

AMENDMENT TO RULES COMMITTEE PRINT

119-22

OFFERED BY MS. BOEBERT OF COLORADO

Page 35, after line 16, insert the following:

1 **SEC. 2103. CONSERVATION RESERVE ENHANCEMENT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Section 1231A of the Food Secu-
4 rity Act of 1985 (16 U.S.C. 3831a) is amended—

5 (1) in subsection (a)(4), in the matter pre-
6 ceding subparagraph (A), by inserting “(other than
7 an agreement described in subsection (e))” after
8 “this subchapter”;

9 (2) in subsection (b)(2)(A)(vi), by inserting “or
10 other appropriate practices, such as dryland agricul-
11 tural uses and grazing,” after “conservation prac-
12 tices”;

13 (3) in subsection (c), by adding at the end the
14 following:

15 “(5) VARIABLE ALLOCATION.—An owner or op-
16 erator may elect to determine the amounts of annual
17 payments under this section allocated to each year
18 of the agreement under subsection (b)(1).

1 “(6) DROUGHT AND WATER CONSERVATION
2 AGREEMENTS.—

3 “(A) RETIREMENT OF WATER RIGHTS.—In
4 the case of an agreement described in sub-
5 section (e) that includes a permanent retire-
6 ment of water rights, the payment rates for an-
7 nual payments shall be equal to the irrigated
8 acre payment rates determined by the Sec-
9 retary.

10 “(B) DRYLAND AGRICULTURAL USES.—

11 “(i) IN GENERAL.—In the case of an
12 agreement described in subsection (e) that
13 permits dryland agricultural uses pursuant
14 to paragraph (2) of that subsection, the
15 payment rates for annual payments shall
16 be equal to the difference between—

17 “(I) the irrigated acre payment
18 rates determined by the Secretary;
19 and

20 “(II) the dryland acre payment
21 rates determined by the Secretary.

22 “(ii) RETROACTIVE APPLICATION.—In
23 the case of an agreement covered by clause
24 (i) entered into before the date of enact-
25 ment of this paragraph under which the

1 payment rate is lower than the payment
2 rate that would be calculated for the agree-
3 ment under that clause, the Secretary shall
4 modify the agreement by calculating the
5 payment rate in accordance with that
6 clause.”; and

7 (4) in subsection (e)—

8 (A) in the matter preceding paragraph (1),
9 by striking “may—” and inserting “shall—”;

10 (B) in paragraph (1), by inserting “(in-
11 cluding agricultural land on which a continuous
12 crop or crop rotation is maintained)” after “ag-
13 ricultural land”;

14 (C) in paragraph (2), by striking “with the
15 adoption of best management practices on” and
16 inserting “in accordance with a conservation
17 plan adopted with respect to”; and

18 (D) in paragraph (3), by inserting “subject
19 to subsection (c)(6),” before “calculate”.

20 (b) EXEMPTION FROM PAYMENT LIMITATION.—Sec-
21 tion 1234(g) of the Food Security Act of 1985 (16 U.S.C.
22 3834(g)) is amended—

23 (1) in paragraph (1), by striking “paragraph
24 (2)” and inserting “paragraphs (2) and (3)”; and

25 (2) by adding at the end the following:

1 “(3) CONSERVATION RESERVE ENHANCEMENT
2 PROGRAM.—Paragraph (1) shall not apply to rental
3 payments received under agreements entered into
4 under section 1231A.”.

