

118TH CONGRESS  
1ST SESSION

# S. 2180

To amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a small farm EQIP subprogram under the environmental quality incentives program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. BENNET (for himself, Mr. LUJÁN, Mr. BROWN, Mr. HEINRICH, Mrs. GILLIBRAND, Mr. WELCH, Mr. WYDEN, Mr. KING, Mr. SANDERS, Mr. REED, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a small farm EQIP subprogram under the environmental quality incentives program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Farm Conserva-  
5 tion Act”.

1 **SEC. 2. SMALL FARM EQUIP SUBPROGRAM.**

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

4 (1) in subsection (d)—

5 (A) by striking paragraph (1) and insert-  
6 ing the following:

7 “(1) AVAILABILITY; MINIMUM AMOUNT.—

8 “(A) AVAILABILITY.—A payment provided  
9 to a producer under the program shall be used  
10 to implement 1 or more practices under the  
11 program.

12 “(B) MINIMUM AMOUNT.—The amount of  
13 a payment provided to a producer under the  
14 program shall be not less than \$2,500.”;

15 (B) in paragraph (2), in the matter pre-  
16 ceding subparagraph (A), by striking “A pay-  
17 ment” and inserting “Subject to paragraph  
18 (1)(B), a payment”; and

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

20 “(8) SOIL HEALTH MANAGEMENT SYSTEM PAY-  
21 MENTS.—

22 “(A) IN GENERAL.—Notwithstanding para-  
23 graph (2), the Secretary shall increase the  
24 amount that would otherwise be provided for  
25 practices comprising a soil health management  
26 system on a farm by 50 percent for any appli-

1 cation for a soil health management system on  
 2 an operation of not more than 50 acres.

3 “(B) RAPID AND STREAMLINED APPLICA-  
 4 TION AND CONTRACT APPROVAL.—The Sec-  
 5 retary shall provide payments under this para-  
 6 graph on a continuous enrollment basis, using  
 7 a rapid and streamlined application and con-  
 8 tract approval process.”;

9 (2) in subsection (f), by adding at the end the  
 10 following:

11 “(3) SMALL FARM EQIP SUBPROGRAM.—

12 “(A) TOTAL FUNDING.—For each of fiscal  
 13 years 2024 through 2028, not less than  
 14 \$100,000,000 of the funds made available for  
 15 payments under the program shall be used to  
 16 carry out the subprogram established under  
 17 subsection (k).

18 “(B) TECHNICAL AND FINANCIAL ASSIST-  
 19 ANCE.—Of the amounts made available under  
 20 subparagraph (A)—

21 “(i) 35 percent shall be used to ensure  
 22 the provision of tailored technical assist-  
 23 ance for small-scale agricultural producers  
 24 by—

1                   “(I) hiring new Natural Re-  
 2                   sources Conservation Service staff  
 3                   who are familiar with the unique con-  
 4                   servations challenges faced by small-  
 5                   scale agricultural producers;

6                   “(II) training current Natural  
 7                   Resources Conservation Service field  
 8                   staff regarding the challenges de-  
 9                   scribed in subclause (I); and

10                   “(III) ensuring sufficient Natural  
 11                   Resources Conservation Service staff-  
 12                   ing levels to deliver a streamlined and  
 13                   expedited application and contracting  
 14                   experience to small-scale agricultural  
 15                   producers; and

16                   “(ii) 65 percent shall be used to pro-  
 17                   vide financial assistance directly to small-  
 18                   scale agricultural producers.”; and

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

20                   “(k) SMALL FARM EQIP SUBPROGRAM.—

21                   “(1) IN GENERAL.—In each State, the Sec-  
 22                   retary shall establish under the program a subpro-  
 23                   gram, under which the Secretary shall—

24                   “(A) provide financial and technical assist-  
 25                   ance to small-scale agricultural producers that

1 enter into contracts with the Secretary under  
2 the subprogram;

3 “(B) conduct outreach to small-scale agri-  
4 cultural producers to increase participation in  
5 the subprogram; and

6 “(C) provide to field staff of the Natural  
7 Resources Conservation Service training and  
8 education regarding the specific conservation  
9 needs of small-scale agricultural producers.

10 “(2) PAYMENTS.—

11 “(A) IN GENERAL.—The Secretary shall  
12 determine whether a small-scale agricultural  
13 producer is eligible to receive payments under  
14 this subsection—

15 “(i) on a State-by-State basis, subject  
16 to subparagraph (C);

17 “(ii) in consultation with the technical  
18 committee established under section  
19 1261(a) of the State in which the small-  
20 scale agricultural producer is located; and

21 “(iii) based on—

22 “(I) the operations of a small-  
23 scale agricultural producer, including  
24 with respect to farm size and gross  
25 sales;

1                   “(II) demographic data compiled  
2                   by the National Agricultural Statistics  
3                   Service relating to small-scale agricul-  
4                   tural producers, including—  
5                       “(aa) historically under-  
6                       served farmers, ranchers, and  
7                       forest owners, including—  
8                           “(AA) veteran farmers  
9                           and ranchers;  
10                      “(BB) limited-resource  
11                      farmers, ranchers, and for-  
12                      est owners;  
13                      “(CC) beginning farm-  
14                      ers and ranchers; and  
15                      “(DD) socially dis-  
16                      advantaged farmers; and  
17                      “(bb) farmers, ranchers, and  
18                      forest owners operating in high-  
19                      poverty areas;  
20                   “(III) the applicable advanced  
21                   payment requirements under sub-  
22                   section (d)(4); and  
23                   “(IV) other relevant information,  
24                   as determined by the Secretary.

1           “(B) AMOUNT.—The Secretary shall pro-  
2           vide payments under this subsection to a pro-  
3           ducer that is eligible for the payments under  
4           subparagraph (A) in such amount as the Sec-  
5           retary determines—

6                   “(i) achieves the purposes described in  
7                   subparagraphs (A) and (B) of paragraph  
8                   (1);

9                   “(ii) addresses natural resource con-  
10                  cerns relating to production on small-scale  
11                  agricultural operations; and

12                  “(iii) is in accordance with any appli-  
13                  cable increased payment requirements  
14                  under subsection (d)(4).

15           “(C) SIZE REQUIREMENTS.—

16                   “(i) IN GENERAL.—To be eligible to  
17                   receive a payment under subparagraph (A)  
18                   (other than a payment described in clause  
19                   (ii)), the farm size of an agricultural pro-  
20                   ducer may not exceed the median farm size  
21                   of the State in which the producer is lo-  
22                   cated, based on aggregate data published  
23                   by the National Agricultural Statistics  
24                   Service.

1           “(ii) LIVESTOCK AND PASTURE MAN-  
2           AGEMENT PAYMENTS.—To be eligible to  
3           receive a livestock or pasture management  
4           payment under subparagraph (A), the herd  
5           size of an agricultural producer may not  
6           exceed the median herd size of the State in  
7           which the producer is located, based on ag-  
8           gregate data published by the National Ag-  
9           ricultural Statistics Service.

10          “(3) APPLICATIONS.—

11           “(A) IN GENERAL.—To be eligible to re-  
12           ceive financial and technical assistance under  
13           this subsection, a producer that is eligible for  
14           the assistance under paragraph (2)(A) shall  
15           submit to the Secretary an application at such  
16           time, in such manner, and containing such in-  
17           formation as the Secretary may require.

18           “(B) ADMINISTRATION.—To the maximum  
19           extent practicable, the Secretary shall limit the  
20           administrative burdens, and the regulatory bar-  
21           riers that contribute to administrative burdens,  
22           on producers applying for payments under this  
23           subsection.

24           “(C) RAPID AND STREAMLINED APPLICA-  
25           TION AND CONTRACT APPROVAL.—The Sec-



1           retary shall provide payments under this para-  
2           graph on a continuous enrollment basis, using  
3           a rapid and streamlined application and con-  
4           tract approval process.

5           “(4) SUBPROGRAM COORDINATORS.—

6                   “(A) IN GENERAL.—Subject to subpara-  
7                   graph (B), the Secretary shall designate—

8                           “(i) a national subprogram coordi-  
9                           nator; and

10                           “(ii) a subprogram coordinator in  
11                           each State.

12                   “(B) REQUIREMENTS.—At the time of des-  
13                   ignation under subparagraph (A), a national or  
14                   State subprogram coordinator shall be—

15                           “(i) an employee of the Natural Re-  
16                           sources Conservation Service; and

17                           “(ii) responsible for, on a national or  
18                           statewide basis, respectively—

19                                   “(I) public outreach relating to  
20                                   the subprogram;

21                                   “(II) assisting producers in the  
22                                   submission of applications under the  
23                                   subprogram;

1                   “(III) distributing financial and  
2                   technical assistance under this sub-  
3                   section; and

4                   “(IV) submitting to the Secretary  
5                   annual recommendations with respect  
6                   to additional conservation practice  
7                   standards and activities required to  
8                   better serve small-scale agricultural  
9                   producers.

10                  “(5) LANGUAGE REQUIREMENTS.—The Sec-  
11                  retary shall publish any outreach materials for  
12                  small-scale agricultural producers relating to the  
13                  subprogram under this subsection simultaneously  
14                  in—

15                         “(A) English; and

16                         “(B) such additional languages as the Sec-  
17                  retary determines to be appropriate for each ap-  
18                  plicable State.

19                  “(6) REPORT.—Not later than May 1, 2027,  
20                  the Secretary shall submit to the Committee on Ag-  
21                  riculture, Nutrition, and Forestry of the Senate and  
22                  the Committee on Agriculture of the House of Rep-  
23                  resentatives a report describing the results of the  
24                  subprogram under this subsection, including—

1           “(A) activities carried out under paragraph  
2           (3)(B) to limit administrative burdens and reg-  
3           ulatory barriers; and

4           “(B) to the maximum extent practicable,  
5           demographic information relating to each small-  
6           scale agricultural producer participating in the  
7           subprogram, as the Secretary determines to be  
8           appropriate.”.

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