging public and private environmental  
24 services protocols, measurement systems, and bench-  
25 marks, and field-level measurement.

1           “(3) REVIEW.—The Secretary, based on rec-  
2           ommendations from the advisory committee estab-  
3           lished under subsection (f), shall—

4                   “(A) establish and maintain such an out-  
5                   comes-based measurement system when fea-  
6                   sible;

7                   “(B) conduct periodic review of such sys-  
8                   tem, and any necessary updates; and

9                   “(C) establish research and development  
10                  goals and plans as needed.

11          “(h) INVENTORY.—

12                  “(1) IN GENERAL.—Not later than 18 months  
13                  after the date of enactment of this subsection, and  
14                  every 2 years thereafter, the Secretary, in consulta-  
15                  tion with the advisory committee established under  
16                  subsection (f) and the Administrator of the Environ-  
17                  mental Protection Agency, shall conduct a nation-  
18                  wide soil health and agricultural greenhouse gas  
19                  emissions inventory that uses the best available  
20                  science and data to establish expected average per-  
21                  formance for soil carbon drawdown and storage and  
22                  greenhouse gas emissions reduction by primary pro-  
23                  duction type and production region.

24                  “(2) DATABASE.—The Secretary shall create an  
25                  accessible and interoperable database for the infor-

1       mation collected through the inventory conducted  
2       under paragraph (1), and shall improve and update  
3       such database at least once every two years as new  
4       data is collected.

5       “(i) CRITERIA.—The Secretary, in consultation with  
6       the advisory committee established under subsection (f),  
7       shall establish criteria for payments, credits, or other  
8       forms of incentives to inform policy and markets estab-  
9       lished to promote soil carbon sequestration or greenhouse  
10      gas emissions reductions. The criteria shall—

11           “(1) have a documented likelihood to lead to  
12           long-term net increases in soil carbon sequestration  
13           and net reductions in greenhouse gas emissions, ac-  
14           cording to the best available science;

15           “(2) be based in part on environmental impact  
16           modeling of the changes of shifting from baseline ag-  
17           ricultural practices to new or improved agricultural  
18           practices; and

19           “(3) be designed to prevent the degradation of  
20           other natural resource or environmental conditions.

21      “(j) DEMONSTRATION TRIALS.—

22           “(1) IN GENERAL.—The Secretary shall peri-  
23           odically review the results from soil health dem-  
24           onstration trials carried out under section  
25           1240H(c)(7), and other similar public and private

1 demonstration trials the Secretary determines appro-  
2 priate, to inform the activities under subsections (g),  
3 (h), and (i).

4 “(2) RECOMMENDATIONS.—In submitting re-  
5 ports pursuant to section 1240H(e)(7)(C), the Sec-  
6 retary shall include any recommendations to Con-  
7 gress for changes or additions to the conservation  
8 programs under this Act the Secretary determines  
9 appropriate to accelerate net increases in soil carbon  
10 sequestration and other improvements in soil  
11 health.”.

12 **SEC. 306. CARBON TAX CREDIT FEASIBILITY STUDY.**

13 (a) STUDY.—The Secretary of the Treasury (“the  
14 Secretary”), in coordination with the Secretary of Agri-  
15 culture, shall conduct a study of the feasibility of devel-  
16 oping a credit against tax to incentivize carbon capture  
17 on farms and ranches.

18 (b) REPORT.—Not later than one year after the date  
19 of the enactment of this section, the Secretary shall sub-  
20 mit to Congress a report that describes the results of the  
21 study in subsection (a), including whether or not to pro-  
22 ceed with a tax credit and, if so, detailed recommendations  
23 for—

24 (1) which taxpayers should be eligible for the  
25 credit;

- 1 (2) methods for measuring (if feasible) or esti-  
2 mating baseline soil carbon conditions on a farm or  
3 ranch;
- 4 (3) methods for measuring (if feasible) or esti-  
5 mating the amount of soil carbon sequestered or  
6 abated on a farm or ranch;
- 7 (4) incentivizing early adoption of carbon cap-  
8 ture practices;
- 9 (5) the number of years a taxpayer should be  
10 eligible for the credit;
- 11 (6) establishing rules for recapture in instances  
12 in which carbon capture ceases or carbon is not re-  
13 tained in soil;
- 14 (7) establishing rules for recapture if ownership  
15 of land is transferred;
- 16 (8) setting the dollar value of the tax credit;
- 17 (9) setting phase outs for tax credit eligibility;
- 18 (10) establishing certification requirements for  
19 carbon capture;
- 20 (11) establishing rules for attributing the credit  
21 to a taxpayer;
- 22 (12) establishing rules for carrying over unused  
23 credits; and
- 24 (13) such other provisions as the Secretary de-  
25 termines necessary.

1 **SEC. 307. CONSERVATION COMPLIANCE.**

2 (a) DEFINITIONS.—

3 (1) CONSERVATION PLAN.—Section 1201(a)(3)  
4 of the Food Security Act of 1985 (16 U.S.C.  
5 3801(a)(3)) is amended—

6 (A) by striking “highly erodible” each  
7 place it appears; and

8 (B) in subparagraph (B), by striking “and  
9 conservation treatment measures” and inserting  
10 “crop rotation and cover crop systems, and  
11 other relevant conservation treatment meas-  
12 ures”.

13 (2) CONSERVATION SYSTEM.—Section  
14 1201(a)(4) of the Food Security Act of 1985 (16  
15 U.S.C. 3801(a)(4)) is amended—

16 (A) in subparagraph (A), by striking “;  
17 and” and inserting a semicolon;

18 (B) in subparagraph (B)—

19 (i) by striking “or a substantial im-  
20 provement in soil conditions on a field or  
21 group of fields containing highly erodible  
22 cropland” and inserting “and a substantial  
23 improvement in soil health conditions (in-  
24 cluding soil carbon levels) on a field or  
25 group of fields containing cropland”; and

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

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

4 “(C) are designed to achieve, within five  
5 years of actively applying a conservation plan,  
6 a level of erosion not to exceed twice the soil  
7 loss tolerance level; and

8 “(D) are designed to effectively prevent the  
9 formation of new, or treat all existing, ephem-  
10 eral gullies.”.

11 (3) HIGHLY ERODIBLE LAND.—Section  
12 1201(a)(11)(A)(ii) of the Food Security Act of 1985  
13 (16 U.S.C. 3801(a)(11)(A)(ii)) is amended by strik-  
14 ing “excessive average annual rate of erosion in rela-  
15 tion to” and inserting “average annual rate of ero-  
16 sion exceeding twice”.

17 (b) CROPLAND CONSERVATION.—

18 (1) PROGRAM INELIGIBILITY.—Section 1211 of  
19 the Food Security Act of 1985 (16 U.S.C. 3811) is  
20 amended—

21 (A) in subsection (a)—

22 (i) in the matter preceding paragraph  
23 (1), by striking “produces an agricultural  
24 commodity on a field on which highly erod-  
25 ible land is predominant, or designates



1 land on which highly erodible land is pre-  
2 dominant to be set aside, diverted, devoted  
3 to conservation uses, or otherwise not cul-  
4 tivated under a program administered by  
5 the Secretary to reduce production of an  
6 agricultural commodity, as determined by  
7 the Secretary” and inserting “carries out  
8 an activity described in subsection (b), as  
9 determined by the Secretary,”; and

10 (ii) in paragraph (1)(D), by inserting  
11 “cropland or” before “highly erodible  
12 land”; and

13 (B) by striking subsection (b) and insert-  
14 ing the following:

15 “(b) ACTIVITIES DESCRIBED.—Activities described  
16 in this subsection are—

17 “(1) the production of an agricultural com-  
18 modity on a field on which highly erodible land is  
19 predominant;

20 “(2) the designation of land on which highly  
21 erodible land cropland is predominant to be set  
22 aside, diverted, devoted to conservation uses, or oth-  
23 erwise not cultivated under a program administered  
24 by the Secretary to reduce production of an agricul-  
25 tural commodity; and

1           “(3) the production of an agricultural com-  
2           modity without having in place a conservation plan.

3           “(c) AUTHORITY OF SECRETARY.—The Secretary  
4 shall have, and shall not delegate to any private person  
5 or entity, authority to determine whether a person has  
6 complied with this subtitle.”.

7           (2) EXEMPTIONS.—Section 1212 of the Food  
8 Security Act of 1985 (16 U.S.C. 3812) is amend-  
9 ed—

10                   (A) in subsection (a)(3), by striking “only  
11                   be required to apply a conservation plan estab-  
12                   lished under this subtitle. The person shall not  
13                   be required to meet a higher conservation  
14                   standard than” and inserting “be required to  
15                   apply a conservation plan established under this  
16                   subtitle consistent with”; and

17                   (B) in subsection (f)(4)(A)—

18                           (i) in clause (i), by striking “highly  
19                           erodible”; and

20                           (ii) in clause (ii)(II), by inserting  
21                           “and soil health” after “erosion control”.

22           (3) CONFORMING AMENDMENT.—Subtitle B of  
23 title XII of the Food Security Act of 1985 (16  
24 U.S.C. 3810 et seq.) is amended in the subtitle

1 heading by striking “**Highly Erodible Land**”  
2 and inserting “**Cropland**”.

3 **SEC. 308. AGROFORESTRY CENTERS.**

4 Section 1243 of the Food, Agriculture, Conservation,  
5 and Trade Act of 1990 (16 U.S.C. 1642 note; Public Law  
6 101–624) is amended—

7 (1) by amending the section heading to read as  
8 follows: “**NATIONAL AND REGIONAL AGRO-**  
9 **FORESTRY CENTERS**”;

10 (2) by amending subsection (a) to read as fol-  
11 lows:

12 “(a) **NATIONAL AND REGIONAL AGROFORESTRY**  
13 **CENTERS.**—The Secretary of Agriculture shall establish  
14 at the Forestry Sciences Laboratory of the United States  
15 Forest Service, in Lincoln, Nebraska, a Semiarid Agro-  
16 forestry Research, Development, and Demonstration Cen-  
17 ter, and acting through the Chief of the Forest Service  
18 and in cooperation with the Natural Resources Conserva-  
19 tion Service, shall establish not less than three additional  
20 regional agroforestry centers at other locations to be de-  
21 termined by the Secretary (referred to in this section as  
22 the ‘Centers’). The Secretary shall appoint a National Di-  
23 rector and Regional Directors to manage and coordinate  
24 the program established under subsection (b).”;

25 (3) in subsection (b)—

1 (A) in the matter preceding paragraph (1),  
2 by striking “Center” and inserting “Centers”;

3 (B) in paragraph (1), by striking “on  
4 semiarid lands that” and inserting “that build  
5 soil health and”;

6 (C) in paragraph (3), by striking “from  
7 semiarid land”;

8 (D) in paragraph (4)—

9 (i) by striking “in semiarid regions”;

10 and

11 (ii) by striking “the Great Plains re-  
12 gion” and inserting “particular regions”;

13 (E) by amending paragraph (6) to read as  
14 follows:

15 “(6) develop improved silvopasture, alley crop-  
16 ping, forest farming, multistory cropping, riparian  
17 buffer, windbreak and shelterbelt, and other peren-  
18 nial production and conservation systems and tech-  
19 nologies to improve soil health, carbon sequestration,  
20 drought preparedness, soil and water conservation,  
21 environmental quality, and biological diversity;”;

22 (F) in paragraph (7), by striking “on  
23 semiarid lands”;

1 (G) in paragraph (8), by striking “on  
2 semiarid lands worldwide” and inserting  
3 “worldwide, including on semiarid lands”; and

4 (H) in paragraph (9)—

5 (i) by striking “on semiarid lands”;

6 and

7 (ii) by inserting “and climate change”

8 after “pollution”;

9 (4) in subsection (c), in the matter preceding  
10 paragraph (1), by striking “Center” and inserting  
11 “Centers”; and

12 (5) in subsection (d), by striking “through  
13 2023” and inserting “through 2021 and  
14 \$25,000,000 for each of fiscal years 2022 through  
15 2030”.

## 16 **TITLE IV—FARMLAND PRESER-** 17 **VATION AND FARM VIABILITY**

### 18 **SEC. 401. LOCAL AGRICULTURE MARKET PROGRAM.**

19 Section 210A of the Agricultural Marketing Act of  
20 1946 (7 U.S.C. 1627c) is amended—

21 (1) in subsection (a)(12)—

22 (A) by redesignating clauses (iv) and (v) as  
23 clauses (vi) and (vii), respectively; and

24 (B) by inserting after clause (iii) the fol-  
25 lowing:

1           “(iv) is produced and marketed in a  
2           manner that significantly improves soil  
3           health and carbon sequestration or signifi-  
4           cantly reduces greenhouse gas emissions;

5           “(v) when added to the crop or graz-  
6           ing rotation on a farm, will significantly  
7           improve soil health and carbon sequestra-  
8           tion or significantly reduce greenhouse gas  
9           emissions;”;

10           (2) in subsection (b)—

11           (A) in paragraph (1)—

12           (i) in subparagraph (B), by striking “;  
13           and” and inserting a semicolon;

14           (ii) in subparagraph (C), by striking  
15           the period at the end and inserting “, in-  
16           cluding value-added agricultural products  
17           from crops or animals that when added  
18           into crop or grazing rotations on a farm  
19           will significantly improve soil health and  
20           carbon sequestration or significantly re-  
21           duce greenhouse gas emissions; and”;

22           (iii) by adding at the end the fol-  
23           lowing:

24           “(D) markets for agricultural commodities  
25           and products produced in a manner that signifi-

1           cantly improve soil health and carbon seques-  
2           tration or significantly reduce greenhouse gas  
3           emissions.”;

4           (B) in paragraph (3)—

5           (i) by striking “and local” and insert-  
6           ing “, local”; and

7           (ii) by inserting before the semicolon  
8           at the end the following: “, and production  
9           and marketing approaches to significantly  
10          improve soil health and carbon sequestra-  
11          tion or significantly reduce greenhouse gas  
12          emissions”;

13          (C) in paragraph (5), by striking “and” at  
14          the end;

15          (D) by redesignating paragraph (6) as  
16          paragraph (7); and

17          (E) by inserting after paragraph (5) the  
18          following:

19          “(6) enhances the economic viability of pro-  
20          ducers and related agricultural enterprises; and”;

21          (3) in subsection (d)—

22          (A) in paragraph (2)—

23          (i) in subparagraph (C)—

24          (I) in clause (i), by striking  
25          “and” at the end;

1 (II) in clause (ii), by adding  
2 “and” at the end; and

3 (III) by adding at the end the  
4 following:

5 “(iii) agricultural commodities and  
6 products that are produced and marketed  
7 in a manner that significantly improve soil  
8 health and carbon sequestration or signifi-  
9 cantly reduce greenhouse gas emissions, or  
10 that when added to a crop or grazing rota-  
11 tion on a farm will significantly improve  
12 soil health and carbon sequestration or sig-  
13 nificantly reduce greenhouse gas emis-  
14 sions;”; and

15 (ii) in subparagraph (F), by striking  
16 “and value-added agricultural products in  
17 new and existing markets” and inserting  
18 the following: “, value-added agricultural  
19 products in new and existing markets, and  
20 agricultural commodities and products that  
21 are produced in a manner that enhances  
22 soil health and carbon sequestration or sig-  
23 nificantly reduces greenhouse gas emis-  
24 sions, or that when added to a crop or  
25 grazing rotation on a farm will signifi-



1                   cantly improve soil health and carbon se-  
2                   questration or significantly reduce green-  
3                   house gas emissions”;

4                   (B) in paragraph (5)(A), by inserting be-  
5                   fore the period at the end the following: “and  
6                   the Chief of the Natural Resources Conserva-  
7                   tion Service”;

8                   (4) by redesignating subsections (f), (g), (h),  
9                   and (i) as subsections (g), (h), (i), and (j), respec-  
10                  tively;

11                  (5) by inserting after subsection (e) the fol-  
12                  lowing new subsection:

13                  “(f) FARM VIABILITY AND LOCAL CLIMATE RESIL-  
14                  IENCY CENTERS.—

15                  “(1) IN GENERAL.—The Secretary, acting  
16                  through the Administrator of the Agricultural Mar-  
17                  keting Service and in coordination with Adminis-  
18                  trator of the Rural Business-Cooperative Service and  
19                  the Chief of the Natural Resources Conservation  
20                  Service, shall provide grants to eligible entities de-  
21                  scribed in paragraph (2) to serve as farm viability  
22                  and local climate resiliency centers (referred to in  
23                  this section as ‘centers’) to support efforts to en-  
24                  hance farm viability, and the development, coordina-  
25                  tion, and expansion of markets for commodities and

1 farm products that significantly improve soil health  
2 and carbon sequestration or significantly reduce  
3 greenhouse gas emissions.

4 “(2) ELIGIBLE ENTITIES.—An entity is eligible  
5 to receive a grant under this subsection if the entity  
6 is—

7 “(A) an agricultural cooperative or other  
8 agricultural business entity or a producer net-  
9 work or association;

10 “(B) a local, State or Tribal government;

11 “(C) a nonprofit corporation;

12 “(D) a public benefit corporation;

13 “(E) an economic development corporation;

14 “(F) an institution of higher education; or

15 “(G) such other entity as the Secretary  
16 may designate.

17 “(3) USE OF FUNDS.—An eligible entity receiv-  
18 ing a grant under this subsection may use grant  
19 funds to provide to entities described in (d)(5)(B)—

20 “(A) assistance for the development of  
21 business plans and feasibility studies;

22 “(B) assistance in developing marketing  
23 strategies for—

24 “(i) local products; and

1                   “(ii) value-added agriculture products  
2                   in new and existing markets;

3                   “(C) assistance in enterprise development  
4                   for the processing, aggregation, distribution,  
5                   and storage of—

6                   “(i) local and regional food products  
7                   that are marketed locally or regionally; and

8                   “(ii) value-added agricultural prod-  
9                   ucts;

10                  “(D) assistance related to financial and  
11                  recordkeeping;

12                  “(E) assistance related to enterprise and  
13                  business management;

14                  “(F) assistance related to ownership suc-  
15                  cession planning;

16                  “(G) outreach and assistance in the adop-  
17                  tion of farming practices that enhance soil  
18                  health and carbon sequestration or significantly  
19                  reduce greenhouse gas emissions;

20                  “(H) outreach regarding assistance avail-  
21                  able under subsection (d);

22                  “(I) outreach regarding assistance avail-  
23                  able through other programs administers by  
24                  any other Federal Agency that supports the  
25                  adoption of farming practices that enhance soil

1 health and carbon sequestration or significantly  
2 reduce greenhouse gas emissions; or

3 “(J) at the request of such an eligible enti-  
4 ty, provide assistance in applying for a grant  
5 under subsection (d), including acting on behalf  
6 of such a producer in applying for a grant  
7 under subsection (d).

8 “(4) GEOGRAPHIC DIVERSITY.—To the max-  
9 imum extent practicable, the Secretary shall ensure  
10 geographic diversity in selecting entities to receive a  
11 grant under this subsection.

12 “(5) NON-FEDERAL SHARE.—An entity receiv-  
13 ing a grant under this subsection shall provide fund-  
14 ing in an amount equal to not less than 25 percent  
15 of the total amount of the Federal portion of the  
16 grant.

17 “(6) APPLICATIONS.—

18 “(A) IN GENERAL.—To be eligible to re-  
19 ceive a grant under this subsection an eligible  
20 entity shall submit to the Secretary an applica-  
21 tion at such time, in such manner, and con-  
22 taining such information as the Secretary con-  
23 siders necessary to evaluate and select applica-  
24 tions.

1                   “(B) COMPETITIVE PROCESS.—The Sec-  
2                   retary—

3                   “(i) shall conduct a competitive proc-  
4                   ess to select applications submitted under  
5                   subparagraph (A);

6                   “(ii) may assess and rank applications  
7                   with similar proposals as a group; and

8                   “(iii) shall, prior to accepting applica-  
9                   tions under such subparagraph, make pub-  
10                  lic the criteria to be used in evaluating  
11                  such applications.

12                 “(7) PRIORITY.—The Secretary may give pri-  
13                 ority to applications submitted under paragraph (1)  
14                 that include—

15                 “(A) plans to use funds for 3 or more of  
16                 purposes specified in paragraph (3); or

17                 “(B) activities related to improving the uti-  
18                 lization and expanded adoption of farming prac-  
19                 tices that enhance soil health and carbon se-  
20                 questration or significantly reduce greenhouse  
21                 gas emissions while simultaneously improving  
22                 farm viability.

23                 “(8) ADMINISTRATIVE EXPENSES.—An entity  
24                 receiving a grant under paragraph (1) may use not

1 more than 4 percent of funds received through the  
2 grant for administrative expenses.”;

3 (6) in subsection (i)(1) (as redesignated by  
4 paragraph (4)), in the matter preceding subpara-  
5 graph (A), by striking “subsection (i)(3)(E)” and in-  
6 serting “subsection (j)(3)(E)”; and

7 (7) in subsection (j) (as redesignated by para-  
8 graph (4))—

9 (A) in paragraph (1) by striking “fiscal  
10 year 2019” and inserting “each of fiscal years  
11 2019 through 2021 and \$150,000,000 for fiscal  
12 year 2022”;

13 (B) in paragraph (3)—

14 (i) in subparagraph (A)(i), by striking  
15 “35” and inserting “36”; and

16 (ii) by amending subparagraph (B) to  
17 read as follows:

18 “(B) FARMERS’ MARKET AND LOCAL FOOD  
19 PROMOTION GRANTS.—

20 “(i) IN GENERAL.—Of the funds  
21 made available to carry out this section for  
22 a fiscal year, 36 percent shall be used for  
23 grants under subsection (d)(6).

1                   “(ii) ALLOCATION AMONG SUBPRO-  
2                   GRAMS.—Of the funds reserved under  
3                   clause (i) for a fiscal year—

4                               “(I) 40 percent shall be made  
5                               available for farmers market pro-  
6                               motion program grants; and

7                               “(II) 60 percent shall be made  
8                               available for local food promotion pro-  
9                               gram grants.”;

10                   (C) by redesignating subparagraphs (D)  
11                   and (E) as subparagraphs (E) and (F), respec-  
12                   tively; and

13                   (D) by inserting after subparagraph (C)  
14                   the following:

15                               “(D) FARM VIABILITY AND LOCAL CLI-  
16                               MATE RESILIENCY.—Of the funds made avail-  
17                               able to carry out this section for a fiscal year,  
18                               10 percent shall be used to provide grants  
19                               under subsection (f).”.

20 **SEC. 402. ORGANIC CERTIFICATION COST-SHARE PRO-**  
21 **GRAM.**

22                   (a) Section 10606(b)(2) of the Farm Security and  
23 Rural Investment Act of 2002 (7 U.S.C. 6523(b)(2)) is  
24 amended by striking “\$750” and inserting “\$1,000”.

1 (b) Section 10606(d)(1) of the Farm Security and  
2 Rural Investment Act of 2002 (7 U.S.C.6523(d)(1)) is  
3 amended by striking “shall make available” and all that  
4 follows through the period at the end and inserting “shall  
5 use such sums as are necessary to carry out this section.”.

6 **SEC. 403. EXCLUSION OF GAIN FROM SALE OF CERTAIN**  
7 **FARM PROPERTY AND AGRICULTURAL EASE-**  
8 **MENTS.**

9 (a) IN GENERAL.—Part III of subchapter B of chap-  
10 ter 1 of the Internal Revenue Code of 1986 is amended  
11 by adding after section 121 the following new sections:

12 **“SEC. 121A. EXCLUSION OF GAIN FROM SALE OF QUALIFIED**  
13 **FARM PROPERTY.**

14 “(a) EXCLUSION.—Gross income shall not include  
15 gain from the sale or exchange of qualified farm property  
16 if such property is sold to or exchanged with a transferee  
17 who—

18 “(1) is a qualified farmer, and

19 “(2) meets the certification requirement of sub-  
20 section (c).

21 “(b) LIMITATION.—

22 “(1) IN GENERAL.—The amount of gain ex-  
23 cluded from gross income under subsection (a) with  
24 respect to any taxable year shall not exceed the ex-  
25 cess, if any of—



1           “(A) \$500,000 (\$1,000,000 in the case of  
2           a joint return), over

3           “(B) the amount excluded from the gross  
4           income of the taxpayer for all prior taxable  
5           years.

6           “(2) SPECIAL RULE FOR JOINT RETURNS.—The  
7           amount of the exclusion under subsection (a) on a  
8           joint return for any taxable year shall be allocated  
9           equally between the spouses for purposes of applying  
10          the limitation under paragraph (1) for any suc-  
11          ceeding taxable year.

12          “(c) CERTIFICATION REQUIREMENT.—A qualified  
13          farmer meets the certification requirement of this sub-  
14          section if such person signs a written certification stating  
15          the following:

16                 “(1) USE CERTIFICATION AS FARM FOR FARM-  
17                 ING PURPOSES.—The use of such property will be as  
18                 a farm for farming purposes at all times during the  
19                 recapture period.

20                 “(2) RECAPTURE AGREEMENT.—The transferee  
21                 has been notified of the recapture liability arising  
22                 from a disposition or change in the use of such prop-  
23                 erty at any time during the recapture period.

24          “(d) TREATMENT OF DISPOSITION OR CHANGE IN  
25          USE OF PROPERTY.—

1           “(1) IN GENERAL.—If there is a recapture  
2           event during the recapture period with respect to  
3           any qualified farm property, then the tax imposed  
4           under this chapter on the transferee referred to in  
5           subsection (a) for the taxable year which includes  
6           the first such recapture event shall be increased by  
7           the amount excluded from the product of—

8                   “(A) the transferor’s gross income under  
9                   subsection (a) with respect to such qualified  
10                  farm property, multiplied by

11                   “(B) the rate of tax in effect under section  
12                  (1)(h)(1)(D).

13           “(2) RECAPTURE EVENT DEFINED.—For pur-  
14           poses of this subsection, the term ‘recapture event’  
15           means, with respect to any qualified farm prop-  
16           erty—

17                   “(A) CESSATION OF OPERATION.—The  
18                   cessation of the operation of such property as  
19                   a farm for farming purposes at any time in the  
20                   recapture period.

21                   “(B) FAILURE TO MATERIALLY PARTICI-  
22                   PATE.—The failure of a qualified farmer to ma-  
23                   terially participate in the operation of the farm  
24                   at any time during the recapture period.

25                   “(C) CHANGE IN OWNERSHIP.—

1           “(i) IN GENERAL.—Except as pro-  
2           vided in clause (ii), the disposition of any  
3           interest in such property by the transferee  
4           referred to in subsection (a) during the re-  
5           capture period.

6           “(ii) AGREEMENT TO ASSUME RECAP-  
7           TURE LIABILITY.—Clause (i) shall not  
8           apply to any farm property if the person  
9           acquiring the interest referred to in such  
10          clause agrees in writing to assume the re-  
11          capture liability of the person disposing of  
12          such interest. In the event of such an as-  
13          sumption, this subsection shall apply to the  
14          person acquiring such interest as though  
15          such person were the transferee referred to  
16          therein (and this subsection shall be ap-  
17          plied as if there had been no change in  
18          ownership).

19          “(3) SPECIAL RULES.—

20               “(A) NO CREDITS AGAINST TAX.—Any in-  
21               crease in tax under this subsection shall not be  
22               treated as a tax imposed by this chapter for  
23               purposes of determining the amount of any  
24               credit under subpart A, B, or D of this part.

1           “(B) NO RECAPTURE BY REASON OF  
2           HARDSHIP.—The increase in tax under this  
3           subsection shall not apply to any disposition of  
4           property or cessation of the operation of any  
5           property as a farm for farming purposes if such  
6           disposition or cessation occurs by reason of any  
7           hardship.

8           “(e) SPECIAL RULES.—For purposes of this section,  
9           rules similar to the rules of subsections (e) and (f) of sec-  
10          tion 121 shall apply.

11          “(f) DEFINITIONS.—For purposes of this section—

12           “(1) QUALIFIED FARMER.—The term ‘qualified  
13          farmer’ means—

14           “(A) a beginning farmer, socially disadvan-  
15          taged farmer, qualified veteran farmer, young  
16          farmer, or

17           “(B) any entity if 50 percent or more of  
18          the capital and profits of such entity are owned  
19          by one or more individuals described in para-  
20          graph (A).

21           “(2) BEGINNING FARMER.—The term ‘begin-  
22          ning farmer’ means an individual that—

23           “(A) has not operated a farm, or

24           “(B) has operated a farm for not more  
25          than 10 years.

1           “(3) SOCIALLY DISADVANTAGED FARMER.—The  
2           term ‘socially disadvantaged farmer’ means an indi-  
3           vidual who is a member of one or more of the fol-  
4           lowing groups:

5                   “(A) American Indians.

6                   “(B) Alaska Natives.

7                   “(C) Asians.

8                   “(D) Blacks or African Americans.

9                   “(E) Native Hawaiians or other Pacific Is-  
10           landers.

11                   “(F) Hispanics.

12                   “(G) Women.

13           “(4) QUALIFIED VETERAN FARMER.—The term  
14           ‘qualified veteran farmer’ means an individual  
15           who—

16                   “(A) first obtained status as a veteran (as  
17           defined in section 101(2) of title 38 United  
18           States Code) in the most recent 10-year period,  
19           and

20                   “(B) has not operated a farm for more  
21           than 10 years.

22           “(5) YOUNG FARMER.—The term ‘young farm-  
23           er’ means an individual who has not attained age 46  
24           as of the date of the sale or transfer referred to in  
25           subsection (a).

1           “(6) QUALIFIED FARM PROPERTY.—

2                   “(A) IN GENERAL.—The term ‘qualified  
3 farm property’ means real property located in  
4 the United States if—

5                           “(i) during the 5-year period ending  
6 on the date of the sale or exchange re-  
7 ferred to in subsection (a), such property  
8 has been used by the taxpayer or a mem-  
9 ber of the family of the taxpayer as a farm  
10 for farming purposes for periods aggre-  
11 gating 3 years or more, and

12                           “(ii) there was material participation  
13 by the taxpayer or a member of the family  
14 of the taxpayer in the operation of the  
15 farm during such 3 years.

16                   “(B) SPECIAL RULE FOR QUALIFIED FARM  
17 PROPERTY HELD BY AN ENTITY.—For purposes  
18 of this section, if the taxpayer referred to in  
19 paragraph (A) is other than an individual and  
20 all of the capital and profits interests of such  
21 entity are held by members of a single family,  
22 then such members shall be treated as members  
23 of the family of such taxpayer.

24           “(7) RECAPTURE PERIOD.—The term ‘recap-  
25 ture period’ means the 10-year period following the

1 sale or exchange of qualified farm property described  
2 in subsection (a).

3 “(8) OTHER DEFINITIONS.—The terms ‘mem-  
4 ber of the family’, ‘farm’, ‘farming purposes’, and  
5 ‘material participation’ have the respective meanings  
6 given such terms in section 2032A(e).

7 **“SEC. 121B. EXCLUSION OF GAIN FROM SALE OF AGRICUL-  
8 TURAL CONSERVATION EASEMENT.**

9 “(a) EXCLUSION.—Gross income shall not include  
10 gain from the sale or exchange of an agricultural conserva-  
11 tion easement.

12 “(b) LIMITATION.—

13 “(1) IN GENERAL.—The amount of gain ex-  
14 cluded from gross income under subsection (a) with  
15 respect to any taxable year shall not exceed the ex-  
16 cess, if any of—

17 “(A) \$500,000 (\$1,000,000 in the case of  
18 a joint return), over

19 “(B) the amount excluded from the gross  
20 income of the taxpayer for all prior taxable  
21 years.

22 “(2) SPECIAL RULE FOR JOINT RETURNS.—The  
23 amount of the exclusion under subsection (a) on a  
24 joint return for any taxable year shall be allocated  
25 equally between the spouses for purposes of applying

1 the limitation under paragraph (1) for any suc-  
2 ceeding taxable year.

3 “(c) AGRICULTURAL CONSERVATION EASEMENT DE-  
4 FINED.—The term ‘agricultural conservation easement’  
5 means an easement or conservation-related restriction on  
6 agricultural land (granted in perpetuity) that—

7 “(1) is conveyed for the purpose of protecting  
8 natural resources and the agricultural nature of the  
9 land, and

10 “(2) permits the landowner the right to con-  
11 tinue agricultural production and related uses.

12 “(d) SPECIAL RULES.—For purposes of this section,  
13 rules similar to the rules of subsections (e) and (f) of sec-  
14 tion 121 shall apply.”.

15 (b) CONFORMING AMENDMENT.—The table of sec-  
16 tions for part III of subchapter B of chapter 1 of the In-  
17 ternal Revenue Code of 1986 is amended by adding after  
18 the item relating to section 121 the following new items:

“121A. Exclusion of gain from sale of qualified farm property.

“121B. Exclusion of gain from sale of agricultural conservation easement.”.

19 (c) EFFECTIVE DATE.—The amendments made by  
20 this section shall apply to any sale or exchange in taxable  
21 years ending after December 31, 2021.



1 **SEC. 404. FARMLAND PROTECTION POLICY ACT.**

2 (a) FINDINGS, PURPOSE, AND DEFINITIONS.—Sec-  
3 tion 1540 of the Agriculture and Food Act of 1981 (7  
4 U.S.C. 4201) is amended—

5 (1) in subsection (a)—

6 (A) by redesignating paragraphs (4)  
7 through (7) as paragraphs (5) through (8), re-  
8 spectively; and

9 (B) by inserting after paragraph (3) the  
10 following:

11 “(4) the Nation’s farmland is a vital source of  
12 environmental services, such as carbon sequestra-  
13 tion;”;

14 (2) in subsection (b), by inserting “tribal,”  
15 after “State;” and

16 (3) in subsection (c)—

17 (A) in paragraph (1)—

18 (i) in subparagraph (B), by striking  
19 “that is used for” and inserting “that is  
20 suitable for”; and

21 (ii) in subparagraph (C), by inserting  
22 “and is suitable” after “local importance”;

23 (B) in paragraph (4), by striking “; and”  
24 and inserting a semicolon;

25 (C) in paragraph (5), by striking the pe-  
26 riod at the end and inserting a semicolon; and

1 (D) by adding at the end the following:

2 “(6) the term ‘conversion’ means—

3 “(A) the physical conversion of farmland  
4 to a nonagricultural use;

5 “(B) the effective conversion of farmland  
6 as a consequence of physical conversion of adja-  
7 cent farmland, which threatens the continued  
8 viability of the land for agricultural use; or

9 “(C) a change in management of federally  
10 owned land historically used for agriculture to  
11 a non-agricultural use;

12 “(7) the term ‘farmland of national signifi-  
13 cance’ is farmland that is the most suitable for in-  
14 tensive crop and food production, as determined by  
15 the Secretary, taking into consideration, among  
16 other factors, its physical and chemical characteris-  
17 tics; and

18 “(8) the term ‘permanently protected farmland’  
19 means farmland encumbered by a conservation ease-  
20 ment held by the Federal government, by a State,  
21 tribal, or local unit of government, or by a land con-  
22 servation organization, that is perpetual or the max-  
23 imum number of years allowed by State law.”.

1 (b) FARMLAND PROTECTION POLICY.—Section 1541  
2 of the Agriculture and Food Act of 1981 (7 U.S.C. 4202)  
3 is amended to read as follows:

4 **“SEC. 1541. FARMLAND PROTECTION POLICY.**

5 “(a) IN GENERAL.—It is the policy of the United  
6 States that Federal programs—

7 “(1) shall minimize the conversion of farmland  
8 to nonagricultural uses; and

9 “(2) shall not convert to nonagricultural uses  
10 farmland—

11 “(A) that is permanently protected farm-  
12 land;

13 “(B) that has been defined and delineated  
14 by the Secretary under subsection (b) as farm-  
15 land of national significance; or

16 “(C) that has been defined and delineated  
17 by a State as significant to the State or a pri-  
18 ority for inclusion in a State farmland protec-  
19 tion program and for which the State has sub-  
20 mitted a description under subsection (b).

21 “(b) DEFINITION AND DELINEATION OF LAND.—

22 “(1) NATIONAL SIGNIFICANCE.—The Secretary  
23 shall define and delineate farmland of national sig-  
24 nificance, and shall convene a group of experts, in-

1 including agronomists and soil scientists, to assist in  
2 such definition and delineation.

3 “(2) STATE SIGNIFICANCE.—Any State wishing  
4 to have land recognized under subsection (a)(2)(C)  
5 shall provide a definition and delineation of such  
6 lands to the Secretary.

7 “(c) PROCESS AND CRITERIA.—

8 “(1) PROCESS AND CRITERIA.—The Secretary  
9 shall develop a process, including criteria—

10 “(A) to—

11 “(i) determine the potential conver-  
12 sion of farmland as a consequence of any  
13 action or activity conducted through a  
14 Federal program;

15 “(ii) minimize the conversion of farm-  
16 land or, for land identified under sub-  
17 section (a)(2), avoid conversion; and

18 “(iii) provide notice regarding such  
19 actions to the Secretary; and

20 “(B) that the Secretary shall use to make  
21 determinations under subsection (d).

22 “(2) USE REQUIRED.—Each department, agen-  
23 cy, independent commission, and other unit of the  
24 Federal Government shall use the process and cri-

1       teria developed under paragraph (1) in carrying out  
2       a Federal program.

3       “(d) EXEMPTION.—Subsection (a)(2) shall not apply  
4 if the Secretary determines, based on the process and cri-  
5 teria developed under subsection (c), that converting farm-  
6 land to nonagricultural uses cannot be avoided. In in-  
7 stances where the Secretary makes such a determination,  
8 the Federal program shall minimize the conversion of land  
9 described in subsection (a)(2) to the maximum extent  
10 practicable.

11       “(e) INFORMATION.—The Secretary may make avail-  
12 able to States, units of local government, individuals, orga-  
13 nizations, and other units of the Federal Government in-  
14 formation—

15               “(1) useful in restoring, maintaining, and im-  
16               proving the quantity and quality of farmland; and

17               “(2) concerning the location of permanently  
18               protected farmland.

19       “(f) ASSISTANCE.—The Secretary shall provide as-  
20 sistance to departments, agencies, independent commis-  
21 sions, and other units of the Federal Government, upon  
22 request, in using the process and criteria developed under  
23 subsection (c).”.

1 **SEC. 405. AGRICULTURE CONSERVATION EASEMENT PRO-**  
2 **GRAM.**

3 Section 1265B of the Food Security Act of 1985 (16  
4 U.S.C. 3865b) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (4)(C)(iv), by striking  
7 “only”; and

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

9 “(6) **CONDITION OF ASSISTANCE.**—As a condi-  
10 tion of receiving cost-share assistance under this sec-  
11 tion, the owner of eligible land must agree to have  
12 in place a conservation plan that addresses applica-  
13 ble resource concerns for the land subject to the  
14 easement, including soil health and greenhouse gas  
15 emissions reduction, not later than three years fol-  
16 lowing the grant of the easement. The requirement  
17 of this subparagraph may be satisfied by having in  
18 place a conservation plan developed or recognized by  
19 the Bureau of Indian Affairs.”; and

20 (2) by striking subsection (d) and inserting the  
21 following:

22 “(d) **TECHNICAL ASSISTANCE.**—The Secretary may  
23 provide technical assistance, if requested, to assist in—

24 “(1) compliance with the terms and conditions  
25 of easements; and

1           “(2) development and implementation of a con-  
2           servation plan required under subsection (b)(6), in-  
3           cluding, as applicable, a conservation plan for highly  
4           erodible land required under subsection (b)(4)(C)(iv)  
5           or a comprehensive conservation plan developed pur-  
6           suant to subsection (e)(1).

7           “(e) FINANCIAL ASSISTANCE.—

8           “(1) IN GENERAL.—

9           “(A) ENROLLMENT IN CSP.—At the sole  
10           option of the owner of the land subject to the  
11           easement, the Secretary shall provide for the  
12           automatic enrollment of the land subject to the  
13           easement in the conservation stewardship pro-  
14           gram established by subchapter B of chapter 4  
15           of subtitle D, including financial assistance for  
16           the development of a comprehensive conserva-  
17           tion plan as provided by 1240L(e), if the person  
18           or entity farming the land is otherwise eligible  
19           for the program, as determined by the Sec-  
20           retary.

21           “(B) DETERMINATION OF COMPLIANCE.—

22           Determining compliance with the terms of the  
23           conservation stewardship program contract is  
24           the sole responsibility of the Secretary.

1           “(C) FUNDING.—Funding received by an  
2           eligible entity pursuant to this paragraph shall  
3           not be considered in the calculation of costs  
4           under subsection (b).

5           “(2) TIMING.—The owner of the land subject to  
6           the easement shall have up to three years after the  
7           grant of the easement to exercise the option to enroll  
8           in the conservation stewardship program as provided  
9           under subparagraph (A).”.

## 10           **TITLE V—PASTURE-BASED** 11           **LIVESTOCK**

### 12           **SEC. 501. ANIMAL RAISING CLAIMS.**

13           The Agricultural Marketing Act of 1946 (7 U.S.C.  
14           1621 et seq.) is amended by adding at the end the fol-  
15           lowing:

## 16           **“Subtitle H—Animal Raising** 17           **Claims**

### 18           **“SEC. 298. REQUIRED VERIFICATION PROCESS FOR ANIMAL** 19           **RAISING CLAIMS.**

20           “(a) IN GENERAL.—In order to facilitate marketing,  
21           truth in labeling, and new economic opportunities for pro-  
22           ducers and businesses using animal raising claims, the  
23           Secretary, acting through the Administrator of the Agri-  
24           cultural Marketing Service in coordination with the Ad-  
25           ministrators of the Food Safety and Inspection Service,



1 shall establish, not later than 2 years after the date of  
2 the enactment of this subtitle, after providing notice and  
3 an opportunity to comment, and in a manner consistent  
4 with United States obligations under international agree-  
5 ments—

6           “(1) mandatory standards with respect to ani-  
7 mal raising claims that may be made on the labeling  
8 of any meat food products or poultry product;

9           “(2) procedures to verify any such claims prior  
10 to the use in commerce of any meat food product or  
11 poultry product bearing labeling with such a claim;

12           “(3) procedures whereby any such verification  
13 is subsequently incorporated seamlessly with labeling  
14 requirements under the Federal Meat Inspection Act  
15 (21 U.S.C. 601 et seq.) and the Poultry Products  
16 Inspection Act (21 U.S.C. 451 et seq.); and

17           “(4) on-farm and supply chain auditing and  
18 verification procedures for ensuring the truthfulness  
19 of such claims.

20           “(b) STANDARDS.—In developing and approving ani-  
21 mal raising claim standards under subsection (a), the Sec-  
22 retary shall include standards relating to—

23           “(1) diet claims, including grass-fed, vege-  
24 tarian-fed, and fed no animal byproducts;

1           “(2) living and raising condition claims, includ-  
2           ing but not limited to cage free, free range, and pas-  
3           ture raised;

4           “(3) antibiotic and hormone claims, including  
5           but not limited to raised without antibiotics, no hor-  
6           mones added (beef cattle, sheep), and raised without  
7           growth promotants;

8           “(4) source claims demonstrating the animal  
9           can be traced back to its farm of origin from birth  
10          to slaughter;

11          “(5) age claims;

12          “(6) animal welfare claims;

13          “(7) environmental stewardship claims, includ-  
14          ing greenhouse gas reduction and carbon sequestra-  
15          tion claims;

16          “(8) breed claims; and

17          “(9) any other such claim as the Secretary de-  
18          termines is appropriate.

19          “(c) **THIRD-PARTY CERTIFICATION.**—A producer of  
20 a meat food product or a poultry product may use an ani-  
21 mal raising claim that is verified by a third party so long  
22 as—

23               “(1) the claim is made consistent with stand-  
24               ards established by the Secretary pursuant to sub-  
25               section (a); and

1           “(2) the procedures used by such third party  
2           for purposes of that verification and any subsequent  
3           auditing are equivalent (as determined by the Sec-  
4           retary) to the procedures used by the Secretary for  
5           that verification and auditing.

6           “(d) APPROVAL PROCESS.—To the maximum extent  
7           practicable, the Secretary shall require that a producer  
8           seeking to make an animal raising claim, submit to the  
9           Secretary prior to using the product that is the subject  
10          of such animal raising claim the following documentation  
11          to support such claim—

12           “(1) detailed written descriptions explaining the  
13           controls used for ensuring that the raising claim is  
14           valid from birth to harvest or the period of raising  
15           being referenced by the claim;

16           “(2) a signed and dated document describing  
17           how the animals are raised to support that specific  
18           claim made is truthful and not misleading;

19           “(3) a written description of the product trac-  
20           ing and segregation mechanism from time of slaugh-  
21           ter or further processing through packaging and dis-  
22           tribution;

23           “(4) a written description for the identification,  
24           control, and segregation of non-conforming animals  
25           or products; and

1           “(5) if a third party certifies a claim, a current  
2           copy of the certificate.

3           “(e) EFFECT ON OTHER LAWS.—Nothing in this sec-  
4           tion shall be construed to alter the authority of the Sec-  
5           retary under the Federal Meat Inspection Act (21 U.S.C.  
6           601 et seq.) or the Poultry Products Inspection Act (21  
7           U.S.C. 451 et. seq.).

8           “(f) CONSISTENCY WITH OTHER LAWS.—The Sec-  
9           retary shall ensure consistency between the animal raising  
10          claims standards established pursuant to subsection (a)  
11          and the Organic Food Production Act of 1990 (7 U.S.C.  
12          6501 et seq.) and any rules or regulations implementing  
13          that Act.

14          “(g) COMPLIANCE REQUIREMENTS.—Beginning on  
15          the date that is three years after the date of the enactment  
16          of this Act—

17                 “(1) in the case of a domestic meat food prod-  
18                 uct or poultry product—

19                         “(A) a person may sell or label a meat  
20                         food product or poultry product with an animal  
21                         raising label claim only if such products is pro-  
22                         duced and handled in accordance with the  
23                         standards established pursuant to subsection  
24                         (a); and

1           “(B) no person may sell or label a meat  
2           food product or poultry product with an animal  
3           raising label claim that is not in compliance  
4           with such standards; and

5           “(2) in the case of an imported meat food prod-  
6           uct or poultry product, such a product may be sold  
7           or labeled with animal raising label claims if the  
8           Secretary determines such product has been pro-  
9           duced and handled under a verification program that  
10          provides safeguards and guidelines that are at least  
11          equivalent to the requirements of the standards es-  
12          tablished pursuant to subsection (a).

13          “(h) VIOLATION OF THIS TITLE.—

14                 “(1) MISUSE OF LABEL.—Any person who,  
15                 after notice and an opportunity to be heard, is found  
16                 by the Secretary to have knowingly sold or labeled  
17                 any meat food product or poultry product with an  
18                 animal raising claim, except in accordance with this  
19                 subtitle, shall be assessed a civil penalty of not more  
20                 than \$10,000.

21                 “(2) FALSE STATEMENT.—Any person who  
22                 after notice and an opportunity to be heard, has  
23                 been found by the Secretary to makes a false, fraud-  
24                 ulent, or fictitious statement to the Secretary, a gov-  
25                 erning Federal or State official, or a third-party cer-

1       tifier, or conceals, covers up, falsifies, or deceives a  
2       material fact to the Secretary, a governing Federal  
3       or State official, or a third-party certifier with re-  
4       spect to an animal raising claim subject to the re-  
5       quirements of this subtitle shall be subject to a pen-  
6       alty specified in section 1001 of title 18, United  
7       States Code.

8       “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
9       are authorized to be appropriated to carry out this subtitle  
10      such sums as may be necessary.

11      **“SEC. 299. APPLICABILITY.**

12      “‘This subtitle shall only apply to meat food products  
13      and poultry products that are subject to labeling require-  
14      ments under the Federal Meat Inspection Act (21 U.S.C.  
15      601 et seq.) and the Poultry Products Inspection Act (21  
16      U.S.C. 451 et seq.).

17      **“SEC. 300. DEFINITIONS.**

18      “‘In this subtitle:

19              “(1) The term ‘animal raising claim’ means a  
20              statement on the labeling of meat food products or  
21              poultry products used in interstate commerce that  
22              reference the way that the source animal for a meat  
23              food product or poultry product was raised, includ-  
24              ing production practices that were used, such as liv-  
25              ing or raising conditions, the breed, or the location

1 or source of where the product is born, raised, and  
2 processed.

3 “(2) The term ‘meat food product’ has the  
4 meaning given such term in section 1(j) of the Fed-  
5 eral Meat Inspection Act (21 U.S.C. 601(j)).

6 “(3) The term ‘poultry product’ has the mean-  
7 ing given such term in section 4(f) of the Poultry  
8 Products Inspection Act (7 U.S.C. 453(f)).”.

9 **SEC. 502. PROCESSING RESILIENCE GRANT PROGRAM.**

10 Subtitle A of the Agricultural Marketing Act of 1946  
11 (7 U.S.C. 1621 et seq.) is amended by adding at the end  
12 the following:

13 **“SEC. 210B. PROCESSING RESILIENCE GRANT PROGRAM.**

14 “(a) **ELIGIBLE ENTITY.**—In this section, the term  
15 ‘eligible entity’ means—

16 “(1) a small or very small establishment, as de-  
17 fined in the final rule entitled ‘Pathogen Reduction;  
18 Hazard Analysis and Critical Control Point  
19 (HACCP) Systems’ (61 Fed. Reg. 33806 (July 25,  
20 1996));

21 “(2) a slaughtering or processing establishment  
22 operating under a State inspection program that  
23 meets the criteria specified in section 301(a) of the  
24 Federal Meat Inspection Act (21 U.S.C. 661) or sec-

1       tion 5 of the Poultry Products Inspection Act (21  
2       U.S.C. 454);

3             “(3)(A) a person, firm, or corporation exempt  
4       from inspection under the Federal Meat Inspection  
5       Act (21 U.S.C. 601 et seq.) pursuant to section 23  
6       of such Act (21 U.S.C. 623);

7             “(B) a retail dealer, poultry producer, or person  
8       exempt from inspection under the Poultry Products  
9       Inspection Act (21 U.S.C. 451 et seq.) pursuant to  
10      section 15 of such Act (21 U.S.C. 464); and

11            “(4) an entity seeking to establish and operate  
12      an establishment that would meet the criteria speci-  
13      fied in paragraph (1), (2), or (3).

14            “(b) GRANTS.—The Secretary shall establish a grant  
15      program to provide competitive grants to eligible entities  
16      to expand processing capacity, create jobs, support health  
17      and safety, and enhance the resilience of the farm and  
18      food sector.

19            “(c) USE OF FUNDS.—An entity selected to receive  
20      a grant under this section may use the funds received  
21      through such grant for activities including—

22            “(1) the cost of developing and issuing (other  
23      than the cost of labor), directly incurred or incurred  
24      by a consultant, a Hazard Analysis and Critical  
25      Control Points plan for the eligible entity;



1           “(2) the actual cost of any facilities, equipment,  
2 processes, and operations necessary for the estab-  
3 lishment to comply with the Federal Meat Inspection  
4 Act (21 U.S.C. 601 et seq.) or Poultry Products In-  
5 spection Act (21 U.S.C. 451 et seq.);

6           “(3) cold storage, equipment, or transportation  
7 services;

8           “(4) constructing or acquiring humane handling  
9 infrastructure, including holding space for livestock  
10 holding prior to slaughter, shade structures, and  
11 knock box structures;

12           “(5) purchasing software and computer equip-  
13 ment for record keeping, production data, Hazard  
14 Analysis and Critical Control Points record review;

15           “(6) the costs of staff time and training for im-  
16 plementing and monitoring health and safety proce-  
17 dures;

18           “(7) the development of a feasibility study or  
19 business plan for those interested in expanding or  
20 starting a new small establishment; and

21           “(8) other costs associated with expanding or  
22 establishing a small establishment or very small es-  
23 tablishment, as determined by the Secretary.

24           “(d) APPLICATIONS.—

1           “(1) IN GENERAL.—An eligible entity seeking a  
2           grant under this section shall submit to the Sec-  
3           retary an application in accordance with an applica-  
4           tion process established by the Secretary.

5           “(2) SIMPLIFIED PROCESS.—In establishing the  
6           application process under paragraph (1), the Sec-  
7           retary shall establish a simplified, separate applica-  
8           tion of up to \$100,000.

9           “(3) REQUIREMENTS.—The Secretary shall en-  
10          sure that the application required under paragraph  
11          (2) is—

12                   “(A) as simple as is practicable;

13                   “(B) accessible online; and

14                   “(C) available through local staff of the  
15          Department of Agriculture.

16          “(e) MAXIMUM AMOUNT.—The amount of a grant  
17          under this section shall be not more than \$500,000.

18          “(f) ADMINISTRATION.—The administration of this  
19          section, including the promulgation of regulations to carry  
20          out this section, shall be without regard to—

21                   “(1) the notice and comment provisions of sec-  
22          tion 553 of title 5, United States Code; and

23                   “(2) chapter 35 of title 44, United States Code.

24          “(g) PROCESS.—

1           “(1) OUTREACH.—During the period beginning  
2           on the date on which the Secretary begins to accept  
3           applications, the Secretary shall perform outreach to  
4           States and eligible entities relating to grants under  
5           this section.

6           “(2) REAPPLICATION.—In the case of a denial  
7           of an application under this section, the eligible enti-  
8           ty submitting such application may submit a revised  
9           application, as specified by the Secretary in regula-  
10          tions.

11          “(3) PRIORITY.—In reviewing applications sub-  
12          mitted under paragraph (1), the Secretary shall give  
13          priority to proposals that would—

14                 “(A) increase farmer and rancher access to  
15                 animal slaughter options within a 200 mile ra-  
16                 dius;

17                 “(B) support a small or very small plant  
18                 with less than 150 employees; or

19                 “(C) support minority-owned businesses  
20                 that are defined as for-profit businesses where  
21                 not less than 51 percent of such business is  
22                 owned by 1 or more Black American, Native  
23                 American, Hispanic American, or Asian Amer-  
24                 ican individuals.

1       “(h) FEDERAL SHARE.—Funds provided under a  
2 grant under this section shall not exceed 50 percent of  
3 the costs referred to in subsection (c), as determined by  
4 the Secretary.

5       “(i) FUNDING.—

6           “(1) MANDATORY FUNDING.—Of the funds of  
7 the Commodity Credit Corporation, the Secretary  
8 shall make available to carry out this section  
9 \$10,000,000 for each of fiscal years 2022 through  
10 2030.

11           “(2) AUTHORIZATION OF APPROPRIATIONS.—  
12 There are authorized to be appropriated to carry out  
13 this section \$15,000,000 for each of fiscal years  
14 2022 through 2030.”.

15 **SEC. 503. CONSERVATION OF PRIVATE GRAZING LAND.**

16       (a) PURPOSE.—Section 1240M(a) of the Food Secu-  
17 rity Act of 1985 (16 U.S.C. 3839bb(a)) is amended—

18           (1) in paragraph (6), by inserting “conserving  
19 water and” before “improving”;

20           (2) in paragraph (7), by striking “; and” and  
21 inserting a semicolon;

22           (3) in paragraph (8), by striking the period at  
23 the end and inserting “; and”; and

24           (4) by adding at the end the following:

1           “(9) conserving and improving soil health and  
2           improving grazing system resilience in the face of  
3           climate change through advanced grazing manage-  
4           ment practices; and

5           “(10) providing support for producers  
6           transitioning from confinement and feedlot systems  
7           or continuous grazing to managed grazing-based sys-  
8           tems, including support for pasture development and  
9           management.”.

10          (b) DEFINITIONS.—Section 1240M(b)(2) of the Food  
11          Security Act of 1985 (16 U.S.C. 3839bb(b)(2)) is amend-  
12          ed by striking “hay land” and inserting “perennial hay  
13          land, including silvopasture”.

14          (c) PRIVATE GRAZING LAND CONSERVATION ASSIST-  
15          ANCE.—Section 1240M(c) of the Food Security Act of  
16          1985 (16 U.S.C. 3839bb(c)) is amended—

17                 (1) in paragraph (1)—

18                         (A) in the matter preceding subparagraph  
19                         (A), by inserting “and partnerships described in  
20                         paragraph (2)(B)” after “local conservation dis-  
21                         tricts”;

22                         (B) in subparagraph (B), by striking  
23                         “grazing land management technologies” and  
24                         inserting “regionally appropriate, advanced  
25                         grazing land management technologies to im-

1           prove soil health and maximize carbon seques-  
2           tration”;

3           (C) in subparagraph (C)(iv), by inserting  
4           “through integrated strategies that include ro-  
5           tational and multispecies grazing, integrated  
6           pest management, and other ecological prac-  
7           tices” after “brush encroachment problems”;

8           (D) in subparagraph (H), by striking “;  
9           and” and inserting a semicolon;

10          (E) in subparagraph (I), by striking the  
11          period at the end and inserting “; and”;

12          (F) by adding at the end the following:

13          “(J) assisting producers in transitioning  
14          from confinement or feedlot systems or contin-  
15          uous grazing to managed grazing-based sys-  
16          tems, including assistance in pasture develop-  
17          ment and management.”; and

18          (2) by amending paragraph (2) to read as fol-  
19          lows:

20          “(2) PROGRAM ELEMENTS.—

21                 “(A) TECHNICAL ASSISTANCE AND EDU-  
22                 CATION.—Personnel of the Department trained  
23                 in pasture and range management shall be  
24                 made available under the program to deliver  
25                 and coordinate technical assistance and edu-

1 cation to owners and managers of private graz-  
2 ing land, including owners and managers inter-  
3 ested in developing new or improved pasture or  
4 grazing-based systems on their land, at the re-  
5 quest of the owners and managers.

6 “(B) PARTNERSHIPS.—In carrying out the  
7 program under this section, the Secretary shall  
8 provide research, demonstration, education (in-  
9 cluding conferences, workshops, field days, and  
10 trainings), workforce training, planning, and  
11 outreach activities through partnerships with—

12 “(i) land-grant colleges and univer-  
13 sities (as defined in section 1404 of the  
14 National Agricultural Research, Extension,  
15 and Teaching Policy Act of 1977 (7 U.S.C.  
16 3103));

17 “(ii) nongovernmental organizations;  
18 and

19 “(iii) tribal organizations.

20 “(C) GRANTS.—

21 “(i) IN GENERAL.—In carrying out  
22 the program under this section, the Sec-  
23 retary shall provide funds on a competitive  
24 basis to partnerships to use for State or  
25 local action grants to conduct grazing land

1 research, demonstration, education, work-  
2 force training, planning, and outreach  
3 projects.

4 “(ii) DURATION.—Grants made by  
5 partnerships under this section shall be for  
6 a period not to exceed 3 years.

7 “(iii) COST SHARING.—A partnership  
8 that receives funding under this section  
9 shall ensure that any funded project pro-  
10 vides, from non-Federal sources, funds or  
11 in-kind support valued at not less than 25  
12 percent of the total cost of the project.

13 “(iv) LIMITATION ON INDIRECT  
14 COSTS.—A partnership that receives fund-  
15 ing under this section may not use more  
16 than 15 percent of the total cost of the  
17 project for the indirect costs of carrying  
18 out the project.

19 “(v) PRIORITY.—Priority shall be  
20 given to projects that—

21 “(I) focus on sustainable grazing  
22 management systems and techniques  
23 that assist producers with multiple  
24 ecosystem services, including climate



1 change adaptation and mitigation;  
2 and

3 “(II) involve beginning farmers  
4 and ranchers, socially disadvantaged  
5 farmers and ranchers, tribal pro-  
6 ducers, or new graziers (including  
7 State or federally registered appren-  
8 ticeships).”.

9 (d) GRAZING TECHNICAL ASSISTANCE SELF-  
10 HELP.—Section 1240M(d) of the Food Security Act of  
11 1985 (16 U.S.C. 3839bb(d)) is amended—

12 (1) in paragraph (1)(A), by inserting “and for  
13 those interested in beginning grazing” before the  
14 semicolon;

15 (2) in paragraph (2), by striking “may establish  
16 2” and inserting “may establish”; and

17 (3) in paragraph (3)(C)—

18 (A) in clause (ii), by striking “; and” and  
19 inserting a semicolon;

20 (B) by redesignating clause (iii) as clause  
21 (iv); and

22 (C) by inserting after clause (ii) the fol-  
23 lowing:

24 “(iii) will improve climate change ad-  
25 aptation and mitigation; and”.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
2 1240M(e) of the Food Security Act of 1985 (16 U.S.C.  
3 3839bb(e)) is amended to read as follows:

4 “(e) FUNDING.—

5 “(1) MANDATORY FUNDING.—Of the funds of  
6 the Commodity Credit Corporation, the Secretary  
7 shall use to carry out this section \$50,000,000 for  
8 each of fiscal years 2022 through 2030.

9 “(2) GRANTS.—Of the funds made available  
10 under paragraph (1), the Secretary shall use not  
11 more than 40 percent to carry out subsection  
12 (e)(2)(C).

13 “(3) AUTHORIZATION OF APPROPRIATIONS.—  
14 There is authorized to be appropriated to carry out  
15 this section \$60,000,000 for each of fiscal years  
16 2002 through 2030.”.

17 **SEC. 504. CONSERVATION RESERVE PROGRAM.**

18 (a) CONSERVATION RESERVE.—Section 1231(d) of  
19 the Food Security Act of 1985 (16 U.S.C. 3831(d)) is  
20 amended—

21 (1) in paragraph (1)—

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

24 (B) in subparagraph (E), by striking the  
25 period at the end and inserting “; and”; and

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

2 “(F) fiscal years 2024 through 2030, not  
3 more than 32,000,000 acres.”; and

4 (2) in paragraph (2)(A)—

5 (A) in clause (i), by striking “; and” and  
6 inserting a semicolon;

7 (B) in clause (ii)(III), by striking the pe-  
8 riod and inserting “; and”; and

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

10 “(iii) the Secretary shall enroll and  
11 maintain in the conservation reserve not  
12 fewer than 7,000,000 acres of land de-  
13 scribed in subsection (b)(3) by September  
14 30, 2030, of which 5,000,000 acres shall  
15 be reserved for the pilot program estab-  
16 lished under section 1231C(c).”.

17 (b) PILOT PROGRAMS.—Section 1231C of the Food  
18 Security Act of 1985 (16 U.S.C. 3831c) is amended by  
19 adding at the end the following:

20 “(c) GRASSLANDS 30.—

21 “(1) IN GENERAL.—

22 “(A) ENROLLMENT.—The Secretary shall  
23 establish a pilot program to enroll land in the  
24 conservation reserve program through a 30-year  
25 conservation reserve contract (referred to in

1           this subsection as a ‘Grassland 30 contract’) in  
2           accordance with this subsection.

3           “(B) INCLUSION OF ACREAGE LIMITA-  
4           TION.—For purposes of applying the limitations  
5           in section 1231(d)(1), the Secretary shall in-  
6           clude acres of land enrolled under this sub-  
7           section.

8           “(2) ELIGIBLE LAND.—Eligible land for enroll-  
9           ment through a Grassland 30 contract—

10           “(A) is land that is eligible to be enrolled  
11           in the conservation reserve program under the  
12           grasslands initiative described in section  
13           1231(d)(2); and

14           “(B) shall not be limited to land that is  
15           subject to an expired covered contract.

16           “(3) EXPIRED CONSERVATION CONTRACT ELEC-  
17           TION.—

18           “(A) DEFINITION OF COVERED CON-  
19           TRACT.—In this paragraph, the term ‘covered  
20           contract’ means a contract entered into under  
21           this subchapter that—

22           “(i) expires on or after the date of en-  
23           actment of this subsection; and

24           “(ii) covers land enrolled in the con-  
25           servation reserve program under the grass-

1 lands initiative described in section  
2 1231(d)(2).

3 “(B) ELECTION.—On the expiration of a  
4 covered contract, an owner or operator party to  
5 the covered contract shall elect—

6 “(i) not to reenroll the land under the  
7 contract;

8 “(ii) to offer to reenroll the land  
9 under the contract if the land remains eli-  
10 gible under the terms in effect as of the  
11 date of expiration; or

12 “(iii) not to reenroll the land under  
13 the contract and to enroll that land  
14 through a Grassland 30 contract under  
15 this subsection.

16 “(4) TERM.—The term of a Grassland 30 con-  
17 tract shall be 30 years.

18 “(5) AGREEMENTS.—To be eligible to enroll  
19 land in the conservation reserve program through a  
20 Grassland 30 contract, the owner of the land shall  
21 enter into an agreement with the Secretary—

22 “(A) to implement a conservation reserve  
23 plan developed for the land;

1           “(B) to comply with the terms and condi-  
2           tions of the contract and any related agree-  
3           ments; and

4           “(C) to temporarily suspend the base his-  
5           tory for the land covered by the contract.

6           “(6) TERMS AND CONDITIONS OF GRASSLAND  
7           30 CONTRACTS.—

8           “(A) IN GENERAL.—A Grassland 30 con-  
9           tract shall include terms and conditions that  
10          promote sustainable grazing systems, protect  
11          and enhance soil carbon levels, and are compat-  
12          ible with wildlife habitat conservation, as deter-  
13          mined by the Secretary, and may include any  
14          additional provision that the Secretary deter-  
15          mines is appropriate to carry out this sub-  
16          section or facilitate the practical administration  
17          of this subsection.

18          “(B) VIOLATION.—On the violation of a  
19          term or condition of a Grassland 30 contract,  
20          the Secretary may require the owner to refund  
21          all or part of any payments received by the  
22          owner under the conservation reserve program,  
23          with interest on the payments, as determined  
24          appropriate by the Secretary.

1           “(C) COMPATIBLE USES.—Land subject to  
2 a Grassland 30 contract may be used for com-  
3 patible economic uses, including hunting and  
4 fishing, if the use—

5           “(i) is specifically permitted by the  
6 conservation reserve plan developed for the  
7 land; and

8           “(ii) is consistent with the long-term  
9 protection and enhancement of the con-  
10 servation resources for which the contract  
11 was established.

12           “(7) COMPENSATION.—

13           “(A) AMOUNT OF PAYMENTS.—The Sec-  
14 retary shall provide payment under this sub-  
15 section to an owner of land enrolled through a  
16 Grassland 30 contract using 30 annual pay-  
17 ments in an amount equal to the amount that  
18 would be used if the land were to be enrolled  
19 in the conservation reserve program under sec-  
20 tion 1231(d)(2).

21           “(B) FORM OF PAYMENT.—Compensation  
22 for a Grassland 30 contract shall be provided  
23 by the Secretary in the form of a cash payment  
24 in an amount determined under subparagraph  
25 (A).

1           “(C) TIMING.—The Secretary shall provide  
2           any annual payment obligation under subpara-  
3           graph (A) as early as practicable in each fiscal  
4           year.

5           “(D) PAYMENTS TO OTHERS.—The Sec-  
6           retary shall make a payment, in accordance  
7           with regulations prescribed by the Secretary, in  
8           a manner as the Secretary determines is fair  
9           and reasonable under the circumstances, if an  
10          owner who is entitled to a payment under this  
11          section—

12                   “(i) dies;

13                   “(ii) becomes incompetent;

14                   “(iii) is succeeded by another person  
15                   or entity who renders or completes the re-  
16                   quired performance; or

17                   “(iv) is otherwise unable to receive the  
18                   payment.

19          “(8) TECHNICAL ASSISTANCE.—

20                   “(A) IN GENERAL.—The Secretary shall  
21                   assist owners in complying with the terms and  
22                   conditions of a Grassland 30 contract.

23                   “(B) CONTRACTS OR AGREEMENTS.—The  
24                   Secretary may enter into 1 or more contracts  
25                   with private entities or agreements with a



1 State, nongovernmental organization, or Indian  
2 Tribe to carry out necessary maintenance of a  
3 Grassland 30 contract if the Secretary deter-  
4 mines that the contract or agreement will ad-  
5 vance the purposes of the conservation reserve  
6 program.

7 “(9) ADMINISTRATION.—

8 “(A) CONSERVATION RESERVE PLAN.—

9 The Secretary shall develop a conservation re-  
10 serve plan for any land subject to a Grassland  
11 30 contract, which shall include practices and  
12 activities necessary to maintain, protect, and  
13 enhance the conservation value of the enrolled  
14 land, including the protection and enhancement  
15 of soil carbon levels.

16 “(B) DELEGATION OF CONTRACT ADMINIS-  
17 TRATION.—

18 “(i) FEDERAL, STATE, TRIBAL, OR  
19 LOCAL GOVERNMENT AGENCIES.—The Sec-  
20 retary may delegate any of the manage-  
21 ment, monitoring, and enforcement respon-  
22 sibilities of the Secretary under this sub-  
23 section to other Federal, State, Tribal, or  
24 local government agencies that have the  
25 appropriate authority, expertise, and re-

1 sources necessary to carry out those dele-  
2 gated responsibilities.

3 “(ii) CONSERVATION ORGANIZA-  
4 TIONS.—The Secretary may delegate any  
5 management responsibilities of the Sec-  
6 retary under this subsection to conserva-  
7 tion organizations if the Secretary deter-  
8 mines the conservation organization has  
9 similar expertise and resources.”.

10 **SEC. 505. ALTERNATIVE MANURE MANAGEMENT PROGRAM.**

11 Chapter 5 of subtitle D of title XII of the Food Secu-  
12 rity Act of 1985 (16 U.S.C. 3839bb et seq.) is further  
13 amended by adding at the end the following:

14 **“SEC. 1240T. ALTERNATIVE MANURE MANAGEMENT PRO-  
15 GRAM.**

16 “(a) DEFINITIONS.—In this section:

17 “(1) PASTURE-BASED MANAGEMENT.—The  
18 term ‘pasture-based management’ means a dairy or  
19 livestock production system in which the animals  
20 spend all or a substantial portion of their time graz-  
21 ing on fields in which some or all of the manure is  
22 deposited and left in the field and decomposes  
23 aerobically.

24 “(2) NON-DIGESTER DAIRY OR LIVESTOCK  
25 METHANE MANAGEMENT METHOD.—The term ‘non-

1 digester dairy or livestock methane management  
2 method’ means a method that may be used by opera-  
3 tors of dairy or livestock operations to transition  
4 from wet manure handling and storage, where an-  
5 aerobic conditions are present, to dry manure han-  
6 dling and storage, including open solar drying or  
7 composting of manure onsite, conversion of dairy  
8 and livestock operations to pasture-based manage-  
9 ment, solid separation technologies, scrape conver-  
10 sion, and other strategies to mitigate methane emis-  
11 sions from manure management, as determined by  
12 the Secretary.

13 “(3) ONSITE OPEN SOLAR DRYING OR  
14 COMPOSTING OF MANURE.—The term ‘onsite open  
15 solar drying or composting of manure’ means the  
16 collection, storage, and drying of dairy or livestock  
17 manure in a nonliquid environment on a farm or  
18 ranch.

19 “(4) SCRAPE CONVERSION.—The term ‘scrape  
20 conversion’ means the conversion of flush water la-  
21 goon systems to solid-scrape or dry manure manage-  
22 ment practices, including vacuum technologies for  
23 manure management.

24 “(5) SOLID SEPARATION TECHNOLOGIES.—The  
25 term ‘solid separation technologies’ means tech-

1 nologies designed to separate liquid components of  
2 manure from mineral and organic solid components,  
3 for the purposes of reducing methane emissions.

4 “(6) ELIGIBLE PRODUCER.—The term ‘eligible  
5 producer’ means a dairy or livestock producer whose  
6 baseline manure management practices prior to en-  
7 rollment in the program include the anaerobic de-  
8 composition of volatile solids stored in a lagoon or  
9 other predominantly liquid anaerobic environment.

10 “(b) ESTABLISHMENT.—The Secretary shall estab-  
11 lish an alternative manure management program to sup-  
12 port non-digester dairy and livestock methane manage-  
13 ment strategies to effectively reduce greenhouse gas emis-  
14 sions and to maximize environmental benefits.

15 “(c) PAYMENTS.—During the 2022 through 2030 fis-  
16 cal years, the Secretary shall provide payments to eligible  
17 producers that enter into contracts with the Secretary  
18 under the program.

19 “(d) PRACTICES.—Each eligible producer requesting  
20 funding for a project under the program shall include at  
21 least one of the following project components that reduce  
22 baseline methane emissions on the operation of the pro-  
23 ducer:

24 “(1) Conversion of dairy and livestock oper-  
25 ations to pasture-based management that eliminates

1 or reduces the quantity of manure stored in anaerobic conditions, including—

2 “(A) conversion of a non-pasture dairy or  
3 livestock operation to pasture-based manage-  
4 ment;

5 “(B) increasing the amount of time live-  
6 stock spend at pasture at an existing pasture  
7 operation; or

8 “(C) improving pasture-based manage-  
9 ment, including transitioning to managed rota-  
10 tional grazing.

11 “(2) Alternative manure treatment and storage  
12 practices, including—

13 “(A) installation of a compost bedded pack  
14 barn that composts manure;

15 “(B) installation of slatted floor pit storage  
16 manure collection that must be cleaned out at  
17 least monthly; or

18 “(C) other similar practices, as determined  
19 by the Secretary.

20 “(3) Conversion to a solid separation system in  
21 which manure solids are separated prior to entry  
22 into a wet, anaerobic environment at a dairy or live-  
23 stock operation, or installation of a new solid separa-  
24 tion system with significantly higher separation effi-  
25

1       ciency than the existing solid separation system, in  
2       conjunction with one or more of the following prac-  
3       tices:

4               “(A) Open solar drying or composting of  
5       manure onsite.

6               “(B) Solar drying in an enclosed environ-  
7       ment.

8               “(C) Forced evaporation with natural-gas  
9       fueled dryers.

10              “(D) Storage of manure in unconfined  
11       piles or stacks.

12              “(E) Composting in an enclosed vessel,  
13       with forced aeration and continuous mixing.

14              “(F) Composting in piles with forced aer-  
15       ation but no mixing.

16              “(G) Composting in intensive windrows  
17       with regular turning for mixing and aeration.

18              “(H) Composting in passive windrows with  
19       infrequent turning for mixing and aeration.

20              “(4) Scrape conversion in conjunction with one  
21       of the practices listed in paragraph (3).

22              “(e) TERM.—A contract under the program shall  
23       have a term that does not exceed 3 years.

24              “(f) PAYMENTS.—

1           “(1) AVAILABILITY OF PAYMENTS.—Payments  
2           provided to an eligible producer under this section  
3           may be used to implement one or more practices de-  
4           scribed in subsection (d).

5           “(2) PAYMENT AMOUNTS.—The Secretary may  
6           provide a payment to an eligible producer under the  
7           program for an amount that is up to 100 percent of  
8           the costs associated with planning, design, materials,  
9           equipment, installation, labor, management, mainte-  
10          nance, and training related to implementing a prac-  
11          tice described in subsection (d).

12          “(3) LIMITATION ON PAYMENTS.—A person or  
13          legal entity (including a joint venture and a general  
14          partnership) may not receive, directly or indirectly,  
15          payments under the program that exceed \$750,000  
16          during any 5-year period.

17          “(4) ADVANCED PAYMENTS.—The Secretary  
18          shall provide at least 50 percent of the amount of  
19          total payments to an eligible producer in advance for  
20          all costs related to purchasing materials and equip-  
21          ment or contracting.

22          “(g) MODIFICATION OR TERMINATION OF CON-  
23          TRACTS.—

24                 “(1) VOLUNTARY MODIFICATION OR TERMI-  
25                 NATION.—The Secretary may modify or terminate a

1 contract entered into with an eligible producer under  
2 the program if—

3 “(A) the producer agrees to the modifica-  
4 tion or termination; and

5 “(B) the Secretary determines that the  
6 modification or termination is in the public in-  
7 terest.

8 “(2) INVOLUNTARY TERMINATION.—The Sec-  
9 retary may terminate a contract under the program  
10 if the Secretary determines that the eligible producer  
11 violated the contract.

12 “(h) CLUSTER APPLICATIONS.—The Secretary shall  
13 establish procedures under which—

14 “(1) groups of eligible producers may submit a  
15 joint application in order to facilitate centralized  
16 composting facilities; and

17 “(2) the Secretary will apportion payments to  
18 each eligible producer associated with such a joint  
19 application.

20 “(i) EVALUATION OF APPLICATIONS.—

21 “(1) EVALUATION CRITERIA.—The Secretary  
22 shall develop criteria for evaluating applications that  
23 will ensure that the purposes of the program are ful-  
24 filled in a cost effective manner and in a manner



1 that will maximize greenhouse gas emissions reduc-  
2 tions and overall environmental benefits.

3 “(2) GROUPING OF APPLICATIONS.—The Sec-  
4 retary may group and evaluate applications relative  
5 to other applications for similar farming operations.

6 “(j) DUTIES OF PRODUCERS.—To receive payments  
7 under the program, an eligible producer shall agree—

8 “(1) to implement an alternative manure man-  
9 agement program plan that describes the greenhouse  
10 gas emissions reductions and other environmental  
11 benefits to be achieved through 1 or more practices  
12 that are approved by the Secretary;

13 “(2) to supply information as required by the  
14 Secretary to determine compliance with the program  
15 plan and requirements of the program; and

16 “(3) to comply with such additional provisions  
17 as the Secretary determines are necessary to carry  
18 out the program plan.

19 “(k) DUTIES OF THE SECRETARY.—The Secretary  
20 shall—

21 “(1) determine and publish factors for esti-  
22 mating the emissions reductions for each program  
23 practice to aid eligible producers in development of  
24 applications and program plans; and

1           “(2) assist an eligible producer in achieving the  
2           greenhouse gas emissions reduction and other envi-  
3           ronmental goals of the program plan by—

4                   “(A) providing payments for developing  
5                   and implementing 1 or more practices, as ap-  
6                   propriate; and

7                   “(B) providing the producer with informa-  
8                   tion, technical assistance, and training to aid in  
9                   implementation of the plan.

10          “(1) FUNDING.—The Secretary shall use the funds,  
11          facilities, and authorities of the Commodity Credit Cor-  
12          poration to carry out the program (including the provision  
13          of technical assistance) using, to the maximum extent  
14          practicable, \$1,500,000,000 for the period of fiscal years  
15          2022 through 2030.”.

## 16                   **TITLE VI—ON-FARM** 17                   **RENEWABLE ENERGY**

### 18          **SEC. 601. RURAL ENERGY FOR AMERICA PROGRAM.**

19          Section 9007 of the Farm Security and Rural Invest-  
20          ment Act of 2002 (7 U.S.C. 8107) is amended—

21                   (1) in subsection (a)—

22                           (A) in the matter preceding paragraph (1),  
23                   by striking “and renewable energy develop-  
24                   ment” and inserting “, renewable energy devel-

1           opment, and the reduction of carbon dioxide  
2           and carbon dioxide equivalent emissions”; and

3           (B) in paragraph (2), by striking “and re-  
4           newable energy systems” and inserting “, re-  
5           newable energy systems, and carbon dioxide and  
6           carbon dioxide equivalent gas emissions reduc-  
7           tions”;

8           (2) in subsection (b)—

9           (A) in paragraph (2)—

10           (i) in subparagraph (D), by striking  
11           “and” at the end;

12           (ii) by redesignating subparagraph  
13           (E) as subparagraph (G); and

14           (iii) by inserting after subparagraph  
15           (D) the following:

16           “(E) a nonprofit corporation;

17           “(F) an agricultural cooperative or pro-  
18           ducer group; and”;

19           (B) in paragraph (3)(D), by inserting be-  
20           fore the semicolon at the end the following: “,  
21           including carbon dioxide and carbon dioxide  
22           equivalent emissions reductions”; and

23           (C) in paragraph (4)—

24           (i) in the matter preceding subpara-  
25           graph (A), by inserting “, agricultural

1 processors,” after “agricultural pro-  
2 ducers”;

3 (ii) in subparagraph (A), by striking  
4 “and” at the end;

5 (iii) in subparagraph (B), by striking  
6 the period at the end and inserting “;  
7 and”; and

8 (iv) by adding at the end the fol-  
9 lowing:

10 “(C) assisting in the development of feasi-  
11 bility studies and plans for implementing rec-  
12 ommendations provided under subparagraph  
13 (B).”;

14 (3) in subsection (c)—

15 (A) in paragraph (1)(A)(i), by inserting “,  
16 agricultural processors,” after “agricultural  
17 producers”;

18 (B) in paragraph (2)—

19 (i) by redesignating subparagraphs  
20 (F) and (G) as subparagraphs (G) and  
21 (H), respectively; and

22 (ii) by inserting after subparagraph  
23 (E) the following:

24 “(F) carbon accounting assessments devel-  
25 oped under subsection (d).”;

1 (C) in paragraph (3)—

2 (i) by amending subparagraph (A) to  
3 read as follows:

4 “(A) GRANTS.—Except as provided in sub-  
5 paragraph (F), the amount of a grant under  
6 this subsection shall not exceed 50 percent of  
7 the cost of the activity carried out using funds  
8 from the grant.”;

9 (ii) in subparagraph (D), by striking  
10 “subsection (f)” and inserting “subsection  
11 (h)”;

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(E) LOAN GUARANTEE.—The portion of a  
15 loan that the Secretary may guarantee under  
16 this section shall be—

17 “(i) for loans of \$1,000,000 or more,  
18 80 percent of the principal amount of the  
19 loan; and

20 “(ii) for loans of less than  
21 \$1,000,000, 90 percent of the principal  
22 amount of the loan.

23 “(F) UNDERSERVED PRODUCERS.—The  
24 amount of a grant under this subsection to an  
25 agricultural producer who is a beginning farmer

1 or rancher, a socially disadvantaged farmer or  
2 rancher, or a veteran farmer or rancher (as  
3 those terms are defined in section 2501(a) of  
4 the Food, Agriculture, Conservation and Trade  
5 Act of 1990 (7 U.S.C. 2279(a))) shall not ex-  
6 ceed 75 percent of the cost of the activity fund-  
7 ed by the grant.”;

8 (D) in paragraph (4), by adding at the end  
9 the following:

10 “(F) PRE-APPROVED TECHNOLOGIES.—In  
11 order to streamline the adoption of renewable  
12 energy systems and the adoption of energy effi-  
13 ciency improvements, the Secretary shall—

14 “(i) beginning with fiscal year 2022,  
15 develop a pre-approved technologies and  
16 products list and streamlined application  
17 process for projects utilizing pre-approved  
18 products; and

19 “(ii) update such list every 2 fiscal  
20 years.”; and

21 (E) by adding at the end the following:

22 “(5) PRIORITY.—In making grants or loan  
23 guarantees under this subsection, priority shall be  
24 provided to proposed projects that utilize tech-  
25 nologies—

1 “(A) with the lowest carbon footprint; or

2 “(B) that the Secretary determines would  
3 result in the largest net decreases of carbon di-  
4 oxide and carbon dioxide equivalent emissions  
5 as determined through the carbon accounting  
6 assessments under subsection (d).”;

7 (4) in subsection (d)—

8 (A) in the subsection heading, by inserting  
9 “AND TECHNICAL ASSISTANCE” after “OUT-  
10 REACH”;

11 (B) by striking “The Secretary shall” and  
12 inserting “Using funds made available under  
13 subsection (h)(4), the Secretary shall”; and

14 (C) by inserting “and technical assistance”  
15 after “outreach”;

16 (5) by redesignating subsections (d), (e), and  
17 (f) as subsections (f), (g), and (h), respectively;

18 (6) by inserting after subsection (c) the fol-  
19 lowing:

20 “(d) CARBON ACCOUNTING.—

21 “(1) IN GENERAL.—Not later than 2 years  
22 after the date of the enactment of this subsection,  
23 the Secretary shall work with the National Renew-  
24 able Energy Laboratory established pursuant to sec-  
25 tion 10 of the Solar Energy Research, Development,

1 and Demonstration Act of 1974 to develop carbon  
2 accounting estimates for renewable energy systems  
3 and energy efficiency upgrades (including a pre-ap-  
4 proved technologies list and reserve fund tech-  
5 nologies), supported through assistance provided  
6 under this section.

7 “(2) PROGRAM GUIDANCE.—The results of the  
8 carbon accounting assessments shall be used to  
9 guide program actions as much as possible in order  
10 to achieve the purpose specified in subsection (a).

11 “(e) DEMONSTRATION PRACTICE.—

12 “(1) IN GENERAL.—The Secretary shall hold  
13 regional demonstration projects that incentivize agri-  
14 cultural producers to reduce the carbon footprint or  
15 overall carbon equivalent emissions of such pro-  
16 ducers to the largest extent possible through the use  
17 of both energy efficiency improvements and renew-  
18 able energy systems.

19 “(2) EXTENSION.—The Secretary shall promote  
20 the results of the regional demonstration projects  
21 carried out under paragraph (1).”; and

22 (7) in subsection (h) (as redesignated by para-  
23 graph (5))—



1 (A) in paragraph (1), by striking subpara-  
2 graphs (A) through (E) and inserting the fol-  
3 lowing:

4 “(A) \$50,000,000 for each of fiscal years  
5 2014 through 2021;

6 “(B) \$100,000,000 for fiscal year 2022;

7 “(C) \$200,000,000 for fiscal year 2023;

8 “(D) \$300,000,000 for fiscal year 2024;

9 and

10 “(E) \$400,000,000 for fiscal year 2025  
11 and each fiscal year thereafter.”;

12 (B) in paragraph (2)(B), by striking “be-  
13 come available” and inserting “be used”; and

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

15 “(4) ADMINISTRATIVE EXPENSES.—Not more  
16 than 8 percent of the amount made available to  
17 carry out this section for a fiscal year may be used  
18 for administrative expenses incurred in carrying out  
19 this section.

20 “(5) RESERVATION OF FUNDS.—Of the funds  
21 made available to carry out this section for a fiscal  
22 year, the Secretary may reserve—

23 “(A) not more than 10 percent for grants  
24 under subsection (c) to support the adoption of

1 underutilized but proven, commercial tech-  
2 nologies; and

3 “(B) not more than 5 percent to carry out  
4 subsection (e) to hold regional demonstration  
5 projects and promote the results of such  
6 projects.”.

7 **SEC. 602. STUDY ON DUAL-USE RENEWABLE ENERGY SYS-**  
8 **TEMS.**

9 (a) IN GENERAL.—The Secretary of Agriculture shall  
10 conduct a study on dual-use renewable energy systems,  
11 which shall include—

12 (1) an assessment on the compatibility of dif-  
13 ferent species of livestock with different dual-use re-  
14 newable energy system designs, including—

15 (A) the optimal height of and distance be-  
16 tween solar panels for—

17 (i) livestock grazing; and

18 (ii) shade for livestock;

19 (B) manure management considerations;

20 (C) fencing requirements; and

21 (D) other animal handling considerations;

22 (2) an assessment of the compatibility of dif-  
23 ferent crop types with different dual-use renewable  
24 energy system designs, including—

1 (A) the optimal height of and distance be-  
2 tween solar panels for—

3 (i) plant shading; and

4 (ii) farm equipment use;

5 (B) the impact on crop yield; and

6 (C) market opportunities to sell crops at a  
7 premium price;

8 (3) a risk-benefit analysis of dual-use renewable  
9 energy systems in different regions of the United  
10 States, including a comparison between the total  
11 greenhouse gas impact of dual-use renewable energy  
12 systems and renewable energy systems that displace  
13 agricultural production; and

14 (4) a 5-year plan for how the research and ex-  
15 tension activities of the Department of Agriculture  
16 could be used to better support dual-use renewable  
17 energy systems that do not displace agricultural pro-  
18 duction.

19 (b) DEFINITION OF DUAL-USE RENEWABLE ENERGY  
20 SYSTEMS.—In this section, the term “dual-use renewable  
21 energy systems” means renewable energy production and  
22 agricultural production, including crop or animal produc-  
23 tion, occurring together on the same piece of land.

24 (c) REPORT.—Not later than 1 year after the date  
25 of the enactment of this Act, the Secretary of Agriculture

1 shall submit to the Committee on Agriculture of the House  
2 of Representatives and the Committee on Agriculture, Nu-  
3 trition, and Forestry of the Senate a written report con-  
4 taining the results of the study required by subsection (a).

5 **SEC. 603. AGSTAR PROGRAM.**

6 (a) IN GENERAL.—The Secretary of Agriculture (in  
7 this section referred to as the “Secretary”) shall maintain  
8 a program, to be known as the AgSTAR program, that—

9 (1) supports anaerobic digestion in the agricul-  
10 tural sector to reduce methane emissions from live-  
11 stock waste;

12 (2) conducts outreach, education, and training  
13 on anaerobic digestion of livestock waste;

14 (3) provides technical and regulatory assistance  
15 on anaerobic digestion of livestock waste to stake-  
16 holders, including farmers and ranchers, on issues  
17 including—

18 (A) permitting;

19 (B) codigestion of multiple organic wastes  
20 in one digester; and

21 (C) interconnection to physically link a di-  
22 gester to the electrical power grid;

23 (4) promotes centralized, multi-farm digesters  
24 that use livestock waste from more than 1 farm or  
25 ranch;

1           (5) collects and reports data on anaerobic diges-  
2           tion of livestock waste; and

3           (6) maintains a database of on-farm anaerobic  
4           digester projects in the United States.

5           (b) TRANSITION.—The Administrator of the Environ-  
6           mental Protection Agency shall take such steps as may  
7           be appropriate to provide for an orderly transition of the  
8           activities carried out under the AgSTAR program of the  
9           Environmental Protection Agency to the AgSTAR pro-  
10          gram under this section.

11          (c) ADMINISTRATION.—The Secretary shall carry out  
12          the program through the Natural Resources Conservation  
13          Service, in coordination with the Administrator of the En-  
14          vironmental Protection Agency and other Federal agencies  
15          as necessary, and in partnership with the Regional Cli-  
16          mate Hubs, cooperative extension services, and other  
17          agencies of the Department of Agriculture.

18          (d) LIMITATIONS ON AUTHORIZATION OF APPRO-  
19          PRIATIONS.—To carry out the AgSTAR program under  
20          this section, there are authorized to be appropriated to  
21          the Secretary not more than \$5,000,000 for each fiscal  
22          year.

1           **TITLE VII—FOOD LOSS AND**  
2                           **WASTE**  
3           **Subtitle A—Food Date Labeling**

4   **SEC. 701. DEFINITIONS.**

5           In this title:

6                   (1) **ADMINISTERING SECRETARIES.**—The term  
7           “administering Secretaries” means—

8                           (A) the Secretary of Agriculture with re-  
9                           spect to any product that is under the Sec-  
10                           retary of Agriculture’s jurisdiction and is—

11                                   (i) a poultry product, as defined in  
12                                   section 4 of the Poultry Products Inspec-  
13                                   tion Act (21 U.S.C. 453);

14                                   (ii) a meat food product, as defined in  
15                                   section 1 of the Federal Meat Inspection  
16                                   Act (21 U.S.C. 601); or

17                                   (iii) an egg product, as defined in sec-  
18                                   tion 4 of the Egg Products Inspection Act  
19                                   (21 U.S.C. 1033); and

20                           (B) the Secretary of Health and Human  
21                           Services with respect to any product that is  
22                           under the Secretary of Health and Human  
23                           Services’ jurisdiction and is a food (as defined  
24                           in section 201 of the Federal Food, Drug, and  
25                           Cosmetic Act (21 U.S.C. 321)).

1           (2) DISCARD DATE.—The term “discard date”  
2 means a date voluntarily printed on food packaging,  
3 which signifies the end of the estimated period of  
4 shelf life under any stated storage conditions, after  
5 which the food labeler advises the product not be  
6 consumed.

7           (3) FOOD LABELER.—The term “food labeler”  
8 means the producer, manufacturer, distributor, or  
9 retailer that places a date label on food packaging  
10 of a product.

11           (4) QUALITY DATE.—The term “quality date”  
12 means a date voluntarily printed on food packaging  
13 that is intended to communicate to consumers the  
14 date after which—

15                 (A) the quality of the product may begin  
16 to deteriorate; but

17                 (B) the product remains apparently whole-  
18 some food (as defined in subsection (b)(2) of  
19 section 22 of the Child Nutrition Act of 1966  
20 (42 U.S.C. 1791(b)(2)); also known as the Bill  
21 Emerson Good Samaritan Food Donation Act).

22 **SEC. 702. QUALITY DATES AND DISCARD DATES.**

23           (a) QUALITY DATES.—

24                 (1) IN GENERAL.—If a food labeler includes a  
25 quality date on food packaging, the label shall use

1 the uniform quality date label phrase under para-  
2 graph (2).

3 (2) UNIFORM PHRASE.—The uniform quality  
4 date label phrase under this paragraph shall be  
5 “BEST If Used By” or, if permissible under sub-  
6 section (c)(3), the standard abbreviation of “BB”,  
7 unless and until the administering Secretaries, act-  
8 ing jointly, specify through rulemaking another uni-  
9 form phrase to be used for purposes of complying  
10 with paragraph (1).

11 (3) OPTION OF THE LABELER.—The decisions  
12 on whether to include a quality date on food pack-  
13 aging and which foods should be so labeled shall be  
14 at the discretion of the food labeler.

15 (b) DISCARD DATES.—

16 (1) IN GENERAL.—If a food labeler includes a  
17 discard date on food packaging, the label shall use  
18 the uniform discard date label phrase under para-  
19 graph (2).

20 (2) UNIFORM PHRASE.—The uniform discard  
21 date label phrase under this paragraph shall be  
22 “USE By” or, if permissible under subsection  
23 (c)(3), the standard abbreviation of “UB”, unless  
24 and until the administering Secretaries, acting joint-  
25 ly, specify through rulemaking another uniform



1 phrase to be used for purposes of complying with  
2 paragraph (1).

3 (3) OPTION OF THE LABELER.—The decisions  
4 on whether to include a discard date on food pack-  
5 aging and which foods should be so labeled shall be  
6 at the discretion of the food labeler.

7 (c) QUALITY DATE AND DISCARD DATE LABEL-  
8 ING.—

9 (1) IN GENERAL.—The quality date or discard  
10 date, as applicable, and immediately adjacent uni-  
11 form quality date label phrase or discard date label  
12 phrase—

13 (A) shall be—

14 (i) in single easy-to-read type style;

15 and

16 (ii) located in a conspicuous place on  
17 the package of the food; and

18 (B) may be on the label or, at the discre-  
19 tion of the food labeler, elsewhere on the pack-  
20 age.

21 (2) DATE FORMAT.—Each quality date and dis-  
22 card date shall be stated in terms of day and month  
23 and, as appropriate, year.

24 (3) ABBREVIATIONS.—A food labeler may use a  
25 standard abbreviation of “BB” and “UB” for the

1 quality date and discard date, respectively, only if  
2 the food packaging is too small to include the uni-  
3 form phrase described in subsection (a)(2) or (b)(2),  
4 as applicable.

5 (4) FREEZE BY.—A food labeler may add “or  
6 Freeze By” following a quality date or discard date  
7 uniform phrase.

8 (d) INFANT FORMULA.—This Act and the amend-  
9 ments made by this Act—

10 (1) do not apply with respect to infant formula  
11 (as defined in section 201(z) of the Federal Food,  
12 Drug, and Cosmetic Act (21 U.S.C. 321(z))); and

13 (2) shall not be construed to affect the require-  
14 ments pertaining to infant formula under section  
15 412 of the Federal Food, Drug, and Cosmetic Act  
16 (21 U.S.C. 350a) and other applicable provisions of  
17 law.

18 (e) EDUCATION.—Not later than 1 year after the  
19 date of enactment of this Act, the administering Secre-  
20 taries, acting jointly, shall provide consumer education  
21 and outreach on the meaning of quality date and discard  
22 date food labels.

23 (f) RULE OF CONSTRUCTION; PREEMPTION.—

24 (1) RULE OF CONSTRUCTION.—Nothing in this  
25 Act or the amendments made by this Act shall be

1 construed to prohibit any State or political subdivi-  
2 sion of a State from establishing or continuing in ef-  
3 fect any requirement that prohibits the sale or dona-  
4 tion of foods based on passage of the discard date.

5 (2) PREEMPTION.—No State or political sub-  
6 division of a State may establish or continue in ef-  
7 fect any requirement that—

8 (A) relates to the inclusion in food labeling  
9 of a quality date or a discard date that is dif-  
10 ferent from or in addition to, or that is other-  
11 wise not identical with, the requirements of this  
12 Act and the amendments made by this Act; or

13 (B) prohibits the sale or donation of foods  
14 based on passage of the quality date.

15 (3) ENFORCEMENT.—The administering Secre-  
16 taries, acting jointly and in coordination with the  
17 Federal Trade Commission, shall ensure that the  
18 uniform quality date label phrase and uniform dis-  
19 card date label phrase are standardized across all  
20 food products.

21 (4) SAVINGS.—Notwithstanding paragraph (2),  
22 nothing in this Act, nor any amendment made by  
23 this Act, nor any standard or requirement imposed  
24 pursuant to this Act, shall be construed to preempt,  
25 displace, or supplant any State or Federal common

1 law rights or any State or Federal statute creating  
2 a remedy for civil relief, including those for civil  
3 damage, or a penalty for criminal conduct.

4 (g) TIME TEMPERATURE INDICATOR LABELS.—  
5 Nothing in this Act or the amendments made by this Act  
6 shall be construed to prohibit or restrict the use of time-  
7 temperature indicator labels or similar technology that is  
8 in addition to or in lieu of any uniform quality date label  
9 phrase under subsection (a)(2) or uniform discard date  
10 label phrase under subsection (b)(2).

11 **SEC. 703. MISBRANDING.**

12 (a) FDA VIOLATIONS.—Section 403 of the Federal  
13 Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-  
14 ed by adding at the end the following:

15 “(z) If it is food and its labeling is in violation of  
16 section 702 of the Agriculture Resilience Act.”.

17 (b) POULTRY PRODUCTS.—Section 4(h) of the Poul-  
18 try Products Inspection Act (21 U.S.C. 453(h)) is amend-  
19 ed—

20 (1) in paragraph (11), by striking “or” at the  
21 end;

22 (2) in paragraph (12), by striking the period at  
23 the end and inserting “; or”; and

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

1           “(13) if its labeling is in violation of section  
2           702 of the Agriculture Resilience Act.”.

3           (c) MEAT PRODUCTS.—Section 1(n) of the Federal  
4 Meat Inspection Act (21 U.S.C. 601(n)) is amended—

5           (1) in paragraph (11), by striking “or” at the  
6 end;

7           (2) in paragraph (12), by striking the period at  
8 the end and inserting “; or”; and

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

10           “(13) if its labeling is in violation of section  
11 702 of the Agriculture Resilience Act.”.

12           (d) EGG PRODUCTS.—Section 7(b) of the Egg Prod-  
13 ucts Inspection Act (21 U.S.C. 1036(b)) is amended in  
14 the first sentence by adding before the period at the end  
15 “or if its labeling is in violation of section 702 of the Agri-  
16 culture Resilience Act”.

17 **SEC. 704. REGULATIONS.**

18           Not later than 2 years after the date of enactment  
19 of this Act, the Secretaries, acting jointly, shall promul-  
20 gate final regulations for carrying out the provisions of  
21 this Act and the amendments made by this Act.

22 **SEC. 705. DELAYED APPLICABILITY.**

23           This Act and the amendments made by this Act shall  
24 apply only with respect to food products that are labeled

1 on or after the date that is 2 years after the date of pro-  
2 mulgation of final regulations under section 704.

### 3 **Subtitle B—Other Provisions**

#### 4 **SEC. 711. COMPOSTING AS CONSERVATION PRACTICE.**

5 (a) DEFINITIONS.—Section 1201(a) of the Food Se-  
6 curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

7 (1) by redesignating paragraphs (3) through  
8 (27) as paragraphs (4) through (28), respectively;  
9 and

10 (2) by inserting after paragraph (2) the fol-  
11 lowing:

12 “(3) COMPOSTING PRACTICE.—The term  
13 ‘composting practice’ means—

14 “(A) an activity (including an activity that  
15 does not require the use of a composting facil-  
16 ity) to produce compost from organic waste  
17 that is—

18 “(i) generated on a farm; or

19 “(ii) brought to a farm from the near-  
20 by community; and

21 “(B) the use of compost on a farm to im-  
22 prove water retention and soil health, subject to  
23 the condition that such a use shall be in compli-  
24 ance with applicable Federal, State, and local  
25 laws.”.

1 (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-  
2 tion 1240I(2)(B)(i) of the Food Security Act of 1985 (16  
3 U.S.C. 3839aa–21(2)(B)(i)) is amended by inserting “and  
4 composting practices” after “agriculture drainage man-  
5 agement systems”.

6 (c) ENVIRONMENTAL QUALITY INCENTIVES PRO-  
7 GRAM.—Section 1240A(6)(A)(ii) of the Food Security Act  
8 of 1985 (16 U.S.C. 3839aa–1(6)(A)(ii)) is amended by in-  
9 serting “, including composting practices” before the semi-  
10 colon at the end.

11 (d) DELIVERY OF TECHNICAL ASSISTANCE.—Section  
12 1242(h) of the Food Security Act of 1985 (16 U.S.C.  
13 3842(h)) is amended by adding at the end the following:

14 “(5) DEVELOPMENT OF COMPOSTING PRACTICE  
15 STANDARD.—In addition to conducting a review of  
16 any composting facilities practice standard under  
17 this subsection, the Secretary shall develop and im-  
18 plement a composting practice standard.”.

19 **SEC. 712. AMENDMENTS TO FEDERAL FOOD DONATION**  
20 **ACT.**

21 (a) PURPOSE.—Section 2 of the Federal Food Dona-  
22 tion Act of 2008 (Public Law 110–247; 42 U.S.C. 1792  
23 note) is amended by striking “encourage” and inserting  
24 “require”.

1 (b) DEFINITIONS.—Section 3 of the Federal Food  
2 Donation Act of 2008 (Public Law 110–247; 42 U.S.C.  
3 1792 note) is amended—

4 (1) by redesignating paragraphs (3) and (4) as  
5 paragraphs (4) and (5), respectively; and

6 (2) by inserting after paragraph (2) the fol-  
7 lowing:

8 “(3) EXECUTIVE AGENCY.—The term ‘executive  
9 agency’ has the meaning given the term in section  
10 133 of title 41, United States Code.”.

11 (c) REPORT ON FOOD WASTE BY CERTAIN FEDERAL  
12 CONTRACTORS.—Section 4 of the Federal Food Donation  
13 Act of 2008 (Public Law 110–247; 42 U.S.C. 1792) is  
14 amended—

15 (1) by amending subsection (a) to read as fol-  
16 lows:

17 “(a) IN GENERAL.—

18 “(1) REQUIREMENT.—Not later than 180 days  
19 after the date of enactment of the Act, the Federal  
20 Acquisition Regulation issued in accordance with  
21 section 1121 of title 41, United States Code, shall  
22 be revised to provide that, except as provided in  
23 paragraph (2), all contracts of more than \$10,000  
24 for the provision, service, or sale of food in the  
25 United States, or for the lease or rental of Federal



1 property to a private entity for events at which food  
2 is provided in the United States, shall include a  
3 clause that—

4 “(A) requires the donation of excess, ap-  
5 parently wholesome food to nonprofit organiza-  
6 tions that provide assistance to food-insecure  
7 people in the United States;

8 “(B) states the terms and conditions de-  
9 scribed in subsection (b); and

10 “(C) requires the annual submission, in a  
11 form and manner specified by the executive  
12 agency awarding the contract, of the report de-  
13 scribed in subsection (d).

14 “(2) EXCEPTION.—Paragraph (1) shall not  
15 apply to a contract with an executive agency that  
16 has issued a regulation in effect on the date of en-  
17 actment of the Act that prohibits a donation de-  
18 scribed in paragraph (1)(A).”; and

19 (2) by adding at the end the following new sub-  
20 sections:

21 “(c) APPLICATION TO CONGRESS.—

22 “(1) CONTRACTS.—This Act shall apply to the  
23 House of Representatives and to contracts entered  
24 into by the House of Representatives, and to the  
25 Senate and to contracts entered into by the Senate,

1 in the same manner and to the same extent as this  
2 Act applies to an executive agency and to contracts  
3 entered into by an executive agency.

4 “(2) ADMINISTRATION.—For purposes of car-  
5 rying out paragraph (1)—

6 “(A) the Chief Administrative Officer of  
7 the House of Representatives shall be consid-  
8 ered to be the head of the House of Representa-  
9 tives; and

10 “(B) the Secretary of the Senate shall be  
11 considered to be the head of the Senate.

12 “(d) DATA; REPORTS.—

13 “(1) REPORT DESCRIBED.—The report de-  
14 scribed in this subsection, with respect to a contract  
15 described in subsection (a) entered into by a con-  
16 tractor and an executive agency, is a report from the  
17 contractor to the executive agency that describes, for  
18 each month of performance of the contract during  
19 the year covered by the report, the weight of appar-  
20 ently wholesome food that was, pursuant to the con-  
21 tract, disposed of in each of the following manners:

22 “(A) DONATION.—Donation by the con-  
23 tractor pursuant to this Act (organized by the  
24 name of the organization receiving such food).

1           “(B) COMPOSTING.—Composting or other  
2 recycling by the contractor.

3           “(C) DISCARDING.—Discarding by the  
4 contractor (organized by the reason such food  
5 was so discarded).

6           “(2) REPORTS TO OMB.—Not later than 30  
7 days after the date that an executive agency receives  
8 a report pursuant to paragraph (1)(C), the agency  
9 shall submit a copy of the report to the Director of  
10 the Office of Management and Budget.

11           “(3) REPORTS TO CONGRESS.—The Director of  
12 the Office of Management and Budget shall submit  
13 to Congress an annual report aggregating the infor-  
14 mation in the reports received pursuant to para-  
15 graph (2) during the year covered by the report.”.

16           (d) AUTHORIZATION OF APPROPRIATIONS.—The  
17 Federal Food Donation Act of 2008 (42 U.S.C. 1792) is  
18 amended by adding at the end the following:

19           **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

20           “‘There is authorized to be appropriated to the Sec-  
21 retary of Agriculture to carry out this Act \$10,000,000  
22 for fiscal year 2022 and each fiscal year thereafter.’”.

1 **SEC. 713. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
2 **GESTION FOOD WASTE-TO-ENERGY**  
3 **PROJECTS.**

4 (a) IN GENERAL.—Subtitle G of the Solid Waste Dis-  
5 posal Act (42 U.S.C. 6971 et seq.) is amended by adding  
6 at the end the following:

7 **“SEC. 7011. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
8 **GESTION FOOD WASTE-TO-ENERGY**  
9 **PROJECTS.**

10 “(a) GRANTS.—The Administrator shall establish a  
11 grant program to award grants to States eligible to receive  
12 the grants under subsection (b)(1) to construct large-scale  
13 composting or anaerobic digestion food waste-to-energy  
14 projects.

15 “(b) ELIGIBLE STATES.—

16 “(1) ELIGIBILITY.—In order to be eligible to  
17 receive a grant under this section, a State shall—

18 “(A) have in effect a plan to limit the  
19 quantity of food waste that may be disposed of  
20 in landfills in the State; and

21 “(B) provide to the Administrator—

22 “(i) a written commitment that the  
23 State has read and agrees to comply with  
24 the Food Recovery Hierarchy of the Envi-  
25 ronmental Protection Agency, particularly  
26 as applied to apparently wholesome food

1 (as defined in section 22(b) of the Child  
2 Nutrition Act of 1966 (42 U.S.C.  
3 1791(b))) that may be provided to or re-  
4 ceived by the State; and

5 “(ii) a written end-product recycling  
6 plan that provides for the beneficial use of  
7 the material resulting from any anaerobic  
8 digestion food waste-to-energy operation  
9 with respect to which the loan or grant is  
10 made, in a manner that meets all applica-  
11 ble Federal, State, and local laws that pro-  
12 tect human health and the environment.

13 “(2) LIMITATION.—A grant under subsection  
14 (a) may not be used for an anaerobic digester that  
15 uses solely manure as undigested biomass.

16 “(3) PREFERENCE.—The Administrator shall  
17 give preference to grants under subsection (a) for  
18 anaerobic digesters that use primarily nonedible  
19 food, crop waste, or nonedible food and crop waste  
20 as undigested biomass.

21 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
22 is authorized to be appropriated to carry out this section  
23 \$100,000,000 for each fiscal year.

24 “(d) STATE DEFINED.—In this section, the term  
25 ‘State’ means each State of the United States, the District

1 of Columbia, each territory or possession of the United  
2 States, and each federally recognized Indian Tribe.”.

3 (b) CLERICAL AMENDMENT.—The table of contents  
4 for the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)  
5 is amended by inserting after the item relating to section  
6 7010 the following:

“Sec. 7011. Grants for composting and anaerobic digestion food waste-to-en-  
energy projects.”.

7 **SEC. 714. SCHOOL FOOD WASTE REDUCTION GRANT PRO-**  
8 **GRAM.**

9 (a) IN GENERAL.—Section 18 of the Richard B. Rus-  
10 sell National School Lunch Act (42 U.S.C. 1769) is  
11 amended by inserting before subsection (b) the following:

12 “(a) SCHOOL FOOD WASTE REDUCTION GRANT PRO-  
13 GRAM.—

14 “(1) GRANT PROGRAM ESTABLISHED.—

15 “(A) IN GENERAL.—The Secretary shall  
16 carry out a program to make grants, on a com-  
17 petitive basis, to eligible local educational agen-  
18 cies to carry out food waste measurement and  
19 reporting, prevention, education, and reduction  
20 projects.

21 “(B) REGIONAL BALANCE.—In awarding  
22 grants under this subsection, the Secretary  
23 shall, to the maximum extent practicable, en-  
24 sure that—

1           “(i) a grant is awarded to an eligible  
2           local educational agency in each region  
3           served by the Administrator of the Food  
4           and Nutrition Service; and

5           “(ii) equitable treatment of rural,  
6           urban, and tribal communities.

7           “(2) APPLICATION.—To be eligible to receive a  
8           grant under this subsection, an eligible local edu-  
9           cational agency shall submit an application to the  
10          Secretary at such time, in such manner, and con-  
11          taining such information as the Secretary may re-  
12          quire.

13          “(3) PRIORITY.—In making grants under this  
14          subsection the Secretary shall give priority to an eli-  
15          gible local educational agency that demonstrates in  
16          the application under paragraph (2) that such eligi-  
17          ble local educational agency will use the grant to—

18               “(A) carry out experiential education ac-  
19               tivities that encourage children enrolled in such  
20               eligible local educational agency to participate  
21               in food waste measurement and education;

22               “(B) prioritize the best use of food in ac-  
23               cordance with the Food Recovery Hierarchy  
24               published by the Administrator of the Environ-  
25               mental Protection Agency;

1           “(C) with respect to food waste prevention  
2           and reduction, collaborate with other eligible  
3           local educational agencies, tribes, nongovern-  
4           mental and community-based organizations,  
5           and other community partners;

6           “(D) evaluate the activities described in  
7           subparagraphs (A) through (C) and make eval-  
8           uation plans; and

9           “(E) establish a food waste measurement,  
10          prevention, and reduction project with long-  
11          term sustainability.

12          “(4) FEDERAL SHARE.—

13                 “(A) IN GENERAL.—The Federal share of  
14                 a food waste measurement, prevention, and re-  
15                 duction project funded through a grant awarded  
16                 under this subsection shall not exceed 75 per-  
17                 cent of the total cost of such food waste reduc-  
18                 tion project.

19                 “(B) FEDERAL MATCHING.—As a condi-  
20                 tion of receiving a grant under this subsection,  
21                 an eligible local educational agency shall provide  
22                 matching funds in the form of cash or in-kind  
23                 contributions, including facilities, equipment, or  
24                 services provided by State and local govern-



1           ments, nonprofit organizations, and private  
2           sources.

3           “(5) USE OF FUNDS.—An eligible local edu-  
4           cational agency that receives a grant under this sec-  
5           tion shall use funds under such grant to carry out  
6           at least one of the following:

7                   “(A) Planning a food waste measurement,  
8                   prevention, and reduction project.

9                   “(B) Carrying out activities under such a  
10                  project.

11                  “(C) Providing training to support such a  
12                  project.

13                  “(D) Purchasing equipment to support  
14                  such a project.

15                  “(E) Offering food waste education to stu-  
16                  dents enrolled in such eligible local educational  
17                  agency.

18           “(6) EVALUATION.—

19                   “(A) AGREEMENT.—As a condition of re-  
20                   ceiving a grant under this subsection, each eli-  
21                   gible local educational agency shall agree to co-  
22                   operate in an evaluation by the Secretary of the  
23                   project carried out using grant funds.

24                   “(B) PERIODIC EVALUATION.—Not later  
25                   than 2 years after the date of the enactment of

1           this paragraph and every 2 years thereafter, the  
2           Secretary shall carry out an evaluation of the  
3           grants made under this section that includes—

4                   “(i) the amount of Federal funds used  
5                   to carry out such grants; and

6                   “(ii) an evaluation of the outcomes of  
7                   the projects carried out pursuant to such  
8                   grants.

9           “(7) DEFINITION OF ELIGIBLE LOCAL EDU-  
10          CATIONAL AGENCY.—In this subsection, the term ‘el-  
11          igible local educational agency’ means a local edu-  
12          cational agency that participates in the school lunch  
13          program under this Act or the school breakfast pro-  
14          gram established under section 4 of the Child Nutri-  
15          tion Act of 1966 (42 U.S.C. 1773).”.

16          (b) TECHNICAL ASSISTANCE.—Section 21(b) of the  
17          Richard B. Russell National School Lunch Act (42 U.S.C.  
18          1769b–1(b)) is amended—

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

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

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

24                   “(4) food waste measurement, prevention, and  
25                   reduction.”.