

PUBLIC LAW 115-334—DEC. 20, 2018



AGRICULTURE IMPROVEMENT ACT OF 2018

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Frankie H. Gray
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Public Law 115–334
115th Congress

An Act

Dec. 20, 2018
[H.R. 2]

Agriculture
Improvement Act
of 2018.

7 USC 9001 note.

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Agriculture Improvement Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
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- Sec. 1301. Sugar policy.

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- Sec. 1501. Supplemental agricultural disaster assistance.

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- Sec. 1703. Payment limitations.
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- Sec. 1705. Farm Service Agency accountability.
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- Sec. 2102. Wetland conservation.
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- Sec. 2202. Conservation reserve enhancement program.
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- Sec. 2205. Duties of owners and operators.
- Sec. 2206. Duties of the Secretary.
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- Sec. 2303. Definitions under environmental quality incentives program.
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- Sec. 2305. Environmental quality incentives program plan.
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- Sec. 2402. Soil and water resources conservation.
- Sec. 2403. Emergency conservation program.
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- Sec. 12306. Availability of Department of Agriculture programs for veteran farmers and ranchers.

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- Sec. 12401. Office of Congressional Relations and Intergovernmental Affairs.
- Sec. 12402. Military Veterans Agricultural Liaison.
- Sec. 12403. Civil rights analyses.
- Sec. 12404. Farm Service Agency.
- Sec. 12405. Under Secretary of Agriculture for Farm Production and Conservation.
- Sec. 12406. Office of Partnerships and Public Engagement.
- Sec. 12407. Under Secretary of Agriculture for Rural Development.
- Sec. 12408. Administrator of the Rural Utilities Service.
- Sec. 12409. Rural Health Liaison.
- Sec. 12410. Natural Resources Conservation Service.
- Sec. 12411. Office of the Chief Scientist.
- Sec. 12412. Appointment of national appeals division hearing officers.
- Sec. 12413. Trade and foreign agricultural affairs.
- Sec. 12414. Repeals.
- Sec. 12415. Technical corrections.
- Sec. 12416. Termination of authority.

Subtitle E—Other Miscellaneous Provisions

PART I—MISCELLANEOUS AGRICULTURE PROVISIONS

- Sec. 12501. Acer access and development program.
- Sec. 12502. Protecting animals with shelter.
- Sec. 12503. Marketing orders.
- Sec. 12504. Establishment of food loss and waste reduction liaison.
- Sec. 12505. Report on business centers.
- Sec. 12506. Report on personnel.
- Sec. 12507. Report on absent landlords.
- Sec. 12508. Century farms program.
- Sec. 12509. Report on importation of live dogs.
- Sec. 12510. Tribal Promise Zones.

- Sec. 12511. Precision agriculture connectivity.
- Sec. 12512. Improvements to United States Drought Monitor.
- Sec. 12513. Dairy business innovation initiatives.
- Sec. 12514. Report on funding for the National Institute of Food and Agriculture and other extension programs.
- Sec. 12515. Prohibition on slaughter of dogs and cats for human consumption.
- Sec. 12516. Labeling exemption for single ingredient foods and products.
- Sec. 12517. South Carolina inclusion in Virginia/Carolina peanut producing region.
- Sec. 12518. Forest Service hire authority.
- Sec. 12519. Conversion authority.
- Sec. 12520. Authorization of protection operations for the Secretary of Agriculture and others.

PART II—NATIONAL OILHEAT RESEARCH ALLIANCE

- Sec. 12531. National oilheat research alliance.

Subtitle F—General Provisions

- Sec. 12601. Baiting of migratory game birds.
- Sec. 12602. Pima agriculture cotton trust fund.
- Sec. 12603. Agriculture wool apparel manufacturers trust fund.
- Sec. 12604. Wool research and promotion.
- Sec. 12605. Emergency Citrus Disease Research and Development Trust Fund.
- Sec. 12606. Extension of merchandise processing fees.
- Sec. 12607. Reports on land access and farmland ownership data collection.
- Sec. 12608. Reauthorization of rural emergency medical services training and equipment assistance program.
- Sec. 12609. Commission on Farm Transitions—Needs for 2050.
- Sec. 12610. Exceptions under United States Grain Standards Act.
- Sec. 12611. Conference report requirement threshold.
- Sec. 12612. National agriculture imagery program.
- Sec. 12613. Report on inclusion of natural stone products in Commodity Promotion, Research, and Information Act of 1996.
- Sec. 12614. Establishment of food access liaison.
- Sec. 12615. Eligibility for operators on heirs property land to obtain a farm number.
- Sec. 12616. Extending prohibition on animal fighting to the territories.
- Sec. 12617. Exemption of exportation of certain echinoderms from permission and licensing requirements.
- Sec. 12618. Data on conservation practices.
- Sec. 12619. Conforming changes to Controlled Substances Act.

7 USC 9001 note.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

SEC. 1101. DEFINITION OF EFFECTIVE REFERENCE PRICE.

Section 1111 of the Agricultural Act of 2014 (7 U.S.C. 9011) is amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) **EFFECTIVE REFERENCE PRICE.**—The term ‘effective reference price’, with respect to a covered commodity for a crop year, means the lesser of the following:

“(A) An amount equal to 115 percent of the reference price for such covered commodity.

“(B) An amount equal to the greater of—

“(i) the reference price for such covered commodity;

or

“(ii) 85 percent of the average of the marketing year average price of the covered commodity for the

“(b) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

- “(1) a summary of the data sets identified under subsection (a);
- “(2) a summary of the steps the Secretary would have to take to provide access to such data sets by university researchers, including taking into account any technical, privacy, or administrative considerations;
- “(3) a summary of safeguards the Secretary employs when providing access to data to university researchers;
- “(4) a summary of appropriate procedures to maximize the potential for research benefits while preventing any violations of privacy or confidentiality; and
- “(5) recommendations for any necessary authorizations or clarifications of Federal law to allow access to such data sets to maximize the potential for research benefits.”.

SEC. 12619. CONFORMING CHANGES TO CONTROLLED SUBSTANCES ACT.

(a) IN GENERAL.—Section 102(16) of the Controlled Substances Act (21 U.S.C. 802(16)) is amended—

(1) by striking “(16) The” and inserting “(16)(A) Subject to subparagraph (B), the”; and

(2) by striking “Such term does not include the” and inserting the following:

“(B) The term ‘marihuana’ does not include—

“(i) hemp, as defined in section 297A of the Agricultural Marketing Act of 1946; or

“(ii) the”.

(b) TETRAHYDROCANNABINOL.—Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)), is amended in subsection (c)(17) by inserting after “Tetrahydrocannabinols” the following: “, except for tetrahydrocannabinols in hemp (as defined under section 297A of the Agricultural Marketing Act of 1946)”.

Approved December 20, 2018.

LEGISLATIVE HISTORY—H.R. 2:

HOUSE REPORTS: Nos. 115–661 (Comm. on Agriculture) and 115–1072 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 164 (2018):

May 16–18, considered and failed House.

June 21, considered and passed House.

June 27, 28, considered and passed Senate, amended.

Dec. 11, Senate agreed to the conference report.

Dec. 12, House agreed to the conference report.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2018):

Dec. 20, Presidential remarks and statement.

