

**Agriculture Committee Ash & Trash Summaries
December 2022**

Division HH

Section 101 – Defines “the Secretary” as the Secretary of Agriculture for this division.

Section 201 – Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Program: This section would direct USDA to establish a program to register entities that provide technical assistance to and verify the practices of farmers, ranchers, and foresters who participate in voluntary carbon markets with the goal of providing information and confidence to producers. This section is an updated version of the Growing Climate Solutions Act, S. 1251, which passed the Senate by a vote of 92-8 on June 24, 2021.

Section 202 - Acceptance and Use of Private Funds for Public-Private Partnerships: This section would modify existing authority for the Secretary of USDA to accept private donations to NRCS conservation programs by allowing the private donor the ability to direct how and where those funds would be used as well as give the Secretary of USDA the discretion on whether to match those funds with existing program funds. This section is an updated version of HR. 2606, the SUSTAINS Act, which was reported by the House Committee on Agriculture by voice vote on May 17, 2022.

Section 301 - CFTC Whistleblower Program: Extends the authority of an administrative subaccount within the Commodity Futures Trading Commission’s Customer Protection Fund through October 1, 2024. It also authorizes the CFTC to transfer an additional \$10 million from the Customer Protection Fund account to the subaccount. The subaccount allows for the continued payment of salaries, customer education initiatives and non-awards expenses, ensuring that the CFTC’s whistleblower program can continue to function even when awards obligated to whistleblowers exceed the program fund’s balance at the time of distribution. This temporary authority was originally signed into law after passage of S.409 in July 2021 and has been extended in recent short-term continuing resolutions.

Section 401 - Modification or Termination of Easements Under the Healthy Forests Reserve Program: This section would allow for a modification of an easement held under the Healthy Forest Reserve Program (HFRP). The Agricultural Conservation Easement Program (ACEP) and the Emergency Watershed Program (EWP) currently allow for the modification of easements signed under each program and this section would extend the authority for modifications to HFRP easements as well.

Section 501 - SNAP EBT Skimming Regulations and Reimbursement: States have reported SNAP benefits are being stolen through card skimming, cloning, and other similar fraudulent methods. This provision requires the Secretary to coordinate with relevant agencies and stakeholders to investigate the extent of the problem, develop methods to prevent fraud and improve security measures through guidance and regulatory action, and provide replacement of benefits stolen through these fraudulent methods through FY2024. This program is newly established in the FY2023 Consolidated Appropriations Act. No Congressional action aside from

this provision has been conducted to address this emerging problem. This provision will enable the Agriculture Committees to better understand and, where appropriate, further investigate and respond to the problem in the upcoming 2023 Farm Bill.

Section 502 and 503 - Summer Meals Program EBT & Alternative Options: Updates the summer food service program to permanently allow states to provide non-congregate meals and summer EBT benefits nationwide to eligible children as other options in addition to meals provided at congregate feeding sites. Non-congregate meals, such as grab-and-go or home delivery, would be provided in rural areas to eligible children, and summer EBT benefits would be capped at \$40 per child per month. This provision is fully offset. (Senate Agriculture, Nutrition and Forestry Committee & House Committee on Education and Labor)

Section 601 - Pandemic Assistance Payments to Cotton Merchandisers: Provides \$100 million for USDA to make payments to merchandisers of cotton who purchased cotton from U.S. producers or marketed cotton on their behalf for economic losses experienced during the COVID-19 pandemic and as a result of other supply chain disruptions.

Section 602 - Assistance to Rice Producers: Provides \$250 million for USDA to make a one-time payment to U.S. rice producers. Payments to producers will be calculated based on a payment rate determined by the Secretary, yield history, and the number of certified planted acres and certified acres prevented from planting for the 2022 crop year.

Section 603 - Chronic Wasting Disease (CWD) Research and Management Act: Enacts H.R. 5608, the Chronic Wasting Disease Research and Management Act (companion bill to S.4111). Authorizes \$70 million in annual appropriations for Chronic Wasting Disease (CWD) research and management activities administered by USDA's Animal and Plant Health Inspection Service (APHIS). APHIS is authorized to enter into cooperative agreements with state and Tribal wildlife agencies and agriculture departments to implement research and management activities in order to develop new testing methods, better understand the spread of CWD, develop methods to control and manage CWD in cervid populations, and other uses. Funding is required to be split between research and management activities. USDA is also directed to conduct a review of the Herd Certification program standards.

Section 701 through 708 - Pesticide Registration Improvement Act of 2022: The omnibus includes the Pesticide Registration Improvement Act of 2022 (PRIA V), a reauthorization of the user-fee programs that fund the United States Environmental Protection Agency (EPA)'s pesticide registration and review processes. PRIA V includes an increase in registration and maintenance fees that will support a more predictable regulatory process and provide important resources for farm worker safety and health care provider training, in addition to other services that advance the safe and effective use of pesticides. PRIA V requires EPA to comply with numerous registration process improvements in order to access additional funding levels and requires manufacturers to phase-in bilingual labels on pesticides products over the next 8 years. PRIA V is supported by a diverse coalition of environmental nonprofit organizations, pesticide manufacturers and users, federal and state regulators, and farmworker advocates.

Section 711 – Registration Review Deadline Extension: Congress amended the Pesticide Registration Improvement Act of 2007 (“PRIA 2”) and established a deadline (October 1, 2022)

for EPA to complete Registration Review decisions for all pesticide products registered as of October 1, 2007. As of September 2022, EPA reported approximately 726 “cases,” which include over 1,000 unique active ingredients (AI), currently pending Registration Review, which raises potential implications for continued access to those crop protection tools. This language provides EPA with two legal authorities it does not have now: (1) a four-year extension of the deadline to complete the review of certain pesticides registrations, and (2) flexibility for EPA to move forward with interim decisions (“IDs”) on registration review between now and October 1, 2026. The language also requires that, where applicable, EPA include mitigations to reduce the effects of pesticides receiving an interim decision on endangered species or any critical habitats taking into account input from the Secretary of Agriculture and other members of the 2018 Farm Bill ESA Interagency Working Group.