

118TH CONGRESS
1ST SESSION

S. 1509

To amend the Food Security Act of 1985 to extend and reform the conservation reserve program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2023

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to extend and reform the conservation reserve 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 “Conservation Reserve
5 Program Reform Act of 2023”.

6 **SEC. 2. CONSERVATION RESERVE.**

7 (a) IN GENERAL.—Section 1231(a) of the Food Se-
8 curity Act of 1985 (16 U.S.C. 3831(a)) is amended by
9 striking “2023” and inserting “2028”.

1 (b) ELIGIBLE LAND.—Section 1231(b)(1)(B) of the
 2 Food Security Act of 1985 (16 U.S.C. 3831(b)(1)(B)) is
 3 amended by striking “the Agriculture Improvement Act
 4 of 2018” and inserting “the Conservation Reserve Pro-
 5 gram Reform Act of 2023”.

6 (c) ENROLLMENT.—Section 1231(d) of the Food Se-
 7 curity Act of 1985 (16 U.S.C. 3831(d)) is amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (D), by striking
 10 “and” at the end;

11 (B) in subparagraph (E), by striking the
 12 period at the end and inserting “; and”; and

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

14 “(F) fiscal years 2024 through 2028, not
 15 more than 24,000,000 acres.”;

16 (2) in paragraph (2)(A)—

17 (A) in clause (i)—

18 (i) by striking “2,000,000” and in-
 19 serting “8,000,000”; and

20 (ii) by striking “2023” and inserting
 21 “2028”; and

22 (B) in clause (ii), by striking subclauses
 23 (I) through (III) and inserting the following:

24 “(I) fiscal year 2024, 4,000,000
 25 acres;

1 “(II) fiscal year 2025, 6,000,000
2 acres; and

3 “(III) fiscal years 2025 through
4 2028, 8,000,000 acres.”; and

5 (3) in paragraph (6)—

6 (A) in subparagraph (A)—

7 (i) in clause (i)(III), by striking
8 “and” at the end;

9 (ii) in clause (ii), by striking the pe-
10 riod at the end and inserting a semicolon;
11 and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(iii) the farmable wetland program
15 under section 1231B; and

16 “(iv) the CLEAR 30 and soil health
17 and income protection programs under
18 subsections (a) and (b), respectively, of
19 section 1231C.”; and

20 (B) in subparagraph (B)—

21 (i) in clause (i)—

22 (I) by striking “8,600,000” and
23 inserting “11,000,000”; and

24 (II) by striking “2023” and in-
25 serting “2028”; and

(ii) in clause (ii), by striking sub-clauses (I) through (IV) and inserting the following:

“(I) fiscal year 2024, 8,000,000

acres;

“(II) fiscal year 2025, 9,000,000

acres;

“(III) fiscal year 2026,

10,000,000 acres; and

“(IV) fiscal years 2027 and

2028, 11,000,000 acres.”.

(d) DURATION OF CONTRACT.—Section 1231(e) of the Food Security Act of 1985 (16 U.S.C. 3831(e)) is amended—

(1) in paragraph (1), by striking “For the purpose” and inserting “Except as provided in paragraph (3), for the purpose”;

(2) in paragraph (2), by striking “paragraph (1),” and inserting “paragraph (1) or (3), as applicable,”; and

(3) by adding at the end the following:

“(3) LAND ENROLLED AFTER OCTOBER 1, 2023.—With respect to a contract under this subchapter that is entered into on or after October 1, 2023, that enrolls land under paragraph (2) or (6)

1 of subsection (d), the term of the contract shall be
 2 not less than 15, and not more than 30, years.”.

3 **SEC. 3. FARMABLE WETLAND PROGRAM.**

4 Section 1231B(a)(1) of the Food Security Act of
 5 1985 (16 U.S.C. 3831b(a)(1)) is amended by striking
 6 “2023” and inserting “2028”.

7 **SEC. 4. CLEAR 30 AND SHIPP.**

8 (a) CLEAR 30.—Section 1231C(a) of the Food Se-
 9 curity Act of 1985 (16 U.S.C. 3831c(a)) is amended—
 10 (1) in paragraph (1)(A), by striking “pilot”;
 11 and

12 (2) in paragraph (7)—

13 (A) in subparagraph (A), by striking “30
 14 annual”; and

15 (B) in subparagraph (C), by striking “an-
 16 nual”.

17 (b) SHIPP.—Section 1231C(b) of the Food Security
 18 Act of 1985 (16 U.S.C. 3831c(b)) is amended—

19 (1) in the subsection heading, by striking
 20 “PILOT”;

21 (2) by striking “pilot” each place it appears;

22 (3) in paragraph (1)(A)(ii)—

23 (A) by striking subclause (I); and

1 (B) by redesignating subclauses (II) and
 2 (III) as subclauses (I) and (II), respectively;
 3 and
 4 (4) in paragraph (2)—

5 (A) by striking the paragraph designation
 6 and heading and all that follows through “The
 7 Secretary” in subparagraph (A) and inserting
 8 the following:

9 “(2) ESTABLISHMENT.—The Secretary”; and

10 (B) by striking subparagraph (B).

11 (c) CONFORMING AMENDMENT.—Section 1231C of
 12 the Food Security Act of 1985 (16 U.S.C. 3831c) is
 13 amended by striking the section heading and inserting
 14 “**CLEAR 30 AND SHIPP.**”.

15 **SEC. 5. RESOURCE CONSERVING USE.**

16 Section 1233(d) of the Food Security Act of 1985
 17 (16 U.S.C. 3833(d)) is amended—

18 (1) by striking paragraph (3); and

19 (2) by redesignating paragraph (4) as para-
 20 graph (3).

21 **SEC. 6. PAYMENTS.**

22 (a) TIMING.—Section 1234(a) of the Food Security
 23 Act of 1985 (16 U.S.C. 3834(a)) is amended—

1 (1) in paragraph (2), by redesignating subpara-
 2 graphs (A) and (B) as clauses (i) and (ii), respec-
 3 tively, and indenting appropriately;

4 (2) by redesignating paragraphs (1) and (2) as
 5 subparagraphs (A) and (B), respectively, and indent-
 6 ing appropriately;

7 (3) in the matter preceding subparagraph (A)
 8 (as so redesignated), by striking “The Secretary”
 9 and inserting the following:

10 “(1) IN GENERAL.—The Secretary”; and

11 (4) by adding at the end the following:

12 “(2) ALLOCATION OF PAYMENTS FOR 30-YEAR
 13 CONTRACTS.—Of the total amount of the payments
 14 under a contract enrolled under this subchapter for
 15 a term of 30 years, the Secretary shall provide—

16 “(A) not later than the end of the first
 17 year of the contract, $\frac{5}{30}$ of that total amount;
 18 and

19 “(B) with respect to each of the sixth
 20 through thirtieth years of the contract, $\frac{1}{30}$ of
 21 that total amount.”.

22 (b) COST-SHARING PAYMENTS.—Section 1234(b) of
 23 the Food Security Act of 1985 (16 U.S.C. 3834(b)) is
 24 amended by striking “50” each place it appears and in-
 25 serting “75”.

1 (c) ANNUAL RENTAL PAYMENTS.—Section 1234(d)
 2 of the Food Security Act of 1985 (16 U.S.C. 3834(d))
 3 is amended—

4 (1) in paragraph (2)(B)(i)—

5 (A) by striking “85” and inserting “75”;

6 and

7 (B) by striking “90” and inserting “110”;

8 and

9 (2) in paragraph (4)(E)—

10 (A) in clause (i), by striking “85” and in-
 11 serting “75”; and

12 (B) in clause (ii), by striking “90” and in-
 13 serting “110”.

14 **SEC. 7. MODIFICATION OF RENTAL RATE.**

15 Section 1235(c) of the Food Security Act of 1985 (16
 16 U.S.C. 3835(c)) is amended by adding at the end the fol-
 17 lowing:

18 “(3) MODIFICATION OF RENTAL RATE.—With
 19 respect to a contract entered into under this sub-
 20 chapter for a term of 30 years pursuant to section
 21 1231(e)(3)—

22 “(A) on or after the date that is 10 years
 23 after the date on which the contract is entered
 24 into, the owner or operator may submit to the

1 Secretary a request for a modification of the
2 rental rate under subparagraph (B); and

3 “(B) on receipt of a request under sub-
4 paragraph (A), the Secretary shall—

5 “(i) recalculate the annual rental pay-
6 ment amount for the contract based on the
7 applicable rental rate published from the
8 most recent annual survey conducted
9 under section 1234(d)(4)(A); and

10 “(ii) modify the contract by applying
11 the amount recalculated under clause (i) to
12 each year remaining in the term of the
13 contract.”.

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