

Amendment offered by Mr. Thompson

Brief Summary

This amendment strikes all of the underlying committee print and replaces it with the two bipartisan bills that have passed out of this Committee – WHIP+ authorization and Rural Broadband.

AMENDMENT TO THE COMMITTEE PRINT

OFFERED BY Mr. *Thompson*

Strike subtitles A through E and insert the following:

1 **Subtitle A—Disaster Indemnity**
2 **Program**

3 **SEC. 10001. IN GENERAL.**

4 (a) IN GENERAL.—Except as otherwise provided in
5 this section, with respect to the coverage period, the Sec-
6 retary shall carry out—

7 (1) a disaster indemnity program in the same
8 manner as the WHIP+ program is carried out
9 under subpart O of part 760 of title 7, Code of Fed-
10 eral Regulations (as in effect on the date of the en-
11 actment of this section);

12 (2) an on-farm storage loss program in the
13 same manner as the program carried out under sub-
14 part P of part 760 of title 7, Code of Federal Regu-
15 lations (as in effect on the date of the enactment of
16 this section); and

17 (3) a milk loss program in the same manner as
18 the program carried out under subpart Q of part

1 760 of title 7, Code of Federal Regulations (as in ef-
2 fect on the date of the enactment of this section).

3 (b) COVERED LOSSES.—In carrying out the pro-
4 grams under this section, the Secretary shall make pay-
5 ments to producers in accordance with subsection (c) for
6 qualified losses of covered crops, including milk, that oc-
7 curred during the coverage period.

8 (c) PAYMENTS.—

9 (1) IN GENERAL.—Payments to producers for
10 qualified losses of covered crops, including milk,
11 under the programs under this section shall be ad-
12 ministered, except as provided in paragraph (2), in
13 the same manner as payments under the relevant
14 programs in subsection (a).

15 (2) EXCEPTIONS.—

16 (A) DIRECT PAYMENTS REQUIRED.—The
17 Secretary shall make payments under the pro-
18 grams under paragraphs (1), (2), and (3) of
19 subsection (a) as direct payments to producers
20 or processors, at the election of the processor.

21 (B) SPECIAL RULE FOR UNHARVESTED
22 ACRES.—The Secretary shall make payments
23 under this section with respect to qualified
24 losses of unharvested acres of a covered crop in
25 the same manner as payments are made with

1 respect to eligible crop losses under the non-
2 insured crop assistance program under section
3 196 of the Federal Agriculture Improvement
4 and Reform Act of 1996 (7 U.S.C. 7333).

5 (C) PAYMENT LIMITATIONS.—

6 (i) IN GENERAL.—Except as provided
7 in clauses (ii), (iii), (iv), and (v), the Sec-
8 retary shall impose payment limitations
9 consistent with section 760.1507 of title 7,
10 Code of Federal Regulations (as in effect
11 on the date of the enactment of this sec-
12 tion).

13 (ii) EXCEPTION FOR SPECIALTY
14 CROPS OR HIGH VALUE CROPS.—In the
15 case of specialty crops or high value crops,
16 as determined by the Secretary, the Sec-
17 retary shall impose payment limitations
18 consistent with section 760.1507(a)(2) of
19 title 7, Code of Federal Regulations (as in
20 effect on January 1, 2019).

21 (iii) TAX YEAR BASIS.—In applying
22 the payment limitations under this sub-
23 paragraph, the Secretary shall determine a
24 person or legal entity's average adjusted
25 gross income and average adjusted gross

1 farm income based on the 2017, 2018, and
2 2019 tax years.

3 (iv) ANNUAL RENEWAL.—With re-
4 spect to the payment limitations described
5 under this subparagraph, the Secretary
6 shall apply separate payment limits for
7 each of the years under the covered period.

8 (v) ENTITY RULES.—With respect to
9 payments to a corporation, limited liability
10 company, limited partnership, trust, or es-
11 tate under this section, the Secretary
12 shall—

13 (I) determine average adjusted
14 gross income and average adjusted
15 gross farm income in accordance with
16 clause (iii); and

17 (II) apply rules in the same man-
18 ner as subsections (d) and (e) of sec-
19 tion 9.7 of title 7, Code of Federal
20 Regulations.

21 (D) NET INDEMNITIES.—In calculating
22 payments under the programs under para-
23 graphs (1), (2), and (3) of subsection (a), the
24 Secretary shall net out crop insurance indem-

1 nities, less any insurance premiums paid by the
2 producer.

3 (E) PAYMENTS TO SUGAR AND DAIRY
4 PROCESSORS.—

5 (i) IN GENERAL.—At the election of a
6 processor eligible for a loan under section
7 156 of the Federal Agriculture Improve-
8 ment and Reform Act of 1996 (7 U.S.C.
9 7272) or a cooperative processor of dairy,
10 in lieu of payments to producers provided
11 under a program described in subsection
12 (a), the Secretary shall make payments to
13 a processor to be paid to producer mem-
14 bers, as determined by such processors
15 under the same terms and conditions as
16 payments made to processors pursuant to
17 section 791(e) of title VII of division B of
18 the Further Consolidated Appropriations
19 Act, 2020 (Public Law 116–94).

20 (ii) NON-ELECTION.—Notwith-
21 standing section 760.1503(j) of title 7 of
22 the Code of Federal Regulations, in the
23 event that a processor described in clause
24 (i) does not elect to receive payments
25 under such clause, the Secretary shall

1 make direct payments to producers under
2 a program described in subsection (a).

3 (F) BLOCK GRANTS.—The Secretary may
4 provide payments in the form of block grants to
5 States and processors described in subpara-
6 graph (E).

7 (d) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—In addition to amounts oth-
9 erwise available, there are appropriated to the Sec-
10 retary for fiscal year 2022, out of any money in the
11 Treasury not otherwise appropriated, to remain
12 available until the last day of the coverage period,
13 \$8,500,000,000, to carry out this section.

14 (2) ADMINISTRATION.—The Secretary may use
15 not more than 1 percent of the funds appropriated
16 pursuant to paragraph (1) to carry out the fol-
17 lowing:

18 (A) Streamlining the application process.

19 (B) Utilizing information technology to en-
20 able the electronic transfer of data used in such
21 application process between the Risk Manage-
22 ment Agency and the Farm Service Agency.

23 (C) Activities that with respect to county
24 office employees, reduce the workload of such
25 employees in carrying out this section.

1 (D) To the maximum extent practicable,
2 providing the necessary information to, and as-
3 sisting crop insurance agents with, providing
4 application information on behalf of insured
5 producers.

6 (e) EXEMPTION.—Notwithstanding the Federal
7 Funding Accountability and Transparency Act of 2006
8 (Public Law 109–282; 31 U.S.C. 6101 note), the require-
9 ments of parts 25 and 170 of title 2, Code of Federal
10 Regulations (or successor regulations), shall not apply
11 with respect to assistance received under this section.

12 (f) DEFINITIONS.—In this section:

13 (1) COVERAGE PERIOD.—In this section, the
14 term “coverage period” means, with respect to a
15 covered crop, including milk, and a qualifying dis-
16 aster event described in paragraph (6)(A)(i), cal-
17 endar years 2020 and 2021.

18 (2) COVERED CROP.—The term “covered crop”
19 means a crop, tree, bush, or vine described in section
20 760.1503 of title 7, Code of Federal Regulations (as
21 in effect on the date of the enactment of this sec-
22 tion), including wine grapes, which shall include all
23 insured acreage (regardless of whether such acreage
24 is the initial acreage or not).

1 (3) MILK LOSS PROGRAM.—The term “milk loss
2 program” means the milk loss program under sub-
3 part Q of part 760 of title 7, Code of Federal Regu-
4 lations (as in effect on the date of the enactment of
5 this section).

6 (4) ON-FARM STORAGE LOSS PROGRAM.—The
7 term “on-farm storage loss program” means the on-
8 farm storage loss program under subpart P of part
9 760 of title 7, Code of Federal Regulations (as in ef-
10 fect on the date of the enactment of this section)

11 (5) STATE.—In this section, the term “State”
12 has the meaning given the term in section 1111(20)
13 of the Agricultural Act of 2014.

14 (6) QUALIFIED LOSS.—The term “qualified
15 loss”—

16 (A) with respect to a covered crop not de-
17 scribed in subparagraph (B), the loss of such
18 crop during the coverage period—

19 (i) due to a qualifying disaster event
20 described in the definition of “qualifying
21 disaster event” in section 760.1802 of title
22 7, Code of Federal Regulations (as in ef-
23 fect on the date of the enactment of this
24 section);

1 (ii) due to high winds, derechos, ex-
2 cessive heat, or freeze (including a polar
3 vortex);

4 (iii) due to a drought in—

5 (I) a county the Secretary des-
6 ignated for drought; or

7 (II) a county contiguous to a
8 county described in subclause (I); or

9 (iv) due to other disruptions (includ-
10 ing power outages or curtailments) that
11 are associated with the effects of a quali-
12 fied disaster event under this section; and

13 (B) with respect to smoke tainted wine
14 grapes, the loss (including a quality loss) of
15 such crop during the coverage period due to
16 wildfire, as determined by the Secretary.

17 (7) SECRETARY.—The term “Secretary” means
18 the Secretary of Agriculture.

19 (8) WHIP+ PROGRAM.—The term “WHIP+
20 program” means the WHIP+ program under sub-
21 part O of part 760 of title 7, Code of Federal Regu-
22 lations (as in effect on the date of the enactment of
23 this section).

1 **Subtitle B—Broadband Internet**
2 **Connections for Rural America**

3 **SEC. 11001. INNOVATIVE BROADBAND ADVANCEMENT PRO-**
4 **GRAM.**

5 Section 603(e) of the Rural Electrification Act of
6 1936 (7 U.S.C. 950bb-2(e)) is amended to read as follows:

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—In addition to amounts
9 otherwise available, there is appropriated to the Sec-
10 retary out of any money in the Treasury not other-
11 wise appropriated \$300,000,000 for each of fiscal
12 years 2022 through 2029, to remain available until
13 expended, to carry out projects in States and terri-
14 tories selected by the Secretary to be diverse on the
15 basis of geography, topography, and demographics.

16 “(2) LIMITATION.—Not more than \$25,000,000
17 of the amounts made available by paragraph (1) for
18 each fiscal year may be provided for a single
19 project.”.

20 **SEC. 11002. RURAL BROADBAND PROGRAM LOANS AND**
21 **GRANTS.**

22 (a) IN GENERAL.—Section 601 of the Rural Elec-
23 trification Act of 1936 (7 U.S.C. 950bb) is amended—

24 (1) in the section heading, by striking “**AC-**
25 **CESS TO BROADBAND TELECOMMUNICATIONS**

1 **SERVICES IN RURAL AREAS**” and inserting “**RE-**
2 **CONNECT RURAL BROADBAND PROGRAM**”;

3 (2) by striking subsection (a) and inserting the
4 following:

5 “(a) **ESTABLISHMENT; PURPOSE.**—The Secretary
6 shall establish a program, which shall be known as the
7 ‘ReConnect Rural Broadband Program’, to provide grants,
8 loans, and loan guarantees to finance the costs of the con-
9 struction, improvement, and acquisition of facilities and
10 equipment for broadband service in rural areas.”;

11 (3) in subsection (c)(2), by striking subpara-
12 graphs (A) and (B) and inserting the following:

13 “(A) **IN GENERAL.**—In making grants,
14 making loans, and guaranteeing loans under
15 paragraph (1), the Secretary shall give the
16 highest priority to applications for projects to
17 provide broadband service to unserved rural
18 communities that do not have any residential
19 broadband service of at least—

20 “(i) a 10-Mbps downstream trans-
21 mission capacity; and

22 “(ii) a 1-Mbps upstream transmission
23 capacity.

24 “(B) **OTHER.**—After giving priority to the
25 applications described in clauses (i) and (ii) of

1 subparagraph (A), the Secretary shall then give
2 priority to applications for projects to provide
3 broadband service to rural communities—

4 “(i) with a population of less than
5 10,000 permanent residents; or

6 “(ii) with a high percentage of low in-
7 come families or persons (as defined in
8 section 501(b) of the Housing Act of
9 1949).

10 “(C) ADDITIONAL CONSIDERATIONS.—In
11 making grants, making loans, and guaranteeing
12 loans under this subsection, the Secretary shall
13 consider whether an application was developed
14 with the participation of community stake-
15 holders, and will receive a substantial portion of
16 the funding for the project from community
17 stakeholders or other non-Federal sources.”;

18 (4) in subsection (c)(3)—

19 (A) in subparagraph (B)—

20 (i) by striking “and” at the end of
21 clause (i);

22 (ii) by striking the period at the end
23 of clause (ii) and inserting “; and”; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(iii) shall be subject to a grant
2 agreement of not less than ten years.”;

3 (B) in subparagraph (D)(i)—

4 (i) in subclause (I), by striking
5 “(2)(A)(i)” and inserting “(2)(A)”; and

6 (ii) in subclause (II), by striking “any
7 of subclauses (I) through (IV) of para-
8 graph (2)(B)(i)” and inserting “clause (i)
9 or (ii) of paragraph (2)(B)”; and

10 (C) by striking subparagraph (E) and in-
11 serting the following:

12 “(E) APPLICATIONS.—

13 “(i) GRANT-ONLY APPLICATIONS.—

14 The Secretary shall establish an applica-
15 tion process that permits an application for
16 a grant-only award.

17 “(ii) COMBINED APPLICATIONS.—The
18 Secretary shall establish an application
19 process that permits—

20 “(I) a single application for a
21 grant and a loan under title I or II,
22 or this title, that is associated with
23 the grant; and

24 “(II) provides a single decision to
25 award the grant and the loan.”;

1 (5) in subsection (d)(2)—

2 (A) in subparagraph (A)—

3 (i) by striking “subparagraphs (B)
4 and (C)” and inserting “subparagraph
5 (B)”;

6 (ii) by striking “is submitted—” and
7 all that follows through “(i) not less” and
8 inserting “is submitted not less”; and

9 (iii) by striking “(e); and” and all
10 that follows and inserting “(e).”;

11 (B) in subparagraph (B), by striking

12 “Subparagraph (A)(i) shall” and inserting

13 “Subparagraph (A) shall”; and

14 (C) by striking subparagraph (C);

15 (6) in subsection (d), by striking paragraph (5);

16 (7) by striking subsection (j) and inserting the

17 following:

18 “(j) APPROPRIATION.—In addition to amounts other-
19 wise available, there is appropriated to the Secretary out
20 of any money in the Treasury not otherwise appropriated
21 to the Secretary \$4,500,000,000 for each of fiscal years
22 2022 through 2029, to carry out this section, to remain
23 available for 5 fiscal years after the fiscal year for which
24 appropriated.”; and

1 (8) in subsection (k), by striking “2023” and
2 inserting “2029”.

3 (b) REGULATIONS.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary of
5 Agriculture shall promulgate rules to carry out the amend-
6 ments made by subsection (a) of this section, and complete
7 the biennial review process required by section 601(e)(2)
8 of the Rural Electrification Act of 1936.

9 (c) SUNSET.—The authorities provided by section
10 779 of the Consolidated Appropriations Act, 2018 (Public
11 Law 115–141) shall have no force or effect after June
12 30, 2022.

13 (d) TRANSITION RULES.—

14 (1) AVAILABILITY OF FUNDS FOR ADMINISTRA-
15 TIVE COSTS.—Not more than 1 percent of the unob-
16 ligated balances of amounts made available as of
17 June 1, 2021, to carry out the pilot program de-
18 scribed in section 779 of the Consolidated Appro-
19 priations Act, 2018 (Public Law 115–141) may be
20 used for the costs of transitioning from the pilot
21 program to the program under section 601 of the
22 Rural Electrification Act of 1936, as amended by
23 this Act.

24 (2) CONSOLIDATION OF FUNDS.—

1 (A) IN GENERAL.—The unobligated bal-
2 ances of all amounts made available on or be-
3 fore June 30, 2022, to carry out the pilot pro-
4 gram described in section 779 of the Consoli-
5 dated Appropriations Act, 2018 (Public Law
6 115–141) that are in excess of the amount de-
7 scribed in subparagraph (B) of this paragraph
8 are hereby transferred to and merged with
9 amounts made available to carry out the pro-
10 gram authorized under section 601 of the Rural
11 Electrification Act of 1936.

12 (B) UNFUNDED APPROVALS.—The amount
13 described in this subparagraph is the amount
14 required to fully fund each project approved as
15 of June 30, 2022, under the pilot program de-
16 scribed in such section 779 for which amounts
17 were not obligated or partially obligated as of
18 such date.

19 **SEC. 11003. COMMUNITY CONNECT GRANTS.**

20 Section 604(g) of the Rural Electrification Act of
21 1936 (7 U.S.C. 950bb-3(g)) is amended to read as follows:

22 “(g) APPROPRIATION.—In addition to amounts oth-
23 erwise available, there is appropriated to the Secretary,
24 out of any money in the Treasury not otherwise appro-
25 priated, \$150,000,000, for each of fiscal years 2022

1 through 2029, to carry out this section, to remain avail-
2 able for 2 fiscal years after the fiscal year for which appro-
3 priated.”.

4 **SEC. 11004. DISTANCE LEARNING AND TELEMEDICINE**
5 **LOANS AND GRANTS.**

6 Section 2335A of the Food, Agriculture, Conserva-
7 tion, and Trade Act of 1990 (7 U.S.C. 950aaa-5) is
8 amended to read as follows:

9 **“SEC. 2335A. APPROPRIATION.**

10 “In addition to amounts otherwise available, there is
11 appropriated to the Secretary, out of any money in the
12 Treasury not otherwise appropriated, \$150,000,000 for
13 each of fiscal years 2022 through 2029, to carry out this
14 chapter, to remain available for 2 fiscal years after the
15 fiscal year for which appropriated.”.

16 **SEC. 11005. EXPANSION OF MIDDLE MILE INFRASTRUC-**
17 **TURE INTO RURAL AREAS.**

18 Section 602(g) of the Rural Electrification Act of
19 1936 (7 U.S.C. 950bb-1(g)) is amended to read as follows:

20 “(g) APPROPRIATION.—In addition to amounts oth-
21 erwise available, there is appropriated to the Secretary,
22 out of any money in the Treasury not otherwise appro-
23 priated, \$300,000,000, for each of fiscal years 2022
24 through 2029, to carry out this section, to remain avail-

1 able for 2 fiscal years after the fiscal year for which appro-
2 priated.”.

3 **SEC. 11006. BROADBAND CONNECTORS PROGRAM.**

4 (a) IN GENERAL.—The Secretary of Agriculture shall
5 establish a system for the dissemination of information
6 and technical assistance on the broadband programs of the
7 Department of Agriculture, which shall be for the use of
8 entities eligible, such as Indian tribes and tribal organiza-
9 tions, to receive funds under title II or VI of the Rural
10 Electrification Act of 1936 (7 U.S.C. 901 et seq.) or chap-
11 ter 1 of subtitle D of title XXIII of the Food, Agriculture,
12 Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa
13 et seq.).

14 (b) APPROPRIATION.—In addition to amounts other-
15 wise available, there is appropriated to the Secretary out
16 of any money in the Treasury not otherwise appropriated,
17 \$25,000,000, for each of fiscal years 2022 through 2029,
18 to carry out this section, to remain available through fiscal
19 year 2029.

20 **SEC. 11007. COMMUNITY BROADBAND MAPPING.**

21 Section 701 of the Rural Electrification Act of 1936
22 (7 U.S.C. 950cc) is amended by redesignating subsection
23 (e) as subsection (f) and inserting after subsection (d) the
24 following:

1 “(e) COMMUNITY BROADBAND MAPPING PRO-
2 GRAM.—

3 “(1) IN GENERAL.—The Secretary may make
4 grants to eligible entities for the purpose of col-
5 lecting broadband service data to assist the Sec-
6 retary in—

7 “(A) establishing the availability of
8 broadband service or middle mile infrastructure
9 in a rural area;

10 “(B) determining the eligibility of a com-
11 munity for assistance under any broadband pro-
12 gram administered by the Secretary; or

13 “(C) undertaking a service area assess-
14 ment under this section.

15 “(2) APPLICATION.—To apply for a grant
16 under this section, an entity shall submit an applica-
17 tion therefor which identifies—

18 “(A) the data collection area;

19 “(B) the purpose of the data collection;

20 “(C) the types of broadband service data
21 to be collected;

22 “(D) the survey and data collection meth-
23 ods to be utilized; and

24 “(E) any other information the Secretary
25 determines necessary to promote the integrity

1 of broadband service data collected under this
2 section.

3 “(3) LIMITATION ON GRANT AMOUNT.—The
4 amount of a grant made under this subsection shall
5 not exceed \$50,000.

6 “(4) BROADBAND SERVICE DATA USAGE.—The
7 Secretary shall ensure that any broadband service
8 data collected under this section is—

9 “(A) measured or assessed in accordance
10 with such standards as the Secretary may es-
11 tablish;

12 “(B) accurate and verifiable in accordance
13 with such standards as the Secretary may es-
14 tablish;

15 “(C) included in any broadband maps or
16 data sets maintained by the Secretary; and

17 “(D) made available to the Chair of the
18 Federal Communications Commission and the
19 Administrator of the National Telecommuni-
20 cations and Information Administration for in-
21 clusion in any broadband maps or data sets ei-
22 ther may maintain.

23 “(5) DEFINITIONS.—In this subsection:

1 “(A) BROADBAND SERVICE.—The term
2 ‘broadband service’ has the meaning given the
3 term in section 601.

4 “(B) BROADBAND SERVICE DATA.—

5 “(i) IN GENERAL.—The term
6 ‘broadband service data’ means informa-
7 tion related to—

8 “(I) the location and type of
9 broadband service;

10 “(II) the location and type of
11 broadband infrastructure;

12 “(III) the advertised, maximum,
13 and average speed of broadband serv-
14 ice;

15 “(IV) the average price of the
16 most subscribed tier of broadband
17 service;

18 “(V) the speed tiers of broadband
19 service available in the area; or

20 “(VI) any additional metric the
21 Secretary deems appropriate.

22 “(ii) FURTHER DEFINITION.—The
23 Secretary shall further define the term
24 ‘broadband service data’ to ensure that
25 data is measured and collected in a man-

1 ner consistent with the reporting require-
2 ments under this section, and any
3 broadband coordination or data- sharing
4 obligations.

5 “(C) ELIGIBLE ENTITY.—The term ‘eligi-
6 ble entity’ means—

7 “(i) a unit of local government in a
8 rural area;

9 “(ii) a tribal government or unit of
10 tribal government;

11 “(iii) an economic development or
12 other community organization;

13 “(iv) an eligible entity under title I or
14 II that serves persons in rural areas;

15 “(v) an internet service provider that
16 has not more than 100,000 subscribers; or

17 “(vi) any other entity eligible under a
18 title VI program that is not an internet
19 service provider.

20 “(D) MIDDLE MILE INFRASTRUCTURE.—
21 The term ‘middle mile infrastructure’ has the
22 meaning given the term in section 602.

23 “(E) RURAL AREA.—The term ‘rural area’
24 has the meaning given the term in section 601.

1 “(6) LIMITATION ON AMOUNT MADE AVAILABLE
2 FOR GRANTS.—The Secretary may not expend more
3 than 1 percent of the amounts made available under
4 subsection (f) for each of fiscal years 2022 through
5 2029 to carry out this subsection.”.

6 **SEC. 11008. LIMITATIONS ON RESERVATION OF FUNDS.**

7 Section 701(f) of the Rural Electrification Act of
8 1936 (7 U.S.C. 950cc(f)), as so redesignated by section
9 11007 of this Act, is amended to read as follows:

10 “(f) LIMITATIONS ON RESERVATION OF FUNDS.—
11 Not less than 3 but not more than 7 percent of the
12 amounts appropriated to carry out title VI shall be set
13 aside to be used—

14 “(1) for administrative costs to carry out pro-
15 grams under title VI;

16 “(2) for technical assistance and pre-develop-
17 ment planning activities to support the most rural
18 communities;

19 “(3) to conduct oversight under title VI;

20 “(4) to implement accountability measures and
21 related activities authorized under title VI; and

22 “(5) to carry out this section.”.

