to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

S. 1075

At the request of Mr. BIDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1075, a bill to extend and modify the Drug-Free Communities Support Program, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

S. 1119

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1119, a bill to require the Secretary of Defense to carry out a study of the extent to the coverage of members of the Selected Reserve of the Ready Reserve of the Armed Forces under health benefits plans and to submit a report on the study of Congress, and for other purposes.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1144

At the request of Mr. LIEBERMAN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1144, a bill to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes.

S. 1186

At the request of Mr. DOMENICI, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1186, a bill to provide a budgetary mechanism to ensure that funds will be available to satisfy the Federal Government's responsibilities with respect to negotiated settlements of disputes related to Indian water rights claims and Indian land claims.

S. 1200

At the request of Mr. CLELAND, the names of the Senator from New York (Mrs. CLINTON), the Senator from Minnesota (Mr. DAYTON), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1200, a bill to direct the Secretaries of the military departments to conduct a review of military service records to determine whether certain Jewish American war veterans, including those previously awarded the Distinguished Service Cross, Navy Cross, or Air Force Cross, should be awarded the Medal of Honor.

S. 1204

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1204, a bill to amend title XVIII of the Social Security Act to provide adequate coverage for immunosuppressive drugs furnished to beneficiaries under the medicare program that have received an organ transplant.

S. 1226

At the request of Mr. CAMPBELL, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 1226, a bill to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

AMENDMENT NO. 1157

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 1157 intended to be proposed to H.R. 2500, a bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CARNAHAN (for herself, Mr. DEWINE, Mr. LEAHY, Mr. DASCHLE, Mr. JOHNSON, Ms. LANDRIEU, and Ms. SNOWE):

S. 1250. A bill to amend title 10, United States Code, to improve transitional medical and dental care for members of the Armed Forces released from active duty to which called or ordered, or for which retained, in support of a contingency operation; to the Committee on Armed Services.

Mrs. CARNAHAN. Mr. President, our Nation's Reserve components are assuming increasingly greater roles in the U.S. military. Today we have more commitments around the world but fewer Active Forces. For these reasons, we have increasingly come to depend on our Reserve components.

Since the gulf war, our Army and Marine Corps have increased their operations abroad by 300 percent. Air Force deployments have quadrupled since 1986. And our Navy now deploys 52 percent of its forces on any given day.

These deployments would be impossible without guardsmen and reservists. Last year's Reserve components served a total of 12.3 million duty days, compared to 5.2 million duty days in 1992.

It is time to recognize the contribution of our reservists and given them the benefits they deserve. We must find a way to provide immediate short-term relief to reservists who stand in need of our support, those who have just returned home from deployments abroad.

Last month, Senator LEAHY and six other colleagues set a goal to provide health care for all National Guard members and reservists. Senator LEAHY's legislation recognizes the role that Reserve components now play in our national security. This bill authorizes a Defense Department study to develop the most feasible plan to provide health care for all Reserve components.

Providing coverage to all reservists is a monumental task. It will require intense analysis in developing a cost-effective approach. But it is a worthy goal, one that will prove important to sustaining our force strength and our military morale.

Today I am introducing legislation that will take the first step towards Senator LEAHY's goal for covering reservists. The bill will significantly improve the quality of life for our men and women in the National Guard and Reserves. Reservists like SSG Jonathan Reagan, this young Army reservist just returned home from an 8-month peacekeeping mission in Kosovo. He served in the 313th hospital surgical unit providing care to military personnel and needy Kosovars. Yet when he returned home to Missouri, he found himself without health care coverage of his own.

Sergeant Reagan had just finished graduate school and was looking for a job as a physical therapist. Currently the law allows military personnel to extend their military health coverage for 30 days after they return home. Well, that was not enough for Sergeant Reagan. He was uninsured and was forced to purchase his insurance out of his own pocket.

Sergeant Reagan is not alone. Sergeant Jason Dunson served on that same deployment. He did not have health care coverage when he returned home to Springfield, MO, either. Luckily before he deployed, he transferred his 3-year-old daughter's health care coverage to his wife's plan. Unfortunately, his employer will not be able to cover him for a number of months.

But the case of CPT Terri McGranahan is the most troubling. She volunteered to be a part of our peacekeeping mission in Kosovo. During her service, she worked at a health clinic that had been newly painted with a toxic sealant.

When she returned home, her private health insurance company refused to retain her. Working in this clinic had made her very ill. Her condition resulted in pneumonia and eventually a spot on her lung.

She did not detect the condition right away. When she finally sought medical treatment, the 30 days of TRICARE coverage had already expired.

She asked the Army for help but was turned down. Moreover, her private insurer refused to cover her for a condition acquired during military service.

Eventually, she would be able to obtain reimbursements from the Department of Defense, once it was fully clarified that her illness was service related. But how long will she have to

wait before she receives this relief? And why should she and her family be forced to undergo such stress as she endures a serious ailment, contracted while in the military service?

Senators DEWINE, LEAHY, DASCHLE, JOHNSON, LANDRIEU, SNOWE, and I have joined together to propose a short-term solution. Our legislation will allow Reserve and National Guard personnel to extend their TRICARE coverage for up to 1 year after their deployment.

Already, the Carnahan-DeWine bill has been endorsed by organizations across the country, including the National Guard and Reserve Committee of the Military Coalition, the Reserve Officers Association, National Guard Association, Enlisted Association of the National Guard, and several other organizations promoting quality of life to serve men and women.

The Joint Chiefs of Staff have indicated that this legislation would have a positive impact on military quality of life and retention rates. They further believe that such extension of benefits would assist members who, following activation and deactivation, decide to leave their civilian employment.

We are not asking for an overly extensive benefit for Reserve components. Some may think this proposal is far too modest. I understand that in the other body there is a proposal to provide an even more comprehensive approach. But I believe that before we attempt to establish a full health care program for these service men and women, it is essential that we authorize the Pentagon to explore the most feasible option. The bill and the legislation authored by Senator LEAHY will work to achieve this goal.

In the meantime, I am proud to be pursuing this initiative in the name of our Missouri National Guard and Reservists, as well as our country's other citizen soldiers. As the Kansas City Star stated in a recent editorial:

> The United States has come to rely more and more heavily on the military reserves and the National Guard.
>
> The men and women who make so many sacrifices to serve in those forces should not have to worry about inadequate health insurance coverage as soon as they return to civilian life.

Mr. President, let's do the right thing for our Nation's citizen soldiers.

Mr. LEAHY. Mr. President, I rise today to congratulate Senator CARNAHAN on the introduction of S. 1250. I am an original co-sponsor of her legislation that deals with health care shortfalls among members of the National Guard and Reserve. This bill will enable citizen-soldiers to receive health insurance coverage for up to one year following an extended deployment. It is an important part of a larger effort to ensure that all members of the National Guard and Reserve have adequate health insurance.

This bill arises out of the changing role of the National Guard and Reserve in defending our Nation. During the Cold War, the military reserves served as an ace-in-the-hole, ready to fight but held back as a force of last resort. As our military posture has shifted, reservists have started supplementing active forces and taken up a greater share of the burden of projecting our national military presence abroad.

In many cases, these proud men and women are serving side-by-side with their active duty counterparts in deployments that can last upward of six months. I will not repeat many of the facts and figures that Senator CARNAHAN so adeptly underscored in her statement, but, suffice to say here, our citizen-soldiers are experiencing all of the same hardships, challenges, dangers that full-time servicemembers go through every time they leave their barracks or launch into the skies.

This courage and sacrifice deserves our support, both in symbolic and concrete terms. Unfortunately, many are experiencing difficulties as they transition back-and-forth between their usual, employer-provided health coverage and the military TRICARE Prime coverage they receive when they deploy longer than 60 days. More disturbing are the cases where a reservist might be between jobs in their professions, go on an extended deployment, and return to that unemployed status with no health insurance coverage at all. There are innumerable variations on each one of these stories, but each points towards a larger problem.

Cases like those add up, inevitably impacting military readiness and raising troubling moral questions. Military readiness diminishes when soldiers, sailors, Marines, and airmen arrive for deployment less healthy than possible. Basic questions of fairness come into play when two people can do exactly the same job, but receive different levels of respect and gratitude from the country. Congress has the responsibility to deal with these inequities and tailor a solution to address the problem.

Recently, Senators CARNAHAN, DEWINE, DASCHLE, COCHRAN, JOHNSON, and SNOWE joined me to introducing S. 1119, the Selected Reserve Health Care Act. This bill commissions an independent, detailed study of the health insurance needs of our citizen-soldiers, but, more importantly, expresses the sense of Congress that every reservist should have full health care coverage. This is a long-term goal that may take some time to achieve. In the meantime, though, we should take steps to move us in the right direction.

Senator CARNAHAN's legislation will ensure a smooth transition back to civilian employment after an extended deployment. It increases the time that a member of the reserve can remain on TRICARE following deployment from one month to a year. Though it merely extends an existing benefit, it will provide a much-needed stopgap for those who are unemployed or facing difficulties with their civilian insurance providers. This legislation is sensible and affordable, finding a balance between our responsibilities to our servicemembers and our responsibilities as caretakers of the national treasury.

Senator CARNAHAN has shown tremendous leadership on this issue, not only co-sponsoring a companion legislation that I introduced almost a month ago, but, more importantly, by coming up with a realistic, concrete step to start addressing this complex problem today. I am happy to be an original co-sponsor of this legislation, and I look forward to working with her to enact both of these bills.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1251. A bill for the relief of Nancy B. Wilson; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today along with my colleague from Maine to introduce legislation for the relief of Nancy Wilson of Bremen, ME, who has been denied widow's benefits from Social Security despite the very extenuating circumstances of her case.

Nancy Wilson was denied Social Security widow's benefits because she had not been married to the late Alphonse Wilson for the required nine-month period prior to his death even though they had lived together as a couple for 19 years. Alphonse had been unable to marry Nancy earlier because Massachusetts law forbade him from divorcing his first wife, Edna, due to her being institutionalized with a mental illness. Upon Edna's death on April 12, 1969, Alphonse and Nancy were married just 20 days later, with Alphonse dying on December 5, 1969.

While the nine-month requirement for receiving widow's benefits was understandably created to prevent marriages in anticipation of death, the reason for Nancy Wilson's delayed nuptials were clearly unique. Given the extenuating circumstances, I urge my colleagues to support this private relief bill for Nancy Wilson.

Ms. COLLINS. Mr. President, I am pleased to join Senator SNOWE in introducing legislation for the private relief of Nancy B. Wilson. Nancy's compelling case merits such action.

In 1945, Al Wilson was married with two children when tragedy struck the family. His wife Edna was institutionalized following a severe mental breakdown, and Al was left with no one to care for his children. Five years later, he met Nancy Butler, who took up residence with Al and began caring for his two children, as well as her own son. The eldest child has written that Nancy ''is the person who brought me up in place of my biological mother, who was institutionalized. I think of Nancy as my real mother.''

Though Al and Nancy wished to get married, Al was prohibited from divorcing his first wife under a Massachusetts law barring divorce for reasons of insanity or institutionalization for insanity. Time passed, and although not legally married, Al and Nancy raised their family together.

Edna Wilson died on April 12, 1969, and Al and Nancy were married twenty days later. Tragically, just seven months after their wedding, Al died of cancer. Though only married for those seven months, Al and Nancy had lived together for 19 years.

When Nancy turned 64 she applied to the Social Security Administration for survivor's insurance benefits. She was told that a couple must be married for 9 months for the spouse to be eligible to collect survivor benefits, and that her legal marriage failed to meet that threshold. Nancy has since exhausted the administrative appeals process to no avail.

The private relief bill we are introducing will simply allow Nancy to receive widow's benefits from her husband's earnings. Though Al and Nancy were legally prevented from being married for all but seven months of their years together, they were, for all practical purposes, married for 19 years. She raised his children, allowing him to work and accumulate a Social Security benefit.

These unique circumstances illustrate why Congress must enact private relief legislation from time to time. Certainly, Nancy's unique situation fulfills the intent of the Social Security Act, and it is a situation that will not be repeated due to a change in Massachusetts law repealing the legal hurdle that prevented Al and Nancy from being married in the first place. Mrs. Wilson's case is truly compelling, and merits this corrective action by Congress. I urge my colleagues to support this measure.

By Mr. SARBANES (for himself, Mr. REED, and Mr. ALLARD):

S. 1254. A bill to reauthorize the Multifamily Assisted Housing Reform and Affordability Act of 1997, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SARBANES. Mr. President, today I am introducing the Mark-to-Market Extension Act of 2001 with my colleagues Senator REED and Senator ALLARD, the chair and ranking member of the Housing and Transportation Subcommittee of the Banking, Housing, and Urban Affairs Committee. This legislation will extend the Multifamily Assisted Housing Restructuring and Affordability Act of 1997, MAHRAA, for an additional five years.

The legislation will ensure that HUD continues to have the authority to restructure the rents and the mortgages of its FHA-insured section 8 project-based portfolio. These properties have been operating for the past 20 years on long term rental subsidy contracts, many of which are currently paying above-market rents. The program we seek to reauthorize provides HUD with the tools to reduce those rents to market levels and restructure the underlying mortgages so that the new, lower rents will be sufficient to cover the debt. At the same time, the program provides for the rehabilitation of these projects, and requires another long term commitment to keep the properties affordable.

This program expires in September. Both HUD and the General Accounting Office believe the program should be reauthorized in order to continue the progress in getting these projects restructured, rehabilitated, and on a sound footing for the taxpayer, for the owner, and for the resident.

In a hearing on this program held on June 19, we heard from all the stakeholders, HUD, and the GAO. We have adopted many of the recommendations heard at that hearing in this legislation. Some of the changes we have included should further reduce the costs of the program to the federal government, while simultaneously allowing for more extensive rehabilitation and more economic certainty for property owners. The bill also extends the authorization for funding for tenants, non-profits, and public agencies that participate in the restructuring process.

I ask unanimous consent that a section by section analysis be printed in the RECORD.

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

SECTION-BY-SECTION OF THE MARK-TO-MARKET EXTENSION ACT OF 2001

This legislation reauthorizes the ''Multifamily Assisted Housing Reform and Affordability Act of 1997'' (MAHRAA) with some amendments.

Section 1—Short Title.

Section 2—Purposes.

Section 3—Definitions.

Section 4—Provides for reauthorization of grants for tenant services, non-profits, and public entities engaged in the restructuring process; readjustment of calculation of properties eligible for exception rents; use of enhanced vouchers; notice regarding rejection of restructuring plan; voluntary participation of Preservation projects in mortgage restructuring upon sale or transfer of property; discretion for the Secretary in requiring owner contributions for new features in addition to basic rehabilitation; establish consistent rent standard; provide for GAO reports on physical and financial condition of the property and HUD's oversight; and, allow for resizing of second mortgages.

Section 5—Provides for consistent rent standard for projects undergoing restructuring, and for tenant-based vouchers.

Section 6—Provides for HUD-held mortgages to go through FHA's streamlined refinance process established by section 237(a)(7) of the National Housing Act; provides for the term of such loans to be up to 30 years.

Section 7—Technical correction to renumber a section of the law.

Section 8—Eliminate the requirement that the Director of the Office of Multifamily Housing Assistance Restructuring, OMHAR, be confirmed by the Senate; make the Director report to the FHA Commissioner; extend the program and Office for 5 years; and make the limitation on subsequent employment 1 year, consistent with Congressional rules.

By Mr. WYDEN (for himself and Mr. BROWNBACK):

S. 1255. A bill to encourage the use of carbon storage sequestration practices in the United States; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. WYDEN. Mr. President, today Senator BROWNBACK and I are introducing legislation that uses a simple, scientifically sound and entirely voluntary approach to combat global warming. It's not regulatory, and it's not revolutionary, except for the fact that this approach could account for and solve up to 50 percent of the United States' atmospheric carbon problem. The Carbon Sequestration and Reporting Act will expand the Nation's forested lands, protect watersheds, conserve agricultural lands and put forests and farms on the frontlines in the battle against global warming. The legislation is entirely voluntary and incentive-based. It makes new resources available to private landowners through State-operated revolving loan programs and USDA conservation programs to provide assistance for tree planting, other forest management actions, and soil conservation for the purposes of carbon sequestration. Both of these programs will lead to better water quality, less runoff pollution, better wildlife habitat and an additional revenue source for farmers and forest land owners.

Thirty-eight industrialized countries account for one-half of the carbon released into the atmosphere. The U.S., all alone, accounts for one-quarter of the total carbon released into the atmosphere. This country cannot afford to be a bystander on the climate change issue, and yet two days ago the headlines read: ''Climate Agreement Leaves U.S. Out in the Cold;'' ''Isolated on Global Warming;'' ''178 Nations Reach Climate Accord; U.S. Only Looks On.'' I am convinced that it is possible to put together a bipartisan alternative to inaction. I started that process with the Forest Resources for the Environment and Economy Act. Today, I continue that process with Senator BROWNBACK as we introduce The Carbon Sequestration and Reporting Act.

We cannot afford to sit out this debate as it goes on around us. It costs between $2 and $20 per ton to store carbon in trees and soil but alternative strategies such as emissions reductions can cost up to $100 per ton. Sequestering carbon in forests and soil is a scientifically sound and cost-effective

strategy that can reduce carbon dioxide levels by up to 50 percent. My approach has been to use trees for carbon sequestration; Senator BROWNBACK's approach has been to sequester carbon in agricultural soil. Our legislation joins the best of both these approaches.

I am not saying that carbon sequestration should be the only tool in our toolbox. We need all the tools available to address the enormous issue of global climate change. But we believe this approach, this bill, will provide a jump start to a stalled political process. Carbon sequestration is a technology that can begin working right now, today, to reduce the negative effects of climate change.

Investing in healthy forests today is an investment in the well-being of our planet for decades to come. In the Pacific Northwest, forests are more than critical environmental resources, they are also a cornerstone of our economy. The same is true for agriculture. Last year, in Oregon alone, agriculture accounted for over $3 billion in trade and business revenues. Investing in improved land management and conservation to offset greenhouse gases is a win for the environment, a win for agriculture and a win for local economies.

According to the Pacific Forest Trust, our forest lands in the United States are only storing one-quarter of the carbon they can ultimately store. Just tapping a portion of this potential by expanding and increasing the productivity of the Nation's 737 million acres of forests is an important part of a win-win strategy to slow global warming. The forestry component of this bill works through a revolving loan fund for private, non-industrial landowners to be used to plant trees for carbon sequestration and conservation purposes. The forestry loans are not limited by time, but can be forgiven if the landowner decides to institute a permanent easement on his or her land for the purposes of conservation and carbon sequestration. This bill also takes an important first step toward sequestering greenhouse gases on Federal lands: it directs the Forest Service to report to Congress on options to increase carbon storage in our national forests.

The agriculture portion of the bill will encourage landowners to offer the best plans detailing practices they would be willing to undertake to store additional carbon in the soil. The program is limited to 5 million acres, and is not a set aside. Rather, this bill encourages conservation practices like no-till, buffer strips and biomass production, to name a few, which are known to enhance soils' ability to store carbon. Using funding similar to current CRP payments, the agricultural contracts under this bill would be for a minimum of 10 years and USDA would be required—in conjunction with other agencies—to finalize criteria for measuring the carbon-storing ability of various conservation practices.

We know these types of approaches work because of the leadership of our home states in carbon sequestration practice and research: Oregon for forestry and agriculture and Kansas for agriculture. The objectives of this bill will be greatly aided by institutions like Oregon State University and Kansas State University, who are already conducting significant research on various carbon-storing practices.

This bill also makes important changes to the Energy Policy Act of 1992: it would strengthen the voluntary accounting and verification of greenhouse gas reductions from forestry and agricultural activities. The bill directs the Secretary of Energy to develop new guidelines on accurate and cost-effective methods to account for and report real and credible greenhouse gas reductions. These guidelines are absolutely necessary because without them we could be doing all the environmental good in the world, but we have no record of it and, therefore, no concept of the progress we would have made. The guidelines will be developed with the input of a new Advisory Council representing agriculture, industry, foresters, States, and environmental groups.

As in the last Congress, the forestry portion of the bill will pay for itself by using money that polluters pay when they are caught violating the Clean Air Act and Clean Water Act as there are currently no guarantees that these penalties, which revert to the General Fund, are used to improve our environment, but our bill would put the penalties toward this goal. We would use these fines to expand our forests, protect streams and rivers and help remove greenhouse gases from the air. The agricultural portion of this bill will be paid for by conservation appropriations to the USDA.

This bill is about taking advantage of a clear win-win opportunity. It's a win for the global environment. It's a win for sustainable forestry. It's a win for local water protection. And it's a win for rural communities. For these reasons, the forestry portion of this bill has already received positive reactions from timber companies and environmental organizations alike, including the National Association of State Foresters and the Society of American Foresters, American Forest and Paper Association, American Forests, Environmental Defense, Governor John A. Kitzhaber of Oregon, PacifiCorp, The Nature Conservancy, and The Pacific Forest Trust. The agricultural portion of this bill has received positive reactions from many of these same groups.

I look forward to pursuing this common-sense step toward protecting the environment and supporting our forest workers and agricultural interests.

I ask unanimous consent that the text of the bill and a summary of the Carbon Sequestration and Reporting Act be printed in the RECORD.

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

S. 1255

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Carbon Sequestration and Reporting Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CARBON ADVISORY COUNCIL

Sec. 101. Carbon advisory council.
Sec. 102. National inventory and voluntary reporting of greenhouse gases.

TITLE II—FOREST CARBON MANAGEMENT

Sec. 201. Forest carbon storage and sequestration.

TITLE III—CARBON SEQUESTRATION PROGRAM

Sec. 301. Establishment.
Sec. 302. Funding.
Sec. 303. Regulations.
Sec. 304. Effective dates.

TITLE IV—REPORTS

Sec. 401. Initial report.
Sec. 402. Annual report.
Sec. 403. State report.

TITLE I—CARBON ADVISORY COUNCIL

SEC. 101. CARBON ADVISORY COUNCIL.

The Energy Policy Act of 1992 is amended by inserting after section 1609 (42 U.S.C. 13388) the following:

''SEC. 1610. CARBON ADVISORY COUNCIL.

''(a) DEFINITIONS.—In this section:

''(1) CARBON ADVISORY COUNCIL.—The term 'Carbon Advisory Council' means the Carbon Advisory Council established under subsection (b).

''(2) CARBON SEQUESTRATION.—The term 'carbon sequestration' means the action of vegetable matter in—

''(A) extracting carbon dioxide from the atmosphere through photosynthesis;

''(B) converting the carbon dioxide to carbon; and

''(C) storing the carbon in the form of roots, stems, soil, or foliage.

''(3) CARBON STORAGE.—The term 'carbon storage' means the quantity of carbon sequestered from the atmosphere and stored in forest carbon reservoirs.

''(4) FOREST CARBON PROGRAM.—The term 'forest carbon program' means the program established under section 2404(b) of the Global Climate Change Prevention Act of 1990 to provide financial assistance for forest carbon activities through—

''(A) cooperative agreements; and

''(B) State revolving loan funds.

''(5) FOREST MANAGEMENT ACTION.—

''(A) IN GENERAL.—The term 'forest management action' means an action that—

''(i) applies forestry principles to the regeneration, management, utilization, and conservation of forests to meet specific goals and objectives; and

''(ii) maintains the productivity of the forests.

''(B) INCLUSIONS.—The term 'forest management action' includes management of forests for the benefit of—

''(i) aesthetics;

''(ii) fish;

''(iii) recreation;
''(iv) urban values;
''(v) water;
''(vi) wilderness;
''(vii) wildlife;
''(viii) wood products; and
''(ix) other forest values.

''(6) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term by section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

''(7) REFORESTATION.—

''(A) IN GENERAL.—The term 'reforestation' means the reestablishment of forest cover naturally or artificially.

''(B) INCLUSIONS.—The term 'reforestation' includes—

''(i) planned replanting;
''(ii) reseeding; and
''(iii) natural regeneration.

''(b) ESTABLISHMENT.—The Secretary shall establish an advisory council, to be known as the 'Carbon Advisory Council', to—

''(1) advise the Secretary on the development and updating of guidelines for accurate reporting of greenhouse gas sequestration from soil carbon and forest management actions;

''(2) evaluate the potential effectiveness of the guidelines in verifying carbon inputs and outputs from various soil carbon and forest management strategies;

''(3) estimate the effect of implementing the guidelines on carbon sequestration and storage; and

''(4) assist the Secretary in preparing the annual report required by section 402(a) of the Carbon Storage and Sequestration Act (including the assessment of the vulnerability of forests and agricultural land to the adverse effects of climate change).

''(c) MEMBERSHIP.—The Carbon Advisory Council shall be composed of 21 members as follows:

''(1) The Secretary of Agriculture (or a designee).
''(2) The Secretary of Energy (or a designee).
''(3) The Secretary of the Interior (or a designee).
''(4) The Secretary of State (or a designee).
''(5) The Administrator of the Environmental Protection Agency (or a designee).
''(6) The Chief of the Forest Service (or a designee)

''(7) 15 members appointed jointly by the Secretary of Agriculture and the Secretary of Energy as follows:

''(A) 1 member representing professional forestry organizations.

''(B) 2 members representing environmental or conservation organizations.

''(C) 1 member representing nonindustrial private landowners.

''(D) 1 member representing the forest industry.

''(E) 1 member representing Indian tribes.

''(F) 1 member representing forest workers.

''(G) 3 members representing the academic scientific community.

''(H) 2 members representing State forestry organizations.

''(I) 2 members representing nongovernmental organizations who have an expertise and experience in soil carbon sequestration practices.

''(J) 1 member representing commercial agricultural producers.

''(d) TERM.—

''(1) IN GENERAL.—Except as provided in paragraph (3), a member of the Carbon Advisory Council appointed under subsection (c)(7) shall be appointed for a term of 3 years.

''(2) CONSECUTIVE TERMS.—No individual appointed under subsection (c)(7) may serve on the Carbon Advisory Council for more than 2 consecutive terms.

''(3) INITIAL TERMS.—Of the members first appointed to the Carbon Advisory Council under subsection (c)(7)—

''(A) 5 of the members shall be appointed for a term of 1 year;

''(B) 5 of the members shall be appointed for a term of 2 years; and

''(C) 5 of the members shall be appointed for a term of 3 years.

''(e) VACANCY.—

''(1) IN GENERAL.—A vacancy on the Carbon Advisory Council shall be filled in the same manner as the original appointment was made.

''(2) FILLING OF UNEXPIRED TERM.—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

''(f) COMPENSATION.—

''(1) NON-FEDERAL EMPLOYEES.—A member of the Carbon Advisory Council who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Carbon Advisory Council.

''(2) FEDERAL EMPLOYEES.—A member of the Carbon Advisory Council who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

''(3) TRAVEL EXPENSES.—A member of the Carbon Advisory Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Carbon Advisory Council.

''(4) SUPPORT.—The Secretary shall provide financial and administrative support to the Carbon Advisory Council.

''(g) USE OF EXISTING COUNCIL.—The Secretary may designate a council in existence as of the date of enactment of this section to perform the tasks of the Carbon Advisory Council if (as determined by the Secretary)—

''(1) the responsibilities of the Carbon Advisory Council, as described in subsection (b), are a high priority for the existing council; and

''(2) the representation, membership terms, background, and responsibilities of the existing council correspond to the requirements for the Carbon Advisory Council established under subsections (c) and (d).

''(h) DUTIES.—

''(1) REVIEW OF GUIDELINES.—Not later than 18 months after the date of enactment of this section, the Carbon Advisory Council shall—

''(A) review the guidelines established under section 1605(b)(1) that address procedures for the accurate voluntary reporting of greenhouse gas sequestration from tree planting, forest management actions, and agricultural land;

''(B) make recommendations to the Secretary to amend the guidelines; and

''(C) before submitting the guidelines to the Secretary, provide an opportunity for public comment on the guidelines.

''(2) ESTABLISHMENT OF GUIDELINES.—

''(A) REPORTING GUIDELINES.—The recommendations under paragraph (1)(B) shall include recommendations for reporting guidelines that—

''(i) are based on—

''(I) measuring increases in carbon storage in excess of the carbon storage that would have occurred but for reforestation, forest management, forest protection, or other soil carbon and forest management actions; and

''(II) comprehensive carbon accounting that reflects net increases in the carbon reservoir and takes into account any carbon emissions resulting from the disturbance of carbon reservoirs existing at the beginning of a soil carbon or forest management action; and

''(ii) include options for—

''(I) estimating the indirect effects of soil carbon and forest management actions on carbon storage, including the potential displacement of carbon emissions;

''(II) quantifying the expected carbon storage over various time periods, as determined by the Secretary, taking into account the duration of carbon stored in the carbon reservoir; and

''(III) considering the economic and social effects of soil carbon and forest management alternatives.

''(B) ACCURATE MONITORING, MEASUREMENT, AND VERIFICATION GUIDELINES.—

''(i) IN GENERAL.—The recommendations under paragraph (1)(B) shall include recommended practices for monitoring, measurement, and verification of carbon storage from soil carbon and forest management actions.

''(ii) REQUIREMENTS.—The recommended practices shall, to the maximum extent practicable—

''(I) be based on statistically sound sampling strategies that build on knowledge of the carbon dynamics of forests and agricultural land;

''(II) compute carbon stocks and changes in carbon stocks, by taking field condition measurements and modeling;

''(III) include guidelines on how to sample and calculate carbon sequestration across multiple participating ownerships; and

''(IV) encourage the use of more precise measurements at the option of a reporting entity.

''(C) STATE GUIDELINES.—The recommendations under paragraph (1)(B) shall include State guidelines for reporting, monitoring, and verifying carbon storage under the forest carbon program.

''(D) BIOMASS ENERGY PROJECTS.—The recommendations under paragraph (1)(B) shall include guidelines for calculating net greenhouse gas reductions from biomass energy projects, including—

''(i) net changes in carbon storage resulting from changes in land use; and

''(ii) the effect of using biomass to generate electricity (including co-firing of biomass with fossil fuels) on the displacement of greenhouse gas emissions from fossil fuels.

''(3) REVIEW OF GUIDELINES.—At least once every 24 months, the Carbon Advisory Council shall meet to—

''(A) evaluate the latest scientific and observational information on reporting, monitoring, and verification of carbon storage from forest soil carbon and forest management actions; and

''(B) recommend to the Secretary, revised guidelines for reporting, monitoring, and verification of carbon storage from soil carbon and forest management actions to reflect the evaluation.

''(4) COMPLIANCE WITH OTHER LAWS.—The Advisory Committee shall meet, as necessary, to ensure that the guidelines for reporting, monitoring, and verification of carbon storage from forest management actions are revised to be consistent with any Federal or State laws enacted after the date of enactment of this section.''.

SEC. 102. NATIONAL INVENTORY AND VOLUNTARY REPORTING OF GREENHOUSE GASES.

Section 1605(b) of the Energy Policy Act of 1992 (42 U.S.C. 13385(b)) is amended by adding at the end the following:

''(5) AMENDMENT OF GUIDELINES.—Not later than 180 days after receiving the recommendations of the Carbon Advisory Council under subsection 1610(h)(1)(B), the Secretary (acting through the Administrator of the Energy Information Administration) shall, as appropriate, revise the guidelines established under paragraph (1) to reflect the recommendations of the Carbon Advisory Council.''.

TITLE II—FOREST CARBON MANAGEMENT

SEC. 201. FOREST CARBON STORAGE AND SEQUESTRATION.

The Global Climate Change Prevention Act of 1990 is amended by inserting after section 2403 (7 U.S.C. 6702) the following:

''SEC. 2404. FOREST CARBON MANAGEMENT.

''(a) DEFINITIONS.—In this section:

''(1) CARBON ADVISORY COUNCIL.—The term 'Carbon Advisory Council' means the Carbon Advisory Council established by section 1610(b) of the Energy Policy Act of 1992.

''(2) CARBON STORAGE.—The term 'carbon storage' means the quantity of carbon sequestered from the atmosphere and stored in forest carbon reservoirs.

''(3) FOREST CARBON PROGRAM.—The term 'forest carbon program' means the program established under subsection (b) to provide financial assistance for forest carbon activities through—

''(A) cooperative agreements; and

''(B) State revolving loan funds.

''(4) FOREST CARBON RESERVOIR.—The term 'forest carbon reservoir' means—

''(A) trees, roots, soils, or other biomass associated with forest ecosystems; and

''(B) products from the biomass that store carbon.

''(5) FOREST LAND—

''(A) IN GENERAL.—The term 'forest land' means land that is, or has been, at least 10 percent stocked by forest trees of any size.

''(B) INCLUSIONS.—The term 'forest land' includes—

''(i) land on which forest cover may be naturally or artificially regenerated; and

''(ii) a transition zone between a forested area and nonforested area that is capable of sustaining forest cover.

''(6) FOREST MANAGEMENT ACTION.—

''(A) IN GENERAL.—The term 'forest management action' means an action that—

''(i) applies forestry principles to the regeneration, management, use, and conservation of forests to meet specific goals and objectives; and

''(ii) maintains the productivity of the forests.

''(B) INCLUSIONS.—The term 'forest management action' includes management of forests for the benefit of—

''(i) aesthetics;

''(ii) fish;

''(iii) recreation;

''(iv) urban values;

''(v) water;

''(vi) wilderness;

''(vii) wildlife;

''(viii) wood products; and

''(ix) other forest values.

''(7) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

''(8) INVASIVE SPECIES.—The term 'invasive species' means a species that is not native to an ecosystem, the introduction of which may cause harm to the economy, the environment, or human health.

''(9) NONINDUSTRIAL PRIVATE FOREST.—The term 'nonindustrial private forest' means forest land that is privately owned by a person that—

''(A) does not control a forest products manufacturing facility; and

''(B) manages the land solely for the purposes of timber production.

''(10) REFORESTATION.—

''(A) IN GENERAL.—The term 'reforestation' means the reestablishment of forest cover naturally or artificially.

''(B) INCLUSIONS.—The term 'reforestation' includes—

''(i) planned replanting;

''(ii) reseeding; and

''(iii) natural regeneration.

''(11) REVOLVING LOAN PROGRAM.—The term 'revolving loan program' means a State revolving loan program established under subsection (b)(2)(A).

''(12) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

''(b) FOREST CARBON PROGRAM.—

''(1) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with willing landowners who are State or local governments, Indian tribes, private, nonprofit entities, [and other persons] to carry out forest carbon activities on private land, State land, Indian tribe land, [or private land.]

''(2) REVOLVING LOAN PROGRAM.—

''(A) IN GENERAL.—In collaboration with State Foresters and representatives of nongovernmental organizations, the Secretary shall provide assistance to States to establish a revolving loan program to carry out forest carbon activities on nonindustrial private forest land.

''(B) ELIGIBILITY.—An owner of nonindustrial private forest land shall be eligible for assistance from a revolving loan fund for forest carbon activities on not more than a total of 5,000 acres of nonindustrial private forest land of the owner.

''(C) LOAN TERMS.—

''(i) IN GENERAL.—To be eligible for a loan under this section, an owner of nonindustrial private forest land shall enter into a loan agreement with the State.

''(ii) INTEREST RATE.—The loan agreement shall have loan interest rates that are established by the State—

''(I) to encourages participation of nonindustrial private forest landowners in the revolving loan program;

''(II) to provide a net rate of return of not more than 3 percent; and

''(III) to further the objectives of this section.

''(iii) REPAYMENT.—The loan agreement shall require that loan obligations be repaid to the State—

''(I)(aa) at the time of harvest of land covered by the revolving loan program; or

''(bb) in accordance with a repayment schedule determined by the State; and

''(II) at a rate proportional to the percentage decrease of carbon stock.

''(iv) INSURANCE.—The loan agreement shall include provisions that provide for private insurance, or that release the owner from the financial obligation for any portion of the timber, forest products, or other biomass that—

''(I) is lost to insects, disease, fire, storm, flood, or other circumstance beyond the control of the owner; or

''(II) cannot be harvested because of restrictions on tree harvesting imposed by the applicable Federal, State, or local government after the date of the loan agreement.

''(v) LIEN.—The loan agreement shall—

''(I) impose a lien on all timber, forest products, and biomass produced on land covered by the loan agreement; and

''(II) provide an assurance that the terms of the lien shall transfer with the land on sale, lease, or transfer of the land.

''(vi) BUYOUT OPTION.—The loan agreement shall include a buyout option that specifies the financial terms under which the owner may terminate the agreement—

''(I) before harvesting timber from the stand established with loan funds; and

''(II) by repaying the loan with interest.

''(vii) ATTRIBUTION.—The loan agreement shall provide that, until the loan is paid in full by the participating owner or otherwise terminated in accordance with this section, all reductions in atmospheric greenhouse gases achieved as the result of the loan shall be attributed to any non-Federal entities that provide funding for the loan (including the State or any other person or nongovernmental organization that provides funding to the State for the issuance of the loan).

''(viii) MONITORING AND VERIFICATION.—The loan agreement shall include provisions for the monitoring and verification of carbon storage.

''(D) PERMANENT CONSERVATION EASEMENT.—

''(i) IN GENERAL.—A borrower may donate to the State or to another appropriate entity a permanent conservation easement that—

''(I) furthers the objectives of this section, including managing the land in a manner that maximizes the forest carbon reservoir of the land; and

''(II) permanently protects the covered private forest land and resources at a level above that required under applicable Federal, State, and local law.

''(ii) TERMS.—A permanent conservation easement under clause (i) may permit the continuation of forest management actions that—

''(I) increase carbon storage on the land and forest; or

''(II) furthers the objectives of this section.

''(iii) EFFECT ON LOAN AGREEMENT.—

''(I) REQUIRED CANCELLATION.—If the borrower donates to the State a permanent conservation easement under clause (i), the State shall cancel—

''(aa) the loan agreement under subparagraph (C); and

''(bb) any liens on the timber, forest products, and biomass under subparagraph (C)(v).

''(II) PERMISSIBLE CANCELLATION.—If the borrower donates to another appropriate entity a permanent conservation easement under clause (i), the State may cancel—

''(aa) the loan agreement under subparagraph (C); and

''(bb) any liens on the timber, forest products, and biomass under subparagraph (C)(v).

''(E) REINVESTMENT OF FUNDS.—Any funds collected under a loan issued under this section (including loan repayments, loan buyouts, and any interest payments) shall be—

''(i) reinvested by the State in the revolving loan program; and

''(ii) used by the State to make additional loans under the revolving loan program.

''(F) RECORDS.—The State Forester of a State shall—

''(i) maintain all records related to any loan agreement funded by a revolving loan fund of the State; and

''(ii) make the records available to the public.

''(G) MATCHING FUNDS.—

''(i) IN GENERAL.—Beginning the second year in which a State participates in the revolving loan program, and each year thereafter, to be eligible to receive Federal funds under this subsection a State shall provide matching non-Federal funds equal to at least 25 percent of the Federal funds made available to the State for the revolving loan program.

''(ii) ADMINISTRATION.—The State shall—

''(I) provide matching funds in the form of cash, in-kind administrative services, or technical assistance; and

''(II) establish procedures to ensure accountability for the use of Federal funds.

''(H) LOAN FUNDING DISTRIBUTION.—

''(i) FORMULA.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with State Foresters, shall—

''(I) establish a formula under which Federal funds shall be distributed under this section among eligible States; and

''(II) submit to Congress a report on the formula (including the methodology used to establish the formula).

''(ii) BASIS.—The formula shall—

''(I) be based on maximizing the potential for meeting the objectives of this section;

''(II) consider—

''(aa) the acreage of un-stocked or underproducing private forest land in each State;

''(bb) the potential productivity of the land;

''(cc) the potential long-term carbon storage of the land;

''(dd) the potential to achieve other environmental benefits;

''(ee) the number of owners eligible for loans under this section in each State; and

''(ff) the need for reforestation, timber stand improvement, or other forestry investments consistent with the objectives of this section; and

''(III) provide a priority to States that have experienced or are expected to experience significant declines in employment levels in the forestry industry because of declining timber harvests on Federal land.

''(I) PRIVATE FUNDING.—A revolving loan fund may accept and distribute as loans any funds provided by nongovernmental organizations or persons to carry out this section.

''(J) BONNEVILLE POWER ADMINISTRATION.—

''(i) IN GENERAL.—The States of Washington, Oregon, Idaho, and Montana may apply for funding from the Bonneville Power Administration for purposes of funding loans that meet—

''(I) the objectives of this section; and

''(II) the fish and wildlife objectives of the Bonneville Power Administration under the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.).

''(ii) APPLICATION OF REQUIREMENTS UNDER OTHER LAW.—An application under clause (i) shall be subject to all rules and procedures established by the—

''(I) Pacific Northwest Electric Power and Conservation Planning Council; and

''(II) the Bonneville Power Administration under the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.).

''(3) ELIGIBLE FORESTRY CARBON ACTIVITIES.—

''(A) IN GENERAL.—An owner may use a loan or other funds provided under this section to carry out eligible forestry carbon activities (as determined by the Secretary) that—

''(i)(I) help restore under-producing or understocked forest land;

''(II) provide for protection of forests from nonforest use; or

''(III) allow a variety of sustainable management alternatives; and

''(ii) have no net negative impact on watersheds and fish and wildlife habitats.

''(B) ASSISTANCE.—The Secretary, in collaboration with State Foresters, shall provide guidance on eligible forestry carbon activities under this subsection.

''(C) APPLICATION OF OTHER LAWS.—Funding shall not be provided under this section for activities required under other applicable Federal, State, or local laws.

''(D) PRE-AGREEMENT ACTIVITIES.—Funding shall not be provided for costs incurred before entering into a cooperative agreement or loan agreement under this section.

''(E) LIMITATION ON LAND CONSIDERED FOR FUNDING.—No owner shall enter into a loan agreement under this section to fund reforestation of land harvested after the date of enactment of this section if the owner received revenues from the harvest that are sufficient to reforest the land.

''(F) ELIGIBLE TREE SPECIES.—

''(i) INVASIVE SPECIES.—Selection of tree species for loan projects under this paragraph shall be consistent with Executive Order No. 13112 (42 U.S.C. 4321 note).

''(ii) PROGRAM FUNDING.—Funding for reforestation activities under this section may be provided for—

''(I) tree species native to a region;

''(II) tree species that formerly occupied the site; or

''(III) nonnative tree species or hybrids that are noninvasive.

''(G) FOREST-MANAGEMENT PLAN.—Priority shall be provided under this section to projects on land under a forestry management plan or forest stewardship plan that is consistent with the objectives of the carbon storage program.

''(H) USE OF FUNDS.—

''(i) PERMITTED USES.—Funds under this section may be used to—

''(I) pay the cost of purchasing and planting tree seedlings; and

''(II) pay other costs associated with the planted trees, including the cost of—

''(aa) planning;

''(bb) site preparation;

''(cc) forest management;

''(dd) monitoring;

''(ee) measurement and verification; and

''(ff) consultant and contractor fees.

''(ii) PROHIBITED USES.—Funds under this section shall not be used to—

''(I) pay for the labor of the owner; or

''(II) purchase capital items or expendable items, such as vehicles, tools, and other equipment.

''(I) AMOUNT OF FINANCIAL ASSISTANCE.—The amount of financial assistance provided to an owner under this section shall not exceed—

''(i) 100 percent of total project costs of the owner, including funds received from any other source; or

''(ii) $100,000 during any 2-year period.

''(J) FEDERAL FUNDING.—During fiscal years 2001 through 2010, civil penalties collected under section 113 of the Clean Air Act (42 U.S.C. 7413) and under section 309(d) of the Federal Water Pollution Control Act (33 U.S.C. 1319(d)) shall be available, without further act of appropriation, to fund cooperative agreements and revolving loan funds authorized under this section.

''(4) ALLOCATION OF FUNDS.—The Secretary shall allocate—

''(A) not less than 15 percent of available funds for cooperative agreements described in paragraph (1); and

''(B) after determining that States have implemented a system to administer loans made under paragraph (2) in accordance with this section, 85 percent of available funds for State revolving loan programs.

TITLE III—CARBON SEQUESTRATION PROGRAM

SEC. 301. ESTABLISHMENT.

Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by inserting after chapter 1 the following:

''CHAPTER 2—CARBON SEQUESTRATION PROGRAM

''SEC. 1238. CARBON SEQUESTRATION PROGRAM.

''(a) IN GENERAL.—Effective beginning with the 2002 calendar year, the Secretary, acting through the Chief of the Natural Resources Conservation Service, shall establish a carbon sequestration program to permit owners and operators of land located in the United States to enroll the land in the program to increase the sequestration of carbon.

''(b) ELIGIBLE LAND.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may include in the program established under this chapter any land, as determined by the Secretary.

''(2) CONSERVATION RESERVE LAND AND WETLANDS RESERVE LAND.—The Secretary may include in the carbon sequestration program land that is enrolled in the conservation reserve program or the wetlands reserve program established under subchapters B and C, respectively, of chapter 1, if the owner or operator of the land has not received any payments under the program for the implementation of carbon sequestration measures on the land.

''(c) MAXIMUM ENROLLMENT.—The Secretary may maintain up to 20,000,000 acres of land in the United States in the carbon sequestration program at any 1 time during a calendar year.

''(d) DURATION OF CONTRACT.—

''(1) IN GENERAL.—For the purpose of carrying out this chapter, the Secretary shall enter into contracts of not less than 10 years.

''(2) CERTAIN LAND.—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors under a contract entered into under this chapter, the owner or operator of the land may, within the limitations prescribed under this section, specify the duration of the contract.

''SEC. 1238A. CARBON SEQUESTRATION PRACTICES.

''(a) CRITERIA FOR EVALUATING CARBON SEQUESTRATION PRACTICES.—

''(1) IN GENERAL.—The Carbon Advisory Council established under section 1610(b) of the Energy Policy Act of 1992 shall develop, and propose to the Secretary, criteria for determining the acceptability of, and evaluating, practices by owners and operators that will increase the sequestration of carbon for the purposes of determining the acceptability of contract offers made by the owners and operators.

''(2) CONTENT.—The criteria shall address—

''(A) forest preservation and restoration and afforestation;

''(B) biodiversity enhancement;

''(C) the use of acreage to produce high-storage crops;

''(D) soil erosion management;

''(E) soil fertility restoration;
''(F) wetland restoration;
''(G) no-till farming practices;
''(H) conservation buffers;
''(I) improved cropping systems with winter cover crops; and
''(J) any other conservation practices that the Secretary determines to be appropriate for increasing carbon sequestration.

''(3) REGULATIONS.—The Secretary, acting through the Chief of the Natural Resources Conservation Service and the Chief of the Forest Service, by regulation, shall establish criteria described in paragraphs (1) and (2).

''(b) ACCEPTABILITY OF CARBON SEQUESTRATION PRACTICES.—

''(1) IN GENERAL.—As part of a contract offer accepted under this chapter, the owner or operator shall agree to carry out on land enrolled in the program established under this chapter carbon sequestration practices proposed by the owner or operator that (as determined by the Secretary)—

''(A) provide for additional sequestration beyond that which would be provided in the absence of enrollment of the land in the program; and

''(B) contribute to a positive reduction of greenhouse gases in the atmosphere through sequestration over at least a 10-year period.

''(2) MAXIMUM SEQUESTRATION BENEFITS.—In determining the acceptability of contract offers, the Secretary shall take into consideration the extent to which enrollment of the land that is the subject of the contract offer would provide the maximum sequestration benefits under the criteria developed under subsection (a).

''(c) COMPLIANCE WITH CARBON SEQUESTRATION CONTRACTS.—

''(1) IN GENERAL.—As part of a contract offer accepted under this chapter, an owner or operator of land shall permit the Secretary to verify that the owner or operator is implementing practices that sequester carbon in accordance with the contract, including an actual verification of the practices at least once every 5 years and such random inspections as are necessary.

''(2) FRAUD OR FALSE STATEMENTS.—Section 1001 of title 18, United States Code, shall apply to a statement, representation, writing, or document provided by an owner or operator under this subsection.

''(3) CONFIDENTIALITY.—Information provided by an owner or operator under this subsection shall be considered to be confidential information for the purposes of section 552(b)(4) of title 5, United States Code.

''(d) MONITORING.—The Secretary, in consultation with the Administrator of the Energy Information Administration, shall develop forms to monitor sequestration improvements made as a result of the program established under this chapter and distribute the forms to owners and operators of land enrolled in the program.

''(e) EDUCATIONAL OUTREACH.—In consultation with the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, the Secretary, acting through the Extension Service, shall conduct an educational outreach program to collect and disseminate to owners and operators of land research-based information on agricultural practices that will increase the sequestration of carbon, while preserving the social and economic well-being of the owners and operators.

''SEC. 1238B. DUTIES OF OWNERS AND OPERATORS.

''(a) IN GENERAL.—Under the terms of a contract entered into under this chapter, during the term of the contract, an owner or operator of a farm or ranch shall agree—

''(1) to implement a plan approved by the Secretary for carrying out on land subject to the contract practices that will increase the sequestration of carbon, substantially in accordance with a schedule, covering a period of not less than 10 years, that is outlined in the plan;

''(2) to place land subject to the contract in the carbon sequestration program established under this chapter;

''(3) in addition to the remedies provided under section 1238F(d), on the violation of a term or condition of the contract at any time at which the owner or operator has control of the land—

''(A) to forfeit all rights to receive rental payments and cost-sharing payments under the contract and to refund to the Secretary any rental payments and cost-sharing payments received by the owner or operator under the contract, and interest on the payments as determined by the Secretary, if the Secretary determines that the violation is of such nature as to warrant termination of the contract; or

''(B) to refund to the Secretary, or accept adjustments to, the rental payments and cost-sharing payments provided to the owner or operator, as the Secretary considers appropriate, if the Secretary determines that the violation does not warrant termination of the contract;

''(4) on the transfer of the right and interest of the owner or operator in land subject to the contract—

''(A)(i) to forfeit all rights to rental payments and cost-sharing payments under the contract; and

''(ii) to refund to the United States all rental payments and cost-sharing payments received by the owner or operator, or accept such payment adjustments or make such refunds as the Secretary considers appropriate and consistent with the objectives of this chapter; unless

''(B)(i) the transferee of the land agrees with the Secretary to assume all obligations of the contract;

''(ii) the land is purchased by or for the United States Fish and Wildlife Service; or

''(iii) the transferee and the Secretary agree to modifications to the contract that are consistent with the objectives of the program, as determined by the Secretary;

''(5) not to adopt any practice specified by the Secretary in the contract as a practice that would tend to defeat the purposes of this chapter; and

''(6) to comply with such additional provisions as the Secretary determines are desirable and are included in the contract to carry out this chapter or to facilitate the practical administration of this chapter.

''(b) PLAN.—The plan referred to in subsection (a)(1)—

''(1) shall specify the carbon sequestration practices to be carried out by the owner or operator during the term of the contract; and

''(2) may provide for the permanent retirement of any existing cropland base and allotment history for the land.

''(c) FORECLOSURE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, an owner or operator that is a party to a contract entered into under this chapter may not be required to make repayments to the Secretary of amounts received under the contract if—

''(A) the land that is subject to the contract has been foreclosed on; and

''(B) the Secretary determines that forgiving the repayments is appropriate in order to provide fair and equitable treatment.

''(2) RESUMPTION OF CONTROL.—

''(A) IN GENERAL.—This subsection shall not void the responsibilities of such an owner or operator under the contract if the owner or operator resumes control over the land that is subject to the contract within the period specified in the contract.

''(B) CONTRACT APPLICABILITY.—On the resumption of the control over the land by the owner or operator, the provisions of the contract in effect on the date of the foreclosure shall apply.

''SEC. 1238C. DUTIES OF THE SECRETARY.

''In return for a contract entered into by an owner or operator under section 1238B, the Secretary shall—

''(1) share the cost of carrying out on the land carbon sequestration practices specified in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest;

''(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

''(A) the use of carbon sequestration practices on the land; and

''(B) the retirement of any cropland base and allotment history that the owner or operator agrees to retire permanently; and

''(3) provide conservation technical assistance to assist the owner or operator in carrying out the contract.

''SEC. 1238D. PAYMENTS.

''(a) TIME OF PAYMENT.—The Secretary shall provide payment for obligations incurred by the Secretary under a contract entered into under this chapter—

''(1) with respect to any cost-sharing payment obligation incurred by the Secretary, as soon as practicable after the obligation is incurred; and

''(2) with respect to any annual rental payment obligation incurred by the Secretary—

''(A) as soon as practicable after October 1 of each calendar year; or

''(B) at the option of the Secretary, at any time before that date during the year in which the obligation is incurred.

''(b) COST-SHARING PAYMENTS.—

''(1) IN GENERAL.—In making cost-sharing payments to an owner or operator under a contract entered into under this chapter, the Secretary shall pay not more than 50 percent of the cost of carrying out carbon sequestration practices required under the contract for which the Secretary determines that cost-sharing is appropriate and in the public interest.

''(2) MAXIMUM AMOUNT.—The Secretary shall not make any payment under this chapter to the extent that the total amount of cost-sharing payments provided to an owner or operator for carbon sequestration practices from all sources would exceed 100 percent of the total cost of carrying out the practices.

''(3) OTHER FEDERAL ASSISTANCE.—An owner or operator shall not be eligible to receive or retain cost-share assistance for land under this subsection if the owner or operator receives any other Federal cost-share assistance under this subsection with respect to the land under any other provision of law.

''(c) RENTAL PAYMENTS.—

''(1) IN GENERAL.—In determining the amount of annual rental payments to be paid to owners and operators for carrying out carbon sequestration practices, the Secretary may consider, among other factors, the amount necessary to encourage owners or operators of land to participate in the program established by this chapter.

''(2) BIDS OR OTHER MEANS.—The amounts payable to owners or operators in the form of

rental payments under contracts entered into under this chapter may be determined through—

''(A) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

''(B) such other means as the Secretary determines are appropriate.

''(3) FACTORS.—In determining the acceptability of contract offers, the Secretary—

''(A) shall take into consideration the extent to which enrollment of the land that is the subject of the contract offer would increase the sequestration of carbon in accordance with section 1238A;

''(B) may take into consideration the extent to which enrollment of the land that is the subject of the contract offer would improve soil resources, water quality, or wildlife habitat, or provide other environmental benefits; and

''(C) may establish different criteria in various States and regions of the United States based on the extent to which the sequestration of carbon, water quality, or wildlife habitat may be improved or erosion may be abated.

''(d) FORM OF PAYMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this section, payments under this chapter—

''(A) shall be made in cash or in the form of in-kind commodities in such amount and on such time schedule as is agreed on by the owner or operator and specified in the contract; and

''(B) may be made in advance of determination of performance.

''(2) IN-KIND COMMODITIES.—If the payment is made with in-kind commodities, the payment shall be made by the Commodity Credit Corporation—

''(A) by delivery of the commodity involved to the owner or operator at a warehouse or other similar facility located in the county in which the land subject to the contract is located or at such other location as is agreed to by the Secretary and the owner or operator;

''(B) by the transfer of negotiable warehouse receipts; or

''(C) by such other method, including the sale of the commodity in commercial markets, as is determined by the Secretary to be appropriate to enable the owner or operator to receive efficient and expeditious possession of the commodity.

''(3) SUBSTITUTION IN CASH.—If stocks of a commodity acquired by the Commodity Credit Corporation are not readily available to make full payment in kind to the owner or operator, the Secretary may substitute full or partial payment in cash for payment in kind.

''(4) STATE CARBON SEQUESTRATION PROGRAM.—Payments to an owner or operator under a special carbon sequestration program described in subsection (f)(4) shall be in the form of cash only.

''(e) PAYMENT TO OTHERS.—If an owner or operator that is entitled to a payment under a contract entered into under this chapter dies, becomes incompetent, is otherwise unable to receive a payment under this chapter, or is succeeded by another person that renders or completes the required performance, the Secretary shall make the payment, in accordance with regulations promulgated by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all the circumstances.

''(f) PAYMENT LIMITATIONS.—

''(1) TOTAL AMOUNT.—The total amount of rental payments, including rental payments made in the form of in-kind commodities, made to a person under this chapter for any fiscal year may not exceed $50,000.

''(2) AMOUNT PER ACRE.—The amount of rental payments made to a person under this chapter for any fiscal year may not exceed $20 per acre.

''(3) REGULATIONS.—

''(A) IN GENERAL.—The Secretary shall issue regulations—

''(i) defining the term 'person' as used in this subsection; and

''(ii) prescribing such rules as the Secretary determines are necessary to ensure a fair and reasonable application of the limitation contained in this subsection.

''(B) CORPORATIONS.—The regulations issued by the Secretary on December 18, 1970, under section 101 of the Agricultural Act of 1970 (7 U.S.C. 1307) shall be used to determine whether corporations and their stockholders may be considered to be separate persons under this subsection.

''(4) OTHER PAYMENTS.—Rental payments received by an owner or operator shall be in addition to, and shall not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under—

''(A) the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127), including the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.);

''(B) the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624); or

''(C) the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

''(5) STATE CARBON SEQUESTRATION PROGRAM.—

''(A) IN GENERAL.—This subsection and section 1305(f) of the Agricultural Reconciliation Act of 1987 (7 U.S.C. 1308 note; Public Law 100–203) shall not be applicable to payments received by a State, political subdivision, or agency of a State or political subdivision in connection with agreements entered into under a special carbon sequestration program carried out by that entity that has been approved by the Secretary.

''(B) PAYMENTS TO STATES AND POLITICAL SUBDIVISIONS.—The Secretary may enter into such agreements for payments to States, political subdivisions, or agencies of States or political subdivisions as the Secretary determines will advance the purposes of this chapter.

''(g) EXEMPTION FROM AUTOMATIC SEQUESTER.—Notwithstanding any other provision of law, no order issued for any fiscal year under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902) shall affect any payment under this chapter.

''(h) OTHER ASSISTANCE.—In addition to any payment under this chapter, an owner or operator may receive cost-share assistance, rental payments, or tax benefits from a State or political subdivision of a State for enrolling land in the carbon sequestration program.

''(i) TREATMENT OF PAYMENTS.—Payments received by an owner or operator under this chapter shall be considered rentals from real estate for the purposes of section 1402(a)(1) of the Internal Revenue Code of 1986.

''SEC. 1238E. CHANGES IN OWNERSHIP; MODIFICATION OR TERMINATION OF CONTRACTS.

''(a) CHANGES IN OWNERSHIP.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), no contract shall be entered into under this chapter concerning land with respect to which the ownership has changed in the 1-year period preceding the first year of the contract period unless—

''(A) the new ownership was acquired by will or succession as a result of the death of the previous owner;

''(B) the new ownership was acquired before April 1, 2001;

''(C) the Secretary determines that the land was acquired under circumstances that give adequate assurances that the land was not acquired for the purpose of enrolling the land in the carbon sequestration program; or

''(D) the ownership change occurred because of foreclosure on the land and the owner of the land immediately before the foreclosure exercises a right of redemption from the mortgage holder in accordance with State law.

''(2) LIMITATIONS.—Paragraph (1) shall not—

''(A) prohibit the continuation of an agreement by a new owner after an agreement has been entered into under this chapter; or

''(B) require a person to own the land as a condition of eligibility for entering into the contract if the person—

''(i) has operated the land to be covered by a contract under this section for at least 1 year preceding the later of—

''(I) the date of the contract; or

''(II) April 1, 2001; and

''(ii) controls the land for the contract period.

''(3) OPTIONS FOR NEW OWNER OR OPERATOR.—If, during the term of a contract entered into under this chapter, an owner or operator of land subject to the contract sells or otherwise transfers the ownership or right of occupancy of the land, the new owner or operator of the land may—

''(A) continue the contract under the same terms or conditions;

''(B) enter into a new contract in accordance with this chapter; or

''(C) elect not to participate in the program established by this chapter.

''(b) MODIFICATION OF CONTRACTS.—The Secretary may modify a contract entered into with an owner or operator under this chapter if—

''(1) the owner or operator agrees to the modification; and

''(2) the Secretary determines that the modification is desirable—

''(A) to carry out this chapter;

''(B) to facilitate the practical administration of this chapter; or

''(C) to achieve such other goals as the Secretary determines are appropriate, consistent with this chapter.

''(c) TERMINATION OF CONTRACTS.—

''(1) IN GENERAL.—The Secretary may terminate a contract entered into with an owner or operator under this chapter if—

''(A) the owner or operator agrees to the termination; and

''(B) the Secretary determines that the termination would be in the public interest.

''(2) CONGRESSIONAL NOTICE.—Not later than 90 days before taking any action to terminate under paragraph (1) a contract entered into under this chapter, the Secretary shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate written notice of the action.

''SEC. 1238F. BASE HISTORY.

''(a) IN GENERAL.—A reduction, based on a ratio between the total cropland acreage on the farm and the acreage placed in the carbon sequestration program authorized by this chapter, as determined by the Secretary, shall be made during the period of the contract, in the aggregate, in crop bases,

quotas, and allotments on the farm with respect to crops for which there is a production adjustment program.

''(b) PRESERVATION OF BASE AND ALLOTMENT HISTORY.—Notwithstanding sections 1211 and 1221, the Secretary, by regulation, may provide for preservation of cropland base and allotment history applicable to acreage on which carbon sequestration practices are carried out under this section, for the purpose of any Federal program under which the history is used as a basis for participation in the program or for an allotment or other limitation in the program, unless the owner and operator agree under the contract to retire permanently that cropland base and allotment history.

''(c) EXTENSION OF BASE AND ALLOTMENT HISTORY.—

''(1) IN GENERAL.—The Secretary shall offer the owner or operator of a farm or ranch an opportunity to extend the preservation of cropland base and allotment history under subsection (b) for such time as the Secretary determines is appropriate after the expiration date of a contract under this chapter at the request of the owner or operator.

''(2) CONDITIONS.—In return for the extension, the owner or operator shall agree to continue to abide by the terms and conditions of the original contract, except that the owner or operator shall receive no additional cost share, annual rental, or bonus payment.

''(d) VIOLATION OF CONTRACTS.—In addition to any other remedy prescribed by law, the Secretary may reduce or terminate the quantity of cropland base and allotment history preserved under this section for acreage with respect to which there has occurred a violation of a term or condition of a contract entered into under this chapter.

''SEC. 1238G. CARBON MONITORING PILOT PROGRAMS.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary, in cooperation with the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, shall carry out 4 or more pilot programs to develop, demonstrate, and verify the best management practices for carbon monitoring on agricultural land.

''(2) CRITERIA.—The Secretary shall select pilot programs based on—

''(A) the merit of the proposed program; and

''(B) the diversity of soil sequestration types available at the site of the proposed program.

''(b) REQUIREMENTS.—Pilot programs carried out under this section shall—

''(1) involve agricultural producers in the development and verification of best management practices for carbon monitoring on agricultural land;

''(2) involve research and testing of the best management practices in various soil types and climactic zones;

''(3) analyze the effects of the adoption of the best management practices on watershed levels; and

''(4) use the results of the research conducted under the program to—

''(A) encourage agricultural producers to adopt the best management practices;

''(B) analyze the economic impact of the best management practices; and

''(C) develop the best management practices on a regional basis for watersheds and States not participating in the pilot programs.

''SEC. 1238H. FUNDING.

''The Secretary shall use to carry out this chapter (including to pay administrative costs incurred by the Natural Resources Conservation Service in carrying out this chapter)—

''(1) funds of the Commodity Credit Corporation made available under section 1241(a)(3); and

''(2) at the option of, and transfer by, another Federal agency, funds of the agency that are available to the agency for climate change initiatives or greenhouse gas emission reductions.''.

SEC. 302. FUNDING.

Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by striking ''chapter 4'' and inserting ''chapters 2 and 4''.

SEC. 303. REGULATIONS.

(a) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this title, the Secretary of Agriculture shall publish in the Federal Register proposed regulations for carrying out this title and the amendments made by this title.

(b) FINAL REGULATIONS.—Not later than 60 days after the date of publication of the proposed regulations, the Secretary shall promulgate final regulations for carrying out this title and the amendments made by this title.

SEC. 304. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title take effect on January 1, 2002.

(b) REGULATIONS.—Section 203 takes effect on the date of enactment of this title.

TITLE IV—REPORTS

SEC. 401. INITIAL REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Agriculture and other appropriate Federal agencies, shall submit to Congress a report on—

(1) the quantity of carbon contained in the forest carbon reservoir of the National Forest System and the methodology and assumptions used to determine that quantity;

(2) the potential to increase the quantity of carbon in the National Forest System and provide positive impacts on watersheds and fish and wildlife habitats through forest management actions;

(3) the role of forests in the carbon cycle; and

(4) the contributions of United States forestry to the global carbon budget.

(b) CONTENTS.—The report shall include an assessment of the impact of forest management actions on timber harvests, wildlife habitat, recreation, forest health, and other statutory objectives of National Forest System management.

SEC. 402. ANNUAL REPORT.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of Energy shall jointly submit an annual report on the results of the carbon storage program under section 2404(b) of the Global Climate Change Prevention Act of 1990 and carbon sequestration program under section 1238 of the Food Security Act of 1985 to—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition and Forestry of the Senate;

(3) the Committee on Resources of the House of Representatives; and

(4) the Committee on Energy and Natural Resources of the Senate.

(b) GUIDELINES.—The Secretary of Agriculture, in consultation with the Carbon Advisory Council established under section 1610(b) of the Energy Policy Act of 1992, shall develop guidelines for the annual report that—

(1) require a statement of the quantity of carbon storage realized;

(2) include the data used to monitor and verify the carbon storage;

(3) are consistent with reporting requirements of the Energy Information Administration; and

(4) prevent soil carbon and forest carbon management actions from being counted twice.

(c) CONTENTS.—The report shall include—

(1) the information required by the guidelines developed under section 1610(h) of the Energy Policy Act of 1992;

(2) an assessment of the effectiveness of carbon monitoring and verification;

(3) a report on carbon activities associated with cooperative agreements for the forest carbon program under section 2404(b)(1) of the Global Climate Change Prevention Act of 1990;

(4) a State forest carbon program compliance report established by—

(A) reviewing reports submitted by States under section 403;

(B) verifying compliance with the guidelines developed under subsection 1610(h) of the Energy Policy Act of 1992;

(C) notifying the State of compliance status;

(D) notifying the State of any corrections that are needed to attain compliance; and

(E) establishing an opportunity for resubmission by the State; and

(5) an assessment of the effectiveness of the carbon sequestration program established under section 1238 of the Food Security Act of 1985, including a report on—

(A) sequestration improvements made as a result of the carbon sequestration program;

(B) sequestration practices on land enrolled in the carbon sequestration program; and

(C) compliance with contracts entered into under the carbon sequestration program.

SEC. 403. STATE REPORT.

Entities participating in cooperative agreements for forest carbon programs under section 2404(b)(1) of the Global Climate Change Prevention Act of 1990, and States receiving assistance to establish a revolving loan fund under section 2404(b)(2) of that Act, shall—

(1) monitor and verify carbon storage achieved under the forest carbon program in accordance with guidelines developed under section 1610(h)(2) of the Energy Policy Act of 1992; and

(2) submit an annual report on the results of the carbon storage program to—

(A) the Secretary of Agriculture; and

(B) any nongovernmental organization or person that provides funding for the carbon storage program.

THE CARBON SEQUESTRATION AND REPORTING ACT—BILL SUMMARY

SUMMARY

The purposes of the bill are to develop monitoring and verification systems for carbon reporting in forestry and agricultural soils, to increase carbon sequestration in forests and agricultural soils by encouraging private sector investment in forestry and conservation in agriculture, and to promote both the forestry and agriculture economies in the United States. This bill is a combination of two previously introduced bills, S. 820 and S. 785, introduced by Senators Wyden and Brownback respectively.

Title I: Carbon Advisory Council: Guidelines for Accurate Carbon Accounting for Forests. The bill directs the Secretary of Energy and the Secretary of Agriculture, through the Forest Service, to establish scientifically-based guidelines for accurate reporting, monitoring, and verification of carbon storage from forest management actions. The bill establishes a multi-stakeholder Carbon and Forestry Advisory Council to assist USDA in developing the guidelines.

Title II: Forest Carbon Management: State Revolving Loan Programs/Cooperative Agreements. The bill provides assistance to plant and manage underproducing or understocked forests to increase carbon sequestration by authorizing a state-run revolving loan program. Assistance is provided through Cooperative Agreements with State or local governments, American Indian Tribes, Alaska natives, native Hawaiians, and private-nonprofit entities; or through loans to nonindustrial private forest landowners. The Federal share of funding for Cooperative Agreements and the loan program will come from penalties that are being assessed against violators of the Clean Air Act and the Clean Water Act (civil penalties assessed in FY 1998 totaled $45 million).

Title III: Carbon Sequestration Program: Agriculture Conservation Program. The bill authorizes USDA contracts for a minimum of 10 years for farmers who wish to conserve land, improve water quality and sequester carbon by employing conservation practices, like no-till farming and the use of buffer strips to enhance carbon sequestration. The USDA would be required—in conjunction with other agencies—to finalize criteria for measuring the carbon-storing ability of various conservation practices. This bill allows farmers to submit plans on how they would store carbon on their land. Landowners already employing carbon-conservation practices would also be eligible. Participation in this program is completely voluntary, and is limited to 20 million total acres at a maximum $20 per acre.

Title IV Reports: Report on Options to Increase Carbon Storage on Federal Lands: The bill directs the Secretary of Agriculture, through the Forest Service, to report to Congress on forestry options to increase carbon storage in the National Forest System. *Forestry and Agriculture Reporting:* This bill will provide for a documented carbon database reported by participants to the Administrator of Energy Information Administration. The Administrator shall develop forms to keep track of both domestic and international sequestration gains. This data will provide a road map for dealing with climate change through independent carbon market offsets in the future.

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mrs. CARNAHAN, Mr. CHAFEE, Mr. CLELAND, Mrs. CLINTON, Ms. COLLINS, Mr. Craig, Mr. DASCHLE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mr. GRASSLEY, Mr. GREGG, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. ROBERTS, Mr. REID, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Mr. NELSON of Nebraska, and Mr. CARPER):

S. 1256. A bill to provide for the reauthorization of the breast cancer research special postage stamp, and for other purposes; to the Committee on Governmental Affairs.

Mrs. FEINSTEIN. Mr. President, on behalf of Senator HUTCHISON and myself and 71 other Senate cosponsors, I rise today to offer legislation to extend the life of the Breast Cancer Research Stamp for an additional six years.

I was surprised by the U.S. Postal Service's recent rule-making which could possibly terminate the Breast Cancer Research Stamp program by next July. The Postal Service effectively decided to permit only one stamp to be issued at a time to raise funds for a specific cause.

This rule would therefore force competition for survival among a number of other potential and worthy fund-raising stamps. This action would be a terrible mistake.

The Breast Cancer Research Stamp has demonstrated itself to be a highly effective and self-supporting fund-raiser.

To date, the stamp has raised $21.1 million for research in addition to the $60,000 the Postal Service has recovered for administrative costs.

Every year the stamp has existed, it has generated strong consumer sales. In two months of operation in fiscal year 1998, consumers bought 9.2 million stamps, generating $700,000 for research on net sales of $3.68 million.

In fiscal year 1999, consumers bought 101.2 million stamps, yielding 7.5 million for research on net sales of $40.48 million.

In fiscal year 2000, consumers purchased 119.9 million stamps, garnering $8 million for research on net sales of $47.96 million.

In fiscal year 2001, the program continues to be vital. With two months remaining, consumers have already bought 75.2 million stamps, raising $4.8 million for research on sales of $30.08 million.

In total, the American people have purchased 305 million Breast Cancer Research stamps. This means that, on average, more than one stamp has been purchased for every citizen in our Nation and 100 million stamps were sold per year since the stamp was first introduced in August 1998.

Clearly, the program continues to have a strong and committed customer base.

We should also recognize that the National Cancer Institute and the Department of Defense have put these research dollars to good use by funding novel and innovative research in the area of breast cancer.

According to Dr. Richard Klausner, National Cancer Institute director, these awards benefit ''over a dozen critical areas of breast cancer research.''

Millions of Americans have bought the stamps to honor loved ones with the disease, to highlight their own personal battle with breast cancer, or to promote general public awareness. Virtually everywhere I travel, people tell me they buy the stamps in the hopes of helping to find a cure.

Moreover, one cannot calculate in dollars or cents the value the stamp has played in increasing the visibility of the disease and the need for additional research funding.

The life of such an extraordinary program should not prematurely end because of an administrative decision.

There is still so much more to do because this disease has far reaching effects on our nation: breast cancer remains the leading cause of cancer among women. In 2001, approximately 192,200 women will get breast cancer. This year 40,200 women will die from breast cancer. Breast cancer represents 31 percent of all new cancers faced by women. Approximately 3 million women in the United States are living with breast cancer. Of these individuals, 2 million know they have the disease, and 1 million remain unaware of their condition.

We have learned over the past few years how effective the Breast Cancer Research Stamp is at promoting public awareness of the disease. Yet, we still must reach out to the one million American women who do not know of their cancer.

Some may argue that the Breast Cancer Stamp should end so that other semi-postal stamps can have their turn at raising funds for a cause.

But it is a faulty premise that only one semi-postal stamp can succeed at a time. I believe there is room for multiple fund-raising stamps at the same time.

Every year, the Postal Service issues dozens of commemorative steps. In 2001, for example, the Postal Service sold stamps commemorating topics as various as diabetes awareness, Black Heritage, and military veterans. Many of these stamps have sold extraordinarily well.

The viability of a postage stamp depends on its appeal to postal customers. Over a three year period, the

Breast Cancer Research has demonstrated a sustained and committed customer base.

I urge my colleagues to join me in passing this important legislation to grant the Breast Cancer Stamp another six years. Every dollar raised to fight the disease can help save lives.

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

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

S. 1256

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

SECTION 1. REAUTHORIZATION OF BREAST CANCER RESEARCH SPECIAL POSTAGE STAMP.

(a) SHORT TITLE.—This Act may be cited as the ''Breast Cancer Research Stamp Act of 2001''.

(b) REAUTHORIZATION AND INAPPLICABILITY OF LIMITATION.—

(1) IN GENERAL.—Section 414 of title 39, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) For purposes of section 416 (including any regulation prescribed under subsection (e)(1)(C) of that section), the special postage stamp issued under this section shall not apply to any limitation relating to whether more than 1 semipostal may be offered for sale at the same time.

''(h) This section shall cease to be effective after July 29, 2008.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the earlier of—

(A) the date of enactment of this Act; or

(B) July 29, 2002.

(c) RATE OF POSTAGE.—Section 414(b) of title 39, United States Code, is amended—

(1) in paragraph (1), by striking ''of not to exceed 25 percent'' and inserting ''of not less than 15 percent''; and

(2) by adding after the sentence following paragraph (3) the following: ''The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.''.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 139—DESIGNATING SEPTEMBER 24, 2001, AS ''FAMILY DAY—A DAY TO EAT DINNER WITH YOUR CHILDREN''

Mr. BIDEN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 139

Whereas the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of the Nation's children;

Whereas surveys conducted by the National Center on Addiction and Substance Abuse at Columbia University have consistently found that children and teenagers who routinely eat dinner with their families are far less likely to use illegal drugs, cigarettes, and alcohol;

Whereas teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol, and cigarettes;

Whereas teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol, and cigarettes;

Whereas the correlation between family dinners and reduced risk for teenage substance abuse are well-documented;

Whereas parental influence is known to be 1 of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

Whereas family dinners have long constituted a pillar of family life in America: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 24, 2001, as ''Family Day—A Day to Eat Dinner With Your Children'';

(2) recognizes that eating dinner as a family is an important step toward raising drug-free children; and

(3) requests that the President issue a proclamation calling upon—

(A) the parents of the children of the United States to observe the day by eating dinner with their children; and

(B) the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. BIDEN. Mr. President I rise today with my colleague Senator GRASSLEY to submit a resolution to designate Monday, September 24, 2001 as ''Family Day: A Day to Eat Dinner With Your Children.'' A similar resolution has been introduced in the House of Representatives by Representative RANGEL.

Last year, the Senate passed the first Family Day resolution. Since that time, a number of States have followed suit. The Governors of several States—including Alabama, Connecticut, Florida, Indiana, Maine, Nebraska, New Hampshire, New Jersey, Ohio, and South Carolina, have already issued Family Day proclamations and additional States are expected to do so in the near future. Family Day has been endorsed by the National Family Partnership, the U.S. Conference of Mayors, the National Association of Counties, the National Fatherhood Initiative, the National Restaurant Association, Join Together, the National Council on Family Relations, and the Community Anti-Drug Coalitions of America. The U.S. Chamber of Commerce is also urging its member chambers to adopt Family Day.

The idea for the resolution grew out of research done by The National Center on Addiction and Substance Abuse at Columbia University, CASA, a New York-based research organization led by former Secretary of Health Education and Welfare Joseph A Califano, Jr. Among CASA's many projects is an annual survey of the attitudes of teens and their parents on issues related to drugs, alcohol and cigarettes.

In its past three surveys, CASA has found that the more often a child eats dinner with his or her parents, the less likely that child is to use addictive substances. The results from the 1999 survey were the most striking, revealing that teens who almost always eat dinner with their families are 31 percent less likely than the average teen to smoke, drink or use illegal drugs and that teens who virtually never eat dinner with their families are 72 percent more likely to engage in these activities.

Of course, having dinner as a family is just a proxy for spending time with kids. It is not the meat, potatoes and vegetables that alter a child's likelihood to use drugs. It is the everyday time spent with mom and dad, the two most important role models in most kids lives.

I do not believe that this resolution will be the silver bullet to solving this Nation's drug problem. But I do feel these statistics are telling. CASA President Joe Califano talks about ''Parent Power.'' It is important that parents know the power they have over their children's decisions and the power that they have to deter kids from drinking, smoking or using drugs. For example, nearly half of the teens who have never used marijuana say that it was lessons learned from their parents that helped them to say no.

Unfortunately, many parents are pessimistic about their ability to keep their kids drug-free; forty-five percent admit that they are resigned to the fact that their child will use an illegal drug in the future.

This pessimism is often reinforced by news reports that indicate that while most parents say that they have talked to their kids about the dangers of drugs, only a minority of teens recall the discussion. Rather than be discouraged by this apparent disconnect, I think it should teach us an important lesson: that talking to kids about drugs ought not just be a one-time conversation. Rather, it must be an ongoing discussion.

Keeping up on children's lives, including knowing who their friends are and what they are doing after school, is critical. The experts tell us that some of the telltale signs that a child is drinking or using illicit drugs include behavior changes, change in social circle, lack of interest in hobbies and isolation from family. These changes can be subtle; picking up on them requires a watchful eye.

Eating dinner as a family will not guarantee that a child will remain drug-free. But family dinners are an important way for parents to instill their values in their children as well as remain connected with the challenges that children face and help them learn how to cope with problems and pressures without resorting to smoking, drinking or using drugs.

I sincerely hope that all of my colleagues join me to support this resolution and send a message to parents that they can play a powerful role in shaping the decisions their kids make