

106TH CONGRESS
1ST SESSION

S. 1177

To amend the Food Security Act of 1985 to permit the harvesting of crops on land subject to conservation reserve contracts for recovery of biomass used in energy production.

IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Mr. HARKIN (for himself, Mr. KERREY, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to permit the harvesting of crops on land subject to conservation reserve contracts for recovery of biomass used in energy production.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. USE OF CONSERVATION RESERVE LAND FOR**
4 **RECOVERY OF BIOMASS USED IN ENERGY**
5 **PRODUCTION.**

6 Section 1232(a)(7) of the Food Security Act of 1985
7 (16 U.S.C. 3832(a)(7)) is amended—

1 (1) by striking “except that the Secretary may
2 permit harvesting” and inserting “except that the
3 Secretary may permit—

4 “(A) harvesting”;

5 (2) by striking “emergency, and the Secretary
6 may permit limited” and inserting “emergency;

7 “(B) limited”;

8 (3) by inserting “and” after the semicolon at
9 the end; and

10 (4) by adding at the end the following:

11 “(C) harvesting of crops on land subject to
12 the contract for recovery of biomass used in en-
13 ergy production if—

14 “(i) the land is harvested not more
15 than once annually;

16 “(ii) no portion of the crop is used for
17 any commercial purpose other than energy
18 production from biomass;

19 “(iii) the owner or operator agrees to
20 a payment reduction under this section in
21 an amount determined by the Secretary,
22 except that the payment reduction shall
23 not be in an amount that prevents the
24 owner or operator from realizing a reason-
25 able economic return; and

1 “(iv) the owner or operator agrees to
2 such other terms and conditions as the
3 Secretary, in consultation with the State
4 technical committee for the State, may es-
5 tablish to ensure that the harvesting mini-
6 mizes disturbance of wildlife habitat and is
7 otherwise consistent with the purposes of
8 the program established under this sub-
9 chapter.”.

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