

**AMENDMENT TO
RULES COMMITTEE PRINT 119-22
OFFERED BY MR. GARAMENDI OF CALIFORNIA**

Page 524, starting on line 1, strike “**TECHNICAL CORRECTION**” and insert “**TECHNICAL CORRECTIONS**”.

Page 524, line 3, strike “Section 7(l)(3)” and insert “Section 7”.

Page 524, line 4, strike “16 U.S.C. 2103c(l)(3)” and inserting “16 U.S.C. 2103c”.

Page 524, by striking lines 5 through 9 and inserting the following:

- 1 (1) in subsection (i), by striking “subsection
- 2 (b)” and inserting “subsection (c)”;
- 3 (2) in subsection (l)(3)—
- 4 (A) in subparagraph (A), by striking “the
- 5 State of Vermont” and inserting “a State”; and
- 6 (B) in subparagraph (B)—
- 7 (i) in clause (i)(II), by inserting
- 8 “and” after the semi-colon at the end; and

1 (ii) in clause (ii), in the matter pre-
2 ceding subclause (I), by striking “of
3 Vermont” and inserting “involved”; and
4 (3) in the header of subsection (m), by striking
5 “APPROPRIATION” and inserting “AUTHORIZATION
6 OF APPROPRIATIONS”.

At the end of subtitle A of title VIII, add the fol-
lowing:

7 **SEC. 8105. AUTHORITY OF STATES TO ALLOW QUALIFIED**
8 **ORGANIZATIONS TO ACQUIRE, HOLD, AND**
9 **MANAGE CONSERVATION EASEMENTS.**

10 Section 7 of the Cooperative Forestry Assistance Act
11 of 1978 (16 U.S.C. 2103c) is further amended—

12 (1) in subsection (l)(2), by striking “subsection
13 (m)” and inserting “subsection (o)”;

14 (2) by redesignating subsection (m) as sub-
15 section (o); and

16 (3) by inserting after subsection (l) the fol-
17 lowing:

18 “(m) **THIRD-PARTY CONSERVATION EASEMENTS.—**

19 “(1) **IN GENERAL.—**At the request of a State,
20 the Secretary shall authorize the State to approve el-
21 igible qualified organizations to acquire, hold, and
22 manage conservation easements to carry out activi-
23 ties under the Forest Legacy Program.

1 “(2) ELIGIBILITY.—To be eligible to acquire,
2 hold, and manage a conservation easement under
3 this subsection, a qualified organization shall dem-
4 onstrate to the Secretary the abilities necessary to
5 acquire, monitor, and enforce interests in
6 forestland—

7 “(A) consistent with the Forest Legacy
8 Program; and

9 “(B) in accordance with the applicable as-
10 sessment of need submitted to the Secretary by
11 the State in which the conservation easement is
12 located.

13 “(3) REVERSION.—If the Secretary or a State
14 determines a condition described in paragraph (4) is
15 met with respect to a conservation easement—

16 “(A) all right, title, and interest of the
17 qualified organization in and to the conserva-
18 tion easement shall terminate; and

19 “(B) all right, title, and interest in and to
20 the conservation easement shall revert to the
21 State or, if approved by the State, another
22 qualified organization determined eligible by the
23 Secretary under paragraph (2).

24 “(4) CONDITIONS FOR REVERSION.—A condi-
25 tion described in this paragraph is, with respect to

1 a conservation easement acquired, held, and man-
2 aged by a qualified organization, any of the fol-
3 lowing:

4 “(A) The qualified organization is unable
5 to carry out the responsibilities of the qualified
6 organization under the Forest Legacy Program
7 with respect to the conservation easement.

8 “(B) The conservation easement has been
9 modified in a way that is inconsistent with the
10 purposes of the Forest Legacy Program or the
11 applicable assessment of need described in para-
12 graph (2)(B).

13 “(C) The conservation easement has been
14 conveyed to another person (other than a quali-
15 fied organization determined eligible by the Sec-
16 retary under paragraph (2) and approved by
17 the State).

18 “(n) QUALIFIED ORGANIZATION DEFINED.—In this
19 section, the term ‘qualified organization’ means an organi-
20 zation that—

21 “(1) is a qualified organization, as defined in
22 section 170(h)(3) of the Internal Revenue Code of
23 1986;

24 “(2) is organized for, and at all times since the
25 formation of the organization, has been operated

1 principally for one or more of the conservation pur-
2 poses described in section 170(h)(4)(A) of such
3 Code;

4 “(3) has not been the subject of any criminal
5 or civil enforcement action taken by the Attorney
6 General of the United States or the Commissioner of
7 the Internal Revenue Service pertaining to the chari-
8 table donation of conservation easements under such
9 Code; and

10 “(4) has been awarded, and at all times there-
11 after maintained, accredited status by the Land
12 Trust Accreditation Commission, or if such Commis-
13 sion ceases to exist, a successor organization that of-
14 fers substantially similar accreditation and is ap-
15 proved by the Secretary for purposes of this sec-
16 tion.”.

