

109TH CONGRESS
2D SESSION

H. R. 6064

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

SEPTEMBER 13, 2006

Mr. KIND (for himself, Mr. SAXTON, Mr. ALLEN, Mr. ANDREWS, Ms. BALDWIN, Mr. BASS, Mr. BISHOP of New York, Mr. BOEHLERT, Mr. BRADLEY of New Hampshire, Mr. CASE, Mr. CHANDLER, Mr. DINGELL, Mr. FARR, Mr. FITZPATRICK of Pennsylvania, Mr. GERLACH, Mr. HOLT, Ms. KAPTUR, Mrs. KELLY, Mr. KOLBE, Mr. LOBIONDO, Ms. MCCOLLUM of Minnesota, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. SMITH of Washington, Mrs. TAUSCHER, Mr. UDALL of Colorado, Mr. VAN HOLLEN, and Mr. WALSH) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, 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,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Healthy Farms, Foods, and Fuels Act of 2006”.

4 (b) TABLE OF CONTENTS.—The tables of contents
5 for 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 con-
servation 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 manage-
ment assistance program.

Sec. 111. Suburban and Community Forestry and Open Space Program.

Sec. 112. Farmland protection and farm viability programs.

Sec. 113. Healthy forests reserve program.

Sec. 114. Integrated pest management initiative.

Sec. 115. National organic certification and transition cost share program.

Sec. 116. Organic agriculture research and extension initiative.

Sec. 117. Funding for education grants programs for Hispanic-serving institu-
tions.

Sec. 118. Initiative to encourage greater participation by socially disadvantaged
farmers and ranchers in 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 sys-
tems 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 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.

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

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

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

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

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

18 (C) in subsection (e)(3), by striking
19 “2002” and inserting “2008”; and

20 (D) in subsection (h)(1), by striking
21 “2007” and inserting “2013”.

1 (b) ELIGIBLE LAND.—Section 1231(b) of such Act
2 (16 U.S.C. 3831(b)) is amended—

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

5 (2) in paragraph (4), by striking “or” at the
6 end of subparagraph (C);

7 (3) by striking the period at the end of para-
8 graph (5) and inserting a semicolon; and

9 (4) by adding at the end the following new
10 paragraphs:

11 “(6) marginal pasture land or hay land that is
12 otherwise ineligible, if the land is located in the
13 Longleaf Pine National Conservation Priority Area
14 and will be devoted to long leaf pine; or

15 “(7) marginal pasture land or hay land that is
16 otherwise ineligible, if the land is to be devoted to
17 native vegetation appropriate to the locale and will
18 provide suitable habitat for a State or federally list-
19 ed threatened or endangered species or a species de-
20 termined by the Secretary of the Interior to be spe-
21 cies of concern.”.

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

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

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

2 and

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

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

9 “(A) to enroll not less than 7,000,000
10 acres of eligible land through the continuous en-
11 rollment program and the conservation reserve
12 enhancement program; and

13 “(B) to maintain enrollment of at least
14 7,800,000 acres in the Prairie Pothole Region
15 National Conservation Priority Area.”.

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

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

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

23 (2) by striking the period at the end and insert-
24 ing “, but need not balance all conservation purposes
25 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 (e) 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 (f) 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 (g) 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 control of invasive species, re-
17 quired under a contract entered into under this sub-
18 chapter, subject to such limits as the Secretary may
19 establish.”.

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

23 (1) by striking “In determining” and inserting
24 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.”; and

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

23 “(C) RELATIONSHIP TO OTHER CONSERVA-
24 TION PROGRAMS.—In the enrollment of land in
25 the conservation reserve established under this

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

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

17 **SEC. 102. WETLANDS RESERVE PROGRAM.**

18 (a) EXTENSION.—

19 (1) FUNDING EXTENSION.—Section 1241(a)(2)
20 of the Food Security Act of 1985 (16 U.S.C.
21 3841(a)(2)) is amended by striking “The” and in-
22 serting “For each of fiscal years 2002 through
23 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) WETLAND EASEMENT CONSERVATION PLAN.—
14 Section 1237A(b)(3) of such Act (16 U.S.C. 3837a(b)(3))
15 is amended by inserting before the semicolon at the end
16 the following: “and management activities necessary to
17 maintain the functional values of the wetlands”.

18 (d) COST-SHARE AND MANAGEMENT ASSISTANCE.—
19 Section 1237C of such Act (16 U.S.C. 3837c) is amend-
20 ed—

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

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

1 “(4) MANAGEMENT COSTS.—The Secretary
 2 may make payments to owners to cover up to the
 3 full actual cost of undertaking any ongoing or peri-
 4 odic management activities necessary to maintain
 5 the functional values of wetland enrolled in the wet-
 6 lands reserve program.”.

7 **SEC. 103. CONSERVATION SECURITY PROGRAM.**

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

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

15 (c) THREE TIERS OF CONSERVATION SECURITY
 16 CONTRACTS.—Section 1238A(d) of such Act (16 U.S.C.
 17 3838a(d)) is amended—

18 (1) in paragraph (4)—

19 (A) by redesignating subparagraphs (R)
 20 and (S) as subparagraphs (S) and (T), respec-
 21 tively; and

22 (B) by inserting after subparagraph (Q),
 23 the following new subparagraph:

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

25 (2) in paragraph (5)—

1 (A) in the matter preceding subparagraph
 2 (A), by striking “paragraph (6)” and inserting
 3 “paragraph (7)”;

4 (B) in subparagraph (A)(ii)(I), by striking
 5 “1 significant resource” and inserting “2 sig-
 6 nificant resources”; and

7 (C) in subparagraph (B)(ii)(I), by striking
 8 “1 significant resource” and inserting “3 sig-
 9 nificant resources”; and

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

12 (4) by inserting after paragraph (5) the fol-
 13 lowing new paragraph:

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

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

23 (1) in subparagraph (A), by striking “subpara-
 24 graph (B)” and inserting “subparagraphs (B), (C),
 25 and (D)”;

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

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

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

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

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

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

1 “(ii) enroll the land under a Tier III
2 conservation security contract at the time
3 the Tier II contract expires if the producer
4 demonstrates that the eligibility criteria for
5 a Tier III conservation security contract
6 are met.

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

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

23 (f) MINIMUM CONTRACT PAYMENT.—Section
24 1238C(b) of such Act (16 U.S.C. 3838c(b)) is amended
25 by adding at the end the following new paragraph:

1 “(4) MINIMUM PAYMENT.—Notwithstanding
2 any other provision in this subsection, a producer
3 participating in the conservation security program
4 shall be entitled to an annual payment of not less
5 than \$1,500 under a conservation security con-
6 tract.”.

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

10 “(f) ENROLLMENT PROCEDURES.—

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

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

20 “(3) PERIODIC ENROLLMENT OPPORTUNITIES
21 FOR TIER I AND II CONTRACTS.—The Secretary shall
22 ensure that producers whose land meets the eligi-
23 bility criteria for enrollment under a Tier I or Tier
24 II conservation security contract have the oppor-

1 tunity to enroll the land in the conservation security
 2 program once every three years.”.

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

6 “(g) TECHNICAL ASSISTANCE.—

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

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

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

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

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

4 (b) MAXIMUM ENROLLMENT AND LIMITATION ON
5 USE OF RENTAL AGREEMENTS.—Subsection (b) of sec-
6 tion 1238N of such Act (16 U.S.C. 3838N) is amended—

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

9 (2) by striking paragraph (3) and inserting the
10 following new paragraph:

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

18 (c) ENROLLMENT GOAL.—Subsection (b) of such sec-
19 tion is further amended by adding at the end the following
20 new paragraph:

21 “(4) ENROLLMENT GOAL.—For the period be-
22 ginning on the date of the enactment of this para-
23 graph and ending on December 31, 2013, the Sec-
24 retary shall establish a goal to enroll not less than

1 1,000,000 acres of native grasslands in the pro-
 2 gram.”.

3 (d) EQUITY FOR PASTURE-BASED OPERATIONS.—

4 Such section is further amended by adding at the end the
 5 following new subsection:

6 “(d) EQUITY FOR PASTURE-BASED OPERATIONS.—

7 Consistent with the other requirements of the program,
 8 the Secretary shall implement the program in a manner
 9 that ensures that, to the greatest extent practicable, land-
 10 owners operating pasture-based systems have an equal op-
 11 portunity to enroll in the program.”.

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

14 (a) EXTENSION.—

15 (1) FUNDING EXTENSION AND INCREASE.—

16 Section 1241(a) of the Food Security Act of 1985
 17 (16 U.S.C. 3841(a)) is amended by striking para-
 18 graph (6) and inserting the following new para-
 19 graph:

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

1 (2) CONFORMING AMENDMENTS.—Section
 2 1240B of such Act is amended (16 U.S.C. 3839aa–
 3 2)—

4 (A) in subsection (a)(1), by striking
 5 “2010” and inserting “2013”; and

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

8 (b) PURPOSES.—Section 1240 of such Act (16 U.S.C.
 9 3839aa) is amended—

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

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

14 (c) BIDDING DOWN.—Subsection (c) of section
 15 1240B of such Act (16 U.S.C. 3839aa–2) is amended to
 16 read as follows:

17 “(c) BIDDING DOWN.—The Secretary shall not as-
 18 sign a higher priority to any application because the appli-
 19 cant is willing to accept a lower cost-share or incentive
 20 payment than the applicant would otherwise be entitled
 21 to receive. Nothing in this subsection shall be construed
 22 to relieve the Secretary of the obligation, when evaluating
 23 applications for cost-share payments and incentive pay-
 24 ments, to evaluate the cost-effectiveness of the proposed
 25 conservation practices, systems, and approaches described

1 in the applications and to prioritize the most cost-effective
2 applications, as required by section 1240C(1).”.

3 (d) EVALUATION OF APPLICATIONS FOR COST-
4 SHARE PAYMENTS AND INCENTIVE PAYMENTS.—Section
5 1240C of such Act (16 U.S.C. 3839aa–3) is amended to
6 read as follows:

7 **“SEC. 1240C. EVALUATION OF APPLICATIONS FOR COST-**
8 **SHARE PAYMENTS AND INCENTIVE PAY-**
9 **MENTS.**

10 “In evaluating applications for cost-share payments
11 and incentive payments, the Secretary shall—

12 “(1) prioritize applications based on their over-
13 all level of cost-effectiveness to ensure that the con-
14 servation practices, systems, and approaches pro-
15 posed are the most efficient means of achieving the
16 anticipated environmental benefits of the project;

17 “(2) prioritize applications based on how effec-
18 tively and comprehensively the project addresses the
19 designated resource concern or resource concerns;

20 “(3) reward higher levels of environmental per-
21 formance, such as advanced levels of management
22 within land management practices;

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

1 “(5) prioritize applications that will improve en-
2 vironmental performance on existing operations.”.

3 (e) CONSERVATION INNOVATION GRANTS.—Section
4 1240H of such Act (16 U.S.C. 3839aa–8) is amended—

5 (1) in subsection (a), by striking “may” and in-
6 serting “shall”;

7 (2) in subsection (b)—

8 (A) by striking “may” and inserting
9 “shall”;

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

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

14 (D) by adding at the end the following new
15 paragraph:

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

17 and

18 (3) by adding at the end the following new sub-
19 sections:

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

1 “(e) FUNDING.—In addition to amounts made avail-
2 able under section 1241(a)(6) to carry out this chapter,
3 the Secretary shall use funds of the Commodity Credit
4 Corporation to carry out this section in the following
5 amounts:

6 “(1) 40,000,000 for fiscal year 2008.

7 “(2) 50,000,000 for fiscal year 2009.

8 “(3) 60,000,000 for fiscal year 2010.

9 “(4) 75,000,000 for each of fiscal years 2011
10 through 2013.”.

11 (f) FUNDING UNDER GROUND AND SURFACE WATER
12 CONSERVATION PROGRAM.—Subsection (c) section 1240I
13 of such Act (16 U.S.C. 3839aa–9) is amended to read as
14 follows:

15 “(c) FUNDING.—The Secretary shall use
16 \$100,000,000 of the funds of the Commodity Credit Cor-
17 poration to carry out this section for each of fiscal years
18 2008 through 2013. These funds are in addition to
19 amounts made available under section 1241(a)(6) to carry
20 out this chapter.”.

21 (g) FOREST CONSERVATION AND PERFORMANCE IN-
22 CENTIVES FOR STATES.—Chapter 4 of subtitle D of title
23 XII of such Act is amended by adding at the end the fol-
24 lowing new sections:

1 **“SEC. 1240J. PROMOTION OF FOREST STEWARDSHIP PRAC-**
2 **TICES.**

3 “(a) COST-SHARE PAYMENTS AND INCENTIVE PAY-
4 MENTS.—In carrying out the program under this chapter,
5 the Secretary shall promote forest stewardship by pro-
6 viding cost-share payments and incentive payments to
7 non-industrial private forest owners to carry out eligible
8 conservation activities, to—

9 “(1) improve water quality;

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

11 “(3) restore ecologically important forest types;

12 or

13 “(4) control invasive species.

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

18 “(c) FUNDING.—

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

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

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

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

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

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

2 “(2) RELATION TO OTHER FUNDS.—The funds
3 made available under paragraph (1) are in addition
4 to amounts made available under section 1241(a)(6)
5 to carry out this chapter.

6 **“SEC. 1240K. PERFORMANCE INCENTIVES FOR STATES.**

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

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

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

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

22 “(3) collaborate with other Federal and State
23 agencies, local governments, educational institutions,
24 and for-profit and nonprofit organizations to mon-
25 itor and evaluate the environmental outcomes associ-

ated with implementation of the environmental quality incentives program;

“(4) demonstrate effective and efficient program delivery, including the provision of adequate technical assistance to all program participants through appropriate staffing and through cooperation with other Federal, State, Tribal, and local agencies, for-profit and nonprofit organizations, and individuals with demonstrated expertise in the planning and implementation of conservation practices, systems, and approaches;

“(5) support and encourage innovative approaches to addressing resource concerns; and

“(6) demonstrate effective outreach and innovative approaches to reaching and serving beginning farmers and ranchers, limited-resource producers, and operators with lower rates of historical participation in Federal farm and conservation programs.”.

**SEC. 106. REAUTHORIZATION OF AND INCREASED FUNDING
FOR WILDLIFE HABITAT INCENTIVE PROGRAM.**

(a) EXTENSION AND FUNDING.—Section 1241(a)(7) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(7)) is amended by striking subparagraphs (A) through (D) and inserting the following new subparagraphs:

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

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

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

4 “(D) \$200,000,000 in each of fiscal years
5 2010 and 2011; and

6 “(E) \$300,000,000 in each of fiscal years
7 2012 and 2013.”.

8 (b) INCENTIVE PAYMENTS FOR AGREEMENTS BENE-
9 FITTING LISTED SPECIES.—Section 1240N of such Act
10 (16 U.S.C. 3839bb–1) is amended by adding at the end
11 the following new subsection:

12 “(d) INCENTIVE PAYMENTS FOR CERTAIN AGREE-
13 MENTS AND APPLICATIONS.—In a case in which the Sec-
14 retary enters into an agreement or contract to protect or
15 restore habitat for a federally or State-listed endangered,
16 threatened, or candidate species or for applications that
17 further the goals and objectives of a State’s comprehensive
18 wildlife conservation plan, the Secretary may provide in-
19 centive payments to landowners to protect or restore the
20 habitat, including the cost of management activities need-
21 ed during the term of the agreement or contract.”.

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

1 “(e) DEVELOPMENT OF FISH HABITAT.—

2 “(1) PURPOSES OF COST-SHARE PAYMENTS.—

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

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

10 “(B) to repair in-stream habitat;

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

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

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

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

24 “(A) to remove a small dam or in-stream
25 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) AGREEMENTS.—The Secretary shall enter into
6 agreements for not shorter than three-year or longer than
7 five-year terms with eligible entities specified in subsection
8 (c) to preferentially enroll producers in one or more of the
9 programs specified in subsection (b) to carry out special
10 projects and initiatives through which multiple producers
11 and other interested persons cooperate to improve water
12 quality or address other specific resources of concern re-
13 lated to agricultural production on a local, State, or re-
14 gional scale.

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

17 “(1) Farmland protection program.

18 “(2) Grassland reserve program.

19 “(3) Environmental quality incentives program.

20 “(4) Ground and surface water conservation
21 program.

22 “(5) Wildlife habitat incentive program.

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

1 “(1) States and agencies of States.

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

4 “(3) Indian tribes.

5 “(4) Nongovernmental organizations and asso-
6 ciations, including conservation organizations and
7 producer associations and cooperatives.

8 “(d) APPLICATIONS.—

9 “(1) COMPETITIVE PROCESS.—The Secretary
10 shall establish a competitive process for considering
11 applications for agreements under this section con-
12 sistent with the evaluation criteria listed in sub-
13 section (e).

14 “(2) PROGRAM ALLOCATION.—Applications
15 shall include—

16 “(A) specification of the amount of fund-
17 ing or acres of one or more covered programs
18 specified in subsection (b) proposed to be allo-
19 cated to carry out the special project or initia-
20 tive; and

21 “(B) a schedule for utilization of funding
22 or acres over the life of the proposed project or
23 initiative.

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

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

8 “(2) the special project or initiative covered by
9 the application—

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

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

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

23 “(D) promises adequate and coordinated
24 participation to achieve the objectives of the
25 project or initiative;

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

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

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

18 “(H) addresses a local, State, regional, or
19 national environmental priority or priorities,
20 with particular emphasis on any priority for
21 which there is an existing State or federally ap-
22 proved plan in place for addressing that pri-
23 ority;

24 “(I) links environmental and conservation
25 objectives with other objectives, such as spur-

ring rural economic development through increased opportunities in the project area for recreation, value-added enterprises, or direct marketing of agricultural products, and assisting beginning, limited resource, tribal, and other producers maintain the viability of their operations;

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

“(K) clearly demonstrates that enrollment of producers in covered programs will be consistent with the purposes and policies of each individual program, as established in statute, rules and regulations, and program guidance promulgated by implementing agencies.

“(f) PRIORITIES.—To the maximum extent practicable, consistent with the requirements of subsection (d), the Secretary shall ensure that, each fiscal year, agreements are entered into under this section to support projects and initiatives that collectively address the full range of resource concerns facing producers, ranchers, and small private forest landowners, including specifically projects and initiatives that are designed—

“(1) to achieve improvements in water quality in watersheds impacted by agriculture, particularly

1 by increasing the participation of producers in im-
2 plementing best management practices in a water-
3 shed or developing environmentally and economically
4 viable alternative uses for manure and litter;

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

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

17 “(4) to assist in the recovery of Federal or
18 State-listed endangered species or species of special
19 concern or to further the goals and objectives of a
20 State’s comprehensive wildlife conservation plan
21 through the cooperative efforts of multiple pro-
22 ducers;

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

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

3 “(7) to reduce losses of pesticides to the envi-
4 ronment by engaging multiple producers in a geo-
5 graphic area in adoption of integrated pest manage-
6 ment practices and approaches; and

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

9 “(g) SELECTION PROCESS.—In evaluating applica-
10 tions under this section, the Secretary shall consider rec-
11 ommendations from scientists and others with appropriate
12 expertise from agencies within the Department of Agri-
13 culture, other Federal and State agencies, and interest
14 groups, including producer associations and conservation
15 and environmental organizations.

16 “(h) COST SHARE.—

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

1 “(2) IN-KIND CONTRIBUTIONS.—If the Sec-
2 retary establishes a cost-share requirement for a
3 project or initiative, the Secretary shall allow the use
4 of in-kind contributions to meet that requirement.

5 “(i) ADMINISTRATION WITH CONSERVATION RE-
6 SERVE ENHANCEMENT PROGRAM.—In implementing this
7 section, the Secretary shall ensure that States or other
8 applicants seeking to combine an application for project
9 or initiative under this section with an application for a
10 conservation reserve enhancement program may do so in
11 a manner that does not impose additional paperwork or
12 other burdens on the applicant.

13 “(j) FUNDING.—

14 “(1) SET-ASIDE.—Of the funds provided each
15 fiscal year to implement the programs specified in
16 subsection (b), the Secretary shall use 20 percent to
17 provide funds under agreements entered into under
18 this section.

19 “(2) ALLOCATION TO STATES.—The Secretary
20 shall allocate to States 50 percent of the funds re-
21 served under paragraph (1) to allow State Conserva-
22 tionists, with the advice of State Technical Commit-
23 tees, scientists, and other persons with appropriate
24 expertise, to select projects and initiatives for fund-
25 ing under this section at the State level.

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

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

10 **SEC. 108. REGIONAL EQUITY IN FUNDING OF CERTAIN DE-**
 11 **PARTMENT OF AGRICULTURE CONSERVA-**
 12 **TION PROGRAMS.**

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

16 “(d) REGIONAL EQUITY.—In allocating funds to
 17 States to implement the conservation programs under sub-
 18 title D (excluding the conservation reserve program under
 19 subchapter B of chapter 1, the wetlands reserve program
 20 under subchapter C of chapter 1, and the conservation se-
 21 curity program under subchapter A of chapter 2), the Sec-
 22 retary shall ensure that each State receives, at a min-
 23 imum, \$15,000,000 for each of the fiscal years 2007
 24 through 2013.”.

1 **SEC. 109. EXCLUSION OF PAYMENTS UNDER DEPARTMENT**
2 **OF AGRICULTURE CONSERVATION PRO-**
3 **GRAMS FROM ADJUSTED GROSS INCOME**
4 **LIMITATION.**

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

8 (b) DURATION OF ADJUSTED GROSS INCOME LIM-
9 TATION.—Such section is further amended by striking
10 subsection (e).

11 **SEC. 110. REAUTHORIZATION OF AND ADDITIONAL FUND-**
12 **ING FOR AGRICULTURAL MANAGEMENT AS-**
13 **SISTANCE PROGRAM.**

14 (a) REAUTHORIZATION.—Subsection (b)(4)(B) of
15 section 524 of the Federal Crop Insurance Act (7 U.S.C.
16 1524) is amended—

17 (1) in clause (ii), by striking “fiscal years 2003
18 through 2007” and inserting “fiscal years 2008
19 through 2013”; and

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

23 (b) FUNDING LEVELS.—Such subsection is further
24 amended—

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

1 (2) in clause (iii)—

2 (A) in subclause (I), by striking
3 “\$14,000,000” and inserting “\$28,000,000”;

4 (B) in subclause (II), by striking
5 “\$1,000,000” and inserting “\$2,000,000”; and

6 (C) in subclause (III), by striking
7 “\$5,000,000” and inserting “\$10,000,000”.

8 **SEC. 111. SUBURBAN AND COMMUNITY FORESTRY AND**
9 **OPEN SPACE PROGRAM.**

10 The Cooperative Forestry Assistance Act of 1978 (16
11 U.S.C. 2101 et seq.) is amended by adding at the end
12 the following new section:

13 **“SEC. 21. SUBURBAN AND COMMUNITY FORESTRY AND**
14 **OPEN SPACE PROGRAM.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) COMMITTEE.—The term ‘Committee’
17 means a State Forest Stewardship Coordinating
18 Committee established under section 19(b).

19 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
20 tity’ means a unit of local government or a nonprofit
21 organization that—

22 “(A) the Secretary determines, in accord-
23 ance with the criteria established under sub-
24 section (c)(2)(B) is eligible to receive a grant
25 under subsection (d); and

1 “(B) the State forester, in consultation
2 with the Committee, determines—

3 “(i) has the abilities necessary to ac-
4 quire and manage interests in real prop-
5 erty; and

6 “(ii) has the resources necessary to
7 monitor and enforce any terms applicable
8 to the eligible project.

9 “(3) ELIGIBLE PROJECT.—The term ‘eligible
10 project’ means a fee purchase, easement, or donation
11 of land to conserve private forest land identified for
12 conservation under subsection (c)(2)(A).

13 “(4) INDIAN TRIBE.—The term ‘Indian tribe’
14 has the meaning given the term in section 4 of the
15 Indian Self-Determination and Education Assistance
16 Act (25 U.S.C. 450b).

17 “(5) NONPROFIT ORGANIZATION.—The term
18 ‘nonprofit organization’ means any organization that
19 is—

20 “(A) described in section 501(c) of the In-
21 ternal Revenue Code of 1986; and

22 “(B) exempt from taxation under 501(a)
23 of the Internal Revenue Code of 1986.

24 “(6) PRIVATE FOREST LAND.—The term ‘pri-
25 vate forest land’ means land that—

1 “(A) consists of at least 50 percent forest
2 cover, with the remainder made up of—

3 “(i) compatible non-forest uses, in-
4 cluding cultivated farmlands, pastures, or-
5 chards, shrub lands, grasslands, wetlands,
6 or open waters; or

7 “(ii) preexisting structures that are
8 inseparable from the landholding and do
9 not have a detrimental effect on conserva-
10 tion values;

11 “(B) is capable of producing commercial
12 forest products; and

13 “(C) is owned by a private entity or an In-
14 dian tribe.

15 “(7) PROGRAM.—The term ‘program’ means
16 the Suburban and Community Forestry and Open
17 Space Program established by subsection (b).

18 “(8) RELEVANT LOCAL GOVERNMENT.—The
19 term ‘relevant local government’ means the gov-
20 erning body of a unit of local government that has
21 the authority to adopt a plan for development of an
22 area and within which an identified eligible project
23 would be carried out.

1 “(9) SECRETARY.—The term ‘Secretary’ means
2 the Secretary of Agriculture, acting through the
3 Chief of the Forest Service.

4 “(b) ESTABLISHMENT AND PURPOSE.—There is es-
5 tablished within the Forest Service a program to be known
6 as the ‘Suburban and Community Forestry and Open
7 Space Program’. The purpose of the program is to provide
8 assistance to eligible entities to carry out eligible projects
9 in States in which less than 25 percent of the land is
10 owned by the United States to—

11 “(1) conserve private forest land and maintain
12 working forests in suburban areas;

13 “(2) provide communities a means by which to
14 create community forests; and

15 “(3) support primary and secondary value-
16 added forest products industries and employment in
17 areas threatened by conversion of forest land to non-
18 forest uses.

19 “(c) IDENTIFICATION OF ELIGIBLE PRIVATE FOREST
20 LAND AND ENTITIES.—

21 “(1) NATIONAL CRITERIA.—The Secretary shall
22 establish national criteria—

23 “(A) for the identification of private forest
24 land eligible for conservation under the pro-
25 gram; and

1 “(B) for the identification of eligible enti-
2 ties.

3 “(2) CONDITIONS FOR ELIGIBLE PRIVATE FOR-
4 EST LAND.—Private forest land identified for con-
5 servation using the criteria established under para-
6 graph (2)(A) shall be land that—

7 “(A) is located in a State in which less
8 than 25 percent of the land is owned by the
9 United States;

10 “(B) is appropriate for conservation under
11 a comprehensive plan for development adopted
12 by the relevant local government; and

13 “(C) is determined by the relevant local
14 government to be located in an area threatened
15 by conversion of forest land to nonforest uses.

16 “(d) GRANT PROGRAM.—

17 “(1) GRANTS FOR ELIGIBLE PROJECTS.—In
18 carrying out the program, the Secretary shall award
19 competitive grants to eligible entities to carry out el-
20 igible projects.

21 “(2) PUBLIC ACCESS.—Eligible entities are en-
22 couraged to provide public access to land on which
23 an eligible project is carried out, consistent with
24 State law and preexisting access agreements.

25 “(e) APPLICATION AND STEWARDSHIP PLAN.—

1 “(1) SUBMISSION.—An eligible entity that seeks
2 to receive a grant under the program shall submit
3 to the appropriate State forester and relevant local
4 government—

5 “(A) at such time and in such form as the
6 Secretary shall prescribe, an application for the
7 grant (including a description of any private
8 forest land to be conserved using funds from
9 the grant and a description of the extent of the
10 threat of conversion of the land to nonforest
11 use); and

12 “(B) a stewardship plan that describes—

13 “(i) the manner in which any private
14 forest land to be conserved using funds
15 from the grant will be managed in accord-
16 ance with this section;

17 “(ii) the manner in which the stew-
18 ardship plan will be implemented; and

19 “(iii) the public benefits, including
20 economic and noneconomic benefits, to be
21 achieved from implementation of the stew-
22 ardship plan.

23 “(2) ASSESSMENT OF NEED.—With respect to
24 an application submitted under paragraph (1)(A),
25 the State forester shall—

1 “(A) assess the need for preserving work-
2 ing suburban forest land and open space and
3 community forests in the State, taking into ac-
4 count the housing needs of the area in which
5 the eligible project is to be carried out;

6 “(B) certify that the preservation of subur-
7 ban forest land as contemplated by the applica-
8 tion is consistent with any comprehensive plan
9 for development adopted by the relevant local
10 government; and

11 “(C) if approved by the relevant local gov-
12 ernment, submit the application and the assess-
13 ment of need to the Secretary.

14 “(f) REVIEW OF APPLICATIONS.—

15 “(1) IN GENERAL.—As soon as practicable
16 after the date on which the Secretary receives an ap-
17 plication under subsection (e), or a resubmission of
18 an application under subparagraph (B), the Sec-
19 retary shall review the application and—

20 “(A) award a grant to the applicant; or

21 “(B) disapprove the application and pro-
22 vide the applicant with a statement that de-
23 scribes the reasons why the application was dis-
24 approved and specifies a deadline by which the

1 applicant may resubmit the application under
2 this subsection.

3 “(2) CONSIDERATIONS; PRIORITY.—In award-
4 ing grants under the program, the Secretary shall—

5 “(A) consider the need for the eligible
6 project based on the assessment of need sub-
7 mitted under subsection (e)(2) and subject to
8 the criteria established under subsection (c);

9 “(B) give priority to applicants that pro-
10 pose to fund eligible projects that promote—

11 “(i) the preservation of suburban for-
12 est land;

13 “(ii) the creation of community for-
14 ests;

15 “(iii) the sustainable management of
16 private forest land;

17 “(iv) community involvement in deter-
18 mining the objectives for eligible projects
19 that are funded under this section;

20 “(v) primary and secondary value-
21 added forest products industries and em-
22 ployment;

23 “(vi) the protection of water, wildlife,
24 scenic, and recreational resources on pri-
25 vate forest lands; and

1 “(vii) the protection of forestlands
2 recognized as conservation priorities within
3 Federal, regional, State, or local water-
4 shed, open space, or other resource protec-
5 tion plans; and

6 “(C) require a certification from the rel-
7 evant local government that the preservation of
8 suburban forest land as contemplated by the
9 application is consistent with any comprehen-
10 sive plan for development adopted by the local
11 government.

12 “(g) COST SHARING.—

13 “(1) IN GENERAL.—The amount of a grant
14 awarded under the program to carry out an eligible
15 project shall not exceed 50 percent of the total cost
16 of the eligible project.

17 “(2) ASSURANCES.—As a condition of receipt of
18 a grant under the program, an eligible entity shall
19 provide to the Secretary such assurances as the Sec-
20 retary determines are sufficient to demonstrate that
21 the share of the cost of each eligible project that is
22 not funded by the grant awarded under this section
23 has been secured.

24 “(3) FORM.—The share of the cost of carrying
25 out any eligible project that is not funded by a grant

1 awarded under the program may be provided in cash
2 or in kind (including a donation of land).

3 “(h) USE OF GRANT FUNDS FOR PURCHASES OF
4 LAND OR EASEMENTS.—

5 “(1) PURCHASES.—

6 “(A) PURCHASE AT FAIR MARKET
7 VALUE.—Except as provided in subparagraph
8 (B), funds made available, and grants awarded,
9 under the program may be used to purchase
10 private forest land or interests in private forest
11 land (including conservation easements) only
12 from willing sellers at fair market value.

13 “(B) PURCHASE AT LESS THAN FAIR MAR-
14 KET VALUE.—A sale of private forest land or
15 an interest in private forest land at less than
16 fair market value shall be permitted only on
17 certification by the landowner that the sale is
18 being entered into willingly and without coer-
19 cion.

20 “(2) TITLE.—Title to private forest land or an
21 interest in private forest land purchased under para-
22 graph (1) may be held, as determined appropriate by
23 the Secretary, in consultation with the State and rel-
24 evant local government, by—

25 “(A) a State;

1 “(B) a unit of local government; or

2 “(C) a nonprofit organization.

3 “(3) TERMINATION OF EASEMENT.—Except as
4 provided in paragraph (4), all right, title, and inter-
5 est of a unit of local government or nonprofit organi-
6 zation in and to a conservation easement purchased
7 under paragraph (1) shall terminate and vest in the
8 State if the State determines that—

9 “(A) the unit of local government or non-
10 profit organization is unable or unwilling to en-
11 force the terms of the conservation easement; or

12 “(B) the conservation easement has been
13 modified in a way that is inconsistent with the
14 purposes of the program.

15 “(4) CONVEYANCE TO ANOTHER UNIT OF
16 LOCAL GOVERNMENT OR NONPROFIT ORGANIZA-
17 TION.—If a State makes a determination under
18 paragraph (3), the State may convey or authorize
19 the unit of local government or nonprofit organiza-
20 tion to convey the conservation easement to another
21 unit of local government or nonprofit organization.

22 “(i) ADMINISTRATIVE COSTS.—The State, on ap-
23 proval of the Secretary and subject to any regulations pro-
24 mulgated by the Secretary, may use amounts made avail-

1 able under subsection (k) to pay the administrative costs
2 of the State relating to the program.

3 “(j) REPORT.—The Secretary shall submit to Con-
4 gress a report on the eligible projects carried out under
5 this section in accordance with section 8(c) of the Forest
6 and Rangeland Renewable Resources Planning Act of
7 1974 (16 U.S.C. 1606(c)).

8 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this section
10 \$50,000,000 for each of the fiscal years 2008 through
11 2013.

12 “(l) PRIVATE PROPERTY PROTECTIONS.—

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

14 “(A) requires a private property owner to
15 permit public access (including Federal, State,
16 or local government access) to private property;
17 or

18 “(B) modifies any provision of Federal,
19 State, or local law with regard to public access
20 to, or use of, private land.

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

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

5 “(4) PARTICIPATION OF PRIVATE PROPERTY
6 OWNERS.—Nothing in this section requires a private
7 property owner to participate in private forest con-
8 servation under this section.”.

9 **SEC. 112. FARMLAND PROTECTION AND FARM VIABILITY**
10 **PROGRAMS.**

11 (a) LAND ELIGIBLE FOR PROTECTION.—Paragraph
12 (2) of section 1238H of the Food Security Act of 1985
13 (16 U.S.C. 3838h) is amended to read as follows:

14 “(2) ELIGIBLE LAND.—The term ‘eligible land’
15 means land on a farm or ranch that is—

16 “(A) cropland;

17 “(B) rangeland;

18 “(C) grassland;

19 “(D) pasture land; or

20 “(E) forest land that is an incidental part
21 of an agricultural operation, as determined by
22 the Secretary.”.

23 (b) QUALIFIED STATE OR LOCAL ENTITY DE-
24 FINED.—Such section is further amended—

1 (1) by redesignating paragraph (4) as para-
2 graph (5); and

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

5 “(4) QUALIFIED STATE OR LOCAL ENTITY.—
6 The term ‘qualified State or local entity’ means an
7 eligible entity, public or private, that operates a
8 farm and ranchland protection program under au-
9 thority of State law, which has—

10 “(A) for at least 3 calendar or fiscal years
11 used or provided public or private funds to pur-
12 chase perpetual conservation easements or other
13 interests in land on a cumulative total of at
14 least 10 properties for the primary purpose of
15 protecting the agricultural production capacity
16 of eligible land;

17 “(B) the necessary authority under State
18 law, as well as the technical and financial ca-
19 pacity, to monitor and enforce the terms of
20 such conservation easements or other interests
21 in land so that their purpose is carried out in
22 perpetuity, or in the case of a governmental en-
23 tity, to legally require other public or private
24 holders of such easements or interests in land

1 acquired with public funding to hold, monitor,
2 and enforce them for the same purpose; and

3 “(C) financial control policies in place to
4 assure that on average the purchase price of
5 conservation easements and other interests in
6 land purchased by the eligible entity or pur-
7 chased using funds provided by the eligible enti-
8 ty does not exceed their appraised fair market
9 value.”.

10 (c) FARMLAND PROTECTION PROGRAM CHANGES.—

11 Section 1238I of such Act (16 U.S.C. 3838i) is amended
12 to read as follows:

13 **“SEC. 1238I. FARMLAND PROTECTION.**

14 “(a) ESTABLISHMENT.—The Secretary, acting
15 through the Natural Resources Conservation Service, shall
16 establish and carry out a farm and ranchland protection
17 program under which the Secretary shall facilitate and
18 fund the purchase of conservation easements or other in-
19 terests in eligible land for the purpose of protecting the
20 agricultural production capacity of the land by limiting in-
21 compatible nonagricultural uses of the land.

22 “(b) PROTECTION PRIORITIES.—The program shall
23 give the highest priority to protecting eligible land with
24 prime, unique, or other productive soils that are at risk
25 of non-farm development.

1 “(c) GRANTS.—

2 “(1) GRANTS TO QUALIFIED STATE OR LOCAL
3 ENTITIES.—Not less than 75 percent of the funds
4 made available to carry out the program shall be
5 awarded as grants, administered by Natural Re-
6 sources Conservation Service state conservationists,
7 to qualified State and local entities. The Secretary
8 shall distribute such grant funds among States
9 based on demonstrated need for farm and ranch
10 land protection and on the relative contribution of
11 funds dedicated by States and eligible entities for
12 this purpose.

13 “(2) MULTIPLE TRANSACTIONS.—Grants may
14 be made under the program for multiple trans-
15 actions without regard for whether pending purchase
16 offers are outstanding, so long as all grant funds are
17 used for the purpose of purchasing conservation
18 easements or other interests in eligible land.

19 “(3) DISTRIBUTION OF EXCESS FUNDS.—Any
20 funds not granted to qualified State or local entities
21 under the program shall be available for distribution
22 to other eligible entities as matching funds for indi-
23 vidual purchases of conservation easements and
24 other interests in eligible land.

25 “(d) GRANT AGREEMENTS.—

1 “(1) AGREEMENTS AUTHORIZED.—The Sec-
2 retary, acting through the Natural Resources Con-
3 servaion Service, may enter into an agreement with
4 a qualified State or local entity, under which the
5 State or local entity may purchase conservation
6 easements or other interests in eligible land using a
7 combination of grant funds provided under sub-
8 section (c) and other funds available to the entity.

9 “(2) TERMS AND CONDITIONS.—An agreement
10 under this subsection shall stipulate the terms and
11 conditions under which the qualified State or local
12 entity shall use funds provided by the Secretary
13 under the program, subject to the following:

14 “(A) The qualified State or local entity
15 shall be authorized to determine their own cri-
16 teria and priorities for purchasing conservation
17 easements and other interests in eligible land.

18 “(B) The qualified State or local entity
19 may determine the terms and conditions for
20 conservation easements and other interests in
21 eligible land purchased using grant funds, if the
22 attorney general of the State in which the land
23 is located certifies that such terms and condi-
24 tions are adequate under State law to achieve
25 and permit effective enforcement of the con-

1 servation purposes of such easements or other
2 interests.

3 “(C) No Federal contingent right of en-
4 forcement or reversionary interest in a con-
5 servation easement or other purchase of an in-
6 terest in land shall be required.

7 “(e) INDIVIDUAL PURCHASES.—The Secretary may
8 enter into agreements with eligible entities under which
9 the Secretary shall provide matching funds for the purpose
10 of purchasing conservation easements or other interests
11 in eligible land on individual farm and ranch properties.
12 The Secretary may agree to such terms as the Secretary
13 considers appropriate to assure that the purpose of the
14 program is carried out, except that subsection (d)(2)(C)
15 shall apply to any easement held by a State or local agency
16 or in which a qualified State or local entity will hold a
17 contingent right of enforcement.

18 “(f) CONSERVATION PLAN.—Notwithstanding sub-
19 section (d)(2)(B), any highly erodible cropland for which
20 a conservation easement or other interest in land is pur-
21 chased using funds made available under the program
22 shall be subject to the requirements of a conservation plan,
23 except that, for easements and other interests in land that
24 are perpetual in duration, the Secretary may not require
25 the conversion of the cropland to less intensive uses if,

1 under the conservation plan, soil erosion can be reduced
2 to ‘T’ or below.

3 “(g) COST SHARING.—

4 “(1) MAXIMUM COST SHARE USING SECTION
5 1241(D) FUNDS.—The share of the cost of purchasing
6 a conservation easement or other interest in eligible
7 land under the program using funds provided under
8 section 1241(d) shall not exceed the greater of—

9 “(A) 50 percent of the appraised fair mar-
10 ket value of the conservation easement or other
11 interest in eligible land; or

12 “(B) if a qualified conservation contribu-
13 tion, as defined by section 170(h) of the Inter-
14 nal Revenue Code of 1986, of at least 25 per-
15 cent of the market value of the conservation
16 easement or other interest in eligible land is
17 made by the landowner in connection with the
18 purchase of the easement or other interest in
19 land, two-thirds of the actual cost of purchasing
20 the conservation easement or other interest in
21 land.

22 “(2) MAXIMUM COST SHARE USING OTHER
23 FUNDS.—As part of the share of the cost of pur-
24 chasing a conservation easement or other interest in
25 eligible land under the program using funds that are

1 not provided under section 1241(d), a qualified
2 State or local agency or other eligible entity may in-
3 clude a qualified conservation contribution by the
4 private landowner from which the eligible land is to
5 be purchased of not more than 50 percent of the fair
6 market value of the conservation easement or other
7 interest in eligible land.

8 “(3) BIDDING DOWN.—If the Secretary deter-
9 mines that two or more applications under the pro-
10 gram for the purchase of a conservation easement or
11 other interest in eligible land are comparable in
12 achieving the purposes of the program, the Secretary
13 shall not assign a higher priority to any one of those
14 applications solely on the basis of lesser cost to the
15 program.”.

16 (d) FUNDING FOR FARMLAND PROTECTION PRO-
17 GRAM.—Paragraph (4) of subsection (a) of section 1241
18 of the Food Security Act of 1985 (16 U.S.C. 3841) is
19 amended to read as follows:

20 “(4) The farmland protection program under
21 subchapter B of chapter 2, using, to the maximum
22 extent practicable, \$300,000,000 in each of fiscal
23 years 2008 through 2013.”.

24 (e) FARM VIABILITY PROGRAM.—

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

6 (2) FUNDING.—Subsection (b) of such section
 7 is amended to read as follows:

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

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

15 (a) METHODS OF ENROLLMENT.—Section
 16 502(f)(1) of the Healthy Forests Restoration Act of 2003
 17 (16 U.S.C. 6572(f)(1)) is amended by striking subpara-
 18 graph (C) and inserting the following new subparagraph:

19 “(C) a permanent easement.”.

20 (b) FUNDING.—Section 508 of such Act (16 U.S.C.
 21 6578) is amended to read as follows:

22 **“SEC. 508. FUNDING FOR HEALTHY FORESTS RESERVE**
 23 **PROGRAM.**

24 “(a) FUNDING SOURCE.—For each of fiscal years
 25 2008 through 2013, the Secretary shall use the funds, fa-

1 cilities, and authorities of the Commodity Credit Corpora-
2 tion to carry out the healthy forests reserve program, in-
3 cluding the provision of technical assistance under the pro-
4 gram.

5 “(b) SECTION 11 CAP.—The use of Commodity Cred-
6 it Corporation funds under subsection (a) to provide tech-
7 nical assistance under the healthy forests reserve program
8 shall not be considered an allotment or fund transfer from
9 the Commodity Credit Corporation for purposes of the
10 limitation on expenditures for technical assistance imposed
11 by section 11 of the Commodity Credit Corporation Char-
12 ter Act (15 U.S.C. 714i).”.

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

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

22 (b) IDENTIFICATION OF PRIORITY AREAS.—

23 (1) IDENTIFICATION.—The Secretary of Agri-
24 culture shall identify priority areas where the adop-
25 tion by agricultural producers of integrated pest

1 management practices and approaches offers the
2 greatest potential benefit to producers seeking to
3 comply with pest management regulations and allevi-
4 ate the need for additional regulations regarding
5 pest management activities. At a minimum, priority
6 areas shall include agricultural lands dominated by
7 the production of specialty crops and agricultural
8 lands where agricultural pest management activities
9 are regulated for the purpose of mitigating specific
10 impacts to human health or the environment, such
11 as an area in which pollutants exceed authorized
12 total maximum daily load or an air quality non-at-
13 tainment area.

14 (2) CONSULTATION.—The Secretary shall iden-
15 tify priority areas in consultation with the Environ-
16 mental Protection Agency, the United States Geo-
17 logical Service, the United States Fish and Wildlife
18 Service, agricultural producers, appropriated State
19 agencies, and other interested persons.

20 (c) ACTIVITIES IN PRIORITY AREAS.—

21 (1) EXPEDITED APPROVAL OF MANAGEMENT
22 PRACTICES.—The Secretary of Agriculture shall de-
23 velop the best-available integrated pest management
24 practices for the primary agricultural commodities
25 and significant pests in each priority area identified

1 under subsection (b) and expedite approval of these
2 practices for implementation by agricultural pro-
3 ducers.

4 (2) IMPROVED EVALUATION OF MANAGEMENT
5 PLANS.—The Secretary shall develop and make
6 available criteria to enable staff of the Natural Re-
7 sources Conservation Service and agricultural pro-
8 ducers operating in priority areas identified under
9 subsection (b) to effectively compare pest manage-
10 ment plans, considering relative risks and potential
11 benefits to multiple resources of concern, including
12 air, surface water, ground water, bees and other pol-
13 linators, wildlife, and worker safety.

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

23 (4) MARKETING.—The Secretary may market
24 the availability of integrated pest management tools

1 and training to agricultural producers in the priority
2 areas identified under subsection (b).

3 (5) PROGRAM INTEGRATION.—The Secretary
4 shall set goals for integrating the integrated pest
5 management initiative with the environmental qual-
6 ity incentives program established under chapter 4
7 of subtitle D of title XII of the Food Security Act
8 of 1985 (16 U.S.C. 3839aa et seq.) and other con-
9 servation programs in each priority area identified
10 under subsection (b), including indicators of the ex-
11 tent to which these programs fund integrated pest
12 management practices and the extent to which sup-
13 ported integrated pest management practices reduce
14 pesticide use and risk.

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

20 (e) FUNDING.—The Secretary of Agriculture may use
21 resources provided for programs under subtitle D of title
22 XII of the Food Security Act of 1985 (16 U.S.C. 3830
23 et seq.) to implement the integrated pest management ini-
24 tiative.

1 **SEC. 115. NATIONAL ORGANIC CERTIFICATION AND TRAN-**
2 **SITION COST SHARE PROGRAM.**

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

6 **“SEC. 10606. NATIONAL ORGANIC CERTIFICATION AND**
7 **TRANSITION COST SHARE PROGRAM.**

8 “(a) IN GENERAL.—Of the funds of the Commodity
9 Credit Corporation, the Secretary of Agriculture (acting
10 through the Natural Resources Conservation Service) shall
11 use \$37,500,000 for each of fiscal years 2008 through
12 2013 to establish a national organic certification and tran-
13 sition cost-share program to assist producers and handlers
14 of agricultural products in obtaining certification under
15 the national organic production program established under
16 the Organic Foods Production Act of 1990 (7 U.S.C. 6501
17 et seq.) and to assist producers and handlers in making
18 the transition to organic production under the such pro-
19 gram.

20 “(b) CERTIFICATION COSTS.—

21 “(1) IN GENERAL.—The Secretary shall pay
22 under this section a portion of the costs incurred by
23 a producer or handler in obtaining certification
24 under the national organic production program, as
25 certified to and approved by the Secretary.

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

4 “(3) FUNDING.—Of the funds made available
5 under subsection (a), the Secretary (acting through
6 the Agricultural Marketing Service) shall use
7 \$2,500,000 for each of the fiscal years 2008 through
8 2013 to share up to 75 percent of the cost of certifi-
9 cation.

10 “(c) ACCREDITATION AND ENFORCEMENT COSTS.—
11 Of the funds made available under subsection (a), the Sec-
12 retary (acting through the Agricultural Marketing Serv-
13 ice) shall use \$5,000,000 for each of the fiscal years 2008
14 through 2013 to fund the accreditation and enforcement
15 programs operated by the National Organic Program to
16 implement the accreditation and enforcement provisions of
17 the Organic Foods Production Act of 1990.

18 “(d) REIMBURSEMENTS FOR INFRASTRUCTURE NEC-
19 ESSARY TO IMPLEMENT ORGANIC PRACTICE STAND-
20 ARDS.—

21 “(1) ESTABLISHMENT.—Not later than 180
22 days after the date of the enactment of this Act, the
23 Secretary shall establish a program to reimburse
24 producers and handlers for the costs of transition to
25 organic production.

1 “(2) PROGRAM.—Under the program estab-
2 lished under paragraph (1), the Secretary (acting
3 through the Natural Resources Conservation Serv-
4 ice) shall use \$35,000,000 for each of the fiscal
5 years 2008 through 2013 to assist producers and
6 handlers developing and implementing infrastructure
7 and practices necessary to transition land and ani-
8 mals to meet the requirements of the Organic Food
9 Production Act of 1990.

10 “(3) PLAN SUBMISSION.—The Secretary may
11 only reimburse a producer or handler under this sec-
12 tion if the producer or handler submits to the Sec-
13 retary an organic transition plan that contains the
14 expected costs for infrastructure and practices, the
15 environmental and economic benefits derived from
16 the infrastructure or implementing organic practice
17 standards, and a demonstration of the existence of
18 a market or the reasonable expectation of a future
19 market for the products to be produced or handled.

20 “(4) APPROPRIATE INFRASTRUCTURE AND
21 PRACTICE STANDARDS.—The Secretary shall only re-
22 imburse producers and handlers under this sub-
23 section for the costs of the following:

24 “(A) Organic practices and activities dur-
25 ing transition to certified organic production

1 consistent with an approved plan to transition
2 to certified organic production.

3 “(B) Farm infrastructure necessary to im-
4 plement organic practice standards, including
5 livestock watering facilities and fencing, so long
6 as such infrastructure is consistent with an ap-
7 proved plan to transition to certified organic
8 production.

9 “(C) Organic livestock welfare measures,
10 so long as such infrastructure or practices and
11 activities are necessary to implement an organic
12 practice standard and are consistent with an
13 approved plan to transition to certified organic
14 production.

15 “(D) Advanced organic practices consistent
16 with approved certified organic production.

17 “(E) Technical assistance, including the
18 costs of developing an approved transition plan
19 under this section.

20 “(F) Other measures the Secretary, after
21 consultation with the National Organic Stand-
22 ards Board, determines are appropriate.

23 “(5) ORGANIC TRANSITION TECHNICAL AD-
24 VICE.—The Secretary shall consult with the Na-
25 tional Organic Standards Board regarding the ele-

1 ments of an approved organic transition plan and to
2 identify and recommend ways that the Secretary
3 may generally use the resources provided for pro-
4 grams under subtitle D of title XII of the Food Se-
5 curity Act of 1985 (16 U.S.C. 3830 et seq.) to facili-
6 tate transition to organic production, including the
7 resources provided by the Environmental Quality In-
8 centives Program and the Conservation Security
9 Program.

10 “(6) MAXIMUM AMOUNT FOR TRANSITION RE-
11 IMBURSEMENT.—The maximum amount of reim-
12 bursement paid to a producer or handler for transi-
13 tion to organic production under this section shall be
14 \$10,000 per fiscal year.

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

17 “(A) in four fiscal years; and

18 “(B) after the first payment, in the fiscal
19 year in which such payment was made and the
20 three subsequent fiscal years.

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

1 “(9) LIMITATION ON REIMBURSEMENTS.—The
2 Secretary shall not enroll a producer or handler
3 under this subsection if, for any particular agricul-
4 tural product, the producers and handlers currently
5 enrolled in the program produce a number of that
6 agricultural product that is greater than 10 percent
7 of the amount of that agricultural product produced
8 by all producers and handlers certified under the Or-
9 ganic Foods Production Act of 1990 on the date of
10 the enactment of this section.

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

17 “(e) TECHNICAL ASSISTANCE.—The Secretary may
18 provide technical assistance to producers and handlers to
19 carry out this section, including entering into cooperative
20 agreements with qualified entities to implement the transi-
21 tion to organic production.

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

ber of producers and handlers served by the program, and State-by-State expenditures on transition assistance, including the number of producers and handlers served by the program, the practices implemented, an assessment of the impacts of the program on organic production, and recommended reforms, if any.”.

SEC. 116. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

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

“(e) FUNDING.—Of the funds available to the Commodity Credit Corporation, the Secretary shall use \$10,000,000 for each of fiscal years 2008 through 2013 to carry out this section.”.

SEC. 117. FUNDING FOR EDUCATION GRANTS PROGRAMS FOR HISPANIC-SERVING INSTITUTIONS.

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

“(c) FUNDING.—Of the funds available to the Commodity Credit Corporation, the Secretary shall use \$25,000,000 for each fiscal year to carry out this section.”.

1 **SEC. 118. INITIATIVE TO ENCOURAGE GREATER PARTICIPA-**
2 **TION BY SOCIALLY DISADVANTAGED FARM-**
3 **ERS AND RANCHERS IN CONSERVATION PRO-**
4 **GRAMS.**

5 (a) DEFINITIONS.—In this section:

6 (1) SOCIALLY DISADVANTAGED GROUP.—The
7 term “socially disadvantaged group” means a group
8 of persons whose members have been subjected to
9 racial or ethnic prejudice because of their identity as
10 members of a group without regard to their indi-
11 vidual qualities.

12 (2) SOCIALLY DISADVANTAGED FARMER OR
13 RANCHER.—The term “socially disadvantaged farm-
14 er or rancher” means a farmer or rancher who is a
15 member of a socially disadvantaged group.

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

18 (A) Any community-based organization,
19 network, or coalition of community-based orga-
20 nizations that—

21 (i) has demonstrated experience in
22 providing agricultural education or other
23 agriculturally related services to socially
24 disadvantaged farmers or ranchers;

25 (ii) has provided to the Secretary of
26 Agriculture documentary evidence of work

1 with socially disadvantaged farmers or
2 ranchers for not less than a five-year pe-
3 riod preceding the submission of an appli-
4 cation for assistance under this section;
5 and

6 (iii) does not engage in activities pro-
7 hibited under section 501(c)(3) of the In-
8 ternal Revenue Code of 1986.

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

17 (C) An 1890 institution or 1994 institu-
18 tion (as defined in section 2 of the Agricultural
19 Research, Extension, and Education Reform
20 Act of 1998 (7 U.S.C. 7601)), including West
21 Virginia State College.

22 (D) An Indian tribal community college or
23 an Alaska Native cooperative college.

24 (E) An Hispanic-serving institution (as de-
25 fined in section 1404 of the National Agricul-

1 tural Research, Extension, and Teaching Policy
2 Act of 1977 (7 U.S.C. 3103)).

3 (F) Any other institution of higher edu-
4 cation (as defined in section 101 of the Higher
5 Education Act of 1965 (20 U.S.C. 1001)) that
6 has demonstrated experience in providing agri-
7 culture education or other agriculturally related
8 services to socially disadvantaged farmers or
9 ranchers in a region.

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

17 (c) SPECIAL RULE FOR COST-SHARE PAYMENTS.—
18 The Secretary of Agriculture shall pay 100 percent of the
19 costs incurred by a socially disadvantaged farmer or
20 rancher entitled to participate in a program authorized or
21 amended by this title.

22 (d) OUTREACH AND ASSISTANCE.—The Secretary of
23 Agriculture shall carry out an outreach and technical as-
24 sistance program to encourage and assist socially dis-
25 advantaged farmers or ranchers to participate equitably

1 in the full range of agricultural programs authorized or
2 amended by this title.

3 (e) GRANTS AND CONTRACTS.—The Secretary of Ag-
4 riculture may make grants to, and enter into contracts
5 and other agreements with, an eligible entity to provide
6 information and technical assistance to socially disadvan-
7 taged farmers or ranchers so that they can participate eq-
8 uitably in the full range of agricultural programs author-
9 ized or amended by this title.

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

13 (g) FUNDING.—

14 (1) AVAILABILITY OF FUNDS.—The Secretary
15 of Agriculture shall use not less \$25,000,000 of the
16 funds of the Commodity Credit Corporation in each
17 of fiscal years 2008 through 2013 to carry out this
18 section.

19 (2) INTERAGENCY FUNDING.—In addition to
20 funds made available by paragraph (1), any agency
21 of the Department of Agriculture may participate in
22 any grant, contract, or agreement entered into under
23 this section by contributing funds, if the agency de-
24 termines that the objectives of the grant, contract,

1 or agreement will further the authorized programs of
2 the contributing agency.

3 **TITLE II—ENERGY**

4 **SEC. 201. DEFINITION OF BIOMASS.**

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

9 **SEC. 202. SUPPORT FOR DEVELOPMENT OF BIOREFIN-** 10 **ERIES.**

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

14 “(c) ASSISTANCE.—The Secretary shall award grants
15 and make loans and loan guarantees to eligible entities
16 to assist in covering the cost of development and construc-
17 tion of biorefineries to carry out projects to demonstrate
18 the commercial viability of 1 or more processes for con-
19 verting biomass to fuels or chemicals.”.

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

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

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

24 and

1 (3) by striking after clause (i) the following new
2 clause:

3 “(ii) shall select projects based upon
4 the extent to which the projects meet envi-
5 ronmental goals for feed stocks and refin-
6 eries, developed by the Secretary in con-
7 sultation with the Secretary of the Interior,
8 the Secretary of Energy, and the National
9 Academy of Sciences; and”.

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

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

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

17 “(2) FORM OF RECIPIENT SHARE.—The recipi-
18 ent share of the cost of a project may be made in
19 the form of cash or the provision of services, mate-
20 rial, or other in-kind contributions. The amount of
21 the recipient share made in the form of the provision
22 of services, material, or other in-kind contributions
23 shall not exceed 25 percent of the amount of the
24 share determined under paragraph (1).

1 “(3) INTEREST RATE.—A loan made under sub-
2 section (c) shall bear interest at the rate equivalent
3 to the rate of interest charged on Treasury securities
4 of comparable maturity on the date the loan is ap-
5 proved. The interest rate shall remain in effect for
6 the term of the loan.”.

7 (d) ENERGY RESERVE PROGRAM.—Such section is
8 further amended—

9 (1) by redesignating subsections (g) and (h) as
10 subsection (h) and (i), respectively; and

11 (2) by inserting after subsection (f) the fol-
12 lowing new subsection:

13 “(g) ENERGY RESERVE PROGRAM.—

14 “(1) PROGRAM REQUIRED.—Until December
15 31, 2013, the Secretary shall carry out an energy re-
16 serve program under which not more than 100,000
17 acres of land may be enrolled through the use of
18 five-year contracts to assist owners and operators
19 with the production of feed stocks for the projects
20 carried out pursuant to this section.

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

1 “(3) DUTIES OF OWNERS AND OPERATORS.—

2 Under a contract entered into under this subsection,
3 an owner or operator of land shall implement a feed
4 stock conservation plan to ensure that lands enrolled
5 are managed consistent with the needs of the envi-
6 ronment, including the needs of wildlife. Paragraphs
7 (5) and (6) of section 1232(a) of the Food Security
8 Act of 1985 (16 U.S.C. 3832(a)) shall apply to the
9 contracts

10 “(4) PAYMENTS.—The Secretary shall provide
11 annual rental payments to owners and operators of
12 lands of amounts not greater than \$25,000 for any
13 fiscal year, and shall establish the amounts of pay-
14 ments through—

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

18 “(B) such other means as the Secretary
19 determines are appropriate.”.

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

23 “(i) FUNDING.—Of the funds of the Commodity
24 Credit Corporation, the Secretary shall make available to

1 carry out this section \$100,000,000 for each of fiscal
2 years 2008 through 2013.”.

3 (f) CONFORMING AMENDMENTS.—Such section is
4 further amended—

5 (1) in the section heading, by striking
6 “GRANTS”;

7 (2) in subsection (c), by striking “a grant” and
8 inserting “assistance”; and

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

11 **SEC. 203. REAUTHORIZATION OF ENERGY AUDIT AND RE-**
12 **NEWABLE ENERGY DEVELOPMENT PRO-**
13 **GRAM.**

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

18 **SEC. 204. REAUTHORIZATION OF AND INCREASED FUNDING**
19 **FOR RENEWABLE ENERGY SYSTEMS AND EN-**
20 **ERGY EFFICIENCY IMPROVEMENTS PRO-**
21 **GRAM.**

22 Subsection (f) of section 9006 of the Farm Security
23 and Rural Investment Act of 2002 (7 U.S.C. 8106) is
24 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 GRANTS.**

22 (a) REAUTHORIZATION AND FUNDING.—Subsection
 23 (b) of section 25 of the Food Stamp Act of 1977 (7 U.S.C.
 24 2034) 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 new paragraph:

7 “(2) FUNDING AMOUNTS.—From amounts
8 made available to carry out this Act, the Secretary
9 shall use \$20,000,000 for each of fiscal years 2008
10 through 2013 to make grants under this section.”.

11 (b) CONFORMING AMENDMENT.—Subsection (h)(4)
12 of such section is amended by striking “fiscal years 2003
13 through 2007” and inserting “fiscal years 2008 through
14 2013”.

15 **SEC. 302. EXPANSION OF FRESH FRUIT AND VEGETABLE**
16 **PROGRAM.**

17 (a) EXPANSION OF PROGRAM.—Section 18 of the
18 Richard B. Russell National School Lunch Act (42 U.S.C.
19 1769) is amended in subsection (g)(1)—

20 (1) in the matter preceding subparagraph (A)—

21 (A) by striking “For the school year begin-
22 ning July 2004 and each subsequent school
23 year,” and inserting “For each school year,”;
24 and

1 (B) by striking “to—” and inserting “as
2 follows.”;

3 (2) in each of subparagraphs (A), (B), and (C),
4 by inserting “Starting with the school year begin-
5 ning July 2004, to” before “25 elementary or sec-
6 ondary schools”;

7 (3) in subparagraph (A), by striking the semi-
8 colon and inserting a period;

9 (4) in subparagraph (B), by striking “; and”
10 and inserting a period; and

11 (5) by adding at the end the following:

12 “(D) Starting with the school year begin-
13 ning July 2007, to 100 elementary or secondary
14 schools in each State.”.

15 (b) FUNDING.—Such section is further amended in
16 subsection (g)(6)(B)(i)—

17 (1) by inserting after “thereafter” the fol-
18 lowing: “through October 1, 2006”; and

19 (2) by adding at the end the following: “On Oc-
20 tober 1, 2007, and on each October 1 thereafter, the
21 Secretary of the Treasury shall transfer to the Sec-
22 retary of Agriculture to carry out this subsection
23 \$200,000,000, to remain available until expended.”.

1 **SEC. 303. AUTHORIZATION LEVEL FOR FARM-TO-CAFE-**
 2 **TERIA ACTIVITIES.**

3 Section 18 of the Richard B. Russell National School
 4 Lunch Act (42 U.S.C. 1769) is amended in subsection
 5 (i)(2) by striking “such sums as are necessary” and all
 6 that follows through the period at the end and inserting
 7 “to carry out this subsection \$20,000,000 for each of fis-
 8 cal years 2008 through 2013.”.

9 **SEC. 304. EXTENSION OF WIC FARMER’S MARKET NUTRI-**
 10 **TION PROGRAM.**

11 Section 17(m)(9)(A) of the Child Nutrition Act of
 12 1966 (42 U.S.C. 1786(m)(9)(A)) is amended—

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

15 (2) by striking clause (ii) and inserting the fol-
 16 lowing:

17 “(ii) MANDATORY FUNDING.—Of the
 18 funds of the Commodity Credit Corpora-
 19 tion, the Secretary shall make available to
 20 carry out this subsection \$20,000,000 for
 21 fiscal year 2008, \$30,000,000 for fiscal
 22 year 2009, \$45,000,000 for fiscal year
 23 2010, \$60,000,000 for fiscal year 2011,
 24 and \$75,000,000 for fiscal year 2012 and
 25 each fiscal year thereafter. Such funds
 26 shall remain available until expended.”.

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 \$75,000,000
10 for fiscal year 2012 and each fiscal year thereafter”,
11 and

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.”.

21 **SEC. 306. FARMERS' MARKET PROMOTION PROGRAM.**

22 Subsections (d) and (e) of section 6 of the Farmer-
23 to-Consumer Direct Marketing Act of 1976 (7 U.S.C.
24 3005) are amended to read as follows:

25 “(d) CRITERIA AND GUIDELINES.—

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

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

9 “(e) FUNDING.—The Secretary shall use
10 \$20,000,000 of funds of the Commodity Credit Corpora-
11 tion to carry out this section in each of the fiscal years
12 2008 through 2013.”.

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