

Georgia, Ms. MCKINNEY, Mr. NORWOOD, Mr. ENGLISH of Pennsylvania, Mr. KINGSTON, Mr. KLECZKA, Mr. BARR and Mr. CAMP.

H.R. 2335: Mr. ROHRBACHER, Mr. CONDIT, Mr. SOLOMON, Mr. COBLE, Mr. EVERETT, Mr. BUNNING of Kentucky, Mr. KANJORSKI, Mr. PICKETT, Mr. LEWIS of Kentucky, Mr. WHITFIELD, and Mr. STEARNS.

H.R. 2391: Mr. PETRI, Mr. MCINTOSH, and Mr. GRAHAM.

H.R. 2411: Mr. POMEROY.

H.R. 2433: Mr. FARR and Mr. FOGLIETTA.

H.R. 2435: Mr. FATTAH, Mr. BOUCHER, Mr. THORNBERRY, Mr. KOLBE, Mr. SOLOMON, and Mr. FRANKS of Connecticut.

H.R. 2472: Mr. FOGLIETTA, Mr. ROMERO-BARCELO, Mrs. MEEK of Florida, Mr. LUTHER, Mrs. MALONEY, Mr. BORSKI, Mr. WAXMAN, Mr. KENNEDY of Rhode Island, and Mr. GEJDENSON.

H.R. 2475: Mr. POMEROY.

H.R. 2483: Mr. MCCOLLUM.

H.R. 2497: Mr. BARRETT of Nebraska, Mr. JACOBS, Mr. CHRISTENSEN, Mr. LINDER, Mr. HAYWORTH, Mr. LATHAM, Mr. ROHRBACHER, Mr. ROBERTS, and Mr. HERGER.

H.R. 2508: Mr. RADANOVICH, Mr. BILBRAY, Mr. CHRISTENSEN, Mr. FARR, Mr. BARCIA of Michigan, Mr. DICKEY, Mr. HEINEMAN, and Mr. PORTER.

H.R. 2531: Mr. CASTLE and Mr. GOODLATTE.

H.R. 2578: Mr. WAXMAN and Ms. SLAUGHTER.

H.R. 2579: Mr. DOYLE, Mr. PORTER, Mr. WELDON of Pennsylvania, Mrs. COLLINS of Illinois, Mr. CLYBURN, Mrs. KENNELLY, Mr. CAMPBELL, Mr. LEACH, Mr. WARD, Mr. BACHUS, Mr. WYNN, Mr. COBURN, Mr. METCALF, Mr. MCHALE, Mr. STUDDS, Mr. KINGSTON, Ms. KAPTUR, and Mr. HOYER.

H.R. 2610: Mr. PORTMAN and Mr. BARTLETT of Maryland.

H.R. 2617: Mr. HOLDEN.

H.R. 2650: Mr. SOLOMON.

H.R. 2651: Mrs. COLLINS of Illinois, Mr. WALSH, Mr. HAYES, Mr. FOLEY, Mr. KILDEE, Ms. NORTON, and Mr. VENTO.

H.R. 2652: Mr. GUTIERREZ, Mr. KLECZKA, Mr. DURBIN, Mr. HINCHEY, Mr. BORSKI, Mr. EVANS, Ms. NORTON, Mr. COSTELLO, and Mr. MINGE.

H.R. 2655: Ms. MOLINARI and Mr. PAYNE of New Jersey.

H.R. 2697: Mr. LONGLEY, Mr. BROWN of California, Mr. YATES, Mr. DOYLE, and Mr. BERMAN.

H.R. 2740: Mr. FIELDS of Texas and Mr. CRANE.

H.R. 2777: Mr. STEARNS.

H.R. 2778: Mr. CHRYSLER, Mr. BAKER of Louisiana, Mr. INGLIS of South Carolina, Mr. CARDIN, Mr. PASTOR, Mr. MANZULLO, Mr. MCHALE, Mr. LEACH, Mr. WICKER, Mr. CHAMBLISS, Mr. SCARBOROUGH, Mr. THOMAS, and Mr. FRELINGHUYSEN.

H.R. 2807: Mr. DE LA GARZA, Mr. SMITH of New Jersey, Mr. SERRANO, Mr. CONDIT, and Mr. STOCKMAN.

H.R. 2827: Mr. LEACH, Mr. FRAZER, Mrs. SCHROEDER, Mr. KILDEE, and Mr. NEY.

H.R. 2828: Mr. QUINN and Mr. SHADEGG.

H.R. 2853: Mr. EWING.

H.R. 2856: Mr. SMITH of New Jersey and Mr. FRANKS of New Jersey.

H.R. 2873: Mrs. MEEK of Florida, Mr. PETERSON of Florida, Mr. UNDERWOOD, Mr. FRAZER, and Mr. McDERMOTT.

H.R. 2874: Mr. GORDON, Mr. DOYLE, Mr. STUPAK, Ms. SLAUGHTER, and Mrs. SCHROEDER.

H.R. 2875: Mrs. KELLY, Mr. OBERSTAR, Mr. SOLOMON, Mr. FOX, and Ms. NORTON.

H.R. 2896: Mr. KIM.

H.R. 2898: Mr. HASTINGS of Washington, Mr. BAKER of Louisiana, Mr. NEY, Mr. CHABOT, and Mr. HERGER.

H.R. 2912: Mr. HASTINGS of Florida and Mr. UNDERWOOD.

H.R. 2919: Mr. TRAFICANT and Mr. FRAZER.

H.R. 2937: Mrs. MEYERS of Kansas, Mr. HORN, and Mr. ENGLISH of Pennsylvania.

H.R. 2951: Mr. KENNEDY of Massachusetts, Ms. LOFGREN, Mr. SHAYS, Mr. CHABOT, and Mr. DOYLE.

H.R. 2959: Mr. LEVIN, Mr. BARRETT of Wisconsin, Mr. KOLBE, Mr. TORRES, Mr. RUSH, Mr. CLAY, Mr. BONIOR, and Mr. PALLONE.

H.R. 2969: Mr. CHRISTENSEN.

H.J. Res. 114: Mr. FRANK of Massachusetts. H. Con. Res. 51: Mr. DOYLE.

H. Con. Res. 134: Mr. CRAPO, Mr. MOORHEAD, Mr. SCHAEFER, Mr. LEWIS of Kentucky, and Mr. MYERS of Indiana.

¶19.33 PETITIONS, ETC.

Under clause 1 of rule XXII,

63. The SPEAKER presented a petition of the Rensselaer County Legislature, NY, relative to supporting legislation which would require an auction of the spectrum to corporate television networks; which was referred to the Committee on Commerce.

THURSDAY, FEBRUARY 29, 1996 (20)

¶20.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. MCINNIS, who laid before the House the following communication:

WASHINGTON, DC,
February 29, 1996.

I hereby designate the Honorable SCOTT MCINNIS to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

¶20.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MCINNIS, announced he had examined and approved the Journal of the proceedings of Wednesday, February 29, 1996.

Pursuant to clause 1, rule I, the Journal was approved.

¶20.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

2143. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to authorize the transfer of naval vessels to certain foreign countries; to the Committee on International Relations.

2144. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2145. A letter from the Chairman, National Labor Relations Board, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(C)(3); to the Committee on Government Reform and Oversight.

2146. A letter from the Executive Secretary, National Security Council, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

¶20.4 COMMITTEES AND SUBCOMMITTEES TO SIT

On motion of Mr. BARRETT of Nebraska, by unanimous consent, the following committees and their sub-

committees were granted permission to sit today during the 5-minute rule: the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on National Security, the Committee on Resources, the Committee on Science, and the Committee on Transportation and Infrastructure.

¶20.5 AGRICULTURE MARKET TRANSITION

The SPEAKER pro tempore, Mr. MCINNIS, pursuant to House Resolution 366 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2854) to modify the operation of certain agricultural programs.

Mr. HANSEN, Acting Chairman, assumed the chair; and after some time spent therein,

¶20.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BOEHLERT:

Strike title III (page 118, line 18, through page 128, line 12) and insert the following:

TITLE III—CONSERVATION

SEC. 301. CONSERVATION.

(a) FUNDING.—Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended to read as follows:

“Subtitle E—Funding

“SEC. 1241. FUNDING.

“(a) MANDATORY EXPENSES.—For each of fiscal years 1996 through 2002, the Secretary shall use the funds of the Commodity Credit Corporation to carry out the programs authorized by—

“(1) subchapter B of chapter 1 of subtitle D (including contracts extended by the Secretary pursuant to section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 16 U.S.C. 3831 note));

“(2) subchapter C of chapter 1 of subtitle D; and

“(3) chapter 4 of subtitle D.

“(b) ENVIRONMENTAL QUALITY INCENTIVE PROGRAM.—For each of fiscal years 1996 through 2002, \$200,000,000 of the funds of the Commodity Credit Corporation shall be available for providing technical assistance, cost-sharing payments, and incentive payments for practices authorized under the environmental quality incentive program under chapter 4 of subtitle D. At least 50 percent of the funds made available under this subsection for a fiscal year shall be used to provide technical assistance, cost-sharing payments, and incentive payments under such chapter relating to livestock production.”.

(b) ENVIRONMENTAL QUALITY INCENTIVE PROGRAM.—Subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended by adding at the end the following:

“CHAPTER 4—ENVIRONMENTAL QUALITY INCENTIVE PROGRAM

“SEC. 1240. DEFINITIONS.

“In this chapter and section 1241:

“(1) LAND MANAGEMENT PRACTICE.—The term ‘land management practice’ means a site-specific nutrient or manure management, integrated pest management, irriga-

tion management, tillage or residue management, grazing management, or other land management practice that the Secretary determines is needed to protect, in the most cost effective manner, water, soil, or related resources from degradation.

"(2) LIVESTOCK.—The term 'livestock' means mature livestock, dairy cows, beef cattle, laying hens, turkeys, swine, sheep, and such other animals as determined by the Secretary.

"(3) PRODUCER.—The term 'producer' means a person who is engaged in livestock or agricultural production (as defined by the Secretary).

"(4) STRUCTURAL PRACTICE.—The term 'structural practice' means—

"(A) the establishment of an animal waste management facility, terrace, grassed waterway, contour grass strip, filterstrip, tailwater pit, or other structural practice that the Secretary determines is needed to protect, in the most cost effective manner, water, soil, or related resources from degradation; and

"(B) the capping of abandoned wells.

"SEC. 1240A. ESTABLISHMENT AND ADMINISTRATION OF ENVIRONMENTAL QUALITY INCENTIVE PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—During the 1996 through 2002 fiscal years, the Secretary shall provide technical assistance, cost-sharing payments, and incentive payments to producers who enter into contracts with the Secretary, through an environmental quality incentive program.

"(2) ELIGIBLE PRACTICES.—

"(A) STRUCTURAL PRACTICES.—A producer who implements a structural practice shall be eligible for technical assistance or cost-sharing payments, or both.

"(B) LAND MANAGEMENT PRACTICES.—A producer who performs a land management practice shall be eligible for technical assistance or incentive payments, or both.

"(3) ELIGIBLE LAND.—Assistance under this chapter may be provided with respect to land that is used for livestock or agricultural production and on which a serious threat to water, soil, or related resources exists, as determined by the Secretary, by reason of the soil types, terrain, climatic, soil, topographic, flood, or saline characteristics, or other factors or natural hazards.

"(4) SELECTION CRITERIA.—In providing technical assistance, cost-sharing payments, and incentive payments to producers in a region or watershed, the Secretary shall consider—

"(A) the significance of the water, soil, and related natural resource problems; and

"(B) the maximization of environmental benefits per dollar expended.

"(b) APPLICATION AND TERM.

"(1) IN GENERAL.—A contract between a producer and the Secretary under this chapter may—

"(A) apply to 1 or more structural practices or 1 or more land management practices, or both; and

"(B) have a term of not less than 5, nor more than 10, years, as determined appropriate by the Secretary, depending on the practice or practices that are the basis of the contract.

"(2) DUTIES OF PRODUCERS AND SECRETARY.—To receive cost-sharing or incentive payments, or technical assistance, participating producers shall comply with all terms and conditions of the contract and a plan, as established by the Secretary.

"(c) STRUCTURAL PRACTICES.—

"(1) COMPETITIVE OFFER.—The Secretary shall administer a competitive offer system for producers proposing to receive cost-sharing payments in exchange for the implementation of 1 or more structural practices by

the producer. The competitive offer system shall consist of—

"(A) the submission of a competitive offer by the producer in such manner as the Secretary may prescribe; and

"(B) evaluation of the offer in light of the selection criteria established under subsection (a)(4) and the projected cost of the proposal, as determined by the Secretary.

"(2) CONCURRENCE OF OWNER.—If the producer making an offer to implement a structural practice is a tenant of the land involved in agricultural production, for the offer to be acceptable, the producer shall obtain the concurrence of the owner of the land with respect to the offer.

"(d) LAND MANAGEMENT PRACTICES.—The Secretary shall establish an application and evaluation process for awarding technical assistance or incentive payments, or both, to a producer in exchange for the performance of 1 or more land management practices by the producer.

"(e) COST-SHARING, INCENTIVE PAYMENTS, AND TECHNICAL ASSISTANCE.—

"(1) COST-SHARING PAYMENTS.—

"(A) IN GENERAL.—The Federal share of cost-sharing payments to a producer proposing to implement 1 or more structural practices shall not be greater than 75 percent of the projected cost of each practice, as determined by the Secretary, taking into consideration any payment received by the producer from a State or local government.

"(B) OTHER PAYMENTS.—A producer shall not be eligible for cost-sharing payments for structural practices on eligible land under this chapter if the producer receives cost-sharing payments or other benefits for the same land under chapter 1, 2, or 3.

"(2) INCENTIVE PAYMENTS.—The Secretary shall make incentive payments in an amount and at a rate determined by the Secretary to be necessary to encourage a producer to perform 1 or more land management practices.

"(3) TECHNICAL ASSISTANCE.—

"(A) FUNDING.—The Secretary shall allocate funding under this chapter for the provision of technical assistance with respect to non-Federal lands according to the purpose and projected cost for which the technical assistance is provided for a fiscal year. The allocated amount may vary according to the type of expertise required, quantity of time involved, and other factors as determined appropriate by the Secretary. Funding shall not exceed the projected cost to the Secretary of the technical assistance provided for a fiscal year.

"(B) OTHER AUTHORITIES.—The receipt of technical assistance under this chapter shall not affect the eligibility of the producer to receive technical assistance under other authorities of law available to the Secretary.

"(C) PRIVATE SOURCES.—The Secretary shall ensure that the process of writing and developing proposals and plans for contracts under this chapter, and of assisting in the implementation of structural practices and land management practices covered by the contracts, are open to individuals in agribusiness, including agricultural producers, representatives from agricultural cooperatives, agricultural input retail dealers, and certified crop advisers. The requirements of this subparagraph shall also apply to any other Department program using incentive payments, technical assistance, or cost-share payments and to pilot project programs of the Department that require plans.

"(f) LIMITATION ON PAYMENTS.—

"(1) IN GENERAL.—The total amount of cost-sharing and incentive payments paid to a person under this chapter may not exceed—

"(A) \$10,000 for any fiscal year; or

"(B) \$50,000 for any multiyear contract.

"(2) EXCEPTION TO ANNUAL LIMIT.—The Secretary may exceed the limitation on the an-

nual amount of a payment under paragraph (1)(A) on a case-by-case basis if the Secretary determines that a larger payment is essential to accomplish the land management practice or structural practice for which the payment is made.

"(3) REGULATIONS.—The Secretary shall issue regulations that are consistent with section 1001 for the purpose of—

"(A) defining the term 'person' as used in paragraph (1); and

"(B) prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitations established under this subsection.

"(g) REGULATIONS.—Not later than 180 days after the effective date of this subsection, the Secretary shall issue regulations to implement the environmental quality incentive program established under this chapter."

SEC. 302. WETLANDS RESERVE PROGRAM.

(a) ENROLLMENT.—Section 1237 of the Food Security Act of 1985 (16 U.S.C. 3837) is amended by striking subsection (b) and inserting the following:

"(b) ENROLLMENT CONDITIONS.—

"(1) MAXIMUM ENROLLMENT.—The total number of acres enrolled in the wetlands reserve program shall not exceed 975,000 acres.

"(2) METHODS OF ENROLLMENT.—The Secretary shall ensure, to the maximum extent practicable, that of the total number of acres enrolled in the wetlands reserve program—

"(A) one-third of the acres are enrolled through the use of permanent easements;

"(B) one-third of the acres are enrolled through the use of 30-year easements (or easements of a shorter period if required under applicable State laws); and

"(C) one-third of the acres are enrolled through the use of restoration cost-share agreements authorized under section 1237A(h)."

"(3) TEMPORARY EMPHASIS ON CERTAIN ENROLLMENT METHODS.—To achieve the enrollment ratios specified in paragraph (2), the Secretary shall endeavor, to the maximum extent practicable, to rely on the enrollment methods described in subparagraphs (B) and (C) of paragraph (2) to enroll lands in the wetlands reserve program until such time as enrollments under each such subparagraph accounts for approximately one-third of all lands enrolled in the wetlands reserve."

(b) ELIGIBILITY.—Section 1237(c) of the Food Security Act of 1985 (16 U.S.C. 3837(c)) is amended by striking "2000" and inserting "2002".

(c) EASEMENTS AND RESTORATION COST-SHARE AGREEMENTS.—Section 1237A of the Food Security Act of 1985 (16 U.S.C. 3837a) is amended—

(1) in the section heading, by inserting before the period at the end the following: "and restoration cost-share agreements";

(2) by striking subsection (c) and inserting the following:

"(c) RESTORATION PLANS.—The development of a restoration plan, including any compatible use, under this section shall be made through the local Natural Resources Conservation Service representative.;"

(3) in subsection (f), by striking the third sentence and inserting the following: "Compensation may be provided in not less than 5, nor more than 30, annual payments of equal or unequal size, as agreed to by the owner and the Secretary.;" and

(4) by adding at the end the following:

"(h) RESTORATION COST SHARE AGREEMENTS.—The Secretary may enroll land in the wetland reserve program through agreements that require the landowner to restore wetlands on the land, if the agreement does not provide the Secretary with an easement. Other than cost share and technical assistance provided under section 1237C(b), the Secretary may not provide compensation for an agreement under this subsection."

(d) COST SHARE AND TECHNICAL ASSISTANCE.—Section 1237C of the Food Security Act of 1985 (16 U.S.C. 3837c) is amended by striking subsection (b) and inserting the following:

“(b) COST SHARE AND TECHNICAL ASSISTANCE.—

“(1) EASEMENTS.—In the case of an easement entered into during the 1996 through 2002 calendar years, in making cost share payments under subsection (a)(1), the Secretary shall—

“(A) in the case of a permanent easement, pay the owner an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs; and

“(B) in the case of a 30-year easement, pay the owner an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

“(2) RESTORATION COST-SHARE AGREEMENTS.—In making cost share payments in connection with a restoration cost-share agreement entered into under section 1237(A)(h), the Secretary shall pay the owner an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs.

“(3) TECHNICAL ASSISTANCE.—The Secretary shall provide owners with technical assistance to assist owners in complying with the terms of easements and restoration cost-share agreements.”

(e) EFFECT ON EXISTING EASEMENTS.—The amendments made by this section shall not affect the validity or terms of any easements acquired by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before the date of the enactment of this Act or any payments required to be made in connection with such easements.

SEC. 303. ELIMINATION OF CONSULTATION REQUIREMENTS WITH SECRETARY OF THE INTERIOR.

Section 1242 of the Food Security Act of 1985 (16 U.S.C. 3842) is amended—

(1) by striking “(a)” before “In carrying out”; and

(2) by striking subsection (b).

SEC. 304. ENVIRONMENTAL CONSERVATION ACREAGE RESERVE PROGRAM.

(a) PROGRAM EXTENSIONS.—Section 1230(a) of the Food Security Act of 1985 (16 U.S.C. 3830(a)) is amended by striking “1995” and inserting “2002”.

(b) CONSERVATION AND IMPROVEMENT OF WILDLIFE HABITAT.—Such section is further amended by inserting “and wildlife habitat” after “soil and water resources”.

SEC. 305. CONSERVATION RESERVE PROGRAM.

(a) PROGRAM EXTENSIONS.—

(1) CONSERVATION RESERVE PROGRAM.—Section 1231 of the Act (16 U.S.C. 3831) is amended in subsections (a) and (b)(3), by striking “1995” each place it appears and inserting “2002”.

(3) DUTIES OF OWNERS AND OPERATORS.—Section 1232(c) of the Act (16 U.S.C. 3832(c)) is amended by striking “1995” and inserting “2002”.

(b) MAXIMUM ENROLLMENT.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended striking “total of” and all that follows through the period at the end of the subsection and inserting “total of 36,400,000 acres during the 1986 through 2002 calendar years (including contracts extended by the Secretary pursuant to section 1437(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 16 U.S.C. 3831 note)).”

(c) OPTIONAL CONTRACT TERMINATION BY PRODUCERS.—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by adding at the end the following new subsection:

“(e) TERMINATION BY OWNER OR OPERATOR.—

“(1) EARLY TERMINATION AUTHORIZED.—The Secretary shall allow an owner or operator of land that, on the date of the enactment of the Agricultural Market Transition Act, is covered by a contract that was entered into under this subchapter at least five years before that date to terminate the contract with respect to all or a portion of the covered land. The owner or operator shall provide the Secretary with reasonable notice of the termination request.

“(2) CERTAIN LANDS EXCEPTED.—Notwithstanding paragraph (1), the following lands shall not be subject to an early termination of a contract under this subsection:

“(A) Filterstrips, waterways, strips adjacent to riparian areas, windbreaks, and shelterbelts.

“(B) Land with an erodibility index of more than 15.

“(C) Other lands of high environmental value, as determined by the Secretary.

“(3) EFFECTIVE DATE.—The contract termination shall take effect 60 days after the date on which the owner or operator submits the notice under paragraph (1).

“(4) PRORATED RENTAL PAYMENT.—If a contract entered into under this subchapter is terminated under this subsection before the end of the fiscal year for which a rental payment is due, the Secretary shall provide a prorated rental payment covering the portion of the fiscal year during which the contract was in effect.

“(5) RENEWED ENROLLMENT.—The termination of a contract entered into under this subchapter shall not affect the ability of the owner or operator who requested the termination to submit a subsequent bid to enroll the land that was subject to the contract into the conservation reserve.

“(6) CONSERVATION REQUIREMENTS.—If land that was subject to a contract is returned to production of an agricultural commodity, the conservation requirements under subtitles B and C shall apply to the use of the land to the extent that the requirements are similar to those requirements imposed on other similar lands in the area, except that the requirements may not be more onerous than the requirements imposed on other lands.”

(d) USE OF UNEXPENDED FUNDS.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by adding at the end the following:

“(h) USE OF UNEXPENDED FUNDS FROM CONTRACT TERMINATIONS.—If a contract entered into under this section is terminated, voluntarily or otherwise, before the expiration date specified in the contract, the Secretary may use funds, already available to the Secretary to cover payments under the contract, but unexpended as a result of the contract termination, to enroll other eligible lands in the conservation reserve established under this subchapter.”

(e) FAIR MARKET VALUE RENTAL RATES.—

(1) IN GENERAL.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended by adding at the end the following new paragraph:

“(5) In the case of a contract covering land which has not been previously enrolled in the conservation reserve, annual rental payments under the contract may not exceed the average fair market rental rate for comparable lands in the county in which the lands are located. This paragraph shall not apply to the extension of an existing contract.”

(2) APPLICATION OF AMENDMENT.—The amendment made by paragraph (1) shall apply with respect to contracts for the enrollment of lands in the conservation reserve program under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) entered into after the date of the enactment of this Act.

rity Act of 1985 (16 U.S.C. 3831) entered into after the date of the enactment of this Act.

(f) ENROLLMENTS IN 1997.—Section 725 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 (Public Law 104-37; 109 Stat. 332), is amended by striking the proviso relating to enrollment of new acres in 1997.

It was decided in the { Yeas 372 affirmative } Nays 37

20.7

[Roll No. 37]

AYES—372

Table with 3 columns of names: Abercrombie, Ackerman, Allard, Andrews, Bachus, Baesler, Baker (CA), Baldacci, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Bass, Bateman, Becerra, Beilenson, Bentsen, Bereuter, Berman, Bevill, Bilbray, Bilirakis, Bishop, Bliley, Blute, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Boucher, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Brownback, Bryant (TN), Bunn, Bunning, Burr, Buyer, Calvert, Camp, Campbell, Canady, Cardin, Castle, Chabot, Chambliss, Chapman, Christensen, Chrysler, Clay, Clayton, Clement, Clinger, Clyburn, Coble, Coburn, Coleman, Collins (MI), Combust, Condit, Conyers, Cooley, Costello, Cox, Coyne, Cramer, Crapo, Cremeans, Cubin, Cunningham, Danner, Davis, de la Garza, Deal, DeFazio, DeLauro, Dellums, Deutsch, Diaz-Balart, Dickey, Dicks, Doggett, Dooley, Doolittle, Dornan, Doyle, Dreier, Duncan, Dunn, Durbin, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Ensign, Eshoo, Evans, Everett, Ewing, Fawell, Fazio, Fields (LA), Fields (TX), Filner, Flake, Flanagan, Foglietta, Foley, Forbes, Ford, Fowler, Fox, Frank (MA), Franks (CT), Franks (NJ), Frelinghuysen, Frisa, Frost, Funderburk, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Geren, Gilchrest, Gillmor, Gilman, Gonzalez, Goodlatte, Gordon, Goss, Green, Gunderson, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hamilton, Harman, Hastert, Hastings (FL), Hastings (WA), Hayworth, Hefley, Hefner, Heineman, Hilleary, Hilliard, Hinchey, Hobson, Hoekstra, Holden, Horn, Houghton, Hoyer, Hutchinson, Hyde, Inglis, Jackson (IL), Jackson-Lee (TX), Jacobs, Jefferson, Johnson (CT), Johnson (SD), Johnson, E. B., Johnston, Jones, Kanjorski, Kelly, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kim, King, Kingston, Kleczka, Klink, Klug, Knollenberg, Kolbe, LaFalce, LaHood, Lantos, Largent, Latham, LaTourette, Laughlin, Leach, Levin, Lewis (GA), Lewis (KY), Lightfoot, Lincoln, Linder, Lipinski, LoBiondo, Lofgren, Longley, Lowey, Lucas, Luther, Manton, Manzullo, Markey, Martinez, Martini, Mascara, Matsui, McCarthy, McCollum, McCrery, McDermott, McHale, McHugh, McInnis, McIntosh, McKeon, McNulty, Meehan, Meek, Menendez, Metcalf, Meyers, Mica, Miller (CA), Minge, Mink, Moakley, Molinari, Mollohan, Montgomery, Moran, Morella, Murtha, Myers, Myrick