

## **Amendment offered by Mr. Finstad of Minnesota**

### **Amendment description**

The amendment would modernize the Conservation Reserve Program (CRP) by incentivizing enrollment of marginal lands and emphasizing state partnerships. Modernizes, clarifies, and simplifies the CRP statute. Incentivizes the enrollment of marginal lands by basing rental rates on the land capability classification and paying a higher rental rate for land capability classes III through VII than other eligible lands. Encourages the program to be more locally led by codifying the State Acres for Wildlife Enhancement (SAFE) Initiative and combining it with the Conservation Reserve Enhancement Program (CREP) to create a new State Partnership Initiative enrollment option that maintains all the existing authorities of both programs. Maintains an acreage cap for the program and requires state allocations to be based on historical allocations. Clarifies that activities eligible for cost-share payments include establishing vegetation, stabilizing vegetation for erosion control, installing fencing, adopting practices to exclude livestock from riparian areas, implementing fencing and water practices to transition to grazing on grasslands, allowing mid-contract management for permanent cover, and implementing water quality conservation practices. Increases the payment limitation from \$50,000 to \$125,000 per year.

**AMENDMENT**

**OFFERED BY MR. FINSTAD OF MINNESOTA**

Subtitle B of title II is amended to read as follows:

1    **Subtitle B—Conservation Reserve**  
2                                    **Program**

3    **SEC. 2101. DEFINITIONS.**

4            Subchapter B of chapter 1 of title XII of the Food  
5    Security Act of 1985 (16 U.S.C. 3831 et seq.) is amended  
6    by inserting before section 1231 the following:

7    **“SEC. 1230. DEFINITIONS.**

8            “In this subchapter:

9                    “(1) CONSERVATION BUFFER.—The term ‘con-  
10    servation buffer’ means a practice that, once estab-  
11    lished, provides a benefit to water quality or another  
12    resource concern, including—

13                            “(A) a grass sod waterway;

14                            “(B) a contour grass sod strip;

15                            “(C) a prairie strip;

16                            “(D) a filterstrip;

17                            “(E) a field border;

18                            “(F) a living snow fence;

19                            “(G) a riparian buffer;

20                            “(H) a shelterbelt or windbreak;

1           “(I) a wetland or a wetland buffer (includ-  
2           ing a buffer for prairie potholes, a playa, or a  
3           pocosin);

4           “(J) a saturated buffer;

5           “(K) a bioreactor;

6           “(L) a wellhead protection area; and

7           “(M) other similar practices, as determined  
8           by the Secretary.

9           “(2) CONSERVATION RESERVE PLAN.—The  
10          term ‘conservation reserve plan’ means a plan for  
11          land enrolled in the conservation reserve under a  
12          contract entered into under this subchapter that—

13                 “(A) covers the full term of the contract;

14                 “(B) details the practices to be imple-  
15                 mented under the contract and a schedule for  
16                 establishment, evaluation, and monitoring of  
17                 the applicable vegetative cover;

18                 “(C) prescribes and schedules management  
19                 to be conducted on the established cover  
20                 throughout the term of the contract;

21                 “(D) sets forth the commercial use, if any,  
22                 to be permitted on the land during the term of  
23                 the contract; and

1           “(E) may be modified, with the approval of  
2           the Secretary, when necessary to achieve the  
3           purposes of the program.

4           “(3) CONSERVATION RESERVE PROGRAM.—The  
5           term ‘conservation reserve program’ means the con-  
6           servation reserve program established under this  
7           subchapter.

8           “(4) CONTINUOUS ENROLLMENT OPTION.—The  
9           term ‘continuous enrollment option’ means the con-  
10          tinuous enrollment option offered under section  
11          1231(d)(1)(B).

12          “(5) ELIGIBLE LAND.—The term ‘eligible land’  
13          means land that is authorized to be included in the  
14          conservation reserve program under section 1231(b).

15          “(6) ELIGIBLE PARTNER.—The term ‘eligible  
16          partner’ means—

17                 “(A) a State;

18                 “(B) a political subdivision of a State;

19                 “(C) an Indian Tribe; or

20                 “(D) a nongovernmental organization.

21          “(7) GENERAL ENROLLMENT OPTION.—The  
22          term ‘general enrollment option’ means the general  
23          enrollment option offered under section  
24          1231(d)(1)(A).

1           “(8) GRASSLANDS ENROLLMENT OPTION.—The  
2           term ‘grasslands enrollment option’ means the grass-  
3           lands enrollment option offered under section  
4           1231(d)(1)(C).

5           “(9) LAND CAPABILITY CLASS.—The term ‘land  
6           capability class’ means a soil classification assigned  
7           using the land capability classification system in ef-  
8           fect on December 23, 1985.

9           “(10) PARTNERSHIP INITIATIVES ENROLLMENT  
10          OPTION.—The term ‘partnership initiatives enroll-  
11          ment option’ means the partnership initiatives en-  
12          rollment option offered under section  
13          1231(d)(1)(D).”.

14 **SEC. 2102. CONSERVATION RESERVE.**

15          (a) IN GENERAL.—Section 1231(a) of the Food Se-  
16          curity Act of 1985 (16 U.S.C. 3831(a)) is amended to  
17          read as follows:

18          “(a) IN GENERAL.—Through the 2031 fiscal year,  
19          the Secretary shall formulate and carry out a conservation  
20          reserve program in each State, to the maximum extent  
21          practicable, under which eligible land is enrolled in the  
22          conservation reserve through the use of contracts to assist  
23          owners and operators of such land with the establishment  
24          and maintenance of permanent cover for the purposes of—

1           “(1) conserving and improving the soil, water,  
2           and wildlife resources of such land; and

3           “(2) addressing resource concerns raised by  
4           Tribal, State, regional, and national conservation  
5           initiatives.”.

6           (b) ELIGIBLE LAND.—Section 1231(b) of the Food  
7           Security Act of 1985 (16 U.S.C. 3831(b)) is amended to  
8           read as follows:

9           “(b) ELIGIBLE LAND.—The Secretary may include in  
10          the conservation reserve program the following, in accord-  
11          ance with subsection (d)(1):

12           “(1) Cropland that—

13                   “(A)(i) on a field level, consists of not less  
14                   than 85 percent soils with a dryland cropland  
15                   land capability class of III through VII; or

16                   “(ii) cannot be farmed in accordance with  
17                   a plan that complies with the requirements of  
18                   subtitle B; and

19                   “(B) the Secretary determines had a crop-  
20                   ping history or was considered to be planted for  
21                   not fewer than 4 of the 6 years preceding the  
22                   date of enactment of the Farm, Food, and Na-  
23                   tional Security Act of 2026.

24           “(2) Cropland (including prairie potholes,  
25           playas, and pocosins within cropland), grasslands,

1 and marginal pasture land (including marginal  
2 pastureland converted to wetland or established as  
3 wildlife habitat) to be—

4 “(A) devoted to conservation buffers;

5 “(B) established to ecologically appropriate  
6 vegetation, including trees, in or near riparian  
7 areas, intermittent, seasonal, or perennial  
8 streams, wetlands (including prairie potholes,  
9 playas, and pocosins), or saline-impaired soils;  
10 or

11 “(C) devoted to similar water quality or  
12 wildlife habitat practices.

13 “(3) Grasslands that—

14 “(A) contain forbs or shrubland (including  
15 improved rangeland and pastureland) for which  
16 grazing is the predominant use;

17 “(B) are located in an area historically  
18 dominated by grasslands; and

19 “(C) could provide habitat for animal and  
20 plant populations of significant ecological value  
21 if the land is retained in its current use or re-  
22 stored to a natural condition.

23 “(4) Land described in paragraph (1), (2), or  
24 (3) that will address significant water quality, water  
25 conservation, and wildlife habitat concerns, as pro-

1 posed by an eligible partner and agreed to by the  
2 Secretary for purposes of section 1231A.

3 “(5) The portion of land in a field not enrolled  
4 in the conservation reserve in a case in which—

5 “(A) more than 50 percent of the land in  
6 the field is enrolled as a buffer or filterstrip, or  
7 more than 75 percent of the land in the field  
8 is enrolled as a conservation practice other than  
9 as a buffer or filterstrip; and

10 “(B) the Secretary determines that the re-  
11 mainder of the field is infeasible to farm.”.

12 (c) PLANTING STATUS OF CERTAIN LAND.—Section  
13 1231(e) of the Food Security Act of 1985 (16 U.S.C.  
14 3831(c)) is amended to read as follows:

15 “(c) PLANTING STATUS OF CERTAIN LAND.—

16 “(1) IN GENERAL.—For purposes of deter-  
17 mining the eligibility of land to be enrolled in the  
18 conservation reserve established under this sub-  
19 chapter, land shall be considered to be planted to an  
20 agricultural commodity during a crop year if, during  
21 the crop year, the land was devoted to a conserving  
22 use.

23 “(2) MULTI-YEAR GRASSES AND LEGUMES.—

24 “(A) IN GENERAL.—For purposes of this  
25 subchapter, alfalfa and other multi-year grasses

1 and legumes in a rotation practice, approved by  
2 the Secretary, shall be considered agricultural  
3 commodities.

4 “(B) CROPPING HISTORY.—Alfalfa, when  
5 grown as part of a rotation practice, as deter-  
6 mined by the Secretary, is an agricultural com-  
7 modity subject to the cropping history criteria  
8 under subsection (b)(1)(B) for the purpose of  
9 determining whether eligible cropland has been  
10 planted or considered planted for 4 of the 6  
11 years referred to in such subsection.”.

12 (d) ENROLLMENT.—Section 1231(d) of the Food Se-  
13 curity Act of 1985 (16 U.S.C. 3831(d)) is amended to  
14 read as follows:

15 “(d) ENROLLMENT.—

16 “(1) ENROLLMENT OPTIONS.—The Secretary  
17 shall offer enrollment in the conservation reserve  
18 under this subchapter through the following enroll-  
19 ment options:

20 “(A) A general enrollment option, for eligi-  
21 ble land described in subsection (b)(1).

22 “(B) A continuous enrollment option, for  
23 eligible land described in subsection (b)(2) and  
24 any associated eligible land described in sub-  
25 section (b)(5).

1           “(C) A grassland enrollment option, for el-  
2           igible land described in subsection (b)(3).

3           “(D) A partnership initiatives enrollment  
4           option, for eligible land described in subsection  
5           (b)(4), and any associated eligible land de-  
6           scribed in subsection (b)(5), that is to be en-  
7           rolled pursuant to an agreement entered into  
8           under section 1231A(b).

9           “(2) METHOD OF ENROLLMENT.—

10           “(A) GENERAL ENROLLMENT OPTION.—In  
11           enrolling eligible land under the general enroll-  
12           ment option, the Secretary shall make the con-  
13           servation reserve program available to owners  
14           or operators of eligible land on an annual en-  
15           rollment basis with one or more ranking peri-  
16           ods.

17           “(B) CONTINUOUS ENROLLMENT OP-  
18           TION.—In enrolling eligible land under the con-  
19           tinuous enrollment option, the Secretary shall  
20           make the conservation reserve program avail-  
21           able to owners or operators of eligible land on  
22           a continuous basis.

23           “(C) GRASSLANDS ENROLLMENT OP-  
24           TION.—In enrolling eligible land under the  
25           grasslands enrollment option, the Secretary

1 shall make the conservation reserve program  
2 available to owners or operators of eligible land  
3 on an annual enrollment basis with one or more  
4 ranking periods.

5 “(D) PARTNERSHIP INITIATIVES ENROLL-  
6 MENT OPTION.—In enrolling eligible land under  
7 the partnership initiatives enrollment option,  
8 the Secretary shall make the conservation re-  
9 serve program available to owners or operators  
10 of eligible land using the methods and processes  
11 for enrollment described in the applicable agree-  
12 ment under section 1231A(b)(2)(A).

13 “(3) MAXIMUM ACREAGE ENROLLED.—

14 “(A) IN GENERAL.—The Secretary may  
15 maintain in the conservation reserve at any one  
16 time during each of fiscal years 2026 through  
17 2031 not more than 27,000,000 acres.

18 “(B) GRASSLANDS.—For purposes of ap-  
19 plying the limitations in subparagraph (A)—

20 “(i) the Secretary shall enroll and  
21 maintain in the conservation reserve not  
22 fewer than 8,000,000 acres of the land de-  
23 scribed in subsection (b)(3) by September  
24 30, 2031; and

1           “(ii) in carrying out clause (i), to the  
2           maximum extent practicable, the Secretary  
3           shall maintain in the conservation reserve  
4           at any one time during—

5                       “(I) fiscal year 2026, 6,000,000  
6                       acres;

7                       “(II) fiscal year 2027, 7,000,000  
8                       acres; and

9                       “(III) fiscal years 2028 through  
10                      2031, 8,000,000 acres.”.

11       (e) **TERM OF CONTRACT.**—Section 1231(e) of the  
12 Food Security Act of 1985 (16 U.S.C. 3831(e)) is amend-  
13 ed to read as follows:

14       “(e) **TERM OF CONTRACT.**—The term of a contract  
15 under this subchapter shall be—

16                      “(1) 10 years for a contract entered into pursu-  
17 ant to the general enrollment option or the grass-  
18 lands enrollment option;

19                      “(2) not fewer than 10 years nor more than 15  
20 years, as determined by the Secretary, for a contract  
21 entered into pursuant to the continuous enrollment  
22 option or the partnership initiatives enrollment op-  
23 tion; and

24                      “(3) notwithstanding paragraphs (1) and (2),  
25 upon request of the owner or operator of eligible

1 land, not fewer than 10 years nor more than 30  
2 years, as determined by the Secretary, for a contract  
3 to enroll eligible land devoted to conservation buffers  
4 that improve water quality by reducing sediment  
5 loadings, nutrient loadings, and harmful algal  
6 blooms.”.

7 (f) CONSERVATION PRIORITY AREAS.—Section  
8 1231(f) of the Food Security Act of 1985 (16 U.S.C.  
9 3831(f)) is amended by striking paragraph (4).

10 (g) REENROLLMENT; PROVISIONS FOR LAND ESTAB-  
11 LISHED TO TREES.—Section 1231 of the Food Security  
12 Act of 1985 (16 U.S.C. 3831) is amended by striking sub-  
13 sections (g) through (i) and inserting the following:

14 “(g) REENROLLMENT.—

15 “(1) ELIGIBILITY FOR CONSIDERATION.—Dur-  
16 ing the final year of the term of a contract entered  
17 into under this subchapter, the land subject to the  
18 contract shall be eligible to be considered for re-  
19 enrollment in the conservation reserve in accordance  
20 with paragraph (2).

21 “(2) REQUIREMENT.—The eligibility of land for  
22 reenrollment in the conservation reserve shall be  
23 subject to the land meeting the applicable require-  
24 ments of subsection (b).

1       “(h) PROVISIONS FOR LAND ESTABLISHED TO  
2 TREES.—

3           “(1) RESTRICTED TREES.—In this subsection,  
4 the term ‘restricted tree’ means a pine tree, other  
5 than a shortleaf pine (*Pinus echinata*) or a longleaf  
6 pine (*Pinus palustris*).

7           “(2) REENROLLMENT.—

8           “(A) PROHIBITION FOR RESTRICTED  
9 TREES.—Notwithstanding subsection (g), land  
10 subject to a contract entered into under this  
11 subchapter that is established predominately to  
12 restricted trees is not eligible to be considered  
13 for reenrollment in the conservation reserve.

14           “(B) LIMITATION ON OTHER TREES.—  
15 Notwithstanding subsection (g), land subject to  
16 a contract entered into under this subchapter  
17 that is established predominately to trees that  
18 are not restricted trees is eligible to be consid-  
19 ered for reenrollment in the conservation re-  
20 serve in accordance with such subsection only if  
21 the land—

22           “(i) is devoted to shelterbelts, riparian  
23 forest buffers, or trees of high conservation  
24 value, as determined by the Secretary; or

25           “(ii) consists of forested wetlands.

1           “(3) SUBSEQUENT ENROLLMENT.—Land that  
2           has previously been subject to a contract entered  
3           into under this subchapter, and which was estab-  
4           lished predominately to restricted trees during the  
5           term of such contract, may be subsequently enrolled  
6           in the conservation reserve in accordance with sub-  
7           section (d) only if—

8                   “(A) the restricted trees have been har-  
9                   vested; and

10                   “(B) the new enrollment is for establish-  
11                   ment of a permanent cover other than re-  
12                   stricted trees.”.

13 **SEC. 2103. PARTNERSHIP INITIATIVES.**

14           (a) PARTNERSHIP INITIATIVES.—Section 1231A of  
15 the Food Security Act of 1985 (16 U.S.C. 3831a) is  
16 amended in the header by striking “**CONSERVATION RE-**  
17 **SERVE ENHANCEMENT PROGRAM**” and inserting  
18 “**PARTNERSHIP INITIATIVES**”.

19           (b) IN GENERAL.—Section 1231A(a) of the Food Se-  
20 curity Act of 1985 (16 U.S.C. 3831a(a)) is amended to  
21 read as follows:

22                   “(a) IN GENERAL.—The Secretary shall establish the  
23 conservation reserve enhancement program and the State  
24 acres for wildlife enhancement program under this sub-

1 chapter in order to leverage Federal and non-Federal  
2 funds to—

3 “(1) target specific State, regional, or nation-  
4 ally significant conservation concerns; and

5 “(2) restore critical wildlife habitat.”.

6 (c) AGREEMENTS.—Section 1231A(b) of the Food  
7 Security Act of 1985 (16 U.S.C. 3831a(b)) is amended  
8 to read as follows:

9 “(b) AGREEMENTS.—

10 “(1) IN GENERAL.—The Secretary may enter  
11 into or modify an agreement with an eligible partner  
12 to carry out the conservation reserve enhancement  
13 program or the State acres for wildlife enhancement  
14 program, within a defined geographic area—

15 “(A) to assist in enrolling eligible land in  
16 the conservation reserve under this subchapter;  
17 and

18 “(B) that the Secretary determines will ad-  
19 vance the purposes of this subchapter.

20 “(2) CONTENTS.—

21 “(A) IN GENERAL.—An agreement entered  
22 into or modified under paragraph (1) shall de-  
23 scribe—

1           “(i) 1 or more specific State or na-  
2           tionally significant resource concerns to be  
3           addressed by the agreement;

4           “(ii) quantifiable environmental goals  
5           for addressing the concerns under clause  
6           (i);

7           “(iii) a suitable acreage goal for en-  
8           rollment of eligible land under the agree-  
9           ment, as determined by the Secretary;

10          “(iv) the location of eligible land to be  
11          enrolled in the project area identified  
12          under the agreement;

13          “(v) the payments to be offered by the  
14          Secretary and eligible partner to an owner  
15          or operator;

16          “(vi) an appropriate list of conserva-  
17          tion reserve program conservation practices  
18          that are appropriate to meeting the con-  
19          cerns described under clause (i), as deter-  
20          mined by the Secretary in consultation  
21          with eligible partners; and

22          “(vii) methods and processes for en-  
23          rollment of eligible land under the agree-  
24          ment, as determined by the Secretary in  
25          consultation with the eligible partner.

1           “(B) CREP MATCHING REQUIREMENTS.—

2           An agreement entered into or modified under  
3           paragraph (1) to carry out the conservation re-  
4           serve enhancement program shall—

5                   “(i) subject to clause (ii), require the  
6                   eligible partner to provide matching  
7                   funds—

8                           “(I) in an amount determined  
9                           during a negotiation between the Sec-  
10                          retary and 1 or more eligible partners,  
11                          if the majority of the matching funds  
12                          to carry out the agreement are pro-  
13                          vided by 1 or more eligible partners  
14                          that are not nongovernmental organi-  
15                          zations; or

16                           “(II) in an amount not less than  
17                          30 percent of the cost required to  
18                          carry out the conservation measures  
19                          and practices described in the agree-  
20                          ment, if a majority of the matching  
21                          funds to carry out the agreement are  
22                          provided by 1 or more nongovern-  
23                          mental organizations; and

24                          “(ii) include procedures to allow for a  
25                          temporary waiver of the matching require-

1           ments under clause (i), or continued enroll-  
2           ment with a temporary suspension of in-  
3           centives or eligible partner contributions  
4           for new agreements, during a period when  
5           an eligible partner loses the authority or  
6           ability to provide matching contributions,  
7           if the Secretary determines that the tem-  
8           porary waiver or continued enrollment with  
9           a temporary suspension will advance the  
10          purposes of this subchapter.”.

11          (d) PAYMENTS.—Section 1231A(c) of the Food Secu-  
12          rity Act of 1985 (16 U.S.C. 3831a(c)) is amended—

13                 (1) in paragraph (2), by striking “under a  
14                 CREP” and inserting “under a contract entered into  
15                 pursuant to an agreement under this section”;

16                 (2) in paragraph (3), by striking “under a  
17                 CREP” each place it appears and inserting “under  
18                 a contract entered into pursuant to an agreement  
19                 under this section”;

20                 (3) in paragraph (4)—

21                         (A) in subparagraph (A), by inserting “re-  
22                         serve” after “consistent with the conservation”;  
23                         and

24                         (B) in subparagraph (B), by striking “The  
25                         amount of payments received by” and inserting

1           “The amount of payments made by the Sec-  
2           retary to”.

3           (e) FORESTED RIPARIAN BUFFER PRACTICE.—Sec-  
4           tion 1231A(d) of the Food Security Act of 1985 (16  
5           U.S.C. 3831a(d)) is amended to read as follows:

6           “(d) FORESTED RIPARIAN BUFFER PRACTICE.—In  
7           the case of an agreement under subsection (b)(1) that in-  
8           cludes forested riparian buffers as an eligible practice, the  
9           Secretary shall allow an owner or operator—

10           “(1) to plant food-producing woody plants in  
11           the forested riparian buffers, on the conditions  
12           that—

13                   “(A) the plants shall contribute to the con-  
14                   servation of soil, water quality, and wildlife  
15                   habitat; and

16                   “(B) the planting shall be consistent  
17                   with—

18                           “(i) recommendations of the applica-  
19                           ble State technical committee established  
20                           under section 1261(a); and

21                           “(ii) technical guide standards ap-  
22                           proved by the Natural Resources Conserva-  
23                           tion Service; and

24           “(2) to harvest from plants described in para-  
25           graph (1), on the conditions that—

1           “(A) the harvesting shall not damage the  
2           conserving cover or otherwise have a negative  
3           impact on the conservation concerns targeted by  
4           the agreement;

5           “(B) only native plant species appropriate  
6           to the region shall be used within 35 feet of the  
7           watercourse; and

8           “(C) the producer shall be subject to a re-  
9           duction in the rental rate commensurate to the  
10          value of the crop harvested.”.

11          (f) DROUGHT AND WATER CONSERVATION AGREE-  
12          MENTS.—Section 1231A(e) of the Food Security Act of  
13          1985 (16 U.S.C. 3831a(e)) is amended—

14                 (1) in the matter preceding paragraph (1), by  
15                 striking “In the case of an agreement under sub-  
16                 section (b)(1) to address regional drought concerns,  
17                 in accordance with the conservation purposes of the  
18                 CREP” and inserting “In the case of an agreement  
19                 under the conservation reserve enhancement pro-  
20                 gram to address regional drought concerns, in ac-  
21                 cordance with the conservation purposes of the  
22                 agreement”; and

23                 (2) in paragraph (1), by striking “notwith-  
24                 standing subsection (a)(2)” and inserting “notwith-  
25                 standing section 1230(4)”.

1 (g) STATUS REPORT.—Section 1231A of the Food  
2 Security Act of 1985 (16 U.S.C. 3831a) is amended by  
3 striking subsection (f).

4 **SEC. 2104. FARMABLE WETLAND PROGRAM.**

5 Section 1231B(a)(1) of the Food Security Act of  
6 1985 (16 U.S.C. 3831b(a)(1)) is amended by striking  
7 “2023” and inserting “2031”.

8 **SEC. 2105. DUTIES OF OWNERS AND OPERATORS.**

9 Section 1232 of the Food Security Act of 1985 (16  
10 U.S.C. 3832) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking “a plan”  
13 and inserting “a conservation reserve plan”;

14 (B) in paragraph (2), by striking “highly  
15 erodible cropland” and inserting “eligible land”;

16 (C) in paragraph (5)—

17 (i) by striking “undertake” and in-  
18 serting “conduct”; and

19 (ii) by striking “conservation plan”  
20 and inserting “conservation reserve plan”;

21 and

22 (D) in paragraph (7), by inserting “con-  
23 servation reserve” before “program”; and

24 (2) by striking subsection (b) and redesignating  
25 subsection (c) as subsection (b).

1 **SEC. 2106. DUTIES OF THE SECRETARY.**

2 (a) **COST-SHARE AND RENTAL PAYMENTS.**—Section  
3 1233(a)(2)(A) of the Food Security Act of 1985 (16  
4 U.S.C. 3833(a)(2)(A)) by striking “highly erodible crop-  
5 land, marginal pastureland, or other eligible lands” and  
6 inserting “eligible land”.

7 (b) **SPECIFIED ACTIVITIES PERMITTED.**—Section  
8 1233(b) of the Food Security Act of 1985 (16 U.S.C.  
9 3833(b)) is amended—

10 (1) in paragraph (1)(B)(i)—

11 (A) in subclause (I)(cc), by inserting “con-  
12 servation reserve” before “program”;

13 (B) in subclause (II), by striking “if pay-  
14 ments are authorized for a county under the  
15 livestock forage disaster program under clause  
16 (ii) of section 1501(c)(3)(D) of the Agricultural  
17 Act of 2014 (7 U.S.C. 9081(c)(3)(D))” and in-  
18 serting “if an owner or operator has received a  
19 payment under the livestock forage disaster  
20 program under clause (ii) of section  
21 1501(c)(3)(D) of the Agricultural Act of 2014  
22 (7 U.S.C. 9081(c)(3)(D)) in the fiscal year dur-  
23 ing which the emergency grazing is conducted”;  
24 and

25 (C) in subclause (V), by striking “under  
26 paragraphs (4) and (5) of section 1231(b)” and

1 inserting “under a contract entered into pursu-  
2 ant to the continuous enrollment option or the  
3 partnership initiatives enrollment option”; and

4 (2) in paragraph (2)(B)(ii)—

5 (A) by amending subclause (I) to read as  
6 follows:

7 “(I) IN GENERAL.—Except as  
8 provided in subclause (II), haying or  
9 grazing described in paragraph (1)  
10 shall not be permitted on land covered  
11 by a contract entered into pursuant to  
12 the partnership initiatives enrollment  
13 option.”; and

14 (B) in subclause (II), by striking “con-  
15 servation reserve enhancement program agree-  
16 ment or other partnership agreement entered  
17 into under this subchapter” and inserting  
18 “agreement entered into under section 1231A”.

19 (c) RESOURCE CONSERVING USE.—Section 1233(d)  
20 of the Food Security Act of 1985 (16 U.S.C. 3833(d))—

21 (1) in paragraph (1), by striking “Beginning on  
22 the date that is 1 year before the date of termi-  
23 nation of a contract under the program” and insert-  
24 ing “During the final year of the term of a contract  
25 entered into under this subchapter”;

1 (2) in paragraph (2)—

2 (A) in the heading, by striking “CON-  
3 SERVATION PLAN” and inserting “CONSERVA-  
4 TION RESERVE PLAN”; and

5 (B) by striking “a conservation plan” and  
6 inserting “a conservation reserve plan”; and

7 (3) by amending paragraph (3) to read as fol-  
8 lows:

9 “(3) LIMITATION.—Land improved under para-  
10 graph (1)—

11 “(A) shall not be eligible to be considered  
12 for reenrollment in the conservation reserve  
13 under section 1231(g), notwithstanding para-  
14 graph (1) of such section; and

15 “(B) may not be subsequently enrolled in  
16 the conservation reserve before the date that is  
17 5 years after the date of expiration of the con-  
18 tract.”.

19 (d) NATURAL DISASTER OR ADVERSE WEATHER AS  
20 MID-CONTRACT MANAGEMENT.—Section 1233(e) of the  
21 Food Security Act of 1985 (16 U.S.C. 3833(e)) is amend-  
22 ed by inserting “reserve” after “conservation”.

23 (e) ALLOCATION TO STATES.—Section 1233 of the  
24 Food Security Act of 1985 (16 U.S.C. 3833) is amended  
25 by adding at the end the following:

1           “(f) ALLOCATION TO STATES.—The Secretary shall  
2 allocate acres to States for enrollment of eligible land in  
3 the conservation reserve under this subchapter, based—

4           “(1) primarily on the proportion of eligible land  
5 in each State relative to the total acreage of eligible  
6 land in all States; and

7           “(2) also on consideration of—

8           “(A) historical State enrollment rates;

9           “(B) the extent and magnitude in each  
10 State of the conservation needs and of the im-  
11 pact of agricultural production on water qual-  
12 ity, water quantity, wetlands, and wildlife habi-  
13 tat;

14           “(C) the degree to which implementation  
15 of the conservation reserve program in each  
16 State is, or will be, effective in helping pro-  
17 ducers address such needs and mitigate such  
18 impact; and

19           “(D) equitable geographic distribution of  
20 acres, as determined by the Secretary.”.

21 **SEC. 2107. PAYMENTS.**

22           (a) COST SHARING PAYMENTS.—Section 1234(b) of  
23 the Food Security Act of 1985 (16 U.S.C. 3834(b)) is  
24 amended—

1           (1) by amending paragraph (1) to read as fol-  
2           lows:

3           “(1) IN GENERAL.—In making cost sharing  
4           payments to an owner or operator under a contract  
5           entered into under this subchapter, the Secretary  
6           shall pay 50 percent of the cost of, as the Secretary  
7           determines appropriate and in the public interest—

8                   “(A) establishing permanent vegetation, in-  
9                   cluding site preparation, cover, fertilizer, seed-  
10                  ing, and planting;

11                  “(B) carrying out erosion control practices  
12                  necessary to stabilize the site for vegetation es-  
13                  tablished under subparagraph (A);

14                  “(C) installing fencing to protect riparian  
15                  areas and buffers;

16                  “(D) carrying out water development prac-  
17                  tices associated with excluding livestock from  
18                  protected riparian areas;

19                  “(E) installing fencing and carrying out  
20                  water development practices to facilitate transi-  
21                  tion to livestock grazing on lands enrolled under  
22                  the grasslands enrollment option;

23                  “(F) conducting the necessary and appro-  
24                  priate mid-contract management activities to

1 maintain the permanent cover and associated  
2 benefits; and

3 “(G) carrying out other water quality con-  
4 servation measures and practices.”;

5 (2) in paragraph (2)—

6 (A) in subparagraph (B)—

7 (i) in the heading, by inserting “OR  
8 HAYING” after “GRAZING”; and

9 (ii) by inserting “for grazing livestock  
10 or harvesting hay” before “pursuant to”;  
11 and

12 (B) in subparagraph (C), by inserting  
13 “made by the Secretary” before “under this  
14 subchapter”;

15 (3) in paragraph (3), by striking “the conserva-  
16 tion reserve enhancement program under section  
17 1231A” and inserting “section 1231A”; and

18 (4) by striking paragraph (4).

19 (b) INCENTIVE PAYMENTS.—Section 1234(c) of the  
20 Food Security Act of 1985 (16 U.S.C. 3834(c)) is amend-  
21 ed to read as follows:

22 “(c) INCENTIVE PAYMENTS.—

23 “(1) PRACTICE INCENTIVES FOR CONTINUOUS  
24 PRACTICES.—In addition to the cost sharing pay-  
25 ment described in subsection (b), the Secretary shall

1       make a practice incentive payment to an owner or  
2       operator of eligible land enrolled under the contin-  
3       uous enrollment option, or of eligible land described  
4       in section 1231(b)(2) (and any associated eligible  
5       land described in section 1231(b)(5)) and enrolled  
6       under the partnership initiatives enrollment option,  
7       in an amount not to exceed 50 percent of the actual  
8       cost of establishing all measures and practices de-  
9       scribed in subsection (b)(1), including seed costs re-  
10      lated to the establishment of cover, as determined by  
11      the Secretary.

12           “(2) SIGN-UP INCENTIVES FOR QUALIFYING  
13      PRACTICES.—

14           “(A) AUTHORIZATION.—In addition to the  
15      annual rental payment under subsection (d),  
16      the Secretary may make an incentive payment  
17      to an owner or operator for enrolling environ-  
18      mentally sensitive eligible land in the conserva-  
19      tion reserve to implement or establish a quali-  
20      fying practice.

21           “(B) PAYMENT.—The Secretary shall—

22           “(i) for purposes of subparagraph (A),  
23      establish an incentive payment amount for  
24      each contract with an owner or operator  
25      that does not exceed 50 percent of the first

1 annual rental payment made to the owner  
2 or operator under subsection (d) for the el-  
3 igible land; and

4 “(ii) make any incentive payment  
5 under subparagraph (A) concurrent with  
6 such first annual rental payment.

7 “(C) QUALIFYING PRACTICE.—In this  
8 paragraph, the term ‘qualifying practice’ means  
9 a practice the implementation or establishment  
10 of which is appropriate to encourage on envi-  
11 ronmentally sensitive eligible land—

12 “(i) as determined by the Secretary,  
13 in consultation with the applicable State  
14 technical committee, for environmentally  
15 sensitive eligible land enrolled under the  
16 continuous enrollment option; or

17 “(ii) as identified in an agreement  
18 under section 1231A, for environmentally  
19 sensitive eligible land enrolled pursuant to  
20 such agreement.

21 “(3) FOREST MANAGEMENT INCENTIVE PAY-  
22 MENTS.—

23 “(A) IN GENERAL.—Using funds made  
24 available under section 1241(a)(1)(A), the Sec-  
25 retary may make incentive payments to an

1 owner or operator of eligible land in an amount  
2 sufficient to encourage proper thinning and  
3 other practices to improve the condition of re-  
4 sources, promote forest management, or en-  
5 hance wildlife habitat on the land.

6 “(B) LIMITATION.—A payment described  
7 in subparagraph (A) may not exceed 100 per-  
8 cent of the total cost of thinning and other  
9 practices conducted by the owner or operator.

10 “(C) REDUCTION.—The Secretary shall re-  
11 duce the amount of a payment under subpara-  
12 graph (A) by an amount that is equal to any  
13 income received by the owner or operator as a  
14 result of the thinning or other practice, as de-  
15 termined by the Secretary.”.

16 (c) ANNUAL RENTAL PAYMENTS.—

17 (1) IN GENERAL.—Section 1234(d)(1) of the  
18 Food Security Act of 1985 (16 U.S.C. 3834(d)(1))  
19 is amended—

20 (A) by striking “highly erodible cropland  
21 or other eligible lands” each place it appears  
22 and inserting “eligible land”; and

23 (B) by striking “the program established  
24 by this subchapter” and inserting “the con-  
25 servation reserve program”.

1           (2) METHODS OF DETERMINATION.—Section  
2           1234(d)(2) of the Food Security Act of 1985 (16  
3           U.S.C. 3834(d)(2)) is amended—

4                   (Α) by amending subparagraph (B) to read  
5           as follows:

6                   “(B) MULTIPLE ENROLLMENTS.—

7                           “(i) IN GENERAL.—Notwithstanding  
8                           subparagraph (A), if land subject to a con-  
9                           tract entered into under this subchapter is  
10                           reenrolled pursuant to section 1231(g), the  
11                           annual rental payment shall be in an  
12                           amount that is not more than the applica-  
13                           ble percentage of the relevant county aver-  
14                           age soil rental rate for the year in which  
15                           the reenrollment occurs (as determined  
16                           under paragraph (4)(E)).

17                           “(ii) APPLICABLE PERCENTAGE.—For  
18                           purposes of clause (i), the applicable per-  
19                           centage shall be—

20                                   “(I) for the first reenrollment  
21                                   that occurs after the date of enact-  
22                                   ment of the Farm, Food, and Na-  
23                                   tional Security Act of 2026, 85 per-  
24                                   cent; and

1                   “(II) for each subsequent re-  
2 enrollment, the percentage that is 10  
3 percentage points less than the per-  
4 centage that was applicable to the  
5 preceding reenrollment.

6                   “(iii) PARTNERSHIP INITIATIVES.—  
7 The limitations on annual rental payments  
8 under clauses (i) and (ii) may be waived or  
9 modified as part of the negotiation between  
10 the Secretary and an eligible partner to  
11 enter into an agreement under section  
12 1231A.”;

13                   (B) in subparagraph (C), by striking “sub-  
14 paragraph (A)” and inserting “subparagraphs  
15 (A) and (B)”;

16                   (C) by striking subparagraph (D).

17                   (3) ACCEPTANCE OF CONTRACT OFFERS.—Sec-  
18 tion 1234(d)(3) of the Food Security Act of 1985  
19 (16 U.S.C. 3834(d)(3)) is amended—

20                   (A) by amending subparagraph (A) to read  
21 as follows:

22                   “(A) NATURAL RESOURCE CONSIDER-  
23 ATIONS.—In determining the acceptability of  
24 contract offers, the Secretary shall—

1           “(i) with the advice of the applicable  
2           State technical committee, take into con-  
3           sideration the extent to which enrollment  
4           of the land that is the subject of the con-  
5           tract offer would improve soil resources,  
6           water quality, or wildlife habitat or provide  
7           other environmental benefits; and

8           “(ii) ensure, to the maximum extent  
9           practicable, an equitable balance among  
10          the conservation purposes of soil erosion,  
11          water quality, and wildlife habitat.”;

12          (B) by amending subparagraph (B) to read  
13          as follows:

14                 “(B) ESTABLISHMENT OF DIFFERENT CRI-  
15                 TERIA IN VARIOUS STATES.—The Secretary,  
16                 with the advice of the applicable State technical  
17                 committee, shall establish different criteria for  
18                 determining the acceptability of contract offers  
19                 in various States based on the extent to which  
20                 water quality or wildlife habitat may be im-  
21                 proved or erosion may be abated.”;

22          (C) by redesignating subparagraph (C) as  
23          subparagraph (E); and

24          (D) by inserting after subparagraph (B)  
25          the following:

1           “(C) CONSERVATION PRIORITY AREAS.—In  
2 carrying out this paragraph, the Secretary  
3 shall, to the extent practicable, maximize water  
4 quality and habitat benefits in conservation pri-  
5 ority areas designated under section 1231(f) by  
6 promoting a significant level of enrollment of  
7 land within such areas in the conservation re-  
8 serve by—

9           “(i) giving additional weight to appli-  
10 cations for the enrollment of land within  
11 such areas that will maximize water qual-  
12 ity and habitat benefits;

13           “(ii) holding a signup and enrollment  
14 under the general enrollment option and  
15 the grasslands enrollment option specific to  
16 the designated areas; or

17           “(iii) whatever other means the Sec-  
18 retary determines are appropriate and con-  
19 sistent with the purposes of this sub-  
20 chapter.

21           “(D) TRANSITION TO GRASSLAND USE.—  
22 In carrying out this paragraph, the Secretary,  
23 in consultation with the applicable State tech-  
24 nical committee, shall give priority to contract

1 offers for enrollment under the grasslands en-  
2 rollment option for eligible land—

3 “(i) that has previously been enrolled  
4 under the general enrollment option, the  
5 continuous enrollment option, or the part-  
6 nership initiatives enrollment option;

7 “(ii) with established cover that sup-  
8 ports conservation objectives for a con-  
9 servation priority area designated under  
10 section 1231(f); and

11 “(iii) enrollment of which under the  
12 grasslands enrollment option will extend  
13 the protection of the established cover as  
14 an alternative to cropping.”.

15 (4) RENTAL RATES.—Section 1234(d)(4) of the  
16 Food Security Act of 1985 (16 U.S.C. 3834(d)(4))  
17 is amended—

18 (A) in subparagraph (C), by striking “as a  
19 factor”;

20 (B) in subparagraph (D)—

21 (i) in the header, by striking “FSA OF-  
22 FICES AND CREP” and inserting “OFFICES  
23 AND”;

24 (ii) by amending clause (i) to read as  
25 follows:

1           “(i) IN GENERAL.—The Secretary  
2 shall, prior to finalizing a new soil rental  
3 rate, provide a period of not fewer than 60  
4 days for the County Operating Committees  
5 of the Farm Service Agency, State Com-  
6 mittees of the Farm Service Agency, State  
7 conservationists, conservation districts,  
8 State technical committees established  
9 under section 1261(a), and eligible part-  
10 ners to review such rate and concur or pro-  
11 pose an alternative soil rental rate, on the  
12 condition that documentation described in  
13 clause (ii) is provided to support the pro-  
14 posed alternative.”;

15           (iii) by redesignating clause (iii) as  
16 clause (iv); and

17           (iv) by inserting after clause (ii) the  
18 following:

19           “(iii) ACCEPTANCE OF ALTERNATIVE  
20 RATES.—The Secretary shall accept and fi-  
21 nalize an alternative soil rental rate pro-  
22 posed in accordance with clause (i) unless  
23 the Secretary finds that such alternative  
24 rate is not appropriate, and publishes such  
25 finding on a publicly accessible website, in-

1 including a justification for such finding.”;  
2 and

3 (C) by amending subparagraph (E) to read  
4 as follows:

5 “(E) RENTAL RATE LIMITATION.—

6 “(i) IN GENERAL.—The county aver-  
7 age soil rental rate (before any adjust-  
8 ments relating to specific practices, well-  
9 head protection, or soil productivity) shall  
10 not exceed—

11 “(I) for eligible land consisting of  
12 soils with a dryland cropland land ca-  
13 pability class of I or II that is enrolled  
14 under the general enrollment option,  
15 85 percent of the estimated rental  
16 rate determined under this paragraph;

17 “(II) for eligible land consisting  
18 of soils with a dryland cropland land  
19 capability class of III that is enrolled  
20 under the general enrollment option,  
21 100 percent of the estimated rental  
22 rate determined under this paragraph;

23 “(III) for eligible land consisting  
24 of soils with a dryland cropland land  
25 capability class of IV through VII

1 that is enrolled under the general en-  
2 rollment option, 115 percent of the es-  
3 timated rental rate determined under  
4 this paragraph; and

5 “(IV) for eligible land enrolled  
6 under the continuous enrollment op-  
7 tion, 100 percent of the estimated  
8 rental rate determined under this  
9 paragraph, without regard to the land  
10 capability class of the soil.

11 “(ii) PARTNERSHIP INITIATIVES.—  
12 For eligible land enrolled under the part-  
13 nership initiatives enrollment option, the  
14 county average soil rental rate (before any  
15 adjustments relating to specific practices,  
16 wellhead protection, or soil productivity)  
17 shall not exceed—

18 “(I) for eligible land consisting of  
19 soils with a dryland cropland land ca-  
20 pability class of I or II, 85 percent of  
21 the estimated rental rate determined  
22 under this paragraph;

23 “(II) for eligible land consisting  
24 of soils with a dryland cropland land  
25 capability class of III, 100 percent of

1 the estimated rental rate determined  
2 under this paragraph;

3 “(III) for eligible land consisting  
4 of soils with a dryland cropland land  
5 capability class of IV through VII,  
6 115 percent of the estimated rental  
7 rate determined under this paragraph;  
8 and

9 “(IV) for eligible land that would  
10 otherwise be enrolled under the con-  
11 tinuous enrollment option, 100 per-  
12 cent of the estimated rental rate de-  
13 termined under this paragraph, with-  
14 out regard to the land capability class  
15 of the soil.”.

16 (d) PAYMENT SCHEDULE.—Section 1234(e)(2) of the  
17 Food Security Act of 1985 (16 U.S.C. 3834(e)(2)) is  
18 amended by striking “Payments” and inserting “As the  
19 Secretary determines appropriate, payments”.

20 (e) PAYMENT LIMITATION FOR RENTAL PAY-  
21 MENTS.—Section 1234(g)(1) of the Food Security Act of  
22 1985 (16 U.S.C. 3834(g)(1)) is amended by striking  
23 “\$50,000” and inserting “\$125,000”.

1 **SEC. 2108. CONTRACTS.**

2 (a) **OWNERSHIP OR OPERATION REQUIREMENTS.—**

3 Section 1235(a) of the Food Security Act of 1985 (16  
4 U.S.C. 3835(a)) is amended—

5 (1) in paragraph (1)(C), by striking “placing  
6 the land in the program established by” and insert-  
7 ing “enrolling the land in the conservation reserve  
8 under”; and

9 (2) in paragraph (2)(A), by striking “agree-  
10 ment” each place it appears and inserting “con-  
11 tract”.

12 (b) **SALES OR TRANSFERS.—**Section 1235(b)(3) of  
13 the Food Security Act of 1985 (16 U.S.C. 3835(b)(3))  
14 is amended by striking “program established by this sub-  
15 chapter” and inserting “conservation reserve program”.

16 (c) **EARLY TERMINATION BY OWNER OR OPER-  
17 ATOR.—**

18 (1) **EARLY TERMINATION.—**Section  
19 1235(e)(1)(A) of the Food Security Act of 1985 (16  
20 U.S.C. 3835(e)(1)(A)) is amended by striking “Dur-  
21 ing fiscal year 2015, the” and inserting “The”.

22 (2) **CERTAIN LAND EXCEPTED.—**Section  
23 1235(e)(2) of the Food Security Act of 1985 (16  
24 U.S.C. 3835(e)(2)) is amended—

25 (A) in subparagraph (A), by striking  
26 “Filterstrips, waterways, strips adjacent to ri-

1 parian areas, windbreaks, and shelterbelts” and  
2 inserting “Conservation buffers”;

3 (B) in subparagraph (B), by striking “an  
4 erodibility index of more than 15” and inserting  
5 “a dryland cropland land capability class of VI  
6 through VII”;

7 (C) in subparagraph (C), by inserting “,  
8 longleaf pine, or shortleaf pine” before “trees”;

9 (D) in subparagraph (D), by striking  
10 “State acres for wildlife enhancement,”; and

11 (E) in subparagraph (J), by striking  
12 “under the conservation reserve enhancement  
13 program” and inserting “pursuant to section  
14 1231A”.

15 (3) PRORATED COST RECOVERY.—Section  
16 1235(e)(4) of the Food Security Act of 1985 (16  
17 U.S.C. 3835(e)(4)) is amended—

18 (A) in the heading, by striking “PRO-  
19 RATED RENTAL PAYMENT” and inserting “PRO-  
20 RATIONS”;

21 (B) by striking “If a contract” and insert-  
22 ing the following:

23 “(A) PRORATED RENTAL PAYMENT.—If a  
24 contract”; and

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

1           “(B) PRORATED COST RECOVERY.—If a  
2 contract entered into under this subchapter is  
3 terminated under this subsection before the end  
4 of the contract term, the Secretary shall require  
5 repayment of the portion of the cost sharing  
6 payments received that is proportional to the  
7 percentage of the years remaining in the con-  
8 tract term on the date of the termination.”.

9           (4) RENEWED ENROLLMENT.—Section  
10 1235(e)(5) of the Food Security Act of 1985 (16  
11 U.S.C. 3835(e)(5)) is amended—

12           (A) in the heading, by striking “RE-  
13 NEWED” and inserting “SUBSEQUENT”; and

14           (B) by striking “a subsequent bid to enroll  
15 the land” and inserting “an application for sub-  
16 sequent enrollment of the land”.

17           (d) TRANSITION OPTION FOR CERTAIN FARMERS OR  
18 RANCHERS.—

19           (1) TRANSITION TO COVERED FARMER OR  
20 RANCHER.—Section 1235(f)(1)(C) of the Food Secu-  
21 rity Act of 1985 (16 U.S.C. 3835(f)(1)(C)) is  
22 amended by inserting “reserve” after “conserva-  
23 tion”.

1           (2) REENROLLMENT.—Section 1235(f)(2) of  
2     the Food Security Act of 1985 (16 U.S.C.  
3     3835(f)(2)) is amended to read as follows:

4           “(2) REENROLLMENT.—To the extent that the  
5     maximum number of acres permitted to be enrolled  
6     under the conservation reserve program has not been  
7     met, the Secretary shall approve the first reenroll-  
8     ment requested by a covered farmer or rancher pur-  
9     suant to section 1231(g), subject to the require-  
10    ments of such section.”.

11          (e) DROUGHT AND EMERGENCY GRAZING ASSIST-  
12    ANCE.—Section 1235 of the Food Security Act of 1985  
13    (16 U.S.C. 3835) is further amended by adding at the  
14    end the following:

15          “(i) DROUGHT AND EMERGENCY GRAZING ASSIST-  
16    ANCE.—The Secretary may allow an owner or operator to  
17    receive emergency cost-share assistance for livestock water  
18    facilities and grazing infrastructure through the emer-  
19    gency conservation program, authorized by section 402 of  
20    the Agricultural Credit Act of 1978 (16 U.S.C. 2202),  
21    with respect to land enrolled in the conservation reserve,  
22    except that the Secretary shall ensure that there is no pay-  
23    ment from the conservation reserve program for the same  
24    assistance.”.

