



## POST MARKUP SUMMARY OF TRIBAL SPECIFIC PROVISIONS AND TEXT IN THE HOUSE AGRICULTURE COMMITTEE ADOPTED FARM BILL H.R. 8467, THE FARM, FOOD, AND NATIONAL SECURITY ACT OF 2024

*Adapted from research conducted by the  
Indigenous Food and Agriculture Initiative*

May 24, 2024

*\*\*\*Disclaimer: This summary highlights Tribal-specific references (e.g., “Tribe”, “Tribal”, “Indian”, “Alaska Native”, “Native Hawaiian”, “1994”, “socially disadvantaged”, etc.). There may be additional provisions of importance to Native Farm Bill Coalition stakeholders that are not included in this summary.\*\*\**

On May 17, House Agriculture Committee Chairman GT Thompson (R-PA) released the discussion draft of [H.R. 8467](#), the Farm, Food, and National Security Act of 2024 (2024 Farm Bill). **The bill includes 46 provisions specifically referencing Indian Country.** These provisions make permanent and expand Tribal self-determination at the U.S. Department of Agriculture (USDA), make important advancements to forest service and conservation programs, provide Tribal parity, and much more.

On May 23-24, 2024, the House Agriculture Committee held a [markup](#) to consider amendments to the 2024 Farm Bill. At the beginning of the markup, Chairman Thompson’s [managers amendment](#) was adopted. Of interest to Indian Country, the managers amendment amends Sec. 4102 Food Distribution Program on Indian Reservations (FDPIR).<sup>1</sup> As initially drafted, Sec. 4102 would extend 638 to the Supplemental Nutrition Assistance Program (SNAP). As amended, the bill makes the 638 FDPIR pilot program authorized by the 2018 Farm Bill permanent—that is, the amendment would authorize the 638 FDPIR program, generally. Of note, Sec. 4102 directly amends the Indian Self-Determination Education and Assistance Act (ISDEAA).<sup>2</sup>

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<sup>1</sup> Agricultural Improvement Act of 2018, P.L. 115-334 (2018) (codified at [7 U.S.C. 2013 note](#)).

<sup>2</sup> 25 U.S.C. §§5301 et seq.



Rep. Sharice Davids (D-KS) also introduced two amendments that are of particular interest to Tribes – [Amendment #48](#) to make the FDPIR 638 pilot program permanent; and [Amendment #51](#) which would increase funding for the Farm Service Agency (FSA) with a carve out specifically dedicated to staffing in FSA county offices. Because the managers amendment made the FDPIR pilot program permanent, Rep. Davids did not offer Amendment #48. However, Rep. Davids did offer and withdrew Amendment #51. Chairman Thompson signaled he could not support Amendment #51 because of its price tag.

After considering the majority of the 60 [amendments](#) submitted to the Committee, the House Agriculture Committee voted 33 to 21 to approve the Farm, Food, and National Security Act of 2024 around roughly 12:30 a.m. on May 24, 2024. Four Democrats voted for the bill including Reps. Don Davis (D-NC), Sanford Bishop (D-GA), Eric Sorensen (D-IL) and Yadira Caraveo (D-CO).

Accompanying this report on the markup is a summary of Tribal provisions and corresponding text included in the House Agriculture Committee's 2024 Farm Bill as approved out of the Committee.

Title I – Commodities	Summary of Tribal Provisions
No Tribal specific provisions.	No Tribal specific provisions.
Title II – Conservation ( <i>emphasis added</i> )	Summary of Tribal Provisions
<p><b>Subtitle A – Definitions</b>  <b>SEC. 2001. DEFINITIONS</b></p> <p>Sec. 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended—</p> <p>(1) in the matter preceding paragraph (1), by striking “subtitles A through I:” and inserting “subtitles A through J:”;</p> <p>(2) in paragraph (14), by striking “term ‘<i>Indian tribe</i>’ has the meaning given the term” and inserting “terms ‘<i>Indian tribe</i>’ and ‘<i>Indian Tribe</i>’ have the meaning given those terms”;</p> <p>(3) by redesignating paragraph (20) through (27) as paragraphs (22) through (29), respectively; and</p> <p>(4) by inserting after paragraph (19) the following:</p> <p>“(20) PRECISION AGRICULTURE.—The term ‘precision agriculture’ means managing, tracking, or reducing crop or livestock production inputs, including seed, feed, fertilizer, chemicals, water, and time, at a heightened level of spatial and temporal granularity to improve efficiencies, reduce waste, and maintain environmental quality.</p> <p>“(21) PRECISION AGRICULTURE TECHNOLOGY.—The term ‘precision agriculture technology’ means any</p>	<p><b>Subtitle A – Definitions</b>  <b>SEC. 2001. DEFINITIONS.</b></p> <ul style="list-style-type: none"> <li>o Amends the section to explicitly define “Indian Tribe” pursuant to ISDEAA, as amended.<sup>3</sup></li> </ul>

<sup>3</sup> 25 U.S.C. 5304(e). ISDEAA defines “Indian Tribe” as “any Indian Tribe, band, nation or other organized group or community, including any Alaska Native village or regional village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (ANCS) (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”

<p>technology (including equipment that is necessary for the deployment of such technology) that directly contributes to a reduction in, or improved efficiency of, inputs used in crop or livestock production, including—</p> <p>“(A) Global Positioning System-based or geospatial mapping technology;</p> <p>“(B) satellite or aerial imagery technology;</p> <p>“(C) yield monitors;</p> <p>“(D) soil mapping technology;</p> <p>“(E) sensors for gathering data on crop, soil, or livestock conditions;</p> <p>“(F) Internet of Things and telematics technologies;</p> <p>“(G) data management software and advanced analytics;</p> <p>“(H) network connectivity products and solutions;</p> <p>“(I) Global Positioning System guidance or auto-steer systems;</p> <p>“(J) variable rate technology for applying inputs, such as section control; and</p> <p>“(K) any other technology, as determined by the Secretary, that directly contributes to a reduction in, or improved efficiency of, the use of crop or livestock production inputs, which may include seed, feed, fertilizer, chemicals, water, and time.”.</p>	
<p><b>Subtitle B –Conservation Reserve Program SEC</b>  <b>2101. DEFINITIONS.</b></p> <p>Subchapter B of chapter 1 of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) is amended by inserting before section 1231 the following:</p>	<p><b>Subtitle B – Conservation Reserve Program SEC</b>  <b>2101. DEFINITIONS.</b></p> <ul style="list-style-type: none"> <li>o Makes Tribes eligible partners for the Conservation Reserve Program (CRP).</li> </ul>

**“SEC. 1230. DEFINITIONS.**

“In this subchapter:

“(1) CONSERVATION BUFFER.—The term ‘conservation buffer’ means a practice that, once established, provides a benefit to water quality or another resource concern, including—

“(A) a grass sod waterway;

“(B) a contour grass sod strip;

“(C) a prairie strip;

“(D) a filterstrip;

“(E) a field border;

“(F) a living snow fence;

“(G) a riparian buffer;

“(H) a shelterbelt or windbreak;

“(I) a wetland or a wetland buffer (including a buffer for prairie potholes, a playa, or a pocosin);

“(J) a saturated buffer;

“(K) a bioreactor;

“(L) a wellhead protection area; and

“(M) other similar practices, as determined by the Secretary.

“(2) CONSERVATION RESERVE PLAN.—The term ‘conservation reserve plan’ means a plan for land enrolled in the conservation reserve under a contract entered into under this subchapter that—

“(A) covers the full term of the contract;

“(B) details the practices to be implemented under the contract and a schedule for establishment, evaluation, and monitoring of the applicable vegetative cover;

“(C) prescribes and schedules management to be conducted on the established cover throughout the term of the contract;

“(D) sets forth the commercial use, if any, to be permitted on the land during the term of the contract; and

“(E) may be modified, with the approval of the Secretary, when necessary to achieve the purposes of the program.

“(3) CONSERVATION RESERVE PROGRAM.—The term ‘conservation reserve program’ means the conservation reserve program established under this subchapter.

“(4) CONTINUOUS ENROLLMENT OPTION.—The term ‘continuous enrollment option’ means the continuous enrollment option offered under section 1231(d)(1)(B).

“(5) ELIGIBLE LAND.—The term ‘eligible land’ means land that is authorized to be included in the conservation reserve program under section 1231(b).

**“(6) ELIGIBLE PARTNER.—The term ‘eligible partner’ means—**

“(A) a State;

“(B) a political subdivision of a State;

**“(C) an Indian Tribe; or**

“(D) a nongovernmental organization.

“(7) GENERAL ENROLLMENT OPTION.—The term ‘general enrollment option’ means the general enrollment option offered under section 1231(d)(1)(A).

“(8) GRASSLANDS ENROLLMENT OPTION.—The term ‘grasslands enrollment option’ means the grasslands enrollment option offered under section 1231(d)(1)(C).

“(9) LAND CAPABILITY CLASS.—The term ‘land capability class’ means a soil classification assigned using the land capability classification system in effect on December 23, 1985.

“(10) PARTNERSHIP INITIATIVES ENROLLMENT OPTION.—The term ‘partnership initiatives enrollment

<p>option’ means the partnership initiatives enrollment option offered under section 1231(d)(1)(D).”.</p>	
<p><b>Subtitle D – Conservation Stewardship Program</b>  <b>SEC. 2303. STATE ASSISTANCE FOR SOIL HEALTH.</b></p> <p>Subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa– et seq.) is amended by adding at the end the following:</p> <p>“SEC. 1240L–2. STATE ASSISTANCE FOR SOIL HEALTH.</p> <p>“(a) DEFINITIONS.—In this section:</p> <p>    <b>“(1) ELIGIBLE INDIAN TRIBE.—The term ‘eligible Indian Tribe’ means an Indian Tribe that is—</b></p> <p>        <b>“(A) implementing a soil health program for the area over which the Indian Tribe has jurisdiction; and</b></p> <p>        <b>“(B) meeting or exceeding performance measures established by the Indian Tribe for the soil health program.</b></p> <p>    “(2) ELIGIBLE STATE.—The term ‘eligible State’ means a State that is—</p> <p>        “(A) implementing a soil health program for the State; and</p> <p>        “(B) meeting or exceeding performance measures established by the State for the soil health program.</p> <p>    “(3) SOIL HEALTH PROGRAM.—The term ‘soil health program’ means a program to improve soil health on agricultural land that—</p> <p>        “(A) is broadly consistent with the soil health principles of the Natural Resources Conservation Service, as determined by the Secretary; and</p> <p>        “(B) may include—</p> <p>            “(i) technical assistance;</p> <p>            “(ii) financial assistance;</p>	<p><b>Subtitle D – Conservation Stewardship Program</b>  <b>SEC. 2303. STATE ASSISTANCE FOR SOIL HEALTH.</b></p> <ul style="list-style-type: none"> <li>o Makes Tribes eligible entities for the soil health program.</li> <li>o Prioritizes applications from Tribes with climate action plans that include soil health provisions.</li> <li>o Grants are capped at \$5 million or 75% of the total cost, whichever is lower.</li> <li>o Provides that Tribes may be incorporated into a State’s application at Tribe’s discretion.</li> <li>o Requires annual audits, non-compliance will disqualify from future grants.</li> <li>o Administrative costs are capped at 7%.</li> </ul>

- “(iii) on-farm research and demonstration;
- “(iv) education, outreach, and training;
- “(v) monitoring and evaluation; or
- “(vi) such other components as the

Secretary determines appropriate.

“(b) AVAILABILITY AND PURPOSE OF GRANTS.—For fiscal years 2025 through 2029, the Secretary shall make grants to eligible States and eligible Indian Tribes for the purpose of improving soil health on agricultural lands through the implementation of State and Tribal soil health programs.

“(c) APPLICATIONS.—

“(1) IN GENERAL.—To receive a grant under this section, an eligible State or eligible Indian Tribe shall submit to the Secretary an application at such time, in such a manner, and containing such information as the Secretary shall require, which shall include—

“(A) a description of performance measures to be used to evaluate the State or Tribal soil health program and the results of any activities carried out using grant funds received under this section; and

“(B) an assurance that grant funds received under this section will supplement the expenditure of State or Tribal funds in support of soil health, rather than replace such funds.

“(2) **TRIBAL OPTION.**—*An Indian Tribe shall have the option, at the sole discretion of the Indian Tribe, to be incorporated into the application of an eligible State.*

“(d) **PRIORITY.**—*In making grants under this section, the Secretary shall give priority to eligible States and eligible Indian Tribes with a climate action plan that includes soil health, as determined by the Secretary.*

“(e) GRANTS.—



***“(1) AMOUNT.—The amount of a grant to an eligible State or eligible Indian Tribe under this section for a fiscal year may not exceed the lower of—***

***“(A) \$5,000,000; or***

***“(B) as applicable—***

***“(i) 50 percent of the cost of implementing the State soil health program in the fiscal year; or***

***“(ii) 75 percent of the cost of implementing the Tribal soil health program in the fiscal year.***

***“(2) TERM.—A grant under this section shall be for 1 year, and may be renewed annually.***

***“(f) AUDITS AND REVIEWS.—An eligible State or eligible Indian Tribe receiving a grant under this section shall submit to the Secretary—***

***“(1) for each year for which the State or Indian Tribe receives such a grant, the results of an audit of the expenditures of the grant funds; and***

***“(2) at such intervals as the Secretary shall establish a review and evaluation of the State or Tribal soil health program.***

***“(g) EFFECT OF NONCOMPLIANCE.—If the Secretary, after reasonable notice to an eligible State or eligible Indian Tribe receiving a grant under this section, finds that the State or Indian Tribe has failed to comply with the terms of the grant, the Secretary may disqualify, for 1 or more years, the State or Indian Tribe from receipt of future grants under this section.***

***“(h) FUNDING.—Of the funds made available to carry out this subchapter, \$100,000,000 shall be available in each of fiscal years 2025 through 2029 to carry out this section.***

***“(i) ADMINISTRATION.—***

***“(1) DEPARTMENT.—The Secretary may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.***

<p><b><i>“(2) STATES OR INDIAN TRIBES.—An eligible State or eligible <i>Indian Tribe</i> receiving a grant under this section may not use more than 7 percent of the granted funds for a fiscal year for administrative expenses.”</i></b></p>	
<p><b>Subtitle E – OTHER CONSERVATION PROGRAMS</b>  <b>SEC. 2404. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM</b></p> <p>Section 1240R(f) of the Food Security Act of 1985 (16 U.S.C. 3839bb–5(f)) is amended to read as follows:</p> <p>“(f) FUNDING.—</p> <p>‘(1) MANDATORY FUNDING.—Of the funds made available under section 1241(a)(3)(A), the Secretary shall use to carry out this section \$150,000,000 for the period of fiscal years 2025 through 2029.</p> <p>(2) ENHANCED PUBLIC ACCESS TO WETLAND RESERVE EASEMENTS.—To the maximum extent practicable, of the funds made available under paragraph (1), the Secretary shall use \$3,000,000 for the period of fiscal years 2025 through 2029 to encourage public access to land covered by wetland reserve easements under section 1265C through agreements with States and <i>Tribal governments</i> under this section</p>	<p><b>Subtitle E – OTHER CONSERVATION PROGRAMS</b>  <b>SEC. 2404. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM</b></p> <ul style="list-style-type: none"> <li>o Renews funding for public access to lands covered by wetland reserve easements under Voluntary Public Access and Habitat Incentive Program.</li> <li>o Tribal eligibility was authorized in a previously authorized Farm Bill and remains unchanged.</li> </ul>
<p><b>Subtitle E – OTHER CONSERVATION PROGRAMS</b>  <b>SEC. 2407. EMERGENCY WATERSHED PROGRAM.</b></p> <p>(a) FLOODPLAIN EASEMENTS.—Section 403(b) of the Agricultural Credit Act of 1978 (16 U.S.C. 2203(b)) is amended—</p> <p>(1) by redesignating paragraphs (1) and (2) as paragraphs (5) and (6);</p> <p>(2) by inserting after the subsection header the following:</p> <p>“(1) EASEMENT RESTORATION.—The Secretary is authorized to restore appropriate vegetative cover,</p>	<p><b>Subtitle E – OTHER CONSERVATION PROGRAMS</b>  <b>SEC. 2407. EMERGENCY WATERSHED PROGRAM.</b></p> <ul style="list-style-type: none"> <li>o Authorizes the Secretary to enter into contracts with landowners and agreements with Indian Tribes to restore appropriate vegetative cover, hydrological functions, and other functions and values of land subject to a floodplain easement acquired under the emergency watershed program.</li> </ul>

hydrological functions, and other functions and values of the land subject to a floodplain easement acquired under subsection (a).

“(2) EASEMENT MAINTENANCE.—The Secretary is authorized to monitor, maintain, and enhance appropriate vegetative cover, hydrological restoration measures, and other restoration measures on land subject to a floodplain easement acquired under subsection (a).

“(3) CONTRACTS AND AGREEMENTS.—In carrying out paragraphs (1) and (2), the Secretary may—

“(A) enter into contracts with landowners; and

“(B) enter into agreements with States,

nongovernmental organizations, and ***Indian Tribes***.

“(4) COMPATIBLE USE AUTHORITY.—The Secretary may authorize a landowner to carry out activities on land subject to a floodplain easement acquired under subsection (a) that are—

“(A) compatible uses necessary to carry out paragraph (1) or (2); or

“(B) compatible economic uses (including such activities as hunting and fishing, managed timber harvest, water management, or periodic haying or grazing) if such uses are consistent with the long-term protection of the floodplain functions and values for which the easement was acquired.”; and

(3) in paragraph (6), as so redesignated, by striking “paragraph (1)” and inserting “paragraph (5)” each place it appears.

(b) LEVEL OF RESTORATION.—Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended by adding at the end the following:

“(c) LEVEL OF RESTORATION.—In carrying out this section, the Secretary may undertake measures that increase the level of

- o The Secretary may also monitor, maintain and enhance appropriate vegetative cover, hydrological restoration, and other restoration measures on land subject to a floodplain easement acquired under the program.

<p>protection above that which would be necessary to address the immediate impairment of the watershed if the Secretary determines that such restoration is in the best interest of the long-term health of the watershed and the long-term protection of the watershed from repetitive impairments.”.</p>	
<p><b>Subtitle F – FUNDING AND ADMINISTRATION</b>  <b>SEC. 2503. DELIVERY OF TECHNICAL ASSISTANCE.</b></p> <p>(a) DEFINITIONS.—Section 1242(a) of the Food Security Act of 1985 (16 U.S.C. 3842(a)) is amended—</p> <p>(1) by redesignating paragraph (2) as paragraph (3); and</p> <p>(2) by inserting after paragraph (1) the following:</p> <p><b>“(2) NON-FEDERAL CERTIFYING ENTITY.—The term ‘non-Federal certifying entity’ means a non-Federal entity, an Indian Tribe, or a State agency described in subparagraph (B), (C), or (D) of subsection (e)(4) that has entered into an agreement under subsection (e)(5)(D).”.</b></p> <p>(b) PURPOSE OF TECHNICAL ASSISTANCE.—Section 1242(b) of the Food Security Act of 1985 (16 U.S.C. 3842(b)) is amended by inserting “timely,” after “consistent,”.</p> <p>(c) NON-FEDERAL ASSISTANCE.—Section 1242(d) of the Food Security Act of 1985 (16 U.S.C. 3842(d)) is amended by inserting “(including private sector entities)” after “Department or non-Federal entities”.</p> <p>(d) CERTIFICATION OF THIRD-PARTY PROVIDERS.—Section 1242(e) of the Food Security Act of 1985 (16 U.S.C. 3842(e)) is amended—</p> <p>(1) in paragraph (2), by striking “Food, Conservation, and Energy Act of 2008” and inserting “Farm, Food, and National Security Act of 2024”;</p> <p>(2) by amending paragraph (3)(A) to read as follows:</p>	<p><b>Subtitle F – FUNDING AND ADMINISTRATION</b>  <b>SEC. 2503. DELIVERY OF TECHNICAL ASSISTANCE.</b></p> <ul style="list-style-type: none"> <li>o Authorizes Tribes to be a non-federal certifying entity for third-party technical assistance certification.</li> <li>o Requires the Secretary to make public the number of Tribes that have been certified as a non-federal certifying entity and how many third-party technical service providers (TSPs) Tribes have certified with that authority.</li> <li>o Provides authorization to certify TSPs.</li> <li>o Does not provide funding authorization.</li> </ul>

“(A) ensure that persons (including commercial entities, nonprofit entities, State or local governments or agencies, and other Federal agencies) with expertise in the technical aspects of conservation planning, watershed planning, environmental engineering, conservation practice design, implementation, and evaluation, and any other technical skills determined appropriate by the Secretary, are eligible to become approved providers of the technical assistance;” and

(3) by striking paragraphs (4) and (5) and inserting the following:

“(4) CERTIFICATION.—A third-party provider may be certified to provide technical assistance under this section only—

“(A) through a certification process administered by the Secretary, acting through the Chief of the Natural Resources Conservation Service;

“(B) by a non-Federal entity (other than a State agency or ***an Indian Tribe***) approved by the Secretary under paragraph (5) to certify a third-party provider;

***“(C) by an Indian Tribe approved by the Secretary under paragraph (5) to certify a third-party provider; or***

“(D) by a State agency that—

“(i) has statutory authority to certify, administer, or license professionals in one or more fields of natural resources, agriculture, or engineering; and

“(ii) is approved by the Secretary under paragraph (5) to certify a third-party provider.

“(5) NON-FEDERAL CERTIFYING ENTITY.—

“(A) ESTABLISHMENT OF APPROVAL PROCESS.—Not later than 180 days after the date of enactment of the Farm, Food, and National Security Act of 2024, the Secretary shall establish a process to approve a non-Federal entity (including a State agency and an Indian Tribe), to become a non-Federal certifying entity.

“(B) APPROVAL.—Not later than 60 days after the date on which the Secretary receives an application by a non-Federal entity to certify third-party providers under this section, the Secretary shall make a decision on whether to approve such application.

“(C) ELIGIBILITY.—In carrying out subparagraph (B), the Secretary shall take into consideration—

“(i) the ability of the applicable non-Federal entity to assess the qualifications of a third-party provider and to certify third-party providers at scale;

“(ii) the experience of the applicable non-Federal entity in working with third-party providers and eligible participants;

“(iii) the expertise of the applicable non-Federal entity in the technical skills described in paragraph (3)(A); and

“(iv) such other qualifications as the Secretary determines to be appropriate.

“(D) AGREEMENT.—Upon approving an application under this paragraph, the Secretary shall enter into an agreement with the non-Federal entity to become a non-Federal certifying entity.

<p>“(E) DUTIES OF NON-FEDERAL CERTIFYING ENTITIES.—In certifying third-party providers under this section, a non-Federal certifying entity shall—</p> <p>    “(i) assess the ability of a third-party provider to appropriately provide technical assistance to eligible participants for specified practices and conservation activities;</p> <p>    “(ii) provide training to ensure that a third-party provider is qualified to provide technical assistance upon certification by the non-Federal certifying entity; and</p> <p>    “(iii) submit to the Secretary, in a timely manner, information on—</p> <p>        “(I) each third-party provider certified by the non-Federal certifying entity, for inclusion on the registry of certified third-party providers maintained by the Secretary; and</p> <p>        “(II) each third-party provider the certification of which is withdrawn by the non-Federal certifying entity.</p> <p>“(6) TIMELY DECISIONS.—</p> <p>    “(A) CERTIFICATION BY SECRETARY.—Not later than 30 days after the date on which the Secretary receives an application from a third-party provider to be certified under the process described in paragraph (4)(A) for particular practices and conservation activities, the Secretary shall—</p> <p>        “(i) make a final decision with respect to such application; and</p> <p>        “(ii) if the final decision is to certify the third-party provider, include the name of the certified third-party provider on the registry of</p>	
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certified third-party providers maintained by the Secretary.

“(B) CERTIFICATION BY NON-FEDERAL

CERTIFYING ENTITY.—Not later than 10 days after the date on which the Secretary receives a notification from a non-Federal certifying entity that a third-party provider was certified, pursuant to subparagraph (B), (C), or (D) of paragraph (4), for particular practices and conservation activities, the Secretary shall include the name of the certified third-party provider on the registry of certified third-party providers maintained by the Secretary.

“(7) STREAMLINED CERTIFICATION.—Not later than 180 days after the date of enactment of the Farm, Food, and National Security Act of 2024, the Secretary shall establish a streamlined process for the Secretary and non-Federal certifying entities to use to certify under this section a third-party provider that has a relevant professional certification for particular practices and conservation activities, as determined by the Secretary.”.

(e) ADMINISTRATION.—Section 1242(f) of the Food Security Act of 1985 (16 U.S.C. 3842(f)) is amended—

(1) in paragraph (1), by striking “each of the programs specified in section 1241” and inserting “conservation programs administered by the Secretary”;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “or a non-Federal certifying entity” before “under this section”;

(3) by amending paragraph (3) to read as follows:

“(3) UPDATE OF CERTIFICATION PROCESS BY THE SECRETARY.—Not later than 1 year after the date of enactment of the Farm, Food, and National Security Act of 2024, and periodically thereafter, the Secretary shall—



<p>“(A) review the certification processes under paragraphs (4)(A) and (7) of subsection (e);</p> <p>“(B) make any adjustments considered necessary by the Secretary to—</p> <p>    “(i) increase the number of third-party providers delivering technical assistance; and</p> <p>    “(ii) improve the quality of technical assistance delivered by third-party providers;</p> <p>“(C) conduct outreach to, and receive input on the barriers for third-party providers to become certified under this section from—</p> <p>    “(i) third-party providers that are, or have been, certified under this section; and</p> <p>    “(ii) other interested parties associated with eligible participants; and</p> <p>“(D) set a target rate of utilization of third-party providers to deliver technical assistance across all conservation programs administered by the Secretary.”;</p> <p>(4) in paragraph (4)(A)(i), by inserting “(including maintenance)” after “implementation”;</p> <p>(5) by striking paragraph (5) and inserting the following:</p> <p>    “(5) PAYMENT AMOUNT.—</p> <p>        “(A) IN GENERAL.—For payments provided by the Secretary under paragraph (2) or (3) of subsection (c), the Secretary shall determine payment amounts for technical assistance provided by third-party providers, which shall be at rates equivalent to, but that do not exceed, the cost to the Secretary of providing technical assistance directly to an eligible participant.</p>	
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“(B) CONSIDERATIONS.—In determining payment amounts under subparagraph (A), the Secretary shall consider specialized equipment, frequency of site visits, training, travel and transportation, and such other factors as the Secretary determines to be appropriate.

“(C) EXCLUSION.—A payment provided under subsection (c)(3) shall be excluded from calculations relating to any cost-sharing requirements of the applicable conservation program under which the payment was provided.

“(6) TRANSPARENCY.—Not later than 1 year after the date of enactment of the Farm, Food, and National Security Act of 2024, and periodically thereafter, the Secretary shall make publicly available information on—

“(A) funds obligated to third-party providers through—

“(i) contracts entered into between eligible participants and individual third-party providers; and

“(ii) agreements with public and private sector entities to secure third-party technical assistance;

“(B) the certification process under this section, including—

“(i) the number of third-party providers certified by the Secretary;

“(ii) the number of non-Federal certifying entities approved by the Secretary;

“(iii) the number of third-party providers certified by non-Federal certifying entities (other than State agencies and *Indian Tribes*);

***“(iv) the number of third-party providers certified by Indian Tribes;***

*“(v) the number of third-party providers certified by State agencies; and*

*“(vi) the number of third-party providers certified through the streamlined certification process described in subsection (e)(7);*

*“(C) how third-party providers contribute to the quality and effectiveness of conservation practices implemented and adopted through conservation programs administered by the Secretary, and what improvements are needed; and*

*“(D) the target rate of utilization of third-party providers set under paragraph (3)(D) and how actual rate of utilization compares to the target rate.”; and*  
(6) by adding at the end the following:

*“(7) SOIL HEALTH PLANNING.—The Secretary shall emphasize the use of third-party providers in providing technical assistance for soil health planning, including planning related to the use of cover crops, precision agriculture practices, comprehensive nutrient management planning, and other innovative plans.”.*

(f) REVIEW OF CONSERVATION PRACTICE

STANDARDS.—Section 1242(h) of the Food Security Act of 1985 (16 U.S.C. 3842(h)) is amended—

(1) in the subsection heading, by striking “REVIEW” and inserting “ESTABLISHMENT AND REVIEW”;

(2) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

*“(A) not later than 1 year after the date of enactment of the Farm, Food, and National Security Act of 2024, and at least every 5 years thereafter,*

complete a review of each conservation practice standard, including engineering design specifications;”;

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

(C) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(E) provide a process for public input on each conservation practice standard under such review, including a process for consideration of State and local input;

“(F) publicly post a summary of any input received under subparagraph (E) and any decisions made relating to such input; and

“(G) revise any conservation practice standard based on the results of such review, as determined appropriate by the Secretary, and publish any such revised standard.”;

(3) by amending paragraph (3) to read as follows:

“(3) PROCESS FOR ESTABLISHMENT OF INTERIM AND NEW CONSERVATION PRACTICE STANDARDS.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Farm, Food, and National Security Act of 2024, the Secretary shall develop a streamlined process under which the Secretary shall establish interim conservation practice standards and new conservation practice standards.

“(B) DEVELOPMENT.—In developing the streamlined process under subparagraph (A), the Secretary shall—

“(i) ensure that the public can engage with the Department of Agriculture, including by

recommending interim conservation practice standards; and

“(ii) establish—

“(I) the types of data, metrics, and other relevant information that are necessary for the establishment of interim conservation practice standards and new conservation practice standards;

“(II) the process by which an interim conservation practice standard may become a new conservation practice standard; and

“(III) specific requirements for an expedited review of a new conservation practice for the purpose of establishing a new conservation practice standard for such practice.

“(C) CONSIDERATIONS.—In establishing an interim conservation practice standard or a new conservation practice standard under this subsection, the Secretary shall consider—

“(i) input from State technical committees on recommendations that identify innovations or advancements in conservation practices;

“(ii) technological advancements, including advancements from projects developed under section 1240H; and

“(iii) State and local input in the form of—

“(I) recommendations for interim conservation practice standards; and

“(II) partnership-led proposals for new and innovative techniques to facilitate

<p>implementing agreements and grants under this title; and</p> <p>“(iv) input from native entities in the form of information relating to native traditional ecological knowledge that can inform conservation practice standards.</p> <p>“(D) TRANSPARENCY.—The Secretary shall make available on a public website a detailed description of the process for recommending, reviewing, and establishing interim conservation practice standards and new conservation practice standards under this paragraph.”;</p> <p>(4) in paragraph (4)—</p> <p>(A) in the matter preceding subparagraph (A)—</p> <p>(i) by striking “Agriculture Improvement Act of 2018” and inserting “Farm, Food, and National Security Act of 2024”; and</p> <p>(ii) by striking “a report on” and inserting “a report detailing”;</p> <p>(B) in subparagraph (A), by striking “administrative” and inserting “streamlined”;</p> <p>(C) in subparagraph (B), by striking “and” at the end;</p> <p>(D) in subparagraph (C), by striking the period at the end and inserting “; and”; and</p> <p>(E) by adding at the end the following:</p> <p>“(D) any other information the Secretary determines useful to improve such streamlined process for reviewing and establishing conservation practice standards.”; and</p> <p>(5) by adding at the end the following:</p> <p>“(5) OFFICE OF CONSERVATION INNOVATION.—</p>	
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“(A) IN GENERAL.—The Secretary shall establish within the Office of the Chief of the Natural Resources Conservation Service an Office of Conservation Innovation (referred to in this paragraph as the ‘Office’) which shall be under the direct supervision of the Chief.

“(B) DUTIES.—The Office shall—

“(i) provide support to the Chief in meeting the requirements of this subsection; and

“(ii) encourage innovation in conservation practices through—

“(I) revisions of existing conservation practice standards;

“(II) recommendations of interim conservation practice standards; and

“(III) recommendations of new conservation practice standards.

“(C) STAFF.—The Chief shall detail to the Office not more than 6 employees of the Department of Agriculture who are technical specialists that possess an understanding of conventional, organic, and other production techniques representing—

“(i) agronomy and agroecology;

“(ii) grazing lands ecology (including rangeland, pastureland, and grazed forest land);

“(iii) animal husbandry (including animal nutrition and feed management);

“(iv) water conservation, drainage water management, and irrigation engineering technology;

“(v) agricultural engineering (including animal waste management, energy, and structural measures); and

<p>“(vi) forest ecology and agroforestry.</p> <p>“(6) FUNDING.—The Secretary shall use funding from the annual appropriations for conservation operations of the Natural Resources Conservation Service to carry out this subsection.”.</p> <p>(g) DIRECT HIRE AUTHORITY.—Section 1242 of the Food Security Act of 1985 (16 U.S.C. 3842) is amended by adding at the end the following:</p> <p>“(j) NRCS DIRECT HIRE AUTHORITY.—</p> <p>“(1) IN GENERAL.—The Secretary may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), qualified candidates, as described in paragraph (2), directly to positions within the Natural Resources Conservation Service that provide technical assistance under conservation programs administered by the Natural Resources Conservation Service.</p> <p>“(2) QUALIFICATIONS.—Paragraph (1) applies to a candidate who—</p> <p>“(A) is qualified to provide the technical assistance described in paragraph (1), as determined by the Secretary; and</p> <p>“(B) meets qualification standards established by the Office of Personnel Management.”.</p>	
<p><b>Subtitle G – CONSERVATION AGRICULTURAL EASEMENT PROGRAM</b>  <b>SEC. 2602. AGRICULTURAL LAND EASEMENTS.</b></p> <p>(a) AVAILABILITY OF ASSISTANCE.—Section 1265B(a) of the Food Security Act of 1985 (16 U.S.C. 3865b) is amended—</p>	<p><b>Subtitle G – CONSERVATION AGRICULTURAL EASEMENT PROGRAM</b>  <b>SEC. 2602. AGRICULTURAL LAND EASEMENTS.</b></p> <ul style="list-style-type: none"> <li>o The Secretary shall provide a 90% of the fair market value cost share (over the standard 65% cost share) on agriculture land easements to socially disadvantaged farmers and</li> </ul>



<p>(1) in paragraph (1), by striking “in eligible land;” and inserting “on eligible land; and”;</p> <p>(2) in paragraph (2), by striking “(iv); and” and inserting “(iii).”; and</p> <p>(3) by striking paragraph (3).</p> <p>(b) COST-SHARE ASSISTANCE.—</p> <p>(1) SCOPE OF ASSISTANCE AVAILABLE.—Section 1265B(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(2)) is amended—</p> <p>(A) by amending subparagraph (A) to read as follows:</p> <p>“(A) FEDERAL SHARE.—</p> <p>“(i) IN GENERAL.—An agreement described in paragraph (4) shall provide for a Federal share determined by the Secretary of an amount not to exceed 65 percent of the fair market value of the agricultural land easement, as determined by the Secretary using—</p> <p>“(I) the Uniform Standards of Professional Appraisal Practice;</p> <p>“(II) an areawide market analysis or survey; or</p> <p>“(III) another industry-approved method.</p>	<p>ranchers<sup>4</sup> which includes American Indians, Alaska Natives, and Native Hawaiian farmers and ranchers, where the farmer or rancher holds a 50% or greater ownership interest.</p> <ul style="list-style-type: none"> <li>o Allows the Secretary to create a separate pool for socially disadvantaged farmers or ranchers for evaluation and ranking.</li> </ul>
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<sup>4</sup> See U.S. DEP’T OF AGRICULTURE, Key Terminology (last visited on May 22, 2024), available at <https://www.usda.gov/partner-portal/key-terminology#:~:text=The%20term%20%E2%80%9CSocially%20Disadvantaged%E2%80%9D%20means,held%20by%20socially%20disadvantaged%20individuals> (“Socially disadvantaged farmers and ranchers” is defined by USDA as (emphasis added): “an Individual or entity who is a member of a socially disadvantaged group. A socially disadvantaged group is a group whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. *Socially disadvantaged groups consist of the following: American Indians or Alaskan Natives, Asians, Blacks or African Americans, Native Hawaiians or other Pacific Islanders, Hispanics.* For an entity, at least 50 percent ownership in the farm business must be held by socially disadvantaged individuals. Note: Gender alone is not a covered group for the purposes of NRCS conservation program authorities. The term entities reflect a broad interpretation to include partnerships, couples, legal entities, etc.”).

***“(ii) SOCIALLY DISADVANTAGED FARMERS AND RANCHERS EXCEPTION.—In the case of eligible land with respect to which a socially disadvantaged farmer or rancher holds an ownership interest of not less than 50 percent, the Secretary may provide an amount not to exceed 90 percent of the fair market value of the agricultural land easement.***

“(iii) GRASSLANDS EXCEPTION.—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide an amount not to exceed 75 percent of the fair market value of the agricultural land easement.”;

(B) in subparagraph (B)—

(i) by amending clause (i) to read as follows:

“(i) IN GENERAL.—Under the agreement, the eligible entity shall provide a non-Federal share that is equivalent to the remainder of the fair market value of the agricultural land easement not provided by the Secretary under subparagraph (A).”;

(ii) by striking clause (ii);

(iii) by redesignating clause (iii) as clause (ii); and

(iv) in clause (ii), as so redesignated, in the matter preceding subclause (I), by striking “subparagraph” and inserting “paragraph”; and  
(C) by inserting after subparagraph (B) the

following:

“(C) LOWER COST-SHARE OPTION.—

“(i) IN GENERAL.—Notwithstanding paragraph (4)(C)(v), an eligible entity may elect

to enter into an agreement under paragraph (4) in which the terms and conditions of an agricultural land easement funded under the agreement do not include a right of enforcement for the Secretary if the eligible entity agrees to a Federal share that does not exceed 25 percent of the fair market value of the agricultural land easement, as determined by the Secretary under subparagraph (A).

“(ii) MINIMUM TERMS AND CONDITIONS.—Under an agreement described in clause (i), an eligible entity shall be authorized to use its own terms and conditions for agricultural land easements so long as the Secretary determines such terms and conditions—

“(I) are consistent with the purposes of the program; and

“(II) permit effective enforcement of the conservation purposes of such easements.

“(iii) ENTITY ENFORCEMENT.—Under an agreement described in clause (i), the Secretary shall require the terms and conditions for the agricultural land easement to include a right of enforcement for the eligible entity.

“(iv) CASH CONTRIBUTION.—Under an agreement described in clause (i), the eligible entity shall provide cash resources in an amount that is not less than 50 percent of the fair market value of the agricultural land easement, as determined by the Secretary under subparagraph (A).”.

(2) EVALUATION AND RANKING OF APPLICATIONS.—Section 1265B(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(3)) is amended by adding at the end the following:

***“(F) POOLING OF APPLICATIONS.—The Secretary may evaluate and rank applications submitted by eligible entities for the purchase of agricultural land easements from landowners who are socially disadvantaged farmers or ranchers separately from applications submitted for the purchase of agricultural land easements from other landowners.”.***

(3) AGREEMENTS WITH ELIGIBLE ENTITIES.—Section 1265B(b)(4) of the Food Security Act of 1985 (42 U.S.C. 3865b(b)(4)) is amended—

(A) in subparagraph (C)—

(i) by striking clause (iii);

(ii) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively;

(iii) in clause (iii), as so redesignated, by striking the “and” at the end;

(iv) in clause (iv), as so redesignated, by striking the period at the end and inserting “;”;  
and

(v) by adding at the end the following:

“(v) include a right of enforcement for the Secretary that—

“(I) may be used only if the terms and conditions of the easement are not enforced by the eligible entity; and

“(II) does not extend to a right of inspection unless—

<p>“(aa)(AA) the holder of the easement fails to provide monitoring reports in a timely manner; or</p> <p>“(BB) the Secretary has a reasonable and articulable belief that the terms and conditions of the easement have been violated; and</p> <p>“(bb) prior to the inspection, the Secretary notifies the eligible entity and the landowner of the inspection and provides a reasonable opportunity for the eligible entity and the landowner to participate in the inspection; and</p> <p>“(vi) include a right of the Secretary to require the transfer of the easement to a different eligible entity if the eligible entity that holds the easement ceases to exist or is no longer eligible to participate in the program, as determined by the Secretary.”;</p> <p>(B) in subparagraph (D)—</p> <p>(i) in clause (ii)—</p> <p>(I) in subclause (I)(ff), by striking “(v)” and inserting “(iv)”; and</p> <p>(II) in subclause (II), by striking the “and” at the end;</p> <p>(ii) in subclause (iii), by striking the period at the end and inserting “; and”; and</p> <p>(iii) by inserting at the end the following:</p> <p>“(iv) do not conflict with any minimum terms or conditions under subparagraph (C) that may be required.”.</p>	
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(C) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and  
(D) by inserting after subparagraph (D) the following:

“(E) MODIFICATION OF TERMS AND CONDITIONS.—An eligible entity shall be authorized to modify a term or condition of an agricultural land easement funded under an agreement under subparagraph (A) if such modification does not conflict with any minimum term or condition required by the Secretary under subparagraph (C).”.

(4) CERTIFICATION OF ELIGIBLE ENTITIES.—Section 1265B(b)(5) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(5)) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “under which the Secretary may” and inserting “, to minimize administrative burdens on the Secretary and recognize the ability of experienced eligible entities to administer easements with minimal oversight by the Secretary, under which the Secretary shall”; and  
(ii) in clause (iv), by inserting “, and modify,” after “entity to use”;

(B) in subparagraph (B)—

(i) in clause (ii)—

(I) in subclause (II), by striking “10” and inserting “5”; and

(II) in subclause (III), by striking the “or” at the end;

(ii) in clause (iii)—

(I) in subclause (I), by striking “10” and inserting “5”; and

<p>(II) in subclause (II), by striking the period at the end and inserting “; or”;</p> <p>(iii) by adding at the end the following:</p> <p>“(iv) is an eligible entity not described in clause (ii) or (iii) that has—</p> <p>    “(I) acquired not fewer than 10 agricultural land easements under the program or any predecessor program; and</p> <p>    “(II) successfully met the responsibilities of the eligible entity under the applicable agreements with the Secretary, as determined by the Secretary, relating to agricultural land easements that the eligible entity has acquired under the program or any predecessor program.”; and</p> <p>(C) in subparagraph (C)—</p> <p>    (i) in the header, by striking “REVIEW AND REVISION” and inserting “REVIEW AND REVOCATION”;</p> <p>    (ii) in the header of clause (i) by striking “REVIEW” and inserting “CERTIFIED ENTITY REVIEW”; and</p> <p>    (iii) by adding at the end the following:</p> <p>        “(iii) EASEMENT REVIEW.—The Secretary shall establish and conduct an annual quality review process to—</p> <p>            “(I) review a sample set of easements acquired by certified eligible entities;</p> <p>            “(II) ensure the integrity of the easement acquisition process under this section;</p> <p>            “(III) establish and enforce a process for corrective actions; and</p>	
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<p>“(IV) provide for a waiver of successive easement reviews based on demonstrated compliance.”.</p>	
<p><b>Subtitle G – CONSERVATION AGRICULTURAL EASEMENT PROGRAM SEC. 2603. WETLAND RESERVE EASEMENTS.</b></p> <p>(a) EASEMENTS.—Section 1265C(b) of the Food Security Act of 1985 (16 U.S.C. 3865c(b)) is amended—</p> <p><b><i>(1) in paragraph (1)(D), by striking “tribes” and inserting “Tribes and landowners who are socially disadvantaged farmers or ranchers”; and</i></b></p> <p><b><i>(2) by inserting after paragraph (3)(C) the following:</i></b></p> <p><b><i>“(D) POOLING OF APPLICATIONS.—The Secretary may evaluate and rank offers from landowners who are socially disadvantaged farmers or ranchers separately from offers from other landowners.”.</i></b></p> <p>(b) EASEMENT RESTORATION.—Section 1265C(c)(1) of the Food Security Act of 1985 (16 U.S.C. 3865c(c)(1)) is amended by striking “subsection (f)” and inserting “subsection (g)”.</p> <p>(c) EASEMENT STEWARDSHIP.—Section 1265C of the Food Security Act of 1985 (16 U.S.C. 3865c) is amended—</p> <p><b><i>(1) by redesignating subsections (d) through (g) as subsections (e) through (h); and</i></b></p> <p><b><i>(2) by inserting after subsection (c), the following:</i></b></p> <p><b><i>“(d) EASEMENT STEWARDSHIP.—</i></b></p> <p><b><i>“(1) IN GENERAL.—The Secretary shall provide financial assistance to owners of eligible land enrolled under this section for the repair, necessary maintenance, and enhancement activities described in the wetland reserve easement plan developed for the eligible land under subsection (g)(1).</i></b></p>	<p><b>Subtitle G – CONSERVATION AGRICULTURAL EASEMENT PROGRAM SEC. 2603. WETLAND RESERVE EASEMENTS.</b></p> <ul style="list-style-type: none"> <li>o Updates statutory language from “tribes” to “Tribes and landowners who are socially disadvantaged farmers or ranchers” who can enroll land into 30-year contracts for wetlands reserve easements.</li> <li>o Authorizes the Secretary to create a separate pool for socially disadvantaged farmers or ranchers for evaluation and ranking.</li> <li>o Authorizes the Secretary to enter into contracts or agreements with Tribes. <ul style="list-style-type: none"> <li>o Previously, the language only authorized the Secretary to enter into contracts with private entities and agreements with all other parties (i.e., Federal state or local agency, Tribes and non-governmental organizations).</li> </ul> </li> </ul>



“(2) EVALUATION OF STEWARDSHIP NEED.—The Secretary shall—

“(A) regularly assess land enrolled under this section to identify maintenance and management needs, including any needed repair or enhancement of existing structural practices, in accordance with the applicable wetland reserve easement plan;

“(B) consistent with the purposes of the program, create, execute, and update as necessary based on the assessments carried out under subparagraph (A), a stewardship strategy for—

“(i) prioritizing and addressing the needs identified under subparagraph (A); and

“(ii) projecting the amount of annual funding needed for financial and technical assistance to address such needs; and

“(C) establish a 5-year schedule to address such needs.

“(3) PAYMENTS.—In carrying out paragraph (1), the Secretary shall make payments in an amount that is not more than 100 percent of the eligible costs, as determined by the Secretary.

“(4) REPORT.—Not later than 2 years after the date of enactment of the Farm, Food, and National Security Act of 2024, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

“(A) an inventory of the existing stewardship needs of all wetland reserve easements, based on the assessments carried out under paragraph (2);

“(B) the stewardship strategy created under paragraph (2)(B);

<p>“(C) the amounts the Secretary plans to allocate to address such stewardship needs, based on projections made pursuant to paragraph (2)(B)(ii); and</p> <p>“(D) the planned use of compatible uses under subsection (b)(5)(C), contracts or agreements under subsection (e)(2), or wetland reserve easement plans under subsection (g)(1) to ensure that each such stewardship need is addressed.”.</p> <p>(d) ASSISTANCE.—Subsection (e) of section 1265C of the Food Security Act of 1985 (16 U.S.C. 3865c), as so redesignated, is amended—</p> <p>(1) in the header, by striking “TECHNICAL ASSISTANCE” and inserting “ASSISTANCE”; and</p> <p>(2) by amending paragraph (2) to read as follows:</p> <p>a Federal, State, or local agency, a nongovernmental organization, an Indian Tribe, or a private entity to carry out necessary restoration, enhancement, maintenance, repair, assessment, or monitoring of a wetland reserve easement if the Secretary determines that the contract or agreement will advance the purposes of the program.”.</p> <p>(e) WETLAND RESERVE ENHANCEMENT</p> <p>OPTION.—Subsection (f) of section 1265C of the Food Security Act of 1985 (16 U.S.C. 3865c), as so redesignated, is amended—</p> <p>(1) by striking “The Secretary” and inserting the following:</p> <p>“(1) IN GENERAL.—The Secretary”; and</p> <p>(2) by adding at the end the following:</p> <p>“(2) FUNDING.—Of the funds made available to carry out this section, the Secretary shall reserve not less than 15 percent to carry out this subsection.”.</p>	
<p><b>Subtitle I – Forest Conservation Easement Program</b></p> <p><b>“SEC. 1267. ESTABLISHMENT AND PURPOSES.</b></p>	<p><b>Subtitle I – Forest Conservation Easement Program</b></p> <p><b>“SEC. 1267. ESTABLISHMENT AND PURPOSES.</b></p>

**“SEC. 1267. ESTABLISHMENT AND PURPOSES.**

“(a) ESTABLISHMENT.—The Secretary shall establish a forest conservation easement program for the conservation and restoration of eligible land and natural resources through the acquisition of conservation easements or other interests in land.

“(b) PURPOSES.—The purposes of the program are—

“(1) to protect the viability and sustainability of working forest land, and related conservation values of eligible land, by limiting the negative effects of nonforest land uses of such land;

“(2) to protect and enhance forest ecosystem and landscape functions and values;

“(3) to promote the restoration, protection, and improvement of habitat of species that are threatened, endangered, or otherwise at risk; and

“(4) to carry out the purposes and functions of the healthy forests reserve program established under title V of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571 et seq.), as in effect on the day before the date of enactment of this section.

**“SEC. 1267A. DEFINITIONS.**

**“In this subtitle:**

**“(1) ACREAGE OWNED BY AN INDIAN TRIBE.—The term ‘acreage owned by an Indian Tribe’ means—**

**“(A) land that is held in trust by the United States for Indian Tribes or individual Indians;**

**“(B) land, the title to which is held by Indian Tribes or individual Indians subject to Federal restrictions against alienation or encumbrance;**

- o Establishes a new Forest Conservation Easement Program (FCEP).
- o Eligible lands include Indian lands defined as:
  - o Trust lands;
  - o Restricted lands;
  - o Lands subject to Tribal rights of use;
  - o Tribally owned fee land;
  - o Land held by Section 17 corporations;
  - o Land owned by Alaska Native Corporations (ANCs) pursuant to the Alaska Native Settlement Claims Act (ANSCA), and
  - o Any combo of the above.
- o Authorizes an agency of a Tribe, including a land resource council established under state law, to participate.
- o Indian lands as defined above are eligible for FCEP so long as it is:
  - o Forest land;
  - o Land being restored to forest designation;
  - o A forest land easement that could protect working forests and conservation efforts;
  - o Further a state/local policy consistent with the program; or
  - o Is a forest reserve easement that will improve the recovery or well-being of certain at-risk species.
- o Clarifies that the term “socially disadvantaged forester” in this subtitle is the same definition in 7 U.S.C. 2279(a).<sup>5</sup>

<sup>5</sup> See 7 U.S.C. 2279(a)(5) (The term “socially disadvantaged farmer or rancher” means a farmer or rancher who is a member of a socially disadvantaged group.); See also 7 U.S.C. 2279(a)(6) (The term “socially disadvantaged group” means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.)

***“(C) land that is subject to rights of use, occupancy, and benefit of certain Indian Tribes;***  
***“(D) land that is held in fee title by an Indian Tribe;***  
***“(E) land that is owned by a native corporation formed under—***  
***“(i) section 17 of the Act of June 18, 1934 (commonly known as the ‘Indian Reorganization Act’) (25 U.S.C. 5124); or***  
***“(ii) section 8 of the Alaska Native Claims Settlement Act (43 U.S.C. 1607); and***  
***“(F) a combination of 1 or more types of land described in subparagraphs (A) through (E).***

***“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—***

***“(A) an agency of State or local government or an Indian Tribe (including a land resource council established under State law); or***

***“(B) an organization that is—***

***“(i) organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;***

***“(ii) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or***

***“(iii) described in—***

***“(I) paragraph (1) or (2) of section 509(a) of that Code; or***

“(II) section 509(a)(3) of that Code  
and is controlled by an organization  
described in section 509(a)(2) of that Code.

***“(3) ELIGIBLE LAND.—The term ‘eligible land’ means  
private land or acreage owned by an Indian Tribe—***

***“(A) that is—***

***“(i) forest land; or***

***“(ii) being restored to forest land;***

***“(B) in the case of a forest land easement—***

***“(i) the enrollment of which would protect  
working forests and related conservation values  
by conserving land; or***

***“(ii) the protection of which will further a  
State or local policy consistent with the  
purposes of the program; and***

***“(C) in the case of a forest reserve easement,  
the enrollment of which will maintain, restore,  
enhance, or otherwise measurably—***

***“(i) increase the likelihood of recovery of a  
species that is listed as endangered or  
threatened under section 4 of the Endangered  
Species Act of 1973 (16 U.S.C. 1533); or***

***“(ii) improve the well-being of a species  
that is—***

***“(I) not listed as endangered or  
threatened under that section; and***

***“(II) (aa) a candidate for that listing,  
a State-listed species, or a special concern  
species; or***

***“(bb) designated as a species of  
greatest conservation need by a State  
wildlife action plan.***

“(4) FOREST LAND EASEMENT.—The term ‘forest land easement’ means an easement or other interest in eligible land that—

“(A) is conveyed to an eligible entity for the purpose of protecting natural resources and the forest nature of the eligible land; and

“(B) permits the landowner the right to continue working forest production and related uses, consistent with an applicable forest management plan.

“(5) FOREST MANAGEMENT PLAN.—The term ‘forest management plan’ means—

“(A) a forest stewardship plan described in section 5(f) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(f));

“(B) another plan approved by the applicable State forester or State forestry agency;

“(C) a plan developed under a third-party certification system determined appropriate by the Secretary; or

“(D) another plan determined appropriate by the Secretary.

“(6) FOREST RESERVE EASEMENT.—The term ‘forest reserve easement’ means an easement or other interest in eligible land that—

“(A) is conveyed to the Secretary for the purpose of protecting natural resources and the forest nature of the eligible land; and

“(B) permits the landowner the right to continue working forest production and related uses consistent with the applicable forest reserve easement plan developed under section 1267C(c)(1)(A).

“(7) PROGRAM.—The term ‘program’ means the forest conservation easement program established under this subtitle.

**“(8) SOCIALLY DISADVANTAGED FOREST**

**LANDOWNER.**—*The term ‘socially disadvantaged forest landowner’ means a forest landowner who is a member of a socially disadvantaged group (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))).*

**“SEC. 1267B. FOREST LAND EASEMENTS.**

“(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall facilitate and provide funding for—

“(1) the purchase by eligible entities of forest land easements on eligible land;

“(2) the development of a forest management plan; and

“(3) technical assistance to implement this section.

“(b) COST-SHARE ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall protect working forests, and related conservation values of eligible land, through cost-share assistance to eligible entities for purchasing forest land easements.

**“(2) SCOPE OF ASSISTANCE AVAILABLE.—**

**“(A) FEDERAL SHARE.—**

“(i) IN GENERAL.—Except as provided in clause (ii), an agreement described in paragraph (4) shall provide for a Federal share of 50 percent of the fair market value of the forest land easement, *as determined by the Secretary.*

**“(ii) EXCEPTION.—An agreement described in paragraph (4) may provide for a Federal share of not more than 75 percent of the fair**

***market value of a forest land easement in the case of eligible land that is—***

***“(I) a forest of special environmental significance, as determined by the Secretary; or***

***“(II) owned by a socially disadvantaged forest landowner.***

**“(B) NON-FEDERAL SHARE.—**

**“(i) IN GENERAL.—**Under an agreement described in paragraph (4), the eligible entity shall provide a non-Federal share that is equivalent to the remainder of the fair market value of the forest land easement not provided by the Secretary under subparagraph (A).

**“(ii) PERMISSIBLE FORMS.—**The non-Federal share provided by an eligible entity under this paragraph may comprise—

**“(I) cash resources;**

**“(II) a charitable donation or qualified conservation contribution (as defined in section 170(h) of the Internal Revenue Code of 1986) from the private forest landowner from which the forest land easement will be purchased;**

**“(III) costs associated with securing a deed to the forest land easement, including the cost of appraisal, survey, inspection, and title; and**

**“(IV) other costs, as determined by the Secretary.**

**“(C) DETERMINATION OF FAIR MARKET VALUE.—**For purposes of this paragraph, the Secretary



shall determine the fair market value of a forest land easement using—

“(i) the Uniform Standards of Professional Appraisal Practice;

“(ii) an areawide market analysis or survey;

or

“(iii) another industry-approved method.

“(3) EVALUATION AND RANKING OF APPLICATIONS.—

“(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

“(B) PRIORITY.—In evaluating applications under the program, the Secretary shall give priority to an application for the purchase of a forest land easement—

“(i) that maintains the viability of a working forest, as determined by the Secretary; and

“(ii) on eligible land for which a forest management plan has been developed at the time of application.

“(C) CONSIDERATIONS.—In establishing the criteria under subparagraph (A), the Secretary shall emphasize support for—

“(i) protecting working forests and related conservation values of eligible land;

“(ii) reducing fragmentation of forest land;

and

“(iii) maximizing the areas protected from conversion to nonforest uses.

“(4) AGREEMENTS WITH ELIGIBLE ENTITIES.—

“(A) IN GENERAL.—The Secretary shall enter into agreements with eligible entities to stipulate the terms and conditions under which the eligible entity is

permitted to use cost-share assistance provided under this section.

***“(B) LENGTH OF AGREEMENTS.—An agreement under subparagraph (A) shall be for a term that is not less than 3, but not more than 5, years, unless the Secretary determines that a longer term is justified.***

***“(C) MINIMUM TERMS AND CONDITIONS.—An eligible entity shall be authorized to use its own terms and conditions for forest land easements so long as the Secretary determines such terms and conditions—***

***“(i) are consistent with—***

***“(I) the purposes of the program; and***

***“(II) the forestry activities to be conducted on the eligible land;***

***“(ii) permit effective enforcement of the conservation purposes of the forest land easements;***

***“(iii) include a requirement to implement a forest management plan on eligible land subject to a forest land easement;***

***“(iv) include a limit on the impervious surfaces to be allowed that is consistent with the forestry activities to be conducted; and***

***“(v) include a right of enforcement for the Secretary that—***

***“(I) may be used only if the terms and conditions of the forest land easement are not enforced by the eligible entity; and***

***“(II) does not extend to a right of inspection unless—***

***“(aa)(AA) the holder of the forest land easement fails to provide***

monitoring reports in a timely manner; or

“(BB) the Secretary has a reasonable and articulable belief that the terms and conditions of the forest land easement have been violated; and

“(bb) prior to the inspection, the Secretary notifies the eligible entity and the landowner of the inspection and provides a reasonable opportunity for the eligible entity and the landowner to participate in the inspection.

“(D) SUBSTITUTION OF QUALIFIED PROJECTS.—An agreement under subparagraph (A) shall allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of the proposed substitution.

“(E) EFFECT OF VIOLATION.—If a violation of a term or condition of an agreement under subparagraph (A) occurs—

“(i) the Secretary may terminate the agreement; and

“(ii) the Secretary may require the eligible entity to refund all or part of any payments received by the eligible entity under the program, with interest on the payments as determined appropriate by the Secretary.

“(5) FOREST MANAGEMENT PLAN.—

“(A) IN GENERAL.—If the eligible land does not have a forest management plan at the time of application, prior to the acquisition of the forest land

easement the landowner shall develop, in partnership with the eligible entity, a forest management plan for the land subject to the forest land easement.

“(B) REIMBURSEMENT.—The Secretary may reimburse the landowner for the cost of the development of a forest management plan for eligible land enrolled under this section.

“(c) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land under this section through the use of—

“(1) permanent easements; or

“(2) easements for the maximum duration allowed under applicable State laws.

“(d) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, on request, to assist in compliance with the terms and conditions of forest land easements.

**“SEC. 1267C. FOREST RESERVE EASEMENTS.**

“(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall provide assistance to owners of eligible land to restore, protect, and enhance eligible land through—

“(1) forest reserve easements and related forest reserve easement plans; and

“(2) technical assistance to implement this section.

“(b) EASEMENTS.—

“(1) METHOD OF ENROLLMENT.—

“(A) AUTHORIZED METHODS.—The Secretary shall enroll eligible land under this section—

“(i) through the use of—

“(I) permanent easements;

“(II) 30-year easements; and

“(III) easements for the maximum duration allowed under applicable State laws; and

“(ii) in the case of acreage owned by an Indian Tribe, through the use of—

“(I) 30-year contracts (the compensation for which shall be equivalent to the compensation for 30-year easements); or

“(II) permanent easements.

“(B) LIMITATION.—Not more than 10 percent of amounts made available to carry out this section in a fiscal year may be used for 30-year easements under this section.

“(2) EVALUATION AND RANKING OF OFFERS.—

“(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria for offers from landowners under this section.

“(B) PRIORITY.—The Secretary shall give priority to the enrollment of eligible land under this section that provides the greatest conservation benefit to—

“(i) primarily, species listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

“(ii) secondarily, species that are—

“(I) not listed as endangered or threatened under that section; and

“(II) (aa) candidates for that listing, State-listed species, or special concern species; or

“(bb) designated as species of greatest conservation need by a State wildlife action plan.

“(C) OTHER CONSIDERATIONS.—The Secretary may give additional consideration to eligible land the enrollment under this section of which will—

<p>“(i) improve biological diversity;</p> <p>“(ii) restore native forest ecosystems;</p> <p>“(iii) conserve forest land that provides habitat for species described in subparagraph (B);</p> <p>“(iv) reduce fragmentation of forest land;</p> <p>and</p> <p>“(v) increase carbon sequestration.</p> <p>“(3) TERMS AND CONDITIONS OF EASEMENTS.—</p> <p>“(A) IN GENERAL.—A forest reserve easement shall include terms and conditions that—</p> <p>“(i) are consistent with the purposes of the program and the forestry activities to be conducted on the eligible land;</p> <p>“(ii) are consistent with the management objectives of the owner of the eligible land and the implementation of the forest reserve easement plan developed under subsection (c)(1)(A);</p> <p>“(iii) permit effective enforcement of the conservation purposes of the forest reserve easements;</p> <p>“(iv) provide for the efficient and effective establishment or enhancement of forest ecosystem functions and values; and</p> <p>“(v) include such additional provisions as the Secretary determines are desirable to carry out the program or facilitate the practical administration of the program.</p> <p>“(B) REQUESTED TERMS AND CONDITIONS.—An owner of eligible land may request that a term or condition be included in a forest reserve easement,</p>	
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and the Secretary may include such term or condition, if it—

“(i) is consistent with the management objectives of the owner of the eligible land and the implementation of the forest reserve easement plan developed under subsection (c)(1)(A); and

“(ii) does not conflict with any terms or conditions included under subparagraph (A).

“(4) COMPENSATION.—

“(A) PERMANENT EASEMENTS.—In the case of eligible land enrolled in a permanent easement under this section, the Secretary shall pay the owner of the eligible land an amount equal to the difference between, as determined by the Secretary—

“(i) the fair market value of the eligible land before the enrollment in the permanent easement; and

“(ii) the fair market value of the eligible land as encumbered by the permanent easement.

“(B) OTHER.—The Secretary shall pay the owner of eligible land enrolled under this section in a 30-year contract, a 30-year easement, or an easement for the maximum duration allowed under applicable State laws, not less than 50 percent, and not more than 75 percent, of the compensation that would be paid under subparagraph (A) if the land were being enrolled in a permanent easement.

“(C) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of eligible land for purposes of this paragraph

using the Uniform Standards of Professional Appraisal Practice or another industry-approved method.

“(c) EASEMENT RESTORATION AND MANAGEMENT.—

“(1) FOREST RESERVE EASEMENT PLAN.—

“(A) IN GENERAL.—Land enrolled in a forest reserve easement shall be subject to a forest reserve easement plan, to be developed jointly by the landowner and the Secretary, that describes such activities to be carried out on the land as are necessary to restore, maintain, and enhance habitat for species described in subsection (b)(2)(B).

“(B) PRACTICES AND MEASURES.—A forest reserve easement plan developed under subparagraph (A) shall require implementation of such practices and measures as are necessary to accomplish the activities described in the plan under such subparagraph, which may include—

“(i) vegetative management and silviculture practices;

“(ii) structural practices and measures;

“(iii) practices to increase carbon sequestration;

“(iv) practices to improve biological diversity; and

“(v) other practices and measures, as determined by the Secretary.

“(2) FINANCIAL ASSISTANCE.—

“(A) IN GENERAL.—The Secretary shall provide financial assistance to owners of eligible land to carry out the activities, practices, and measures described in the forest reserve easement plan developed for the eligible land under paragraph (1).



“(B) PAYMENTS.—With respect to financial assistance provided under subparagraph (A), the Secretary shall pay—

“(i) in the case of a forest reserve easement plan for eligible land enrolled in a permanent easement, an amount that is not more than 100 percent of the eligible costs described in subparagraph (C), as determined by the Secretary; and

“(ii) in the case of a forest reserve easement plan for eligible land enrolled in a 30-year contract, a 30-year easement, or an easement for the maximum duration allowed under applicable State laws, an amount that is not less than 50 percent, and not more than 75 percent, of the eligible costs described in subparagraph (C), as determined by the Secretary.

“(C) ELIGIBLE COSTS.—Costs eligible for payments under this paragraph are the costs of activities, practices, and measures referred to in subparagraph (A) that are associated with the restoration or enhancement of the habitat conditions specified for the applicable species in the forest reserve easement plan.

“(D) TIMING OF PAYMENTS.—Payments under this paragraph shall be made—

“(i) only on a determination by the Secretary that an activity, practice, or measure described in subparagraph (C) has been established in compliance with appropriate standards and specifications, which

determination shall be made as soon as practicable after establishment; and

“(ii) as soon as possible after such determination is made.

“(E) LIMITATIONS.—Financial assistance provided by the Secretary under this paragraph to an owner of eligible land may not exceed \$500,000 per easement or contract.

“(d) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall provide to owners of eligible land technical assistance to assist the owners in—

“(A) developing a forest reserve easement plan; and

“(B) complying with the terms and conditions of a forest reserve easement, including the implementation of a forest reserve easement plan.

“(2) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, nongovernmental organization, or Indian Tribe to provide technical assistance described in paragraph (1), if the Secretary determines that the contract or agreement will advance the purposes of the program.

“(e) PROTECTIONS AND MEASURES.—

“(1) PROTECTIONS.—In the case of a landowner who enrolls eligible land in a forest reserve easement, and whose conservation activities under the forest reserve easement plan developed for such land result in a net conservation benefit for a species described in subsection (b)(2)(B), the Secretary shall make available to the landowner safe harbor or similar assurances and protection under—

“(A) section 7(b)(4) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(4)); or

“(B) section 10(a)(1) of that Act (16 U.S.C. 1539(a)(1)).

“(2) MEASURES.—If protection under paragraph (1) requires the taking of measures that are in addition to the measures covered by the forest reserve easement plan developed for the eligible land, the cost of the additional measures, and the cost of any permit, shall be considered costs eligible for payments under subsection (c)(2).

“(f) ADMINISTRATION.—

“(1) DELEGATION OF EASEMENT ADMINISTRATION.—

“(A) FEDERAL AND STATE AGENCIES.—The Secretary may delegate any of the management, monitoring, and enforcement responsibilities of the Secretary under this section to other Federal or State agencies that have the appropriate authority, expertise, and resources necessary to carry out those delegated responsibilities.

“(B) CONSERVATION ORGANIZATIONS.—The Secretary may delegate any of the management responsibilities of the Secretary under this section to a nonprofit conservation organization if the Secretary determines the organization has the appropriate expertise and resources necessary to carry out those delegated responsibilities.

“(2) INVOLVEMENT BY OTHER AGENCIES AND ORGANIZATIONS.—In carrying out this section, the Secretary may consult with—

“(A) private forest landowners;

“(B) other Federal agencies;

“(C) State forestry agencies;

“(D) State fish and wildlife agencies;

- “(E) State environmental quality agencies;
- “(F) other State conservation agencies; and
- “(G) nonprofit conservation organizations.

**“SEC. 1267D. ADMINISTRATION.**

**“(a) INELIGIBLE LAND.—***The Secretary shall not use amounts made available to carry out the program for the purposes of acquiring an easement on—*

“(1) land owned by a Federal agency, other than such land that is acreage owned by an Indian Tribe;

“(2) **land owned in fee title by a State**, including an agency or a subdivision of a State, or a unit of local government;

“(3) land subject to an easement or deed restriction that, as determined by the Secretary, provides similar protection as would be provided by enrollment in the program; or

“(4) land the enrollment in the program of which would undermine the purposes of the program due to on-site or off-site conditions, such as risk of hazardous substances, permitted or existing rights of way, infrastructure development, or adjacent land uses.

**“(b) SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.—**

“(1) SUBORDINATION.—The Secretary may subordinate any interest in eligible land, or portion of such an interest, administered by the Secretary (including for the purposes of utilities and energy transmission services) directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that the subordination—

“(A) increases conservation values or has a limited negative effect on conservation values;

“(B) minimally affects the acreage subject to the interest in eligible land; and

“(C) is in the public interest or furthers the practical administration of the program.

“(2) MODIFICATION AND EXCHANGE.—

“(A) MODIFICATION.—

“(i) AUTHORITY.—The Secretary may approve a modification of any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation, under the program if the Secretary determines that the modification—

“(I) will support the viability and sustainability of working forests and the conservation values of the applicable easement;

“(II) will result in equal or increased conservation values;

“(III) is consistent with the original intent of the easement;

“(IV) is consistent with the purposes of the program; and

“(V) is in the public interest or furthers the practical administration of the program, including correcting errors and exercising reserved rights.

“(ii) LIMITATION.—In modifying an interest in land, or portion of such interest, under this subparagraph, the Secretary may not, except in the case of a modification that includes a change to an easement to add acreage, increase any payment to an eligible entity.

“(B) EXCHANGE.—

“(i) AUTHORITY.—The Secretary may approve an exchange of any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation, under the program if the Secretary determines that—

“(I) no reasonable alternative exists and the effect on the interest in land is avoided or minimized to the extent practicable; and

“(II) the exchange—

“(aa) results in equal or increased conservation values;

“(bb) results in equal or greater economic value to the United States;

“(cc) is consistent with the original intent of the easement;

“(dd) is consistent with the purposes of the program; and

“(ee) is in the public interest or furthers the practical administration of the program.

“(ii) LIMITATION.—In exchanging an interest in land, or portion of such interest, under this subparagraph, the Secretary may not increase any payment to an eligible entity.

“(3) TERMINATION.—The Secretary may approve a termination of any interest in eligible land, or portion of such an interest, administered by the Secretary, directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that—

“(A) termination is in the interest of the Federal Government;

“(B) the United States will be fully compensated for—

“(i) the value of the interest in the land, as determined by the Secretary;

“(ii) any costs relating to the termination; and

“(iii) any damages determined appropriate by the Secretary; and

“(C) the termination will—

“(i) address a compelling public need for which there is no practicable alternative even with avoidance and minimization; and

“(ii) further the practical administration of the program.

“(4) CONSENT.—The Secretary shall obtain consent from the landowner and eligible entity, if applicable, for any subordination, exchange, modification, or termination of an interest in eligible land, or portion of such an interest, under this subsection.

“(5) NOTICE.—Not fewer than 90 days before taking any termination action described in paragraph (3), the Secretary shall provide written notice of that action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

“(c) LAND ENROLLED IN OTHER PROGRAMS.—In accordance with the provisions of section 2902 of the Farm, Food, and National Security Act of 2024, land enrolled in the healthy forests reserve program established under title V of the Healthy Forests Restoration Act of 2003 ([16 U.S.C. 6571 et seq.](#)) on the day

before the date of enactment of this section shall be considered enrolled in the program.”.	
<b>Title III – Trade</b>	<b>Summary of Tribal Provisions</b>
No Tribal specific provisions.	No Tribal specific provisions.
<b>Title IV – Nutrition (<i>emphasis added</i>)</b>	<b>Summary of Tribal Provisions</b>
<p><b>Subtitle A – Supplemental Nutrition Assistance Program</b>  <b>SEC. 4102. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.</b></p> <p><i><b>(a) SELF-DETERMINATION FOR SNAP—Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321 et seq.) is amended by adding at the end the following:</b></i></p> <p><i><b>“SEC. 112. SELF-DETERMINATION FOR SNAP.</b></i></p> <p><i><b>“(a) AGRICULTURE SELF-DETERMINATION AUTHORIZED.—The Secretary of Agriculture shall enter into self determination contracts, in accordance with subsection (b), with Indian Tribes and Tribal organizations, on the request of any Indian Tribe by Tribal resolution, to plan, conduct, and administer any function, service, or activity of the supplemental nutrition assistance program established under the <del>Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)</del> section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) for the Indian Tribe.</b></i></p> <p><i><b>“(b) SELF-DETERMINATION CONTRACT.—A self-determination contract entered into under subsection (a) shall have the same terms and conditions, and be subject to the same procedures, regulations, and requirements, as a self-determination contract entered into under section 102, except that the Secretary of Agriculture and the Department of Agriculture shall be the appropriate Secretary and agency for purposes of a self-determination contract entered into under subsection (a).</b></i></p>	<p><b>Subtitle A – Supplemental Nutrition Assistance Program</b>  <b>SEC. 4102. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.</b></p> <ul style="list-style-type: none"> <li>○ The original text as drafted expands 638 self-determination contracting to the Supplemental Nutrition Assistance Program. <ul style="list-style-type: none"> <li>○ Note: this provision directly amends ISDEAA.</li> </ul> </li> <li>○ Requires the Office of Self-Governance at Bureau of Indian Affairs to provide technical assistance.</li> <li>○ Authorizes funding through 2029.</li> <li>○ The managers amendment agreed to by voice vote during the markup: <ul style="list-style-type: none"> <li>○ Strikes “Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)” and inserts “section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b))”. <ul style="list-style-type: none"> <li>■ 7 U.S.C. 2011 et seq. authorizes SNAP.</li> <li>■ 7 U.S.C. 2013(b) authorizes FDPIR.</li> </ul> </li> <li>○ Strikes “2013(b)(5)(E)” and inserts “2013(b)(6)(E)”. <ul style="list-style-type: none"> <li>■ 7 U.S.C. 2013(b)(6)(E) authorizes funding for FDPIR.</li> </ul> </li> </ul> </li> <li>● In effect, the managers amendment makes permanent the 638 FDPIR pilot program authorized by the 2018 Farm Bill. <ul style="list-style-type: none"> <li>○ 638 is not expanded to SNAP.</li> </ul> </li> </ul>



*“(c) TECHNICAL ASSISTANCE.—The Office of Self-Governance of the Bureau of Indian Affairs shall provide technical assistance regarding the self-determination contracts authorized under this section to —*

*“(1) the Secretary of Agriculture; and “(2) Indian Tribes and Tribal organizations that request that assistance.”.*

*“(2) Indian Tribes and Tribal organizations that request that assistance.”.*

*(b) AUTHORIZATION OF APPROPRIATIONS.— Section 4(b)(6)(E) of the Food and Nutrition Act of 2008 (7 U.S.C. ~~2013(b)(5)(E)~~ **2013(b)(6)(E)**) is amended by striking “2023” and inserting “2029”.*

<p><b>Subtitle A – Supplemental Nutrition Assistance Program SEC. 4109. PUBLIC AVAILABILITY OF STATE PLANS.</b></p> <p>Section 11(d) of the Food and Nutrition Act (7 6 U.S.C. 2020(d)) is amended by inserting after the 1st sentence the following: “The Secretary shall maintain a publicly available database of the parts of each State agency approved plan of operation in accordance with criteria established by the Secretary not later than 180 days after the enactment of the Farm, Food, and National Security Act of 2024.”.</p>	<p><b>Subtitle A – Supplemental Nutrition Assistance Program SEC. 4109. PUBLIC AVAILABILITY OF STATE PLANS.</b></p> <ul style="list-style-type: none"> <li>o Mandates USDA to publish updated, publicly accessible State SNAP agency operation plans.</li> <li>o 7 U.S.C. 2020(d), as currently written, includes language specific to the distribution of SNAP on all or part of Indian reservations.<sup>6</sup></li> </ul>
<p><b>Subtitle A – Supplemental Nutrition Assistance Program SEC. 4204. COMMODITY SUPPLEMENTAL FOOD PROGRAM DEMONSTRATION PROJECT FOR TRIBAL ORGANIZATIONS.</b></p> <p><b>(a) DEMONSTRATION PROJECT FOR TRIBAL ORGANIZATIONS.—</b> <b>(1) DEFINITIONS.—In this subsection:</b></p>	<p><b>Subtitle A – Supplemental Nutrition Assistance Program SEC. 4204. COMMODITY SUPPLEMENTAL FOOD PROGRAM DEMONSTRATION PROJECT FOR TRIBAL ORGANIZATIONS.</b></p> <ul style="list-style-type: none"> <li>o Authorizes a 638 self-determination demonstration project for the Commodity Supplemental Food Program (CSFP).</li> <li>o Eligible Tribes and Tribal organizations must already administer the food distribution program, have the capacity to purchase agricultural commodities at the scale necessary,</li> </ul>

<sup>6</sup> 7 U.S.C. 2020(d) (emphasis added): “...In the case of all or part of an *Indian reservation*, the State agency as defined in section 2012(s)(1) of this title shall be responsible for conducting such program on such *reservation* unless the Secretary determines that the State agency (as defined in section 2012(s)(1) of this title) is failing, subsequent to August 31, 1964, properly to administer such program on such reservation in accordance with the purposes of this chapter and further determines that the State agency as defined in section 2012(s)(2) of this title is capable of effectively and efficiently conducting such program, in light of the distance of the *reservation* from State agency-operated certification and issuance centers, *the previous experience of such tribal organization in the operation of programs authorized under the Indian Self-Determination Act (25 U.S.C. 450) [1] and similar Acts of Congress, the tribal organization’s management and fiscal capabilities, and the adequacy of measures taken by the tribal organization to ensure that there shall be no discrimination in the operation of the program* on the basis of race, color, sex, or national origin, in which event such State agency shall be responsible for conducting such program and submitting for approval a plan of operation specifying the manner in which such program will be conducted. *The Secretary, upon the request of a tribal organization, shall provide the designees of such organization with appropriate training and technical assistance to enable them to qualify as expeditiously as possible as a State agency pursuant to section 2012(s)(2) of this title.* A State agency, as defined in section 2012(s)(1) of this title, before it submits its plan of operation to the Secretary for the administration of the supplemental nutrition assistance program on *all or part of an Indian reservation*, shall consult in good faith with the *tribal organization* about that portion of the State’s plan of operation pertaining to the implementation of the program for members of the tribe, and shall implement the program in a manner that is responsive to the needs of the *Indians on the reservation as determined by ongoing consultation with the tribal organization.*”

***“(A) DEMONSTRATION PROJECT.—The term ‘demonstration project’ means the demonstration project established under paragraph (2).”.***

***(A) FOOD DISTRIBUTION PROGRAM.—The term “food distribution program” means the commodity supplemental food program identified in section 4 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86).***

***(B) INDIAN RESERVATION.—The term “Indian reservation” has the meaning given the term “reservation” in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012).***

***(C) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).***

***(D) SELF-DETERMINATION CONTRACT.—The term “self-determination contract” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) with modification as determined by the Secretary.***

***(E) TRIBAL ORGANIZATION.—The term “Tribal organization” has the meaning given the term in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012).***

***(2) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary shall establish a demonstration project under which 1 or more Tribal organizations may enter into self-determination contracts to purchase agricultural commodities under the food distribution program for the Indian reservation of that Tribal organization.***

and meet any other criteria determined by USDA in consultation with the Secretary of the Interior and Indian Tribes.

- o Directs USDA to consult on how best to determine the process and criteria for Tribal participation in the demonstration projects.
- o Mandates Tribal-purchased commodities under the demonstration project be domestically produced.
- o Prohibits purchases from causing an increase in the amount of food in the existing food package compared to the amount of food that the Secretary authorized under CSFP’s Guide Rate.
- o Commodities must be of similar or higher nutritional value of those being supplanted in the existing food package.
- o Allows for the procurement of foods that are of “Tribal significance to that Indian Tribe.”
- o Authorizes \$5 million until expended.
- o Requires the Secretary to submit an annual report to the House and Senate Agriculture Committees describing the demonstration project’s activities, beginning one year after funds appropriated.
- o Requires the Secretary to appoint an existing USDA office to administer Tribal self-determination contracts. This authority includes hiring staff to negotiate and manage the contracts.
- o Authorizes \$1.2 million annually for fiscal years 2025-2029 for contract officers and other administrative costs.

**(3) ELIGIBILITY.—**

**(A) CONSULTATION.**—*The Secretary shall consult with Indian Tribes to determine the process and criteria under which a Tribal organization may participate in the demonstration project.*

**(B) CRITERIA.**—*The Secretary shall select for participation in the demonstration project Tribal organizations that—*

*(i) are successfully administering the food distribution program of the Tribal organization under section 4(b)(2)(B) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note);*

*(ii) have the capacity to purchase agricultural commodities in accordance with paragraph (4) for the food distribution program of the Tribal organization; and*

*(iii) meet any other criteria determined by the Secretary, in consultation with the Secretary of the Interior and Indian tribes.*

**(4) PROCUREMENT OF AGRICULTURAL COMMODITIES.**—*Any agricultural commodities purchased by a Tribal organization under the demonstration project shall—*

*(A) be domestically produced;*

*(B) not result in a material increase in the amount of food in the food package of that Tribal organization compared to the amount of food that the Secretary authorized to be provided through the Commodity Supplemental Food Program Guide Rate;*

*(C) be of similar or higher nutritional value as the type of agricultural commodities that would be supplanted in the existing food package for that*

*Tribal organization or be an agricultural commodity with Tribal significance to that Indian Tribe; and  
(D) meet any other criteria determined by the Secretary.*

*(5) REPORT.—Not later than 1 year after the date on which funds are appropriated under paragraph (6) and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the activities carried out under the demonstration project during the preceding year.*

*(6) FUNDING.—*

*(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000, to remain available until expended.*

*(B) APPROPRIATIONS IN ADVANCE.—Only funds appropriated under subparagraph (A) in advance specifically to carry out this subsection shall be available to carry out this subsection.*

*(b) ADMINISTRATION OF TRIBAL SELF-DETERMINATION CONTRACTS.—*

*(1) ADMINISTRATION.—The Secretary shall appoint an existing office of the United States Department of Agriculture to administer Tribal self-determination contracts to include but not limited to:*

*(A) awarding of Food and Nutrition Service nutrition program self-determination contracts to selected Tribal organizations; and*

*(B) hiring contract officers and program staff in order to manage the selection of Tribal organizations and execution of self-determination contracts.*

<p align="center"><b>(2) STAFFING MINIMUM</b></p> <p><b>FUNDING.</b>—<i>Notwithstanding any other provision of law, there is authorized to be appropriated \$1,200,000 for each of fiscal years 2025 through 2029 for the payment of Department contract officers and program staff salaries and benefits.</i></p>	
<p><b>Subtitle C – Miscellaneous</b>  <b>SEC. 4302. FOOD BOX PILOT PROGRAM.</b></p> <p>(a) ESTABLISHMENT.—The Secretary of Agriculture, acting through the Administrator of the Agricultural Marketing Service and in consultation with the Food and Nutrition Service, shall—</p> <p>(1) not later than 180 days after the date of the enactment of the Farm, Food, and National Security Act of 2024—</p> <p align="center"><i>(A) establish a pilot program for the purpose of procuring and distributing foods from the categories of staple foods listed in section 3(q) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(q)) that align with dietary patterns as defined in the most recent Dietary Guidelines for Americans; and</i></p> <p align="center"><i>(B) publish guidance for participation in such program; and</i></p> <p>(2) not later than 270 days after the date of the enactment of the Farm, Food, and National Security Act of 2024, enter into contracts with eligible entities to carry out not more than 20 pilot projects under such program.</p> <p>(b) GOALS.—<i>The pilot program established under subsection (a) shall be designed—</i></p>	<p><b>Subtitle C – Miscellaneous</b>  <b>SEC. 4302. FOOD BOX PILOT PROGRAM.</b></p> <ul style="list-style-type: none"> <li>o Establishes a food box pilot project housed under the Agricultural Marketing Service (AMS) in partnership with the Food and Nutrition Service (FNS) to procure and distribute staple foods defined in the most recent Dietary Guidelines for Americans.<sup>7</sup></li> <li>o Establishes a ceiling of 20 pilot projects</li> <li>o Eligible entities include Tribal organizations that already distribute food or meals.</li> <li>o Authorizes \$100 million for each fiscal year to support the pilot projects and administration of the project. Funding derives from the Commodity Credit Corporation (CCC).</li> </ul>

<sup>7</sup> U.S. DEP’T of AGRIC., 2020-2025 Dietary Guidelines for Americans, (last visited May 24, 2024), available at [https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary\\_Guidelines\\_for\\_Americans\\_2020-2025.pdf](https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf).

(1) to supplement, not supplant, the nutrition of food insecure households in a manner complementary to other food nutrition programs administered by the Department;

(2) to expand the capacity of nonprofit organizations, including community-based and faith-based organizations; and

***(3) to support local and regional food systems to improve food access.***

(c) SELECTION CRITERIA.—In determining whether to award contracts under subsection (a), the Secretary may consider whether an eligible entity—

(1) demonstrates the capability to meet the program goals in subsection (b);

(2) offers a price inclusive of all inspection, transportation, and distribution costs, including last mile distribution;

(3) proposes to deliver a variety of staple foods determined by the Secretary to be the best value using trade-offs among evaluation factors other than lowest price or highest technical rating;

(4) demonstrates an established network of partners or affiliates with distribution and logistics capability to provide last mile delivery to individuals in need;

(5) will engage small- and medium-sized farmers or retailers, or distributors who source from such farmers; or

(6) will source local and regional products relative to the proposed distribution area when commercially and seasonally available at a fair and reasonable price.

(d) REPORT TO CONGRESS.—Not later than one year after the entering into a contract to carry out this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture,

<p>Nutrition, and Forestry of the Senate, a report on the status of activities carried out under this section, including—</p> <ul style="list-style-type: none"> <li>(1) the amount and types of products purchased and the proximity to relevant distribution points;</li> <li>(2) the distribution data for each project sufficient to identify all partners involved and their respective roles in the distribution process, the means of distribution and the ultimate destination of products;</li> <li>(3) the number of farms sourced from;</li> <li>(4) the number of boxes delivered to households and number of households receiving boxes; and</li> <li>(5) the associated economic impact of each project.</li> </ul> <p><b><i>(e) ELIGIBLE ENTITIES.—In this section the term “eligible entity” includes—</i></b></p> <ul style="list-style-type: none"> <li>(1) small- and medium-sized farmers, as determined by the Secretary;</li> <li>(2) distributors with demonstrated capacity to source from small- and medium-sized farmers; and</li> <li>(3) recipient and nonprofit organizations with expertise in management or administration of food distribution, including— <ul style="list-style-type: none"> <li>(A) faith-based organizations that distributes food or meals;</li> <li><b><i>(B) Tribal organizations that distribute food or meals;</i></b></li> <li>(C) child or adult care centers; and</li> <li><b><i>(D) any other similar feeding entity, as determined by the Secretary.</i></b></li> </ul> </li> </ul> <p>(f) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section \$100,000,000 for each of fiscal years 2025 and 2026, to remain available until expended.</p>	
<p><b>Subtitle C – Miscellaneous</b></p>	<p><b>Subtitle C – Miscellaneous</b></p>



**SEC. 4306. REAUTHORIZATION OF THE GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM.**

Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by amending subparagraph (C) to read as follows:

“(C) FEDERAL SHARE.—

“(i) IN GENERAL.—Except as provided in clause (ii) and subparagraph (D)(iii), the Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity.

“(ii) WAIVER FOR PERSISTENT POVERTY COUNTIES.—The Secretary may waive the application of clause (i) in the case of an activity carried out in a county that, during the preceding 30-year period has had a population of which greater than or equal to 20 percent of such population are living in poverty (as measured by the most recent decennial censuses).”; and  
(B) in paragraph (2)(B)—

(i) by redesignating clauses (ix) and (x) as clauses (x) and (xi); and

(ii) by inserting after clause (viii) the following:

“(ix) increase year-round availability of incentives by offering all forms of fruits or vegetables;”; and

(2) in subsection (c)—

(A) by striking “fresh fruits and vegetables” and inserting “all forms of fruits, vegetables, and legumes” each place it appears; and

**SEC. 4306. REAUTHORIZATION OF THE GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM.**

- o Reauthorizes the Gus Schumacher Nutrition Incentive Program (GUSNIP).
- o The 2018 Farm Bill clarified that Tribes can use other federal funds as a matching requirement for this program.
- o Approves waiver authority for persistent poverty counties that in the preceding 30 years had 20% or more of the population living in poverty as measured by the most recent decennial censuses.
- o Directs USDA, in consultation with the U.S. Department of Health and Human Services (HHS), to issue recommendations to Congress about the transition of GUSNIP’s administration to HHS within two years of enactment.
- o Requires the U.S. Comptroller General to submit a report within 18 months to House Committees on Agriculture, and Energy and Commerce, that examines policy options relating to the transition of the produce prescription program established under this subsection to HHS.

(B) by adding at the end the following:

***“(6) TRANSITION TO HEALTH AND HUMAN SERVICES.—***

***“(A) REPORT.—Not later than 2 years after the date of enactment of the Farm, Food, and National Security Act of 2024, the Secretary, in consultation with the Secretary of Health and Human Services, shall issue recommendations to Congress on how to transition the produce prescription program established under this subsection to the Department of Health and Human Services to be administered by the Secretary of Health and Human Services. In developing these recommendations, the Secretary and the Secretary of Health and Human Services, shall consider the policy option described in the Comptroller General report described in subparagraph (B).***

***“(B) COMPTROLLER GENERAL.—Not later than 18 months after the date of enactment of the Farm, Food, and National Security Act of 2024, the Comptroller General of the United States shall finalize and submit to the United States House of Representatives Committees on Agriculture, and Energy and Commerce, a report that examines policy options relating to the transition of the produce prescription program established under this subsection to the Department of Health and Human Services to be administered by the Secretary of Health and Human Services.***

***“(7) TERMINATION OF AUTHORITY.—The authority to carry out this subsection shall terminate on September 30, 2029.”; and***

***(3) in subsection (f)—***

<p>(A) in paragraph (1), by striking “2023” and inserting “2029”;</p> <p>(B) in paragraph (2)(G), by striking “\$56,000,000” and inserting “\$75,000,000”; and</p> <p>(C) in paragraph (3)—</p> <p>(i) by striking “2023” each place it appears and inserting “2029”;</p> <p>(ii) in subparagraph (B), by striking “8 percent” and inserting “7 percent”; and</p> <p>(iii) in subparagraph (C)(ii), by striking “\$7,000,000” and inserting “\$4,000,000”.</p>	
<p><b>Subtitle C – Miscellaneous</b>  <b>SEC. 4309. MICRO-GRANTS FOR FOOD SECURITY.</b></p> <p>Section 4206(g)(1) of the Agriculture Improvement Act of 2018 (7 U.S.C. 7518(g)(1)) is amended by striking “\$10,000,000” and inserting “\$30,000,000”.</p>	<p><b>Subtitle C – Miscellaneous</b>  <b>SEC. 4309. MICRO-GRANTS FOR FOOD SECURITY.</b></p> <ul style="list-style-type: none"> <li>o Increases funding from \$10 million to \$30 million.</li> <li>o Funding for the micro-grants flows through States.</li> <li>o Subaward eligible entities include, but are not limited to: Indian Tribes, Tribal organizations, and agriculture agencies, commissions, or departments.<sup>8</sup></li> </ul>
<b>Title V – Credit (<i>emphasis added</i>)</b>	<b>Summary of Tribal Provisions</b>
<p><b>Subtitle A – Farm Ownership Loans</b>  <b>SEC. 5107. HEIRS PROPERTY.</b></p> <p>(a) REAUTHORIZATION OF THE HEIRS PROPERTY INTERMEDIARY RELENDING PROGRAM.—Section 310I(g) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1936(c)(g)) is amended by</p>	<p><b>Subtitle A – Farm Ownership Loans</b>  <b>SEC. 5107. HEIRS PROPERTY.</b></p> <ul style="list-style-type: none"> <li>o Defines “underserved heir” as one who is: <ul style="list-style-type: none"> <li>o A limited resource heir,</li> </ul> </li> </ul>

<sup>8</sup> U.S. DEP’T of AGRIC. AGRIC. MKTG. SERV., Micro-Grants for Food Security Program Fiscal Year 2024 Request for Applications (Mar. 19, 2024), available at [https://www.ams.usda.gov/sites/default/files/media/MGFSP\\_RFA\\_FY24.pdf](https://www.ams.usda.gov/sites/default/files/media/MGFSP_RFA_FY24.pdf).

striking “2023” and inserting “2029”.

.....

“(f) COOPERATIVE AGREEMENTS FOR HEIRS PROPERTY RESOLUTION THROUGH DIRECT PUBLIC INTEREST LEGAL SERVICES.—

“(1) IN GENERAL.—The Secretary shall enter into cooperative agreements with eligible entities to provide legal or accounting services to underserved heirs, at no cost to the underserved heirs, to assist in resolving undivided ownership interests on farmland or forest land, or land transitioning to farmland or forest land, that has multiple owners. Such a co-operative agreement must be for any of the following purposes:

“(A) To assist with transitioning land to agricultural production.

“(B) To maintain land in agricultural production.

“(C) To increase access to programs administered by the Secretary through the resolution of real property claims in order to allow real property owners to meet land ownership eligibility requirements for participation in a program administered by the Secretary.

...

“(3) DEFINITIONS.—In this subsection:

...

“(B) LIMITED RESOURCE HEIR. —An heir shall be considered a limited resource heir for purposes of this subsection if—

“(i) the total household income of the heir is at or below the national poverty level for a family of 4, or less than 50 percent of the county median household income for the 2 immediately preceding calendar years, as determined annually using data of the Department of Commerce; or

“(ii) the property of the heir for which legal services are provided pursuant to a cooperative agreement entered

- o A member of a socially disadvantaged group (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990);<sup>9</sup> or
- o A veteran.
- o Creates a program authorizing third-party service providers via cooperative agreement to assist eligible heirs in resolving undivided ownership interests (like fractionation) for transitioning or maintaining land in agricultural production and increasing participation in USDA programs.
- o While the program *may* be accessible by a Tribal producer under the definition of “underserved heir”, the program may not efficiently or effectively translate to instances where the fractionated land at issue is land held in trust for individual Indians or held by Indians and otherwise subject to a restriction on alienation.
- o The program, as drafted, permits the Secretary of Agriculture to terminate an agreement with a service provider that fails to demonstrate success as determined by the Secretary in resolving the property claims of the eligible heir.

<sup>9</sup> *Supra* note 5.

<p>into under this subsection is in a persistent poverty community, as determined annually on the basis of data from the Department of Commerce, or a socially vulnerable area, as designated by the Centers on Disease Control and Prevention.</p> <p><b><i>“(C) UNDERSERVED HEIR.—The term ‘underserved heir’ means an heir with an undivided ownership interest in farmland or forest land that has multiple owners, who is—</i></b></p> <p><b><i>“(i) a limited resource heir;</i></b></p> <p><b><i>“(ii) a member of a socially disadvantaged group (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990); or</i></b></p> <p><b><i>“(iii) a veteran (as defined in section 101(2) of title 38, United States Code).</i></b></p>	
<p><b>Subtitle E – Miscellaneous</b>  <b>SEC. 5506. STATE AGRICULTURAL MEDIATION PROGRAMS.</b></p> <p>(a) DEFINITION OF STATE.—Section 501 of the Agricultural Credit Act of 1987 (7 U.S.C. 5101) is amended by adding at the end the following:</p> <p><b><i>“(e) DEFINITION OF STATE.—In this title, the term ‘State’ has the meaning given the term in section 1404 of the Food and Agriculture Act of 1977, and includes any Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act).”</i></b></p> <p>(b) MATCHING GRANTS TO STATES.—Section 502 of the Agricultural Credit Act of 1987 (<a href="#">7 U.S.C. 5102</a>) is amended—</p> <p>(1) in subsection (b)(2), by striking “\$500,000” and inserting “\$700,000”; and</p> <p>(2) by adding at the end the following:</p> <p><b><i>“(c) CARRY OVER OF FINANCIAL ASSISTANCE.—The Secretary shall permit a State that receives financial assistance</i></b></p>	<p><b>Subtitle E – Miscellaneous</b>  <b>SEC. 5506. STATE AGRICULTURAL MEDIATION PROGRAMS.</b></p> <ul style="list-style-type: none"> <li>o Amends the definition of “State” to include Tribes.</li> <li>o Makes Tribes eligible for funding to provide mediation services to persons involved in agricultural loans.</li> </ul>

<p>under subsection (a) for a fiscal year to carry over not more than 25 percent of the financial assistance that is not expended by the end of the fiscal year, for use during the next fiscal year without deducting the amount from any assistance provided under this Act in subsequent fiscal years.”.</p> <p>(c) AUTHORIZATION OF APPROPRIATIONS.—Section 506 of such Act (<a href="#">7 U.S.C. 5106</a>) is amended by striking “2023” and inserting “2029”.</p>	
<p><b>Title VI – Rural Development (<i>emphasis added</i>)</b></p>	<p><b>Summary of Tribal Provisions</b></p>
<p><b>Subtitle B – Connecting Rural Americans to High Speed Broadband</b>  <b>SEC. 6201. RURAL BROADBAND PROGRAM LOANS AND GRANTS.</b></p> <p>(a) IN GENERAL.—Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—</p> <p>(1) in the section heading, by striking “ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS” and inserting “RECONNECT RURAL BROADBAND PROGRAM”;</p> <p>(2) in subsection (a), by striking “The purpose” and all that follows through “provide funds for” and inserting “The Secretary shall establish a program, which shall be known as the ‘ReConnect Rural Broadband Program’, to provide grants, loans, and loan guarantees to finance”;</p> <p>(3) in subsection (c)—</p> <p>(A) by striking paragraph (1) and inserting the following:</p> <p><b><i>“(1) IN GENERAL.—The Secretary shall make grants, loans, and loan guarantees to eligible entities described in subsection (d) for the purpose of financing the construction, improvement, or acquisition of facilities and equipment necessary for delivering broadband service in rural areas.”;</i></b></p>	<p><b>Subtitle B – Connecting Rural Americans to High Speed Broadband</b>  <b>SEC. 6201. RURAL BROADBAND PROGRAM LOANS AND GRANTS.</b></p> <ul style="list-style-type: none"> <li>o Changes the section heading from “Access to Broadband Telecommunications Services in Rural Areas” to “ReConnect Rural Broadband Program”.</li> <li>o Provides the highest priority for grants, loans, and loan guarantees to unserved rural communities that do not have residential broadband service of at least 25 Mbps downstream and 3 Mbps upstream.</li> <li>o After the highest priority, priority consideration is provided to projects that were developed with the participation of two or more stakeholders which include Tribal governments, community anchor institutions which include 1994 land grant institutions, and others.</li> </ul>

(B) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following:

“(A) **IN GENERAL.**—In making grants, making loans, and guaranteeing loans under paragraph (1), the Secretary shall give the highest priority to applications for projects to provide broadband service to unserved rural communities that do not have any residential broadband service of at least—

“(i) a 25-Mbps downstream transmission capacity; and

“(ii) a 3-Mbps upstream transmission capacity.

“(B) **OTHER.**—*After giving priority to the applications described in subparagraph (A), the Secretary shall then give priority to applications—*

“(i) *for projects to provide broadband service to rural communities—*

“(I) *with a population of less than 10,000 inhabitants; or*

“(II) *in geographically underserved and distressed areas, including—*

“(aa) *a socially vulnerable community (as determined by the Secretary);*

“(bb) *a persistent poverty county (as determined by the Secretary); or*

“(cc) *in an economically distressed area (as determined by the Secretary);*

“(ii) *that were developed with the participation of, and will receive a substantial portion of the funding or in-kind assistance for*

***the project from, 2 or more stakeholders,  
including—***

“(I) State, local, and ***tribal governments;***

“(II) nonprofit institutions;

“(III) community anchor institutions,  
such as—

“(aa) public libraries;

“(bb) elementary schools and  
secondary schools (as defined in  
section 8101 of the Elementary and  
Secondary Education Act of 1965 (20  
U.S.C. 7801));

***“(cc) institutions of higher  
education (including 1862 Land-Grant  
Institutions, 1890 Land-Grant  
Institutions, 1994 Land-Grant  
Institutions, Hispanic-Serving  
Institutions, and Historically Black  
Colleges and Universities);***

“(dd) health care facilities; and

“(ee) facilities essential for local  
or regional commerce or for the  
movement of goods;

“(IV) private entities;

“(V) philanthropic organizations; and

“(VI) cooperatives; or

“(iii) that are submitted by an eligible entity  
or is owned by an entity that has provided  
broadband service or other utility service for at  
least 5 years in rural areas in the State in which  
the project would be carried out.”;

(C) in paragraph (3)—



<p>(i) in subparagraph (B)—</p> <p>(I) by striking “and” at the end of clause (i);</p> <p>(II) by striking the period at the end of clause (ii) and inserting “; and”; and</p> <p>(III) by adding at the end the following:</p> <p>“(iii) shall be subject to a grant agreement of not less than 10 years.”;</p> <p>(ii) by striking subparagraphs (C) and (D) and inserting the following:</p> <p>“(C) APPLICATIONS.—</p> <p>“(i) GRANT-ONLY APPLICATIONS.—The Secretary shall establish an application process that permits an application for a grant-only award.</p> <p>“(ii) COMBINED APPLICATIONS.—The Secretary shall establish an application process that—</p> <p>“(I) permits a single application for a grant and a loan under title I or II, or this title, that is associated with the grant; and</p> <p>“(II) provides a single decision to award the grant and the loan.”;</p> <p>(iii) by redesignating subparagraph (E) as subparagraph (D); and</p> <p>(iv) by striking subparagraph (F); and</p> <p>(D) by striking paragraph (4) and inserting the following:</p> <p>“(4) FEES.—</p> <p>“(A) INITIAL GUARANTEE FEE.—The Secretary may assess an initial guarantee fee for any insured or guaranteed loan issued or modified under this section</p>	
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in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

“(B) PERIODIC RETENTION FEE.—The Secretary may assess a periodic retention fee for any insured or guaranteed loan or modified under this section in an amount that does not exceed 0.75 percent of the outstanding principal of the guarantee loan.

“(C) DISCLOSURE.—In altering any fee charged for any insured or guaranteed loan issued or modified under this section, the Secretary, not less than 30 days in advance of any fee change, shall provide a public disclosure, of the financial data, economic and behavioral assumptions, calculations, and other factors used to determine the new fee rates.”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (i), by adding “and” at the end; and

(II) by striking “require; and” and all that follows through “agree” and insert “require, and agree”;

(ii) by redesignating subparagraph (B) as subparagraph (E) and inserting after subparagraph (A) the following:

**“(B) INCLUSIONS.—An entity eligible to obtain assistance under subsection (c) may include—**

“(i) a State or local government, including any agency, subdivision, instrumentality, or political subdivision of a State or local government;

“(ii) a territory or possession of the United States;

***“(iii) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));***

*“(iv) a cooperative or mutual organization;*

*“(v) an organization of 2 or more incorporated areas that have established an intermunicipal legal agreement for the purposes of delivering communication services to residents;*

*“(vi) a corporation; or*

*“(vii) a limited liability company or limited liability partnership.*

***“(C) INELIGIBLE ENTITIES.—***An individual or legal general partnership that is formed with individuals shall not be eligible to obtain a grant, loan, or grant and loan combination under subsection (c).

***“(D) AFFILIATED OWNED AND OPERATED NETWORKS.—***Under this subsection, the Secretary may fund the construction of networks owned and operated by an affiliate of an eligible entity receiving the grant, loan, or loan guarantee, if the eligible entity, the affiliate, or both, as determined necessary by the Secretary, furnishes adequate security for the grant, loan, or loan guarantee.”; and

(iii) in subparagraph (E) (as so redesignated by clause (ii) of this subparagraph), by inserting “, directly or in conjunction with any combination of affiliates,” before “may not”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “subparagraphs (B) and (C)” and inserting “subparagraph (B)”;

(II) by striking “is submitted—” and all

<p>that follows through “(i) not less than 50” and inserting “is submitted not less than 75” ; and</p> <p>(III) by striking “(e); and” and all that follows and inserting “(e).”;</p> <p>(ii) in subparagraph (B), by striking “(A)(i)” and inserting “(A)”;</p> <p>(iii) by striking subparagraph (C); and</p> <p>(C) by striking paragraphs (4) and (5);</p> <p>(5) in subsection (e)—</p> <p>(A) in paragraph (1)—</p> <p>(i) by striking “Subject to paragraph (2), for” and inserting “For”;</p> <p>(ii) in subparagraph (A), by striking “25” and inserting “50”; and</p> <p>(iii) in subparagraph (B), by striking “3” and inserting “25”;</p> <p>(B) by striking paragraph (2) and inserting the following:</p> <p>“(2) ADJUSTMENTS.—The Secretary may adjust, through a 30-day public notice and comment period published in the Federal Register, an increase in the minimum level of broadband service under paragraph (1) of no more than 50 percent from the preceding year, if less than 95 percent of the funds of the program are obligated in the preceding 2 funding rounds.”; and</p> <p>(C) in paragraph (4)—</p> <p>(i) in the paragraph heading, by striking “BUILDOUT” and inserting “PROJECT AGREEMENT”; and</p> <p>(ii) by striking subparagraphs (B) through (D) and inserting the following:</p> <p>“(B) BROADBAND BUILDOUT STANDARDS</p>	
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DEFINED.—A project must meet the following applicable broadband standard in order to be considered for assistance;

“(i) A project with an award term of less than 8 years must provide service at 2 times the minimum broadband speed established in subsection (e)(1).

“(ii) A project with an award term of at least 8 years and less than 14 years must provide service at 5 times the minimum broadband speed established in subsection (e)(1).

“(iii) A project with an award term of 14 or more years must provide service at 10 times the minimum broadband speed established in subsection (e)(1).

“(C) NETWORK UPGRADE PLANNING.—The Secretary may prioritize an applicant seeking to meet the broadband buildout standards under clause (i) or (ii) of subparagraph (B) if the applicant submits information regarding the potential for the physical infrastructure of the network to be upgraded to meet the broadband buildout standards under subparagraph (B)(iii) at the time of the application, assuming reasonable progress in relevant networking technologies.”;

(6) by striking subsection (j) and inserting the following:

“(j) AUTHORIZATIONS OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$350,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.”; and

(7) in subsection (k), by striking “2023” and inserting “2029”.

(b) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall promulgate rules to carry out the amendments made by subsection (a) of this section, and complete the biennial review process required by section 601(e)(2) of the Rural Electrification Act of 1936.

(c) SUNSET.—The authorities provided by section 779 of the Consolidated Appropriations Act, 2018 (Public Law 115–141) shall have no force or effect beginning 270 days after the date of the enactment of this Act.

(d) TRANSITION RULES.—

(1) AVAILABILITY OF FUNDS FOR ADMINISTRATIVE COSTS.—Not more than 1 percent of the unobligated balances of amounts made available, as of the date that is 270 days after the date of the enactment of this Act, to carry out the pilot program described in section 779 of the Consolidated Appropriations Act, 2018 (Public Law 115–141) may be used for the costs of transitioning from the pilot program to the program under section 601 of the Rural Electrification Act of 1936, as amended by this Act.

(2) CONSOLIDATION OF FUNDS.—

(A) IN GENERAL.—The unobligated balances of all amounts made available on or before June 30, 2025, to carry out the pilot program described in section 779 of the Consolidated Appropriations Act, 2018 (Public Law 115–141) that are in excess of the amount described in subparagraph (B) of this paragraph are hereby transferred to and merged with amounts made available to carry out the program authorized under section 601 of the Rural Electrification Act of 1936.

(B) UNFUNDED APPROVALS.—The amount described in this subparagraph is the amount required to fully fund each project approved as of the date that

<p>is 270 days after the date of the enactment of this Act, under the pilot program described in such section 779 for which amounts were not obligated or partially obligated as of such date.</p>	
<p><b>Subtitle B – Connecting Rural Americans to High Speed Broadband 6206. PUBLIC NOTICE, ASSESSMENTS, TECHNICAL ASSISTANCE, AND REPORTING REQUIREMENTS.</b></p> <p>Section 701 of the Rural Electrification Act of 1936 (7 U.S.C. 950cc) is amended—</p> <p>(1) in the section heading, by inserting “TECHNICAL ASSISTANCE,” before “AND”;</p> <p>(2) in subsection (a)(1)(B)(i), by inserting “, including a complete shapefile map” before the semicolon;</p> <p>(3) in subsection (b)—</p> <p>(A) in paragraph (1)—</p> <p>(i) in subparagraph (A), by striking “and” at the end;</p> <p>(ii) by redesignating subparagraph (B) as subparagraph (C) and inserting after subparagraph (A) the following:</p> <p>“(B) validate the information submitted by service providers under subparagraph (A) through procedures established by the Secretary, which shall include an agency determination provided to the submitter, an opportunity of the submitter to respond, and a final non-appealable determination of the Secretary; and”; and</p> <p>(iii) in subparagraph (C) (as so redesignated by clause (ii) of this subparagraph), by striking “paragraph (1)” and inserting “subparagraph (A)”; and</p> <p>(B) in paragraph (2), by striking all that precedes</p>	<p><b>Subtitle B – Connecting Rural Americans to High Speed Broadband 6206. PUBLIC NOTICE, ASSESSMENTS, TECHNICAL ASSISTANCE, AND REPORTING REQUIREMENTS.</b></p> <ul style="list-style-type: none"> <li>o Establishes a grant program to provide broadband technical assistance and training to expand broadband access in rural areas.</li> <li>o Eligible entities include Federally recognized Tribes, Tribal Entities, and 1994 land grant institutions.</li> <li>o Technical assistance includes: preparing applications, identifying financial resources, preparing feasibility studies, preparing reports necessary for broadband, and analyzing operations related to management of broadband, among other things.</li> </ul>

subparagraph (B) and inserting the following:

“(2) ASSESSMENT OF ELIGIBILITY.—In making any determination to award a loan, loan guarantee, or grant for any retail broadband project provided assistance or for which assistance is sought that is administered by the Secretary, the Secretary shall confirm that each unserved rural community identified in the application is eligible for funding by—

“(A) utilizing the map created by the Federal Communications Commission under section 802(c)(1)(A) of the Communications Act of 1934 and the Deployment Locations Map established under section 60104(b) of the Infrastructure Investment and Jobs Act (47 U.S.C. 1704(b));”;

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

“(e) BROADBAND TECHNICAL ASSISTANCE PROGRAM.—

“(1) IN GENERAL.—The Secretary shall make grants to private, nonprofit, or public organizations to provide or receive eligible entities broadband technical assistance and training to expand access to broadband service in rural communities through the broadband programs of the Department of Agriculture including—

“(A) preparing applications for grants, loans and loan guarantees under this section;

“(B) identifying resources to finance broadband facilities from public and private sources, including other Federal agencies;

“(C) preparing feasibility studies, financial forecasts, market surveys, environmental studies, and technical design information to support broadband services;

“(D) preparing reports and surveys necessary to



support the need for broadband services, the price range, and request financial assistance;

“(E) analyzing and improving operations related to the management, including financial management, of broadband facilities and to the efficiency of the entity;

“(F) collecting broadband infrastructure data; or

“(G) assisting with other areas of need identified by the Secretary.

**“(2) ELIGIBLE ENTITIES.—To be eligible to obtain assistance under this subsection, an entity shall be—**

**“(A) a federally recognized tribe or tribal entity;**

“(B) a State or local government, including any agency, subdivision, instrumentality, or political subdivision thereof;

“(C) a territory or possession of the United States;

**“(D) an institution of higher education (including a 1862 Land-Grant Institution, 1890 Land-Grant Institution, 1994 Land-Grant Institution, Hispanic-Serving Institution, or Historically Black College or University);**

“(E) a nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

“(F) a cooperative or mutual organization;

“(G) a corporation; or

“(H) a limited liability company or limited liability partnership.

**“(3) SELECTION PRIORITY.—**In selecting recipients of grants under this paragraph, the Secretary shall give priority to organizations that have experience in providing technical assistance and training to rural entities.

**“(4) NATIONAL APPLICATIONS.—**The Secretary shall

allow applications for grants under this paragraph from qualified organizations for the sole purpose of providing on-site community technical assistance and training on a national or multi-State regional basis.

“(f) ASSISTANCE FOR COMMUNITY BROADBAND

MAPPING.—

“(1) IN GENERAL.—The Secretary may make grants to eligible entities for the purpose of collecting broadband service data to assist the Secretary in—

“(A) establishing the availability of broadband service or middle mile infrastructure in a rural area;

“(B) determining the eligibility of a community for assistance under any broadband program administered by the Secretary;

“(C) undertaking a service area assessment under this section; or

“(D) collecting information to submit a challenge to the National Broadband Map created by the Federal Communications Commission pursuant to section 802(c)(1) of the Communications Act of 1934 (47 U.S.C. 642(c)(1)).

“(2) APPLICATION.—To apply for a grant under this section, an entity shall submit an application which identifies—

“(A) the data collection area;

“(B) the purpose of the data collection;

“(C) the types of broadband service data to be collected;

“(D) the survey and data collection methods utilized; and

“(E) any other information the Secretary determines necessary to promote the integrity of broadband service collected under this section.

“(3) LIMITATION OF GRANT AMOUNT.—The amount of a grant made available under this subsection shall not exceed \$50,000.

“(4) BROADBAND SERVICE DATA USAGE.—The Secretary shall ensure that any broadband service data collected under this section is—

“(A) measured or assessed in accordance with such standards as are established by the Federal Communications Commission pursuant to section 802(a)(1)(A) of the Communications Act of 1934 (47 U.S.C. 642(a)(1)(A));

“(B) accurate and verifiable in accordance with such standards as are established by the Federal Communications Commission pursuant to section 802(a)(1)(A) of the Communications Act of 1934 (47 U.S.C. 642(a)(1)(A));

“(C) included in any broadband maps or data sets maintained by the Secretary; and

“(D) made available to the Chair of the Federal Communications Commission and the Administrator of the National Telecommunications and Information Administration for inclusion in any broadband maps or data sets either may maintain.

“(5) DEFINITIONS.—In this subsection:

“(A) BROADBAND SERVICE.—The term ‘broadband service’ has the same meaning given the term in section 601.

“(B) BROADBAND SERVICE DATA.—

“(i) IN GENERAL.—The term ‘broadband service data’ means information related to—

“(I) the location and type of broadband service;

“(II) the location and type of

broadband infrastructure;

“(III) the advertised, maximum, and average speed of broadband service;

“(IV) the average price of the most subscribed tier of broadband service;

“(V) the speed tiers of broadband service available in the area; or

“(VI) any additional metric the Secretary deems appropriate.

“(ii) FURTHER DEFINITION.—The Secretary shall further define the term ‘broadband service area’ to ensure that data is measured and collected in a manner consistent with the reporting requirements under this section, and any broadband coordination or data-sharing obligations.

**“(C) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—**

“(i) a unit of local government in a rural area;

**“(ii) a tribal government or unit of tribal government;**

“(iii) an economic development or other community organization;

“(iv) an eligible entity under title I or II that serves persons in rural areas;

“(v) an internet service provider that has not more than 100,000 subscribers; or

“(vi) any other entity eligible under a title VI program that is not an internet service provider.

“(D) MIDDLE MILE INFRASTRUCTURE.—The term ‘middle mile infrastructure’ has the meaning given the

<p>term in section 602.</p> <p>“(E) RURAL AREA.—The term ‘rural area’ has the meaning given the term in section 601.</p> <p>“(6) LIMITATION ON AMOUNT MADE AVAILABLE FOR GRANTS.—The Secretary may not expend more than 1 percent of the amounts made available under subsection (g) for each of fiscal years 2025 through 2029 to carry out this subsection.</p> <p>“(g) LIMITATIONS ON RESERVATION OF FUNDS.—Not less than 3 but not more than 5 percent of the amounts appropriated to the program to carry out title VI shall be set aside to be used for—</p> <p>“(1) conducting oversight under such title;</p> <p>“(2) implementing accountability measures and related activities authorized under such title; or</p> <p>“(3) carrying out this section.”.</p>	
<p><b>Subtitle C – Miscellaneous</b></p> <p><b>SEC. 6301. RURAL ENERGY SAVINGS PROGRAM.</b></p> <p>Section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a) is amended—</p> <p>(1) in subsection (b)—</p> <p>(A) in paragraph (1)—</p> <p>(i) in subparagraph (A), by inserting “, if the entity continues to serve rural areas (as defined in section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A))” before the semicolon;</p> <p>(ii) in subparagraph (B), by striking “or” at the end; and</p> <p><b><i>(iii) by redesignating subparagraph (C) as subparagraph (E) and inserting after subparagraph (B) the following:</i></b></p>	<p><b>Subtitle C – Miscellaneous</b></p> <p><b>SEC. 6301. RURAL ENERGY SAVINGS PROGRAM.</b></p> <ul style="list-style-type: none"> <li>o Makes Tribes eligible entities for the Rural Energy Savings Program.</li> <li>o This program is designed to help rural families and small businesses achieve cost savings by providing loans to qualified consumers to implement durable cost-effective energy efficiency measures including replacement of manufactured housing unit.</li> </ul>

***“(C) any Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));***

“(D) any public, quasi-public, or nonprofit entity that uses innovative financing techniques and market development tools to accelerate the deployment of energy efficiency technology; or”;

(B) by striking paragraph (2) and inserting the following:

“(2) ENERGY EFFICIENCY MEASURES.—The term ‘energy efficiency measures’ means, with respect to any property service by an eligible entity—

“(A) a structural improvement or investment in a cost-effective, commercial technology to increase energy efficiency (including cost-effective on-or off-grid renewable energy or energy storage system); and

“(B) the replacement of a manufactured housing unit or large appliance with a substantially similar manufacturing housing unit or appliance, respectively, if that replacement is a cost-effective option with respect to energy savings.”;

(2) in subsection (c)—

(A) in the subsection heading, by inserting “AND GRANTS” before “TO”;

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to this subsection, the Secretary shall provide—

“(A) loans to eligible entities that agree to use the loan funds to make loans under subsection (d) to qualified consumers for the purpose of implementing energy efficiency measures; and

“(B) at the election of any eligible entity that receives a loan under subparagraph (A) of this paragraph, a grant in accordance with paragraph (11).”;

(C) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively, and inserting after paragraph (1) the following:

“(2) PRIORITIZATION.—The Secretary shall give priority to applications from eligible entities serving at least 80 percent of their ratepayers residing in rural areas, as defined in section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(A)).”;

(D) in paragraph (3) (as so redesignated by subparagraph (C) of this paragraph)—

(i) in the paragraph heading, by inserting

“FOR LOANS” before the period; and

(ii) in subparagraph (A)(i), by striking “that is”;

(E) by striking paragraph (6) (as so redesignated by subparagraph (C) of this paragraph) and inserting the following:

“(6) REPAYMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B) of this paragraph, with respect to a loan under paragraph (1)(A)—

“(i) the term shall not exceed 20 years from the date on which the loan is closed; and

“(ii) except as provided in paragraph (8), the repayment of each advance shall be amortized for a period not to exceed 10 years.

“(B) EXTENSIONS.—The Secretary may extend the term of a loan under subparagraph (A)(i), or the deadline for repayment of an advance under

subparagraph (A)(ii), as the Secretary determines appropriate.”;

(F) in paragraph (8) (as so redesignated by subparagraph (C) of this paragraph)—

(i) in subparagraph (B), by striking “(1)” and inserting “(1)(A)”; and

(ii) in subparagraph (C), by striking “Repayment” and inserting “Subject to an applicable extension under paragraph (6)(B), repayment”;

(G) by striking paragraph (9) (as so redesignated by subparagraph (C) of this paragraph) and inserting the following:

“(9) LIMITATIONS.—

“(A) SPECIAL ADVANCES.—All special advances shall be made under a loan described in paragraph (1) during the first 10 years of the term of the loan.

“(B) REPLACEMENT OF MANUFACTURED HOUSING UNITS OR LARGE APPLIANCES.—Not more than 10 percent of the total annual amount of budget authority for loans described in paragraph (1) may be used for the replacement of manufactured housing units or large appliances.”; and

(H) by adding at the end the following:

“(11) GRANTS.—

“(A) IN GENERAL.—At the election of an eligible entity that receives a loan under this subsection, the Secretary may provide to the eligible entity a grant to pay for a portion of the costs incurred in—

“(i) making repairs to the property of a qualified consumer that facilitates the energy efficiency measures for the property financed



through a loan provided to the qualified consumer under subsection (d); or

“(ii) providing technical assistance, outreach, and training.

“(B) AMOUNT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the amount of a grant provided to an eligible entity under this paragraph shall be equal to not more than 5 percent of the amount of the loan provided to the eligible entity under this subsection.

“(ii) PERSISTENT POVERTY COUNTIES.—The amount of a grant provided under this paragraph to an eligible entity that will use the grant to make loans under subsection (d) to qualified consumers located in a persistent poverty county (as determined by the Secretary) shall be equal to 10 percent of the amount of the loan provided to the eligible entity under this subsection.”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph

(A), by inserting “or grant” before “funds”; and

(ii) by striking subparagraphs (B) and (C)

and inserting the following:

“(B) (i) may have a term and amortization schedule the length of which is the useful life of the energy efficiency measures implemented using the loan, if the loan term does not exceed 20 years; and

“(ii) shall finance energy efficiency measures for the purpose of decreasing energy usage or costs of the qualified consumer by an amount that ensures, to the maximum extent practicable, that the applicable

loan term described in clause (i) will not pose an undue financial burden on the qualified consumer, as determined by the eligible entity;

“(C) shall not be used to fund purchases of, or modifications to, personal property unless the personal property—

“(i) is a manufactured housing unit or large appliance described in subsection (b)(2)(B); or

“(ii) is or becomes attached to real property as a fixture;”; and

(B) by adding at the end the following:

“(3) CLARIFICATION OF ELIGIBILITY.—Notwithstanding any other provision of law (including regulations), an eligible entity may make a loan under this subsection to any qualified consumer located within the service territory of the eligible entity, regardless of whether the qualified consumer is located in a rural area.”;

(4) in subsection (e)—

(A) in the subsection heading, by inserting “OUTREACH,” before “AND TECHNICAL ASSISTANCE”;

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “and technical assistance of the program” and inserting “outreach, and technical assistance relating to the program under this section”; and

(ii) in subparagraph (B)(ii), by inserting “, outreach,” before “and training”; and

(C) by adding at the end the following:

“(3) FUNDING.—Not less than 3 but not more than 5 percent of amounts appropriated under subsection (i) may be used to provide outreach, training, and technical assistance under this subsection.”; and

<p>(5) in subsection (i), by striking “2014 through 2023” and inserting “2025 through 2029”.</p>	
<p><b>Subtitle C – Miscellaneous</b>  <b>SEC. 6305. NEW, MOBILE, AND EXPANDED MEAT PROCESSING AND RENDERING GRANTS.</b></p> <p>(a) DEFINITIONS.—In this section:</p> <p><b>(1) ELIGIBLE ENTITY.—The term “eligible entity” means—</b></p> <p>(A) a public, private, or cooperative organization organized on a for-profit or nonprofit basis, including a small establishment and very small establishment;</p> <p><b>(B) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));</b></p> <p>(C) a land-grant college or university (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103));</p> <p>(D) a non-land-grant college of agriculture (as defined in that section); and</p> <p>(E) a State department of agriculture or other applicable State office with authority over meat and poultry processing and rendering.</p> <p><b>(2) SMALL ESTABLISHMENT; VERY SMALL ESTABLISHMENT.—</b>The terms “small establishment” and “very small establishment” have the meanings given the terms “smaller establishment” and “very small establishment”, respectively, in the final rule entitled “Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems” (61 Fed. Reg. 38806 (July 25, 1996)) (or successor regulations).</p> <p><b>(b) PURPOSES.—The purposes of this section are—</b></p>	<p><b>Subtitle C – Miscellaneous</b>  <b>SEC. 6305. NEW, MOBILE, AND EXPANDED MEAT PROCESSING AND RENDERING GRANTS.</b></p> <ul style="list-style-type: none"> <li>o Establishes a new mobile and expanded meat processing and rendering grant.</li> <li>o Tribes are considered eligible entities.</li> <li>o Directs the Secretary to award three-year grants up to \$500,000 to eligible entities to: <ul style="list-style-type: none"> <li>o Identify and analyze business opportunities, including feasibility studies required for credit worthiness;</li> <li>o Bring operation into compliance with applicable Federal, State or local regulations;</li> <li>o Conduct regional, community and local economic development planning and coordination and leadership development;</li> <li>o Incentivize new, innovative or mobile enterprises for increasing or improving local and regional meat or poultry processing and rendering;</li> <li>o Implement humane handling infrastructure, including holding space for livestock prior to slaughter, shade structures and structures and equipment for humane slaughter;</li> <li>o Develop a feasibility study or business plan for, or carry out any other activity associated with, establishing or expanding a small meat or poultry slaughter, processing rendering facility; or</li> <li>o Purchase equipment that enables the further use or value-added sale of coproducts or byproducts such as cold storage and related equipment.</li> </ul> </li> <li>o The grant prioritizes small and very small businesses.</li> </ul>

<p><b><i>(1) to create more resilient local and regional food systems;</i></b></p> <p>(2) to expand, diversify, and increase resilience in meat and poultry processing and rendering activities;</p> <p>(3) to increase farmer and rancher access to animal slaughter options;</p> <p>(4) to improve compliance of processors with livestock and poultry processing statutes (including regulations), including the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (21 U.S.C. 451 et seq.);</p> <p>(5) to reduce barriers to entry for new meat and poultry processors and renderers;</p> <p>(6) to establish new, or update, expand, or otherwise improve existing, meat and poultry processing and rendering facilities; and</p> <p>(7) to support the processing and slaughtering of niche production methods such as halal, kosher, and other specific cultural methods.</p> <p>(c) GRANTS.—</p> <p>(1) IN GENERAL.—The Secretary shall award grants to eligible entities to use in accordance with subsection (d).</p> <p><b><i>(2) MAXIMUM AMOUNT.—The maximum amount of a grant awarded under paragraph (1) shall not exceed \$500,000.</i></b></p> <p><b><i>(3) DURATION.—The term of a grant awarded under paragraph (1) shall not exceed 3 years.</i></b></p> <p>(4) PRIORITY.—In awarding grants under paragraph (1), the Secretary shall give priority to small establishments and very small establishments.</p> <p><b><i>(d) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant to carry out activities in</i></b></p>	<p>o Authorizes \$3 million for each fiscal year 2025-2029.</p>
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**support of the purposes described in subsection (b), including activities—**

**(1) to identify and analyze business opportunities, including feasibility studies required for credit worthiness;**

**(2) to achieve compliance with applicable Federal, State, or local regulations;**

**(3) to conduct regional, community, and local economic development planning and coordination and leadership development;**

**(4) to incentivize new, innovative, or mobile enterprises for increasing or improving local and regional meat or poultry processing and rendering;**

**(5) to implement humane handling infrastructure, including holding space for livestock prior to slaughter, shade structures, and structures and equipment for humane slaughter;**

**(6) to develop a feasibility study or business plan for, or carry out any other activity associated with, establishing or expanding a small meat or poultry slaughter, processing, or rendering facility;**

**(7) to purchase equipment that enables the further use or value-added sale of coproducts or byproducts; and**

**(8) to purchase cold storage and related equipment.**

(e) FEDERAL SHARE.—The Federal share of the activities carried out using a grant awarded under this section shall not exceed—

(1) 90 percent in the case of a grant in the amount of \$100,000 or less; or

(2) 75 percent in the case of a grant in an amount greater than \$100,000.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$3,000,000 for each of fiscal years 2025 through 2029.

**Subtitle C – Miscellaneous**

**SEC. 6306. EXPANDING CHILDCARE IN RURAL AMERICA INITIATIVE.**

(a) DEFINITIONS.—In this section:

(1) CHILDCARE.—

***(A) IN GENERAL.—The term “childcare” means any program that—***

***(i) provides quality care and early education for children who have not yet entered first grade; and***

***(ii) is operated by—***

***(I) an eligible childcare provider described in section 658P(6)(A) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n(6)(A)); or***

***(II) a childcare provider that, on the date of enactment of this Act—***

***(aa) is licensed, regulated, or registered in the State, territory, or Indian Tribe in which the provider is located; and***

***(bb) meets applicable State, Tribal, territorial, and local health and safety requirements.***

(B) INCLUSIONS.—The term “childcare” includes—

(i) a school-based program described in subparagraph (A);

(ii) a facility used for a program described in subparagraph (A); and

(iii) a service provided under a program described in subparagraph (A).

**Subtitle C – Miscellaneous**

**SEC. 6306. EXPANDING CHILDCARE IN RURAL AMERICA INITIATIVE.**

- o Establishes the Expanding Childcare in Rural America Initiative.
- o Tribal childcare providers (e.g., Tribally operated or operated under Tribal law) are eligible entities.
- o Loans and grants under the program can be used to address the availability, quality or cost of childcare.

(2) INITIATIVE.—The term “Initiative” means the Expanding Childcare in Rural America Initiative established under subsection (b).

(3) RURAL AREA.—The term “rural area” has the meaning given the term in section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act.

(b) ESTABLISHMENT.—The Secretary shall establish an initiative, to be known as the “Expanding Childcare in Rural America Initiative”, under which the Secretary shall provide, for each of fiscal years 2025 through 2027, priority in accordance with subsection (c) to address the availability, quality, and cost of childcare in rural areas.

(c) CHILDCARE PRIORITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, in selecting recipients of loans and grants under a program described in paragraph (2), the Secretary shall give priority to any qualified applicant that proposes to use the loan or grant to address the availability, quality, or cost of childcare.

(2) DESCRIPTION OF PROGRAMS.—The programs referred to in paragraph (1) are the following:

(A) The essential community facilities loan and grant programs authorized under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)).

(B) The business and industry direct and guaranteed loan program authorized under section 310B(g) of that Act (7 U.S.C. 1932(g)).

(C) The rural microentrepreneur assistance program authorized under section 379E of that Act (7 U.S.C. 2008s).

<p>(D) The intermediary relending program authorized under the Food Security Act of 1985 (7 U.S.C. 1936b).</p> <p>(d) REQUIREMENTS.—In providing funding in accordance with the Initiative, the Secretary shall ensure a balanced geographical distribution of the benefits under the Initiative.</p> <p>(e) EVALUATION; REPORT.—</p> <p>(1) EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Secretary shall conduct a comprehensive quantitative and qualitative evaluation of the projects carried out using assistance provided under the Initiative, including—</p> <p>(A) a description of—</p> <ul style="list-style-type: none"> <li>(i) the types of projects carried out;</li> <li>(ii) the communities in which the projects are carried out;</li> <li>(iii) the organizations and entities participating in the projects; and</li> <li>(iv) the types of partnerships developed to carry out the projects; and</li> </ul> <p>(B) the economic and social impacts of the investments in the projects.</p> <p>(2) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report describing the evaluation conducted under paragraph (1), including a thorough analysis of the outcomes of the evaluation.</p>	
<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b></p> <p><b>SEC. 6402. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM</b></p>	<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b></p> <p><b>SEC. 6402. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM</b></p>



Section 306(a)(22) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(22)) is amended to read as follows:

“(22) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—

“(A) ESTABLISHMENT.—The Secretary, through the Rural Utilities Service, shall continue a national rural water and wastewater circuit rider program that is consistent with the activities and results of the program conducted before the date of enactment of this Act, and with this section, as determined by the Secretary.

“(B) PURPOSE.—The Rural Water and Wastewater Circuit Rider Program shall provide a network of expert rural water Circuit Riders located in all 50 States, including United States territories and Freely Associated States, which work one-on-one with eligible rural water and wastewater systems in major assistance categories described in subparagraph (D). The program is intended to help rural water systems operate effectively and efficiently and achieve long-term sustainability and compliance with certain Federal laws and requirements, including the Safe Water Drinking Act (42 U.S.C. 300f et seq.) and the Clean Water Act (33 U.S.C. 1251 et seq.).

“(C) ELIGIBLE ENTITIES.—In selecting recipients of grants, contracts, and cooperative agreements to be made available for activities listed under subparagraph (D), the Secretary shall select nonprofit organizations that have demonstrated experience providing technical assistance and disaster and recovery assistance for water and wastewater utilities nationwide. Awardees shall rely on personnel that possess active water and wastewater operators’ licenses or overall knowledge of water utilities

- o Mandates that nonprofit entities eligible for assistance under this program must serve areas with limited populations or Tribes with legal authority to own and operate their own water facility, among others.

necessary to carry out eligible activities under subparagraph (D).

“(D) ELIGIBLE USES OF FUNDS.—An eligible entity shall use funds under the Rural Water and Wastewater Circuit Rider program for a rural water, wastewater, or wastewater disposal facility for—

“(i) technical assistance, including—

“(I) Board training;

“(II) managerial and financial operations with the effort to enhance the long-term sustainability of rural water and wastewater systems, including partnerships, consolidation, and regionalization;

“(III) physical operation and maintenance of rural water and wastewater infrastructure;

“(IV) water treatment;

“(V) regulatory compliance;

“(VI) facility security;

“(VII) loan application and reporting;

“(VIII) cybersecurity; or

“(IX) other areas the Secretary deems appropriate;

“(ii) disaster and recovery assistance including—

“(I) direct on-site personnel and equipment to eligible utilities;

“(II) coordinating in statewide emergency response networks;

“(III) facilitating the development of action plans between utilities, local governments, the Federal Emergency

<p>Management Agency and the State emergency management agencies;</p> <p>“(IV) resiliency and mitigation planning;</p> <p>“(V) GIS mapping;</p> <p>“(VI) updating vulnerability assessments, preparation of emergency response plans, communication protocols, hazard recognition and evaluation skills;</p> <p>“(VII) conducting preliminary damage assessments of critical infrastructure;</p> <p>“(VIII) addressing outstanding deficiencies focused on resolving health-based regulatory, operational, financial, and managerial deficiencies that impact the sustainability of the affected utilities;</p> <p>“(IX) application and reporting assistance for Federal and State requirements including Federal Emergency Management Agency and insurance recovery claims;</p> <p>“(X) providing for disaster readiness, support, and response activities targeted to disadvantaged communities that lack the financial resources and human capital necessary to adequately address significant health, safety, or sanitary concerns; and</p> <p>“(XI) other areas the Secretary deems appropriate.</p> <p>“(iii) ADDITIONAL USES.—In response to activities under subparagraph (B) related to natural disasters and emergencies, not more</p>	
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<p>than 5 percent of each award may be used to purchase or reimburse the rental costs of appropriate emergency equipment, as determined by the Secretary.</p> <p><b><i>“(E) ELIGIBLE PROJECT AREAS.—To receive assistance under the Rural Water and Wastewater Circuit Rider Program and carry out activities, an eligible entity must serve—</i></b></p> <p style="padding-left: 40px;"><b><i>“(i) an area with a population of—</i></b></p> <p style="padding-left: 80px;"><b><i>“(I) 10,000 or fewer inhabitants for technical assistance under subparagraph (D)(i); or</i></b></p> <p style="padding-left: 80px;"><b><i>“(II) 50,000 or fewer inhabitants for disaster and recovery assistance under subparagraph (D)(ii); and</i></b></p> <p style="padding-left: 40px;"><b><i>“(ii) a public body, non-profit corporation, or Indian tribe with legal authority to own and operate the water facility.</i></b></p> <p><b><i>“(F) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$25,000,000 for fiscal year 2025 through fiscal year 2029.”.</i></b></p>	
<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b></p> <p><b>SEC. 6404. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES</b></p> <p>Section 306(a)(25)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is amended by striking “2008 through 2023” and inserting “2025 through 2029”.</p>	<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b></p> <p><b>SEC. 6404. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES</b></p> <ul style="list-style-type: none"> <li>o Reauthorizes the Tribal College and University (TCU) Essential Community Facilities at \$10 million for fiscal years 2025-2029.</li> </ul>
<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b></p>	<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b></p>

<p><b>SEC. 6406. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.</b></p> <p>Section 306D(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d(d)(1)) is amended by striking “2008 through 2023” and inserting “2025 through 2029”.</p>	<p><b>SEC. 6406. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.</b></p> <ul style="list-style-type: none"> <li>o Reauthorizes the Secretary to award grants for the development and construction of water and wastewater systems to improve the health and sanitation of rural or Native villages for fiscal years 2025-2029.</li> </ul>
<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b>  <b>SEC. 6409. SOLID WASTE MANAGEMENT GRANTS.</b></p> <p>Section 310B(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(b)) is amended—</p> <p>(1) in paragraph (1), by striking “governments and related agencies” and inserting “governments, related agencies, and <i>Indian tribes</i>”; and</p> <p>(2) in paragraph (2), by striking “2014 through 2023” and inserting “2025 through 2029”.</p>	<p><b>Subtitle D – Additional Amendments to the Consolidated Farm and Rural Development Act</b>  <b>SEC. 6409. SOLID WASTE MANAGEMENT GRANTS.</b></p> <ul style="list-style-type: none"> <li>o Makes Tribes as eligible entities for Solid Waste Management Grants.</li> <li>o Extends funding through fiscal year 2029.</li> </ul>
<p><b>Title VII – Research (<i>emphasis added</i>)</b></p>	<p><b>Summary of Tribal Provisions</b></p>
<p><b>Subtitle A – National Agricultural Research, Extension, and Teaching Policy Act of 1977</b>  <b>SEC. 7107. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.</b></p> <p>Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—</p> <p>(1) in subsection (a)—</p> <p>(A) in paragraph (1), by adding at the end the following: “The term of such grants may be for a period of more than 1 year, but not more than 5 years.”; and</p> <p>(B) in paragraph (3), by striking “2023” and inserting</p>	<p><b>Subtitle A – National Agricultural Research, Extension, and Teaching Policy Act of 1977</b>  <b>SEC. 7107. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.</b></p> <ul style="list-style-type: none"> <li>o Establishes a floor of more than one year and a ceiling of five years for education grants Native Alaskan and Native Hawaiian serving institutions.</li> <li>o Authorizes grant funding through fiscal year 2029.</li> </ul>

<p>“2029”; and  (2) in subsection (b)—  (A) in paragraph (1), by adding at the end the following: “The term of such grants may be for a period of more than 1 year, but not more than 5 years.”; and  (B) in paragraph (3), by striking “2023” and inserting “2029”</p>	
<p><b>Subtitle A – National Agricultural Research, Extension, and Teaching Policy Act of 1977</b>  <b>SEC. 7115. NEW BEGINNING FOR TRIBAL STUDENTS.</b></p> <p>Section 1450 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222e) is amended—  (1) in subsection (b), by striking paragraph (5);  and (2) in subsection (d), by striking “2023” and inserting “2029”.</p>	<p><b>Subtitle A – National Agricultural Research, Extension, and Teaching Policy Act of 1977</b>  <b>SEC. 7115. NEW BEGINNING FOR TRIBAL STUDENTS.</b></p> <ul style="list-style-type: none"> <li>o Removes the cap of \$500,000 maximum total award per State.</li> <li>o Authorizes the appropriation of funds through fiscal year 2029.</li> </ul>
<b>Title VIII – Forestry (<i>emphasis added</i>)</b>	<b>Summary of Tribal Provisions</b>
<p><b>Subtitle B – Healthy Forests Restoration Act of 2003</b>  <b>Sec. 8201 DEFINITION OF AT-RISK COMMUNITY</b></p> <p>Section 101(1) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(1)) is amended to read as follows:  “(1) <b>AT-RISK COMMUNITY.</b>—<i>The term ‘at-risk community’ means an area that is comprised of—</i>  “(A) <i>an interface community as defined in the notice entitled ‘Wildland Urban Interface Communities Within the Vicinity of Federal Lands That Are at High Risk From Wildfire’ issued by the Secretary of Agriculture and the Secretary of the Interior</i> in accordance with title IV of the</p>	<p><b>Subtitle B – Healthy Forests Restoration Act of 2003</b>  <b>Sec. 8201 DEFINITION OF AT-RISK COMMUNITY</b></p> <ul style="list-style-type: none"> <li>o Amends the Healthy Forests Restoration Act of 2003 to give Tribal wildfire risk assessments the ability to recognize a group of homes or other structures with basic infrastructure and services as at risk from wildfire for the purposes of this program.</li> </ul>

<p>Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 1009) (66 Fed. Reg. 753, January 4, 2001); or</p> <p><b><i>“(B) a group of homes or other structures with basic infrastructure and services (such as utilities and collectively maintained transportation routes) at risk from wildfire as recognized by a local, State, regional, Tribal, territorial, or national wildfire risk assessment.”.</i></b></p>	
<p><b>Subtitle C – Other Forestry Programs</b>  <b>SEC. 8301 NATIONAL AND REGIONAL AGROFORESTRY CENTERS</b></p> <p>(1) by striking the section heading and inserting “NATIONAL AND REGIONAL AGROFORESTRY CENTERS”;</p> <p>(2) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (d), (e), and (h), respectively;</p> <p>(3) by inserting before subsection (b) (as so redesignated) the following:</p> <p>“(a) DEFINITION OF AGROFORESTRY.—In this section, the term ‘agroforestry’ means a management system that intentionally integrates trees and shrubs into crop and animal farming systems to build more profitable and weather-resilient farms, ranches, and communities, address natural resource concerns and conservation needs, and establish productive and sustainable land use practices, including—</p> <p>    “(1) riparian forest buffers;</p> <p>    “(2) alley cropping;</p> <p>    “(3) silvopasture;</p> <p>    “(4) forest farming and multistory cropping; and</p> <p>    “(5) windbreaks, shelterbelts, hedgerows, and, where applicable, field borders, and living snow fences.”;</p> <p>(4) in subsection (b) (as so redesignated)—</p> <p>    (A) in the subsection heading, by striking “SEMIARID” and inserting “NATIONAL”;</p>	<p><b>Subtitle C – Other Forestry Programs</b>  <b>SEC. 8301 NATIONAL AND REGIONAL AGROFORESTRY CENTERS</b></p> <ul style="list-style-type: none"> <li>o Renames the <i>“Semi-arid Agroforestry Research Development and Demonstration Center”</i> as the <i>“National and Regional Agroforestry Centers.”</i></li> <li>o Tasks the National and Regional Agroforestry Centers with facilitating agroforestry adoption by disseminating comprehensive information on Tribal programs that provide support for Agroforestry.</li> </ul>

(B) by inserting “(referred to in this section as the ‘Secretary’)” after “Secretary of Agriculture”;

(C) by striking “Semiarid Agroforestry Research, Development, and Demonstration Center (hereafter referred to in this section as the ‘Center’)” and inserting “National Agroforestry Research, Development, and Demonstration Center”; and

(D) by striking “subsection (b)” and inserting “subsection (d)”;

(5) by inserting after subsection (b) (as so redesignated) the following:

“(c) REGIONAL AGROFORESTRY CENTERS.—

“(1) ESTABLISHMENT.—The Secretary, acting through the Chief of the Forest Service and in cooperation with the Natural Resources Conservation Service, shall, subject to the availability of appropriations, establish 1 or more regional agroforestry centers to advance agroforestry research, outreach, technical assistance, and adoption.

“(2) DIRECTOR.—The Secretary, acting through the Chief of the Forest Service and in cooperation with the Natural Resources Conservation Service, shall appoint a Director to manage and coordinate the 1 or more regional agroforestry centers established under paragraph (1).

“(3) LOCATION.—In selecting the locations for the 1 or more regional agroforestry centers under paragraph (1), the Secretary shall prioritize locations at which the Department of Agriculture has, on the date of enactment of the Farm, Food, and National Security Act of 2024, at least 1 employee providing coordination among a diverse group of research institutions and other partners.

“(4) ADMINISTRATION.—Regional agroforestry centers established under paragraph (1) shall be administered by the National Agroforestry Center.”;



<p>(6) in subsection (d) (as so redesignated)—</p> <p>(A) in the matter preceding paragraph (1)—</p> <p>(i) by striking “the Center” and inserting “each of the centers established under subsections (b) and (c) (referred to in this section as the ‘Centers’)”;</p> <p>(ii) by inserting “and organizations” after “nonprofit foundations”; and</p> <p>(iii) by inserting “demonstration projects,” after “studies,”;</p> <p>(B) in paragraph (1)—</p> <p>(i) by striking “on semiarid lands that” and inserting “that build soil health and”; and</p> <p>(ii) by inserting “, including agroforestry systems on semiarid land and other fragile agroecosystems where permanent woody perennial plant communities can enhance carbon sequestration and reduce greenhouse gas emissions” before the semicolon;</p> <p>(C) in paragraph (3), by striking “forestry products for commercial sale from semiarid land” and inserting “agroforestry products for commercial sale”;</p> <p>(D) in paragraph (4)—</p> <p>(i) by striking “in semiarid regions”; and</p> <p>(ii) by striking “the Great Plains region” and inserting “particular regions”;</p> <p>(E) in paragraph (5), by inserting “technical assistance, demonstration projects, and” before “technology”;</p> <p>(F) by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively;</p> <p>(G) by striking paragraph (6) and inserting the following:</p>	
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“(6) develop improved silvopasture, alley cropping, forest farming, multistory cropping, riparian buffer, windbreak and shelterbelt, and other perennial production and conservation systems and technologies to improve soil health, carbon sequestration, drought preparedness, soil and water conservation, environmental quality, and biological diversity;

“(7) address barriers to the adoption of agroforestry practices, including—

“(A) insufficient access to plant material;

“(B) insufficient infrastructure to contain equipment and plant material;

“(C) insufficient machinery to implement agroforestry practices;

“(D) insufficient technical service assistance; and

“(E) insufficient research related to agroforestry systems, including silvopasture and alley cropping;”;

(H) in paragraph (8) (as so redesignated), by striking “on semiarid lands”;

(I) in paragraph (9) (as so redesignated), by striking “on semiarid lands worldwide” and inserting “worldwide, including on semiarid land”; and

(J) in paragraph (10) (as so redesignated)—

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

(ii) by inserting “and extreme weather” after “pollution”;

(7) in subsection (e) (as so redesignated)—

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

(B) in paragraph (1), by striking “and” at the end;

(C) in paragraph (2)—

(i) by striking “forestry” and inserting

<p>“forestry, agroforestry,”; and</p> <p>(ii) by striking the period at the end and inserting “; and”; and</p> <p>(D) by adding at the end the following:</p> <p><b><i>“(3) facilitate agroforestry adoption by disseminating comprehensive information on Federal, State, local, and Tribal programs that provide support for agroforestry.”;</i></b></p> <p>(8) by inserting after subsection (e) (as so redesignated) the following:</p> <p>“(f) REGIONAL SUPPORT.—The Secretary shall provide targeted regional support for agroforestry projects, including demonstration sites.</p> <p>“(g) SURVEY.—Not later than 5 years after the date of the enactment of the Farm, Food, and National Security Act of 2024 and every 5 years thereafter, the Secretary shall conduct a National Agroforestry Producers Survey.”; and</p> <p>(9) in subsection (h) (as so redesignated)—</p> <p>(A) by striking “There are” and inserting “In addition to amounts otherwise available, there is”; and</p> <p>(B) by striking “\$5,000,000 for each of fiscal years 2019 through 2023” and inserting “\$7,000,000 for each of fiscal years 2025 through 2029”.</p>	
<p><b>Subtitle C – Other Forestry Programs</b></p> <p><b>SEC. 8305 REFORESTATION, NURSERY, AND SEED ORCHARD SUPPORT</b></p> <p>(a) PARTNERSHIPS, COLLABORATION, AND OTHER ASSISTANCE IN SUPPORT OF NURSERIES AND SEED ORCHARDS.—The Secretary, acting through the Chief of the Forest Service, shall—</p> <p><b><i>(1) partner with Federal and State agencies, Indian Tribes, private nurseries, and other relevant entities to provide training, technical assistance, and research to</i></b></p>	<p><b>Subtitle C – Other Forestry Programs</b></p> <p><b>SEC. 8305 REFORESTATION, NURSERY, AND SEED ORCHARD SUPPORT</b></p> <ul style="list-style-type: none"> <li>o Directs USDA to partner with Tribes to provide training, technical assistance and research to nursery and tree establishment programs supporting natural regeneration, reforestation, agroforestry and afforestation; promote information sharing; and provide technical and financial assistance to international nursery and tree establishment programs.</li> </ul>

***nursery and tree establishment programs that support natural regeneration, reforestation, agroforestry, and afforestation;***

(2) promote information sharing to improve the technical knowledge, practices, and understanding of the demands, climate change impacts, and other issues necessary to address all facets of the reforestation pipeline;

(3) provide technical and financial assistance to international nursery and tree establishment programs through—

(A) international programs conducted by the Forest Service pursuant to the International Forestry Cooperation Act of 1990 (16 U.S.C. 4501 et seq.);

(B) the Institute of Pacific Islands Forestry of the Forest Service; and

(C) the International Institute of Tropical Forestry of the Forest Service;

***(4) collaborate with other relevant Federal departments and agencies, including*** the Foreign Agricultural Service of the Department, the United States Agency for International Development, ***the United States Fish and Wildlife Service of the Department of the Interior,*** and international organizations to provide technical and financial assistance related to nurseries and reforestation;

(5) coordinate the efforts of the Department to—

(A) address the challenges associated with the reforestation pipeline; and

(B) leverage economic development assistance for work with private nurseries; and

(6) expand science-based reforestation supply chains through research, seed collection and storage, and nursery infrastructure and operations in coordination with the Administrator of the Agricultural Research Service.

- o Includes Tribes as eligible entities.
- o Authorizes \$5 million for each fiscal year through fiscal year 2029.

(b) NURSERY AND SEED ORCHARD FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a program to provide grants to eligible recipients to support nurseries and seed orchards.

(2) ELIGIBLE PROJECTS.—The Secretary may make a grant under this subsection to an eligible recipient for a project to carry out at least one of the following:

(A) Develop, expand, enhance, or improve nursery production capacity or other infrastructure to—

(i) improve seed collection, processing, and storage;

(ii) increase seedling production, storage, and distribution; or

(iii) enhance seedling survival and properly manage tree genetic resources.

(B) Establish, improve, or expand a nursery or seed orchard, including by acquiring equipment for such nursery or seed orchard.

(C) Develop or implement quality control measures at nurseries or seed orchards.

(D) Promote workforce development within any facet of the reforestation pipeline.

(E) Carry out such other activity as the Secretary determines appropriate.

(c) DEFINITIONS.—In this section:

**(1) ELIGIBLE RECIPIENT.—The term “eligible recipient” means—**

**(A) a State forestry agency;**

**(B) an Indian Tribe;**

<p><b><i>(C) a private nursery that has experience growing high-quality native trees of appropriate genetic sources in bareroot or container stocktypes specific for reforestation, restoration, or conservation, including native plants and seeds that are of cultural significance to Indian Tribes;</i></b></p> <p>(D) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and</p> <p>(E) a county or local government with a nursery or seed orchard.</p> <p>(2) NURSERY.—The term “nursery” means a tree or native plant nursery.</p> <p>(3) SEED ORCHARD.—The term “seed orchard” means a tree or native plant seed orchard.</p> <p>(4) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.</p> <p>(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2025 through 2029.</p>	
<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8412 GOOD NEIGHBOR AUTHORITY</b></p> <p>(a) TREATING TRIBES AND COUNTIES AS GOOD NEIGHBORS.—Section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) is amended—</p> <p>(1) in subsection (a)(6), by striking “or <i>Indian tribe</i>”;</p> <p>(2) in subsection (b)—</p> <p>(A) in paragraph (1)(A), by inserting “<i>Indian tribe</i>,” after “Governor”;</p> <p>(B) in paragraph (2)(C), by striking clause</p>	<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8412 GOOD NEIGHBOR AUTHORITY</b></p> <ul style="list-style-type: none"> <li>o Expressly identifies Tribes as eligible entities for Good Neighbor Authority (GNA) agreements.</li> <li>o Authorizes Tribes to retain receipts from the sale of timber under GNA to first, carry out authorized restoration services under the GNA and, if there are remaining funds, to carry out authorized restoration services under other GNAs.</li> </ul>

<p>(i) and inserting the following:</p> <p><b><i>“(i) IN GENERAL.—Funds received used by the Governor, <i>Indian tribe</i>, or county, under a good neighbor agreement shall be retained and used by the Governor, <i>Indian tribe</i>, or county, as applicable—</i></b></p> <p><b><i>“(I) to carry out authorized restoration services under the good neighbor agreement; and</i></b></p> <p><b><i>“(II) if there are funds remaining after carrying out subclause (I), to carry out authorized restoration services under other good neighbor agreements.”;</i></b></p> <p>(C) in paragraph (3), by inserting “, <i>Indian tribe</i>,” after “Governor”; and</p> <p>(D) by striking paragraph (4).</p> <p>(b) CONFORMING AMENDMENTS.—Section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is amended</p> <p>(1) in paragraph (1)(B), by inserting “, <i>Indian tribe</i>,” after “Governor”; and</p> <p>(2) in paragraph (5), by inserting “, <i>Indian tribe</i>,” after “Governor”.</p> <p>(c) EFFECTIVE DATE.—The amendments made by this section apply to any project initiated pursuant to a good neighbor agreement (as defined in section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)))—</p> <p>(1) before the date of enactment of this Act, if the project was initiated after the date of enactment of the Agriculture Improvement Act of 2018 (Public Law 115–334; 132 Stat. 4490); or</p> <p>(2) <b><i>on or after the date of enactment of this Act.</i></b></p>	
<p><b>Subtitle D – Forest Management</b></p> <p><b>SEC. 8413 COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM</b></p> <p>(1) in subsection (b)(3)—</p>	<p><b>Subtitle D – Forest Management</b></p> <p><b>SEC. 8413 COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM</b></p>

<p>(A) in subparagraph (D), by inserting “or pathogens” after “species”;</p> <p>(B) in subparagraph (G), by striking “and” at the end;</p> <p>(C) in subparagraph (H), by adding “and” after the semicolon at the end; and</p> <p>(D) by adding at the end the following:</p> <p>“(I) address standardized monitoring questions and indicators;”;</p> <p>(2) in subsection (d)—</p> <p>(A) in paragraph (2)—</p> <p>(i) in subparagraph (E), by striking “and” at the end;</p> <p>(ii) in subparagraph (F), by striking the period at the end and inserting “; and”; and</p> <p>(iii) by adding at the end the following:</p> <p>“(G) proposals that seek to use innovative implementation mechanisms, including conservation finance agreements, good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a), and similar implementation mechanisms; and</p> <p>“(H) proposals that seek to reduce the risk of uncharacteristic wildfire or increase ecological restoration activities—</p> <p>    <b>“(i) within areas across land ownerships, including State, Tribal, and private land; and</b></p> <p>    <b>“(ii) within the wildland-urban interface;</b></p> <p>and</p> <p>    <b>“(I) proposals that seek to enhance watershed health and drinking water sources.”; and</b></p> <p>(B) in paragraph (3)—</p>	<p>o Authorizes the Secretary to accept new proposals that reduce the risk of wildfire within areas across Tribal lands.</p>
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<p>(i) by amending subparagraph (A) to read as follows: “(A) 4 proposals in any 1 region of the National Forest System to be funded during any fiscal year; and”;</p> <p>(ii) by striking subparagraph (B); and</p> <p>(iii) by redesignating subparagraph (C) as subparagraph (B); and</p> <p>(3) in subsection (f)(6), by striking “2019 through 2023” and inserting “2025 through 2029”.</p>	
<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8414 PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DEPLOYMENT AND TESTBED PARTNERSHIP</b></p> <p>(a) DEFINITIONS.—In this section:</p> <p>(1) APPROPRIATE COMMITTEES.—The term “appropriate committees” means—</p> <p>(A) the Committees on Agriculture, Natural Resources, and Science, Space, and Technology of the House of Representatives; and</p> <p>(B) the Committees on Agriculture, Nutrition, and Forestry, Energy and Natural Resources, and Commerce, Science, and Transportation of the Senate.</p> <p><b>(2) COVERED AGENCY.—The term “covered agency” means—</b></p> <p>(A) the National Park Service;</p> <p>(B) the United States Fish and Wildlife Service;</p> <p>(C) the Bureau of Land Management;</p> <p>(D) the Bureau of Reclamation;</p> <p>(E) the Forest Service;</p> <p>(F) the Department of Defense;</p> <p>(G) the National Oceanic and Atmospheric Administration;</p>	<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8414 PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DEPLOYMENT AND TESTBED PARTNERSHIP</b></p> <ul style="list-style-type: none"> <li>o Establishes a deployment and testbed pilot program for new wildfire prevention, detection, communication and mitigation technologies.</li> <li>o The Bureau of Indian Affairs is included as a “covered agency” that will coordinate in establishing and deploying the program.</li> </ul>

(H) the United States Fire Administration;  
(I) the Federal Emergency Management Agency;  
(J) the National Aeronautics and Space  
Administration;

**(K) the Bureau of Indian Affairs;** and

(L) any other Federal agency involved in wildfire  
response.

(3) COVERED ENTITY.—The term “covered entity”  
means—

(A) a private entity;

(B) a nonprofit organization; or

(C) an institution of higher education (as defined  
in section 101 of the Higher Education Act of 1965 (20  
U.S.C. 1001)).

**(4) SECRETARIES.—The term “Secretaries” means the  
Secretary of Agriculture and the Secretary of the Interior,  
acting jointly.**

(5) PILOT PROGRAM.—The term “Pilot Program”  
means the deployment and testbed pilot program  
developed under subsection (b).

(b) DEPLOYMENT AND TESTED PILOT PROGRAM  
ESTABLISHED.—Not later than 60 days after the date of the  
enactment of this Act, the Secretaries, in coordination with the  
heads of the covered agencies, shall establish a deployment and  
testbed pilot program for new and innovative wildfire  
prevention, detection, communication, and mitigation  
technologies.

(c) FUNCTIONS.—In carrying out the Pilot Program, the  
Secretaries shall—

(1) incorporate the Pilot Program into an existing  
interagency coordinating group on wildfires;

(2) in consultation with the heads of covered agencies,  
identify key technology priority areas with respect to the

deployment of wildfire prevention, detection, communication, and mitigation technologies, including—

- (A) hazardous fuels reduction treatments or activities;
- (B) dispatch communications;
- (C) remote sensing and tracking;
- (D) safety equipment; and
- (E) common operating pictures or operational dashboards; and

(3) partner with each covered entity selected to participate in the Pilot Program with the appropriate covered agency to coordinate real-time and on-the-ground testing of technology during wildland fire mitigation activities and training.

(d) APPLICATIONS.—To participate in the Pilot Program, a covered entity shall submit to the Secretaries an application at such time, in such manner, and containing such information as the Secretaries may require, which shall include a proposal to test technologies specific to key technology priority areas identified under subsection (c)(2).

(e) PRIORITIZATION OF EMERGENCY TECHNOLOGIES.—In selecting covered entities to participate in the Pilot Program, the Secretaries shall give priority to covered entities developing and applying emerging technologies that address issues identified by the Secretaries, including artificial intelligence, quantum sensing, computing and quantum-hybrid applications, augmented reality, and 5G private networks and device-to-device communications supporting nomadic mesh networks, for wildfire mitigation.

(f) OUTREACH.—The Secretaries, in coordination with the heads of the covered agencies, shall make publicly available the key technology priority areas identified under subsection (c)(2) and invite covered entities to apply to test and demonstrate their technologies to address those priority areas.

<p>(g) REPORTS AND RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this Act, and each year thereafter for the duration of the Pilot Program, the Secretaries shall submit to the appropriate committees a report that includes the following with respect to the Pilot Program:</p> <ul style="list-style-type: none"> <li>(1) A list of participating covered entities.</li> <li>(2) A brief description of the technologies tested by such covered entities.</li> <li>(3) An estimate of the cost of acquiring the technology tested in the program and applying it at scale.</li> <li>(4) Outreach efforts by Federal agencies to covered entities developing wildfire technologies.</li> <li>(5) Assessments of, and recommendations relating to, new technologies with potential adoption and application at-scale in Federal land management agencies’ wildfire prevention, detection, communication, and mitigation efforts.</li> </ul> <p>(h) TERMINATION.—The Pilot Program shall expire on September 30, 2029.</p>	
<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8418. COOPERATIVE AGREEMENTS AND CONTRACTS FOR PRESCRIBED FIRE.</b></p> <p>(a) AUTHORITY TO ENTER INTO AGREEMENTS AND CONTRACTS FOR PRESCRIBED FIRE.—</p> <p>(1) AUTHORIZATION.—The Secretary, the Secretary of the Interior, and the Secretary of Defense may each enter into a cooperative agreement or contract with an eligible entity, for a period of less than or equal to 10 years, that authorizes the eligible entity to coordinate, plan, or conduct a prescribed fire on Federal land or to conduct a prescribed fire training event.</p> <p><b>(2) SUBCONTRACTS.—A State, <i>Indian Tribe</i>, or county <i>that enters into a cooperative agreement or contract under paragraph</i></b></p>	<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8418. COOPERATIVE AGREEMENTS AND CONTRACTS FOR PRESCRIBED FIRE.</b></p> <ul style="list-style-type: none"> <li>○ Amends the Tribal Forest Protection Act (TFPA) to authorize the Secretary to enter into contracts or agreements with eligibility entities providing for prescribed burns on federal lands.</li> <li>○ Tribes are eligible entities.</li> <li>○ Agreements specific to Tribes may: <ul style="list-style-type: none"> <li>○ Eliminate the need for individual burn plans by approving broad burn plans that enable forest managers to have the flexibility to conduct prescribed burns when conditions allow; and</li> </ul> </li> </ul>

***(1) may enter into a subcontract, in accordance with applicable contracting procedures of the State, Indian Tribe, or county, to conduct a prescribed fire on Federal land or to conduct a prescribed fire training event pursuant to that cooperative agreement or contract.***

(3) APPLICABLE LAW.—A prescribed fire conducted under this subsection shall be carried out on a project-by-project basis under existing authorities of the applicable Federal agency responsible for the management of the Federal land.

(4) PRESERVATION OF DECISION AUTHORITY.— An eligible entity may not carry out a project authorized under this subsection pursuant to a cooperative agreement or contract without the prior written approval of each Secretary that entered in to such cooperative agreement or contract.

***(5) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term “eligible entity” means a State, Indian Tribe, county or local government, Department of Defense military installation (as defined in section 2801(c) of title 10, United States Code), fire district, nongovernmental organization, or private entity.***

(b) TRIBAL FOREST PROTECTION ACT OF 2004 AMENDMENTS.—The Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) is amended by adding at the end the following:

***“SEC. 3. TRIBAL PRESCRIBED BURN DEMONSTRATION PROJECT***

***“(a) IN GENERAL.—The Secretary may enter into a contract or agreement with an Indian tribe under this Act that provides for prescribed burns on Federal land under the additional authorities provided in this section.***

***“(b) SCOPE OF CONTRACT OR AGREEMENT.—Contracts or agreements entered into under this section may, notwithstanding any other provision of law—***

***“(1) utilize burn plans that, once approved by the Secretary, allow multiple prescribed burns to be conducted in accordance with the burn plan to eliminate the need for***

- o Authorize the Secretary to delegate their authority to a Tribe to plan, coordinate and execute prescribed burns.

<p><i>individual burn plans for each prescribed burn and enable forest managers to have the flexibility to conduct prescribed burns when conditions allow; and</i></p> <p><i>“(2) include terms that—</i></p> <p><i>    “(A) authorize the Secretary to delegate their authority to an Indian tribe to plan, coordinate, and execute prescribed burns on the behalf of the Secretary within the scope of the burn plan including, but not limited to, applying the National Wildfire Coordinating Group standards for Prescribed Fire Planning and Implementation, to the extent authorized by Federal law;</i></p> <p><i>    “(B) any applicable Federal standard that requires a certain number of personnel to be on-hand during prescribed burns may be satisfied by regional Federal, State, or tribal resources and personnel; and</i></p> <p><i>    “(C) where appropriate, the Secretary shall work with other Federal agencies and Tribal, State, and local governments to coordinate and communicate the shared objectives of the prescribed burn and ensure activities comply with applicable law and regulations.”.</i></p> <p><b>(c) COOPERATIVE FUNDS AND DEPOSITS ACT</b></p> <p><b>AMENDMENTS.—Public Law 94–148 is amended—</b></p> <p><b>(1) in section 1 (16 U.S.C. 565a–1), by inserting</b>  <b>“prescribed fire and prescribed fire training events,” after</b>  <b>“including fire protection,”; and</b></p> <p><b>(2) in section 2 (16 U.S.C. 565a–2), by inserting “, section</b>  <b>3 of the Tribal Forest Protection Act of 2004, or section</b>  <b>8418(a) of the Farm, Food, and National Security Act of 2024”</b>  <b>after “authorized by section 1”.</b></p>	
<p><b>Subtitle D – Forest Management</b></p> <p><b>SEC. 8421. TRIBAL FOREST MANAGEMENT PROGRAM TECHNICAL CORRECTION</b></p>	<p><b>Subtitle D – Forest Management</b></p> <p><b>SEC. 8421. TRIBAL FOREST MANAGEMENT PROGRAM TECHNICAL CORRECTION</b></p>

<p><b><i>Section 8703 of the Agriculture Improvement Act of 2018 is amended—</i></b>  <b><i>(1) in the heading, by striking “DEMONSTRATION PROJECT” and inserting “PROGRAM”; and</i></b>  <b><i>(2) in subsection (a), by striking “demonstration projects by” and inserting “a program under”.</i></b></p>	<ul style="list-style-type: none"> <li>○ Makes the 638 TFWA demonstration project authorized by the 2018 Farm Bill permanent.</li> <li>○ Changes the name from the “<i>Tribal Forest Management Demonstration Project</i>” to the “<i>Tribal Forest ManagementProgram</i>”.</li> </ul>
<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8433. FOREST AND WOOD PRODUCTS DATA TRACKER.</b></p> <p>a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary, acting through the Chief of the Forest Service, in collaboration with the Chief of the Natural Resources Conservation Service and in consultation with <b><i>federally-recognized Indian Tribes</i></b>, State foresters, and private sector partners, shall establish a publicly available platform to provide measurement, monitoring, verification, and reporting data regarding the carbon emissions, sequestration, storage, and related atmospheric impacts of forest management and wood products.</p>	<p><b>Subtitle D – Forest Management</b>  <b>SEC. 8433. FOREST AND WOOD PRODUCTS DATA TRACKER.</b></p> <ul style="list-style-type: none"> <li>○ Requires the Secretary, in consultation with federally recognized Tribes, to establish a publicly available platform to provide measurement, monitoring, verification and reporting data regarding the carbon emissions, sequestration, storage and related atmospheric impacts of forest management and wood products.</li> </ul>
<p><b>Subtitle D – Forest Management</b>  <b>Sec. 8434. Biochar Application Demonstration Project</b></p> <p>(a) DEFINITIONS.—In this section:</p> <p>(1) BIOCHAR.—The term “biochar” means carbonized biomass produced by converting feedstock through reductive thermal processing with limited oxygen for non-fuel uses.</p> <p><b><i>(2) ELIGIBLE ENTITY.—The term “eligible entity” means—</i></b></p> <ul style="list-style-type: none"> <li>(A) an individual;</li> <li>(B) a public or private entity; or</li> <li>(C) a State, local, or <b><i>Tribal government</i></b>.</li> </ul>	<p><b>Subtitle D – Forest Management</b>  <b>Sec. 8434. Biochar Application Demonstration Project</b></p> <ul style="list-style-type: none"> <li>○ Establishes a new Biochar Application Demonstration Project.</li> <li>○ Makes Tribes eligible entities.</li> <li>○ The Secretary must establish one demonstration project in each Forest Service region.</li> <li>○ To the maximum extent practicable, a biochar application demonstration project must derive such feedstock from forest thinning and management activities conducted for science-based restoration on Tribal forestlands, among others.</li> </ul>

(3) FEEDSTOCK.—The term “feedstock” means excess woody and agricultural biomass in the form of plant matter or materials that serves as the raw material for the production of biochar.

(4) SECRETARY.—The term “Secretary” means the Secretary, acting through the Chief of the Forest Service.

(b) BIOCHAR APPLICATION DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this section, the Secretary shall conduct performance-driven research and development, education, technical assistance, outreach, and demonstration projects for the purpose of facilitating the use of biochar, developing additional biochar applications, and commercializing biochar in accordance with this subsection.

(2) LOCATION OF DEMONSTRATION PROJECTS.—The Secretary shall, to the maximum extent practicable, establish a biochar application demonstration project in each Forest Service region.

(3) ACTIVITIES.—In carrying out paragraph (1), the Secretary shall—

(A) conduct research and development, education, technical assistance, outreach, and demonstration projects—

(i) in close coordination with the Forest Products Lab after receipt of input from the forest products industry, conservation organizations, and institutions of higher education; and

(ii) that meets measurable performance goals for the achievement of the priorities described in paragraph (4); and



(B) enter into partnerships and provide financial and technical assistance to carry out demonstration projects with eligible entities that —

(i) acquire and test various feedstocks and their efficacy;

(ii) develop and optimize commercially and technologically viable biochar production units, including mobile and permanent units;

(iii) demonstrate the production of biochar from forest residues and the use of biochar to restore forest health and resiliency;

(iv) build, expand, or establish biochar facilities;

(v) conduct research on new and innovative uses of biochar or demonstrate cost-effective market opportunities for biochar and biochar-based products;

(vi) carry out any activities the Secretary determines appropriate that meet the measurable performance goals for the achievement of priorities described in paragraph (4).

(4) PRIORITIES.—The research and development, education, technical assistance, outreach, and demonstration projects conducted under paragraph (1) shall give priority to—

(A) projects to improve the commercialization of biochar and create the greatest potential for long-term market growth;

(B) projects that create new jobs and contribute to local economies, particularly in rural areas;

(C) projects demonstrating—

- (i) new and innovative applications of biochar;
- (ii) viable markets for cost-effective biochar-based products;
- (iii) economic viability of production and markets;
- (iv) the ecosystem services of biochar;
- (v) the benefits of biochar to restore forest health and resiliency, including for forest soils and watersheds;
- (vi) have the most carbon sequestration potential; or
- (vii) any combination of purposes specified in clauses (i) through (vi); or
- (D) projects located in local markets that have the greatest need for the biochar production units—
  - (i) near forestlands identified as having high or very high or extreme risk of wildfire, forestlands experiencing significant die off due to insects and diseases, forestlands impacted by extreme weather events, or forestlands needing soil or water quality remediation;
  - (ii) near sufficient quantities of feedstocks;
  - or
  - (iii) where a high level of demand for biochar or other commercial byproducts of biochar exists.

***(c) FEEDSTOCK REQUIREMENTS.—To the maximum extent practicable, a biochar application demonstration project under this subsection shall derive such feedstock from forest thinning and management activities conducted for science-based restoration on National Forest System lands, and other Federal, State, Tribal, and private forestlands, including mill residuals.***

<p>(d) TIMEFRAME.—To the maximum extent practicable, the measurable performance goals for the research and development, education, technical assistance, and demonstration projects conducted under subsection (a) shall be achievable within a 5-year timeframe.</p> <p>(e) FUNDING.—</p> <p>(1) LIMITATION.—In the case of an eligible entity that enters into a partnership to carry out a demonstration project under this section and seeks to establish a biochar facility under such demonstration project, the Secretary may not provide funding to such eligible entity in an amount greater than 35 percent of the capital cost of establishing such biochar facility.</p> <p>(2) FUNDING SOURCE.—Funds made available to carry out the wood innovation grant program under section 8643 of the Agriculture Improvement Act of 2018 (7 U.S.C. 7655d) may also be used to carry out this section.</p>	
<p><b>Subtitle E – Save Our Sequoias</b>  <b>SEC. 8502 DEFINITIONS</b></p> <p>...</p> <p>(17) TRIBE.—The term “<i>Tribe</i>” means the <i>Tule River Indian Tribe of the Tule River Reservation, California</i>.</p> <p><b>SEC. 8503. SHARED STEWARDSHIP AGREEMENT FOR GIANT 2 SEQUOIAS.</b></p> <p>(a) IN GENERAL.—Not later than 90 days after receiving a request from the Governor of the State of California or <i>the Tribe</i>, the Secretary shall enter into or expand an existing shared stewardship agreement or enter into a similar agreement with the Secretary, the Governor of the State of California, and <i>the Tribe</i> to jointly carry out the short-term and long-term management and conservation of giant sequoias.</p> <p>(b) PARTICIPATION.—</p> <p>(1) IN GENERAL.—If the Secretary has not received a</p>	<p><b>Subtitle E – Save Our Sequoias</b>  <b>SEC. 8502 DEFINITIONS</b></p> <ul style="list-style-type: none"> <li>o Subtitle E is a new section incorporating <a href="#">H.R. 2989</a>, Save Our Sequoias Act, in its entirety.</li> <li>o Defines “Tribe” as the Tule River Indian Tribe for the purposes of the Save Our Sequoias Act .</li> <li>o Requires the Secretary to enter into or expand a shared stewardship agreement with the Governor of California and the Tule River Indian Tribe for managing and conserving giant sequoias within 90 days of receiving a request.</li> <li>o If no request is received within 90 days after the Act's enactment, the Secretary must still create the agreement and implement it.</li> </ul>

request from the Governor of the State of California or *the Tribe* under subsection (a) before the date that is 90 days after the date of enactment of this Act, the Secretary shall enter into the agreement under subsection (a) and jointly implement such agreement with the Secretary.

(2) FUTURE PARTICIPATION. —If the Secretary receives a request from the Governor of the State of California or *the Tribe* any time after entering into the agreement with the Secretary under paragraph (1), the Secretary shall accept the Governor of the State of California or *the Tribe* as a party to such agreement

#### SEC. 8504. GIANT SEQUOIA LANDS COALITION

(a) CODIFICATION. —The Coalition is the entity established under the charter titled “Giant Sequoia Lands Coalition Charter” (or successor charter) signed during the period beginning June 2, 2022, and ending August 2, 2022, by each of the following:

- (1) The National Park Service, representing Sequoia and Kings Canyon National Parks.
- (2) The National Park Service, representing Yosemite National Park.
- (3) The Forest Service, representing Sequoia National Forest and Giant Sequoia National Monument.
- (4) The Forest Service, representing Sierra National Forest.
- (5) The Forest Service, representing Tahoe National Forest.
- (6) The Bureau of Land Management, representing Case Mountain Extensive Recreation Management Area.
- (7) The Tribe, representing the Tule River Indian Reservation.
- (8) The State of California, representing Calaveras Big

- o If a request is received later from the Governor or the Tule River Indian Tribe, the Secretary must include them in the agreement.
- o Recognizes the Giant Sequoias Lands Coalition and outlines the duty of the coalition and the Secretary.
- o Mandates funds obtained by Tribes through the sale of timber under Good Neighbor Authority (GNA) within Kings Canyon, Sequoia, or Yosemite National Park be used by the Tribe to first carry out restoration services under the GNA, then carry out restoration services under another GNA within park boundaries, and if funding remains to transfer it to the park to be used for giant sequoia restoration.

Trees State Park.

(9) The State of California, representing Mountain Home Demonstration State Forest.

(10) The University of California, Berkeley, representing Whitaker's Research Forest.

(11) The County of Tulare, California, representing Balch Park. (b) DUTIES.—In addition to the duties specified in the charter referenced in subsection (a), the Coalition shall— (

(1) produce the Assessment under section 8505;

(2) observe implementation, and provide policy recommendations to the Secretary concerned, with respect to—

(A) Protection Projects carried out under section 8506; and

(B) the Strategy established under section 8507;

(3) facilitate collaboration and coordination on Protection Projects, particularly projects that cross jurisdictional boundaries;

(4) facilitate information sharing, including best available science as described in section 8505(c) and mapping resources; and

(5) support the development and dissemination of educational materials and programs that inform the public about the threats to the health and resiliency of giant sequoia groves and actions being taken to reduce the risk to such groves from high severity wildfire, insects, and drought.

(c) ADMINISTRATIVE SUPPORT, TECHNICAL SERVICES, AND STAFF SUPPORT. —The Secretary shall make personnel of the *Department of the Interior* available to the Coalition for administrative support, technical services, development and dissemination of educational materials, and staff support that the Secretary determines necessary to

<p>carry out this section</p> <p><b>SEC. 8510. GOOD NEIGHBOR AUTHORITY FOR GIANT SEQUOIAS.</b></p> <p>...</p> <p>(ii) SPECIAL RULE FOR CERTAIN NATIONAL PARKS.—Funds received from the sale of timber by a Governor, <i><b>an Indian tribe</b></i>, or a county under a good neighbor agreement carried out within the boundaries of Kings Canyon National Park, Sequoia National Park, or Yosemite National Park shall be retained and used by the Governor, Indian tribe, or county, as applicable</p> <p>(I) to carry out authorized restoration services under such good neighbor agreement;</p> <p>(II) if there are funds remaining after carrying out the services under clause (i), to carry out authorized restoration services under other good neighbor agreements within the boundaries of the park unit in which the initial good neighbor agreement occurred; and</p> <p>(III) if there are no further good neighbor agreements to carry out under clause (ii), to transfer to the park unit in which the initial good neighbor agreement occurred to be used for giant sequoia conservation and management.</p>	
Title IX – Energy ( <i>emphasis added</i> )	Summary of Tribal Provisions
<p><b>Sec. 9007. RURAL ENERGY FOR AMERICA PROGRAM</b></p> <p>Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—</p>	<p><b>Sec. 9007. RURAL ENERGY FOR AMERICA PROGRAM</b></p>

<p>(1) in subsection (b)(3)—</p> <p>(A) in subparagraph (D), by inserting “, cost savings,” after “savings”;</p> <p>(B) in subparagraph (E), by striking “and” at the end;</p> <p>(C) in subparagraph (F), by striking the period at the end and inserting “; and”; and</p> <p>(D) by adding at the end the following: “(G) the potential of the proposed program to meaningfully improve the financial conditions of the agricultural producers or rural small businesses.”;</p> <p>(2) in subsection (c)—</p> <p>(A) in paragraph (2)—</p> <p>(i) in subparagraph (F), by striking “and” at the end;</p> <p>(ii) by redesignating subparagraph (G) as subparagraph (H); and</p> <p>(iii) by inserting after subparagraph (F) the following:</p> <p>“(G) the potential improvements to the financial conditions of the agricultural producer or rural small business; and”; and</p> <p>(B) in paragraph (3)—</p> <p>(i) by amending subparagraph (A) to read as follows: in subsection (c)—</p> <p>“(A) GRANTS.— With respect to grants made under paragraph (1)(A)(i), the amount of the grant shall not exceed—</p> <p>(i) 50 percent of the cost of the activity carried out using funds from the grant for</p> <p>(I). A beginning farmer or rancher, <b>a socially disadvantaged farmer or rancher</b>, or a veteran farmer or rancher (as those terms are defined in section 2501(a) of the Food, Agriculture, Conservation and Trade Act of 1990 (7 USC 2279(a)))</p>	<ul style="list-style-type: none"> <li>o Allows for 50% funding of a project for socially disadvantaged farmers or ranchers,<sup>10</sup> over the 35% cap for all other recipients.</li> </ul>
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<sup>10</sup> *Supra* note 4.

Title X – Horticulture ( <i>emphasis added</i> )	Summary of Tribal Provisions
<p><b>Subtitle A – Horticulture</b>  <b>SEC. 10004 OFFICE OF URBAN AGRICULTURE AND INNOVATIVE PRODUCTION</b></p> <p>Section 222 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6923) is amended—</p> <p>(1) in subsection (a)(3)—</p> <p>(A) in the matter preceding subparagraph (A), by inserting “production” after “emerging agricultural”;</p> <p>(B) in subparagraph (D)—</p> <p>(i) by inserting “controlled-environment agriculture, including” before “hydroponic”; and</p> <p>(ii) by striking “and” at the end;</p> <p>(C) by redesignating subparagraph (E) as subparagraph (H); and</p> <p>(D) by inserting after subparagraph (D) the following:</p> <p><b><i>“(E) using the resources of the Department and of State, Tribal, and local agencies to provide technical assistance for business incorporation, navigating local zoning, and managing farm tract numbers for smaller, noncontiguous parcels to growers implementing activities described in paragraph (3);</i></b></p> <p><b><i>“(F) using the resources of the Department and of State, Tribal, and local agencies to promote conservation techniques unique to urban agriculture and innovative production, including techniques that address stormwater runoff and the impacted nature of urban land and the subsurface of the land;</i></b></p>	<p><b>Subtitle A – Horticulture</b>  <b>SEC. 10004 OFFICE OF URBAN AGRICULTURE AND INNOVATIVE PRODUCTION</b></p> <ul style="list-style-type: none"> <li>o Expands the mission of the Office of Urban Agriculture and Innovation to include using the resources of the Department and Tribal agencies to promote conservation techniques unique to urban agriculture and innovative production.</li> <li>o Expands grant-making authority by allowing eligible entities, including Tribal organizations, who have received a grant from the Department to then provide sub-grants to urban and innovative producers.</li> <li>o Makes Tribal organizations eligible entities for grants and cooperative agreements awarded under the Section.</li> </ul>



“(G) assisting urban and innovative producers in navigating Federal, State, Tribal, and local policies and regulations that impact business or operations; and”;  
(2) in subsection (b)—

(A) in paragraph (5)(B), by striking “2023” and inserting “2029”; and

(B) in paragraph (7)(A), by striking “the date that is 5 years after the date on which the members are appointed under paragraph (2)(B)” and inserting “September 30, 2029”;

(3) by amending subsection (c) to read as follows:

“(c) GRANTS AND COOPERATIVE AGREEMENTS. —

“(1) GRANTS. —

“(A) IN GENERAL. —The Director shall award competitive grants to support the development of urban and innovative agricultural production and technical or financial assistance to producers.

“(B) SUBGRANTS. —An eligible entity may use funds from a grant under subparagraph (A) to provide subgrants to urban and innovative producers to support the growth of the farm or farm business of the urban and innovative producers.

**“(C) ELIGIBLE ENTITIES. —An entity eligible to receive a grant under subparagraph (A) is—**

“(i) a nonprofit organization;

“(ii) a unit of local government;

**“(iii) a Tribal organization;**

“(iv) an agricultural cooperative or other agricultural business entity or a producer network or association; or

“(v) a school that serves any of grades kindergarten through grade 12.

“(2) COOPERATIVE AGREEMENTS. —

“(A) IN GENERAL.—The Director may enter into cooperative agreements with eligible entities to support the development of urban and innovative agricultural production.

***“(B) ELIGIBLE ENTITIES.—An entity eligible to enter into cooperative agreements under subparagraph (A) is—***

“(i) a nonprofit organization;

“(ii) a unit of local government;

***“(iii) a Tribal organization; or***

“(iv) an agricultural cooperative or other agricultural business entity or a producer network or association.”;

(4) in subsection (d)—

(A) in the subsection heading, by striking “PILOT”;

(B) by striking “pilot” each place it appears in paragraphs (1) and (2);

(C) in paragraph (1)(A), by striking “Not later than 1 year after the date of enactment of this section, the Secretary shall establish a pilot program for not fewer than 5 years that” and inserting “The Secretary shall continue to implement a program that”;

(D) in paragraph (1)(C), in the matter preceding clause (i), by striking “2023” and inserting “2029”; and

(E) in paragraph (2)—

(i) in subparagraph (A), by inserting “and construct at-scale composting, food-to-feed, or anaerobic digestion food waste-to-energy projects” before the period at the end; and

(ii) in subparagraph (B)—

<p>(I) in the subparagraph heading, strike “PILOT”;</p> <p><b><i>(II) in the matter preceding clause (i), by inserting “Tribal governments,” after “local governments,”;</i></b></p> <p>(III) by redesignating clauses (vi) through (viii) as clauses (vii) through (ix), respectively; and</p> <p>(IV) by inserting after clause (v) the following:</p> <p>“(vi) develop food waste-to-energy operations;”; and</p> <p>(5) in subsection (e), by striking “2023” and inserting “2029”.</p>	
<p><b>Subtitle A – Horticulture</b></p> <p><b>SEC. 10006. HEMP PRODUCTION.</b></p> <p>(a) DEFINITIONS.—Section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o) is amended—</p> <p><b><i>(1) by redesignating paragraphs (2) through (6) as paragraphs (4) through (8), respectively; and</i></b></p> <p><b><i>(2) by inserting after paragraph (1) the following:</i></b></p> <p><b><i>“(1) HEMP.—</i></b></p> <p><b><i>“(A) IN GENERAL.—The term ‘hemp’ means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinolic acid) of not more than 0.3 percent in the plant on a dry weight basis.</i></b></p> <p><b><i>“(B) EXCLUSIONS.—Such term does not include—</i></b></p> <p><b><i>“(i) any viable seeds from a Cannabis sativa L. plant that exceeds a total tetrahydrocannabinol concentration (including tetrahydrocannabinolic acid) of 0.3 percent in the plant on a dry weight basis; or</i></b></p>	<p><b>Subtitle A – Horticulture</b></p> <p><b>SEC. 10006. HEMP PRODUCTION.</b></p> <ul style="list-style-type: none"> <li>o Requires Tribal Hemp Plans to require producers to designate their hemp crop as industrial hemp, hemp grown for cannabinoid extraction, or both.</li> <li>o Requires hemp producers to provide documentation demonstrating clear intent to produce and use in-field practices consistent with production of industrial hemp in instances where a Tribal Hemp Plan calls for reducing or eliminating sampling or testing requirements. Requires producers to conduct testing if documentation is not provided.</li> <li>o Preserves Tribe's ability to require other practices or procedures in their hemp plans.</li> <li>o Authorizes Tribes to incorporate other methods of sampling plans for industrial hemp producers.</li> </ul>

***“(ii) any hemp-derived cannabinoid products containing—***

***“(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;***

***“(II) cannabinoids that—***

***“(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and***

***“(bb) were synthesized or manufactured outside the plant; or***

***“(III) quantifiable amounts (as determined by the Secretary) of—***

***“(aa) tetrahydrocannabinol (including tetrahydrocannabinolic acid); or***

***“(bb) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as tetrahydrocannabinol (as determined by the Secretary).”;***

***“(2) by redesignating paragraphs (2) through (6) as paragraphs (4) through (8), respectively;***

***“(23) HEMP GROWN FOR CANNABINOID EXTRACTION.—***The term ‘hemp grown for cannabinoid extraction’ means any hemp grown for purposes of extracting cannabinoids intended for human or animal consumption, inhalation, or topical use.

***“(3) INDUSTRIAL HEMP.—***The term ‘industrial hemp’ means hemp—

***“(A) grown for the use of the stalk of the plant, fiber produced from such a stalk, or any other non-cannabinoid derivative, mixture, preparation, or manufacture of such a stalk;***

***“(B) grown for the use of the whole grain, oil, cake, nut, hull, or any other noncannabinoid compound, derivative, mixture, preparation, or manufacture of the seeds of such plant;***

- o Authorizes Tribal Hemp Plans to establish a procedure to eliminate the 10-year period of ineligibility for producers convicted of a felony if they are producing industrial hemp.
- o Requires Tribes to report producers who have violated the Tribal Hemp Plan and producers who produce a crop inconsistent with designation of industrial hemp to the Attorney General and the Tribe's Chief Law Enforcement Office.
- o During the markup, the Committee voted to approve amendments en bloc by a vote of 29-25. En bloc #1 included [Amendment #35](#) to change the definition of hemp in the Agricultural Marketing Act of 1946 to only include naturally occurring, naturally derived, and non-intoxicating cannabinoids of not more than 0.3%.

“(C) that is an immature hemp plant intended for human consumption;

“(D) that is a plant that does not enter the stream of commerce and is intended to support hemp research at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or an independent research institute; or

“(E) grown for the use of a viable seed of the plant produced solely for the production or manufacture of any material described in subparagraphs (A) through (D).”.

(b) STATE AND **TRIBAL PLANS**.—Section 297B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639p) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by redesignating clauses (ii) through (vii) as clauses (iii) through (viii), respectively;

(II) by inserting after clause (i) the following:

(ii) a procedure under which a hemp producer shall be required to designate the type of production of the hemp producer as—

“(I) industrial hemp;

“(II) hemp grown for cannabinoid extraction; or

“(III) industrial hemp and hemp grown for cannabinoid extraction;”; and

~~“(III) in clause (iii), as redesignated by clause (i) of this subparagraph, by inserting “except as provided in subparagraph (B)(i),” before “a procedure”; and~~

~~“(III) in clause (iii), as redesignated by clause (i) of this subparagraph—~~

~~“(aa) by inserting “except as provided in subparagraph (B)(i),” before “a procedure”; and~~

***“(bb) by striking “delta-9 tetrahydrocannabinol concentration” and inserting “total tetrahydrocannabinol concentration (including tetrahydrocannabinolic acid)”***

(ii) in subparagraph (B), by striking “include any other practice” and inserting the following: “include—

“(i) notwithstanding subparagraph (A)(iii), a procedure for the use of visual inspections, performance-based sampling methodologies, certified seed, or a similar procedure when developing sampling plans for any producer who elects to be designated as a producer of industrial hemp under subparagraph (A)(ii)(I)

“(ii) notwithstanding subsection (e)(3)(B)(i), a procedure for eliminating the 10-year period of ineligibility following the date of conviction for a felony related to a controlled substance for producers who elect to be designated as producers of industrial hemp under subparagraph (A)(ii); and  
“(iii) any other practice”;

(B) by adding at the end the following:

“(4) INSPECTION OF INDUSTRIAL HEMP PRODUCERS.—

“(A) IN GENERAL.—If a State or ***Tribal plan*** referred to in paragraph (1) includes procedures for reducing or eliminating sampling or testing requirements under paragraph (2)(B)(i) for a producer of industrial hemp, the State or ***Indian tribe*** shall require the producer to provide documentation that demonstrates a clear intent to produce, and use in-field practices consistent with production of, industrial hemp, such as a seed tag, sales contract, Farm Service Agency report, harvest technique, or harvest inspection.”

(B) TESTING.—If a producer fails to provide the documentation required under subparagraph (A), the State or ***Indian tribe*** involved shall require the producer to conduct the testing described in paragraph (2)(A)(iii).”; ***and***

***“(2) in subsection (c)(2)(A)(iii), by striking “delta-9” and all that follows through “percent” and inserting the following “total tetrahydrocannabinolic acid) of not more than 0.3 percent in the plant”; and***

(2) in subsection (e)(3)—

(A) by amending subparagraph (A) to read as follows:

“(A) REPORTING.—

“(i) IN GENERAL.—In the case of a State department of agriculture or a *Tribal government* with respect to which a State or *Tribal plan* is approved under subsection (b), such State department of agriculture or ***Tribal government*** (as applicable) shall immediately report a hemp producer to the Attorney General, and, as applicable, the chief law enforcement officer of the State or ***Indian tribe***, if the State department of agriculture or ***Tribal government*** (as applicable) determines that the hemp producer has—“(I) violated the State or ***Tribal plan*** with a culpable mental state greater than negligence; or“(II) violated the State or ***Tribal plan*** by producing a crop that is inconsistent with the designation of industrial hemp under subsection (a)(2)(A)(ii).

“(ii) EXCEPTION.—Paragraph (1) shall not apply with respect to—

“(I) a violation described in subclause (I) of clause (i);  
or

“(II) the production of a crop inconsistent with its designation, as described in subclause (II) of such clause.”;

(B) in subparagraph (B), by amending clause (ii) to read as follows:

“(ii) EXCEPTION.—Clause (i) shall not apply to any person growing hemp that designates the type of production as industrial hemp under subsection (a)(2)(A)(ii) if—

“(I) the State or ***Tribal plan*** approved under subsection (b) includes a procedure described in subsection (a)(2)(B)(ii); or

“(II) the plan established by the Secretary under section 297C includes a procedure described in subsection (a)(2)(B)(ii) of such section.”; and  
(C) by adding at the end the following:

“(D) PRODUCTION INCONSISTENT WITH INDUSTRIAL HEMP DESIGNATION.—Any person who knowingly produces a crop that is inconsistent with the designation of industrial hemp under subsection (a)(2)(A)(ii) shall be ineligible to participate in the program established under this section for a period of 5 years beginning on the date of the violation.”.

(c) DEPARTMENT OF AGRICULTURE.—Section 297C of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639q) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking “paragraph (1) shall” and all that follows through “practice to maintain” and inserting the following: “paragraph (1)—

“(A) shall include—

“(i) a practice to maintain”;

(ii) in subparagraph (C), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and moving the margins of such subclauses (as so redesignated) two ems to the right;

(iii) by redesignating subparagraphs (B) through (E) as clauses (iii) through (vi), respectively, and moving the margins of such clauses (as so redesignated) two ems to the right;

(iv) by inserting after clause (i) (as



designated by clause (i) of this subparagraph) the following:

“(ii) a procedure under which the Secretary shall require a hemp producer to designate the type of production of the hemp producer as—

“(I) only industrial hemp; or

“(II) hemp grown for any purpose other than industrial hemp;”;

***~~“(v) in clause (iii) (as redesignated by clause (iii) of this subparagraph), by inserting “except as provided in subparagraph (B)(i),” before “a procedure”;~~***

***“(v) in clause (iii) (as redesignated by clause (iii) of this subparagraph)—***

***“(I) by inserting “except as provided in subparagraph (B)(i),” before “a procedure”; and***

***“(II) by striking “delta-9 tetrahydrocannabinol concentration” and inserting “total tetrahydrocannabinol concentration (including tetrahydrocannabinolic acid)”;***

(vi) by striking subparagraph (F); and

(vii) by adding at the end the following:

“(B) may include—

“(i) notwithstanding subparagraph (A)(iii), a procedure for the use of visual inspections, performance-based sampling methodologies, certified seed, or a similar procedure when developing sampling plans for any producer who elects to be designated as a producer of only industrial hemp under subparagraph (A)(ii);

“(ii) notwithstanding section 297B(e)(3)(B)(i), a procedure for eliminating the

10-year period of ineligibility following the date of conviction for a felony related to a controlled substance for producers who elect to be designated as producers of only industrial hemp under subparagraph (A)(ii); and

“(iii) such other practices or procedures as the Secretary considers to be appropriate, to the extent that the practice or procedure is consistent with this subtitle.”; and

(B) by adding at the end the following:

“(3) INSPECTIONS OF INDUSTRIAL HEMP PRODUCERS.—

“(A) IN GENERAL.—If a plan referred to in paragraph (1) includes procedures for reducing or eliminating sampling or testing requirements under paragraph (2)(B)(i) for a producer of only industrial hemp, the Secretary shall require the producer to provide documentation that demonstrates a clear intent to produce, and use in-field practices consistent with production of, industrial hemp, such as a seed tag, sales contract, Farm Service Agency report, harvest technique, or harvest inspection.

“(B) TESTING.—If a producer fails to provide the appropriate documentation required under subparagraph (A), the Secretary shall require the producer to conduct the testing described in paragraph (2)(A)(iii).”; and  
(2) in subsection (d)(2)—

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

(B) in subparagraph (C)—

(i) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

<p>(ii) by inserting before clause (ii) (as so redesignated), the following:</p> <p>“(i) the designation of the type of production of the hemp producers under section 297B(a)(2)(A)(ii) or under subsection (a)(2)(A)(ii) of this section;”; and</p> <p>(iii) in clause (iii), (as so redesignated), by striking the period at the end and inserting “; and”; and</p> <p>(C) by adding at the end the following:</p> <p>“(D) the laboratory certificate of analysis for hemp disposed of under section 297B(a)(2)(A)(iv) or subsection (a)(2)(A)(iv) of this section.”.</p> <p>(d) REGULATIONS AND GUIDELINES; EFFECT ON OTHER LAW.—Section 297D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639r) is amended—</p> <p>(1) in the section heading, by striking “REGULATIONS AND GUIDELINES” and inserting “ADMINISTRATION, REGULATIONS, AND GUIDELINES”; and</p> <p>(2) in subsection (a)—</p> <p>(A) in the subsection heading, by striking “PROMULGATION OF REGULATIONS AND GUIDELINES” and inserting “ADMINISTRATION, REGULATIONS, AND GUIDELINES”; and</p> <p>(B) by adding at the end the following:</p> <p>“(3) LABORATORY ACCREDITATION.—The Secretary, in consultation with the Administrator of the Drug Enforcement Administration, shall establish a process by which the Department of Agriculture can issue certificates of accreditation to laboratories for the purposes of testing hemp in accordance with this subtitle.”.</p>	
<p><b>Subtitle C – Regulatory Reform</b></p>	<p><b>Subtitle C – Regulatory Reform</b></p>

## Part II – Other Regulatory Reform Provisions

### SEC. 10213 SAFE HARBOR FOR CERTAIN DISCHARGES OF WILDLAND FIRE CHEMICALS

(a) IN GENERAL.—Subject to subsection (b), no court may enjoin under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) a covered entity from conducting an aerial application of a covered fire retardant and water enhancer for wildfire suppression, control, or prevention activities that results in a discharge, if such aerial application is conducted in accordance with the requirements of the Federal Facility Compliance Agreement between the Environmental Protection Agency and the U.S. Forest Service, as agreed to on February 16, 2023.

(b) PERIOD OF APPLICATION.—Subsection (a) shall apply to any aerial application described in such subsection that is conducted before the effective date of a permit issued by the Administrator of the Environmental Protection Agency or a State, as applicable, under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) that authorizes the discharge, from such aerial application, of a covered fire retardant and water enhancer for wildfire suppression, control, or prevention activities.

(c) EFFECT. —Nothing in this section affects the authority of any court under the Federal Water Pollution Control Act with respect to any discharge resulting from an aerial application not conducted in accordance with the requirements described in subsection (a).

(d) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term “covered entity” means— (A) any Federal agency, agency of a State or political subdivision thereof, or ***Tribal agency***, authorized by law to conduct an aerial application of fire retardants and water enhancers for wildfire suppression, control, or prevention activities; and

(B) any contractor, subcontractor, or other agent of an agency described in subparagraph (A).

(2) COVERED FIRE RETARDANT AND WATER ENHANCER. —The term

## Part II – Other Regulatory Reform Provisions

### SEC. 10213 SAFE HARBOR FOR CERTAIN DISCHARGES OF WILDLAND FIRE CHEMICALS

- o Precludes courts from enjoining a covered entity from applying fire retardant and water enhancer for wildfire suppression, control, prevention without 402 permit if in accordance with the requirements of the Federal Facility Compliance Agreement between the Environmental Protection Agency and the U.S. Forest Service, as agreed to on February 16, 2023.
- o Covered entities include Tribal agencies.

<p>“covered fire retardant and water enhancer” means a fire retardant and water enhancer that—</p> <p>(A) has been evaluated, qualified, and approved by the Secretary; and</p> <p>(B) appears on the most current Forest Service Qualified Products List.</p> <p>(3) DISCHARGE; STATE. —The terms “discharge” and “State” have the meanings given those terms in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362). (e) SUNSET. —This section shall cease to be effective on the date that is 5 years after the date of enactment 18 of this section.</p>	
<b>Title XI – Crop Insurance</b>	<b>Summary of Tribal Provisions</b>
No Tribal specific provisions.	No Tribal specific provisions.
<b>Title XII – Miscellaneous (<i>emphasis added</i>)</b>	<b>Summary of Tribal Provisions</b>
<p><b>Subtitle B – Department of Agriculture Reorganization Act of 1994</b></p> <p><b>SEC. 12207. FUNCTIONS OF THE OFFICE OF TRIBAL RELATIONS.</b></p> <p>Section 309 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921) is amended—</p> <p>(1) in subsection (a)—</p> <p>(A) by striking “shall advise” and all that follows through the period at the end and inserting “shall—”; and</p> <p>(B) by adding at the end the following:</p> <p><b>(1) <i>advise the Secretary on policies related to Indian tribes;</i></b></p> <p><b>(2) <i>oversee—</i></b></p> <p><b>“(A) <i>each self-determination contract (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) entered into between the Secretary and a tribal organization; and</i></b></p>	<p><b>Subtitle B – Department of Agriculture Reorganization Act of 1994</b></p> <p><b>SEC. 12207. FUNCTIONS OF THE OFFICE OF TRIBAL RELATIONS.</b></p> <ul style="list-style-type: none"> <li>o Directs the Office of Tribal Relations to oversee all self-determination contracts and self-governance compacts between Tribes and USDA.</li> </ul>

<p><b><i>“(B) each self-governance compact (as defined in section 401 of such Act (25 U.S.C. 5361)) entered into between the Secretary and an Indian tribe; and</i></b></p> <p><b><i>“(3) carry out such other functions as the Secretary considers appropriate.”; and</i></b></p> <p>“(2) in subsection (b)(1), by striking “this subsection” and inserting “this section”.</p>	
<p><b>Subtitle D – Other Miscellaneous Provisions</b>  <b>SEC. 12401. THRIFTY FOOD PLAN</b></p> <p>Section 3(u) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(u)) is amended to read as follows:</p> <p>“(4) ALLOWABLE COST ADJUSTMENTS. —On October 1 immediately following enactment of the Farm, Food, and National Security Act of 2024 and on each October 1 thereafter, the Secretary shall—</p> <p>“(A) On October 1 thereafter, the Secretary shall—</p> <p>“(A) adjust the cost of the thrifty food plan to reflect changes in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor, for the most recent 12-month period ending in June;</p> <p><b><i>“(B) make cost adjustments in the thrifty food plan for urban and rural parts of Hawaii and urban and rural parts of Alaska to reflect the cost of food in urban and rural Hawaii and urban and rural Alaska provided such cost adjustment shall not exceed the rate of increase described in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor, for the most recent 12-month period ending in June;</i></b></p>	<p><b>Subtitle D – Other Miscellaneous Provisions</b>  <b>SEC. 12401. THRIFTY FOOD PLAN</b></p> <ul style="list-style-type: none"> <li>o Requires the Secretary to make cost adjustments to the thrifty food plan to reflect cost of food in urban and rural parts of Hawaii and Alaska.</li> <li>o The adjustments are limited to the Consumer Price Index rate of increase for All Urban Consumers.</li> </ul>
<p><b>Subtitle D – Other Miscellaneous Provisions</b>  <b>SEC. 12408. REPORTS ON LAND ACCESS AND FARMLAND OWNERSHIP DATA COLLECTION</b></p>	<p><b>Subtitle D – Other Miscellaneous Provisions</b>  <b>SEC. 12408. REPORTS ON LAND ACCESS AND FARMLAND OWNERSHIP DATA COLLECTION</b></p>

Section 12607 of the Agriculture Improvement Act of 2018 (7 U.S.C. 2204i) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “and not less frequently than once every 2 years thereafter,” before “the Secretary of Agriculture”;

(B) in paragraph (2), by striking “and” at the end;

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

(D) by adding at the end the following:

***“(4) a catalog of existing Federal, State, or private programs that facilitate access to land, capital, and markets, including programs providing assistance relating to—***

***“(A) acquiring of real property (including air rights, water rights, and other interests therein), including closing costs;***

***“(B) subsidizing interest rates and mortgage principal amounts for intended beneficiaries;***

***“(C) providing down payment assistance to decrease farm mortgages;***

***“(D) securing clear title on heirs’ property farmland;***

***“(E) conducting surveys and assessments of agricultural land;***

***“(F) improving or remediating land, water, and soil;***

***“(G) constructing or repairing infrastructure;***

***“(H) supporting land use planning;***

***“(I) acquiring legal or financial planning assistance;***

***“(J) carrying out Tribal consultation;***

- o Pursuant to 7 U.S.C. 2204i, the Secretary is already required to report to Congress on land access and farmland ownership data collection as it relates to beginning farmers and ranchers (as defined in section 2279(a) of this title) and socially disadvantaged farmers and ranchers (as defined in such section).
- o This section requires the Secretary to additionally report on the regulatory, operational or statutory changes that are necessary to improve a catalog of Federal, State and private programs related to a number of efforts, including carrying out Tribal consultations.

<p>“(K) supporting acquisition of a Department of Agriculture farm number; and</p> <p>“(L) any other activities as determined by the Secretary.”; and</p> <p>(2) in subsection (c), by striking “2023” and inserting “2029”.</p>	
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