GRASSLEY) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 442

At the request of Mr. DURBIN, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 456

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 456, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 459

At the request of Ms. SNOWE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 459, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 465

At the request of Mr. NELSON of Florida, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 465, a bill to amend titles XVIII and XIX of the Social Security Act and title III of the Public Health Service Act to improve access to information about individuals' health care options and legal rights for care near the end of life, to promote advance care planning and decisionmaking so that individuals' wishes are known should they become unable to speak for themselves, to engage health care providers in disseminating information about and assisting in the preparation of advance directives, which include living wills and durable powers of attorney for health care, and for other purposes.

S. 486

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 486, a bill to establish requirements for lenders and institutions of higher education in order to protect students and other borrowers receiving educational loans.

S. 511

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 511, a bill to provide student borrowers with basic rights, including the right to timely information about their loans and the right to make fair and reasonable loan payments, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENSIGN (for himself, Ms. MURKOWSKI, Mr. STEVENS, Mr. CRAIG, Mr. CRAPO, Mr. INHOFE, and Mr. KYL):

S. 525. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

Ms. MURKOWSKI. Mr. President, I am pleased to be joined by my colleagues, Senators ENSIGN, STEVENS, KYL, CRAIG, CRAPO, and INHOFE, in introducing the Circuit Court of Appeals Restructuring and Modernization Act of 2007.

Our legislation will create a new Twelfth Circuit comprised of Alaska, Washington, Oregon, Idaho, Montana, Nevada and Arizona and will go far in improving the efficiency and effectiveness of the current Ninth Circuit U.S. Court of Appeals.

One need only look at the sheer geographic size of the Ninth Circuit to find reasons for reorganization. The Ninth Circuit extends from the Arctic Circle to the Mexican border, spans the tropics of Hawaii and crosses the International Dateline to Guam and the Northern Mariana Islands. Encompassing nine States and some 1.4 million square miles, the Ninth Circuit, by any means of measure, is the largest of all U.S. circuit courts of appeal. In fact, it is larger than the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eleventh Circuits combined.

The Ninth Circuit serves a population of nearly 60 million, almost twice as many as the next largest Circuit. It contains the States that experience the fastest growth rate in the Nation. By 2010, the Census Bureau estimates that the Ninth Circuit's population will be more than 63 million—an increase which will inevitably create an even more daunting caseload.

The only factor more disturbing than the geographic magnitude of the circuit is the magnitude of its ever-expanding docket. The Ninth Circuit has more cases than any other circuit. Based on figures from March, 2006, the Ninth Circuit had 71 percent more cases than the next largest circuit—that is equivalent to the caseload of the Third, Seventh, Eighth and Tenth Circuits combined.

Moreover, because of the sheer magnitude of cases brought before the courts, citizens within the court's jurisdiction face intolerable delays in getting their cases heard. The median time to get a final disposition of an appellate case in the Ninth Circuit takes nearly 4 months longer than the national average. Former Chief Justice Warren E. Burger called the Ninth Circuit's docket an ''unmanageable administrative monstrosity.''

The massive size and daunting caseload of the Ninth Circuit result in a decrease in the ability of judges to keep abreast of legal developments within the circuit. The large number of judges scattered over the 1.4 million square miles of the circuit inevitably results in difficulty in reaching consistent circuit decisions. This lack of judicial consistency discourages settlements and leads to unnecessary litigation. Reversal rates by the Supreme Court remain astonishingly high. In 2005, 87.5 percent of the Ninth Circuit cases brought before the Supreme Court were reversed or vacated. In 2006, 96 percent were reversed or vacated.

Another problem with the Ninth Circuit is that it is never able to speak with one voice. Because of its size, the Ninth Circuit is the only circuit where all judges do not sit in en banc, or full court, review of panel decisions. Rather than splitting the Ninth Circuit at the time the Fifth Circuit was split, Congress decided to permit the Ninth Circuit to test a ''limited'' en banc procedure. The limited en banc allows a full court to be comprised of 11 members, rather than 28. Therefore, 6 members of the 28 are all that is necessary for a majority opinion.

Former Chief Justice Burger strongly opposed the limited en banc procedure:

> Six judges can now bind more than 100 Article III and Article I judges, and this is simply contrary to how a court should function I strongly believe the Ninth Circuit should be divided.

The legislation that I and my colleagues introduce today is the sensible reorganization of the Ninth Circuit. No one court can effectively exercise its power in an area that extends from the Arctic Circle to the tropics. Our legislation creates a circuit which is more geographically manageable, thereby significantly reducing wasted time and money spent on judicial travel.

Additionally, caseloads will be much more manageable. Whatever circuit that contains California will always be the giant of the circuits, but as you can see from this chart, caseloads before the new Ninth Circuit and the new Twelfth Circuit are much more in line with other circuits. Such reductions in caseload will clearly improve uniformity, consistency and dependency in legal decisions.

Additionally, this legislation is not novel. Since the day the circuit was established, over a century ago, there have been discussions to divide it. Over the last several decades, Congress has held hearings and debated a split and even mandated two congressional commissions to study the issue each of which recommended dividing the circuit. In fact, the scholarly White Commission, which reported to Congress in 1998, concluded that restructuring the Ninth Circuit would ''increase the consistency and coherence of the law, maximize the likelihood of genuine collegiality, establish an effective procedure for maintaining uniform decisional law within the circuit, and relate the appellate forum more closely to the region it serves.''

Furthermore, splitting a circuit to respond to caseload and population

growth is by no means unprecedented. Congress divided the original Eighth Circuit to create the Tenth Circuit in 1929 and divided the former Fifth Circuit to create the Eleventh Circuit in 1980.

We have waited long enough. The 60 million residents of the Ninth Circuit are the persons who suffer. Many wait years before cases are heard and decided, prompting many to forego the entire appellate process. In brief, the Ninth Circuit has become a circuit where justice is not swift and not always served.

By Mr. PRYOR (for himself, Mr. CHAMBLISS, and Ms. MIKULSKI):

S. 526. A bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes; to the Committee on Veterans' Affairs.

Mr. PRYOR. Mr. President, I come to the floor today with Senator CHAMBLISS and Senator MIKULSKI to introduce legislation that is important to my constituents and young veterans all across America.

Many of our soldiers, sailors, airmen, and Marines coming back from Iraq and Afghanistan are having a difficult time finding work. I find this troubling, and I feel that we have a responsibility to support our returning veterans who are looking for work. Currently, unemployment among veterans between the ages of 20 and 24 is over 15 percent—nearly double the unemployment for non-veterans in the same age group.

At the same time, many of the fastest growing sectors of our economy are in vast need of an additional skilled labor source. The Department of Labor has identified industry sectors that are expected to experience high growth over the next several years, including trucking, construction, hospitality, and financial services. In fact, the trucking industry, which is very important to my State, currently has a driver shortage of 20,000 drivers. That shortage is expected to grow to 110,000 by 2014.

We have industries in need of skilled employees and we have many young men and women in need of good, high-paying jobs. Our legislation is intended to help match those with needs through increased training benefits in the Montgomery GI Bill. The GI Bill, established after World War II, was a commitment that Congress made to veterans of that war. We would like to extend that commitment to reflect the job opportunities of our modern economy.

To accomplish this task, I join Senators CHAMBLISS and MIKULSKI in reintroducing the Veterans Employment and Training Act—the VET Act. During the 109th Congress, Senator Burns and I worked very hard on moving this legislation, and we made a lot of progress. Late last year, the language was approved by the Committee on Veterans Affairs and even passed the full Senate. Unfortunately, the clock ran out on the 109th Congress and the bill never became law. We were very close last Congress, and I'm hopeful that this Congress will continue moving the VET Act forward and make it law.

The VET Act would expand for veterans the Accelerated Payment Program under the Montgomery GI bill to include job training education in five high-growth sectors of the economy—high technology, transportation, energy, construction, and hospitality—for the next 4 years to help veterans returning from the war on terror transition to the civilian workforce.

Many of the training programs for employment in the identified sectors are short but they are often more costly at the beginning. The current structure of the GI Bill only provides veterans with the option of a smaller monthly stipend. This arrangement works well for traditional education institutions, such as 2 and 4-year institutions. However, this same arrangement is not conducive to the nature of our changing economy and the nature of high growth occupations.

A reconfigured and expanded Accelerated Payment Program has the potential to pay big dividends for our veterans and our economy. The Arkansas Employment Security Department estimates that between one-third and one-half of all nonfarm jobs in Arkansas are in sectors that would benefit from this legislation.

For the benefit of my colleagues, let me briefly review a few reasons why I think this legislation is a wise policy decision.

First, I believe the VET Act will help veterans returning from Iraq and the war on terror. Accelerating GI Bill benefits for training in high-growth occupations will help place veterans faster in good-paying jobs.

Second, passing the VET Act will encourage returning veterans to pursue careers in occupations that will contribute most to the U.S. economy. These sectors identified by the Department of Labor are expected to add large numbers of jobs to our economy over the next several years. This legislation will assist in matching the available workforce with our needs to keep our economy growing.

Third, the VET Act will help make short-term, high-cost training programs more affordable to veterans. GI bill benefits are paid monthly with a maximum monthly stipend of $1,000. Many of the training programs for occupations identified by the Department of Labor as high-growth are short term and high cost in nature. Truck driver training courses typically last 4 to 6 weeks, but can cost up to $6,000. Without this legislation, GI bill benefits will only cover between $1,000 and $1,500 of the cost. Such a low offset discourages veterans from using GI bill benefits from these types of training programs. Accelerated benefits would cover 60 percent the cost, and benefits would be paid in a lump sum.

Last, the VET Act will help place veterans in good-paying jobs at a very low additional cost to the Federal Government. This bill merely enhances benefits already available—the total cost of the accelerated benefits program for high-tech occupations is only $5.7 million. This is a very small percentage of total benefits available to veterans already. Any additional cost will be small and incremental compared to the immediate payoff of reducing unemployment among young veterans and enhancing employment opportunities in high-growth occupations.

To date, 10 veterans and industry organizations have endorsed our legislation, including the American Legion, AMVETS, American Trucking Associations, Owner-Operator Independent Driver's Association, Associated General Contractors, and the National Restaurant Association, among others.

Distinguished colleagues, I believe this is good legislation that will benefit our veterans and our economy. I look forward to working with all of you to enact the VET Act and stand ready to assist you in your mission of helping our veterans succeed in civilian life. I ask unanimous consent that the text of the legislation, the Veterans Employment Act of 2007, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 526

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Employment and Training Act of 2007'' or the ''VET Act''.

SEC. 2. EXPANSION OF PROGRAMS OF EDUCATION ELIGIBLE FOR ACCELERATED PAYMENT OF EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) IN GENERAL.—Subsection (b) of section 3014A of title 38, United States Code, is amended by striking paragraph (1) and inserting the following new paragraph (1):

''(1) enrolled in—

''(A) an approved program of education that leads to employment in a high technology occupation in a high technology industry (as determined pursuant to regulations prescribed by the Secretary); or

''(B) during the period beginning on October 1, 2007, and ending on September 30, 2011, an approved program of education lasting less than two years that (as so determined) leads to employment in—

''(i) the transportation sector of the economy;

''(ii) the construction sector of the economy;

''(iii) the hospitality sector of the economy; or

''(iv) the energy sector of the economy; and''.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

"§ 3014A. Accelerated payment of basic educational assistance".

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 30 of such title is amended to read as follows:

''3014A. Accelerated payment of basic educational assistance.''.

By Mr. FEINGOLD:

S. 528. A bill to amend the Agricultural Adjustment Act to prohibit the Secretary of Agriculture from basing minimum prices for Class I milk on the distance or transportation costs from any location that is not within a marketing area, except under certain circumstances, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, today I am offering a measure which could serve as a first step towards eliminating the inequities borne by the dairy farmers of Wisconsin and the upper Midwest under the Federal Milk Marketing Order system.

The Federal Milk Marketing Order system, created nearly 60 years ago, establishes minimum prices for milk paid to producers throughout various marketing areas in the U.S. For 60 years, this system has discriminated against producers in the Upper Midwest by awarding a higher price to dairy farmers in proportion to the distance of their farms from areas of high milk production, which historically have been the region around Eau Claire, WI.

My legislation is very simple. It identifies the single most harmful and unjust feature of the current system, and corrects it. Under the current archaic law, the price farmers receive for fluid milk is higher the further they are from the Eau Claire region of the Upper Midwest. This provision originally was intended to guarantee the supply of fresh milk from the high production areas to distant markets in an age of difficult transportation and limited refrigeration. But the situation has long since changed and the provision persists to the detriment of the Wisconsin farmers even though most local milk markets do not receive any milk from Wisconsin.

The bill I introduce today would prohibit the Secretary of Agriculture from using distance or transportation costs from any location as the basis for pricing milk, unless significant quantities of milk are actually transported from that location into the recipient market. The Secretary will have to comply with the statutory requirement that supply and demand factors be considered as specified in the Agricultural Marketing Agreement Act when setting milk prices in marketing orders. The fact remains that single-basing-point pricing simply cannot be justified based on supply and demand for milk both in local and national markets and the changing pattern of U.S. milk production.

This bill also requires the Secretary to report to Congress on specifically which criteria are used to set milk prices. Finally, the Secretary will have to certify to Congress that the criteria used by the Department do not in any way attempt to circumvent the prohibition on using distance or transportation cost as basis for pricing milk.

This one change is vitally important to Upper Midwest producers, because the current system has penalized them for many years. The current system is a double whammy to Upper Midwest dairy farmers—it both provides disparate profits for producers in other parts of the country and creates artificial economic incentives for milk production. As a result, Wisconsin producers have seen national surpluses rise, and milk prices fall. Rather than providing adequate supplies of fluid milk, the prices often lead to excess production.

The prices have provided production incentives beyond those needed to ensure a local supply of fluid milk in some regions, leading to an increase in manufactured products in those marketing orders. Those manufactured products directly compete with Wisconsin's processed products, eroding our markets and driving national prices down.

The perverse nature of this system is further illustrated by the fact that since 1995, some regions of the U.S., notably the central States and the Southwest, are producing so much milk that they are actually shipping fluid milk north to the Upper Midwest. The high fluid milk prices have generated so much excess production that these markets distant from Eau Claire are now encroaching upon not only our manufactured markets, but also our markets for fluid milk, further eroding prices in Wisconsin.

The market-distorting effects of the fluid price differentials in Federal orders are shown by a previous Congressional Budget Office analysis that estimated that the elimination of orders would save $669 million over five years. Government outlays would fall, CBO concluded, because production would fall in response to lower milk prices and there would be fewer government purchases of surplus milk. The regions that would gain and lose in this scenario illustrate the discrimination inherent to the current system. Economic analyses showed that farm revenues in a market undisturbed by Federal orders would actually increase in the Upper Midwest and fall in most other milk-producing regions.

While this system has been around since 1937, the practice of basing fluid milk price differentials on the distance from Eau Claire was formalized in the 1960's, when the Upper Midwest arguably was the primary reserve for additional supplies of milk. The idea was to encourage local supplies of fluid milk in areas of the country that did not traditionally produce enough fluid milk to meet their own needs.

That is no longer the case. The Upper Midwest is no longer the primary source of reserve supplies of milk. Unfortunately, the prices didn't adjust with changing economic conditions, most notably the shift of the dairy industry away from the Upper Midwest and towards the Southwest, and specifically California, which now leads the Nation in milk production.

The result of this antiquated system has been a decline in the Upper Midwest dairy industry, not because it can't produce a product that can compete in the marketplace, but because the system discriminates against it. Over the past few years Wisconsin has lost dairy farmers at a rate of more than 5 per day. The Upper Midwest, with the lowest fluid milk prices, is shrinking as a dairy region despite the dairy-friendly climate of the region. Some other regions with higher fluid milk prices are growing rapidly.

While the distance provision is a longstanding inequity, a recent proposal threatens to heap additional inequities on top of the current distance provision. A new proposal has been made asking the USDA to change the pricing formulas by decoupling fluid milk, Class I and II, price and the price for milk used in dairy products, Class III and IV, along with increasing the support for fluid milk. This would advantage areas with high fluid milk utilization by providing them a relatively higher price and disadvantage areas like Wisconsin where cheese-making is also a major use for milk. This price signal would likely then cause overproduction in these regions, eventually driving down the price for milk used in dairy products and the price received by Wisconsin's dairy farmers.

On top of this double-threat is a third negative impact. Decoupling the fluid milk price will undercut the Milk Income Loss Contract (MILC) safety net in Wisconsin because the trigger price for counter-cyclical support is based on Class I price in Boston. A higher fluid milk price will mean the MILC safety net is less effective, especially for regions that depend on the now decoupled class II and IV price like Wisconsin. It is very conceivable that this new proposal would allow the Class III and IV price to plummet while the Class I price remains above the trigger, eliminating the MILC safety net's usefulness for Wisconsin family dairy farmers.

I joined with Senator KOHL and Representative OBEY in sending a letter expressing these concerns to Secretary Johanns last month. In this letter we urge the USDA to reject this proposal which would amount to further unfair treatment in the federal regulations for Wisconsin's hard-working dairy farmers.

In a free market with a level playing field, these shifts in production might be acceptable. But in a market where the government is setting the prices and providing that artificial advantage to regions outside the Upper Midwest, the current system is unconscionable.

I urge my colleagues to do the right thing and bring reform to this outdated

system, eliminate the inequities in the current milk marketing order pricing system and reject proposals to add further inequity into the system.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 528

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Milk Marketing Reform Act of 2007''.

SEC. 2. LOCATION ADJUSTMENTS FOR MINIMUM PRICES FOR CLASS I MILK.

Section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in paragraph (A)—

(A) in clause (3) of the second sentence, by inserting after ''the locations'' the following: ''within a marketing area subject to the order''; and

(B) by striking the last 2 sentences and inserting the following: ''Notwithstanding subsection (18) or any other provision of law, when fixing minimum prices for milk of the highest use classification in a marketing area subject to an order under this subsection, the Secretary may not, directly or indirectly, base the prices on the distance from, or all or part of the costs incurred to transport milk to or from, any location that is not within the marketing area subject to the order, unless milk from the location constitutes at least 50 percent of the total supply of milk of the highest use classification in the marketing area. The Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the criteria that are used as the basis for the minimum prices referred to in the preceding sentence, including a certification that the minimum prices are made in accordance with the preceding sentence.''; and

(2) in paragraph (B)(ii)(c), by inserting after ''the locations'' the following: ''within a marketing area subject to the order''.

By Mr. FEINGOLD.

S. 529. A bill to allow the modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal Milk Marketing Order reform; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, today I am re-introducing a measure that will begin to restore democracy for dairy farmers throughout the Nation.

When dairy farmers across the country supposedly voted on a referendum eight years ago to consolidate and modernize the order system, perhaps the most significant change in dairy policy in sixty years, they didn't actually get to vote. Instead, their dairy marketing cooperatives cast their votes for them.

This procedure is called ''bloc voting'' and it is used all the time. Basically, a Cooperative's Board of Directors decides that, in the interest of time, bloc voting will be implemented for that particular vote. It may serve the interest of time, but it doesn't always serve the interests of their producer owner-members.

While I think that bloc voting can be a useful tool in some circumstances, I have serious concerns about its use in every circumstance. Farmers in Wisconsin and in other States tell me that they do not agree with their cooperative's view on every vote. Yet, they have no way to preserve their right to make their single vote count.

I have learned from farmers and officials at the U.S. Department of Agriculture (USDA) that if a cooperative bloc votes, individual members have no opportunity to voice opinions separately. That seems unfair when you consider what significant issues may be at stake. Coops and their individual members do not always have identical interests. Considering our Nation's longstanding commitment to freedom of expression, our Federal rules should allow farmers to express a differing opinion from their coops, if they choose to.

The Democracy for Dairy Producers Act of 2007 is simple and fair. It provides that a cooperative cannot deny any of its members a ballot to opt to vote separately from the coop.

This will in no way slow down the process at USDA; implementation of any rule or regulation would proceed on schedule. Also, I do not expect that this would often change the final outcome of any given vote. Coops could still cast votes for their members who do not exercise their right to vote individually. And to the extent that coops represent farmers' interests, in the majority of cases farmers are likely to vote the same as their coops. But whether they join the coops or not in voting for or against a measure, farmers deserve the right to vote according to their own views.

I urge my colleagues to return the democratic process to America's farmers, by supporting the Democracy for Dairy Producers Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 529

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

SECTION 1. SHORT TITLE.

The Act may be cited as the ''Democracy for Dairy Producers Act of 2007''.

SEC. 2. MODIFIED BLOC VOTING.

(a) IN GENERAL.—Notwithstanding paragraph (12) of section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, in the case of the referendum conducted as part of the consolidation of Federal milk marketing orders and related reforms under section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253), if a cooperative association of milk producers elects to hold a vote on behalf of its members as authorized by that paragraph, the cooperative association shall provide to each producer, on behalf of which the cooperative association is expressing approval or disapproval, written notice containing—

(1) a description of the questions presented in the referendum;

(2) a statement of the manner in which the cooperative association intends to cast its vote on behalf of the membership; and

(3) information regarding the procedures by which a producer may cast an individual ballot.

(b) TABULATION OF BALLOTS.—At the time at which ballots from a vote under subsection (a) are tabulated by the Secretary of Agriculture, the Secretary shall adjust the vote of a cooperative association to reflect individual votes submitted by producers that are members of, stockholders in, or under contract with, the cooperative association.

By Mr. FEINGOLD (for himself and Mr. SCHUMER):

S. 530. A bill to prohibit products that contain dry ultra-filtered milk products, milk protein concentrate, or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, I am pleased to reintroduce the Quality Cheese Act of 2005. This legislation will protect the consumer, save taxpayer dollars and provide support to America's dairy farmers, who have experienced a roller-coaster in prices over the past few years.

When Wisconsin consumers have the choice, they will choose natural Wisconsin cheese. But in the past some in the food industry have pushed the Food and Drug Administration (FDA) to change current law, which would leave consumers not knowing whether cheese is really all natural or not.

If the Federal Government creates a loophole for imitation cheese ingredients to be used in U.S. cheese vats, some cheese labels saying ''domestic'' and ''natural'' will no longer be truly accurate.

If USDA and FDA allow a change in Federal rules, milk substitutes such as milk protein concentrate, casein, or dry ultra filtered milk could be used to make cheese in place of the wholesome natural milk produced by cows in Wisconsin or other parts of the U.S.

I was deeply concerned by these efforts a few years ago to change America's natural cheese standard. Efforts to allow milk protein concentrate and casein into natural cheese products fly in the face of logic and could create a loophole that would allow unlimited amounts of imported milk proteins of unknown quality to enter U.S. cheese vats.

While the industry proposal was withdrawn, my legislation would permanently prevent a similar back-door attempt to allow imitation milk as a cheese ingredient and ensure that consumers could be confident that they were buying natural cheese when they saw the natural label.

Over the past decade, cheese consumption has risen at a strong pace due in part to promotional and marketing efforts and investments by

dairy farmers across the country. Year after year, per capita cheese consumption has risen at a steady rate.

These proposals to change our natural cheese standards, however, could decrease consumption of natural cheese by raising concerns about the origin of casein and milk protein concentrate. Use of such products could significantly tarnish the wholesome reputation of natural cheese in the eyes of the consumer and have unknown effects on quality and flavor.

This change could seriously compromise decades of work by America's dairy farmers to build up domestic cheese consumption levels. It is simply not fair to America's farmers or to consumers. After all, consumers have a right to know if the cheese that they buy is unnatural. And by allowing milk protein concentrate milk into supposedly natural cheese, we would be denying consumers the entire picture.

The proposed change to our natural cheese standard would also harm the American taxpayer. If we allow MPCs to be used in cheese, we will effectively permit unrestricted importation of these ingredients into the United States. Because there are no tariffs and quotas on these ingredients, these heavily subsidized products would quickly displace natural domestic dairy ingredients.

These unnatural foreign dairy products would enter our domestic cheese market and could depress dairy prices paid to American dairy producers. Low dairy prices, in turn, could result in increased costs to the dairy price support program as the federal government is forced to buy domestic milk products when they are displaced in the market by cheap imports. So, at the same time that U.S. dairy farmers would receive lower prices, the U.S. taxpayer would pay more for the dairy price support program—and in effect be subsidizing foreign dairy farmers and processors.

This change does not benefit dairy farmers, consumers or taxpayers. Who then is it good for?

It would benefit only the subsidized foreign MPC producers out to make a fast buck by exploiting a system put in place to support our dairy farmers.

This legislation addresses the concerns of farmers, consumers and taxpayers by prohibiting dry ultra-filtered milk, casein, and MPCs from being included in America's natural cheese standard.

Congress must shut the door on any backdoor efforts to undermine America's dairy farmers. I urge my colleagues to pass my legislation and prevent a loophole that would allow changes that hurt the consumer, taxpayer, and dairy farmer.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 530

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Quality Cheese Act of 2007''.

SEC. 2. NATURAL CHEESE STANDARD.

(a) FINDINGS.—Congress finds that—

(1)(A) any change in domestic natural cheese standards to allow dry ultra-filtered milk products, milk protein concentrate, or casein to be labeled as domestic natural cheese would result in increased costs to the dairy price support program; and

(B) that change would be unfair to taxpayers, who would be forced to pay more program costs;

(2) any change in domestic natural cheese standards to allow dry ultra-filtered milk products, milk protein concentrate, or casein to be labeled as domestic natural cheese would result in lower revenues for dairy farmers;

(3) any change in domestic natural cheese standards to allow dry ultra-filtered milk products, milk protein concentrate, or casein to be labeled as domestic natural cheese would cause dairy products containing dry ultra-filtered milk, milk protein concentrate, or casein to become vulnerable to contamination and would compromise the sanitation, hydrosanitary, and phytosanitary standards of the United States dairy industry; and

(4) changing the labeling standard for domestic natural cheese would be misleading to the consumer.

(b) PROHIBITION.—Section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341) is amended—

(1) by striking ''Whenever'' and inserting ''(a) Whenever''; and

(2) by adding at the end the following:

''(b) The Commissioner may not use any Federal funds to amend section 133.3 of title 21, Code of Federal Regulations (or any corresponding similar regulation or ruling), to include dry ultra-filtered milk, milk protein concentrate, or casein in the definition of the term 'milk' or 'nonfat milk', as defined in the standards of identity for cheese and cheese products published at part 133 of title 21, Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

By Mr. MCCAIN:

S. 531. A bill to repeal section 10(f) of Public Law 93–531, commonly known as the ''Bennett Freeze''; to the Committee on Indian Affairs.

Mr. MCCAIN. Mr. President, I am pleased to introduce legislation that would repeal section 10(f) of Public Law 93–531, commonly known as the ''Bennett Freeze.'' Passage of this legislation would officially mark the end of roughly 40 years of litigation and landlock between the Navajo Nation and the Hopi Tribe. Congressman RICK RENZI has introduced an identical version today in the House of Representatives.

For decades the Navajo and the Hopi have been engrossed in a bitter dispute over land rights in the Black Mesa area just south of Kayenta, AZ. The conflict extends as far back as 1882 when the boundaries of the Hopi and Navajo reservations were initially defined, resulting in a tragic saga of litigation and damaging Federal Indian policy. By 1966, relations between the tribes became so strained over development and access to sacred religious sites in the disputed area that the Federal Government imposed a construction freeze on the disputed reservation land. The freeze prohibited any additional housing development in the Black Mesa area and restricted repairs on existing dwellings. This injunction became known as the ''Bennett Freeze,'' named after former BIA Commissioner Robert Bennett who imposed the ban.

The Bennett Freeze was intended to be a temporary measure to prevent one tribe taking advantage of another until the land dispute could be settled. Unfortunately, the conflict was nowhere near resolution, and the construction freeze ultimately devastated economic development in northern Arizona for years to come. By some accounts, nearly 8,000 people currently living in the Bennett Freeze area reside in conditions that haven't changed in half a century. While the population of the area has increased 65 percent, generations of families have been forced to live together in homes that have been declared unfit for human habitation. Only 3 percent of the families affected by the Bennett Freeze have electricity. Only 10 percent have running water. Almost none have natural gas.

In September 2005, the Navajo and Hopi peoples' desire to live together in mutual respect prevailed when both tribes approved intergovernmental agreement that resolved all outstanding litigation in the Bennett Freeze area. This landmark agreement also clarifies the boundaries of the Navajo and Hopi reservations in Arizona, and ensures that access to religious sites of both tribes is protected. As such, the Navajo Nation, the Hopi Tribe, and the Department of Interior all support congressional legislation to lift the freeze.

The bill I'm introducing today would repeal the Bennett Freeze. The intergovernmental compact approved last year by both tribes, the Department of Interior, and signed by the U.S. District Court for Arizona, marks a new era in Navajo-Hopi relations. Lifting the Bennett Freeze gives us an opportunity to put decades of conflict between the Navajo and Hopi behind us. I urge my colleagues to support this legislation.

By Mr. HATCH:

S. 532. A bill to require the Secretary of the Interior to convey certain Bureau of Land Management land to Park City, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise to introduce the Utah Public Land Conveyance Act of 2007, S. 532. This legislation is designed to improve the management of public lands and open space for the benefit of the citizens of Park City, UT.

Park City has an existing lease on an 88-acre parcel of Bureau of Land Management land known as Gambel Oak and on a 20-acre parcel of BLM land known as White Acre. The leases for these properties have been for recreational and public open space purposes. This legislation would convey

these two parcels to Park City, so that they can be better managed for recreation and open space. The BLM has limited resources and is not able to manage these lands for the full benefit of the public.

It's important to note that although these parcels of lands would be conveyed to Park City, they would continue to be protected from development and could be used only for recreational and public open space purposes. Moreover, this bill would require Park City to pay fair market value for the land.

I believe having public lands interspersed with private lands within a city's boundary creates unnecessary management headaches, and the land conveyance to Park City will help bring cohesion to Park City's overall effort to manage their city's growth for the benefit of its citizens.

Along those lines, the legislation also would allow two small parcels of BLM land in Park City to be auctioned off to the highest bidder, thus allowing these lands to be brought under the city's zoning scheme. Proceeds of these sales would go to the Department of the Interior to pay for the costs of administering this legislation. The remaining proceeds would be given to the BLM and dedicated toward restoration projects on BLM lands in Utah.

As you can see, this legislation goes a long way to simplify and consolidate the management of lands in Park City, UT. The legislation allows the BLM to focus to a greater extent on the public lands which lay outside of city limits while raising revenue to facilitate that effort.

I appreciate the efforts of Congressman ROB BISHOP who has worked hard to put this legislation together and has introduced a companion bill in the House, H.R. 838. I look forward to working with him to get this legislation passed for the good people of Park City.

I urge my colleagues to support this legislation.

By Ms. MURKOWSKI:

S. 533. A bill to amend the National Aquaculture Act of 1980 to prohibit the issuance of permits for marine aquaculture facilities until requirements for the permits are enacted into law; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. MURKOWSKI. Mr. President, today I am reintroducing an important bill on a subject that was not resolved last year, and which continues to be an outstanding issue for those of us who are dependent on healthy and productive natural populations of ocean fish and shellfish.

Simply put, this bill prohibits further movement toward the development of aquaculture facilities in Federal waters until Congress has had an opportunity to review all of the serious implications, and make decisions on how such development should proceed.

For years, some members of the Federal bureaucracy have advocated going forward with offshore aquaculture development without that debate. While the administration has entertained some level of public input, the role of Congress must not be undermined. Doing so, would be an extraordinarily bad idea.

The Administration is in the final stages of preparing a bill to allow offshore aquaculture development to occur, and it plans to send the bill to Congress in the very near future. In the last Congress, the Administration proposed legislation to provide a regulatory framework for the development of off-shore aquaculture. While their draft bill is an improvement, it still does not establish clear mandatory environmental standards for the aquaculture industry.

I remain steadfast that any proposal should meet the standards of the National Environmental Policy Act, the Magnuson-Stevens Fishery Conservation and Management Act and the Jones Act. Why should this industry be exempt from the same laws that our commercial fisheries are subject to? Why should this industry not go through the same rigorous environmental review as any other activity that will have impacts on the environment?

Scientists, the media and the public are awakening to the serious disadvantages of fish raised in fish farming operations compared to naturally healthy wild fish species such as Alaska salmon, halibut, sablefish, crab and many other species.

It has become common to see news reports that cite not only the general health advantages of eating fish at least once or twice a week, but the specific advantages of fish such as wild salmon, which contains essential Omega-3 fatty acids that may help reduce the risk of heart disease and possibly have similar beneficial effects on other diseases.

Educated and watchful consumers have also seen recent stories citing research that not only demonstrates that farmed salmon fed vegetable-based food does not have the same beneficial impact on cardio-vascular health, but also that the demand for other fish that we use as feed in those fish farms may lead to the decimation of those stocks. Yet the Administration's bill does not address feed in a meaningful way.

Those same alert consumers may also have seen stories indicating that fish farms may create serious pollution problems from the concentration of fish feces and uneaten food, that fish farms may harbor diseases that can be transmitted to previously healthy wild fish stocks, and that fish farming has had a devastating effect on communities that depend on traditional fisheries.

It is by no means certain that all those problems would be duplicated if we begin to develop fish farms that are farther offshore, but neither is there any evidence that they would not be . . . I certainly don't believe it is prudent to extend the site permits to 20 years, as in the draft bill, given all of the questions and uncertainties of the environmental risks.

Not only do the proponents want to encourage such development, they also want to change the way decisions are made so that all the authority rests in the hands of just one Federal agency. I believe that would be a serious mistake. There are simply too many factors that should be evaluated—from hydraulic engineering, to environmental impacts, transportation and shipping issues, fish biology, management of disease, to the nutritional character of farmed fish, and so on—for any existing agency.

We cannot afford a rush to judgment on this issue—it is far too dangerous if we make a mistake. In my view, such a serious matter deserves the same level of scrutiny by Congress as the recommendations of the U.S. Commission on Ocean Policy for other sweeping changes in ocean governance.

The ''Natural Stock Conservation Act'' I am introducing today lays down a marker for where the debate on offshore aquaculture needs to go. It would prohibit the development of new offshore aquaculture operations until Congress has acted to ensure that every Federal agency involved does the necessary analyses in areas such as disease control, engineering, pollution prevention, biological and genetic impacts, economic and social effects, and other critical issues, none of which are specifically required under existing law.

I strongly urge my colleagues to understand that this is not a parochial issue, but a very real threat to the literal viability of natural fish and shellfish stocks, as well as the economic viability of many coastal communities. We must retain the oversight necessary to ensure that if we move forward on the development of off-shore aquaculture.

I sincerely hope that Congress will give this issue the attention it deserves. We all want to make sure we enjoy abundant supplies of healthy foods in the future, but not if it means unnecessary and avoidable damage to wild species, to the environment generally, and to the economies of America's coastal fishing communities.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 533

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Natural Stock Conservation Act of 2007''.

SEC. 2. PROHIBITION ON PERMITS FOR AQUACULTURE.

The National Aquaculture Act of 1980 (16 U.S.C. 2801 et seq.) is amended—

(1) by redesignating sections 10 and 11 (16 U.S.C. 2809, 2810) as sections 11 and 12 respectively; and

(2) by inserting after section 9 (16 U.S.C. 2808) the following:

''SEC. 10. PROHIBITION ON PERMITS FOR AQUACULTURE.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY WITH JURISDICTION TO REGULATE AQUACULTURE.—The term 'agency with jurisdiction to regulate aquaculture' means—

''(A) the Department of Agriculture;

''(B) the Coast Guard;

''(C) the Department of Commerce;

''(D) the Environmental Protection Agency;

''(E) the Department of the Interior; and

''(F) the Army Corps of Engineers.

''(2) EXCLUSIVE ECONOMIC ZONE.—The term 'exclusive economic zone' has the meaning given the term in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802).

''(3) REGIONAL FISHERY MANAGEMENT COUNCIL.—The term 'regional fishery management council' means a regional fishery management council established under section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)).

''(b) PROHIBITION ON PERMITS FOR AQUACULTURE.—The head of an agency with jurisdiction to regulate aquaculture may not issue a permit or license to permit an aquaculture facility located in the exclusive economic zone to operate until after the effective date of a bill enacted into law that—

''(1) sets out the type and specificity of the analyses that the head of an agency with jurisdiction to regulate aquaculture shall carry out prior to issuing any such permit or license, including analyses related to—

''(A) disease control;

''(B) structural engineering;

''(C) pollution;

''(D) biological and genetic impacts;

''(E) access and transportation;

''(F) food safety; and

''(G) social and economic impacts of the facility on other marine activities, including commercial and recreational fishing; and

''(2) requires that a decision to issue such a permit or license be—

''(A) made only after the head of the agency that issues the license or permit consults with the Governor of each State located within a 200-mile radius of the aquaculture facility; and

''(B) approved by the regional fishery management council that is granted authority under title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) over a fishery in the region where the aquaculture facility will be located.''.

By Mr. DODD (for himself and Mr. LEAHY):

S. 535. A bill to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

Mr. DODD. Mr. President, I rise today to introduce the Emmett Till Unsolved Civil Rights Crime Act, legislation to provide for the investigation and prosecution of unsolved civil rights crimes. In this effort, I am proud to be joined by Senator LEAHY.

There are those who would say this bill is a case of ''too little, too late.'' In some ways they would be right. Where is the justice, I suppose, when a monster such as Edgar Ray Killen roamed free for literally decades after killing young civil rights workers in this country? That fact alone speaks to the inexcusable failures of our legal system to bring to justice those who committed brutal crimes based solely on racial prejudice.

Not that many years ago, crimes of this type were rarely investigated in parts of our country. There was often little or no effort made whatsoever to determine who engaged in these brutal violent acts. In more recent history, of course, we have seen much stronger efforts and I applaud this work. However, I believe there remains good justification for dedicating an adequate amount of resources to go back and reopen the books on those tragic unsolved crimes. Those who engaged in these activities, who think they never have to worry another day in their lives about being pursued, take note—take note that you may never and should never have a sleep-filled night again, that we will pursue you as long as you live, that we will do everything in our power to apprehend you and bring you to the bar of justice.

That is the message we want to convey to the families, the friends, and others who lost loved ones, who put their lives on the line by advocating for greater justice, helping our Nation achieve that ''more perfect union'' that our Founders spoke about, that Abraham Lincoln articulated brilliantly more than a century and a half ago.

That is at the heart of this effort—to try to level this field. We will never be a perfect union, but each generation bears the responsibility for getting us closer to that ideal.

America stands for the principle of equal justice for all. Yet for far too long, many Americans have been denied that equal justice, and many despicable criminals have not been held accountable for what they have done to deprive people of those equal opportunities. This is a failure we can never forget.

So this Senate, in this Congress, on this date, early in the 21st century, is saying that we will not forget. This bill is on record. This bill seeks to right the wrongs of the past and to bring justice to people who perpetrated these heinous crimes because of racial hatred. We are saying that we want to create the mechanism to allow us to pursue these wrongdoers in the coming years. It cannot bring back and make whole those who have suffered and were murdered by a racist criminal hand. But it can reaffirm our Nation's commitment to seek the truth and to make equal justice a reality.

To do this, we propose the creation of two new offices. The Unsolved Civil Rights Crime Investigative Office will be a division of the Federal Bureau of Investigation devoted to the aggressive investigation of pre-1970 cases in coordination with local law enforcement officials. The Unsolved Crimes Section will be an office within the Civil Rights Division of the Department of Justice and will focus specifically on prosecuting those cases investigated by the new FBI office.

The hour is, obviously, very late. Memories are dimming. Those who can bring some important information to the legal authorities are passing away. This bill may be the last and best chance we have as a nation to write a hopeful postscript in the struggle for racial equality in our Nation.

We are pleased to be working with our friends in the House to help right these wrongs done in our past, especially Representative JOHN LEWIS, who has worked throughout his distinguished life to make sure that the promise of America can be realized for all our citizens.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 535

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Emmett Till Unsolved Civil Rights Crime Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that all authorities with jurisdiction, including the Federal Bureau of Investigation and other entities within the Department of Justice, should—

(1) expeditiously investigate unsolved civil rights murders, due to the amount of time that has passed since the murders and the age of potential witnesses; and

(2) provide all the resources necessary to ensure timely and thorough investigations in the cases involved.

SEC. 3. DEFINITIONS.

In this Act:

(1) CHIEF INVESTIGATOR.—The term ''Chief Investigator'' means the Chief Investigator of the Unit.

(2) CRIMINAL CIVIL RIGHTS STATUTES.—The term ''criminal civil rights statutes'' means—

(A) section 241 of title 18, United States Code (relating to conspiracy against rights);

(B) section 242 of title 18, United States Code (relating to deprivation of rights under color of law);

(C) section 245 of title 18, United States Code (relating to federally protected activities);

(D) sections 1581 and 1584 of title 18, United States Code (relating to involuntary servitude and peonage);

(E) section 901 of the Fair Housing Act (42 U.S.C. 3631); and

(F) any other Federal law that—

(i) was in effect on or before December 31, 1969; and

(ii) the Criminal Section of the Civil Rights Division of the Department of Justice enforced, prior to the date of enactment of this Act.

(3) OFFICE.—The term ''Office'' means the Unsolved Civil Rights Crime Investigative Office established under section 5.

(4) DEPUTY.—The term ''Deputy'' means the Deputy for the Unsolved Civil Rights Era Crimes Unit

(5) UNIT.—The term ''Unit'' (except when used as part of the term ''Criminal Section'')

means the Unsolved Civil Rights Era Crimes Unit established under section 4.

SEC. 4. ESTABLISHMENT OF SECTION IN CIVIL RIGHTS DIVISION.

(a) IN GENERAL.—There is established in the Criminal Section of the Civil Rights Division of the Department of Justice an Unsolved Civil Rights Era Crimes Unit. The Unit shall be headed by a Deputy for the Unsolved Civil Rights Era Crimes Unit.

(b) RESPONSIBILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of Federal law, and except as provided in section 5, the Deputy shall be responsible for investigating and prosecuting violations of criminal civil rights statutes, in cases in which a complaint alleges that such a violation—

(A) occurred not later than December 31, 1969; and

(B) resulted in a death.

(2) COORDINATION.—

(A) INVESTIGATIVE ACTIVITIES.—In investigating a complaint under paragraph (1), the Deputy shall coordinate investigative activities with State and local law enforcement officials.

(B) VENUE.—After investigating a complaint under paragraph (1), or receiving a report of an investigation conducted under section 5, if the Deputy determines that an alleged practice that is a violation of a criminal civil rights statute occurred in a State, or political subdivision of a State, that has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local law enforcement official to grant or seek relief from such practice or to institute criminal proceedings with respect to the practice on receiving notice of the practice, the Deputy shall consult with the official regarding the appropriate venue for the case involved.

(3) REFERRAL.—After investigating a complaint under paragraph (1), or receiving a report of an investigation conducted under section 5, the Deputy shall refer the complaint to the Criminal Section of the Civil Rights Division, if the Deputy determines that the subject of the complaint has violated a criminal civil rights statute in the case involved but the violation does not meet the requirements of subparagraph (A) or (B) of paragraph (1).

(c) STUDY AND REPORT.—

(1) STUDY.—The Deputy shall annually conduct a study of the cases under the jurisdiction of the Deputy or under the jurisdiction of the Chief Investigator and, in conducting the study, shall determine the cases—

(A) for which the Deputy has sufficient evidence to prosecute violations of criminal civil rights statutes; and

(B) for which the Deputy has insufficient evidence to prosecute those violations.

(2) REPORT.—Not later than September 30 of 2007 and of each subsequent year, the Deputy shall prepare and submit to Congress a report containing the results of the study conducted under paragraph (1), including a description of the cases described in paragraph (1)(B).

SEC. 5. ESTABLISHMENT OF OFFICE IN FEDERAL BUREAU OF INVESTIGATION.

(a) IN GENERAL.—There is established in the Civil Rights Unit of the Federal Bureau of Investigation of the Department of Justice an Unsolved Civil Rights Crime Investigative Office. The Office shall be headed by a Deputy Investigator.

(b) RESPONSIBILITY.—

(1) IN GENERAL.—In accordance with an agreement established between the Deputy Investigator and the Deputy, the Deputy Investigator shall be responsible for investigating violations of criminal civil rights statutes, in cases described in section 4(b).

(2) COORDINATION.—

(A) INVESTIGATIVE ACTIVITIES.—In investigating a complaint under paragraph (1), the Deputy Investigator shall coordinate the investigative activities with State and local law enforcement officials.

(B) REFERRAL.—After investigating a complaint under paragraph (1), the Deputy Investigator shall—

(i) determine whether the subject of the complaint has violated a criminal rights statute in the case involved; and

(ii) refer the complaint to the Deputy, together with a report containing the determination and the results of the investigation.

(C) RESOURCES.—The Federal Bureau of Investigation, in coordination with the Department of Justice, Civil Rights Division, shall have discretion to re-allocate investigative personnel to jurisdictions to carry out the goals of this section.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $10,000,000 for fiscal year 2008 and each subsequent fiscal year through 2017. These funds shall be allocated by the Attorney General to the Unsolved Civil Rights Era Crime Unit of the Department of Justice and the Civil Rights Unit of the Federal Bureau of Investigation in order to advance the purposes set forth in this Act.

(b) ADDITIONAL APPROPRIATIONS.—Any funds appropriated under this section shall consist of additional appropriations for the activities described in this Act, rather than funds made available through reductions in the appropriations authorized for other enforcement activities of the Department of Justice.

(c) COMMUNITY RELATIONS SERVICE OF THE DEPARTMENT OF JUSTICE.—In addition to any amounts authorized to be appropriated under title XI of the Civil Rights Act of 1964 (42 U.S.C. 2000h et seq.), there are authorized to be appropriated to the Community Relations Service of the Department of Justice $1,500,000 for fiscal year 2008 and each subsequent fiscal year, to enable the Service (in carrying out the functions described in title X of such Act (42 U.S.C. 2000g et seq.)) to provide technical assistance by bringing together law enforcement agencies and communities in the investigation of violations of criminal civil rights statutes, in cases described in section 4(b).

SEC. 7. SUNSET.

Sections 1 through 6 of this Act shall expire at the end of fiscal year 2017.

SEC. 8. AUTHORITY OF INSPECTORS GENERAL.

Title XXXVII of the Crime Control Act of 1990 (42 U.S.C. 5779 et seq.) is amended by adding at the end the following:

''SEC. 3703. AUTHORITY OF INSPECTORS GENERAL.

''(a) IN GENERAL.—An Inspector General appointed under section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.) may authorize staff to assist the National Center for Missing and Exploited Children—

''(1) by conducting reviews of inactive case files to develop recommendations for further investigations; and

''(2) by engaging in similar activities.

''(b) LIMITATIONS.—

''(1) PRIORITY.—An Inspector General may not permit staff to engage in activities described in subsection (a) if such activities will interfere with the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).

''(2) FUNDING.—No additional funds are authorized to be appropriated to carry out this section.''.

Mr. LEAHY. Mr. President, today, I am pleased to join Senator DODD in reintroducing the Dodd-Leahy Emmett Till Unsolved Civil Rights Crime Act. This bill strengthens the ability of our federal government to investigate and prosecute unsolved murders from the civil rights era.

I thank Senator DODD for his leadership and commitment to enacting this meaningful civil rights bill. And I look forward to working with other Senators as this bill moves forward.

I am also very pleased that the Unsolved Civil Rights Crime Act once again includes the Missing Child Cold Case Review Act, which I sponsored in the last Congress to provide the investigative expertise of our Inspectors General in reviewing the cold cases of missing children.

Under current law, an inspector general's duties are limited to activities related to the programs and operations of an agency. My bill would allow inspectors general to assign criminal investigators to assist in the review of cold case files at National Center for Missing and Exploited Children. NCMEC, so long as doing so would not interfere with normal duties. I understand that our inspectors general are eager to provide this assistance, and this measure allows them legal authorization to do that. These cases need resolution. As parents and grandparents we all know that and, where our Government can provide its resources, it should.

The primary thrust of this bill targets murders from the civil rights era.

Nearly 52 years ago, the brutal murder of Emmett Till, a 14-year-old African-American teenager, stirred the concience of our country. Young Emmett Till walked into a local country store in Money, MS, to buy some candy and allegedly whistled at the white store clerk. That night, two white half-brothers, J.W. Milam and Roy Bryant, kidnapped Emmett Till from his great uncle's home. Several days later, his brutally beaten and unrecognizable body was fished out of the nearby Tallahatchie River. No one was ever punished for this tragic and brutal murder.

Emmett Till's death served as momentum for change. It inspired a generation of Americans to demand justice and freedom in a way America had never seen before. During the civil rights movement, the road to Mississippi became the highway of change for an entire country.

Yet the movement had a darker side. Fifty-two years after Emmett Till's murder, the families of many Americans who lost their lives during the civil rights era are still awaiting justice. We must not forget their sacrifice. And one way to honor that sacrifice is acting before the window of time closes. New evidence of cold cases trickles in while older evidence continues to fade and witnesses age. We must have a sense of urgency to ensure that justice is rendered. We cannot afford to wait.

The Emmett Till Unsolved Crime Act would provide the Federal Government

with much needed tools to expeditiously investigate and prosecute unsolved civil rights era cold cases. To accomplish this goal, the legislation calls for the creation of new cold case units in the Justice Department and FBI solely dedicated to investigating and prosecuting unsolved cases that involved violations of criminal civil rights statutes, resulting in death, and occurring before January 1, 1970. This measure also seeks to provide proper coordination between federal officials and state and local government officials on these cases.

This bill ensures that the Federal Government is held accountable by requiring the Justice Department and FBI cold case units to submit annual reports to Congress describing which cold cases were selected for further investigation and prosecution and which were not.

By shedding light on unsolved civil rights era murders, I hope this bill will end our Nation's ''quiet game'' on civil rights murders. Justice is better served by allowing our entire nation to acknowledge past wrongs, including wrongs aided by lax law enforcement. Just this week, The Washington Post reported that the briefcase of slain Florida civil rights leader Harry T. Moore, which mysteriously disappeared 55 years ago from a local courthouse, was found in a barn. We must hold our .government officials more accountable.

Progress has been made. According to a February 4, 2007, article in USA Today, entitled ''Civil rights-era killers escape justice,'' since 1989, authorities in seven States have reexamined 29 killings from the civil rights era and made 28 arrests that led to 22 convictions, including this month's arrest of former Klansman James Seale for the May 2, 1964, abduction and killings of Henry Hezekiah Dee and Charles Eddie Moore.

Despite some progress, much remains to be done. Just how many people died during that period is uncertain. At the National Civil Rights Memorial in Birmingham, AL, is the Civil Rights Memorial Center, where 86 additional names appear on a wall dedicated to the ''forgotten others.'' This bill ensures that no sacrifice in the pursuit of freedom goes unnoticed.

Even today, violence or the threat of violence serves as a barrier to full and equal participation in our society. On January 11, 2007, the NAACP asked the FBI to investigate three recent acts of violence and intimidation against against African-American mayors, including shots fired into the home of Greenwood, LA's first black mayor and the mysterious shooting death of Westlake, LA's, first black mayor two days before he was scheduled to take office. And two days ago the Anti-Defamation League, which monitors racist hate groups, released a report showing that ''Klan groups have witnessed a surprising and troubling resurgence by exploiting fears of an immigration explosion.''

There is no place for racial violence or political terrorism in a democracy. We must rededicate ourselves, as a Nation and as individuals, to protecting the full human equality of all Americans. We start today by ensuring that the guilty do not go unpunished, or that justice—even if delayed—is denied. By passing this bill and enacting it into law, we continue our march toward building a more fair and just society.

By Mr. KOHL (for himself and Mr. LEAHY):

S. 536. A bill to amend the Organic Foods Production Act of 1990 to prohibit the labeling of cloned livestock and products derived from cloned livestock as organic; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. KOHL. Mr. President, I am introducing a bill to provide further clarity that cloned animals and the products of cloned animals may not be considered organic under the National Organic Program.

A recent article in the Washington Post suggested that there has been some confusion over this point at USDA. I would hope that the Department's advisory board on these matters would utilize existing law to protect the integrity of organic standards without Congressional intervention. I believe they have more than adequate authority to do so. But if they fail to do so, Congress may be left with no option but to intervene.

This bill has one purpose and one purpose only; to protect the integrity of organic standards. The conditions under which cloned animal products enter our general food systems will be much debated in the months and years to come. But I would hope that we can begin that discussion with general consensus that it is not acceptable for cloned food products to enter the marketplace under the organic label.

By Ms. LANDRIEU (for herself, Mr. LOTT, Mr. KERRY, and Mr. LIEBERMAN):

S. 537. A bill to address ongoing small business and homeowner needs in the Gulf Coast States impacted by Hurricane Katrina and Hurricane Rita; to the Committee on Small Business and Entrepreneurship.

By Ms. LANDRIEU:

S. 538. A bill to reduce income tax withholding deposits to reflect a FICA payroll tax credit for certain employers located in specified portions of the GO Zone, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. LOTT, and Mr. KERRY)

S. 539. A bill to address ongoing economic injury in Gulf Coast States impacted by Hurricanes Katrina and Rita by reviving tourist travel to the region; to the Committee on Environment and Public Works.

Ms. LANDRIEU. Mr. President, I again come to the floor today to highlight the ongoing needs of our small businesses in the gulf coast who were devastated by Hurricanes Katrina and Rita. In Louisiana alone, these disasters claimed 1,464 lives, destroyed more than 200,000 homes and 18,000 businesses and inflicted $25 billion in uninsured losses. Many of my colleagues here in the Senate have been down to Louisiana and have seen firsthand the size and scope of the destruction.

The Congress has been very generous in providing billions of Federal recovery dollars as well as valuable Gulf Opportunity—GO—Zone tax incentives to help spur recovery in the region. These resources will be key in the recovery of the region but there are additional needs on the ground that still must be addressed. That is why I am proud to introduce a comprehensive package of three bills today—the Gulf Coast Back to Business Act of 2007, the Helping Our States Through Tourism Act of 2007, and the Work, Hope, and Opportunity for the Disaster Area Today Act of 2007. I believe these three bills provide substantive, commonsense solutions for addressing needs on the ground in the gulf coast. I am pleased that my colleague from Mississippi, Senator LOTT, as well as Senator KERRY, chairman of the Senate Small Business and Entrepreneurship Committee, joined me in cosponsoring both the Gulf Coast Back to Business Act and the Helping Our States through Tourism Act. My friend Senator LIEBERMAN, chairman of the Senate Homeland Security and Governmental Affairs Committee, also joined me by cosponsoring the Gulf Coast Back to Business Act. I appreciate my colleagues' support on these bills and hope that we continue to work in this bipartisan manner to provide real solutions for the gulf coast.

As you know, Katrina was the most destructive hurricane ever to hit the United States. The next month, in September, Hurricane Rita hit the Louisiana and Texas coast. It was the second most powerful hurricane ever to hit the United States, wreaking havoc on the southwestern part of my State and the east Texas coast. This one-two punch devastated Louisiana lives, communities and jobs, stretching from Cameron Parish in the west to Plaquemines Parish in the east.

We are now rebuilding our State and the wide variety of communities that were devastated by Rita and Katrina, areas representing a diverse mix of population, income and cultures. We hope to restore the region's uniqueness and its greatness. To do that, we need to rebuild our local economies now and far into the future.

My State estimates that there were 81,000 businesses in the Katrina and Rita disaster zones. As I mentioned, a total of 18,752 of these businesses were catastrophically destroyed. However, on a wider scale, according to the U.S. Chamber of Commerce, over 125,000 small- and medium-sized businesses in the gulf region were disrupted by Katrina and Rita. Many of these businesses have yet to resume operations

and others are struggling to survive. We will never succeed without these small businesses. They will be the key to the revitalization of the gulf coast.

After talking to the business leaders and small businesses in my State, there are three things that they need right now: immediate capital and their fair share of Federal recovery contracts, help in attracting more travel and tourism to the area, and tax relief, especially on some of the Gulf Opportunity—GO—Zone provisions which are set to expire.

For example, under current law, the SBA cannot disburse more than $10,000 for an approved disaster loan without showing collateral. This is to limit the loss to the SBA in the event that a loan defaults. However, this disbursement amount has not been increased since 1998 and these days, $10,000 is not enough to get a business up and running or to allow a homeowner to start making repairs. The Gulf Coast Back to Business Act increases this collateral requirement for Katrina and Rita disaster loans from $10,000 to $35,000.

To address the lack of access to capital for our businesses, this bill includes a provision to provide funds to Louisiana and Mississippi to help small businesses now. Not 3 months from now, but as quickly as possible. We are asking for $100 million so that businesses can have money they need for to repair, rebuild, and pay their employees until they get back up and running again. The States know what the needs of their affected businesses are and we want to provide them with this money so they can start helping businesses now. These funds would bolster existing State grant/loan programs and would help Louisiana and Mississippi reach out to more impacted businesses.

Many businesses and homeowners are also coming up on the end of their standard 1-year deferment of payment on principal and interest on their SBA disaster loans. For most disasters, 1 year is more than enough time for borrowers to get back on their feet. But for disasters on the scale of Katrina and Rita, 1 year came and went, with communities just now seeing gas stations open and some homeowners are just now returning to rebuild their homes. This is a unique situation and for French Quarter businesses, where tourism is down at least 60 percent from pre-Katrina levels, to require them to start making payments on a $50,000 loan is virtually impossible if there are no customers. Homeowners, too, are experiencing widespread uncertainty and I believe this current 1-year deferment requires serious reconsideration. That is why this bill gives borrowers an additional year to get their lives in order—allow residents to begin fixing their homes and allow businesses the time for economic activity to pick back up.

The Gulf Coast Back to Business Act also addresses the problem in which many of our local small businesses have been unable to obtain Federal recovery contracts. I understand that this is due to many reasons ranging from a lack of sufficient bonding to a lack of experience with contracts of these sizes and scope. That said, I know of countless local businesses with the right experience and personnel, yet they have had to settle for being a subcontractor on a contract some out-of-State company won. We appreciate out-of-State firms wanting to help our region recover, but if our local firms can do the work, they should get their fair share of these contracts. It is a no-brainer to let local firms rebuild their own communities but this has not happened on a wide scale in my State or across the impacted areas. This bill would fix that by designating the entire Katrina and Rita disaster area as a Historically Underutilized Business Zone. The expansion of this program to the devastated areas would help give our local small businesses a preference when they bid on Federal contracts. I should note that this proposal had bipartisan support in the 109th Congress and actually passed the Senate as part of the Fourth Emergency Supplemental Appropriations bill. However, despite the fact that this provision had widespread, bipartisan support from the gulf coast Senate delegation, it was stripped out in conference with the House of Representatives. So for the 110th Congress, I am pleased to re-introduce this provision in the Senate and to work closely with my colleagues to get our small businesses this vital help.

As I mentioned, following these disasters, about 18,000 businesses were catastrophically destroyed, many more economically impacted, and most still are struggling with the ongoing slowdown in travel and tourism to Louisiana. In terms of ongoing needs on the ground, the lack of tourism is stifling our full economic recovery, particularly the recovery of our small businesses in New Orleans. I do not think that people outside Louisiana know how vital tourism is to our economy. In 2004, tourism was the State of Louisiana's second largest industry—employing 175,000 workers. The tourism industry also had a $9.9 billion economic impact in the State in 2004 and generated $600 million in State/local taxes. That is huge for our State and, by all indications, 2004 was a record year for tourism to the State and 2005 was on course to beat that. But then came Hurricanes Katrina and Rita, and the subsequent levee breaks, and tourism literally came to a grinding halt for the rest of the year. Travel and tourism picked up somewhat in 2006 but it has remained slow and has economically impacted our small businesses, many of which are dependent on the steady stream of revenue coming in from out-of-State tourists.

For example, according to the New Orleans Conventions and Visitors Bureau, Mardi Gras brings in about 700,000 tourists each year. Jazz Fest, which is a world-renowned music festival in New Orleans that happens each summer, usually draws half that—350,000 tourists. These tourists not only spend their time and money in New Orleans, but oftentimes travel around South Louisiana or even visit our friends next door in Mississippi. So in this respect, New Orleans is the gateway to tourism elsewhere in Louisiana and the rest of the gulf coast. For this reason, I believe it is important to not only spur travel/tourism to New Orleans but also to the rest of Louisiana and Mississippi as our smaller communities in these areas depend on tourism for their economic well-being.

Take Natchez, MS, for example. This historic town is full of beautiful antebellum homes and had a thriving business district pre-Katrina. It suffered minimal damage during the storm but now is struggling to get the word out that it is open for business. New Orleans is in much the same situation. Many parts of New Orleans, such as the Lower Ninth Ward and New Orleans East, do indeed have damaged houses and vacant businesses—as seen on television. But there are also parts of these communities which are slowly recovering and many parts of New Orleans, particularly the historic French Quarter, which survived Katrina are relatively unscathed. Despite that they are open and desperately need the revenue, businesses in the French Quarter are struggling to attract visitors.

With this mind, the Help Our States through Tourism Act, or HOST Act, which I am introducing as part of this legislative package, will provide significant assets to help our tourism sectors recover. In particular, this bill provides a total of $175 million for tourism marketing for the States of Louisiana and Mississippi. This pool of money would not only be used for the promotion of the States, but also to help communities rebuild their tourism and cultural assets, such as arts and music, which makes them a unique attraction for visitors.

The $175 million is also a wise investment for the Federal Government and not without precedent. In 2004, for every dollar spent on tourism in Mississippi, the State generated $12 in revenue. Louisiana was even better, generating $14 for every dollar spent on tourism that year. Also, when we talk about small business recovery, nothing helps our impacted small businesses more than having tourists return and spend money in these communities. In effect it works just as good as a grant but also helps the airline industry, our local restaurants and hotels, as well as the small businesses themselves. Furthermore, following September 11, Lower Manhattan was able to use supplemental Community Development Block Grant—CDBG—funds for tourism marketing. The State of Louisiana also recently used $28.5 million of supplemental CDBG funds for the ''Come Fall in Love With Louisiana All Over Again'' campaign. Given that Katrina and Rita were the first and third most-

costliest disasters in U.S. history, as well as the unprecedented media coverage on the destruction, these funds are badly needed to spread the word that our impacted communities are ready for our friends from around the country, and the world, to return and enjoy our unique culture, cuisine, and entertainment.

This bill also authorizes the U.S. Small Business Administration to provide Economic Injury Disaster Loans to tourism-dependent businesses in Mississippi and Louisiana that can demonstrate direct economic impacts from the post-Katrina and Rita tourism/travel slowdown. In talking to Federal agencies as well as our local small businesses, it is clear to me that no one believed that the economic impact would continue this long. Businesses also expected Federal/State assistance much sooner so many were left in a position of lacking revenue but waiting, and waiting, for the promised recovery funds to get into their hands. It has slowly come in the past year but now many businesses who waited months for Federal financial assistance, are now struggling to stay in business with little/no customer base. These Economic Injury Disaster Loans would help our tourism-dependent businesses stay afloat since the economic injury, as well as the tourism slowdown, has lasted much longer than most experts expected.

The HOST Act also would establish a $2.5 million fund in the Federal Treasury for Government agencies to hold conventions, workshops, and other events in the Katrina/Rita Disaster Area. Federal workers, like other convention visitors, bring in valuable revenue to our communities and pre-Katrina, New Orleans was one of the top convention destinations in the country. Post-Katrina, Federal agencies are already conducting activities and holding events in the disaster areas, but this fund would be separate of the normal administrative funds normally used for these purposes. Since this would be a separate pool of money that agencies could access, it would encourage more Federal agencies to hold their big conventions/events in the gulf coast. In the scheme of the billions allocated for recovery in the gulf coast, $2.5 million is not a large sum of money, but for Federal agencies looking to hold large events, it would serve as incentive to choose New Orleans or Mobile or Natchez for their next event. This amount of money is also not large enough to severely impact other destinations such as Las Vegas or San Francisco, but would be just enough funds to, hopefully, steer a couple of large conventions in our direction.

I am also pleased to introduce the Work, Hope, and Opportunity for the Disaster Area Today Act of 2007 to help small businesses in the hardest hit areas of the Gulf Opportunity—GO—Zone as they work to succeed in a very challenging environment. We have made great progress in rebuilding our communities and our local economies in the gulf coast. The Gulf Opportunity Zone Act of 2005 has produced needed investment in housing and provided businesses with important tax incentives to invest in new plant and equipment as part of their rebuilding. The Federal Government has made funding available to rebuild our levees. At the end of the last Congress, we passed the Domenici-Landrieu Outer Continental Shelf Revenue sharing bill that Louisiana will use to restore our wetlands as an additional barrier of hurricane protection.

However, we still face many challenges that are making it difficult for our small businesses. In Louisiana, as I mentioned, tourism—one of our most important industries—is down. We have had 22 percent fewer visitors and those that are visiting are spending 35 percent less money than before the storm. The city of New Orleans has lost more than half of its population. On top of this, labor costs and insurance premiums have skyrocketed, making it more expensive for businesses to keep paying the workers they have.

The combination of these various factors have hit our small businesses hard. They used the tax benefits of the Gulf Opportunity Zone Act to invest and rebuild, and they are open for business. But they are losing money because of downturn in tourism and they cannot afford to do that for much longer. I am hopeful that the HOST Act will address many of these needs but additional assistance is needed.

The Work, Hope, and Opportunity for the Disaster Area Today Act is a package of short-term tax breaks that will help put money in the hands of small businesses immediately, as well as extend tax breaks that already exist in the GO Zone. The main tax provision is a wage tax cut for employers. Small employers in the most heavily hit areas of the GO Zone—defined as those parishes and counties that experienced 60 percent or higher housing damage—will be eligible for a tax credit in the amount of FICA taxes they paid on up to $15,000 in salary per employee. This would lower employer tax burdens immediately, leaving them more money in hand as an offset to the losses that they are experiencing.

My bill also contains a bonus business meals and entertainment deduction to encourage business travel to the GO Zone. Under current law, businesses can only deduct up to 50 percent of meals and entertainment expenses. The Work, Hope, and Opportunity Act would allow a full deduction for these expenses if they are incurred in the areas of the GO Zone that need it the most. This will bring more conventions, meetings and conferences to the Gulf.

We must also extend some of the expiring provisions in the GO Zone Act. For example, my legislation will extend the special small business Section 179 expensing that is available in the gulf coast. Small businesses in the rest of the country can deduct up to $112,000 in 2007 of the cost of investments they make in their businesses such as computers and software, or new equipment and machinery. GO Zone small businesses can deduct an additional $100,000 for these investments. This special GO Zone benefit, however, will expire at the end of this year. The Work, Hope, and Opportunity bill will extend this much needed assistance until 2010. It will also extend the availability of the Work Opportunity Tax Credit for Katrina employees and the special 15-year depreciation schedule for restaurants, retail, and other leasehold property for the GO Zone.

In introducing this comprehensive legislative package today, I am hopeful that it sends the signal to gulf coast residents and businesses that Congress has not forgotten about them. Congress made great strides during the 109th Congress to help disaster victims, but that does not mean we should just write off recurring problems to the responsibility of States or disaster victims themselves. There are still ongoing needs in the gulf coast and I believe the 110th Congress should address these needs. I look forward to working closely with my colleagues on both sides of the aisle to provide substantive and lasting solutions for our small businesses.

I urge my colleagues to support these important pieces of legislation and ask unanimous consent that the text of the three bills be printed in the RECORD.

There being no objection, the text of the bills were ordered to be printed in the RECORD, as follows:

S. 537

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gulf Coast Back to Business Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) 43 percent of businesses that close following a natural disaster never reopen;

(2) an additional 29 percent of businesses close down permanently within 2 years of a natural disaster;

(3) Hurricane Katrina struck the Gulf Coast of the United States on August 29, 2005, negatively impacting small business concerns and disrupting commerce in the States of Louisiana, Mississippi, and Alabama;

(4) Hurricane Rita struck the Gulf Coast of the United States on September 24, 2005, negatively impacting small business concerns and disrupting commerce in the States of Texas and Louisiana;

(5) according to the United States Chamber of Commerce, more than 125,000 small- and medium-sized businesses in the Gulf Coast were disrupted by Hurricane Katrina or Hurricane Rita;

(6) due to a slow initial Federal response and the widespread devastation in the affected States, businesses impacted by Hurricane Katrina are in dire need of increased access to capital and technical assistance to recover and prosper; and

(7) without the full recovery and prosperity of affected businesses, the Gulf Coast, and the rest of the United States, will be negatively impacted.

SEC. 3. DEFINITIONS.

In this Act—

(1) the term ''Disaster Area'' means an area in which the President has declared a major disaster in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005;

(2) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(3) the term ''small business concern'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 4. SMALL BUSINESS CONCERN RECOVERY GRANTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce $100,000,000 for the Economic Development Administration of the Department of Commerce to make grants to the appropriate State government agencies in Louisiana and Mississippi, to carry out this section.

(b) DISBURSEMENT OF FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Commerce shall disburse the funds authorized under subsection (a) as follows:

(A) $75,000,000 to the State of Louisiana.

(B) $25,000,000 to the State of Mississippi.

(2) PROPORTIONATE ALLOCATION.—Regardless of the amount appropriated under subsection (a), the amount appropriated shall be allocated among the States listed in paragraph (1) of this subsection in direct proportion to the allocation under that paragraph.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Grants awarded to a State under subsection (a) shall be used by the State to provide grants, which may be made to any small business concern located in a Disaster Area that was negatively impacted by Hurricane Katrina of 2005 or Hurricane Rita of 2005, to assist such small business concern for the purposes of—

(A) paying employees;

(B) paying bills, insurance costs, and other existing financial obligations;

(C) making repairs;

(D) purchasing inventory;

(E) restarting or operating that business in the community in which it was conducting operations prior to Hurricane Katrina of 2005 or Hurricane Rita of 2005, or to a neighboring area or county or parish in a Disaster Area;

(F) compensating such small business concerns for direct economic injury suffered as a result of Hurricane Katrina of 2005 or Hurricane Rita of 2005; or

(G) covering additional costs until that small business concern is able to obtain funding through insurance claims, Federal assistance programs, or other sources.

(2) CRITERIA.—

(A) IN GENERAL.—Notwithstanding any other provision of law, in making grants under paragraph (1), a State may use such criteria as the State determines appropriate, and shall not be required to apply eligibility criteria for programs administered by the Federal Government, including the Department of Commerce.

(B) EXCLUSION.—In making grants under paragraph (1), a State may not exclude a small business concern based on any increase in the revenue of that small business concern during the 12-month period beginning on October 1, 2005.

(3) ADMINISTRATIVE EXPENSES.—The Department of Commerce may use not more than $1,500,000 of the funds authorized under subsection (a) to administer the provision of grants to the designated States under this subsection.

SEC. 5. DISASTER LOANS AFTER HURRICANE KATRINA OR HURRICANE RITA.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately after paragraph (3) the following:

''(4) DISASTER LOANS AFTER HURRICANE KATRINA OR HURRICANE RITA IN A DISASTER AREA.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'Disaster Area' means an area in which the President has declared a major disaster in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005; and

''(ii) the term 'qualified borrower' means a person to whom the Administrator made a loan under this section because of Hurricane Katrina of 2005 or Hurricane Rita of 2005.

''(B) DEFERMENT OF DISASTER LOAN PAYMENTS.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, payments of principal and interest on a loan to a qualified borrower made before December 31, 2006, shall be deferred, and no interest shall accrue with respect to such loan, during the time period described in clause (ii).

''(ii) TIME PERIOD.—The time period for purposes of clause (i) shall be 1 year from the later of the date of enactment of this paragraph or the date on which funds are distributed under a loan described in clause (i), but may be extended to 2 years from such date, at the discretion of the Administrator.

''(iii) RESUMPTION OF PAYMENTS.—At the end of the time period described in clause (ii), the payment of periodic installments of principal and interest shall be required with respect to such loan, in the same manner and subject to the same terms and conditions as would otherwise be applicable to any other loan made under this subsection.''.

(b) INCREASING COLLATERAL REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, including section 7(c)(6) of the Small Business Act (15 U.S.C. 636(c)(6)), the Administrator may not require collateral for any covered loan made by the Administrator.

(2) DEFINITION.—In this subsection, the term ''covered loan'' means a loan in an amount of not more than $35,000 made—

(A) under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1));

(B) as a result of Hurricane Katrina of 2005 or Hurricane Rita of 2005; and

(C) after the date of enactment of this Act.

SEC. 6. OTHER PROGRAMS.

(a) HUBZONES.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''or'';

(B) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(F) an area in which the President has declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) as a result of Hurricane Katrina of August 2005 or Hurricane Rita of September 2005, during the time period described in paragraph (8).''; and

(2) by adding at the end the following:

''(8) TIME PERIOD.—The time period for the purposes of paragraph (1)(F)—

''(A) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

''(B) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.''.

(b) RELIEF FROM TEST PROGRAM.—Section 711(d) of the Small Business Competitive Demonstration Program Act of 1988 (15 U.S.C. 644 note) is amended—

(1) by striking ''The Program'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), the Program''; and

(2) by adding at the end the following:

''(2) EXCEPTION.—

''(A) IN GENERAL.—The Program shall not apply to any contract related to relief or reconstruction from Hurricane Katrina of 2005 or Hurricane Rita of 2005 during the time period described in subparagraph (B).

''(B) TIME PERIOD.—The time period for the purposes of subparagraph (A)—

''(i) shall be the 2-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007; and

''(ii) may, at the discretion of the Administrator, be extended to be the 3-year period beginning on the later of the date of enactment of this paragraph and August 29, 2007.''.

S. 538

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Work, Hope, and Opportunity for the Disaster Area Today Act''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. REDUCTION IN INCOME TAX WITHHOLDING DEPOSITS TO REFLECT FICA PAYROLL TAX CREDIT FOR CERTAIN EMPLOYERS LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE DURING 2007.

(a) GENERAL RULE.—In the case of any applicable calendar quarter—

(1) the aggregate amount of required income tax deposits of an eligible employer for the calendar quarter following the applicable calendar quarter shall be reduced by the payroll tax credit equivalent amount for the applicable calendar quarter, and

(2) the amount of any deduction allowable to the eligible employer under chapter 1 of the Internal Revenue Code of 1986 for taxes paid under section 3111 of such Code with respect to employment during the applicable calendar quarter shall be reduced by such payroll tax credit equivalent amount.

For purposes of the Internal Revenue Code of 1986, an eligible employer shall be treated as having paid, and an eligible employee shall be treated as having received, any wages or compensation deducted and withheld but not deposited by reason of paragraph (1).

(b) CARRYOVERS OF UNUSED AMOUNTS.—If the payroll tax credit equivalent amount for any applicable calendar quarter exceeds the required income tax deposits for the following calendar quarter—

(1) such excess shall be added to the payroll tax credit equivalent amount for the next applicable calendar quarter, and

(2) in the case of the last applicable calendar quarter, such excess shall be used to reduce required income tax deposits for any succeeding calendar quarter until such excess is used.

(c) PAYROLL TAX CREDIT EQUIVALENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term ''payroll tax credit equivalent amount'' means, with respect to any applicable calendar quarter, an amount equal to 7.65 percent of the aggregate amount of wages or compensation—

(A) paid or incurred by the eligible employer with respect to employment of eligible employees during the applicable calendar quarter, and

(B) subject to the tax imposed by section 3111 of the Internal Revenue Code of 1986.

(2) TRADE OR BUSINESS REQUIREMENT.—A rule similar to the rule of section 51(f) of

such Code shall apply for purposes of this section.

(3) LIMITATION ON WAGES SUBJECT TO CREDIT.—For purposes of this subsection, only wages and compensation of an eligible employee in an applicable calendar quarter, when added to such wages and compensation for any preceding applicable calendar quarter, not exceeding $15,000 shall be taken into account with respect to such employee.

(d) ELIGIBLE EMPLOYER; ELIGIBLE EMPLOYEE.—For purposes of this section—

(1) ELIGIBLE EMPLOYER.—

(A) IN GENERAL.—The term ''eligible employer'' means any employer which conducts an active trade or business in one or more specified portions of the GO Zone and employs not more than 100 full-time employees on the date of the enactment of this Act.

(B) SPECIFIED PORTIONS OF THE GO ZONE.—The term ''specified portions of the GO Zone'' has the meaning given such term by section 1400N(d)(6)(C) of the Internal Revenue Code of 1986.

(2) ELIGIBLE EMPLOYEE.—The term ''eligible employee'' means with respect to an eligible employer an employee whose principal place of employment with such eligible employer is in one or more specified portions of the GO Zone. Such term shall not include an employee described in section 401(c)(1)(A).

(e) APPLICABLE CALENDAR QUARTER.—For purposes of this section, the term ''applicable calendar quarter'' means any of the 4 calendar quarters beginning in 2007.

(f) SPECIAL RULES.—For purposes of this section—

(1) REQUIRED INCOME TAX DEPOSITS.—The term ''required income tax deposits'' means deposits an eligible employer is required to make under section 6302 of the Internal Revenue Code of 1986 of taxes such employer is required to deduct and withhold under section 3402 of such Code.

(2) AGGREGATION RULES.—Rules similar to the rules of subsections (a) and (b) of section 52 of the Internal Revenue Code of 1986 shall apply.

(3) EMPLOYERS NOT ON QUARTERLY SYSTEM.—The Secretary of the Treasury shall prescribe rules for the application of this section in the case of an eligible employer whose required income tax deposits are not made on a quarterly basis.

(4) ADJUSTMENTS FOR CERTAIN ACQUISITIONS, ETC.—Under regulations prescribed by the Secretary—

(A) ACQUISITIONS.—If, after December 31, 2006, an employer acquires the major portion of a trade or business of another person (hereafter in this paragraph referred to as the ''predecessor'') or the major portion of a separate unit of a trade or business of a predecessor, then, for purposes of applying this section for any calendar quarter ending after such acquisition, the amount of wages or compensation deemed paid by the employer during periods before such acquisition shall be increased by so much of such wages or compensation paid by the predecessor with respect to the acquired trade or business as is attributable to the portion of such trade or business acquired by the employer.

(B) DISPOSITIONS.—If, after December 31, 2006—

(i) an employer disposes of the major portion of any trade or business of the employer or the major portion of a separate unit of a trade or business of the employer in a transaction to which paragraph (1) applies, and

(ii) the employer furnishes the acquiring person such information as is necessary for the application of subparagraph (A),

then, for purposes of applying this section for any calendar quarter ending after such disposition, the amount of wages or compensation deemed paid by the employer during periods before such disposition shall be decreased by so much of such wages as is attributable to such trade or business or separate unit.

(5) OTHER RULES.—

(A) GOVERNMENT EMPLOYERS.—This section shall not apply if the employer is the Government of the United States, the government of any State or political subdivision of the State, or any agency or instrumentality of any such government.

(B) TREATMENT OF OTHER ENTITIES.—Rules similar to the rules of subsections (d) and (e) of section 52 of such Code shall apply for purposes of this section.

SEC. 3. BONUS BUSINESS TRAVEL DEDUCTION IN SPECIFIED PORTIONS OF THE GO ZONE.

(a) IN GENERAL.—Section 274(n)(2) (relating to exceptions) is amended by striking ''or'' at the end of subparagraph (D), by striking the period at the end of subparagraph (E)(iv) and inserting '', or'', and by inserting after subparagraph (E)(iv) the following new subparagraph:

''(F) such expense is for goods, services, or facilities made available before January 1, 2010, in one or more specified portions of the GO Zone (as defined in section 1400N(d)(6)(C).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid or incurred after the date of the enactment of this Act, in taxable years ending after such date.

SEC. 4. EXTENSION OF INCREASED EXPENSING FOR QUALIFIED SECTION 179 GULF OPPORTUNITY ZONE PROPERTY LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE.

Paragraph (2) of section 1400N(e) (relating to qualified section 179 Gulf Opportunity Zone property) is amended—

(1) by striking ''this subsection, the term'' and inserting ''this subsection—

''(A) IN GENERAL.—The term'', and

(2) by adding at the end the following new subparagraph:

''(B) EXTENSION FOR CERTAIN PROPERTY.—In the case of property substantially all of the use of which is in one or more specified portions of the GO Zone (as defined in subsection (d)(6)(C)), such term shall include section 179 property (as so defined) which is described in subsection (d)(2), determined—

''(i) without regard to subsection (d)(6), and

''(ii) by substituting, in subparagraph (A)(v) thereof—

''(I) '2009' for '2007', and

''(II) '2009' for '2008'.''.

SEC. 5. EXTENSION OF WORK OPPORTUNITY TAX CREDIT FOR HURRICANE KATRINA EMPLOYEES HIRED BY SMALL BUSINESSES LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE.

(a) IN GENERAL.—Section 201(b)(1) of the Katrina Emergency Tax Relief Act of 2005 (Public Law 109–73) is amended by striking ''who is hired during the 2-year period'' and all that follows and inserting ''who—

''(A) is hired during the 2-year period beginning on such date for a position the principal place of employment which is located in the core disaster area, or

''(B) is hired—

''(i) during the period beginning on the date of the enactment of the Work, Hope, Opportunity, and Disaster Area Tax Act of 2007 and ending before January 1, 2010, for a position the principal place of employment which is located in one or more specified portions of the GO Zone (as defined in subsection 1400N(d)(6)(C) of the Internal Revenue Code of 1986), and

''(ii) by an employer who has no more than 100 employees on the date such individual is hired, and''.

(b) EFFECTIVE DATE.—The amendment made by this section take effect as if included in section 201 of the Katrina Emergency Tax Relief Act of 2005.

SEC. 6. EXTENSION AND MODIFICATION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS AND QUALIFIED RESTAURANT IMPROVEMENTS LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE; 15-YEAR STRAIGHT-LINE COST RECOVERY FOR CERTAIN IMPROVEMENTS TO RETAIL SPACE LOCATED IN SPECIFIED PORTIONS OF THE GO ZONE.

(a) EXTENSION OF LEASEHOLD AND RESTAURANT IMPROVEMENTS.—

(1) IN GENERAL.—Clauses (iv) and (v) of section 168(e)(3)(E) (relating to 15-year property) are each amended by striking ''January 1, 2008'' and inserting ''January 1, 2008 (January 1, 2009, in the case of property placed in service in one or more specified portions of the GO Zone (as defined in subsection 1400Nd)(6)(C))''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to property placed in service after December 31, 2007.

(b) MODIFICATION OF TREATMENT OF QUALIFIED RESTAURANT PROPERTY AS 15-YEAR PROPERTY FOR PURPOSES OF DEPRECIATION DEDUCTION.—

(1) TREATMENT TO INCLUDE NEW CONSTRUCTION.—Paragraph (7) of section 168(e) (relating to classification of property) is amended to read as follows:

''(7) QUALIFIED RESTAURANT PROPERTY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'qualified restaurant property' means any section 1250 property which is an improvement to a building if—

''(i) such improvement is placed in service more than 3 years after the date such building was first placed in service, and

''(ii) more than 50 percent of the building's square footage is devoted to preparation of, and seating for on-premises consumption of, prepared meals.

''(B) PROPERTY LOCATED IN CERTAIN AREAS OF GO ZONE.—In the case of property placed in service in one or more specified portions of the GO Zone (as defined in subsection 1400Nd)(6)(C)), such term means any section 1250 property which is a building (or its structural components) or an improvement to such building if more than 50 percent of such building's square footage is devoted to preparation of, and seating for on-premises consumption of, prepared meals.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to any property placed in service after the date of the enactment of this Act.

(c) RECOVERY PERIOD FOR DEPRECIATION OF CERTAIN IMPROVEMENTS TO RETAIL SPACE.—

(1) 15-YEAR RECOVERY PERIOD.—Section 168(e)(3)(E) (relating to 15-year property) is amended by striking ''and'' at the end of clause (vii), by striking the period at the end of clause (viii) and inserting '', and'', and by adding at the end the following new clause:

''(ix) any qualified retail improvement property placed in service before January 1, 2009, in one or more specified portions of the GO Zone (as defined in subsection 1400Nd)(6)(C).''.

(2) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—Section 168(e) is amended by adding at the end the following new paragraph:

''(8) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—

''(A) IN GENERAL.—The term 'qualified retail improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

''(i) such portion is open to the general public and is used in the retail trade or business of selling tangible personal property to the general public, and

''(ii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

''(B) IMPROVEMENTS MADE BY OWNER.—In the case of an improvement made by the owner of such improvement, such improvement shall be qualified retail improvement property (if at all) only so long as such improvement is held by such owner. Rules similar to the rules under paragraph (6)(B) shall apply for purposes of the preceding sentence.

''(C) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator,

''(iii) any structural component benefitting a common area, or

''(iv) the internal structural framework of the building.''.

(3) REQUIREMENT TO USE STRAIGHT LINE METHOD.—Section 168(b)(3) is amended by adding at the end the following new subparagraph:

''(I) Qualified retail improvement property described in subsection (e)(8).''.

(4) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) is amended by inserting after the item relating to subparagraph (E)(viii) the following new item:

''(E)(ix).....39''.

(5) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

S. 539

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Helping Our States Through Tourism Act of 2007'' or the ''HOST Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) in the 12-month period ending on June 30, 2005—

(A) tourism was the second largest industry in Louisiana, employing 175,000 workers;

(B) tourism was the fifth largest industry in Mississippi, employing 126,500 workers;

(C) tourism generated $600,000,000 in State and local taxes in Louisiana;

(D) tourism generated $634,000,000 in State and local taxes in Mississippi;

(E) tourism had a $9,900,000,000 economic impact in the State of Louisiana;

(F) tourism had a $6,350,000,000 economic impact in the State of Mississippi;

(G) the State of Louisiana generated $14 in revenue for every dollar the State spent on tourism;

(H) the State of Mississippi generated $12 in revenue for every dollar the State spent on tourism;

(2) Hurricanes Katrina and Rita severely impacted Louisiana's travel and tourism industry, reducing—

(A) direct traveler expenditures by more than 18 percent between 2004 and 2005, from $9,900,000,000 to $8,100,000,000; and

(B) travel-generated employment by 9 percent between 2004 and 2005;

(3) Hurricane Katrina severely impacted Mississippi's travel and tourism industry, reducing—

(A) direct traveler expenditures by more than 18 percent between 2004 and 2005, from $6,350,000,000 to $5,200,000,000; and

(B) travel-generated employment by nearly 18 percent between 2004 and 2005, from 126,500 jobs to 103,885 jobs; and

(4) the Gulf Coast economy cannot fully recover without the revitalization of the tourism industries in Louisiana and Mississippi.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration

(2) DISASTER AREA.—The term ''disaster area'' means the areas in Louisiana and Mississippi in which the President has declared a major disaster in response to Hurricane Katrina or Hurricane Rita.

(3) HURRICANE KATRINA AND RITA DISASTER AREAS.—The term ''Hurricane Katrina and Rita disaster areas'' means the geographic areas designated as major disaster areas by the President between August 27, 2005, and September 25, 2005, in Alabama, Florida, Louisiana, Mississippi, and Texas pursuant to title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(4) MAJOR DISASTER.—The term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(5) RELEVANT TOURISM ENTITIES.—The term ''relevant tourism entity'' means any convention and visitors bureau, nonprofit organization, or other tourism organization that the governor of Louisiana or the governor of Mississippi, as the case may be, after consultation with the Secretary of Commerce, determines to be eligible for a grant under section 3.

(6) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 4. TOURISM RECOVERY GRANTS.

(a) IN GENERAL.—The Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development, shall establish a grant program to assist relevant tourism entities to promote travel and tourism in Louisiana and Mississippi in accordance with this section.

(b) ALLOCATION OF FUNDS.—From the amounts appropriated pursuant to subsection (f), the Secretary shall allocate, as expeditiously as possible—

(1) $130,000,000 to the State of Louisiana; and

(2) $45,000,000 to the State of Mississippi.

(c) USE OF FUNDS.—Amounts allocated to a State under subsection (b) shall be used by the State to provide grants to any relevant tourism entity to—

(1) promote travel and tourism in the State; and

(2) carry out other economic development activities that have been approved by the Secretary of Commerce, in consultation with the State.

(d) CRITERIA.—Notwithstanding any other provision of law, a State, in awarding grants under subsection (c)—

(1) may use such criteria as the State determines appropriate; and

(2) shall not be required to apply eligibility criteria for programs administered by the Federal Government, including the Department of Commerce.

(e) ADMINISTRATIVE EXPENSES.—Not more than 1 percent of the funds allocated to States under subsection (b) may be used for administrative expenses.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $175,000,000 to carry out this section.

SEC. 5. ECONOMIC INJURY DISASTER LOANS.

(a) LOAN AUTHORIZATION.—

(1) IN GENERAL.—The Administrator may make a loan under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) to a small business concern located in the disaster area that can demonstrate that—

(A) more than 51 percent of the revenue of that small business concern comes from tourism; and

(B) such small business concern suffered direct economic injury from the slowdown in travel and tourism in the disaster area following Hurricane Katrina or Hurricane Rita.

(2) APPLICATION.—Notwithstanding any other provision of law, an application for a loan described in paragraph (1) shall be submitted not later than—

(A) 18 months after the date of the enactment of this Act; or

(B) such later date as the Administrator may establish.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 6. FEDERAL GULF COAST TRAVEL AND MEETINGS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the Federal Gulf Coast Travel and Meetings Fund (referred to in this section as the ''Trust Fund''), consisting of such amounts as are appropriated to the Trust Fund pursuant to subsection (f) and any interest earned on investment of amounts in the Trust Fund pursuant to subsection (b).

(b) INVESTMENT OF TRUST FUND.—It shall be the duty of the Secretary of the Treasury to invest such portion of the Trust Fund that is not required to meet current withdrawals. Such investments may only be made in interest-bearing obligations of the United States or in obligations, whose principal and interest is guaranteed by the United States.

(c) OBLIGATIONS FROM TRUST FUND.—

(1) IN GENERAL.—The Secretary of the Treasury may obligate such sums as are available in the Trust Fund for the purposes described in paragraph (2).

(2) ELIGIBLE USES OF TRUST FUND.—Amounts obligated under this subsection may be transferred to Federal agencies to pay for—

(A) lodging, meals, travel, and other expenditures associated with conventions, conferences, meetings or other large gatherings attended by not less than 100 Federal employees and occurring within the Hurricane Katrina and Rita disaster areas; and

(B) other expenditures in the Hurricane Katrina and Rita disaster areas, in accordance with paragraph (3).

(3) PROHIBITED USES OF TRUST FUND.—Amounts obligated under this subsection may not be transferred to Federal agencies to pay for—

(A) Federal investigations;

(B) court cases; or

(C) events attended by less than 100 Federal employees.

(4) OTHER EXPENDITURES.—Amounts may not be obligated under paragraph (2)(B) before the date that is 30 days after the Secretary of the Treasury submits a report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that sets forth the intended uses for such amounts.

(d) REPORT.—Not later than December 31, 2007, the Secretary of Treasury shall submit a report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that sets forth—

(1) the balance remaining in the Trust Fund;

(2) the expenditures made from the Trust Fund since its inception;

(3) information on the applications of the Federal agencies whose requests from the Trust Fund have been denied;

(4) information on the applications that have been approved, including the amount transferred to each Federal agency and the uses for which such amounts were approved; and

(5) such additional information as the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives shall reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,500,000 for fiscal year 2007 to be deposited in the Trust Fund.

By Mr. FEINGOLD:

S. 541. A bill to amend the farm Security and Rural Investment Act of 2002 to promote local and regional support for sustainable bioenergy and biobased products, to support the future of farming, forestry, and land management, to develop and support local bioenergy, biobased products, and food systems, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Mr. President, I laid out my vision for the legislation I introduce today, the Rural Opportunities Act of 2007, in an opinion piece that was published in the La Crosse Tribune at the end of last year. I ask unanimous consent that the article be printed in the RECORD after my statement.

My bill is a four part plan to increase opportunities for rural America. Despite its breadth, the bill is not meant to address all of the challenges facing farms, other working lands and rural communities. I know from the listening sessions that I hold across Wisconsin about the many challenges facing those communities, such as lack of access to affordable healthcare, threats from unfair competition abroad and at home and even misguided Federal policies such as the dairy pricing system that provides higher prices based on how far your farm is from Wisconsin. I will continue working to address these and other challenges. My current bill focuses on the future, by identifying and encouraging potential benefits for rural areas.

The first section of the Rural Opportunities Act of 2007 tries to fulfill the potential of bioenergy and the broader bioeconomy to be a value-added enterprise for farmers and communities by encouraging sustainable development with an emphasis on local, farmer and cooperative ownership. The second theme supports both the development of the next generation of farmers and other rural professionals and the areas of agricultural growth such as organic production that provide viable long-term models for family farms. In an exciting win/win situation, the third main section of my bill strives to improve both farmers' income and access to healthy foods by supporting local food systems. The final section, while less focused directly on working lands, would establish the goal of providing affordable broadband access to rural and other underserved areas. Moreover, my proposal doesn't pass any extra costs on to the next generation, but is offset by reducing the payment limits for the largest corporate farms and transferring funds from other unobligated balances within USDA. I hope my colleagues will join me in supporting these common sense goals.

I will now explain both the details of my proposal and how I have modeled the proposal after programs that I have seen working in Wisconsin. My goal is to both boost resources for these programs and, where appropriate, establish partnerships to fulfill common goals and direction—ultimately encouraging similar opportunities across all of rural America.

Most of the incentives and support for the development of bioenergy and other bioproducts, or the bioeconomy, has been at the macro scale. I have supported these efforts, including the renewable fuels standard and broad goals such as providing 25 percent of our energy from renewable sources by 2025 and increasing our long-term security by becoming more energy independent. But I saw a gap in the amount of support at the local and regional level, especially with regard to making sure the bioeconomy develops properly.

There is a lot of excitement in rural America about the bioeconomy and potential for renewable fuel production especially to be the driver of a rural renaissance. But there is also concern, because while this potential is definitely there, it is still unclear how it will develop and whether the potential benefits to farmers, rural communities and even the environment will be fulfilled. This concern seems well founded, as these macro level incentives may fall short, perhaps opening up a new market for corn and driving more farms toward intensive corn production, but doing little to add value at the local or regional level especially if large agribusinesses take over.

From an environmental standpoint there is also this combination of risk and opportunity. Cellulosic ethanol produced from biomass has the potential to allow for the development of less intensive perennial systems especially on environmentally sensitive land, where the continuous cover would benefit the soil and water quality. But if the only incentive is to maximize bushels and dollars or remove too much biomass, environmental damage could clearly occur. For example, land that is not well suited for corn production such as that on steep slopes could be returned to production or taken out of pasture and put in corn production. Or where farmers have shifted to no-till corn production, the corn plant residue that now feeds the soil could be diverted to biomass for cellulosic ethanol. While these risks exist, there are also abundant win-win opportunities for farmers in following a sustainable approach. For example, the Wisconsin Farmers Union is leading efforts to establish a carbon credit program so the improved soil qualities also mean a return to the farmer.

Taking these risks and opportunities into account, it seemed that more needed to be done to make sure that the development of the bioeconomy occurred in the best way to maximize the value to the public through an emphasis on sustainable local and regional research, extension and development. This emphasis isn't to say that conventional grain production and large agribusinesses don't belong, just that there needs to be balance. While many individuals have begun working to fulfill this potential in Wisconsin, there seems to be a gap at the Federal level. This is the gap my proposal aims to close both through some new initiatives and boosting and better focusing existing Federal programs.

My sustainable local bioeconomy proposal has six main parts, starting with $30 million per year in matching funds to support implementation of collaborative State-based plans. States would be required to prepare a comprehensive energy plan and support the implementation of the plan through matching funds for research, extension, energy conservation, technical assistance and direct support. When developing the plan, a State would need to consider ways to encourage the development so as to best support the local communities and protect or even enhance the environment, with an emphasis in local, farmer and cooperative ownership of the new enterprises. Wisconsin has already taken significant steps in this regard, starting with the Governor's Consortium on Biobased Industry and Biobased Industry Opportunity (BIO) grant program. In the Governor's recent State of the State address, he has proposed to go even further building on these initial efforts. My proposal would allow the Federal Government to be a partner with him and every other State.

While charting the course of development of the bioeconomy should occur at a State and local level, research questions are often of regional or even national importance. That is why my bill provides $20 million per year for regional research, extension and education. These multi-state partnerships would follow the existing USDA research and extension divisions. Specific projects would be determined by a regional board with broad representation from each State, the region's extension service, agriculture experiment stations, agriculture secretaries, farmers, foresters, businesses, cooperatives and non-profits. This cooperative regional effort will bring together the resources to make sure these new agricultural and forestry systems can be evaluated holistically at a landscape scale. Independent of my proposal, I understand there is a discussion ongoing to develop a similar partnership within the north central region which includes Wisconsin. My bill is specifically designed to allow existing or future consortiums

to coordinate or even become the regional body supporting these research and extension activities.

While there has been significant focus on agriculture as the means of developing the bioeconomy and biofuels such as ethanol and biodiesel especially, our forestlands can contribute significantly as well. While States and regions will likely include forestry components in their state energy and regional research and extension, my bill also provides $10 million per year to support a pair of specific agroforestry pilot programs. The first would evaluate whether there needs to be a support mechanism for landowners during the establishment phase of a woody biomass system which can often take up to a decade to develop, though it may be the best long-term use of the land both for biofuel production and for the environment. The second project would assist in the development of at least one commercial scale cellulosic ethanol production facility using woody biomass as a feedstock. While I expect other regions with significant forestry resources to participate as well, with the Forest Products Lab in Wisconsin and the Governor recently proposing support for forestry-based cellulosic ethanol, Wisconsin is well positioned to be a leader in this area.

The Renewable Energy Systems and Energy Efficiency Improvements program, also known as Section 9006 of the 2002 Farm Bill, provides grants to farmers and ranchers to establish a wide range of wind, solar, biomass, geothermal, and conservation technologies on their farms. This direct support is important, which is why I propose a significant increase in funding to $40m per year so farmers can do their part in this larger effort for energy independence farm by farm.

Another existing federal program that has been beneficial is the Value-added Production Grant (VAPG) program. These grants broadly assist farmers and ranchers in developing projects that help them retain more value from their crops and products, including many bioenergy projects. I propose providing an increase to $60m per year and shifting the funding to mandatory spending because this program is so important in allowing farmers to be entrepreneurs and plan their own future. Specifically for the bioeconomy, I require that at least 10% of these funds be directed toward projects relating to bioenergy or biobased products.

Without the fundamental knowledge on how to convert biomass into other products such as fuel and the applied research on how to best implement this technology, the development of the bioeconomy may be limited. For this reason, I propose to double the spending within the USDA's National Research Initiative that is dedicated toward the development of the next generation of technology, including cellulosic ethanol. The institutions of higher education in Wisconsin are ready to assist in this task and often work together or regionally toward this goal. For example, The University of Wisconsin—Madison and Michigan State University have recently submitted a proposal to establish a Great Lakes Bioenergy Research Center supported by the Department of Energy. It will take this type of collaboration and involvement of multiple Federal, State and local entities to fulfill the potential of the bioeconomy for increasing-our national security and hopefully at the same time spurring a rural renaissance.

Finally, but still very important, we need to assess whether our current incentives for bioenergy production and utilization are performing as intended and having no negative side-effects. There is some concern that the current incentives may not be adequately reaching consumers and farmers. My bill requires the Government Accountability Office, GAO, to evaluate whether the current incentives are the most effective ways to encourage the production and use of bioenergy. I especially ask them to assess whether there are better ways to support local ownership and the local and regional benefits to communities, while preventing excessive payments.

There are many very positive efforts ongoing in Wisconsin to support the development of the next generation of farmers and ranchers and to provide viable models such as organic production for these new producers, which also benefit existing small and medium-sized farmers who are looking for other options. Like the sustainable local bioeconomy highlighted in the first section of my bill, I have designed my proposal so these positive projects in Wisconsin are supported and become the models for other states that may not be as far along.

There is a very strong Federal, State, university and non-profit involvement in supporting the future of farming in Wisconsin. It is heartening to see so many different groups and interests coming together to work together to support this common goal. I just wanted to highlight a few examples of many that make me proud.

From the Federal side, Wisconsin's State office of the USDA's Farm Service Agency leads the Nation or is the top five States for various loans provided to beginning farmers. Fully 37 percent of the loans in Wisconsin go to beginning farmers, a testament to the dedication of the State's FSA office.

The University of Wisconsin's Center of Integrated Agricultural Systems, (CIAS), continues to be both a leader in innovative ideas and research, but also in putting that knowledge to work for Wisconsin. To pick just one of many great projects, the School for Beginning Livestock and Dairy Farmers provides both the knowledge and the mentoring and support network to help beginning farmers get off the ground. I have followed CIAS' development and actions since my time in the Wisconsin State Senate, and always appreciate their approach.

The future of Wisconsin's agriculture and rural communities has even been the focus of a project at the Wisconsin Academy of Sciences, Arts and Letters. The Future of Farming and Rural Life project has been going around the state holding forums on this important topic and I look forward to their recommendations. I think they have been hearing a lot of the same sort of comments I hear at listening sessions in rural areas.

Organic production, especially dairy production in southwest Wisconsin, has been a bright light in that comer of the State. The growth of this production and—potential for more growth shows a need for more significant Federal support in the Farm Bill. But in the meantime, the farmer-owned Organic Valley cooperative and groups such as the Midwest Organic and Sustainable Education Service, MOSES, are providing invaluable support for the revitalization of small dairy farming in the area.

The concept of cooperatives is very important in Wisconsin and often provides support for these developing models of agriculture. For example, the Edelweiss Graziers Cooperative in Dane and Green Counties was recently established with technical assistance of the Wisconsin Federation of Cooperatives. This effort combines managed grazing and cheese making from this grass-fed milk to support both the cooperative's members and the local economy.

In addition to supporting important projects, my proposal also improves on existing Federal programs. The first element of this section is $30 million per year in funding for State-based collaborations to plan for and support beginning farmers, ranchers and other rural professionals. Specifically these State plans and projects should support, encourage the development of and reduce barriers for the next generation of farmers, ranchers and other important rural professions such as foresters. States would have flexibility to determine where to spend the funds, but required to take a broad approach that incorporates extension, public colleges, State agriculture agencies, non-profits, private-public partnerships and direct aid to support the farmers with tuition and capital.

The second main portion of the future of farming section of my bill would fund an important Federal effort from the 2002 Farm bill, which unfortunately has never been funded. My bill provides $20 million per year in competitive grants for the Beginning Farmer and Rancher Development Program, BFRDP. These funds would be mandatory to make it more likely the program was funded. The BFRDP funds initiatives directed at new farming opportunities in the areas of education, extension, outreach, and technical assistance. The program is targeted especially to collaborative local, State, and regionally based networks and partnerships.

The third main element of my future of farming proposal seeks to evaluate and improve existing Federal programs. This includes directing the USDA to provide additional support for the Advisory Committee on Beginning Farmers and Ranchers to allow for increased meetings and outreach activities. It also proposes that this committee work with the USDA Secretary to oversee a series of pilot projects, which would use $10 million per year to find ways to better support the credit and capital needs of beginning farmers and ranchers. Also along these lines, the GAO would conduct a study to evaluate the effectiveness of tax incentives, contract guarantees and other measures that could be used to support and encourage the transfer of land from retiring farmers to beginning farmers. Finally, my bill supports the bonus cost-share provided in conservation programs and highlights the importance of stewardship through the Conservation Security Program for beginning farmers as part of a broader review to ensure that all USDA farm assistance and conservation activities are accessible and useful for beginning farmers and ranchers.

Two exciting growth areas in agriculture have been the development of more sustainable agricultural systems and organic production, often driven by consumers' desire to be more responsible. This increased support includes more than doubling the authorized funding for Appropriate Technology Transfer for Rural Areas, ATTRA, to $5 million per year and for the Sustainable Agriculture Research and Education, SARE, program to $120 million per year. The boost for SARE would also include a dedicated mandatory fund of $20 million per-year for the Federal-State matching grant program.

Organic agriculture has had the greatest growth in the past decade of any segment of agriculture. The funding for research, extension, technical assistance and direct aid to organic producers has not kept up. So my bill would provide significant increases for several existing organic programs and propose one new program. More specifically, existing research, extension and education programs would receive $15 million per year and $25 million in additional certification cost-share funds would be made available. A new $50 million per year program to assist with the conversion to organic production and encourage conservation practices on the farms is also included. Since the integrity of the organic label is critical to the success of these efforts and there have been recent concerns about problems in this area, an annual report would also be required on USDA's activities to enforce proper use of the organic label and protect the integrity of the program.

Finally, no proposal on the future of farming would be complete without recognizing the need to foster more diversity within the farm community. My proposal would quadruple the current funding for outreach to socially disadvantaged farmers and ranchers by providing $25 million per year in mandatory funds. This also includes an added emphasis on encouraging the development of new farmers from these communities by requiring the USDA to periodically report to Congress on their efforts.

Local markets and especially food systems benefit farmers economically and consumers through access to food that is often fresher, riper, better tasting and more nutritious. Farmers benefit both by cutting out the middlemen and through differentiating their products to often get a premium price. My bill supports these local opportunities in several ways including giving local institutions more flexibility to preferentially select local products, providing additional funding and areas of emphasis for existing farmers markets, farm-to-cafeteria and value-added grants. A special emphasis of many of the programs my bill supports is to provide healthier food to schools and low-income populations that might not otherwise have access to local fresh produce.

More specifically, my bill allows local preference in procurement of fruits and vegetables by federally supported programs. The current procurement rules are often interpreted to prevent this local geographic preference, so I would clarify the food procurement rules for USDA and Department of Defense programs that support schools nutrition programs and other produce procurement, e.g., commissaries, to allow agencies to give a preference to locally produced products. This change would allow these institutions to select local produce which is often better tasting and more nutritious. In order to provide oversight of this modified rule, my proposal would also require any local agency that selects a bid that is more than 10 percent higher than the lowest bid to report this to the Federal agency for possible further review to help ensure the integrity of the system.

The Farm-to-Cafeteria program or, as it is also known, the Access to Local Food and School Gardens, was part of the Child Nutrition reauthorization. Unfortunately it has never been funded, but it would support projects like Madison's Homegrown Lunch that link local farmers to the cafeteria and often classroom as the students learn more about where their food comes from. My proposal dedicates $10 million per year in mandatory funding toward this important program.

There are two important programs that let low-income individuals access healthy local fruit and vegetables at farmers markets which my proposal supports. The Seniors Farmers Market Nutrition Program would be increased to $25 million per year to provide more vouchers to low-income seniors. Hunger Task Force in Milwaukee helps distribute these voucher and reports that it is extremely popular and could be expanded. A similar program, the WIC Farmers Market Supplemental Nutrition Program, provides similar vouchers to low-income mothers, infants and children and would be increased to $30 million per year.

The proposal also supports farmers markets directly as well and increases the funding for the Farmers Market Promotion Program to $20 million per year. This program provides grants to assist with the development of new farmers markets and also helps farmers markets improve their services by doing things like installing EBT readers to accept Food Stamps.

The Value-Added Producer Grants, VAPG, program supports a variety of farmer-based enterprises including support for local food systems. My bill already increased the funding for this program to $60 million per year and would also require that 30 percent of the VAPGs go to support local food, bioenergy and bioproducts. In addition, half of these funds would be dedicated to supporting mid-sized value-added chains, which establish ways for mid-sized farmers to differentiate their products and work with distributors and retailers along a supply chain. Many believe these mid-sized value-added chains are the key to accessing regional markets and expanding local food systems. There are several examples in Wisconsin of farmers and cheesemakers working together to establish this sort of relationship and value chain in producing specialty cheeses.

My proposal builds on the recommendations from the Community Food Security Coalition to expand the current Community Food Projects Competitive Grants by providing $60.5 million per year. Community food projects fight food insecurity by increasing the access of low-income people to fresher, more nutritious food supplies along with projects that increase the self-reliance of communities in providing for their own food needs.

Numerous studies have shown that rural areas lag behind their urban and suburban counterparts in access to broadband Internet services. The United States is losing ground to other nations in broadband availability. For example in 2001, the United States ranked 4th out of nations in the Organization for Economic Cooperation and Development, OECD. The United States now ranks 12th.

From my trips to rural areas of Wisconsin, I can attest that broadband availability is spotty and a concern for local officials and residents. They tell me that the lack of broadband access can limit their opportunities for employment, entertainment, education and communication. There have been several different ways proposed to increase availability of affordable rural broadband. In this legislation, I do not take a specific stand on which solution is best, but I require efforts to better assess the problem and I set forth a

goal for the Senate in solving this problem.

More specifically, the Sense of the Senate finds that given the growing number of opportunities provided by broadband access, the digital divide affecting rural households and other underserved groups should be eliminated within a decade. The ultimate goal should be to provide affordable access to broadband nationwide.

The FCC data on rural broadband availability and affordability is limited in several regards, most importantly by not collecting detailed enough information. The zip-code level data now available does not have a fine enough resolution to fully understand which specific areas lack any affordable access to broadband.

Even several of the FCC Commissioners agree on that point. My proposal requires the FCC to improve this situation to get a better picture of the extent of the problem.

As technology improves and faster data transfer rates become the norm, the FCC should make sure their definition of broadband keeps up. My proposal requires a periodic review of what is standard in the marketplace and an update of the definition as warranted. Without this requirement, the government could potentially end up subsidizing an obsolete service.

The USDA Inspector General found a number of deficiencies within the Rural Utilities Service Broadband Grant and Loan Programs and set forth a series of recommendations in a report in 2005. My bill would require the USDA to update Congress on the progress of these changes so these important programs work efficiently and provide the increased access they are designed to support.

The Universal Service Fund helps ensure that rural areas have affordable access to telecommunications services such as telephone and 911. The program allows for the coverage to be extended to other services such as broadband Internet based on a review of a Federal-State Joint Board. My bill requires a new review by the Joint Board after receiving the updated and improved FCC data since they previously had limited data and have not done such a review in several years.

My proposal is fully offset by reducing payments to the largest farmers, transferring funds from unobligated balances within USDA and reallocating authorized funds that were replaced by mandatory funding in my legislation. This offset, especially the reduced payment limits, is consistent with my longstanding feeling that Federal aid should be directed toward the farmers and communities that need it instead of the largest producers who don't. In fact, I estimate that my proposal could even return a couple hundred million dollars to the treasury over 10 years.

All too often in agriculture we are filling breaches in the safety nets, combating unfair trade, seeking equity in the programs such as the dairy marketing orders, or ensuring the large don't take undue advantage of the small. So it was a welcome change to propose ways to open doors and encourage development for family farmers and rural communities.

I worked with many Wisconsin-based groups and individuals along with others nationally and regionally in developing this legislation. I will work to include my proposals in the upcoming Farm Bill or other legislation.

I would especially like to thank the following groups and individuals who have supported my legislation: Wisconsin Farmers Union; Sustainable Agriculture Coalition; Stan Gruszynski, Director, Rural Leadership and Community Development Program, UW Stevens Point; the Community Food Security Coalition; and the Land Stewardship Project. The National Organic Coalition has also sent me a letter expressing support for the organic sections of my proposal.

I ask unanimous consent that the text of the bill and the letters from the Sustainable Agriculture Coalition, the Land Stewardship Project and the National Organic Coalition be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the La Crosse Tribune]

(By Russ Feingold)

The strength of our rural communities is a big source of pride in our state. Wisconsin is known not just for its agricultural products, but for the special character of our small towns. With a changing economy and tough challenges for our hard-working farmers, it is going to take some new approaches to create more opportunities for people living in these rural communities that mean so much to our state.

The federal government has an important role to play in supporting America's small towns and rural areas, which contribute so much to our economy and to our strength as a nation. That is why, when the new Congress starts in January, I plan to introduce a bill to create more economic opportunities in rural America.

This initiative is the last in a series of proposals I have announced this year to address domestic issues raised by Wisconsinites; the first three proposals took steps to reform our health care system, fix our trade policy and create more affordable housing.

My bill will support rural America in four ways: supporting local bioproducts and food markets, encouraging local renewable fuels and bioproducts, expanding broadband Internet service in rural areas, and helping develop the next generation of farmers, ranchers and land managers.

Developing local markets is critical for the future of rural communities, since those markets help farmers get more for their products and counter the power of big agribusiness. My proposal would help schools link up with local farmers to supply their cafeterias with locally produced products. It would also provide additional funds for existing USDA programs, which help develop local markets and help farmers develop and sell products at these markets.

My bill would also boost funds to provide additional vouchers—like those distributed by the Hunger Task Force in Milwaukee—for low-income seniors to purchase items at farmers markets. This would both provide a nutritional benefit for voucher recipients and help farmers see more value from their crops.

There is a lot of discussion about how renewable energies like ethanol and biodiesel will help rural economies, but for these opportunities to fulfill their potential, we need to make sure the benefits stay local. We need more technical assistance and other efforts to ensure that the benefits of turning agricultural and forest products into fuel go back into local economies.

Otherwise, ethanol and biodiesel plants could shift from value-added local and farmer ownership to multinational investment firms and energy corporations. My bill will provide flexible federal matching funds for extension, education and applied research purposes, as well as boosting funding to develop the next generation of biofuels.

Not surprisingly, Wisconsin is already well ahead of the curve in supporting biofuels. In addition to many other exciting developments statewide, Gov. Jim Doyle has established a Consortium on Biobased Industry. My bill would give a federal boost to such efforts in Wisconsin and every other state.

As we support local agriculture markets, we must also help rural economies grow in new directions, and broadband Internet access is key to that growth. As many Wisconsinites know, the availability of affordable broadband Internet service in rural areas of the state is spotty. The United States is falling behind some of our Western European and Asian counterparts who have supported more universal access to the Internet. My proposal includes a language encouraging improvements in existing programs to increase Internet access and a goal of universal affordable service.

Finally, no matter the type of farm, a common concern expressed by farmers across Wisconsin is this: ''How we can support the next generation of farmers, and where will they come from?''

My bill will improve existing federal programs to better serve beginning farmers and ranchers, giving them more resources, and targeting those resources toward developing agricultural methods appropriate for small farmers, such as organic farming, farmers markets and grazing. It would also provide federal matching funds for states and regions to address their specific local needs.

I've designed my bill to allow Wisconsin to continue to build upon programs such as the University of Wisconsin's Center of Integrated Agricultural Systems' School for Beginning Dairy Farmers. There are even regional grants to encourage regional collaborations, and I could very well see Wisconsin becoming the regional hub for developing the next generation of dairy farmers, just as another region may focus on crop production or ranching.

In true Wisconsin style, my bill is fully offset so that it doesn't add to the deficit. The bill reforms our agricultural support system by reducing the subsidies paid to the largest farms, and uses the money to pay for the new assistance.

These efforts certainly don't address every challenge rural communities face. There is much more to be done for the small towns and rural areas across Wisconsin, and around the country, that represent America at its best—proud communities built by centuries of hard work and commitment.

SUSTAINABLE AGRICULTURE COALITION,
Washington, DC, February 6, 2007.

Hon. RUSSELL FEINGOLD,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINGOLD, The Sustainable Agriculture Coalition would like to congratulate you for introducing the Rural Opportunities Act of 2007, a bill that contains

many of the reforms members of the sustainable agriculture community would like to see manifested in the next Farm Bill, including important provisions addressing the health and sustainability of rural communities and small to mid-sized family farms.

Reauthorization of the next Farm Bill is a critical opportunity to support the revitalization of family farming and ranching in the United States. Among the positive transformations taking place in American agriculture is the growing consumer demand for high quality, sustainably produced foods from family farms. Programs that support new farmers, organic production, farmer's markets, community supported agriculture, and sustainably raised energy crops help to increase the economic vitality of local and regional economies, improve the environment, and ensure the continued growth of these new markets for the next generation of family farmers.

In particular, we want to commend you for including proposals in your new bill that would create or improve the Regional Bioenergy Competitive Research, Education and Extension Program, Renewable Energy Systems and Energy Efficiency Improvements Program, Value-Added Producers Grants program, Beginning Farmer and Rancher Development Program, Sustainable Agriculture Federal-State Matching Grant Program, National Organic Certification Cost-Share, National Organic Conversion and Stewardship Incentive Program, Farmers Market Promotion Program, and Community Food Grants. We also support the language to provide geographic preference for locally produced foods for federal procurement programs.

As you know, the Sustainable Agriculture Coalition represents grassroots farm, rural, and conservation organizations from across the country that together advocate for federal policies and programs supporting the long-term economic and environmental sustainability of agriculture, natural resources and rural communities. We are committed to supporting these programs and to working with your office to make certain they are included in the 2007 Farm Bill.

Sincerely,

FERD HOEFNER,
Policy Director.

NATIONAL ORGANIC COALITION,
Alexandria, VA, February 7, 2007.

Hon. RUSSELL FEINGOLD,
U.S. Senate,
Washington DC.

DEAR SENATOR FEINGOLD: I am writing to thank you for your introduction of the Rural Opportunities Act of 2007 and to express the strong support of the National Organic Coalition for the important organic provisions included in this legislation.

Specifically, your bill would:

(1) reauthorize and increase funding for the National Organic Certification Cost Share Program, which has been a critical program to help organic producers and handlers defray the annual costs of organic certification;

(2) create a new National Organic Conversion and Stewardship Incentive Program to provide incentives for farmers to transition their farms to certified organic operations, providing assistance during the transition period when farmers are incurring high costs, but are not yet receiving the price benefits that comes with final certification;

(3) reauthorize and increase funding for organic research through the Organic Agricultural Research and Extension Program; and,

(4) require USDA's National Organic Program to update Congress regarding its enforcement activities and its reforms in response to recent critiques by USDA's Inspector General and by the American National Standards Institute (ANSI).

All of these provisions address issues of high priority for the member organizations of the National Organic Coalition. We look forward to working with you toward their enactment.

Sincerely,

STEVEN D. ETKA,
Legislative Coordinator.

LAND STEWARDSHIP PROJECT,
Minneapolis, MN, February 8, 2007.

Senator RUSSELL FEINGOLD,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR FEINGOLD, The Land Stewardship Project is pleased to endorse and support the introduction of the Rural Opportunities Act of 2007. Our membership of farmers, rural residents and other concerned citizens, based primarily in the Upper Midwest, recognize your bill as sound public policy for our nation. The bill's focus on programs that support new farmers, organic production, farmers' markets, community supported agriculture, and sustainably-raised energy crops helps to increase the economic vitality of local and regional economies, improve the environment, and ensure the continued growth of new markets for the next generation of family farmers.

The introduction of the Rural Opportunities Act underlines Senator Feingold's leadership and commitment to a sustainable and economically prosperous rural America.

Particularly important are sections in the bill that provide resources to support new and beginning farmers getting started on the land, such as the reauthorization and funding of the Beginning Farmer and Rancher Development Program (BFRDP). The BFRDP, which was passed in the 2002 Farm Bill but which never received funds for implementation, has the opportunity to create partnerships between community-based organizations and public institutions and agencies to make a difference for beginning farmers and the land. We also strongly support the language to provide geographic preference for locally produced foods for federal procurement programs such as helping schools work in conjunction with local farmers to supply their cafeterias with locally produced products. It is also critical that the bill provides funding for the Farmers Market Promotion Program and Value Added Producers Grants program, which can contribute to building regional and local food systems as a growing economic sector for family farmers and rural communities.

As the next Farm Bill is being debated, we hope many elements of Rural Opportunities Act will provide direction and be included in the final bill. The Land Stewardship Project is committed to supporting these programs and to working with your office to win reforms that are good for our nation's communities, family farmers and the land.

Sincerely,

MARK SCHULTZ,
Policy and Organizing Director.

S. 541

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rural Opportunities Act of 2007''.

SEC. 2. DEFINITIONS.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) by redesignating paragraphs (4) through (6), as paragraphs (5) through (7), respectively;

(2) by inserting after paragraph (3) the following:

''(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).''; and

(3) by adding at the end the following:

''(8) STATE.—The term 'State' means—

''(A) a State;

''(B) the District of Columbia;

''(C) the Commonwealth of Puerto Rico; and

''(D) any other territory or possession of the United States.''.

SEC. 3. LOCAL AND REGIONAL SUSTAINABLE BIOENERGY AND BIOBASED PRODUCT USE AND PRODUCTION.

(a) LOCAL AND REGIONAL SUSTAINABLE BIOENERGY AND BIOBASED PRODUCT USE AND PRODUCTION.—Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding at the end the following:

''SEC. 9012. LOCAL AND REGIONAL SUSTAINABLE BIOENERGY AND BIOBASED PRODUCT USE AND PRODUCTION.

''(a) EXTENSION, EDUCATION, TECHNICAL ASSISTANCE, APPLIED RESEARCH, AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary shall make grants to States to carry out extension, education, applied research, and development activities at appropriate institutions of higher education, State agencies, or partnerships in the States to support local and regional sustainable bioenergy and biobased product use and production.

''(2) ALLOCATION OF FUNDS.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), funds made available under paragraph (4) shall be allocated among the States in accordance with the terms and conditions of paragraphs (1) through (3) of section 3(c) of the Hatch Act of 1887 (7 U.S.C. 361c(c)) and subparagraph (C).

''(B) UNALLOCATED FUNDS.—

''(i) IN GENERAL.—The Secretary may use funds described in clause (ii) to provide bonus grants to States based on the need and merit of projects identified through annual reports submitted under paragraph (3)(E), as determined by the Secretary.

''(ii) RELEVANT FUNDS.—The funds referenced in clause (i) are funds that—

''(I) would otherwise remain unallocated under this subsection for a fiscal year;

''(II) remain unused by a State as of the end of the grant term, as determined by the Secretary; or

''(III) are returned to the Secretary in accordance with paragraph (3)(C)(ii).

''(C) ADMINISTRATION.—The Secretary shall use not more than 5 percent of funds made available under paragraph (4)—

''(i) to maintain a clearinghouse for projects funded under this subsection;

''(ii) to fund liaisons to provide technical assistance within—

''(I) the Department of Agriculture;

''(II) the Department of Commerce;

''(III) the Department of Energy;

''(IV) the Environmental Protection Agency; and

''(V) other appropriate Federal agencies as determined by the Secretary.

''(iii) to support studies, competitions, and administration required by this section; and

''(iv) to support the collection and sharing of local innovations between the State lead agencies designated under this section.

''(3) CONDITIONS ON RECEIVING GRANTS.—

''(A) LEAD AGENCY.—

''(i) IN GENERAL.—The Governor of a State shall designate or establish an agency, institution of higher education, or joint entity in the State as the lead agency for the distribution of grant funds.

''(ii) DUTIES.—A lead agency designated under clause (i) shall—

''(I) encourage collaboration between agencies, institutions of higher education, cooperative extension, and appropriate nonprofit organizations in the State;

''(II) support private- and nonprofit-public partnerships for purposes of the grant;

''(III) establish a local citizen and industry advisory board;

''(IV) improve the energy independence of the State; and

''(V) in consultation with the advisory board, develop a comprehensive statewide energy plan to increase energy independence described in clause (iii).

''(iii) COMPREHENSIVE PLAN.—The plan developed under clause (ii)(IV) shall—

''(I) support local and regional sustainable bioenergy and biobased product use and production;

''(II) provide flexibility for local needs;

''(III) support other renewable energy, energy efficiency and conservation activities, and coordination with other State and Federal energy initiatives (including the Clean Cities Program established under sections 405, 409, and 505 of the Energy Policy Act of 1992 (42 U.S.C. 13231, 13235, 13256));

''(IV) support a diverse array of farm sizes, crops (including agroforestry), and production techniques, with a particular focus on small and moderate-sized family farms;

''(V) have a goal of maximizing the public value of developing and using sustainable bioenergy and biobased products;

''(VI) include activities—

''(aa) to manage energy usage through energy efficiency and conservation;

''(bb) to develop new energy sources in a manner that is economically viable, ecologically sound, and socially responsible; and

''(cc) to grow or produce biomass in a sustainable manner that has net environmental benefits and considers such factors as relative water quality, soil quality, air quality, wildlife impacts, net energy balance, crop diversity, and provision of adequate income for the agricultural producers; and

''(VII) consider providing grant preferences to local and farmer-owned projects in order to retain and maximize local and regional economic benefits.

''(B) USE OF FUNDS.—

''(i) IN GENERAL.—Subject to clause (ii), a grant received under this subsection may be used to pay the Federal share of carrying out that support the establishment, growth, and use of local bioenergy and biobased products, including—

''(I) extension;

''(II) curriculum development;

''(III) education and training;

''(IV) technical assistance;

''(V) applied research;

''(VI) grants to support local production and use of bioenergy and biobased products;

''(VII) energy conservation or support for other renewable fuels, if identified as part of the comprehensive statewide energy plan developed under subparagraph (A)(ii)(IV);

''(VIII) support of bioenergy and biobased product cooperatives through education, training, technical assistance, or grants; and

''(IX) any other activity identified or approved by the Secretary as meeting those goals.

''(ii) ALLOCATION OF GRANT RESOURCES.—

''(I) IN GENERAL.—Each comprehensive statewide energy plan shall include a balanced allocation of grant resources to ensure support for each of research, education, extension, and development.

''(II) SECRETARIAL REVIEW.—If after review of a comprehensive statewide energy plan received under subparagraph (D)(i), the Secretary determines that the plan or allocation of resources is inadequate or inappropriate, the Secretary shall request clarification or revisions.

''(C) MATCHING FUNDS.—

''(i) IN GENERAL.—A recipient of funds for an activity under this subsection shall contribute an amount of non-Federal funds (including non-Federal funds from nonprofit organizations, local governments, and public-private partnerships) in the form of cash or in-kind contributions to carry out the activity that is equal to the amount of Federal funds received for the activity.

''(ii) RETURN OF FUNDS.—A recipient of funds for an activity under this subsection that fails to comply with the requirement to provide full matching funds for a fiscal year under clause (i) shall return to the Secretary an amount equal to the difference between—

''(I) the amount provided to the recipient under this subsection; and

''(II) the amount of matching funds actually provided by the recipient.

''(D) ANNUAL REPORT.—

''(i) IN GENERAL.—Not later than February 1 of each year, each State receiving a grant under this subsection shall submit to the Secretary a report that—

''(I) describes and evaluates the use of grant funds during the preceding fiscal year; and

''(II) includes the comprehensive statewide energy plan, and any revisions to the plan, developed under subparagraph (A)(ii)(IV).

''(ii) PUBLICATION.—The Secretary shall make available to the public all reports received under clause (i).

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $30,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

''(b) STUDY.—

''(1) IN GENERAL.—The Comptroller General of the United States shall carry out a study that assesses—

''(A) changes to law (including regulations) and policies to provide or increase incentives for the potential production of bioenergy (at levels greater than in existence as of the date of enactment of this section) to maintain local ownership, control, economic development, and the value-added nature of bioenergy and biobased product production;

''(B) potential limits to prevent excessive payments, including variable support (such as reducing subsidies based on the price of bioenergy or a comparable conventional energy source); and

''(C) the use of existing and proposed incentives for particular stages in the bioenergy system (including production, blending, or retail), including an evaluation of which incentives would be most efficient and beneficial for local and regional communities and consumers.

''(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress the report under paragraph (1).

''(c) BASIC RESEARCH ON NEXT GENERATION TECHNOLOGY.—

''(1) IN GENERAL.—For each of fiscal years 2008 through 2013, the Secretary, acting through the National Research Initiative, shall use $5,400,000 of funds of the Commodity Credit Corporation, to remain available until expended, to carry out additional research on biobased products and bioenergy production with an emphasis on developing and improving the next generation of products and production methods (such as cellulosic ethanol).

''(2) MAINTENANCE OF FUNDING.—The funding provided under this subsection shall supplement (and not supplant) other Federal funding for the National Research Initiative in those research areas.

''(d) SUPPLEMENTAL RURAL COOPERATIVE DEVELOPMENT GRANTS.—

''(1) IN GENERAL.—For each of fiscal years 2008 through 2013, the Secretary, acting through the Under Secretary for Rural Development, may use up to $1,000,000 to supplement existing grants under the rural cooperative development grant program established under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) (referred to in this subsection as the 'program').

''(2) REQUIREMENT.—The Secretary may award supplemental grants under this subsection to program grant recipients the applications or ongoing activities of which support, establish, or assist the establishment of, renewable fuels or biobased product-based cooperatives.

''(3) AMOUNT.—The amount of a supplemental grant under this subsection shall not exceed 20 percent of the amount of the base program grant.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,000,000 for each of fiscal years 2008 through 2013.

''(5) MAINTENANCE OF FUNDING.—The funding provided under this subsection shall supplement (and not supplant) other Federal funding for the program.''.

(b) REGIONAL BIOENERGY AND BIOBASED PRODUCTS COMPETITIVE RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.—Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

''SEC. 412. REGIONAL BIOENERGY AND BIOBASED PRODUCTS COMPETITIVE RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.

''(a) IN GENERAL.—The Secretary shall establish regional funds in accordance with this section.

''(b) UNALLOCATED FUNDS.—

''(1) IN GENERAL.—The Secretary may use funds described in paragraph (2) to provide bonus grants to regional centers based on need and merit, as determined by the Secretary.

''(2) RELEVANT FUNDS.—The funds referenced in paragraph (1) are funds that—

''(A) would otherwise remain unallocated under this section for a fiscal year; or

''(B) remain unused by a regional center as of the end of the grant term, as determined by the Secretary; or

''(C) are returned to the Secretary in accordance with paragraph (3)(B).

''(3) MATCHING FUNDS.—

''(A) IN GENERAL.—A recipient of funds for an activity under this section shall contribute in the form of cash or in-kind contributions an amount of non-Federal funds to carry out the activity that is equal to the amount of Federal funds received under this section for the activity.

''(B) RETURN OF FUNDS.—A recipient of funds for an activity under this section that fails to comply with the requirement to provide full matching funds for a fiscal year under subparagraph (A) shall return to the Secretary an amount equal to the difference between—

''(i) the amount provided to the recipient under this section; and

''(ii) the amount of matching funds actually provided by the recipient.

''(C) WAIVER.—The Secretary may waive the matching funds requirement described in subparagraph (A) with respect to a project if the Secretary determines that—

''(i) the results of the project, while of particular benefit to a specific bioenergy or biobased product research question, are also likely to be generally applicable; or

''(ii)(I) the project involves a minor crop or production method and deals with scientifically important research; and

''(II) the grant recipient is unable to satisfy the matching funds requirement.

''(c) IDENTIFICATION OF REGIONS.—

''(1) IN GENERAL.—Regions under this section shall correspond with the regions of the Cooperative State Research, Education, and Extension Service of the Department of Agriculture.

''(2) SUBREGIONS.—Each regional board established under subsection (f) may establish up to 3 subregions based on common characteristics, including—

''(A) bioenergy production methods;

''(B) research questions;

''(C) the benefits in efficiency and coordination of identifying the same regions as are used by other Federal programs, such as regions used for sun grant centers under section 9011(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109(d)); and

''(D) other factors important in fulfilling the goal of increasing local and regional sustainable bioenergy and biobased product use and production in the United States.

''(d) REGIONAL FUNDS.—

''(1) IN GENERAL.—The Secretary shall establish for each region identified under subsection (c) a regional fund.

''(2) ALLOCATION OF FUNDS.—Funds made available under subsection (g) shall be allocated among the regional funds in accordance with the proportional share of funds received under section 9012(a)(1) of the Farm Security and Rural Investment Act of 2002 by the States that constitute the appropriate region.

''(e) COMPETITION.—

''(1) IN GENERAL.—Not less often than once every 5 years, in conjunction with the appropriate regional board, the Secretary shall competitively award—

''(A) the funds in each regional fund to a regional center to carry out multi-State applied research, extension, education, and development; and

''(B) the designation of the regional center to an agency, institution of higher education, nonprofit organization, or joint entity in the region.

''(2) SHARED CENTERS.—An agency, institution of higher education, nonprofit organization, or joint entity may host more than 1 regional center if the appropriate regional board determines that shared administrative and other expenses benefits program efficiency.

''(f) REGIONAL BOARD.—

''(1) IN GENERAL.—The Secretary shall establish a regional board for each region.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The membership of each regional board shall include—

''(i) representatives of—

''(I) the Agricultural Research Service;

''(II) the Cooperative State Research, Education, and Extension Service;

''(III) the Natural Resources Conservation Service;

''(IV) nonprofit organizations with demonstrable expertise in sustainable agriculture and sustainable bioenergy and biobased product use and production;

''(V) cooperatives engaged in bioenergy or biobased products production;

''(VI) agricultural producers involved in production of agricultural commodities for bioenergy and biobased products;

''(VII) landowners or businesses involved in forestry; and

''(VIII) agribusinesses; and

''(ii) 1 member from each State designated by the Governor of the State and approved by the Secretary who represents—

''(I) State cooperative extension services;

''(II) State agricultural experiment stations; and

''(III) State departments engaged in bioenergy and biobased products programs.

''(B) ROTATION.—The members of the board described in clause (ii) shall regularly rotate among representatives of the groups described in subclauses (I), (II), and (III) in order that each regional board has equitable representation of each of those groups.

''(3) RELATION TO EXISTING OR FUTURE REGIONAL CONSORTIUMS.—If a regional consortium is developed that, as determined by the Secretary, fulfills the goals of this section and reflects, to the maximum extent practicable, the membership diversity described in paragraph (2), the regional consortium or a subpart of the regional consortium may act as the regional board for the purposes of this section.

''(4) RESPONSIBILITIES.—Each regional board shall—

''(A) promote the programs established under this section at the regional level;

''(B) establish goals and criteria for the selection of projects authorized under this section within the applicable region;

''(C) appoint a technical committee to evaluate proposals for projects to be considered under this section by the regional board;

''(D) review and act on the recommendations of the technical committee, and coordinate the activities of the regional board with the regional host institution; and

''(E) prepare and make available an annual report covering projects funded under this section and including an evaluation of the project activity.

''(5) PREFERENCES.—In determining regional priorities and making funding decisions, the regional board shall give preference to—

''(A) collaborative proposals;

''(B) research that adapts existing technology to local conditions;

''(C) proposals that include more than 1 of the components of education, extension, and research and development;

''(D) proposals that examine multiple factors (including economic, social, and environmental factors) at a landscape or watershed scale to maximize the public value; and

''(E) proposals that develop and evaluate more sustainable alternatives to traditional monocultures, including perennial continuous living cover systems and incorporating bioenergy or biobased product production on conventional farms in sensitive areas, such as perennial biomass production on watercourses.

''(6) OTHER DUTIES.—The regional board shall coordinate with other Federal programs (including the research, extension, and educational programs described in section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109)) to support joint initiatives, encourage complimentary priorities, and prevent duplication of effort.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.''.

(c) AGROFORESTRY CONVERSION AND CELLULOSIC PRODUCTION PILOT PROGRAMS.—

(1) AGROFORESTRY CONVERSION.—

(A) IN GENERAL.—The Secretary of Agriculture (referred to in this paragraph as the ''Secretary'') shall carry out an agroforestry conversion pilot program under which the Secretary shall provide technical assistance, cost share assistance, grants, or loans to landowners during the establishment phase of a woody crop.

(B) SELECTION.—In providing assistance under this paragraph, the Secretary shall—

(i) use a competitive selection process; and

(ii) consider diversity of—

(I) region;

(II) production method;

(III) type of woody crop;

(IV) method of requested support.

(2) CELLULOSIC PRODUCTION PILOT PROGRAM.—

(A) IN GENERAL.—The Secretary shall carry a cellulosic production pilot program under which the Secretary shall provide loans, loan guarantees, or grants, or any combination thereof, to cooperatives, businesses, or joint ventures to produce cellulosic ethanol from woody biomass on a commercial scale.

(B) MULTIPLE PILOT PROGRAMS.—If there is sufficient funding for the Secretary to carry out more than 1 pilot program under this paragraph, the Secretary shall ensure, to the maximum extent practicable, that the pilot programs are geographically representative of the major forestry regions of the United States.

(3) REPORT.—Not later than October 1, 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(A) describes the effectiveness of the pilot programs under this subsection; and

(B) recommends whether or not the pilot programs should be continued and at what funding level.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2008 through 2013.

(d) REAUTHORIZATIONS.—

(1) RENEWABLE ENERGY SYSTEMS AND ENERGY EFFICIENCY IMPROVEMENTS.—Section 9006(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(f)) is amended by striking ''section $23,000,000'' and all that follows and inserting ''section—

''(1) $23,000,000 for fiscal year 2006;

''(2) $3,000,000 for fiscal year 2007; and

''(3) $40,000,000 for each of fiscal years 2008 through 2013.''.

(2) GRANTS FOR CERTAIN VALUE-ADDED AGRICULTURAL PRODUCTS.—Section 231(b)(4) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224) is amended—

(A) by striking ''Not later'' and inserting the following:

''(A) FISCAL YEARS 2003 THROUGH 2007.—Not later''; and.

(B) by adding at the end the following:

''(B) FISCAL YEARS 2008 THROUGH 2013.—

''(i) IN GENERAL.—Not later than October 1, 2007, and each October 1 thereafter through October 1, 2012, of the funds of the Commodity Credit Corporation, the Secretary shall made available to carry out this subsection, $60,000,000, to remain available until expended.

''(ii) USE OF FUNDS.—The Secretary shall ensure that not less than 10 percent of the competitive grants awarded during each of fiscal years 2008 through 2013 are awarded to producers of value-added agricultural products that use or produce biobased products or bioenergy.''.

SEC. 4. FUTURE OF FARMING, RANCHING, AND LAND MANAGEMENT.

(a) IN GENERAL.—Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 344 (7 U.S.C. 1991) the following:

''SEC. 345. FUTURE OF FARMING, RANCHING, AND LAND MANAGEMENT.

''(a) GRANTS TO SUPPORT THE FUTURE OF FARMING, RANCHING, AND LAND MANAGEMENT.—

''(1) IN GENERAL.—The Secretary shall make grants to States to support the development of the next generation of farmers, ranchers, and other land managers.

''(2) ALLOCATION OF FUNDS.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), funds made available under paragraph (4) shall be allocated among the States in accordance with the terms and conditions of paragraphs (1) through (3) of section 3(c) of the Hatch Act of 1887 (7 U.S.C. 361c(c)) and subparagraph (C).

''(B) UNALLOCATED FUNDS.—

''(i) IN GENERAL.—The Secretary may use funds described in clause (ii) to provide bonus grants to States based on the need and merit of projects identified through annual reports submitted under paragraph (3)(E), as determined by the Secretary.

''(ii) RELEVANT FUNDS.—The funds referenced in clause (i) are funds that—

''(I) would otherwise remain unallocated under this subsection for a fiscal year; or

''(II) remain unused by a State as of the end of the grant term, as determined by the Secretary; or

''(III) are returned to the Secretary in accordance with paragraph (3)(D)(ii).

''(C) ADMINISTRATION.—The Secretary shall use not more than 5 percent of funds made available under paragraph (4)—

''(i) to maintain a clearinghouse for projects funded under this section;

''(ii) to fund liaisons within each agency of the Department of Agriculture; and

''(iii) to support studies, competitions, and administration required by this section.

''(3) CONDITIONS ON RECEIVING GRANTS.—

''(A) IN GENERAL.—The Governor of a State shall designate or establish an agency, public institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or joint entity in the State as the lead agency for the distribution of grant funds.

''(B) DUTIES.—A lead agency designated under subparagraph (A) shall—

''(i) encourage collaboration between agencies, cooperative extension, local nonprofit organizations, agricultural organizations, and institutions of higher education in the State;

''(ii) support private- and nonprofit-public partnerships for purposes of the grant;

''(iii) establish a local citizen and industry advisory board;

''(iv) in consultation with the advisory board, develop a statewide plan to increase opportunities for, and reduce barriers to, beginning farmers and ranchers and, in accordance with subparagraph (C), other rural professions;

''(v) support the development of local community-based support and mentoring networks;

''(vi) to the maximum extent practicable, enable the transfer of family farms to children or other relatives of owners in order to allow family farms to be kept whole in cases in which the division of the farm would result in a less viable agricultural operation; and

''(vii) support small-scale models for farms or ranches for beginning farmers and ranchers and other rural professions, including models based on—

''(I) community-supported agriculture;

''(II) organic agriculture;

''(III) farmers markets;

''(IV) speciality agricultural products;

''(V) sustainable production;

''(VI) grazing;

''(VII) agrotourism; and

''(VIII) agroforestry.

''(C) OTHER RURAL PROFESSIONS.—A State that identifies other important rural professions in the State (including professions involving forestry, conservation, land management, tourism, or a combination of those professions) may include those professions in the statewide plan under subparagraph (B)(iv).

''(D) MATCHING FUNDS.—

''(i) IN GENERAL.—A recipient of funds for an activity under this subsection shall contribute in the form of cash or in-kind contributions an amount of non-Federal funds to carry out the activity that is equal to the amount of Federal funds received for the activity.

''(ii) RETURN OF FUNDS.—A recipient of funds for an activity under this subsection that fails to comply with the requirement to provide full matching funds for a fiscal year under clause (i) shall return to the Secretary an amount equal to the difference between—

''(I) the amount provided to the recipient under this subsection; and

''(II) the amount of matching funds actually provided by the recipient.

''(E) USE OF FUNDS.—

''(i) IN GENERAL.—A grant received under this subsection may be used to pay the Federal share of carrying out the programs that support and develop the next generation of farmers, ranchers, and other rural professionals, including—

''(I) extension;

''(II) education, including targeted scholarships and loan forgiveness, for traditional degree and certificate courses and continuing education and short courses;

''(III) technical assistance, including support for development of cooperatives;

''(IV) grants to support transitional ownership, mentorships, apprenticeships, and peer-support networks;

''(V) support of matched-savings programs through individual development accounts that can be used for capitol expenses, land acquisition, or training for beginning farmers, ranchers, and other rural professionals;

''(VI) support of farmer land contract programs to provide payment guarantees to encourage retiring landowners to sell to beginning farmers, ranchers, and rural professionals; and

''(VII) any other activity identified or approved by the Secretary as meeting those goals;

''(ii) PREFERENCE.—In allocating grants and other direct assistance under this subsection, a lead agency shall give priority to limited resource and socially-disadvantaged individuals.

''(F) ANNUAL REPORT.—

''(i) IN GENERAL.—Not later than February 1 of each year, each State receiving a grant under this subsection shall submit to the Secretary a report that describes and evaluates the use of grant funds during the preceding fiscal year.

''(ii) PUBLICATION.—The Secretary shall make available to the public all reports received under clause (i).

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $30,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

''(b) ADVISORY COMMITTEE ON BEGINNING FARMERS AND RANCHERS.—To the maximum extent practicable, the Secretary shall use funds otherwise available to the Secretary—

''(1) to support the work of the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554) (referred to in this subsection as the 'Committee')—

''(2) to fund more frequent meetings of the Committee (including meetings at least twice per year); and

''(3) to increase the outreach activities of the Committee, including increased public field hearings, if determined to be necessary by the Committee.

''(c) STUDY AND PILOT PROGRAM.—

''(1) BEGINNING FARMER AND RANCHER LOAN PROGRAM.—

''(A) IN GENERAL.—For each of fiscal years 2008 through 2013, the Secretary shall use funds made available under subparagraph (D)—

''(i) to study the provision under this Act of direct farm ownership and guaranteed loans to beginning farmers and ranchers;

''(ii) to carry out a pilot program to use additional resources to reduce the backlog of loan applications from beginning farmers and ranchers;

''(iii) to carry out a pilot program under which grants, rather than loans, are provided to support capitol investments or farm purchases at the same amount as the subsidy would be over the term of a comparable loan; and

''(iv) to carry out a pilot program under which direct and guaranteed loans are provided under this Act to beginning farmers and ranchers with no interest or payments due, and no accrual of interest, during a period of up to the first 36 months of the loans.

''(B) REPORTS.—

''(i) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

''(I) describes the results of the study under subparagraph (A)(i); and

''(II) recommends changes to improve the efficiency of the provision under this Act of direct and guaranteed loans to beginning farmers and ranchers.

''(ii) ADDITIONAL REPORTS.—Not later than 4 years after the date of enactment of this Act, and thereafter as appropriate, the Secretary shall submit to Congress a report that describes the effectiveness of the pilot programs described in subparagraph (A)(ii).

''(C) ADDITIONAL PILOT PROGRAMS.—After submission of the study under subparagraph (B)(i), the Secretary may use funds made available to carry out this subsection—

''(i) to continue the pilot programs described in subparagraph (A)(ii); or

''(ii) to carry out other pilot programs based on the conclusions and recommendations of the study.

''(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2008 through 2013.

''(d) GAO STUDY AND REPORT.—

''(1) STUDY.—The Comptroller General of the United States shall carry out a study of possible tax incentives, contract guarantees, and other measures to support the transfer of land from retiring farmers and ranchers to beginning farmers and ranchers.

''(2) REPORT.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report that evaluates, and makes recommendations concerning, the effectiveness of measures studied under paragraph (1).''.

(b) BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM.—Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)(5)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) refugee or immigrant farmers or ranchers''; and

(2) by striking subsection (h) and inserting the following:

''(h) FUNDING.—

''(1) FEES AND CONTRIBUTIONS.—

''(A) IN GENERAL.—The Secretary may—

''(i) charge a fee to cover all or part of the costs of curriculum development and the delivery of programs or workshops provided by—

''(I) a beginning farmer and rancher education team established under subsection (d); or

''(II) the online clearinghouse established under subsection (e); and

''(ii) accept contributions from cooperating entities under a cooperative agreement entered into under subsection (d)(4)(B) to cover all or part of the costs for the delivery of programs or workshops by the beginning farmer and rancher education teams.

''(B) AVAILABILITY.—Fees and contributions received by the Secretary under subparagraph (A) shall—

''(i) be deposited in the account that incurred the costs to carry out this section;

''(ii) be available to the Secretary to carry out the purposes of the account, without further appropriation;

''(iii) remain available until expended; and

''(iv) be in addition to any funds made available under paragraph (2).

''(2) FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to carry out this section, to remain available for 2 fiscal years after the date on which the funds are first made available.''.

(c) IMPROVING AND TARGETING FARM SUPPORT AND CONSERVATION PROGRAMS FOR BEGINNING FARMERS, RANCHERS, AND RURAL PROFESSIONALS.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall carry out a study to identify and propose remedies to barriers to small, beginning, socially disadvantaged, and limited resource producers in conservation and farm support programs, including—

(A) the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.);

(B) the conservation security program established under subchapter A of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.);

(C) the farmland protection program established under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) (commonly known as the ''Farm and Ranch Lands Protection Program'');

(D) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.);

(E) risk management tools, such as insurance;

(F) commodity support programs;

(G) food purchases by the Agricultural Marketing Service;

(H) the provision of value-added agricultural product market development grants to producers under section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224); and

(I) other programs identified by the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554).

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter, or otherwise on the recommendation of the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554), the Secretary shall submit to Congress a report that—

(A) describes the results of the study under paragraph (1);

(B) summarizes the participation rates for small, beginning, socially disadvantaged, and limited resource producers in the programs studied;

(C) recommends changes to make the programs studied more accessible and effective for limited resource and beginning farmers and ranchers; and

(D) for each report after the initial report, describes the status of changes recommended by previous reports.

(3) SENSE OF THE SENATE REGARDING CONSERVATION SECURITY PROGRAM.—It is the sense of the Senate that—

(A) the conservation security program established under subchapter A of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.) was intended to be an entitlement available to all agricultural producers, rather than available on a piecemeal basis;

(B) sufficient mandatory funds should be provided to the conservation security program to fulfill the promise of supporting conservation on working land; and

(C) the next reauthorization of the Farm Bill should—

(i) contain sufficient mandatory funding for the conservation security program; and

(ii) continue the 15 percent cost-share bonus for beginning farmers and ranchers for the conservation security program and the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.).

(d) SUSTAINABLE AGRICULTURE INITIATIVES.—

(1) APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out appropriate technology transfer for rural areas program under the same terms and conditions as funds provided under the heading ''RURAL COOPERATIVE DEVELOPMENT GRANTS'' under the heading ''RURAL BUSINESS-COOPERATIVE SERVICE'' in title III of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109–97; 119 Stat. 2141) $5,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

(2) SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION PROGRAM.—

(A) BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.—

(i) IN GENERAL.—Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended to read as follows:

''SEC. 1624. FUNDING.

''(a) IN GENERAL.—There is authorized to be appropriated to carry out sections 1621 and 1622 $75,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.

''(b) FEDERAL-STATE MATCHING GRANT PROGRAM.—For each of fiscal years 2008 through 2013, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to carry out section 1623, to remain available until expended.''.

(ii) MULTI-STATE REGIONS.—Section 1623 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5813) is amended—

(I) in subsections (a), (b), (c)(1), and (d)(1), by inserting ''or multi-State regions'' after ''States'' each place it appears;

(II) in subsection (a), by inserting ''or multi-State'' after ''enhancement of State'';

(III) in subsection (b)(8), by inserting ''or multi-State region'' after ''State'';

(IV) in paragraphs (1), (2), and (3) of subsection (c) and subsection (d)(1), by inserting ''or multi-State'' after ''State'' each place it appears; and

(V) in subsection (d)(2)—

(aa) in the paragraph heading by inserting ''OR MULTI-STATE'' after ''STATE'';

(bb) by inserting ''or multi-State region'' after ''a State'';

(cc) by inserting ''or multi-State'' after ''from State'';

(dd) by inserting ''or multi-State'' after ''other State''; and

(ee) by inserting ''or multi-State region'' after ''the State''.

(B) NATIONAL TRAINING PROGRAM.—Section 1629 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832) is amended by striking subsection (i) and inserting the following:

''(i) FUNDING.—There is authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2008 through 2013, to remain available until expended.''.

(e) ORGANIC PROGRAMS.—

(1) ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.—Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended by striking subsection (e) and inserting the following:

''(e) FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $15,000,000 of funds of the Commodity Credit Corporation to carry out this section, to remain available until expended.''.

(2) NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.—Section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is amended—

(A) in subsection (a), by striking ''$5,000,000 for fiscal year 2002'' and inserting ''$25,000,000 for fiscal year 2008'';

(B) in subsection (b)(2), by striking ''$500'' and inserting ''$750''; and

(C) by adding at the end the following:

''(c) RECORDKEEPING REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary, acting through the Agricultural Marketing Service, shall—

''(A) keep accurate, up-to-date records of requests and disbursements from the program under this section; and

''(B) require accurate and consistent recordkeeping from each State or other entity receiving program payments.

''(2) FEDERAL REQUIREMENTS.—Not later than 30 days after the closing date for States to request funding under the program, the Secretary shall—

''(A) finalize records that describe—

''(i) each State that has requested funding; and

''(ii) the amount of each funding request; and

''(B) distribute the funding to the States.

''(3) STATE REQUIREMENTS.—Annual funding requests from each State shall include data from the program during the previous year, including—

''(A)(i) a description of which entities requested reimbursement;

''(ii) the amount of each reimbursement; and

''(iii) any discrepancies between requests and the fulfillment of the requests;

''(B) data to support increases in requests expected in the coming year, including information from certifiers or other data showing growth projections; and

''(C) an explanation if an annual request is made for an amount less than the amount requested the previous year.

''(d) REPORTING.—Not later than March of each year, the Secretary shall provide an annual report to Congress that describes, for

each State, the expenditures under the program under this section, including the number of producers and handlers served by the program in the previous fiscal year.''.

(3) NATIONAL ORGANIC CONVERSION AND STEWARDSHIP INCENTIVE PROGRAM.—The Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) is amended—

(A) by redesignating sections 2122 and 2123 (7 U.S.C. 6521, 6522) as sections 2124 and 2125, respectively; and

(B) by inserting after section 2121 (7 U.S.C. 6520) the following:

''SEC. 2122. NATIONAL ORGANIC CONVERSION AND STEWARDSHIP INCENTIVE PROGRAM.

''(a) DEFINITION OF SECRETARY.—In this section, the term 'Secretary' means the Secretary (acting through the Natural Resources Conservation Service), in consultation with the National Organic Technical Committee established under subsection (h).

''(b) PROGRAM.—Not later than 180 days after the date of the enactment of the Rural Opportunities Act of 2007, the Secretary shall establish a national organic agriculture conversion and stewardship incentives program under which the Secretary shall provide cost-share and incentive payments and technical assistance to eligible producers who enter into contracts with the Secretary to assist the producers in—

''(1) developing and implementing practices to convert all or part of nonorganic farms to certified organic farms; and

''(2) adopting advanced organic farming conservation systems.

''(c) ELIGIBLE PRODUCERS.—

''(1) IN GENERAL.—To be eligible for a payment or technical assistance under this section, a producer shall enter into a contract with the Secretary under which the producer shall agree to develop and implement an organic system plan that—

''(A) describes the conservation and environmental purposes to be achieved through conservation practices and activities under the contract;

''(B) demonstrates an existing market or reasonable expectation of a future market for an agricultural product that is organically produced; and

''(C) meets the requirements of this title.

''(2) COMPLIANCE.—To be eligible for a payment or technical assistance under this section, a producer shall comply with organic certification requirements as verified by a certifying agent (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).

''(3) CONVERSION PAYMENTS FOR CERTIFIED ORGANIC PRODUCERS.—A producer who owns or operates a farm that is partially a certified organic farm and who otherwise meets the requirements of this section shall be eligible for payments under this section to convert other parts of the farm to a certified organic farm.

''(4) APPEALS.—An applicant that seeks assistance under this section shall have the right to appeal an adverse decision of the Secretary with respect to an application for the assistance, in accordance with subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.).

''(d) ELIGIBLE PRACTICES AND ACTIVITIES.—The Secretary shall provide payments and technical assistance to eligible producers under this section for—

''(1) carrying out—

''(A) organic practices and activities to convert all or part of a nonorganic farm to a certified organic farm, in accordance with an organic system plan that meets the requirements of this title;

''(B) advanced organic practices that are consistent with the organic system plan;

''(C) organic animal welfare measures, so long as the measures are—

''(i) necessary to implement an organic practice standard; and

''(ii) consistent with an approved plan to transition to certified organic production; and

''(D) other measures, as determined by the Secretary; and

''(2) developing an organic system plan that meets the requirements of this title.

''(e) PAYMENT LIMITATIONS.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), an individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

''(A) that, in the aggregate, exceed $10,000 per year; or

''(B) for a period of more than 4 years.

''(2) SPECIALTY CROPS.—In the case of an individual or entity who annually produces 3 or more types of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)), the individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

''(A) that, in the aggregate, exceed $20,000 per year; or

''(B) for a period of more than 4 years.

''(3) DAIRY.—In the case of an individual or entity whose principal farming enterprise is a dairy operation, the individual or entity may not receive, directly or indirectly, cost-share or incentive payments under this section—

''(A) that, in the aggregate, exceed $20,000 per year; or

''(B) for a period of more than 4 years.

''(f) TECHNICAL AND EDUCATIONAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall use not less than 50 percent of the funds that are made available under subsection (k) for each fiscal year to—

''(A) provide technical assistance to eligible producers to carry out eligible practices and activities described in subsection (d); and

''(B) enter into cooperative agreements with qualified nonprofit and nongovernmental organizations and consultants to carry out educational programs that promote the purposes of this section, as determined by the Secretary.

''(2) COOPERATIVE AGREEMENTS.—Of the amount of funds for a fiscal year described in paragraph (1), the Secretary shall use not less than 50 percent of the funds to carry out paragraph (1)(B).

''(g) SUSPENSION AUTHORITY.—

''(1) ASSESSMENTS.—Not later than October 1 of each fiscal year, the Secretary shall publish in the Federal Register and otherwise make available an assessment for each organic product that analyzes—

''(A) the domestic production and consumption of the organic product;

''(B) the import and export organic market demand and growth potential for the organic product; and

''(C) the estimated number and total amount of new payments under this section for the fiscal year to be made to producers of the organic product.

''(2) SUSPENSION OF NEW CONTRACTS.—The Secretary shall not enter into contracts with new producers of an organic product under this section if the Secretary determines that entering into the contracts would—

''(A) produce an increased quantity of the organic product that the Secretary finds is reasonably anticipated to adversely affect the economic viability of producers who own or operate certified organic farms under this title; or

''(B) create an unreasonable geographic disparity in the distribution of payments under this section.

''(h) NATIONAL ORGANIC TECHNICAL COMMITTEE.—

''(1) ESTABLISHMENT.—The Secretary shall establish a National Organic Technical Committee to—

''(A) advise and assist the Secretary in carrying out the program established under this section; and

''(B) improve the interface between owners and operators of certified organic farms and other conservation programs and activities administered by the Natural Resources Conservation Service, including development of criteria for the approval of qualified organic technical advisors under this title.

''(2) MEMBERSHIP.—The National Organic Technical Committee shall consist of 9 members appointed by the Secretary, including—

''(A) 3 owners or operators of certified organic farms;

''(B) 2 certifying agents;

''(C) 2 inspectors of organic products;

''(D) 1 representative of an environmental organization that is knowledgeable concerning organic agriculture; and

''(E) 1 scientist with expertise in conservation planning.

''(i) ANNUAL REPORTS.—Not later than March 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the operation of the program established under this section, including—

''(1) a State-by-State analysis of expenditures on assistance under this section, including the number of producers served by the program and the practices and activities implemented;

''(2) an assessment of the impact of the program on organic food production; and

''(3) any recommended modifications to the program.

''(j) NATIONAL PROGRAM REVIEW.—

''(1) IN GENERAL.—Not later than 4 years after the commencement of the program established under this section, the Secretary shall—

''(A) conduct a national program review (including public hearings) of the program established under this section; and

''(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the review (including any appropriate recommendations).

''(2) CONTENT.—In conducting the review, the Secretary shall evaluate and make recommendations to—

''(A) resolve any program deficiencies;

''(B) redress any underserved States, agricultural products, and regions; and

''(C) ensure that the program is contributing positively to the profitability of small- and intermediate-size producers and existing owners and operators of certified organic farms.

''(k) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $50,000,000 for each of the fiscal years 2008 through 2013, to remain available until expended.''.

(4) ANNUAL REPORT.—The Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) is amended by inserting after section 2122 (as added by paragraph (3)) the following:

''SEC. 2123. ANNUAL REPORT.

''Each year, the Secretary shall submit to Congress, and make available to the public, a report that—

''(1) describes the enforcement activities carried out by the Secretary under this Act to ensure the integrity of organic labels; and

''(2) includes specific details on the number and investigative results of retail surveillance and oversight by certifying agents under this Act.''.

(5) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the progress in carrying out the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) in implementing the recommendations contained in—

(A) the audit conducted in 2004 by the American National Standards Institute; and

(B) the audit conducted in 2005 by the Office of the Inspector General of the Department of Agriculture.

(f) SOCIALLY DISADVANTAGED FARMERS AND RANCHERS OUTREACH AND TECHNICAL ASSISTANCE PROGRAM.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in subsection (a)(4), by adding at the end the following:

''(C) FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $25,000,000 of funds of the Commodity Credit Corporation to carry out this subsection, to remain available until expended.''; and

(2) in subsection (c)(1)(A), by inserting '', including beginning farmers and ranchers in those groups,'' after ''groups''.

SEC. 5. ENCOURAGING LOCAL MARKETS FOR FOOD, BIOENERGY, AND BIOPRODUCTS.

(a) GEOGRAPHIC PROCUREMENT PREFERENCE FOR DEPARTMENT OF DEFENSE AND DEPARTMENT OF AGRICULTURE.—

(1) FINDINGS.—Congress finds that—

(A) local produce, as compared to transported produce—

(i) is often harvested closer to full ripeness and can have higher nutritional quality;

(ii) can have improved ripeness, taste, or selection, which can increase rates of consumption of fruits and vegetables; and

(iii) is more efficient to store, distribute, and package;

(B) use of local produce—

(i) reduces dependence upon foreign oil by reducing fuel consumption rates associated with the production or transportation of fruits and vegetables;

(ii) can help to improve the ability of those using the procurement system to provide education on nutrition, farming, sustainability, energy efficiency, and the importance of local purchases to the local economy;

(iii) helps to maintain a robust logistics network for agricultural product procurement; and

(iv) promotes farm, business, and economic development by accessing local markets; and

(C) section 9(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(j)) directs the Secretary of Agriculture to encourage institutions participating in the school lunch program established under that Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) to purchase, in addition to other food purchases, locally produced foods, to the maximum extent practicable and appropriate.

(2) GEOGRAPHIC PROCUREMENT PREFERENCE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Department of Defense, the Department of Agriculture, schools, local educational agencies, and other entities may use a geographic preference to purchase locally produced fruits and vegetables for—

(i) in the case of programs carried out by the Department of Defense—

(I) the Defense Supply Center Philadelphia;

(II) the Department of Defense Farm to School Program;

(III) the Department of Defense Fresh Fruit and Vegetable Program;

(IV) the service academies;

(V) Department of Defense domestic dependant schools;

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

(VII) commissary and exchange stores; and

(VIII) morale, welfare, and recreation (MWR) facilities operated by the Department of Defense; and

(ii) in the case of programs carried out by the Department of Agriculture, schools, local educational agencies, and other entities—

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

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

(III) the summer food service program for children established under section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761); and

(IV) the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

(B) ADDITIONAL AUTHORIZATIONS.—A local food service director or other entity may include a geographic preference described in subparagraph (A) in bid specifications and may select a bid involving locally produced fruits and vegetables, even if that bid is not the lowest bid.

(3) SCOPE OF AUTHORITY.—The authority provided in paragraph (2) applies to the purchase of fruits and vegetables for both Department of Defense and non-Department of Defense uses.

(4) REPORTING.—A school, local educational agency, or other entity participating in 1 or more of the programs described in paragraph (2)(B) shall report to the Secretary of Agriculture if the school, local educational agency, or other entity pays more than 10 percent more than the lowest bid to purchase locally produced fruits and vegetables in accordance with this subsection.

(5) REVIEW.—The Secretary of Defense and the Secretary of Agriculture shall periodically review the program under this subsection to prevent fraud or abuse.

(b) ACCESS TO LOCAL FOODS AND SCHOOL GARDENS.—Section 18(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(i)) is amended by striking paragraph (2) and inserting the following:

''(2) FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to carry out this subsection, to remain available until expended.''.

(c) SENIOR FARMERS' MARKET NUTRITION PROGRAM.—Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary;''; and

(2) by adding at the end the following:

''(2) SUBSEQUENT FUNDING.—Of funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $25,000,000 for fiscal year 2008, to remain available until expended.''.

(d) WIC FARMERS' MARKET NUTRITION PROGRAM.—Section 17(m)(9)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(m)(9)(A)) is amended by striking clause (ii) and inserting the following:

''(i) MANDATORY FUNDING.—Of funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection $30,000,000 for fiscal year 2008, to remain available until expended.''.

(e) FARMERS MARKET PROMOTION PROGRAM.—Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended by adding at the end the following:

''(f) MANDATORY FUNDING.—For each of fiscal years 2008 through 2013, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to carry out this section, to remain available until expended.''.

(f) GRANTS FOR DEVELOPMENT OF LOCAL FOOD, BIOENERGY, AND BIOPRODUCTS SYSTEMS.—Section 231(b)(4)(B) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224) (as added by section 3(b)(2)) is amended by adding at the end the following:

''(iii) DEVELOPMENT OF LOCAL FOOD, BIOENERGY, AND BIOPRODUCTS SYSTEMS.—

''(I) IN GENERAL.—The Secretary shall ensure that not less than 30 percent of the competitive grants awarded during each of fiscal years 2008 through 2013 are awarded to producers of value-added agricultural products relating to developing local food, bioenergy, and bioproducts systems (such as supporting local markets, labeling of production location, local infrastructure, or local distribution).

''(II) SPECIFIC PROJECTS.—Not less than 50 percent of the grants specified in subclause (I) shall be used to fund projects that support the establishment of mid-tier food value-added chains intended to help mid-sized farms, through the marketing of differentiated products that adhere to sound social and environmental principles and equitable business practices at regional scales.

''(III) PROJECT DETAILS.—Projects described in subclause (II) should—

''(aa) facilitate partnerships between businesses, cooperatives, non-profits, agencies, and educational institutions;

''(bb) have mid-sized farmer or rancher participation;

''(cc) include an agreement from the eligible agricultural producer group, farmer or rancher cooperative, or majority-controlled producer-based business venture engaged in the food value-added chain relating to the method for price determination; and

''(dd) articulate clear and transparent social, environmental, fair labor, and fair trade standards.''.

(g) ASSISTANCE FOR COMMUNITY FOOD PROJECTS.—Section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking ''or'' at the end and inserting ''and''; and

(C) by adding at the end the following:

''(D) supply healthy local foods to underserved markets, including—

''(i) purchase of local foods by government and nonprofit institutions;

''(ii) provision of technical assistance for retail development in underserved areas;

''(iii) support of metropolitan production linked to community-based food services and markets (such as urban, community, school, and market gardens);

''(iv) provision of technical assistance for limited-resource and socially-disadvantaged applicants;

''(v) support of local purchase of foods by food banks and other emergency providers; and

''(vi) support of an information clearinghouse on innovative solutions to common community food security challenges; or'';

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—For each of fiscal years 2008 through 2013, the Secretary shall use, of

funds of the Commodity Credit Corporation—

''(A) $15,000,000 to make grants to assist eligible private nonprofit entities to establish and carry out community food projects;

''(B) $10,000,000 to encourage eligible private nonprofit entities to purchase of local foods for community food projects;

''(C) $10,000,000 to provide technical assistance under this section for retail development in underserved areas;

''(D) $10,000,000 for the community food project competitive grant program to support metropolitan production linked to community-based food services and markets (urban, community, school and market gardens);

''(E) $7,000,000 to provide technical assistance under this section for limited resource and socially disadvantaged applicants for community food project funds;

''(F) $5,000,000 for the community food project competitive grant program to support food policy councils and food system networks to develop demonstration regional food authorities;

''(G) $3,000,000 to support local purchase of foods by food banks and other emergency food providers under this section; and

''(H) $500,000 to support an information clearinghouse on innovative solutions to common community food security challenges.''; and

(3) in subsection (h)(4), by striking ''2007'' and inserting ''2013''.

SEC. 6. BROADBAND REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) While data collection on broadband access and affordability could be improved, several reports indicate that both factors have led to a digital divide in the nation, with rural areas lagging behind suburban and urban areas.

(2) Even as early as 2000, a joint Department of Commerce and Department of Agriculture report demonstrated that there was a noticeable disparity in the availability of broadband access between rural and urban areas, with less than 5 percent of towns smaller than 10,000 people having broadband access, while 56 percent of cities with populations of 100,000 and 65 percent of cities with populations of 250,000 have broadband access.

(3) A February 2002 report by the Department of Commerce found that among Internet users, only 12.2 percent of such users located in rural areas had high speed connections versus 21.2 percent of such users located in urban areas. Furthermore, the report found higher income households were more likely to have broadband access than lower income households.

(4) A September 2004 report by the Department of Commerce evidenced growth in broadband subscribers among all Internet users, however, the broadband access gap between rural (24.7 percent) and urban areas (40.4 percent) remained.

(5) A May 2006 report by the Government Accountability Office found that 17 percent of rural households subscribe to broadband service, while suburban households had a broadband subscription rate 11 percent higher and urban households had a broadband subscription rate 12 percent higher than that of rural households.

(6) A May 2006 report by the Government Accountability Office found that data collected by the Federal Communications Commission on broadband subscribers at a zip code level was of limited usefulness for an accurate assessment of local availability of broadband service, especially in rural areas. Moreover such report found that this lack of reliable information was a key obstacle in analyzing and targeting Federal aid for increasing access to broadband service.

(7) Even with this limited zip code level data, the most recently released Federal Communications Commission data (for December 31, 2005) disclosed that 11 percent fewer of the lowest population density zip codes had at least 1 subscriber relative to the highest population density zip codes.

(8) A February 2006 report prepared for the Economic Development Administration of the Department of Commerce found that communities with early broadband availability experienced more rapid growth in employment, number of businesses, and number of information technology businesses.

(9) The United States is losing ground relative to other developed countries. According to the Organization for Economic Cooperation and Development, the United States now ranks 12th out of the 30 OECD countries in broadband access per 100 inhabitants. In 2001, the United States ranked 4th, behind only Korea, Sweden, and Canada. A similar worldwide ranking by the International Telecommunications Union put the United States even further behind at 16th in broadband penetration.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, given the growing number of opportunities provided by broadband access, the digital divide affecting rural households and other underserved groups be eliminated not later than 10 years after the date of enactment of this Act with the ultimate goal of providing nationwide universal access to affordable broadband.

(c) IMPROVING FCC DATA COLLECTION.—

(1) REPORTING REQUIREMENTS.—

(A) GENERAL REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall revise FCC Form 477 (relating to reporting requirements) to require each broadband service provider to report the following information:

(i) Identification of where such provider provides broadband service to customers, identified by zip code plus 4 digit location (in this section referred to as ''service area'').

(ii) Percentage of households and businesses in each service area that are offered broadband service by such provider, and the percentage of such households that subscribe to each service plan offered.

(iii) The average price per megabyte of download speed and upload speed in each service area.

(iv) Identification by service area of such provider's broadband service's—

(I) actual average throughput; and

(II) contention ratio of the number of users sharing the same line.

(B) EXCEPTION.—The Federal Communications Commission shall exempt a broadband service provider from the requirements in subparagraph (A) if the Commission determines that compliance with such reporting requirements by the provider is cost prohibitive, as defined by the Commission.

(C) REPORT TO JOINT BOARD.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall provide the Federal-State Joint Board established pursuant to section 410 of the Communications Act of 1934 with any and all data and analysis collected from the initial set of submitted revised Form 477s.

(2) DEMOGRAPHIC INFORMATION FOR UNSERVED AREAS.—The Federal Communications Commission, using available Census Bureau data, shall provide to Congress on an annual basis a report containing the following information for each service area that is not served by a broadband service provider:

(A) Population.

(B) Population density.

(C) Average per capita income.

(d) REVIEWS AND REPORTS.—

(1) DATA TRANSFER RATE.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Federal Communications Commission, in consultation with the Secretary of Agriculture and any other Federal agency that administers a broadband program, shall revise its definition of broadband to—

(A) reflect a data rate—

(i) greater than the 200 kilobits per second standard established in the Commission's Section 706 Report (14 FCC Rec. 2406); and

(ii) consistent with data rates in the marketplace; and

(B) promote uniformity in the definition of broadband service.

(2) USDA REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall report on the adoption or planned adoption of the recommendations contained in the September 2005 audit report by the Inspector General of the United States Department of Agriculture entitled ''Rural Utilities Service Broadband Grant and Loan Programs''.

(3) UNIVERSAL SERVICE.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Federal-State Joint Board in accordance with the authority granted to such Board under section 254(c)(2) of the Communications Act of 1934 (47 U.S.C. 254(c)(2)) shall recommend to the Federal Communications Commission whether advanced services such as broadband service should be included in the definition of universal service.

(B) DEFINITIONS.—In this paragraph:

(i) FEDERAL-STATE JOINT BOARD.—The term ''Federal-State Joint Board'' means the joint board established pursuant to section 410 of the Communications Act of 1934 (47 U.S.C. 410).

(ii) UNIVERSAL SERVICE.—The term ''universal service'' means services that are to be supported by Federal universal support mechanisms under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

SEC. 7. OFFSETS.

(a) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—Section 1001 of the Food Security of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (b), by striking ''$40,000'' each place it appears and inserting ''$20,000'';

(2) in subsection (c), by striking ''$65,000'' each place it appears and inserting ''$32,500''; and

(3) by striking subsection (d) and inserting the following:

''(d) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—

''(1) LOAN COMMODITIES.—The total amount of the following gains and payments that a person may receive during any crop year may not exceed $75,000:

''(A)(i) Any gain realized by a producer from repaying a marketing assistance loan for 1 or more loan commodities under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.) at a lower level than the original loan rate established for the loan commodity under that subtitle.

''(ii) In the case of settlement of a marketing assistance loan for 1 or more loan commodities under that subtitle by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

''(B) Any loan deficiency payments received for 1 or more loan commodities under that subtitle.

''(C) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for 1 or more loan commodities, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under that subtitle, with the gain reported annually to the Internal Revenue Service and to the taxpayer in the same manner as gains under subparagraphs (A) and (B).

''(2) OTHER COMMODITIES.—The total amount of the following gains and payments that a person may receive during any crop year may not exceed $75,000:

''(A)(i) Any gain realized by a producer from repaying a marketing assistance loan for peanuts, wool, mohair, or honey under subtitle B or C of title I of the Farm Security and Rural Investment Act of 2002 at a lower level than the original loan rate established for the commodity under those subtitles.

''(ii) In the case of settlement of a marketing assistance loan for peanuts, wool, mohair, or honey under those subtitles by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

''(B) Any loan deficiency payments received for peanuts, wool, mohair, and honey under those subtitles.

''(C) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for peanuts, wool, mohair, or honey, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under those subtitles, with the gain reported annually to the Internal Revenue Service and to the taxpayer in the same manner as gains under subparagraphs (A) and (B).''.

(b) RESCISSIONS.—

(1) SECTION 32.—Of the unobligated balances under section 32 of the August of August 24, 1935 (7 U.S.C. 612c), $37,601,000 is rescinded.

(2) CUSHION OF CREDIT PAYMENTS PROGRAM.—Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936 (7 U.S.C. 940c), $74,000,000 shall not be obligated and $74,000,000 is rescinded.

(c) TRANSFER OF FUNDS.—For each of fiscal years 2008 through 2011, the Secretary of the Treasury shall transfer to the Commodity Credit Corporation from unobligated funds made available under section 32 of the August of August 24, 1935 (7 U.S.C. 612c), $125,500,000, to be used to carry out the amendments made by section 5.

SEC. 8. REGULATIONS.

(a) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this Act and the amendments made by this Act.

(b) PROCEDURE.—The promulgation of the regulations and administration of this Act and the amendments made by this Act shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

By Mr. CRAIG:

S. 542. A bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce a bill to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho. My State has experienced unprecedented growth in recent years. That growth, coupled with years of drought, has created a serious need for additional water storage. Of course, the first step in developing additional storage is the feasibility process.

This bill provides the consent needed for the Secretary to conduct further studies of the projects that are currently underway in the State of Idaho that will help to alleviate water shortages in three of our river basins. This bill authorizes $3,000,000 to be used for the continuation of these studies.

I look forward to working with my colleagues to quickly move this much-needed bill through the legislative process.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 542

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

SECTION 1. AUTHORITY TO CONDUCT FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Bureau of Reclamation, may conduct feasibility studies on projects that address water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, and are considered appropriate for further study by the Bureau of Reclamation Boise Payette water storage assessment report issued during 2006.

(b) BUREAU OF RECLAMATION.—A study conducted under this section shall comply with Bureau of Reclamation policy standards and guidelines for studies.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior to carry out this section $3,000,000.

(d) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates on the date that is 10 years after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 76—CALLING ON THE UNITED STATES GOVERNMENT AND THE INTERNATIONAL COMMUNITY TO PROMPTLY DEVELOP, FUND, AND IMPLEMENT A COMPREHENSIVE REGIONAL STRATEGY IN AFRICA TO PROTECT CIVILIANS, FACILITATE HUMANITARIAN OPERATIONS, CONTAIN AND REDUCE VIOLENCE, AND CONTRIBUTE TO CONDITIONS FOR SUSTAINABLE PEACE IN EASTERN CHAD, AND CENTRAL AFRICAN REPUBLIC, AND DARFUR, SUDAN

Mr. FEINGOLD (for himself, Mr. SUNUNU, and Mr. LEVIN) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 76

Whereas armed groups have been moving freely between Sudan, Chad, and the Central African Republic, committing murder and engaging in banditry, forced recruitment of soldiers, and gender-based violence;

Whereas these and other crimes are contributing to insecurity and instability throughout the region, exacerbating the humanitarian crises in these countries and obstructing efforts to end violence in the Darfur region of Sudan and adjacent areas;

Whereas on January 5, 2007, the United Nations High Commissioner for Refugees (UNHCR) reported that cross-border attacks by alleged Arab militias from Sudan and related intercommunal ethnic hostilities in eastern Chad had resulted in the displacement of an estimated 20,000 people from Chad during the previous 2 weeks and posed a direct threat to camps housing refugees from Sudan;

Whereas these new internally displaced Chadians have strained the resources of 12 UNHCR-run camps in eastern Chad that are already serving more than 100,000 internally displaced Chadians and 230,000 refugees from Darfur and providing humanitarian support and protection to more than 46,000 refugees from the Central African Republic in southern Chad;

Whereas Chadian gendarmes responsible for providing security in and around the 12 UNHCR-run camps in eastern Chad are too few in number, too poorly equipped, and too besieged by Chadian rebel actions to carry out critical protection efforts sufficiently;

Whereas on January 16, 2007, the United Nations' Humanitarian Coordinator for the Central African Republic reported that waves of violence across the north have left more than 1,000,000 people in need of humanitarian assistance, including 150,000 who are internally displaced, while some 80,000 have fled to neighboring Chad or Cameroon;

Whereas in a Presidential Statement issued on January 16, 2007 (S/PRST/2007/2), the United Nations Security Council reiterated its ''concern about the continuing instability along the borders between the Sudan, Chad and the Central African Republic and about the threat which this poses to the safety of the civilian population and the conduct of humanitarian operations'' and requested ''that the Secretary-General deploy as soon as possible an advance mission to Chad and the Central African Republic, in consultation with their Governments'';