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Resource Conservation Title: Comparison of Current Law with Farm Bills Passed by the House and Senate

Updated February 28, 2002

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Summary

The most recent farm bill is the Federal Agricultural Improvement and Reform Act of 1996 (P.L. 104-127), popularly called the FAIR Act. Most conservation authorities in the FAIR Act expire at the end of FY2002. Both chambers of Congress have passed different versions of a new farm bill that will include future conservation programs and policies. There is pressure on the conference committee from supporters of agriculture to resolve these differences quickly before farmers make spring planting decisions. The FY2002 budget resolution, currently in effect, provides an additional \$73.5 billion dollars in budget authority over the next 10 years for all agricultural spending, on top of the current baseline of about \$97 billion, and the Administration often has stated that it will support that level of budget authority.

The House approved H.R. 2646 on October 5, 2001, after several days of debate. Perhaps the most contentious issue was an alternative conservation proposal, called the Kind-Boehlert amendment, which would have transferred an additional \$1.9 billion annually from commodity to conservation programs. It was defeated. The Senate approved S.Amdt. 2471, offered by Senator Daschle, after several days of debate at the end of the first session and early in the second session. The Daschle Amendment includes all the conservation provisions in S. 1731, a clean bill filed by the Senate Agriculture Committee, and other proposals. During the Senate debate several amendments to conservation amendments were adopted.

This report compares Title II of H.R. 2646 and Title II of S.Amdt. 2471 with current law in two tables. The first table compares the provisions to current law. The second table compares proposed annual funding levels for each program.

Provisions in the conservation titles of the two bills have many similarities. Both bills would extend most existing conservation programs that expire at the end of FY2002. Both would greatly increase total conservation budget authority above current levels, and fund almost all the programs through the Commodity Credit Corporation. Funding for some programs, such as the Environmental Quality Incentives Program and the Farmland Protection Program, would increase significantly. The Congressional Budget Office estimates the current baseline for all mandatory conservation programs through FY2011 to be \$21.4 billion. H.R. 2646, according to CBO, would increase this to \$37.2 billion, while S.Amdt. 2471 would increase it to \$42.7 billion. (CBO assumes the legislation is in effect for 10 years and is not amended.)

Key differences include the period of authorization. H.R. 2646 provides authorization through FY2011, while S.Amdt. 2471 provides authorization through FY2006. The House bill primarily reauthorizes existing programs, usually at lower funding levels than the Senate bill, and enacts few new programs, while the Senate bill makes more numerous and significant changes to existing programs and to conservation policies, and also creates many more new programs.

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Introduction

Resource conservation programs were first enacted in the 1930s to reduce the effects of soil erosion on crop production, then expanded in the 1940s and 1950s to help landowners manage water resources and control floods. The approach to conservation that developed with these earliest programs has changed little; it is based on voluntary participation. Participants are attracted by combination of financial, technical and educational assistance, and results from related research.

Starting with the omnibus farm bill in 1985, Congress rapidly expanded conservation programs beyond erosion control and water management, and beyond the goal of improving crop production. Programs now also protect and restore wetlands and wildlife habitat, and recognize the need to improve air and water quality, for example. Since the most recent farm bill was enacted in 1996, new issues emerged, including: the role that agriculture might play in producing energy from biomass and in sequestering carbon; protection and restoration of grasslands; reduction of non point water pollution caused by large confined animal feeding operations; and additional attention to other “off-farm” impacts. Addressing these issues will continue to expand the breadth of the resource conservation effort. The effort will also grow as new conservation tools are added, such as easements which protect resource values while keeping the land under the control of the farmer.

The expanded conservation effort is reflected in funding levels. Conservation activities at USDA received a total of just over \$1 billion in FY1985; they now receive more than \$3 billion annually. Most of this growth has been for land retirement and easements (e.g., the Conservation Reserve and Wetlands Reserve Programs), while the other activities have grown little in real terms. The 1996 farm bill moved funding for five conservation programs from discretionary funding, subject to the annual appropriations process, to mandatory funding through the CCC. Funding of mandatory conservation programs totaled just over \$2 billion in FY2001, according to the Congressional Budget Office (CBO).

Numerous programs are scheduled to expire at the end of FY2002. During several days of hearings in 2001, the agriculture committees explored program and policy options. Farm groups generally suggested increasing funding for existing programs and reducing conservation impediments to farm operations. Other interest groups, while supporting some of the farmer proposals, recommended more substantial changes, including new programs and major shifts in policy.

This report consists of two tables. **Table 1** lists current resource conservation law or policy in the first column, and compares these with provisions in the conservation titles of both bills. Current law or policy is identified by the section in law where it can be found, and for each bill, the sections where the provisions can be found are identified. Table entries also note where proposed provisions would move a program to a different section of law, which S.Amdt. 2471 would do to several programs. While this table does include funding for each program in both proposals, **Table 2** pulls all the funding information together in one place.

Table 1 identifies only current conservation law and policy that one or both bills would amend in the conservation title. While this is a large portion of the conservation effort, it is far from the entire effort. Programs such as Watershed and Flood Prevention Operations, administered by the Natural Resources Conservation Service (NRCS) would not be directly amended by either set of proposals.

Some provisions that might be considered to be conservation topics are found in other titles, such as the forestry and research titles, and are therefore not included in this comparison. For example, in the Senate bill:

- amendments to the Forestry Incentive Program, administered by NRCS, which provides cost-sharing assistance on small private nonindustrial forest lands are placed in §804, in the forestry title;
- a provision to reduce incentives to convert uncultivated land to crops by making that land ineligible for certain farm program benefits immediately, is placed in §170, in the commodity program title (this provisions is similar to “super sodbuster” in earlier law) ; and
- a provision that the makes violators of swampbuster and conservation compliance ineligible for crop insurance payments, is placed in §1014, the miscellaneous provisions.

The table does not include any analysis of the proposed program and policy changes, or any assessment of their probable effects. Many of these proposals would likely have significant effects because of: their scope or scale; the places and natural resources that they could affect; and approaches that implementing agencies choose to follow in undertaking changed responsibilities. Some of these proposals have gone through a lengthy gestation period, such as Senator Harkin’s proposed Conservation Security Program, while others have been extensively analyzed in assessments by others, such as the Grasslands Reserve Program proposal, championed by the Nature Conservancy. Less information is available about other proposals. These proposals include small or limited programs, such as the Cranberry Acreage Reserve, programs of limited geographic scope, such as the Southern High Plains groundwater conservation program, and proposals that appeared near the end of the farm bill process to address an issue that emerged recently, such as the Klamath Basin provisions, all in the Senate bill.

Table 2 lists, by conservation program, funding/enrollment levels authorized under current law in the first column, and compares these with proposed funding/enrollment levels for both bills. All conservation programs in the House bill would be authorized through 2011, while all conservation programs in the Senate bill would be authorized through FY2006, unless noted. As currently proposed, most programs would be first funded in FY2002, although a few would not start until

FY2003. The conservation titles in these bills contain numerous proposed changes in policy that do not involve funding levels or options; these changes, which in some instances include how the funds are to be allocated, are identified in table 1. New smaller programs that would be funded using a portion of funds authorized for a larger program are included, and the relationship between the new recipient programs and the larger source programs are identified.

The entry for each program notes whether the proposal would require mandatory or discretionary funding. (Mandatory funding is provided through the borrowing authority of USDA's Commodity Credit Corporation, while discretionary funding requires an annual appropriation.) A large majority of conservation funding (although not a majority of all active conservation programs) already is mandatory, and the portion of all funding using the CCC would increase under both bills.

Funding levels for many of the programs would increase from year to year. Higher funding levels in out-years will allow the administering agencies to "ramp up" their efforts. Given the large magnitude of proposed increases from current levels, "ramping up" is widely viewed as having the potential to result in more efficient and effective implementation.

Table 2 provides the official estimates in budget authority prepared by the Congressional Budget Office (CBO). The CBO has estimated the baseline budget authority for all mandatory programs, by year, and increases above that baseline for both bills over the next 10 years. For each entry in H.R. 2646 that is mandatory spending, estimated budget authority through FY2006 and FY2011 are included, and for each entry in S.Amdt. 2471 that is mandatory spending, estimated budget authority through FY2006 is included. (Most authorizations in this bill expire after FY2006.)

To summarize the CBO estimates, the total increase in budget authority to implement the conservation title of H.R. 2646 would be \$6.788 billion through FY2006 and \$15.787 billion through FY2011. For S.Amdt. 2471, it estimates a total increase of \$11.776 billion through FY2006. (It also estimates that the total increase would be \$21.303 billion through FY2011 if no further changes were made through FY2011.) These increases are a significant portion of the \$73.5 billion increase in budget authority authorized in the FY2002 budget agreement for all spending in programs under the jurisdiction of the agriculture committees.

For several programs, participation is limited by acres permitted to be enrolled, rather than a cap on funding levels. For these programs, CBO must estimate both the average cost per acre and the rate at which land would be enrolled. CBO has developed the following cost estimates for these acreage-based programs:

- For the CRP, \$50 per acre annually for regular enrollment, and \$100 per acre for the continuous enrollment option and the Conservation Reserve Enhancement Program (CREP);
- For the proposed Grasslands Reserve Program, \$15 to \$20 per acre annually;
- For the WRP, \$1000 per acre; and
- For the proposed Water Conservation Program, \$1,500 per acre, or for the leasing option, \$150 per acre (increasing by 2% to 3% per year).

**Table 1. Comparison of Current Resource Law with Provisions in Title II of Farm Bills
Passed by House and Senate**

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
A. Environmental Conservation Acreage Reserve Program (ECARP)		
<p>1. Purpose and Programs. Authorizes program through long term contracts and acquisition of easements, to be implemented through the Conservation Reserve Program (CRP), Wetlands Reserve Program (WRP), and Environmental Quality Incentive Program (EQIP). [<i>§1230(a) of the 1985 FSA as amended by §331 of the 1996 FAIR</i>] Good Faith protection provisions added as §755 of the FY2001 Agriculture Appropriations. [<i>§1230A</i>] [Note: ECARP is an umbrella under which the CRP, WRP, and EQIP are placed.]</p>	No provisions.	<p>Renames ECARP the Comprehensive Conservation Enhancement Program (CCEP) and places new name throughout §1230. [<i>§207(a)</i>] Amends §1230(a) to reflect changed placement of conservation programs in 1985 FSA. CCEP includes: Conservation Reserve Program; Wetlands Reserve Program; Environmental Quality Incentives Program; Wildlife Habitat Incentives Program; a new Grasslands Reserve Program; and a revised Conservation of Private Grazing Lands Program. [<i>§211(a)</i>] Repeals §1230A. [<i>§207(c)</i>] [Note: §1230A is replaced with new good faith provisions in §1244(a), discussed below in subsection H and found in §204 of this bill.]</p>
<p>2. Priority Areas. Permits the Sec. to designate watershed, multistate areas, or areas of special environmental sensitivity for enhanced conservation assistance through the CRP, WRP, and EQIP. [<i>§1230(c) of the 1985 FSA as amended by §331 of the 1996 FAIR</i>]</p>	Repeals §1230(c). [<i>§201(2)</i>]	Adds a new subsection giving priority to areas where projects could be completed most rapidly. [<i>§211(b)</i>]
B. Conservation Reserve Program (CRP)		
<p>1. Period of Authorization and Purposes. Authorizes program through FY2002, and states the purposes are to conserve and improve soil and water resources. [<i>§1231 (a) of the 1985 FSA as amended by §322(a)(1) of the 1996 FAIR</i>]</p>	<p>Reauthorizes CRP through FY2011. [<i>§211(a)</i>] Adds wildlife resources to the purposes of the program. [<i>§211(b)</i>]</p>	Reauthorizes CRP through FY2006. [<i>§212(a)</i>]
<p>2. Eligibility. Makes certain highly erodible land, marginal pastureland, and other cropland eligible. [<i>Section 1231(b) of the 1985 FSA</i>]</p>	Repeals the limit on enrolling marginal pastureland to less than 10% of the total enrolled acres, expands the definition of other eligible cropland to include threats to soil and air quality, and makes eligible land in	Makes eligible land that has a cropping history for 3 of the 6 years preceding enactment (and land enrolled in the CRP on that date), and adds a new subsection that makes land enrolled under the continuous signup and the buffer initiative eligible for the regular program.

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
	production for at least 4 years that would contribute to conservation of ground and surface water. [<i>§212(a)</i>] Adds a new <i>§231(i)</i> that requires balance between soil erosion, water quality, and wildlife habitat when reviewing bids, with implementing regulations to be issued within 180 days of enactment. [<i>§212(d)</i>]	[<i>§212(b)</i>]
3. Enrollment Ceiling. Authorizes enrollment ceiling at 36.4 million acres. [<i>§1231(d) of the 1985 FSA as amended by §332(b) of the 1996 FAIR.</i>]	Raises ceiling to 39.2 million acres. [<i>§212(b)</i>]	Raises ceiling to 41.1 million acres. [<i>§212(c)</i>] [Note: <i>§215(a)</i> , water conservation, lowers the CRP enrollment ceiling from 41.1 million acres to 40.0 million acres, then adds 500,000 acres for a new pilot program, bringing the total to 40.5 million acres.]
4. Duration of Contract. Allows CRP contracts for some land devoted to hardwood trees, shelter belts, wind breaks, or wildlife corridors to be longer than the 10 to 15 years allowed for other contracts. [<i>§1231(e)(2) of the 1985 FSA</i>]	No provisions.	Amends <i>§1231(e)(2)</i> to allow the Sec. to extend contracts on hardwood forests for up to 15 years, and limits annual payments to 50% of the original contract amount. New contracts can be from 10 to 30 years in length. [<i>§212(d)</i>]
5. Conservation Priority Areas. Requires the Sec. to establish, at the request of a state, priority watersheds in specified and other areas where enrollment would “maximize water quality and habitat benefits.” [<i>§1231(f) of the 1985 FSA</i>]	Allows land enrolled under this subchapter to be eligible to reenroll in the CRP. [<i>§212(c)</i>]	Gives priority to areas where designation would lead to the most rapid completion of projects. [<i>§212(b)</i>]
6. Enrollment Subcategories. Authorizes a 500,000 acre pilot program, with enrollment limited to 150,000 acres in any state for small wetlands (less than 5 acres) and buffers in 6 specified upper Midwestern states. [<i>A new §1231(h), enacted in Title XI of the FY2001 Agriculture Appropriations (P.L. 106-387)</i>]	Expands the pilot program to all states and limits enrollment in any state to 150,000 acres. [<i>§215</i>]	Deletes “pilot”, reauthorizes the program through FY2006, and increases the maximum size of eligible sites from 5 acres to 10 acres (but only up to 5 acres are eligible for payments). [<i>§212(e)</i>]

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
<p>7. Duties of Owners and Operators. Sets limits on commercial uses of lands in the CRP, but allows the Sec. to permit harvesting or grazing under very limited circumstances. [<i>§1232(a)(7) of the 1985 FSA as amended by the 1990 FACTA</i>] Sets a goal of planting 1/8 of the land enrolled each year to trees or habitat. [<i>§1232(c) of the 1985 FSA</i>] Allows alley-cropping. [<i>§1232(d) of the 1985 FSA</i>]</p>	<p>Allows certain economic uses of enrolled lands if consistent with soil, water, and wildlife conservation. These uses include managed grazing and haying (with reduced payments), siting of wind turbines, and harvesting biomass to produce energy (with reduced payments). Deletes subsections (c) and (d). [<i>§213</i>]</p>	<p>Adds a new subsection that allows irrigated land to be enrolled through the buffer initiative or the CREP at the irrigated land rate. [<i>Section 212(f)</i>] Allows participants to plant native prairie grasses on enrolled marginal pastureland, to permit harvesting or grazing for maintenance purposes on lands enrolled through the buffer initiative or the CREP, and adds a new subsection that makes crop production on other highly erodible land a violation of a CRP contract unless it has a cropping history or was a building site when it was purchased. [<i>§212(g)</i>] Adds a new subsection that permits wind turbines on CRP land (except land enrolled in the continuous enrollment), with payments reduced based on the diminished value for CRP. [<i>§212(h)</i>]</p>
<p>8. Payments. Lays out the terms and conditions for CRP payments. [<i>§1234 of the 1985 FSA as amended by §1434(a) of the 1990 FACTA</i>] Payments for easements limited to \$50,000 per year. [<i>§1239C(f) of the 1985 FSA</i>]</p>	<p>No provisions.</p>	<p>Adds a new subsection to provide enrollment and cost sharing payments to producers who enroll land in the buffer initiative or through a CREP. [<i>§212(i)</i>] Exempts payments for land enrolled in the buffer initiative or through a CREP from the payment limit for easements. [<i>§212(j)</i>]</p>
<p>9. County Enrollment Limits. Limits enrollment in the CRP and WRP to 25% of county cropland, and limits easements to 10%; limits may be exceeded if it would not adversely affect the local economy or if operators are having difficulty meeting compliance requirements. [<i>§1243(b) of the 1985 FSA as amended by §341 of the 1996 FAIR.</i>]</p>	<p>Repeals the provision allowing the Sec. to exceed the county enrollment limit if operators are having difficulty meeting compliance requirements. [<i>§244(a)</i>]</p>	<p>Exempts land enrolled under the continuous signup from county enrollment limit. [<i>§212(k)</i>]</p>
<p>10. Funding and Administration. Provides mandatory funding through the CCC. [<i>§1241(a) of the 1985 FSA as amended by §341 of the 1996 FACT</i>]</p>	<p>Reauthorizes mandatory funding through FY2011. [<i>§241</i>]</p>	<p>Reauthorizes funding from the CCC through FY2006, and includes funding for technical assistance in support of this program. [<i>§211(c)</i>]</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
11. Study of Economic Effects. No provisions.	No provisions.	Requires the Sec. to report to the House and Senate Agriculture Committees on the economic and social effects of the CRP on rural communities within 270 days of enactment. Specifies 3 components of the analysis. [<i>§212(l)</i>]
C. Wetlands Reserve Program (WRP)		
1. Enrollment. The 1990 FACTA adds a new §1237 to the 1985 FSA establishing the WRP and capping enrollment at 975,000 acres. [<i>Section 1438</i>] Enrollment allowed through calendar year 2002. [<i>§333(b)(1) of the 1996 FAIR</i>] Enrollment ceiling increased from 975,000 acres to 1,075,000 acres. [<i>§808 of the FY2001 Agriculture Appropriations (P.L. 106-387)</i>]	Allows enrollment of up to 150,000 acres per calendar year starting in 2002, with any acres up to the annual limit that are not enrolled can be enrolled in succeeding years, through FY2011. [<i>§221(a)</i>] Authorizes enrollment through FY2011. [<i>§221(c)</i>]	Authorizes WRP enrollment through calendar year 2006. [<i>§214(c)</i>] Sets a maximum enrollment ceiling of 2,225,000 acres, and an annual enrollment ceiling of 250,000 acres, of which up to 25,000 acres can be enrolled in the new Wetland Reserve Enhancement Program. [<i>§214(b)</i>]
2. Enrollment Options. Requires 1/3 enrollment each using permanent easements, 30 year easements, and long-term agreements. [<i>§1237(b) of the 1985 FSA as amended by §333(a) of the 1996 FAIR</i>]	Deletes the 1/3 requirement, and the distinction between permanent and temporary easements. [<i>§221(b)</i>]	Creates a new Wetland Reserve Enhancement Program that allows agreements with state and local government, and non-governmental organizations to restore wetlands on land in or eligible to be enrolled in the WRP. [<i>§214(d)</i>]
3. Easements and Agreements. Describes the general terms of easements and agreements. Prohibits altering habitat, spraying chemicals and mowing, any activity that degrades the land, and any other activity that counters the purpose of the easement, unless permitted in the plan. [<i>§1237A of the 1985 FSA as amended by §333(d)(1) of the 1996 FAIR</i>]	Replaces the 4 specific prohibitions with a general statement to allow only changes permitted in the plan. It deletes subsection (e), which distinguishes 3 lengths of easements, and subsection (h), which can require wetlands to be restored if there is no easement. [<i>§222</i>]	No provisions.
4. Secretarial Duties, including Technical Assistance. Describes how cost sharing and technical assistance will be provided; and how priorities will be set for determining which bids to accept. [<i>§1237C of the 1985 FSA</i>]	Deletes subsection (d), which requires the Sec. to give priority to using permanent easements. [<i>§223</i>]	Amends §1237C(a) to provide funds from the CCC for technical assistance in support of the WRP. [<i>§214(a)</i>] Amends §1237C(a)(2) to add monitoring and maintenance to the types of technical assistance provided to participants. [<i>§214(e)</i>]

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<p>5. Changes in Ownership. Limits program entry if ownership changes occurred during the previous year, and specifies terms under which easements can be modified or terminated. [<i>§1237E of the 1985 FSA</i>]</p>	<p>Replaces 1990 acquisition date in §1237E(a)(2) with provision to make eligible at any time land acquired through foreclosure where the previous owner exercised a right of redemption. [<i>§224</i>]</p>	<p>No provisions.</p>
<p>6. Funding. Funding from the CCC is authorized to implement the WRP. [<i>§1241(a) of the 1985 FSA</i>]</p>	<p>Reauthorizes mandatory funding through FY2011. [<i>§241</i>]</p>	<p>Reauthorizes funding from the CCC through FY2006, and includes funding for technical assistance in support of this program. [<i>§211(c)</i>]</p>
<p>D. Environmental Quality Incentives Program (EQIP)</p>		
<p>1. Program Purposes. Identifies 4 programs that EQIP replaces. Specifies that EQIP maximize environmental benefits per dollar spent while meeting 4 purposes. [<i>§334 of the 1996 FAIR adds §1240 to the 1985 FSA</i>]</p>	<p>Deletes reference to the programs that were replaced; replaces the purpose of responding to environmental threats with the purpose of providing environmental benefits; and expands the benefits to include air quality. [<i>§231</i>]</p>	<p>Specifies that EQIP is to promote production and environmental quality while maximizing environmental benefits per dollar spent by assisting producers to meet 6 specified purposes. [<i>§213(a)</i>]</p>
<p>2. Definitions. Defines “eligible land”, “land management practice”, “livestock”, “producer”, and “structural practice”. [<i>§1240A of the 1985 FSA</i>]</p>	<p>Adds non-industrial private forest land to “eligible land”, and replaces the notion of posing an environmental threat with the notion of providing environmental benefits in that definition; and “producer” is expanded to include non-industrial private forestry. [<i>§232</i>]</p>	<p>Adds definitions of “beginning farmer or rancher”, “comprehensive nutrient management”, “innovative technology”, “managed grazing”, “maximum environmental benefits per dollar expended”, “practice”, and “program”. [<i>§213(a)</i>]</p>
<p>3. Program Administration. Authorizes EQIP through 2002; eligible practices include structural and land management practices; authorizes contracts of 5 to 10 years; provides cost-share of not more than 75% for structural practices; prohibits cost sharing to large livestock operations to construct animal waste management facilities; provides incentive payments for land management practices; provides funding (not to exceed projected costs) for technical assistance; and lists types of private sources to provide technical assistance. [<i>§1240B of the 1985 FSA</i>]</p>	<p>Reauthorizes EQIP through FY2011; authorizes contracts of 1 to 10 years; repeals requirement that structural practices be selected to maximize environmental benefits per dollar spent; deletes limitation on payments to large livestock operations to construct animal waste management facilities; and adds a new provision to make incentive payments at an amount and rate to encourage multiple land management practices, with emphasis on payments for practices that address “residue, nutrient, pest, invasive species, and air quality management.”</p>	<p>Reauthorizes EQIP through FY2006; adds comprehensive nutrient management planning to the list of eligible practices; allows the Sec. to provide conservation education to producers; authorizes contracts of 3 to 10 years; limits producers to 1 contract for structural practices to manage livestock nutrients through FY2006; limits large confined livestock operators to 1 contract over authorization period for a waste storage or treatment facility; authorizes application and evaluation procedures for selecting applicants; prohibits bidding down; limits cost sharing payments to 75% (up to 90% for limited resource and beginning farmers, or to address a natural disaster);</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
	[§233]	prohibits duplicate cost sharing payments for the same practice; eliminates (by not including) the limitation on cost-sharing with large confined livestock operations for waste management facilities; permits incentive payments for technical assistance to certified individuals to develop comprehensive nutrient management plans; and specifies circumstances for terminating contracts. [§213(a)]
<p>4. Evaluation of Offers. Requires Sec. to give higher priority to assistance in priority areas, maximize environmental benefits per dollar spent, or are in watersheds, regions, or conservation priority areas where states or localities are active partners. [§1240C of the 1985 FSA]</p>	<p>Replaces these provisions with general language about aiding farmers to comply with environmental laws and encourage conservation, maximizing the benefits of using manure and other soil amendments, and encouraging sustainable grazing systems. [§234]</p>	<p>Adds higher priority also to be given for special projects initiated by a new partnership program to address environmental issues placed in §1243(f), and to innovative technologies for structural or land management practices. [§213(a)]</p>
<p>5. Duties of Producers. Lists 5 duties; one is a prohibition against practices that counter the purposes of EQIP. [§1240D of the 1985 FSA]</p>	<p>No provisions.</p>	<p>Almost identical to current law, except gives the Sec. greater latitude in determining the appropriate penalty for violations. [§213(a)]</p>
<p>6. Program Plan. Lists the general contents of plans producers are required to submit to the Sec. to participate. [§1240E of the 1985 FSA]</p>	<p>Replaces mention of management and structural practices with providing greater environmental benefits. [§235]</p>	<p>Almost identical to current law. [§213(a)]</p>
<p>7. Secretarial Duties. Assigns 5 duties to the Sec; one is to provide technical assistance and cost-share or incentive payments for structural and land management practices; another is to prepare an eligibility assessment. [§1240F of the 1985 FSA]</p>	<p>Deletes incentive payments from implementing structural and land management practices. [§236]</p>	<p>Almost identical to current law, except that it deletes (by not including) the duty of providing an eligibility assessment. [§213(a)]</p>
<p>8. Payment Limits and Timing. Limits payments to \$10,000 annually and \$50,000 per contract; specifies the annual limit can be exceeded to maximize the environmental benefits per dollar spent; and delays federal expenditures until the year after the contract has been signed. [§1240G of the 1985 FSA]</p>	<p>Limits payments to \$50,000 annually and \$200,000 per contract; repeals language allowing annual limits to be exceeded to provide maximum environmental benefit per dollar spent, and provisions to delay federal expenditures until the year after the contract has been signed. [§237]</p>	<p>Limits total payments under all contracts to \$30,000 annually, \$90,000 for 3 year contracts, \$120,000 for 4 year contracts, and \$150,000 for a contract of 4 years or more. The Sec. can waive the annual limit to increase environmental benefits. Deletes provisions to delay federal expenditures until the year after the contract has been signed. [§213(a)]</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
<p>9. Other Provisions. Lays out temporary transition provisions as EQIP replaces 4 repealed programs. [<i>§1240H of the 1985 FSA</i>]</p>	<p>Replaces current language in §1240H with provisions that provide \$30 million, in FY2002, \$45 million in FY2003, and \$60 million annually in FY2004-11 from the CCC for cost share payments and low interest loans to encourage ground and surface water conservation. [<i>§238</i>]</p>	<p>Replaces current language in §1240H with provisions that provide \$100 million annually from EQIP funds, starting in FY2003, for competitive innovative matching grants and specifies examples to include market systems for pollution reduction, promoting carbon sequestration in soil and other Best Management Practices, and protecting drinking water quality; permits funds from other sources; limits funding to 50% of cost; funds unobligated by April 1 each year can be spent on other EQIP purposes. Adds new program as §1240I for groundwater conservation in the southern high plains to improve irrigation efficiency and reduce water use using EQIP funds. (\$15 million in FY2003, \$25 million in FY2004-5, \$35 million in FY2006, and \$0 in FY2007) Adds new pilot programs for drinking water suppliers, and provides incentives to reduce nutrient loads in the Chesapeake Bay watershed using EQIP funds as §1240J. (\$10 million in FY2003, \$15 million in FY2004, \$20 million in FY2005, \$25 million in FY2006, and \$0 in FY2007) [<i>§213(a)</i>]</p>
<p>10. Funding and Administration. Provides \$200 million annually through FY2002 from the CCC for EQIP, with 50% of the total going to practices related to livestock production. [<i>§1241 of the 1985 FSA as amended by several annual agricultural appropriations laws</i>]</p>	<p>Reauthorizes funding from the CCC through FY2011. [<i>§241</i>] Provides: \$.2 billion in FY2001; \$1.025 billion in FY2002-3; \$1.2 billion in FY2004-6; \$1.4 billion in FY2007-9; and \$1.5 billion in FY2010-11. [<i>§242</i>] Reauthorizes the livestock provision through FY2011. [<i>§243</i>]</p>	<p>Provides: \$.5 billion in FY2002; \$1.3 billion in FY2003; \$1.45 billion in FY2004-5; \$1.5 billion in FY2006; and \$.85 billion in FY2007. Provides funding for technical assistance from the CCC. [<i>§241(b)</i>] Reauthorizes funding from the CCC through FY2006, and includes funding for technical assistance in support of this program. [<i>§211(c)</i>]</p>
<p>E. Wildlife Habitat Incentives Program (WHIP)</p>		
<p>1. Period of Authorization. Provides a total of \$50 million from the CCC (from CRP funding) by the end of FY2002. [<i>§387(c) of the 1996 FAIR</i>]</p>	<p>Reauthorizes funding from the CCC at: \$25 million in FY2002; \$30 million in FY2003-4; \$35 million in FY2005-6; \$40 million in FY2007; \$45 million in FY2008-9; and \$50 million in FY2010-11. [<i>§ 252</i>]</p>	<p>Moves WHIP to §1240M of the 1985 FSA, reauthorizes funding from the CCC at: \$50 million in FY2002; \$225 million in FY2003; \$275 million in FY2004; \$325 million in FY2005; \$355 million in FY2006; and \$50 million in FY2007. All funding is to</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
		remain available until spent. Provides funding for technical assistance from the CCC. [<i>§217(g)</i>]
2. Establishing WHIP. No provisions.	No provisions.	Requires consultation with STCs to establish WHIP. [<i>§217(b)</i>]
3. Cost-sharing Payments. Authorizes cost sharing payments for several approved purposes. [<i>§387(b)</i>]	No provisions.	Requires the Sec. to use at least 15% of the cost-sharing funds on endangered and threatened species. [<i>§217(c)</i>]
4. Participation Related to Public Lands. No provisions.	No provisions.	Makes individuals and organizations leasing public lands eligible for grants. [<i>§217(e)</i>] Allows funds to be used on public lands if they will benefit private lands. [<i>§217(f)</i>]
5. Pilot Program. No provisions.	No provisions.	Allows the Sec. to use up to 15% of the funds to enroll land for at least 15 years to protect “essential plant and animal habitat.” [<i>§217(d)</i>]
F. Farmland Protection Program (FPP)		
1. Funding Level. Provides up to a total of \$35 million from the CCC by FY2002. [<i>§388(c) of the 1996 FAIR</i>]	Provides up to \$50 million annually through FY2011 from the CCC. [<i>§ 253(b)</i>]	Moves the FPP to §1238H-J of the 1985 FSA and requires that the program be administered by NRCS [<i>§218(a)</i>] Repeals §388 of the 1996 FAIR. [<i>§218(c)</i>] Reauthorizes funding from the CCC at: \$150 million in FY2002; \$250 million in FY2003; \$400 million in FY2004; \$450 million in FY2005; \$500 million in FY2006; and \$100 million in FY2007. Provides funding for technical assistance from the CCC; limits the federal share to 50%, and limits the portion of the non federal share provided by the landowner or in kind goods and services to 25%; prohibits bidding down. [<i>§218(b)</i>]
2. Eligible Land. Makes between 170,000 acres and 340,000 acres eligible if the soil is prime, unique or productive, and an offer is pending from a state or local government to limit non agricultural uses. [<i>§388(a) of the 1996 FAIR</i>]	Deletes the maximum and minimum acreage limits, and makes historic and archaeological sites eligible. [<i>§253(a)</i>]	Same as §253(a); and also defines eligible land to include cropland, rangeland, grassland, pasture land and forest land that is part of an agricultural operation. [<i>§218(a)</i>]
3. Conservation Planning. Requires a conservation	No provisions.	Identical to current law. [<i>§218(a)</i>]

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
plan if the land is highly erodible; the Sec. can require conversion of land to a less intensive use in the plan. [<i>§388(b) of the 1996 FAIR</i>]		
4. Eligible Participants. Makes eligible any state or local agency that has made an offer to purchase a conservation easement. [<i>§388(a) of the 1996 FAIR</i>]	Expands eligibility to also include federally recognized Indian tribes, and non profit organizations that meet specified qualifications. [<i>§253(c)</i>]	Identical to §253(c). [<i>§218(a)</i>]
5. New Program Options. No provisions.	No provisions.	Allows up to \$10 million to be spent annually to provide matching grants for market development, and technical assistance to participants. [<i>§218(a)</i>]
G. Other Programs (Including Technical Assistance)		
1. Resource Conservation and Development Program (RC&D). Provides assistance to encourage and improve the capacity of state and local governments and non profits in rural areas to develop and implement conservation programs. Authorized through FY2002. [<i>Title III of the Bankhead-Jones Farm Tenant Act as amended by §1528-§1538 of the 1981 AFA</i>]	Permanently reauthorizes program, and makes numerous other, mostly minor or technical amendments. [<i>§254</i>] [Note: Many of the changes in the two bills are different from each other, but they do not change the basic intent or operation of the program.]	Permanently reauthorizes program, and makes numerous other, mostly minor or technical amendments. [<i>§216</i>] [Note: Many of the changes in the two bills are different from each other, but they do not change the basic intent or operation of the program.]
2. Small Watershed Rehabilitation Program. Provides financial and technical assistance to rehabilitate water structures that are nearing or past the end of their design life. Authorizes appropriations of: \$5 million in FY2001; \$10 million in FY2002; \$15 million in FY2003; \$25 million in FY2004; and \$35 million in FY2005. [<i>Authorized in §313 of the Grain Standards and Warehouse Improvement Act of 2000</i>]	Authorizes \$15 million annually in “FY2002 and each succeeding year” to fund the Small Watershed Rehabilitation Program. [<i>§257</i>]	No provisions.
3. Conservation of Private Grazing Lands. Provide coordinated technical, educational, related assistance to preserve and enhance privately-owned grazing lands; authorizes 2 demonstration districts, and authorizes \$20 million in FY1996, \$40 million in FY1997, and \$60 million in FY1998 and each	Adds encouraging the use of sustainable grazing systems to the list of activities for which assistance can be provided. [<i>§251</i>]	Moves the program to a new §1240P of the 1985 FSA, makes numerous other, mostly minor, changes, and authorizes \$60 million annually through FY2006. [<i>§217(a)</i>] Repeals provisions establishing program in §386 of the 1996 FAIR. [<i>§217(b)</i>]

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
subsequent year. [<i>§386 of the 1996 FAIR</i>]		
4. Technical Assistance. Allows persons who need and apply a conservation compliance plan to obtain technical assistance from approved sources other than NRCS; the Sec. must document a rejection of assistance from those sources [<i>§1243(d) of the 1985 FSA</i>]	Allows producers to seek assistance from third parties, who have the specified expertise, and requires the Sec. to develop a system for approving qualified third parties who provide technical assistance to EQIP participants within 6 months of enactment. [<i>§244(b)</i>]	Adds a new §1244(f) to the 1985 FSA requiring the Sec. to create a certification program for third parties to provide technical assistance, specifies standards for certification, permits the Sec. to repay landowners who use third parties, and establishes an advisory committee for the certification program. [<i>§204</i>]
5. State Technical Committees (STC). Creates STCs , lists the composition, outlines responsibilities to include providing “information, analysis, and recommendations” on implementing conservation provisions (including several specified topics) to the state conservationist, and exempts the STC from FACA meeting requirements. [<i>§1261 of the 1985 FSA</i>]	No provisions.	Expands membership in STCs to include expertise in forestry, restates its responsibilities to mesh with other changes this legislation makes to conservation programs, and makes subcommittees and local working groups working on STC business exempt from FACA. [<i>§220</i>]
6. Repeals of Authorized Programs and Activities. No provisions.	Repeals provisions: creating the Wetlands Mitigation Banking Program [<i>§1222(k) of the 1985 FSA</i>]; exempting CRP payments from any limits under the 1985 FSA, the 1990 FACTA, and the 1949 AA [<i>§1234(f)(3)</i>]; protecting the base history of land enrolled in the CRP [<i>§1236 of the 1985 FSA</i>]; exempting WRP payments from any limits under the 1985 FSA, the 1990 FACTA, and the 1949 AA [<i>§1237D(c)(3)</i>] and; creating the Environmental Easement Program [<i>§1239 of the 1985 FSA</i>], the Conservation Farm Option [<i>§1240M of the 1985 FSA</i>], and the Tree Planting Initiative [<i>§1256 of the 1985 FSA</i>]. [<i>§261</i>] Repeals the National Natural Resources Conservation Foundation [<i>§351-§360 of the 1996 FAIR</i>]. [<i>§262</i>]	Repeals numerous conservation programs in current law and reauthorizes them in other sections of farm law, as noted in the entries above.
H. New Programs		

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
1. Grasslands Reserve Program (GRP). A. Reserve Size. No provisions.	Places GRP in §1238 of the 1985 FSA, creating a 2 million acre grasslands reserve, split evenly between restored grasslands and virgin (never cultivated) grasslands. §1238(b)(1) sets minimum size for enrolled parcels at 50 contiguous acres east of the 90 th meridian and 100 contiguous acres west of the 90 th meridian. [§255(a)]	Places GRP in §1238N-P of the 1985 FSA, creating a 2 million acre grasslands reserve, of which up to 500,000 acres will be native grasslands in tracts of 40 acres or less. §1238N sets minimum size for enrolled parcels at 40 contiguous acres east of the 98 th meridian and 100 contiguous acres west of the 98 th meridian [§219(a)]
B. Eligible Lands. No provisions.	Defines eligible land to include natural grass and shrub land that has a potential to serve as important plant or animal habitat, or has been historically dominated by natural grass or shrubland. [§255(a)]	Same definition of eligible land as in H.R. 2646, except that it also allows incidental additional land that is necessary for the administrative efficiency of an easement to be enrolled. [§219(a)]
C. Enrollment Options. No provisions.	Spends at least 2/3 of funds on contracts of 10 to 20 years, and the remainder on 30 year or permanent easements. [§255(a)]	Allows permanent easements, 30 year easements, the longest easements allowed by state law, and 30 year rental agreements. §1238Q allows Sec. to delegate easements to state agencies, private conservation organizations and land trusts. [§219(a)]
D. Permitted and Prohibited Uses of Enrolled Lands. No provisions.	Permits contract holders to use common grazing practices, and permits haying and mowing outside the bird nesting season, but prohibits all agricultural production (except hay) and almost all practices that require disturbing the land surface in §1238(A)(b). [§255(a)]	Similar to H.R. 2646 for permitted and prohibited uses of enrolled lands. [§219(a)]
E. Ranking Criteria for Bids. No provisions.	Requires the Sec. to develop ranking criteria for reviewing applications, with emphasis on support for native vegetation, grazing operations, and plant and animal diversity, and to set the terms for restoration. [§255(a)]	Requires Sec. to work with STCs in developing ranking criteria, and to give priority to grazing operations, maintaining or restoring biodiversity, and land under the greatest threat of conversion. [§219(a)]
F. Payment Levels. No provisions.	Describes how payment levels are to be set for each form of participation, sets cost sharing payments for restoration at 90% for virgin grasslands and 75% for restored grasslands,	Describes how payment levels are to be set for each form of participation, provides that rental agreements be reviewed and adjusted at least once every 5 years, limits cost-sharing payments to 75% for restoration, and

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
	and provides technical assistance. [<i>§255(a)</i>]	provides technical assistance. [<i>§219(a)</i>]
G. Penalties for Violation. No provisions.	No provisions.	Describes the roles of the Sec. and the landowner in implementing restoration agreements, and lists the penalties for violations, and allows periodic site inspections. [<i>§219(a)</i>]
H. Funding. No provisions.	Amends §1241 of the 1985 FSA to provide a total of \$254 million through the CCC through FY2011 to implement the GRP. [<i>§255(b)</i>]	Amends §1241 of the 1985 FSA to provide such sums as necessary from the CCC to implement the GRP. [<i>§219(b)</i>]
2. Farmland Stewardship Program. No provisions.	Adds this program as a new §1239 to the 1985 FSA. It is to be administered by NRCS “to more precisely tailor and target” current conservation programs, using program funding on a watershed basis, where possible. Participation requires matching funds, and can involve other agencies. Participants submit a management plan and are encouraged to use easements to implement conservation management. [<i>§256</i>] [Note: No appropriations are authorized, so all funding would come from existing programs]	
3. Conservation Security Program (CSP). No provisions	No provisions.	Conservation Security Program (CSP). Authorizes a CSP in §1238– §1238B of the 1985 FSA. Defines 22 terms and lists 13 program purposes. To participate, producers must have an approved plan for eligible lands, which are any “private agricultural land” except land in the CRP and WRP, or that has not been in production at least 3 of the preceding 10 years. Producers can receive an advance payment when they enroll, base payments, and bonus payments for certain practices. Practices required for each of 3 tiers of participation are specified, and minimum requirements for each will be determined at the state level and

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
		<p>approved by the Sec. Land in an approved plan will be enrolled in a contract between FY2003 and FY2006; Tier 1 contracts will be 5 years; Tier II and III contracts will be 5 to 10 years, and contracts can be renewed. Total annual payments are limited to \$20,000 for Tier I, \$35,000 for Tier II, and \$50,000 for Tier III. Specified practices are ineligible. One state pilot programs is authorized after October 1, 2004. [§201]</p> <p>Amends §1241 of the 1985 FSA by adding a new subsection (c) to provide “such funds as are necessary” from the CCC through FY2006. [§202]</p> <p>Allows implementation to start on the date of enactment. [§206]</p>
<p>4. Partnerships and Cooperation. No provisions.</p>	<p>No provisions.</p>	<p>Adds a new §1242(f) to the 1985 FSA to allow special projects as recommended by a state conservationist, which can respond to meeting the requirements of three specified federal environmental laws or addressing watersheds or other areas with significant environmental problems. Participants agree to a plan to adjust implementation of conservation programs to increase environmental benefits. Funding uses 5% of EQIP funds annually, with any unused funds to go to other EQIP activities that year. [§203]</p>
<p>5. Watershed Risk Reduction Program. No provisions.</p>	<p>No provisions.</p>	<p>Authorizes \$15 million annually through FY2006 to implement a new program to purchase floodplain easements at §1240N of the 1985 FSA. [§217(a)]</p>
<p>6. Great Lakes Basin Soil Erosion and Sediment Control Program. No provisions.</p>	<p>No provisions.</p>	<p>Authorizes \$5 million annually through FY2006 to implement a new soil erosion and sediment control program for the Great Lakes basin at Section 1240O of the 1985 FSA. [§217(a)]</p>
<p>7. Water Conservation Program. No provisions.</p>	<p>No provisions.</p>	<p>Reduces CRP enrollment ceiling from 41.1 million acres to 40.0 million acres. [§215(a)]</p> <p>Authorizes two new programs. One will allow up to 500,000 acres to be enrolled in state CREPs to</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
		<p>contribute to the restoration of a water course or lake, and permit leasing or purchasing water rights. Priority given to places where more than 20% of the cost would be paid from non federal sources and promotes any of 4 specified benefits for fish, wildlife, and plants. Protection of state water laws are specified. Eligible states are Nevada, California, New Mexico, Washington, Oregon, Maine, and New Hampshire; others can apply to participate. [§215(b)]</p> <p>Authorizes new Water Conservation Program in §1240R of the 1985 FSA. NRCS will provide cost sharing assistance to increase irrigation efficiency, convert production to less water-intensives crops, and acquire water rights. Protection of state and other water laws required. Nebraska and South Dakota are ineligible, while the same seven states as in the program above are eligible, and others may apply. Authorizes funding from the CCC at \$25 million in FY2002, \$52 million in FY2003, and \$100 million annually in FY2004 through FY2006, with \$5 million allocated each year to monitoring activities. [§215(c)]</p>
<p>8. Grassroots Source Water Protection Program. No provisions.</p>	No provisions.	<p>Authorizes a new program in §1240Q of the 1985 FSA to appropriate \$5 million annually through FY2006 to use technical assistance capabilities of state rural water associations that operate wellhead or groundwater protection programs. [§217(a)]</p>
<p>9. Organic Agriculture Research Trust Fund. No provisions.</p>	No provisions.	<p>Provides \$45 million from the CCC in FY2003, to remain available until spent and to accrue interest, in FY2003 to establish a new research fund on organic products. [§231]</p>
<p>10. National Organic Research Endowment Institute. No provisions.</p>	No provisions.	<p>Establishes a National Organic Research Endowment Institute to develop and implement a plan for research on organic products using the trust fund (established in §231). [§232]</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
11. Cranberry Acreage Reserve. No provisions.	No provisions.	Authorizes purchase of permanent easements on wetlands and buffers that are part of a cranberry operation from willing sellers. Authorizes \$10 million annually for this activity. [§261]
12. Klamath Basin. No provisions.	No provisions.	Authorizes the Sec. to create a federal task force (membership specified) to develop a coordinated federal effort to manage water resources in this basin, with 6 duties specified. In addition to using existing programs, the Task Force will establish a grant program to carry out its responsibilities. [§262(a) and (b)] The task force will issue an initial report within 180 days of enactment, a draft 5-year plan to implement its duties within 60 days thereafter, and a final plan within 1 year of enactment. Eight items to be considered in the plan are specified. [§262(c)] Consultation with specified non-federal entities is required. [§262(d)] Authorizes a total of \$175 million from the CCC from FY2003 through FY2006, and specifies that \$15 million is to go to specified tribes in Oregon and \$15 million to specified tribes in California. Funds may not be obligated after September 30, 2006. [§262(e)]
13. Administrative Requirements for Conservation Programs A. Relief for Good Faith Actions	No provisions.	Adds a new §1244(a) to the 1985 FSA giving the Sec. the option of granting relief to conservation program participants who act in good faith under a contract, and are subsequently determined to be in violation. Types of relief and exceptions are specified. [§204]
B. Assistance for Limited Resource Producers. No provisions.	No provisions.	Adds a new §1244(b) which provides necessary funds from the CCC to assist certain limited resource, socially disadvantaged, and beginning producers, and Indian tribes to participate in conservation programs by providing “education, outreach, monitoring, evaluation, and related services.” The Sec. may contract with other entities to provide these services. Adds a new §1244(c)

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
		allowing the Sec. to provide incentives to these producers(except socially-disadvantaged ones) to participate in conservation programs. [§204]
C. Data Collection and Program Evaluation.	No provisions.	Adds a new §1244(d) which requires the Sec. to collect data that would permit evaluation of conservation programs. [§204]
D. Mediation. No provisions.	No provisions.	Adds a new §1244(e) which requires the Sec. to provide mediation services when an adverse decision is made about a conservation program. [§204] [Note: §1244(f), on technical assistance, is discussed above, in entry G4.]
E. Privacy of Personal Information (Confidentiality). No provisions.	No provisions.	Adds a new §1244(g) to prohibit the Sec. from releasing personal information about individuals related to conservation programs, except in aggregate. [§204]
F. Tribal Lands. No provisions.	No provisions.	Adds a new §1244(h) which requires the Sec. to cooperate with a tribal government when carrying out conservation programs on tribal lands. [§204]
G. Regional Equity of Conservation Spending. No provisions.	No provisions.	Requires that each state receive at least \$12 million annually from FY2002 through FY2006, for conservation programs. Of the total, \$5 million is to be used for EQIP, and \$7 million is to be used for other conservation programs, with any portion not obligated by April 1 of the fiscal year to be reobligated to other specified programs. [§241]
14. Assessment of Conservation Programs. No provisions.		Assessment of Conservation Programs. Requires the Sec. to develop a plan to better coordinate and consolidate the implementation of conservation programs to insure funding of highest priorities while accounting for regional variation. [§ 205(a)] Requires the Sec. to provide the plan (and recommendations) to both agriculture committees within 180 days of enactment. [§205(b)] Requires the Sec. to provide a plan (with a cost estimate) for updating the national conservation program required by the Soil and Water Resources Conservation Act of 1977 to both agriculture committees within 180 days of enactment, and to report

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
		to both committees on the status of plan implementation by April 30, 2005. [<i>§205(c)</i>] Requires the Sec. to revise conservation technical standards within 180 days of enactment , and to update them at least once every 5 years. [<i>§205(d)</i>]

Table 2. Comparison of Current Resource Conservation Funding with Proposed Funding in Farm Bills Passed by House and Senate

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
<p>Conservation Reserve Program (CRP). Capped at 36.4 million acres; mandatory spending authorized through FY2002. (16 U.S.C. 3831-3836, and 3841)</p>	<p>CRP capped at 39.2 million acres; mandatory funding authorized through 2011. (CBO estimates increase in budget authority of \$574 million through FY2006, and \$1.517 billion through FY2011.)</p>	<p>CRP capped at 41.1 million acres (the Water Conservation Program would reduce it to 40.0 million acres, and then adds a .5 million acre pilot program, making the final total 40.5 million acres.) Mandatory funding authorized through FY2006. (CBO estimates increase in budget authority of \$931 million through FY2006.)</p>
<p>Wetlands Reserve Program (WRP). Capped at 1,075,000 acres in total with no annual enrollment goal or limit; mandatory spending authorized through FY2002. (16 U.S.C. 3837-3837f, and 3841)</p>	<p>WRP capped at 150,000 acres per calendar year, and any acres within that cap not used in a given year can be enrolled in subsequent years; mandatory funding authorized through 2011. (CBO estimates increase in budget authority of \$859 million through FY2006, and \$1.726 billion through FY2011.)</p>	<p>WRP capped at total enrollment of 2.225 million acres, with annual (calendar year) enrollment limited to 250,000 acres, of which up to 25,000 acres can be enrolled in a new Wetland Reserve Enhancement Program; mandatory funding is authorized. (CBO estimates increase in budget authority of \$1.383 billion through FY2006.)</p>
<p>Environmental Quality Incentives Program (EQIP) Authorized at \$130 million in mandatory spending in FY 1996, and \$200 million annually in FY1997 through FY2002. (16 U.S.C. 3839aa-3839aa-8, and 3841)</p>	<p>EQIP mandatory funding authorized at: \$0.200 billion in FY2001; \$1.025 billion in FY2002 and 3; \$1.200 billion in FY2004 through 6; \$1.400 billion in FY2007 through 9; and \$1.500 billion in FY2010 and 11. (CBO estimates increase in budget authority of \$4.650 billion through FY2006, and \$10.850 billion through FY2011. (Excludes a new Ground and Surface Water Conservation Program, discussed below and estimated separately by CBO))</p>	<p>EQIP mandatory funding authorized at: \$0.50 billion in FY2002; \$1.30 billion in FY2003; \$1.45 billion in FY2004 and 5; \$1.50 billion in FY2006; and \$0.85 billion in FY2007. Includes new programs for Partnerships and Cooperation at 5% of annual EQIP authorization, Conservation Innovation Grants at \$100 million per year, Southern Plains Groundwater Conservation at \$15 million in FY2003 and increasing to \$35 million in FY2006, and a pilot program for drinking water suppliers in the Chesapeake Bay watershed at \$10 million in FY2003 and increasing to \$25 million in FY2006. (CBO estimates increase in budget authority of \$5.227 billion through FY2006.)</p>

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Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
<p>Wildlife Habitat Incentives Program (WHIP) Authorized through FY2002 at a total of \$50 million in mandatory spending from the funds made available to implement the CRP. (16 U.S.C. 3836a)</p>	<p>WHIP mandatory funding authorized at: \$25 million in FY2002; \$30 million in FY2003 and 4; \$35 million in FY2005 and 6; \$40 million in FY2007; \$45 million in FY2008 and 9; and \$50 million in FY2010 and 11. (CBO estimates increase in budget authority of \$155 million through FY2006, and \$385 million through FY2011.)</p>	<p>WHIP mandatory funding authorized at: \$50 million in FY2002; \$225 million in FY2003 \$275 million in FY2004 \$325 million in FY2005; \$355 million in FY2006, and \$100 million in FY2007. (CBO estimates increase in budget authority of \$1.23 billion through FY2006.)</p>
<p>Farmland Protection Program (FPP). Authorized to enroll between 170,000 acres and 340,000 acres through FY2002, with total mandatory funding of \$35 million. (16 U.S.C. 3830)</p>	<p>FPP mandatory funding authorized at no more than \$50 million annually, and the enrollment limits are eliminated. (CBO estimates increase in budget authority of \$250 million through FY2006, and \$500 million through FY2011.)</p>	<p>FPP mandatory funding authorized at: \$150 million in FY2002; \$250 million in FY2003; \$400 million in FY2004; \$450 million in FY2005; \$500 million in FY2006; and \$100 million in FY2007. Not more than \$10 million annually goes to a new Market Viability Program, and the upper and lower enrollment limits are eliminated. (CBO estimates increase in budget authority of \$1.750 billion through FY2006.)</p>
<p>Ground and Surface Water Conservation Program (WCP) (New program, within EQIP, that would provide cost-share payments and low interest loans to encourage groundwater conservation.)</p>	<p>WCP mandatory funding authorized at: \$30 million in FY2002; \$45 million in FY2003; and \$60 million in FY2004 through 11. (CBO estimates increase in budget authority of \$255 million through FY2006, and \$555 million through FY2011.)</p>	<p>No provisions.</p>
<p>Resource Conservation and Development Program (RC&D) Authorized such discretionary funds as may be necessary through FY2002. (16 U.S.C. 3453-3461)</p>	<p>RC&D is authorized permanently to spend such discretionary funds as may be necessary.</p>	<p>Same as H.R. 2646.</p>

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
Grassland Reserve Program (GRP) (New program that would pay landowners to retire grasslands for multi-year periods.)	GRP is capped at 1.0 million acres of “restored grassland” and 1.0 million acres of “virgin grassland”, and funding is capped at \$254 million in total mandatory spending through FY2011. (CBO estimates increase in budget authority of \$45 million through FY2006, and \$254 million through FY2011.)	GRP is capped at 2 million acres, with up to 500,000 acres of native grasslands. GRP mandatory funding authorized at “such sums ...as are necessary.” (CBO estimates increase in budget authority of \$44 million through FY2006.)
Farmland Stewardship Program (FSP) (New program that would provide assistance through existing conservation programs and require matching assistance from other sources to implement farmland stewardship agreements.)	No appropriation or spending amounts are specified, and funding is to come from other specified conservation programs. (CBO estimates no new funding under this authority through FY2011.)	No provisions.
Small Watershed Rehabilitation Program. Authorized discretionary funding at: \$10 million in FY2002; \$15 million in FY2003; \$25 million in FY2004; and \$35 million in FY2005. (16 U.S.C. 1012)	Authorizes appropriations of \$15 million annually in discretionary spending “for FY2002 and each succeeding year.”	No provisions.
Conservation Security Program (CSP) (New program that would make payments to farmers based on which of three levels of conservation they practice)	No provisions.	CSP mandatory funding authorized at “such funds as are necessary”. (CBO estimates increase in budget authority of \$387 million through FY2006.)
Watershed Risk Reduction Program. (New program that would implement projects and activities, including purchase of floodplain easements, to reduce the risks caused by natural disasters.)	No provisions.	Authorizes appropriations of \$15 million annually from FY2002 through FY2006.
Great Lakes Basin Program for Soil Erosion and Sediment Control (New program that would provide conservation assistance to control sediment and soil erosion.)	No provisions.	Authorizes appropriations of \$5 million annually from FY2002 through FY2006.
Conservation of Private Grazing Lands. Authorized discretionary funding at \$20 million in FY1996; \$40 million in FY1997; and \$60 million in “each subsequent fiscal year.” (16 U.S.C. 2005b)	No provisions.	Authorizes appropriations of \$60 million annually from FY2002 through FY2006.

Current Law/Policy	Farm Bill Passed by House	Farm Bill Passed by Senate
Grassroots Source Water Protection Program. (New program to supplement technical assistance capabilities.)	No provisions.	Authorizes appropriations of \$5 million annually from FY2002 through FY2006.
Organic Agricultural Research Trust Fund. (New program that would establish a fund to be invested in organic research.)	No provisions.	Mandatory funding authorized at \$45million in FY2003 to establish trust fund. (CBO estimates increase in budget authority of \$45 million in FY2003.)
Cranberry Acreage Reserve Program. (New program that would fund purchase of permanent easements on eligible land.)	No provisions.	Authorizes total appropriation of \$10 million.
Klamath Basin. (New program that would create an interagency task force to develop a plan to address specified topics about water shortages and resource restoration, and provide implementing grants.)	No provisions.	Mandatory funding authorized at a total of \$175 million between FY2003 and FY2006, with \$15 million of that amount to go to specified Indian tribes in California and \$15 million to go to specified Indian tribes in Oregon. Any funds unallocated by April 1of each year are to be reallocated to specified conservation programs. No funds to be obligated after FY2006. CBO estimates increase in budget authority of \$175 million through FY2006.)
CREP Pilot Program and Water Benefits Program. (Two new programs to promote water conservation in approved states.)	No provisions.	Conservation Reserve Enhancement Program authorized at up to 500,000 acres in approved states. Water Benefits Program mandatory funding authorized at; \$25 million in FY2002; \$52 million in FY2003; \$100 million in FY2004; \$100 million in FY2005; and \$100 million in FY2006. (CBO estimates increase in budget authority of \$604 million through FY2006.)