

117TH CONGRESS  
1ST SESSION

# S. 1337

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

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IN THE SENATE OF THE UNITED STATES

APRIL 22, 2021

Mr. HEINRICH (for himself, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Finance

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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 of 2021”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

### TITLE I—NATIONAL GOALS

Sec. 101. National 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 for rural areas program.

#### 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. Study and report on feasibility of agricultural carbon capture tax credit.  
 Sec. 307. Conservation compliance.  
 Sec. 308. National and regional agroforestry centers.

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

- Sec. 401. Local Agriculture Market Program.  
 Sec. 402. National 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. Agricultural conservation easement program.

#### TITLE V—PASTURE-BASED LIVESTOCK

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

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

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

#### TITLE VII—FOOD LOSS AND WASTE

##### Subtitle A—Food Date Labeling

- Sec. 701. Definitions.

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

Subtitle B—Other Provisions

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

1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term “Secretary” means the Sec-  
 3 retary of Agriculture.

4 **TITLE I—NATIONAL GOALS**

5 **SEC. 101. NATIONAL GOALS.**

6 (a) PURPOSE.—The purpose of the goals established  
 7 under this title is to prevent climate change from exceed-  
 8 ing 1.5 degrees Celsius of warming above preindustrial lev-  
 9 els through a national greenhouse gas emission reduction  
 10 effort.

11 (b) NATIONAL GOALS.—The national goals for the  
 12 agricultural sector shall be to achieve—

13 (1) not less than a 50 percent reduction in net  
 14 greenhouse gas emissions, as compared to those lev-  
 15 els during calendar year 2010, by not later than De-  
 16 cember 31, 2030; and

17 (2) net zero emissions by not later than Decem-  
 18 ber 31, 2040.

1 (c) SUBGOALS.—To achieve the national goals de-  
2 scribed in subsection (b), there are established the fol-  
3 lowing subgoals:

4 (1) RESEARCH.—The total Federal investment  
5 in public food and agriculture research and exten-  
6 sion should—

7 (A) at a minimum, as compared to that  
8 total Federal investment for fiscal year 2021—

9 (i) triple by not later than December  
10 31, 2030; and

11 (ii) quadruple by not later than De-  
12 cember 31, 2040; and

13 (B) strongly focus on climate change adap-  
14 tation and mitigation, soil health and carbon se-  
15 questration, nutrient and manure management  
16 to curb nitrous oxide and methane emissions,  
17 agroforestry, advanced grazing management  
18 and crop-livestock integration, other agro-eco-  
19 logical systems, on-farm and food system en-  
20 ergy efficiency and renewable energy produc-  
21 tion, farmland preservation and viability, food  
22 waste reduction, and any other related areas, as  
23 determined by the Secretary.

24 (2) SOIL HEALTH.—The United States  
25 should—

1 (A) immediately become a member of the  
2 Partners Forum and the Consortium of the 4  
3 per 1000 Initiative, hosted by the Consultative  
4 Group for International Agricultural Research,  
5 with the aim of increasing total soil carbon  
6 stocks by 0.4 percent annually to reduce carbon  
7 in the atmosphere, restore soil health and pro-  
8 ductivity, and thereby improve food security;

9 (B) sufficiently expand adoption of soil  
10 health practices (including diverse crop rota-  
11 tions, cover cropping, conservation tillage, pe-  
12 rennial crop production systems, agroforestry,  
13 composting, biologically based nutrient manage-  
14 ment, and advanced grazing management, in-  
15 cluding silvopasture)—

16 (i) to reduce nitrous oxide emissions  
17 from agricultural soils, as compared to  
18 those levels during calendar year 2021—

19 (I) by 25 percent by not later  
20 than December 31, 2030; and

21 (II) by 75 percent by not later  
22 than December 31, 2040;

23 (ii) to increase soil carbon stocks by  
24 0.4 percent annually on at least 50 percent

1 of agricultural land by not later than De-  
2 cember 31, 2030; and

3 (iii) to meet or exceed the threshold  
4 described in clause (ii) on all agricultural  
5 land by not later than December 31, 2040;

6 (C) expand implementation of regionally  
7 appropriate cover crops and other continual liv-  
8 ing cover so that—

9 (i) at least 50 percent of cropland  
10 acres include 1 or more cover crops or  
11 other continual living cover in the rotations  
12 of the cropland acres by not later than De-  
13 cember 31, 2030;

14 (ii) at least 75 percent of cropland  
15 acres include 1 or more cover crops or  
16 other continual living cover in the rotations  
17 of the cropland acres by not later than De-  
18 cember 31, 2040;

19 (iii) cropland acres are covered by  
20 crops (including forages and hay crops),  
21 cover crops, or residue for an average of  
22 75 percent of each calendar year by not  
23 later than December 31, 2030; and

24 (iv) cropland acres are covered by  
25 crops (including forages and hay crops),

1 cover crops, or residue for an average of  
2 85 percent of each calendar year by not  
3 later than December 31, 2040; and

4 (D) encourage conversion of at least—

5 (i) 15 percent of annual grain crop  
6 acres, as in use on the date of enactment  
7 of this Act, to agroforestry, perennial graz-  
8 ing, perennial grain crops, or other peren-  
9 nial production systems by not later than  
10 December 31, 2030; and

11 (ii) 30 percent of annual grain crop  
12 acres, as in use on the date of enactment  
13 of this Act, to agroforestry, perennial graz-  
14 ing, perennial grain crops, or other peren-  
15 nial production systems by not later than  
16 December 31, 2040.

17 (3) FARMLAND PRESERVATION.—

18 (A) 2030 GOAL.—The rate of conversion of  
19 agricultural land to development, and the rate  
20 of conversion of grassland to cropping, should  
21 be reduced by at least 80 percent, as compared  
22 to those rates for calendar year 2021 by not  
23 later than December 31, 2030.

1 (B) 2040 GOAL.—There should be no con-  
2 version of agricultural land to development, or  
3 grassland to cropping, by December 31, 2040.

4 (4) PASTURE-BASED LIVESTOCK.—The live-  
5 stock sector should—

6 (A) establish advanced grazing manage-  
7 ment, including management-intensive rota-  
8 tional grazing, on at least—

9 (i) 50 percent of all grazing land by  
10 not later than December 31, 2030; and

11 (ii) 100 percent of all grazing land by  
12 not later than December 31, 2040;

13 (B) reduce greenhouse gas emissions re-  
14 lated to feeding of ruminants by—

15 (i) at least—

16 (I)  $\frac{1}{3}$  by not later than Decem-  
17 ber 31, 2030; and

18 (II)  $\frac{1}{2}$  by not later than Decem-  
19 ber 31, 2040; and

20 (ii) reducing nongrazing feeding of  
21 ruminants, growing feed grains and for-  
22 ages with soil health and nutrient manage-  
23 ment practices that minimize net green-  
24 house gas emissions from cropland, and  
25 designing livestock feed mixtures and sup-



1           plements to mitigate enteric methane emis-  
2           sions;

3           (C) re-integrate livestock and crop produc-  
4           tion systems at farm, local, and regional levels  
5           to facilitate environmentally sound management  
6           and field application of manure and reduce the  
7           need for long-term manure storage by increas-  
8           ing acreage on individual farms under crop-live-  
9           stock integrated management by at least—

10                   (i) 100 percent as compared to cal-  
11                   endar year 2017 levels by not later than  
12                   December 31, 2030; and

13                   (ii) 300 percent as compared to cal-  
14                   endar year 2017 levels by not later than  
15                   December 31, 2040; and

16           (D)(i) immediately cease building any new  
17           or expanded waste lagoons for confined animal  
18           feeding operations; and

19                   (ii) convert—

20                   (I) by not later than December 31,  
21                   2030, at least  $\frac{1}{3}$  of wet manure handling  
22                   and storage to non-digester dairy or live-  
23                   stock methane management methods (as  
24                   defined in section 1240T(a) of the Food  
25                   Security Act of 1985); and

1 (II) by not later than December 31,  
2 2040, at least  $\frac{2}{3}$  of wet manure handling  
3 and storage to non-digester dairy or live-  
4 stock methane management methods (as so  
5 defined).

6 (5) ON-FARM RENEWABLE ENERGY.—The agri-  
7 cultural sector should—

8 (A) implement energy audits and energy  
9 efficiency improvements on at least—

10 (i) 50 percent of farms by not later  
11 than December 31, 2030; and

12 (ii) 100 percent of farms by not later  
13 than December 31, 2040;

14 (B) expand on-farm clean renewable en-  
15 ergy production to a level that is at least—

16 (i) double the 2017 level by not later  
17 than December 31, 2030; and

18 (ii) triple the 2017 level by not later  
19 than December 31, 2040; and

20 (C) install and manage on-farm renewable  
21 energy infrastructure in a manner that does  
22 not—

23 (i) compromise the climate resilience  
24 and greenhouse gas mitigation goals of this  
25 Act; or

1 (ii) adversely impact farmland, soil,  
2 and water resources, or food production.

3 (6) FOOD LOSS AND WASTE.—Consistent with  
4 the Food Waste Challenge launched by the Depart-  
5 ment of Agriculture and the Environmental Protec-  
6 tion Agency in June 2013, and the national food  
7 loss and waste goal announced in September 2015,  
8 the food and agricultural sector should commit to—

9 (A) at least a 50 percent reduction in food  
10 loss and waste by not later than December 31,  
11 2030;

12 (B) at least a 75 percent reduction in food  
13 loss and waste by not later than December 31,  
14 2040; and

15 (C) in a manner consistent with the Food  
16 Recovery Hierarchy established by the Environ-  
17 mental Protection Agency, diverting from land-  
18 fills through composting and other means at  
19 least—

20 (i) 50 percent of unavoidable food  
21 waste and food processing byproducts by  
22 not later than December 31, 2030; and

23 (ii) 90 percent of unavoidable food  
24 waste and food processing byproducts by  
25 not later than December 31, 2040.

1 **SEC. 102. ACTION PLAN.**

2 (a) IN GENERAL.—The Secretary shall—

3 (1) develop a plan (referred to in this section as  
4 the “plan”), which may involve actions to be taken  
5 by other Federal agencies, to make significant and  
6 rapid progress to achieve the national goals de-  
7 scribed in section 101; and

8 (2) make the plan available for public comment  
9 for a period of not less than 90 days.

10 (b) ACTIONS.—Actions under the plan shall—

11 (1) include issuing regulations, providing incen-  
12 tives, carrying out research and development pro-  
13 grams, and any other actions the Secretary deter-  
14 mines are necessary to achieve the national goals de-  
15 scribed in section 101; and

16 (2) be designed—

17 (A) to fully implement the provisions of  
18 this Act and the amendments made by this Act;

19 (B) to provide benefits for farmers and  
20 ranchers, rural communities, small businesses,  
21 and consumers;

22 (C) to improve public health, resilience,  
23 and environmental outcomes, especially for  
24 rural and low-income households, communities  
25 of color, Tribal and indigenous communities,  
26 and communities that are disproportionately

1 vulnerable to the impacts of climate change, air  
2 and water pollution, and other resource deg-  
3 radation; and

4 (D) to prioritize investments that reduce  
5 emissions of greenhouse gases and sequester  
6 carbon while simultaneously helping to solve  
7 other pressing agro-environmental resource con-  
8 cerns, increase farming and ranching opportuni-  
9 ties, create quality jobs, improve farmworker  
10 working conditions and living standards, and  
11 make communities more resilient to the effects  
12 of climate change.

13 (c) FINAL PLAN.—Not later than 18 months after  
14 the date of enactment of this Act, the Secretary shall—

15 (1) finalize the plan, taking into account any  
16 public comments received on the plan;

17 (2) begin implementation of the plan; and

18 (3) submit the plan to Congress.

19 (d) UPDATES.—Beginning 2 years after the date on  
20 which the Secretary submits the plan to Congress under  
21 subsection (c)(3), and not less frequently than biennially  
22 thereafter, the Secretary shall—

23 (1) review and revise the plan to ensure that  
24 the plan is sufficient to achieve the national goals  
25 described in section 101; and

1           (2) submit the revised plan to Congress.

2           (e) ANNUAL REPORT.—Not later than 1 year after  
3 the date on which the Secretary submits the plan to Con-  
4 gress under subsection (c)(3), and annually thereafter, the  
5 Secretary shall submit to Congress, and make publicly  
6 available, an annual report that describes, for the period  
7 covered by the report—

8           (1) actions taken pursuant to the plan and the  
9 effects of those actions;

10          (2) the conclusion of the most recent review of  
11 the plan conducted under subsection (d), if applica-  
12 ble; and

13          (3) a summary of any revisions made to the  
14 plan under that subsection.

## 15                   **TITLE II—RESEARCH**

### 16   **SEC. 201. RESEARCH, EXTENSION, AND EDUCATION PUR-** 17                   **POSE.**

18          Section 1402 of the National Agricultural Research,  
19 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
20 3101) is amended—

21          (1) by redesignating paragraphs (8) and (9) as  
22 paragraphs (9) and (10), respectively; and

23          (2) by inserting after paragraph (7) the fol-  
24 lowing:

1           “(8) accelerate the ability of agriculture and the  
2           food system of the United States to first achieve net-  
3           zero carbon emissions and then be carbon positive by  
4           removing additional carbon dioxide from the atmos-  
5           phere;”.

6 **SEC. 202. REGIONAL HUBS FOR RISK ADAPTATION AND**  
7   **MITIGATION TO CLIMATE CHANGE.**

8           Title IV of the Agricultural Research, Extension, and  
9           Education Reform Act of 1998 is amended by inserting  
10          before section 404 (7 U.S.C. 7624) the following:

11 **“SEC. 401. REGIONAL HUBS FOR RISK ADAPTATION AND**  
12   **MITIGATION TO CLIMATE CHANGE.**

13          “(a) ESTABLISHMENT.—The Secretary shall estab-  
14          lish a national network of regional hubs for risk adapta-  
15          tion and mitigation to climate change to provide to farm-  
16          ers, ranchers, forest landowners, and other agricultural  
17          and natural resource managers—

18                 “(1) science-based, region-specific, cost-effec-  
19                 tive, and practical information and program support  
20                 for science-informed decisionmaking in light of the  
21                 increased costs, opportunities, risks, and  
22                 vulnerabilities associated with a changing climate;  
23                 and

24                 “(2) access to assistance to implement that de-  
25                 cisionmaking.

1       “(b) ELIGIBILITY.—An entity shall be eligible to be  
2 selected as a regional hub under subsection (a) if the enti-  
3 ty is any office of the Agricultural Research Service, the  
4 Forest Service, or any other agency of the Department  
5 of Agriculture that the Secretary determines to be appro-  
6 priate.

7       “(c) ADMINISTRATION.—

8           “(1) IN GENERAL.—The network established  
9 under subsection (a) shall be designated and admin-  
10 istered jointly by the Agricultural Research Service  
11 and the Forest Service, in partnership with other  
12 Federal agencies, including the following:

13           “(A) Within the Department of Agri-  
14 culture, the following agencies:

15           “(i) The Natural Resources Conserva-  
16 tion Service.

17           “(ii) The Farm Service Agency.

18           “(iii) The Risk Management Agency.

19           “(iv) The Animal and Plant Health  
20 Inspection Service.

21           “(v) The National Institute of Food  
22 and Agriculture.

23           “(B) The Department of the Interior.

24           “(C) The Department of Energy.



1           “(D) The Environmental Protection Agen-  
2           cy.

3           “(E) The United States Geological Survey.

4           “(F) National Oceanic and Atmospheric  
5           Administration.

6           “(G) National Aeronautics and Space Ad-  
7           ministration.

8           “(H) Such other Federal agencies as the  
9           Secretary determines to be appropriate.

10          “(2) PARTNERS.—The regional hubs estab-  
11          lished under subsection (a) shall work in close part-  
12          nership with other stakeholders and partners, includ-  
13          ing—

14               “(A) colleges and universities (as defined  
15               in section 1404 of the Food and Agriculture  
16               Act of 1977 (7 U.S.C. 3103));

17               “(B) cooperative extension services (as de-  
18               fined in that section);

19               “(C) State agricultural experiment stations  
20               (as defined in that section);

21               “(D) private entities;

22               “(E) State, local, and regional govern-  
23               ments;

24               “(F) Indian Tribes;

1           “(G) agriculture and commodity organiza-  
2           tions;

3           “(H) nonprofit and community-based orga-  
4           nizations; and

5           “(I) other partners, as determined by the  
6           Secretary.

7           “(d) RESPONSIBILITIES.—A regional hub established  
8           under subsection (a) shall—

9           “(1) offer tools, strategic management options,  
10          and technical support to farmers, ranchers, and for-  
11          est landowners to help those farmers, ranchers, and  
12          forest landowners mitigate and adapt to climate  
13          change;

14          “(2) direct farmers, ranchers, and forest land-  
15          owners to Federal agencies that can provide pro-  
16          gram support to enable those farmers, ranchers, and  
17          forest landowners to implement science-informed  
18          management practices that address climate change;

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

22          “(4) provide periodic regional assessments of  
23          risk and vulnerability in the agricultural and for-  
24          estry sectors—

1           “(A) to help farmers, ranchers, and forest  
2           landowners better understand the potential di-  
3           rect and indirect impacts of climate change;  
4           and

5           “(B) to inform the United States Global  
6           Change Research Program established under  
7           section 103 of the Global Change Research Act  
8           of 1990 (15 U.S.C. 2933);

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

17          “(6) work with any cooperative extension serv-  
18          ices (as defined in section 1404 of the Food and Ag-  
19          riculture Act of 1977 (7 U.S.C. 3103)), conservation  
20          districts, and nongovernmental organizations in-  
21          volved in farmer outreach in the region served by the  
22          hub to assist producers in developing business plans  
23          and conservation plans that take into account  
24          emerging climate risk science with respect to crop,

1 production, and conservation system changes that  
2 will help producers adapt to a changing climate; and

3 “(7) establish, in partnership with programs  
4 and projects carried out under subtitle B of title  
5 XVI of the Food, Agriculture, Conservation, and  
6 Trade Act of 1990 (7 U.S.C. 5801 et seq.), addi-  
7 tional partnerships with farmers and nonprofit and  
8 community-based organizations to conduct applied  
9 on-farm research on climate change.

10 “(e) PRIORITIES.—A regional hub established under  
11 subsection (a) shall prioritize research and data collection  
12 activities in the following areas:

13 “(1) Improved measurement and monitoring  
14 of—

15 “(A) soil organic carbon sequestration; and

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

18 “(2) Lifecycle analysis for total net greenhouse  
19 gas emissions related to—

20 “(A) alternative cropping systems;

21 “(B) alternative livestock production sys-  
22 tems;

23 “(C) integrated cropping-livestock systems;

24 “(D) alternative biofuel crop production  
25 systems and biofuel end uses;

1           “(E) alternative agroforestry practices and  
2 systems; and

3           “(F) alternative forestry management sys-  
4 tems.

5           “(3) Research and education on—

6           “(A) optimal soil health practices;

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

9           “(C) enhanced synergies between crop  
10 roots and soil biota;

11           “(D) linkages between soil, plant, animal,  
12 and human health;

13           “(E) adaption and mitigation needs of  
14 stakeholders;

15           “(F) new crops or new varieties to help  
16 producers be profitable while adapting to a  
17 changing climate;

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

22           “(H) evaluation and assessment of climate-  
23 related decision tools of the Department of Ag-  
24 riculture.

1           “(4) Grazing-based livestock management sys-  
2           tems to optimize the net greenhouse gas footprint,  
3           including—

4                   “(A) grazing land carbon sequestration;  
5                   and  
6                   “(B) mitigation of enteric methane.

7           “(5) Perennial production systems that seques-  
8           ter carbon, enhance soil health, and increase resil-  
9           ience, including—

10                   “(A) perennial forages;  
11                   “(B) perennial grains; and  
12                   “(C) agroforestry.

13           “(f) STAKEHOLDER INPUT.—Each regional hub es-  
14           tablished under subsection (a)—

15                   “(1) shall solicit input from stakeholders on  
16                   pressing needs, important issues, and outreach strat-  
17                   egies through a variety of mechanisms, including re-  
18                   gional stakeholder committees; and

19                   “(2) may partner with stakeholders in con-  
20                   ducting research and developing tools.

21           “(g) RISK MANAGEMENT.—

22                   “(1) IN GENERAL.—The Secretary shall appoint  
23                   a team of individuals representing the regional hubs  
24                   established under subsection (a), partners with those

1 regional hubs, and the Risk Management Agency to  
2 develop recommendations to better account for—

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

4 “(B) soil health and other risk-reducing  
5 conservation activities under the Federal crop  
6 insurance program under the Federal Crop In-  
7 surance Act (7 U.S.C. 1501 et seq.).

8 “(2) SUBMISSION OF RECOMMENDATIONS.—

9 The team appointed under paragraph (1) shall sub-  
10 mit to the Secretary, on an iterative basis, but not  
11 less frequently than once every 2 years, the rec-  
12 ommendations developed by the team under that  
13 paragraph.

14 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
15 is authorized to be appropriated to carry out this section  
16 \$50,000,000 for each of fiscal years 2022 through 2030.”.

17 **SEC. 203. SUSTAINABLE AGRICULTURE RESEARCH AND**  
18 **EDUCATION RESILIENCE INITIATIVE.**

19 (a) SUSTAINABLE AGRICULTURE RESEARCH AND  
20 EDUCATION.—Section 1619 of the Food, Agriculture,  
21 Conservation, and Trade Act of 1990 (7 U.S.C. 5801) is  
22 amended—

23 (1) in subsection (a)—

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

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

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

4 “(7) increase resilience in the context of a  
5 changing climate and related economic, social, and  
6 environmental shocks.”; and

7 (2) in subsection (b)—

8 (A) in paragraph (2)—

9 (i) by striking “integrated crop man-  
10 agement” and inserting “integrated crop  
11 and livestock management system or prac-  
12 tice”; and

13 (ii) by inserting “resilience,” after  
14 “profitability,”; and

15 (B) by striking paragraph (3) and insert-  
16 ing the following:

17 “(3) The term ‘resilience’ means, with respect  
18 to an agricultural management system, the ability of  
19 that system to absorb and recover from climate and  
20 other disturbances, such that the system is not im-  
21 pacted by severe shocks.”.

22 (b) ELIGIBILITY OF TRIBAL COLLEGES TO ENTER  
23 INTO RESEARCH AND EXTENSION PROJECT AGREE-  
24 MENTS.—Section 1621(b) of the Food, Agriculture, Con-  
25 servation, and Trade Act of 1990 (7 U.S.C. 5811(b)) is



1 amended by striking “or Federal or State” and inserting  
 2 “1994 Institutions (as defined in section 532 of the Eq-  
 3 uity in Educational Land-Grant Status Act of 1994 (7  
 4 U.S.C. 301 note; Public Law 103–382)), or Federal,  
 5 State, or Tribal”.

6 (c) AGRICULTURAL AND FOOD SYSTEM RESILIENCE  
 7 INITIATIVE.—

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

11 (A) in the section heading, by striking  
 12 **“INTEGRATED MANAGEMENT SYSTEMS”**  
 13 and inserting **“AGRICULTURAL AND FOOD**  
 14 **SYSTEM RESILIENCE INITIATIVE”**;

15 (B) in subsection (a)—

16 (i) by striking paragraph (3);

17 (ii) by redesignating paragraphs (1),  
 18 (2), (4), and (5) as subparagraphs (C),  
 19 (D), (E), and (F), respectively, and indent-  
 20 ing appropriately;

21 (iii) in the matter preceding subpara-  
 22 graph (C) (as so redesignated), by striking  
 23 the first sentence and all that follows  
 24 through “program” in the second sentence  
 25 and inserting the following:

1           “(1) IN GENERAL.—In close conjunction with  
2 programs and projects established under sections  
3 1621 and 1623, the Secretary shall establish a re-  
4 search, education, extension, and outreach initiative,  
5 which may include farmer and rancher research and  
6 demonstration grants, and use an interdisciplinary  
7 approach wherever appropriate, to increase the resil-  
8 ience of agriculture and the food system in the con-  
9 text of a changing climate and related economic, so-  
10 cial, and environmental shocks.

11           “(2) PURPOSES.—The purposes of the initiative  
12 established under paragraph (1)”;

13                       (iv) in paragraph (2) (as so des-  
14 ignated)—

15                               (I) by inserting before subpara-  
16 graph (C) (as so redesignated) the fol-  
17 lowing:

18                               “(A) to equip farmers to prepare, adapt,  
19 and transform the farming systems of the farm-  
20 ers when confronted by shocks and stresses to  
21 the agricultural production and livelihoods of  
22 the farmers;

23                               “(B) to support local and regional food  
24 systems that support resilience and enhance

1 local access and control over productive re-  
2 sources;”;

3 (II) in subparagraph (C) (as so  
4 redesignated)—

5 (aa) by striking “practices  
6 and systems” and inserting “sys-  
7 tems and practices”;

8 (bb) by inserting “climate  
9 and” after “adverse”;

10 (cc) by inserting “soil qual-  
11 ity and” after “enhance”; and

12 (dd) by inserting “reduce  
13 dependency on fossil fuels,” after  
14 “inputs,”;

15 (III) in subparagraph (D) (as so  
16 redesignated), by inserting “increase  
17 resilience and” after “practices to”;

18 (IV) in subparagraph (E) (as so  
19 redesignated), by inserting “and prac-  
20 tices” after “systems”; and

21 (V) in subparagraph (F) (as so  
22 redesignated), by striking “inte-  
23 grated” and all that follows through  
24 “programs” and inserting “policies

1 and programs to improve food and ag-  
 2 ricultural system resilience”; and

3 (C) by striking subsections (b), (c), and (d)  
 4 and inserting the following:

5 “(b) FUNDING.—

6 “(1) MANDATORY FUNDING.—Of the funds of  
 7 the Commodity Credit Corporation, the Secretary  
 8 shall use to carry out this section \$50,000,000 for  
 9 fiscal year 2022 and each fiscal year thereafter.

10 “(2) DISCRETIONARY FUNDING.—There is au-  
 11 thorized to be appropriated to carry out this section  
 12 through the National Institute of Food and Agri-  
 13 culture \$20,000,000 for each of fiscal years 2022  
 14 through 2030.”.

15 (2) CONFORMING AMENDMENT.—The chapter  
 16 heading of chapter 2 of subtitle B of title XVI of the  
 17 Food, Agriculture, Conservation, and Trade Act of  
 18 1990 (7 U.S.C. 5821) is amended to read as follows:

19 **“AGRICULTURAL AND FOOD SYSTEM**  
 20 **RESILIENCE INITIATIVE”.**

21 **SEC. 204. SUSTAINABLE AGRICULTURE TECHNOLOGY DE-**  
 22 **VELOPMENT AND TRANSFER PROGRAM.**

23 (a) TECHNICAL GUIDES AND BOOKS.—Section 1628  
 24 of the Food, Agriculture, Conservation, and Trade Act of  
 25 1990 (7 U.S.C. 5831) is amended—

1 (1) in subsection (d)—

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

4 (B) by inserting after paragraph (2) the  
5 following:

6 “(3) adapting to and mitigating the effects of  
7 climate change;”; and

8 (2) in subsection (e), by striking “Soil Con-  
9 servation” and inserting “Natural Resources Con-  
10 servation”.

11 (b) NATIONAL TRAINING PROGRAM.—Section 1629  
12 of the Food, Agriculture, Conservation, and Trade Act of  
13 1990 (7 U.S.C. 5832) is amended—

14 (1) in subsection (g)—

15 (A) in paragraph (5), by striking “Soil  
16 Conservation Service and the Agricultural Sta-  
17 bilization and Conservation Service” and insert-  
18 ing “Natural Resources Conservation Service  
19 and the Farm Service Agency”;

20 (B) by redesignating paragraphs (10) and  
21 (11) as paragraphs (11) and (12), respectively;  
22 and

23 (C) by inserting after paragraph (9) the  
24 following:

1           “(10) develop and provide information con-  
2           cerning climate change adaptation and mitigation  
3           developed under this subtitle and other research and  
4           education programs of the Department;”;

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

8           (3) in subsection (i), by striking “2023” and in-  
9           serting “2021, and \$30,000,000 for each of fiscal  
10          years 2022 through 2030”.

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

12          Title IV of the Agricultural Research, Extension, and  
13          Education Reform Act of 1998 (7 U.S.C. 7624 et seq.)  
14          is amended by inserting after section 401 (as added by  
15          section 202) the following:

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

17          “(a) IN GENERAL.—

18                 “(1) ESTABLISHMENT.—The Secretary, acting  
19                 through the Administrator of the Agricultural Re-  
20                 search Service, shall provide for the establishment  
21                 and maintenance of a network of research sites oper-  
22                 ated by the Agricultural Research Service for re-  
23                 search on the sustainability of agricultural systems  
24                 in the United States, to be known as the ‘Long-

1 Term Agroecological Research Network’ (referred to  
2 in this section as the ‘Network’).

3 “(2) GOALS.—The Network shall have the fol-  
4 lowing goals:

5 “(A) To understand and enhance the sus-  
6 tainability of agriculture.

7 “(B) To integrate research projects with  
8 common measurements on multiple  
9 agroecosystems, such as cropland, rangeland,  
10 and pastureland.

11 “(C) To develop new farming systems,  
12 practices, and technologies to address agricul-  
13 tural challenges and opportunities, including  
14 challenges and opportunities posed by climate  
15 change.

16 “(b) ACTIVITIES DESCRIBED.—The activities of the  
17 Network shall include—

18 “(1) research conducted for a minimum of 30  
19 years to develop novel scientific insights at regional  
20 and national scales and evaluate the applicability of  
21 and adaptation to local conditions;

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

1           “(3) the coordination of large-scale data collec-  
2           tion relating to the sustainability of agricultural sys-  
3           tems and the provision of infrastructure to research  
4           sites to allow for analyzing and disseminating that  
5           data.

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

8           “(1) coordinate long-term agroecological re-  
9           search to improve understanding within the Depart-  
10          ment of how agroecosystems function at the field,  
11          regional, and national scales;

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

15          “(3) ensure that each research site included in  
16          the Network conducts experiments with common  
17          goals and methods—

18                 “(A) to increase agricultural productivity  
19                 and profitability;

20                 “(B) to enhance agricultural resilience and  
21                 the capacity to mitigate and adapt to climate  
22                 change;

23                 “(C) to boost the provision of ecosystem  
24                 services from agricultural landscapes; and



1           “(D) to improve opportunities for rural  
2           communities;

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

7           “(5) provide infrastructure to research sites in-  
8           cluded in the Network for data collection, common  
9           measurements, and data streams that complement  
10          other national networks, such as the National Eco-  
11          logical Observatory Network and the Long-Term Ec-  
12          ological Research network.

13          “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
14          is authorized to be appropriated to carry out this section  
15          \$50,000,000 for each of fiscal years 2022 through 2030.”.

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

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

19                 (1) in subsection (a), by adding at the end the  
20                 following:

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

22                         “(A) CONVENTIONAL BREEDING.—The term  
23                         ‘conventional breeding’ means the development of a  
24                         new variety of an organism through controlled mat-  
25                         ing and selection without the use of transgenic

1 methods, but which may include the use of informa-  
2 tion gained through gene sequencing, genomic, and  
3 metabolomics analyses to inform mating and selec-  
4 tion choices.

5 “(B) CULTIVAR.—The term ‘cultivar’ means a  
6 variety of a species of plant that has been inten-  
7 tionally selected for use in cultivation because of the  
8 improved characteristics of that variety of the spe-  
9 cies.

10 “(C) PUBLIC BREED AND CULTIVAR.—The  
11 term ‘public breed and cultivar’ means an animal  
12 breed or crop cultivar—

13 “(i) that is the commercially available end  
14 product of a publicly funded breeding program  
15 that has been sufficiently tested to demonstrate  
16 improved characteristics and stable perform-  
17 ance; and

18 “(ii) for which the rights of farmers to  
19 save and use, and rights of breeders to share  
20 and improve, are protected.”; and

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

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

24 “(1) IN GENERAL.—Of the amount of grants  
25 made under subsections (b) and (c), the Secretary

1 shall ensure that not less than the following amounts  
2 are used for competitive research grants that sup-  
3 port the development of public breeds and cultivars:

4 “(A) \$50,000,000 for fiscal year 2022.

5 “(B) \$60,000,000 for fiscal year 2023.

6 “(C) \$70,000,000 for fiscal year 2024.

7 “(D) \$80,000,000 for fiscal year 2025.

8 “(E) \$90,000,000 for fiscal year 2026.

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

11 “(2) PRIORITY.—In making grants for the pur-  
12 pose described in paragraph (1), the Secretary shall  
13 give priority to high-potential research projects that  
14 lead to the release of public breeds and cultivars  
15 that assist producers in mitigating and adapting to  
16 climate change.

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

19 “(A) the term of any competitive grant  
20 made under subsection (b) for the purpose de-  
21 scribed in paragraph (1) is not less than 5  
22 years;

23 “(B) that term and any associated renewal  
24 process facilitates the development and commer-

1 cialization of public breeds and cultivars  
2 through long-term grants; and

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

8 (b) PUBLIC BREED AND CULTIVAR RESEARCH AC-  
9 TIVITIES COORDINATOR.—

10 (1) IN GENERAL.—Section 251 of the Depart-  
11 ment of Agriculture Reorganization Act of 1994 (7  
12 U.S.C. 6971) is amended—

13 (A) in subsection (e), by adding at the end  
14 the following:

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

17 “(A) IN GENERAL.—The Under Secretary  
18 shall appoint a coordinator within the Office of  
19 the Chief Scientist that reports to the Under  
20 Secretary to coordinate research activities at  
21 the Department relating to the breeding of pub-  
22 lic breeds and cultivars (as defined in para-  
23 graph (3) of subsection (a) of the Competitive,  
24 Special, and Facilities Research Grant Act (7  
25 U.S.C. 3157(a))).

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

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

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

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

20                   “(iii) develop a strategic plan that es-  
21                   tablishes targets for public breed and  
22                   cultivar research investments across the  
23                   Department to ensure that a diverse range  
24                   of animal and crop needs are being met in  
25                   a timely and transparent manner, with a

1 strong focus on delivery of resource-effi-  
2 cient, stress-tolerant, regionally adapted  
3 animal breeds and crop cultivars that—

4 “(I) help build agricultural resil-  
5 ience to climate change; and

6 “(II) support on-farm carbon se-  
7 questration and greenhouse gas miti-  
8 gation, nutritional quality, and other  
9 farmer-identified priority agronomic  
10 and market traits;

11 “(iv) convene a working group to  
12 carry out the coordination functions de-  
13 scribed in this subparagraph composed of  
14 individuals who are responsible for the  
15 management, administration, or analysis of  
16 public breeding programs within the De-  
17 partment 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) to maximize delivery of public  
2 breeds and cultivars, promote collaboration  
3 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 (B) in subsection (f)(1)(D)(i), by striking  
24 “(7 U.S.C. 450i(b))” and inserting “(7 U.S.C.  
25 3157(b))”.



1           (2) CONFORMING AMENDMENT.—Section  
2           296(b)(6)(B) of the Department of Agriculture Re-  
3           organization Act of 1994 (7 U.S.C. 7014(b)(6)(B))  
4           is amended by striking “Scientist; and” and insert-  
5           ing “Scientist (including the public breed and  
6           cultivar research activities coordinator under sub-  
7           section (e)(7) of that section); and”.

8           (c) PUBLIC BREED AND CULTIVAR DEVELOP-  
9           MENT.—Subtitle H of title XVI of the Food, Agriculture,  
10          Conservation, and Trade Act of 1990 (7 U.S.C. 5921 et  
11          seq.) is amended by adding at the end the following:

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

13           “(a) FUNDING.—The Secretary of Agriculture, acting  
14          through the Administrator of the Agricultural Research  
15          Service (referred to in this section as the ‘Secretary’) and  
16          in conjunction with the Director of the National Genetic  
17          Resources Program appointed under section 1633, shall  
18          support the development of public breeds and cultivars (as  
19          defined in paragraph (3) of subsection (a) of the Competi-  
20          tive, Special, and Facilities Research Grant Act (7 U.S.C.  
21          3157(a))) by Federal researchers.

22           “(b) PRIORITY.—In supporting research under sub-  
23          section (a) using funds made available pursuant to sub-  
24          section (d), the Secretary shall give priority to high-poten-  
25          tial research projects that lead to the release of public

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

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

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

11 “(2) areas of high-priority research;

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

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

18 “(d) FUNDING.—Of the funds made available to the  
19 Secretary for a fiscal year, not less than \$50,000,000 shall  
20 be made available to carry out this section.”.

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

23 (a) IN GENERAL.—The Secretary shall, in accord-  
24 ance with section 922 of the Federal Agriculture Improve-  
25 ment and Reform Act of 1996 (7 U.S.C. 2279c), carry

1 out an internship program within the Agricultural Re-  
 2 search Service for graduate students pursuing a degree  
 3 or conducting research relating to climate change and ag-  
 4 riculture.

5 (b) FUNDING.—Of the funds of the Commodity Cred-  
 6 it Corporation, the Secretary may use to carry out the pro-  
 7 gram described in subsection (a) not more than  
 8 \$10,000,000 for each of fiscal years 2022 through 2030.

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

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

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

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

22 “(ii) on-farm mitigation strategies and  
 23 solutions, including infrastructure, equip-  
 24 ment, and agricultural ecosystems-based  
 25 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 in sequestering 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 “and”  
25           at the end;

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 practices and technologies that sequester  
12 carbon in soil; and

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

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

20 **SEC. 210. INTEGRATED PEST MANAGEMENT.**

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

24 (1) by redesignating subsections (d), (e), and  
25 (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—

12           “(1) are effective, affordable, and environ-  
13          mentally sound;

14           “(2) maintain agricultural productivity and  
15          healthy communities; and

16           “(3) improve climate resilience.”.

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

18       (a) STUDY.—The Secretary, in consultation with the  
19       Secretary of Health and Human Services, shall enter into  
20       an agreement with the National Academy of Sciences,  
21       under which the National Academy agrees to produce an  
22       analysis of current scientific findings to determine the  
23       links between human health and soil health by—

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

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

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

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

13          (5) highlighting areas for future research.

14          (b) REPORT.—The agreement under subsection (a)  
15 shall include a requirement that the National Academy of  
16 Sciences shall, not later than 2 years after the date of  
17 enactment of this Act, submit to the Committee on Agri-  
18 culture of the House of Representatives and the Com-  
19 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
20 ate a report describing the results of the study conducted  
21 pursuant to subsection (a).

1 **SEC. 212. APPROPRIATE TECHNOLOGY TRANSFER FOR**  
 2 **RURAL AREAS PROGRAM.**

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

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

8 (2) by redesignating subparagraph (D) as sub-  
 9 paragraph (E); and

10 (3) by inserting after subparagraph (C) the fol-  
 11 lowing:

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

14 **TITLE III—SOIL HEALTH**

15 **SEC. 301. CROP INSURANCE.**

16 (a) VOLUNTARY GOOD FARMING PRACTICES.—Sec-  
 17 tion 508(a)(3)(A)(iii) of the Federal Crop Insurance Act  
 18 (7 U.S.C. 1508(a)(3)(A)(iii)) is amended—

19 (1) by striking “including scientifically” and in-  
 20 serting the following: “including—

21 “(I) scientifically”;

22 (2) in subclause (I) (as so designated), by strik-  
 23 ing the period at the end and inserting “; and”; and

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

25 “(II) conservation practices and  
 26 enhancements that are approved by—



1                   “(aa) the Natural Resources  
2                   Conservation Service; or

3                   “(bb) an agricultural expert,  
4                   as determined by the Secretary.”.

5           (b) RISK-REDUCTION-BASED DISCOUNTS.—Section  
6 508(d) of the Federal Crop Insurance Act (7 U.S.C.  
7 1508(d)) is amended—

8               (1) by redesignating paragraph (4) as para-  
9               graph (5); and

10              (2) by inserting after paragraph (3) the fol-  
11              lowing:

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

13                       “(A) IN GENERAL.—Effective beginning  
14                       with the 2022 reinsurance year, the Corpora-  
15                       tion may provide a risk-reduction based pre-  
16                       mium discount for a producer of an agricultural  
17                       commodity who uses risk-reduction farming  
18                       practices, as determined by the Corporation in  
19                       accordance with subparagraph (B).

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

24                           “(i) The use of a cover crop.

1                   “(ii) A resource-conserving crop rota-  
2                   tion.

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

5                   “(iv) Composting.

6                   “(v) Any other risk-reducing and soil  
7                   health-promoting farming practice, as de-  
8                   termined by the Corporation.”.

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

11           (1) APPLICATION TO CERTAIN STATES.—Sec-  
12           tion 508(o) of the Federal Crop Insurance Act (7  
13           U.S.C. 1508(o)) is amended by striking paragraph  
14           (3).

15           (2) EFFECTIVE DATE.—The amendment made  
16           by paragraph (1) shall take effect on the first day  
17           of the first reinsurance year that begins after the  
18           date that is 1 year after the date of enactment of  
19           this Act.

20 **SEC. 302. ENVIRONMENTAL QUALITY INCENTIVES PRO-**  
21 **GRAM.**

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

24           (1) in the matter preceding paragraph (1), by  
25           striking “and environmental quality” and inserting

1 “environmental quality, and climate change adapta-  
2 tion and mitigation”;

3 (2) in paragraph (1)—

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

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

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

9 “(D) greenhouse gas emissions reduction  
10 and carbon sequestration;”;

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

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

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

19 (1) in clause (v), by striking “and” at the end;

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

21 and

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

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

1 (c) ESTABLISHMENT AND ADMINISTRATION OF EN-  
2 VIRONMENTAL QUALITY INCENTIVES PROGRAM.—

3 (1) ESTABLISHMENT.—Section 1240B(a) of the  
4 Food Security Act of 1985 (16 U.S.C. 3839aa–2(a))  
5 is amended by striking “2023” and inserting  
6 “2030”.

7 (2) PAYMENTS.—Section 1240B(d)(7)(A) of the  
8 Food Security Act of 1985 (16 U.S.C. 3839aa–  
9 2(d)(7)(A)) is amended—

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

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

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

15 “(v) increases carbon sequestration or  
16 reduces greenhouse gas emissions.”.

17 (3) ALLOCATION OF FUNDING.—Section  
18 1240B(f) of the Food Security Act of 1985 (16  
19 U.S.C. 3839aa–2(f)) is amended—

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

22 (B) in paragraph (1), by striking “includ-  
23 ing grazing management” and inserting “of  
24 which not less than  $\frac{2}{3}$  shall be targeted at  
25 practices relating to grazing management”; and

1 (C) in paragraph (2), in the heading of  
2 subparagraph (B), by striking “2023” and in-  
3 serting “2030”.

4 (4) PAYMENTS FOR CONSERVATION PRACTICES  
5 RELATED TO ORGANIC PRODUCTION.—Section  
6 1240B(i) of the Food Security Act of 1985 (16  
7 U.S.C. 3839aa–2(i)) is amended—

8 (A) by striking paragraph (3); and

9 (B) by redesignating paragraphs (4) and  
10 (5) as paragraphs (3) and (4), respectively.

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

14 (A) in paragraph (1)—

15 (i) in subparagraph (A), by inserting  
16 “, which may include climate change adap-  
17 tation and mitigation,” after “priority re-  
18 source concerns”; and

19 (ii) in subparagraph (B), by inserting  
20 “, which may include climate change adap-  
21 tation and mitigation” before the period at  
22 the end; and

23 (B) in paragraph (2)—

24 (i) in subparagraph (A)(ii)—

1 (I) in subclause (I), by striking  
2 “or” at the end;

3 (II) in subclause (II), by striking  
4 the period at the end and inserting “;  
5 or”; and

6 (III) by adding at the end the  
7 following:

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

16 (ii) by striking subparagraph (B) and  
17 inserting the following:

18 “(B) TERM.—

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

22 “(ii) GRADUATION OPTION.—The Sec-  
23 retary may reduce the term for a contract  
24 under this subsection if the producer en-  
25 ters into a conservation stewardship con-

1                   tract under section 1240K with respect to  
2                   the eligible land that is subject to the con-  
3                   tract under this subsection.”.

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

9           (e) LIMITATION ON PAYMENTS.—Section 1240G of  
10 the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is  
11 amended by striking “Not including payments” and all  
12 that follows through “2023” and inserting “A person or  
13 legal entity (including a joint venture and a general part-  
14 nership) may not receive, directly or indirectly, cost-share  
15 or incentive payments under this subchapter that, in ag-  
16 gregate, exceed \$450,000 for all contracts entered into  
17 under this subchapter by the person or legal entity during  
18 any 5-fiscal-year period”.

19           (f) CONSERVATION INNOVATION GRANTS.—

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

24                           (A) in paragraph (1)—

1 (i) by striking “practices to address”  
 2 in the first sentence and all that follows  
 3 through “The funds” in the second sen-  
 4 tence and inserting the following: “prac-  
 5 tices—

6 “(i) to address air quality concerns  
 7 from agricultural operations; and

8 “(ii) to meet Federal, State, and  
 9 local—

10 “(I) regulatory requirements; and

11 “(II) goals with respect to green-  
 12 house gas emissions reductions.

13 “(B) BASIS OF AVAILABILITY AND USE.—  
 14 Funds for payments under subparagraph (A)”;  
 15 and

16 (ii) in the matter preceding clause (i)  
 17 (as so designated), by striking “The Sec-  
 18 retary” and inserting the following:

19 “(A) IN GENERAL.—The Secretary”; and

20 (B) in paragraph (2), by striking “2019  
 21 through 2023” and inserting “2019 through  
 22 2021, and \$50,000,000 for each of fiscal years  
 23 2022 through 2030”.

24 (2) ON-FARM CONSERVATION INNOVATION  
 25 TRIALS.—Section 1240H(c)(2) of the Food Security



1 Act of 1985 (16 U.S.C. 3839aa–8(c)(2)) is amend-  
2 ed, in the matter preceding subparagraph (A), by  
3 striking “2019 through 2023” and inserting “2019  
4 through 2021, \$50,000,000 of the funds made avail-  
5 able to carry out this subchapter for each of fiscal  
6 years 2022 and 2023, and \$100,000,000 of the  
7 funds made available to carry out this subchapter  
8 for each of fiscal years 2024 through 2030”.

9 **SEC. 303. CONSERVATION STEWARDSHIP PROGRAM.**

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

12 (1) in paragraph (2)—

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

15 (B) in subparagraph (B)(v), by inserting  
16 “and climate change” before the period at the  
17 end; and

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

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

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

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

3           “(1) by maintaining, actively managing, and,  
4           where practicable, improving existing conservation  
5           activities; and

6           “(2) by undertaking additional conservation ac-  
7           tivities.”.

8           (c) STEWARDSHIP CONTRACTS.—

9           (1) SUBMISSION OF CONTRACT OFFERS.—Sec-  
10          tion 1240K(a)(2)(B) of the Food Security Act of  
11          1985 (16 U.S.C. 3839aa–23(a)(2)(B)) is amended  
12          by striking “improving, maintaining, and managing”  
13          and inserting “maintaining, actively managing, and,  
14          where practicable, improving”.

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

18                 (A) in paragraph (1)(A), by striking clause  
19                 (iii) and inserting the following:

20                         “(iii) other criteria consistent with an  
21                         equal weighting of the factors described in  
22                         clauses (i) and (ii), as determined by the  
23                         Secretary, including criteria the Secretary  
24                         determines are necessary to ensure that—

1                   “(I) the program effectively tar-  
2                   gets improvements to soil health, in-  
3                   creases in carbon sequestration, and  
4                   reductions in greenhouse gas emis-  
5                   sions; and

6                   “(II) other national, State, and  
7                   local priority resource concerns are ef-  
8                   fectively addressed.”; and

9                   (B) by striking paragraph (3).

10                   (3) CONTRACT RENEWAL.—Section 1240K(e)  
11                   of the Food Security Act of 1985 (16 U.S.C.  
12                   3839aa-23(e)) is amended—

13                   (A) in paragraph (3)—

14                   (i) by striking subparagraph (B);

15                   (ii) in subparagraph (A), by striking  
16                   “; or” at the end and inserting “, if appli-  
17                   cable.”; and

18                   (iii) by striking “period—” in the  
19                   matter preceding subparagraph (A) and all  
20                   that follows through “to meet” in subpara-  
21                   graph (A) and inserting “period, to meet”;

22                   (B) by redesignating paragraphs (1)  
23                   through (3) as subparagraphs (A) through (C),  
24                   respectively, and indenting appropriately;

1 (C) in the matter preceding subparagraph  
2 (A) (as so redesignated), by striking “The Sec-  
3 retary” and inserting the following:

4 “(1) IN GENERAL.—The Secretary”; and

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

6 “(2) RANKING AND PAYMENTS.—In deter-  
7 mining whether to accept an application for contract  
8 renewal under this subsection, and when calculating  
9 payments for those renewed contracts, the Secretary  
10 shall consider the full conservation benefits across  
11 the entire applicable agricultural operation, includ-  
12 ing—

13 “(A) the number of priority resource con-  
14 cerns with respect to which the producer is ex-  
15 pected to meet or exceed the stewardship  
16 threshold by the end of the contract period; and

17 “(B) the active management and mainte-  
18 nance of ongoing conservation activities, includ-  
19 ing—

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

22 “(ii) the new or improved conservation  
23 activities to be adopted if a contract is re-  
24 newed.”.

25 (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)—

11           (i) in subparagraph (A), by inserting  
12           “on 1 or more types of eligible land cov-  
13           ered by the contract” after “activities”;  
14           and

15           (ii) in subparagraph (B), by striking  
16           “improving, maintaining, and managing”  
17           and inserting “maintaining, actively man-  
18           aging, and improving”;

19           (B) in paragraph (2)—

20           (i) by striking subparagraph (B) and  
21           inserting the following:

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

24           “(i) increased economic risk; and

25           “(ii) loss in revenue due to—

1 “(I) production changes;

2 “(II) anticipated reductions in  
3 yield;

4 “(III) transitioning to an organic  
5 system, resource-conserving cropping  
6 system, or perennial production sys-  
7 tem; or

8 “(IV) acreage converted to con-  
9 servation uses.”; and

10 (ii) in subparagraph (E), by inserting

11 “, actively managed, and, where applicable,  
12 improved” after “maintained”; and

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

14 “(6) PAYMENTS FOR CONSERVATION ACTIVI-  
15 TIES RELATED TO ORGANIC PRODUCTION SYS-  
16 TEMS.—

17 “(A) IN GENERAL.—The Secretary shall  
18 provide payments under this subsection for con-  
19 servation activities relating to—

20 “(i) organic production; and

21 “(ii) transitioning to organic produc-  
22 tion.

23 “(B) CONSERVATION ACTIVITIES.—Con-  
24 servation activities described in subparagraph

25 (A) may include—

1 “(i) generally available and specifically  
2 tailored conservation activities; and

3 “(ii) individual conservation activities  
4 and bundles of conservation activities.

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

8 (3) SUPPLEMENTAL PAYMENTS.—Section  
9 1240L(d) of the Food Security Act of 1985 (16  
10 U.S.C. 3839aa–24(d)) is amended—

11 (A) in the subsection heading, by inserting  
12 “, PERENNIAL PRODUCTION SYSTEMS,” after  
13 “ROTATIONS”;

14 (B) in paragraph (1)—

15 (i) by redesignating subparagraph (C)  
16 as subparagraph (D); and

17 (ii) by inserting after subparagraph  
18 (B) the following:

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

22 “(i) the use of cropland for agro-  
23 forestry, including alley cropping,  
24 silvopasture, and related production prac-  
25 tices, as determined by the Secretary;

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

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

8           (C) in paragraph (2)—

9           (i) in subparagraph (A), by striking  
10 “or” at the end;

11           (ii) in subparagraph (B), by striking  
12 the period at the end and inserting “; or”;  
13 and

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

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

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

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



1 (A) by striking the period at the end and  
2 inserting the following: “; and

3 “(B) with respect to an organic production  
4 system—

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

10 “(ii) allows a producer to transition to  
11 organic production systems and pursue  
12 certification under that Act.”; and

13 (B) in the matter preceding subparagraph  
14 (B) (as added by subparagraph (A)), by strik-  
15 ing “plan that meets” and inserting the fol-  
16 lowing: “plan that—

17 “(A) meets”.

18 (5) PAYMENT LIMITATIONS.—Section 1240L(f)  
19 of the Food Security Act of 1985 (16 U.S.C.  
20 3839aa–24(f)) is amended—

21 (A) by inserting “(including a joint venture  
22 and a general partnership)” after “A person or  
23 legal entity”; and

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

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

10 (7) SOIL HEALTH.—Section 1240L(k) of the  
11 Food Security Act of 1985 (16 U.S.C. 3839aa–  
12 24(k)) is amended by striking the period at the end  
13 and inserting the following: “, including by—

14 “(1) conducting outreach to encourage the use  
15 of contracts to improve soil health and sequester  
16 carbon in the soil; and

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

21 (e) ON-FARM CONSERVATION STEWARDSHIP INNO-  
22 VATION GRANTS.—Subchapter B of chapter 4 of subtitle  
23 D of title XII of the Food Security Act of 1985 (16 U.S.C.  
24 3839aa–21 et seq.) is amended by adding at the end the  
25 following:

1 **“SEC. 1240L-2. ON-FARM CONSERVATION STEWARDSHIP IN-**  
2 **NOVATION GRANTS.**

3 “(a) DEFINITION OF AGRICULTURAL PROFES-  
4 SIONAL.—In this section, the term ‘agricultural profes-  
5 sional’ means a university researcher or educator, includ-  
6 ing an extension agent or specialist, Federal agency field  
7 staff, an agricultural consultant, State and local agency  
8 staff, Tribal agency staff, a Federally-Recognized Tribes  
9 Extension Program agent, and nonprofit organization  
10 staff assisting farmers and ranchers at the local level.

11 “(b) GRANTS.—Using funds made available to carry  
12 out this subchapter, the Secretary shall provide competi-  
13 tive grants to carry out on-farm conservation innovation  
14 projects on eligible land of program participants for the  
15 purpose of stimulating innovative approaches on farms  
16 and ranches to leverage Federal investment in conserva-  
17 tion stewardship, in conjunction with agricultural produc-  
18 tion or forest resource management, through the program.

19 “(c) PARTICIPANTS.—The Secretary shall provide  
20 grants under this section—

21 “(1) directly to agricultural operations, or  
22 groups of agricultural operations, participating in  
23 the program; or

24 “(2) through partnerships between agricultural  
25 professionals and small groups of agricultural oper-  
26 ations participating in the program.

1       “(d) USE.—An entity that receives a grant under this  
2 section directly or through a partnership in accordance  
3 with subsection (c) shall carry out an on-farm conserva-  
4 tion innovation project that—

5           “(1) facilitates on-farm research and dem-  
6 onstration or pilot testing of new technologies or in-  
7 novative conservation systems and practices that aim  
8 to reduce greenhouse gas emissions and decarbonize  
9 agriculture;

10          “(2) facilitates on-farm research and dem-  
11 onstration or pilot testing of practices and systems  
12 with a proven high impact for greenhouse gas emis-  
13 sions reduction and decarbonization and low national  
14 or regional adoption rates; or

15          “(3) helps to prepare program participants for  
16 participation in environmental services markets that  
17 have as a primary goal greenhouse gas emissions re-  
18 duction or decarbonization of agriculture.

19       “(e) INCENTIVE PAYMENTS.—

20           “(1) AGREEMENTS.—

21           “(A) IN GENERAL.—In carrying out this  
22 section, the Secretary shall enter into agree-  
23 ments with agricultural operations (directly or  
24 through governmental or nongovernmental or-  
25 ganizations involved in a partnership with 1 or

1 more agricultural operations) on whose land an  
2 on-farm conservation innovation project is being  
3 carried out under this section to provide pay-  
4 ments to the agricultural operations to assist  
5 with adopting and evaluating new or innovative  
6 conservation approaches to achieve conservation  
7 benefits.

8 “(B) AMOUNT.—Payments provided under  
9 subparagraph (A) shall reflect the direct costs  
10 of the research and demonstration and com-  
11 pensation for foregone income, as appropriate  
12 to address the increased economic risk or lower  
13 economic return potentially associated with the  
14 applicable 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 nongovernmental organization participating in  
25 an on-farm conservation innovation project

1 under this subsection shall submit to the Sec-  
2 retary an annual report describing the amount  
3 of payments that the organization made to each  
4 agricultural operation under this subsection.

5 “(3) RESEARCH, TECHNICAL ASSISTANCE, AND  
6 ADMINISTRATIVE EXPENSES.—The Secretary may  
7 provide to a partnership described in paragraph  
8 (1)(A) not more than \$50,000 for each on-farm con-  
9 servation innovation project for research, technical  
10 assistance, and administrative expenses.

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

14 “(A) not less than 2 years; and

15 “(B) if appropriate, more than 2 years, in-  
16 cluding if the longer period is appropriate to  
17 support—

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

20 “(ii) adequate data collection and  
21 analysis by an agricultural operation or  
22 partnership to report the natural resource  
23 and agricultural production benefits of the  
24 new or innovative conservation approaches  
25 to the Secretary.

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

3 “(a) CONTRIBUTIONS.—In carrying out the program,  
4 the Secretary may accept financial or other contributions  
5 from individuals and public and private entities, if the Sec-  
6 retary determines that the contributions will further the  
7 purposes of the program.

8 “(b) TYPES OF SUPPORT.—Contributions described  
9 in subsection (a) may include support for conservation ac-  
10 tivities to sequester carbon, reduce greenhouse gas emis-  
11 sions, and achieve other related environmental benefits.

12 “(c) CONSIDERATIONS.—In determining whether to  
13 accept a contribution under this section, the Secretary  
14 shall consider whether the contribution would target sup-  
15 port to 1 or more of the following:

16 “(1) Resource-conserving crop rotations, ad-  
17 vanced grazing management, or perennial production  
18 systems.

19 “(2) Cover crop activities.

20 “(3) Organic production systems.

21 “(4) Beginning farmers and ranchers, socially  
22 disadvantaged farmers and ranchers, or other under-  
23 served producers.

24 “(d) AGREEMENTS.—Any contribution under this  
25 section shall be made subject to an agreement—

1           “(1) between the contributing individual or pub-  
2           lic or private entity and the Secretary; and

3           “(2) containing such terms and conditions as  
4           the Secretary may require.”.

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

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

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

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

17          “(b) APPLICATION.—

18                 “(1) IN GENERAL.—A State department of ag-  
19                 riculture or Tribal government requesting a grant  
20                 under this section shall prepare and submit for ap-  
21                 proval by the Secretary an application at such time,  
22                 in such a manner, and containing such information  
23                 as the Secretary shall require, including an assur-  
24                 ance that grant funds received under this section  
25                 shall supplement the expenditure of State or Tribal



1 funds in support of soil health, rather than replace  
2 State or Tribal funds for those purposes.

3 “(2) USE OF FUNDS.—A State or Tribal gov-  
4 ernment may request funds under this section—

5 “(A) to develop or modify a State or Tribal  
6 soil health plan; or

7 “(B) to implement a State or Tribal soil  
8 health plan approved by the Secretary under  
9 this section, including through—

10 “(i) technical assistance;

11 “(ii) financial assistance;

12 “(iii) on-farm research and dem-  
13 onstration;

14 “(iv) education, outreach, and train-  
15 ing;

16 “(v) monitoring and evaluation; or

17 “(vi) such other activities as the Sec-  
18 retary determines to be appropriate.

19 “(3) PLAN COMPONENTS.—Prior to approving a  
20 State or Tribal soil health plan, the Secretary shall  
21 ensure that the plan, at a minimum—

22 “(A) is broadly consistent with the soil  
23 health principles of the Natural Resources Con-  
24 servation Service; and

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

6           “(4) ELIGIBILITY.—A State or Tribal govern-  
7           ment may—

8                   “(A) apply for a grant for the purposes de-  
9                   scribed in paragraph (2)(A) at any time; and

10                   “(B) apply for a grant for the purposes de-  
11                   scribed in paragraph (2)(B) on approval by the  
12                   Secretary of a soil health plan for the State or  
13                   Tribal government.

14           “(c) TRIBAL OPTION.—At the sole discretion of a  
15           Tribal government, an Indian Tribe or Tribal organization  
16           shall have the option of being incorporated into a State  
17           application rather than submitting an application for the  
18           Indian Tribe or Tribal organization.

19           “(d) GRANT AMOUNT.—

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

23                   “(A) in the case of a grant for the pur-  
24                   poses described in subsection (b)(2)(A),  
25                   \$1,000,000; and

1           “(B) in the case of a grant for the pur-  
2           poses described in subsection (b)(2)(B),  
3           \$5,000,000.

4           “(2) FEDERAL SHARE.—

5           “(A) GRANTS TO STATES.—The amount of  
6           a grant to a State under this section shall not  
7           exceed—

8                   “(i) 75 percent of the cost of devel-  
9                   oping or modifying a soil health plan; or

10                   “(ii) 50 percent of the cost of imple-  
11                   menting the soil health plan.

12           “(B) GRANTS TO TRIBES.—The amount of  
13           a grant to a Tribal government under this sec-  
14           tion shall not exceed—

15                   “(i) 90 percent of the cost of devel-  
16                   oping or modifying a soil health plan; or

17                   “(ii) 75 percent of the cost of imple-  
18                   menting the soil health plan.

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

23           “(e) GRANT TERM.—A grant under this section shall  
24           be for 1 year and may be renewed annually, at the discre-  
25           tion of the Secretary.

1       “(f) PRIORITY.—The Secretary shall give priority to  
2 States or Tribal governments with a climate action plan  
3 that includes 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 results of the  
8 assistance received under this section.

9           “(2) REVIEW.—Each applicable State depart-  
10 ment of agriculture or Tribal authority shall submit  
11 to the Secretary a review and evaluation of the  
12 progress of the State department of agriculture or  
13 Tribal authority, using the performance measures  
14 under paragraph (1), at such intervals as the Sec-  
15 retary shall establish.

16       “(h) EFFECT OF NONCOMPLIANCE.—If the Sec-  
17 retary, after reasonable notice to a State or Tribal govern-  
18 ment, determines that there has been a failure by the  
19 State or Tribal government to comply with the terms of  
20 a grant made under this section, the Secretary may dis-  
21 qualify, for 1 or more years, the State or Tribal govern-  
22 ment from receipt of future grants under this section.

23       “(i) AUDIT REQUIREMENT.—For each year that a  
24 State or Tribal government receives a grant under this  
25 section, the State or Tribal government shall—

1           “(1) conduct an audit of the expenditures of  
2 grant funds by the State or Tribal government; and

3           “(2) not later than 30 days after the completion  
4 of the audit under paragraph (1), submit to the Sec-  
5 retary a copy of the audit.

6           “(j) ADMINISTRATION.—

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

11           “(2) STATES AND TRIBES.—A State or Tribal  
12 government receiving a grant under this section may  
13 not use more than 7 percent of the funds received  
14 under the grant for a fiscal year for administrative  
15 expenses.

16           “(k) FUNDING.—Of the funds of the Commodity  
17 Credit Corporation, the Secretary shall use to make grants  
18 under this section—

19           “(1) \$60,000,000 for each of fiscal years 2022  
20 through 2023;

21           “(2) \$80,000,000 for each of fiscal years 2024  
22 through 2026; and

23           “(3) \$100,000,000 for fiscal year 2027 and  
24 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” at the end;

24 (ii) in subparagraph (F), by striking  
25 “2023.” and inserting “2022; and”; and

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

3 “(G) \$700,000,000 for each of fiscal years  
4 2023 through 2030.”; and

5 (D) in paragraph (3)—

6 (i) in subparagraph (A)—

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

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

11 “(vi) \$3,000,000,000 for each of fiscal  
12 years 2024 through 2030; 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 each of fiscal  
4 years 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 2022, and each 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, of the funds of the Commodity Credit  
20 Corporation, an amount equal to not less than  
21 1 percent of Commodity Credit Corporation  
22 funds made available for the applicable fiscal  
23 year for each of the programs described in sub-  
24 section (a).



1           “(B) PROVISION OF TECHNICAL ASSIST-  
2           ANCE.—The Secretary shall provide technical  
3           assistance under the special initiative under this  
4           paragraph to producers—

5                   “(i) directly;

6                   “(ii)(I) through an agreement with a  
7                   third-party provider (as defined in section  
8                   1242(a)); or

9                   “(II) at the option of the producer,  
10                  through a payment, as determined by the  
11                  Secretary, to the producer for a third-party  
12                  provider approved under section 1242, if  
13                  available; or

14                  “(iii) through a cooperative agreement  
15                  or contract with—

16                           “(I) a cooperative extension;

17                           “(II) a nongovernmental organi-  
18                           zation; or

19                           “(III) a State, Tribal, or Federal  
20                           agency.

21           “(C) UNDERSERVED PRODUCERS.—In pro-  
22           viding technical assistance under this para-  
23           graph, the Secretary shall give priority to pro-  
24           ducers who are persons described in section  
25           1244(a)(2).”.

1           (4) ASSISTANCE TO CERTAIN FARMERS OR  
2 RANCHERS FOR CONSERVATION ACCESS.—Section  
3 1241(h) of the Food Security Act of 1985 (16  
4 U.S.C. 3841(h)) is amended—

5           (A) in paragraph (1)(B), by striking “to  
6 the maximum extent practicable—” and all that  
7 follows through the period at the end of clause  
8 (ii) and inserting “to the maximum extent prac-  
9 ticable, 30 percent to assist beginning farmers  
10 or ranchers and socially disadvantaged farmers  
11 or ranchers.”; and

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

14       (b) ADMINISTRATIVE REQUIREMENTS FOR CON-  
15 SERVATION PROGRAMS.—

16           (1) INCENTIVES FOR CERTAIN FARMERS AND  
17 RANCHERS AND INDIAN TRIBES.—Section  
18 1244(a)(1) of the Food Security Act of 1985 (16  
19 U.S.C. 3844(a)(1)) is amended—

20           (A) in subparagraph (A), by striking  
21 “and” at the end; and

22           (B) by striking subparagraph (B) and in-  
23 serting the following:

24           “(B) to establish a new generation of pro-  
25 ducers who use the full array of climate-friendly

1 conservation activities that reduce greenhouse  
2 gas emissions, increase soil carbon, and improve  
3 resilience to weather extremes; and

4 “(C) to enhance other long-term environ-  
5 mental goals.”.

6 (2) REVIEW AND GUIDANCE FOR PRACTICE  
7 COSTS AND PAYMENT RATES.—Section  
8 1244(j)(1)(B) of the Food Security Act of 1985 (16  
9 U.S.C. 3844(j)(1)(B)) is amended—

10 (A) in clause (ii), by striking “and” at the  
11 end;

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

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

15 “(iv) accelerates progress in meeting  
16 the goals established under title I of the  
17 Agriculture Resilience Act of 2021.”.

18 (3) ADVANCED GRAZING MANAGEMENT.—Sec-  
19 tion 1244 of the Food Security Act of 1985 (16  
20 U.S.C. 3844) is amended by adding at the end the  
21 following:

22 “(q) ADVANCED GRAZING MANAGEMENT.—

23 “(1) IN GENERAL.—In carrying out any con-  
24 servation program administered by the Secretary,  
25 the Secretary shall encourage advanced grazing

1 management, including management-intensive rota-  
2 tional grazing (as those terms are defined in section  
3 1240L(d)(1)).

4 “(2) RESERVATION OF FUNDS.—In each of fis-  
5 cal years 2022 through 2030, the Secretary shall use  
6 to carry out this subsection not less than  $\frac{2}{3}$  of any  
7 funds available for activities relating to livestock  
8 production under conservation programs adminis-  
9 tered by the Secretary under this title (other than  
10 the conservation reserve program established under  
11 subchapter B of chapter 1 of subtitle D, except for  
12 acres enrolled in that program under section  
13 1231(d)(2)).”.

14 (c) ENVIRONMENTAL SERVICES MARKETS.—Section  
15 1245 of the Food Security Act of 1985 (16 U.S.C. 3845)  
16 is amended by adding at the end the following:

17 “(f) SOIL HEALTH AND GREENHOUSE GAS FEDERAL  
18 ADVISORY COMMITTEE.—

19 “(1) ESTABLISHMENT.—Not later than 180  
20 days after the date of enactment of this subsection,  
21 the Secretary shall establish an advisory committee,  
22 to be known as the ‘Soil Health and Greenhouse Gas  
23 Federal Advisory Committee’ (referred to in this  
24 subsection as the ‘advisory committee’).

1           “(2) MEMBERSHIP.—In carrying out paragraph  
2 (1), the Secretary shall appoint members to the ad-  
3 visory committee that—

4           “(A) reflect diversity in gender, age, race,  
5 and geography; and

6           “(B) include—

7           “(i) farmers and ranchers, including  
8 farmers and ranchers operating small and  
9 mid-sized farms;

10           “(ii) organizations representing farm-  
11 ers and ranchers, including organizations  
12 representing farmers and ranchers oper-  
13 ating small and mid-sized farms;

14           “(iii) scientists;

15           “(iv) environmental nonprofit organi-  
16 zations;

17           “(v) existing private sector carbon and  
18 ecosystem services market development ini-  
19 tiatives;

20           “(vi) businesses working to reduce  
21 greenhouse gas emissions from agriculture  
22 in the supply chains of the businesses;

23           “(vii) relevant Federal agencies;

24           “(viii) youth engaged in the agri-  
25 culture or food sector;

1                   “(ix) Tribal communities; and

2                   “(x) State agriculture agencies.

3           “(3) TERMS.—

4                   “(A) TERM LENGTH.—The term of a  
5 member of the advisory committee shall be 2  
6 years.

7                   “(B) REAPPOINTMENT.—The Secretary  
8 may reappoint a member of the advisory com-  
9 mittee for not more than 2 consecutive terms.

10           “(4) MEETINGS.—The advisory committee shall  
11 meet—

12                   “(A) not fewer than 4 times in the first  
13 year after the advisory committee is established;  
14 and

15                   “(B) not less frequently than twice annu-  
16 ally thereafter.

17           “(5) RECOMMENDATIONS.—Not later than 1  
18 year after the date on which the advisory committee  
19 is established, and periodically thereafter, the advi-  
20 sory committee shall submit to the Secretary rec-  
21 ommendations on—

22                   “(A) the feasibility of establishing reliable  
23 outcomes-based measurement systems, as de-  
24 scribed in subsection (g);

1           “(B) existing technology that provides reli-  
2           able measurement data;

3           “(C) with respect to parameters for which  
4           existing technology does not provide reliable  
5           measurement data, research and technical  
6           needs and, as appropriate, goals and plans for  
7           that research;

8           “(D) standards for data collection and dis-  
9           semination;

10          “(E) farmer data management and pri-  
11          vacy;

12          “(F) greenhouse gas emissions and soil  
13          health inventories and databases, as described  
14          in subsection (h); and

15          “(G) criteria for soil health and green-  
16          house gas emissions reductions payments and  
17          environmental markets, as described in sub-  
18          section (i).

19          “(g) MEASUREMENT SYSTEM.—

20               “(1) PURPOSE.—The Secretary shall evaluate  
21               existing outcomes-based measurement systems for  
22               recordkeeping, modeling, and measurement of farm-  
23               level greenhouse gas emissions and soil carbon se-  
24               questration, including measures of soil disturbance,  
25               plant diversity, continual living cover, residue man-

1       agement, advanced grazing management, and crop-  
2       livestock integration, to determine which of those  
3       systems—

4               “(A) can be implemented quickly;

5               “(B) can improve in accuracy and ease  
6       over time;

7               “(C) use the best available science and  
8       technology; and

9               “(D) are cost-effective.

10       “(2) GUIDANCE.—Not later than 18 months  
11       after the date of enactment of this subsection, the  
12       Secretary shall issue guidance on the outcomes-  
13       based measurement systems evaluated under para-  
14       graph (1), based on—

15               “(A) recommendations from the advisory  
16       committee established under subsection (f); and

17               “(B) information from—

18                       “(i) agroecosystem models, including  
19                       COMET Farm and COMET Farm Plan-  
20                       ner;

21                       “(ii) remote sensing data and anal-  
22                       ysis, including the Operational Tillage In-  
23                       formation System;

24                       “(iii) soil health demonstration trials  
25                       carried out under section 1240H(c)(7);



1                   “(iv) existing and emerging public and  
2                   private environmental services protocols,  
3                   measurement systems, and benchmarks;  
4                   and

5                   “(v) field-level measurement.

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

9                   “(A) establish and maintain an outcomes-  
10                  based measurement system in accordance with  
11                  the guidance issued under paragraph (2) when  
12                  feasible;

13                  “(B) conduct a periodic review of that sys-  
14                  tem;

15                  “(C) periodically make any necessary up-  
16                  dates to that system; and

17                  “(D) establish research and development  
18                  goals and plans, as necessary.

19                  “(h) INVENTORY.—

20                  “(1) IN GENERAL.—Not later than 18 months  
21                  after the date of enactment of this subsection, and  
22                  every 2 years thereafter, the Secretary, in consulta-  
23                  tion with the advisory committee established under  
24                  subsection (f) and the Administrator of the Environ-  
25                  mental Protection Agency, shall conduct a nation-

1 wide soil health and agricultural greenhouse gas  
2 emissions inventory that uses the best available  
3 science and data to establish expected average per-  
4 formance for soil carbon drawdown and storage and  
5 greenhouse gas emissions reduction by primary pro-  
6 duction type and production region.

7 “(2) DATABASE.—The Secretary shall—

8 “(A) establish an accessible and interoper-  
9 able database for the information collected  
10 through the inventory conducted under para-  
11 graph (1); and

12 “(B) improve and update that database  
13 not less frequently than once every 2 years as  
14 new data is collected.

15 “(i) CRITERIA.—

16 “(1) IN GENERAL.—The Secretary, in consulta-  
17 tion with the advisory committee established under  
18 subsection (f), shall establish criteria for payments,  
19 credits, or other forms of incentives to inform policy  
20 and markets established to promote soil carbon se-  
21 questration or greenhouse gas emissions reductions.

22 “(2) REQUIREMENTS.—The criteria established  
23 under paragraph (1) shall—

24 “(A) have a documented likelihood to lead  
25 to long-term net increases in soil carbon seques-

1           tration and net reductions in greenhouse gas  
2           emissions, according to the best available  
3           science;

4           “(B) be based in part on environmental  
5           impact modeling of the changes of shifting from  
6           baseline agricultural practices to new or im-  
7           proved agricultural practices; and

8           “(C) be designed to prevent the degrada-  
9           tion of other natural resource or environmental  
10          conditions.

11         “(j) DEMONSTRATION TRIALS.—

12           “(1) IN GENERAL.—The Secretary shall peri-  
13          odically review the results from soil health dem-  
14          onstration trials carried out under section  
15          1240H(c)(7), and other similar public and private  
16          demonstration trials that the Secretary determines  
17          to be appropriate, to inform the activities under sub-  
18          sections (g), (h), and (i).

19           “(2) RECOMMENDATIONS.—In submitting re-  
20          ports pursuant to section 1240H(c)(7)(C)(ii), the  
21          Secretary shall include any recommendations to Con-  
22          gress for changes or additions to the conservation  
23          programs under this Act that the Secretary deter-  
24          mines to be appropriate to accelerate net increases

1 in soil carbon sequestration and other improvements  
2 in soil health.”.

3 **SEC. 306. STUDY AND REPORT ON FEASIBILITY OF AGRI-**  
4 **CULTURAL CARBON CAPTURE TAX CREDIT.**

5 (a) STUDY.—The Secretary of the Treasury (referred  
6 to in this section as “the Secretary”), in coordination with  
7 the Secretary of Agriculture, shall conduct a study of the  
8 feasibility of developing a credit against Federal taxes to  
9 incentivize carbon capture on farms and ranches.

10 (b) REPORT.—Not later than 1 year after the date  
11 of the enactment of this Act, the Secretary shall submit  
12 to Congress a report that describes the results of the study  
13 described in subsection (a), including whether or not to  
14 proceed with the development of the tax credit described  
15 in such subsection and, if so, detailed recommendations  
16 for—

17 (1) which taxpayers should be eligible for the  
18 credit;

19 (2) methods for measuring (if feasible) or esti-  
20 mating baseline soil carbon conditions on a farm or  
21 ranch;

22 (3) methods for measuring (if feasible) or esti-  
23 mating the amount of soil carbon sequestered or  
24 abated on a farm or ranch;

1           (4) incentivizing early adoption of carbon cap-  
2           ture practices;

3           (5) the number of years a taxpayer should be  
4           eligible for the credit;

5           (6) establishing rules for recapture in instances  
6           in which carbon capture ceases or carbon is not re-  
7           tained in soil;

8           (7) establishing rules for recapture if ownership  
9           of land is transferred;

10          (8) setting the dollar value of the credit;

11          (9) setting phase outs for credit eligibility;

12          (10) establishing certification requirements for  
13          carbon capture;

14          (11) establishing rules for attributing the credit  
15          to a taxpayer;

16          (12) establishing rules for carrying over unused  
17          credits; and

18          (13) such other provisions as the Secretary de-  
19          termines necessary.

20 **SEC. 307. CONSERVATION COMPLIANCE.**

21          (a) DEFINITIONS.—Section 1201(a) of the Food Se-  
22          curity Act of 1985 (16 U.S.C. 3801(a)) is amended—

23                  (1) in paragraph (3)—

24                          (A) by striking “highly erodible” each  
25                          place it appears; and

1 (B) in subparagraph (B), by striking “and  
2 conservation treatment measures” and inserting  
3 “crop rotation and cover crop systems, and  
4 other relevant conservation treatment meas-  
5 ures”;

6 (2) in paragraph (4)—

7 (A) in subparagraph (A), by striking  
8 “and” at the end;

9 (B) in subparagraph (B)—

10 (i) by striking “or a substantial im-  
11 provement in soil conditions on a field or  
12 group of fields containing highly erodible  
13 cropland” and inserting “and a substantial  
14 improvement in soil health conditions (in-  
15 cluding soil carbon levels) on a field or  
16 group of fields containing cropland”; and

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

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

20 “(C) are designed to achieve, within 5  
21 years of actively applying a conservation plan,  
22 a level of erosion not to exceed twice the soil  
23 loss tolerance level; and

1           “(D) are designed to effectively prevent the  
2           formation of new, or treat all existing, ephem-  
3           eral gullies.”; and

4           (3) in paragraph (11)(A)(ii), by striking “exces-  
5           sive average annual rate of erosion in relation to”  
6           and inserting “average annual rate of erosion ex-  
7           ceeding twice”.

8           (b) CROPLAND CONSERVATION.—

9           (1) PROGRAM INELIGIBILITY.—Section 1211 of  
10          the Food Security Act of 1985 (16 U.S.C. 3811) is  
11          amended—

12           (A) in subsection (a)—

13           (i) in the matter preceding paragraph  
14           (1), by striking “produces an agricultural  
15           commodity” and all that follows through  
16           “as determined by the Secretary” and in-  
17           serting “carries out an activity described in  
18           subsection (b), as determined by the Sec-  
19           retary,”; and

20           (ii) in paragraph (1)(D), by inserting  
21           “cropland or” before “highly erodible  
22           land”;

23           (B) by redesignating subsection (b) as sub-  
24           section (c);

1 (C) by inserting after subsection (a) the  
2 following:

3 “(b) ACTIVITIES DESCRIBED.—Activities referred to  
4 in subsection (a) are—

5 “(1) the production of an agricultural com-  
6 modity on a field on which highly erodible land is  
7 predominant;

8 “(2) the designation of land on which highly  
9 erodible land or cropland is predominant to be set  
10 aside, diverted, devoted to conservation uses, or oth-  
11 erwise not cultivated under a program administered  
12 by the Secretary to reduce production of an agricul-  
13 tural commodity; and

14 “(3) the production of an agricultural com-  
15 modity without having in place a conservation  
16 plan.”; and

17 (D) in subsection (c) (as so redesignated),  
18 by striking the heading and inserting “AU-  
19 THORITY OF SECRETARY.—”.

20 (2) EXEMPTIONS.—Section 1212 of the Food  
21 Security Act of 1985 (16 U.S.C. 3812) is amend-  
22 ed—

23 (A) in subsection (a)(3), in the first and  
24 second sentences, by striking “only be required  
25 to apply a conservation plan established under



1 this subtitle. The person shall not be required  
 2 to meet a higher conservation standard than”  
 3 and inserting “be required to apply a conserva-  
 4 tion plan established under this subtitle con-  
 5 sistent with”; and

6 (B) in subsection (f)(4)(A)—

7 (i) in clause (i), by striking “highly  
 8 erodible”; and

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

11 (3) CONFORMING AMENDMENT.—Subtitle B of  
 12 title XII of the Food Security Act of 1985 (16  
 13 U.S.C. 3811 et seq.) is amended in the subtitle  
 14 heading by striking “**Highly Erodible Land**”  
 15 and inserting “**Cropland**”.

16 **SEC. 308. NATIONAL AND REGIONAL AGROFORESTRY CEN-**  
 17 **TERS.**

18 Section 1243 of the Food, Agriculture, Conservation,  
 19 and Trade Act of 1990 (16 U.S.C. 1642 note; Public Law  
 20 101–624) is amended—

21 (1) by striking the section heading and insert-  
 22 ing “**NATIONAL AND REGIONAL AGRO-**  
 23 **FORESTRY CENTERS**”;

24 (2) by striking subsection (a) and inserting the  
 25 following:

1       “(a) NATIONAL AND REGIONAL AGROFORESTRY  
2 CENTERS.—

3           “(1) IN GENERAL.—The Secretary of Agri-  
4 culture (referred to in this section as the ‘Sec-  
5 retary’)—

6           “(A) shall establish at the Forestry  
7 Sciences Laboratory of the Forest Service, in  
8 Lincoln, Nebraska, a Semiarid Agroforestry Re-  
9 search, Development, and Demonstration Cen-  
10 ter; and

11           “(B) acting through the Chief of the For-  
12 est Service and in cooperation with the Natural  
13 Resources Conservation Service, shall establish  
14 not fewer than 3 additional regional agro-  
15 forestry centers at other locations, as deter-  
16 mined by the Secretary.

17           “(2) NATIONAL AND REGIONAL DIRECTORS.—  
18 The Secretary shall appoint a National Director and  
19 Regional Directors to manage and coordinate the  
20 program established under subsection (b).”;

21           (3) in subsection (b)—

22           (A) in the matter preceding paragraph (1),  
23 by striking “Center” and inserting “Centers es-  
24 tablished under subparagraphs (A) and (B) of

1 subsection (a)(1) (referred to in this section as  
2 the ‘Centers’);

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

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

8 (D) in paragraph (4)—

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

10 and

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

13 (E) by striking paragraph (6) and insert-  
14 ing the following:

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

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

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

4 (H) in paragraph (9)—

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

6 and

7 (ii) by inserting “and climate change”  
8 after “pollution”;

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

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

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

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

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

21 (1) in subsection (a)(12)(A)—

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

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

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

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

10       (2) in subsection (b)—

11       (A) in paragraph (1)—

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

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

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

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

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

4           (B) in paragraph (3)—

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

7                 (ii) by inserting “, and production and  
8                 marketing approaches to significantly im-  
9                 prove soil health and carbon sequestration  
10                or significantly reduce greenhouse gas  
11                emissions” before the semicolon at the end;

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

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

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

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

20           (3) in subsection (d)—

21                 (A) in paragraph (1), by striking “sub-  
22                 section (i)” and inserting “subsection (j)”;

23           (B) in paragraph (2)—

24                 (i) in subparagraph (C)—

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

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

5 (III) by adding at the end the  
6 following:

7 “(iii) agricultural commodities and  
8 products that are produced and marketed  
9 in a manner that—

10 “(I) significantly improves soil  
11 health and carbon sequestration or  
12 significantly reduces greenhouse gas  
13 emissions; or

14 “(II) when added to a crop or  
15 grazing rotation on a farm will signifi-  
16 cantly improve soil health and carbon  
17 sequestration or significantly reduce  
18 greenhouse gas emissions;” and

19 (ii) in subparagraph (F), by striking  
20 “producers of local food products and  
21 value-added agricultural products in new  
22 and existing markets” and inserting the  
23 following: “producers of—

24 “(i) local food products;

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

3 “(iii) agricultural commodities and  
4 products that are produced in a manner  
5 that—

6 “(I) enhances soil health and car-  
7 bon sequestration or significantly re-  
8 duces greenhouse gas emissions; or

9 “(II) when added to a crop or  
10 grazing rotation on a farm, will sig-  
11 nificantly improve soil health and car-  
12 bon sequestration or significantly re-  
13 duce greenhouse gas emissions;” and

14 (C) in paragraph (5)(A), by inserting “and  
15 the Chief of the Natural Resources Conserva-  
16 tion Service” before the period at the end;

17 (4) in subsection (e)(2)(A), by striking “sub-  
18 section (i)” and inserting “subsection (j)”;

19 (5) by redesignating subsections (f), (g), (h),  
20 and (i) as subsections (g), (h), (i), and (j), respec-  
21 tively;

22 (6) by inserting after subsection (e) the fol-  
23 lowing:

24 “(f) FARM VIABILITY AND LOCAL CLIMATE RESIL-  
25 IENCY CENTERS.—



1           “(1) IN GENERAL.—The Secretary, acting  
2 through the Administrator of the Agricultural Mar-  
3 keting Service and in coordination with the Adminis-  
4 trator of the Rural Business-Cooperative Service and  
5 the Chief of the Natural Resources Conservation  
6 Service, shall provide grants to eligible entities de-  
7 scribed in paragraph (2) to serve as farm viability  
8 and local climate resiliency centers (referred to in  
9 this section as ‘centers’) to support—

10                   “(A) efforts to enhance farm viability; and

11                   “(B) the development, coordination, and  
12 expansion of markets for commodities and farm  
13 products that significantly improve soil health  
14 and carbon sequestration or significantly reduce  
15 greenhouse gas emissions.

16           “(2) ELIGIBLE ENTITIES.—An entity is eligible  
17 to receive a grant under this subsection if the entity  
18 is—

19                   “(A) an agricultural cooperative or other  
20 agricultural business entity or a producer net-  
21 work or association;

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

23                   “(C) a nonprofit corporation;

24                   “(D) a public benefit corporation;

25                   “(E) an economic development corporation;

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

2           “(G) such other entity as the Secretary

3           may designate.

4           “(3) USE OF FUNDS.—An eligible entity receiv-

5           ing a grant under this subsection shall use grant

6           funds to provide to entities described in subsection

7           (d)(5)(B)—

8           “(A) assistance for the development of

9           business plans and feasibility studies;

10          “(B) assistance in developing marketing

11          strategies for—

12                  “(i) local products; and

13                  “(ii) value-added agricultural products

14                  in new and existing markets;

15          “(C) assistance in enterprise development

16          for the processing, aggregation, distribution,

17          and storage of—

18                  “(i) local and regional food products

19                  that are marketed locally or regionally; and

20                  “(ii) value-added agricultural prod-

21                  ucts;

22          “(D) assistance relating to finances and

23          recordkeeping;

24          “(E) assistance relating to enterprise and

25          business management;

1           “(F) assistance relating to ownership suc-  
2           cession planning;

3           “(G) outreach and assistance in the adop-  
4           tion of farming practices that enhance soil  
5           health and carbon sequestration or significantly  
6           reduce greenhouse gas emissions;

7           “(H) outreach regarding assistance avail-  
8           able under subsection (d);

9           “(I) outreach regarding assistance avail-  
10          able through other programs administered by  
11          any other Federal agency that supports the  
12          adoption of farming practices that enhance soil  
13          health and carbon sequestration or significantly  
14          reduce greenhouse gas emissions; or

15          “(J) at the request of the entity described  
16          in subsection (d)(5)(B), assistance in applying  
17          for a grant under subsection (d), including act-  
18          ing on behalf of the entity in applying for the  
19          grant.

20          “(4) GEOGRAPHIC DIVERSITY.—To the max-  
21          imum extent practicable, the Secretary shall ensure  
22          geographic diversity in selecting eligible entities to  
23          receive a grant under this subsection.

24          “(5) NON-FEDERAL SHARE.—An entity receiv-  
25          ing a grant under this subsection shall provide fund-

1       ing in an amount equal to not less than 25 percent  
2       of the total amount of the Federal portion of the  
3       grant.

4           “(6) APPLICATIONS.—

5               “(A) IN GENERAL.—To be eligible to re-  
6       ceive a grant under this subsection, an eligible  
7       entity shall submit to the Secretary an applica-  
8       tion at such time, in such manner, and con-  
9       taining such information as the Secretary con-  
10      siders necessary to evaluate and select applica-  
11      tions.

12           “(B) COMPETITIVE PROCESS.—The Sec-  
13      retary—

14               “(i) shall conduct a competitive proc-  
15      ess to select applications submitted under  
16      subparagraph (A);

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

19               “(iii) shall, prior to accepting applica-  
20      tions under that subparagraph, make pub-  
21      lic the criteria to be used in evaluating the  
22      applications.

23           “(7) PRIORITY.—The Secretary may give pri-  
24      ority to applications submitted under paragraph  
25      (6)(A) that include—

1           “(A) plans to use funds for 3 or more of  
2 purposes described in paragraph (3); or

3           “(B) activities relating to improving the  
4 use and expanded adoption of farming practices  
5 that enhance soil health and carbon sequestra-  
6 tion or significantly reduce greenhouse gas  
7 emissions while simultaneously improving farm  
8 viability.

9           “(8) ADMINISTRATIVE EXPENSES.—An entity  
10 receiving a grant under this subsection may use not  
11 more than 4 percent of the funds received through  
12 the grant for administrative expenses.”;

13           (7) in subsection (i)(1) (as so redesignated), in  
14 the matter preceding subparagraph (A), by striking  
15 “subsection (i)(3)(E)” and inserting “subsection  
16 (j)(3)(E)”; and

17           (8) in subsection (j) (as so redesignated)—

18           (A) in paragraph (1), by striking “fiscal  
19 year 2019” and inserting “each of fiscal years  
20 2019 through 2021 and \$150,000,000 for fiscal  
21 year 2022”;

22           (B) in paragraph (3)—

23           (i) in subparagraph (A)(i), by striking  
24 “35” and inserting “36”; and

1 (ii) by striking subparagraph (B) and  
2 inserting the following:

3 “(B) FARMERS’ MARKET AND LOCAL FOOD  
4 PROMOTION GRANTS.—

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

9 “(ii) ALLOCATION AMONG SUBPRO-  
10 GRAMS.—Of the funds made available for  
11 grants under subsection (d)(6) for a fiscal  
12 year—

13 “(I) 40 percent shall be made  
14 available for farmers’ market pro-  
15 motion grants; and

16 “(II) 60 percent shall be made  
17 available for local food promotion  
18 grants.”;

19 (C) by redesignating subparagraphs (D)  
20 and (E) as subparagraphs (E) and (F), respec-  
21 tively;

22 (D) by inserting after subparagraph (C)  
23 the following:

24 “(D) FARM VIABILITY AND LOCAL CLI-  
25 MATE RESILIENCY.—Of the funds made avail-

1           able to carry out this section for a fiscal year,  
 2           10 percent shall be used to provide grants  
 3           under subsection (f).”; and

4                   (E) in subparagraph (E) (as so redesign-  
 5           nated), in the matter preceding clause (i), by  
 6           striking “or (C)” and inserting “(C), or (D)”.

7   **SEC. 402. NATIONAL ORGANIC CERTIFICATION COST-SHARE**  
 8                   **PROGRAM.**

9           (a) **FEDERAL SHARE.**—Section 10606(b)(2) of the  
 10 Farm Security and Rural Investment Act of 2002 (7  
 11 U.S.C. 6523(b)(2)) is amended by striking “\$750” and  
 12 inserting “\$1,000”.

13           (b) **MANDATORY FUNDING.**—Section 10606(d)(1) of  
 14 the Farm Security and Rural Investment Act of 2002 (7  
 15 U.S.C. 6523(d)(1)) is amended by striking “shall make  
 16 available” in the matter preceding subparagraph (A) and  
 17 all that follows through the period at the end of subpara-  
 18 graph (C) and inserting “shall use such sums as are nec-  
 19 essary to carry out this section.”.

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

23           (a) **IN GENERAL.**—Part III of subchapter B of chap-  
 24 ter 1 of the Internal Revenue Code of 1986 is amended  
 25 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 under this section for all  
19 prior taxable 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 transferee  
2 meets the certification requirement of this subsection if  
3 such transferee signs a written certification stating the fol-  
4 lowing:

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 amount of the tax that will  
11       be imposed on such transferee under subsection (d)  
12       in the event of a recapture event (as defined in sub-  
13       section (d)).

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

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

23                       “(A) the amount of the gain excluded from  
24       the gross income of the transferor under sub-

1 section (a) with respect to the sale or exchange  
2 of such qualified farm property, multiplied by

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

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

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

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

17 “(C) CHANGE IN OWNERSHIP.—

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

23 “(ii) AGREEMENT TO ASSUME RECAP-  
24 TURE LIABILITY.—Clause (i) shall not  
25 apply to any farm property if the person

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

11          “(3) SPECIAL RULES.—

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

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

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

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

7               “(A) a beginning farmer, socially disadvan-  
8 tagged farmer, qualified veteran farmer, young  
9 farmer, or

10               “(B) any entity if 50 percent or more of  
11 the capital and profits of such entity are owned  
12 by one or more individuals described in para-  
13 graph (A).

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

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

17               “(B) as of the date of the sale or exchange  
18 described in subsection (a), has operated a farm  
19 for not more than 10 years.

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

24               “(A) American Indians.

25               “(B) Alaska Natives.

1           “(C) Asians.

2           “(D) Blacks or African Americans.

3           “(E) Native Hawaiians or other Pacific Is-  
4           landers.

5           “(F) Hispanics.

6           “(G) Women.

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

10           “(A) first obtained status as a veteran (as  
11           defined in section 101(2) of title 38 United  
12           States Code) during the 10-year period ending  
13           on the date of the sale or exchange described in  
14           subsection (a), and

15           “(B) has not operated a farm during such  
16           10-year period.

17           “(5) YOUNG FARMER.—The term ‘young farm-  
18           er’ means an individual who has not attained age 46  
19           as of the date of the sale or exchange described to  
20           in subsection (a).

21           “(6) QUALIFIED FARM PROPERTY.—The term  
22           ‘qualified farm property’ means real property located  
23           in the United States if—

24           “(A) during the 5-year period ending on  
25           the date of the sale or exchange referred to in

1 subsection (a), such property has been used by  
2 the taxpayer or a member of the family of the  
3 taxpayer as a farm for farming purposes for pe-  
4 riods aggregating 3 years or more, and

5 “(B) there was material participation by  
6 the taxpayer or a member of the family of the  
7 taxpayer in the operation of the farm during  
8 such 3 years.

9 “(7) RECAPTURE PERIOD.—The term ‘recap-  
10 ture period’ means the 10-year period beginning on  
11 the date of the sale or exchange of qualified farm  
12 property described in subsection (a).

13 “(8) MATERIAL PARTICIPATION.—

14 “(A) IN GENERAL.—Material participation  
15 shall be determined in a manner similar to the  
16 manner used for purposes of paragraph (1) of  
17 section 1402(a) (relating to net earnings from  
18 self-employment).

19 “(B) APPLICATION TO ENTITIES.—

20 “(i) IN GENERAL.—In the case of a  
21 partnership, S corporation, or other entity,  
22 the material participating requirements  
23 under subsection (d)(2)(B) and paragraph  
24 (6)(B) shall be treated as having been met  
25 by such partnership, S, corporation, or

1 other entity if there is material participa-  
2 tion by individuals owning 50 percent or  
3 more of the capital or profits interest of  
4 such partnership, S corporation, or other  
5 entity.

6 “(ii) MEMBERS OF THE FAMILY.—For  
7 purposes of paragraph (6)(B), a member  
8 of the family of an individual owning a  
9 capital or profits interest of a partnership,  
10 S corporation, or other entity shall not be  
11 taken into account for purposes of deter-  
12 mining whether the partnership, S corpora-  
13 tion, or other entity meets the material  
14 participating requirements under clause (i)  
15 unless such member of the family is also  
16 owns a capital or profits interest in such  
17 partnership, S corporation, or other entity.

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

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

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

6 “(b) LIMITATION.—

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

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

13 “(B) the amount excluded from the gross  
14 income of the taxpayer under this section for all  
15 prior taxable years.

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

22 “(c) AGRICULTURAL CONSERVATION EASEMENT DE-  
23 FINED.—The term ‘agricultural conservation easement’  
24 means an easement or conservation-related restriction on  
25 agricultural land (granted in perpetuity) that—



1           “(1) is conveyed for the purpose of protecting  
2           natural resources and the agricultural nature of the  
3           land, and

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

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

9           (b) CONFORMING AMENDMENT.—The table of sec-  
10          tions for part III of subchapter B of chapter 1 of the In-  
11          ternal Revenue Code of 1986 is amended by adding after  
12          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.”.

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

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

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

20                 (1) in subsection (a)—

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

1 (B) by inserting after paragraph (3) the  
2 following:

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

6 (2) in subsection (b), by inserting “Tribal,”  
7 after “State,”; and

8 (3) in subsection (c)—

9 (A) by redesignating paragraphs (1), (2),  
10 (3), and (5) as paragraphs (2), (7), (8), and  
11 (6), respectively, and moving the paragraphs so  
12 as to appear in numerical order;

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

15 “(1) 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 nonagricultural use;”;

1 (C) in paragraph (2) (as so redesignig-  
2 nated)—

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

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

8 (D) by inserting after paragraph (2) (as so  
9 redesignated) the following:

10 “(3) the term ‘farmland of national signifi-  
11 cance’ means farmland that is the most suitable for  
12 intensive crop and food production, as determined by  
13 the Secretary, taking into consideration, among  
14 other factors, the physical and chemical characteris-  
15 tics of the farmland;”;

16 (E) in paragraph (4), in the second sen-  
17 tence, by striking “and” at the end;

18 (F) by inserting after paragraph (4) the  
19 following:

20 “(5) the term ‘permanently protected farmland’  
21 means farmland encumbered by a conservation ease-  
22 ment—

23 “(A) held by the Federal Government, a  
24 State, Tribal, or local unit of government, or a  
25 land conservation organization; and

1           “(B) that is perpetual or the maximum  
2           number of years allowed by State law;”;

3           (G) in paragraph (6) (as so redesignated),  
4           by striking the period at the end and inserting  
5           a semicolon;

6           (H) in paragraph (7) (as so redesignated),  
7           by adding “and” at the end; and

8           (I) in paragraph (8) (as so redesignated),  
9           by striking the semicolon at the end and insert-  
10          ing a period.

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

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

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

17                 “(1) shall minimize the conversion of farmland  
18                 to nonagricultural uses; and

19                 “(2) subject to subsection (d), shall not convert  
20                 to nonagricultural uses farmland—

21                         “(A) that is permanently protected farm-  
22                         land;

23                         “(B) that has been defined and delineated  
24                         by the Secretary under subsection (b)(1) as  
25                         farmland of national significance; or

1           “(C) that has been defined and delineated  
2           by a State as significant to the State or a pri-  
3           ority for inclusion in a State farmland protec-  
4           tion program and for which the State has sub-  
5           mitted a definition and delineation under sub-  
6           section (b)(2).

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

8           “(1) NATIONAL SIGNIFICANCE.—

9           “(A) IN GENERAL.—The Secretary shall  
10          define and delineate farmland of national sig-  
11          nificance.

12          “(B) EXPERTS.—The Secretary shall con-  
13          vene a group of experts, including agronomists  
14          and soil scientists, to assist the Secretary in  
15          carrying out subparagraph (A).

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

20          “(c) PROCESS AND CRITERIA.—

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

23                  “(A) to determine the potential conversion  
24                  of farmland as a consequence of any action or  
25                  activity conducted through a Federal program;

1           “(B)(i) to minimize the conversion of  
2 farmland to nonagricultural uses; or

3           “(ii) in the case of farmland identified  
4 under subsection (a)(2), to avoid conversion of  
5 the farmland to nonagricultural uses;

6           “(C) to provide to the Secretary notice re-  
7 garding actions described in subparagraphs (A)  
8 and (B); and

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

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

16           “(d) EXEMPTION.—

17           “(1) IN GENERAL.—Subsection (a)(2) shall not  
18 apply if the Secretary determines, based on the proc-  
19 ess and criteria developed under subsection (c)(1),  
20 that converting farmland to nonagricultural uses  
21 cannot be avoided.

22           “(2) MINIMIZATION OF CONVERSION.—In a  
23 case in which the Secretary makes a determination  
24 under paragraph (1), the Federal program shall

1 minimize the conversion of farmland described in  
2 subsection (a)(2) to the maximum extent practicable.

3 “(e) INFORMATION.—The Secretary may make avail-  
4 able to States, units of local government, individuals, orga-  
5 nizations, and other units of the Federal Government in-  
6 formation—

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

9 “(2) concerning the location of permanently  
10 protected farmland.

11 “(f) ASSISTANCE.—The Secretary shall provide as-  
12 sistance to departments, agencies, independent commis-  
13 sions, and other units of the Federal Government, on re-  
14 quest, in using the process and criteria developed under  
15 subsection (e)(1).”.

16 **SEC. 405. AGRICULTURAL CONSERVATION EASEMENT PRO-**  
17 **GRAM.**

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

20 (1) in subsection (b)—

21 (A) in paragraph (4)(C)(iv), by striking

22 “only”; and

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

24 “(6) CONDITION OF ASSISTANCE.—

1           “(A) IN GENERAL.—As a condition of re-  
2           ceiving cost-share assistance under this section,  
3           the owner of eligible land shall agree to have in  
4           place a conservation plan that addresses appli-  
5           cable resource concerns for the land subject to  
6           the easement, including soil health and green-  
7           house gas emissions reduction, not later than 3  
8           years after the date on which the easement is  
9           granted.

10           “(B) BUREAU OF INDIAN AFFAIRS.—Sub-  
11           paragraph (A) may be satisfied by having in  
12           place a conservation plan developed or recog-  
13           nized by the Bureau of Indian Affairs.”; and

14           (2) by striking subsection (d) and inserting the  
15           following:

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

18           “(1) compliance with the terms and conditions  
19           of an easement; and

20           “(2) development and implementation of a con-  
21           servation plan required under subsection (b)(6), in-  
22           cluding, as applicable—

23           “(A) a conservation plan for highly erod-  
24           ible land required under subsection  
25           (b)(4)(C)(iv); and



1           “(B) a comprehensive conservation plan  
2           developed pursuant to subsection (e)(1).

3           “(e) FINANCIAL ASSISTANCE.—

4           “(1) IN GENERAL.—

5           “(A) ENROLLMENT IN CSP.—At the sole  
6           option of the owner of the eligible land subject  
7           to an easement, the Secretary shall provide for  
8           the automatic enrollment of the eligible land  
9           subject to the easement in the conservation  
10          stewardship program established by subchapter  
11          B of chapter 4 of subtitle D, including financial  
12          assistance for the development of a comprehen-  
13          sive conservation plan under section 1240L(e),  
14          if the person or entity farming the eligible land  
15          is otherwise eligible for the conservation stew-  
16          ardship program, as determined by the Sec-  
17          retary.

18          “(B) DETERMINATION OF COMPLIANCE.—

19          In the case of eligible land enrolled in the con-  
20          servation stewardship program pursuant to sub-  
21          paragraph (A), the Secretary shall have the sole  
22          responsibility of determining compliance with  
23          the terms of the conservation stewardship pro-  
24          gram contract.

1           “(C) FUNDING.—Funding received by an  
2           eligible entity pursuant to this paragraph shall  
3           not be considered in the calculation of costs  
4           under subsection (b).

5           “(2) TIMING.—The owner of the eligible land  
6           subject to an easement may exercise the option  
7           under paragraph (1)(A) during the 3-year period be-  
8           ginning on the date on which the easement is grant-  
9           ed.”.

10           **TITLE V—PASTURE-BASED**  
11           **LIVESTOCK**

12           **SEC. 501. ANIMAL RAISING CLAIMS.**

13           The Agricultural Marketing Act of 1946 (7 U.S.C.  
14           1621 et seq.) is amended by adding at the end the fol-  
15           lowing:

16           **“Subtitle H—Animal Raising**  
17           **Claims**

18           **“SEC. 298A. DEFINITIONS.**

19           “In this subtitle:

20           “(1) ANIMAL RAISING CLAIM.—The term ‘ani-  
21           mal raising claim’ means a statement on the labeling  
22           of a meat food product or poultry product used in  
23           interstate commerce that references—

1           “(A) the manner in which the source ani-  
2           mal for the meat food product or poultry prod-  
3           uct was raised, including—

4                   “(i) production practices that were  
5                   used, such as living or raising conditions;  
6                   and

7                   “(ii) the location or source where the  
8                   source animal was born, raised, and proc-  
9                   essed; or

10           “(B) the breed of the source animal.

11           “(2) MEAT FOOD PRODUCT.—The term ‘meat  
12           food product’ has the meaning given the term in sec-  
13           tion 1 of the Federal Meat Inspection Act (21  
14           U.S.C. 601).

15           “(3) POULTRY PRODUCT.—The term ‘poultry  
16           product’ has the meaning given the term in section  
17           4 of the Poultry Products Inspection Act (21 U.S.C.  
18           453).

19           “(4) SECRETARY.—The term ‘Secretary’ means  
20           the Secretary of Agriculture, acting through the Ad-  
21           ministrator of the Agricultural Marketing Service, in  
22           coordination with the Administrator of the Food  
23           Safety and Inspection Service.

1 **“SEC. 298B. REQUIRED VERIFICATION PROCESS FOR ANI-**  
2 **MAL RAISING CLAIMS.**

3 “(a) PURPOSE.—The purpose of this section is to fa-  
4 cilitate marketing, truth in labeling, and new economic op-  
5 portunities for producers and businesses using animal  
6 raising claims.

7 “(b) STANDARDS AND PROCEDURES.—

8 “(1) IN GENERAL.—Not later than 2 years  
9 after the date of enactment of this subtitle, after  
10 providing notice and an opportunity to comment,  
11 and in a manner consistent with United States obli-  
12 gations under international agreements, the Sec-  
13 retary shall establish—

14 “(A) mandatory standards with respect to  
15 animal raising claims, including the standards  
16 described in paragraph (2);

17 “(B) procedures—

18 “(i) to verify an animal raising claim  
19 prior to the use in commerce of any meat  
20 food product or poultry product bearing  
21 that claim; and

22 “(ii) that are incorporated seamlessly  
23 with the labeling requirements under the  
24 Federal Meat Inspection Act (21 U.S.C.  
25 601 et seq.) and the Poultry Products In-  
26 spection Act (21 U.S.C. 451 et seq.); and

1           “(C) on-farm and supply chain auditing  
2           and verification procedures to ensure the truth-  
3           fulness of animal raising claims.

4           “(2) STANDARDS.—In developing and approv-  
5           ing animal raising claim standards under paragraph  
6           (1)(A), the Secretary shall include standards relat-  
7           ing to—

8           “(A) diet claims, including claims that the  
9           source animal was grass fed, vegetarian fed, or  
10          fed no animal byproducts;

11          “(B) living and raising condition claims,  
12          including claims that the source animal was  
13          cage free, free range, or pasture raised;

14          “(C) antibiotic and hormone claims, in-  
15          cluding claims that the source animal was  
16          raised without antibiotics, had no hormones  
17          added, or was raised without growth  
18          promotants;

19          “(D) source claims that the source animal  
20          can be traced back to its farm of origin from  
21          birth to slaughter;

22          “(E) age claims;

23          “(F) animal welfare claims;

1           “(G) environmental stewardship claims, in-  
2           cluding greenhouse gas reduction and carbon  
3           sequestration claims;

4           “(H) breed claims; and

5           “(I) any other claim that the Secretary de-  
6           termines appropriate.

7           “(3) CONSISTENCY WITH OTHER LAWS.—The  
8           Secretary shall ensure consistency between the ani-  
9           mal raising claim standards established under this  
10          subsection and the Organic Foods Production Act of  
11          1990 (7 U.S.C. 6501 et seq.) and any rules or regu-  
12          lations implementing that Act.

13          “(c) THIRD-PARTY CERTIFICATION.—A producer of  
14          a meat food product or a poultry product may use an ani-  
15          mal raising claim that is verified by a third party if—

16                 “(1) the claim is consistent with standards es-  
17                 tablished by the Secretary under subsection (b); and

18                 “(2) the procedures used by the third party to  
19                 verify the claim, and for any subsequent auditing,  
20                 are equivalent to the verification and auditing proce-  
21                 dures established under subsection (b)(1)(C), as de-  
22                 termined by the Secretary.

23          “(d) APPROVAL PROCESS.—To the maximum extent  
24          practicable, the Secretary shall require that a producer  
25          seeking to make an animal raising claim shall submit to

1 the Secretary, prior to using the label on the meat food  
2 product or poultry product that is the subject of the ani-  
3 mal raising claim, the following documentation to support  
4 the animal raising claim:

5           “(1) A detailed written description explaining  
6 the controls used for ensuring that the animal rais-  
7 ing claim is valid, as applicable—

8                   “(A) from birth to harvest; or

9                   “(B) for the period of raising referenced in  
10 the animal raising claim.

11           “(2) A signed and dated document describing  
12 the manner in which the source animals were raised.

13           “(3) A written description of the product trac-  
14 ing and segregation mechanism used with respect to  
15 the applicable meat food product or poultry product  
16 from the time of slaughter of the source animal or  
17 further processing through the packaging and dis-  
18 tribution of the meat food product or poultry prod-  
19 uct.

20           “(4) A written description of the identification,  
21 control, and segregation of nonconforming animals  
22 or products.

23           “(5) In the case of a meat food product or  
24 poultry product certified by a third party, a current  
25 copy of the third party certificate.

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

4           “(1) a person may sell or label a domestic meat  
5 food product or poultry product with an animal rais-  
6 ing claim only if the animal raising claim and the  
7 meat food product or poultry product is in compli-  
8 ance with the standards established under subsection  
9 (b); and

10          “(2) an imported meat food product or poultry  
11 product may be sold or labeled with an animal rais-  
12 ing claim if, as determined by the Secretary, the ani-  
13 mal raising claim and the meat food product or  
14 poultry product is in compliance with a verification  
15 program that provides safeguards and guidelines  
16 that are at least equivalent to the standards estab-  
17 lished under subsection (b).

18       “(f) VIOLATIONS.—

19           “(1) MISUSE OF LABEL.—Any person who,  
20 after notice and an opportunity to be heard, is found  
21 by the Secretary to have knowingly sold or labeled  
22 any meat food product or poultry product with an  
23 animal raising claim in violation of this subtitle, in-  
24 cluding the standards and procedures established



1 under subsection (b), shall be assessed a civil pen-  
2 alty of not more than \$10,000.

3 “(2) FALSE STATEMENT.—Any person who,  
4 after notice and an opportunity to be heard, is found  
5 by the Secretary to have made to the Secretary, a  
6 Federal or State official, or a third-party certifier a  
7 false, fraudulent, or fictitious statement, or to have  
8 concealed to, hidden from, falsified to, or deceived  
9 the Secretary, official, or certifier regarding a mate-  
10 rial fact, with respect to an animal raising claim  
11 subject to the requirements of this subtitle, shall be  
12 subject to a penalty described in section 1001 of title  
13 18, United States Code.

14 “(g) EFFECT ON OTHER LAWS.—Nothing in this sec-  
15 tion alters the authority of the Secretary under the Fed-  
16 eral Meat Inspection Act (21 U.S.C. 601 et seq.) or the  
17 Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

18 **“SEC. 298C. APPLICABILITY.**

19 “This subtitle shall only apply to meat food products  
20 and poultry products that are subject to labeling require-  
21 ments under the Federal Meat Inspection Act (21 U.S.C.  
22 601 et seq.) or the Poultry Products Inspection Act (21  
23 U.S.C. 451 et seq.).

1 **“SEC. 298D. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to the Sec-  
3 retary such sums as are necessary to carry out this sub-  
4 title.”.

5 **SEC. 502. PROCESSING RESILIENCE GRANT PROGRAM.**

6 Subtitle A of the Agricultural Marketing Act of 1946  
7 (7 U.S.C. 1621 et seq.) is amended by adding at the end  
8 the following:

9 **“SEC. 210B. PROCESSING RESILIENCE GRANT PROGRAM.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
12 tity’ means—

13 “(A) a smaller establishment or very small  
14 establishment (as those terms are defined in the  
15 final rule entitled ‘Pathogen Reduction; Hazard  
16 Analysis and Critical Control Point (HACCP)  
17 Systems’ (61 Fed. Reg. 33806 (July 25,  
18 1996)));

19 “(B) a slaughtering or processing estab-  
20 lishment subject to—

21 “(i) a State meat inspection program  
22 pursuant to section 301 of the Federal  
23 Meat Inspection Act (21 U.S.C. 661); or

24 “(ii) a State poultry product inspec-  
25 tion program pursuant to section 5 of the

1 Poultry Products Inspection Act (21  
2 U.S.C. 454);

3 “(C) a person, firm, or corporation engag-  
4 ing in custom operations that is exempt from  
5 inspection under—

6 “(i) section 23 of the Federal Meat  
7 Inspection Act (21 U.S.C. 623); or

8 “(ii) section 15 of the Poultry Prod-  
9 ucts Inspection Act (21 U.S.C. 464); and

10 “(D) a person seeking—

11 “(i) to establish and operate an estab-  
12 lishment described in subparagraph (A) or  
13 (B); or

14 “(ii) to engage in custom operations  
15 described in subparagraph (C).

16 “(2) MINORITY-OWNED BUSINESS.—The term  
17 ‘minority-owned business’ means a for-profit busi-  
18 ness not less than 51 percent of which is owned by  
19 1 or more Black American, Native American, His-  
20 panic American, or Asian American individuals.

21 “(3) SECRETARY.—The term ‘Secretary’ means  
22 the Secretary of Agriculture.

23 “(b) GRANTS.—

24 “(1) IN GENERAL.—The Secretary shall estab-  
25 lish a grant program under which the Secretary

1 shall award competitive grants to eligible entities to  
2 expand meat and poultry processing capacity, create  
3 jobs in, support the health and safety of, and en-  
4 hance the resilience of the farm and food sector.

5 “(2) MAXIMUM AMOUNT.—The maximum  
6 amount of a grant awarded under this section shall  
7 not exceed \$500,000.

8 “(c) APPLICATIONS.—

9 “(1) IN GENERAL.—An eligible entity seeking a  
10 grant under this section shall submit to the Sec-  
11 retary an application at such time, in such manner,  
12 and containing such information as the Secretary  
13 may require.

14 “(2) APPLICATIONS FOR SMALL GRANTS.—The  
15 Secretary shall establish a separate, simplified appli-  
16 cation process for eligible entities applying for a  
17 grant under this section of not more than \$100,000.

18 “(3) ACCESSIBILITY OF APPLICATIONS.—The  
19 Secretary shall ensure that applications for a grant  
20 under this section are—

21 “(A) accessible online; and

22 “(B) available through local staff of the  
23 Department of Agriculture.

24 “(4) REAPPLICATION.—If an application of an  
25 eligible entity under this subsection is denied by the

1 Secretary, the eligible entity may submit a revised  
2 application.

3 “(5) PRIORITY.—In reviewing applications sub-  
4 mitted under this subsection, the Secretary shall  
5 give priority to proposals that will—

6 “(A) increase farmer and rancher access to  
7 animal slaughter options within a 200-mile ra-  
8 dius of the location of the farmer or rancher;

9 “(B) support an eligible entity described in  
10 subsection (a)(1)(A) that has 150 employees or  
11 fewer; or

12 “(C) support an eligible entity that is a  
13 minority-owned business.

14 “(d) USE OF GRANT.—An eligible entity that receives  
15 a grant under this section shall use the grant funds to  
16 carry out activities in support of the purposes described  
17 in subsection (b)(1), including through—

18 “(1) the development and issuance of a Hazard  
19 Analysis and Critical Control Points plan for the eli-  
20 gible entity, which may be developed by a consultant;

21 “(2) the purchase or establishment, as applica-  
22 ble, of facilities, equipment, processes, and oper-  
23 ations necessary for the eligible entity to comply  
24 with applicable requirements under the Federal  
25 Meat Inspection Act (21 U.S.C. 601 et seq.) or the

1 Poultry Products Inspection Act (21 U.S.C. 451 et  
2 seq.);

3 “(3) the purchase of cold storage, equipment, or  
4 transportation services;

5 “(4) the construction or purchase of humane  
6 handling infrastructure, including holding space for  
7 livestock prior to slaughter, shade structures, and  
8 knock box structures;

9 “(5) the purchase of software and computer  
10 equipment for record keeping, production data, and  
11 Hazard Analysis and Critical Control Points record  
12 review;

13 “(6) the provision of staff time and training for  
14 implementing and monitoring health and safety pro-  
15 cedures;

16 “(7) the development of a feasibility study or  
17 business plan for establishing or expanding a small  
18 meat or poultry processing facility; and

19 “(8) other activities associated with expanding  
20 or establishing an eligible entity described in sub-  
21 section (a)(1)(A), as determined by the Secretary.

22 “(e) OUTREACH.—Beginning on the date on which  
23 the Secretary begins to accept applications under sub-  
24 section (c)(1), the Secretary shall perform outreach to

1 States and eligible entities relating to grants under this  
2 section.

3 “(f) FEDERAL SHARE.—The Federal share of the ac-  
4 tivities carried out using a grant awarded under this sec-  
5 tion shall not exceed 50 percent of the cost of those activi-  
6 ties.

7 “(g) ADMINISTRATION.—The promulgation of regula-  
8 tions under, and administration of, this section shall be  
9 made without regard to—

10 “(1) the notice and comment provisions of sec-  
11 tion 553 of title 5, United States Code; and

12 “(2) chapter 35 of title 44, United States Code  
13 (commonly known as the ‘Paperwork Reduction  
14 Act’).

15 “(h) FUNDING.—

16 “(1) MANDATORY FUNDING.—Of the funds of  
17 the Commodity Credit Corporation, the Secretary  
18 shall use to carry out this section \$10,000,000 for  
19 each of fiscal years 2022 through 2030.

20 “(2) AUTHORIZATION OF APPROPRIATIONS.—In  
21 addition to amounts made available under paragraph  
22 (1), there is authorized to be appropriated to the  
23 Secretary to carry out this section \$15,000,000 for  
24 each of fiscal years 2022 through 2030.”.

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

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

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

6 (2) in paragraph (7), by striking “and” at the  
7 end;

8 (3) in paragraph (8), by striking the period at  
9 the end and inserting a semicolon; and

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

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

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

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

24 (c) PRIVATE GRAZING LAND CONSERVATION ASSIST-  
25 ANCE.—Section 1240M(c) of the Food Security Act of  
26 1985 (16 U.S.C. 3839bb(c)) is amended—



1 (1) in paragraph (1)—

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

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

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

17 (D) in subparagraph (H), by striking  
18 “and” at the end;

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

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

22 “(J) assisting producers in transitioning  
23 from confinement or feedlot systems or contin-  
24 uous grazing to managed grazing-based sys-

1           tems, including assistance in pasture develop-  
2           ment and management.”; and

3           (2) by striking paragraph (2) and inserting the  
4           following:

5           “(2) PROGRAM ELEMENTS.—

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

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

23                           “(i) land-grant colleges and univer-  
24                           sities (as defined in section 1404 of the  
25                           National Agricultural Research, Extension,

1 and Teaching Policy Act of 1977 (7 U.S.C.  
2 3103));

3 “(ii) nongovernmental organizations;  
4 and

5 “(iii) Tribal organizations.

6 “(C) GRANTS.—

7 “(i) IN GENERAL.—In carrying out  
8 the program under this section, the Sec-  
9 retary shall provide funds on a competitive  
10 basis to partnerships described in subpara-  
11 graph (B) to use for State or local action  
12 grants to conduct grazing land research,  
13 demonstration, education, workforce train-  
14 ing, planning, and outreach projects.

15 “(ii) DURATION.—Grants made by  
16 partnerships under this subparagraph shall  
17 be for a period not to exceed 3 years.

18 “(iii) COST SHARING.—A partnership  
19 that receives funding under this subpara-  
20 graph shall ensure that any funded project  
21 provides, from non-Federal sources, funds  
22 or in-kind support valued at not less than  
23 25 percent of the total cost of the project.

24 “(iv) LIMITATION ON INDIRECT  
25 COSTS.—A partnership that receives fund-

1           ing under this subparagraph may not use  
2           more than 15 percent of the total cost of  
3           the project for the indirect costs of car-  
4           rying out the project.

5           “(v) PRIORITY.—A partnership that  
6           receives funding under this subparagraph  
7           shall give priority to projects that—

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

14                  “(II) involve beginning farmers  
15                  and ranchers, socially disadvantaged  
16                  farmers and ranchers, Tribal pro-  
17                  ducers, or new graziers (including  
18                  State or federally registered appren-  
19                  ticeships).”.

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

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

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

3           (3) in paragraph (3)(C)—

4           (A) in clause (ii), by striking “and” at the  
5           end;

6           (B) by redesignating clause (iii) as clause  
7           (iv); and

8           (C) by inserting after clause (ii) the fol-  
9           lowing:

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

12           (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
13 1240M of the Food Security Act of 1985 (16 U.S.C.  
14 3839bb) is amended by striking subsection (e) and insert-  
15 ing the following:

16           “(e) FUNDING.—

17                   “(1) MANDATORY FUNDING.—Of the funds of  
18                   the Commodity Credit Corporation, the Secretary  
19                   shall use to carry out this section \$50,000,000 for  
20                   each of fiscal years 2022 through 2030.

21                   “(2) GRANTS.—Of the funds made available  
22                   under paragraph (1), the Secretary shall use not  
23                   more than 40 percent to carry out subsection  
24                   (c)(2)(C).

1           “(3) AUTHORIZATION OF APPROPRIATIONS.—  
2           There is authorized to be appropriated to carry out  
3           this section \$60,000,000 for each of fiscal years  
4           2022 through 2030.”.

5 **SEC. 504. CONSERVATION RESERVE PROGRAM.**

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

9           (1) in paragraph (1)—

10           (A) in subparagraph (D), by striking  
11 “and” at the end;

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

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

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

17           (2) in paragraph (2)(A)—

18           (A) in clause (i), by striking “and” at the  
19 end;

20           (B) in clause (ii)(III), by striking the pe-  
21 riod at the end and inserting “; and”; and

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

23           “(iii) the Secretary shall enroll and  
24 maintain in the conservation reserve not  
25 fewer than 7,000,000 acres of land de-

1           scribed in subsection (b)(3) by September  
2           30, 2030, of which 5,000,000 acres shall  
3           be reserved for the pilot program estab-  
4           lished under section 1231C(c).”.

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

8           “(c) GRASSLAND 30.—

9           “(1) IN GENERAL.—

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

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

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

23           “(A) is land that is eligible to be enrolled  
24 in the conservation reserve program under the

1 grasslands initiative described in section  
2 1231(d)(2); and

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

5 “(3) EXPIRED CONSERVATION CONTRACT ELEC-  
6 TION.—

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

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

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

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

20 “(i) not to reenroll the land under the  
21 contract;

22 “(ii) to offer to reenroll the land  
23 under the contract if the land remains eli-  
24 gible under the terms in effect as of the  
25 date of expiration; or



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

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

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

11                  “(A) to implement a conservation reserve  
12                  plan developed for the land;

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

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

18                  “(6) TERMS AND CONDITIONS OF GRASSLAND  
19                  30 CONTRACTS.—

20                  “(A) IN GENERAL.—A Grassland 30 con-  
21                  tract—

22                  “(i) shall include terms and conditions  
23                  that promote sustainable grazing systems,  
24                  protect and enhance soil carbon levels, and  
25                  are compatible with wildlife habitat con-

1            servation, as determined by the Secretary;  
2            and

3                    “(ii) may include any additional provi-  
4                    sion that the Secretary determines is ap-  
5                    propriate to carry out this subsection or  
6                    facilitate the practical administration of  
7                    this subsection.

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

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

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

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

1           “(7) COMPENSATION.—

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

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

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

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

- 1                   “(i) dies;
- 2                   “(ii) becomes incompetent;
- 3                   “(iii) is succeeded by another person
- 4                   or entity who renders or completes the re-
- 5                   quired performance; or
- 6                   “(iv) is otherwise unable to receive the
- 7                   payment.

8                   “(8) TECHNICAL ASSISTANCE.—

9                   “(A) IN GENERAL.—The Secretary shall

10                  assist owners in complying with the terms and

11                  conditions of a Grassland 30 contract.

12                  “(B) CONTRACTS OR AGREEMENTS.—The

13                  Secretary may enter into 1 or more contracts

14                  with private entities or agreements with a

15                  State, nongovernmental organization, or Indian

16                  Tribe to carry out necessary maintenance of a

17                  Grassland 30 contract if the Secretary deter-

18                  mines that the contract or agreement will ad-

19                  vance the purposes of the conservation reserve

20                  program.

21                  “(9) ADMINISTRATION.—

22                  “(A) CONSERVATION RESERVE PLAN.—

23                  The Secretary shall develop a conservation re-

24                  serve plan for any land subject to a Grassland

25                  30 contract, which shall include practices and

1 activities necessary to maintain, protect, and  
2 enhance the conservation value of the enrolled  
3 land, including the protection and enhancement  
4 of soil carbon levels.

5 “(B) DELEGATION OF CONTRACT ADMINIS-  
6 TRATION.—

7 “(i) FEDERAL, STATE, TRIBAL, OR  
8 LOCAL GOVERNMENT AGENCIES.—The Sec-  
9 retary may delegate any of the manage-  
10 ment, monitoring, and enforcement respon-  
11 sibilities of the Secretary under this sub-  
12 section to other Federal, State, Tribal, or  
13 local government agencies that have the  
14 appropriate authority, expertise, and re-  
15 sources necessary to carry out those dele-  
16 gated responsibilities.

17 “(ii) CONSERVATION ORGANIZA-  
18 TIONS.—The Secretary may delegate any  
19 management responsibilities of the Sec-  
20 retary under this subsection to conserva-  
21 tion organizations if the Secretary deter-  
22 mines the conservation organization has  
23 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.) (as amended  
4 by section 304) is amended by adding at the end the fol-  
5 lowing:

6 **“SEC. 1240T. ALTERNATIVE MANURE MANAGEMENT PRO-**  
7 **GRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ELIGIBLE PRODUCER.—The term ‘eligible  
10 producer’ means a dairy or livestock producer whose  
11 baseline manure management practices prior to en-  
12 rollment in the program include the anaerobic de-  
13 composition of volatile solids stored in a lagoon or  
14 other predominantly liquid anaerobic environment.

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 an  
19 operator of a dairy or livestock operation to transi-  
20 tion from wet manure handling and storage, where  
21 anaerobic conditions are present, to dry manure  
22 handling and storage, including—

23 “(A) onsite open solar drying or  
24 composting of manure;

25 “(B) conversion of dairy and livestock op-  
26 erations to pasture-based management;

1           “(C) solid separation technologies;

2           “(D) scrape conversion; and

3           “(E) other strategies to mitigate methane  
4           emissions from manure management, as deter-  
5           mined by the Secretary.

6           “(3) ONSITE OPEN SOLAR DRYING OR  
7           COMPOSTING OF MANURE.—The term ‘onsite open  
8           solar drying or composting of manure’ means the  
9           collection, storage, and drying of dairy or livestock  
10          manure in a nonliquid environment on a farm or  
11          ranch.

12          “(4) PASTURE-BASED MANAGEMENT.—The  
13          term ‘pasture-based management’ means a dairy or  
14          livestock production system in which the animals  
15          spend all or a substantial portion of their time graz-  
16          ing on fields in which some or all of the manure is  
17          deposited and left in the field and decomposes  
18          aerobically.

19          “(5) PROGRAM.—The term ‘program’ means  
20          the alternative manure management program estab-  
21          lished under subsection (b).

22          “(6) SCRAPE CONVERSION.—The term ‘scrape  
23          conversion’ means the conversion of a flush water la-  
24          goon system to solid-scrape or dry manure manage-

1       ment practices, including vacuum technologies for  
2       manure management.

3               “(7) SOLID SEPARATION TECHNOLOGY.—The  
4       term ‘solid separation technology’ means a tech-  
5       nology designed to separate liquid components of  
6       manure from mineral and organic solid components  
7       for the purposes of reducing methane emissions.

8               “(b) ESTABLISHMENT.—The Secretary shall estab-  
9       lish an alternative manure management program to sup-  
10      port non-digester dairy and livestock methane manage-  
11      ment method strategies to effectively reduce greenhouse  
12      gas emissions and maximize environmental benefits.

13              “(c) PAYMENTS.—During each of fiscal years 2022  
14      through 2030, the Secretary shall provide payments to eli-  
15      gible producers that enter into contracts with the Sec-  
16      retary under the program.

17              “(d) PRACTICES.—Each eligible producer requesting  
18      funding for a project under the program shall include at  
19      least 1 of the following project components that reduce  
20      baseline methane emissions on the operation of the eligible  
21      producer:

22                      “(1) Conversion of a dairy or livestock oper-  
23                      ation to pasture-based management that eliminates  
24                      or reduces the quantity of manure stored in anaer-  
25                      obic conditions, including—



1           “(A) conversion of a non-pasture dairy or  
2 livestock operation to pasture-based manage-  
3 ment;

4           “(B) increasing the amount of time live-  
5 stock spend at pasture at an existing pasture  
6 operation; or

7           “(C) improving pasture-based manage-  
8 ment, including transitioning to managed rota-  
9 tional grazing.

10          “(2) Alternative manure treatment and storage  
11 practices, including—

12           “(A) installation of a compost-bedded pack  
13 barn that composts manure;

14           “(B) installation of slatted floor pit storage  
15 manure collection that must be cleaned out at  
16 least monthly; or

17           “(C) other similar practices, as determined  
18 by the Secretary.

19          “(3) Conversion to a solid separation technology  
20 system in which manure solids are separated prior  
21 to entry into a wet, anaerobic environment at a  
22 dairy or livestock operation, or installation of a new  
23 solid separation technology system with significantly  
24 higher separation efficiency than the existing solid

1 separation system, in conjunction with 1 or more of  
2 the following practices:

3 “(A) Onsite open solar drying or  
4 composting of manure.

5 “(B) Solar drying in an enclosed environ-  
6 ment.

7 “(C) Forced evaporation with natural-gas  
8 fueled dryers.

9 “(D) Storage of manure in unconfined  
10 piles or stacks.

11 “(E) Composting in an enclosed vessel,  
12 with forced aeration and continuous mixing.

13 “(F) Composting in piles with forced aer-  
14 ation but no mixing.

15 “(G) Composting in intensive windrows  
16 with regular turning for mixing and aeration.

17 “(H) Composting in passive windrows with  
18 infrequent turning for mixing and aeration.

19 “(4) Scrape conversion in conjunction with 1 of  
20 the practices described in paragraph (3).

21 “(e) TERM.—A contract under the program shall  
22 have a term that does not exceed 3 years.

23 “(f) PAYMENTS.—

24 “(1) AVAILABILITY OF PAYMENTS.—Payments  
25 provided to an eligible producer under this section

1 may be used to implement 1 or more practices de-  
2 scribed in subsection (d).

3 “(2) PAYMENT AMOUNTS.—The Secretary may  
4 provide a payment to an eligible producer under the  
5 program for an amount that is not more than 100  
6 percent of the costs associated with planning, design,  
7 materials, equipment, installation, labor, manage-  
8 ment, maintenance, and training relating to imple-  
9 menting a practice described in subsection (d).

10 “(3) LIMITATION ON PAYMENTS.—A person or  
11 legal entity (including a joint venture and a general  
12 partnership) may not receive, directly or indirectly,  
13 payments under the program that exceed \$750,000  
14 during any 5-year period.

15 “(4) ADVANCED PAYMENTS.—The Secretary  
16 shall provide not less than 50 percent of the amount  
17 of total payments to an eligible producer in advance  
18 for all costs relating to purchasing materials and  
19 equipment or contracting.

20 “(g) MODIFICATION OR TERMINATION OF CON-  
21 TRACTS.—

22 “(1) VOLUNTARY MODIFICATION OR TERMI-  
23 NATION.—The Secretary may modify or terminate a  
24 contract entered into with an eligible producer under  
25 the program if—

1           “(A) the producer agrees to the modifica-  
2           tion or termination; and

3           “(B) the Secretary determines that the  
4           modification or termination is in the public in-  
5           terest.

6           “(2) INVOLUNTARY TERMINATION.—The Sec-  
7           retary may terminate a contract under the program  
8           if the Secretary determines that the eligible producer  
9           violated the contract.

10          “(h) CLUSTER APPLICATIONS.—The Secretary shall  
11         establish procedures under which—

12           “(1) groups of eligible producers may submit a  
13           joint application in order to facilitate centralized  
14           composting facilities; and

15           “(2) the Secretary shall apportion payments to  
16           each eligible producer associated with such a joint  
17           application.

18          “(i) EVALUATION OF APPLICATIONS.—

19           “(1) EVALUATION CRITERIA.—The Secretary  
20           shall develop criteria for evaluating applications that  
21           will ensure that the purposes of the program are ful-  
22           filled in a cost effective manner and in a manner  
23           that will maximize greenhouse gas emissions reduc-  
24           tions and overall environmental benefits.

1           “(2) GROUPING OF APPLICATIONS.—The Sec-  
2           retary may group and evaluate applications relative  
3           to other applications for similar farming operations.

4           “(j) DUTIES OF PRODUCERS.—To receive payments  
5           under the program, an eligible producer shall agree—

6           “(1) to implement a program plan that de-  
7           scribes the greenhouse gas emissions reductions and  
8           other environmental benefits to be achieved through  
9           1 or more practices described in subsection (d) that  
10          are approved by the Secretary;

11          “(2) to supply information as required by the  
12          Secretary to determine compliance with the program  
13          plan and requirements of the program; and

14          “(3) to comply with such additional provisions  
15          as the Secretary determines are necessary to carry  
16          out the program plan.

17          “(k) DUTIES OF THE SECRETARY.—The Secretary  
18          shall—

19          “(1) determine and publish factors for esti-  
20          mating the emissions reductions for each program  
21          practice described in subsection (d) to aid eligible  
22          producers in the development of applications and  
23          program plans; and

1           “(2) assist an eligible producer in achieving the  
2 greenhouse gas emissions reduction and other envi-  
3 ronmental goals of the program plan by—

4                   “(A) providing payments for developing  
5 and implementing 1 or more practices, as ap-  
6 propriate; and

7                   “(B) providing the producer with informa-  
8 tion, technical assistance, and training to aid in  
9 implementation of the plan.

10           “(1) COMMODITY CREDIT CORPORATION.—

11                   “(1) IN GENERAL.—The Secretary shall use the  
12 funds, facilities, and authorities of the Commodity  
13 Credit Corporation to carry out the program, includ-  
14 ing the provision of technical assistance.

15                   “(2) FUNDING.—To the maximum extent prac-  
16 ticable, of the funds of the Commodity Credit Cor-  
17 poration, the Secretary shall use to carry out this  
18 section \$1,500,000,000 for the period of fiscal years  
19 2022 through 2030.”.

20                   **TITLE VI—ON-FARM**  
21                   **RENEWABLE ENERGY**

22           **SEC. 601. RURAL ENERGY FOR AMERICA PROGRAM.**

23           Section 9007 of the Farm Security and Rural Invest-  
24 ment Act of 2002 (7 U.S.C. 8107) is amended—

25                   (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),  
2 by striking “and renewable energy develop-  
3 ment” and inserting “, renewable energy devel-  
4 opment, and the reduction of carbon dioxide  
5 and carbon dioxide equivalent emissions”; and

6 (B) in paragraph (2), by striking “and re-  
7 newable energy systems” and inserting “, re-  
8 newable energy systems, and carbon dioxide and  
9 carbon dioxide equivalent emissions reductions”;  
10 (2) in subsection (b)—

11 (A) in paragraph (2)—

12 (i) in subparagraph (D), by striking  
13 “and” at the end;

14 (ii) by redesignating subparagraph  
15 (E) as subparagraph (G); and

16 (iii) by inserting after subparagraph  
17 (D) the following:

18 “(E) a nonprofit corporation;

19 “(F) an agricultural cooperative or pro-  
20 ducer group; and”;

21 (B) in paragraph (3)(D), by inserting be-  
22 fore the semicolon at the end the following: “,  
23 including carbon dioxide and carbon dioxide  
24 equivalent emissions reductions”; and

25 (C) in paragraph (4)—

1 (i) in the matter preceding subpara-  
2 graph (A), by inserting “, agricultural  
3 processors,” after “agricultural pro-  
4 ducers”;

5 (ii) in subparagraph (A), by striking  
6 “and” at the end;

7 (iii) in subparagraph (B)(ii), by strik-  
8 ing the period at the end and inserting “;  
9 and”; and

10 (iv) by adding at the end the fol-  
11 lowing:

12 “(C) assisting in the development of feasi-  
13 bility studies and plans for implementing rec-  
14 ommendations provided under subparagraph  
15 (B).”;

16 (3) in subsection (c)—

17 (A) in paragraph (1)(A)(i), by inserting “,  
18 agricultural processors,” after “agricultural  
19 producers”;

20 (B) in paragraph (2)—

21 (i) by redesignating subparagraphs  
22 (F) and (G) as subparagraphs (G) and  
23 (H), respectively; and

24 (ii) by inserting after subparagraph  
25 (E) the following:



1           “(F) carbon accounting assessments devel-  
2           oped under subsection (d) with respect to the  
3           renewable energy system to be installed or the  
4           energy efficiency upgrade to be undertaken;”;

5           (C) in paragraph (3)—

6           (i) in subparagraph (A), by striking  
7           “The amount” and all that follows through  
8           “25 percent” and inserting “Except as  
9           provided in subparagraph (F), the amount  
10          of a grant under this subsection shall not  
11          exceed 50 percent”;

12          (ii) by redesignating subparagraphs  
13          (C) and (D) as subparagraphs (D) and  
14          (E), respectively;

15          (iii) by inserting after subparagraph  
16          (B) the following:

17          “(C) MAXIMUM PERCENTAGE OF LOAN  
18          GUARANTEE.—The portion of a loan that the  
19          Secretary may guarantee under this section  
20          shall be—

21                 “(i) in the case of a loan in the  
22                 amount of not less than \$1,000,000, 80  
23                 percent of the principal amount of the  
24                 loan; and

1           “(ii) in the case of a loan in an  
2           amount less than \$1,000,000, 90 percent  
3           of the principal amount of the loan.”;

4           (iv) in subparagraph (E) (as so reded-  
5           ignated), by striking “subsection (f)” and  
6           inserting “subsection (h)”;

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

8           “(F)   UNDERSERVED   PRODUCERS.—The  
9           amount of a grant provided under this sub-  
10          section to an agricultural producer who is a be-  
11          ginning farmer or rancher, a socially disadvan-  
12          taged farmer or rancher, or a veteran farmer or  
13          rancher (as those terms are defined in section  
14          2501(a) of the Food, Agriculture, Conservation  
15          and Trade Act of 1990 (7 U.S.C. 2279(a)))  
16          shall not exceed 75 percent of the cost of the  
17          activity funded by the grant.”;

18          (D) in paragraph (4), by adding at the end  
19          the following:

20          “(F)   PRE-APPROVED   TECHNOLOGIES.—In  
21          order to streamline the adoption of renewable  
22          energy systems and energy efficiency improve-  
23          ments, the Secretary shall develop a stream-  
24          lined application process for projects utilizing  
25          pre-approved products and technologies in-

1           cluded on the list described in paragraph (5).”;

2           and

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

4           “(5) PRE-APPROVED LIST.—The Secretary  
5 shall, beginning in fiscal year 2022—

6           “(A) develop a list of pre-approved tech-  
7 nologies and products for purposes of para-  
8 graph (4)(F); and

9           “(B) update that list every 2 fiscal years.

10          “(6) PRIORITY.—In making grants or loan  
11 guarantees under this subsection, the Secretary shall  
12 give priority to proposed projects that utilize tech-  
13 nologies—

14          “(A) with a substantially low carbon foot-  
15 print; or

16          “(B) that would result in significant net  
17 decreases of carbon dioxide and carbon dioxide  
18 equivalent emissions, as determined by the Sec-  
19 retary using the carbon accounting assessments  
20 developed under subsection (d).”;

21          (4) by redesignating subsections (d), (e), and  
22 (f) as subsections (f), (g), and (h), respectively;

23          (5) by inserting after subsection (c) the fol-  
24 lowing:

25          “(d) CARBON ACCOUNTING.—

1           “(1) IN GENERAL.—Not later than 2 years  
2 after the date of enactment of the Agriculture Resilience Act of 2021, the Secretary, in collaboration  
3 with the National Renewable Energy Laboratory,  
4 shall develop carbon accounting assessments for re-  
5 newable energy systems and energy efficiency up-  
6 grades (including technologies on the list described  
7 in subsection (c)(5) and technologies described in  
8 subsection (h)(5)(A)) supported by assistance pro-  
9 vided under this section.  
10

11           “(2) PROGRAM GUIDANCE.—The Secretary  
12 shall, to the maximum extent practicable, use the  
13 carbon accounting assessments developed under  
14 paragraph (1) as guides in carrying out this section.

15           “(e) REGIONAL DEMONSTRATION PROJECTS.—

16           “(1) IN GENERAL.—The Secretary shall carry  
17 out regional demonstration projects that incentivize  
18 agricultural producers to reduce their carbon foot-  
19 print or overall carbon equivalent emissions to the  
20 maximum extent practicable through the use of en-  
21 ergy efficiency improvements and renewable energy  
22 systems.

23           “(2) PUBLICIZATION.—The Secretary shall  
24 publicize the results of the regional demonstration  
25 projects carried out under paragraph (1).”;

1 (6) in subsection (f) (as so redesignated)—

2 (A) in the subsection heading, by inserting  
3 “AND TECHNICAL ASSISTANCE” after “OUT-  
4 REACH”;

5 (B) by striking “The Secretary shall” and  
6 inserting “Using funds made available under  
7 subsection (h)(4), the Secretary shall”;

8 (C) by inserting “and technical assistance”  
9 after “outreach”; and

10 (D) by inserting “or provided, as applica-  
11 ble,” after “conducted”;

12 (7) in subsection (g) (as so redesignated), by  
13 striking “subsection (f)” each place it appears and  
14 inserting “subsection (h)”; and

15 (8) in subsection (h) (as so redesignated)—

16 (A) in paragraph (1), by striking subpara-  
17 graphs (A) through (E) and inserting the fol-  
18 lowing:

19 “(A) \$50,000,000 for each of fiscal years  
20 2014 through 2021;

21 “(B) \$100,000,000 for fiscal year 2022;

22 “(C) \$200,000,000 for fiscal year 2023;

23 “(D) \$300,000,000 for fiscal year 2024;

24 and

1           “(E) \$400,000,000 for fiscal year 2025  
2           and each fiscal year thereafter.”;

3           (B) in paragraph (2)(B), by striking “be-  
4           come available” and inserting “be used”; and

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

6           “(4) ADMINISTRATIVE EXPENSES.—Of the  
7           funds made available to carry out this section for a  
8           fiscal year, the Secretary shall use not more than 8  
9           percent for administrative expenses.

10          “(5) RESERVATION OF FUNDS.—Of the funds  
11          made available to carry out this section for a fiscal  
12          year, the Secretary may reserve—

13               “(A) not more than 10 percent to provide  
14               grants under subsection (c) to support the  
15               adoption of underutilized but proven commer-  
16               cial technologies; and

17               “(B) not more than 5 percent to carry out  
18               subsection (e).”.

19 **SEC. 602. STUDY ON DUAL-USE RENEWABLE ENERGY SYS-**  
20 **TEMS.**

21          (a) DEFINITION OF DUAL-USE RENEWABLE ENERGY  
22 SYSTEM.—In this section, the term “dual-use renewable  
23 energy system” means a system under which renewable  
24 energy production and agricultural production, including

1 crop or animal production, occurs together on the same  
2 piece of land.

3 (b) STUDY.—The Secretary shall conduct a study on  
4 dual-use renewable energy systems that shall include—

5 (1) an assessment of the compatibility of dif-  
6 ferent species of livestock with different dual-use re-  
7 newable energy system designs, including—

8 (A) the optimal height of and distance be-  
9 tween solar panels for—

10 (i) livestock grazing; and

11 (ii) shade for livestock;

12 (B) manure management considerations;

13 (C) fencing requirements; and

14 (D) other animal handling considerations;

15 (2) an assessment of the compatibility of dif-  
16 ferent crop types with different dual-use renewable  
17 energy system designs, including—

18 (A) the optimal height of and distance be-  
19 tween solar panels for—

20 (i) plant shading; and

21 (ii) farm equipment use;

22 (B) the impact on crop yield; and

23 (C) market opportunities to sell crops at a  
24 premium price; and

1           (3) a risk-benefit analysis of dual-use renewable  
2           energy systems in different regions of the United  
3           States, including a comparison between the total  
4           greenhouse gas impact of dual-use renewable energy  
5           systems and renewable energy systems that displace  
6           agricultural production.

7           (c) 5-YEAR PLAN.—Based on the study under sub-  
8           section (b), the Secretary shall develop a 5-year plan for  
9           using the research and extension activities of the Depart-  
10          ment of Agriculture to better support dual-use renewable  
11          energy systems that do not displace agricultural produc-  
12          tion.

13          (d) REPORT.—Not later than 1 year after the date  
14          of enactment of this Act, the Secretary shall submit to  
15          the Committee on Agriculture of the House of Representa-  
16          tives and the Committee on Agriculture, Nutrition, and  
17          Forestry of the Senate a report containing the results of  
18          the study conducted under subsection (b).

19          **SEC. 603. AGSTAR PROGRAM.**

20          (a) IN GENERAL.—The Secretary shall maintain the  
21          program known as the “AgSTAR program” within the  
22          Department of Agriculture, under which the Secretary  
23          shall—



1           (1) support the use of anaerobic digestion in  
2 the agricultural sector to reduce methane emissions  
3 from livestock waste;

4           (2) conduct outreach, education, and training  
5 on anaerobic digestion of livestock waste;

6           (3) provide technical and regulatory assistance  
7 on anaerobic digestion of livestock waste to stake-  
8 holders, including farmers and ranchers, on issues  
9 including—

10                   (A) permitting;

11                   (B) codigestion of multiple organic wastes  
12 in one digester; and

13                   (C) interconnection to physically link a di-  
14 gester to the electrical power grid;

15           (4) promote centralized, multifarm digesters  
16 that use livestock waste from more than 1 farm or  
17 ranch;

18           (5) collect and report data on anaerobic diges-  
19 tion of livestock waste; and

20           (6) maintain a database of on-farm anaerobic  
21 digester projects in the United States.

22 (b) TRANSITION FROM EPA.—

23           (1) IN GENERAL.—The Administrator of the  
24 Environmental Protection Agency shall take such  
25 steps as are necessary to provide for an orderly tran-

1 sition for the activities carried out under the  
2 AgSTAR program by the Environmental Protection  
3 Agency to be carried out by the Secretary, in accord-  
4 ance with subsection (c).

5 (2) DEADLINE.—The Administrator of the En-  
6 vironmental Protection Agency shall finish carrying  
7 out paragraph (1) by not later than 1 year after the  
8 date of enactment of this Act, such that the Sec-  
9 retary has sole jurisdiction of the AgSTAR program  
10 by that date.

11 (c) ADMINISTRATION.—The Secretary shall carry out  
12 the AgSTAR program through the Chief of the Natural  
13 Resources Conservation Service—

14 (1) in coordination with the Administrator of  
15 the Environmental Protection Agency and other  
16 Federal agencies as necessary; and

17 (2) in partnership with the climate hubs, coop-  
18 erative extension services, and agencies of the De-  
19 partment of Agriculture.

20 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
21 authorized to be appropriated to the Secretary to carry  
22 out the AgSTAR program not more than \$5,000,000 for  
23 each fiscal year.

1           **TITLE VII—FOOD LOSS AND**  
2                           **WASTE**  
3           **Subtitle A—Food Date Labeling**

4   **SEC. 701. DEFINITIONS.**

5           In this subtitle:

6                   (1) **ADMINISTERING SECRETARIES.**—The term  
7           “administering Secretaries” means—

8                           (A) the Secretary, with respect to any  
9           product that is—

10                                   (i) under the jurisdiction of the Sec-  
11           retary; and

12                                   (ii)(I) a poultry product (as defined in  
13           section 4 of the Poultry Products Inspec-  
14           tion Act (21 U.S.C. 453));

15                                   (II) a meat food product (as defined  
16           in section 1 of the Federal Meat Inspection  
17           Act (21 U.S.C. 601)); or

18                                   (III) an egg product (as defined in  
19           section 4 of the Egg Products Inspection  
20           Act (21 U.S.C. 1033)); and

21                           (B) the Secretary of Health and Human  
22           Services, with respect to any product that is—

23                                   (i) under the jurisdiction of the Sec-  
24           retary of Health and Human Services; and

1 (ii) a food (as defined in section 201  
2 of the Federal Food, Drug, and Cosmetic  
3 Act (21 U.S.C. 321)).

4 (2) DISCARD DATE.—The term “discard date”  
5 means a date voluntarily printed on food packaging  
6 that signifies the end of the estimated period of shelf  
7 life under any stated storage conditions, after which  
8 the food labeler advises the product not be con-  
9 sumed.

10 (3) FOOD LABELER.—The term “food labeler”  
11 means the producer, manufacturer, distributor, or  
12 retailer that places a date label on food packaging  
13 of a product.

14 (4) QUALITY DATE.—The term “quality date”  
15 means a date voluntarily printed on food packaging  
16 that is intended to communicate to consumers the  
17 date after which—

18 (A) the quality of the product may begin  
19 to deteriorate; but

20 (B) the product remains apparently whole-  
21 some food (as defined in subsection (b) of the  
22 Bill Emerson Good Samaritan Food Donation  
23 Act (42 U.S.C. 1791(b))).

24 **SEC. 702. QUALITY DATES AND DISCARD DATES.**

25 (a) QUALITY DATES.—

1           (1) IN GENERAL.—If a food labeler includes a  
2           quality date on food packaging, the label shall use  
3           the uniform quality date label phrase under para-  
4           graph (2).

5           (2) UNIFORM PHRASE.—The uniform quality  
6           date label phrase under this paragraph shall be  
7           “BEST If Used By” or, if permissible under sub-  
8           section (c)(3), the standard abbreviation of “BB”,  
9           unless and until the administering Secretaries, act-  
10          ing jointly, specify through rulemaking another uni-  
11          form phrase to be used for purposes of complying  
12          with paragraph (1).

13          (3) OPTION OF THE LABELER.—The decisions  
14          on whether to include a quality date on food pack-  
15          aging and which foods should be so labeled shall be  
16          at the discretion of the food labeler.

17          (b) DISCARD DATES.—

18               (1) IN GENERAL.—If a food labeler includes a  
19               discard date on food packaging, the label shall use  
20               the uniform discard date label phrase under para-  
21               graph (2).

22               (2) UNIFORM PHRASE.—The uniform discard  
23               date label phrase under this paragraph shall be  
24               “USE By” or, if permissible under subsection  
25               (c)(3), the standard abbreviation of “UB”, unless

1 and until the administering Secretaries, acting joint-  
2 ly, specify through rulemaking another uniform  
3 phrase to be used for purposes of complying with  
4 paragraph (1).

5 (3) OPTION OF THE LABELER.—The decisions  
6 on whether to include a discard date on food pack-  
7 aging and which foods should be so labeled shall be  
8 at the discretion of the food labeler.

9 (c) QUALITY DATE AND DISCARD DATE LABEL-  
10 ING.—

11 (1) IN GENERAL.—The quality date or discard  
12 date, as applicable, and immediately adjacent uni-  
13 form quality date label phrase or discard date label  
14 phrase—

15 (A) shall be—

16 (i) in single easy-to-read type style;

17 and

18 (ii) located in a conspicuous place on

19 the package of the food; and

20 (B) may be on the label or, at the discre-

21 tion of the food labeler, elsewhere on the pack-

22 age.

23 (2) DATE FORMAT.—Each quality date and dis-

24 card date shall be stated in terms of day and month

25 and, as appropriate, year.

1           (3) ABBREVIATIONS.—A food labeler may use a  
2           standard abbreviation of “BB” and “UB” for the  
3           quality date and discard date, respectively, only if  
4           the food packaging is too small to include the uni-  
5           form phrase described in subsection (a)(2) or (b)(2),  
6           as applicable.

7           (4) FREEZE BY.—A food labeler may add “or  
8           Freeze By” following a quality date or discard date  
9           uniform phrase.

10          (d) EDUCATION.—Not later than 1 year after the  
11          date of enactment of this Act, the administering Secre-  
12          taries, acting jointly, shall provide consumer education  
13          and outreach on the meaning of quality date and discard  
14          date food labels.

15          (e) RULES OF CONSTRUCTION; PREEMPTION.—

16                (1) INFANT FORMULA.—This title and the  
17                amendments made by this title shall not—

18                    (A) apply to infant formula (as defined in  
19                    section 201 of the Federal Food, Drug, and  
20                    Cosmetic Act (21 U.S.C. 321)); and

21                    (B) affect the requirements relating to in-  
22                    fant formula established under section 412 of  
23                    the Federal Food, Drug, and Cosmetic Act (21  
24                    U.S.C. 350a) or other applicable provisions of  
25                    law.

1           (2) SALE OR DONATION OF FOOD BASED ON  
2 DISCARD DATE.—Nothing in this title or an amend-  
3 ment made by this title prohibits any State or polit-  
4 ical subdivision of a State from establishing or con-  
5 tinuing in effect any requirement that prohibits the  
6 sale or donation of foods based on passage of the  
7 discard date.

8           (3) TIME TEMPERATURE INDICATOR LABELS.—  
9 Nothing in this title or an amendment made by this  
10 title prohibits or restricts the use of time-tempera-  
11 ture indicator labels or similar technology that is in  
12 addition to or in lieu of any uniform quality date  
13 label phrase under subsection (a)(2) or uniform dis-  
14 card date label phrase under subsection (b)(2).

15           (4) PREEMPTION.—No State or political sub-  
16 division of a State may establish or continue in ef-  
17 fect any requirement that—

18           (A) relates to the inclusion in food labeling  
19 of a quality date or a discard date that is dif-  
20 ferent from or in addition to, or that is other-  
21 wise not identical with, the requirements of this  
22 Act and the amendments made by this Act; or

23           (B) prohibits the sale or donation of foods  
24 based on passage of the quality date.



1           (5) ENFORCEMENT.—The administering Secre-  
2           taries, acting jointly and in coordination with the  
3           Federal Trade Commission, shall ensure that the  
4           uniform quality date label phrase and uniform dis-  
5           card date label phrase are standardized across all  
6           food products.

7           (6) SAVINGS.—Notwithstanding paragraph (4),  
8           nothing in this title, any amendment made by this  
9           title, or any standard or requirement imposed pursu-  
10          ant to this title preempts, displaces, or supplants  
11          any State or Federal common law rights or any  
12          State or Federal statute creating a remedy for civil  
13          relief, including a remedy for civil damage, or a pen-  
14          alty for criminal conduct.

15 **SEC. 703. MISBRANDING.**

16          (a) FDA VIOLATIONS.—Section 403 of the Federal  
17          Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-  
18          ed by adding at the end the following:

19               “(z) If it is food and its labeling is in violation of  
20          section 702 of the Agriculture Resilience Act of 2021.”.

21          (b) POULTRY PRODUCTS.—Section 4(h) of the Poul-  
22          try Products Inspection Act (21 U.S.C. 453(h)) is amend-  
23          ed—

24               (1) in paragraph (11), by striking “or” at the  
25          end;

1           (2) in paragraph (12), by striking the period at  
2           the end and inserting “; or”; and

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

4           “(13) if its labeling is in violation of section  
5           702 of the Agriculture Resilience Act of 2021.”.

6           (c) MEAT PRODUCTS.—Section 1(n) of the Federal  
7           Meat Inspection Act (21 U.S.C. 601(n)) is amended—

8           (1) in paragraph (11), by striking “or” at the  
9           end;

10          (2) in paragraph (12), by striking the period at  
11          the end and inserting “; or”; and

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

13          “(13) if its labeling is in violation of section  
14          702 of the Agriculture Resilience Act of 2021.”.

15          (d) EGG PRODUCTS.—Section 7(b) of the Egg Prod-  
16          ucts Inspection Act (21 U.S.C. 1036(b)) is amended in  
17          the first sentence by inserting “or if its labeling is in viola-  
18          tion of section 702 of the Agriculture Resilience Act of  
19          2021” before the period at the end.

20       **SEC. 704. REGULATIONS.**

21           Not later than 2 years after the date of enactment  
22           of this Act, the administering Secretaries, acting jointly,  
23           shall promulgate final regulations for carrying out this  
24           title and the amendments made by this title.

1 **SEC. 705. DELAYED APPLICABILITY.**

2 This title and the amendments made by this title  
3 shall apply only with respect to food products that are la-  
4 beled on or after the date that is 2 years after the date  
5 of promulgation of final regulations under section 704.

6 **Subtitle B—Other Provisions**

7 **SEC. 711. COMPOSTING AS CONSERVATION PRACTICE.**

8 (a) DEFINITIONS.—Section 1201(a) of the Food Se-  
9 curity Act of 1985 (16 U.S.C. 3801(a)) (as amended by  
10 section 307(a)) is amended—

11 (1) by redesignating paragraphs (3) through  
12 (27) as paragraphs (4) through (28), respectively;  
13 and

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

16 “(3) COMPOSTING PRACTICE.—The term  
17 ‘composting practice’ means—

18 “(A) an activity (including an activity that  
19 does not require the use of a composting facil-  
20 ity) to produce compost from organic waste  
21 that is—

22 “(i) generated on a farm; or

23 “(ii) brought to a farm from a nearby  
24 community; and

25 “(B) the use of compost on a farm to im-  
26 prove water retention and soil health, subject to

1           the condition that such a use shall be in compli-  
2           ance with applicable Federal, State, and local  
3           laws.”.

4           (b) CONSERVATION STEWARDSHIP PROGRAM.—Sec-  
5           tion 1240I(2)(B)(i) of the Food Security Act of 1985 (16  
6           U.S.C. 3839aa–21(2)(B)(i)) is amended by inserting “and  
7           composting practices” after “agriculture drainage man-  
8           agement systems”.

9           (c) ENVIRONMENTAL QUALITY INCENTIVES PRO-  
10          GRAM.—Section 1240A(6)(A)(ii) of the Food Security Act  
11          of 1985 (16 U.S.C. 3839aa–1(6)(A)(ii)) is amended by in-  
12          serting “, including composting practices” before the semi-  
13          colon at the end.

14          (d) DELIVERY OF TECHNICAL ASSISTANCE.—Section  
15          1242(h) of the Food Security Act of 1985 (16 U.S.C.  
16          3842(h)) is amended by adding at the end the following:

17                 “(5) DEVELOPMENT OF COMPOSTING PRACTICE  
18                 STANDARD.—In addition to conducting a review of  
19                 any composting facilities practice standard under  
20                 this subsection, the Secretary shall develop and im-  
21                 plement a composting practice standard.”.

22         **SEC. 712. AMENDMENTS TO FEDERAL FOOD DONATION**  
23                 **ACT.**

24          (a) PURPOSE.—Section 2 of the Federal Food Dona-  
25          tion Act of 2008 (Public Law 110–247; 42 U.S.C. 1792

1 note) is amended by striking “encourage” and inserting  
2 “require”.

3 (b) DEFINITIONS.—Section 3 of the Federal Food  
4 Donation Act of 2008 (Public Law 110–247; 42 U.S.C.  
5 1792 note) is amended—

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

8 (2) by inserting after paragraph (2) the fol-  
9 lowing:

10 “(3) EXECUTIVE AGENCY.—The term ‘executive  
11 agency’ has the meaning given the term in section  
12 133 of title 41, United States Code.”.

13 (c) REPORT ON FOOD WASTE BY CERTAIN FEDERAL  
14 CONTRACTORS.—Section 4 of the Federal Food Donation  
15 Act of 2008 (42 U.S.C. 1792) is amended—

16 (1) by striking subsection (a) and inserting the  
17 following:

18 “(a) IN GENERAL.—

19 “(1) REQUIREMENT.—Not later than 180 days  
20 after the date of enactment of the Agriculture Resil-  
21 ience Act of 2021, the Federal Acquisition Regula-  
22 tion issued in accordance with section 1121 of title  
23 41, United States Code, shall be revised to provide  
24 that, except as provided in paragraph (2), all con-  
25 tracts greater than \$10,000 for the provision, serv-

1 ice, or sale of food in the United States, or for the  
2 lease or rental of Federal property to a private enti-  
3 ty for events at which food is provided in the United  
4 States, shall include a clause that—

5 “(A) requires the donation of excess, ap-  
6 parently wholesome food to nonprofit organiza-  
7 tions that provide assistance to food-insecure  
8 people in the United States;

9 “(B) states the terms and conditions de-  
10 scribed in subsection (b); and

11 “(C) requires the submission of a report,  
12 annually if applicable—

13 “(i) in a form and manner specified  
14 by the executive agency awarding the con-  
15 tract; and

16 “(ii) that describes, for each month of  
17 performance of the contract during the pe-  
18 riod covered by the report, the weight of  
19 apparently wholesome food that was dis-  
20 posed of pursuant to the contract by—

21 “(I) donation, organized by the  
22 name of the organization receiving the  
23 food;

24 “(II) composting or other recy-  
25 cling; or

1                   “(III) discarding, organized by  
2                   the reason that the food was dis-  
3                   carded.

4                   “(2) EXCEPTION.—Paragraph (1) shall not  
5                   apply to a contract with an executive agency that  
6                   has issued a regulation in effect on the date of en-  
7                   actment of the Agriculture Resilience Act of 2021  
8                   that prohibits a donation described in paragraph  
9                   (1)(A).”; and

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

11                   “(c) APPLICATION TO CONGRESS.—

12                   “(1) CONTRACTS.—This Act shall apply to the  
13                   House of Representatives and the Senate, and to  
14                   contracts entered into by the House of Representa-  
15                   tives and the Senate, in the same manner and to the  
16                   same extent as this Act applies to an executive agen-  
17                   cy and to contracts entered into by an executive  
18                   agency pursuant to this Act.

19                   “(2) ADMINISTRATION.—For purposes of car-  
20                   rying out paragraph (1)—

21                   “(A) the Chief Administrative Officer of  
22                   the House of Representatives shall be consid-  
23                   ered to be the head of the House of Representa-  
24                   tives; and

1           “(B) the Secretary of the Senate shall be  
2           considered to be the head of the Senate.

3           “(d) REPORTS.—

4           “(1) REPORT TO OMB.—Not later than 30 days  
5           after the date on which an executive agency receives  
6           a report described in subsection (a)(1)(C), the execu-  
7           tive agency shall submit a copy of the report to the  
8           Director of the Office of Management and Budget.

9           “(2) REPORT TO CONGRESS.—The Director of  
10          the Office of Management and Budget shall submit  
11          to Congress an annual report aggregating the infor-  
12          mation in the reports received under paragraph (1)  
13          during the year covered by the report to Congress.”.

14          (d) AUTHORIZATION OF APPROPRIATIONS.—The  
15          Federal Food Donation Act of 2008 (Public Law 110–  
16          247; 122 Stat. 2314) is amended by adding at the end  
17          the following:

18          **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

19                 “‘There is authorized to be appropriated to the Sec-  
20          retary of Agriculture to carry out this Act \$10,000,000  
21          for fiscal year 2022 and each fiscal year thereafter.’”.



1 **SEC. 713. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
 2 **GESTION      FOOD      WASTE-TO-ENERGY**  
 3 **PROJECTS.**

4       (a) IN GENERAL.—Subtitle G of the Solid Waste Dis-  
 5 posal Act (42 U.S.C. 6971 et seq.) is amended by adding  
 6 at the end the following:

7 **“SEC. 7011. GRANTS FOR COMPOSTING AND ANAEROBIC DI-**  
 8 **GESTION      FOOD      WASTE-TO-ENERGY**  
 9 **PROJECTS.**

10       “(a) DEFINITION OF STATE.—In this section, the  
 11 term ‘State’ means—

12               “(1) each of the several States;

13               “(2) the District of Columbia;

14               “(3) each territory or possession of the United  
 15 States; and

16               “(4) each federally recognized Indian Tribe.

17       “(b) GRANTS.—The Administrator shall establish a  
 18 grant program to award grants to States eligible to receive  
 19 the grants under subsection (c)(1) to construct large-scale  
 20 composting or anaerobic digestion food waste-to-energy  
 21 projects.

22       “(c) ELIGIBLE STATES.—

23               “(1) ELIGIBILITY.—To be eligible to receive a  
 24 grant under this section, a State shall—

1           “(A) have in effect a plan to limit the  
2           quantity of food waste that may be disposed of  
3           in landfills in the State; and

4           “(B) provide to the Administrator—

5           “(i) a written commitment that the  
6           State has read and agrees to comply with  
7           the Food Recovery Hierarchy of the Envi-  
8           ronmental Protection Agency, particularly  
9           as applied to apparently wholesome food  
10          (as defined in section 22(b) of the Child  
11          Nutrition Act of 1966 (42 U.S.C.  
12          1791(b))) that may be provided to or re-  
13          ceived by the State; and

14          “(ii) a written end-product recycling  
15          plan that provides for the beneficial use of  
16          the material resulting from any anaerobic  
17          digestion food waste-to-energy operation  
18          with respect to which the grant is made, in  
19          a manner that meets all applicable Fed-  
20          eral, State, and local laws that protect  
21          human health and the environment.

22          “(2) LIMITATION.—A grant under subsection  
23          (b) may not be used for an anaerobic digester that  
24          uses solely manure as undigested biomass.



1       gram established under section 4 of the Child Nutri-  
2       tion Act of 1966 (42 U.S.C. 1773).

3           “(2) ESTABLISHMENT.—The Secretary shall  
4       carry out a program to make grants, on a competi-  
5       tive basis, to eligible local educational agencies to  
6       carry out food waste measurement, prevention, and  
7       reduction projects.

8           “(3) REGIONAL BALANCE.—In awarding grants  
9       under this subsection, the Secretary shall, to the  
10      maximum extent practicable, ensure—

11           “(A) that a grant is awarded to an eligible  
12      local educational agency in each region served  
13      by the Administrator of the Food and Nutrition  
14      Service; and

15           “(B) equitable treatment of rural, urban,  
16      and tribal communities.

17           “(4) GRANTS.—

18           “(A) APPLICATION.—To be eligible to re-  
19      ceive a grant under this subsection, an eligible  
20      local educational agency shall submit an appli-  
21      cation to the Secretary at such time, in such  
22      manner, and containing such information as the  
23      Secretary may require.

24           “(B) PRIORITY.—In making grants under  
25      this subsection, the Secretary shall give priority

1 to an eligible local educational agency that dem-  
2 onstrates in the application submitted under  
3 subparagraph (A) that the grant will be used—

4 “(i) to carry out experiential edu-  
5 cation activities that encourage children  
6 enrolled in the eligible local educational  
7 agency to participate in food waste meas-  
8 urement and education;

9 “(ii) to prioritize the best use of food  
10 in accordance with the Food Recovery Hi-  
11 erarchy published by the Administrator of  
12 the Environmental Protection Agency;

13 “(iii) with respect to food waste pre-  
14 vention and reduction, to collaborate with  
15 other eligible local educational agencies,  
16 Indian Tribes, nongovernmental and com-  
17 munity-based organizations, and other  
18 community partners;

19 “(iv) to establish a food waste meas-  
20 urement, prevention, and reduction project  
21 with long-term sustainability; and

22 “(v) to evaluate the activities de-  
23 scribed in clauses (i) through (iv) and  
24 make evaluation plans.

1           “(C) USE OF FUNDS.—An eligible local  
2 educational agency that receives a grant under  
3 this subsection shall use the grant to carry out  
4 1 or more of the following activities:

5           “(i) Planning a food waste measure-  
6 ment, prevention, and reduction project.

7           “(ii) Implementing a food waste meas-  
8 urement, prevention, and reduction project.

9           “(iii) Providing training to support a  
10 food waste measurement, prevention, and  
11 reduction project.

12           “(iv) Purchasing equipment to sup-  
13 port a food waste measurement, preven-  
14 tion, and reduction project.

15           “(v) Offering food waste education to  
16 students enrolled in the eligible local edu-  
17 cational agency.

18           “(D) COST-SHARING.—

19           “(i) IN GENERAL.—The amount of a  
20 grant provided under this subsection shall  
21 not exceed 75 percent of the total cost of  
22 the project for which the grant is provided.

23           “(ii) NON-FEDERAL SHARE.—An eligi-  
24 ble local educational agency that receives a  
25 grant under this subsection shall use non-

1 Federal funds in the form of cash or in-  
2 kind contributions, including facilities,  
3 equipment, or services provided by State  
4 and local governments, nonprofit organiza-  
5 tions, and private sources, to pay for the  
6 remaining cost of the project for which the  
7 grant is provided.

8 “(5) EVALUATION.—

9 “(A) COOPERATION.—As a condition of re-  
10 ceiving a grant under this subsection, each eli-  
11 gible local educational agency shall agree to co-  
12 operate in an evaluation by the Secretary of the  
13 project carried out by the eligible local edu-  
14 cational agency as part of the evaluation con-  
15 ducted by the Secretary under subparagraph  
16 (B).

17 “(B) PERIODIC EVALUATION.—Not later  
18 than 2 years after the date of enactment of the  
19 Agriculture Resilience Act of 2021, and every 2  
20 years thereafter, the Secretary shall evaluate  
21 the grants made under this subsection, includ-  
22 ing—

23 “(i) the amount of Federal funds used  
24 to award those grants; and

1                   “(ii) an evaluation of the outcomes of  
2                   the projects carried out using those grants.

3                   “(C) REPORT.—The Secretary shall sub-  
4                   mit to Congress as a report each evaluation car-  
5                   ried out under subparagraph (B).”.

6           (b) TECHNICAL ASSISTANCE.—Section 21(b) of the  
7 Richard B. Russell National School Lunch Act (42 U.S.C.  
8 1769b–1(b)) is amended—

9                   (1) in paragraph (2), by striking “and” at the  
10                  end;

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

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

14                  “(4) food waste measurement, prevention, and  
15                  reduction.”.

○