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. BARD, and Mr. CRAWFORD) introduced the following bill; which was referred to the Committee on Agriculture

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.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sponsoring USDA Sustainability Targets in Agriculture to Incentivize Natural Solutions Act of 2021”, or the “SUSTAINS Act”.

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

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

(1) in the subsection heading, by inserting “FOR PUBLIC-PRIVATE PARTNERSHIPS” after “Contributions”;

(2) by amending paragraph (1) to read as follows:

“(1) AUTHORITY TO ESTABLISH PUBLIC-PRIVATE PARTNERSHIP CONTRIBUTIONS ACCOUNTS.—The Secretary, acting through the Natural Resources Conservation Service, may establish a sub-account for each covered program to accept contributions of non-Federal funds for the purposes of addressing the changing climate, sequestering carbon, improving wildlife habitat, protecting sources of drinking water, and addressing other natural resource priorities identified by the Secretary.”;

(3) in paragraph (2), by striking “a conservation program administered by the Secretary under subtitle D” and inserting “a covered program”; and

(4) by adding at the end the following:

“(3) MATCH OF CONTRIBUTED FUNDS.—The Secretary may provide matching funds for contributions received under this subsection, subject to the

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availability of funding under subsection (a) for the
applicable covered program.

“(4) ROLE OF CONTRIBUTING ENTITY.—

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

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

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

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

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

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

“(5) PRODUCER PARTICIPATION.—

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

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

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

“(iii) beginning farmers or ranchers.

“(B) Sale of Ecosystem Benefits.—If an activity funded pursuant to this section may result in environmental services benefits to be sold through an environmental services market, the producer carrying out the activity and the entity that contributed the applicable funds shall negotiate a mutually beneficial sale of such benefits.

“(6) Rules for Easements.—An easement funded pursuant to this subsection shall be subject to the requirements of the covered program for which the contributed funds were used, except that the Secretary may modify such requirements, as they apply to the easement, for the purpose of ad-
dressing climate change, as the Secretary determines appropriate.

“(7) DEFINITIONS.—In this subsection:

“(A) COVERED PROGRAM.—The term ‘covered program’ means a program carried out by the Secretary under—

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

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

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

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

“(B) SIGNIFICANT CONTRIBUTION.—The term ‘significant contribution’ means a contribution under this subsection of at least a minimum dollar amount established by the Secretary.”.