Circly Hyde-Smith

118TH CONGRESS 2D SESSION

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To amend the Agricultural Credit Act of 1978 to authorize assistance for emergency measures in response to pine beetle outbreaks, and for other purposes.

## IN THE SENATE OF THE UNITED STATES

${ m Mrs}.$	HYDE-SMITH	introduced	the	following	bill;	which	was	read	twice	and
	referred	to the Comi	mitt	ee on						

## A BILL

To amend the Agricultural Credit Act of 1978 to authorize assistance for emergency measures in response to pine beetle outbreaks, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Emergency Pine Beetle
- 5 Response Act of 2024".
- 6 SEC. 2. EMERGENCY MEASURES IN RESPONSE TO PINE
- 7 BEETLE OUTBREAKS.
- 8 Section 407 of the Agricultural Credit Act of 1978
- 9 (16 U.S.C. 2206) is amended—

1	(1) by redesignating subsection (e) as sub-
2	section (f); and
3	(2) by inserting after subsection (d) the fol-
4	lowing:
5	"(e) Emergency Measures in Response to Pine
6	BEETLE OUTBREAKS.—
7	"(1) DEFINITIONS.—In this subsection:
8	"(A) ELIGIBLE ITEMIZED COSTS.—The
9	term 'eligible itemized costs' means expenses in-
10	curred by a timber service business in carrying
11	out contractual services associated with out-
12	break response measures, including—
13	"(i) labor or hours for truck drivers or
14	equipment operators;
15	"(ii) mileage or hours for use of
16	equipment, such as transports, bulldozers,
17	and skidders; and
18	"(iii) materials, such as gravel, grass
19	seed, culverts, and mats.
20	"(B) OUTBREAK RESPONSE MEASURES.—
21	The term 'outbreak response measures' means
22	measures necessary to address pine beetle out-
23	breaks on nonindustrial private forest land, in-
24	cluding—
25	"(i) timber harvesting or thinning;

1	"(ii) prescribed burning;
2	"(iii) debris removal;
3	"(iv) insecticide treatment;
4	"(v) establishment of buffer areas;
5	and
6	"(vi) such other measures as the Sec-
7	retary determines to be appropriate.
8	"(C) TIMBER SERVICE BUSINESS.—The
9	term 'timber service business' means a business
10	that derives gross revenue from—
11	"(i) cutting or transporting timber
12	from forest land; or
13	"(ii) inspecting, planting, pruning, or
14	removing trees in residential or commercial
15	areas.
16	"(2) Assistance for owners of nonindus-
17	TRIAL PRIVATE FOREST LAND.—
18	"(A) IN GENERAL.—The Secretary shall
19	make payments to an owner of nonindustrial
20	private forest land who carries out outbreak re-
21	sponse measures to restore forest health and
22	forest-related resources after the land is dam-
23	aged by a pine beetle outbreak.
24	"(B) Cost share requirement.—Pay-
25	ments made under subparagraph (A) shall not

1	exceed 85 percent of the total cost of the out
2	break response measures carried out by an
3	owner of nonindustrial private forest land.
4	"(3) Assistance for timber service busi-
5	NESSES.—
6	"(A) In General.—The Secretary shall
7	make payments to a timber service business to
8	cover eligible itemized costs incurred in carrying
9	out contractual services associated with out-
lO	break response measures to restore forest
l 1	health and forest-related resources on nonindus-
12	trial private forest land after the land is dam-
<b>13</b>	aged by a pine beetle outbreak.
<b>L</b> 4	"(B) Cost share requirement.—Pay-
15	ments made under subparagraph (A) shall not
6	exceed 50 percent of the total eligible itemized
7	costs incurred by a timber service business.
8	"(4) ELIGIBILITY AND PROVISION OF PAY-
9	MENTS.—
20	"(A) ELIGIBILITY.—To be eligible for a
21	payment under paragraph (2) or (3), an owner
22	of nonindustrial private forest land or a timber
23	service business, respectively, shall submit to
24	the applicable local office of the Farm Service
25	Agency an application demonstrating that—

1	(1) to the satisfaction of the local of
2	fice, the nonindustrial private forest land
3	on which the outbreak response measures
4	are carried out had tree cover immediately
5	before the pine beetle outbreak;
6	"(ii) the nonindustrial private forest
7	land is located in a county that the Sec-
8	retary has designated as a primary natural
9	disaster area due to drought in the most
10	recent calendar year; and
11	"(iii) forest pest surveys conducted by
12	the Forest Service or a State forestry
13	agency confirm pine beetle infestations on
14	or within a reasonable distance from the
15	nonindustrial private forest land on which
16	the outbreak response measures are car-
۱7	ried out.
8	"(B) IMPLEMENTATION BY LOCAL OF-
19	FICES.—The local offices of the Farm Service
20	Agency, in consultation with the applicable
21	county committees of the Farm Service Agency,
22	shall—
23	"(i) determine whether applicants for
24	payments under paragraphs (2) and (3)
25	are eligible for the payments; and

1	"(ii) provide payments to eligible ap-
2	plicants.
3	"(5) EMERGENCY OUTBREAK PUBLIC ASSIST-
4	ANCE GRANTS.—The Secretary may provide supple-
5	mental grants to State, Tribal, and local govern-
6	ments to aid in the response to, and repair of dam-
7	age caused by, pine beetle outbreaks.".
8	SEC. 3. EMERGENCY LOANS.
9	Section 321 of the Consolidated Farm and Rural De-
10	velopment Act (7 U.S.C. 1961) is amended—
11	(1) by redesignating subsection (d) as sub-
12	section (e); and
13	(2) by inserting after subsection (c) the fol-
<b>L</b> 4	lowing:
15	"(d) Loans to Owners of Nonindustrial Pri-
16	VATE FOREST LAND.—
17	"(1) Definitions.—In this subsection:
18	"(A) Nonindustrial private forest
9	LAND.—The term 'nonindustrial private forest
20	land' has the meaning given the term in section
21	407(a) of the Agricultural Credit Act of 1978
22	(16 U.S.C. 2206(a)).
23	"(B) OUTBREAK RESPONSE MEASURES.—
24	The term 'outbreak response measures' has the
25	meaning given the term in section 407(e)(1) of

1	the Agricultural Credit Act of 1978 (16 U.S.C.
2	2206(e)(1)).
3	"(2) Loans.—Notwithstanding any other provi-
4	sion of this subtitle, the Secretary may make an
5	emergency loan to an owner of nonindustrial private
6	forest land to carry out outbreak response measures.
7 -	"(3) AMOUNT.—The amount of an emergency
8	loan under this subsection shall be not less than 75
9	percent of the estimated total cost of the outbreak
10	response measures to be carried out to address a
11	pine beetle outbreak.
12	"(4) LOAN REPAYMENT OPTIONS.—In the case
13	of an owner of nonindustrial private forest land who
14	receives an emergency loan under this subsection
15	and subsequently receives a cost-share payment
16	under section 407(e)(2) of the Agricultural Credit
17	Act of 1978 (16 U.S.C. 2206(e)(2)) with respect to
18	the same pine beetle outbreak on the same land, the
19	owner may, at the option of the owner, apply the
20	amount of the cost-share payment to the remaining
21	principal on the emergency loan.".