

Union Calendar No. 259

117TH CONGRESS
2^D SESSION

H. R. 2606

[Report No. 117-345]

To amend the Food Security Act of 1985 with respect to the acceptance and use of contributions for public-private partnerships, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2021

Mr. THOMPSON of Pennsylvania (for himself, Mr. FEENSTRA, Mr. JOHNSON of South Dakota, Mr. BAIRD, and Mr. CRAWFORD) introduced the following bill; which was referred to the Committee on Agriculture

JUNE 3, 2022

Additional sponsors: Ms. STEFANIK and Mr. BACON

JUNE 3, 2022

Reported from the Committee on Agriculture; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Food Security Act of 1985 with respect to the acceptance and use of contributions for public-private partnerships, 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 “Sponsoring USDA
 5 Sustainability Targets in Agriculture to Incentivize Nat-
 6 ural Solutions Act of 2021”, or the “SUSTAINS Act”.

7 **SEC. 2. ACCEPTANCE AND USE OF CONTRIBUTIONS FOR**
 8 **PUBLIC-PRIVATE PARTNERSHIPS.**

9 Section 1241(f) of the Food Security Act of 1985 (16
 10 U.S.C. 3841(f)) is amended—

11 (1) in the subsection heading, by inserting
 12 “FOR PUBLIC-PRIVATE PARTNERSHIPS” after
 13 “CONTRIBUTIONS”;

14 (2) by amending paragraph (1) to read as fol-
 15 lows:

16 “(1) AUTHORITY TO ESTABLISH PUBLIC-PRI-
 17 VATE PARTNERSHIP CONTRIBUTIONS ACCOUNTS.—

18 The Secretary, acting through the Natural Re-
 19 sources Conservation Service, may establish a sub-
 20 account for each covered program to accept con-
 21 tributions of non-Federal funds for the purposes of
 22 addressing the changing climate, sequestering car-
 23 bon, improving wildlife habitat, protecting sources of
 24 drinking water, and addressing other natural re-
 25 source priorities identified by the Secretary.”;

1 (3) in paragraph (2), by striking “a conserva-
2 tion program administered by the Secretary under
3 subtitle D” and inserting “a covered program”; and
4 (4) by adding at the end the following:

5 “(3) MATCH OF CONTRIBUTED FUNDS.—The
6 Secretary may provide matching funds for contribu-
7 tions received under this subsection, subject to the
8 availability of funding under subsection (a) for the
9 applicable covered program.

10 “(4) ROLE OF CONTRIBUTING ENTITY.—

11 “(A) IN GENERAL.—An entity contributing
12 funds under this subsection may—

13 “(i) designate the covered program for
14 which the contributed funds are intended
15 to be used; and

16 “(ii) specify the geographic area in
17 which the contributed funds are intended
18 to be used.

19 “(B) SIGNIFICANT CONTRIBUTIONS.—The
20 Secretary shall establish a procedure under
21 which an entity making a significant contribu-
22 tion may—

23 “(i) identify a natural resource con-
24 cern the contributed funds are to be used
25 to address; and

1 “(ii) have the name or brand of the
2 individual or entity associated with the use
3 of the contributed funds.

4 “(5) PRODUCER PARTICIPATION.—

5 “(A) PRIORITY.—In selecting producers to
6 carry out, through a covered program, an activ-
7 ity funded pursuant to this subsection, the Sec-
8 retary shall give priority to—

9 “(i) socially disadvantaged farmers or
10 ranchers, as defined in section 355(e) of
11 the Agricultural Act of 1961 (7 U.S.C.
12 2003);

13 “(ii) limited resource farmers or
14 ranchers, as determined by the Secretary;
15 and

16 “(iii) beginning farmers or ranchers.

17 “(B) SALE OF ECOSYSTEM BENEFITS.—If
18 an activity funded pursuant to this section may
19 result in environmental services benefits to be
20 sold through an environmental services market,
21 the producer carrying out the activity and the
22 entity that contributed the applicable funds
23 shall negotiate a mutually beneficial sale of
24 such benefits.

1 “(6) RULES FOR EASEMENTS.—An easement
2 funded pursuant to this subsection shall be subject
3 to the requirements of the covered program for
4 which the contributed funds were used, except that
5 the Secretary may modify such requirements, as
6 they apply to the easement, for the purpose of ad-
7 dressing climate change, as the Secretary determines
8 appropriate.

9 “(7) DEFINITIONS.—In this subsection:

10 “(A) COVERED PROGRAM.—The term ‘cov-
11 ered program’ means a program carried out by
12 the Secretary under—

13 “(i) subtitle D, subtitle H, or subtitle
14 I;

15 “(ii) section 403 of the Agricultural
16 Credit Act of 1978 (16 U.S.C. 2203);

17 “(iii) title V of the Healthy Forests
18 Restoration Act of 2003 (16 U.S.C. 6571
19 et seq.); or

20 “(iv) the Watershed Protection and
21 Flood Prevention Act (16 U.S.C. 1001 et
22 seq.), except for any program established
23 by the Secretary to carry out section 14 of
24 such Act (16 U.S.C. 1012).

1 “(B) SIGNIFICANT CONTRIBUTION.—The
2 term ‘significant contribution’ means a con-
3 tribution under this subsection of at least a
4 minimum dollar amount established by the Sec-
5 retary.”.

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