

119TH CONGRESS
2^D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. SMALL FARM EQIP SUBPROGRAM.**

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

1 (1) in subsection (d)—

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

4 “(1) AVAILABILITY; MINIMUM AMOUNT.—

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

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

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

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

17 “(8) SOIL HEALTH MANAGEMENT SYSTEM PAY-
18 MENTS.—

19 “(A) IN GENERAL.—Notwithstanding para-
20 graph (2), the Secretary shall increase the
21 amount that would otherwise be provided for
22 practices comprising a soil health management
23 system on a farm by 50 percent for any appli-
24 cation for a soil health management system on
25 an operation of not more than 50 acres.

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

7 (2) in subsection (f), by adding at the end the
8 following:

9 “(3) SMALL FARM EQIP SUBPROGRAM.—

10 “(A) TOTAL FUNDING.—For each of fiscal
11 years 2027 through 2031, not less than 30 per-
12 cent of the funds made available for payments
13 under the program shall be used to carry out
14 the subprogram established under subsection
15 (k).

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

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

23 “(I) hiring new Natural Re-
24 sources Conservation Service staff
25 who are familiar with the unique con-

1 servations challenges faced by small-
2 scale agricultural producers;

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

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

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

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

17 “(k) SMALL FARM EQIP SUBPROGRAM.—

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

21 “(A) provide financial and technical assist-
22 ance to small-scale agricultural producers that
23 enter into contracts with the Secretary under
24 the subprogram;

1 Service relating to small-scale agricul-
2 tural producers, including—

3 “(aa) a farmer, rancher, or
4 nonindustrial private forest land-
5 owner who is a member of a so-
6 cially disadvantaged group (as
7 defined in section 355(e) of the
8 Consolidated Farm and Rural
9 Development Act (7 U.S.C.
10 2003(e));

11 “(bb) a farmer, rancher, or
12 nonindustrial private forest land-
13 owner operating in a high-poverty
14 area, as determined by the Pov-
15 erty Area Measures published by
16 the Economic Research Service;

17 “(cc) a farmer, rancher, or
18 nonindustrial private forest land-
19 owner that is a person described
20 in paragraphs (1) and (2), and
21 (if applicable) paragraph (3), in
22 the definition of ‘limited resource
23 farmer or rancher’ in section
24 718.2 of title 7, Code of Regula-

1 tions (as in effect on the date of
2 enactment of this subsection);

3 “(dd) a farmer, rancher, or
4 nonindustrial private forest land-
5 owner—

6 “(AA) who is an indi-
7 vidual who has not operated
8 a farm, ranch, or forest op-
9 eration for more than 10
10 years and materially and
11 substantially participates in
12 the operation of the farm,
13 ranch, or forest operation;
14 or

15 “(BB) that is a legal
16 entity not less than 50 per-
17 cent of the interest in which
18 is held by individuals de-
19 scribed in subitem (AA); and

20 “(ee) a farmer, rancher, or
21 nonindustrial private forest land-
22 owner who has served in the
23 Armed Forces (as defined in sec-
24 tion 101 of title 38, United
25 States Code) and who—

1 “(AA) has not operated
2 a farm, ranch, or forest op-
3 eration;

4 “(BB) has operated a
5 farm, ranch, or forest oper-
6 ation for not more than 10
7 years; or

8 “(CC) is a veteran (as
9 defined in that section) who
10 has first obtained status as
11 a veteran (as so defined)
12 during the most recent 10-
13 year period;

14 “(III) the applicable advanced
15 payment requirements under sub-
16 section (d)(4); and

17 “(IV) other relevant information,
18 as determined by the Secretary.

19 “(B) AMOUNT.—The Secretary shall pro-
20 vide payments under this subsection to a pro-
21 ducer that is eligible for the payments under
22 subparagraph (A) in such amount as the Sec-
23 retary determines—

1 “(i) achieves the purposes described in
2 subparagraphs (A) and (B) of paragraph
3 (1);

4 “(ii) addresses natural resource con-
5 cerns relating to production on small-scale
6 agricultural operations; and

7 “(iii) is in accordance with any appli-
8 cable increased payment requirements
9 under subsection (d)(4).

10 “(C) SIZE REQUIREMENTS.—

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

20 “(ii) LIVESTOCK AND PASTURE MAN-
21 AGEMENT PAYMENTS.—To be eligible to
22 receive a livestock or pasture management
23 payment under subparagraph (A), the herd
24 size of an agricultural producer may not
25 exceed the median herd size of the State in

1 which the producer is located, based on ag-
2 gregate data published by the National Ag-
3 ricultural Statistics Service.

4 “(iii) GROSS CASH FARM INCOME.—
5 To be eligible to receive a payment under
6 subparagraph (A), the farm of an agricul-
7 tural producer shall be categorized as a
8 small family or nonfamily farm, as defined
9 by the National Agricultural Statistics
10 Service.

11 “(3) APPLICATIONS.—

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

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

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

7 “(4) SUBPROGRAM COORDINATORS.—

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

10 “(i) a national subprogram coordi-
11 nator; and

12 “(ii) a subprogram coordinator in
13 each State.

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

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

19 “(ii) responsible for, on a national or
20 statewide basis, respectively—

21 “(I) public outreach relating to
22 the subprogram;

23 “(II) assisting producers in the
24 submission of applications under the
25 subprogram;

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

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

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

15 “(A) English; and

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

19 “(6) REPORT.—Not later than May 1, 2030,
20 the Secretary shall submit to the Committee on Ag-
21 riculture, Nutrition, and Forestry of the Senate and
22 the Committee on Agriculture of the House of Rep-
23 resentatives a report describing the results of the
24 subprogram under this subsection, including—

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

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