

One Hundred Fifteenth Congress  
of the  
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,  
the third day of January, two thousand and eighteen*

An Act

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Agriculture Improvement Act of 2018”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.

**TITLE I—COMMODITIES**

**Subtitle A—Commodity Policy**

- Sec. 1101. Definition of effective reference price.
- Sec. 1102. Base acres.
- Sec. 1103. Payment yields.
- Sec. 1104. Payment acres.
- Sec. 1105. Producer election.
- Sec. 1106. Price loss coverage.
- Sec. 1107. Agriculture risk coverage.
- Sec. 1108. Repeal of transition assistance for producers of upland cotton.

**Subtitle B—Marketing Loans**

- Sec. 1201. Extensions.
- Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
- Sec. 1203. Economic adjustment assistance for textile mills.
- Sec. 1204. Special competitive provisions for extra long staple cotton.
- Sec. 1205. Availability of recourse loans.

**Subtitle C—Sugar**

- Sec. 1301. Sugar policy.

**Subtitle D—Dairy Margin Coverage and Other Dairy Related Provisions**

- Sec. 1401. Dairy margin coverage.
- Sec. 1402. Reauthorizations.
- Sec. 1403. Class I skim milk price.
- Sec. 1404. Dairy product donation.

**Subtitle E—Supplemental Agricultural Disaster Assistance**

- Sec. 1501. Supplemental agricultural disaster assistance.

**Subtitle F—Noninsured Crop Assistance**

- Sec. 1601. Noninsured crop assistance program.

**Subtitle G—Administration**

- Sec. 1701. Regulations.
- Sec. 1702. Suspension of permanent price support authority.

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- Sec. 4009. Required action on data match information.
- Sec. 4010. Incentivizing technology modernization.
- Sec. 4011. Interstate data matching to prevent multiple issuances.
- Sec. 4012. Requirement of live-production environments for certain pilot projects relating to cost sharing for computerization.
- Sec. 4013. Quality control improvements.
- Sec. 4014. Evaluation of child support enforcement cooperation requirements.
- Sec. 4015. Longitudinal data for research.
- Sec. 4016. Authorization of appropriations.
- Sec. 4017. Assistance for community food projects.
- Sec. 4018. Emergency food assistance program.
- Sec. 4019. Nutrition education.
- Sec. 4020. Retail food store and recipient trafficking.
- Sec. 4021. Public-private partnerships.
- Sec. 4022. Technical corrections.

Subtitle B—Commodity Distribution Programs

- Sec. 4101. Commodity distribution program.
- Sec. 4102. Commodity supplemental food program.
- Sec. 4103. Distribution of surplus commodities to special nutrition projects.
- Sec. 4104. Food donation standards.

Subtitle C—Miscellaneous

- Sec. 4201. Seniors farmers' market nutrition program.
- Sec. 4202. Purchase of fresh fruits and vegetables for distribution to schools and service institutions.
- Sec. 4203. Service of traditional foods in public facilities.
- Sec. 4204. Healthy food financing initiative.
- Sec. 4205. The Gus Schumacher nutrition incentive program.
- Sec. 4206. Micro-grants for food security.
- Sec. 4207. Buy American requirements.
- Sec. 4208. Healthy fluid milk incentives projects.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

- Sec. 5101. Modification of the 3-year experience eligibility requirement for farm ownership loans.
- Sec. 5102. Conservation loan and loan guarantee program.
- Sec. 5103. Limitations on amount of farm ownership loans.
- Sec. 5104. Relending program to resolve ownership and succession on farmland.

Subtitle B—Operating Loans

- Sec. 5201. Limitations on amount of operating loans.
- Sec. 5202. Microloans.
- Sec. 5203. Cooperative lending pilot projects.

Subtitle C—Administrative Provisions

- Sec. 5301. Beginning farmer and rancher individual development accounts pilot program.
- Sec. 5302. Loan authorization levels.
- Sec. 5303. Loan fund set-asides.
- Sec. 5304. Use of additional funds for direct operating microloans under certain conditions.
- Sec. 5305. Equitable relief.
- Sec. 5306. Socially disadvantaged farmers and ranchers; qualified beginning farmers and ranchers.
- Sec. 5307. Emergency loan eligibility.

Subtitle D—Miscellaneous

- Sec. 5401. Technical corrections to the Consolidated Farm and Rural Development Act.
- Sec. 5402. State agricultural mediation programs.
- Sec. 5403. Compensation of bank directors.
- Sec. 5404. Sharing of privileged and confidential information.
- Sec. 5405. Facility headquarters.
- Sec. 5406. Removal and prohibition authority; industry-wide prohibition.
- Sec. 5407. Jurisdiction over institution-affiliated parties.
- Sec. 5408. Definition of institution-affiliated party.
- Sec. 5409. Prohibition on use of funds.

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- Sec. 12511. Precision agriculture connectivity.
- Sec. 12512. Improvements to United States Drought Monitor.
- Sec. 12513. Dairy business innovation initiatives.
- Sec. 12514. Report on funding for the National Institute of Food and Agriculture and other extension programs.
- Sec. 12515. Prohibition on slaughter of dogs and cats for human consumption.
- Sec. 12516. Labeling exemption for single ingredient foods and products.
- Sec. 12517. South Carolina inclusion in Virginia/Carolina peanut producing region.
- Sec. 12518. Forest Service hire authority.
- Sec. 12519. Conversion authority.
- Sec. 12520. Authorization of protection operations for the Secretary of Agriculture and others.

PART II—NATIONAL OILHEAT RESEARCH ALLIANCE

- Sec. 12531. National oilheat research alliance.

Subtitle F—General Provisions

- Sec. 12601. Baiting of migratory game birds.
- Sec. 12602. Pima agriculture cotton trust fund.
- Sec. 12603. Agriculture wool apparel manufacturers trust fund.
- Sec. 12604. Wool research and promotion.
- Sec. 12605. Emergency Citrus Disease Research and Development Trust Fund.
- Sec. 12606. Extension of merchandise processing fees.
- Sec. 12607. Reports on land access and farmland ownership data collection.
- Sec. 12608. Reauthorization of rural emergency medical services training and equipment assistance program.
- Sec. 12609. Commission on Farm Transitions—Needs for 2050.
- Sec. 12610. Exceptions under United States Grain Standards Act.
- Sec. 12611. Conference report requirement threshold.
- Sec. 12612. National agriculture imagery program.
- Sec. 12613. Report on inclusion of natural stone products in Commodity Promotion, Research, and Information Act of 1996.
- Sec. 12614. Establishment of food access liaison.
- Sec. 12615. Eligibility for operators on heirs property land to obtain a farm number.
- Sec. 12616. Extending prohibition on animal fighting to the territories.
- Sec. 12617. Exemption of exportation of certain echinoderms from permission and licensing requirements.
- Sec. 12618. Data on conservation practices.
- Sec. 12619. Conforming changes to Controlled Substances Act.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

SEC. 1101. DEFINITION OF EFFECTIVE REFERENCE PRICE.

Section 1111 of the Agricultural Act of 2014 (7 U.S.C. 9011) is amended—

- (1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and
- (2) by inserting after paragraph (7) the following:
  - “(8) EFFECTIVE REFERENCE PRICE.—The term ‘effective reference price’, with respect to a covered commodity for a crop year, means the lesser of the following:
    - “(A) An amount equal to 115 percent of the reference price for such covered commodity.
    - “(B) An amount equal to the greater of—
      - “(i) the reference price for such covered commodity;
      - or
      - “(ii) 85 percent of the average of the marketing year average price of the covered commodity for the

a community college, an adult vocational agriculture program, a nonprofit organization, or a land-grant college or university;

“(iii) at least 1 year of experience as hired farm labor with substantial management responsibilities;

“(iv) successfully completed a farm mentorship, apprenticeship, or internship program with an emphasis on management requirements and day-to-day farm management decisions;

“(v) significant business management experience;

“(vi) been honorably discharged from the armed forces of the United States;

“(vii) successfully repaid a youth loan made under section 311(b); or

“(viii) an established relationship with an individual who has experience in farming or ranching, or is a retired farmer or rancher, and is participating as a counselor in a Service Corps of Retired Executives program authorized under section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)), or with a local farm or ranch operator or organization, approved by the Secretary, that is committed to mentoring the farmer or rancher; or

“(B) waive the 3-year requirement in paragraph (1) if the farmer or rancher meets the requirements of clauses (iii) and (viii) of subparagraph (A).”.

**SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.**

Section 304(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(h)) is amended by striking “2018” and inserting “2023”.

**SEC. 5103. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.**

Section 305 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925) is amended—

(1) in subsection (a)(2)—

(A) by striking “\$300,000” and inserting “\$600,000”;

(B) by striking “\$700,000” and inserting “\$1,750,000”;

and

(C) by striking “2000” and inserting “2019”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “August” and inserting “July”; and

(B) in paragraph (2), by striking “ending on August 31, 1996” and inserting “that immediately precedes the 12-month period described in paragraph (1)”.

**SEC. 5104. RELENDING PROGRAM TO RESOLVE OWNERSHIP AND SUCCESSION ON FARMLAND.**

Subtitle A of title III of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.) is amended by adding at the end the following:

**“SEC. 310I. RELENDING PROGRAM TO RESOLVE OWNERSHIP AND SUCCESSION ON FARMLAND.**

“(a) IN GENERAL.—The Secretary may make loans to eligible entities described in subsection (b) so that the eligible entities

may re-lend the funds to individuals and entities for the purposes described in subsection (c).

“(b) ELIGIBLE ENTITIES.—Entities eligible for loans described in subsection (a) are cooperatives, credit unions, and nonprofit organizations with—

“(1) certification under section 1805.201 of title 12, Code of Federal Regulations (or successor regulations), to operate as a lender;

“(2) experience assisting socially disadvantaged farmers and ranchers (as defined in subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)) or limited resource or new and beginning farmers and ranchers, rural businesses, cooperatives, or credit unions, including experience in making and servicing agricultural and commercial loans; and

“(3) the ability to provide adequate assurance of the repayment of a loan.

“(c) ELIGIBLE PURPOSES.—The proceeds from loans made by the Secretary pursuant to subsection (a) shall be re-lent by eligible entities for projects that assist heirs with undivided ownership interests to resolve ownership and succession on farmland that has multiple owners.

“(d) PREFERENCE.—In making loans under subsection (a), the Secretary shall give preference to eligible entities—

“(1) with not less than 10 years of experience serving socially disadvantaged farmers and ranchers; and

“(2) in States that have adopted a statute consisting of an enactment or adoption of the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all States by the National Conference of Commissioners on Uniform State Laws in 2010, that re-lend to owners of heirs property (as defined in that Act).

“(e) LOAN TERMS AND CONDITIONS.—The following terms and conditions shall apply to loans made under this section:

“(1) The interest rate at which intermediaries may borrow funds under this section shall be determined by the Secretary.

“(2) The rates, terms, and payment structure for borrowers to which intermediaries lend shall be—

“(A) determined by the intermediary in an amount sufficient to cover the cost of operating and sustaining the revolving loan fund; and

“(B) clearly and publicly disclosed to qualified ultimate borrowers.

“(3) Borrowers to which intermediaries lend shall be—

“(A) required to complete a succession plan as a condition of the loan; and

“(B) be offered the opportunity to borrow sufficient funds to cover costs associated with the succession plan under subparagraph (A) and other associated legal and closing costs.

“(f) REPORT.—Not later than 1 year after the date of enactment of this section, 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 operation and outcomes of the program under this section, with recommendations on how to strengthen the program.

examining the effect the establishment of a Natural Stone Research and Promotion Board pursuant to the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7401 et seq.) would have on the natural stone industry, including how such a program would effect—

- (1) research conducted on, and the promotion of, natural stone;
- (2) the development and expansion of domestic markets for natural stone;
- (3) economic activity of the natural stone industry subject to such a Board;
- (4) economic development in rural areas; and
- (5) benefits to consumers in the United States of natural stone products.

**SEC. 12614. ESTABLISHMENT OF FOOD ACCESS LIAISON.**

(a) **IN GENERAL.**—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.), as amended by sections 12202, 12302, 12403, and 12504, is amended by adding at the end the following:

**“SEC. 225. FOOD ACCESS LIAISON.**

“(a) **ESTABLISHMENT.**—The Secretary shall establish the position of Food Access Liaison to coordinate Department programs to reduce barriers to food access and monitor and evaluate the progress of such programs in accordance with this section.

“(b) **DUTIES.**—The Food Access Liaison shall—

“(1) coordinate the efforts of the Department, including regional offices, to experiment and consider programs and policies aimed at reducing barriers to food access for consumers, including but not limited to participants in nutrition assistance programs;

“(2) provide outreach to entities engaged in activities to reduce barriers to food access in accordance with the statutory authorization for each program;

“(3) provide outreach to entities engaged in activities to reduce barriers to food access, including retailers, markets, producers, and others involved in food production and distribution, with respect to the availability of, and eligibility for, Department programs;

“(4) raise awareness of food access issues in interactions with employees of the Department;

“(5) make recommendations to the Secretary with respect to efforts to reduce barriers to food access; and

“(6) submit to Congress an annual report with respect to the efforts of the Department to reduce barriers to food access.”

(b) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance to entities that are participants, or seek to participate, in Department of Agriculture programs related to reduction of barriers to food access.

**SEC. 12615. ELIGIBILITY FOR OPERATORS ON HEIRS PROPERTY LAND TO OBTAIN A FARM NUMBER.**

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE DOCUMENTATION.**—The term “eligible documentation”, with respect to land for which a farm operator



seeks assignment of a farm number under subsection (b)(1), includes—

(A) in States that have adopted a statute consisting of an enactment or adoption of the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all States by the National Conference of Commissioners on Uniform State Laws in 2010—

(i) a court order verifying the land meets the definition of heirs property (as defined in that Act); or

(ii) a certification from the local recorder of deeds that the recorded owner of the land is deceased and not less than 1 heir of the recorded owner of the land has initiated a procedure to retitle the land in the name of the rightful heir;

(B) a fully executed, unrecorded tenancy-in-common agreement that sets out ownership rights and responsibilities among all of the owners of the land that—

(i) has been approved by a majority of the ownership interests in that property;

(ii) has given a particular owner the right to manage and control any portion or all of the land for purposes of operating a farm or ranch; and

(iii) was validly entered into under the authority of the jurisdiction in which the land is located;

(C) the tax return of a farm operator farming a property with undivided interests for each of the 5 years preceding the date on which the farm operator submits the tax returns as eligible documentation under subsection (b);

(D) self-certification that the farm operator has control of the land for purposes of operating a farm or ranch; and

(E) any other documentation identified by the Secretary under subsection (c).

(2) FARM NUMBER.—The term “farm number” has the meaning given the term in section 718.2 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(b) FARM NUMBER.—

(1) IN GENERAL.—The Secretary shall provide for the assignment of a farm number to any farm operator who provides any form of eligible documentation for purposes of demonstrating that the farm operator has control of the land for purposes of defining that land as a farm.

(2) ELIGIBILITY.—Any farm number provided under paragraph (1) shall be sufficient to satisfy any requirement of the Secretary to have a farm number to participate in a program of the Secretary.

(c) ELIGIBLE DOCUMENTATION.—The Secretary shall identify alternative forms of eligible documentation that a farm operator may provide in seeking the assignment of a farm number under subsection (b)(1).

**SEC. 12616. EXTENDING PROHIBITION ON ANIMAL FIGHTING TO THE TERRITORIES.**

(a) IN GENERAL.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (a)—