

119TH CONGRESS
1ST SESSION

S. _____

To improve disaster assistance programs of the Department of Agriculture,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ (legislative day, _____), _____
Mr. THUNE (for himself and Mr. LUJÁN) introduced the following bill; which
was read twice and referred to the Committee on _____

A BILL

To improve disaster assistance programs of the Department
of Agriculture, 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 “Livestock Disaster As-
5 sistance Improvement Act of 2025”.

6 **SEC. 2. EMERGENCY CONSERVATION PROGRAM IMPROVE-**
7 **MENTS.**

8 (a) **ADDITIONAL REQUIREMENTS.**—Title IV of the
9 Agricultural Credit Act of 1978 is amended by inserting
10 after section 402B (16 U.S.C. 2202b) the following:

1 **“SEC. 402C. ADDITIONAL REQUIREMENTS FOR EMERGENCY**
2 **CONSERVATION PROGRAM.**

3 “(a) **ELIGIBILITY OF FEDERAL, STATE, AND LOCAL**
4 **LAND USERS.—**

5 “(1) **IN GENERAL.—**An agricultural producer
6 eligible to receive payments under sections 401 and
7 402 includes a person that—

8 “(A) holds a permit from the Federal Gov-
9 ernment to conduct agricultural production or
10 grazing on Federal land; or

11 “(B) leases land from a State or unit of
12 local government to conduct agricultural pro-
13 duction or grazing on that land.

14 “(2) **EFFECT.—**Nothing in this subsection au-
15 thorizes the Secretary to make a payment under sec-
16 tion 401 or 402 to a State or unit of local govern-
17 ment.

18 “(b) **PERMANENT IMPROVEMENTS.—**Emergency
19 measures eligible for payments under sections 401 and
20 402 include—

21 “(1) new permanent measures, including per-
22 manent water wells and pipelines; and

23 “(2) replacement or restoration of existing
24 emergency measures with permanent measures, in-
25 cluding permanent water wells and pipelines.

26 “(c) **STREAMLINING APPLICATION PROCESS.—**

1 “(1) WAIVER OF PUBLIC COMMENT.—During a
2 drought emergency, as determined by the Secretary,
3 the 30-day public comment period required under
4 the National Environmental Policy Act of 1969 (42
5 U.S.C. 4321 et seq.) shall be waived with respect to
6 an application to carry out emergency measures
7 under section 401 or 402 on land administered by
8 the Secretary of the Interior, acting through the Di-
9 rector of the Bureau of Land Management (referred
10 to in this subsection as the ‘Secretary of the Inte-
11 rior’).

12 “(2) ACCEPTANCE OF NRCS REVIEWS.—With
13 respect to an application to carry out emergency
14 measures under section 401 or 402 on land adminis-
15 tered by the Secretary of the Interior, the Secretary
16 of the Interior may accept—

17 “(A) during a drought emergency, as de-
18 termined by the Secretary, an archeological re-
19 view conducted by the Secretary, acting through
20 the Chief of the Natural Resources Conserva-
21 tion Service, for purposes of an archeological
22 review required to be conducted;

23 “(B) an environmental review under the
24 National Environmental Policy Act of 1969 (42
25 U.S.C. 4321 et seq.) conducted by the Sec-

1 retary, acting through the Chief of the Natural
2 Resources Conservation Service, for purposes of
3 such an environmental review required to be
4 conducted; and

5 “(C) a review under the Endangered Spe-
6 cies Act of 1973 (16 U.S.C. 1531 et seq.) con-
7 ducted by the Secretary, acting through the
8 Chief of the Natural Resources Conservation
9 Service, for purposes of such a review required
10 to be conducted.”.

11 (b) EMERGENCY FOREST RESTORATION PRO-
12 GRAM.—Section 407 of the Agricultural Credit Act of
13 1978 (16 U.S.C. 2206) is amended—

14 (1) in subsection (a)—

15 (A) by redesignating paragraphs (1)
16 through (3) as paragraphs (3) through (5), re-
17 spectively;

18 (B) by inserting before paragraph (3) (as
19 so redesignated) the following:

20 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
21 tity’ means—

22 “(A) with respect to nonindustrial private
23 forest land, an owner of the nonindustrial pri-
24 vate forest land;

1 spectively, and indenting appro-
2 priately;

3 (ii) by redesignating subparagraphs
4 (A) and (B) as clauses (i) and (ii), respec-
5 tively, and indenting appropriately;

6 (iii) in the matter preceding clause (i)
7 (as so redesignated), by striking “The
8 term” and inserting the following:

9 “(A) IN GENERAL.—The term”; and

10 (iv) by adding at the end the fol-
11 lowing:

12 “(B) INCLUSIONS.—The term ‘emergency
13 measures’ includes—

14 “(i) new permanent measures de-
15 scribed in subparagraph (A), including per-
16 manent water wells and pipelines; and

17 “(ii) replacement or restoration of ex-
18 isting emergency measures with permanent
19 measures described in subparagraph (A),
20 including permanent water wells and pipe-
21 lines.”;

22 (2) in subsection (b)—

23 (A) by striking “an owner of nonindustrial
24 private forest land who” and inserting “an eli-
25 gible entity that”; and

1 (B) by striking “restore the land” and in-
2 serting “restore eligible land”;

3 (3) in subsection (c)—

4 (A) by striking “owner must” and insert-
5 ing “eligible entity shall”; and

6 (B) by striking “nonindustrial private for-
7 est land” and inserting “eligible land”;

8 (4) in subsection (d), by striking “an owner of
9 nonindustrial private forest land” and inserting “an
10 eligible entity”;

11 (5) by redesignating subsection (e) as sub-
12 section (g); and

13 (6) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) STREAMLINING APPLICATION PROCESS.—

16 “(1) WAIVER OF PUBLIC COMMENT.—During a
17 drought emergency, as determined by the Secretary,
18 the 30-day public comment period required under
19 the National Environmental Policy Act of 1969 (42
20 U.S.C. 4321 et seq.) shall be waived with respect to
21 an application to carry out emergency measures
22 under this section on land administered by the Sec-
23 retary of the Interior, acting through the Director of
24 the Bureau of Land Management (referred to in this
25 subsection as the ‘Secretary of the Interior’).

1 “(2) ACCEPTANCE OF NRCS REVIEWS.—With
2 respect to an application to carry out emergency
3 measures under this section on land administered by
4 the Secretary of the Interior, the Secretary of the
5 Interior may accept—

6 “(A) during a drought emergency, as de-
7 termined by the Secretary, an archeological re-
8 view conducted by the Secretary, acting through
9 the Chief of the Natural Resources Conserva-
10 tion Service, for purposes of an archeological
11 review required to be conducted;

12 “(B) an environmental review under the
13 National Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.) conducted by the Sec-
15 retary, acting through the Chief of the Natural
16 Resources Conservation Service, for purposes of
17 such an environmental review required to be
18 conducted; and

19 “(C) a review under the Endangered Spe-
20 cies Act of 1973 (16 U.S.C. 1531 et seq.) con-
21 ducted by the Secretary, acting through the
22 Chief of the Natural Resources Conservation
23 Service, for purposes of such a review required
24 to be conducted.

1 “(f) EFFECT.—Nothing in this section authorizes the
2 Secretary to make a payment under this section to a State
3 or unit of local government.”.

4 (c) CLERICAL IMPROVEMENTS.—

5 (1) REPEAL.—Section 406 of the Agricultural
6 Credit Act of 1978 (16 U.S.C. 2201 note; Public
7 Law 95–334) is repealed.

8 (2) HEADING FORMAT CORRECTIONS.—

9 (A) Section 402 of the Agricultural Credit
10 Act of 1978 (16 U.S.C. 2202) is amended—

11 (i) by striking the section designation
12 and all that follows through “authorized”
13 and inserting the following:

14 **“SEC. 402. WATER CONSERVATION AND WATER ENHANCING**
15 **MEASURES DURING SEVERE DROUGHT.**

16 “The Secretary is authorized”; and

17 (ii) by striking “during” and all that
18 follows through “of” and inserting “during
19 a period of”.

20 (B) Section 403 of the Agricultural Credit
21 Act of 1978 (16 U.S.C. 2203) is amended by
22 striking the section designation and all that fol-
23 lows through “authorized” in subsection (a)
24 and inserting the following:

1 **“SEC. 403. EMERGENCY WATERSHED PROGRAM.**

2 “(a) IN GENERAL.—The Secretary is authorized”.

3 (C) Section 405 of the Agricultural Credit
4 Act of 1978 (16 U.S.C. 2205) is amended by
5 striking the section designation and all that fol-
6 lows through “authorized” and inserting the
7 following:

8 **“SEC. 405. REGULATIONS.**

9 “The Secretary is authorized”.

10 (3) REORDERING.—Title IV of the Agricultural
11 Credit Act of 1978 (16 U.S.C. 2201 et seq.) is
12 amended—

13 (A) by redesignating sections 402C (as
14 added by subsection (a)), 403, 404, 405, and
15 407 (as amended by subsection (b)) as sections
16 403, 405, 407, 408, and 406, respectively, and
17 moving the sections so as to appear in numer-
18 ical order;

19 (B) in section 402B (16 U.S.C. 2202b), by
20 striking the section designation and heading
21 and all that follows through “maximum” and
22 inserting the following:

23 “(d) MAXIMUM PAYMENT.—The maximum”; and

24 (C) by moving that subsection (d) (as so
25 redesignated) so as to appear after subsection
26 (c) of section 402A (16 U.S.C. 2202a).

1 (4) CLERICAL AMENDMENTS.—Section 402A of
2 the Agricultural Credit Act of 1978 (16 U.S.C.
3 2202a) (as amended by paragraph (3)(C)) is amend-
4 ed—

5 (A) in subsection (b), by striking “2279)”
6 and inserting “2279))”;

7 (B) in subsection (c), in the subsection
8 heading, by striking “LIMITATION” and insert-
9 ing “TOTAL PAYMENT FOR SINGLE EVENT”;

10 (C) by striking the section designation and
11 heading and inserting the following:

12 **“SEC. 404. COST-SHARE REQUIREMENT; MAXIMUM PAY-**
13 **MENT.”; and**

14 (D) by moving that section 404 (as so re-
15 designated) so as to appear after section 403
16 (as redesignated by paragraph (3)(A)).

17 (5) CONFORMING AMENDMENT.—Section
18 1241(f)(9)(B) of the Food Security Act of 1985 (16
19 U.S.C. 3841(f)(9)(B)) is amended by striking “403”
20 and inserting “405”.

21 **SEC. 3. LIVESTOCK FORAGE DISASTER PROGRAM.**

22 Section 1501(c)(3)(D)(ii)(I) of the Agricultural Act
23 of 2014 (7 U.S.C. 9081(c)(3)(D)(ii)(I)) is amended—

24 (1) by striking “at least 8 consecutive” and in-
25 serting the following: “not less than—

1 “(aa) 4 consecutive weeks
2 during the normal grazing period
3 for the county, as determined by
4 the Secretary, shall be eligible to
5 receive assistance under this
6 paragraph in an amount equal to
7 1 monthly payment using the
8 monthly payment rate deter-
9 mined under subparagraph (B);
10 or

11 “(bb) 8 consecutive”; and
12 (2) in item (bb) (as so designated), by striking
13 “1 monthly payment” and inserting “2 monthly pay-
14 ments”.

15 **SEC. 4. EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY**
16 **BEEES, AND FARM-RAISED FISH.**

17 (a) IN GENERAL.—Section 1501(d) of the Agricul-
18 tural Act of 2014 (7 U.S.C. 9081(d)) is amended—

19 (1) in paragraph (1), by inserting “drought,”
20 after “adverse weather,”;

21 (2) in paragraph (2), by striking “to reduce
22 losses” and all that follows through the period at the
23 end and inserting “to reduce losses caused by feed
24 or water shortages (including transportation costs
25 for feed, water, livestock, and honey bees), disease,

1 adverse weather, drought, or other factors, as deter-
2 mined by the Secretary, including inspections of cat-
3 tle tick fever.”;

4 (3) in paragraph (4)—

5 (A) by striking “In the case” and inserting
6 the following:

7 “(A) IN GENERAL.—In the case”; and

8 (B) by adding at the end the following:

9 “(B) REQUIREMENTS FOR HONEY BEES.—

10 “(i) IN GENERAL.—In the case of eli-
11 gible producers of honey bees, the payment
12 rate under subparagraph (A) shall incor-
13 porate per-hive and per-colony rates of
14 loss, subject to clause (ii).

15 “(ii) DETERMINATION OF COLONY
16 LOSSES.—

17 “(I) IN GENERAL.—For purposes
18 of clause (i), in determining honeybee
19 colony losses eligible for assistance
20 under this subsection, the Secretary
21 shall—

22 “(aa) review the normal
23 mortality rate used for the cal-
24 culation of that assistance; and

1 “(bb) adjust the normal
2 mortality rate described in item
3 (aa) as necessary to exclude
4 losses caused by colony collapse
5 disorder, as determined by the
6 Secretary.

7 “(II) INSUFFICIENT DATA.—In
8 the absence of sufficient data to es-
9 tablish the adjusted mortality rate de-
10 scribed in subclause (I)(bb), the Sec-
11 retary shall use the normal mortality
12 rate for honey bees applied for the
13 first fiscal year for which emergency
14 relief was provided to eligible pro-
15 ducers of honey bees under section
16 531(e) of the Federal Crop Insurance
17 Act (7 U.S.C. 1531(e)).”; and

18 (4) by adding at the end the following:

19 “(5) DOCUMENTATION.—

20 “(A) IN GENERAL.—Any requirements for
21 the submission of documentation by an eligible
22 producer to receive a payment under this sub-
23 section shall be consistent nationwide.

24 “(B) PRODUCERS OF HONEY BEES.—The
25 Secretary, in consultation with eligible pro-

1 ducers of honey bees, shall establish a standard,
2 for purposes of this subsection, for—

3 “(i) collecting data; and

4 “(ii) setting an annual rate for replac-
5 ing colonies and hives of honey bees.”.

6 (b) **APPLICABILITY TO PRODUCERS OF HONEY**
7 **BEES.**—The Secretary of Agriculture shall apply the
8 amendments made by subsection (a) to producers of honey
9 bees such that there is no limit on the size of a beekeeping
10 operation with respect to those amendments.

11 **SEC. 5. DROUGHT MONITOR INTERAGENCY WORKING**
12 **GROUP.**

13 (a) **IN GENERAL.**—Not later than 180 days after the
14 date of enactment of this Act, the Secretary of Agriculture
15 shall establish an interagency working group (referred to
16 in this section as the “working group”) to improve the
17 availability of consistent, accurate, and reliable data for
18 use in producing the United States Drought Monitor in
19 accordance with section 12512 of the Agriculture Improve-
20 ment Act of 2018 (7 U.S.C. 5856).

21 (b) **MEMBERSHIP.**—The working group shall consist
22 of not fewer than—

23 (1) 3 representatives from the Department of
24 Agriculture, including 1 representative from each
25 of—

1 (A) the Office of the Chief Economist, who
2 shall serve as the Chair of the working group;

3 (B) the Forest Service; and

4 (C) the Farm Service Agency;

5 (2) 4 representatives from the National Oceanic
6 and Atmospheric Administration, including 1 rep-
7 resentative from each of—

8 (A) the Climate Prediction Center;

9 (B) the National Centers for Environ-
10 mental Information;

11 (C) the National Integrated Drought In-
12 formation System; and

13 (D) the National Mesonet Program;

14 (3) 1 representative from the National Drought
15 Mitigation Center;

16 (4) 1 representative from the Department of
17 the Interior;

18 (5) 1 representative from the Cooperative Insti-
19 tute for Research to Operations in Hydrology of the
20 University of Alabama; and

21 (6) 3 representatives from mesonet programs in
22 States—

23 (A) that have experienced severe drought,
24 as determined by the United States Drought
25 Monitor, in not less than 5 calendar years dur-

1 ing the period of calendar years 2012 through
2 2023; and

3 (B) more than 50 percent of the land area
4 of which is designated by the Economic Re-
5 search Service as a Level 1 frontier and remote
6 area.

7 (c) DUTIES.—The working group shall—

8 (1) develop a means for the inclusion of addi-
9 tional in-situ data into the process of developing the
10 United States Drought Monitor, including—

11 (A) determining minimum requirements
12 for data to be included in the United States
13 Drought Monitor;

14 (B) identifying data available from other
15 government agencies, including through portals
16 managed by the National Oceanic and Atmos-
17 pheric Administration; and

18 (C) identifying gaps in coverage and deter-
19 mining solutions to address those gaps;

20 (2) identify and address potential barriers to
21 the use of existing data, including—

22 (A) identifying Federal datasets that would
23 be of immediate use in developing the United
24 States Drought Monitor where access is re-

1 stricted to some or all authors of the United
2 States Drought Monitor; and

3 (B) developing proposed accommodations,
4 modifications to contractual agreements, or up-
5 dates to interagency memoranda of under-
6 standing to allow for incorporation of datasets
7 identified under subparagraph (A);

8 (3) develop an open and transparent method-
9 ology for vetting data products developed using re-
10 mote sensing or modeling;

11 (4) if determined appropriate by the working
12 group, develop a methodology for inclusion of data
13 that may otherwise be excluded from the United
14 States Drought Monitor due to shorter periods of
15 record; and

16 (5) identify and address any other issues relat-
17 ing to data availability and quality, as determined
18 appropriate by the Chair of the working group.

19 (d) REPORT.—Not later than 1 year after the date
20 of enactment of this Act, the working group shall submit
21 a report containing recommendations for changes in poli-
22 cies, regulations, guidance documents, or existing law to
23 meet the objectives described in subsection (c) to—

24 (1) the Secretary of Agriculture;

25 (2) the Secretary of Commerce;

1 (3) the Secretary of the Interior;

2 (4) the Committee on Agriculture, Nutrition,
3 and Forestry of the Senate;

4 (5) the Committee on Commerce, Science, and
5 Transportation of the Senate;

6 (6) the Committee on Agriculture of the House
7 of Representatives; and

8 (7) the Committee on Science, Space, and
9 Technology of the House of Representatives.

10 (e) ACTION BY SECRETARY.—Not later than 180
11 days after the date of submission of the report under sub-
12 section (d), the Secretary of Agriculture, in coordination
13 with the Secretary of Commerce and the Secretary of the
14 Interior, shall incorporate, to the extent practicable, the
15 recommendations of the working group to improve the
16 United States Drought Monitor in accordance with section
17 12512 of the Agriculture Improvement Act of 2018 (7
18 U.S.C. 5856).

19 (f) TERMINATION.—The working group shall termi-
20 nate on the date that is 90 days after the date on which
21 the report is submitted under subsection (d).

22 **SEC. 6. ALIGNMENT OF FARM SERVICE AGENCY AND FOR-**
23 **EST SERVICE DROUGHT RESPONSE.**

24 (a) IN GENERAL.—Not later than 60 days after the
25 date of submission of the report under section 5(d), the

1 Administrator of the Farm Service Agency and the Chief
2 of the Forest Service shall enter into a memorandum of
3 understanding to better align drought response activities
4 of the Farm Service Agency and the Forest Service (re-
5 ferred to in this section as the “agencies”).

6 (b) CONTENTS.—The memorandum of understanding
7 entered into under subsection (a) shall include—

8 (1) a commitment to better align practices of
9 the agencies with respect to determining the severity
10 of regional drought conditions;

11 (2) a strategy for amending those determina-
12 tions to ensure consistent policy with respect to
13 drought response in cases where the agencies are
14 making inconsistent determinations within the same
15 spatial scale;

16 (3) an agreement to utilize, to the extent prac-
17 ticable, the United States Drought Monitor in mak-
18 ing those determinations; and

19 (4) an agreement to provide consistent informa-
20 tion to grazing permittees, operators, and other
21 stakeholders affected by determinations relating to
22 drought.