

In the Senate of the United States,

May 18, 2000.

Resolved, That the Senate agree to the amendments of the House of Representatives to the bill (S. 777, entitled “An Act to require the Department of Agriculture to establish an electronic filing and retrieval system to enable the public to file all required paperwork electronically with the Department and to have access to public information on farm programs, quarterly trade, economic, and production reports, and other similar information.” with the following

SENATE AMENDMENT TO HOUSE AMENDMENTS:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Freedom to E-File Act”.*

3 ***SEC. 2. ELECTRONIC FILING AND RETRIEVAL.***

4 *(a) IN GENERAL.—Not later than 180 days after the*
5 *date of enactment of this Act, in accordance with subsection*
6 *(c), the Secretary of Agriculture (referred to in this Act as*
7 *the “Secretary”)* shall, to the maximum extent practicable,

1 *establish an Internet-based system that enables agricultural*
2 *producers to access all forms of the agencies of the Depart-*
3 *ment of Agriculture (referred to in this Act as the “Depart-*
4 *ment”)* specified in subsection (b).

5 (b) *APPLICABILITY.—The agencies referred to in sub-*
6 *section (a) are the following:*

7 (1) *The Farm Service Agency.*

8 (2) *The Natural Resources Conservation Service.*

9 (3) *The rural development components of the De-*
10 *partment included in the Secretary’s service center*
11 *initiative regarding State and field office collocation*
12 *implemented pursuant to section 215 of the Depart-*
13 *ment of Agriculture Reorganization Act of 1994 (7*
14 *U.S.C. 6915).*

15 (4) *The agricultural producer programs compo-*
16 *nent of the Commodity Credit Corporation adminis-*
17 *tered by the Farm Service Agency and the Natural*
18 *Resources Conservation Service.*

19 (c) *IMPLEMENTATION.—In carrying out subsection (a),*
20 *the Secretary shall—*

21 (1) *provide a method by which agricultural pro-*
22 *ducers may—*

23 (A) *download from the Internet the forms of*
24 *the agencies specified in subsection (b); and*

1 (B) submit completed forms via electronic
2 *facsimile, mail, or similar means;*

3 (2) *redesign the forms by incorporating into the*
4 *forms user-friendly formats and self-help guidance*
5 *materials; and*

6 (3) *ensure that the agencies specified in sub-*
7 *section (b)—*

8 (A) *use computer hardware and software*
9 *that is compatible among the agencies and will*
10 *operate in a common computing environment;*
11 *and*

12 (B) *develop common Internet user-interface*
13 *locations and applications to consolidate the*
14 *agencies' news, information, and program mate-*
15 *rials.*

16 (d) *PROGRESS REPORTS.—Not later than 180 days*
17 *after the date of enactment of this Act, the Secretary shall*
18 *submit to Congress a report that describes the progress made*
19 *toward implementing the Internet-based system required*
20 *under this section.*

21 **SEC. 3. ACCESSING INFORMATION AND FILING OVER THE**
22 **INTERNET.**

23 (a) *IN GENERAL.—Not later than 2 years after the*
24 *date of enactment of this Act, in accordance with subsection*
25 *(b), the Secretary shall expand implementation of the Inter-*

1 *net-based system established under section 2 by enabling ag-*
 2 *ricultural producers to access and file all forms and, at the*
 3 *option of the Secretary, selected records and information*
 4 *of the agencies of the Department specified in section 2(b).*

5 (b) *IMPLEMENTATION.—In carrying out subsection*
 6 *(a), the Secretary shall ensure that an agricultural pro-*
 7 *ducer is able—*

8 (1) *to file electronically or in paper form, at the*
 9 *option of the agricultural producer, all forms required*
 10 *by agencies of the Department specified in section*
 11 *2(b);*

12 (2) *to file electronically or in paper form, at the*
 13 *option of the agricultural producer, all documentation*
 14 *required by agencies of the Department specified in*
 15 *section 2(b) and determined appropriate by the Sec-*
 16 *retary; and*

17 (3) *to access information of the Department con-*
 18 *cerning farm programs, quarterly trade, economic,*
 19 *and production reports, and other similar production*
 20 *agriculture information that is readily available to*
 21 *the public in paper form.*

22 **SEC. 4. AVAILABILITY OF AGENCY INFORMATION TECH-**
 23 **NOLOGY FUNDS.**

24 (a) *RESERVATION OF FUNDS.—From funds made*
 25 *available for agencies of the Department specified in section*

1 2(b) for information technology or information resource
2 management, the Secretary shall reserve from those agen-
3 cies' applicable accounts a total amount equal to not more
4 than the following:

5 (1) For fiscal year 2001, \$3,000,000.

6 (2) For each subsequent fiscal year, \$2,000,000.

7 (b) *TIME FOR RESERVATION.*—The Secretary shall no-
8 tify Congress of the amount to be reserved under subsection
9 (a) for a fiscal year not later than December 1 of that fiscal
10 year.

11 (c) *USE OF FUNDS.*—

12 (1) *ESTABLISHMENT.*—Funds reserved under
13 subsection (a) shall be used to establish the Internet-
14 based system required under section 2 and to expand
15 the system as required by section 3.

16 (2) *MAINTENANCE.*—Once the system is estab-
17 lished and operational, reserved amounts shall be used
18 for maintenance and improvement of the system.

19 (d) *RETURN OF FUNDS.*—Funds reserved under sub-
20 section (a) and unobligated at the end of the fiscal year
21 shall be returned to the agency from which the funds were
22 reserved, to remain available until expended.

1 **SEC. 5. FEDERAL CROP INSURANCE CORPORATION AND**
2 **RISK MANAGEMENT AGENCY.**

3 (a) *IN GENERAL.*—Not later than December 1, 2000,
4 the Federal Crop Insurance Corporation and the Risk Man-
5 agement Agency shall submit to the Committee on Agri-
6 culture of the House of Representatives and the Committee
7 on Agriculture, Nutrition, and Forestry of the Senate a
8 plan, that is consistent with this Act, to allow agricultural
9 producers to—

10 (1) obtain, over the Internet, from approved in-
11 surance providers all forms and other information
12 concerning the program under the jurisdiction of the
13 Corporation and Agency in which the agricultural
14 producer is a participant; and

15 (2) file electronically all paperwork required for
16 participation in the program.

17 (b) *ADMINISTRATION.*—The plan shall—

18 (1) conform to sections 2(c) and 3(b); and

19 (2) prescribe—

20 (A) the location and type of data to be
21 made available to agricultural producers;

22 (B) the location where agricultural pro-
23 ducers can electronically file their paperwork;
24 and

25 (C) the responsibilities of the applicable
26 parties, including agricultural producers, the

1 *Risk Management Agency, the Federal Crop In-*
2 *surance Corporation, approved insurance pro-*
3 *viders, crop insurance agents, and brokers.*

4 *(c) IMPLEMENTATION.—Not later than December 1,*
5 *2001, the Federal Crop Insurance Corporation and the Risk*
6 *Management Agency shall complete implementation of the*
7 *plan submitted under subsection (a).*

8 **SEC. 6. CONFIDENTIALITY.**

9 *In carrying out this Act, the Secretary—*

10 *(1) may not make available any information*
11 *over the Internet that would otherwise not be avail-*
12 *able for release under section 552 or 552a of title 5,*
13 *United States Code; and*

14 *(2) shall ensure, to the maximum extent prac-*
15 *ticable, that the confidentiality of persons is main-*
16 *tained.*

Attest:

Secretary.

106TH CONGRESS
2D SESSION

S. 777

**SENATE AMENDMENT TO
HOUSE AMENDMENTS**