

119TH CONGRESS

2D SESSION

H. R. _____

Foundational Black American Farmers Land Restoration and Agricultural Justice Act

To establish programs within the Department of Agriculture to address documented historical discrimination and resulting agricultural land loss affecting Foundational Black American farmers and their descendants; to preserve family-owned agricultural land; to resolve heirs' property and title issues; to expand equitable access to agricultural credit and Department of Agriculture programs; to assist beginning farmers; to establish mechanisms for the acquisition, restoration, and preservation of agricultural land; to strengthen civil-rights accountability in agricultural programs; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr./Ms. _____ introduced the following bill; which was referred to the Committee on Agriculture, and in addition to such other committees as may have jurisdiction, for a period to be subsequently determined by the Speaker.

A BILL

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “**Foundational Black American Farmers Land Restoration and Agricultural Justice Act of 2026**” or the “**FBA Farmers Land Restoration Act.**”

SEC. 2. PURPOSES.

The purposes of this Act are—

- (1) to preserve and expand agricultural land ownership among eligible Foundational Black American farmers and farming families;
 - (2) to address documented historical barriers affecting Black farmers in access to agricultural credit, Federal farm programs, technical assistance, disaster assistance, conservation programs, and land ownership;
 - (3) to reduce involuntary agricultural land loss arising from heirs’ property, clouded title, partition actions, tax delinquency, foreclosure, predatory transactions, and lack of affordable legal assistance;
 - (4) to provide mechanisms through which eligible farmers may recover, reacquire, acquire, preserve, improve, and productively operate agricultural land;
 - (5) to create opportunities for a new generation of farmers through land grants, acquisition assistance, beginning-farmer assistance, education, mentorship, and access to affordable capital;
 - (6) to ensure fair and transparent administration of programs of the Department of Agriculture;
 - (7) to improve accountability for discrimination in Federal agricultural programs;
 - (8) to preserve agricultural land as an intergenerational economic asset;
 - (9) to strengthen rural communities, domestic food production, agricultural entrepreneurship, and local food systems; and
 - (10) to establish transparent oversight and measurable outcomes for Federal efforts undertaken pursuant to this Act.
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SEC. 3. CONGRESSIONAL FINDINGS.

Congress finds the following:

- (1) Agriculture has played a central role in the economic development of the United States.
- (2) Black Americans contributed substantially to American agriculture while enduring slavery, segregation, racial violence, discriminatory laws, exclusion from institutions, and unequal economic opportunities.
- (3) Following emancipation, Black farmers acquired agricultural land despite significant economic, political, and social barriers.
- (4) During subsequent generations, Black farmers experienced substantial losses of agricultural land.
- (5) Such losses occurred through numerous mechanisms, including discriminatory access to agricultural credit, foreclosure, tax sales, partition sales involving heirs' property, denial or delay of government assistance, lack of access to legal services, forced dispossession, and other economic and institutional barriers.
- (6) The Department of Agriculture has acknowledged historical discrimination affecting farmers and ranchers.
- (7) Congress has previously authorized programs addressing discrimination in Department of Agriculture farm lending.
- (8) Heirs' property and fractionated ownership can prevent agricultural families from demonstrating clear title and may impede access to loans, conservation assistance, disaster programs, grants, and other agricultural programs.
- (9) Resolving heirs' property frequently requires legal representation, title searches, surveys, probate proceedings, mediation, estate planning, appraisal services, and funds to consolidate fractional ownership interests.
- (10) Requiring economically disadvantaged heirs to incur additional debt merely to establish clear title may itself constitute a substantial barrier to preserving family agricultural land.
- (11) Preventing land loss is generally less costly and less disruptive than attempting to restore agricultural ownership after land has been lost.
- (12) Access to affordable credit is necessary for purchasing agricultural land, equipment, livestock, seed, infrastructure, and other inputs.
- (13) Beginning farmers face substantial barriers to entry because of increasing land prices, capital requirements, equipment costs, and limited access to affordable financing.
- (14) The preservation of independently owned farms promotes competition, food security, rural economic development, and intergenerational wealth.

(15) The Federal Government has a substantial interest in ensuring that programs financed by Federal taxpayers are administered fairly and without unlawful discrimination.

(16) Effective agricultural justice requires a comprehensive approach incorporating land preservation, land acquisition, title resolution, credit, technical assistance, civil-rights enforcement, education, succession planning, and market access.

SEC. 4. DEFINITIONS.

In this Act:

(1) AGRICULTURAL LAND.

The term “agricultural land” means land suitable or historically used for farming, ranching, forestry, horticulture, aquaculture, agricultural production, or related agricultural activities.

(2) BEGINNING FARMER.

The term “beginning farmer” means an individual who—

(A) has not previously operated a farm or ranch; or

(B) has operated a farm or ranch for not more than 10 years.

(3) DEPARTMENT.

The term “Department” means the Department of Agriculture.

(4) ELIGIBLE FBA FARMER.

The term “eligible FBA farmer” means an individual who—

(A) is a citizen or lawful permanent resident of the United States;

(B) demonstrates descent from at least one Black American ancestor whose family was present in the United States during the period in which slavery or government-sanctioned racial segregation operated within the United States; and

(C) satisfies such reasonable documentary or genealogical verification standards as the Secretary establishes under section 6.

Nothing in this definition shall authorize the Secretary to determine eligibility solely on the basis of physical appearance.

(5) FBA FARMING FAMILY.

The term “FBA farming family” means a family in which at least one eligible FBA farmer or qualifying ancestor owned, operated, worked, inherited, or maintained an agricultural interest in land in the United States.

(6) HEIRS’ PROPERTY.

The term “heirs’ property” means real property held by descendants or heirs as tenants in common, or otherwise held through fractional or unresolved inheritance interests, for which clear or marketable title has not been established.

(7) LAND LOSS.

The term “land loss” means the involuntary, coerced, discriminatory, economically distressed, or otherwise qualifying loss of an ownership interest in agricultural land.

(8) QUALIFYING LAND LOSS.

The term “qualifying land loss” means loss of agricultural land involving one or more of the following:

- (A) Foreclosure.
- (B) Tax sale.
- (C) Partition sale.
- (D) Heirs’ property.
- (E) Government condemnation or acquisition.
- (F) Discriminatory lending or servicing.
- (G) Improper denial or delay of agricultural assistance.
- (H) Fraud, coercion, or predatory conduct.
- (I) Documented racial discrimination.
- (J) Other circumstances designated by the Secretary pursuant to regulations consistent with the purposes of this Act.

(9) SECRETARY.

The term “Secretary” means the Secretary of Agriculture.

TITLE I—OFFICE OF FBA FARMER LAND RESTORATION AND AGRICULTURAL JUSTICE

SEC. 101. ESTABLISHMENT.

There is established within the Department an **Office of Foundational Black American Farmer Land Restoration and Agricultural Justice**, referred to in this Act as the “Office.”

SEC. 102. DIRECTOR.

The Office shall be headed by a Director appointed by the Secretary who possesses substantial experience in at least one of the following:

- (1) Agricultural law.
- (2) Farm lending.
- (3) Agricultural economics.
- (4) Civil-rights enforcement.
- (5) Heirs’ property law.
- (6) Rural development.
- (7) Agricultural land conservation.

SEC. 103. DUTIES.

The Office shall—

- (1) administer programs established under this Act;
 - (2) coordinate Department programs serving eligible participants;
 - (3) provide technical assistance;
 - (4) maintain data concerning agricultural land preservation and acquisition;
 - (5) coordinate heirs' property assistance;
 - (6) monitor access to Department credit and grant programs;
 - (7) establish regional assistance centers;
 - (8) coordinate with historically Black colleges and universities, land-grant institutions, nonprofit organizations, agricultural cooperatives, community development financial institutions, and legal-service organizations;
 - (9) investigate systemic barriers identified through program data;
 - (10) publish annual reports required under this Act; and
 - (11) make recommendations to Congress regarding additional measures necessary to prevent agricultural land loss.
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TITLE II—FBA AGRICULTURAL LAND RESTORATION FUND

SEC. 201. ESTABLISHMENT OF FUND.

There is established in the Treasury of the United States the **Foundational Black American Agricultural Land Restoration Fund**.

SEC. 202. USE OF FUND.

Amounts in the Fund may be used for—

- (1) agricultural land acquisition grants;

- (2) agricultural land recovery assistance;
- (3) heirs' property resolution;
- (4) legal services;
- (5) beginning-farmer grants;
- (6) down-payment assistance;
- (7) low-interest agricultural loans;
- (8) foreclosure prevention;
- (9) agricultural infrastructure;
- (10) conservation improvements;
- (11) technical assistance;
- (12) succession and estate planning;
- (13) agricultural education;
- (14) cooperative development; and
- (15) administration and oversight.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Fund—

(A) \$5,000,000,000 for fiscal year 2027; and

(B) such sums as may be necessary for each of fiscal years 2028 through 2036.

Amounts appropriated under this section shall remain available until expended.

TITLE III—FBA FARMLAND RESTORATION PROGRAM

SEC. 301. ESTABLISHMENT.

The Secretary shall establish an **FBA Farmland Restoration Program** to assist eligible applicants in recovering, reacquiring, or replacing agricultural land lost by the applicant or the applicant's family.

SEC. 302. ELIGIBLE LAND LOSS.

An applicant may establish eligibility through evidence demonstrating that agricultural land formerly belonging to the applicant or a qualifying ancestor was lost through a qualifying land-loss mechanism.

The Secretary shall permit reasonable forms of evidence, including—

- (1) deeds;
- (2) tax records;
- (3) census records;
- (4) probate records;
- (5) agricultural records;
- (6) Department records;
- (7) loan records;
- (8) foreclosure records;
- (9) court records;
- (10) family records;
- (11) contemporaneous newspaper records;
- (12) historical archives;

- (13) sworn declarations supported by corroborating evidence; and
- (14) other reliable evidence.

SEC. 303. FORMS OF RESTORATION ASSISTANCE.

Eligible applicants may receive—

- (1) assistance reacquiring the original property;
- (2) assistance purchasing comparable agricultural property;
- (3) grants for down payments;
- (4) subsidized financing;
- (5) assistance satisfying liens or title defects;
- (6) closing-cost assistance;
- (7) legal assistance;
- (8) survey and appraisal assistance; and
- (9) technical assistance necessary to return land to productive agricultural use.

SEC. 304. WILLING SELLER REQUIREMENT.

Nothing in this Act shall authorize the Federal Government to compel a private owner to transfer land to an applicant solely because the property was historically owned by the applicant's family.

Reacquisition shall occur through voluntary sale or another lawful transfer unless acquisition is independently authorized under another provision of Federal law.

TITLE IV—FBA FARMLAND ACQUISITION AND LAND GRANT PROGRAM

SEC. 401. ESTABLISHMENT.

The Secretary shall establish a program through which eligible beginning farmers may obtain agricultural land.

SEC. 402. LAND ACQUISITION.

The Secretary may acquire agricultural land from willing sellers for inclusion in the program.

Priority may be given to—

- (1) agricultural land at risk of conversion to nonagricultural uses;
- (2) surplus Federal agricultural property;
- (3) foreclosed agricultural property;
- (4) abandoned agricultural property lawfully available for purchase; and
- (5) land voluntarily offered for sale to the program.

SEC. 403. INDIVIDUAL LAND GRANTS.

Subject to availability, the Secretary may convey agricultural land to qualified beginning farmers.

The Secretary shall establish acreage limits appropriate to—

- (A) regional land values;
- (B) agricultural use;
- (C) soil productivity;
- (D) water availability; and
- (E) the applicant's approved farm plan.

SEC. 404. RESTRICTIONS.

Land conveyed without repayment under this title shall generally remain in agricultural use for not less than 20 years.

The Secretary may waive or modify such restriction in cases of—

- (1) disability;
 - (2) death;
 - (3) natural disaster;
 - (4) government acquisition;
 - (5) severe economic hardship; or
 - (6) other extraordinary circumstances.
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TITLE V—HEIRS' PROPERTY PRESERVATION AND TITLE CLEARING

SEC. 501. FBA HEIRS' PROPERTY GRANT PROGRAM.

The Secretary shall establish a grant program to resolve heirs' property affecting agricultural land.

Unlike assistance limited to repayable loans, assistance under this section may be provided as a grant.

SEC. 502. ELIGIBLE EXPENSES.

Grants may pay for—

- (1) probate proceedings;

- (2) title searches;
- (3) title insurance;
- (4) surveys;
- (5) appraisals;
- (6) mediation;
- (7) attorney fees;
- (8) court costs;
- (9) preparation and recording of deeds;
- (10) estate planning;
- (11) succession planning;
- (12) formation of family trusts or other lawful ownership structures;
- (13) purchase of fractional interests from willing heirs; and
- (14) other reasonable expenses required to establish secure title.

SEC. 503. PARTITION-SALE PREVENTION ASSISTANCE.

The Secretary may provide emergency financial assistance to prevent the forced partition sale of qualifying agricultural property.

Such assistance may include funds allowing participating family members to purchase the interests of heirs who voluntarily elect to sell.

SEC. 504. LEGAL SERVICES NETWORK.

The Secretary shall establish a national network of qualified legal-service providers specializing in—

- (1) agricultural property;
- (2) probate;

- (3) heirs' property;
- (4) estate planning;
- (5) farm succession;
- (6) real-estate law; and
- (7) agricultural civil rights.

Services shall be provided without charge or at substantially reduced cost to qualifying low- and moderate-income households.

SEC. 505. ESTATE PLANNING.

The Secretary shall fund preventive estate-planning services intended to reduce the future creation of heirs' property.

TITLE VI—AGRICULTURAL CREDIT FAIRNESS

SEC. 601. FAIR ACCESS TO USDA CREDIT.

The Secretary shall ensure that eligible applicants receive timely, transparent, and nondiscriminatory consideration for Department agricultural credit programs.

SEC. 602. WRITTEN CREDIT DECISIONS.

Every adverse credit decision shall contain—

- (1) the principal reasons for denial;
- (2) the applicant's credit score, if relied upon;

- (3) material underwriting factors;
- (4) information regarding reconsideration;
- (5) information regarding appeal rights; and
- (6) information concerning available technical assistance.

SEC. 603. APPLICATION TRACKING.

The Department shall establish a secure electronic system enabling applicants to monitor—

- (1) receipt of an application;
- (2) documents outstanding;
- (3) processing status;
- (4) assigned office;
- (5) requests for additional information;
- (6) final decisions; and
- (7) appeal status.

SEC. 604. PROCESSING DEADLINES.

The Secretary shall establish reasonable processing deadlines for farm loan applications.

Applicants shall receive written notification whenever the Department fails to meet an applicable deadline.

SEC. 605. INDEPENDENT REVIEW.

An applicant alleging discriminatory treatment, unexplained delay, or materially inconsistent underwriting may request review by an office independent of the initial decision maker.

SEC. 606. ALGORITHMIC ACCOUNTABILITY.

Any automated or algorithmic system materially involved in agricultural credit decisions shall be subject to regular testing for—

- (1) accuracy;
- (2) disparate outcomes;
- (3) prohibited discrimination;
- (4) explainability; and
- (5) data integrity.

No applicant shall be denied Federal agricultural credit solely by an automated decision system without meaningful human review.

TITLE VII—FBA BEGINNING FARMER DEVELOPMENT PROGRAM

SEC. 701. ESTABLISHMENT.

The Secretary shall establish an **FBA Beginning Farmer Development Program**.

SEC. 702. START-UP GRANTS.

Eligible beginning farmers may receive grants of up to \$250,000 for—

- (1) equipment;
- (2) livestock;
- (3) seeds;

- (4) irrigation;
- (5) fencing;
- (6) barns;
- (7) greenhouses;
- (8) storage;
- (9) transportation equipment;
- (10) farm technology;
- (11) renewable-energy systems;
- (12) soil improvements;
- (13) water infrastructure;
- (14) business development; and
- (15) other approved agricultural purposes.

SEC. 703. FARM OWNERSHIP ASSISTANCE.

The Secretary may provide—

- (1) down-payment grants;
- (2) loan guarantees;
- (3) interest-rate subsidies;
- (4) closing-cost assistance; and
- (5) long-term fixed-rate financing.

SEC. 704. TRAINING.

Participants shall have access to voluntary training concerning—

- (A) farm management;
 - (B) accounting;
 - (C) agricultural law;
 - (D) marketing;
 - (E) conservation;
 - (F) technology;
 - (G) Federal programs;
 - (H) cooperative development;
 - (I) estate planning; and
 - (J) succession planning.
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TITLE VIII—AGRICULTURAL DEBT AND FORECLOSURE PROTECTION

SEC. 801. DISTRESSED FARMER ASSISTANCE.

The Secretary shall establish a program for qualifying farmers facing imminent foreclosure or involuntary land loss.

SEC. 802. AVAILABLE ASSISTANCE.

Assistance may include—

- (1) loan restructuring;
- (2) refinancing;

- (3) interest reduction;
- (4) temporary payment suspension;
- (5) partial debt assistance where authorized;
- (6) mediation;
- (7) financial counseling; and
- (8) emergency grants.

SEC. 803. FORECLOSURE REVIEW.

Before the Department forecloses on agricultural land owned by an eligible participant, an independent official shall certify that—

- (1) all available servicing options were considered;
 - (2) the borrower received required notices;
 - (3) no unresolved discrimination complaint directly affecting the debt remains pending;
 - (4) all administrative appeals have been exhausted or waived; and
 - (5) foreclosure is legally authorized.
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TITLE IX—USDA PROGRAM ACCESS

SEC. 901. SINGLE APPLICATION ASSISTANCE PORTAL.

The Secretary shall develop a unified system through which farmers may identify programs for which they may qualify.

SEC. 902. FARM NUMBER ACCESS.

The Department shall ensure that lawful operators of heirs' property have reasonable methods of establishing control of agricultural land sufficient to obtain a farm number where permitted by law.

SEC. 903. TECHNICAL ASSISTANCE.

The Department shall provide individualized technical assistance regarding—

- (1) farm loans;
 - (2) conservation programs;
 - (3) disaster programs;
 - (4) crop insurance;
 - (5) rural development;
 - (6) grants;
 - (7) market-access programs; and
 - (8) other Department programs.
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TITLE X—FBA FARMER LEGAL DEFENSE PROGRAM

SEC. 1001. ESTABLISHMENT.

The Secretary shall award grants to qualified nonprofit legal organizations, law-school clinics, and other eligible entities to provide agricultural legal assistance.

SEC. 1002. SERVICES.

Services may include representation involving—

- (1) heirs' property;
 - (2) foreclosure;
 - (3) agricultural credit;
 - (4) discrimination complaints;
 - (5) probate;
 - (6) partition proceedings;
 - (7) contracts;
 - (8) land-title disputes;
 - (9) Department administrative appeals; and
 - (10) farm succession.
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TITLE XI—AGRICULTURAL COOPERATIVES AND COMMUNITY OWNERSHIP

SEC. 1101. COOPERATIVE DEVELOPMENT GRANTS.

The Secretary may award grants to establish or expand farmer-owned cooperatives.

SEC. 1102. ELIGIBLE ACTIVITIES.

Grants may support—

- (1) cooperative farmland acquisition;
- (2) processing facilities;

- (3) distribution centers;
 - (4) cold storage;
 - (5) transportation;
 - (6) farmers markets;
 - (7) agricultural equipment cooperatives;
 - (8) marketing;
 - (9) food hubs; and
 - (10) value-added agricultural businesses.
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TITLE XII—HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AGRICULTURAL PARTNERSHIP

SEC. 1201. HBCU AGRICULTURAL PARTNERSHIP PROGRAM.

The Secretary shall establish competitive grants for historically Black colleges and universities to support—

- (1) agricultural education;
- (2) agricultural entrepreneurship;
- (3) extension services;
- (4) legal clinics addressing heirs' property;
- (5) agricultural technology;
- (6) soil science;

- (7) conservation;
- (8) farm-business development;
- (9) research regarding Black agricultural land ownership; and
- (10) farmer mentorship.

SEC. 1202. SCHOLARSHIPS.

The Secretary may provide scholarships for students pursuing degrees or certificates in agricultural disciplines who commit to serving underserved agricultural communities.

TITLE XIII—AGRICULTURAL LAND BANK

SEC. 1301. NATIONAL AGRICULTURAL LAND BANK.

The Secretary shall establish a National Agricultural Land Bank for land acquired under this Act.

SEC. 1302. INVENTORY.

The Land Bank shall maintain a publicly searchable inventory identifying—

- (1) acreage;
- (2) county and State;
- (3) agricultural classification;
- (4) water availability, where known;
- (5) appraised value;
- (6) current use;
- (7) environmental restrictions; and

(8) application status.

SEC. 1303. DISPOSITION.

Priority shall be given to transferring eligible land for active agricultural production rather than speculative resale.

TITLE XIV—LAND LOSS DOCUMENTATION AND RESEARCH

SEC. 1401. NATIONAL FBA AGRICULTURAL LAND LOSS DATABASE.

The Secretary, in consultation with the National Archives and Records Administration and appropriate research institutions, shall establish a research initiative documenting historical Black agricultural land ownership and loss.

SEC. 1402. PRIVACY.

Personally identifiable information shall not be publicly disclosed except with consent or as otherwise authorized by law.

SEC. 1403. HISTORICAL RECORD RECOVERY.

Grants may be awarded for digitizing—

(1) historical deeds;

(2) farm records;

(3) agricultural census records;

- (4) tax records;
 - (5) probate records;
 - (6) Department records; and
 - (7) other records relevant to agricultural land ownership.
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TITLE XV—CIVIL RIGHTS AND ACCOUNTABILITY

SEC. 1501. PROHIBITION AGAINST RETALIATION.

No employee, contractor, lender, recipient of Federal funds, or other participating entity may retaliate against a person because that person—

- (1) filed a discrimination complaint;
- (2) participated in an investigation;
- (3) appealed a Department decision;
- (4) reported misconduct; or
- (5) exercised rights under this Act.

SEC. 1502. CIVIL-RIGHTS DATA.

To the extent permitted by law, the Department shall collect and publish anonymized data concerning—

- (1) applications;
- (2) approvals;
- (3) denials;

- (4) processing times;
- (5) loan amounts;
- (6) interest rates;
- (7) foreclosures;
- (8) appeals;
- (9) complaints; and
- (10) outcomes.

SEC. 1503. RECORD RETENTION.

Records material to applications, lending decisions, servicing decisions, appeals, and civil-rights complaints shall be preserved for not less than 15 years, subject to applicable Federal records law.

TITLE XVI—FBA FARMER OMBUDSMAN

SEC. 1601. ESTABLISHMENT.

There is established within the Department an **FBA Farmer Ombudsman**.

SEC. 1602. DUTIES.

The Ombudsman shall—

- (1) assist farmers navigating Department programs;
- (2) identify recurring administrative barriers;
- (3) facilitate resolution of delayed applications;
- (4) receive complaints;

(5) refer allegations of misconduct to appropriate authorities;

(6) recommend administrative reforms; and

(7) report annually to Congress.

The Ombudsman shall maintain functional independence from offices responsible for originating or servicing agricultural loans.

TITLE XVII—FARM SUCCESSION AND INTERGENERATIONAL LAND PRESERVATION

SEC. 1701. SUCCESSION PLANNING.

The Secretary shall provide free or subsidized succession-planning assistance.

SEC. 1702. SERVICES.

Assistance may include—

(1) wills;

(2) trusts;

(3) family ownership entities;

(4) business succession plans;

(5) beneficiary designations;

(6) tax planning;

(7) probate avoidance strategies;

(8) mediation among heirs; and

(9) agricultural conservation planning.

SEC. 1703. GENERATIONAL FARM TRANSFER GRANTS.

The Secretary may provide grants to assist families with reasonable costs associated with transferring agricultural operations to the next generation.

TITLE XVIII—MARKET ACCESS AND AGRICULTURAL ENTREPRENEURSHIP

SEC. 1801. MARKET ACCESS.

The Secretary shall support efforts to expand market opportunities for participating producers.

SEC. 1802. ELIGIBLE ACTIVITIES.

Assistance may support—

- (1) farmers markets;
- (2) farm-to-school programs;
- (3) farm-to-institution programs;
- (4) food processing;
- (5) e-commerce;
- (6) agricultural exports;
- (7) branding;
- (8) value-added products;

(9) food hubs; and

(10) cooperative marketing.

SEC. 1803. FEDERAL PROCUREMENT.

Consistent with applicable procurement law, the Secretary shall identify lawful methods for increasing opportunities for small and historically underserved agricultural producers to compete for Federal food and agricultural procurement contracts.

TITLE XIX—CONSERVATION AND CLIMATE RESILIENCE

SEC. 1901. CONSERVATION ASSISTANCE.

Participating farmers shall be eligible for technical and financial assistance for—

(1) soil conservation;

(2) erosion prevention;

(3) irrigation efficiency;

(4) water conservation;

(5) forest management;

(6) renewable energy;

(7) drought resilience;

(8) flood mitigation;

(9) agricultural infrastructure resilience; and

(10) other conservation practices.

SEC. 1902. COST-SHARE ASSISTANCE.

The Secretary may increase Federal cost-share assistance for qualifying low-resource producers where permitted by law.

TITLE XX—DISASTER PROTECTION

SEC. 2001. DISASTER ASSISTANCE NAVIGATION.

The Secretary shall ensure that participating farmers receive accessible assistance in applying for Federal agricultural disaster programs.

SEC. 2002. EMERGENCY LAND PRESERVATION.

The Secretary may provide emergency grants where a natural disaster creates an imminent risk that a qualifying family will permanently lose agricultural land.

TITLE XXI—REGIONAL FBA AGRICULTURAL JUSTICE CENTERS

SEC. 2101. ESTABLISHMENT.

The Secretary shall establish regional agricultural justice centers in areas with significant historical Black agricultural populations.

SEC. 2102. SERVICES.

Centers shall provide—

- (1) application assistance;
- (2) legal-service referrals;
- (3) credit counseling;
- (4) business planning;
- (5) heirs' property assistance;
- (6) farm succession assistance;
- (7) conservation assistance;
- (8) grant-writing assistance; and
- (9) agricultural training.

Remote services shall be available nationwide.

TITLE XXII—COMMUNITY-BASED ORGANIZATION PARTNERSHIPS

SEC. 2201. COOPERATIVE AGREEMENTS.

The Secretary may enter into cooperative agreements with organizations possessing demonstrated experience serving Black farmers, underserved farmers, heirs' property owners, or rural communities.

SEC. 2202. ELIGIBLE SERVICES.

Agreements may support—

- (1) outreach;
 - (2) application assistance;
 - (3) financial education;
 - (4) legal education;
 - (5) succession planning;
 - (6) agricultural training;
 - (7) mediation;
 - (8) data collection; and
 - (9) program evaluation.
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TITLE XXIII—FBA AGRICULTURAL CREDIT GUARANTEE PROGRAM

SEC. 2301. GUARANTEES.

The Secretary may guarantee qualifying loans made by approved private lenders to eligible farmers for agricultural purposes.

SEC. 2302. ELIGIBLE LOANS.

Guarantees may support—

- (1) farm acquisition;
- (2) operating expenses;
- (3) equipment;
- (4) agricultural infrastructure;
- (5) livestock;

- (6) conservation improvements;
- (7) processing facilities; and
- (8) farm-business expansion.

SEC. 2303. PREDATORY TERMS PROHIBITED.

No federally guaranteed loan under this title may contain—

- (1) undisclosed fees;
 - (2) deceptive terms;
 - (3) unlawful discriminatory conditions;
 - (4) abusive prepayment penalties; or
 - (5) other terms determined by the Secretary to be unfair or deceptive.
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TITLE XXIV—TRANSPARENCY IN AGRICULTURAL LENDING

SEC. 2401. DATA REPORTING.

Participating lenders shall provide the Secretary sufficient data to evaluate whether Federal agricultural credit programs are being administered consistently with applicable civil-rights and fair-lending laws.

SEC. 2402. PUBLIC REPORT.

The Secretary shall publish an annual report containing aggregate information regarding agricultural credit outcomes while protecting borrower privacy.

TITLE XXV—FBA FARM OWNERSHIP MATCHING PROGRAM

SEC. 2501. MATCHING GRANTS.

For an eligible applicant saving funds toward the purchase of agricultural property, the Secretary may provide matching assistance subject to limits established by regulation.

SEC. 2502. PRIORITY.

Priority may be given to—

- (1) beginning farmers;
- (2) veterans;
- (3) applicants seeking to restore historically family-owned agricultural operations;
- (4) low- and moderate-income applicants; and
- (5) applicants purchasing land for active agricultural production.

TITLE XXVI—PROTECTION AGAINST SPECULATIVE DISPLACEMENT

SEC. 2601. LAND-PRESERVATION ASSISTANCE.

The Secretary shall establish mechanisms to help qualifying agricultural landowners evaluate voluntary offers to purchase their land and understand the financial and legal consequences of such transactions.

SEC. 2602. INDEPENDENT APPRAISALS.

Eligible low-income landowners may obtain an independent appraisal at Federal expense before voluntarily selling agricultural property.

SEC. 2603. LEGAL COUNSEL.

Eligible landowners may receive independent legal advice regarding proposed sales, partition actions, liens, or other transactions threatening continued ownership.

TITLE XXVII—ADMINISTRATIVE APPEALS AND DUE PROCESS

SEC. 2701. NOTICE.

An applicant denied assistance under this Act shall receive written notice explaining—

- (1) the decision;
- (2) material reasons for the decision;
- (3) evidence relied upon;
- (4) procedures for correcting incomplete information; and
- (5) appeal rights.

SEC. 2702. APPEAL.

An applicant may appeal an adverse eligibility or benefits determination.

SEC. 2703. HEARING.

Where a material factual dispute exists, the applicant shall have an opportunity for meaningful administrative review consistent with applicable law.

SEC. 2704. REPRESENTATION.

An applicant may be represented by counsel or another authorized representative.

TITLE XXVIII—ELIGIBILITY VERIFICATION AND PROGRAM INTEGRITY

SEC. 2801. DOCUMENTATION.

The Secretary shall establish reasonable eligibility standards that recognize that historical discrimination, incomplete public records, destruction of records, migration, changes in surnames, and informal family land arrangements may make conventional documentation unavailable.

SEC. 2802. ALTERNATIVE EVIDENCE.

Where primary records are unavailable, the Secretary may consider reliable secondary evidence.

SEC. 2803. FALSE STATEMENTS.

Any person who knowingly submits materially false information shall be subject to applicable Federal fraud statutes and administrative recovery procedures.

SEC. 2804. NO GENETIC TEST REQUIREMENT.

No applicant shall be required to submit a commercial DNA or genetic ancestry test as a condition of eligibility.

TITLE XXIX—PROTECTION OF FAMILY FARM OWNERSHIP

SEC. 2901. VOLUNTARY PARTICIPATION.

Nothing in this Act shall require an eligible farmer to—

- (1) sell land;
- (2) place land into a cooperative;
- (3) transfer ownership to the Federal Government;
- (4) participate in a conservation easement; or
- (5) accept Federal financial assistance.

SEC. 2902. PROPERTY RIGHTS.

Nothing in this Act shall diminish property rights protected by the Constitution or laws of the United States.

TITLE XXX—INDEPENDENT OVERSIGHT BOARD

SEC. 3001. ESTABLISHMENT.

There is established an **Agricultural Land Restoration Oversight Board**.

SEC. 3002. MEMBERSHIP.

The Board shall include individuals with expertise in—

- (1) farming;
- (2) agricultural economics;
- (3) civil rights;
- (4) agricultural lending;
- (5) heirs' property;
- (6) rural development;
- (7) agricultural law;
- (8) historical research; and
- (9) program evaluation.

SEC. 3003. RESPONSIBILITIES.

The Board shall—

- (1) review implementation;
 - (2) evaluate program outcomes;
 - (3) identify administrative barriers;
 - (4) recommend improvements;
 - (5) review aggregate civil-rights data; and
 - (6) submit annual reports to Congress.
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TITLE XXXI—INSPECTOR GENERAL OVERSIGHT

SEC. 3101. AUDITS.

The Inspector General of the Department shall periodically audit programs established under this Act.

SEC. 3102. AUDIT SUBJECTS.

Audits shall evaluate—

- (1) program integrity;
- (2) eligibility determinations;
- (3) fraud prevention;
- (4) processing times;
- (5) administrative expenses;
- (6) geographic distribution;
- (7) contractor performance; and
- (8) compliance with Federal law.

TITLE XXXII—GOVERNMENT ACCOUNTABILITY OFFICE REVIEW

SEC. 3201. GAO REVIEW.

Not later than 5 years after enactment, the Comptroller General shall evaluate implementation of this Act.

The evaluation shall examine—

- (1) acres preserved;
 - (2) acres acquired;
 - (3) heirs' property cases resolved;
 - (4) number of beginning farmers assisted;
 - (5) loan outcomes;
 - (6) foreclosure prevention;
 - (7) program accessibility;
 - (8) administrative costs; and
 - (9) recommendations for Congress.
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TITLE XXXIII—ANNUAL REPORT TO CONGRESS

SEC. 3301. REPORT.

Not later than March 31 of each year, the Secretary shall submit an annual report to the House Committee on Agriculture and Senate Committee on Agriculture, Nutrition, and Forestry.

The report shall include—

- (1) number of applicants;
- (2) number of recipients;
- (3) amount of assistance;
- (4) acreage acquired;

- (5) acreage preserved;
 - (6) acreage restored to agricultural production;
 - (7) heirs' property matters resolved;
 - (8) beginning farmers assisted;
 - (9) geographic distribution;
 - (10) average processing times;
 - (11) administrative appeals;
 - (12) substantiated fraud;
 - (13) program expenditures; and
 - (14) recommendations for statutory changes.
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TITLE XXXIV—RULEMAKING

SEC. 3401. REGULATIONS.

Not later than 365 days after enactment, the Secretary shall promulgate regulations necessary to implement this Act.

SEC. 3402. STAKEHOLDER CONSULTATION.

Before issuing final regulations, the Secretary shall conduct public consultation involving—

- (1) farmers;
- (2) agricultural organizations;
- (3) heirs' property owners;
- (4) civil-rights organizations;

- (5) agricultural lenders;
 - (6) historically Black colleges and universities;
 - (7) legal-service organizations;
 - (8) rural-development organizations;
 - (9) State departments of agriculture; and
 - (10) other affected stakeholders.
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TITLE XXXV—CONSTITUTIONAL AND STATUTORY ADMINISTRATION

SEC. 3501. CONSTITUTIONAL IMPLEMENTATION.

The Secretary shall administer this Act consistent with the Constitution of the United States and applicable Federal civil-rights law.

SEC. 3502. INDIVIDUALIZED DETERMINATIONS.

Eligibility determinations shall be based on the statutory criteria established by Congress and individualized evidence required under this Act.

SEC. 3503. REMEDIAL PURPOSE.

Programs established under this Act shall be administered in furtherance of Congress's identified interests in remedying documented discrimination and its continuing effects in federally administered agricultural programs, preventing loss of agricultural land, promoting equal access to Federal agricultural programs, and supporting the national agricultural economy.

TITLE XXXVI—RELATIONSHIP TO OTHER PROGRAMS

SEC. 3601. SUPPLEMENT, NOT SUPPLANT.

Assistance under this Act shall supplement and not unnecessarily replace assistance otherwise available under Federal law.

SEC. 3602. NO FORCED ELECTION OF BENEFITS.

Except to prevent duplicate compensation for the same expense, receipt of assistance under one Federal agricultural program shall not automatically disqualify an otherwise eligible applicant from assistance under this Act.

SEC. 3603. COORDINATION.

The Secretary shall coordinate programs under this Act with—

- (1) the Farm Service Agency;
- (2) Natural Resources Conservation Service;
- (3) Rural Development;
- (4) National Institute of Food and Agriculture;
- (5) Risk Management Agency;
- (6) Forest Service; and
- (7) other relevant Federal agencies.

TITLE XXXVII—PROHIBITION ON DUPLICATE RECOVERY

SEC. 3701. DUPLICATION.

No individual may receive duplicate Federal compensation for the identical financial loss.

SEC. 3702. DIFFERENT FORMS OF ASSISTANCE.

Nothing in this section shall prevent an individual from receiving distinct forms of assistance addressing separate expenses or injuries.

TITLE XXXVIII—AUTHORIZATION OF APPROPRIATIONS

SEC. 3801. GENERAL AUTHORIZATION.

In addition to amounts otherwise authorized under this Act, there are authorized to be appropriated such sums as may be necessary to carry out—

- (1) heirs' property assistance;
- (2) legal assistance;
- (3) technical assistance;
- (4) beginning-farmer programs;
- (5) agricultural education;

- (6) land acquisition;
- (7) credit guarantees;
- (8) foreclosure prevention;
- (9) data modernization;
- (10) regional agricultural justice centers; and
- (11) oversight.

SEC. 3802. ADMINISTRATIVE COSTS.

The Secretary shall establish reasonable limitations on administrative expenditures to ensure that the maximum practicable share of appropriated funds reaches farmers, landowners, and direct-service programs.

TITLE XXXIX—SEVERABILITY

SEC. 3901. SEVERABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is held unconstitutional or otherwise invalid, the remainder of this Act and the application of its provisions to other persons or circumstances shall not be affected.

TITLE XL—NO EFFECT ON EXISTING CIVIL-RIGHTS PROTECTIONS

SEC. 4001. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to—

- (1) limit any right or remedy available under the Constitution or Federal civil-rights law;
 - (2) restrict an individual's ability to file a discrimination complaint;
 - (3) limit the authority of the Department of Justice;
 - (4) waive sovereign immunity except where expressly provided by Congress; or
 - (5) eliminate protections available under other Federal agricultural statutes.
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TITLE XLI—EFFECTIVE DATE

SEC. 4101. EFFECTIVE DATE.

Except as otherwise expressly provided, this Act shall take effect on the date of enactment.

The Secretary shall—

- (1) establish the Office required by section 101 not later than 180 days after enactment;
 - (2) issue proposed regulations not later than 270 days after enactment;
 - (3) issue final regulations not later than 365 days after enactment; and
 - (4) begin accepting applications under the principal grant, land-restoration, heirs' property, and beginning-farmer programs not later than 540 days after enactment.
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TITLE XLII—SENSE OF CONGRESS

SEC. 4201. AGRICULTURAL LAND AND INTERGENERATIONAL ECONOMIC SECURITY.

It is the sense of Congress that—

- (1) agricultural land represents not merely real property but a productive economic asset capable of supporting families, communities, food production, entrepreneurship, and intergenerational economic security;
 - (2) preserving family agricultural land should be an important component of Federal agricultural policy;
 - (3) heirs' property should not unnecessarily prevent otherwise eligible agricultural producers from obtaining Federal assistance;
 - (4) beginning farmers should have meaningful opportunities to acquire agricultural land;
 - (5) Federal agricultural programs should operate transparently, efficiently, and without unlawful discrimination;
 - (6) farmers alleging discrimination should have access to meaningful administrative review and due process;
 - (7) remedies addressing historical agricultural discrimination should emphasize durable ownership, productive agricultural capacity, and long-term economic opportunity; and
 - (8) the United States benefits when agricultural land remains productive, family farms remain viable, and future generations have meaningful opportunities to participate in American agriculture.
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TITLE XLIII—NATIONAL OBJECTIVE

SEC. 4301. FBA AGRICULTURAL LAND RESTORATION OBJECTIVE.

Subject to appropriations and the availability of suitable land, the Secretary shall establish measurable 10-year objectives for—

- (1) preventing additional qualifying agricultural land loss;
- (2) increasing agricultural land ownership among program participants;
- (3) resolving heirs' property and clouded-title cases;

- (4) increasing participation in Department programs;
- (5) expanding the number of beginning farmers operating viable agricultural enterprises;
- (6) improving access to affordable agricultural credit;
- (7) increasing agricultural business formation;
- (8) preserving intergenerational family farms; and
- (9) ensuring transparent and equitable administration of Federal agricultural programs.

The Secretary shall report progress toward such objectives annually to Congress.

TITLE XLIV—FINAL POLICY DECLARATION

SEC. 4401. POLICY OF THE UNITED STATES.

It shall be the policy of the United States, consistent with the Constitution and laws of the United States, to preserve agricultural land, remedy documented barriers within Federal agricultural programs, promote fair access to agricultural opportunity, strengthen family farms, prevent avoidable heirs' property loss, assist beginning farmers in acquiring productive agricultural assets, and ensure that Federal agricultural programs are administered transparently and without unlawful discrimination.

Congress declares that agricultural justice requires not only examination of past governmental actions but practical mechanisms capable of preserving existing farms, restoring productive ownership where authorized by law, expanding opportunities for new farmers, strengthening agricultural businesses, and protecting agricultural land for future generations.

The programs established by this Act are intended to transform those objectives into measurable and accountable Federal agricultural policy.