

WEEKLY LEGISLATIVE SUMMARY FOR:

July 31, 2000

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LAST WEEK:

HOUSE SUBCOMMITTEE REVIEWS RIVER BILLS – The Water and Power Subcommittee (Chairman Doolittle, R-CA) of the House Resources Committee held a hearing on July 27th regarding pending legislation. Two bills of interest to NRCS were discussed. The first bill addressed by the subcommittee was H.R. 2988, the Lower Rio Grande Valley Water Resources Conservation Act of 1999. This bill, as introduced by Rep. Ruben Hinojosa (D-TX), directs the Secretary of the Interior to take measures to conserve and improve water supplies in South Texas. This action would also require NRCS technical assistance. The discussion revolved around water treaty issues with Mexico as well as the irrigation and land loss problems of farmers and ranchers. Witnesses also stated the need for additional financial and technical resources.

The Upper Mississippi River Basin Conservation Act of 2000, H.R. 4013 was also discussed at the hearing. This legislation, as introduced by Rep. Ron Kind (D-WI), would create a comprehensive effort to improve and conserve the water quality and wildlife habitat of the Upper Mississippi River Basin. It would also raise funding levels for several NRCS programs such as EQIP, WRP, CRP, and WHIP. Witnesses praised NRCS for it’s work with voluntary, incentive based conservation programs, but expressed the need for better funding for NRCS programs to the Subcommittee.

As this was a hearing and not a markup, no official action was taken on these bills.

SENATE COMMITTEE APPROVES NRCS PROJECT AND TMDL

LEGISLATION - On Wednesday, July 26, the Senate Environment and Public Works Committee (Chairman Robert Smith, R-NH) held a markup on several pending bills. Among the measures under consideration, the Committee adopted a resolution approving the Snake River Watershed project in Warren, Minnesota. The project involves flood control structures in northwestern Minnesota, under authority of the P.L. 566 program. The resolution was adopted by a voice vote. The House must take similar action for the project to become authorized. The Committee also considered S. 2417, a bill introduced by Sen. Mike Crapo (R-ID), which would increase funding for State nonpoint source

pollution control. The bill was introduced in response to new TMDL regulations, and is an attempt to provide resources to help states implement and meet new standards. Following passage of a few amendments, the legislation was reported favorably from the Committee by a voice vote.

SENATE HEARING ON LAND CONSERVATION TAX ISSUES - The Subcommittee on Taxation and IRS Oversight (Chairman Hatch, R-UT) of the Senate Finance Committee held a hearing on July 25th to provide feedback on several proposed bills that aim to provide incentives for land conservation that provides environmental benefits. Subcommittee Chairman Orrin Hatch (R-UT) and ranking member, Sen. Max Baucus (D-MT), are co-sponsoring a bill, S. 1558 that would provide tax credit bond authority to state governments.

The panelists supporting such incentives included representatives of American Farm Bureau, a development company, Environmental Defense, a local land trust in Montana, Conference for Mayors, Nature Conservancy, Trust for Public Land, and the Department of the Treasury. Jon Talisman, Asst. Sec. of the Treasury focused on the President's Better Bonds for America (BBFA) Initiative. Similar to S. 1558, BBFA will provide tax credit bonds for both open space and urban areas. One concern expressed by the Farm Bureau is the recent Federal Court ruling concerning taxing Conservation Reserve Program (CRP) payments to farmers. AFB expressed support for Senator Sam Brownback's (R-KS) bill, S.2344 that addresses the issue.

TMDL HEARING – On July 27th the Oversight, Investigations, and Emergency Management Subcommittee (Chairwoman Fowler, R-FL) of the House Transportation and Infrastructure Committee held a hearing to discuss the recent final rulemaking on Total Maximum Daily Load (TMDL). Chuck Fox, Assistant Administrator, Office of Water, EPA, and James Lyons, Under Secretary for Natural Resources and Environment testified. EPA is prevented from taking any further action on TMDL's until October 2001 through an amendment on the recent Military Construction bill signed by the President.

Assistant Administrator Fox provided answers to many questions regarding the public participation leading up to the final rulemaking from Rep. Jay Dickey (R-AR). Under Secretary Lyons indicated the need for adequate funding to agricultural programs to assist farmers with meeting the needs to address non-point source pollution.

CONSERVATION AND REINVESTMENT ACT (CARA) – The Senate Energy and Natural Resources Committee (Chairman Murkowski, R-Alaska) marked up legislation that would allocate part of the royalties from offshore drilling to conservation activities instead of continuing to send them to the Federal Treasury for general use. After several days of mark up the Committee approved the legislation on July 25th. Debate revolved around Western Republican concerns that the nearly \$3 billion annually provided by the bill would lead to Federal land purchases. The legislation also provides funding for the Farmland Protection Program (FPP). The bill now moves to the Senate Floor.

STATUS OF APPROPRIATIONS – Both the House and Senate were successful in passing FY 2001 spending bills before adjourning for the August Recess. The next step in the legislative process is for a Conference Committee to work out the differences between the two bills. Senate Conferees appointed to work on Agriculture Appropriations are: Thad Cochran (R-MS), Arlen Specter (R-PA), Kit Bond (R-MO), Slade Gorton (R-WA), Mitch McConnell (R-KY), Conrad Burns (R-MT), Ted Stevens (R-AK), Herb Kohl (D-WI), Tom Harkin (D-IA), Byron Dorgan (D-ND), Diane Feinstein (D-CA), Richard Durbin (D-IL), and Robert Byrd (D-WV). (The House has not yet named Conferees).

A Comparison of the House and Senate spending bills is as follows:

	House	Senate
<i>FY 2001 Ag. Appropriations</i>	H.R. 4461	S. 2536
Conservation Operations	676,812,000	714,116,000
Watershed Surveys and Planning	10,868,000	10,705,000
Watershed Operations	83,423,000	99,443,000
RC&D	41,708,000	36,265,000
Forestry Incentives Program	0	6,325,000
EQIP	174,000,000	174,000,000
WRP	40,000 Acres	140,000 Acres
WHIP	0	0
<i>Emergency Bill</i>	H.R. 3908	S. 2536
Section II Relief	35,000,000	35,000,000
EWP		70,000,000

ZELL MILLER SWORN IN AS INTERIM GEORGIA SENATOR – Georgia Governor Roy Barnes (D) has named former Georgia Governor Zell Miller to fill the Senate seat left empty by the untimely passing of Senator Paul Coverdell. Miller was sworn in on Thursday. A special election will be held in November to decide who will fill out the remaining four years in Coverdell's term. Miller has announced that he will run for this seat. A Republican challenger has not yet been named.

LEGISLATION OF NOTE – The NRCS Legislative Affairs staff identifies and tracks legislation of particular interest to NRCS and conservation. This information is available on the NRCS Legislative Affairs web-site under the heading LEGISLATION OF NOTE. The address for the Legislative Affairs web-site is as follows:
<http://www.nhq.nrcs.usda.gov/LA/LAhome.html>

Bill	Member	Summary
H.R. 4922	Stenholm, TX	To ensure that certain controversial changes to the EPA's TMDL initiative are subjected to adequate public and congressional review. "The TMDL Regulatory Accountability Act of 2000"

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THIS WEEK:

AUGUST RECESS – The Congress will be in recess from July 31st through September 5th.