

118TH CONGRESS
1ST SESSION

S. 2610

To amend the Food Security Act of 1985 to modify payment and other limitations for commodity programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. GRASSLEY (for himself and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to modify payment and other limitations for commodity programs, 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 “Farm Program Integ-
5 rity Act of 2023”.

6 **SEC. 2. GENERAL COMMODITY PROVISIONS.**

7 (a) PAYMENT LIMITATIONS.—Section 1001 of the
8 Food Security Act of 1985 (7 U.S.C. 1308) is amended—

9 (1) in subsection (a)—

1 (A) by redesignating paragraphs (1)
2 through (5) as paragraphs (2) through (6), re-
3 spectively; and

4 (B) by inserting before paragraph (2) (as
5 so redesignated) the following:

6 “(1) ACTIVE PERSONAL MANAGEMENT.—The
7 term ‘active personal management’ means manage-
8 ment activities personally performed on a farming
9 operation—

10 “(A) by a person with a direct or indirect
11 ownership interest in that farming operation;
12 and

13 “(B) on a regular, continuous, and sub-
14 stantial basis.”;

15 (2) by striking subsections (b) through (d) and
16 inserting the following:

17 “(b) LIMITATION ON MARKETING LOAN GAINS AND
18 LOAN DEFICIENCY PAYMENTS FOR COVERED COMMOD-
19 ITIES.—The total amount of payments received, directly
20 or indirectly, by a person or legal entity for any crop year
21 as marketing loan gains or loan deficiency payments under
22 subtitle B of title I of the Agricultural Act of 2014 (7
23 U.S.C. 9031 et seq.) may not exceed \$75,000.

24 “(c) LIMITATION ON PAYMENTS FOR COVERED COM-
25 MODITIES RECEIVED WITH RESPECT TO A FARMING OP-

1 ERATION.—The total amount of payments received for any
2 crop year under sections 1116 and 1117 of the Agricul-
3 tural Act of 2014 (7 U.S.C. 9016, 9017) with respect to
4 a farming operation—

5 “(1) in which 2 or more persons or legal enti-
6 ties are determined to be actively engaged in farm-
7 ing under subsection (b) or (c) of section 1001A
8 may not exceed \$250,000; or

9 “(2) in which less than 2 persons or legal enti-
10 ties are determined to be actively engaged in farm-
11 ing under subsection (b) or (c) of section 1001A
12 may not exceed \$125,000.”;

13 (3) by redesignating subsections (e) through (h)
14 as subsections (d) through (g), respectively;

15 (4) in subsection (d) (as so redesignated), in
16 paragraph (3)(B)—

17 (A) by striking clause (ii) and inserting the
18 following:

19 “(ii) REDUCTION FOR PERSONS AND
20 LEGAL ENTITIES ACTIVELY ENGAGED IN
21 FARMING.—Payments made to a legal enti-
22 ty shall be reduced proportionately by an
23 amount that represents the direct or indi-
24 rect ownership in the legal entity of each
25 person or legal entity that is determined to

1 be actively engaged in farming under sub-
2 section (b) or (c) of section 1001A.”; and

3 (B) in clause (iii), in the clause heading,
4 by striking “REDUCTION” and inserting “RE-
5 DUCTION FOR PERSONS AND LEGAL ENTITIES
6 THAT EXCEEDED THE PAYMENT LIMITATION”;

7 (5) in subsection (e) (as so redesignated)—

8 (A) by striking paragraph (4);

9 (B) by redesignating paragraphs (5)
10 through (8) as paragraphs (4) through (7), re-
11 spectively;

12 (C) in paragraph (4) (as so redesign-
13 ated)—

14 (i) in subparagraph (A), by striking
15 “Notwithstanding subsection (d), a Fed-
16 eral” and inserting “A Federal”; and

17 (ii) in subparagraph (B), by striking
18 “(b), (c), or (d)” and inserting “(b) or
19 (c)”;

20 (D) in paragraph (5) (as so redesign-
21 ated)—

22 (i) in subparagraph (A), by striking
23 “Notwithstanding subsection (d), except as
24 provided in subsection (g),” and inserting

1 “Except as provided in subsection (f),”;

2 and

3 (ii) in subparagraph (B), by striking

4 “(b), (c), and (d)” and inserting “(b) and

5 (c)”; and

6 (E) by striking paragraph (9); and

7 (6) in subsection (f) (as so redesignated), in

8 paragraph (1), by striking “(f)(6)(A)” and inserting

9 “(e)(5)(A)”.

10 (b) NOTIFICATION OF INTERESTS; PAYMENTS LIM-

11 ITED TO ACTIVE FARMERS.—Section 1001A of the Food

12 Security Act of 1985 (7 U.S.C. 1308–1) is amended—

13 (1) in subsection (b)(2)—

14 (A) in subparagraph (A)(i), by striking

15 subclause (II) and inserting the following:

16 “(II) personal labor and active

17 personal management, which shall be

18 in a duration equal to not less than

19 the lesser of—

20 “(aa) 1,000 hours for the

21 applicable crop year; and

22 “(bb) a period equal to 50

23 percent of the commensurate

24 share of the total number of

25 hours of personal labor and ac-

1 tive personal management re-
2 quired to conduct the farming
3 operation for the applicable crop
4 year, as determined by the Sec-
5 retary;”;

6 (B) in subparagraph (B)—

7 (i) in the matter preceding clause

8 (i)—

9 (I) by inserting “general partner-
10 ship, joint venture,” after “limited
11 partnership,”; and

12 (II) by striking “(including” and
13 all that follows through “Secretary)”;

14 (ii) in clause (ii)—

15 (I) by striking “stockholders”
16 and inserting “stockholders, partners,
17 participants,”; and

18 (II) by striking “labor or active”
19 and inserting “labor and active”; and

20 (iii) in clause (iii), by adding “and” at
21 the end;

22 (C) by striking subparagraph (C); and

23 (D) by redesignating subparagraph (D) as
24 subparagraph (C); and

25 (2) in subsection (c)—

1 (A) in paragraph (1)—

2 (i) by striking subparagraph (A) and
3 inserting the following:

4 “(A) the landowner share-rents the land at
5 a rate that is usual and customary;”;

6 (ii) in subparagraph (B), by striking
7 the period at the end and inserting “;
8 and”; and

9 (iii) by adding at the end the fol-
10 lowing:

11 “(C) the share of the payments received by
12 the landowner is commensurate with the share
13 of the crop or income received as rent.”;

14 (B) in paragraph (5)—

15 (i) in subparagraph (A), by inserting
16 “under usual and customary terms” after
17 “services”;

18 (ii) by striking subparagraph (B); and

19 (iii) by striking “SERVICES” in the
20 paragraph heading and all that follows
21 through “A person” in subparagraph (A)
22 and inserting “SERVICES.—A person”; and
23 (C) by striking paragraph (6).

1 (c) ADJUSTED GROSS INCOME LIMITATION.—Section
2 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–
3 3a) is amended—

4 (1) in subsection (a), by striking paragraph (3);

5 and

6 (2) in subsection (b), by striking paragraph (3).

7 (d) TECHNICAL AMENDMENT.—Section 1001E(c) of
8 the Food Security Act of 1985 (7 U.S.C. 1308–4(c)) is
9 amended by striking “Agricultural Stabilization and Con-
10 servation Service” and inserting “Farm Service Agency”.

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