

S. 1462 - Fischer - 1st Degree # 1

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To remove barriers to agricultural producers in accessing funds to carry out emergency measures under the emergency conservation program.

**IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.**

**S. 1462**

To improve forest management activities on National Forest System land, public land under the jurisdiction of the Bureau of Land Management, and Tribal land to return resilience to overgrown, fire-prone forested land, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. FISCHER

Viz:

1 At the end, add the following:

2 **TITLE V—EMERGENCY CON-**  
3 **SERVATION PROGRAM IM-**  
4 **PROVEMENT**

5 **SEC. 501. IMPROVING THE EMERGENCY CONSERVATION**  
6 **PROGRAM.**

7 Section 401 of the Agricultural Credit Act of 1978

8 (16 U.S.C. 2201) is amended—

9 (1) in subsection (b)—

1 (A) in the subsection heading, by inserting  
2 “AND OTHER EMERGENCY CONSERVATION  
3 MEASURES” after “FENCING”;

4 (B) in paragraph (1)—

5 (i) by inserting “or for other emer-  
6 gency measures to replace or restore farm-  
7 land or conservation structures requiring  
8 an immediate response (as determined by  
9 the Secretary),” after “replacement of  
10 fencing,”; and

11 (ii) by striking “option of receiving”  
12 and all that follows through the period at  
13 the end and inserting the following: “op-  
14 tion of receiving, before the agricultural  
15 producer carries out the repair, replace-  
16 ment, or restoration—

17 “(A) with respect to a payment to the agri-  
18 cultural producer for a replacement, 75 percent  
19 of the cost of the replacement, as determined by  
20 the Secretary; and

21 “(B) with respect to a payment to the ag-  
22 ricultural producer for a repair or restoration,  
23 50 percent of the cost of the repair or restora-  
24 tion, as determined by the Secretary.”; and

1                   (C) in paragraph (2), by striking “60-day”  
2                   and inserting “180-day”; and  
3                   (2) by adding at the end the following:

4           “(e) WILDFIRE DETERMINATION.—A wildfire that  
5 causes damage eligible for a payment under subsection (a)  
6 includes—

7           “(1) a wildfire that is not caused naturally, if  
8 the damage is caused by the spread of the wildfire  
9 due to natural causes; and

10           “(2) a wildfire that is caused by the Federal  
11 Government.”.

12 **SEC. 502. IMPROVING THE EMERGENCY FOREST RESTORA-**  
13 **TION PROGRAM.**

14           Section 407 of the Agricultural Credit Act of 1978  
15 (16 U.S.C. 2206) is amended—

16           (1) in subsection (a)(2), by striking “wildfires,”  
17 and inserting “wildfires (including a wildfire that is  
18 not caused naturally, if the damage is caused by the  
19 spread of the wildfire due to natural causes, and a  
20 wildfire that is caused by the Federal Govern-  
21 ment),”;

22           (2) by redesignating subsection (e) as sub-  
23 section (f); and

24           (3) by inserting after subsection (d) the fol-  
25 lowing:

1       “(e) ADVANCE PAYMENTS.—

2               “(1) IN GENERAL.—The Secretary shall give an  
3       owner of nonindustrial private forest land the option  
4       of receiving, before the owner carries out emergency  
5       measures under this section, not more than 75 per-  
6       cent of the cost of the emergency measures, as de-  
7       termined by the Secretary.

8               “(2) RETURN OF FUNDS.—If the funds pro-  
9       vided under paragraph (1) are not expended by the  
10       end of the 180-day period beginning on the date on  
11       which the owner of nonindustrial private forest land  
12       receives those funds, the funds shall be returned  
13       within a reasonable timeframe, as determined by the  
14       Secretary.”.