

119TH CONGRESS
1ST SESSION

S. _____

To amend the Food Security Act of 1985 to improve delivery of technical assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CRAPO (for himself, Mr. BENNET, and Mr. MARSHALL) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Food Security Act of 1985 to improve delivery of technical assistance, 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 “Increased TSP Access
5 Act of 2025”.

6 **SEC. 2. DELIVERY OF TECHNICAL ASSISTANCE.**

7 Section 1242 of the Food Security Act of 1985 (16
8 U.S.C. 3842) is amended—

9 (1) in subsection (a)—

1 (A) by redesignating paragraphs (1) and
2 (2) as paragraphs (2) and (3), respectively; and

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

5 “(1) APPROVED NON-FEDERAL CERTIFYING EN-
6 TITY.—The term ‘approved non-Federal certifying
7 entity’ means a non-Federal entity approved by the
8 Secretary under subsection (e)(5)(C)(ii) to perform
9 certifications of third-party providers under this sec-
10 tion.”;

11 (2) in subsection (b), by striking “science-
12 based, site-specific practices designed” and inserting
13 “timely, science-based, and site-specific practice de-
14 sign and implementation assistance”;

15 (3) in subsection (d), by inserting “(including
16 private sector entities)” after “non-Federal entities”;

17 (4) in subsection (e)—

18 (A) in paragraph (2), by striking “Food,
19 Conservation, and Energy Act of 2008” and in-
20 serting “Increased TSP Access Act of 2025”;

21 (B) in paragraph (3)(A), by striking “en-
22 sure” and all that follows through “engineer-
23 ing,” and inserting “ensure that third-party
24 providers with expertise in the technical aspects
25 of conservation planning, watershed planning,

1 environmental engineering, conservation prac-
2 tice design, implementation, and evaluation, or
3 other technical skills, as determined by the Sec-
4 retary,”; and

5 (C) by striking paragraphs (4) and (5) and
6 inserting the following:

7 “(4) CERTIFICATION.—The Secretary shall cer-
8 tify a third-party provider through—

9 “(A) a certification process administered
10 by the Secretary, acting through the Chief of
11 the Natural Resources Conservation Service;

12 “(B) a non-Federal entity (other than a
13 State agency) approved by the Secretary to per-
14 form the certification; or

15 “(C) a State agency with statutory author-
16 ity to certify, administer, or license profes-
17 sionals in one or more fields of natural re-
18 sources, agriculture, or engineering approved by
19 the Secretary to perform the certification.

20 “(5) NON-FEDERAL CERTIFYING ENTITY PROC-
21 ESS.—

22 “(A) ESTABLISHMENT.—Not later than
23 180 days after the date of enactment of the In-
24 creased TSP Access Act of 2025, the Secretary
25 shall establish a process for the certification of

1 third-party providers through approved non-
2 Federal certifying entities, with the goal of in-
3 creasing third-party provider capacity, including
4 the certification of qualified agricultural retail-
5 ers, cooperatives, professional societies, service
6 providers, and organizations described in sec-
7 tion 1265A(3)(B)(i).

8 “(B) ELIGIBILITY OF NON-FEDERAL ENTI-
9 TIES.—In determining the eligibility of an enti-
10 ty described in subparagraph (B) or (C) of
11 paragraph (4) (referred to in this paragraph as
12 a ‘non-Federal entity’) to perform certifications,
13 the Secretary shall consider—

14 “(i) the ability of the non-Federal en-
15 tity to assess qualifications of a third-party
16 provider and certify third-party providers
17 at scale;

18 “(ii) the experience of the non-Federal
19 entity in working with third-party pro-
20 viders and eligible participants;

21 “(iii) the expertise of the non-Federal
22 entity in the technical and science-based
23 aspects of conservation delivery described
24 in paragraph (3)(A);

1 “(iv) the history of the non-Federal
2 entity in working with agricultural pro-
3 ducers; and

4 “(v) such other qualifications as the
5 Secretary determines to be appropriate.

6 “(C) APPROVAL.—Not later than 40 busi-
7 ness days after the date on which the Secretary
8 receives an application submitted by a non-Fed-
9 eral entity to perform certifications of third-
10 party providers under this section, the Sec-
11 retary shall—

12 “(i) determine if the non-Federal enti-
13 ty meets the eligibility requirements estab-
14 lished under subparagraph (B); and

15 “(ii) if the Secretary makes a positive
16 determination under clause (i), approve the
17 non-Federal entity to perform certifications
18 of third-party providers under this section.

19 “(D) TIMELY DECISIONS.—Not later than
20 10 business days after the date on which the
21 Secretary receives a notification submitted by a
22 third-party provider that the third-party pro-
23 vider has been certified by an approved non-
24 Federal certifying entity to provide technical as-

1 sistance for specified practices and conservation
2 activities, the Secretary shall—

3 “(i) review the certification; and

4 “(ii) if the certification is satisfactory
5 to the Secretary, include the name of the
6 third-party provider on the registry of cer-
7 tified third-party providers maintained by
8 the Secretary.

9 “(E) DUTIES OF APPROVED NON-FEDERAL
10 CERTIFYING ENTITIES.—An approved non-Fed-
11 eral certifying entity shall—

12 “(i) assess the ability of a third-party
13 provider to appropriately provide technical
14 assistance to eligible participants for speci-
15 fied practices and conservation activities;
16 and

17 “(ii) provide to third-party providers
18 certified by the approved non-Federal cer-
19 tifying entity—

20 “(I) training to ensure that the
21 third-party providers are qualified to
22 provide the technical assistance de-
23 scribed in clause (i); and

24 “(II) continuing education, as
25 appropriate, to ensure that the third-

1 party providers are educated in the
2 most recent technical- and science-
3 based aspects of conservation delivery.

4 “(6) STREAMLINED CERTIFICATION.—Not later
5 than 180 days after the date of enactment of the In-
6 creased TSP Access Act of 2025, the Secretary shall
7 provide a streamlined certification process for a
8 third-party provider that has an appropriate spe-
9 cialty certification, including a certified crop advisor
10 certified by the American Society of Agronomy, a
11 professional engineer, or a holder of a technical cer-
12 tification approved by the Secretary.”; and

13 (5) in subsection (f)—

14 (A) in paragraph (2), in the matter pre-
15 ceding subparagraph (A), by inserting “or an
16 approved non-Federal certifying entity” after
17 “third-party provider”;

18 (B) by striking paragraph (3) and insert-
19 ing the following:

20 “(3) REVIEW.—Not later than 1 year after the
21 date of enactment of the Increased TSP Access Act
22 of 2025, and additionally thereafter at the discretion
23 of the Secretary, the Secretary shall—

24 “(A) review certification requirements for
25 third-party providers;

1 “(B) make any adjustments considered
2 necessary by the Secretary to improve participa-
3 tion and the quality and effectiveness of con-
4 servation practices implemented and adopted
5 with support from technical service providers;
6 and

7 “(C) conduct outreach to and receive input
8 from third-party providers, both that currently
9 participate in the program under this section
10 and those that no longer participate in the pro-
11 gram, and entities, organizations, and associa-
12 tions providing or supporting consultative serv-
13 ices to agriculture, livestock, and forest pro-
14 ducers to assess barriers and opportunities for
15 the use of third-party provider assistance for
16 improved conservation program delivery.”;

17 (C) in paragraph (4)(A)(i), by inserting
18 “maintenance,” after “outreach,”; and

19 (D) by striking paragraph (5) and insert-
20 ing the following:

21 “(5) PAYMENT AMOUNTS.—

22 “(A) IN GENERAL.—The Secretary shall
23 establish fair and reasonable amounts of pay-
24 ments for technical services provided by third-
25 party providers at rates equivalent to, but that

1 do not exceed, technical assistance provided by
2 the Secretary.

3 “(B) CONSIDERATIONS.—In determining
4 fair and reasonable payment amounts under
5 subparagraph (A), the Secretary shall consider
6 specialized equipment, frequency of site visits,
7 training, travel and transportation, and such
8 other factors as the Secretary determines to be
9 appropriate.

10 “(C) EXCLUSION.—A payment provided
11 under another Federal program directly to an
12 eligible participant for technical assistance pro-
13 vided by a third-party provider certified under
14 this section shall be—

15 “(i) excluded from cost-sharing re-
16 quirements under the program under
17 which the payment was provided; and

18 “(ii) equal to not more than 100 per-
19 cent of the fair and reasonable payment
20 amount for the applicable technical assist-
21 ance determined under subparagraph (B).

22 “(6) TRANSPARENCY.—Not later than 1 year
23 after the date of establishment of the processes
24 under paragraphs (5)(A) and (6) of subsection (e),

1 and routinely thereafter, the Secretary shall provide
2 accessible public information on—

3 “(A) funds obligated to third-party pro-
4 viders through—

5 “(i) contracts entered into between el-
6 igible participants and individual third-
7 party providers; and

8 “(ii) agreements with public and pri-
9 vate sector entities to secure third-party
10 technical assistance;

11 “(B) certification results, including—

12 “(i) the number of third-party pro-
13 viders certified by the Secretary;

14 “(ii) the number of approved non-
15 Federal certifying entities;

16 “(iii) the number of third-party pro-
17 viders certified through approved non-Fed-
18 eral certifying entities; and

19 “(iv) the number of third-party pro-
20 viders certified based on State agency or
21 professional association credentialing; and

22 “(C) the estimated number of staff hours
23 or full-time equivalents saved through work ac-
24 complished by third-party providers.”.