

115TH CONGRESS  
2D SESSION

# S. 2874

To amend the Food Security Act of 1985 with respect to land stewardship,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 17, 2018

Ms. SMITH introduced the following bill; which was read twice and referred  
to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Food Security Act of 1985 with respect to  
land stewardship, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Our In-  
5 vestment in Land Stewardship Act” or the “SOIL Stew-  
6 ardship Act”.

1 **SEC. 2. COMMON PROVISIONS AND PROGRAM COORDINA-**  
 2 **TION.**

3 Subchapter A of chapter 2 of subtitle D of title XII  
 4 of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.)  
 5 is amended to read as follows:

6 **“Subchapter A—Common Provisions and**  
 7 **Program Coordination**

8 **“SEC. 1238. DEFINITIONS.**

9 “In this chapter and chapter 4:

10 “(1) AGRICULTURAL OPERATION.—The term  
 11 ‘agricultural operation’ means all eligible land, re-  
 12 gardless of whether the eligible land is contiguous,  
 13 that is—

14 “(A) under the effective control of a pro-  
 15 ducer at the time the producer enters into a  
 16 contract under the applicable program; and

17 “(B) operated with equipment, labor, man-  
 18 agement, and production or cultivation prac-  
 19 tices that are substantially separate from other  
 20 agricultural operations, as determined by the  
 21 Secretary.

22 “(2) COMPREHENSIVE CONSERVATION PLAN.—  
 23 The term ‘comprehensive conservation plan’ means a  
 24 plan that—

25 “(A) identifies and inventories resources of  
 26 concern;

1           “(B) establishes benchmark data and stew-  
2           ardship objectives;

3           “(C) formulates and evaluates alternative  
4           approaches to meeting stewardship objectives  
5           for all resources of concern;

6           “(D) selects among the alternatives under  
7           subparagraph (C) and describes the particular  
8           conservation systems, practices, activities, and  
9           management measures to be implemented,  
10          maintained, or improved that will enable the  
11          producer to meet stewardship objectives for all  
12          resources of concern;

13          “(E) contains a schedule for the planning,  
14          installation, maintenance, improvement, and  
15          management of the selected conservation sys-  
16          tems, practices, activities, and management  
17          measures; and

18          “(F) contains a description and schedule  
19          for on-farm activities to assess and evaluate the  
20          conservation systems, practices, activities, and  
21          management measures described in the plan.

22          “(3) CONSERVATION ACTIVITY.—

23                 “(A) IN GENERAL.—The term ‘conserva-  
24                 tion activity’ means a conservation practice, en-  
25                 hancement, bundle, or plan.

1           “(B) INCLUSIONS.—The term ‘conserva-  
2           tion activity’ includes—

3                   “(i) structural measures, vegetative  
4                   measures, and land management measures,  
5                   as determined by the Secretary;

6                   “(ii) planning needed to address a pri-  
7                   ority resource concern; and

8                   “(iii) development of a comprehensive  
9                   conservation plan.

10          “(4) ELIGIBLE LAND.—

11               “(A) IN GENERAL.—The term ‘eligible  
12               land’ means—

13                   “(i) private or Tribal land on which  
14                   agricultural commodities, livestock, or for-  
15                   est-related products are produced; and

16                   “(ii) land associated with the land de-  
17                   scribed in clause (i) on which priority re-  
18                   source concerns could be addressed  
19                   through a contract under the applicable  
20                   program.

21               “(B) INCLUSIONS.—The term ‘eligible  
22               land’ includes—

23                   “(i) cropland;

24                   “(ii) grassland;

25                   “(iii) rangeland;

1 “(iv) pasture land;

2 “(v) nonindustrial private forest land;

3 and

4 “(vi) other land in agricultural areas  
5 (including cropped woodland, marshes, and  
6 agricultural land used or capable of being  
7 used for the production of livestock), on  
8 which priority resource concerns relating to  
9 agricultural production could be addressed  
10 through a contract under the program, as  
11 determined by the Secretary.

12 “(5) PRIORITY RESOURCE CONCERN.—The  
13 term ‘priority resource concern’ means a natural re-  
14 source concern or problem, as determined by the  
15 Secretary, that—

16 “(A) is identified at the national, State, or  
17 local level as a priority for a particular area of  
18 a State;

19 “(B) represents a significant concern in a  
20 State or region; and

21 “(C) is likely to be addressed successfully  
22 through the implementation of conservation ac-  
23 tivities under the applicable program.

24 “(6) STEWARDSHIP THRESHOLD.—The term  
25 ‘stewardship threshold’ means the level of manage-

1 ment required, as determined by the Secretary, to  
2 conserve and improve the quality and condition of a  
3 priority resource concern using—

4 “(A) the resource management system  
5 quality criteria;

6 “(B) predictive tools;

7 “(C) data from past and current program  
8 enrollments; and

9 “(D) other similar means to measure con-  
10 servation and improvement of the priority re-  
11 source concern.

12 **“SEC. 1238A. COMMON PROVISIONS AND PROGRAM CO-**  
13 **ORDINATION.**

14 “(a) COMMON PROVISIONS.—

15 “(1) STREAMLINING AND COORDINATION.—To  
16 the maximum extent feasible, the Secretary shall  
17 provide for streamlined and coordinated procedures  
18 for the conservation stewardship program estab-  
19 lished under subchapter B and the environmental  
20 quality incentives program established under chapter  
21 4 (referred to in this section as the ‘programs’), in-  
22 cluding applications, contracting, conservation plan-  
23 ning, conservation practices, and related administra-  
24 tive procedures.

1           “(2) SOIL HEALTH.—To the maximum extent  
2 feasible, the Secretary shall manage the programs to  
3 enhance soil health and build soil carbon.

4           “(3) WILDLIFE HABITAT.—To the maximum  
5 extent feasible, the Secretary shall allocate not less  
6 than 10 percent of funding for the programs to sup-  
7 port conservation activities benefitting wildlife habi-  
8 tat.

9           “(4) ORGANIC SYSTEMS.—

10           “(A) IN GENERAL.—The Secretary shall  
11 provide for a funding allocation for each of the  
12 programs to support organic production and  
13 transition to organic production.

14           “(B) CONSIDERATIONS.—In determining  
15 the funding allocation under subparagraph (A),  
16 the Secretary shall take into consideration cer-  
17 tified organic acres and transitioning organic  
18 acres of each State and the State trend line for  
19 certified organic acres and transitioning organic  
20 acres.

21           “(5) BALANCE.—To the maximum extent fea-  
22 sible, the Secretary shall provide balanced treatment  
23 for crop and livestock production systems in the allo-  
24 cation of contracts for the programs.

1           “(6) ACTIVE ENGAGEMENT.—The Secretary  
2           shall promulgate regulations that require partici-  
3           pants in the programs to be actively engaged in  
4           farming or ranching.

5           “(b) PROGRAM COORDINATION.—The Secretary shall  
6           coordinate management of the programs in a manner to  
7           facilitate the opportunity for a participant enrolled in the  
8           environmental quality incentives program under chapter  
9           4 but not yet qualified to enroll in the conservation stew-  
10          ardship program under subchapter B to subsequently en-  
11          roll in the conservation stewardship program once the par-  
12          ticipant has met the stewardship threshold for not fewer  
13          than 2 priority resource concerns.”.

14   **SEC. 3. CONSERVATION STEWARDSHIP PROGRAM DEFINI-**  
15                           **TIONS.**

16          Section 1238D of the Food Security Act of 1985 (16  
17   U.S.C. 3838d) is amended to read as follows:

18   **“SEC. 1238D. DEFINITIONS.**

19          “In this subchapter:

20               “(1) CONSERVATION STEWARDSHIP PLAN.—

21          The term ‘conservation stewardship plan’ means a  
22          plan that—

23                       “(A) identifies and inventories priority re-  
24          source concerns;



1           “(B) establishes benchmark data and con-  
2           servation objectives;

3           “(C) describes conservation activities to be  
4           implemented, managed, or improved; and

5           “(D) includes a schedule and evaluation  
6           plan for the planning and installation of new  
7           conservation activities and the active manage-  
8           ment of new and existing conservation activi-  
9           ties.

10          “(2) PROGRAM.—The term ‘program’ means  
11          the conservation stewardship program established by  
12          this subchapter.”.

13 **SEC. 4. CONSERVATION STEWARDSHIP PROGRAM.**

14          Section 1238E of the Food Security Act of 1985 (16  
15 U.S.C. 3838e) is amended—

16           (1) in subsection (a), in the matter preceding  
17           paragraph (1), by striking “2018” and inserting  
18           “2023”; and

19           (2) in subsection (b)(2), in the matter pre-  
20           ceding subparagraph (A), by striking “the Agricul-  
21           tural Act of 2014” and inserting “the SOIL Stew-  
22           ardship Act”.

23 **SEC. 5. STEWARDSHIP CONTRACTS.**

24          Section 1238F of the Food Security Act of 1985 (16  
25 U.S.C. 3838f) is amended—

1 (1) in subsection (b), by striking paragraph (1)  
2 and inserting the following:

3 “(1) RANKING OF APPLICATIONS.—

4 “(A) IN GENERAL.—In evaluating contract  
5 offers submitted under subsection (a), the Sec-  
6 retary shall rank applications based on—

7 “(i) the level of natural resource and  
8 environmental benefits resulting from ex-  
9 isting conservation treatment on all appli-  
10 cable priority resource concerns at the time  
11 of application; and

12 “(ii) the degree to which the proposed  
13 conservation activities effectively increase  
14 natural resource and environmental bene-  
15 fits.

16 “(B) TIE BREAKER.—In the event of a tie  
17 in ranking scores between 2 or more applica-  
18 tions under subparagraph (A), the Secretary  
19 shall rank applications based on the extent to  
20 which the actual and anticipated conservation  
21 natural resource and environmental benefits  
22 from the contract are provided at the least cost  
23 relative to other similarly beneficial contract of-  
24 fers.”;

1           (2) in subsection (d)(4), by adding at the end  
2 the following:

3           “(C) NEW ACREAGE.—If, after entering  
4 into a contract, a producer adds new acreage to  
5 the agricultural operation, the producer may  
6 elect to add the acreage to the stewardship con-  
7 tract during the term of the current steward-  
8 ship contract, if the Secretary determines the  
9 additional acreage and conservation treatment  
10 of those acres increases the natural resource  
11 and environmental benefits of the contract.”;  
12 and

13           (3) by striking subsection (e) and inserting the  
14 following:

15           “(e) CONTRACT RENEWAL.—At the end of each 5-  
16 year contract period, the Secretary may allow the producer  
17 to renew the contract for additional 5-year periods if the  
18 producer—

19           “(1) demonstrates compliance with the terms of  
20 the previous contract;

21           “(2) agrees to adopt new or improved conserva-  
22 tion activities across the entire agricultural oper-  
23 ation, demonstrating continual improvement, as de-  
24 termined by the Secretary; and

25           “(3) agrees, by the end of the contract period—

1           “(A) to plan, install, maintain, and actively  
2 manage such conservation activities as will  
3 allow the producer to meet or exceed the stew-  
4 ardship threshold of not fewer than 2 additional  
5 priority resource concerns; or

6           “(B) to adopt or improve such conserva-  
7 tion activities as the Secretary determines to be  
8 necessary to achieve higher levels of perform-  
9 ance with respect to not fewer than 2 existing  
10 priority resource concerns specified by the Sec-  
11 retary in the initial contract.”.

12 **SEC. 6. DUTIES OF THE SECRETARY.**

13           Section 1238G of the Food Security Act of 1985 (16  
14 U.S.C. 3838g) is amended—

15           (1) in subsection (a)(2), by striking “not less  
16 than 5”;

17           (2) in subsection (c)(2)—

18           (A) by striking “\$18” and inserting  
19 “\$23”; and

20           (B) by inserting “including supplemental  
21 payments under subsection (e), payments for  
22 cover crop activities under subsection (d), and  
23 payments for comprehensive conservation plan-  
24 ning under subsection (f),” after “financial as-  
25 sistance,”;

1 (3) in subsection (d)—

2 (A) in paragraph (2), in the matter pre-  
3 ceding subparagraph (A), by striking “, to the  
4 maximum extent practicable,”;

5 (B) by redesignating paragraphs (3) and  
6 (4) as paragraphs (5) and (6), respectively;

7 (C) by inserting after paragraph (2) the  
8 following:

9 “(3) PAYMENTS FOR COVER CROP ACTIVI-  
10 TIES.—Any annual payment provided by the Sec-  
11 retary under this subchapter that is for a cover crop  
12 activity, as determined by the Secretary, shall be in  
13 an amount that is not less than 125 percent of the  
14 amount that would have been paid under paragraph  
15 (2).

16 “(4) MINIMUM PAYMENT.—A payment to a pro-  
17 ducer under this subsection shall not be less than  
18 \$1,500 per year.”; and

19 (D) in paragraph (6) (as so redesignated),  
20 by striking subparagraph (A) and inserting the  
21 following:

22 “(A) calculate and provide payments for  
23 existing activities, additional activities, and sup-  
24 plemental payments, as described under sub-  
25 section (e); and”;

1 (4) by striking subsection (e) and inserting the  
2 following:

3 “(e) SUPPLEMENTAL PAYMENTS FOR RESOURCE-  
4 CONSERVING CROP ROTATIONS AND MANAGED INTEN-  
5 SIVE ROTATIONAL GRAZING.—

6 “(1) DEFINITIONS.—In this subsection:

7 “(A) MANAGED INTENSIVE ROTATIONAL  
8 GRAZING.—The term ‘managed intensive rota-  
9 tional grazing’ means a grazing system in which  
10 animals are regularly and systematically moved  
11 to fresh pasture in such a way as—

12 “(i) to maximize the quantity and  
13 quality of forage growth;

14 “(ii) to improve manure distribution  
15 and nutrient cycling;

16 “(iii) to increase carbon sequestration  
17 from greater forage harvest;

18 “(iv) to improve the quality and quan-  
19 tity of cover for wildlife;

20 “(v) to provide permanent cover to  
21 protect the soil from erosion; and

22 “(vi) to improve water quality.

23 “(B) RESOURCE-CONSERVING CROP ROTA-  
24 TION.—The term ‘resource-conserving crop ro-  
25 tation’ means a crop rotation that—

1           “(i) includes not fewer than 1 re-  
2           source-conserving crop (as defined by the  
3           Secretary);

4           “(ii) reduces erosion;

5           “(iii) improves soil fertility and tilt;

6           “(iv) interrupts pest cycles;

7           “(v) builds soil carbon; and

8           “(vi) in applicable areas, reduces de-  
9           pletion of soil moisture or otherwise re-  
10          duces the need for irrigation.

11          “(2) AVAILABILITY OF PAYMENTS.—The Sec-  
12          retary shall provide additional payments to pro-  
13          ducers that, in participating in the program, agree  
14          to adopt, manage, and maintain, or improve, man-  
15          age, and maintain—

16                 “(A) resource-conserving crop rotations; or

17                 “(B) managed intensive rotational grazing.

18          “(3) ELIGIBILITY.—To be eligible to receive a  
19          payment under paragraph (2), a producer shall  
20          agree to adopt, manage, and maintain or improve,  
21          maintain, and manage, resource-conserving crop ro-  
22          tations, or managed intensive rotational grazing for  
23          the term of the contract.

1           “(4) MINIMUM PAYMENT.—Supplemental pay-  
2           ments under this subsection shall not be less than  
3           \$20 per acre.”;

4           (5) by redesignating subsections (f), (g), (h),  
5           and (i) as subsections (g), (h), (i), and (j), respec-  
6           tively;

7           (6) by inserting after subsection (e) the fol-  
8           lowing:

9           “(f) PAYMENT FOR COMPREHENSIVE CONSERVATION  
10          PLANNING.—

11           “(1) IN GENERAL.—In the case of a producer  
12           who develops and implements a comprehensive con-  
13           servation plan to address all priority resource con-  
14           cerns in a manner that meets or exceeds the stew-  
15           ardship thresholds, a payment for planning shall be  
16           not less than \$1,000 and not more than \$3,000 per  
17           year.

18           “(2) PAYMENT.—A payment under paragraph  
19           (1) shall be set on a sliding scale, determined by the  
20           following factors:

21           “(A) The number of resource concerns ad-  
22           dressed in the comprehensive conservation plan.

23           “(B) The number of eligible land use types  
24           included in the operation.”;

25           (7) in subsection (g) (as so redesignated)—



1 (A) by inserting “, including joint oper-  
2 ations,” after “legal entity” the first place it  
3 appears;

4 (B) by striking “in the aggregate” and in-  
5 serting “when combined with payments for  
6 management practices under the environmental  
7 quality incentives program established under  
8 chapter 4”; and

9 (C) by striking “2018” and inserting  
10 “2023”;

11 (8) by striking subsection (i) (as so redesign-  
12 nated) and inserting the following:

13 “(i) ORGANIC CERTIFICATION.—

14 “(1) COORDINATION.—The Secretary shall es-  
15 tablish a coordinated, user-friendly, and transparent  
16 means by which producers may initiate or maintain  
17 organic certification under the Organic Foods Pro-  
18 duction Act of 1900 (7 U.S.C. 6501 et seq.) while  
19 participating in a contract under the program.

20 “(2) TRANSITION.—The Secretary shall estab-  
21 lish suites of organic transition conservation activi-  
22 ties to be available through the program.”; and

23 (9) in subsection (j) (as so redesignated)—

24 (A) by redesignating paragraphs (1) and  
25 (2) as paragraphs (2) and (3), respectively;

1 (B) by inserting before paragraph (2) (as  
2 so redesignated) the following:

3 “(1) require participants in the program to be  
4 actively engaged in farming or ranching;”; and

5 (C) in paragraph (2) (as so redesignated),  
6 by striking “subsection (f)” and inserting “sub-  
7 section (g)”.

8 **SEC. 7. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM**  
9 **PURPOSES.**

10 Section 1240(4) of the Food Security Act of 1985  
11 (16 U.S.C. 3839aa(4)) is amended by striking “livestock,  
12 pest or irrigation management” and inserting “crops and  
13 livestock, pest management, or irrigation management”.

14 **SEC. 8. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM**  
15 **DEFINITIONS.**

16 Section 1240A of the Food Security Act of 1985 (16  
17 U.S.C. 3839aa–1) is amended to read as follows:

18 **“SEC. 1240A. DEFINITIONS.**

19 “In this chapter:

20 “(1) **DEVELOPMENT PRACTICE.**—The term ‘de-  
21 velopment practice’ means the construction or instal-  
22 lation of a structure, facility, or equipment, or an-  
23 other related activity that is consistent with the pur-  
24 poses of the program, as determined by the Sec-  
25 retary.

1           “(2) PAYMENT.—The term ‘payment’ means fi-  
2           nancial assistance provided to a producer for per-  
3           forming practices, including compensation for—

4                   “(A) incurred costs associated with plan-  
5                   ning, design, materials, equipment, installation,  
6                   labor, management, maintenance, or training;

7                   “(B) income forgone by the producer; and

8                   “(C) expected conservation benefit.

9           “(3) PRACTICE.—The term ‘practice’ means 1  
10           or more conservation activities that are consistent  
11           with the purposes of the program, as determined by  
12           the Secretary, including—

13                   “(A) improvements to eligible land of the  
14                   producer, including—

15                           “(i) land management practices;

16                           “(ii) vegetative practices;

17                           “(iii) forest management; and

18                           “(iv) other practices that the Sec-  
19                           retary determines would further the pur-  
20                           poses of the program; and

21                   “(B) the development of plans appropriate  
22                   for the eligible land of the producer, includ-  
23                   ing—

24                           “(i) comprehensive nutrient manage-  
25                           ment planning;

1 “(ii) comprehensive conservation plan-  
2 ning; and

3 “(iii) other plans that the Secretary  
4 determines would further the purposes of  
5 the program.

6 “(4) PROGRAM.—The term ‘program’ means  
7 the environmental quality incentives program estab-  
8 lished by this chapter.”.

9 **SEC. 9. ESTABLISHMENT AND ADMINISTRATION.**

10 Section 1240B of the Food Security Act of 1985 (16  
11 U.S.C. 3839aa–2) is amended—

12 (1) in subsection (a), by striking “2019” and  
13 inserting “2023”;

14 (2) in subsection (b)(2), by striking “10 years”  
15 and inserting “5 years”;

16 (3) in subsection (d)—

17 (A) in paragraph (2), by striking subpara-  
18 graph (A) and inserting the following:

19 “(A)(i) for practices that are not develop-  
20 ment practices, 75 percent of the costs associ-  
21 ated with planning, design, materials, equip-  
22 ment, installation, labor, management, mainte-  
23 nance, or training; or

24 “(ii) for development practices, except as  
25 provided in subsection (h)(3), 50 percent of the

1 costs associated with planning, design, mate-  
2 rials, installation, management, maintenance, or  
3 training;” and

4 (B) in paragraph (4)—

5 (i) in subparagraph (A), by striking  
6 clause (i) and inserting the following:

7 “(i)(I) for practices that are not de-  
8 velopment practices, to not more than 90  
9 percent of the costs associated with plan-  
10 ning, design, materials, equipment, instal-  
11 lation, labor, management, maintenance, or  
12 training; or

13 “(II) for development practices, to not  
14 more than 75 percent of the costs associ-  
15 ated with the planning, design, materials,  
16 equipment, installation, labor management,  
17 maintenance, or training;” and

18 (ii) in subparagraph (B)(i), by strik-  
19 ing “may be provided” and inserting “shall  
20 be provided”;

21 (4) in subsection (h)—

22 (A) in paragraph (1), by striking “water  
23 conservation or irrigation practice” and insert-  
24 ing “water-conserving irrigation practice”; and

1 (B) by striking paragraph (2) and insert-  
2 ing the following:

3 “(2) PRIORITY.—In providing payments to a  
4 producer for a development practice that is a water  
5 conservation or irrigation practice, the Secretary  
6 shall give priority to applications in which—

7 “(A) consistent with the law of the State  
8 in which the eligible land of the producer is lo-  
9 cated, the producer agrees to reduce water use  
10 in the operations of the producer; or

11 “(B) the producer agrees not to use any  
12 associated water savings to bring new land,  
13 other than incidental land needed for efficient  
14 operations, under irrigated production, unless  
15 the producer is participating in a watershed-  
16 wide project that will effectively conserve water,  
17 as determined by the Secretary.

18 “(3) PAYMENT RATE.—Applications given pri-  
19 ority under paragraph (2) shall be subject to the  
20 payment rate described in subsection (d)(2)(A)(i).”;  
21 and

22 (5) in subsection (i)—

23 (A) by striking paragraph (2) and insert-  
24 ing the following:

1           “(2) ELIGIBILITY REQUIREMENTS.—As a condi-  
2           tion for receiving payments under this subsection, a  
3           producer shall agree to develop and implement con-  
4           servation practices for certified organic production  
5           that are consistent with the regulations promulgated  
6           under the Organic Foods Production Act of 1990 (7  
7           U.S.C. 6501 et seq.) and the purposes of this chap-  
8           ter.”;

9                           (B) by striking paragraph (3); and

10                           (C) by redesignating paragraphs (4) and  
11                           (5) as paragraphs (3) and (4), respectively.

12 **SEC. 10. LIMITATION ON PAYMENTS.**

13           Section 1240G of the Food Security Act of 1985 (16  
14 U.S.C. 3839aa–7) is amended to read as follows:

15 **“SEC. 1240G. LIMITATION ON PAYMENTS.**

16           “(a) TOTAL PAYMENTS.—A person or legal entity  
17 may not receive, directly or indirectly, payments under  
18 this chapter and chapter 2 that, in the aggregate, exceed  
19 \$450,000 for all contracts entered into under this chapter  
20 and chapter 2 by the person or legal entity during the  
21 period of fiscal years 2019 through 2023, regardless of  
22 the number of contracts entered into under this chapter  
23 by the person or legal entity.

24           “(b) MANAGEMENT PAYMENTS.—A person or legal  
25 entity may not receive, directly or indirectly, payments

1 under the management component of this chapter and  
2 chapter 2 that, in aggregate, exceed \$200,000 for all con-  
3 tracts entered into under the management component of  
4 this chapter and chapter 2 by the person or legal entity  
5 during the period of fiscal years 2019 through 2023, re-  
6 gardless of the number of contracts entered into under  
7 this chapter by the person or legal entity.”.

8 **SEC. 11. COMMODITY CREDIT CORPORATION.**

9 Section 1241 of the Food Security Act of 1985 (16  
10 U.S.C. 3841) is amended—

11 (1) in subsection (a)(5), by striking “prac-  
12 ticable—” and all that follows through the period at  
13 the end of subparagraph (E) and inserting “prac-  
14 ticable, \$1,750,000,000 for each fiscal year through  
15 fiscal year 2023, including not less than  
16 \$500,000,000 for each fiscal year for management  
17 activities that assist producers in protecting sources  
18 of drinking water.”;

19 (2) in subsection (h)—

20 (A) in paragraph (1)—

21 (i) in the matter preceding subpara-  
22 graph (A), by striking “2009 through  
23 2018” and inserting “2019 through  
24 2023”;



1 (ii) in subparagraph (A), by striking  
2 “5 percent” and inserting “15 percent”;  
3 and

4 (iii) in subparagraph (B), by striking  
5 “5 percent” and inserting “15 percent”;  
6 (B) by redesignating paragraphs (2), (3),  
7 and (4), as paragraphs (4), (5), and (6), re-  
8 spectively;

9 (C) by inserting after paragraph (1) the  
10 following:

11 “(2) WILDLIFE.—Of the funds made available  
12 for each of fiscal years 2019 through 2023 to carry  
13 out the environmental quality incentives program  
14 and the acres made available for each of those fiscal  
15 years to carry out the conservation stewardship pro-  
16 gram, the Secretary shall use not less than 10 per-  
17 cent for conservation activities that support the res-  
18 toration, development, protection, and improvement  
19 of wildlife habitat on eligible land, including—

20 “(A) upland wildlife habitat;

21 “(B) wetland wildlife habitat;

22 “(C) habitat for threatened and endan-  
23 gered species;

24 “(D) fish habitat;

1           “(E) wildlife habitat on pivot corners and  
2           other irregular areas of a field; and

3           “(F) other types of wildlife habitat, as de-  
4           termined by the Secretary.

5           “(3) ORGANIC.—Of the funds made available  
6           for each of fiscal years 2019 through 2023 to carry  
7           out the environmental quality incentives program  
8           and the acres made available for each of those fiscal  
9           years to carry out the conservation stewardship pro-  
10          gram, the Secretary shall allocate funding to the  
11          States to support organic production and the transi-  
12          tion to organic production, to be determined by each  
13          State’s—

14                 “(A) certified and transitioning organic op-  
15                 erations;

16                 “(B) organic acreage; and

17                 “(C) 2016 organic and transitioning par-  
18                 ticipation in the environmental quality incen-  
19                 tives program.”;

20                 (D) in paragraph (4) (as so redesignated),  
21                 by striking “paragraph (1)” and inserting  
22                 “paragraphs (1), (2), and (3)”;

23                 (E) in paragraph (5) (as so redesignated),  
24                 by striking “paragraph (1)” and inserting  
25                 “paragraphs (1), (2), and (3)”;

1           (3) in subsection (i)(2), by striking “pursuant  
2           to section 1240G(b)” and inserting “by the Sec-  
3           retary”.

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