

116TH CONGRESS  
2D SESSION

# H. R. 5861

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2020

Ms. PINGREE introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Ways and Means, Education and Labor, Energy and Commerce, Oversight and Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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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.

- 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. Grants for reimbursement of compliance costs for very small processors of meat food products and poultry products.
- 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, agro-forestry, advanced  
 19 grazing management and crop-livestock integration,

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

6 (2) SOIL HEALTH.—To help achieve the goal  
7 specified in subsection (a)—

8 (A) the United States should immediately  
9 become a member of the 4 per 1000 Initiative’s  
10 forum and consortium, hosted by the Consult-  
11 ative Group for International Agricultural Re-  
12 search (commonly referred to as the “CGIAR”),  
13 with the aim of increasing total soil carbon  
14 stocks by 0.4 percent annually to reduce carbon  
15 in the atmosphere, restore soil health and pro-  
16 ductivity, and thereby improve food security;

17 (B) the agricultural sector should expand  
18 adoption of soil health practices (including di-  
19 verse crop rotations, cover cropping, conserva-  
20 tion tillage, perennialization of highly erodible  
21 land, agroforestry, composting, biologically  
22 based nutrient management, and advanced  
23 grazing management including silvopasture)  
24 sufficiently to restore at least a quarter of the  
25 soil carbon that has been lost in the last 300

1 years by not later than 2030 and at least half  
2 of lost soil carbon by not later than 2040; and

3 (C) cover crop acres in the United States  
4 should increase to at least 25 percent of crop  
5 acres by not later than 2030 and at least 50  
6 percent by not later than 2040, with at least 50  
7 percent of cropland acres covered by crops,  
8 cover crops, or residue year-round by not later  
9 than 2030 rising to at least 75 percent by not  
10 later than 2040.

11 (3) FARMLAND PRESERVATION.—To help  
12 achieve the goal specified in subsection (a), the rate  
13 of conversion in the United States of agricultural  
14 land to development, as well as the rate of grassland  
15 conversion to cropping, should be reduced by at least  
16 80 percent by not later than 2030 and eliminated by  
17 not later than 2040.

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

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

1 percent of all grazing land by not later than  
2 2040;

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

13 (C) re-integrate livestock and crop produc-  
14 tion systems at farm, local and regional levels  
15 to facilitate environmentally sound management  
16 and field application of manure and reduce the  
17 need for long-term manure storage by increas-  
18 ing acreage on individual farms under crop-live-  
19 stock integrated management by at least 50  
20 percent over 2017 levels by not later than 2030  
21 and by 100 percent over 2017 levels by not  
22 later than 2040; and

23 (D) immediately cease building any new or  
24 expanded waste lagoons for confined animal  
25 feeding operations and convert at least one

1 third of wet manure handling and storage to al-  
2 ternative manure management (as described in  
3 section 1240T of the Food Security Act of  
4 1985 (as added by this Act)) by not later than  
5 2030 and at least two thirds by not later than  
6 2040.

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

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

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

18 (C) install and manage on-farm renewable  
19 energy infrastructure in a way that does not  
20 adversely 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; and

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

8 **SEC. 102. ACTION PLAN.**

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

14 (b) **ACTIONS TO MEET GOALS.**—

15 (1) **IN GENERAL.**—Actions selected by the Sec-  
16 retary to include in a plan developed under sub-  
17 section (a) may include issuing regulations, pro-  
18 viding incentives, carrying out research and develop-  
19 ment programs, and any other action the Secretary  
20 determines appropriate to achieve the goals declared  
21 by section 101.

22 (2) **SELECTION.**—In selecting actions to include  
23 in a plan developed under subsection (a), the Sec-  
24 retary shall select actions designed to—



1 (A) fully implement the provisions of this  
2 Act (and the amendments made by this Act);

3 (B) provide benefits for farmers and  
4 ranchers, rural communities, small businesses,  
5 and consumers;

6 (C) improve public health, resilience, and  
7 environmental outcomes, especially for rural  
8 and low-income households, communities of  
9 color, Tribal and indigenous communities, and  
10 communities that are disproportionately vulner-  
11 able to the impacts of climate change, air and  
12 water pollution, and other resource degradation;  
13 and

14 (D) prioritize investments that reduce  
15 emissions of greenhouse gases and sequester  
16 carbon while simultaneously helping to solve  
17 other pressing agro-environmental resource con-  
18 cerns, increase farming and ranching opportuni-  
19 ties, create quality jobs, improve farmworker  
20 working conditions and living standards, and  
21 make communities more resilient to the effects  
22 of climate change.

23 (c) PLAN IMPLEMENTATION.—

24 (1) PUBLIC COMMENT.—Not later than 12  
25 months after the date of enactment of this Act, the

1 Secretary shall make the proposed plan developed  
2 under subsection (a) available for public comment.

3 (2) SUBMISSION.—Not later than 18 months  
4 after the date of enactment of this Act, the Sec-  
5 retary shall make public and submit to Congress a  
6 plan developed under subsection (a) that incor-  
7 porates revisions to the proposed plan, as appro-  
8 priate, to address the recommendations provided by  
9 the public pursuant to paragraph (1).

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

15 (4) REVISIONS.—Beginning 24 months after  
16 the date on which the Secretary submits to Congress  
17 the plan under paragraph (2) and not less frequently  
18 than once every 24 months thereafter, the Secretary  
19 shall review and revise the plan to ensure it is suffi-  
20 cient to achieve the national goals declared by sec-  
21 tion 101. The Secretary shall include the conclusion  
22 of each such review and any revised plan resulting  
23 from such review in the next annual report required  
24 under paragraph (5).

1           (5) ANNUAL REPORT.—The Secretary shall  
2           issue an annual public report on the plan (including  
3           any revisions to such plan), actions taken pursuant  
4           to such plan, and the effects of such actions, during  
5           the preceding calendar year.

## 6                           **TITLE II—RESEARCH**

### 7   **SEC. 201. RESEARCH, EXTENSION, AND EDUCATION PUR-** 8                           **POSE.**

9           Section 1402 of the National Agricultural Research,  
10          Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
11          3101) is amended—

12                   (1) by redesignating paragraphs (8) and (9) as  
13                   paragraphs (9) and (10), respectively; and

14                   (2) by inserting after paragraph (7) the fol-  
15                   lowing:

16                   “(8) accelerate the ability of agriculture and the  
17                   food system of the United States to first achieve net  
18                   zero carbon emissions and then go further to be car-  
19                   bon positive by removing additional carbon dioxide  
20                   from the atmosphere;”.

### 21   **SEC. 202. REGIONAL HUBS FOR RISK ADAPTATION AND** 22                           **MITIGATION TO CLIMATE CHANGE.**

23           Title IV of the Agricultural Research, Extension, and  
24          Education Reform Act of 1998 is amended by inserting

1 before section 404 (7 U.S.C. 7624) the following new sec-  
2 tion:

3 **“SEC. 401. REGIONAL HUBS FOR RISK ADAPTATION AND**  
4 **MITIGATION TO CLIMATE CHANGE.**

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

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

20 “(c) ADMINISTRATION.—

21 “(1) IN GENERAL.—The network established  
22 under subsection (a) shall be designated and admin-  
23 istered jointly by the Agricultural Research Service  
24 and the Forest Service, in partnership with other  
25 Federal agencies, including the following:

1           “(A) Within the Department of Agri-  
2 culture, the following agencies:

3           “(i) The Natural Resource Conserva-  
4 tion Service.

5           “(ii) The Farm Service Agency.

6           “(iii) The Risk Management Agency.

7           “(iv) The Animal and Plant Health  
8 Inspection Service.

9           “(v) The National Institute for Food  
10 and Agriculture.

11          “(B) The Department of the Interior.

12          “(C) The Department of Energy.

13          “(D) The Environmental Protection Agen-  
14 cy.

15          “(E) The United States Geological Survey.

16          “(F) National Oceanic and Atmospheric  
17 Administration.

18          “(G) National Aeronautics and Space Ad-  
19 ministration.

20          “(H) Other Federal agencies as the Sec-  
21 retary determines appropriate.

22          “(2) PARTNERS.—The regional hubs estab-  
23 lished under subsection (a) shall work in close part-  
24 nership with other stakeholders and partners, includ-  
25 ing—

1 “(A) colleges and universities;

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

5 “(C) State agricultural experiment stations  
6 (as defined in such section);

7 “(D) private entities;

8 “(E) State, local and regional govern-  
9 ments;

10 “(F) Tribes;

11 “(G) agriculture and commodity organiza-  
12 tions;

13 “(H) nonprofit and community-based orga-  
14 nizations; and

15 “(I) other partners, as determined by the  
16 Secretary.

17 “(d) RESPONSIBILITIES.—A regional hub established  
18 under this section shall—

19 “(1) offer tools, strategies management options,  
20 and technical support to farmers, ranchers, and for-  
21 est landowners to help such farmers, ranchers, and  
22 landowners mitigate and adapt to climate change;

23 “(2) direct farmers, ranchers, and forest land-  
24 owners to Federal agencies that can provide pro-  
25 gram support to enable such farmers, ranchers, and

1 forest landowners to implement science-informed  
2 management practices that address climate change;

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

6 “(4) provide periodic regional assessments of  
7 risk and vulnerability in the agricultural and for-  
8 estry sectors to help farmers, ranchers, and forest  
9 landowners better understand the potential direct  
10 and indirect impacts of climate change and to in-  
11 form the United States Global Change Research  
12 Program;

13 “(5) provide to farmers, ranchers, forest land-  
14 owners, and rural communities outreach, education,  
15 and extension on science-based risk management  
16 through partnerships with the land-grant colleges  
17 and universities (as defined in section 1404 of the  
18 Food and Agriculture Act of 1977 (7 U.S.C. 3103)),  
19 cooperative extension services, and other entities;

20 “(6) work with any cooperative extension serv-  
21 ices (as defined in section 1404 of the National Ag-  
22 ricultural Research, Extension, and Teaching Policy  
23 Act of 1977 (7 U.S.C. 3103)), conservation districts,  
24 and non-governmental organizations involved in  
25 farmer outreach in the region served by such hub to

1 assist producers in developing business plans and  
2 conservation plans that take into account emerging  
3 climate risk science with respect to crop, production,  
4 and conservation system changes that will help pro-  
5 ducers adapt to a changing climate; and

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

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

16 “(1) Improved measurement and monitoring  
17 of—

18 “(A) soil organic carbon sequestration; and

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

21 “(2) Lifecycle analysis for total net greenhouse  
22 gas emissions related to—

23 “(A) alternative cropping systems;

24 “(B) alternative livestock production sys-  
25 tems;



1 “(C) integrated cropping-livestock systems;

2 “(D) alternative biofuel crop production  
3 systems and biofuel end uses;

4 “(E) alternative agroforestry practices and  
5 systems; and

6 “(F) alternative forestry management sys-  
7 tems.

8 “(3) Research and education on—

9 “(A) optimal soil health practices;

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

12 “(C) enhanced synergies between crop  
13 roots and soil biota;

14 “(D) linkages between soil, plant, animal,  
15 and human health;

16 “(E) adaption and mitigation needs of  
17 stakeholders;

18 “(F) new crops or new varieties to help  
19 producers be profitable while adapting to a  
20 changing climate;

21 “(G) social and economic barriers to stake-  
22 holder adoption of new practices that improve  
23 adaptation, mitigation, and soil sequestration;  
24 and

1           “(H) evaluation and assessment of climate-  
2           related decision tools of the Department of Ag-  
3           riculture.

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

7                   “(A) grazing land carbon sequestration;  
8                   and

9                   “(B) mitigation of enteric methane.

10          “(f) STAKEHOLDER INPUT.—Each regional hub es-  
11          tablished under this section shall solicit input from stake-  
12          holders on pressing needs, important issues, and outreach  
13          strategies through a variety of mechanisms including re-  
14          gional stakeholder committees and may partner with  
15          stakeholders in conducting research and developing tools.

16          “(g) RISK MANAGEMENT.—

17               “(1) IN GENERAL.—The Secretary shall appoint  
18          a team of individuals representing the regional hubs,  
19          regional hub partners, and the Risk Management  
20          Agency to develop recommendations to better ac-  
21          count for—

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

23                   “(B) soil health and other risk-reducing  
24          conservation activities in the Federal crop in-

1 insurance program under the Federal Crop Insur-  
2 ance Act (7 U.S.C. 1508 et seq.).

3 “(2) SUBMISSION OF RECOMMENDATIONS.—

4 The team appointed under paragraph (1) shall sub-  
5 mit to the Secretary on an iterative basis, but not  
6 less frequently than once every two years, the team’s  
7 recommendations developed pursuant to such para-  
8 graph.

9 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to carry out this section  
11 \$50,000,000 for each fiscal years 2021 through 2030.”.

12 **SEC. 203. SUSTAINABLE AGRICULTURE RESEARCH AND**  
13 **EDUCATION RESILIENCE INITIATIVE.**

14 (a) SUSTAINABLE AGRICULTURE RESEARCH AND  
15 EDUCATION.—Section 1619 of the Food, Agriculture,  
16 Conservation, and Trade Act of 1990 (7 U.S.C. 5801) is  
17 amended—

18 (1) in subsection (a)—

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

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

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

1           “(7) increase resilience in the context of a  
2           changing climate and related economic, social, and  
3           environmental shocks.”; and

4           (2) in subsection (b)—

5           (A) in paragraph (2)—

6           (i) by striking “management” and in-  
7           serting “systems and practices”; and

8           (ii) by inserting “resilience,” after  
9           “profitability,”; and

10          (B) by amending paragraph (3) to read as  
11          follows:

12          “(3) The term ‘resilience’ means, with respect  
13          to an agricultural management system, the ability of  
14          such system to absorb and recover from climate and  
15          other disturbances, such that the system thrives in  
16          the face of severe shocks.”.

17          (b) ELIGIBILITY OF TRIBAL COLLEGES TO ENTER  
18 INTO RESEARCH AND EXTENSION PROJECT AGREE-  
19 MENTS.—Section 1621(b) of the Food, Agriculture, Con-  
20 servation, and Trade Act of 1990 (7 U.S.C. 5811(b)) is  
21 amended by striking “or Federal or State” inserting  
22 “1994 Institutions (as defined in section 532 of the Eq-  
23 uity in Educational Land-Grant Status Act of 1994 (7  
24 U.S.C. 301 note; Public Law 103–382)), or Federal,  
25 State, or Tribal”.

1           (c) AGRICULTURAL AND FOOD SYSTEM RESILIENCE  
2 INITIATIVE.—

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

6           (A) in subsection (a)—

7           (i) in the matter preceding paragraph  
8 (1)—

9           (I) by striking the first sentence  
10 and inserting the following: “In close  
11 conjunction with programs and  
12 projects established under sections  
13 1621 and 1623, the Secretary shall  
14 establish a research, education, exten-  
15 sion, and outreach initiative, which  
16 may include farmer and rancher re-  
17 search and demonstration grants, and  
18 use an interdisciplinary approach  
19 wherever appropriate, to increase the  
20 resilience of agriculture and the food  
21 system in the context of a changing  
22 climate and related economic, social,  
23 and environmental shocks.”; and

1 (II) in the second sentence, by  
2 striking “program” and inserting  
3 “initiative”;

4 (ii) by striking paragraph (3);

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

8 (iv) by inserting before paragraph (3)  
9 (as so redesignated), the following:

10 “(1) to equip farmers to prepare for, adapt, and  
11 transform their farming systems when confronted by  
12 shocks and stresses to their agricultural production  
13 and livelihoods;

14 “(2) to support local and regional food systems  
15 that support resilience and enhance local access and  
16 control over productive resources;”;

17 (v) in paragraph (3) (as redesignated  
18 by clause (iii))—

19 (I) by inserting “climate and”  
20 after “adverse”;

21 (II) by inserting “soil quality  
22 and” after “enhance”; and

23 (III) by inserting “reduce de-  
24 pendency on fossil fuels,” after “in-  
25 puts,”;

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

4 (vii) in paragraph (6) (as redesignated  
5 by clause (iii)), by striking “integrated”  
6 and all that follows through “programs”  
7 and inserting “policies and programs to  
8 improve food and agricultural system resil-  
9 ience”;

10 (B) by striking subsections (b), (c), and  
11 (d); and

12 (C) by inserting after subsection (a) the  
13 following:

14 “(b) FUNDING.—

15 “(1) MANDATORY FUNDING.—Of the funds of  
16 the Commodity Credit Corporation, the Secretary  
17 shall make available to carry out this section  
18 \$50,000,000 for fiscal year 2021 and each fiscal  
19 year thereafter.

20 “(2) DISCRETIONARY FUNDING.—There are au-  
21 thorized to be appropriated to carry out this section  
22 through the National Institute of Food and Agri-  
23 culture \$20,000,000 for each of fiscal years 2013  
24 through 2023.”.

1           (2) CONFORMING AMENDMENT.—The chapter  
2 heading of chapter 2 of subtitle B of title XVI of the  
3 Food, Agriculture, Conservation, and Trade Act of  
4 1990 (7 U.S.C. 5821) is amended to read as follows:  
5       **“AGRICULTURAL AND FOOD SYSTEM**  
6       **RESILIENCE INITIATIVE”**.

7       **SEC. 204. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**  
8           **VELOPMENT AND TRANSFER PROGRAM.**

9           (a) TECHNICAL GUIDES AND BOOKS.—Section 1628  
10 of the Food, Agriculture, Conservation, and Trade Act of  
11 1990 (7 U.S.C. 5831) is amended—

12           (1) in subsection (d)—

13                   (A) by redesignating paragraphs (3) and  
14                   (4) as paragraphs (4) and (5), respectively; and

15                   (B) by inserting after paragraph (2) the  
16 following:

17                   “(3) adapting to and mitigating the effects of  
18 climate change;”; and

19           (2) in subsection (e), by striking “Soil Con-  
20 servation” and inserting “Natural Resources Con-  
21 servation”.

22           (b) NATIONAL TRAINING PROGRAM.—Section 1629  
23 of the Food, Agriculture, Conservation, and Trade Act of  
24 1990 (7 U.S.C. 5832) is amended—

25           (1) in subsection (g)—



1 (A) in paragraph (5), by striking “Soil  
2 Conservation Service and the Agricultural Sta-  
3 bilization and Conservation Service” and insert-  
4 ing “Natural Resources Conservation Service  
5 and the Farm Service Agency”;

6 (B) by redesignating paragraphs (10) and  
7 (11) as paragraphs (11) and (12), respectively;  
8 and

9 (C) by inserting after paragraph (9) the  
10 following;

11 “(10) develop and provide information con-  
12 cerning climate change adaptation and mitigation  
13 developed under this subtitle and other research and  
14 education programs of the Department;”;

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

18 (3) in subsection (i), by striking “2023” and in-  
19 serting the following: “2020, and \$30,000,000 for  
20 each of fiscal years 2021 through 2030”.

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

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

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

2       “(a) IN GENERAL.—The Secretary, acting through  
3 the Administrator of the Agricultural Research Service,  
4 shall provide for the establishment and maintenance of a  
5 network of research sites operated by the Agricultural Re-  
6 search Service for research on the sustainability of agricul-  
7 tural systems in the United States, to be known as the  
8 ‘Long-Term Agroecological Research Network’ (in this  
9 section referred to as the ‘Network’) with the following  
10 goals:

11               “(1) To understand and enhance the sustain-  
12 ability of agriculture.

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

16               “(3) To develop new farming systems, practices,  
17 and technologies to address agricultural challenges  
18 and opportunities, including challenges and opportu-  
19 nities posed by climate change.

20       “(b) ACTIVITIES DESCRIBED.—The activities of the  
21 Network shall include—

22               “(1) research conducted for a minimum of 30  
23 years to develop novel scientific insights at regional  
24 and national scales and evaluate the applicability  
25 and adaptation to local conditions;

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

5           “(3) the coordination of large-scale data collec-  
6           tion related to the sustainability of agricultural sys-  
7           tems and the provision of infrastructure to research  
8           sites to allow for analyzing and disseminating such  
9           data.

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

12           “(1) coordinate long-term agroecological re-  
13           search to improve understanding within the Depart-  
14           ment of Agriculture of how agroecosystems function  
15           at the field, regional, and national scales;

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

19           “(3) ensure that every research site so included  
20           conducts experiments with common goals and meth-  
21           ods—

22                   “(A) to increase agricultural productivity  
23                   and profitability;

1           “(B) to enhance agricultural resilience and  
2           the capacity to mitigate and adapt to climate  
3           change;

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

6           “(D) improve opportunities for rural com-  
7           munities;

8           “(4) make data collected at research sites in-  
9           cluded in the Network open to researchers and the  
10          public whenever practicable, and integrate data  
11          across the network and partner sites; and

12          “(5) provide infrastructure to research sites in-  
13          cluded in the Network for data collection, common  
14          measurements, and data streams that complement  
15          other national networks, such as the National Eco-  
16          logical Observatory Network (NEON) and the Long-  
17          Term Ecological Research (LTER) network.

18          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
19          are authorized to be appropriated to carry out this section  
20          \$50,000,000 for each of fiscal years 2021 through 2030.”.

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

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

24                  (1) in subsection (a), by adding at the end the  
25          following:

1 “(3) DEFINITIONS.—In this section:

2 “(A) CONVENTIONAL BREEDING.—The term  
3 ‘conventional breeding’ means the development of  
4 new varieties of an organism through controlled  
5 mating and selection without the use of transgenic  
6 methods, provided that information gained through  
7 gene sequencing, genomic, and metabolomics anal-  
8 yses can be used to inform mating and selection  
9 choices.

10 “(B) CULTIVAR.—The term ‘cultivar’ means a  
11 variety of a species of plant that has been inten-  
12 tionally selected for use in cultivation because of the  
13 improved characteristics of that variety of the spe-  
14 cies.

15 “(C) PUBLIC BREED AND CULTIVAR.—The  
16 term ‘public breed and cultivar’ means an animal  
17 breed or crop cultivar that is the commercially avail-  
18 able end product of a publicly funded breeding pro-  
19 gram that has been sufficiently tested to dem-  
20 onstrate improved characteristics and stable per-  
21 formance, and for which the farmers’ rights to save  
22 and use, and breeders’ rights to share and improve  
23 are protected.”; and

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

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

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

8                       “(A) \$50,000,000 for fiscal year 2021;

9                       “(B) \$60,000,000 for fiscal year 2022;

10                      “(C) \$70,000,000 for fiscal year 2023;

11                      “(D) \$80,000,000 for fiscal year 2024;

12                      “(E) \$90,000,000 for fiscal year 2025; and

13                      “(F) \$100,000,000 for each of the fiscal  
14 years 2026 through 2030.

15               “(2) PRIORITY.—In making grants under para-  
16 graph (1), the Secretary shall give priority to high-  
17 potential research projects that lead to the release of  
18 public breeds and cultivars that assist producers in  
19 mitigating and adapting to climate change.

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

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

1           “(B) any such term or associated renewal  
2 process facilitates the development and commer-  
3 cialization of public breeds and cultivars  
4 through long-term grants; and

5           “(C) when necessary, Tribal consultation  
6 occurs to ensure public breed and cultivar de-  
7 velopment does not infringe on Tribes’ abilities  
8 to maintain culturally sensitive breeds and  
9 cultivars.”.

10       (b) PUBLIC BREED AND CULTIVAR RESEARCH AC-  
11 TIVITIES COORDINATOR.—Section 251 of the Department  
12 of Agriculture Reorganization Act of 1994 (7 U.S.C.  
13 6971) is amended—

14           (1) in subsection (e), by adding at the end the  
15 following:

16           “(7) PUBLIC BREED AND CULTIVAR RESEARCH  
17 ACTIVITIES COORDINATOR.—

18           “(A) IN GENERAL.—The Under Secretary  
19 shall appoint a coordinator within the Office of  
20 the Chief Scientist that reports to the Under  
21 Secretary to coordinate research activities at  
22 the Department relating to the breeding of pub-  
23 lic breeds and cultivars (as defined in para-  
24 graph (3) of subsection (a) of the Competitive,

1 Special, and Facilities Research Grant Act (7  
2 U.S.C. 3157(a)).

3 “(B) DUTIES OF COORDINATOR.—The co-  
4 ordinator appointed under subparagraph (A)  
5 shall—

6 “(i) coordinate animal and plant  
7 breeding research activities funded by the  
8 Department relating to the development  
9 and delivery to producers of climate resil-  
10 ient and regionally adapted public breeds  
11 and crop cultivars;

12 “(ii)(I) carry out ongoing analysis and  
13 track activities for any Federal research  
14 funding supporting animal and plant  
15 breeding (including any public breeds and  
16 cultivars developed with Federal funds);  
17 and

18 “(II) ensure that the analysis and ac-  
19 tivities are made available to the public not  
20 later than 60 days after the last day of  
21 each fiscal year;

22 “(iii) develop a strategic plan that es-  
23 tablishes targets for public breed and  
24 cultivar research investments across the  
25 Department to ensure that a diverse range



1 of animal and crop needs are being met in  
2 a timely and transparent manner, with a  
3 strong focus on delivery of resource-effi-  
4 cient, stress-tolerant, regionally adapted  
5 animal breeds and crop cultivars that help  
6 build agricultural resilience to climate  
7 change and support on-farm carbon se-  
8 questration and greenhouse gas mitigation,  
9 nutritional quality, and other farmer-iden-  
10 tified priority agronomic and market traits;

11 “(iv) convene a working group in  
12 order to carry out the coordination func-  
13 tions described in this subparagraph com-  
14 prised of individuals who are responsible  
15 for the management, administration, or  
16 analysis of public breeding programs with-  
17 in the Department from—

18 “(I) the National Institute of  
19 Food and Agriculture;

20 “(II) the Agricultural Research  
21 Service; and

22 “(III) the Economic Research  
23 Service;

1           “(v) in order to maximize delivery of  
2 public breeds and cultivars, promote col-  
3 laboration among—

4                   “(I) the coordinator;

5                   “(II) the working group convened  
6 under clause (iv);

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

11                   “(IV) genetic resource conserva-  
12 tion centers;

13                   “(V) land-grant colleges and uni-  
14 versities (as defined in section 1404 of  
15 the National Agricultural Research,  
16 Extension, and Teaching Policy Act of  
17 1977 (7 U.S.C. 3103));

18                   “(VI) Hispanic-serving institu-  
19 tions (as defined in section 502(a) of  
20 the Higher Education Act of 1965 (20  
21 U.S.C. 1101a(a));

22                   “(VII) Native American-serving  
23 nontribal institutions (as defined in  
24 section 371(c) of the Higher Edu-

1 cation Act of 1965 (20 U.S.C.  
2 1067q(e));

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

7 “(IX) nongovernmental organiza-  
8 tions with interest or expertise in pub-  
9 lic breeding; and

10 “(X) public and private plant  
11 breeders;

12 “(vi) convene regular stakeholder lis-  
13 tening sessions to provide input on na-  
14 tional and regional priorities for public  
15 breed and cultivar research activities  
16 across the Department; and

17 “(vii) evaluate and make rec-  
18 ommendations to the Under Secretary on  
19 training and resource needs to meet future  
20 breeding challenges, including the chal-  
21 lenges stemming from climate change.”;  
22 and

23 (2) in subsection (f)(1)(D)(i), by striking “(7  
24 U.S.C. 450i(b))” and inserting “(7 U.S.C.  
25 3157(b))”.

1           (c)           CONFORMING           AMENDMENT.—Section  
2 296(b)(6)(B) of the Department of Agriculture Reorga-  
3 nization Act of 1994 (7 U.S.C. 7014(b)(6)(B)) is amended  
4 by striking “Office; and” and inserting “Office (including  
5 the public breed and cultivar research activities coordi-  
6 nator under subsection (e)(7) of that section); and”.

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

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

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

20           “(b) PRIORITY.—In supporting research under sub-  
21 section (a) using funds made available pursuant to sub-  
22 section (d), the Secretary shall give priority to high-poten-  
23 tial research projects that lead to the release of public  
24 breeds and cultivars that assist producers in mitigating  
25 and adapting to climate change.

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

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

9               “(2) areas of high priority research;

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

13              “(4) an assessment of the state of commer-  
14 cialization for breeds and cultivars that have been  
15 developed.

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

20 **SEC. 207. ARS CLIMATE SCIENTIST CAREER DEVELOPMENT**  
21 **PROGRAM.**

22       (a) IN GENERAL.—The Secretary of Agriculture  
23 shall, in accordance with section 922 of the Federal Agri-  
24 culture Improvement and Reform Act of 1996 (7 U.S.C.  
25 2279c), carry out an internship program within the Agri-

1 cultural Research Service for graduate students pursuing  
2 a degree or conducting research related to climate change  
3 and agriculture.

4 (b) FUNDING.—Of the funds of the Commodity Cred-  
5 it Corporation, the Secretary may use not more than  
6 \$10,000,000 for each of fiscal years 2021 through 2030  
7 to carry out the program referred to in subsection (a).

8 **SEC. 208. AGRICULTURAL CLIMATE ADAPTATION AND MITI-**  
9 **GATION THROUGH AFRI.**

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

13 “(G) AGRICULTURAL CLIMATE ADAPTA-  
14 TION AND MITIGATION.—Agricultural climate  
15 adaptation and mitigation, including—

16 “(i) strategies for agricultural adapta-  
17 tion to climate change, including adapta-  
18 tion strategies for small and medium-sized  
19 dairy, livestock, crop and other commodity  
20 operations;

21 “(ii) on-farm mitigation strategies and  
22 solutions, including infrastructure, equip-  
23 ment, and agricultural ecosystems-based  
24 strategies;

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

6           “(iv) the effectiveness of existing con-  
7           servation practices and enhancements to  
8           improve soil health, including the effective-  
9           ness to sequester carbon in soil;

10           “(v) new technologies to measure and  
11           verify environmentally beneficial outcomes  
12           of healthy soils practices, including carbon  
13           sequestration in soil; and

14           “(vi) links between human health and  
15           soil health.”.

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

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

20           (1) in subsection (b)—

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

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

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

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

4 “(6) efforts to mitigate and adapt to climate  
5 change, including—

6 “(A) on-farm mitigation strategies and so-  
7 lutions, including agricultural ecosystems-based  
8 strategies;

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

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

14 (2) in subsection (g)(3)(A), by striking “equal  
15 to not less than the amount of the grant” and in-  
16 serting “in an amount that is equal to not less than  
17 25 percent of the funds provided through the  
18 grant”.

19 **SEC. 210. INTEGRATED PEST MANAGEMENT.**

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

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



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

3           “(d) EMPHASIS ON CLIMATE RESILIENCE.—The Sec-  
4           retary shall ensure that grants made under this section  
5           are, where appropriate, consistent with the development  
6           of food and agricultural systems that improve climate re-  
7           silience.

8           “(e) ECOLOGICALLY BASED PEST MANAGEMENT.—  
9           The Secretary shall ensure that grants made under this  
10          section to support pest management prioritize ecologically  
11          based approaches that are effective, affordable, and envi-  
12          ronmentally sound, maintain agricultural productivity and  
13          healthy communities, and improve climate resilience.”.

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

15          (a) STUDY.—The Secretary of Agriculture, in con-  
16          sultation with the Secretary of Health and Human Serv-  
17          ices, shall enter into an agreement with the National  
18          Academy of Sciences, under which the National Academy  
19          agrees to produce an analysis of current scientific findings  
20          to determine the links between human health and soil  
21          health by—

22                  (1) reviewing existing research on the connec-  
23                  tions between the human microbiome and soil  
24                  microbiome;

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

4           (3) exploring potential impact of increasing soil  
5           organic matter across the agricultural and food  
6           value chain;

7           (4) determining how to best leverage healthy  
8           soil management practices to maximize benefits and  
9           minimize adverse impacts on human health; and

10          (5) highlighting areas for future research.

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

19 **SEC. 212. APPROPRIATE TECHNOLOGY TRANSFER TO**  
20 **RURAL AREAS.**

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

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

1           (2) by redesignating subparagraph (D) as sub-  
2           paragraph (E) and inserting after subparagraph (C)  
3           the following:

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

## 6           **TITLE III—SOIL HEALTH**

### 7           **SEC. 301. CROP INSURANCE.**

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

11           (1) in subparagraph (A)(iii), by striking “prac-  
12           tices” the first place it appears and all that follows  
13           through the period at the end and inserting “prac-  
14           tices.”;

15           (2) by redesignating subparagraphs (B) and  
16           (C) as subparagraphs (C) and (D), respectively; and

17           (3) by inserting after subparagraph (A) the fol-  
18           lowing:

19                     “(B) GOOD FARMING PRACTICES.—For  
20                     purposes of subparagraph (A)(iii), good farming  
21                     practices include the following:

22                             “(i) Scientifically sound, sustainable,  
23                             and organic farming practices, as deter-  
24                             mined by the Secretary.

1                   “(ii) Conservation farming practices  
2                   that are approved by—

3                               “(I) the Natural Resources Con-  
4                               servation Service; or

5                               “(II) an agricultural expert, as  
6                               determined by the Secretary.”.

7           (b) RISK-REDUCTION-BASED DISCOUNTS.—Section  
8 508(d) of the Federal Crop Insurance Act (7 U.S.C.  
9 1508(d)) is amended—

10                   (1) by redesignating paragraph (4) as para-  
11                   graph (5); and

12                   (2) by inserting after paragraph (3) the fol-  
13                   lowing:

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

15                               “(A) IN GENERAL.—Effective beginning  
16                               with the 2021 reinsurance year, the Corpora-  
17                               tion may provide a risk-reduction-based pre-  
18                               mium discount for a producer of an agricultural  
19                               commodity who uses risk-reduction farming  
20                               practices, as determined by the Corporation.

21                               “(B) RISK-REDUCTION FARMING PRAC-  
22                               TICES.— For purposes of subparagraph (A),  
23                               risk-reduction farming practices may include  
24                               the following:

25                               “(i) The use of cover crops.

1                   “(ii) Resource-conserving crop rota-  
2                   tions.

3                   “(iii) Management-intensive rotational  
4                   grazing.

5                   “(iv) Composting.

6                   “(v) Other risk-reducing and soil  
7                   health promoting farming practices as de-  
8                   termined by the Corporation.”.

9           (c) CROP PRODUCTION ON NATIVE SOD APPLICA-  
10 BILITY.—

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

14           (2) EFFECTIVE DATE.—The amendment made  
15           by paragraph (1) shall take effect on the first day  
16           of the first reinsurance year beginning at least 1  
17           year after the date of the enactment of this Act.

18 **SEC. 302. ENVIRONMENTAL QUALITY INCENTIVES PRO-**  
19 **GRAM.**

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

22           (1) in the matter preceding paragraph (1), by  
23           striking “and environmental quality” and inserting  
24           “environmental quality, and climate change adapta-  
25           tion and mitigation”;

1 (2) in paragraph (1)—

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

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

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

7 “(D) greenhouse gas emissions reduction  
8 and carbon sequestration;”;

9 (3) in paragraph (3)(C), by inserting “reducing  
10 greenhouse gas emissions and” before “conserving  
11 energy”; and

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

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

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

19 (2) by redesignating clause (vi) as clause (vii);  
20 and

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

22 “(vi) greenhouse gas emissions reduc-  
23 tion planning; and”.

24 (c) ESTABLISHMENT AND ADMINISTRATION OF EN-  
25 VIRONMENTAL QUALITY INCENTIVES PROGRAM.—

1           (1) ESTABLISHMENT.—Section 1240B(a) of the  
2           Food Security Act of 1985 (16 U.S.C. 3839aa–2(a))  
3           is amended by striking “2023” and inserting  
4           “2030”.

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

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

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

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

13                           “(v) increases carbon sequestration or  
14                           reduces greenhouse gas emissions.”.

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

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

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

24           (4) PAYMENTS FOR CONSERVATION PRACTICES  
25           RELATED TO ORGANIC PRODUCTION.—Section

1       1240B(i) of the Food Security Act of 1985 (16  
2       U.S.C. 3839aa–2(i)) is amended by striking para-  
3       graph (3) and redesignating paragraphs (4) and (5)  
4       as paragraphs (3) and (4), respectively.

5               (5) CONSERVATION INCENTIVE CONTRACTS.—  
6       Section 1240B(j)(1) of the Food Security Act of  
7       1985 (16 U.S.C. 3839aa–2(j)(1)) is amended by  
8       adding at the end the following:

9               “(C) CLIMATE CHANGE ADAPTATION AND  
10              MITIGATION.—For the purposes of this sub-  
11              section, priority resource concerns include cli-  
12              mate change adaptation and mitigation.”.

13              (d) ENVIRONMENTAL QUALITY INCENTIVES PLAN.—  
14       Section 1240E(a)(3) of the Food Security Act of 1985 (16  
15       U.S.C. 3839aa–5(a)(3)) is amended by inserting “, and  
16       a greenhouse gas emissions reduction plan” after “if appli-  
17       cable”.

18              (e) LIMITATION ON PAYMENTS.—Section 1240G of  
19       the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is  
20       amended by striking “Not including payments made under  
21       section 1240B(j), a person or legal entity may not receive,  
22       directly or indirectly, cost-share or incentive payments  
23       under this subchapter that, in aggregate, exceed \$450,000  
24       for all contracts entered into under this subchapter by the  
25       person or legal entity during the period of fiscal years



1 2014 through 2018, or the period of fiscal years 2019  
2 through 2023” and inserting “A person or legal entity (in-  
3 cluding a joint venture and a general partnership) may  
4 not receive, directly or indirectly, cost-share or incentive  
5 payments under this subchapter that, in aggregate, exceed  
6 \$450,000 for all contracts entered into under this sub-  
7 chapter by the person or legal entity during any 5-fiscal-  
8 year period”.

9 (f) CONSERVATION INNOVATION GRANTS.—

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

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

18 (B) in paragraph (2), by striking “2019  
19 through 2023” and inserting “2019 and 2020,  
20 and \$50,000,000 for each of fiscal years 2021  
21 through 2030”.

22 (2) ON-FARM CONSERVATION INNOVATION  
23 TRIALS.—Section 1240H(c)(2) of the Food Security  
24 Act of 1985 (16 U.S.C. 3839aa–8(c)(2)) is amended  
25 by striking “2019 through 2023” and inserting

1 “2019 and 2020, \$50,000,000 of the funds made  
2 available to carry out this subchapter for each of fis-  
3 cal years 2021 through 2023, and \$100,000,000 of  
4 the funds made available to carry out this sub-  
5 chapter for each of fiscal years 2024 through 2030”.

6 **SEC. 303. CONSERVATION STEWARDSHIP PROGRAM.**

7 (a) DEFINITIONS.—Section 1240I(2) of the Food Se-  
8 curity Act of 1985 (16 U.S.C. 3839aa–21(2)) is amend-  
9 ed—

10 (1) in subparagraph (A), by inserting “enhance-  
11 ments,” after “practices,”; and

12 (2) in subparagraph (B)(v), by inserting “and  
13 climate change” before the period at the end.

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

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

19 (2) by striking paragraphs (1) and (2) and in-  
20 serting the following:

21 “(1) by maintaining, actively managing, and,  
22 where possible, improving upon existing conservation  
23 activities; and

24 “(2) by undertaking additional conservation ac-  
25 tivities.”.

1 (c) STEWARDSHIP CONTRACTS.—

2 (1) SUBMISSION OF CONTRACT OFFERS.—Sec-  
3 tion 1240K(a)(2)(B) of the Food Security Act of  
4 1985 (16 U.S.C. 3839aa–23(a)(2)(B)) is amended  
5 by striking “improving, maintaining, and managing”  
6 and inserting “maintaining, actively managing, and,  
7 where possible, improving”.

8 (2) EVALUATION OF CONTRACT OFFERS.—Sec-  
9 tion 1240K(b)(3) of the Food Security Act of 1985  
10 (16 U.S.C. 3839aa–23(b)(3)) is amended by striking  
11 “that national, State, and local priority resource  
12 concerns are effectively addressed” and inserting  
13 “that the program effectively targets improvements  
14 to soil health, increases in carbon sequestration, and  
15 reductions in greenhouse gas emissions”.

16 (3) CONTRACT RENEWAL.—Section  
17 1240K(e)(3) of the Food Security Act of 1985 (16  
18 U.S.C. 3839aa–23(e)(3)) is amended to read as fol-  
19 lows:

20 “(3) agrees, by the end of the contract period,  
21 to meet the stewardship threshold of at least 2 addi-  
22 tional priority resource concerns on the agricultural  
23 operation, if applicable.”.

24 (d) DUTIES OF THE SECRETARY.—

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

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

10           (A) in paragraph (1)(B), by striking “im-  
11           proving, maintaining, and managing” and in-  
12           serting “maintaining, actively managing, and  
13           improving”; and

14           (B) in paragraph (2)(E), by inserting “,  
15           actively managed, and, where applicable, im-  
16           proved” after “maintained”.

17           (3) PAYMENT LIMITATIONS.—Section 1240L(f)  
18           of the Food Security Act of 1985 (16 U.S.C.  
19           3839aa–24(f)) is amended—

20           (A) by striking “fiscal years 2019 through  
21           2023” and inserting “any consecutive 5-year  
22           period”; and

23           (B) by inserting “(including joint ventures  
24           and general partnerships)” before the period at  
25           the end.

1 (e) ON-FARM CONSERVATION STEWARDSHIP INNO-  
2 VATION GRANTS.—Subchapter B of chapter 4 of subtitle  
3 D of subtitle D of title XII of the Food Security Act of  
4 1985 (16 U.S.C. 3839aa–21 et seq.) is amended by adding  
5 at the end the following:

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

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

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

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

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

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

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

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

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

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

25          “(e) INCENTIVE PAYMENTS.—

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

15          “(2) ADJUSTED GROSS INCOME REQUIRE-  
16          MENTS.—

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

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

22                         “(ii) be enforced by the Secretary.

23                 “(B) REPORTING.—A governmental or  
24                 non-governmental organization participating in  
25                 an on-farm conservation stewardship innovation

1 partnership project under this subsection shall  
2 report annually to the Secretary on the amount  
3 of payments made to individual farm operations  
4 under this subsection.

5 “(3) RESEARCH, TECHNICAL ASSISTANCE, AND  
6 ADMINISTRATIVE EXPENSES.—The Secretary may  
7 provide partnerships under this section with up to  
8 \$50,000 per project for research, technical assist-  
9 ance, and administrative expenses.

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

13 “(A) not less than 2 years; and

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

17 “(i) adaptive management over mul-  
18 tiple crop years; and

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



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

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

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

6 “(a) AVAILABILITY AND PURPOSE OF GRANTS.—  
7 Using funds made available under subsection (l), the Sec-  
8 retary shall make grants to States or tribal governments  
9 for each of fiscal years 2021 through 2030 to be used by  
10 State departments of agriculture or appropriate tribal au-  
11 thorities to improve soil health on agricultural lands.

12 “(b) ELIGIBILITY.—

13 “(1) IN GENERAL.—To be eligible to receive a  
14 grant under this section, a State legislature or tribal  
15 government shall have enacted and be currently  
16 funding a State or tribal soil health program for ag-  
17 ricultural land. A State department of agriculture or  
18 tribal government may then prepare and submit, for  
19 approval by the Secretary, an application at such  
20 time, and in such a manner, and containing such in-  
21 formation as the Secretary shall require, including  
22 an assurance that grant funds received under this  
23 section shall supplement the expenditure of State or  
24 tribal funds in support of soil health in that State,  
25 rather than replace State or tribal funds.

1           “(2) COMPONENTS.—A State or tribal soil  
2 health program may include—

3                   “(A) technical assistance;

4                   “(B) financial assistance;

5                   “(C) on-farm research and demonstration;

6                   “(D) education, outreach, and training;

7                   “(E) monitoring and evaluation; or

8                   “(F) such other components as the Sec-  
9 retary deems appropriate.

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

14          “(d) GRANT AMOUNT.—

15                   “(1) MAXIMUM.—The maximum grant any one  
16 State or tribe may receive under this section for a  
17 fiscal year shall be \$5,000,000.

18                   “(2) FEDERAL SHARE.—The grant amount to a  
19 State or tribe shall not exceed—

20                           “(A) 50 percent of the State expenditure  
21 for its soil health program; or

22                           “(B) 75 percent of the tribal expenditure  
23 for its soil health program.

24          “(e) GRANT TERM.—A grant under this section shall  
25 be for one year and may be renewed annually.

1       “(f) PRIORITY.—The Secretary shall give priority to  
2 States or tribes with a climate action plan that includes  
3 soil health, as determined by the Secretary.

4       “(g) PERFORMANCE MEASURES AND EVALUATION.—

5           “(1) PERFORMANCE MEASURES.—Each applica-  
6 tion under subsection (b) shall include performance  
7 measures to be used to evaluate the State or tribal  
8 program and the results of the assistance received  
9 under this section.

10           “(2) REVIEW.—The State department of agri-  
11 culture or the tribal authority shall submit a review  
12 and evaluation of its program to the Secretary at  
13 such intervals as the Secretary shall establish.

14       “(h) REVIEW OF APPLICATION.—In reviewing an ap-  
15 plication submitted under subsection (b), the Secretary  
16 shall ensure the State or tribal program is properly fo-  
17 cused on soil health improvement, is broadly consistent  
18 with the soil health principles of the Natural Resources  
19 Conservation Service, and is meeting or exceeding its per-  
20 formance measures.

21       “(i) EFFECT OF NONCOMPLIANCE.—If the Secretary,  
22 after reasonable notice to a State or tribe, finds that there  
23 has been a failure by the State or tribe to comply with  
24 the terms of a grant made under this section, the Sec-

1   retary may disqualify, for one or more years, the State  
2   or tribe from receipt of future grants under this section.

3       “(j) AUDIT REQUIREMENT.—For each year that a  
4   State or tribe receives a grant under this section, the State  
5   or tribe shall conduct an audit of the expenditures of grant  
6   funds by the State or tribe and shall submit a copy of  
7   the audit to the Secretary within 30 days of its completion.

8       “(k) ADMINISTRATION.—

9           “(1) DEPARTMENT.—The Secretary may not  
10   use more than 3 percent of the funds made available  
11   to carry out this section for a fiscal year for admin-  
12   istrative expenses.

13           “(2) STATES OR TRIBES.—A State or tribe re-  
14   ceiving a grant under this section may not use more  
15   than 7 percent of the funds received under the grant  
16   for a fiscal year for administrative expenses.

17       “(l) FUNDING.—Of the funds of the Commodity  
18   Credit Corporation, the Secretary shall make grants under  
19   this section using—

20           “(1) \$60,000,000 for fiscal years 2021 through  
21   2023;

22           “(2) \$80,000,000 for fiscal years 2024 through  
23   2026; and

24           “(3) \$100,000,000 for fiscal year 2027 and  
25   each fiscal year thereafter.”.

1 **SEC. 305. FUNDING AND ADMINISTRATION.**

2 (a) COMMODITY CREDIT CORPORATION.—

3 (1) ANNUAL FUNDING.—Section 1241(a) of the  
4 Food Security Act of 1985 (16 U.S.C. 3841(a)) is  
5 amended—

6 (A) in the matter preceding paragraph (1),  
7 by striking “For each of fiscal years 2014  
8 through 2023, the Secretary” and inserting  
9 “The Secretary”;

10 (B) in paragraph (1)—

11 (i) in subparagraph (A), by inserting  
12 “, and \$17,000,000 for the period of fiscal  
13 years 2024 through 2030,” after “2023”;  
14 and

15 (ii) in subparagraph (B), by inserting  
16 “and \$70,000,000 for the period of fiscal  
17 years 2024 through 2030, including not  
18 more than \$5,000,000 to provide outreach  
19 and technical assistance,” after “technical  
20 assistance,”;

21 (C) in paragraph (2)—

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

24 (ii) in subparagraph (F), by striking  
25 “2023.” and inserting “2021; and”; and

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

3 “(G) \$700,000,000 for each of fiscal years  
4 2022 through 2030.”; and

5 (D) in paragraph (3)—

6 (i) in subparagraph (A)—

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

9 (II) by adding at the end the fol-  
10 lowing:

11 “(vi) \$3,000,000,000 for fiscal years  
12 2024 through 2030; and”; and

13 (ii) in subparagraph (B)—

14 (I) in clause (iii), by striking  
15 “\$750,000,000” and inserting  
16 “\$2,000,000,000”;

17 (II) in clause (iv), by striking  
18 “\$800,000,000 for fiscal year 2022;  
19 and” and inserting “\$2,500,000,000  
20 for fiscal year 2022;”;

21 (III) in clause (v), by striking  
22 “\$1,000,000,000 for fiscal year  
23 2023.” and inserting “\$3,000,000,000  
24 for fiscal year 2023; and”;

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

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

5 (2) AVAILABILITY OF FUNDS.—Section 1241(b)  
6 of the Food Security Act of 1985 (16 U.S.C.  
7 3841(b)) is amended by striking “2023” and insert-  
8 ing “2030”.

9 (3) TECHNICAL ASSISTANCE.—Section 1241(c)  
10 of the Food Security Act of 1985 (16 U.S.C.  
11 3841(c)) is amended by adding at the end the fol-  
12 lowing:

13 “(5) SPECIAL INITIATIVE.—

14 “(A) IN GENERAL.—Beginning in fiscal  
15 year 2021 and every year thereafter through  
16 fiscal year 2030, the Secretary shall use for a  
17 special technical assistance initiative to assist  
18 producers in mitigating and adapting to climate  
19 change, from the Commodity Credit Corpora-  
20 tion, an amount equal to not less than 1 per-  
21 cent of Commodity Credit Corporation funds  
22 made available for a fiscal year for each of the  
23 programs specified in subsection (a).

24 “(B) PROVISION OF TECHNICAL ASSIST-  
25 ANCE.—The Secretary shall provide technical

1 assistance under this special initiative to pro-  
2 ducers—

3 “(i) directly;

4 “(ii) through an agreement with a  
5 third-party provider (as defined in section  
6 1242), or, at the option of the producer,  
7 through a payment, as determined by the  
8 Secretary, to the producer for a third-party  
9 provider approved under section 1242, if  
10 available; or

11 “(iii) through a cooperative agreement  
12 or contract with—

13 “(I) a cooperative extension;

14 “(II) a non-governmental organi-  
15 zation; or

16 “(III) a State, tribal, or Federal  
17 agency.”.

18 (4) ASSISTANCE TO CERTAIN FARMERS OR  
19 RANCHERS FOR CONSERVATION ACCESS.—Section  
20 1241(h) of the Food Security Act of 1985 (16  
21 U.S.C. 3841(h)) is amended—

22 (A) in paragraph (1)(B), by striking “to  
23 the maximum extent practicable” and all that  
24 follows through the period at the end and in-  
25 serting “to the maximum extent practicable, 30



1 percent to assist beginning farmers or ranchers  
2 and socially disadvantaged farmers or ranch-  
3 ers.”; and

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

6 (b) ADMINISTRATIVE REQUIREMENTS FOR CON-  
7 SERVATION PROGRAMS.—

8 (1) INCENTIVES FOR CERTAIN FARMERS AND  
9 RANCHERS AND INDIAN TRIBES.—Section  
10 1244(a)(1) of the Food Security Act of 1985 (16  
11 U.S.C. 3844(a)(1)) is amended—

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

14 (B) by striking subparagraph (B) and in-  
15 serting the following:

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

21 “(C) to enhance other long-term environ-  
22 mental goals.”.

23 (2) REVIEW AND GUIDANCE FOR PRACTICE  
24 COSTS AND PAYMENT RATES.—Section

1 1244(j)(1)(B) of the Food Security Act of 1985 (16  
2 U.S.C. 3844(j)(1)(B)) is amended—

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

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

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

8 “(iv) accelerates progress in meeting  
9 the goals established under title I of the  
10 Agriculture Resilience Act.”.

11 (3) ADVANCED GRAZING MANAGEMENT.—Sec-  
12 tion 1244 of the Food Security Act of 1985 (16  
13 U.S.C. 3844) is amended by adding at the end the  
14 following:

15 “(q) ADVANCED GRAZING MANAGEMENT.—

16 “(1) IN GENERAL.—In carrying out any con-  
17 servation program administered by the Secretary,  
18 the Secretary shall encourage advanced grazing  
19 management, including management-intensive rota-  
20 tional grazing, as such terms are defined in section  
21 1240L(d).

22 “(2) RESERVATION OF FUNDS.—In each of fis-  
23 cal years 2021 through 2030, the Secretary shall use  
24 to carry out this subsection not less than two thirds  
25 of any funds available for activities related to live-

1 stock production under conservation programs ad-  
2 ministered by the Secretary under this title (other  
3 than the conservation reserve program established  
4 under subchapter B of chapter 1 of subtitle D, ex-  
5 cept for acres enrolled under section 1231(d)(2)).”.

6 (c) ENVIRONMENTAL SERVICES MARKETS.—Section  
7 1245 of the Food Security Act of 1985 (16 U.S.C. 3845)  
8 is amended by adding at the end the following:

9 “(f) SOIL HEALTH AND GREENHOUSE GAS FEDERAL  
10 ADVISORY COMMITTEE.—

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

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

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

22 “(B) organizations representing farmers  
23 and ranchers, including those representing  
24 small and mid-sized farms;

25 “(C) scientists;

1           “(D) environmental nonprofit organiza-  
2           tions;

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

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

9           “(G) relevant Federal agencies;

10           “(H) youth engaged in the agriculture or  
11           food sector;

12           “(I) tribal communities; and

13           “(J) State agriculture agencies.

14           “(3) TERMS.—

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

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

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

24           “(5) RECOMMENDATIONS.—Not later than 12  
25           months after the date on which the advisory com-

1       mittee is established, and periodically thereafter, the  
2       advisory committee shall submit to the Secretary  
3       recommendations on—

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

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

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

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

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

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

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

25       “(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 three additional regional agro-  
20 forestry centers at other locations to be determined by the  
21 Secretary (referred to in this section as the ‘Centers’). The  
22 Secretary shall appoint a National Director and three Re-  
23 gional Directors to manage and coordinate the program  
24 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 (4)—

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

8 and

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

11 (D) in paragraph (7), by striking “on  
12 semiarid lands”;

13 (E) in paragraph (8), by striking “on  
14 semiarid lands worldwide” and inserting  
15 “worldwide, including on semiarid lands”; and

16 (F) in paragraph (9)—

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

18 and

19 (ii) by inserting “and climate change”  
20 after “pollution”;

21 (4) in subsection (c), in the matter preceding  
22 paragraph (1), by striking “Center” and inserting  
23 “Centers”; and



1           (5) in subsection (d), by striking “through  
2           2023” and inserting “and 2020 and \$25,000,000  
3           for each of the fiscal years 2021 through 2030”.

4   **TITLE IV—FARMLAND PRESER-**  
5   **VATION AND FARM VIABILITY**

6   **SEC. 401. LOCAL AGRICULTURE MARKET PROGRAM.**

7           Section 210A of the Agricultural Marketing Act of  
8   1946 (7 U.S.C. 1627c) is amended—

9           (1) in subsection (a)(12)—

10                  (A) by redesignating clauses (iv) and (v) as  
11                  clauses (vi) and (vii), respectively; and

12                  (B) by inserting after clause (iii) the fol-  
13                  lowing:

14                          “(iv) is produced and marketed in a  
15                          manner that significantly improves soil  
16                          health and carbon sequestration;

17                          “(v) when added to the crop rotation  
18                          on a farm, will significantly improve soil  
19                          health and carbon sequestration;”;

20           (2) in subsection (b)—

21                  (A) in paragraph (1)—

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

24                          (ii) in subparagraph (C), by striking  
25                          the period at the end and inserting “, in-

1 cluding value-added agricultural products  
2 from crops that when added into crop rota-  
3 tions on a farm will significantly improve  
4 soil health and carbon sequestration; and”;  
5 and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(D) markets for agricultural commodities  
9 and products produced in a manner that signifi-  
10 cantly improve soil health and carbon seques-  
11 tration.”;

12 (B) in paragraph (3)—

13 (i) by striking “and local” and insert-  
14 ing “, local”; and

15 (ii) by inserting before the semicolon  
16 at the end the following: “, and production  
17 and marketing approaches to significantly  
18 improve soil health and carbon sequestra-  
19 tion”;

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

22 (D) by redesignating paragraph (6) as  
23 paragraph (7); and

24 (E) by inserting after paragraph (5) the  
25 following:

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

3           (3) in subsection (d)—

4           (A) in paragraph (2)—

5           (i) in subparagraph (C)—

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

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

10           (III) by adding at the end the  
11           following:

12           “(iii) agricultural commodities and  
13           products that are produced and marketed  
14           in a manner that significantly improve soil  
15           health and carbon sequestration, or that  
16           when added to a crop rotation on a farm  
17           will significantly improve soil health and  
18           carbon sequestration;”; and

19           (ii) in subparagraph (F), by striking  
20           “and value-added agricultural products in  
21           new and existing markets” and inserting  
22           the following: “, value-added agricultural  
23           products in new and existing markets, and  
24           agricultural commodities and products that  
25           are produced in a manner that enhances

1 soil health and carbon sequestration, or  
2 that when added to a crop rotation on a  
3 farm will significantly improve soil health  
4 and carbon sequestration”;

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

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

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

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

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

1       tion, and expansion of markets for commodities and  
2       farm products that significantly improve soil health  
3       and carbon sequestration.

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;

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

21                  “(I) outreach regarding assistance avail-  
22                  able through other programs administered by  
23                  any other Federal Agency that supports the  
24                  adoption of farming practices that enhance soil  
25                  health and carbon sequestration; or

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

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

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

15           “(6) APPLICATIONS.—

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

23           “(B) COMPETITIVE PROCESS.—The Sec-  
24           retary—

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

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

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

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

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

15 “(B) activities related to improving the uti-  
16 lization and expanded adoption of farming prac-  
17 tices that enhance soil health and carbon se-  
18 questration while simultaneously improving  
19 farm viability.

20 “(8) ADMINISTRATIVE EXPENSES.—An entity  
21 receiving a grant under paragraph (1) may use not  
22 more than 4 percent of funds received through the  
23 grant for administrative expenses.”;

24 (6) in subsection (i)(1) (as redesignated by  
25 paragraph (4)), in the matter preceding subpara-



1 graph (A), by striking “subsection (i)(3)(E)” and in-  
2 serting “subsection (j)(3)(E)”; and

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

5 (A) in paragraph (1) by striking “fiscal  
6 year 2019” and inserting “each of fiscal years  
7 2019 and 2020 and \$150,000,000 for fiscal  
8 year 2021”;

9 (B) in paragraph (3)—

10 (i) in subparagraph (A)(i), by striking  
11 “35” and inserting “36”; and

12 (ii) by amending subparagraph (B) to  
13 read as follows:

14 “(B) FARMERS’ MARKET AND LOCAL FOOD  
15 PROMOTION GRANTS.—

16 “(i) IN GENERAL.—Of the funds  
17 made available to carry out this section for  
18 a fiscal year, 47 percent shall be used for  
19 grants under subsection (d)(6).

20 “(ii) ALLOCATION AMONG SUBPRO-  
21 GRAMS.—Of the funds reserved under  
22 clause (i) for a fiscal year—

23 “(I) 40 percent shall be made  
24 available for farmers market pro-  
25 motion program grants; and

1                   “(II) 60 percent shall be made  
2                   available for local food promotion pro-  
3                   gram grants.”;

4                   (C) by redesignating subparagraphs (D)  
5                   and (E) as subparagraphs (E) and (F), respec-  
6                   tively; and

7                   (D) by inserting after subparagraph (C)  
8                   the following:

9                   “(D) FARM VIABILITY AND LOCAL CLI-  
10                  MATE RESILIENCY.—Of the funds made avail-  
11                  able to carry out this section for a fiscal year,  
12                  10 percent shall be used to provide grants  
13                  under subsection (f).”.

14 **SEC. 402. ORGANIC CERTIFICATION COST-SHARE PRO-**  
15 **GRAM.**

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

19 **SEC. 403. EXCLUSION OF GAIN FROM SALE OF CERTAIN**  
20 **FARM PROPERTY AND AGRICULTURAL EASE-**  
21 **MENTS.**

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

1 **“SEC. 121A. EXCLUSION OF GAIN FROM SALE OF QUALIFIED**  
2 **FARM PROPERTY.**

3 “(a) EXCLUSION.—Gross income shall not include  
4 gain from the sale or exchange of qualified farm property  
5 if such property is sold to or exchanged with a transferee  
6 who—

7 “(1) is a qualified farmer, and

8 “(2) meets the certification requirement of sub-  
9 section (c).

10 “(b) LIMITATION.—

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

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

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

20 “(2) SPECIAL RULE FOR JOINT RETURNS.—The  
21 amount of the exclusion under subsection (a) on a  
22 joint return for any taxable year shall be allocated  
23 equally between the spouses for purposes of applying  
24 the limitation under paragraph (1) for any suc-  
25 ceeding taxable year.

1       “(c) CERTIFICATION REQUIREMENT.—A qualified  
2 farmer meets the certification requirement of this sub-  
3 section if such person signs a written certification stating  
4 the following:

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

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

13       “(d) TREATMENT OF DISPOSITION OR CHANGE IN  
14 USE OF PROPERTY.—

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

22                   “(A) the transferor’s gross income under  
23       subsection (a) with respect to such qualified  
24       farm property, multiplied by

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

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

7           “(A) CESSATION OF OPERATION.—The  
8           cessation of the operation of such property as  
9           a farm for farming purposes at any time in the  
10          recapture period.

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

15          “(C) CHANGE IN OWNERSHIP.—

16                 “(i) IN GENERAL.—Except as pro-  
17                 vided in clause (ii), the disposition of any  
18                 interest in such property by the transferee  
19                 referred to in subsection (a) during the re-  
20                 capture period.

21                 “(ii) AGREEMENT TO ASSUME RECAP-  
22                 TURE LIABILITY.—Clause (i) shall not  
23                 apply to any farm property if the person  
24                 acquiring the interest referred to in such  
25                 clause agrees in writing to assume the re-

1 capture liability of the person disposing of  
2 such interest. In the event of such an as-  
3 sumption, this subsection shall apply to the  
4 person acquiring such interest as though  
5 such person were the transferee referred to  
6 therein (and this subsection shall be ap-  
7 plied as if there had been no change in  
8 ownership).

9 “(3) SPECIAL RULES.—

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

15 “(B) NO RECAPTURE BY REASON OF  
16 HARDSHIP.—The increase in tax under this  
17 subsection shall not apply to any disposition of  
18 property or cessation of the operation of any  
19 property as a farm for farming purposes if such  
20 disposition or cessation occurs by reason of any  
21 hardship.

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

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

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

3           “(A) a beginning farmer, socially disadvan-  
4 tagged farmer, qualified veteran farmer, young  
5 farmer, or

6           “(B) any entity if 50 percent or more of  
7 the capital and profits of such entity are owned  
8 by one or more individuals described in para-  
9 graph (A).

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

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

13           “(B) has operated a farm for not more  
14 than 10 years.

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

19           “(A) American Indians.

20           “(B) Alaska Natives.

21           “(C) Asians.

22           “(D) Blacks or African Americans.

23           “(E) Native Hawaiians or other Pacific Is-  
24 landers.

25           “(F) Hispanics.

1 “(G) Women.

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

5 “(A) first obtained status as a veteran (as  
6 defined in section 101(2) of title 38 United  
7 States Code) in the most recent 10-year period,  
8 and

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

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

15 “(6) QUALIFIED FARM PROPERTY.—

16 “(A) IN GENERAL.—The term ‘qualified  
17 farm property’ means real property located in  
18 the United States if—

19 “(i) during the 5-year period ending  
20 on the date of the sale or exchange re-  
21 ferred to in subsection (a), such property  
22 has been used by the taxpayer or a mem-  
23 ber of the family of the taxpayer as a farm  
24 for farming purposes for periods aggre-  
25 gating 3 years or more, and



1           “(ii) there was material participation  
2           by the taxpayer or a member of the family  
3           of the taxpayer in the operation of the  
4           farm during such 3 years.

5           “(B) SPECIAL RULE FOR QUALIFIED FARM  
6           PROPERTY HELD BY AN ENTITY.—For purposes  
7           of this section, if the taxpayer referred to in  
8           paragraph (A) is other than an individual and  
9           all of the capital and profits interests of such  
10          entity are held by members of a single family,  
11          then such members shall be treated as members  
12          of the family of such taxpayer.

13          “(7) RECAPTURE PERIOD.—The term ‘recap-  
14          ture period’ means the 10-year period following the  
15          sale or exchange of qualified farm property described  
16          in subsection (a).

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

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

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

1 “(b) LIMITATION.—

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

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

8 “(B) the amount excluded from the gross  
9 income of the taxpayer for all prior taxable  
10 years.

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

17 “(c) AGRICULTURAL CONSERVATION EASEMENT DE-  
18 FINED.—The term ‘agricultural conservation easement’  
19 means an easement or conservation-related restriction on  
20 agricultural land (granted in perpetuity) that—

21 “(1) is conveyed for the purpose of protecting  
22 natural resources and the agricultural nature of the  
23 land, and

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

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

4       (b) CONFORMING AMENDMENT.—The table of sec-  
5 tions for part III of subchapter B of chapter 1 of the In-  
6 ternal Revenue Code of 1986 is amended by adding after  
7 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.”.

8       (c) EFFECTIVE DATE.—The amendments made by  
9 this section shall apply to any sale or exchange in taxable  
10 years ending after December 31, 2020.

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

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

15               (1) in subsection (a)—

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

19                       (B) by inserting after paragraph (3) the  
20                       following:

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

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

3           (3) in subsection (c)—

4               (A) in paragraph (1)—

5                   (i) in subparagraph (B), by striking  
6 “that is used for” and inserting “that is  
7 suitable for”; and

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

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

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

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

15 “(6) the term ‘conversion’ means—

16               “(A) the physical conversion of farmland  
17 to a nonagricultural use;

18               “(B) the effective conversion of farmland  
19 as a consequence of physical conversion of adja-  
20 cent farmland, which threatens the continued  
21 viability of the land for agricultural use; or

22               “(C) a change in management of federally  
23 owned land historically used for agriculture to  
24 a non-agricultural use;

1           “(7) the term ‘farmland of national signifi-  
2           cance’ is farmland that is the most suitable for in-  
3           tensive crop and food production, as determined by  
4           the Secretary, taking into consideration, among  
5           other factors, its physical and chemical characteris-  
6           tics; and

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

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

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

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

19                 “(1) shall minimize the conversion of farmland  
20                 to nonagricultural uses; and

21                 “(2) shall not convert to nonagricultural uses  
22 farmland—

23                         “(A) that is permanently protected farm-  
24                         land;

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

4           “(C) that has been defined and delineated  
5           by a State as significant to the State or a pri-  
6           ority for inclusion in a State farmland protec-  
7           tion program and for which the State has sub-  
8           mitted a description under subsection (b).

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

10           “(1) NATIONAL SIGNIFICANCE.—The Secretary  
11           shall define and delineate farmland of national sig-  
12           nificance, and shall convene a group of experts, in-  
13           cluding agronomists and soil scientists, to assist in  
14           such definition and delineation.

15           “(2) STATE SIGNIFICANCE.—Any State wishing  
16           to have land recognized under subsection (a)(2)(C)  
17           shall provide a definition and delineation of such  
18           lands to the Secretary.

19           “(c) PROCESS AND CRITERIA.—

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

22           “(A) to—

23           “(i) determine the potential conver-  
24           sion of farmland as a consequence of any

1 action or activity conducted through a  
2 Federal program;

3 “(ii) minimize the conversion of farm-  
4 land or, for land identified under sub-  
5 section (a)(2), avoid conversion; and

6 “(iii) provide notice regarding such  
7 actions to the Secretary; and

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

10 “(2) USE REQUIRED.—Each department, agen-  
11 cy, independent commission, and other unit of the  
12 Federal Government shall use the process and cri-  
13 teria developed under paragraph (1) in carrying out  
14 a Federal program.

15 “(d) EXEMPTION.—Subsection (a)(2) shall not apply  
16 if the Secretary determines, based on the process and cri-  
17 teria developed under subsection (c), that converting farm-  
18 land to nonagricultural uses cannot be avoided. In in-  
19 stances where the Secretary makes such a determination,  
20 the Federal program shall minimize the conversion of land  
21 described in subsection (a)(2) to the maximum extent  
22 practicable.

23 “(e) INFORMATION.—The Secretary may make avail-  
24 able to States, units of local government, individuals, orga-

1 nizations, and other units of the Federal Government in-  
2 formation—

3 “(1) useful in restoring, maintaining, and im-  
4 proving the quantity and quality of farmland; and

5 “(2) concerning the location of permanently  
6 protected farmland.

7 “(f) ASSISTANCE.—The Secretary shall provide as-  
8 sistance to departments, agencies, independent commis-  
9 sions, and other units of the Federal Government, upon  
10 request, in using the process and criteria developed under  
11 subsection (e).”.

12 **SEC. 405. AGRICULTURE CONSERVATION EASEMENT PRO-**  
13 **GRAM.**

14 Section 1265B of the Food Security Act of 1985 (16  
15 U.S.C. 3865b) is amended—

16 (1) in subsection (b)—

17 (A) in paragraph (4)(C)(iv), by striking  
18 “only”; and

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

20 “(6) CONDITION OF ASSISTANCE.—As a condi-  
21 tion of receiving cost-share assistance under this sec-  
22 tion, the owner of eligible land must agree to have  
23 in place a conservation plan that addresses applica-  
24 ble resource concerns for the land subject to the  
25 easement, including soil health and greenhouse gas



1 emissions reduction, not later than three years fol-  
2 lowing the grant of the easement. The requirement  
3 of this subparagraph may be satisfied by having in  
4 place a conservation plan developed or recognized by  
5 the Bureau of Indian Affairs.”; and

6 (2) by striking subsection (d) and inserting the  
7 following:

8 “(d) TECHNICAL ASSISTANCE.—The Secretary may  
9 provide technical assistance, if requested, to assist in—

10 “(1) compliance with the terms and conditions  
11 of easements; and

12 “(2) development and implementation of a con-  
13 servation plan required under subsection (b)(6), in-  
14 cluding, as applicable, a conservation plan for highly  
15 erodible land required under subsection (b)(4)(C)(iv)  
16 or a comprehensive conservation plan developed pur-  
17 suant to subsection (e)(1).

18 “(e) FINANCIAL ASSISTANCE.—

19 “(1) IN GENERAL.—

20 “(A) ENROLLMENT IN CSP.—At the sole  
21 option of the owner of the land subject to the  
22 easement, the Secretary shall provide for the  
23 automatic enrollment of the land subject to the  
24 easement in the conservation stewardship pro-  
25 gram established by subchapter B of chapter 4

1 of subtitle D, including financial assistance for  
2 the development of a comprehensive conserva-  
3 tion plan as provided by 1240L(e), if the person  
4 or entity farming the land is otherwise eligible  
5 for the program, as determined by the Sec-  
6 retary.

7 “(B) DETERMINATION OF COMPLIANCE.—  
8 Determining compliance with the terms of the  
9 conservation stewardship program contract is  
10 the sole responsibility of the Secretary.

11 “(C) FUNDING.—Funding received by an  
12 eligible entity pursuant to this paragraph shall  
13 not be considered in the calculation of costs  
14 under subsection (b).

15 “(2) TIMING.—The owner of the land subject to  
16 the easement shall have up to three years after the  
17 grant of the easement to exercise the option to enroll  
18 in the conservation stewardship program as provided  
19 under subparagraph (A).”.

## 20 **TITLE V—PASTURE-BASED** 21 **LIVESTOCK**

### 22 **SEC. 501. ANIMAL RAISING CLAIMS.**

23 The Agricultural Marketing Act of 1946 (7 U.S.C.  
24 1621 et seq.) is amended by adding at the end the fol-  
25 lowing:

1           **“Subtitle H—Animal Raising**  
2                                   **Claims**

3   **“SEC. 298. REQUIRED VERIFICATION PROCESS FOR ANIMAL**  
4                                   **RAISING CLAIMS.**

5           “(a) IN GENERAL.—In order to facilitate marketing,  
6 truth in labeling, and new economic opportunities for pro-  
7 ducers and businesses using animal raising claims, the  
8 Secretary, acting through the Administrator of the Agri-  
9 cultural Marketing Service in coordination with the Ad-  
10 ministrator of the Food Safety and Inspection Service,  
11 shall establish, not later than 2 years after the date of  
12 the enactment of this subtitle and in a manner consistent  
13 with United States obligations under international agree-  
14 ments—

15                   “(1) mandatory standards with respect to ani-  
16 mal raising claims that may be made on the labeling  
17 of any meat food products or poultry product;

18                   “(2) procedures to verify any such claims prior  
19 to the use in commerce of any meat food product or  
20 poultry product bearing labeling with such a claim;

21                   “(3) procedures whereby any such verification  
22 is subsequently incorporated seamlessly with labeling  
23 requirements under the Federal Meat Inspection Act  
24 (21 U.S.C. 601 et seq.) and the Poultry Products  
25 Inspection Act (21 U.S.C. 451 et seq.); and

1           “(4) on-farm and supply chain auditing and  
2           verification procedures for ensuring the truthfulness  
3           of such claims.

4           “(b) STANDARDS.—In developing and approving ani-  
5           mal raising claim standards under subsection (a), the Sec-  
6           retary shall include standards relating to—

7           “(1) diet claims, including grass-fed, vege-  
8           tarian-fed, and fed no animal byproducts;

9           “(2) living and raising condition claims, includ-  
10          ing but not limited to cage free, free range, and pas-  
11          ture raised;

12          “(3) antibiotic and hormone claims, including  
13          but not limited to raised without antibiotics, no hor-  
14          mones added (beef cattle, sheep), and raised without  
15          growth promotants;

16          “(4) source claims demonstrating the animal  
17          can be traced back to its farm of origin from birth  
18          to slaughter;

19          “(5) age claims;

20          “(6) animal welfare claims;

21          “(7) environmental stewardship claims, includ-  
22          ing greenhouse gas reduction and carbon sequestra-  
23          tion claims;

24          “(8) breed claims; and

1           “(9) any other such claim as the Secretary de-  
2           termines is appropriate.

3           “(c) THIRD-PARTY CERTIFICATION.—A producer of  
4 a meat food product or a poultry product may use an ani-  
5 mal raising claim that is verified by a third party so long  
6 as—

7           “(1) the claim is made consistent with stand-  
8           ards established by the Secretary pursuant to sub-  
9           section (a); and

10           “(2) the procedures used by such third party  
11           for purposes of that verification and any subsequent  
12           auditing are equivalent (as determined by the Sec-  
13           retary) to the procedures used by the Secretary for  
14           that verification and auditing.

15           “(d) APPROVAL PROCESS.—To the maximum extent  
16           practicable, the Secretary shall require that a producer  
17           seeking to make an animal raising claim, submit to the  
18           Secretary prior to using the product that is the subject  
19           of such animal raising claim the following documentation  
20           to support such claim—

21           “(1) detailed written descriptions explaining the  
22           controls used for ensuring that the raising claim is  
23           valid from birth to harvest or the period of raising  
24           being referenced by the claim;

1           “(2) a signed and dated document describing  
2           how the animals are raised to support that specific  
3           claim made is truthful and not misleading;

4           “(3) a written description of the product trac-  
5           ing and segregation mechanism from time of slaugh-  
6           ter or further processing through packaging and dis-  
7           tribution;

8           “(4) a written description for the identification,  
9           control, and segregation of non-conforming animals  
10          or products; and

11          “(5) if a third party certifies a claim, a current  
12          copy of the certificate.

13          “(e) EFFECT ON OTHER LAWS.—Nothing in this sec-  
14          tion shall be construed to alter the authority of the Sec-  
15          retary under the Federal Meat Inspection Act (21 U.S.C.  
16          601 et seq.) or the Poultry Products Inspection Act (21  
17          U.S.C. 451 et. seq.).

18          “(f) CONSISTENCY WITH OTHER LAWS.—The Sec-  
19          retary shall ensure consistency between the animal raising  
20          claims standards established pursuant to subsection (a)  
21          and the Organic Food Production Act of 1990 (7 U.S.C.  
22          6501 et seq.) and any rules or regulations implementing  
23          that Act.

1       “(g) COMPLIANCE REQUIREMENTS.—Beginning on  
2 the date that is three years after the date of the enactment  
3 of this Act—

4               “(1) in the case of a domestic meat food prod-  
5 uct or poultry product—

6                       “(A) a person may sell or label a meat  
7 food product or poultry product with an animal  
8 raising label claim only if such products is pro-  
9 duced and handled in accordance with the  
10 standards established pursuant to subsection  
11 (a); and

12                      “(B) no person may sell or label a meat  
13 food product or poultry product with an animal  
14 raising label claim that is not in compliance  
15 with such standards; and

16               “(2) in the case of an imported meat food prod-  
17 uct or poultry product, such a product may be sold  
18 or labeled with animal raising label claims if the  
19 Secretary determines such product has been pro-  
20 duced and handled under a verification program that  
21 provides safeguards and guidelines that are at least  
22 equivalent to the requirements of the standards es-  
23 tablished pursuant to subsection (a).

24       “(h) VIOLATION OF THIS TITLE.—

1           “(1) MISUSE OF LABEL.—Any person who,  
2           after notice and an opportunity to be heard, is found  
3           by the Secretary to have knowingly sold or labeled  
4           any meat food product or poultry product with an  
5           animal raising claim, except in accordance with this  
6           subtitle, shall be assessed a civil penalty of not more  
7           than \$10,000.

8           “(2) FALSE STATEMENT.—Any person who  
9           after notice and an opportunity to be heard, has  
10          been found by the Secretary to makes a false, fraud-  
11          ulent, or fictitious statement to the Secretary, a gov-  
12          erning Federal or State official, or a third-party cer-  
13          tifier, or conceals, covers up, falsifies, or deceives a  
14          material fact to the Secretary, a governing Federal  
15          or State official, or a third-party certifier with re-  
16          spect to an animal raising claim subject to the re-  
17          quirements of this subtitle shall be subject to a pen-  
18          alty specified in section 1001 of title 18, United  
19          States Code.

20          “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
21          are authorized to be appropriated to carry out this subtitle  
22          such sums as may be necessary.

23          **“SEC. 299. APPLICABILITY.**

24          ““This subtitle shall only apply to meat food products  
25          and poultry products that are subject to labeling require-



1 ments under the Federal Meat Inspection Act (21 U.S.C.  
2 601 et seq.) and the Poultry Products Inspection Act (21  
3 U.S.C. 451 et seq.).

4 **“SEC. 300. DEFINITIONS.**

5 “In this subtitle:

6 “(1) The term ‘animal raising claim’ means a  
7 statement on the labeling of meat food products or  
8 poultry products used in interstate commerce that  
9 reference the way that the source animal for a meat  
10 food product or poultry product was raised, includ-  
11 ing production practices that were used, such as liv-  
12 ing or raising conditions, the breed, or the location  
13 or source of where the product is born, raised, and  
14 processed.

15 “(2) The term ‘meat food product’ has the  
16 meaning given such term in section 1(j) of the Fed-  
17 eral Meat Inspection Act (21 U.S.C. 601(j)).

18 “(3) The term ‘poultry product’ has the mean-  
19 ing given such term in section 4(f) of the Poultry  
20 Products Inspection Act (7 U.S.C. 453(f)).”.

1 **SEC. 502. GRANTS FOR REIMBURSEMENT OF COMPLIANCE**  
2 **COSTS FOR VERY SMALL PROCESSORS OF**  
3 **MEAT FOOD PRODUCTS AND POULTRY PROD-**  
4 **UCTS.**

5 (a) MEAT FOOD PRODUCTS.—Title V of the Federal  
6 Meat Inspection Act (21 U.S.C. 683 et seq.) is amended  
7 by adding at the end the following new section:

8 **“SEC. 502. GRANTS FOR REIMBURSEMENT OF COMPLIANCE**  
9 **COSTS FOR VERY SMALL PROCESSORS.**

10 “(a) ESTABLISHMENT.—The Secretary shall estab-  
11 lish a grant program to provide competitive grants to eligi-  
12 ble establishments to assist such establishments in making  
13 adjustments to the facilities, equipment, processes, and  
14 operations of such establishments to meet the require-  
15 ments of this Act. The Secretary may carry out such pro-  
16 gram with any agency within the Department of Agri-  
17 culture that the Secretary determines is appropriate.

18 “(b) ELIGIBLE ESTABLISHMENTS.—An establish-  
19 ment is eligible to receive a grant under this section if  
20 such establishment is—

21 “(1) subject to Federal or State inspection  
22 under this Act; and

23 “(2)(A) has fewer than 10 employees; or

24 “(B) has annual gross sales of less than  
25 \$2,500,000.

1       “(c) USE OF FUNDS.—An establishment receiving a  
2 grant under this section shall use the funds made available  
3 through such grant to cover—

4               “(1) the cost of developing and issuing (other  
5 than the cost of labor), directly incurred or incurred  
6 by a consultant, a Hazard Analysis and Critical  
7 Control Points plan for the establishment; and

8               “(2) the actual costs of any adjustments to fa-  
9 cilities, equipment, processes, and operations nec-  
10 essary for the establishment to comply with this Act.

11       “(d) AMOUNT OF GRANT.—The total amount of  
12 funds provided to a recipient of a grant under this section  
13 shall not exceed \$50,000.

14       “(e) FEDERAL SHARE.—Funds provided under a  
15 grant under this section shall not exceed 50 percent of  
16 the costs referred to in subsection (c), as determined by  
17 the Secretary.

18       “(f) FUNDING.—

19               “(1) MANDATORY FUNDING.—Of the funds of  
20 the Commodity Credit Corporation, the Secretary  
21 shall make available to carry out this section  
22 \$10,000,000 for each of fiscal years 2021 through  
23 2030.

24               “(2) AUTHORIZATION OF APPROPRIATIONS.—  
25 There are authorized to be appropriated to carry out

1       this section \$10,000,000 for each of fiscal years  
2       2021 through 2030.”.

3       (b) POULTRY PRODUCTS.—The Poultry Products In-  
4       spection Act (7 U.S.C. 451 et seq.) is amended by insert-  
5       ing after section 25 (7 U.S.C. 468) the following:

6       “GRANTS FOR REIMBURSEMENT OF COMPLIANCE COSTS

7                               FOR VERY SMALL PROCESSORS

8       “SEC. 25A.

9       “(a) ESTABLISHMENT.—The Secretary shall estab-  
10       lish a grant program to provide competitive grants to eligi-  
11       ble establishments to assist such establishments in making  
12       adjustments to the facilities, equipment, processes, and  
13       operations of such establishments to meet the require-  
14       ments of this Act. The Secretary may carry out such pro-  
15       gram with any agency within the Department of Agri-  
16       culture that the Secretary determines is appropriate.

17       “(b) ELIGIBLE ESTABLISHMENTS.—An establish-  
18       ment is eligible to receive a grant under this section if  
19       such establishment is—

20               “(1) subject to Federal or State inspection  
21       under this Act; and

22               “(2)(A) has fewer than 10 employees; or

23               “(B) has annual gross sales of less than  
24       \$2,500,000.

1       “(c) USE OF FUNDS.—An establishment receiving a  
2 grant under this section shall use the funds made available  
3 through such grant to cover—

4               “(1) the cost of developing and issuing (other  
5 than the cost of labor), directly incurred or incurred  
6 by a consultant, a Hazard Analysis and Critical  
7 Control Points plan for the establishment; and

8               “(2) the actual costs of any adjustments to fa-  
9 cilities, equipment, processes, and operations nec-  
10 essary for the establishment to comply with this Act.

11       “(d) AMOUNT OF GRANT.—The total amount of  
12 funds provided to a recipient of a grant under this section  
13 shall not exceed \$50,000.

14       “(e) FEDERAL SHARE.—Funds provided under a  
15 grant under this section shall not exceed 50 percent of  
16 the costs referred to in subsection (c), as determined by  
17 the Secretary.

18       “(f) FUNDING.—

19               “(1) MANDATORY FUNDING.—Of the funds of  
20 the Commodity Credit Corporation, the Secretary  
21 shall make available to carry out this section  
22 \$10,000,000 for each of fiscal years 2021 through  
23 2030.

24               “(2) AUTHORIZATION OF APPROPRIATIONS.—  
25 There are authorized to be appropriated to carry out

1 this section \$10,000,000 for each of fiscal years  
2 2021 through 2030.”.

3 **SEC. 503. CONSERVATION OF PRIVATE GRAZING LAND.**

4 (a) PURPOSE.—Section 1240M(a) of the Food Secu-  
5 rity Act of 1985 (16 U.S.C. 3839bb(a)) is amended—

6 (1) in paragraph (6), by inserting “conserving  
7 water and” before “improving”;

8 (2) in paragraph (7), by striking “; and” and  
9 inserting a semicolon;

10 (3) in paragraph (8), by striking the period at  
11 the end and inserting “; and”; and

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

13 “(9) conserving and improving soil health and  
14 improving grazing system resilience in the face of  
15 climate change through advanced grazing manage-  
16 ment practices; and

17 “(10) providing support for producers  
18 transitioning from confinement and feedlot systems  
19 or continuous grazing to managed grazing-based sys-  
20 tems, including support for pasture development and  
21 management.”.

22 (b) DEFINITIONS.—Section 1240M(b)(2) of the Food  
23 Security Act of 1985 (16 U.S.C. 3839bb(b)(2)) is amend-  
24 ed by striking “hay land” and inserting “perennial hay  
25 land, including silvopasture”.

1           (c) PRIVATE GRAZING LAND CONSERVATION ASSIST-  
2 ANCE.—Section 1240M(c) of the Food Security Act of  
3 1985 (16 U.S.C. 3839bb(c)) is amended—

4           (1) in paragraph (1)—

5                 (A) in the matter preceding subparagraph  
6 (A), by inserting “and partnerships described in  
7 paragraph (2)(B)” after “local conservation dis-  
8 tricts”;

9                 (B) in subparagraph (B), by striking  
10 “grazing land management technologies” and  
11 inserting “regionally appropriate, advanced  
12 grazing land management technologies to im-  
13 prove soil health and maximize carbon seques-  
14 tration”;

15                 (C) in subparagraph (C)(iv), by inserting  
16 “through integrated strategies that include ro-  
17 tational and multispecies grazing, integrated  
18 pest management, and other ecological prac-  
19 tices” after “brush encroachment problems”;

20                 (D) in subparagraph (H), by striking “;  
21 and” and inserting a semicolon;

22                 (E) in subparagraph (I), by striking the  
23 period at the end and inserting “; and”; and

24                 (F) by adding at the end the following:

1           “(J) assisting producers in transitioning  
2           from confinement or feedlot systems or contin-  
3           uous grazing to managed grazing-based sys-  
4           tems, including assistance in pasture develop-  
5           ment and management.”; and

6           (2) by amending paragraph (2) to read as fol-  
7           lows:

8           “(2) PROGRAM ELEMENTS.—

9           “(A) TECHNICAL ASSISTANCE AND EDU-  
10           CATION.—Personnel of the Department trained  
11           in pasture and range management shall be  
12           made available under the program to deliver  
13           and coordinate technical assistance and edu-  
14           cation to owners and managers of private graz-  
15           ing land, including owners and managers inter-  
16           ested in developing new or improved pasture or  
17           grazing-based systems on their land, at the re-  
18           quest of the owners and managers.

19           “(B) PARTNERSHIPS.—In carrying out the  
20           program under this section, the Secretary shall  
21           provide research, demonstration, education (in-  
22           cluding conferences, workshops, field days, and  
23           trainings), workforce training, planning, and  
24           outreach activities through partnerships with—



1           “(i) land-grant colleges and univer-  
2           sities (as defined in section 1404 of the  
3           National Agricultural Research, Extension,  
4           and Teaching Policy Act of 1977 (7 U.S.C.  
5           3103));

6           “(ii) nongovernmental organizations;  
7           and

8           “(iii) tribal organizations.

9           “(C) GRANTS.—

10           “(i) IN GENERAL.—In carrying out  
11           the program under this section, the Sec-  
12           retary shall provide funds on a competitive  
13           basis to partnerships to use for State or  
14           local action grants to conduct grazing land  
15           research, demonstration, education, work-  
16           force training, planning, and outreach  
17           projects.

18           “(ii) DURATION.—Grants made by  
19           partnerships under this section shall be for  
20           a period not to exceed 3 years.

21           “(iii) COST SHARING.—A partnership  
22           that receives funding under this section  
23           shall ensure that any funded project pro-  
24           vides, from non-Federal sources, funds or

1 in-kind support valued at not less than 25  
2 percent of the total cost of the project.

3 “(iv) LIMITATION ON INDIRECT  
4 COSTS.—A partnership that receives fund-  
5 ing under this section may not use more  
6 than 15 percent of the total cost of the  
7 project for the indirect costs of carrying  
8 out the project.

9 “(v) PRIORITY.—Priority shall be  
10 given to projects that—

11 “(I) focus on sustainable grazing  
12 management systems and techniques  
13 that assist producers with multiple  
14 ecosystem services, including climate  
15 change adaptation and mitigation;  
16 and

17 “(II) involve beginning farmers  
18 and ranchers, tribal producers, or new  
19 graziers (including State or federally  
20 registered apprenticeships).”.

21 (d) GRAZING TECHNICAL ASSISTANCE SELF-  
22 HELP.—Section 1240M(d) of the Food Security Act of  
23 1985 (16 U.S.C. 3839bb(d)) is amended—

1           (1) in paragraph (1)(A), by inserting “and for  
2 those interested in beginning grazing” before the  
3 semicolon;

4           (2) in paragraph (2), by striking “may establish  
5 2” and inserting “may establish”; and

6           (3) in paragraph (3)(C)—

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

9                 (B) by redesignating clause (iii) as clause  
10 (iv); and

11                 (C) by inserting after clause (ii) the fol-  
12 lowing:

13                         “(iii) will improve climate change ad-  
14 aptation and mitigation; and”.

15           (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
16 1240M(e) of the Food Security Act of 1985 (16 U.S.C.  
17 3839bb(e)) is amended to read as follows:

18           “(e) FUNDING.—

19                         “(1) MANDATORY FUNDING.—Of the funds of  
20 the Commodity Credit Corporation, the Secretary  
21 shall use to carry out this section \$50,000,000 for  
22 each of fiscal years 2021 through 2030.

23                         “(2) GRANTS.—Of the funds made available  
24 under paragraph (1), the Secretary shall use not

1 more than 40 percent to carry out subsection  
2 (c)(2)(C).

3 “(3) AUTHORIZATION OF APPROPRIATIONS.—  
4 There is authorized to be appropriated to carry out  
5 this section \$60,000,000 for each of fiscal years  
6 2002 through 2030.”.

7 **SEC. 504. CONSERVATION RESERVE PROGRAM.**

8 (a) CONSERVATION RESERVE.—Section 1231(d) of  
9 the Food Security Act of 1985 (16 U.S.C. 3831(d)) is  
10 amended—

11 (1) in paragraph (1)—

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

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

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

17 “(F) fiscal years 2024 through 2030, not  
18 more than 32,000,000 acres.”; and

19 (2) in paragraph (2)(A)—

20 (A) in clause (i), by striking “; and” and  
21 inserting a semicolon;

22 (B) in clause (ii)(III), by striking the pe-  
23 riod and inserting “; and”; and

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

1           “(iii) the Secretary shall enroll and  
2           maintain in the conservation reserve not  
3           fewer than 7,000,000 acres of land de-  
4           scribed in subsection (b)(3) by September  
5           30, 2030, of which 5,000,000 acres shall  
6           be reserved for the pilot program estab-  
7           lished under section 1231C(c).”.

8           (b) PILOT PROGRAMS.—Section 1231C of the Food  
9           Security Act of 1985 (16 U.S.C. 3831c) is amended by  
10          adding at the end the following:

11          “(c) GRASSLANDS 30.—

12                 “(1) IN GENERAL.—

13                         “(A) ENROLLMENT.—The Secretary shall  
14                         establish a pilot program to enroll land in the  
15                         conservation reserve program through a 30-year  
16                         conservation reserve contract (referred to in  
17                         this subsection as a ‘Grassland 30 contract’) in  
18                         accordance with this subsection.

19                         “(B) INCLUSION OF ACREAGE LIMITA-  
20                         TION.—For purposes of applying the limitations  
21                         in section 1231(d)(1), the Secretary shall in-  
22                         clude acres of land enrolled under this sub-  
23                         section.

24                         “(2) ELIGIBLE LAND.—Eligible land for enroll-  
25                         ment through a Grassland 30 contract—

1           “(A) is land that is eligible to be enrolled  
2           in the conservation reserve program under the  
3           grasslands initiative described in section  
4           1231(d)(2); and

5           “(B) shall not be limited to land that is  
6           subject to an expired covered contract.

7           “(3) EXPIRED CONSERVATION CONTRACT ELEC-  
8           TION.—

9           “(A) DEFINITION OF COVERED CON-  
10           TRACT.—In this paragraph, the term ‘covered  
11           contract’ means a contract entered into under  
12           this subchapter that—

13                   “(i) expires on or after the date of en-  
14                   actment of this subsection; and

15                   “(ii) covers land enrolled in the con-  
16                   servation reserve program under the grass-  
17                   lands initiative described in section  
18                   1231(d)(2).

19           “(B) ELECTION.—On the expiration of a  
20           covered contract, an owner or operator party to  
21           the covered contract shall elect—

22                   “(i) not to reenroll the land under the  
23                   contract;

24                   “(ii) to offer to reenroll the land  
25                   under the contract if the land remains eli-

1           gible under the terms in effect as of the  
2           date of expiration; or

3           “(iii) not to reenroll the land under  
4           the contract and to enroll that land  
5           through a Grassland 30 contract under  
6           this subsection.

7           “(4) TERM.—The term of a Grassland 30 con-  
8           tract shall be 30 years.

9           “(5) AGREEMENTS.—To be eligible to enroll  
10          land in the conservation reserve program through a  
11          Grassland 30 contract, the owner of the land shall  
12          enter into an agreement with the Secretary—

13               “(A) to implement a conservation reserve  
14               plan developed for the land;

15               “(B) to comply with the terms and condi-  
16               tions of the contract and any related agree-  
17               ments; and

18               “(C) to temporarily suspend the base his-  
19               tory for the land covered by the contract.

20          “(6) TERMS AND CONDITIONS OF GRASSLAND  
21          30 CONTRACTS.—

22               “(A) IN GENERAL.—A Grassland 30 con-  
23               tract shall include terms and conditions that  
24               promote sustainable grazing systems, protect  
25               and enhance soil carbon levels, and are compat-

1           ible with wildlife habitat conservation, as deter-  
2           mined by the Secretary, and may include any  
3           additional provision that the Secretary deter-  
4           mines is appropriate to carry out this sub-  
5           section or facilitate the practical administration  
6           of this subsection.

7           “(B) VIOLATION.—On the violation of a  
8           term or condition of a Grassland 30 contract,  
9           the Secretary may require the owner to refund  
10          all or part of any payments received by the  
11          owner under the conservation reserve program,  
12          with interest on the payments, as determined  
13          appropriate by the Secretary.

14          “(C) COMPATIBLE USES.—Land subject to  
15          a Grassland 30 contract may be used for com-  
16          patible economic uses, including hunting and  
17          fishing, if the use—

18                  “(i) is specifically permitted by the  
19                  conservation reserve plan developed for the  
20                  land; and

21                  “(ii) is consistent with the long-term  
22                  protection and enhancement of the con-  
23                  servation resources for which the contract  
24                  was established.

25          “(7) COMPENSATION.—



1           “(A) AMOUNT OF PAYMENTS.—The Sec-  
2           retary shall provide payment under this sub-  
3           section to an owner of land enrolled through a  
4           Grassland 30 contract using 30 annual pay-  
5           ments in an amount equal to the amount that  
6           would be used if the land were to be enrolled  
7           in the conservation reserve program under sec-  
8           tion 1231(d)(2).

9           “(B) FORM OF PAYMENT.—Compensation  
10          for a Grassland 30 contract shall be provided  
11          by the Secretary in the form of a cash payment  
12          in an amount determined under subparagraph  
13          (A).

14          “(C) TIMING.—The Secretary shall provide  
15          any annual payment obligation under subpara-  
16          graph (A) as early as practicable in each fiscal  
17          year.

18          “(D) PAYMENTS TO OTHERS.—The Sec-  
19          retary shall make a payment, in accordance  
20          with regulations prescribed by the Secretary, in  
21          a manner as the Secretary determines is fair  
22          and reasonable under the circumstances, if an  
23          owner who is entitled to a payment under this  
24          section—

25                 “(i) dies;

1 “(ii) becomes incompetent;

2 “(iii) is succeeded by another person  
3 or entity who renders or completes the re-  
4 quired performance; or

5 “(iv) is otherwise unable to receive the  
6 payment.

7 “(8) TECHNICAL ASSISTANCE.—

8 “(A) IN GENERAL.—The Secretary shall  
9 assist owners in complying with the terms and  
10 conditions of a Grassland 30 contract.

11 “(B) CONTRACTS OR AGREEMENTS.—The  
12 Secretary may enter into 1 or more contracts  
13 with private entities or agreements with a  
14 State, nongovernmental organization, or Indian  
15 Tribe to carry out necessary maintenance of a  
16 Grassland 30 contract if the Secretary deter-  
17 mines that the contract or agreement will ad-  
18 vance the purposes of the conservation reserve  
19 program.

20 “(9) ADMINISTRATION.—

21 “(A) CONSERVATION RESERVE PLAN.—  
22 The Secretary shall develop a conservation re-  
23 serve plan for any land subject to a Grassland  
24 30 contract, which shall include practices and  
25 activities necessary to maintain, protect, and

1 enhance the conservation value of the enrolled  
2 land, including the protection and enhancement  
3 of soil carbon levels.

4 “(B) DELEGATION OF CONTRACT ADMINIS-  
5 TRATION.—

6 “(i) FEDERAL, STATE, TRIBAL, OR  
7 LOCAL GOVERNMENT AGENCIES.—The Sec-  
8 retary may delegate any of the manage-  
9 ment, monitoring, and enforcement respon-  
10 sibilities of the Secretary under this sub-  
11 section to other Federal, State, Tribal, or  
12 local government agencies that have the  
13 appropriate authority, expertise, and re-  
14 sources necessary to carry out those dele-  
15 gated responsibilities.

16 “(ii) CONSERVATION ORGANIZA-  
17 TIONS.—The Secretary may delegate any  
18 management responsibilities of the Sec-  
19 retary under this subsection to conserva-  
20 tion organizations if the Secretary deter-  
21 mines the conservation organization has  
22 similar expertise and resources.”.

1 **SEC. 505. ALTERNATIVE MANURE MANAGEMENT PROGRAM.**

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

5 **“SEC. 1240T. ALTERNATIVE MANURE MANAGEMENT PRO-**  
6 **GRAM.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) PASTURE-BASED MANAGEMENT.—The  
9 term ‘pasture-based management’ means a dairy or  
10 livestock production system in which the animals  
11 spend all or a substantial portion of their time graz-  
12 ing on fields in which some or all of the manure is  
13 deposited and left in the field and decomposes  
14 aerobically.

15 “(2) NON-DIGESTER DAIRY OR LIVESTOCK  
16 METHANE MANAGEMENT METHOD.—The term ‘non-  
17 digester dairy or livestock methane management  
18 method’ means a method that may be used by opera-  
19 tors of dairy or livestock operations to transition  
20 from wet manure handling and storage, where an-  
21 aerobic conditions are present, to dry manure han-  
22 dling and storage, including open solar drying or  
23 composting of manure onsite, conversion of dairy  
24 and livestock operations to pasture-based manage-  
25 ment, solid separation technologies, scrape conver-  
26 sion, and other strategies to mitigate methane emis-

1 sions from manure management, as determined by  
2 the Secretary.

3 “(3) ONSITE OPEN SOLAR DRYING OR  
4 COMPOSTING OF MANURE.—The term ‘onsite open  
5 solar drying or composting of manure’ means the  
6 collection, storage, and drying of dairy or livestock  
7 manure in a nonliquid environment on a farm or  
8 ranch.

9 “(4) SCRAPE CONVERSION.—The term ‘scrape  
10 conversion’ means the conversion of flush water la-  
11 goon systems to solid-scrape or dry manure manage-  
12 ment practices, including vacuum technologies for  
13 manure management.

14 “(5) SOLID SEPARATION TECHNOLOGIES.—The  
15 term ‘solid separation technologies’ means tech-  
16 nologies designed to separate liquid components of  
17 manure from mineral and organic solid components,  
18 for the purposes of reducing methane emissions.

19 “(6) ELIGIBLE PRODUCER.—The term ‘eligible  
20 producer’ means a dairy or livestock producer whose  
21 baseline manure management practices prior to en-  
22 rollment in the program include the anaerobic de-  
23 composition of volatile solids stored in a lagoon or  
24 other predominantly liquid anaerobic environment.

1       “(b) ESTABLISHMENT.—The Secretary shall estab-  
2 lish an alternative manure management program to sup-  
3 port non-digester dairy and livestock methane manage-  
4 ment strategies to effectively reduce greenhouse gas emis-  
5 sions and to maximize environmental benefits.

6       “(c) PAYMENTS.—During the 2021 through 2030 fis-  
7 cal years, the Secretary shall provide payments to eligible  
8 producers that enter into contracts with the Secretary  
9 under the program.

10       “(d) PRACTICES.—Each eligible producer requesting  
11 funding for a project under the program shall include at  
12 least one of the following project components that reduce  
13 baseline methane emissions on the operation of the pro-  
14 ducer:

15               “(1) Conversion of dairy and livestock oper-  
16 ations to pasture-based management that eliminates  
17 or reduces the quantity of manure stored in anaer-  
18 obic conditions, including—

19                       “(A) conversion of a non-pasture dairy or  
20 livestock operation to pasture-based manage-  
21 ment;

22                       “(B) increasing the amount of time live-  
23 stock spend at pasture at an existing pasture  
24 operation; or

1           “(C) improving pasture-based manage-  
2           ment, including transitioning to managed rota-  
3           tional grazing.

4           “(2) Alternative manure treatment and storage  
5           practices, including—

6           “(A) installation of a compost bedded pack  
7           barn that composts manure;

8           “(B) installation of slatted floor pit storage  
9           manure collection that must be cleaned out at  
10          least monthly; or

11          “(C) other similar practices, as determined  
12          by the Secretary.

13          “(3) Conversion to a solid separation system in  
14          which manure solids are separated prior to entry  
15          into a wet, anaerobic environment at a dairy or live-  
16          stock operation, or installation of a new solid separa-  
17          tion system with significantly higher separation effi-  
18          ciency than the existing solid separation system, in  
19          conjunction with one or more of the following prac-  
20          tices:

21                 “(A) Open solar drying or composting of  
22                 manure onsite.

23                 “(B) Solar drying in an enclosed environ-  
24                 ment.

1           “(C) Forced evaporation with natural-gas  
2           fueled dryers.

3           “(D) Storage of manure in unconfined  
4           piles or stacks.

5           “(E) Composting in an enclosed vessel,  
6           with forced aeration and continuous mixing.

7           “(F) Composting in piles with forced aer-  
8           ation but no mixing.

9           “(G) Composting in intensive windrows  
10          with regular turning for mixing and aeration.

11          “(H) Composting in passive windrows with  
12          infrequent turning for mixing and aeration.

13          “(4) Scrape conversion in conjunction with one  
14          of the practices listed in paragraph (3).

15          “(e) TERM.—A contract under the program shall  
16          have a term that does not exceed 3 years.

17          “(f) PAYMENTS.—

18                 “(1) AVAILABILITY OF PAYMENTS.—Payments  
19                 provided to an eligible producer under this section  
20                 may be used to implement one or more practices de-  
21                 scribed in subsection (d).

22                 “(2) PAYMENT AMOUNTS.—The Secretary may  
23                 provide a payment to an eligible producer under the  
24                 program for an amount that is up to 100 percent of  
25                 the costs associated with planning, design, materials,



1 equipment, installation, labor, management, mainte-  
2 nance, and training related to implementing a prac-  
3 tice described in subsection (d).

4 “(3) LIMITATION ON PAYMENTS.—A person or  
5 legal entity (including a joint venture and a general  
6 partnership) may not receive, directly or indirectly,  
7 payments under the program that exceed \$750,000  
8 during any 5-year period.

9 “(4) ADVANCED PAYMENTS.—The Secretary  
10 shall provide at least 50 percent of the amount of  
11 total payments to an eligible producer in advance for  
12 all costs related to purchasing materials and equip-  
13 ment or contracting.

14 “(g) MODIFICATION OR TERMINATION OF CON-  
15 TRACTS.—

16 “(1) VOLUNTARY MODIFICATION OR TERMI-  
17 NATION.—The Secretary may modify or terminate a  
18 contract entered into with an eligible producer under  
19 the program if—

20 “(A) the producer agrees to the modifica-  
21 tion or termination; and

22 “(B) the Secretary determines that the  
23 modification or termination is in the public in-  
24 terest.

1           “(2) INVOLUNTARY TERMINATION.—The Sec-  
2           retary may terminate a contract under the program  
3           if the Secretary determines that the eligible producer  
4           violated the contract.

5           “(h) CLUSTER APPLICATIONS.—The Secretary shall  
6           establish procedures under which—

7           “(1) groups of eligible producers may submit a  
8           joint application in order to facilitate centralized  
9           composting facilities; and

10           “(2) the Secretary will apportion payments to  
11           each eligible producer associated with such a joint  
12           application.

13           “(i) EVALUATION OF APPLICATIONS.—

14           “(1) EVALUATION CRITERIA.—The Secretary  
15           shall develop criteria for evaluating applications that  
16           will ensure that the purposes of the program are ful-  
17           filled in a cost effective manner and in a manner  
18           that will maximize greenhouse gas emissions reduc-  
19           tions and overall environmental benefits.

20           “(2) GROUPING OF APPLICATIONS.—The Sec-  
21           retary may group and evaluate applications relative  
22           to other applications for similar farming operations.

23           “(j) DUTIES OF PRODUCERS.—To receive payments  
24           under the program, an eligible producer shall agree—

1           “(1) to implement an alternative manure man-  
2           agement program plan that describes the greenhouse  
3           gas emissions reductions and other environmental  
4           benefits to be achieved through 1 or more practices  
5           that are approved by the Secretary;

6           “(2) to supply information as required by the  
7           Secretary to determine compliance with the program  
8           plan and requirements of the program; and

9           “(3) to comply with such additional provisions  
10          as the Secretary determines are necessary to carry  
11          out the program plan.

12          “(k) DUTIES OF THE SECRETARY.—The Secretary  
13 shall—

14           “(1) determine and publish factors for esti-  
15           mating the emissions reductions for each program  
16           practice to aid eligible producers in development of  
17           applications and program plans; and

18           “(2) assist an eligible producer in achieving the  
19           greenhouse gas emissions reduction and other envi-  
20           ronmental goals of the program plan by—

21           “(A) providing payments for developing  
22           and implementing 1 or more practices, as ap-  
23           propriate; and

1           “(B) providing the producer with informa-  
2           tion, technical assistance, and training to aid in  
3           implementation of the plan.

4           “(1) FUNDING.—The Secretary shall use the funds,  
5           facilities, and authorities of the Commodity Credit Cor-  
6           poration to carry out the program (including the provision  
7           of technical assistance) using, to the maximum extent  
8           practicable, \$1,500,000,000 for the period of fiscal years  
9           2021 through 2030.”.

10                           **TITLE VI—ON-FARM**  
11                           **RENEWABLE ENERGY**

12           **SEC. 601. RURAL ENERGY FOR AMERICA PROGRAM.**

13           Section 9007 of the Farm Security and Rural Invest-  
14           ment Act of 2002 (7 U.S.C. 8106) is amended—

15                   (1) in subsection (a)—

16                           (A) in the matter preceding paragraph (1),  
17                           by striking “and renewable energy develop-  
18                           ment” and inserting “, renewable energy devel-  
19                           opment, and the reduction of carbon dioxide  
20                           and carbon dioxide equivalent emissions”; and

21                           (B) in paragraph (2), by striking “and re-  
22                           newable energy systems” and inserting “, re-  
23                           newable energy systems, and carbon dioxide and  
24                           carbon dioxide equivalent gas emissions reduc-  
25                           tions”;

1 (2) in subsection (b)—

2 (A) in paragraph (2)—

3 (i) in subparagraph (D), by striking  
4 “and” at the end;

5 (ii) by redesignating subparagraph  
6 (E) as subparagraph (G); and

7 (iii) by inserting after subparagraph  
8 (D) the following:

9 “(E) a nonprofit corporation;

10 “(F) an agricultural cooperative or pro-  
11 ducer group; and”;

12 (B) in paragraph (3)(D), by inserting be-  
13 fore the semicolon at the end the following: “,  
14 including carbon dioxide and carbon dioxide  
15 equivalent emissions reductions”; and

16 (C) in paragraph (4)—

17 (i) in the matter preceding subpara-  
18 graph (A), by inserting “, agricultural  
19 processors,” after “agricultural pro-  
20 ducers”;

21 (ii) in subparagraph (A), by striking  
22 “and” at the end;

23 (iii) in subparagraph (B), by striking  
24 the period at the end and inserting “;  
25 and”; and

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

3 “(C) assisting in the development of feasi-  
4 bility studies and plans for implementing rec-  
5 ommendations provided under subparagraph  
6 (B).”;

7 (3) in subsection (c)—

8 (A) in paragraph (1)(A)(i), by inserting “,  
9 agricultural processors,” after “agricultural  
10 producers”;

11 (B) in paragraph (2)—

12 (i) by redesignating subparagraphs  
13 (F) and (G) as subparagraphs (G) and  
14 (H), respectively; and

15 (ii) by inserting after subparagraph  
16 (E) the following:

17 “(F) carbon accounting assessments devel-  
18 oped under subsection (d);”;

19 (C) in paragraph (3)(A), by striking “25”  
20 and inserting “50”;

21 (D) in paragraph (4), by adding at the end  
22 the following:

23 “(F) PRE-APPROVED TECHNOLOGIES.—In  
24 order to streamline the adoption of renewable

1 energy systems and the adoption of energy effi-  
2 ciency improvements, the Secretary shall—

3 “(i) beginning with fiscal year 2021,  
4 develop a pre-approved technologies and  
5 products list and streamlined application  
6 process for projects utilizing pre-approved  
7 products; and

8 “(ii) update such list every 2 fiscal  
9 years.”; and

10 (E) by adding at the end the following:

11 “(5) PRIORITY.—In making grants or loan  
12 guarantees under this subsection, priority shall be  
13 provided to proposed projects that utilize tech-  
14 nologies—

15 “(A) with the lowest carbon footprint; or

16 “(B) that the Secretary determines would  
17 result in the largest net decreases of carbon di-  
18 oxide and carbon dioxide equivalent emissions  
19 as determined through the carbon accounting  
20 assessments under subsection (d).”;

21 (4) in subsection (d)—

22 (A) in the subsection heading, by inserting  
23 “AND TECHNICAL ASSISTANCE” after “OUT-  
24 REACH”;

1 (B) by striking “The Secretary shall” and  
2 inserting “Using funds made available under  
3 subsection (h)(4), the Secretary shall”; and

4 (C) by inserting “and technical assistance”  
5 after “outreach”;

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

8 (6) by inserting after subsection (e) the fol-  
9 lowing:

10 “(d) CARBON ACCOUNTING.—

11 “(1) IN GENERAL.—Not later than 2 years  
12 after the date of the enactment of this subsection,  
13 the Secretary shall work with the National Renew-  
14 able Energy Laboratory established pursuant to sec-  
15 tion 10 of the Solar Energy Research, Development,  
16 and Demonstration Act of 1974 to develop carbon  
17 accounting estimates for renewable energy systems  
18 and energy efficiency upgrades (including a pre-ap-  
19 proved technologies list and reserve fund tech-  
20 nologies), supported through assistance provided  
21 under this section.

22 “(2) PROGRAM GUIDANCE.—The results of the  
23 carbon accounting assessments shall be used to  
24 guide program actions as much as possible in order  
25 to achieve the purpose specified in subsection (a).



1 “(e) DEMONSTRATION PRACTICE.—

2 “(1) IN GENERAL.—The Secretary shall hold  
3 regional demonstration projects that incentivize agri-  
4 cultural producers to reduce the carbon footprint or  
5 overall carbon equivalent emissions of such pro-  
6 ducers to the largest extent possible through the use  
7 of both energy efficiency improvements and renew-  
8 able energy systems.

9 “(2) EXTENSION.—The Secretary shall promote  
10 the results of the regional demonstration projects  
11 carried out under paragraph (1).”; and

12 (7) in subsection (h) (as redesignated by para-  
13 graph (5))—

14 (A) in paragraph (1), by striking subpara-  
15 graphs (A) through (E) and inserting the fol-  
16 lowing:

17 “(A) \$50,000,000 for each of fiscal years  
18 2014 through 2020;

19 “(B) \$100,000,000 for fiscal year 2021;

20 “(C) \$200,000,000 for fiscal year 2022;

21 “(D) \$300,000,000 for fiscal year 2023;

22 and

23 “(E) \$400,000,000 for fiscal year 2024  
24 and each fiscal year thereafter.”;

1 (B) in paragraph (2)(B), by striking “be-  
2 come available” and inserting “be used”; and

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

4 “(4) ADMINISTRATIVE EXPENSES.—Not more  
5 than 8 percent of the amount made available to  
6 carry out this section for a fiscal year may be used  
7 for administrative expenses incurred in carrying out  
8 this section.

9 “(5) RESERVATION OF FUNDS.—Of the funds  
10 made available to carry out this section for a fiscal  
11 year, the Secretary may reserve—

12 “(A) not more than 10 percent for grants  
13 under subsection (c) to support the adoption of  
14 underutilized but proven, commercial tech-  
15 nologies; and

16 “(B) not more than 5 percent to carry out  
17 subsection (e) to hold regional demonstration  
18 projects and promote the results of such  
19 projects.”.

20 **SEC. 602. STUDY ON DUAL-USE RENEWABLE ENERGY SYS-**  
21 **TEMS.**

22 (a) IN GENERAL.—The Secretary of Agriculture shall  
23 conduct a study on dual-use renewable energy systems,  
24 which shall include—

1           (1) an assessment on the compatibility of dif-  
2           ferent species of livestock with different dual-use re-  
3           newable energy system designs, including—

4                   (A) the optimal height of and distance be-  
5                   tween solar panels for—

6                           (i) livestock grazing; and

7                           (ii) shade for livestock;

8                   (B) manure management considerations;

9                   (C) fencing requirements; and

10                  (D) other animal handling considerations;

11           (2) an assessment of the compatibility of dif-  
12           ferent crop types with different dual-use renewable  
13           energy system designs, including—

14                   (A) the optimal height of and distance be-  
15                   tween solar panels for—

16                           (i) plant shading; and

17                           (ii) farm equipment use;

18                   (B) the impact on crop yield; and

19                   (C) market opportunities to sell crops at a  
20                   premium price;

21           (3) a risk-benefit analysis of dual-use renewable  
22           energy systems in different regions of the United  
23           States, including a comparison between the total  
24           greenhouse gas impact of dual-use renewable energy

1 systems and renewable energy systems that displace  
2 agricultural production; and

3 (4) a 5-year plan for how the research and ex-  
4 tension activities of the Department of Agriculture  
5 could be used to better support dual-use renewable  
6 energy systems that do not displace agricultural pro-  
7 duction.

8 (b) DEFINITION OF DUAL-USE RENEWABLE ENERGY  
9 SYSTEMS.—In this section, the term “dual-use renewable  
10 energy systems” means renewable energy production and  
11 agricultural production, including crop or animal produc-  
12 tion, occurring together on the same piece of land.

13 (c) REPORT.—Not later than 1 year after the date  
14 of the enactment of this Act, the Secretary of Agriculture  
15 shall submit to the Committee on Agriculture of the House  
16 of Representatives and the Committee on Agriculture, Nu-  
17 trition, and Forestry of the Senate a written report con-  
18 taining the results of the study required by subsection (a).

19 **SEC. 603. AGSTAR PROGRAM.**

20 (a) IN GENERAL.—The Secretary of Agriculture (in  
21 this section referred to as the “Secretary”) shall maintain  
22 a program, to be known as the AgSTAR program, that—

23 (1) supports anaerobic digestion in the agricul-  
24 tural sector to reduce methane emissions from live-  
25 stock waste;

1           (2) conducts outreach, education, and training  
2           on anaerobic digestion of livestock waste;

3           (3) provides technical and regulatory assistance  
4           on anaerobic digestion of livestock waste to stake-  
5           holders, including farmers and ranchers, on issues  
6           including—

7                   (A) permitting;

8                   (B) codigestion of multiple organic wastes  
9           in one digester; and

10                   (C) interconnection to physically link a di-  
11           gester to the electrical power grid;

12           (4) promotes centralized, multi-farm digesters  
13           that use livestock waste from more than 1 farm or  
14           ranch;

15           (5) collects and reports data on anaerobic diges-  
16           tion of livestock waste; and

17           (6) maintains a database of on-farm anaerobic  
18           digester projects in the United States.

19           (b) TRANSITION.—The Administrator of the Environ-  
20           mental Protection Agency shall take such steps as may  
21           be appropriate to provide for an orderly transition of the  
22           activities carried out under the AgSTAR program of the  
23           Environmental Protection Agency to the AgSTAR pro-  
24           gram under this section.

1 (c) ADMINISTRATION.—The Secretary shall carry out  
2 the program through the Natural Resources Conservation  
3 Service, in coordination with the Administrator of the En-  
4 vironmental Protection Agency and other Federal agencies  
5 as necessary, and in partnership with the Regional Cli-  
6 mate Hubs, cooperative extension services, and other  
7 agencies of the Department of Agriculture.

8 (d) LIMITATIONS ON AUTHORIZATION OF APPRO-  
9 PRIATIONS.—To carry out the AgSTAR program under  
10 this section, there are authorized to be appropriated to  
11 the Secretary not more than \$5,000,000 for each fiscal  
12 year.

## 13 **TITLE VII—FOOD LOSS AND** 14 **WASTE**

### 15 **Subtitle A—Food Date Labeling**

#### 16 **SEC. 701. DEFINITIONS.**

17 In this title:

18 (1) ADMINISTERING SECRETARIES.—The term  
19 “administering Secretaries” means—

20 (A) the Secretary of Agriculture with re-  
21 spect to any product that is under the Sec-  
22 retary of Agriculture’s jurisdiction and is—

23 (i) a poultry product, as defined in  
24 section 4 of the Poultry Products Inspec-  
25 tion Act (21 U.S.C. 453);

1 (ii) a meat food product, as defined in  
2 section 1 of the Federal Meat Inspection  
3 Act (21 U.S.C. 601); or

4 (iii) an egg product, as defined in sec-  
5 tion 4 of the Egg Products Inspection Act  
6 (21 U.S.C. 1033); and

7 (B) the Secretary of Health and Human  
8 Services with respect to any product that is  
9 under the Secretary of Health and Human  
10 Services' jurisdiction and is a food (as defined  
11 in section 201 of the Federal Food, Drug, and  
12 Cosmetic Act (21 U.S.C. 321)).

13 (2) DISCARD DATE.—The term “discard date”  
14 means a date voluntarily printed on food packaging,  
15 which signifies the end of the estimated period of  
16 shelf life under any stated storage conditions, after  
17 which the food labeler advises the product not be  
18 consumed.

19 (3) FOOD LABELER.—The term “food labeler”  
20 means the producer, manufacturer, distributor, or  
21 retailer that places a date label on food packaging  
22 of a product.

23 (4) QUALITY DATE.—The term “quality date”  
24 means a date voluntarily printed on food packaging

1 that is intended to communicate to consumers the  
2 date after which—

3 (A) the quality of the product may begin  
4 to deteriorate; but

5 (B) the product remains apparently whole-  
6 some food (as defined in subsection (b)(2) of  
7 section 22 of the Child Nutrition Act of 1966  
8 (42 U.S.C. 1791(b)(2)); also known as the Bill  
9 Emerson Good Samaritan Food Donation Act).

10 **SEC. 702. QUALITY DATES AND DISCARD DATES.**

11 (a) **QUALITY DATES.**—

12 (1) **IN GENERAL.**—If a food labeler includes a  
13 quality date on food packaging, the label shall use  
14 the uniform quality date label phrase under para-  
15 graph (2).

16 (2) **UNIFORM PHRASE.**—The uniform quality  
17 date label phrase under this paragraph shall be  
18 “BEST If Used By” or, if permissible under sub-  
19 section (c)(3), the standard abbreviation of “BB”,  
20 unless and until the administering Secretaries, act-  
21 ing jointly, specify through rulemaking another uni-  
22 form phrase to be used for purposes of complying  
23 with paragraph (1).

24 (3) **OPTION OF THE LABELER.**—The decisions  
25 on whether to include a quality date on food pack-



1 aging and which foods should be so labeled shall be  
2 at the discretion of the food labeler.

3 (b) DISCARD DATES.—

4 (1) IN GENERAL.—If a food labeler includes a  
5 discard date on food packaging, the label shall use  
6 the uniform discard date label phrase under para-  
7 graph (2).

8 (2) UNIFORM PHRASE.—The uniform discard  
9 date label phrase under this paragraph shall be  
10 “USE By” or, if permissible under subsection  
11 (c)(3), the standard abbreviation of “UB”, unless  
12 and until the administering Secretaries, acting joint-  
13 ly, specify through rulemaking another uniform  
14 phrase to be used for purposes of complying with  
15 paragraph (1).

16 (3) OPTION OF THE LABELER.—The decisions  
17 on whether to include a discard date on food pack-  
18 aging and which foods should be so labeled shall be  
19 at the discretion of the food labeler.

20 (c) QUALITY DATE AND DISCARD DATE LABEL-  
21 ING.—

22 (1) IN GENERAL.—The quality date or discard  
23 date, as applicable, and immediately adjacent uni-  
24 form quality date label phrase or discard date label  
25 phrase—

1 (A) shall be—

2 (i) in single easy-to-read type style;

3 and

4 (ii) located in a conspicuous place on  
5 the package of the food; and

6 (B) may be on the label or, at the discre-  
7 tion of the food labeler, elsewhere on the pack-  
8 age.

9 (2) DATE FORMAT.—Each quality date and dis-  
10 card date shall be stated in terms of day and month  
11 and, as appropriate, year.

12 (3) ABBREVIATIONS.—A food labeler may use a  
13 standard abbreviation of “BB” and “UB” for the  
14 quality date and discard date, respectively, only if  
15 the food packaging is too small to include the uni-  
16 form phrase described in subsection (a)(2) or (b)(2),  
17 as applicable.

18 (4) FREEZE BY.—A food labeler may add “or  
19 Freeze By” following a quality date or discard date  
20 uniform phrase.

21 (d) INFANT FORMULA.—This Act and the amend-  
22 ments made by this Act—

23 (1) do not apply with respect to infant formula  
24 (as defined in section 201(z) of the Federal Food,  
25 Drug, and Cosmetic Act (21 U.S.C. 321(z))); and

1           (2) shall not be construed to affect the require-  
2           ments pertaining to infant formula under section  
3           412 of the Federal Food, Drug, and Cosmetic Act  
4           (21 U.S.C. 350a) and other applicable provisions of  
5           law.

6           (e) EDUCATION.—Not later than 1 year after the  
7           date of enactment of this Act, the administering Secre-  
8           taries, acting jointly, shall provide consumer education  
9           and outreach on the meaning of quality date and discard  
10          date food labels.

11          (f) RULE OF CONSTRUCTION; PREEMPTION.—

12           (1) RULE OF CONSTRUCTION.—Nothing in this  
13           Act or the amendments made by this Act shall be  
14           construed to prohibit any State or political subdivi-  
15           sion of a State from establishing or continuing in ef-  
16           fect any requirement that prohibits the sale or dona-  
17           tion of foods based on passage of the discard date.

18           (2) PREEMPTION.—No State or political sub-  
19           division of a State may establish or continue in ef-  
20           fect any requirement that—

21           (A) relates to the inclusion in food labeling  
22           of a quality date or a discard date that is dif-  
23           ferent from or in addition to, or that is other-  
24           wise not identical with, the requirements of this  
25           Act and the amendments made by this Act; or

1 (B) prohibits the sale or donation of foods  
2 based on passage of the quality date.

3 (3) ENFORCEMENT.—The administering Secre-  
4 taries, acting jointly and in coordination with the  
5 Federal Trade Commission, shall ensure that the  
6 uniform quality date label phrase and uniform dis-  
7 card date label phrase are standardized across all  
8 food products.

9 (4) SAVINGS.—Notwithstanding paragraph (2),  
10 nothing in this Act, nor any amendment made by  
11 this Act, nor any standard or requirement imposed  
12 pursuant to this Act, shall be construed to preempt,  
13 displace, or supplant any State or Federal common  
14 law rights or any State or Federal statute creating  
15 a remedy for civil relief, including those for civil  
16 damage, or a penalty for criminal conduct.

17 (g) TIME TEMPERATURE INDICATOR LABELS.—  
18 Nothing in this Act or the amendments made by this Act  
19 shall be construed to prohibit or restrict the use of time-  
20 temperature indicator labels or similar technology that is  
21 in addition to or in lieu of any uniform quality date label  
22 phrase under subsection (a)(2) or uniform discard date  
23 label phrase under subsection (b)(2).

1 **SEC. 703. MISBRANDING.**

2 (a) **FDA VIOLATIONS.**—Section 403 of the Federal  
3 Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-  
4 ed by adding at the end the following:

5 “(z) If it is food and its labeling is in violation of  
6 section 3 of the Food Date Labeling Act of 2019.”.

7 (b) **POULTRY PRODUCTS.**—Section 4(h) of the Poul-  
8 try Products Inspection Act (21 U.S.C. 453(h)) is amend-  
9 ed—

10 (1) in paragraph (11), by striking “or” at the  
11 end;

12 (2) in paragraph (12), by striking the period at  
13 the end and inserting “; or”; and

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

15 “(13) if its labeling is in violation of section 3  
16 of the Food Date Labeling Act of 2019.”.

17 (c) **MEAT PRODUCTS.**—Section 1(n) of the Federal  
18 Meat Inspection Act (21 U.S.C. 601(n)) is amended—

19 (1) in paragraph (11), by striking “or” at the  
20 end;

21 (2) in paragraph (12), by striking the period at  
22 the end and inserting “; or”; and

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

24 “(13) if its labeling is in violation of section 3  
25 of the Food Date Labeling Act of 2019.”.

1 (d) EGG PRODUCTS.—Section 7(b) of the Egg Prod-  
2 ucts Inspection Act (21 U.S.C. 1036(b)) is amended in  
3 the first sentence by adding before the period at the end  
4 “or if its labeling is in violation of section 3 of the Food  
5 Date Labeling Act of 2019”.

6 **SEC. 704. REGULATIONS.**

7 Not later than 2 years after the date of enactment  
8 of this Act, the Secretaries, acting jointly, shall promul-  
9 gate final regulations for carrying out the provisions of  
10 this Act and the amendments made by this Act.

11 **SEC. 705. DELAYED APPLICABILITY.**

12 This Act and the amendments made by this Act shall  
13 apply only with respect to food products that are labeled  
14 on or after the date that is 2 years after the date of pro-  
15 mulgation of final regulations under section 5.

16 **Subtitle B—Other Provisions**

17 **SEC. 711. COMPOSTING AS CONSERVATION PRACTICE.**

18 (a) DEFINITIONS.—Section 1201(a) of the Food Se-  
19 curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

20 (1) by redesignating paragraphs (3) through  
21 (27) as paragraphs (4) through (28), respectively;  
22 and

23 (2) by inserting after paragraph (2) the fol-  
24 lowing:

1           “(3) COMPOSTING PRACTICE.—The term  
2           ‘composting practice’ means—

3                   “(A) an activity (including an activity that  
4                   does not require the use of a composting facil-  
5                   ity) to produce compost from organic waste  
6                   that is—

7                           “(i) generated on a farm; or

8                           “(ii) brought to a farm from the near-  
9                           by community; and

10                   “(B) the use of compost on a farm to im-  
11                   prove water retention and soil health, subject to  
12                   the condition that such a use shall be in compli-  
13                   ance with applicable Federal, State, and local  
14                   laws.”.

15           (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-  
16           tion 1240I(2)(B)(i) of the Food Security Act of 1985 (16  
17           U.S.C. 3839aa–21(2)(B)(i)) is amended by inserting “and  
18           composting practices” after “agriculture drainage man-  
19           agement systems”.

20           (c) ENVIRONMENTAL QUALITY INCENTIVES PRO-  
21           GRAM.—Section 1240A(6)(A)(ii) of the Food Security Act  
22           of 1985 (16 U.S.C. 3839aa–1(6)(A)(ii)) is amended by in-  
23           serting “, including composting practices” before the semi-  
24           colon at the end.

1 (d) DELIVERY OF TECHNICAL ASSISTANCE.—Section  
2 1242(h) of the Food Security Act of 1985 (16 U.S.C.  
3 3842(h)) is amended by adding at the end the following:

4 “(5) DEVELOPMENT OF COMPOSTING PRACTICE  
5 STANDARD.—In addition to conducting a review of  
6 any composting facilities practice standard under  
7 this subsection, the Secretary shall develop and im-  
8 plement a composting practice standard.”.

9 **SEC. 712. AMENDMENTS TO FEDERAL FOOD DONATION**  
10 **ACT.**

11 (a) PURPOSE.—Section 2 of the Federal Food Dona-  
12 tion Act of 2008 (Public Law 110–247; 42 U.S.C. 1792  
13 note) is amended by striking “encourage” and inserting  
14 “require”.

15 (b) DEFINITIONS.—Section 3 of the Federal Food  
16 Donation Act of 2008 (Public Law 110–247; 42 U.S.C.  
17 1792 note) is amended—

18 (1) by redesignating paragraphs (3) and (4) as  
19 paragraphs (4) and (5), respectively; and

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

22 “(3) EXECUTIVE AGENCY.—The term ‘executive  
23 agency’ has the meaning given the term in section  
24 133 of title 41, United States Code.”.



1 (c) REPORT ON FOOD WASTE BY CERTAIN FEDERAL  
2 CONTRACTORS.—Section 4 of the Federal Food Donation  
3 Act of 2008 (Public Law 110–247; 42 U.S.C. 1792) is  
4 amended—

5 (1) by amending subsection (a) to read as fol-  
6 lows:

7 “(a) IN GENERAL.—

8 “(1) REQUIREMENT.—Not later than 180 days  
9 after the date of enactment of the Act, the Federal  
10 Acquisition Regulation issued in accordance with  
11 section 1121 of title 41, United States Code, shall  
12 be revised to provide that, except as provided in  
13 paragraph (2), all contracts of more than \$10,000  
14 for the provision, service, or sale of food in the  
15 United States, or for the lease or rental of Federal  
16 property to a private entity for events at which food  
17 is provided in the United States, shall include a  
18 clause that—

19 “(A) requires the donation of excess, ap-  
20 parently wholesome food to nonprofit organiza-  
21 tions that provide assistance to food-insecure  
22 people in the United States;

23 “(B) states the terms and conditions de-  
24 scribed in subsection (b); and

1           “(C) requires the annual submission, in a  
2           form and manner specified by the executive  
3           agency awarding the contract, of the report de-  
4           scribed in subsection (d).

5           “(2) EXCEPTION.—Paragraph (1) shall not  
6           apply to a contract with an executive agency that  
7           has issued a regulation in effect on the date of en-  
8           actment of the Act that prohibits a donation de-  
9           scribed in paragraph (1)(A).”; and

10           (2) by adding at the end the following new sub-  
11           sections:

12           “(c) APPLICATION TO CONGRESS.—

13           “(1) CONTRACTS.—This Act shall apply to the  
14           House of Representatives and to contracts entered  
15           into by the House of Representatives, and to the  
16           Senate and to contracts entered into by the Senate,  
17           in the same manner and to the same extent as this  
18           Act applies to an executive agency and to contracts  
19           entered into by an executive agency.

20           “(2) ADMINISTRATION.—For purposes of car-  
21           rying out paragraph (1)—

22           “(A) the Chief Administrative Officer of  
23           the House of Representatives shall be consid-  
24           ered to be the head of the House of Representa-  
25           tives; and

1           “(B) the Secretary of the Senate shall be  
2           considered to be the head of the Senate.

3           “(d) DATA; REPORTS.—

4           “(1) REPORT DESCRIBED.—The report de-  
5           scribed in this subsection, with respect to a contract  
6           described in subsection (a) entered into by a con-  
7           tractor and an executive agency, is a report from the  
8           contractor to the executive agency that describes, for  
9           each month of performance of the contract during  
10          the year covered by the report, the weight of appar-  
11          ently wholesome food that was, pursuant to the con-  
12          tract, disposed of in each of the following manners:

13           “(A) DONATION.—Donation by the con-  
14          tractor pursuant to this Act (organized by the  
15          name of the organization receiving such food).

16           “(B) COMPOSTING.—Composting or other  
17          recycling by the contractor.

18           “(C) DISCARDING.—Discarding by the  
19          contractor (organized by the reason such food  
20          was so discarded).

21           “(2) REPORTS TO OMB.—Not later than 30  
22          days after the date that an executive agency receives  
23          a report pursuant to paragraph (1)(C), the agency  
24          shall submit a copy of the report to the Director of  
25          the Office of Management and Budget.

1           “(3) REPORTS TO CONGRESS.—The Director of  
2           the Office of Management and Budget shall submit  
3           to Congress an annual report aggregating the infor-  
4           mation in the reports received pursuant to para-  
5           graph (2) during the year covered by the report.”.

6           (d) AUTHORIZATION OF APPROPRIATIONS.—The  
7           Federal Food Donation Act of 2008 (42 U.S.C. 1792) is  
8           amended by adding at the end the following:

9           **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

10           “‘There is authorized to be appropriated to the Sec-  
11           retary of Agriculture to carry out this Act \$10,000,000  
12           for fiscal year 2021 and each fiscal year thereafter.’”.

13           **SEC. 713. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
14                           **GESTION       FOOD       WASTE-TO-ENERGY**  
15                           **PROJECTS.**

16           (a) IN GENERAL.—Subtitle G of the Solid Waste Dis-  
17           posal Act (42 U.S.C. 6971 et seq.) is amended by adding  
18           at the end the following:

19           **“SEC. 7011. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
20                           **GESTION       FOOD       WASTE-TO-ENERGY**  
21                           **PROJECTS.**

22           “(a) GRANTS.—The Administrator shall establish a  
23           grant program to award grants to States eligible to receive  
24           the grants under subsection (b)(1) to construct large-scale

1 composting or anaerobic digestion food waste-to-energy  
2 projects.

3 “(b) ELIGIBLE STATES.—

4 “(1) ELIGIBILITY.—In order to be eligible to  
5 receive a grant under this section, a State shall—

6 “(A) have in effect a plan to limit the  
7 quantity of food waste that may be disposed of  
8 in landfills in the State; and

9 “(B) provide to the Administrator—

10 “(i) a written commitment that the  
11 State has read and agrees to comply with  
12 the Food Recovery Hierarchy of the Envi-  
13 ronmental Protection Agency, particularly  
14 as applied to apparently wholesome food  
15 (as defined in section 22(b) of the Child  
16 Nutrition Act of 1966 (42 U.S.C.  
17 1791(b))) that may be provided to or re-  
18 ceived by the State; and

19 “(ii) a written end-product recycling  
20 plan that provides for the beneficial use of  
21 the material resulting from any anaerobic  
22 digestion food waste-to-energy operation  
23 with respect to which the loan or grant is  
24 made, in a manner that meets all applica-

1                   ble Federal, State, and local laws that pro-  
2                   tect human health and the environment.

3                   “(2) LIMITATION.—A grant under subsection  
4                   (a) may not be used for an anaerobic digester that  
5                   uses solely manure as undigested biomass.

6                   “(3) PREFERENCE.—The Administrator shall  
7                   give preference to grants under subsection (a) for  
8                   anaerobic digesters that use primarily nonedible  
9                   food, crop waste, or nonedible food and crop waste  
10                  as undigested biomass.

11                  “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
12                  is authorized to be appropriated to carry out this section  
13                  \$100,000,000 for each fiscal year.

14                  “(d) STATE DEFINED.—In this section, the term  
15                  ‘State’ means each State of the United States, the District  
16                  of Columbia, each territory or possession of the United  
17                  States, and each federally recognized Indian Tribe.”.

18                  (b) CLERICAL AMENDMENT.—The table of contents  
19                  for the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)  
20                  is amended by inserting after the item relating to section  
21                  7010 the following:

                  “Sec. 7011. Grants for composting and anaerobic digestion food waste-to-en-  
                  ergy projects.”.

1 **SEC. 714. SCHOOL FOOD WASTE REDUCTION GRANT PRO-**  
2 **GRAM.**

3 (a) IN GENERAL.—Section 18 of the Richard B. Rus-  
4 sell National School Lunch Act (42 U.S.C. 1769) is  
5 amended by inserting before subsection (b) the following:

6 “(a) SCHOOL FOOD WASTE REDUCTION GRANT PRO-  
7 GRAM.—

8 “(1) GRANT PROGRAM ESTABLISHED.—

9 “(A) IN GENERAL.—The Secretary shall  
10 carry out a program to make grants, on a com-  
11 petitive basis, to eligible local educational agen-  
12 cies to carry out food waste measurement and  
13 reporting, prevention, education, and reduction  
14 projects.

15 “(B) REGIONAL BALANCE.—In awarding  
16 grants under this subsection, the Secretary  
17 shall, to the maximum extent practicable, en-  
18 sure that—

19 “(i) a grant is awarded to an eligible  
20 local educational agency in each region  
21 served by the Administrator of the Food  
22 and Nutrition Service; and

23 “(ii) equitable treatment of rural,  
24 urban, and tribal communities.

25 “(2) APPLICATION.—To be eligible to receive a  
26 grant under this subsection, an eligible local edu-

1 cational agency shall submit an application to the  
2 Secretary at such time, in such manner, and con-  
3 taining such information as the Secretary may re-  
4 quire.

5 “(3) PRIORITY.—In making grants under this  
6 subsection the Secretary shall give priority to an eli-  
7 gible local educational agency that demonstrates in  
8 the application under paragraph (2) that such eligi-  
9 ble local educational agency will use the grant to—

10 “(A) carry out experiential education ac-  
11 tivities that encourage children enrolled in such  
12 eligible local educational agency to participate  
13 in food waste measurement and education;

14 “(B) prioritize the best use of food in ac-  
15 cordance with the Food Recovery Hierarchy  
16 published by the Administrator of the Environ-  
17 mental Protection Agency;

18 “(C) with respect to food waste prevention  
19 and reduction, collaborate with other eligible  
20 local educational agencies, tribes, nongovern-  
21 mental and community-based organizations,  
22 and other community partners;

23 “(D) evaluate the activities described in  
24 subparagraphs (A) through (C) and make eval-  
25 uation plans; and



1           “(E) establish a food waste measurement,  
2           prevention, and reduction project with long-  
3           term sustainability.

4           “(4) FEDERAL SHARE.—

5           “(A) IN GENERAL.—The Federal share of  
6           a food waste measurement, prevention, and re-  
7           duction project funded through a grant awarded  
8           under this subsection shall not exceed 75 per-  
9           cent of the total cost of such food waste reduc-  
10          tion project.

11          “(B) FEDERAL MATCHING.—As a condi-  
12          tion of receiving a grant under this subsection,  
13          an eligible local educational agency shall provide  
14          matching funds in the form of cash or in-kind  
15          contributions, including facilities, equipment, or  
16          services provided by State and local govern-  
17          ments, nonprofit organizations, and private  
18          sources.

19          “(5) USE OF FUNDS.—An eligible local edu-  
20          cational agency that receives a grant under this sec-  
21          tion shall use funds under such grant to carry out  
22          at least one of the following:

23                 “(A) Planning a food waste measurement,  
24                 prevention, and reduction project.

1           “(B) Carrying out activities under such a  
2 project.

3           “(C) Providing training to support such a  
4 project.

5           “(D) Purchasing equipment to support  
6 such a project.

7           “(E) Offering food waste education to stu-  
8 dents enrolled in such eligible local educational  
9 agency.

10          “(6) EVALUATION.—

11           “(A) AGREEMENT.—As a condition of re-  
12 ceiving a grant under this subsection, each eli-  
13 gible local educational agency shall agree to co-  
14 operate in an evaluation by the Secretary of the  
15 project carried out using grant funds.

16           “(B) PERIODIC EVALUATION.—Not later  
17 than 2 years after the date of the enactment of  
18 this paragraph and every 2 years thereafter, the  
19 Secretary shall carry out an evaluation of the  
20 grants made under this section that includes—

21           “(i) the amount of Federal funds used  
22 to carry out such grants; and

23           “(ii) an evaluation of the outcomes of  
24 the projects carried out pursuant to such  
25 grants.

1           “(7) DEFINITION OF ELIGIBLE LOCAL EDU-  
2           CATIONAL AGENCY.—In this subsection, the term ‘el-  
3           igible local educational agency’ means a local edu-  
4           cational agency that participates in the school lunch  
5           program under this Act or the school breakfast pro-  
6           gram established under section 4 of the Child Nutri-  
7           tion Act of 1966 (42 U.S.C. 1773).”.

8           (b) TECHNICAL ASSISTANCE.—Section 21(b) of the  
9           Richard B. Russell National School Lunch Act (42 U.S.C.  
10          1769b–1(b)) is amended—

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

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

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

16           “(4) food waste measurement, prevention, and  
17          reduction.”.

○