

106TH CONGRESS
1ST SESSION

S. 598

To amend the Federal Agriculture Improvement and Reform Act of 1996
to improve the farmland protection program.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 1999

Mr. SANTORUM introduced the following bill; which was read twice and
referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Federal Agriculture Improvement and Reform
Act of 1996 to improve the farmland protection program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Farmland Protection
5 Act of 1999”.

6 **SEC. 2. FARMLAND PROTECTION PROGRAM.**

7 Section 388 of the Federal Agriculture Improvement
8 and Reform Act of 1996 (16 U.S.C. 3830 note; Public
9 Law 104–127) is amended to read as follows:

1 **“SEC. 388. FARMLAND PROTECTION PROGRAM.**

2 “(a) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
3 tion, the term ‘eligible entity’ means—

4 “(1) any agency of any State or local govern-
5 ment, or federally recognized Indian tribe; and

6 “(2) any organization that—

7 “(A) is organized for, and at all times
8 since its formation has been operated prin-
9 cipally for, 1 or more of the conservation pur-
10 poses specified in clause (i), (ii), or (iii) of sec-
11 tion 170(h)(4)(A) of the Internal Revenue Code
12 of 1986;

13 “(B) is an organization described in sec-
14 tion 501(c)(3) of the Code that is exempt from
15 taxation under section 501(a) of the Code; and

16 “(C)(i) is described in section 509(a)(2) of
17 the Code; or

18 “(ii) is described in section 509(a)(3) of
19 the Code and is controlled by an organization
20 described in section 509(a)(2) of the Code.

21 “(b) AUTHORITY.—The Secretary of Agriculture
22 shall establish and carry out a farmland protection pro-
23 gram under which the Secretary shall provide grants to
24 eligible entities, to provide the Federal share of the cost
25 of purchasing conservation easements or other interests
26 in land with prime, unique, or other productive soil for

1 the purpose of protecting topsoil by limiting non-
2 agricultural uses of the land.

3 “(c) ELIGIBLE ENTITIES.—The Secretary may pro-
4 vide a grant to an eligible entity described in subsection
5 (a)(2) for the purchase of a conservation easement or
6 other interest in land within the jurisdiction of a State
7 or local government or federally recognized Indian tribe
8 only if the appropriate agency of the State or local govern-
9 ment or the federally recognized Indian tribe does not op-
10 erate a farmland protection program.

11 “(d) FEDERAL SHARE.—The Federal share of the
12 cost of purchasing a conservation easement or other inter-
13 est described in subsection (b) shall be not more than 50
14 percent.

15 “(e) CONSERVATION PLAN.—Any land for which a
16 conservation easement or other interest is purchased
17 under this section shall be subject to the requirements of
18 a conservation plan that requires, at the option of the Sec-
19 retary, the conversion of the land to less intensive uses.

20 “(f) RANKING CRITERIA.—The Secretary shall con-
21 sult with appropriate agencies of States and local govern-
22 ments and federally recognized Indian tribes in developing
23 criteria for ranking applications for grants under this sec-
24 tion.

1 “(g) FUNDING.—For each fiscal year, the Secretary
2 shall use not more than \$50,000,000 of the funds of the
3 Commodity Credit Corporation to carry out this section.”.

○