119TH CONGRESS
2D SESSION

S. ______

To establish a ranchland program to support the United States cow herd, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. ROUNDS (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on ______

A BILL

To establish a ranchland program to support the United States cow herd, 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 "Rebuilding America's National Cow Herd Act" or the "RANCH Act".

SEC. 2. RANCHLAND PROGRAM.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the "Secretary") shall carry out a ranchland program under which the Secretary shall enroll eligible land described in subsection (b) through contracts with owners and operators.

(b) ELIGIBLE LAND.—An owner or operator may enroll in the program established under this section cropland that—

(1) the Secretary determines had a cropping history or was considered to be planted for not less than 4 of the 6 crop years preceding the date of enactment of this Act; and

(2) will be restored to perennial grass and forb cover and support grazing.

(c) CONTRACTS.—A contract under this section shall—

(1) require the establishment on the eligible land of perennial grass and forb cover appropriate to the region, soil type, and intended grazing use, as determined by the Secretary;

(2) require, not later than 2 years after enrollment of the eligible land, a site-specific grazing management plan approved by the Secretary;

(3) be for a term of not less than 10 years and not more than 15 years;

(4) beginning with the fourth year of the contract, provide for the temporary suspension of the

base history for the land covered by the contract through the end of the contract; and

(5) permit the activities described in subsection (d).

(d) PERMITTED ACTIVITIES.—The activities referred to in subsection (c)(5) are the following:

(1) Grazing in accordance with the grazing management plan.

(2) Fire presuppression, fire-related rehabilitation, and construction of fire breaks.

(3) Clipping or mowing to assist in perennial grass and forb establishment.

(4) Emergency haying in response to a localized or regional drought, flooding, wildfire, or other emergency, outside the primary nesting season, when—

(A) the county is designated as D2 (severe drought) or greater according to the United States Drought Monitor;

(B) there is at least a 40 percent loss in forage production in the county; or

(C) the Secretary, in coordination with the appropriate State technical committee established under section 1261 of the Food Security Act of 1985 (16 U.S.C. 3861), determines that the program can assist in the response to a natural disaster event without permanent damage to the established cover.

(e) PAYMENTS.—

(1) ANNUAL RENTAL PAYMENTS.—The annual rental rate for a payment under a contract under this section shall be equal to 75 percent of the county average dryland cash rental rate for cropland determined under section 1234(d)(4)(A) of the Food Security Act of 1985 (16 U.S.C. 3834(d)(4)(A)).

(2) COST-SHARING PAYMENTS.—The Secretary shall pay to an owner or operator 50 percent of the cost of establishing perennial grass and forb cover on eligible land enrolled under this section.

(3) INCENTIVE PAYMENTS.—In addition to the cost sharing payment described in paragraph (2), the Secretary shall make an incentive payment to—

(A) an owner or operator in an amount equal to 50 percent of the cost of using a high-quality diverse native seed mix for establishment of cover described in paragraph (2); and

(B) an owner or operator that is a beginning farmer or rancher in an amount equal to 50 percent of the cost share provided under paragraph (2).

(4) LIMITATION.—The total amount of cost share payments under paragraph (2) and incentive payments under paragraph (3) shall not exceed 100 percent of the cost of establishing perennial grass and forb cover on eligible land enrolled under this section.

(f) ENROLLMENT; ACREAGE LIMITATION.—

(1) ENROLLMENT.—

(A) IN GENERAL.—The Secretary shall accept applications for contracts under this section on a continuous basis, using ranking periods that are not less frequent than annual.

(B) DELAY.—The Secretary may delay a ranking period described in subparagraph (A) if—

(i) the available acreage for enrollment is less than 1,000,000 acres; or

(ii) commodity prices are elevated and there is an expected shortage of commodities grown on the eligible land targeted for enrollment.

(2) ACREAGE LIMITATION.—The Secretary may enroll in the program established under this section not more than 20,000,000 acres.

(g) PRIORITIES.—In entering into contracts under this section, the Secretary shall prioritize—

(1) owners or operators who are beginning farmers or ranchers, as defined by the Secretary;

(2) owners that operate a livestock grazing operation or have plans to start a livestock grazing operation;

(3) owners or operators that agree to follow a conservation plan that includes provisions to support wildlife habitat or land that is part of wildlife corridors;

(4) high-quality, diverse, native seed mixes for establishment of perennial grass and forb cover;

(5) highly erodible land; and

(6) marginal cropland.

(h) TECHNICAL ASSISTANCE.—The Secretary shall make available to owners or operators technical assistance for the duration of a contract entered into under this section.

(i) AUTOMATIC ENROLLMENT.—

(1) IN GENERAL.—On expiration of a contract entered into under this section, the Secretary shall automatically enroll the eligible land enrolled under the contract in a contract under section 1231(d)(2)

of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)).

(2) EXEMPTIONS.—For purposes of automatically enrolling eligible land under paragraph (1)—

(A) the eligible land shall not count towards the applicable acreage limitations described in section 1231(d)(2)(A) of the Food Security Act of 1985 (16 U.S.C. 3831(d)(2)(A)); and

(B) the method of enrollment described in section 1231(d)(2)(C) of that Act (16 U.S.C. 3831(d)(2)(C)) shall not apply.

(3) PRODUCER FLEXIBILITY.—An owner or operator may opt out of the automatic enrollment under paragraph (1), but the eligible land shall be ineligible for reenrollment under this section.

(j) ENROLLMENT IN OTHER PROGRAMS.—An owner or operator party to a contract entered into under this section may enroll the eligible land in any program under subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) for any activity for which a cost share or incentive payment is not provided under paragraph (2) or (3) of subsection (e).

(k) PAYMENT LIMITATION.—The total amount of payments received, directly or indirectly, by a person or legal entity for a fiscal year under this section may not exceed $155,000.

(l) ADJUSTED GROSS INCOME LIMITATION.—Section 1001D(b)(2) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(2)) is amended by adding at the end the following:

"(F) A payment or benefit under section 2 of the Rebuilding America's National Cow Herd Act.".