TITLE VII—UNSTACK THE FOOD SYSTEM

SEC. 701. FINDINGS.
Subtitle A—Food Access and Transparency
SEC. 711. UNIVERSAL FREE SCHOOL MEALS AND LOCAL FOOD SOURCING.
SEC. 712. COUNTRY OF ORIGIN LABELING FOR BEEF AND PORK
SEC. 713. RELEASE OF ALCOHOL INTAKE AND HEALTH STUDY.
Subtitle B—Fair Competition in Grocery Markets
SEC. 721. PROHIBITING ALGORITHMIC COORDINATION IN THE FOOD SUPPLY.
SEC. 722. ANTICOMPETITIVE GROCERY RETAIL RESTRICTIONS.
Subtitle C—Managing Meat Markets
SEC. 731. MERGER MORATORIUM.
SEC. 732. CODIFICATION OF CERTAIN POULTRY GROWERS RULES.
SEC. 733. POULTRY GROWER FAIRNESS
SEC. 733. PROCUREMENT OF MEAT AND POULTRY.
SEC. 734. STRENGTHENING LOCAL MEAT PROCESSING.
SEC. 735. STRENGTHENING ANTITRUST ENFORCEMENT FOR MEATPACKING.
SEC. 736. TRANSFERRING USDA AUTHORITY TO THE FTC.
Subtitle D—Environmental and Externality Reform
SEC. 741. PROHIBITION OF CERTAIN HAZARDOUS PESTICIDES
SEC. 742. SURTAX ON MEGA CONCENTRATED ANIMAL FEEDING OPERATIONS.
SEC. 743. UNTRUSTING SUGAR.
SEC. 744. RESTRUCTURING CORN SUBSIDIES AND ETHANOL MANDATES.
Subtitle E—Institutional Capacity
SEC. 751. STRENGTHENING USDA INSPECTION CAPACITY.
SEC. 752. REBUILDING USDA FIELD CAPACITY AND SERVICE DELIVERY.
SEC. 753. PROCESSOR CAREER TRAINING PROGRAMS.
SEC. 754. PUBLIC INTEREST SAFEGUARDS FOR USDA-FUNDED AGRICULTURAL RESEARCH.
Subtitle F—Facilitating Farm Fairness
SEC. 761. CAP ON RATE OF RETURN FOR CROP INSURANCE PROVIDERS.
SEC. 762. REFORM OF FEDERAL CROP INSURANCE PREMIUM SUBSIDIES.
SEC. 763. RESTRICTING CHECKOFF PROGRAMS.
SEC. 764. ANTICOMPETITIVE AGRICULTURAL INPUT PRACTICES.
Subtitle G—Working Waterfronts
SEC. 771. SEAFOOD FINANCE, MARKET DEVELOPMENT, AND INNOVATION.
SEC. 772. RURAL SEAFOOD PROCESSING AND COLD STORAGE.
SEC. 773. WORKING WATERFRONT ACCESS PROTECTION GRANT PROGRAM.
SEC. 774. MARITIME WORKFORCE DEVELOPMENT AND FISHING VESSEL SAFETY.
SEC. 775. FISHING COMMUNITY PARTICIPATION AND SEAFOOD MARKETING.

SEC. 701. FINDINGS.

(a) Congress finds that—

(1) The United States food system has become increasingly consolidated at multiple levels, including agricultural inputs, processing, distribution, and retail, reducing competition, driving up prices for producers and consumers, and increasing vulnerability to supply chain disruptions. Procuring food is not optional, and as Americans have seen prices climb over the last 6 years, increasingly recognized that our food systems are stacked against us.

(2) Excessive concentration can enable algorithmic coordination of higher prices, and restrictive covenants in grocery markets undermine competitive market conditions to exclude competition. contributes to higher consumer prices, suppressed producer prices, and diminished bargaining power for farmers, ranchers, and independent processors.

(3) Public school nutrition programs ensure better outcomes for children, and universal access to school meals reduces stigma, improves child health and educational achievements. When paired with regional sourcing and investment in local and small-scale meat processing infrastructure, these programs can strengthen local agricultural economies as well.

(4) The structure of the meatpacking and poultry industries has shifted toward high levels of vertical integration and market concentration, diminishing open markets for livestock and poultry producers and limiting regional processing capacity. Updating and enforcing agricultural competition laws, including the Packers and Stockyards Act, provides a solution.

(5) Large-scale industrial agricultural operations can impose environmental, public health, and community costs not fully reflected in market prices, including water pollution, air emissions, and degradation of rural infrastructure. Other subsidies distort the food system itself in ways that do not align with the long-term well being of our families, our communities, and our planet.

(6) Restoring field-level capacity within the Department of Agriculture is necessary to ensure timely service delivery, fair program administration, inspection integrity, and meaningful access to Federal agricultural programs for producers across regions and scales.

(b) The purpose of this title is to unstack the food system.

Subtitle A—Food Access and Transparency

SEC. 711. UNIVERSAL FREE SCHOOL MEALS AND LOCAL FOOD SOURCING.

(a) Universal free school lunches.—Section 9 of the National School Lunch Act (42 U.S.C. 1758) is amended by adding at the end the following:

“(m) Universal free lunches.—Notwithstanding any other provision of law, each lunch served under this Act to a student shall be provided at no charge and shall be eligible for Federal reimbursement without regard to household income.”.

(b) Universal free school breakfasts.—Section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is amended by adding at the end the following:

“(f) Universal free breakfasts.—Notwithstanding any other provision of law, each breakfast served under this section to a student shall be provided at no charge and shall be eligible for Federal reimbursement without regard to household income.”.

(c) Income eligibility determinations.—The Secretary of Agriculture shall not require the collection, verification, or certification of household income information solely for purposes of determining eligibility for meals under the National School Lunch Act or the School Breakfast Program.

(d) Expanding the farm to school program.—In administering the programs amended by this section, the Secretary of Agriculture shall—

(1) ensure that not less than 20 percent of total food expenditures under the National School Lunch Act and the School Breakfast Program are directed to food produced, processed, or aggregated by small and mid-sized farms and independent processors located locally or regionally;

(2) prioritize procurement arrangements that shorten supply chains, increase farmer participation, and expand access for small and mid-sized farms and independent producers; and

(3) exclude from the minimum percentage any procurement from vertically integrated or dominant firms that primarily source food through national or global supply chains.

(e) Infrastructure and coordination.—The Secretary of Agriculture shall provide technical assistance and administrative support to enable compliance with subsection (d), including support for aggregation, storage, processing, distribution, food hubs, producer-to-school coordination, and other activities traditionally carried out under the Patrick Leahy Farm to School Program (42 U/S.C. 1769(g))

(f) The Secretary may provide for phased compliance with subsection (d), waivers for demonstrated hardship, and technical assistance, but shall require each school food authority to make continuous progress toward meeting the minimum percentage.

(g) There are authorized to be appropriated, and hereby appropriated, such sums as may be necessary to carry out this subsection.

SEC. 712. COUNTRY OF ORIGIN LABELING FOR BEEF AND PORK

(a) Definitions.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) by redesignating paragraphs (1), (2) through (5), (6), and (7) as paragraphs (2), (4) through (7), (9), and (10), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

“(1) Beef.—The term ‘beef’ means meat produced from cattle, including veal.”

(3) in paragraph (2), as so redesignated—

(A) in subparagraph (A)—

(i) in clause (i), by striking “lamb” and inserting “beef, lamb, pork,”;

(ii) in clause (ii), by striking “ground lamb” and inserting “ground beef, ground lamb, ground pork,”;

(iii) in clause (x), by striking “and” at the end;

(iv) in clause (xi), by striking the period at the end and inserting “; and”; and

(v) by adding at the end the following:

“(xii) dairy products.”

(B) in subparagraph (B), by inserting “(other than clause (xii) of that subparagraph)” after “subparagraph (A)”;

(4) by inserting after paragraph (2), as so redesignated, the following:

“(3) Dairy product.—The term ‘dairy product’ means—

“(A) fluid milk;

“(B) cheese, including cottage cheese and cream cheese;

“(C) yogurt;

“(D) ice cream;

“(E) butter; and

“(F) any other dairy product.”

(5) by inserting after paragraph (7), as so redesignated, the following:

“(8) Pork.—The term ‘pork’ means meat produced from hogs.”

(b) Notice of country of origin.—Section 282(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(a)) is amended by adding at the end the following:

“(5) Designation of country of origin for dairy products.—

“(A) In general.—A retailer of a covered commodity that is a dairy product shall designate the origin of the covered commodity as—

“(i) each country in which or from which the 1 or more dairy ingredients or dairy components of the covered commodity were produced, originated, or sourced; and

“(ii) each country in which the covered commodity was processed.

“(B) State, region, or locality of the United States.—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.”

(c) Truth in labeling for meat and meat food products.—Section 7 of the Federal Meat Inspection Act (21 U.S.C. 607) is amended by adding at the end the following:

“(g) Product of the United States.—The label of a meat or meat food product may bear the phrase ‘Product of U.S.A.’, or any substantially similar word or phrase, only if the meat or meat food product is exclusively derived from animals exclusively born, raised, and slaughtered in the United States.”

SEC. 713. RELEASE OF ALCOHOL INTAKE AND HEALTH STUDY.

Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall publish a final draft of the *Alcohol Intake and Health Study* which was in draft form in January 2025. Such publication shall include making the report available, in a searchable and downloadable format, on the Department of Health and Human Services' website.

Subtitle B—Fair Competition in Grocery Markets

SEC. 721. PROHIBITING ALGORITHMIC COORDINATION IN THE FOOD SUPPLY.

(a) In this section:

(1) Chair.—The term “Chair” means the Chair of the Commission.

(2) Commission.—The term “Commission” means the Federal Trade Commission.

(3) Consciously parallel pricing coordination.—The term “consciously parallel pricing coordination” means a tacit agreement between 2 or more food producers to raise, lower, change, maintain, or manipulate pricing for the purchase or sale of reasonably interchangeable food products.

(4) Coordinating function.—The term “coordinating function” means—

(A) collecting historical or contemporaneous food product prices or supply levels from 2 or more food producers;

(B) analyzing or processing of the information described in subparagraph (A) using a system, software, or process that uses computation, including by using that information to train an algorithm; and

(C) recommending food prices, supply or output, or other commercial term to a food producer.

(5) Coordinator.—The term “coordinator” means any person that operates a software or data analytics service that performs a coordinating function for any food producer, including a food producer performing a coordinating function for their own benefit.

(6) Food.—The term “food” has the meaning given the term in section 321 of the Food, Drug and Cosmetic Act (21 U.S.C. 321).

(7) Food producer.—The term “food producer” means any individual, corporation, or entity engaged in the manufacturing, processing, or production of food products for commercial distribution.

(8) Person.—The term “person” has the meaning given the term in section 1 of the Clayton Act (15 U.S.C. 12).

(9) Predispute arbitration agreement.—The term “predispute arbitration agreement” means an agreement between 2 or more parties to arbitrate a dispute between the parties that is made before any dispute has arisen.

(10) Predispute joint-action waiver.—The term “predispute joint-action waiver” means an agreement between 2 or more parties, which may be part of a predispute arbitration agreement, that—

(A) would prohibit or waive the right of a party to participate in a joint, class, or collective action in a judicial, arbitral, administrative, or other forum relating to a dispute between parties; and

(B) is made before any dispute has arisen.

(11) State.—The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(b) Unlawful conduct.—

(1) Contract or conspiracy in restraint of trade.—It is unlawful for a food producer, in or affecting commerce, or any agent or subcontractor thereof, to subscribe to, contract with, or otherwise exchange anything of value or use in return for the services of a coordinator, and such action shall be deemed to be a per se violation of the Sherman Act (15 U.S.C. 1 et seq.).

(2) Facilitation.—It is unlawful for a coordinator, in or affecting commerce, to facilitate an agreement among food producers to not compete with respect to food prices, supply or output, or other commercial term, including by performing a coordinating function.

(c) Enforcement.—

(1) In general.—

(A) Federal Trade Commission.—The Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) Attorney General.—The Attorney General shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Sherman Act (15 U.S.C. 1 et seq.), Clayton Act (15 U.S.C. 12 et seq.), and Antitrust Civil Process Act (15 U.S.C. 1311 et seq.) were incorporated into and made a part of this section.

(C) State attorneys general.—Any attorney general of a State shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Sherman Act (15 U.S.C. 1 et seq.) and the Clayton Act (15 U.S.C. 12 et seq.) were incorporated into and made a part of this section.

(2) Unfair methods of competition.—A violation of this section shall also constitute an unfair method of competition under section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

(3) Independent litigation authority.—If the Commission has reason to believe that a person violated this section, the Commission may commence a civil action, in its own name by any of its attorneys designated by it for such purpose, to recover a civil penalty and seek other appropriate relief in any district court of the United States.

(4) Standards of pleading.—In a civil action under this subsection, a complaint—

(A) plausibly pleads a violation of section 1 or 3(a) of the Sherman Act (15 U.S.C. 1, 3(a)) if the complaint contains factual allegations, including allegations of consciously parallel pricing coordination, demonstrating that the existence of a contract, or conspiracy in restraint of trade or commerce is among the realm of plausible possibilities; and

(B) need not allege facts tending to exclude the possibility of independent action.

(d) Civil actions by injured persons.—

(1) Civil action authorized.—Any person who is aggrieved by a violation of this section may bring a civil action in an appropriate district court of the United States, without respect to the amount in controversy, to recover an amount described in paragraph (2).

(2) Award amount.—

(A) In general.—The court shall award to the plaintiff threefold the damages sustained by the plaintiff and the reasonable cost of litigation, including a reasonable attorney fee.

(B) Interest on damages.—Pursuant to a motion by the plaintiff promptly made, the court may award simple interest on actual damages sustained by the plaintiff for the period beginning on the date of service of the pleading of the plaintiff setting forth a claim under this section and ending on the date of judgment, or for any shorter period therein.

(3) Invalidity of predispute arbitration agreements and predispute joint-action waivers.—At the election of the plaintiff in an action authorized under paragraph (1), a predispute arbitration agreement or predispute joint-action waiver relating to a violation of this section shall be invalid or unenforceable.

(e) Relationship to Federal antitrust laws.—Nothing in this section, or any amendment made by this section, shall be construed to modify, impair, or supersede the operation of any of the antitrust laws.

(f) Relationship to State and local laws.—Nothing in this section may be construed to preempt any State, Tribal, city, or local law, regulation, or ordinance that supplements this section.

SEC. 722. ANTICOMPETITIVE GROCERY RETAIL RESTRICTIONS.

(a) Definitions.—In this section:

(1) Grocery store.—The term “grocery store” means a self-service retail establishment that occupies at least 2,500 square feet and that sells household foodstuffs for off-site consumption, including fresh produce, meat, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods, or prepared foods, but does not include an establishment that handles only prepackaged food that does not require time or temperature controls for food safety.

(2) Grocery use restriction.—The term “grocery use restriction” means any covenant, lease provision, deed restriction, contract term, or other agreement that restricts the use of a vacated grocery store location for operation of a grocery store.

(3) Vacated grocery store location.—The term “vacated grocery store location” means a retail location at which a grocery store has ceased operations.

(b) Unfair method of competition.—

(1) In general.—The imposition or inclusion of a grocery use restriction shall constitute an unfair method of competition in or affecting commerce, in violation of section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

(2) Per se treatment.—Conduct described in paragraph (1) shall be treated as an unfair method of competition without regard to market share, market power, or anticompetitive effects.

(c) Existing restrictions.—

(1) In general.—Any grocery use restriction that was imposed before the effective date of this section shall be void and unenforceable as a matter of law.

(2) Violation.—Any attempt to enforce a grocery use restriction shall be deemed a violation of subsection (b).

(d) Enforcement.—

(1) Federal Trade Commission.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms of the Federal Trade Commission Act (15 U.S.C. 45 et. seq.) were incorporated into and made a part of this section.

(2) State attorneys general.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by a violation of this section, the attorney general may bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain injunctive relief or other appropriate relief. The attorney general shall provide prior written notice of such action to the Federal Trade Commission, unless it is not feasible to do so, in which case such notice shall be provided contemporaneously with the filing of the action.

(3) Private right of action.—Any person injured by a violation of this section may bring a civil action in an appropriate district court of the United States for injunctive relief and may recover reasonable attorney's fees and costs.

(4) Authority preserved.—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission or a State under any other provision of law.

Subtitle C—Managing Meat Markets

SEC. 731. MERGER MORATORIUM.

(a) Definitions.—In this section:

(1) Agricultural input supplier.—The term "agricultural input supplier" means any person (excluding agricultural cooperatives) engaged in the business of selling, in interstate or foreign commerce, any product to be used as an input (including seed, germ plasm, hormones, antibiotics, fertilizer, and chemicals, but excluding farm machinery) for the production of any agricultural commodity, except that no person shall be considered an agricultural input supplier if sales of such products are for a value less than $10,000,000 per year.

(2) Broker.—The term "broker" means any person engaged in the business of negotiating sales and purchases of any agricultural commodity in interstate or foreign commerce for or on behalf of the vendor or the purchaser, except that no person shall be considered a broker if the only sales of such commodities are for a value less than $10,000,000 per year.

(3) Commission merchant.—The term "commission merchant" means any person engaged in the business of receiving in interstate or foreign commerce any agricultural commodity for sale, on commission, or for or on behalf of another, except that no person shall be considered a commission merchant if the only sales of such commodities are for a value less than $10,000,000 per year.

(4) Dealer.—The term "dealer" means any person (excluding agricultural cooperatives) engaged in the business of buying, selling, or marketing agricultural commodities in interstate or foreign commerce, except that—

(A) no person shall be considered a dealer with respect to sales or marketing of any agricultural commodity of that person's own raising; and

(B) no person shall be considered a dealer if the only sales of such commodities are for a value less than $10,000,000 per year.

(5) Integrator.—The term "integrator" means an entity that contracts with farmers for grower services to raise chickens or hogs to slaughter size and weight, and that owns the chickens or hogs, supplies the feed, slaughters, and further processes the poultry or pork.

(6) Processor.—The term "processor" means any person (excluding agricultural cooperatives) engaged in the business of handling, preparing, or manufacturing (including slaughtering and food and beverage manufacturing) of an agricultural commodity, or the products of such agricultural commodity, for sale or marketing for human consumption, except that no person shall be considered a processor if the only sales of such products are for a value less than $10,000,000 per year.

(7) Retailer.—The term "retailer" means any person (excluding agricultural cooperatives, cooperative retailers, and cooperative distributors) licensed as a retailer under the Perishable Agricultural Commodities Act of 1930 (7 U.S.C. 499a(b)) or a grocery store, as defined in section 708 of the POPULIST Act, except that no person shall be considered a retailer if the only sales of such products are for a value less than $10,000,000 per year.

(b) Moratorium.—Until December 31, 2028, except as provided in subsections (b) or (c)—

(1) no dealer, processor, commission merchant, agricultural input supplier, broker, operator of a warehouse of agricultural commodities, or retailer with annual net sales or total assets of more than $160,000,000 shall merge or acquire, directly or indirectly, any voting securities or assets of any other dealer, processor, commission merchant, agricultural input supplier, broker, operator of a warehouse of agricultural commodities, or retailer with annual net sales or total assets of more than $16,000,000; and

(2) no dealer, processor, commission merchant, agricultural input supplier, broker, operator of a warehouse of agricultural commodities, or retailer with annual net sales or total assets of more than $16,000,000 shall merge or acquire, directly or indirectly, any voting securities or assets of any other dealer, processor, commission merchant, agricultural input supplier, broker, operator of a warehouse of agricultural commodities, or retailer with annual net sales or total assets of more than $160,000,000 if the acquiring person would hold—

(A) 15 percent or more of the voting securities or assets of the acquired person; or

(B) an aggregate total amount of the voting securities and assets of the acquired person in excess of $15,000,000.

(c) Waiver authority.—The Attorney General may waive the prohibition under subsection (b) only in extraordinary circumstances, including insolvency or imminent financial collapse of one

of the parties, where the Attorney General determines that the transaction is necessary to prevent substantial job loss or severe economic harm in the affected community.

(d) Exemptions.—The classes of transactions described in section 7A(c) of the Clayton Act (15 U.S.C. 18a(c)) are exempt from subsection (b).

(e) Avoidance.—Any transaction or other device entered into or employed for the purpose of avoiding the moratorium contained in subsection (b) shall be disregarded, and the application of the moratorium shall be determined by applying subsection (b) to the substance of the transaction.

(f) Rulemaking.—The Attorney General shall promulgate regulations that the Attorney General determines are necessary to implement this section.

SEC. 732. CODIFICATION OF CERTAIN POULTRY GROWERS RULES.

(a) Incorporation of specified regulations.—The provisions of the following final regulations promulgated by the Secretary of Agriculture under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), as published in the Federal Register, are incorporated into this section and shall be treated as though such provisions are set forth in this subsection:

(1) The final rule entitled “Poultry Grower Payment Systems and Capital Improvement Systems,” published in the Federal Register on January 16, 2025 (90 Fed. Reg. 5146).

(2) The final rule entitled “Transparency in Poultry Grower Contracting and Tournaments,” published in the Federal Register on November 28, 2023 (88 Fed. Reg. 82460).

(b) Effect of incorporation.—The regulations incorporated under subsection (a) may be altered only by means of an Act of Congress. To the extent that any provision of such regulations does not conform with this Act, the provisions of this Act shall govern.

(c) Definition of regulation.—In this section, the term “regulation” means any rule, regulation, guideline, interpretation, order, or requirement of general applicability prescribed by any officer or employee of the executive branch.

SEC. 733. POULTRY GROWER FAIRNESS

(a) Administrative enforcement authority over live poultry dealers.—Sections 203, 204, and 205 of the Packers and Stockyards Act, 1921 (7 U.S.C. 193, 194, 195), as previously amended by this title, are further amended by inserting “, live poultry dealer,” after “packer” each place it appears.

(b) Authority to request temporary injunction or restraining order.—Section 408(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 228a(a)), as previously amended by this title, is further amended by inserting “, or poultry care,” after “on account of poultry obtained”.

(c) Repeals.—Sections 411, 412, and 413 of the Packers and Stockyards Act, 1921 (7 U.S.C. 228b–2, 228b–3, 228b–4), are repealed.

(d) Award of attorney fees.—Section 308 of the Packers and Stockyards Act, 1921 (7 U.S.C. 209), is amended by adding at the end the following:

“(c) Attorney’s fee.—The court shall award a reasonable attorney’s fee as part of the costs to a prevailing plaintiff in a civil action under this section.”.

(e) Technical amendments.—

(1) Section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)), is amended—

(A) in the matter preceding paragraph (1), by striking “When used in this Act—” and inserting “(a) In this Act:”;

(B) in paragraph (8), by striking “for slaughter” and all that follows through “of such poultry” and inserting “under a poultry growing arrangement, regardless of whether the poultry is owned by that person or another person”; and

(C) in paragraph (9), by striking “and cares for live poultry for delivery, in accord with another's instructions, for slaughter” and inserting “or cares for live poultry in accordance with the instructions of another person”.

(2) Section 203 of the Packers and Stockyards Act, 1921 (7 U.S.C. 193), is amended—

(A) in subsection (a), in the first sentence—

(i) by striking “he shall cause” and inserting “the Secretary shall cause”; and

(ii) by striking “his charges” and inserting “the charges”;

(B) in subsection (b), in the first sentence, by striking “he shall make a report in writing in which he shall state his findings” and inserting “the Secretary shall make a report in writing in which the Secretary shall state the findings of the Secretary”; and

(C) in subsection (c), by striking “he” and inserting “the Secretary”.

(2) Section 204 of the Packers and Stockyards Act, 1921 (7 U.S.C. 194), is amended—

(A) in subsection (a), by striking “he has his” and inserting “the packer, live poultry dealer, or swine contractor has the”;

(B) in subsection (c), by striking “his officers, directors, agents, and employees” and inserting “the officers, directors, agents, and employees of the packer, live poultry dealer, or swine packer”;

(C) in subsection (f), in the second sentence—

(i) by striking “his findings” and inserting “the findings of the Secretary”; and

(ii) by striking “he” and inserting “the Secretary”; and

(D) in subsection (g), by striking “his officers, directors, agents, and employees” and inserting “the officers, directors, agents, and employees of the packer, live poultry dealer, or swine packer”.

SEC. 733. PROCUREMENT OF MEAT AND POULTRY.

(a) Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“SEC. 210B. Procurement of meat and poultry.

“(a) Definitions.—In this section:

“(1) Digital livestock exchange platform.—The term ‘digital livestock exchange platform’ has the meaning given the term in section 210C(a).

“(2) Eligible processor.—The term ‘eligible processor’ means a livestock or poultry processor that—

“(A) is engaged in the slaughter of livestock or poultry;

“(B) (i) employs fewer than 150 full-time employees; or

“(ii) processes less than 1,000,000 total pounds of meat food product and poultry product per month;

“(C) is not owned or in partnership with any entity that—

“(i) employs 150 or more full-time employees; or

“(ii) processes 1,000,000 total pounds or more of meat food product and poultry product per month; and

“(D) is not owned or in partnership with any foreign entity.

“(3) Livestock.—The term ‘livestock’ means cattle, sheep, swine, and goats, whether alive or dead.

“(4) Meat food products.—The term ‘meat food products’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182).

“(5) Poultry; poultry product.—The terms ‘poultry’ and ‘poultry product’ have the meaning given such terms in section 4 of the Poultry Products Inspection Act (21 U.S.C. 453).

“(6) Secretary.—The term ‘Secretary’ means the Secretary of Agriculture.

“(b) Procurement requirements.—In procuring meat food products and poultry products for the Department of Agriculture, the Secretary—

“(1) shall increase procurement of meat food products and poultry products from eligible processors—

“(A) in the first fiscal year that begins on or after the date that is 1 year after the date of enactment of this section, by an amount that is the greater of—

“(i) $50,000,000; and

“(ii) 50 percent of the amount spent in the previous fiscal year for that procurement; and

“(B) in the first fiscal year following the fiscal year described in subparagraph (A), by an amount that is the greater of—

“(i) $100,000,000; and

“(ii) 75 percent of the amount spent in the previous fiscal year for that procurement;

“(2) shall, in each fiscal year following the fiscal year described in paragraph (1)(B), procure not less than 20 percent of meat food products and poultry products from eligible processors;

“(3) shall establish procurement contracts for the procurement increases under paragraphs (1) and (2) through a digital livestock exchange platform;

“(4) notwithstanding any other provision of law, shall not accept the lowest possible bid on a meat food products or poultry products procurement contract if that acceptance would result in prices that would not be commercially viable for eligible processors, as determined by the Secretary in consultation with the advisory board established under section 210C(g) and using the data described in section 210C(d)(4);

“(5) shall post competitive or sole source contracts exclusively to eligible processors through a digital livestock exchange platform;

“(6) shall determine fair market price for meat food products and poultry products processed by eligible processors (taking into account product attributes such as organic, regenerative, and high-welfare) through the price reporting expertise of the Secretary; and

“(7) shall prioritize procurement from—

“(A) enterprises owned by beginning farmers or ranchers, socially disadvantaged farmers or ranchers, or veteran farmers or ranchers (as those terms are defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)));

“(B) enterprises that—

“(i) source at least 51 percent of their livestock, poultry, meat food products, or poultry products from producers or processors within a 250-mile radius;

“(ii) exclusively sell meat food products or poultry products with a label of the Department of Agriculture designating the product as a product of the United States, if such label exists; or

“(iii) purchase at least 51 percent of their livestock, poultry, meat food products, or poultry products to fulfill Federal procurement contracts through a digital livestock exchange platform; and

“(C) enterprises with labor agreements.

“(c) Interagency assistance.—The Secretary shall assist other Federal agencies seeking to procure meat food products and poultry products by—

“(1) sharing information about the 1 or more digital livestock exchange platforms;

“(2) offering technical assistance on how to utilize a digital livestock exchange platform; and

“(3) facilitating through a digital livestock exchange platform procurement contract opportunities with eligible processors.

“(d) Offset.—Of amounts available to the Secretary for procurement in a fiscal year, the Secretary shall use not less than $35,000,000 to carry out procurement in accordance with this section.

“(e) Outreach.—The Secretary shall conduct outreach, and provide technical assistance, to eligible processors and producers of meat food products and poultry products seeking procurement contracts with the Federal Government.

“(f) Report.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to Congress a report that—

“(1) describes all procurement of meat food products and poultry products by the Department of Agriculture during the preceding 5 years, including—

“(A) the companies that those products were sourced from; and

“(B) by disaggregating information by categories of slaughter volume and processed volume; and

“(2) (A) analyzes barriers to eligible processors engaging in procurement contracts with the Department of Agriculture; and

“(B) makes recommendations on how to remove those barriers.

“SEC. 210C. Digital livestock exchange platform.

“(a) Definitions.—In this section:

“(1) Digital livestock exchange platform.—The term ‘digital livestock exchange platform’ means a digital application or website that fulfills the purposes and activities described in subsection (d).

“(2) Eligible processor.—The term ‘eligible processor’ has the meaning given the term in section 210B(a).

“(3) Formula price.—

“(A) In general.—The term ‘formula price’ means any price term that establishes a base from which a purchase price is calculated on the basis of a price that will not be determined or reported until a date that is after the date on which the forward price is established.

“(B) Exclusions.—The term ‘formula price’ does not include—

“(i) any price term that establishes a base from which a purchase price is calculated on the basis of a futures market price; or

“(ii) any adjustment to the base for quality, grade, or other factors relating to the value of livestock that are readily verifiable market factors and are outside the control of the packer.

“(4) Forward contract.—The term ‘forward contract’ means an oral or written contract for the purchase of livestock that provides for the delivery of the livestock to a packer at a date that is more than 7 days after the date on which the contract is entered into, without regard to whether the contract is for—

“(A) a specified lot of livestock; or

“(B) a specified number of livestock over a certain period of time.

“(5) Livestock.—The term ‘livestock’ means cattle, sheep, swine, and goats, whether alive or dead.

“(6) Meat food products.—The term ‘meat food products’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182).

“(7) Poultry; poultry product.—The terms ‘poultry’ and ‘poultry product’ have the meaning given such terms in section 4 of the Poultry Products Inspection Act (21 U.S.C. 453).

“(8) Secretary.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Administrator of the Agricultural Marketing Service.

“(b) Establishment.—The Secretary shall enter into cooperative agreements with entities (including private entities, nonprofit organizations, and small businesses) to develop, as determined by the Secretary—

“(1) a single digital livestock exchange platform; or

“(2) multiple digital livestock exchange platforms by region.

“(c) Status as market agency.—A digital livestock exchange platform shall be a market agency (as defined in section 301 of the Packers and Stockyards Act, 1921 (7 U.S.C. 201), except that livestock in paragraph (1) of that section shall include poultry) for purposes of that Act.

“(d) Purposes and activities of platform.—A digital livestock exchange platform shall—

“(1) facilitate open access to online cash transfer and open bidding on forward contracts and procurement contracts between—

“(A) livestock and poultry producers;

“(B) livestock and poultry producers and eligible processors;

“(C) livestock and poultry producers or eligible processors and institutional, private sector, and government buyers; and

“(D) distributors of meat food products and poultry products to institutional, private sector, and government buyers;

“(2) facilitate ease of access to—

“(A) Federal procurement opportunities for eligible processors and producers of meat food products and poultry products; and

“(B) subcontracting opportunities by private entities fulfilling Federal meat food products and poultry products procurement contracts;

“(3) facilitate connection between producers and eligible processors offering copacking services, so that producers may fulfill governmental, retail, restaurant, or institutional contracts directly;

“(4) facilitate reporting by the Secretary of regional agricultural prices while ensuring data privacy and data ownership for individual digital livestock exchange platform participants;

“(5) provide open-source access for producers to a tool that allows producers to enhance the traceability of their product attributes;

“(6) aim to prevent manipulation within markets subject to the Packers and Stockyards Act, 1921 (7 U.S.C. 191 et seq.), and transactions across the livestock and poultry industry; and

“(7) test the value of new forms of technology, including distributed ledger and smart contract technologies, in livestock and poultry market platforms and supply chains, to accomplish the objectives described in paragraphs (1) through (6).

“(e) Compliant forward contracts.—

“(1) In general.—In effectuating any sale of livestock on a digital livestock exchange platform, it shall be unlawful to use a forward contract that—

“(A) does not contain a firm base price that may be equated to a fixed dollar amount on the date on which the forward contract is entered into;

“(B) is not offered for bid in an open, public manner under which—

“(i) buyers and sellers have the opportunity to participate in the bid;

“(ii) more than 1 blind bid is solicited; and

“(iii) buyers and sellers may witness bids that are made and accepted;

“(C) is based on a formula price; or

“(D) provides for the sale of livestock in a quantity in excess of 50 animals.

“(2) Penalties.—Any participant that violates paragraph (1) shall—

“(A) be barred from participation in a digital livestock exchange platform or for consideration for any Federal meat food product or poultry product procurement contract; and

“(B) forfeit any existing Federal meat food product or poultry product procurement contract for the 5-year period following the violation.

“(f) Prohibited participation.—

“(1) Daily harvest volume.—A meatpacker that has a daily harvest volume that is more than 5 percent of the national daily harvest volume may not participate in a digital livestock exchange platform, including by posting subcontracting opportunities on the digital livestock exchange platform.

“(2) Eligible processors.—A meatpacker that is not an eligible processor may not participate in a digital livestock exchange platform, including by posting subcontracting opportunities on the digital livestock exchange platform.

“(g) Outreach.—The Secretary shall conduct outreach through extension services regarding the availability and use of a digital livestock exchange platform.

“(h) Authorization of appropriations.—There is authorized to be appropriated to the Secretary to carry out subsection (b) $2,000,000, to remain available until expended.”.

(b) Conforming amendment.—The table of contents of the Agricultural Marketing Act of 1946 is amended by inserting after the item relating to section 210A the following:

“Sec. 210B. Procurement of meat and poultry.

“Sec. 210C. Digital livestock exchange platform.”.

SEC. 734. STRENGTHENING LOCAL MEAT PROCESSING.

(a) Poultry establishments.—The Poultry Products Inspection Act is amended by inserting after section 14 (21 U.S.C. 463) the following:

“SEC. 14A. Smaller and very small establishment guidance and resources.

“(a) Definitions of smaller establishment and very small establishment.—In this section, the terms ‘smaller establishment’ and ‘very small establishment’ have the meanings given those terms in the final rule entitled ‘Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems’, as published in the Federal Register on July 25, 1996 (61 Fed. Reg. 38806).

“(b) Database of studies; model plans.—Not later than 18 months after the date of enactment of this section, the Secretary shall—

“(1) establish a free, searchable database of approved peer-reviewed validation studies accessible to smaller establishments and very small establishments subject to inspection under this Act for use in developing a Hazard Analysis and Critical Control Points plan; and

“(2) publish online scale-appropriate model Hazard Analysis and Critical Control Points plans for smaller establishments and very small establishments, including model plans for—

“(A) slaughter-only establishments;

“(B) processing-only establishments; and

“(C) slaughter and processing establishments.

“(c) Guidance.—Not later than 2 years after the date of enactment of this section, the Secretary shall publish a guidance document, after notice and an opportunity for public comment, providing information on the requirements that need to be met for smaller establishments and very small establishments to receive approval for a Hazard Analysis and Critical Control Points plan pursuant to this Act.

“(d) Data confidentiality.—In carrying out subsections (b) and (c), the Secretary shall not publish confidential business information, including a Hazard Analysis and Critical Control Points plan of an establishment.”.

(b) Meat establishments.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) is amended by inserting after section 25 the following:

“SEC. 26. Smaller and very small establishment guidance and resources.

“(a) Definitions of smaller establishment and very small establishment.—In this section, the terms ‘smaller establishment’ and ‘very small establishment’ have the meanings given those terms in the final rule entitled ‘Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems’, as published in the Federal Register on July 25, 1996 (61 Fed. Reg. 38806).

“(b) Database of studies; model plans.—Not later than 18 months after the date of enactment of this section, the Secretary shall—

“(1) establish a free, searchable database of approved peer-reviewed validation studies accessible to smaller establishments and very small establishments subject to inspection under this Act for use in developing a Hazard Analysis and Critical Control Points plan; and

“(2) publish online scale-appropriate model Hazard Analysis and Critical Control Points plans for smaller establishments and very small establishments, including model plans for—

“(A) slaughter-only establishments;

“(B) processing-only establishments; and

“(C) slaughter and processing establishments.

“(c) Guidance.—Not later than 2 years after the date of enactment of this section, the Secretary shall publish a guidance document, after notice and an opportunity for public comment, providing information on the requirements that need to be met for smaller

establishments and very small establishments to receive approval for a Hazard Analysis and Critical Control Points plan pursuant to this Act.

"(d) Data confidentiality.—In carrying out subsections (b) and (c), the Secretary shall not publish confidential business information, including a Hazard Analysis and Critical Control Points plan of an establishment.".

(c) Increasing Federal share for state inspection.—

(1) Poultry products.—Section 5(a)(3) of the Poultry Products Inspection Act (21 U.S.C. 454(a)(3)) is amended in the second sentence by striking "50 per centum" and inserting "65 percent".

(2) Meat and meat food products.—Section 301(a)(3) of the Federal Meat Inspection Act (21 U.S.C. 661(a)(3)) is amended in the second sentence by striking "50 per centum" and inserting "65 percent".

(d) Interstate shipment of poultry products.—Section 31 of the Poultry Products Inspection Act (21 U.S.C. 472) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking "25 employees" each place it appears and inserting "50 employees"; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking "25" and inserting "50";

(ii) in subparagraph (A), by striking "25" and inserting "50"; and

(iii) in subparagraph (B)—

(I) in clause (i), by striking "more than 25 employees but less than 35 employees" and inserting "more than 50 employees but less than 70 employees"; and

(II) in clause (ii), by striking "subsection (i)" and inserting "subsection (j)";

(2) in subsection (c), by striking "60 percent" and inserting "80 percent";

(3) in subsection (e)(1), by striking "subsection (i)" and inserting "subsection (j)";

(4) by redesignating subsections (f) through (i) as subsections (g) through (j), respectively; and

(5) by inserting after subsection (e) the following:

“(f) Federal outreach.—

“(1) In general.—In each of fiscal years 2027 through 2032, for the purpose of State participation in the Cooperative Interstate Shipment program, the Secretary shall conduct outreach to, and, as appropriate, subsequent negotiation with, not fewer than 25 percent of the States that—

“(A) have a State poultry product inspection program pursuant to section 5; but

“(B) do not have a selected establishment.

“(2) Report.—At the conclusion of each of fiscal years 2027 through 2032, the Secretary shall submit a report detailing the activities and results of the outreach conducted during that fiscal year under paragraph (1) to—

“(A) the Committee on Agriculture of the House of Representatives;

“(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(C) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

“(D) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the Senate.”.

(e) Interstate shipment of meat products.—Section 501 of the Federal Meat Inspection Act (21 U.S.C. 683) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “25 employees” each place it appears and inserting “50 employees”; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking “25” and inserting “50”;

(ii) in subparagraph (A), by striking “25” and inserting “50”; and

(iii) in subparagraph (B)(i), by striking “more than 25 employees but less than 35 employees” and inserting “more than 50 employees but less than 70 employees”;

(2) in subsection (c), by striking “60 percent” and inserting “80 percent”; and

(3) in subsection (f), by adding at the end the following:

“(3) Federal outreach.—

“(A) In general.—In each of fiscal years 2027 through 2032, for the purpose of State participation in the Cooperative Interstate Shipment program, the Secretary shall conduct outreach to, and, as appropriate, subsequent negotiation with, not fewer than 25 percent of the States that—

“(i) have a State meat inspection program pursuant to section 301; but

“(ii) do not have a selected establishment.

“(B) Report.—At the conclusion of each of fiscal years 2027 through 2032, the Secretary shall submit a report detailing the activities and results of the outreach conducted during that fiscal year under subparagraph (A) to—

“(i) the Committee on Agriculture of the House of Representatives;

“(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(iii) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

“(iv) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the Senate.”.

(f) Processing resilience grant program.—Subtitle A of the Agricultural Marketing Act of 1946 is amended by adding at the end the following:

“SEC. 210B. Processing resilience grant program.

“(a) Definitions.—In this section:

“(1) Eligible entity.—The term ‘eligible entity’ means—

“(A) a smaller establishment or very small establishment;

“(B) a slaughtering or processing establishment subject to a State meat or poultry inspection program;

“(C) a person engaging in custom operations that is exempt from inspection under Federal law; or

“(D) a person seeking to establish or operate an establishment described in subparagraph (A) or (B).

“(b) Grants.—Not later than 60 days after the date of enactment of this section, the Secretary shall award competitive grants to eligible entities for activities to increase resiliency and diversification of the meat processing system.

“(c) Authorization of appropriations.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2027 through 2032.”.

SEC. 735. STRENGTHENING ANTITRUST ENFORCEMENT FOR MEATPACKING.

Section 202 of the Packers and Stockyards Act, 1921 (7 U.S.C. 192), is amended—

(1) in each of subsections (a) through (f), by striking “; or” at the end and inserting a period;

(2) in subsection (e) (as amended by paragraph (1)), by inserting “, in accordance with subsection (b)” before the period at the end;

(3) in subsection (f) (as amended by paragraph (1))—

(A) by striking “(1)”;

(B) by striking “or (2)”; and

(C) by striking “(3)”;

(4) in subsection (g), by striking “made unlawful by subdivision (a), (b), (c), (d), or (e)” and inserting “described in paragraphs (1) through (5)”;

(5) by redesignating subsections (a) through (g) as paragraphs (1) through (7), respectively, and indenting appropriately;

(6) by striking the section designation and all that follows through “It shall be unlawful” in the matter preceding paragraph (1) (as so redesignated) and inserting the following:

“SEC. 202. Unlawful activities.

“(a) In general.—It shall be unlawful”;

(7) in subsection (a) (as so designated), in the matter preceding paragraph (1) (as so redesignated), by striking “to:” and inserting “to carry out the following activities:”; and

(8) by adding at the end the following:

“(b) Acquisition creating a monopoly.—

“(1) In general.—For purposes of subsection (a)(5), it shall be a rebuttable presumption that an acquisition would create a monopoly if the acquisition would—

“(A) result in a Herfindahl-Hirschman Index greater than 1,800 in any relevant market; or

“(B) increase the Herfindahl-Hirschman Index by more than 100 in any relevant market.

“(2) Clayton Act violation.—Any acquisition deemed to create a monopoly under paragraph (1) shall be considered a violation of section 7 of the Clayton Act (15 U.S.C. 18).”.

SEC. 736. TRANSFERRING USDA AUTHORITY TO THE FTC.

(a) Agricultural Competition Division.—

(1) Establishment.—There is established within the Federal Trade Commission a division to be known as the “Agricultural Competition Division”.

(2) Administrator.—The Agricultural Competition Division shall be headed by an Administrator, who shall be appointed by the Chair of the Federal Trade Commission.

(3) Duties.—The Administrator shall—

(A) carry out all functions transferred under subsection (d);

(B) administer, investigate, enforce, and promulgate regulations under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.);

(C) investigate anticompetitive conduct in covered agricultural markets and coordinate with other divisions of the Federal Trade Commission as necessary to ensure effective enforcement;

(D) conduct merger analysis and review involving parties subject to the Packers and Stockyards Act; and

(E) coordinate with the Department of Justice on matters involving criminal violations.

(b) Role of the Department of Agriculture.—

(1) Technical assistance.—Nothing in this section shall be construed to limit the authority of the Department of Agriculture to provide technical assistance, market data, inspection services, grading, or other non-enforcement functions under the Packers and Stockyards Act.

(2) Inspection and food safety.—The Department of Agriculture shall retain all authorities and responsibilities relating to inspection, food safety, and facility oversight under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

(3) Coordination.—Upon request of the Administrator, the Department of Agriculture shall furnish such information, expertise, or assistance as the Administrator determines necessary to carry out this section.

(c) Amendments to the Packers and Stockyards Act.—The Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.) is amended as follows:

(1) In section 182 by adding at the end the following:

"(12) Administrator.—The term 'Administrator' means the Administrator of the Agricultural Competition Division of the Federal Trade Commission.";

(2) In sections 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 217b, 221, 222, 224, 228a, 228b, 228b-2, 228b-3, and 228b-4, by striking "Secretary" or "Secretary of Agriculture" each place it appears and inserting "Administrator"; and

(3) In section 227—

(A) in subsection (b)(2), by striking the paragraph and inserting the following:

"(2) In any investigation of, or proceeding for the prevention of, an alleged violation of this Act, the Administrator shall exercise all powers and jurisdiction to administer, investigate, enforce, and promulgate regulations under this Act that were, prior to the enactment of the POPULIST Act, exercised by the Secretary of Agriculture. The Administrator's jurisdiction under this paragraph shall be exclusive with respect to all matters made subject to the jurisdiction of the Administrator by this Act."; and

(B) by repealing subsections (d) and (e).

(e) Interagency cooperation.—The Administrator, the Department of Agriculture, and the Department of Justice shall enter into memoranda of understanding to ensure effective coordination on enforcement, data-sharing, inspection, and merger review activities.

(f) Rulemaking.—The Commission shall promulgate such regulations as are necessary to implement the transfer of functions under this section, including the modernization of rules governing unfair, unjustly discriminatory, or deceptive practices under the Packers and Stockyards Act.

(g) References.—Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority to the Secretary of Agriculture or the Department of Agriculture relating to any function transferred under subsection (c) shall be deemed to be a reference to the Agricultural Competition Division.Subtitle D—Environmental and Externality Reform

Subtitle D—Environmental and Externality Reform

SEC. 741. PROHIBITION OF CERTAIN HAZARDOUS PESTICIDES

(a) Cancellation of registration of atrazine.—

(1) In general.—Pursuant to section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136d(b)), effective July 4, 2026—

(A) atrazine shall be deemed to generally cause unreasonable adverse effects to humans;

(B) the Administrator shall cancel the registration of all uses of atrazine; and

(C) following such cancellation, the Administrator shall, in accordance with section 408(l)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(l)(2)), revoke any tolerance or exemption that allows the presence of atrazine or any pesticide chemical residue resulting from its use, in or on food.

(2) Existing stocks prohibited.—Effective on the date of enactment of this section, the continued sale or use of existing stocks of atrazine is prohibited.

(3) No reregistration.—The Administrator may not reregister atrazine under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1).

(b) Cancellation of registration of paraquat.—

(1) In general.—Pursuant to section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136d(b)), effective July 4, 2026—

(A) paraquat shall be deemed to generally cause unreasonable adverse effects to humans due to acute systemic toxicity and neurotoxicity;

(B) the Administrator shall cancel the registration of all uses of paraquat; and

(C) following such cancellation, the Administrator shall, in accordance with section 408(l)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(l)(2)), revoke any tolerance or exemption that allows the presence of paraquat or any pesticide chemical residue resulting from its use, in or on food.

(2) Existing stocks prohibited.—Effective on the date of enactment of this section, the continued sale or use of existing stocks of paraquat is prohibited.

(3) No reregistration.—The Administrator may not reregister paraquat under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1).

(c) Review of whole pesticide formulations.—

(1) Requirement.—In evaluating, registering, reregistering, or reviewing a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), the Administrator shall assess the safety of the pesticide as a whole formulation, including inert ingredients, adjuvants, synergists, and degradation products.

(2) Prohibition.—The Administrator may not approve or maintain a registration based solely on evaluation of an active ingredient in isolation.

(d) Child safety factor protections.—Section 408(b)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(b)(2)(C)) is amended by striking the final sentence.

(e) Preservation of State authority and liability.—

(1) Preservation of state authority.—The Federal Insecticide, Fungicide, and Rodenticide Act shall be construed to affirmatively permit States and political subdivisions to enact and enforce laws regulating pesticides, agricultural chemicals, and related production practices that provide protections equal to or greater than Federal law.

(2) No liability shield.—No provision of Federal law may grant pesticide manufacturers immunity from civil liability arising under State or Federal law for harms caused by pesticide products or formulations.

(f) Farmer transition assistance.—

(1) Trigger.—Upon cancellation of a pesticide under this section, the Secretary of Agriculture shall make available additional technical assistance, research support, and transition assistance to affected producers under the National Organic Program.

(2) Eligible assistance.—Assistance under this subsection may include support for—

(A) transition to regenerative, organic, or input-reducing production systems;

(B) soil health practices and diversified crop systems;

(C) region-specific agronomic research and extension services; and

(D) education and training relating to alternative pest management strategies.

(3) Coordination.—The Secretary shall coordinate assistance under this subsection through section 751.

SEC. 742. SURTAX ON MEGA CONCENTRATED ANIMAL FEEDING OPERATIONS.

(a) Definitions.—In this section:

(1) Concentrated animal feeding operation; CAFO.—The term “concentrated animal feeding operation” or “CAFO” has the meaning given such term in section 122.23 of title 40, Code of Federal Regulations.

(2) Large CAFO threshold.—The term “Large CAFO threshold” means, for a given animal category, the numerical threshold applicable to a Large CAFO under section 122.23(b)(4) of title 40, Code of Federal Regulations.

(3) Mega-CAFO.—The term “mega-CAFO” means a CAFO that, during the preceding calendar year, exceeded 10 times the applicable Large CAFO threshold for a given animal category.

(4) Poultry.—The term “poultry” includes chickens, turkeys, ducks, geese, and other domesticated birds, as counted under section 122.23(b)(4) of title 40, Code of Federal Regulations.

(5) Swine.—The term ‘swine’ means hogs and pigs, as counted under section 122.23(b)(4) of title 40, Code of Federal Regulations.

(6) Cattle.—The term “cattle” includes beef cattle, dairy cattle, veal calves, heifers, steers, bulls, and cow-calf pairs, as counted under section 122.23(b)(4) of title 40, Code of Federal Regulations.

(7) Throughput.—The term “throughput” means the total number of animals of a given category slaughtered or otherwise processed by or on behalf of a CAFO during a taxable year, as determined under regulations prescribed under subsection (c).

(b) Imposition of surtax.—

(1) In general.—There is imposed an annual surtax on the operator of any mega-CAFO with respect to each animal category for which the operator qualified as a mega-CAFO during the preceding calendar year.

(2) Tax base.—The surtax under this subsection shall apply to all throughput of the applicable animal category during the taxable year.

(3) Amount of surtax.—The surtax imposed under this subsection for a taxable year shall equal the product of—

(A) the applicable per-head base rate in paragraph (4);

(B) the annual escalation factor calculated in paragraph (5); and

(C) the concentration factor calculated in paragraph (6).

(4) Base rates.—Beginning in calendar year 2027, the per-head base rates shall be as follows:

(A) Cattle.—$10.00 per head.

(B) Poultry.—$0.10 per head.

(C) Swine.—$2.50 per head.

(5) Annual escalation factor calculated.—The annual escalation factor for a taxable year shall equal the number of calendar years elapsed since 2026, beginning with a factor of 1 for calendar year 2027.

(6) Concentration factor calculated.—

(A) In general.—For each animal category subject to the surtax under this subsection, the applicable per-head base rate shall be multiplied by a concentration factor obtained by dividing—

(i) the maximum number of animals of that category confined at the operation during the preceding calendar year; by

(ii) 10 times the Large CAFO threshold for that category.

(B) Limitation during phase-in period.—During the first 3 taxable years beginning after the effective date of this section, the calculated concentration factor shall not exceed the annual escalation factor calculated in (5).

(c) Regulations and verification.—The Secretary of Agriculture, in consultation with the Secretary of the Treasury, shall prescribe such regulations as are necessary to carry out this section, including rules governing inventory measurement, reporting, verification, and anti-evasion, and may require certifications, inspections, or recordkeeping as appropriate.

(d) Allocation of revenues.—

(1) In general.—Notwithstanding any other provision of law, all revenues received in the Treasury from the surtax imposed under this section shall be deposited into the USDA Field Capacity Restoration Fund established under section 752.

(2) Use of funds.—Amounts deposited into the USDA Field Capacity Restoration Fund under paragraph (1) shall be available to the Secretary of Agriculture, without further appropriation, solely for the purposes specified in section 752.

(3) Availability.—Amounts deposited under this subsection shall remain available until expended.

SEC. 743. UNTRUSTING SUGAR.

(a) Transition period.—In this section, the term “transition period” means the 4-year period beginning on the effective date of this section.

(b) Sugar supports repealed.—Section 1359bb, Section 1359cc, and Section 1359kk of title 7, United States Code, are repealed.

(c) Suspension of antitrust immunity.—Notwithstanding sections 291 and 292 of title 7, United States Code, the antitrust immunity provided under such sections shall not apply during the transition period to any agreement, coordination, or collective conduct relating to the processing, refining, or marketing of sugar derived from sugarcane or sugar beets for human consumption in the United States.

(d) Enforcement authority.—During the transition period, the Federal Trade Commission shall have authority to investigate and enforce antitrust laws with respect to conduct relating to the processing, refining, or marketing of sugar derived from sugarcane or sugar beets for human consumption in the United States.

(e) Report to Congress.—Not later than 3 years after the beginning of the transition period, the Federal Trade Commission shall submit to the Committee on the Judiciary and the Committee on Agriculture of the House of Representatives and the Committee on the Judiciary and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating—

(1) the state of competition in sugar processing, refining, and marketing markets;

(2) any anticompetitive conduct has occurred during the covered period;

(3) the effectiveness of the temporary suspension of antitrust immunity under this section; and

(4) whether the public interest would be served by extending, modifying, or allowing the expiration of such suspension.

(f) Effective date.—This section shall be effective January 1, 2027.

SEC. 744. RESTRUCTURING CORN SUBSIDIES AND ETHANOL MANDATES.

(a) Limitation on commodity program payments for corn.—

(1) In general.—Notwithstanding any other provision of law, no person or legal entity shall receive, directly or indirectly, more than $50,000 in aggregate payments per crop year with respect to corn under title I of the Agricultural Act of 2014 (7 U.S.C. 9011 et seq.) or any successor provision.

(2) Attribution.—For purposes of applying the limitation under paragraph (1), the attribution rules under section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and section 1001A of such Act (7 U.S.C. 1308–1) shall apply.

(3) No waiver.—The Secretary of Agriculture may not waive or adjust the limitation under this subsection.

(b) Cap on crop insurance premium subsidies attributable to corn.—

(1) In general.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by adding at the end the following:

“(10) Cap on corn.—

"(A) In general.—No premium subsidy shall be paid for a crop year to any person or legal entity to the extent that the portion of such subsidy attributable to acreage planted to corn exceeds $40,000.

"(B) Attribution.—For purposes of subparagraph (A), the portion of a premium subsidy attributable to corn shall be determined based on the ratio of—

"(i) the total insured acreage planted to corn; to

"(ii) the total insured acreage of all crops covered by the applicable policy or policies for the crop year.

"(C) Attribution and aggregation.—For purposes of applying this paragraph, the attribution and aggregation rules under section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and section 1001A of such Act (7 U.S.C. 1308-1) shall apply, including rules treating interests held by related persons, legal entities, or arrangements under common control as attributable to a single person or legal entity.".

(3) Application of attribution rules.—The attribution rules under section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and section 1001A of such Act (7 U.S.C. 1308–1) shall apply for purposes of determining the person or legal entity receiving the subsidy.

(4) Rule of construction.—Nothing in this subsection shall be construed to limit access to crop insurance coverage; this subsection applies solely to the Federal share of premium subsidies attributable to corn.

(c) Phase-out of corn ethanol mandate.—

(1) In general.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended by adding at the end the following:

“(V) Phase-down of conventional biofuel.—

“(aa) Notwithstanding clauses (i) through (iv), the applicable volume of conventional biofuel for a calendar year shall be determined in accordance with this clause.

“(bb) For calendar year 2027, the applicable volume of conventional biofuel shall equal 75 percent of the applicable volume that would otherwise be required under clause (i).

“(cc) For calendar year 2028, the applicable volume of conventional biofuel shall equal 50 percent of such volume.

“(dd) For calendar year 2029, the applicable volume of conventional biofuel shall equal 25 percent of such volume.

“(ee) For calendar year 2030 and each calendar year thereafter, the applicable volume of conventional biofuel shall be zero.”

(2) Savings clause.—Nothing in this subsection shall be construed to affect the applicable volumes of advanced biofuel, cellulosic biofuel, or biomass-based diesel under section 211(o)(2)(B).

(3) Prohibition on backfilling.—The Administrator may not increase the applicable volumes of any renewable fuel category other than conventional renewable fuel for the purpose of offsetting reductions required under clause (v) of section 211(o)(2)(B).

(d) Conforming amendments and implementation.—

(1) Regulations.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Administrator of the Environmental Protection Agency shall promulgate such regulations as are necessary to carry out this section.

(2) No preemption of antitrust law.—Nothing in this section shall be construed to limit the application of the antitrust laws (as defined in section 1 of the Clayton Act (15 U.S.C. 12)) to the production, processing, or marketing of corn or corn-derived products.

(e) Effective date.—This section shall take effect beginning with the first crop year or calendar year, as applicable, that begins after the date of enactment of this Act.

Subtitle E—Institutional Capacity

SEC. 751. STRENGTHENING USDA INSPECTION CAPACITY.

(a) Findings.—Congress finds that—

(1) the Department of Agriculture faces persistent shortages in inspection personnel necessary to carry out inspection, facility oversight, grading, and sanitation duties under the Federal Meat Inspection Act and the Poultry Products Inspection Act; and

(2) effective enforcement of the Packers and Stockyards Act by the Administrator requires a well-resourced and fully staffed inspection and grading workforce within the Department of Agriculture.

(b) Workforce expansion.—The Secretary of Agriculture ("the Secretary") shall take such actions as are necessary within the Meat and Poultry Inspection Division of the Food Safety and Inspection Service to:

(1) increase the number of inspection personnel, using recruitment and retention incentives as needed;

(2) modernize inspector scheduling, deployment, and training systems;

(3) identify and train part-time inspectors and technical assistance providers; and

(4) expand the availability of processing inspectors, technical assistance, and onsite inspection for eligible processing facilities, including no-cost overtime inspections.

(c) Professional experience.—The Secretary shall determine the appropriate professional experience of inspectors and providers described in subsection (b), which shall include individuals with expertise in veterinary medicine, public health, food service management, and animal science, as applicable.

(d) Rulemaking.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(e) Funding from USDA Field Capacity Restoration Fund.—

(1) In general.—For each fiscal year, the Secretary of Agriculture may use not more than $50,000,000 from the USDA Field Capacity Restoration Fund established under section 752 to carry out this section.

(2) Priority use.—Amounts made available under paragraph (1) shall be used for inspection personnel recruitment, retention, training, deployment, and related support functions necessary to carry out the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Packers and Stockyards Act.

(3) Supplement not supplant.—Amounts made available under this subsection shall supplement and not supplant any other amounts made available for inspection or enforcement activities.

SEC. 752. REBUILDING USDA FIELD CAPACITY AND SERVICE DELIVERY.

(a) Findings.—Congress finds that—

(1) effective agricultural policy depends on timely, accessible, and equitable delivery of services by the Department of Agriculture;

(2) chronic understaffing, office closures, and administrative backlogs within the Department of Agriculture have impaired access to farm programs, credit, conservation assistance, and market support, particularly for small and mid-sized producers;

(3) reliance on centralized or online-only service delivery has reduced practical access for producers in rural and underserved areas; and

(4) restoring on-the-ground capacity is necessary to ensure that Federal agricultural programs operate as enacted by Congress.

(b) Covered agencies.—In this section, the term “covered agency” means—

(1) the Farm Service Agency;

(2) the Natural Resources Conservation Service;

(3) the Rural Development mission area of the Department of Agriculture;

(4) the Agricultural Marketing Service, including functions relating to agricultural input oversight, contract fairness, market conduct, and producer protection, but excluding inspection functions carried out under the Federal Meat Inspection Act and the Poultry Products Inspection Act;

(5) the National Organic Program, including organic transition assistance under section 735(f), certification assistance, or organic compliance support programs; and

(6) any successor agency or office performing substantially similar producer-facing functions.

(c) Minimum service capacity requirements.—

(1) Staffing floors.—The Secretary of Agriculture shall ensure that each covered agency maintains sufficient personnel to carry out statutory duties without unreasonable delay, including minimum staffing levels for field offices serving agricultural producers.

(2) Vacancy limits.—No covered field office position essential to producer services may remain vacant for more than 180 days unless the Secretary publicly certifies that extraordinary circumstances prevent timely hiring.

(3) Physical presence.—The Secretary shall maintain accessible physical service locations for covered agencies in agricultural regions and may not eliminate or consolidate such locations if doing so would materially impair access to services.

(d) Hiring and retention authorities.—The Secretary of Agriculture may use the following authorities to carry out this section:

(1) direct-hire authority for covered agency positions;

(2) recruitment and retention incentives, including rural pay differentials and student loan repayment;

(3) paid training, apprenticeship, and fellowship programs linked to land-grant colleges and universities; and

(4) targeted hiring initiatives for underserved and high-need agricultural regions.

(e) Service delivery benchmarks.—

(1) Timeliness.—The Secretary shall establish benchmarks for timely processing of applications, payments, determinations, and approvals administered by covered agencies.

(2) Transparency.—The Secretary shall publish annual metrics on staffing levels, vacancy duration, and average processing times for major programs administered by covered agencies.

(f) USDA Field Capacity Restoration Fund.—

(1) In general.—There is established in the Treasury a fund to be known as the "USDA Field Capacity Restoration Fund", which shall consist of such funds generated by the CAFO surtax in section 742.

(A) Amounts in the Fund shall be available to the Secretary of Agriculture, without fiscal year limitation, solely for personnel, training and transition services, field offices, travel, and core administrative systems of covered agencies, and not for grants or activities unrelated to direct service delivery.

(2) Authorization of appropriations.—

(A) Start up funds.—There is authorized to be appropriated to the USDA Field Capacity Restoration Fund out of moneys in the Treasury not otherwise appropriated, $500,000,000 to carry out the purposes of this section.

(B) Repayment.—Amounts appropriated pursuant to subparagraph (A) shall be repaid to the Treasury of the United States not later than September 30, 2031.

(g) Oversight.—

(1) Report.—Not later than July 1, 2028, and every 2 years thereafter, the Secretary shall submit to the Committees on Agriculture of the House of Representatives and the Senate a report describing compliance with this section.

(2) Review.—The Comptroller General of the United States may review implementation of this section and assess whether staffing and service benchmarks are being met.

(h) Rulemaking.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

SEC. 753. PROCESSOR CAREER TRAINING PROGRAMS.

(a) Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 is amended by inserting before section 404 (7 U.S.C. 7624) the following:

“SEC. 403. Processor career training programs.

“(a) Definitions.—In this section:

“(1) Land-grant colleges and universities.—The term ‘land-grant colleges and universities’ has the meaning given the term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).

“(2) Smaller establishment; very small establishment.—The terms ‘smaller establishment’ and ‘very small establishment’ have the meanings given those terms in the final rule entitled ‘Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems’, as published in the Federal Register on July 25, 1996 (61 Fed. Reg. 38806).

“(3) Structured apprenticeship.—The term ‘structured apprenticeship’ means an apprenticeship program that—

“(A) provides most of the training on the job in a meat or poultry processing facility;

“(B) describes in detail—

“(i) all of the competencies necessary to work in a meat or poultry processing facility; and

“(ii) the competencies that are necessary to own and operate a meat or poultry processing facility that is a smaller establishment or a very small establishment;

“(C) describes the level of knowledge, skill, and ability the apprentice ought to attain in each competency;

“(D) includes a component for someone other than the trainer—

“(i) to assess competency attainment; and

“(ii) to assure that all competencies are being addressed during the apprenticeship;

“(E) includes an individualized plan for each apprentice that—

“(i) considers prior knowledge, skill, and ability; and

“(ii) allows for apprentices to opt out of competencies irrelevant to their career goals; and

“(F) focuses on individuals who will work in or operate meat or poultry processing facilities that are smaller establishments or very small establishments.

“(b) Processor career training programs.—

“(1) In general.—The Secretary shall provide competitive grants to junior or community colleges, technical or vocational schools, nonprofit organizations, worker training centers, and land-grant colleges and universities to establish or expand career training programs, including for structured apprenticeships, relating to meat and poultry processing.

“(2) Applications for small grants.—The Secretary shall establish a separate, simplified application and reporting process for entities described in paragraph (1) applying for a grant under this subsection of not more than $100,000.

“(3) Authorization of appropriations.—There is authorized to be appropriated to the Secretary to carry out this subsection $10,000,000 for each of fiscal years 2027 through 2032.”.

SEC. 754. PUBLIC INTEREST SAFEGUARDS FOR USDA-FUNDED AGRICULTURAL RESEARCH.

(a) Findings.—Congress finds that—

(1) Federal agricultural research funded by the Department of Agriculture is a public investment intended to serve farmers, consumers, and the long-term resilience of the United States food system;

(2) consolidation in agricultural input markets has been reinforced through proprietary control over research developed with public funds;

(3) farmers, independent researchers, and public institutions require access to open, replicable, and non-exclusive innovations to maintain competition and resilience; and

(4) Federal research funding should not be used to entrench private market power, dependency, or exclusionary control over essential agricultural inputs.

(b) Definitions.—In this section, the term “agricultural research programs” means research, extension, education, and innovation programs administered or funded by the Department of Agriculture, including programs carried out through the Agricultural Research Service, the National Institute of Food and Agriculture, land-grant colleges and universities, cooperative extension services, and any successor or substantially similar programs.

(c) Research funding priorities.—In carrying out agricultural research programs, the Secretary of Agriculture shall prioritize funding for research that—

(1) reduces producer reliance on purchased, monopolized, or proprietary agricultural inputs;

(2) improves soil health, fertility, and long-term agricultural productivity;

(3) supports region-specific, climate-resilient, and diversified farming systems;

(4) advances open-source seed development, including publicly accessible germplasm, breeding lines, and varietal improvements available for unrestricted research, breeding, and farmer use;

(5) supports farmer transition to regenerative and organic production systems;

(6) promotes input-reducing agronomic practices, biological alternatives, and agroecological approaches; and

(7) supports farmer-led, public, or cooperative research and innovation models.

(d) Non-exclusive licensing requirement.—Any intellectual property, germplasm, biological material, data, or technical innovation developed in whole or in part using funds provided under agricultural research programs shall—

(1) be made available under non-exclusive, fair, and reasonable licensing terms; and

(2) not be licensed, transferred, or restricted in a manner that materially limits farmer access, independent research, replication, breeding, or competitive market entry.

(e) Prohibited licensing and agreement terms.—Funds provided under agricultural research programs may not be used for grants, cooperative agreements, or contracts that—

(1) require exclusive licenses or exclusive field-of-use restrictions for resulting research outputs;

(2) prohibit independent testing, evaluation, replication, or breeding;

(3) condition access to research outputs on the purchase or use of proprietary inputs, technologies, or services; or

(4) impose downstream restrictions that limit farmer reuse, seed saving, or further development of research outputs, except as consistent with subsection (d).

(f) Transparency and reporting.—The Secretary of Agriculture shall publish an annual public report describing—

(1) categories of research funded under agricultural research programs;

(2) licensing status of resulting research outputs;

(3) the use of non-exclusive licensing arrangements; and

(4) actions taken to expand open-source, farmer-accessible, and publicly available research outcomes.

(g) Applicability.—This section shall apply to all grants, cooperative agreements, and contracts entered into after July 4, 2026.

Subtitle F—Facilitating Farm Fairness

SEC. 761. CAP ON RATE OF RETURN FOR CROP INSURANCE PROVIDERS.

(a) In general.—Section 508(k) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)) is amended—

(1) in paragraph (3)

(A) by striking the paragraph designation and heading and all that follows through “The” and inserting the following:

“(3) Risk.—

“(A) Share of risk.—The”; and

(B) by adding at the end the following:

“(B) Limitation on average rate of return.—The target average rate of return for reinsured companies for the 2027 reinsurance year and each subsequent reinsurance year shall be 6.7 percent of retained premiums.”; and

(2) in paragraph (8) by repealing subsection (F).

SEC. 762. REFORM OF FEDERAL CROP INSURANCE PREMIUM SUBSIDIES.

(a) Amendment.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by—

(1) in paragraph (C)(i) by striking "69" and inserting "64";

(2) in paragraph (D)(i) by striking "64" and inserting "60";

(3) in paragraph (E)(i) by striking "60" and inserting "55"; and

(4) adding at the end the following:

"(10) Prohibition on premium subsidy for inactive producers.—

"(A) In general.—Notwithstanding any other provision of law, beginning with the 2027 reinsurance year, the Corporation shall not pay any amount of premium subsidy to a producer that is not engaged in active personal labor or active personal management with respect to the farming operation pursuant to which such subsidy would apply.

"(B) Definitions.—In this paragraph:

"(i) Active personal labor.—The term 'active personal labor' means, with respect to a producer, physical labor and activities personally performed by the producer on a farming operation—

"(I) that—

"(aa) are necessary to such farming operation, including land preparation, planting, cultivating, harvesting and marketing of agricultural commodities;

"(bb) establish or maintain conserving cover crops or conserving use acreages; or

"(cc) are required for livestock operations; and

"(II) for, with respect to a crop year, a period of at least—

"(aa) 1,000 hours; or

"(bb) 50 percent of the total hours that would be required to conduct a farming operation comparable in size to the producer's share in the farming operation, as determined by the Corporation.

"(ii) Active personal management.—The term 'active personal management' means management activities personally performed on a farming operation—

"(I) by a person with a direct or indirect ownership interest in that farming operation;

"(II) on a regular continuous, and substantial basis; and

"(III) for, with respect to a crop year, a period of at least—

“(aa) 500 hours; or

“(bb) 50 percent of the total management hours required for that farming operation on an annual basis, as determined by the Corporation.

“(11) Limitation on total premium subsidy.—

“(A) In general.—Notwithstanding any other provision of this title, the total amount of premium paid by the Corporation on behalf of a person or legal entity, directly or indirectly, with respect to all policies issued to the person or legal entity under this title for a crop year shall not exceed $50,000.

“(B) Aggregation.—For purposes of this paragraph, the limitation shall apply on an aggregate basis across all policies, plans of insurance, coverage levels, crops, and insurable units issued to the person or legal entity for the crop year.

"(C) Relationship to other law.—To the maximum extent practicable, the Corporation shall carry out this paragraph in accordance with section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308).

“(12) First-dollars premium assistance.—

“(A) In general.—In addition to any other provision of this subsection, the Corporation shall increase the percentage of the premium paid under paragraphs (2) (except subparagraph (A)), (5), (6), and (7) by 15 percentage points with respect to insured liability that does not exceed $500,000 for a person or legal entity for a crop year.

“(B) Aggregation.—For purposes of this paragraph, insured liability shall be aggregated across all policies, plans of insurance, coverage levels, and insurable units issued to the person or legal entity for the crop year.

“(C) Determination.—Insured liability shall be determined by the Corporation in accordance with its actuarial and premium rating methodologies under this title.”.

SEC. 763. RESTRICTING CHECKOFF PROGRAMS.

(a) Definitions.—

(1) Board.—The term “Board” means a board, committee, or similar entity established to carry out a checkoff program or an order issued by the Secretary under a checkoff program.

(2) Checkoff program.—The term “checkoff program” means a program to promote and provide research and information for a particular agricultural commodity without reference to specific producers or brands, including a program carried out under any of the following:

(A) The Cotton Research and Promotion Act (7 U.S.C. 2101 et seq.).

(B) The Potato Research and Promotion Act (7 U.S.C. 2611 et seq.).

(C) The Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.).

(D) The Beef Research and Information Act (7 U.S.C. 2901 et seq.).

(E) The Wheat and Wheat Foods Research and Nutrition Education Act (7 U.S.C. 3401 et seq.).

(F) The Floral Research and Consumer Information Act (7 U.S.C. 4301 et seq.).

(G) Subtitle B of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).

(H) The Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4601 et seq.).

(I) The Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4801 et seq.).

(J) The Watermelon Research and Promotion Act (7 U.S.C. 4901 et seq.).

(K) The Pecan Promotion and Research Act of 1990 (7 U.S.C. 6001 et seq.).

(L) The Mushroom Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6101 et seq.).

(M) The Lime Research, Promotion, and Consumer Information Act of 1990 (7 U.S.C. 6201 et seq.).

(N) The Soybean Promotion, Research, and Consumer Information Act (7 U.S.C. 6301 et seq.).

(O) The Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401 et seq.).

(P) The Fresh Cut Flowers and Fresh Cut Greens Promotion and Information Act of 1993 (7 U.S.C. 6801 et seq.).

(Q) The Sheep Promotion, Research, and Information Act of 1994 (7 U.S.C. 7101 et seq.).

(R) Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401 et seq.).

(S) The Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411 et seq.).

(T) The Canola and Rapeseed Research, Promotion, and Consumer Information Act (7 U.S.C. 7441 et seq.).

(U) The National Kiwifruit Research, Promotion, and Consumer Information Act (7 U.S.C. 7461 et seq.).

(V) The Popcorn Promotion, Research, and Consumer Information Act (7 U.S.C. 7481 et seq.).

(W) The Hass Avocado Promotion, Research, and Information Act of 2000 (7 U.S.C. 7801 et seq.).

(3) Conflict of interest.—The term “conflict of interest” means a direct or indirect financial interest in a person or entity that performs a service for, or enters into a contract or agreement with, a Board for anything of economic value.

(4) Secretary.—The term “Secretary” means the Secretary of Agriculture.

(b) Prohibitions.—

(1) In general.—Except as provided in paragraph (4), a Board shall not enter into any contract or agreement to carry out checkoff program activities with a party that engages in activities for the purpose of influencing any government policy or action that relates to agriculture.

(2) Conflict of interest.—A Board shall not engage in, and shall prohibit the employees and agents of the Board, acting in their official capacity, from engaging in, any act that may involve a conflict of interest.

(3) Other prohibitions.—A Board shall not engage in, and shall prohibit the employees and agents of the Board, acting in their official capacity, from engaging in—

(A) any conduct that constitutes, facilitates, or materially supports a violation of the antitrust laws (as defined in section 1 of the Clayton Act (15 U.S.C. 12));

(B) any unfair or deceptive act or practice; or

(C) any act that may be disparaging to, or in any way negatively portray, another agricultural commodity or product.

(4) Exceptions for certain contracts with institutions of higher education.—Paragraph (1) shall not apply to a contract or agreement entered into between a Board and an institution of higher education for the purpose of research.

(c) Authority to enter into contracts.—Notwithstanding any other provision of law, on approval of the Secretary, a Board may enter directly into contracts and agreements to carry out generic promotion, research, or other activities authorized by law.

(d) Production of records.—

(1) In general.—Each contract or agreement of a checkoff program shall provide that the entity that enters into the contract or agreement shall produce to the Board accurate records that account for all funds received under the contract or agreement, including any goods or services provided or costs incurred in connection with the contract or agreement.

(2) Maintenance of records.—A Board shall maintain any records received under paragraph (1).

(e) Publication of budgets and disbursements.—

(1) In general.—The Board shall publish and make available for public inspection all budgets and disbursements of funds entrusted to the Board that are approved by the Secretary, immediately on approval by the Secretary.

(2) Required disclosures.—In carrying out paragraph (1), the Board shall disclose—

(A) the amount of the disbursement;

(B) the purpose of the disbursement, including the activities to be funded by the disbursement;

(C) the identity of the recipient of the disbursement; and

(D) the identity of any other parties that may receive the disbursed funds, including any contracts or subcontractors of the recipient of the disbursement.

(f) Audits.—

(1) Periodic audits by inspector general of USDA.—

(A) In general.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 5 years thereafter, the Inspector General of the Department of Agriculture shall conduct an audit to determine the compliance of each checkoff program with this section during the period of time covered by the audit.

(B) Review of records.—An audit conducted under subparagraph (A) shall include a review of any records produced to the Board under subsection (d)(1).

(C) Submission of reports.—On completion of each audit under subparagraph (A), the Inspector General of the Department of Agriculture shall—

(i) prepare a report describing the audit; and

(ii) submit the report described in clause (i) to—

(I) the appropriate committees of Congress, including the Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary of the Senate; and

(II) the Comptroller General of the United States.

(2) Audit by Comptroller General.—

(A) In general.—Not earlier than 3 years, and not later than 5 years, after the date of enactment of this Act, the Comptroller General of the United States shall—

(i) conduct an audit to assess—

(I) the status of actions taken for each checkoff program to ensure compliance with this section; and

(II) the extent to which actions described in subclause (I) have improved the integrity of a checkoff program; and

(ii) prepare a report describing the audit conducted under clause (i), including any recommendations for—

(I) strengthening the effect of actions described in clause (i)(I); and

(II) improving Federal legislation relating to checkoff programs.

(B) Consideration of Inspector General reports.—The Comptroller General of the United States shall consider reports described in paragraph (1)(C) in preparing any recommendations in the report under subparagraph (A)(ii).

SEC. 764. ANTICOMPETITIVE AGRICULTURAL INPUT PRACTICES.

(a) Definitions.—In this section:

(1) Agricultural input.—The term “agricultural input” means seed, planting stock, fertilizer, pesticide, herbicide, fungicide, soil amendment, animal feed, animal health product, or any biologic, chemical, or genetic input applied directly to agricultural production, but does not include farm machinery, vehicles, or equipment.

(2) Agricultural input supplier.—The term “agricultural input supplier” means any person engaged in the manufacture, licensing, distribution, or sale of an agricultural input.

(3) Covered producer.—The term “covered producer” means any farmer, rancher, or agricultural producer engaged in the commercial production of agricultural commodities.

(4) Tying arrangement.—The term “tying arrangement” means an agreement in which the agricultural input supplier conditions the sale of one product to a covered producer's agreement—

(A) to purchase a separate product from the agricultural input supplier; or

(B) to not purchase a separate product from another agricultural input supplier.

(5) Retaliatory conduct.—The term “retaliatory conduct” means adverse action taken against a covered producer because the producer obtained, used, repaired, tested, or licensed an agricultural input from a source other than the agricultural input supplier imposing such action.

(b) Unfair methods of competition.—

(1) In general.—The following practices by an agricultural input supplier shall constitute unfair methods of competition in or affecting commerce, in violation of section 5 of the Federal Trade Commission Act (15 U.S.C. 45):

(A) Seed and chemical tying.—Imposing or enforcing a tying arrangement that conditions access to seed or planting stock on the purchase, use, or licensing of a specific agricultural chemical or related input.

(B) Mandatory bundling.—Requiring a covered producer to acquire a bundled package of agricultural inputs where individual inputs are reasonably available for separate purchase.

(C) Retaliation.—Engaging in retaliatory conduct against a covered producer.

(D) Exclusive dealing.—Imposing exclusive dealing arrangements that substantially limit a covered producer’s ability to obtain agricultural inputs from alternative suppliers.

(E) Abusive licensing terms.—Imposing licensing terms that unreasonably restrict a covered producer’s ability to save, reuse, repair, test, or lawfully transfer agricultural inputs, or that permit unilateral termination or modification of the license by the agricultural input supplier without cause.

(2) Per se treatment.—Conduct described in paragraph (1) shall be treated as an unfair method of competition without regard to market share, market power, anticompetitive effects, or intent.

(c) Enforcement.—

(1) Federal Trade Commission.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers,

and duties as though all applicable terms of the Federal Trade Commission Act were incorporated into and made a part of this section.

(2) State attorneys general.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by a violation of this section, the attorney general may bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain injunctive relief or other appropriate relief. The attorney general shall provide prior written notice of such action to the Federal Trade Commission, unless it is not feasible to do so, in which case such notice shall be provided contemporaneously with the filing of the action.

(3) Private right of action.—Any covered producer injured by a violation of this section may bring a civil action in an appropriate district court of the United States for injunctive relief and may recover reasonable attorney's fees and costs.

(4) Authority preserved.—Nothing in this section shall be construed to limit the authority of the Federal Trade Commission or a State under any other provision of law.

(d) Rule of construction.—Nothing in this section shall be construed to prohibit the lawful exercise of intellectual property rights, except where such exercise constitutes an unfair method of competition under this section.

Subtitle G—Working Waterfronts

SEC. 771. SEAFOOD FINANCE, MARKET DEVELOPMENT, AND INNOVATION.

(a) Department of Agriculture loans and grants for fishing and mariculture businesses.—

(1) Definitions of farmer and farming.—Section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)) is amended—

(A) in paragraph (1), by striking "farming." and inserting "farming, commercial fishing, or fish processing.";

(B) in paragraph (2), by striking "farming." and inserting "farming, commercial fishing, and fish processing."; and

(C) by adding at the end the following:

"(14) Commercial fishing.—The term "commercial fishing" means fishing (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)) in which the fish harvested, either in whole or in part, are intended to enter commerce or enter commerce through sale, barter, or trade.

"(15) Commercial fishing vessel.—The term "commercial fishing vessel" means a fishing vessel and a fish processing vessel (as those terms are defined in section 2101 of title 46, United States Code).

"(16) Fish.—The term "fish" has the meaning given the term in section 2101 of title 46, United States Code.

"(17) Fish processing.—The term "fish processing" means the processing of fish for commercial use or consumption.

"(18) Fish processing facility.—The term "fish processing facility" means a facility or vessel, boat, ship, or other craft used or equipped for fish processing.".

(2) Farm ownership loans.—

(A) Eligibility.—Section 302(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(a)) is amended by adding at the end the following:

"(3) Eligibility of wild-caught fish and shellfish.—For purposes of direct and guaranteed farm loans under this subtitle—

"(A) the terms "farmer" and "rancher" shall include an individual or entity engaged in commercial fishing or fish processing; and

"(B) the terms "farm" and "ranch" shall include—

"(i) a commercial fishing vessel; and

"(ii) a fish processing facility.".

(B) Purposes.—Section 303(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1923(a)) is amended by adding at the end the following:

"(3) Commercial fishery participants; fish processors.—

"(A) Commercial fishery participants.—An individual or entity engaged in commercial fishing may use a direct or guaranteed loan under this subtitle for—

"(i) acquiring a commercial fishing permit; and

"(ii) acquiring, operating, and maintaining a commercial fishing vessel.

"(B) Fish processors.—An individual or entity engaged in fish processing may use a direct or guaranteed loan under this subtitle for acquiring, operating, and maintaining a fish processing facility.".

(3) Farm operating loans.—

(A) Eligibility.—Section 311(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(a)) is amended by adding at the end the following:

"(3) Eligibility of wild-caught fish and shellfish.—For purposes of direct and guaranteed farm loans under this subtitle—

"(A) the terms "farmer" and "rancher" shall include an individual or entity engaged in commercial fishing or fish processing; and

"(B) the terms "farm" and "ranch" shall include—

"(i) a commercial fishing vessel; and

"(ii) a fish processing facility.".

(B) Purposes.—Section 312 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1942) is amended by adding at the end the following:

"(f) Commercial Fishery Participants; Fish Processors.—

"(1) Commercial fishery participants.—An individual or entity engaged in commercial fishing may use a direct or guaranteed loan under this subtitle for acquiring, operating, and maintaining a commercial fishing vessel.

"(2) Fish processors.—An individual or entity engaged in fish processing may use a direct or guaranteed loan under this subtitle for acquiring, operating, and maintaining a fish processing facility.".

(4) Farmers' markets and local food promotion program.—Section 210A(d)(6) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627c(d)(6)) is amended by adding at the end the following:

"(F) Eligibility of wild-caught fish and shellfish.—For purposes of this paragraph—

"(i) an agricultural commodity or product described in subsection (a)(12) shall include fish (as defined in section 2101 of title 46, United States Code) that is caught, taken, or harvested from the wild; and

"(ii) the eligible activities described in paragraph (2) shall include domestic seafood marketing.".

(b) Extension of credit to businesses providing services to producers or harvesters of aquatic products.—

(1) Farm Credit Banks.—

(A) Eligibility for credit and financial services.—Section 1.9 of the Farm Credit Act of 1971 (12 U.S.C. 2017) is amended—

(i) in paragraph (2), by striking "or" at the end;

(ii) by redesignating paragraph (3) as paragraph (4); and

(iii) by inserting after paragraph (2) the following:

"(3) persons furnishing to producers or harvesters of aquatic products services directly related to their operating needs; or".

(B) Purposes for extensions of credit.—Section 1.11(c)(1) of the Farm Credit Act of 1971 (12 U.S.C. 2019(c)(1)) is amended by inserting "and to persons furnishing services directly related to the operating needs of producers or harvesters of aquatic products" after "needs".

(2) Production Credit Associations.—Section 2.4(a) of the Farm Credit Act of 1971 (12 U.S.C. 2075(a)) is amended—

(A) in paragraph (2), by striking "and" at the end;

(B) in paragraph (3), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(4) persons furnishing to producers or harvesters of aquatic products services directly related to their operating needs.".

(c) Shellfish mariculture.—Section 603A of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (33 U.S.C. 4002) is amended—

(1) in subsection (e)—

(A) by redesignating paragraphs (10) and (11) as paragraphs (11) and (12), respectively; and

(B) by inserting after paragraph (9) the following:

“(10) enhance competitive grant programs to support shellfish mariculture and expand access to testing for harmful algal bloom toxins for subsistence and recreational shellfish harvesters through innovative methods that increase the efficiency and effectiveness of such testing in rural and remote areas;”; and

(2) by adding at the end the following:

“(j) Definition of shellfish mariculture.—In this section, the term ‘shellfish mariculture’ means the cultivation of shellfish in their natural habitat for human consumption.”.

(d) Allocation of funds under Saltonstall-Kennedy Act.—Section 2(f) of the Act of August 11, 1939 (commonly known as the "Saltonstall-Kennedy Act") (chapter 696; 15 U.S.C. 713c-3(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) in the first sentence, by striking "all moneys in the fund shall" and inserting "25 percent of all moneys transferred to the Secretary under subsection (b)(1) shall"; and

(ii) in the second sentence, by striking "all moneys in the fund," and all that follows through "with respect to that fiscal year," and inserting "such moneys";

(B) in subparagraph (A)—

(i) by striking "use no less than 60 per centum of such moneys" and inserting "make available not less than 75 percent of such moneys, equal to 18.75 percent of all moneys transferred to the Secretary under subsection (b)(1),";

(ii) by inserting "under the Saltonstall-Kennedy competitive grant program of the National Oceanic and Atmospheric Administration" after "grants"; and

(iii) by striking "; and" and inserting a semicolon;

(C) by redesignating subparagraph (B) as subparagraph (C); and

(D) by inserting after subparagraph (A) the following:

"(B) the Secretary shall make available not less than 20 percent of such moneys, equal to 5 percent of all moneys transferred to the Secretary under subsection (b)(1), to carry out the Young Fishermen's Development Act (33 U.S.C. 1141 et seq.); and".

(2) in paragraph (2), by striking "$3,000,000" and inserting "$10,000,000".

(e) Electronic monitoring innovation prize.—Not later than 2 years after the date of the enactment of this Act, and under the authority provided by section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the heads of relevant Federal agencies and nongovernmental partners, as appropriate, shall establish an Electronic Monitoring Innovation Prize, which the Administrator may award for the development of advanced electronic fisheries monitoring equipment and data analysis tools, including improved fish species recognition software.

SEC. 772. RURAL SEAFOOD PROCESSING AND COLD STORAGE.

(a) Definitions.—In this section:

(1) Mariculture.—The term "mariculture" means shellfish and aquatic plants grown under controlled conditions.

(2) Rural coastal community.—The term "rural coastal community" means a coastal community in a rural area (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))).

(3) Rural processing facility.—The term "rural processing facility" means a seafood or mariculture processing facility that is located in a rural coastal community.

(4) Seafood.—The term "seafood" means wild caught finfish and shellfish.

(5) Secretary.—The term "Secretary" means the Secretary of Agriculture.

(b) Action plan and identification of coastal communities.—

(1) In general.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Commerce, shall develop an action plan to facilitate more domestic processing of United States-caught seafood and mariculture by rural processing facilities, including rural processing facilities that have less than 50 employees.

(2) Inclusions.—The action plan developed under paragraph (1) shall include—

(A) an identification of rural coastal communities where commercial fishing is a significant economic driver and there exists a need and voiced community desire for the creation of new (or rehabilitation of existing) seafood processing infrastructure for rural processing facilities to allow those communities—

(i) to effectively process their own catch locally; and

(ii) to provide for the local and domestic market;

(B) an identification of rural coastal communities with existing or developing mariculture operations where processing infrastructure for rural processing facilities is not sufficient to meet the needs of the mariculture operations; and

(C) a consideration of the diversity of rural coastal communities, including geographic diversity.

(3) Identification of eligible communities.—The action plan developed under paragraph (1) shall identify rural coastal communities across the United States that would be eligible for the grants and cooperative agreements under subsection (c).

(4) Stakeholder engagement.—In developing the action plan under paragraph (1), the Secretary, in consultation with the Secretary of Commerce, shall provide a meaningful stakeholder engagement process that prioritizes outreach and engagement through methods that effectively reach out to residents of rural coastal communities described in subparagraphs (A) through (C) of paragraph (2).

(c) Grants and cooperative agreements to support rural seafood processing and cold storage.—

(1) In general.—The Secretary shall, for the period of fiscal years 2026 through 2030, make competitive grants or enter into cooperative agreements—

(A) to support pilot projects for new seafood or mariculture processing infrastructure for rural processing facilities in rural coastal communities identified under subsection (b)(3);

(B) to support pilot projects for the rehabilitation, repair, or retrofitting of existing seafood or mariculture processing infrastructure for rural processing facilities in rural coastal communities identified under subsection (b)(3);

(C) to support pilot projects for new cold storage infrastructure for rural processing facilities in rural coastal communities identified under subsection (b)(3); and

(D) to support pilot projects for the rehabilitation, repair, or retrofitting of existing cold storage infrastructure for rural processing facilities in rural coastal communities identified under subsection (b)(3).

(2) Eligibility.—To be eligible to receive a grant or enter into a cooperative agreement under paragraph (1), the recipient of the grant or participant in the cooperative agreement shall be—

(A) a collaborative State, Tribal, local, or regionally based network or partnership of public or private entities; or

(B) an individual company that owns or operates 1 or more rural processing facilities.

(3) Allocation for small-scale rural processing facilities.—Of the amount made available to make competitive grants and enter into cooperative agreements under paragraph (1) for each fiscal year, the Secretary shall use 50 percent to support pilot projects described in that paragraph for rural processing facilities that have less than 50 employees.

(4) Evaluation criteria.—In making grants or entering into cooperative agreements under paragraph (1), the Secretary shall evaluate, with respect to applications for the grants or cooperative agreements—

(A) relevancy;

(B) technical merit;

(C) achievability, expertise, and track record; and

(D) equity and community impacts.

(5) Requirements.—A grant or cooperative agreement under paragraph (1) shall be for an amount and term determined appropriate by the Secretary.

(d) Authorization of appropriations.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2027 through 2031.

SEC. 773. WORKING WATERFRONT ACCESS PROTECTION GRANT PROGRAM.

(a) Definitions.—In this section:

(1) Boat.—The term "boat" means a watercraft that is not built in a shipyard, and is typically of the type suitable or intended for personal use or for use in a fishery.

(2) Boatbuilding industry.—The term "boatbuilding industry" means an industry primarily engaged in building boats.

(3) Coastal waters.—The term "coastal waters" means—

(A) in the Great Lakes area, the waters within the territorial jurisdiction of the United States consisting of the Great Lakes, their connecting waters, harbors, roadsteads, and estuary-type areas such as bays, shallows, and marshes; and

(B) in other areas, those waters, adjacent to the shorelines, which contain a measurable quantity or percentage of sea water, including sounds, bays, lagoons, bayous, ponds, and estuaries.

(4) Eligible entity.—The term "eligible entity" means—

(A) the government of a coastal State;

(B) a unit of local government within a coastal State;

(C) a nonprofit organization that the Secretary determines is appropriate to receive a grant under subsection (b); or

(D) a participant in the commercial fishing industry, the mariculture industry, or the for-hire recreational fishing industry.

(5) Eligible project.—The term "eligible project" means a project—

(A) to—

(i) make improvements to real property that is a working waterfront area located in a coastal State and owned by an eligible entity, including—

(I) the construction or repair of wharfs or related facilities;

(II) the provision of access to coastal waters in working waterfront areas to persons engaged in the commercial fishing industry, the mariculture industry, the for-hire recreational fishing industry, or the boatbuilding industry; and

(III) improvements made to such property in order to be resilient to climate change; or

(ii) permanently designate or otherwise protect real property owned or operated by an eligible entity as a working waterfront area;

(B) that has been approved or endorsed by the State government entity responsible for fishery management or the State's coastal zone management agency; and

(C) that is consistent with State coastal shoreline access laws (including regulations).

(6) Mariculture.—The term "mariculture" means shellfish and aquatic plants grown under controlled conditions.

(7) Nonprofit organization.—The term "nonprofit organization" means an organization that is—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986.

(8) Secretary.—The term "Secretary" means the Secretary of Commerce.

(9) Working waterfront area.—The term "working waterfront area" means land that is used for, or that supports, the commercial fishing industry, the mariculture industry, the for-hire recreational fishing industry, or the boatbuilding industry.

(b) Grant program authorized.—

(1) In general.—The Secretary, acting through the Economic Development Administration of the Department of Commerce, shall award grants, on a competitive basis, to eligible entities to carry out eligible projects that support the commercial fishing industry, the mariculture industry, the for-hire recreational fishing industry, or the boatbuilding industry in coastal States.

(2) Application.—An eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(3) Grant selection considerations.—In selecting eligible entities to receive grants under this section, the Secretary shall give substantial weight to—

(A) the economic significance of the eligible project to the commercial fishing industry, the mariculture industry, the for-hire recreational fishing industry, or the boatbuilding industry in the immediate vicinity and in the coastal State in which the eligible project is located;

(B) whether other adequate waterfront access alternatives exist for the commercial fishing industry within the community in which the eligible entity seeks to use grant funding;

(C) the utility of the eligible project for use in the commercial fishing industry, the mariculture industry, the for-hire recreational fishing industry, or the boatbuilding industry, with respect to the natural characteristics and developed infrastructure of the relevant property;

(D) whether the applicant has a business plan for the area in which the project will be located;

(E) the likelihood that the working waterfront area will remain compatible with commercial fishing, mariculture, for-hire recreational fishing, or boatbuilding, and the applicant's ability to demonstrate a need for, or support for, the project within the community; and

(F) whether the applicant intends to permanently protect the relevant property.

(c) Cost sharing.—The amount of a grant awarded under this section to carry out an eligible project may not exceed 50 percent of the total cost of the eligible project.

(d) Improved or protected property.—

(1) In general.—Grants awarded under this section may be used to improve or protect privately owned real property or interests in privately owned real property, including easements, only from willing owners.

(2) No exercise of eminent domain.—No Federal, State, or local agency may exercise the power of eminent domain to secure title to any real property or facilities in connection with a project carried out under this section.

(e) Annual report.—The Secretary shall submit to Congress an annual report that describes the eligible projects funded with grants awarded under this section.

(f) Authorization of appropriations.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2027 through 2031.

SEC. 774. MARITIME WORKFORCE DEVELOPMENT AND FISHING VESSEL SAFETY.

(a) Maritime workforce grant program.—

(1) Amendment.—Chapter 517 of title 46, United States Code, is amended by adding at the end the following:

"Sec. 51708. Maritime workforce grant program

"(a) Definitions.—In this section:

"(1) Eligible applicant.—The term 'eligible applicant' means an entity that—

"(A) operates a program or performs activities leading to the recruitment, education, or training of future or current members of the maritime workforce; and

"(B) submits an application in such form as the Secretary may require.

"(2) Maritime workforce.—The term 'maritime workforce' includes positions of employment requiring a license, certificate of registry, or merchant mariner's document issued under part E of subtitle II of title 46, United States Code.

"(3) Rural area.—The term 'rural area' has the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)), without regard to subparagraphs (B), (C), and (E) through (I) of paragraph (13) of that section.

"(4) Secretary.—The term 'Secretary' means the Secretary of Transportation.

"(b) Program authorized.—The Secretary, acting through the Maritime Administrator, shall establish a program to provide grants, on a competitive basis, to eligible applicants for eligible activities described in subsection (c) that support maritime workforce development.

"(c) Eligible activities.—An eligible activity is an activity carried out by an eligible applicant—

"(1) to establish a new, or improve an existing, training program that teaches technical skills used in general seagoing operations and specific areas, such as deck or engineering, including the purchase of equipment for such programs;

"(2) to provide technical training or certification courses leading to maritime workforce credentialing, including any of the endorsements listed in section 10.109 of title 46, Code of Federal Regulations, or any successor regulation;

"(3) to create and deliver a program designed to provide high school students with meaningful maritime education in order to teach the future maritime workforce;

"(4) to support the professional development of teachers using a curriculum of a program described in paragraph (1), (2), or (3);

"(5) to establish, or support existing, scholarships or apprenticeships for individuals pursuing employment in the maritime workforce;

"(6) to support outreach about careers in the maritime workforce to—

"(A) secondary and postsecondary school students; or

"(B) underrepresented communities, as defined by the Secretary, in the maritime workforce; or

"(7) to otherwise enhance the maritime workforce.

"(d) Grant application review.—In reviewing and selecting eligible applicants to receive grants under this section, the Secretary shall—

"(1) prior to selecting among competing applications, consult, as appropriate, with representatives of the maritime workforce;

"(2) ensure that the grants awarded under subsection (b) will allow participation from eligible applicants in rural, suburban, and urban areas; and

"(3) award not less than 25 percent of the grant funds available for each fiscal year to eligible applicants located in rural areas.".

(2) Authorization of appropriations.—There is authorized to be appropriated to carry out section 51708 of title 46, United States Code, as added by paragraph (1), $25,000,000 for each of fiscal years 2027 through 2031.

(3) Clerical amendment.—The analysis for chapter 517 of title 46, United States Code, is amended by adding at the end the following:

"51708. Maritime workforce grant program.".

(b) Safety standards for certain fishing vessels.—Section 4502 of title 46, United States Code, is amended—

(1) in subsection (i)—

(A) in paragraph (1)—

(i) in subparagraph (A)(ii), by striking "and" after the semicolon;

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following:

"(B) to conduct safety and prevention training that addresses behavioral and physical health risks, to include substance use disorder and worker fatigue, facing fishing vessel operators and crewmembers; and";

(B) by striking paragraph (3);

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking "$3,000,000 for fiscal year 2023" and inserting "$6,000,000 for each of fiscal years 2027 and 2028";

(2) in subsection (j)—

(A) in paragraph (1), by striking "and severe weather detection" and inserting "severe weather detection, and understanding and mitigating behavioral and physical health risks, to include substance use disorder and worker fatigue, facing members of the commercial fishing industry";

(B) by striking paragraph (3);

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking "$3,000,000 for fiscal year 2023" and inserting "$6,000,000 for each of fiscal years 2027 and 2028";

(3) by redesignating subsection (k) as subsection (l); and

(4) by inserting after subsection (j) the following:

"(k) From amounts appropriated under subsections (i)(3) and (j)(3) for a fiscal year, the Secretary may transfer to the Secretary of Health and Human Services funds to pay for the Secretary's administration of the grant programs under subsections (i) and (j) for such fiscal year.".

SEC. 775. FISHING COMMUNITY PARTICIPATION AND SEAFOOD MARKETING.

(a) Community participation in limited access privilege programs.—Section 303A(c) (16 U.S.C. 1853a(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by inserting ", including the participation of fishing communities in the fishery" after "benefits";

(B) in subparagraph (J), by striking "and" at the end;

(C) in subparagraph (K), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(L) consider the needs of fishing communities and provide a process for fishing communities to participate in the limited access privilege program in accordance with subsection (c)(3)."; and

(2) by amending paragraph (3) to read as follows:

"(3) Fishing communities.—

"(A) Eligibility.—To be eligible to participate in a limited access privilege program to harvest fish, a fishing community shall—

"(i) be located within the management area of the relevant Council;

"(ii) consist of residents who conduct commercial or recreational fishing, processing, or fishery-dependent support businesses within the management area of the relevant Council;

"(iii) seek to participate in such program for a purpose other than perfecting or realizing a security interest in such access; and

"(iv) develop and submit a community sustainability plan to the relevant Council and the Secretary that demonstrates how the plan will address the social and economic development needs of coastal communities, including those that have not historically had the resources to participate in the fishery, for approval.

"(B) Community sustainability plan approval.—

"(i) In general.—A community sustainability plan submitted by a fishing community to a Council and the Secretary for approval shall include the following components:

"(I) A description of the entity and the Board and governance for the entity that will receive the allocation.

"(II) A description of the quota allocation process that will be used by the entity, including an appeals process within the entity.

"(III) Provisions for monitoring and enforcement of the community sustainability plan.

"(IV) Goals and objectives for the fishing community and how the entity will use the allocation to meet those goals and objectives.

"(V) A description of how the entity will sustain the participation of the fishing community in the fisheries, including providing for new entry and intergenerational transfer, encouraging active participation and addressing economic barriers to access to the fisheries.

"(VI) A description of how the community sustainability plan will address the projected economic and social impacts associated with the implementation of the limited access privilege program, including the potential for strengthening economic conditions in remote fishing communities that lack the resources to participate in harvesting activities in the fishery.

"(VII) A description of how the community sustainability plan will ensure the benefits of participating in the limited access privilege program accrue to the fishing community and participants, including limitations or measures necessary to prevent an inequitable concentration of limited access privileges within the fishing community.

"(ii) Previously adopted plan.—A community sustainability plan submitted before the date of the enactment of this Act shall not be invalidated by failure to comply with clause (i) unless such plan is amended after such date.".

(b) Audit.—

(1) In general.—The inspector general of the Department of Commerce shall conduct an audit regarding limited access privilege programs for federally managed fisheries in the United States.

(2) Determinations and disclosures.—The audit required under paragraph (1) shall determine and disclose the following:

(A) The amount of harvest privileges or transferable quota that were actively harvested in each year from 2020 through 2025.

(B) The amount of harvest privileges or transferable quota that were leased to other parties or entities in each year from 2020 through 2025.

(C) The names of each corporation, partnership, or other authorized entity that, at the time such audit is conducted, hold harvesting privileges or transferable quota in Federal fisheries.

(D) The proportion of transferable quota holders (including both individuals and authorized entities) that, at the time such audit is conducted, are actively fishing their harvesting privileges.

(E) The average cost of a transferable harvest share in each federally managed limited access privilege program.

(F) The average leasing cost of a transferable harvest share in each federally managed limited access privilege program where, at the time such audit is conducted, leasing is occurring.

(3) Additional requirements.—In addition to the requirements under paragraph (2), the audit required under paragraph (1) shall—

(A) evaluate the performance of the Secretary in overseeing limited access privilege programs in accordance with section 303A(c)(1)(J) (16 U.S.C. 1853a(c)(1)(J)); and

(B) recommend policies to strengthen transparency and achieve full disclosure of ownership of harvest privileges in limited access privilege programs.

(4) Congressional briefing.—Not later than 1 year after the date of the enactment of this Act, the inspector general of the Department of Commerce shall brief the appropriate committees of Congress on the preliminary findings of the audit conducted under paragraph (1).

(5) Final report.—Not later than 30 days after the date on which a briefing occurs under paragraph (4), the inspector general of the Department of Commerce shall submit to Congress a final report setting forth the results of the audit conducted under paragraph (1).

(c) Seafood marketing.—

(1) Outreach plan.—The Secretary of Agriculture, in conjunction with the Administrator, shall develop an outreach plan to expand outreach by the Department of Agriculture to fishing industry stakeholders to increase awareness of and assist with the use of programs in the Agricultural Marketing Service by such stakeholders.

(2) Study.—The Administrator shall, in consultation with the Secretary of Agriculture and members of the seafood industry, study the possibility of establishing education and marketing programs within the National Oceanic and Atmospheric Administration.

(3) Reports.—Not later than 2 years after the date of the enactment of this section—

(A) the Secretary of Agriculture, in conjunction with the Administrator, shall submit a report to Congress regarding the outreach plan developed under paragraph (1); and

(B) the Administrator shall submit to Congress a report regarding the findings of the study conducted under paragraph (2).

(POPULIST Act TITLE VII, version 1.1, last updated March 12, 2026)