§ 3841. Commodity Credit Corporation

(a) In general
For each of fiscal years 2002 through 2012 (and fiscal year 2014 in the case of the programs specified in paragraphs (3)(B), (4), (6), and (7)), the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out the following programs under subchapter IV (including the provision of technical assistance):

(1) The conservation reserve program under subpart B of part I, including to the maximum extent practicable—
   (A) $100,000,000 for the period of fiscal years 2009 through 2012 to provide cost share payments under paragraph (3) of section 3834 (b) of this title in connection with thinning activities conducted on land described in subparagraph (A)(iii) of such paragraph; and
   (B) $25,000,000 for the period of fiscal years 2009 through 2012 to carry out section 3835 (f) of this title to facilitate the transfer of land subject to contracts from retired or retiring owners and operators to beginning farmers or ranchers and socially disadvantaged farmers or ranchers.

(2) The wetlands reserve program under subpart C of part I.

(3) (A) Conservation security program.— The conservation security program under subpart A of part II, using such sums as are necessary to administer contracts entered into before September 30, 2008.
   (B) Conservation stewardship program.— The conservation stewardship program under subpart B of part II.

(4) The farmland protection program under subpart C of part II, using, to the maximum extent practicable—
   (A) $97,000,000 in fiscal year 2008;
   (B) $121,000,000 in fiscal year 2009;
   (C) $150,000,000 in fiscal year 2010;
   (D) $175,000,000 in fiscal year 2011; and
   (E) $200,000,000 in each of fiscal years 2012 through 2014.

(5) The grassland reserve program under subpart D of part II.

(6) The environmental quality incentives program under part IV, using, to the maximum extent practicable—
   (A) $1,200,000,000 in fiscal year 2008;
   (B) $1,337,000,000 in fiscal year 2009;
   (C) $1,450,000,000 in fiscal year 2010;
   (D) $1,588,000,000 in fiscal year 2011; and
   (E) $1,750,000,000 in each of fiscal years 2012 through 2014.

(7) The wildlife habitat incentives program under section 3839bb–1 of this title, using, to the maximum extent practicable—
   (A) $15,000,000 in fiscal year 2002;
   (B) $30,000,000 in fiscal year 2003;
   (C) $60,000,000 in fiscal year 2004; and
   (D) $85,000,000 in each of fiscal years 2005 through 2014.
(b) Technical assistance

Effective for fiscal year 2005 and each subsequent fiscal year, Commodity Credit Corporation funds made available for each of the programs specified in paragraphs (1) through (7) of subsection (a) of this section—

(1) shall be available for the provision of technical assistance for the programs for which funds are made available; and

(2) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) of this section other than the program for which the funds were made available.

(c) Relationship to other law

The use of Commodity Credit Corporation funds under subsection (b) of this section to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 714i of title 15.

(d) Regional equity

(1) Priority funding to promote equity

Before April 1 of each fiscal year, the Secretary shall give priority for funding under the conservation programs under subchapter IV (excluding the conservation reserve program under subpart B of part I, the wetlands reserve program under subpart C of part I, and the conservation security program under subpart A of part II) to approved applications in any State that has not received, for the fiscal year, an aggregate amount of at least $15,000,000 for those conservation programs.

(2) Specific funding allocations

In determining the specific funding allocations for States under paragraph (1), the Secretary shall consider the respective demand in each State for each program covered by such paragraph.

(e) Acceptance and use of contributions

(1) Authority to establish contribution accounts

Subject to paragraph (2), the Secretary may establish a sub-account for each conservation program administered by the Secretary under subchapter IV to accept contributions of non-Federal funds to support the purposes of the program.

(2) Deposit and use of contributions

Contributions of non-Federal funds received for a conservation program administered by the Secretary under subchapter IV shall be deposited into the sub-account established under this subsection for the program and shall be available to the Secretary, without further appropriation and until expended, to carry out the program.

(f) Allocations review and update

(1) Review

Not later than January 1, 2012, the Secretary shall conduct a review of conservation programs and authorities under this chapter that utilize allocation formulas to determine the sufficiency of the formulas in accounting for State-level economic factors, level of agricultural infrastructure, or related factors that affect conservation program costs.

(2) Update

The Secretary shall improve conservation program allocation formulas as necessary to ensure that the formulas adequately reflect the costs of carrying out the conservation programs.

(g) Assistance to certain farmers or ranchers for conservation access

(1) Assistance
Of the funds made available for each of fiscal years 2009 through 2012 to carry out the environmental quality incentives program and the acres made available for each of such fiscal years to carry out the conservation stewardship program, the Secretary shall use, to the maximum extent practicable—

(A) 5 percent to assist beginning farmers or ranchers; and

(B) 5 percent to assist socially disadvantaged farmers or ranchers.

(2) Repooling of funds

In any fiscal year, amounts not obligated under paragraph (1) by a date determined by the Secretary shall be available for payments and technical assistance to all persons eligible for payments or technical assistance in that fiscal year under the environmental quality incentives program.

(3) Repooling of acres

In any fiscal year, acres not obligated under paragraph (1) by a date determined by the Secretary shall be available for use in that fiscal year under the conservation stewardship program.

(h) Report on program enrollments and assistance

Beginning in calendar year 2009, and each year thereafter, 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 semiannual report containing statistics by State related to enrollments in conservation programs under this subchapter, as follows:

(1) Payments made under the wetlands reserve program for easements valued at $250,000 or greater.

(2) Payments made under the farmland protection program for easements in which the Federal share is $250,000 or greater.

(3) Payments made under the grassland reserve program valued at $250,000 or greater.

(4) Payments made under the environmental quality incentives program for land determined to have special environmental significance pursuant to section 3839aa–7 (b) of this title.

(5) Payments made under the agricultural water enhancement program subject to the waiver of adjusted gross income limitations pursuant to section 3839aa–9 (g) of this title.

(6) Waivers granted by the Secretary under section 1308–3a (b)(2) of title 7 in order to protect environmentally sensitive land of special significance.


References in Text

This chapter, referred to in subsec. (f)(1), was in the original “this title”, meaning title XII of Pub. L. 99–198, which enacted this chapter and former section 2005a of this title and amended sections 590g, 2004, 2005, 2006, and 2009 of this title, sections 4207 and 4209 of Title 7, Agriculture, and provisions set out as a note under section 1981 of Title 7.

Codification

Section 2701 of Pub. L. 107–171, which directed that subtitle E of the Food Security Act of 1985 be amended by striking section 1241 and adding a new section 1241 (this section), was executed by striking section 1241 of subtitle E of title XII of the Food Security Act of 1985 and adding the new section 1241 in lieu thereof, to reflect the probable intent of Congress.

Prior Provisions


Amendments


Subsec. (a)(1). Pub. L. 110–246, § 2701(b), inserted “, including to the maximum extent practicable—” after “part I” and added subpars. (A) and (B).

Subsec. (a)(3). Pub. L. 110–246, § 2701(c), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “The conservation security program under subpart A of part II, using not more than—

(A) $1,954,000,000 for the period of fiscal years 2006 through 2010; and

(B) $5,650,000,000 for the period of fiscal years 2006 through 2015.”


(A) $50,000,000 in fiscal year 2002;

(B) $100,000,000 in fiscal year 2003;

(C) $125,000,000 in each of fiscal years 2004 and 2005;

(D) $100,000,000 in fiscal year 2006; and

(E) $97,000,000 in fiscal year 2007.”

Subsec. (a)(5). Pub. L. 110–246, § 2701(e), amended par. (5) generally. Prior to amendment, par. (5) read as follows: “The grassland reserve program under subpart C of part II, using, to the maximum extent practicable $254,000,000 for the period of fiscal years 2003 through 2007.”


(A) $400,000,000 in fiscal year 2002;

(B) $700,000,000 in fiscal year 2003;

(C) $1,000,000,000 in fiscal year 2004;

(D) $1,200,000,000 in each of fiscal years 2005 and 2006;

(E) $1,270,000,000 in each of fiscal years 2007 through 2009; and

(F) $1,300,000,000 in fiscal year 2010.”


Subsec. (d). Pub. L. 110–246, § 2703(a), designated existing provisions as par. (1), inserted heading, substituted “$15,000,000” for “$12,000,000”, and added par. (2).


2006—Subsec. (a)(3). Pub. L. 109–171, § 1202(b), substituted a dash for “$6,037,000,000 for the period of fiscal years 2005 through 2014.” and added subpars. (A) and (B).
Subsec. (a)(6)(E), (F). Pub. L. 109–171, § 1203(c), added subpars. (E) and (F) and struck out former subpar. (E) which read as follows: “$1,300,000,000 in fiscal year 2007.”

2004—Subsec. (a)(3). Pub. L. 108–324 inserted “, using not more than $6,037,000,000 for the period of fiscal years 2005 through 2014” before period at end.

Pub. L. 108–199 struck out “, using not more than $3,773,000,000 for the period of fiscal years 2003 through 2013” before period at end.

Subsec. (b). Pub. L. 108–498 added subsec. (b) and struck out heading and text of former subsec. (b), which related to availability of certain Commodity Credit Corporation funds under subsec. (a) for the provision of technical assistance for conservation and conservation security programs.

2003—Subsec. (a)(3). Pub. L. 108–7, § 216(c), inserted “, using not more than $3,773,000,000 for the period of fiscal years 2003 through 2013” before period at end.

Subsec. (b). Pub. L. 108–11 added subsec. (b) and struck out heading and text of former subsec. (b). Text read as follows:
“(1) February 20, 2003, through September 30, 2003.—During the period beginning on February 20, 2003, and ending on September 30, 2003, Commodity Credit Corporation funds made available under paragraphs (4) through (7) of subsection (a) of this section shall be available for the provision of technical assistance (subject to section 3842 of this title) for the conservation programs specified in subsection (a) of this section.
“(2) Subsequent fiscal years.—Effective beginning on October 1, 2003, Commodity Credit Corporation funds made available under paragraphs (3) through (7) of subsection (a) of this section shall be available for the provision of technical assistance (subject to section 3842 of this title) for the conservation programs specified in subsection (a) of this section.”

Pub. L. 108–7, § 213(1), added subsec. (b) and struck out heading and text of former subsec. (b). Text read as follows:
“Nothing in this section affects the limit on expenditures for technical assistance imposed by section 714i of title 15.”

Subsecs. (c), (d). Pub. L. 108–7, § 213(2), added subsec. (c) and redesignated former subsec. (c) as (d).

Effective Date of 2008 Amendment

Effective Date of 2004 Amendment

Effective Date of 2003 Amendment