

110TH CONGRESS
1ST SESSION

H. R. 1551

To reauthorize Department of Agriculture conservation and energy programs and certain other programs of the Department, to modify the operation and administration of these programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2007

Mr. KIND (for himself, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BECERRA, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CAPUANO, Mr. CHANDLER, Ms. CLARKE, Mr. CONYERS, Mr. CROWLEY, Mr. DEFazio, Ms. DEGETTE, Mr. DELAHUNT, Mr. DICKS, Mr. DINGELL, Mr. ELLISON, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Mr. FARR, Mr. FILNER, Mr. FRELINGHUYSEN, Mr. GERLACH, Mr. GILCHREST, Mr. HIGGINS, Ms. HIRONO, Mr. HINCHEY, Ms. HOOLEY, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Ms. KAPTUR, Mr. KILDEE, Mr. LANGEVIN, Mr. LATOURETTE, Mr. LOBIONDO, Mr. LYNCH, Mrs. MCCARTHY of New York, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Mr. MEEKS of New York, Mr. MEEHAN, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. PAYNE, Mr. PASCARELL, Mr. PERLMUTTER, Mr. PETRI, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RAMSTAD, Mr. REICHERT, Mr. SAXTON, Mr. SIRES, Mr. SHAYS, Mr. SMITH of Washington, Mr. STUPAK, Mrs. TAUSCHER, Mr. TIERNEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, and Mr. WALSH of New York) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Education and Labor and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize Department of Agriculture conservation and

energy programs and certain other programs of the Department, to modify the operation and administration of these 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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Healthy Farms, Foods, and Fuels Act of 2007”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—CONSERVATION

Sec. 101. Conservation reserve program.

Sec. 102. Wetlands reserve program.

Sec. 103. Conservation security program.

Sec. 104. Reauthorization of and increased enrollment authority for grassland reserve program.

Sec. 105. Environmental quality incentives program.

Sec. 106. Reauthorization of and increased funding for wildlife habitat incentive program.

Sec. 107. Cooperative conservation partnership initiative.

Sec. 108. Regional equity in funding of certain Department of Agriculture conservation programs.

Sec. 109. Exclusion of payments under Department of Agriculture conservation programs from adjusted gross income limitation.

Sec. 110. Reauthorization of and additional funding for agricultural management assistance program.

Sec. 111. Community Forests and Open Space Conservation Program.

Sec. 112. Farmland protection and farm viability programs.

Sec. 113. Healthy forests reserve program.

Sec. 114. Integrated pest management initiative.

Sec. 115. Conservation access initiative to encourage greater participation by socially disadvantaged farmers and ranchers in conservation programs.

Sec. 116. Conservation loan guarantee program.

Sec. 117. Pilot program for comprehensive conservation planning.

Sec. 118. Technical assistance under Department of Agriculture conservation programs.

TITLE II—ENERGY

Sec. 201. Definition of biomass.

Sec. 202. Support for development of biorefineries.

- Sec. 203. Reauthorization of energy audit and renewable energy development program.
- Sec. 204. Reauthorization of and increased funding for renewable energy systems and energy efficiency improvements program.
- Sec. 205. Reauthorization of Department of Agriculture bioenergy program.
- Sec. 206. Reauthorization of and increased funding for biomass research and development.
- Sec. 207. Reauthorization of carbon cycle research.

TITLE III—HEALTHY FOOD CHOICES

- Sec. 301. Reauthorization of and increased funding for community food project competitive grants.
- Sec. 302. Expansion of fresh fruit and vegetable program.
- Sec. 303. Authorization level for farm-to-cafeteria activities.
- Sec. 304. Extension of WIC farmer’s market nutrition program.
- Sec. 305. Senior farmers’ market nutrition program.
- Sec. 306. Farmers’ market promotion program.
- Sec. 307. Department of Defense and Department of Agriculture procurement of locally produced agricultural products.
- Sec. 308. Fruit and vegetable nutrition promotion program.
- Sec. 309. Use of “Dietary Guidelines for Americans” in special nutrition programs and school lunch programs.
- Sec. 310. Section 32 specialty crop purchases.
- Sec. 311. Amendments to the food stamp program.
- Sec. 312. Food stamp fruit and vegetable electronic benefit transfer pilot project.

TITLE IV—PROMOTION OF NEW MARKETS AND FARM VIABILITY

- Sec. 401. Farm viability program.
- Sec. 402. National organic certification and transition cost share program.
- Sec. 403. Organic agriculture research and extension initiative.
- Sec. 404. Funding for education grants programs for Hispanic-serving institutions.
- Sec. 405. Extension and funding increase for the Value-Added Agricultural Product Market Development Grant Program.

1 **TITLE I—CONSERVATION**

2 **SEC. 101. CONSERVATION RESERVE PROGRAM.**

3 (a) EXTENSION.—

4 (1) FUNDING EXTENSION.—Section 1241(a) of
5 the Food Security Act of 1985 (16 U.S.C. 3841(a))
6 is amended—

7 (A) in the matter preceding paragraph (1),
8 by striking “2007” and inserting “2013”; and

1 (B) in paragraph (1), by striking “The”
2 and inserting “For each of fiscal years 2002
3 through 2013, the”.

4 (2) CONFORMING AMENDMENTS.—Section 1231
5 of such Act (16 U.S.C. 3831) is amended—

6 (A) in subsection (a), by striking “2007”
7 and inserting “2013”;

8 (B) in subsection (d), by striking “2007”
9 and inserting “2013”;

10 (C) in subsection (e)(3), by striking
11 “2002” and inserting “2008”; and

12 (D) in subsection (h)(1), by striking
13 “2007” and inserting “2013”.

14 (b) ELIGIBLE LAND.—Section 1231(b) of such Act
15 (16 U.S.C. 3831(b)) is amended—

16 (1) by striking the period at the end of para-
17 graph (1) and inserting a semicolon;

18 (2) by striking “or” at the end of paragraph
19 (4)(C);

20 (3) by striking the period at the end of para-
21 graph (5) and inserting “; or”; and

22 (4) by adding at the end the following new
23 paragraphs:

1 “(6) marginal pasture land or hay land that is
2 otherwise ineligible, if the land is to be devoted to
3 native vegetation appropriate to the locale and—

4 “(A) will provide suitable habitat for State
5 or federally listed threatened or endangered
6 species or species determined by the Secretary
7 of the Interior to be species of concern; or

8 “(B) will contribute to the restoration of
9 an endangered ecosystem or rare and declining
10 forest ecosystem, as defined by the Secretary.”.

11 (c) ENROLLMENT GOALS.—Section 1231(d) of such
12 Act (16 U.S.C. 3831(d)) is amended—

13 (1) by striking “The Secretary” and inserting:

14 “(1) ACREAGE AUTHORIZED.—The Secretary”;

15 and

16 (2) by adding at the end the following new
17 paragraph:

18 “(2) ENROLLMENT GOALS.—For the period be-
19 ginning on the date of the enactment of this para-
20 graph and ending on December 31, 2013, the Sec-
21 retary shall establish a goal—

22 “(A) to enroll not less than 7,000,000
23 acres of eligible land, including land to be de-
24 voted to the restoration of rare and declining
25 forests, through the continuous enrollment pro-

1 gram and the conservation reserve enhancement
2 program; and

3 “(B) to maintain enrollment of at least
4 7,800,000 acres in the Prairie Pothole Region
5 National Conservation Priority Area.”.

6 (d) **CONTRACTS TO RESTORE RARE AND DECLINING**
7 **FORESTS.**—(d) Section 1231(e)(2) of such Act (16 U.S.C.
8 3831(e)(2)) is amended by adding at the end the following
9 new subparagraph:

10 “(C) **RARE AND DECLINING FORESTS.**—In
11 the case of land to be devoted to the restoration
12 of rare and declining forest ecosystems, as de-
13 termined by the Secretary, the Secretary may
14 enter into contracts of more than 15 years.”.

15 (e) **BALANCE OF NATURAL RESOURCE PURPOSES.**—
16 Section 1231(j) of such Act (16 U.S.C. 3831(j)) is amend-
17 ed—

18 (1) by striking “In determining” and inserting
19 the following:

20 “(1) **EQUITABLE BALANCE OF CONSERVATION**
21 **PURPOSES.**—In determining”;

22 (2) by striking the period at the end and insert-
23 ing “, but need not balance all conservation purposes
24 with respect to each particular contract offer.”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(2) WILDLIFE.—In considering the extent to
4 which a contract offer will achieve the conservation
5 purposes of the program related to wildlife habitat,
6 the Secretary shall consider the extent to which the
7 contract offer will contribute to increased popu-
8 lations of wildlife, including waterfowl, nongame
9 grassland birds and neotropical migrants, and assist
10 in the recovery of at-risk species.”.

11 (f) DUTIES OF PARTICIPANTS.—Section 1232(a) of
12 such Act (16 U.S.C. 3832(a)) is amended—

13 (1) in paragraph (4)—

14 (A) by redesignating subparagraphs (A)
15 and (B) as subparagraphs (B) and (C), respec-
16 tively; and

17 (B) by inserting before subparagraph (B),
18 as so redesignated, the following new subpara-
19 graph:

20 “(A) approved vegetative cover shall not
21 include vegetative cover inappropriate to the lo-
22 cale;”;

23 (2) by redesignating paragraphs (5) through
24 (10) as paragraphs (6) through (11), respectively;

1 (3) by inserting after paragraph (4) the fol-
2 lowing new paragraph:

3 “(5) to undertake appropriate management ac-
4 tivities on the land as needed throughout the term
5 of the contract to achieve the purposes of the con-
6 servation reserve program;” and

7 (4) in subparagraph (A)(i)(II) of paragraph (8),
8 as so redesignated, by inserting after “may be con-
9 ducted” the following: “, taking into account grass-
10 land types and species, location, weather conditions,
11 and other factors that determine to what extent har-
12 vesting and grazing activities will advance the con-
13 servation purposes of the program”.

14 (g) CONSERVATION PLAN.—Section 1232(b)(1) of
15 such Act (16 U.S.C. 3832(b)(1)) is amended—

16 (1) in subparagraph (A), by striking “; and”
17 and inserting “, including appropriate management
18 activities required by subsection (a)(5);” and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(C) criteria for conducting any commer-
22 cial use to be permitted, including criteria for
23 managed harvesting and grazing specifying fre-
24 quency, timing, number of animal units, per-
25 centage of field, and other criteria to ensure

1 that managed harvesting and grazing advances
2 the conservation purposes of the program;
3 and”.

4 (h) COST-SHARE AND MANAGEMENT ASSISTANCE.—
5 Section 1234(b) of such Act (16 U.S.C. 3834(b)) is
6 amended—

7 (1) in paragraph (1), by inserting before the pe-
8 riod at the end the following: “, except that the Sec-
9 retary shall pay 75 percent of the cost of estab-
10 lishing bottomland hardwood trees and longleaf
11 pine”; and

12 (2) by adding at the end the following new
13 paragraph:

14 “(6) MANAGEMENT COSTS.—The Secretary
15 shall pay 75 percent of the cost of management ac-
16 tivities, including the use of prescribed fire, control
17 of invasive species, and native understory restoration
18 on land devoted to trees, that are required under a
19 contract entered into under this subchapter, subject
20 to such limits as the Secretary may establish.”.

21 (i) ACCEPTANCE OF CONTRACT OFFERS.—Section
22 1234(c)(3) of such Act (16 U.S.C. 3834(c)(3)) is amend-
23 ed—

24 (1) by striking “In determining” and inserting
25 the following:

1 “(A) MAXIMIZING ENVIRONMENTAL BENE-
2 FITS.—In determining”;

3 (2) by striking “may” and all that follows
4 through “take into consideration” and inserting
5 “shall take into consideration”;

6 (3) by striking “benefits; and” and inserting
7 “benefits. The Secretary shall establish criteria for
8 the acceptance of contract offers that will maximize
9 environmental benefits, including criteria related to
10 the characteristics of the land that is the subject of
11 the contract offer, its location, proposed cover and
12 proposed management practices.”;

13 (4) by striking “(B) establish” and inserting
14 the following:

15 “(B) FLEXIBILITY.—The Secretary may
16 establish”;

17 (5) by striking “abated.” and inserting “abated,
18 in order to more effectively address specific State or
19 regional resource concerns and conservation prior-
20 ities, including restoration of rare and declining for-
21 est ecosystems.”; and

22 (6) by adding at the end the following new sub-
23 paragraph:

24 “(C) RELATIONSHIP TO OTHER CONSERVA-
25 TION PROGRAMS.—In the enrollment of land in

1 the conservation reserve established under this
2 subchapter, the Secretary shall give a priority
3 to land that cannot produce comparable envi-
4 ronmental benefits if maintained in agricultural
5 production and enrolled in the environmental
6 quality incentives program or other program de-
7 signed to assist producers in improving the en-
8 vironmental performance of working agricul-
9 tural land.”.

10 (j) CONSERVATION RESERVE ENHANCEMENT PRO-
11 GRAM.—Section 1234(f)(1) of such Act is (16 U.S.C.
12 3834(f)) is amended by adding at the end the following
13 new sentence: “The Secretary may waive this payment
14 limitation for persons participating in a conservation re-
15 serve enhancement program if the Secretary determines
16 such a waiver is necessary to achieve the objectives of the
17 conservation reserve enhancement program.”.

18 **SEC. 102. WETLANDS RESERVE PROGRAM.**

19 (a) EXTENSION.—

20 (1) FUNDING EXTENSION.—Section 1241(a)(2)
21 of the Food Security Act of 1985 (16 U.S.C.
22 3841(a)(2)) is amended by striking “The” and in-
23 serting “For each of fiscal years 2002 through
24 2013, the”.

1 (2) CONFORMING AMENDMENT.—Section
2 1237(c) of such Act (16 U.S.C. 3837(c)) is amended
3 by striking “2007” and inserting “2013”.

4 (b) MAXIMUM AND YEARLY ENROLLMENT.—Section
5 1237(b)(1) of such Act (16 U.S.C. 3837(b)(1)) is amend-
6 ed—

7 (1) by striking “2,275,000 acres” and inserting
8 “5,000,000 acres”; and

9 (2) by striking “250,000 acres in each calendar
10 year” and inserting “350,000 acres in each of cal-
11 endar years 2008 and 2009 and 250,000 acres in
12 each of calendar years 2010 through 2013”.

13 (c) ENROLLMENT OF RIPARIAN AREAS.—Section
14 1237(d)(3) of such Act (16 U.S.C. 3837(d)(3)) is amend-
15 ed by striking “that link” and all that follows through “an
16 easement”.

17 (d) WETLAND EASEMENT CONSERVATION PLAN.—
18 Section 1237A(b)(3) of such Act (16 U.S.C. 3837a(b)(3))
19 is amended by inserting before the semicolon at the end
20 the following: “and management activities necessary to
21 maintain the functional values of the wetlands”.

22 (e) VALUATION OF EASEMENTS.—Section 1237A(f)
23 of such Act (16 U.S.C. 3837a(f)) is amended by striking
24 “but not to exceed” and all that follows through the end
25 of the sentence and inserting “, and the amount of such

1 compensation shall be based on appraisals of the current
2 fair market agricultural value of the land to be encum-
3 bered by the easement. The Uniform Relocation Assist-
4 ance and Real Property Acquisition Policies Act of 1970
5 (42 U.S.C. 4601 et seq.) shall not apply to appraisals of
6 land offered for enrollment in the wetlands reserve pro-
7 gram.”.

8 (f) COST-SHARE AND MANAGEMENT ASSISTANCE.—
9 Section 1237C of such Act (16 U.S.C. 3837c) is amend-
10 ed—

11 (1) in subsection (a)(1), by inserting “including
12 management activities,” after “values,”; and

13 (2) in subsection (b), by adding at the end the
14 following new paragraph:

15 “(4) MANAGEMENT COSTS.—The Secretary
16 may make payments to owners to cover up to the
17 full actual cost of undertaking any ongoing or peri-
18 odic management activities necessary to maintain
19 the functional values of wetland enrolled in the wet-
20 lands reserve program.”.

21 (g) EASEMENT PRIORITIES.—Section 1237C(d) of
22 such Act (16 U.S.C. 3837c(d)) is amended by striking
23 “wildlife” and inserting “wildlife, particularly rare, threat-
24 ened, endangered, and candidate species, or for furthering

1 the goals and objectives of the State’s comprehensive wild-
2 life conservation strategy”.

3 **SEC. 103. CONSERVATION SECURITY PROGRAM.**

4 (a) REPEAL OF FUNDING CAP.—Section 1241(a)(3)
5 of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3))
6 is amended by striking “, using not more than” and all
7 that follows through “2015”.

8 (b) PROGRAM EXTENSION.—Section 1238A(a) of the
9 Food Security Act of 1985 (16 U.S.C. 3838a(a)) is
10 amended by striking “2011” and inserting “2013”.

11 (c) THREE TIERS OF CONSERVATION SECURITY
12 CONTRACTS.—Section 1238A(d) of such Act (16 U.S.C.
13 3838a(d)) is amended—

14 (1) in paragraph (4)—

15 (A) by redesignating subparagraphs (R)
16 and (S) as subparagraphs (S) and (T), respec-
17 tively; and

18 (B) by inserting after subparagraph (Q),
19 the following new subparagraph:

20 “(R) enhancement of in-stream flows;”;

21 (2) in paragraph (5)—

22 (A) in the matter preceding subparagraph
23 (A), by striking “paragraph (6)” and inserting
24 “paragraph (7)”;

1 (B) in subparagraph (A)(ii)(I), by striking
2 “1 significant resource” and inserting “2 sig-
3 nificant resources”; and

4 (C) in subparagraph (B)(ii)(I), by striking
5 “1 significant resource” and inserting “3 sig-
6 nificant resources”; and

7 (3) by redesignating paragraph (6) as para-
8 graph (7); and

9 (4) by inserting after paragraph (5) the fol-
10 lowing new paragraph:

11 “(6) SOIL QUALITY REQUIREMENTS FOR CER-
12 TAIN PRODUCERS.—Certified organic producers and
13 producers implementing a resource-conserving crop
14 rotation shall be deemed to meet any minimum re-
15 quirements related to soil quality and the preserva-
16 tion of soil carbon that the Secretary may establish
17 for each tier of conservation security contracts.”.

18 (d) CONTRACT RENEWAL.—Section 1238A(e)(4) of
19 such Act (16 U.S.C. 3838a(e)(4)) is amended—

20 (1) in subparagraph (A), by striking “subpara-
21 graph (B)” and inserting “subparagraphs (B), (C),
22 and (D)”; and

23 (2) by striking subparagraph (B) and inserting
24 the following new subparagraphs:

1 “(B) TIER I RENEWALS.—In the case of
2 land enrolled under a Tier I conservation secu-
3 rity contract of a producer, the producer may—

4 “(i) renew the contract if the producer
5 agrees to a new conservation security plan
6 that addresses at least one additional sig-
7 nificant resource concern and includes sig-
8 nificant new conservation practices and ac-
9 tivities, as determined by the Secretary; or

10 “(ii) enroll the land under a Tier II or
11 Tier III conservation security contract at
12 the time the Tier I contract expires if the
13 producer demonstrates that the eligibility
14 criteria for a Tier III conservation security
15 contract are met.

16 “(C) TIER II RENEWALS.—In the case of
17 land enrolled under a Tier II conservation secu-
18 rity contract of a producer, the producer may—

19 “(i) renew the contract if the producer
20 agrees to a new conservation security plan
21 that includes significant new conservation
22 practices or activities, as determined by the
23 Secretary; or

24 “(ii) enroll the land under a Tier III
25 conservation security contract at the time

1 the Tier II contract expires if the producer
2 demonstrates that the eligibility criteria for
3 a Tier III conservation security contract
4 are met.

5 “(D) TIER III RENEWALS.—In the case of
6 land enrolled under a Tier III conservation se-
7 curity contract of a producer, the producer may
8 renew the contract, subject to a benchmark as-
9 sessment by the Secretary to determine whether
10 the producer fully complied with the require-
11 ments of the Tier III conservation security
12 plan.”.

13 (e) ELIMINATION OF MAINTENANCE PAYMENTS.—
14 Section 1238C(b)(1)(B) of such Act (16 U.S.C.
15 3838c(b)(1)(B)) is amended by adding at the end the fol-
16 lowing new sentence: “Effective for payments made after
17 October 1, 2006, payments under a conservation security
18 contract may not include amounts for the maintenance of
19 existing land management and vegetative practices or the
20 maintenance of existing land-based structural practices.”.

21 (f) MINIMUM CONTRACT PAYMENT.—Section
22 1238C(b) of such Act (16 U.S.C. 3838c(b)) is amended
23 by adding at the end the following new paragraph:

24 “(4) MINIMUM PAYMENT.—Notwithstanding
25 any other provision in this subsection, a producer

1 participating in the conservation security program
2 shall be entitled to an annual payment of not less
3 than \$1,500 under a conservation security con-
4 tract.”.

5 (g) ENROLLMENT PROCEDURES.—Subsection (f) of
6 section 1238C of such Act (16 U.S.C. 3838e) is amended
7 to read as follows:

8 “(f) ENROLLMENT PROCEDURES.—

9 “(1) NO USE OF COMPETITIVE BIDDING.—In
10 entering into conservation security contracts with
11 producers under this subchapter, the Secretary shall
12 not use competitive bidding or any similar proce-
13 dure.

14 “(2) CONTINUOUS ENROLLMENT FOR TIER III
15 CONTRACTS.—The Secretary shall enroll lands that
16 meet Tier III enrollment criteria on a continuous
17 basis.

18 “(3) PERIODIC ENROLLMENT OPPORTUNITIES
19 FOR TIER I AND II CONTRACTS.—The Secretary shall
20 ensure that producers whose land meets the eligi-
21 bility criteria for enrollment under a Tier I or Tier
22 II conservation security contract have the oppor-
23 tunity to enroll the land in the conservation security
24 program once every three years.”.

1 (h) TECHNICAL ASSISTANCE.—Subsection (f) of sec-
2 tion 1238C of such Act (16 U.S.C. 3838c) is amended
3 to read as follows:

4 “(g) TECHNICAL ASSISTANCE.—

5 “(1) PROVISION OF TECHNICAL ASSISTANCE.—
6 For each of fiscal years 2003 through 2013, the
7 Secretary shall provide appropriate technical assist-
8 ance to producers for the development and imple-
9 mentation of conservation security contracts.

10 “(2) LIMITATION.—The amount expended to
11 provide technical assistance with respect to a con-
12 servation security contract over the life of the con-
13 tract may not exceed 15 percent of the total amount
14 expended over the life of the contract.”.

15 **SEC. 104. REAUTHORIZATION OF AND INCREASED ENROLL-**
16 **MENT AUTHORITY FOR GRASSLAND RESERVE**
17 **PROGRAM.**

18 (a) EXTENSION AND FUNDING.—Section 1241(a) of
19 the Food Security Act of 1985 (16 U.S.C. 3841(a)) is
20 amended by striking paragraph (5) and inserting the fol-
21 lowing new paragraph:

22 “(5) For each of fiscal years 2002 through
23 2013, the grassland reserve program under sub-
24 chapter C of chapter 2.”.

1 (b) ENROLLMENT GOALS AND LIMITATION ON USE
2 OF RENTAL AGREEMENTS.—Section 1238N(b) of such
3 Act (16 U.S.C. 3838N(b)) is amended—

4 (1) in paragraph (1), by striking “2,000,000
5 acres” and inserting “10,000,000 acres”; and

6 (2) by striking paragraph (3) and inserting the
7 following new paragraphs:

8 “(3) LIMITATION ON USE OF RENTAL AGREE-
9 MENTS.—Of the total number of acres enrolled in
10 the program at any one time through the methods
11 described in paragraph (2)(A), not more than 30
12 percent of the acres shall be enrolled through the
13 use of rental agreements described in clause (i) of
14 such paragraph.

15 “(4) ENROLLMENT GOAL.—For the period be-
16 ginning on the date of the enactment of this para-
17 graph and ending on December 31, 2013, the Sec-
18 retary shall establish a goal to enroll not less than
19 2,000,000 acres of native grasslands in the pro-
20 gram.”.

21 (c) ENROLLMENT OF CONSERVATION RESERVE PRO-
22 GRAM LAND.—Section 1238N of such Act (16 U.S.C.
23 3838N) is amended by adding at the end the following
24 new subsection:

1 “(d) ENROLLMENT OF CONSERVATION RESERVE
2 PROGRAM LAND.—

3 “(1) ENROLLMENT AUTHORIZED.—Subject to
4 the eligibility requirements of subsection (c) and all
5 other requirements of this subchapter, land enrolled
6 in the conservation reserve program may be enrolled
7 in the grassland reserve program if the Secretary de-
8 termines that the land is of high ecological value and
9 under significant threat of conversion to other uses.

10 “(2) MAXIMUM ENROLLMENT.—The enrollment
11 of conservation reserve program land under this sub-
12 section shall not exceed 50 percent of the total num-
13 ber of acres enrolled in the grassland reserve pro-
14 gram in a given fiscal year.

15 “(3) PROHIBITION ON DUPLICATION OF PAY-
16 MENTS.—Land enrolled in the grassland reserve pro-
17 gram under this subsection shall no longer be eligi-
18 ble for payments under the conservation reserve pro-
19 gram.”.

20 (d) EQUITY FOR PASTURE-BASED OPERATIONS.—
21 Section 1238N of such Act (16 U.S.C. 3838N) is further
22 amended by inserting after subsection (d), as added by
23 subsection (c), the following new subsection:

24 “(e) EQUITY FOR PASTURE-BASED OPERATIONS.—
25 Consistent with the other requirements of the program,

1 the Secretary shall implement the program in a manner
2 that ensures that, to the greatest extent practicable, land-
3 owners operating pasture-based systems have an equal op-
4 portunity to enroll in the program.”.

5 (e) BIODIVERSITY.—Section 1238O of such Act (16
6 U.S.C. 3838o) is amended—

7 (1) by redesignating subsections (d) and (e) as
8 subsections (e) and (f), respectively; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(f) BIODIVERSITY.—In emphasizing support for bio-
12 diversity consistent with the requirements of subsection
13 (c), the Secretary shall give priority to agreements and
14 easements that protect and restore habitat for rare,
15 threatened, endangered, and candidate species or further
16 the goals and objectives of the State’s comprehensive wild-
17 life conservation strategy.”.

18 (f) SPECIAL GRASSLANDS RESERVE ENHANCEMENT
19 PROGRAM.—Section 1238P of such Act (16 U.S.C.
20 3838p) is amended by adding at the end the following new
21 subsection:

22 “(e) SPECIAL GRASSLANDS RESERVE ENHANCE-
23 MENT AGREEMENTS.—

24 “(1) AGREEMENTS.—The Secretary may enter
25 into a special grasslands reserve enhancement agree-

1 ment with a State under which the Secretary will
2 make payments to the State or political subdivisions
3 or agencies of the State to advance the purposes of
4 the grassland reserve program in the State.

5 “(2) PAYMENT LIMITATIONS.—Section 1305(d)
6 of the Omnibus Budget Reconciliation Act of 1987
7 (7 U.S.C. 1308 note; Public Law 100–203) shall not
8 apply to payments received by a State or political
9 subdivision or agency thereof in connection with an
10 agreement entered into under subsection (a).”.

11 **SEC. 105. ENVIRONMENTAL QUALITY INCENTIVES PRO-**
12 **GRAM.**

13 (a) EXTENSION.—

14 (1) FUNDING EXTENSION AND INCREASE.—
15 Section 1241(a) of the Food Security Act of 1985
16 (16 U.S.C. 3841(a)) is amended by striking para-
17 graph (6) and inserting the following new para-
18 graph:

19 “(6) The environmental quality incentives pro-
20 gram under chapter 4, using, to the maximum ex-
21 tent practicable, \$2,000,000,000 in each of fiscal
22 years 2008 through 2013.”.

23 (2) CONFORMING AMENDMENTS.—Section
24 1240B of such Act is amended (16 U.S.C. 3839aa-
25 2)—

1 (A) in subsection (a)(1), by striking
2 “2010” and inserting “2013”; and

3 (B) in subsection (g), by striking “2007”
4 and inserting “2013”.

5 (b) PURPOSES.—Section 1240 of such Act (16 U.S.C.
6 3839aa) is amended—

7 (1) in paragraph (2), by inserting “, conserving
8 energy,” after “resources”; and

9 (2) in paragraph (3), by inserting “and con-
10 serve energy,” after “wildlife”.

11 (c) PREDATOR DETERRENCE.—Section 1240B(a) of
12 such Act (16 U.S.C. 3839aa–2(a)) is amended by adding
13 at the end the following paragraph:

14 “(3) PREDATOR DETERRENCE.—A producer
15 that implements practices or other measures as part
16 of a system of proactive predator deterrence for
17 large carnivores, including the use of range riders,
18 removal of carcasses, and installation of electric
19 fencing around calving areas, shall be eligible to re-
20 ceive cost-share or incentive payments under this
21 chapter.”.

22 (d) BIDDING DOWN.—Subsection (c) of section
23 1240B of such Act (16 U.S.C. 3839aa–2) is amended to
24 read as follows:

1 “(c) BIDDING DOWN.—The Secretary shall not as-
2 sign a higher priority to any application because the appli-
3 cant is willing to accept a lower cost-share or incentive
4 payment than the applicant would otherwise be entitled
5 to receive. Nothing in this subsection shall be construed
6 to relieve the Secretary of the obligation, when evaluating
7 applications for cost-share payments and incentive pay-
8 ments, to evaluate the cost-effectiveness of the proposed
9 conservation practices, systems, and approaches described
10 in the applications and to prioritize the most cost-effective
11 applications, as required by section 1240C(1).”.

12 (e) EVALUATION OF APPLICATIONS FOR COST-SHARE
13 PAYMENTS AND INCENTIVE PAYMENTS.—Section 1240C
14 of such Act (16 U.S.C. 3839aa–3) is amended to read as
15 follows:

16 **“SEC. 1240C. EVALUATION OF APPLICATIONS FOR COST-**
17 **SHARE PAYMENTS AND INCENTIVE PAY-**
18 **MENTS.**

19 “(a) EVALUATION PRIORITIES AND CRITERIA.—In
20 evaluating applications for cost-share payments and incen-
21 tive payments, the Secretary shall—

22 “(1) prioritize applications based on their over-
23 all level of cost-effectiveness to ensure that the con-
24 servation practices, systems, and approaches pro-

1 posed are the most efficient means of achieving the
2 anticipated environmental benefits of the project;

3 “(2) prioritize applications based on how effec-
4 tively and comprehensively the project addresses the
5 designated resource concern or resource concerns;

6 “(3) reward higher levels of environmental per-
7 formance, such as advanced levels of management
8 within land management practices;

9 “(4) develop criteria for evaluating applications
10 that will ensure that national, State, and local con-
11 servation priorities are effectively addressed; and

12 “(5) prioritize applications that will improve en-
13 vironmental performance on existing operations.

14 “(b) SPECIAL RULE FOR PROJECTS TO IMPROVE
15 WILDLIFE HABITAT.—In evaluating applications for cost-
16 share payments and incentive payments primarily to im-
17 prove wildlife habitat, in addition to meeting the require-
18 ments of subsection (a), the Secretary shall give priority
19 to applications that—

20 “(1) protect and restore habitat for rare,
21 threatened, endangered, and candidate species; or

22 “(2) further the goals and objectives of the
23 State’s comprehensive wildlife conservation strat-
24 egy.”.

1 (f) CONSERVATION INNOVATION GRANTS.—Section
2 1240H of such Act (16 U.S.C. 3839aa–8) is amended—

3 (1) in subsection (a), by striking “may” and in-
4 sserting “shall”;

5 (2) in subsection (b)—

6 (A) by striking “may” and inserting
7 “shall”;

8 (B) by striking “and” at the end of para-
9 graph (2);

10 (C) by striking the period at the end of
11 paragraph (3) and inserting “; and”; and

12 (D) by adding at the end the following new
13 paragraph:

14 “(4) include a plan for technology transfer.”;

15 and

16 (3) by adding at the end the following new sub-
17 sections:

18 “(d) TECHNOLOGY TRANSFER.—To the maximum
19 extent practicable, the Secretary shall ensure efficient, ef-
20 fective transfer of innovative technologies and approaches
21 demonstrated through projects that receive funding under
22 this section.

23 “(e) FUNDING.—In addition to amounts made avail-
24 able under section 1241(a)(6) to carry out this chapter,
25 the Secretary shall use funds of the Commodity Credit

1 Corporation to carry out this section in the following
2 amounts:

3 “(1) 40,000,000 for fiscal year 2008.

4 “(2) 50,000,000 for fiscal year 2009.

5 “(3) 60,000,000 for fiscal year 2010.

6 “(4) 75,000,000 for each of fiscal years 2011
7 through 2013.”.

8 (g) FUNDING UNDER GROUND AND SURFACE
9 WATER CONSERVATION PROGRAM.—Subsection (c) sec-
10 tion 1240I of such Act (16 U.S.C. 3839aa–9) is amended
11 to read as follows:

12 “(c) FUNDING.—The Secretary shall use
13 \$100,000,000 of the funds of the Commodity Credit Cor-
14 poration to carry out this section for each of fiscal years
15 2008 through 2013. These funds are in addition to
16 amounts made available under section 1241(a)(6) to carry
17 out this chapter.”.

18 (h) ADDITIONAL PROVISIONS.—Chapter 4 of subtitle
19 D of title XII of such Act is amended by adding at the
20 end the following new sections:

21 **“SEC. 1240J. PROMOTION OF FOREST STEWARDSHIP PRAC-**
22 **TICES.**

23 “(a) COST-SHARE PAYMENTS AND INCENTIVE PAY-
24 MENTS.—In carrying out the program under this chapter,
25 the Secretary shall promote forest stewardship by pro-

1 viding cost-share payments and incentive payments to
2 non-industrial private forest owners to carry out eligible
3 conservation activities, to—

4 “(1) improve water quality;

5 “(2) improve habitat for at-risk species;

6 “(3) restore ecologically important forest types;

7 or

8 “(4) control invasive species.

9 “(b) PRIORITY.—The Secretary shall give priority to
10 projects that involve multiple landowners implementing el-
11 igible conservation activities in a coordinated way to ad-
12 dress the purposes described in subsection (a).

13 “(c) FUNDING.—

14 “(1) AMOUNTS.—The Secretary shall use funds
15 of the Commodity Credit Corporation to carry out
16 this section in the following amounts:

17 “(A) \$25,000,000 for fiscal year 2008;

18 “(B) \$45,000,000 for fiscal year 2009;

19 “(C) \$60,000,000 for fiscal year 2010;

20 “(D) \$75,000,000 million for each of fiscal
21 years 2011 and 2012; and

22 “(E) \$100 million for fiscal year 2013.

23 “(2) RELATION TO OTHER FUNDS.—The funds
24 made available under paragraph (1) are in addition

1 to amounts made available under section 1241(a)(6)
2 to carry out this chapter.

3 **“SEC. 1240K. ENHANCED NUTRIENT AND MANURE MANAGE-**
4 **MENT.**

5 “(a) DEMONSTRATION AND IMPLEMENTATION OF
6 NUTRIENT AND MANURE MANAGEMENT CONSERVATION
7 PRACTICES.—In carrying out the program under this
8 chapter, the Secretary shall provide cost-share, incentive
9 payments, and technical assistance to agricultural pro-
10 ducers to demonstrate and implement innovative and ad-
11 vanced conservation measures that hold substantial prom-
12 ise for producing cost-effective improvements to air and
13 water quality by reducing the loss of nutrients to the envi-
14 ronment. Such conservation measures may include:

15 “(1) Manure processing and treatment tech-
16 nologies to permit more effective use and transport
17 of manure nutrients, including energy production.

18 “(2) Innovative land management practices for
19 nutrient loss reduction, such as soil amendments, in-
20 novative cropping or grazing systems, precision nu-
21 trient application, on-farm analysis of nutrient
22 needs, and performance-based incentive systems.

23 “(3) Feed management.

1 “(4) Other projects that demonstrate and
2 transfer the most cost-effective measures and tech-
3 nologies to reduce nitrogen and phosphorus losses.

4 “(b) PRIORITIES.—The Secretary shall give priority
5 to projects that—

6 “(1) involve multiple landowners implementing
7 conservation measures described in subsection (a) in
8 a coordinated way to address the purposes of this
9 section;

10 “(2) have a high likelihood of advancing or
11 demonstrating advanced manure or nutrient man-
12 agement measures; and

13 “(3) are anticipated to produce significant ben-
14 efits to air and water quality.

15 “(c) LOCATIONS OF PROJECTS.—To be eligible to re-
16 ceive assistance under this section, a project must be lo-
17 cated in a watershed or subwatershed of a body of water
18 impaired by nutrients in which either—

19 “(1) the amount of nutrients contained in ma-
20 nure produced in the watershed or subwatershed ex-
21 ceeds the amount that can be applied to cropland at
22 agronomic rates; or

23 “(2) conventional nutrient management tech-
24 niques are inadequate to meet water quality stand-
25 ards.

1 “(d) REGIONAL TECHNICAL ADVISORY COMMIT-
2 TEES.—

3 “(1) ESTABLISHMENT.—The Secretary shall es-
4 tablish regional technical advisory committees to as-
5 sist the Secretary in selecting projects for funding
6 under this section.

7 “(2) PARTICIPATION.—A regional technical ad-
8 visory committee shall include scientists and other
9 persons with expertise related to innovative and ad-
10 vanced nutrient management, to be appointed from
11 agencies within the Department of Agriculture, other
12 Federal and State agencies, producer associations,
13 environmental organizations, and other interested
14 groups.

15 “(3) RELATIONSHIP TO STATE TECHNICAL
16 COMMITTEES.—Subtitle G, relating to State tech-
17 nical committees shall apply to a regional technical
18 advisory committee, except that members of the
19 committee shall be appointed on a regional basis
20 consistent with paragraph (2).

21 “(e) EQUAL TREATMENT.—In implementing this sec-
22 tion, the Secretary shall ensure that farms of all sizes are
23 treated equitably.

24 “(f) FUNDING.—In addition to amounts made avail-
25 able under section 1241(a)(6) to carry out this chapter,

1 the Secretary shall use funds of the Commodity Credit
2 Corporation to carry out this section in the following
3 amounts:

4 “(1) \$160,000,000 for fiscal year 2008.

5 “(2) \$175,000,000 for fiscal year 2009.

6 “(3) \$200,000,000 for each of fiscal years
7 2010, 2011, 2012, and 2013.

8 **“SEC. 1240L. PERFORMANCE INCENTIVES FOR STATES.**

9 “(a) HIGH LEVEL OF PERFORMANCE BONUS.—For
10 each of fiscal years 2008 through 2013, 10 percent of the
11 funds made available under this chapter shall be reserved
12 by the Secretary for bonus allocations to States that dem-
13 onstrate a high level of performance in implementing the
14 environmental quality incentives program.

15 “(b) SPECIAL CONSIDERATIONS.—In evaluating
16 State performance under subsection (a), the Secretary
17 shall reward States that—

18 “(1) consistently meet the requirements of sec-
19 tion 1240C in evaluating offers and payments;

20 “(2) dedicate a portion of their annual environ-
21 mental quality incentives program allocation to
22 multi-producer cooperative efforts to address specific
23 resource concerns;

24 “(3) collaborate with other Federal and State
25 agencies, local governments, educational institutions,

1 and for-profit and nonprofit organizations to mon-
2 itor and evaluate the environmental outcomes associ-
3 ated with implementation of the environmental qual-
4 ity incentives program;

5 “(4) demonstrate effective and efficient pro-
6 gram delivery, including the provision of adequate
7 technical assistance to all program participants
8 through appropriate staffing and through coopera-
9 tion with other Federal, State, Tribal, and local
10 agencies, for-profit and nonprofit organizations, and
11 individuals with demonstrated expertise in the plan-
12 ning and implementation of conservation practices,
13 systems, and approaches;

14 “(5) support and encourage innovative ap-
15 proaches to addressing resource concerns; and

16 “(6) demonstrate effective outreach and innova-
17 tive approaches to reaching and serving beginning
18 farmers and ranchers, limited-resource producers,
19 and operators with lower rates of historical partici-
20 pation in Federal farm and conservation programs.”.

21 **SEC. 106. REAUTHORIZATION OF AND INCREASED FUNDING**
22 **FOR WILDLIFE HABITAT INCENTIVE PRO-**
23 **GRAM.**

24 (a) EXTENSION AND FUNDING.—Section 1241(a)(7)
25 of the Food Security Act of 1985 (16 U.S.C. 3841(a)(7))

1 is amended by striking subparagraphs (A) through (D)
2 and inserting the following new subparagraphs:

3 “(A) \$85,000,000 in fiscal year 2007;

4 “(B) \$100,000,000 in fiscal year 2008;

5 “(C) \$140,000,000 in fiscal year 2009;

6 “(D) \$200,000,000 in each of fiscal years
7 2010 and 2011; and

8 “(E) \$300,000,000 in each of fiscal years
9 2012 and 2013.”.

10 (b) FUNDING SET-ASIDE FOR LONG-TERM AGREE-
11 MENTS.—Section 1240N(b)(2) of such Act (16 U.S.C.
12 3839bb–1(b)(2)) is amended by striking subparagraph
13 (B) and inserting the following:

14 “(B) FUNDS FOR LONG-TERM AGREE-
15 MENTS.—To the maximum extent practicable,
16 the Secretary shall use 25 percent of the funds
17 made available under section 1241(a)(7) for a
18 fiscal year to carry out during that fiscal year
19 contracts and agreements described in subpara-
20 graph (A).”.

21 (c) INCENTIVE PAYMENTS AND PROGRAM PRIOR-
22 ITIES.—Section 1240N of such Act (16 U.S.C. 3839bb–
23 1) is amended by adding at the end the following new sub-
24 section:

1 “(d) INCENTIVE PAYMENTS AND PROGRAM PRIOR-
2 ITIES.—

3 “(1) PRIORITIES.—In carrying out this section,
4 the Secretary shall give priority to agreements and
5 contracts that will—

6 “(A) protect or restore habitat for a feder-
7 ally or State-listed rare, threatened, endan-
8 gered, and candidate species; or

9 “(B) further the goals and objectives of a
10 State’s comprehensive wildlife conservation
11 strategy.

12 “(2) INCENTIVE PAYMENTS FOR CERTAIN
13 AGREEMENTS AND APPLICATIONS.—In a case in
14 which the Secretary enters into an agreement or
15 contract described in paragraph (1), the Secretary
16 may provide incentive payments to landowners under
17 the agreement or contract, including the cost of
18 management activities needed during the term of the
19 agreement or contract.”.

20 (d) FISH HABITAT.—Section 1240N of such Act (16
21 U.S.C. 3839bb-1) is further amended by inserting after
22 subsection (d), as added by subsection (c), the following
23 new subsection:

24 “(e) DEVELOPMENT OF FISH HABITAT.—

1 “(1) PURPOSES OF COST-SHARE PAYMENTS.—
2 Subsection (b)(1)(D) authorizes the Secretary to
3 make cost-share payments to landowners to develop
4 fish habitat. The development of fish habitat using
5 such cost-share payments may include activities—

6 “(A) to protect streamside areas, including
7 through the installation of riparian fencing and
8 improved stream crossings;

9 “(B) to repair in-stream habitat;

10 “(C) to improve water flows and water
11 quality, including through channel restoration;

12 “(D) to initiate watershed management
13 and planning in areas in which streams are in
14 a degraded condition due to past agricultural or
15 forestry practices; and

16 “(E) to undertake other types of stream
17 habitat improvement approved by the Secretary.

18 “(2) PRIORITY PROJECTS.—When considering
19 applications describing projects to protect or restore
20 fish habitat, the Secretary shall give priority to ap-
21 plicants who will use the cost-share payments to
22 carry out a project—

23 “(A) to remove a small dam or in-stream
24 structure;

1 “(B) to improve fish passage, including
2 through culvert repair and maintenance;

3 “(C) to protect streamside areas;

4 “(D) to improve water flows, including
5 through irrigation efficiency improvements; or

6 “(E) to improve in-stream flow quality or
7 timing or temperature regimes.

8 “(3) PRIORITY FOR PROJECTS INCLUDING UP-
9 LAND IMPROVEMENTS.—In addition to the priority
10 projects described in paragraph (2), to ensure that
11 projects intended to protect or restore fish habitat
12 also address the causes of stream habitat degrada-
13 tion, the Secretary shall give priority among applica-
14 tions describing such projects to applicants who
15 demonstrate that upland improvements associated
16 with the stream habitat improvement, including ero-
17 sion and nutrient management have been, or will be,
18 carried out.”.

19 **SEC. 107. COOPERATIVE CONSERVATION PARTNERSHIP**
20 **INITIATIVE.**

21 (a) ESTABLISHMENT OF GRANT PROGRAM.—Subtitle
22 D of title XII of the Food Security Act of 1985 is amend-
23 ed by adding at the end the following new chapter:

1 **“CHAPTER 6—COOPERATIVE CONSERVA-**
2 **TION PARTNERSHIP INITIATIVE**

3 **“SEC. 1240W. COOPERATIVE CONSERVATION PARTNERSHIP**
4 **INITIATIVE.**

5 “(a) GRANTS AND AGREEMENTS.—The Secretary
6 shall make grants and enter into agreements for not short-
7 er than two-year or longer than five-year terms with eligi-
8 ble entities specified in subsection (c) to preferentially en-
9 roll producers in one or more of the programs specified
10 in subsection (b) to carry out special projects and initia-
11 tives through which multiple producers and other inter-
12 ested persons cooperate to improve water quality or ad-
13 dress other specific resources of concern related to agricul-
14 tural production on a local, State, or regional scale.

15 “(b) COVERED PROGRAMS.—The conservation pro-
16 grams referred to in subsection (a) are the following:

17 “(1) Conservation reserve program, but only
18 the continuous signup portion of the program.

19 “(2) Conservation reserve enhancement pro-
20 gram.

21 “(3) Environmental quality incentives program.

22 “(4) Farmland protection program.

23 “(5) Grassland reserve program.

24 “(6) Ground and surface water conservation
25 program.

1 “(7) Wetland reserve program.

2 “(8) Wildlife habitat incentive program.

3 “(c) ELIGIBLE PARTNERS.—Agreements may be en-
4 tered into under this section with any of the following (or
5 a combination thereof):

6 “(1) States and agencies of States.

7 “(2) Political subdivisions of States, including
8 State-sponsored conservation districts.

9 “(3) Indian tribes.

10 “(4) Nongovernmental organizations and asso-
11 ciations, including conservation organizations and
12 producer associations and cooperatives.

13 “(d) APPLICATIONS.—

14 “(1) COMPETITIVE PROCESS.—The Secretary
15 shall establish a competitive process for considering
16 applications for agreements under this section con-
17 sistent with the evaluation criteria listed in sub-
18 section (e).

19 “(2) PROGRAM ALLOCATION.—Applications
20 shall include—

21 “(A) specification of the amount of fund-
22 ing or acres of one or more covered programs
23 specified in subsection (b) proposed to be allo-
24 cated to carry out the special project or initia-
25 tive; and

1 “(B) a schedule for utilization of funding
2 or acres over the life of the proposed project or
3 initiative.

4 “(e) EVALUATION CRITERIA.—In evaluating applica-
5 tions for agreements under this section the Secretary shall
6 consider the extent to which—

7 “(1) preferential enrollment in the covered pro-
8 grams specified in the application will effectively ad-
9 dress the environmental objectives established for
10 the special project or initiative; and

11 “(2) the special project or initiative covered by
12 the application—

13 “(A) enjoys broad local and regional sup-
14 port from producers and other interested per-
15 sons, including governmental and nongovern-
16 mental organizations with appropriate expertise
17 on the issues the project or initiative seeks to
18 address;

19 “(B) includes clear environmental objec-
20 tives and a high likelihood of success;

21 “(C) includes a well defined project or ini-
22 tiative plan that identifies sensitive areas re-
23 quiring treatment and prioritizes conservation
24 systems, practices, and activities needed to
25 achieve environmental objectives;

1 “(D) promises adequate and coordinated
2 participation to achieve the objectives of the
3 project or initiative;

4 “(E) coordinates integration of local,
5 State, and Federal efforts to make the best use
6 of available resources and maximize cost-effec-
7 tive investments;

8 “(F) leverages financial and technical re-
9 sources from sources other than the programs
10 authorized by this subtitle, including financial
11 and technical resources provided by Federal
12 and State agencies, local governments, non-
13 governmental organizations and associations,
14 and other private sector entities;

15 “(G) describes how all necessary technical
16 assistance will be provided to each producer
17 participating in the project or initiative, includ-
18 ing cost estimates for technical assistance and
19 whether such assistance will be provided by
20 technical service providers;

21 “(H) addresses a local, State, regional, or
22 national environmental priority or priorities,
23 with particular emphasis on any priority for
24 which there is an existing State or federally ap-

1 proved plan in place for addressing that pri-
2 ority;

3 “(I) links environmental and conservation
4 objectives with other objectives, such as spur-
5 ring rural economic development through in-
6 creased opportunities in the project area for
7 recreation, value-added enterprises, or direct
8 marketing of agricultural products, and assist-
9 ing beginning, limited resource, tribal, and
10 other producers maintain the viability of their
11 operations;

12 “(J) includes a plan to evaluate progress
13 and measure results; and

14 “(K) clearly demonstrates that enrollment
15 of producers in covered programs will be con-
16 sistent with the purposes and policies of each
17 individual program, as established in statute,
18 rules and regulations, and program guidance
19 promulgated by implementing agencies.

20 “(f) PRIORITIES.—To the maximum extent prac-
21 ticable, consistent with the requirements of subsection (d),
22 the Secretary shall ensure that, each fiscal year, grants
23 are awarded and agreements are entered into under this
24 section to support projects and initiatives that collectively
25 address the full range of resource concerns facing pro-

1 ducers, ranchers, and small private forest landowners, in-
2 cluding specifically projects and initiatives that are de-
3 signed—

4 “(1) to achieve improvements in water quality
5 in watersheds impacted by agriculture, particularly
6 by increasing the participation of producers in im-
7 plementing best management practices in a water-
8 shed or developing environmentally and economically
9 viable alternative uses for manure and litter;

10 “(2) to achieve improvements in air quality in
11 a geographical area where agricultural operations
12 impact air quality, especially an area that, as deter-
13 mined by the Administrator of the Environmental
14 Protection Agency, is a nonattainment area with re-
15 spect to any of the national ambient air quality
16 standards promulgated by the Administrator under
17 section 109 of the Clean Air Act (42 U.S.C. 7409);

18 “(3) to conserve water for environmental pur-
19 poses such as enhanced in stream flows or aquifer
20 recharge in regions, States, or local areas where
21 water quantity is a concern;

22 “(4) to assist in the recovery of Federal or
23 State-listed endangered species or species of special
24 concern or to further the goals and objectives of a
25 State’s comprehensive wildlife conservation plan

1 through the cooperative efforts of multiple pro-
2 ducers;

3 “(5) to control invasive species on rangeland or
4 other agricultural land through the cooperative ef-
5 forts of multiple producers in a geographical area;

6 “(6) to address a specific resource of concern or
7 set of concerns on private, non-industrial forest land;

8 “(7) to reduce losses of pesticides to the envi-
9 ronment by engaging multiple producers in a geo-
10 graphic area in adoption of integrated pest manage-
11 ment practices and approaches; and

12 “(8) to keep working farms and ranches facing
13 development pressures in agricultural use.

14 “(g) COST SHARE.—

15 “(1) MAXIMUM; EXCEPTIONS.—The Secretary
16 shall not require more than 25 percent of the cost
17 of a project or initiative supported under an agree-
18 ment entered into under this section to come from
19 non-Federal sources. However, the Secretary may
20 award more points to projects or initiatives offering
21 to cover a higher percentage of the cost of the
22 project or initiative from non-Federal sources.

23 “(2) IN-KIND CONTRIBUTIONS.—If the Sec-
24 retary establishes a cost-share requirement for a

1 project or initiative, the Secretary shall allow the use
2 of in-kind contributions to meet that requirement.

3 “(h) FUNDING.—

4 “(1) SET-ASIDE.—Of the funds provided each
5 fiscal year to implement the programs specified in
6 subsection (b), the Secretary shall use 20 percent to
7 provide funds under agreements entered into under
8 this section.

9 “(2) ALLOCATION TO STATES.—The Secretary
10 shall allocate to States 60 percent of the funds re-
11 served under paragraph (1) to allow State Conserva-
12 tionists, with the advice of State technical commit-
13 tees, to select projects and initiatives for funding
14 under this section at the State level.

15 “(3) WATER QUALITY.—To the maximum ex-
16 tent practicable and consistent with the other re-
17 quirements of this section, the Secretary shall ensure
18 that 50 percent of the funds awarded each year
19 under this section are awarded to projects and ini-
20 tiatives that will improve water quality.”.

21 (b) CONFORMING REPEAL.—Section 1243 of the
22 Food Security Act of 1985 (16 U.S.C. 3843) is amended
23 by striking subsection (f).

1 **SEC. 108. REGIONAL EQUITY IN FUNDING OF CERTAIN DE-**
2 **PARTMENT OF AGRICULTURE CONSERVA-**
3 **TION PROGRAMS.**

4 Subsection (d) of section 1241 of the Food Security
5 Act of 1985 (16 U.S.C. 3841) is amended to read as fol-
6 lows:

7 “(d) **MINIMUM BASE ALLOCATION TO STATES FOR**
8 **CERTAIN CONSERVATION PROGRAMS.—**

9 “(1) **MINIMUM ALLOCATION.—**In allocating
10 funds to States to implement the conservation pro-
11 grams under this subtitle D, other than the pro-
12 grams excluded by paragraph (2), the Secretary
13 shall ensure that each State receives, at a minimum,
14 \$15,000,000 for each of the fiscal years 2007
15 through 2013. Funds provided as part of a cooper-
16 ative conservation partnership initiative under chap-
17 ter 6 to a project in a State or in a State adjacent
18 to that State shall not be counted as part of the
19 minimum base allocation to that State under this
20 subsection.

21 “(2) **CERTAIN PROGRAMS EXCLUDED.—**Para-
22 graph (1) does not apply to the following programs:

23 “(A) The conservation reserve program
24 under subchapter B of chapter 1.

25 “(B) The wetlands reserve program under
26 subchapter C of chapter 1.

1 “(C) The conservation security program
2 under subchapter A of chapter 2.

3 “(D) The grassland reserve program under
4 subchapter C of chapter 2.”.

5 **SEC. 109. EXCLUSION OF PAYMENTS UNDER DEPARTMENT**
6 **OF AGRICULTURE CONSERVATION PRO-**
7 **GRAMS FROM ADJUSTED GROSS INCOME**
8 **LIMITATION.**

9 (a) EXCLUSION.—Subsection (b)(2) of section 1001D
10 of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is
11 amended by striking subparagraph (C).

12 (b) DURATION OF ADJUSTED GROSS INCOME LIM-
13 TATION.—Such section is further amended by striking
14 subsection (e).

15 **SEC. 110. REAUTHORIZATION OF AND ADDITIONAL FUND-**
16 **ING FOR AGRICULTURAL MANAGEMENT AS-**
17 **SISTANCE PROGRAM.**

18 (a) REAUTHORIZATION.—Subsection (b)(4)(B) of
19 section 524 of the Federal Crop Insurance Act (7 U.S.C.
20 1524) is amended—

21 (1) in clause (ii), by striking “fiscal years 2003
22 through 2007” and inserting “fiscal years 2008
23 through 2013”; and

1 (2) in clause (iii), by striking “fiscal years 2004
2 through 2007” and inserting “fiscal years 2008
3 through 2013”.

4 (b) FUNDING LEVELS.—Such subsection is further
5 amended—

6 (1) in clause (ii), by striking “\$20,000,000”
7 and inserting “\$40,000,000”; and

8 (2) in clause (iii)—

9 (A) in subclause (I), by striking
10 “\$14,000,000” and inserting “\$28,000,000”;

11 (B) in subclause (II), by striking
12 “\$1,000,000” and inserting “\$2,000,000”; and

13 (C) in subclause (III), by striking
14 “\$5,000,000” and inserting “\$10,000,000”.

15 **SEC. 111. COMMUNITY FORESTS AND OPEN SPACE CON-**
16 **SERVATION PROGRAM.**

17 (a) FINDINGS.—Congress makes the following find-
18 ings:

19 (1) The United States Forest Service projects
20 that 44 million acres of privately owned forested
21 land will be developed in the United States by 2030,
22 including many of the most important remaining
23 forested parcels within and adjacent to communities.

24 (2) There is an urgent need to assist local gov-
25 ernments in raising the funds necessary to purchase

1 the most important of these parcels of privately
2 owned forested land as they come up for sale.

3 (3) The breakup of forested land into smaller
4 parcels has resulted in an increasing number of own-
5 ers of privately owned forested land, but many of
6 these owners have little or no experience in forest
7 stewardship.

8 (4) In fast growing communities of all sizes
9 across the United States, the remaining parcels of
10 privately owned forested land play an essential role
11 in protecting public water supplies, which has lead
12 many local governments to purchase these lands for
13 municipal or county ownership.

14 (5) Rising rates of obesity and other public
15 health problems related to inactivity have been
16 shown to be ameliorated by improving public access
17 to safe and pleasing areas for outdoor recreation,
18 which has lead many local governments to purchase
19 lands for recreational purposes under municipal or
20 county ownership.

21 (6) Across the United States, many commu-
22 nities of diverse types and sizes are deriving signifi-
23 cant financial benefit from owning and managing
24 municipal or county forestlands as a source of local
25 revenue that also contributes significantly to the

1 health of the forest products economy at the local
2 and national levels.

3 (7) The access to privately owned forested land
4 for hunting, fishing, and trapping has declined, and
5 the number of persons participating in these activi-
6 ties has likewise declined, as these lands are divided
7 into smaller parcels and more owners of privately
8 owned forested land post their land against public
9 use, which has lead many local governments to pur-
10 chase forestlands to guarantee access for hunting,
11 fishing, and trapping.

12 (8) There is a national interest and an urgent
13 need to assist local governments in raising the funds
14 necessary to purchase important privately owned for-
15 ested land that will maintain the diverse public bene-
16 fits of forestlands close to or within all manner of
17 communities nationwide, from close-knit rural com-
18 munities to fast growing suburban and exurban
19 areas.

20 (b) ESTABLISHMENT OF PROGRAM.—The Coopera-
21 tive Forestry Assistance Act of 1978 (16 U.S.C. 2101 et
22 seq.) is amended by adding at the end the following new
23 section:

1 **“SEC. 21. COMMUNITY FORESTS AND OPEN SPACE CON-**
2 **SERVATION PROGRAM.**

3 “(a) ESTABLISHMENT AND PURPOSE.—The Sec-
4 retary of Agriculture shall establish within the Forest
5 Service a program to be known as the ‘Community Forests
6 and Open Space Conservation Program’ (in this section
7 referred to as the ‘Program’) for the purpose of assisting
8 local governments in a State selected to participate in the
9 Program to acquire forested land that—

10 “(1) is economically, culturally, and environ-
11 mentally important to the locality in which the land
12 is located;

13 “(2) is threatened by conversion to non-forest
14 uses; and

15 “(3) will conserve public access to and benefit
16 from the land for a wide variety of public purposes,
17 including model forest stewardship, sustainable tim-
18 ber production, forest-based educational and cultural
19 activities, wildlife habitat protection, watershed pro-
20 tection, or outdoor recreation, including hunting and
21 fishing.

22 “(b) SELECTION OF PARTICIPATING STATES.—

23 “(1) SELECTION.—Not later than one year
24 after the date of the enactment of this section, the
25 Secretary shall select at least one State in each of
26 the New England, Mid-Atlantic, Midwest, South,

1 West, and Pacific Northwest regions of the United
2 States to participate in the Program. The Secretary
3 shall make the selections from among applications
4 submitted by willing States. No State shall be com-
5 pelled to participate in the Program.

6 “(2) IMPLEMENTATION.—Authority for imple-
7 mentation of the Program in a participating State
8 shall lie with the State forester, equivalent State of-
9 ficial, or other appropriate State natural resource
10 management agency designated by the Governor of
11 the State.

12 “(c) ELIGIBILITY AND RANKING CRITERIA.—

13 “(1) STATE ASSESSMENT OF NEED.—Each par-
14 ticipating State shall prepare an assessment of need
15 that identifies the geographic areas within the State
16 that will be the focus of land acquisition activities
17 under the Program and priority objectives for con-
18 servation, based on conditions and public needs in
19 the State. This requirement may be satisfied by in-
20 clusion of the assessment as part of an integrated
21 State-wide forest planning process for application of
22 Federal programs in the State.

23 “(2) ESTABLISHMENT OF CRITERIA.—Not later
24 than one year after the date of the enactment of this
25 section, the Secretary shall establish eligibility and

1 ranking criteria for the selection of land acquisition
2 proposals to receive funding under the Program. The
3 Secretary shall establish the criteria in consultation
4 with State Forest Stewardship Advisory Committees,
5 State Urban and Community Forestry Advisory
6 Committees, and similar organizations.

7 “(3) PRIORITIES.—In establishing the eligibility
8 and ranking criteria under paragraph (2), the Sec-
9 retary shall give priority to the acquisition of lands
10 that—

11 “(A) meet identified local open space and
12 natural resource needs, as expressed in town
13 plans, regional plans, or other relevant local
14 planning documents;

15 “(B) can be effectively managed to model
16 good forest stewardship for private landowners
17 and support forest-based educational programs,
18 including vocational education in forestry;

19 “(C) provide significant protection of pub-
20 lic water supplies or other waterways;

21 “(D) can offer long-term economic benefit
22 to communities through forestry;

23 “(E) contain important wildlife habitat;

1 “(F) provide convenient public access for
2 outdoor recreation, including hunting and fish-
3 ing; and

4 “(G) are most threatened with conversion
5 to non-forest uses.

6 “(d) APPLICATION AND RANKING OF PROPOSALS.—

7 “(1) PREPARATION AND CONTENTS.—A local
8 government in a participating State may prepare an
9 application for assistance under the Program in the
10 acquisition of forested land within the geographic
11 program focus area in the State identified under
12 subsection (c)(1). The application shall include cer-
13 tification by the appropriate unit or units of local
14 government that the proposed land acquisition is
15 consistent with any comprehensive plans for develop-
16 ment adopted by the unit of local government and
17 include such other information as the Secretary may
18 prescribe.

19 “(2) SUBMISSION.—Participating States shall
20 rank all applications according to priority and sub-
21 mit the applications to the Secretary at such times
22 and in such form as the Secretary may prescribe.

23 “(3) NATIONAL LIST.—The Secretary shall
24 maintain a national list of all submitted applications,

1 ranked according to the criteria established pursuant
2 to subsection (c).

3 “(e) OWNERSHIP OF LAND.—

4 “(1) GOVERNMENT OWNERSHIP.—Except as
5 provided in paragraph (2), all land acquired in whole
6 or in part using funds provided under the Program
7 shall be owned in fee simple by a local government,
8 such as a municipality or county.

9 “(2) NONPROFIT ORGANIZATION OWNERSHIP.—

10 Upon the request of a participating State, des-
11 ignated nonprofit organizations operating within
12 that State may also own land acquired using funds
13 provided under the Program, subject to the condi-
14 tion that the land is open for public access con-
15 sistent with the purposes and criteria of the Pro-
16 gram.

17 “(3) EFFECT OF VIOLATION.—If the owner of
18 land acquired in whole or in part using funds pro-
19 vided under the Program sells the land, the owner
20 shall reimburse the Secretary for the full amount of
21 the funds provided under the Program, plus a pen-
22 alty equal to 50 percent of the sale price or ap-
23 praised value of the land at the time of the sale,
24 whichever is greater. The local government or des-
25 ignated nonprofit organization that sold the land

1 shall no longer be eligible for assistance under the
2 Program.

3 “(f) DUTIES OF OWNERS.—

4 “(1) USE AND PROHIBITION ON CONVERSION.—

5 The owner of land acquired in whole or in part using
6 funds provided under the Program shall manage the
7 land in a manner that is consistent with the pur-
8 poses for which the land was purchased under the
9 Program and shall not convert the property to other
10 non-forest uses. Public access for compatible rec-
11 reational uses, as determined by the owner, shall be
12 required.

13 “(2) MANAGEMENT PLAN.—Not later than two
14 years after the closing date on the purchase of land
15 using funds under the Program, the owner of the
16 land shall complete a management plan for the land,
17 which shall be subject to the approval of the respon-
18 sible State agency. Management plans shall be cre-
19 ated through a public process that allows for com-
20 munity participation and input.

21 “(g) COST SHARING REQUIREMENTS.—

22 “(1) COST SHARING.—In accordance with such
23 terms and conditions as the Secretary may prescribe,
24 costs for the acquisition of land under the Program,
25 and other costs associated with the Program, shall

1 be shared among participating entities, including
2 State, county, municipal, and other governmental
3 units, landowners, corporations, or private organiza-
4 tions. Such costs may include costs associated with
5 planning, administration, property acquisition, and
6 property management. The Secretary may authorize
7 in-kind contributions.

8 “(2) FEDERAL COST SHARE.—The Federal
9 share of the cost to acquire land under the Program
10 shall not exceed 50 percent of the total cost to ac-
11 quire the land. Payments under this section shall be
12 made in accordance with Federal appraisal and ac-
13 quisition standards and procedures.

14 “(3) ADMINISTRATION AND TECHNICAL ASSIST-
15 ANCE.—In order to assist local governments in
16 achieving model stewardship of land acquired under
17 the Program, 10 percent of all funds appropriated
18 for a fiscal year for the Program shall be allocated
19 to the responsible State agencies in participating
20 States to administer the Program and to provide
21 technical assistance to local governments for forest
22 stewardship, including development and implementa-
23 tion of management plans required by subsection
24 (f)(2).

25 “(h) PRIVATE PROPERTY PROTECTIONS.—

1 “(1) ACCESS.—Nothing in this section—

2 “(A) requires a private property owner to
3 permit public access (including Federal, State,
4 or local government access) to private property;
5 or

6 “(B) modifies any provision of Federal,
7 State, or local law with regard to public access
8 to, or use of, private land.

9 “(2) LIABILITY.—Nothing in this section cre-
10 ates any liability, or has any effect on liability under
11 any other law, of a private property owner with re-
12 spect to any persons injured on the private property.

13 “(3) RECOGNITION OF AUTHORITY TO CONTROL
14 LAND USE.—Nothing in this section modifies any
15 authority of Federal, State, or local governments to
16 regulate land use.

17 “(4) PARTICIPATION OF PRIVATE PROPERTY
18 OWNERS.—Nothing in this section requires a private
19 property owner to participate in the Program.

20 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Secretary to carry
22 out the Program \$50,000,000 for each of the fiscal years
23 2008 through 2013.”.

1 **SEC. 112. FARMLAND PROTECTION AND FARM VIABILITY**
2 **PROGRAMS.**

3 Paragraph (4) of subsection (a) of section 1241 of
4 the Food Security Act of 1985 (16 U.S.C. 3841) is
5 amended to read as follows:

6 “(4) The farmland protection program under
7 subchapter B of chapter 2, using \$300,000,000 in
8 each of fiscal years 2008 through 2012.”.

9 **SEC. 113. HEALTHY FORESTS RESERVE PROGRAM.**

10 (a) **METHODS OF ENROLLMENT.**—Section
11 502(f)(1) of the Healthy Forests Restoration Act of 2003
12 (16 U.S.C. 6572(f)(1)) is amended by striking subpara-
13 graph (C) and inserting the following new subparagraph:

14 “(C) a permanent easement.”.

15 (b) **FUNDING.**—Section 508 of such Act (16 U.S.C.
16 6578) is amended to read as follows:

17 **“SEC. 508. FUNDING FOR HEALTHY FORESTS RESERVE**
18 **PROGRAM.**

19 “(a) **FUNDING SOURCE.**—For each of fiscal years
20 2008 through 2013, the Secretary shall use the funds, fa-
21 cilities, and authorities of the Commodity Credit Corpora-
22 tion to carry out the healthy forests reserve program, in-
23 cluding the provision of technical assistance under the pro-
24 gram.

25 “(b) **SECTION 11 CAP.**—The use of Commodity Cred-
26 it Corporation funds under subsection (a) to provide tech-

1 nical assistance under the healthy forests reserve program
2 shall not be considered an allotment or fund transfer from
3 the Commodity Credit Corporation for purposes of the
4 limitation on expenditures for technical assistance imposed
5 by section 11 of the Commodity Credit Corporation Char-
6 ter Act (15 U.S.C. 714i).”.

7 **SEC. 114. INTEGRATED PEST MANAGEMENT INITIATIVE.**

8 (a) INITIATIVE REQUIRED.—The Secretary of Agri-
9 culture shall implement an integrated pest management
10 initiative in priority areas identified by the Secretary pur-
11 suant to subsection (b) for the purpose of assisting agri-
12 cultural producers operating in a priority area to comply
13 with pest management regulations and alleviate the need
14 for additional regulations regarding pest management ac-
15 tivities.

16 (b) IDENTIFICATION OF PRIORITY AREAS.—

17 (1) IDENTIFICATION.—The Secretary of Agri-
18 culture shall identify priority areas where the adop-
19 tion by agricultural producers of integrated pest
20 management practices and approaches offers the
21 greatest potential benefit to producers seeking to
22 comply with pest management regulations and allevi-
23 ate the need for additional regulations regarding
24 pest management activities. At a minimum, priority
25 areas shall include agricultural lands dominated by

1 the production of specialty crops and agricultural
2 lands where agricultural pest management activities
3 are regulated for the purpose of mitigating specific
4 impacts to human health or the environment, such
5 as an area in which pollutants exceed authorized
6 total maximum daily load or an air quality non-at-
7 tainment area.

8 (2) CONSULTATION.—The Secretary shall iden-
9 tify priority areas in consultation with the Environ-
10 mental Protection Agency, the United States Geo-
11 logical Service, the United States Fish and Wildlife
12 Service, agricultural producers, appropriated State
13 agencies, and other interested persons.

14 (c) ACTIVITIES IN PRIORITY AREAS.—

15 (1) EXPEDITED APPROVAL OF MANAGEMENT
16 PRACTICES.—The Secretary of Agriculture shall de-
17 velop the best-available integrated pest management
18 practices for the primary agricultural commodities
19 and significant pests in each priority area identified
20 under subsection (b) and expedite approval of these
21 practices for implementation by agricultural pro-
22 ducers.

23 (2) IMPROVED EVALUATION OF MANAGEMENT
24 PLANS.—The Secretary shall develop and make
25 available criteria to enable staff of the Natural Re-

1 sources Conservation Service and agricultural pro-
2 ducers operating in priority areas identified under
3 subsection (b) to effectively compare pest manage-
4 ment plans, considering relative risks and potential
5 benefits to multiple resources of concern, including
6 air, surface water, ground water, bees and other pol-
7 linators, wildlife, and worker safety.

8 (3) TECHNICAL ASSISTANCE.—The Secretary
9 may enter in cooperative agreements, memorandums
10 of understanding, and contracts for services with
11 technical service providers, other agencies, and non-
12 Federal organizations, as necessary, to assist in pro-
13 viding technical assistance regarding integrated pest
14 management planning and implementation to pro-
15 ducers operating in priority areas identified under
16 subsection (b).

17 (4) MARKETING.—The Secretary may market
18 the availability of integrated pest management tools
19 and training to agricultural producers in the priority
20 areas identified under subsection (b).

21 (5) PROGRAM INTEGRATION.—The Secretary
22 shall set goals for integrating the integrated pest
23 management initiative with the environmental qual-
24 ity incentives program established under chapter 4
25 of subtitle D of title XII of the Food Security Act

1 of 1985 (16 U.S.C. 3839aa et seq.) and other con-
2 servation programs in each priority area identified
3 under subsection (b), including indicators of the ex-
4 tent to which these programs fund integrated pest
5 management practices and the extent to which sup-
6 ported integrated pest management practices reduce
7 pesticide use and risk.

8 (d) ANNUAL REPORT.—The Secretary of Agriculture
9 shall submit to Congress an annual report on the inte-
10 grated pest management initiative, including progress in
11 meeting the program integration goals set under sub-
12 section (c)(5).

13 (e) FUNDING.—The Secretary of Agriculture may use
14 funds provided for the conservation security program and
15 environmental quality incentives program under subtitle D
16 of title XII of the Food Security Act of 1985 (16 U.S.C.
17 3830 et seq.) to implement the integrated pest manage-
18 ment initiative.

19 **SEC. 115. CONSERVATION ACCESS INITIATIVE TO ENCOUR-**
20 **AGE GREATER PARTICIPATION BY SOCIALLY**
21 **DISADVANTAGED FARMERS AND RANCHERS**
22 **IN CONSERVATION PROGRAMS.**

23 (a) DEFINITIONS.—In this section:

24 (1) SOCIALLY DISADVANTAGED GROUP.—The
25 term “socially disadvantaged group” means a group

1 of persons whose members have been subjected to
2 racial or ethnic prejudice because of their identity as
3 members of a group without regard to their indi-
4 vidual qualities.

5 (2) SOCIALLY DISADVANTAGED FARMER OR
6 RANCHER.—The term “socially disadvantaged farm-
7 er or rancher” means a farmer or rancher who is a
8 member of a socially disadvantaged group.

9 (3) ELIGIBLE ENTITY.—The term “eligible enti-
10 ty” means any of the following:

11 (A) Any community-based organization,
12 network, or coalition of community-based orga-
13 nizations that—

14 (i) has demonstrated experience in
15 providing agricultural education or other
16 agriculturally related services to socially
17 disadvantaged farmers or ranchers;

18 (ii) has provided to the Secretary of
19 Agriculture documentary evidence of work
20 with socially disadvantaged farmers or
21 ranchers for not less than a five-year pe-
22 riod preceding the submission of an appli-
23 cation for assistance under this section;
24 and

1 (iii) does not engage in activities pro-
2 hibited under section 501(e)(3) of the In-
3 ternal Revenue Code of 1986.

4 (B) An Indian tribe (as defined in section
5 4 of the Indian Self-Determination and Edu-
6 cation Assistance Act (25 U.S.C. 450b)) or a
7 national tribal organization that has dem-
8 onstrated experience in providing agriculture
9 education or other agriculturally related serv-
10 ices to socially disadvantaged farmers or ranch-
11 ers in a region.

12 (C) An 1890 institution or 1994 institu-
13 tion (as defined in section 2 of the Agricultural
14 Research, Extension, and Education Reform
15 Act of 1998 (7 U.S.C. 7601)), including West
16 Virginia State College.

17 (D) An Indian tribal community college or
18 an Alaska Native cooperative college.

19 (E) An Hispanic-serving institution (as de-
20 fined in section 1404 of the National Agricul-
21 tural Research, Extension, and Teaching Policy
22 Act of 1977 (7 U.S.C. 3103)).

23 (F) Any other institution of higher edu-
24 cation (as defined in section 101 of the Higher
25 Education Act of 1965 (20 U.S.C. 1001)) that

1 has demonstrated experience in providing agri-
2 culture education or other agriculturally related
3 services to socially disadvantaged farmers or
4 ranchers in a region.

5 (b) INITIATIVE.—With respect to all programs au-
6 thorized or amended by this title, the Secretary of Agri-
7 culture shall establish a conservation initiative for socially
8 disadvantaged farmers or ranchers. With respect to such
9 programs that serve an Indian tribe, the Secretary shall
10 be required to pay the costs of office space to carry out
11 conservation functions authorized under this section.

12 (c) SPECIAL RULE FOR COST-SHARE PAYMENTS.—
13 Notwithstanding the actual cost sharing requirements im-
14 posed by a program authorized or amended by this title,
15 the Secretary of Agriculture may pay up to 100 percent
16 of the costs incurred by a socially disadvantaged farmer
17 or rancher to participate in the program.

18 (d) OUTREACH AND ASSISTANCE.—The Secretary of
19 Agriculture shall carry out an outreach and technical as-
20 sistance program to encourage and assist socially dis-
21 advantaged farmers or ranchers to participate equitably
22 in the full range of agricultural programs authorized or
23 amended by this title.

24 (e) GRANTS AND CONTRACTS.—The Secretary of Ag-
25 riculture may make grants to, and enter into contracts

1 and other agreements with, an eligible entity to provide
2 information and technical assistance to socially disadvan-
3 tagged farmers or ranchers so that they can participate eq-
4 uitably in the full range of agricultural programs author-
5 ized or amended by this title.

6 (f) RELATIONSHIP TO OTHER LAW.—The authority
7 to carry out this section shall be in addition to any other
8 authority provided in this or any other Act.

9 (g) FUNDING.—The Secretary of Agriculture may re-
10 serve up to 10 percent of the funds provided for a fiscal
11 year for financial assistance under the conservation pro-
12 grams under subtitle D of title XII of the Food Security
13 Act of 1985 (16 U.S.C. 3830 et seq.) to carry out this
14 section.

15 **SEC. 116. CONSERVATION LOAN GUARANTEE PROGRAM.**

16 Subtitle A of the Consolidated Farm and Rural De-
17 velopment Act (7 U.S.C. 1921–1936a) is amended by in-
18 serting after section 304 the following:

19 **“SEC. 304A. CONSERVATION LOAN GUARANTEE PROGRAM.**

20 “(a) IN GENERAL.—The Secretary may provide a
21 loan guarantee, an interest subsidy, or both, to enable an
22 eligible borrower to obtain a qualified conservation loan.

23 “(b) DEFINITIONS.—In this section:

24 “(1) ELIGIBLE BORROWER.—The term ‘eligible
25 borrower’ means a farmer, rancher, farm coopera-

1 tive, private domestic corporation, partnership, joint
2 operation, trust, or limited liability company, that is
3 engaged primarily and directly in agricultural pro-
4 duction in the United States.

5 “(2) QUALIFIED CONSERVATION LOAN.—The
6 term ‘qualified conservation loan’ means a loan that
7 meets the following requirements:

8 “(A) PURPOSE.—The loan proceeds are re-
9 quired to be used to cover the costs to the bor-
10 rower of carrying out a qualified conservation
11 project.

12 “(B) PRINCIPAL AMOUNT.—The principal
13 amount of the loan is not more than
14 \$1,000,000.

15 “(C) REPAYMENT PERIOD.—The loan re-
16 payment period shall not exceed 10 years.

17 “(D) NO REPAYMENT REQUIRED IN FIRST
18 YEAR.—The lender is prohibited from requiring
19 any part of the loan to be repaid in the 1-year
20 period that begins with the date of the closing
21 of the loan.

22 “(E) NO LOAN FORGIVENESS.—The lender
23 is prohibited from forgiving any part of the
24 loan.

1 “(F) LIMITED PROCESSING FEE.—The
2 total of all processing fees charged with respect
3 to the loan does not exceed such amount as
4 shall be prescribed by the Secretary.

5 “(3) QUALIFIED CONSERVATION PROJECT.—
6 The term ‘eligible conservation project’ means, with
7 respect to an eligible borrower, conservation meas-
8 ures included in a conservation plan for a farming
9 or ranching operation of the borrower, including—

10 “(A) the installation of conservation struc-
11 tures, including terraces, sod waterways, per-
12 manently vegetated stream borders and filter
13 strips, windbreaks (tree or grass), shelter belts,
14 and living snow fences, if all plantings consist
15 of vegetation appropriate to the locale;

16 “(B) the establishment of forest cover for
17 sustained yield timber management, erosion
18 control, or shelter belt purposes, if the forest
19 cover is appropriate to the locale;

20 “(C) the installation of water conservation
21 measures;

22 “(D) the installation of waste management
23 systems;

24 “(E) the establishment or improvement of
25 permanent pasture;

1 “(F) the payment of costs of complying
2 with section 1212 of the Food Security Act of
3 1985;

4 “(G) other purposes consistent with the
5 conservation plan;

6 “(H) any conservation project or practice,
7 as described by technical guides and handbooks
8 issued by the Natural Resources Conservation
9 Service; or

10 “(I) emerging conservation practices, tech-
11 niques, or technologies, as approved by the Sec-
12 retary.

13 “(c) LIMITATIONS APPLICABLE TO LOAN GUARAN-
14 TEES.—

15 “(1) LIMITATION ON AMOUNT OF GUAR-
16 ANTEE.—The portion of a loan that the Secretary
17 may guarantee under this section shall be not less
18 than 80 percent and not more than 90 percent of
19 the principal amount of the loan.

20 “(2) LIMITATION ON TOTAL AMOUNT OUT-
21 STANDING.—The aggregate principal amount of out-
22 standing loans guaranteed by the Secretary under
23 this section shall not exceed \$1,000,000,000.

24 “(d) LIMITATION ON AMOUNT OF INTEREST SUB-
25 SIDY.—The interest subsidy which the Secretary may pro-

1 vide under this section with respect to a loan shall result
2 in a reduction of the interest rate agreed upon by the bor-
3 rower and the lender (but to not less than zero) by—

4 “(1) 500 basis points, if the principal amount
5 of the loan is less than \$100,000;

6 “(2) 400 basis points, if the principal amount
7 of the loan is not less than \$100,000 and is less
8 than \$500,000; and

9 “(3) 300 basis points, in any other case.

10 “(e) ADMINISTRATIVE PROVISIONS.—

11 “(1) AUTHORITY TO COLLECT PROCESSING
12 FEE.—The Secretary may assess a fee to cover the
13 cost of processing an application under this section
14 equal to not more than 1 percent of the principal
15 amount of the loan sought by the applicant, as de-
16 scribed in the application.

17 “(2) PROVISION OF FINANCIAL INFORMA-
18 TION.—An applicant for a loan guarantee or interest
19 subsidy under this section shall provide the Sec-
20 retary with such financial information as may be re-
21 quired by the Secretary, in the manner generally re-
22 quired by commercial agricultural lenders in the geo-
23 graphical area where the farming or ranching oper-
24 ation of the applicant is located.

1 “(3) APPRAISAL.—The Secretary may require
2 that an appraisal made in connection with an appli-
3 cation for a loan guarantee or interest subsidy under
4 this section be conducted by a specialized appraiser
5 that uses standards similar to the standards used
6 for similar purposes in the private sector, as deter-
7 mined by the Secretary.

8 “(4) APPROVAL OF APPLICATION.—The Sec-
9 retary shall not approve an application submitted
10 pursuant to this section, unless the Natural Re-
11 sources Conservation Service has determined that—

12 “(A) the loan sought by the applicant, as
13 described in the application, would be a quali-
14 fied conservation loan; and

15 “(B) the project for which the loan is
16 sought is likely to result in a net benefit to the
17 environment.

18 “(5) DEADLINE FOR DECISION ON APPLICA-
19 TION.—Within 45 business days after the receipt of
20 an application for assistance under this section, the
21 Secretary shall transmit to the applicant the decision
22 of the Secretary to approve or disapprove the appli-
23 cation, to the extent practicable.

24 “(6) EQUITABLE DISTRIBUTION OF LOAN
25 GUARANTEES AND INTEREST SUBSIDIES.— The Sec-

1 retary shall ensure that loan guarantees and interest
2 subsidies under this section are equitably distributed
3 among agricultural producers according to the scale
4 of the operations of the producers.

5 “(f) RELATIONSHIP WITH OTHER CONSERVATION
6 PROGRAMS.—Neither the application for, nor the receipt
7 of, a loan guarantee or an interest subsidy under this sec-
8 tion shall affect the eligibility of the recipient for assist-
9 ance under title XII of the Food Security Act of 1985
10 or the Watershed Protection and Flood Prevention Act.

11 “(g) APPROPRIATIONS.—For each of fiscal years
12 2008 through 2013, the Secretary shall use such funds
13 of the Commodity Credit Corporation as are necessary to
14 carry out this section.”.

15 **SEC. 117. PILOT PROGRAM FOR COMPREHENSIVE CON-**
16 **SERVATION PLANNING.**

17 (a) PILOT PROGRAM REQUIRED.—The Secretary of
18 Agriculture shall establish a pilot program to evaluate the
19 feasibility of assisting producers, before they apply for as-
20 sistance under any conservation program under subtitle
21 D of title XII of the Food Security Act of 1985 (16 U.S.C.
22 3830 et seq.), by making a comprehensive assessment of
23 the resource concerns, needs, and alternative solutions for
24 the producer’s entire operation, as determined by the Sec-
25 retary, following the procedures in the conservation plan-

1 ning manual of the Natural Resources Conservation Serv-
2 ice.

3 (b) LOCATIONS.—The pilot program shall be under-
4 taken in the following locations:

5 (1) The Chesapeake Bay watershed.

6 (2) The Great Lakes Basin.

7 (3) The Connecticut River watershed.

8 (4) The Highlands Region, as defined in section
9 3 of the Highlands Conservation Act (Public Law
10 108–421; 118 Stat. 2375).

11 (5) The Upper Mississippi River Basin.

12 (c) PROVISION OF ASSISTANCE.—The assistance to
13 producers shall be provided by the Secretary directly or
14 through third-party providers certified by the Secretary,
15 and shall be provided without charge to the producer. The
16 results of the comprehensive conservation planning shall
17 be provided to the producer to enable informed choices on
18 the type of financial assistance available through conserva-
19 tion programs administered by the Secretary that would
20 most effectively address the resource needs of the farmer’s
21 operation consistent with the environmental goals for the
22 area in which the operation is located.

23 (d) FUNDING.—The Secretary shall use funds of the
24 Commodity Credit Corporation to carry out the pilot pro-
25 gram in the amount of \$40,000,000 for each of fiscal

1 years 2008 through 2013. The funds shall be equally di-
2 vided, to the maximum extent practicable, between each
3 of the four pilot program locations.

4 (e) ASSESSMENT AND REPORT.—The Secretary shall
5 conduct an assessment of the effectiveness of the pilot pro-
6 gram and publish a report, to be available to the public,
7 of the results of the assessment. An assessment and report
8 shall be undertaken in the second year and the fifth year
9 of the pilot program.

10 **SEC. 118. TECHNICAL ASSISTANCE UNDER DEPARTMENT**
11 **OF AGRICULTURE CONSERVATION PRO-**
12 **GRAMS.**

13 (a) USE OF THIRD-PARTY PROVIDERS.—Section
14 1242 of the Food Security Act of 1985 (16 U.S.C. 3842)
15 is amended—

16 (1) in subsection (a), by striking paragraph (2)
17 and inserting the following new paragraph:

18 “(2) at the option of the producer, through an
19 approved third party, if available.”; and

20 (2) in subsection (b)—

21 (A) by striking paragraph (1) and insert-
22 ing the following new paragraph:

23 “(1) SYSTEM FOR EVALUATION OF PRO-
24 VIDERS.—The Secretary shall establish, by regula-
25 tion, a system for approving individuals and entities

1 to provide technical assistance to carry out programs
2 under this chapter, including criteria for the evalua-
3 tion of providers or potential providers of technical
4 assistance.”;

5 (B) by striking paragraph (3) and insert-
6 ing the following new paragraph:

7 “(3) COMPETITIVE BIDDING.—The Secretary
8 may accept bids from approved third parties to pro-
9 vide technical assistance to producers eligible for
10 that assistance.”; and

11 (C) in paragraph (4), by striking “may re-
12 quest” and inserting “shall request, to the max-
13 imum extent practicable,”.

14 (b) COOPERATIVE CONSERVATION EDUCATIONAL AS-
15 SISTANCE PROGRAM.—Such section is further amended by
16 adding at the end the following new subsection:

17 “(c) COOPERATIVE CONSERVATION EDUCATIONAL
18 ASSISTANCE PROGRAM.—The Secretary shall establish a
19 cooperative conservation educational assistance program
20 through which a student at an institution of higher edu-
21 cation, in a field of study such as agronomy, conservation
22 biology, engineering, and other subject relevant to the pro-
23 vision of technical assistance under this section, may re-
24 ceive educational assistance in exchange for a commitment
25 of service to the Natural Resources Conservation Service

1 or other agency within the Department of Agriculture in-
2 volved in providing such assistance. Establishment of the
3 program shall be carried out by rulemaking, and the final
4 rule shall be issued not later than 180 days after the date
5 of the enactment of this subsection.”.

6 **TITLE II—ENERGY**

7 **SEC. 201. DEFINITION OF BIOMASS.**

8 Section 9001(3)(B)(i) of the Farm Security and
9 Rural Investment Act of 2002 (7 U.S.C. 8101(3)(B)(i))
10 is amended by inserting “and crop waste” after “agricul-
11 tural crops”.

12 **SEC. 202. SUPPORT FOR DEVELOPMENT OF BIOREFIN-** 13 **ERIES.**

14 (a) ASSISTANCE METHODS.—Subsection (c) of sec-
15 tion 9003 of the Farm Security and Rural Investment Act
16 of 2002 (7 U.S.C. 8103) to read as follows:

17 “(c) ASSISTANCE.—The Secretary shall award grants
18 and make loans and loan guarantees to eligible entities
19 to assist in covering the cost of development and construc-
20 tion of biorefineries or for the construction or deployment
21 of methane digesters used to capture the methane gas
22 from livestock manure for use as a fuel source for biofuel
23 production to carry out projects to demonstrate the com-
24 mercial viability of 1 or more processes for converting bio-
25 mass to fuels or chemicals.”.

1 (b) ENVIRONMENTAL GOALS.—Subsection (e)(2) of
2 such section is amended—

3 (1) by striking “and” at the end of clause (i);

4 (2) by redesignating clause (ii) as clause (iii);

5 and

6 (3) by inserting after clause (i) the following
7 new clause:

8 “(ii) shall select projects based upon
9 the extent to which the projects meet envi-
10 ronmental goals for feed stocks and refin-
11 eries, including goals related to reductions
12 in greenhouse gas emissions and improve-
13 ment in water quality and wildlife habitat,
14 developed by the Secretary in consultation
15 with the Secretary of the Interior, the Sec-
16 retary of Energy, and the National Acad-
17 emy of Sciences; and”.

18 (c) COST SHARING.—Subsection (f) of such section
19 is amended to read as follows:

20 “(f) COST SHARING AND INTEREST RATES.—

21 “(1) IN GENERAL.—The combined amount of a
22 grant and loan made or guaranteed under this sec-
23 tion shall not exceed 50 percent of the cost of the
24 project.

1 “(2) FORM OF RECIPIENT SHARE.—The recipi-
2 ent share of the cost of a project may be made in
3 the form of cash or the provision of services, mate-
4 rial, or other in-kind contributions. The amount of
5 the recipient share made in the form of the provision
6 of services, material, or other in-kind contributions
7 shall not exceed 25 percent of the amount of the
8 share determined under paragraph (1).

9 “(3) INTEREST RATE.—A loan made under sub-
10 section (c) shall bear interest at the rate equivalent
11 to the rate of interest charged on Treasury securities
12 of comparable maturity on the date the loan is ap-
13 proved. The interest rate shall remain in effect for
14 the term of the loan.”.

15 (d) ENERGY RESERVE PROGRAM.—Such section is
16 further amended—

17 (1) by redesignating subsections (g) and (h) as
18 subsections (h) and (i), respectively; and

19 (2) by inserting after subsection (f) the fol-
20 lowing new subsection:

21 “(g) ENERGY RESERVE PROGRAM.—

22 “(1) PROGRAM REQUIRED.—Until December
23 31, 2013, the Secretary shall carry out an energy re-
24 serve program under which not more than 100,000
25 acres of land may be enrolled through the use of

1 five-year contracts to assist owners and operators
2 with the production of feed stocks for the projects
3 carried out pursuant to this section.

4 “(2) ELIGIBLE LANDS.—The Secretary may in-
5 clude any land, regardless of a cropping history, so
6 long as the feed stock is produced and harvested
7 consistent with the needs of the environment, as pro-
8 vided in paragraph (3).

9 “(3) DUTIES OF OWNERS AND OPERATORS.—
10 Under a contract entered into under this subsection,
11 an owner or operator of land shall implement a feed
12 stock conservation plan to ensure that lands enrolled
13 are managed consistent with the needs of the envi-
14 ronment, including the needs of wildlife. Paragraphs
15 (5) and (6) of section 1232(a) of the Food Security
16 Act of 1985 (16 U.S.C. 3832(a)) shall apply to the
17 contracts

18 “(4) PAYMENTS.—The Secretary shall provide
19 annual rental payments to owners and operators of
20 lands of amounts not greater than \$25,000 for any
21 fiscal year, and shall establish the amounts of pay-
22 ments through—

23 “(A) the submission of bids for such con-
24 tracts by owners and operators in such manner
25 as the Secretary may prescribe; or

1 “(B) such other means as the Secretary
2 determines are appropriate.”.

3 (e) FUNDING.—Subsection (i) of such section, as
4 amended by subsection (d)(1), is amended to read as fol-
5 lows:

6 “(i) FUNDING.—Of the funds of the Commodity
7 Credit Corporation, the Secretary shall make available to
8 carry out this section \$100,000,000 for each of fiscal
9 years 2008 through 2013.”.

10 (f) CONFORMING AMENDMENTS.—Such section is
11 further amended—

12 (1) in the section heading, by striking
13 “GRANTS”;

14 (2) in subsection (e), by striking “a grant” and
15 inserting “assistance”; and

16 (3) in subsection (e), by striking “grants” both
17 places it appears and inserting “assistance”.

18 **SEC. 203. REAUTHORIZATION OF ENERGY AUDIT AND RE-**
19 **NEWABLE ENERGY DEVELOPMENT PRO-**
20 **GRAM.**

21 Section 9005(i) of the Farm Security and Rural In-
22 vestment Act of 2002 (7 U.S.C. 8105(f)) is amended by
23 striking “fiscal years 2002 through 2007” and inserting
24 “fiscal years 2008 through 2013”.

1 **SEC. 204. REAUTHORIZATION OF AND INCREASED FUNDING**
2 **FOR RENEWABLE ENERGY SYSTEMS AND EN-**
3 **ERGY EFFICIENCY IMPROVEMENTS PRO-**
4 **GRAM.**

5 (a) **PRIORITIES.**—Section 9006 of the Farm Security
6 and Rural Investment Act of 2002 (7 U.S.C. 8106) is
7 amended—

8 (1) by redesignating subsection (c) through (f)
9 as subsection (d) through (g), respectively; and

10 (2) by inserting after subsection (b) the fol-
11 lowing new subsection:

12 “(c) **PRIORITY.**—The Secretary shall establish a sys-
13 tem to rank applications for loans, loan guarantees, and
14 grants under this section that considers the extent to
15 which the proposed project—

16 “(1) will produce environmental benefits, in-
17 cluding reductions in greenhouse gas emissions,
18 other improvements in air quality, and improve-
19 ments in water quality; and

20 “(2) fosters community or cooperative ap-
21 proaches to renewable energy development.”.

22 (b) **FUNDING.**—Subsection (f) of section 9006 of the
23 Farm Security and Rural Investment Act of 2002 (7
24 U.S.C. 8106) is amended to read as follows:

25 “(f) **FUNDING.**—

1 “(1) AVAILABILITY OF FUNDS.—Of the funds
2 of the Commodity Credit Corporation, the Secretary
3 shall make available to carry out this section the fol-
4 lowing amounts:

5 “(A) \$60,000,000 for fiscal year 2008.

6 “(B) \$90,000,000 for fiscal year 2009.

7 “(C) \$130,000,000 for fiscal year 2010.

8 “(D) \$180,000,000 for fiscal year 2011.

9 “(E) \$250,000,000 for fiscal year 2012.

10 “(2) DURATION.—Funds made available under
11 paragraph (1) shall remain available until ex-
12 pended.”.

13 **SEC. 205. REAUTHORIZATION OF DEPARTMENT OF AGRI-**
14 **CULTURE BIOENERGY PROGRAM.**

15 Subsection (c) of section 9010 of the Farm Security
16 and Rural Investment Act of 2002 (7 U.S.C. 8108) is
17 amended:

18 “(c) FUNDING.—Of the funds of the Commodity
19 Credit Corporation, the Secretary shall use to carry out
20 this section not more than \$150,000,000 for each of fiscal
21 years 2008 through 2013.”.

1 **SEC. 206. REAUTHORIZATION OF AND INCREASED FUNDING**
2 **FOR BIOMASS RESEARCH AND DEVELOP-**
3 **MENT.**

4 Section 310 of the Biomass Research and Develop-
5 ment Act of 2000 (7 U.S.C. 7624 note; Public Law 106-
6 224) is amended to read as follows:

7 **“SEC. 310. FUNDING.**

8 “(a) **FUNDING.**—Of funds of the Commodity Credit
9 Corporation, the Secretary shall make available to carry
10 out this title—

11 “(1) \$15,000,000 for fiscal year 2008; and

12 “(2) \$25,000,000 for each of fiscal years 2009
13 through 2013.

14 “(b) **AUTHORIZATION OF APPROPRIATIONS.**—In ad-
15 dition to amounts transferred under subsection (a), there
16 are authorized to be appropriated to carry out this title
17 \$200,000,000 for each of fiscal years 2006 through 2015.

18 “(c) **AVAILABILITY OF FUNDS.**—Amounts made
19 available under subsection (a) or appropriated pursuant
20 to the authorization of appropriations in subsection (b)
21 shall remain available until expended.”.

22 **SEC. 207. REAUTHORIZATION OF CARBON CYCLE RE-**
23 **SEARCH.**

24 (a) **RESEARCH CONDUCTED THROUGH CONSORTIUM**
25 **FOR AGRICULTURAL SOILS MITIGATION OF GREENHOUSE**
26 **GASES.**—

1 (1) PARTICIPANTS IN CONSORTIUM.—Sub-
 2 section (b) of section 221 of the Agricultural Risk
 3 Protection Act of 2000 (7 U.S.C. 6711) is amended
 4 by striking “are” in the matter preceding paragraph
 5 (1) and inserting “include”.

6 (2) AUTHORIZATION OF APPROPRIATIONS.—
 7 Subsection (g) of such section is amended by strik-
 8 ing “fiscal years 2002 through 2007” and inserting
 9 “fiscal years 2007 through 2012”.

10 (b) COOPERATIVE RESEARCH PROJECTS.—Sub-
 11 section (d)(4) of such section is amended by striking “fis-
 12 cal years 2002 through 2007” and inserting “fiscal years
 13 2008 through 2013”.

14 (c) EXTENSION PROJECTS.—Subsection (e)(3) of
 15 such section is amended by striking “fiscal years 2002
 16 through 2007” and inserting “fiscal years 2008 through
 17 2013”.

18 **TITLE III—HEALTHY FOOD**

19 **CHOICES**

20 **SEC. 301. REAUTHORIZATION OF AND INCREASED FUNDING** 21 **FOR COMMUNITY FOOD PROJECT COMPETI-** 22 **TIVE GRANTS.**

23 (a) AUTHORITY TO PROVIDE ASSISTANCE.—Section
 24 25(b) of the Food Stamp Act of 1977 (7 U.S.C. 2034(b))
 25 is amended—

1 (1) in paragraph (1) by striking “From
2 amounts made available to carry out this Act, the
3 Secretary may” and inserting “The Secretary shall”;
4 and

5 (2) by striking paragraph (2) and inserting the
6 following:

7 “(2) FUNDING AMOUNTS.—From amounts
8 made available to carry out this Act, the Secretary
9 shall use \$60,500,000 for each of fiscal years 2008
10 through 2013 to make grants under this section.”.

11 (b) PREFERENCE FOR CERTAIN PROJECTS.—Section
12 25(d) of the Food Stamp Act of 1977 (7 U.S.C. 2034(d))
13 is amended—

14 (1) in paragraph (3) by striking “or” at the
15 end;

16 (2) in paragraph (4) by striking the period at
17 the end and inserting “; or” ; and

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

19 “(5) serve special project needs in areas of—

20 “(A) transportation and processing for ex-
21 panding institutional and emergency food serv-
22 ice demand for local food;

23 “(B) retail access to healthy foods in un-
24 derserved markets;

1 “(C) integration of urban and metro-area
2 food production in food projects; and

3 “(D) technical assistance for youth, so-
4 cially disadvantaged individuals, and limited re-
5 source groups.”.

6 (c) **MATCHING FUNDS REQUIREMENTS.**—Section
7 25(e)(1) of the Food Stamp Act of 1977 (7 U.S.C.
8 2034(e)(1)) is amended by striking “50” and inserting
9 “75”.

10 (d) **TERM OF GRANT.**—Section 25(f)(2) of the Food
11 Stamp Act of 1977 (7 U.S.C. 2034(f)(2)) is amended by
12 striking “3” and inserting “5”.

13 (e) **FUNDING.**—Section 25(h)(4) of the Food Stamp
14 Act of 1977 (7 U.S.C. 2034(h)(4)) is amended—

15 (1) by striking “fiscal years 2003 through
16 2007” and inserting “fiscal years 2008 through
17 2013”; and

18 (2) by striking “\$200,000” and inserting
19 “\$500,000”.

20 **SEC. 302. EXPANSION OF FRESH FRUIT AND VEGETABLE**
21 **PROGRAM.**

22 Section 18 of the Richard B. Russell National School
23 Lunch Act (42 U.S.C. 1769) is amended in subsection
24 (g)—

25 (1) in paragraph (1)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “July 2004” and inserting
3 “July 2007”; and

4 (B) by striking subparagraphs (A) and (B)
5 and inserting the following:

6 “(A) 100 elementary or secondary schools
7 in each State;

8 “(B) additional elementary or secondary
9 schools in each State in proportion to the stu-
10 dent population of the State; and”;

11 (2) in paragraph (3)(A), by striking “paragraph
12 (1)(B)” and inserting “paragraph (1)”;

13 (3) in paragraph (5), in each of subparagraphs
14 (A) and (B), by striking “2008” and inserting
15 “2011”; and

16 (4) in paragraph (6)(B)(i)—

17 (A) by striking “October 1, 2004,” and in-
18 serting “October 1, 2007,”; and

19 (B) by striking “\$9,000,000” and insert-
20 ing “\$300,000,000”.

21 **SEC. 303. AUTHORIZATION LEVEL FOR FARM-TO-CAFE-**
22 **TERIA ACTIVITIES.**

23 Section 18 of the Richard B. Russell National School
24 Lunch Act (42 U.S.C. 1769) is amended in subsection
25 (i)(2) by striking “such sums as are necessary” and all

1 that follows through the period at the end and inserting
2 “to carry out this subsection \$20,000,000 for each of fis-
3 cal years 2008 through 2013.”.

4 **SEC. 304. EXTENSION OF WIC FARMER’S MARKET NUTRI-**
5 **TION PROGRAM.**

6 Section 17(m)(9)(A) of the Child Nutrition Act of
7 1966 (42 U.S.C. 1786(m)(9)(A)) is amended—

8 (1) in clause (i), by striking “2009” and insert-
9 ing “2013”; and

10 (2) by striking clause (ii) and inserting the fol-
11 lowing:

12 “(ii) MANDATORY FUNDING.—Of the
13 funds of the Commodity Credit Corpora-
14 tion, the Secretary shall make available to
15 carry out this subsection \$20,000,000 for
16 fiscal year 2008, \$30,000,000 for fiscal
17 year 2009, \$45,000,000 for fiscal year
18 2010, \$60,000,000 for fiscal year 2011,
19 and not less than \$75,000,000 for fiscal
20 year 2012 and each fiscal year thereafter.
21 Such funds shall remain available until ex-
22 pended.”.

1 **SEC. 305. SENIOR FARMERS' MARKET NUTRITION PRO-**
2 **GRAM.**

3 Section 4402 of the Farm Security and Rural Invest-
4 ment Act of 2002 (7 U.S.C. 3007) is amended—

5 (1) in subsection (a) by striking “\$5,000,000”
6 and all that follows through “2007”, and inserting
7 “\$20,000,000 for fiscal year 2008, \$30,000,000 for
8 fiscal year 2009, \$45,000,000 for fiscal year 2010,
9 \$60,000,000 for fiscal year 2011, and not less than
10 \$75,000,000 for fiscal year 2012 and each fiscal
11 year thereafter”;

12 (2) in subsection (b)—

13 (A) in paragraph (2) by striking “and” at
14 the end,

15 (B) in paragraph (3) by striking the period
16 at the end and inserting “; and”, and

17 (C) by adding at the end the following:

18 “(4) to promote the transition to organic and
19 other environmentally beneficial food production sys-
20 tems.”; and

21 (3) by adding at the end the following new sub-
22 section:

23 “(d) **ELIGIBLE PARTICIPANTS; BENEFIT LEVELS.—**

24 The regulations required by subsection (c)—

1 “(1) shall allow for participation by farmers
2 markets, and roadside stands, community supported
3 agriculture programs; and

4 “(2) shall not limit the ability of State or re-
5 gional programs to set benefit levels per individual
6 senior.”.

7 **SEC. 306. FARMERS’ MARKET PROMOTION PROGRAM.**

8 Section 6 of the Farmer-to-Consumer Direct Mar-
9 keting Act of 1976 (7 U.S.C. 3005) is amended by strik-
10 ing subsections (d) and (e) and inserting the following:

11 “(d) CRITERIA AND GUIDELINES.—

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish criteria and guidelines for the submission, eval-
14 uation, and funding of proposed projects under the
15 Program.

16 “(2) PRIORITY.—The Secretary shall prioritize
17 for funding projects that will support, encourage, or
18 promote the transition to organic and other environ-
19 mentally beneficial forms of agricultural production.

20 “(e) FUNDING.—The Secretary shall use
21 \$25,000,000 of funds of the Commodity Credit Corpora-
22 tion to carry out this section in each of the fiscal years
23 2008 through 2013, of which \$5,000,000 shall be used
24 to support the use of electronic benefit transfers at farm-
25 ers’ markets.”.

1 **SEC. 307. DEPARTMENT OF DEFENSE AND DEPARTMENT OF**
2 **AGRICULTURE PROCUREMENT OF LOCALLY**
3 **PRODUCED AGRICULTURAL PRODUCTS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Locally procured agricultural products, as
6 compared to products transported from distant
7 sources—

8 (A) are often harvested closer to full ripe-
9 ness and can have higher nutritional quality;

10 (B) can have improved ripeness, taste, or
11 selection, which can increase rates of consump-
12 tion of agricultural products; and

13 (C) are more efficient to store, distribute,
14 and package.

15 (2) Use of local produce—

16 (A) reduces dependence upon foreign oil by
17 reducing fuel consumption rates associated with
18 the production or transportation of agricultural
19 products;

20 (B) can help to improve the ability of those
21 using the procurement system to provide edu-
22 cation on nutrition, farming, sustainability, en-
23 ergy efficiency, and the importance of local pur-
24 chases to the local economy;

1 (C) helps to maintain a robust logistics
2 network for agricultural product procurement;
3 and

4 (D) promotes farm, business, and economic
5 development by accessing local markets.

6 (3) Section 9(j) of the Richard B. Russell Na-
7 tional School Lunch Act (42 U.S.C. 1758(j)) directs
8 the Secretary of Agriculture to encourage institu-
9 tions participating in the school lunch program es-
10 tablished under that Act and the school breakfast
11 program established by section 4 of the Child Nutri-
12 tion Act of 1966 (42 U.S.C. 1773) to purchase, in
13 addition to other food purchases, locally produced
14 foods, to the maximum extent practicable and appro-
15 priate.

16 (b) DEPARTMENT OF DEFENSE GEOGRAPHIC PRO-
17 CUREMENT PREFERENCE.—Notwithstanding any other
18 provision of law, the Department of Defense may use a
19 geographic preference to purchase locally produced agri-
20 cultural products for—

21 (1) the Defense Supply Center Philadelphia;

22 (2) the Department of Defense Farm to School
23 Program;

24 (3) the Department of Defense Fresh Fruit and
25 Vegetable Program;

1 (4) the service academies;

2 (5) Department of Defense domestic dependant
3 schools;

4 (6) other Department of Defense schools under
5 chapter 108 of title 10, United States Code;

6 (7) commissary and exchange stores; and

7 (8) morale, welfare, and recreation facilities op-
8 erated by the Department of Defense

9 (c) DEPARTMENT OF AGRICULTURE AND RELATED
10 ENTITIES GEOGRAPHIC PROCUREMENT PREFERENCE.—

11 Notwithstanding any other provision of law, the Depart-
12 ment of Agriculture, schools, local educational agencies,
13 and other entities may use a geographic preference to pur-
14 chase locally produced agricultural products for—

15 (1) the school breakfast program established by
16 section 4 of the Child Nutrition Act of 1966 (42
17 U.S.C. 1773);

18 (2) the school lunch program established under
19 the Richard B. Russell National School Lunch Act
20 (42 U.S.C. 1751 et seq.);

21 (3) the summer food service program for chil-
22 dren established under section 13 of the Richard B.
23 Russell National School Lunch Act (42 U.S.C.
24 1761); and

1 (4) the child and adult care food program es-
2 tablished under section 17 of the Richard B. Russell
3 National School Lunch Act (42 U.S.C. 1766).

4 (d) ADDITION OF GEOGRAPHIC PREFERENCE.—In
5 the case of the purchase of agricultural products for a pro-
6 gram or entity described in subsection (b) or (c), the local
7 food service director or other entity making the purchase
8 may include the geographic preference provided by such
9 subsections in bid specifications and may select a bid in-
10 volving locally produced agricultural products, even if that
11 bid is not the lowest bid.

12 (e) REPORTING.—A school, local educational agency,
13 or other entity participating in one or more of the pro-
14 grams described in subsection (c) shall report to the Sec-
15 retary of Agriculture if the school, local educational agen-
16 cy, or other entity pays more than 10 percent more than
17 the lowest bid to purchase locally produced agricultural
18 products in accordance with this section.

19 (f) REVIEW.—The Secretary of Defense and the Sec-
20 retary of Agriculture shall periodically review the use of
21 the geographic preference provided by this section to pre-
22 vent fraud or abuse.

1 **SEC. 308. FRUIT AND VEGETABLE NUTRITION PROMOTION**
2 **PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Agriculture, act-
4 ing through the Administrator of the Agricultural Mar-
5 keting Service, shall establish and carry out a program
6 to provide assistance to eligible trade organizations de-
7 scribed in subsection (c) to increase the consumption of
8 fruits and vegetables in the United States to meet Federal
9 health guidelines.

10 (b) REQUIREMENTS FOR PARTICIPATION.—To be eli-
11 gible for assistance under this section, an organization
12 shall—

13 (1) be an eligible trade organization;

14 (2) prepare and submit a plan to increase the
15 consumption of fruits and vegetables in the United
16 States to the Administrator of the Agricultural Mar-
17 keting Service that meets any guidelines governing
18 such plans established by the Administrator; and

19 (3) meet any other requirements established by
20 the Administrator.

21 (c) ELIGIBLE TRADE ORGANIZATIONS.—An eligible
22 trade organization under this section shall be—

23 (1) a nonprofit fruit and vegetable trade organi-
24 zations in the United States;

25 (2) a nonprofit State or regional fruit and vege-
26 table organization;

1 (3) a fruit and vegetable agricultural coopera-
2 tive in the United States;

3 (4) a commodity board or commission in the
4 United States; or

5 (5) a small business engaged in the fruit and
6 vegetable industry in the United States.

7 (d) MATCHING FUNDS.—Assistance provided under
8 this section shall not exceed—

9 (1) in the case of an organization described in
10 paragraphs (1) through (4) of subsection (c), 90
11 percent of the cost of the plan to increase the con-
12 sumption of fruits and vegetables in the United
13 States submitted under subsection (b)(2); and

14 (2) in the case of an organization described in
15 subsection (c)(5), 50 percent of the cost of the plan
16 to increase the consumption of fruits and vegetables
17 in the United States submitted under subsection
18 (b)(2).

19 (e) FUNDING.—Of the funds available to the Com-
20 modity Credit Corporation, the Administrator of the Agri-
21 cultural Marketing Service shall use \$100,000,000 in each
22 of fiscal years 2008 through 2011 to carry out this sec-
23 tion.

1 **SEC. 309. USE OF “DIETARY GUIDELINES FOR AMERICANS”**
2 **IN SPECIAL NUTRITION PROGRAMS AND**
3 **SCHOOL LUNCH PROGRAMS.**

4 Section 9(a) of the Richard B. Russell National
5 School Lunch Act (42 U.S.C. 1758(a)) is amended by add-
6 ing at the end the following:

7 “(5) ALLOCATIONS TO BE BASED ON DIETARY
8 GUIDELINES.—For the school year beginning in July
9 2007 and each school year thereafter, the Secretary
10 shall ensure that allocations of food and food ingre-
11 dients offered in school nutrition programs under
12 this Act and the Child Nutrition Act of 1966 (42
13 U.S.C. 1771 et seq.) are based on the most recent
14 Dietary Guidelines for Americans.”.

15 **SEC. 310. SECTION 32 SPECIALTY CROP PURCHASES.**

16 (a) **MINIMUM LEVEL OF PURCHASES.**—Section 32 of
17 the Act of August 24, 1935 (7 U.S.C. 612c) is amended
18 in the sixth sentence by inserting after “and their prod-
19 ucts” the following: “, and, for each of fiscal years 2008
20 through 2012, the Secretary of Agriculture shall devote
21 not less than \$400,000,000 of sums appropriated under
22 this section to purchases of non-basic agricultural com-
23 modities, such as fruits, vegetables, and other specialty
24 food crops”.

25 (b) **EXPANSION OF DOD FRESH PROGRAM.**—Such
26 section is further amended by inserting after the sixth sen-

1 tence, as amended by subsection (a), the following new
2 sentence: “Of the funds specified in the preceding sen-
3 tence, the Secretary of Agriculture shall expend not less
4 than \$150,000,000 for each of fiscal years 2008 through
5 2012 for the purchase of fresh fruits and vegetables for
6 distribution to schools and service institutions in accord-
7 ance with section 6(a) of the Richard B. Russell National
8 School Lunch Act (42 U.S.C. 1755(a)).”.

9 **SEC. 311. AMENDMENTS TO THE FOOD STAMP PROGRAM.**

10 (a) DEFINITION.— Section 3 of the Food Stamp Act
11 of 1977 (7 U.S.C. 2012) is amended by adding at the end
12 the following

13 “(v) ‘Food stamp nutrition education’ means direct
14 education, group activities, community health promotion,
15 and comprehensive public health approaches (including
16 but not limited to, social marketing, mass media, public-
17 private partnerships, policy, systems and environmental
18 changes, and evaluation) that promote healthy eating and
19 make healthy food and physical activity choices more de-
20 sired, affordable, and accessible. To serve all those poten-
21 tially eligible for food stamps, nutrition education pro-
22 grams should be designed to reach large numbers of low-
23 income individuals. Programs shall support behavior
24 change consistent with the Dietary Guidelines for Ameri-

1 cans, including a diet rich in fruits and vegetables and
2 whole grains.”.

3 (b) ADMINISTRATION.—Section 11(e)(1)(A) of the
4 Food Stamp Act of 1977 (7 U.S.C. 2020(e)(1)(A) is
5 amended by inserting “, and provide food stamp nutrition
6 education” after “program”.

7 **SEC. 312. FOOD STAMP FRUIT AND VEGETABLE ELEC-**
8 **TRONIC BENEFIT TRANSFER PILOT PROJECT.**

9 (a) FINDING.—The Congress finds that increased
10 consumption of fruits and vegetables by participants in the
11 food stamp program will significantly improve the overall
12 dietary habits of such participants.

13 (b) PILOT PROJECT.—The Secretary of Agriculture
14 shall establish and carry out a pilot project that will pro-
15 vide to each participant in the food stamp program who
16 receives benefits in the form of an electronic benefit trans-
17 fer, financial incentives for each dollar of such benefits
18 expended by such recipient to facilitate the purchase of
19 fresh fruits and vegetables.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated \$10,000,000 for each of 5
22 fiscal years to carry out this section.

1 **TITLE IV—PROMOTION OF NEW**
2 **MARKETS AND FARM VIABILITY**

3 **SEC. 401. FARM VIABILITY PROGRAM.**

4 (a) PROGRAM REQUIRED.—Subsection (a) of section
5 1238J of the Food Security Act of 1985 (16 U.S.C.
6 3838j) is amended by striking “The Secretary may” and
7 inserting “Using amounts made available under sub-
8 section (b), the Secretary shall”.

9 (b) FUNDING.—Subsection (b) of such section is
10 amended to read as follows:

11 “(b) FUNDING.—In addition to other funds made
12 available to carry out this subchapter for each of fiscal
13 years 2008 through 2013, the Secretary shall use
14 \$50,000,000 of funds of the Commodity Credit Corpora-
15 tion each fiscal year to make grants to eligible entities
16 under subsection (a).”.

17 **SEC. 402. NATIONAL ORGANIC CERTIFICATION AND TRAN-**
18 **SITION COST SHARE PROGRAM.**

19 Section 10606 of the Farm Security and Rural In-
20 vestment Act of 2002 (7 U.S.C. 6523) is amended to read
21 as follows:

22 **“SEC. 10606. NATIONAL ORGANIC CERTIFICATION AND**
23 **TRANSITION COST SHARE PROGRAM.**

24 “(a) IN GENERAL.—Of the funds of the Commodity
25 Credit Corporation, the Secretary of Agriculture (acting

1 through the Natural Resources Conservation Service) shall
2 use \$80,000,000 for each of fiscal years 2008 through
3 2013 to establish a national organic certification and tran-
4 sition cost-share program to assist producers and handlers
5 of agricultural products in obtaining certification under
6 the national organic production program established under
7 the Organic Foods Production Act of 1990 (7 U.S.C. 6501
8 et seq.) and to assist producers and handlers in making
9 the transition to organic production under the such pro-
10 gram.

11 “(b) CERTIFICATION COSTS.—

12 “(1) IN GENERAL.—The Secretary shall pay
13 under this section a portion of the costs incurred by
14 a producer or handler in obtaining certification
15 under the national organic production program, as
16 certified to and approved by the Secretary.

17 “(2) MAXIMUM AMOUNT.—The amount of a
18 payment made to a producer or handler for certifi-
19 cation under this section shall be \$750 per year.

20 “(3) FUNDING.—Of the funds made available
21 under subsection (a), the Secretary (acting through
22 the Agricultural Marketing Service) shall use
23 \$25,000,000 for each of the fiscal years 2008
24 through 2013 to share up to 75 percent of the cost
25 of certification.

1 “(c) ACCREDITATION AND ENFORCEMENT COSTS.—
2 Of the funds made available under subsection (a), the Sec-
3 retary (acting through the Agricultural Marketing Serv-
4 ice) shall use \$5,000,000 for each of the fiscal years 2008
5 through 2013 to fund the accreditation and enforcement
6 programs operated by the National Organic Program to
7 implement the accreditation and enforcement provisions of
8 the Organic Foods Production Act of 1990.

9 “(d) REIMBURSEMENTS FOR INFRASTRUCTURE NEC-
10 ESSARY TO IMPLEMENT ORGANIC PRACTICE STAND-
11 ARDS.—

12 “(1) ESTABLISHMENT.—Not later than 180
13 days after the date of the enactment of this Act, the
14 Secretary shall establish a program to reimburse
15 producers and handlers for the costs of transition to
16 organic production.

17 “(2) PROGRAM.—Under the program estab-
18 lished under paragraph (1), the Secretary (acting
19 through the Natural Resources Conservation Serv-
20 ice) shall use \$50,000,000 for each of the fiscal
21 years 2008 through 2013 to assist producers and
22 handlers developing and implementing infrastructure
23 and practices necessary to transition land and ani-
24 mals to meet the requirements of the Organic Food
25 Production Act of 1990.

1 “(3) PLAN SUBMISSION.—The Secretary may
2 only reimburse a producer or handler under this sec-
3 tion if the producer or handler submits to the Sec-
4 retary an organic transition plan that contains the
5 expected costs for infrastructure and practices, the
6 environmental and economic benefits derived from
7 the infrastructure or implementing organic practice
8 standards, and a demonstration of the existence of
9 a market or the reasonable expectation of a future
10 market for the products to be produced or handled.

11 “(4) APPROPRIATE INFRASTRUCTURE AND
12 PRACTICE STANDARDS.—The Secretary shall only re-
13 imburse producers and handlers under this sub-
14 section for the costs of the following:

15 “(A) Organic practices and activities dur-
16 ing transition to certified organic production
17 consistent with an approved plan to transition
18 to certified organic production.

19 “(B) Farm infrastructure necessary to im-
20 plement organic practice standards, including
21 livestock watering facilities and fencing, so long
22 as such infrastructure is consistent with an ap-
23 proved plan to transition to certified organic
24 production.

1 “(C) Organic livestock welfare measures,
2 so long as such infrastructure or practices and
3 activities are necessary to implement an organic
4 practice standard and are consistent with an
5 approved plan to transition to certified organic
6 production.

7 “(D) Advanced organic practices consistent
8 with approved certified organic production.

9 “(E) Technical assistance, including the
10 costs of developing an approved transition plan
11 under this section.

12 “(F) Other measures the Secretary, after
13 consultation with the National Organic Stand-
14 ards Board, determines are appropriate.

15 “(5) ORGANIC TRANSITION TECHNICAL AD-
16 VICE.—The Secretary shall consult with the Na-
17 tional Organic Standards Board regarding the ele-
18 ments of an approved organic transition plan and to
19 identify and recommend ways that the Secretary
20 may generally use the resources provided for pro-
21 grams under subtitle D of title XII of the Food Se-
22 curity Act of 1985 (16 U.S.C. 3830 et seq.) to facili-
23 tate transition to organic production, including the
24 resources provided by the Environmental Quality In-

1 centives Program and the Conservation Security
2 Program.

3 “(6) MAXIMUM AMOUNT FOR TRANSITION RE-
4 IMBURSEMENT.—Except as provided in (A) and (B),
5 the maximum amount of reimbursement paid to a
6 producer or handler for transition to organic produc-
7 tion under this section shall be \$10,000 per fiscal
8 year.

9 “(A) SPECIALTY CROPS.—In the case of an
10 individual or entity who annually produces
11 three or more types of specialty crops, the indi-
12 vidual or entity may not receive, directly or in-
13 directly, cost-share or incentive payments under
14 this section that, in the aggregate, exceed
15 \$20,000 per year, for a period not to exceed
16 four years.

17 “(B) DAIRY.—In the case of an individual
18 or entity whose principal farming enterprise is
19 dairy, the individual or entity may not receive,
20 directly or indirectly, cost-share or incentive
21 payments under this section that, in the aggre-
22 gate, exceed \$20,000 per year, for a period not
23 to exceed four years.

24 “(7) ELIGIBLE FISCAL YEARS.—A producer or
25 handler may only receive payments—

1 “(A) in four fiscal years; and

2 “(B) after the first payment, in the fiscal
3 year in which such payment was made and the
4 three subsequent fiscal years.

5 “(8) TRANSITION REIMBURSEMENTS.—A cer-
6 tified organic producer or handler under the national
7 organic production program shall be eligible for re-
8 imbursements to make the transition to organic pro-
9 duction for new lands and livestock.

10 “(9) SUSPENSION AUTHORITY.—To ensure or-
11 derly and continued growth in organic farming—

12 “(A) prior to each fiscal year and no later
13 than October 1st of each year, the Secretary
14 shall publish organic commodity specific assess-
15 ments analyzing the domestic production and
16 consumption, import and export organic market
17 demand and growth potential for each organic
18 commodity and the anticipated number and
19 total amount of new reimbursements for the fol-
20 lowing year affecting each commodity; and

21 “(B) the Secretary shall not enroll new
22 producers under this subsection if, for any par-
23 ticular agricultural commodity, any new pro-
24 ducers would produce an increased amount of
25 that agricultural commodity that the Secretary

1 finds is reasonably anticipated to affect the con-
2 tinuing economic viability of farmers currently
3 certified under the national organic production
4 program or would create unreasonable geo-
5 graphic disparities in the distribution of reim-
6 bursements provided under this section.

7 “(10) APPEALS.—An applicant seeking transi-
8 tion assistance under this section has the right to
9 appeal an adverse decision by Secretary with regard
10 to an application for assistance, as provided in sec-
11 tion 275 of the Department of Agriculture Reorga-
12 nization Act of 1994 (7 U.S.C. 6995).

13 “(e) TECHNICAL AND EDUCATIONAL ASSISTANCE.—
14 Of the funds made available under subsection (a) for a
15 fiscal year, the Secretary shall use not less than
16 \$15,000,000 to provide technical and educational assist-
17 ance to producers and handlers to carry out this section,
18 including entering into cooperative agreements with quali-
19 fied entities to implement the transition to organic produc-
20 tion.

21 “(f) REPORTING.—Not later than March 1 of each
22 year, the Secretary shall submit to Congress and the Na-
23 tional Organic Standards Board a report detailing State-
24 by-State expenditures on certification, including the num-
25 ber of producers and handlers served by the program, and

1 State-by-State expenditures on transition assistance, in-
2 cluding the number of producers and handlers served by
3 the program, the practices implemented, an assessment of
4 the impacts of the program on organic production, and
5 recommended reforms, if any.”.

6 **SEC. 402a. NATIONAL ORGANIC TECHNICAL COMMITTEE.**

7 (a) ESTABLISHMENT.—The Secretary shall establish
8 a National Organic Technical Committee to oversee devel-
9 opment and implementation of the Organic Certification
10 and Transition Program and to improve the organic agri-
11 culture interface with all other conservation programs and
12 activities administered by the NRCS, including
13 development of criteria for the approval of qualified or-
14 ganic technical advisors.

15 (b) MEMBERSHIP.—The membership of the National
16 Organic Technical Committee shall be comprised of—

- 17 (1) three organic farmers;
- 18 (2) two organic certifying agents;
- 19 (3) two organic inspectors;
- 20 (4) one representative of an environmental or-
21 ganization knowledgeable about organic agriculture;
- 22 and
- 23 (5) one scientist with expertise in conservation
24 planning.

1 **SEC. 403. ORGANIC AGRICULTURE RESEARCH AND EXTEN-**
2 **SION INITIATIVE.**

3 Section 1672B(e) of the Food, Agriculture, Conserva-
4 tion, and Trade Act of 1990 (7 U.S.C. 5925b(e)) is
5 amended to read as follows:

6 “(e) FUNDING.—Of the funds available to the Com-
7 modity Credit Corporation, the Secretary shall use
8 \$15,000,000 for each of fiscal years 2008 through 2013
9 to carry out this section.”.

10 **SEC. 404. FUNDING FOR EDUCATION GRANTS PROGRAMS**
11 **FOR HISPANIC-SERVING INSTITUTIONS.**

12 Subsection (c) of section 1455 of the National Agri-
13 cultural Research, Extension, and Teaching Policy Act of
14 1977 (7 U.S.C. 3241) is amended to read as follows:

15 “(c) FUNDING.—Of the funds available to the Com-
16 modity Credit Corporation, the Secretary shall use
17 \$25,000,000 for each fiscal year to carry out this sec-
18 tion.”.

19 **SEC. 405. EXTENSION AND FUNDING INCREASE FOR THE**
20 **VALUE-ADDED AGRICULTURAL PRODUCT**
21 **MARKET DEVELOPMENT GRANT PROGRAM.**

22 Section 231(b)(4) of the Agricultural Risk Protection
23 Act of 2000 (7 U.S.C. 1621 note; Public Law 106–224)
24 is amended—

25 (1) by striking “through October 1, 2006”; and

1 (2) by striking “\$40,000,000” and inserting
2 “\$60,000,000”.

○