117TH CONGRESS
2D SESSION

H. R. ______

To reduce farm input costs and barriers to domestic production, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Thompson of Pennsylvania introduced the following bill; which was referred to the Committee on ____________________________

A BILL

To reduce farm input costs and barriers to domestic production, and for other purposes.

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

2 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

3 (a) Short Title.—This Act may be cited as the “Reducing Farm Input Costs and Barriers to Domestic Production Act”.

4 (b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Nutrient management and precision agriculture.
Sec. 2. Nutrient Management and Precision Agriculture.

(a) Conservation Loan and Loan Guarantee Program.—Section 304 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924) is amended—

(1) in subsection (b)(3), by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively, and inserting after subparagraph (E) the following:

“(F) the adoption of precision agriculture or nutrient management practices, and the acquisition of precision agriculture or nutrient management equipment and technology;”;

(2) in subsection (d)—

(A) in paragraph (2), by striking “and”;

(B) in paragraph (3), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(4) producers who use the loans to adopt precision agriculture or nutrient management practices or acquire precision agriculture or nutrient manage-
ment equipment and technology, including adoption
or acquisition for the purpose of participating in the
environmental quality incentives program under sub-
chapter A of chapter 4 of subtitle D of title XII of
the Food Security Act of 1985.”;

(3) in subsection (e), by striking paragraph (2)
and inserting the following:

“(2) 90 percent of the principal amount of the
loan in the case of—

“(A) a producer that is a qualified socially
disadvantaged farmer or rancher or a beginning
farmer or rancher; or

“(B) loans that are used for the purchase
of precision agriculture or nutrient management
equipment and technology.”; and

(4) in subsection (f)—

(A) by striking “The Secretary” and in-
serting the following:

“(1) GEOGRAPHIC DIVERSITY.—The Sec-
retary”; and

(B) by adding at the end the following:

“(2) COORDINATION WITH NRCS.—In making
or guaranteeing loans under this section, the Sec-
retary shall ensure that there is coordination be-
between the Farm Service Agency and the Natural Resources Conservation Service.”.

(b) Assistance to Rural Entities.—Section 310B(a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(2)) is amended—

(1) by striking “and” at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(3) by adding at the end the following:

“(E) expanding precision agriculture and nutrient management practices, including by financing equipment and farm-wide broadband connectivity, in order to promote best-practices, reduce costs, and improve the environment.”.

(e) Environmental Quality Incentives Program.—

(1) Definitions.—Section 1240A(6)(B)(v) of the Food Security Act of 1985 (16 U.S.C. 3839aa–1(6)(B)(v)) is amended by inserting “(including the adoption of precision agriculture or nutrient management practices and the acquisition of precision agriculture or nutrient management equipment and technology)” after “planning”.

(2) Payments.—
(A) OTHER PAYMENTS.—Section 1240B(d)(6) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(d)(6)) is amended—

(i) by striking “A producer shall” and inserting the following:

“(A) PAYMENTS UNDER THIS SUBTITLE.—

A producer shall”; and

(ii) by adding at the end the following:

“(B) CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM PAYMENTS.—

“(i) IN GENERAL.—A producer receiving payments for practices on eligible land under the program may also receive a loan or loan guarantee under section 304 of the Consolidated Farm and Rural Development Act to cover costs for the same practices on the same land.

“(ii) NOTICE TO PRODUCER.—The Secretary shall inform a producer participating in the program in writing of the availability of a loan or loan guarantee under section 304 of the Consolidated Farm and Rural Development Act as it re-
lates to costs of implementing practices under this program.”.

(B) INCREASED PAYMENTS FOR HIGH-PRIORITY PRACTICES.—Section 1240B(d)(7) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(d)(7)) is amended, in the subsection heading, by inserting “STATE-DETERMINED” before “HIGH-PRIORITY”.

(C) INCREASED PAYMENTS FOR PRECISION AGRICULTURE AND NUTRIENT MANAGEMENT.—Section 1240B(d) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(d)) is amended by adding at the end the following:

“(8) INCREASED PAYMENTS FOR PRECISION AGRICULTURE AND NUTRIENT MANAGEMENT.—Notwithstanding paragraph (2), the Secretary may increase the amount that would otherwise be provided for a practice under this subsection to not more than 90 percent of the costs associated with adopting precision agriculture or nutrient management practices and acquiring precision agriculture or nutrient management equipment and technology.”.

ed by inserting “(which may include the adoption of
precision agriculture or nutrient management prac-
tices and the acquisition of precision agriculture or
nutrient management equipment and technology)”
after “incentive practices”.

(d) CONSERVATION STEWARDSHIP PROGRAM.—

(1) CONSERVATION STEWARDSHIP PAY-
MENTS.—Section 1240L(c)(3) of the Food Security
Act of 1985 (16 U.S.C. 3839aa–24(e)(3)) is amend-
ed to read as follows:

“(3) EXCLUSIONS.—A payment to a producer
under this subsection shall not be provided for con-
servation activities for which there is no cost in-
curred or income forgone by the producer.”.

(2) SUPPLEMENTAL PAYMENTS FOR RESOURCE-
CONSERVING CROP ROTATIONS AND ADVANCED
GRAZING MANAGEMENT.—Section 1240L(d) of the
24(d)) is amended—

(A) in the subsection heading, by striking

“AND ADVANCED GRAZING MANAGEMENT” and
inserting “, ADVANCED GRAZING MANAGE-
MENT, PRECISION AGRICULTURE, AND NUTRI-
ENT MANAGEMENT”;

(B) in paragraph (2)—
(i) in subparagraph (A), by striking “; or” and inserting a semicolon;
(ii) in subparagraph (B), by striking the period at the end and inserting a semi-
colon; and
(iii) by adding at the end the follow-
ing:
“(C) precision agriculture; or
“(D) nutrient management.”; and
(C) in paragraph (3), by striking “or ad-
vanced grazing management” and inserting “,
advanced grazing management, precision agri-
culture, or nutrient management”.

(e) DELIVERY OF TECHNICAL ASSISTANCE.—Section
1242(f) of the Food Security Act of 1985 (16 U.S.C.
3842(f)) is amended by adding at the end the following:
“(6) SOIL HEALTH PLANNING.—The Secretary
shall emphasize the use of third-party providers in
providing technical assistance for soil health plan-
ning, including planning related to the use of cover
 crops, precision conservation management, com-
prehensive nutrient management planning, and other
innovative plans.”.
SEC. 3. NULLIFICATION OF CHANGES TO NEPA REGULATIONS.

The final rule issued by the Council on Environmental Quality titled “National Environmental Policy Act Implementing Regulations Revisions” and published April 20, 2022 (87 Fed. Reg. 23453) shall have no force or effect.

SEC. 4. EVALUATION OF PHOSPHATE AND POTASH AS CRITICAL MINERALS.

(a) EVALUATION.—Not later than 30 days after the date of enactment of this section, the Secretary of the Interior shall evaluate potash, phosphates, and other minerals necessary for the production of fertilizer and other agricultural products used to promote crop development for designation as critical minerals under section 7002(c)(4) of the Energy Act of 2020 (30 U.S.C. 1606(c)(4)).

(b) RECOMMENDATIONS.—Not later than 90 days after the date of enactment of this section, the Secretary of the Interior shall evaluate current policies related to permitting and leasing of projects to develop the minerals described in subsection (a) and issue recommendations to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate to support domestic production of such commodities.
SEC. 5. PERIOD OF USE FOLLOWING CANCELLATION OF A PESTICIDE.

(a) IN GENERAL.—Section 6(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136d(a)) is amended to read as follows:

“(a) EXISTING STOCKS AND FURTHER USE AND INFORMATION.—

“(1) EXISTING STOCKS AND FURTHER USE.—The Administrator shall permit the continued sale and use of a pesticide whose registration is suspended or canceled under this section, or section 3 or 4, or vacated through a court order for a period of not less than 5 years after the date on which such suspension, cancellation or vacatur occurs.

“(2) INFORMATION.—If at any time after the registration of a pesticide the registrant has additional factual information regarding unreasonable adverse effects on the environment of the pesticide, the registrant shall submit such information to the Administrator.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) glyphosate has been used safely in United States agriculture for decades;

(2) glyphosate is one of the most studied herbicides in the world and tens of thousands of studies
have been conducted that lead to a scientifically-
sound consensus that glyphosate is not a carcinogen;

(3) food security is national security and
glyphosate is a necessary tool in ensuring a safe and
secure food supply in the United States;

(4) the existing preemption of State law speci-
fied in section 24(b) of the Federal Insecticide, Fung-
icide, and Rodenticide Act (7 U.S.C. 136v(b)) ex-
pressly preempts any additional warning label re-
quirement by any State for a glyphosate-related
product; and

(5) the amicus curiae brief submitted by the
Solicitor General to the Supreme Court of the
United States on May 10, 2022, related to 997 F.3d
941 (9th Cir. 2021) is fatally flawed in its legal rea-
soning and is in direct conflict with the statutory
language as well as Congressional intent.

(c) REGULATIONS.—Not later than 60 days after the
date of enactment of this Act, the Administrator of the
Environmental Protection Agency shall promulgate final
regulations making a determination specifying that any
label of a pesticide product that contains glyphosate that
is registered under section 3 of the Federal Insecticide,
Fungicide, and Rodenticide Act (7 U.S.C. 136a) shall not
contain a cancer warning.
SEC. 6. REINSTATEMENT OF RULE DEFINING WATERS OF THE UNITED STATES.

The final rule entitled “The Navigable Waters Protection Rule: Definition of ‘Waters of the United States’” and published in the Federal Register by the Environmental Protection Agency on Apr. 21, 2020 (85 Fed. Reg. 22250 et seq.) shall take effect on the date of the enactment of this Act.

SEC. 7. ECONOMIC ANALYSIS OF PACKERS AND STOCKYARDS REGULATIONS.

(a) IN GENERAL.—Not fewer than 90 days before publishing any covered rule, the Secretary of Agriculture, acting through the Office of the Chief Economist, shall—

(1) conduct an economic analysis analyzing the costs and benefits of the implementation of such rule, including the costs and benefits for producers and consumers, accounting for current industry practices and market conditions; and

(2) make the analysis and a summary of such analysis publicly available on the website of the Department of Agriculture and by publication in the Federal Register.

(b) COVERED RULE.—In this section the term “covered rule” means a proposed rule issued under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), including rules related to—
(1) transparency in poultry grower contracting and tournaments;

(2) unfair practices and undue preferences under such Act; and

(3) the scope of violations under such Act with respect to a showing of harm or likely harm to competition.

SEC. 8. APPROVAL OF USE OF PHOSPHOGYPSUM IN GOVERNMENT ROAD PROJECTS.

The Administrator of the Environmental Protection Agency shall issue an approval of the use of phosphogypsum in government road projects that is identical to the approval issued in the notice titled “Approval of the Request for Other Use of Phosphogypsum by the Fertilizer Institute” published by the Environmental Protection Agency in the Federal Register on October 20, 2020 (85 Fed. Reg. 66550).

SEC. 9. EMISSIONS DISCLOSURES UNDER THE SECURITIES LAWS.

The Securities and Exchange Commission may only require information relating to the emissions of an issuer, including the upstream or downstream emissions from the value chain of the issuer, to be included in a report to the Commission if such issuer determines there is a substantial likelihood that a reasonable shareholder would
consider such information important with respect to making an investment decision.

SEC. 10. MEAT AND POULTRY PROCESSING EFFICIENCY.

(a) Requests Related to Maximum Rates.—

(1) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Agriculture shall—

(A) publish in the Federal Register criteria that the Secretary shall consider in granting requests submitted by establishments for operation at rates in excess of the maximum rates specified in sections 310.1 and 381.69 of title 9, Code of Federal Regulations (or successor regulations); and

(B) begin accepting and reviewing such requests from such establishments.

(2) Response.—Not later than 90 days after the date on which a request from an establishment is submitted, the Secretary shall respond to such request—

(A) approving such request if the request meets the criteria established pursuant to paragraph (1); or

(B) denying such request and explaining in detail the rationale for such denial.
(3) Duration of approved requests.—An establishment may continue to operate pursuant to any request approved under this subsection so long as the establishment continues to meet the criteria established pursuant to paragraph (1).

(b) Continuation of operations at certain establishments.—

(1) Swine establishments.—In the case of an establishment to which the maximum rates in section 310.1(b)(3) of title 9, Code of Federal Regulations did not apply pursuant to section 310.26(c) of title 9, Code of Federal Regulations, as in effect on March 30, 2021, such rates shall continue to not apply so long as the establishment—

(A) maintains effective process control; and

(B) prevents contamination of carcasses and parts by enteric pathogens and visible fecal material, ingesta, and milk.

(2) Poultry establishments.—In the case of an establishment to which the maximum rates in section 381.69 of title 9, Code of Federal Regulations do not apply pursuant to section 381.3 (b) of title 9, Code of Federal Regulations, such rates shall
continue to not apply so long as the establishment maintains effective process control.

(c) DEFINITIONS.—In this section:

(1) ESTABLISHMENT.—The term “establishment” means—

   (A) an official establishment (as defined in section 301.2 of title 9, Code of Federal Regulations that is subject to inspection under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.); and

   (B) an official establishment (as defined in section 381.1 of title 9, Code of Federal Regulations that is subject to inspection under the Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

(2) PROCESS CONTROL.—The term “process control” means operating conditions necessary for the production of safe, wholesome food as described in subchapter A of chapter III of title 9, Code of Federal Regulations (or successor regulations).