

117TH CONGRESS
1ST SESSION

H. R. 2606

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. BAIRD, 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.

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 “Sponsoring USDA
5 Sustainability Targets in Agriculture to Incentivize Nat-
6 ural Solutions Act of 2021”, or the “SUSTAINS Act”.

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

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

5 (1) in the subsection heading, by inserting
6 “FOR PUBLIC-PRIVATE PARTNERSHIPS” after
7 “CONTRIBUTIONS”;

8 (2) by amending paragraph (1) to read as fol-
9 lows:

10 “(1) AUTHORITY TO ESTABLISH PUBLIC-PRI-
11 VATE PARTNERSHIP CONTRIBUTIONS ACCOUNTS.—

12 The Secretary, acting through the Natural Re-
13 sources Conservation Service, may establish a sub-
14 account for each covered program to accept con-
15 tributions of non-Federal funds for the purposes of
16 addressing the changing climate, sequestering car-
17 bon, improving wildlife habitat, protecting sources of
18 drinking water, and addressing other natural re-
19 source priorities identified by the Secretary.”;

20 (3) in paragraph (2), by striking “a conserva-
21 tion program administered by the Secretary under
22 subtitle D” and inserting “a covered program”; and

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

24 “(3) MATCH OF CONTRIBUTED FUNDS.—The
25 Secretary may provide matching funds for contribu-
26 tions received under this subsection, subject to the

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

3 “(4) ROLE OF CONTRIBUTING ENTITY.—

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

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

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

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

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

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

22 “(5) PRODUCER PARTICIPATION.—

23 “(A) PRIORITY.—In selecting producers to
24 carry out, through a covered program, an activ-

1 ity funded pursuant to this subsection, the Sec-
2 retary shall give priority to—

3 “(i) socially disadvantaged farmers or
4 ranchers, as defined in section 355(e) of
5 the Agricultural Act of 1961 (7 U.S.C.
6 2003);

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

10 “(iii) beginning farmers or ranchers.

11 “(B) SALE OF ECOSYSTEM BENEFITS.—If
12 an activity funded pursuant to this section may
13 result in environmental services benefits to be
14 sold through an environmental services market,
15 the producer carrying out the activity and the
16 entity that contributed the applicable funds
17 shall negotiate a mutually beneficial sale of
18 such benefits.

19 “(6) RULES FOR EASEMENTS.—An easement
20 funded pursuant to this subsection shall be subject
21 to the requirements of the covered program for
22 which the contributed funds were used, except that
23 the Secretary may modify such requirements, as
24 they apply to the easement, for the purpose of ad-

1 dressing climate change, as the Secretary determines
2 appropriate.

3 “(7) DEFINITIONS.—In this subsection:

4 “(A) COVERED PROGRAM.—The term ‘cov-
5 ered program’ means a program carried out by
6 the Secretary under—

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

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

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

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

19 “(B) SIGNIFICANT CONTRIBUTION.—The
20 term ‘significant contribution’ means a con-
21 tribution under this subsection of at least a
22 minimum dollar amount established by the Sec-
23 retary.”.

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