

MAKING APPROPRIATIONS FOR AGRICULTURE, RURAL DEVELOPMENT,  
FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PRO-  
GRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2000, AND FOR  
OTHER PURPOSES

---

SEPTEMBER 30, 1999.—Ordered to be printed

---

Mr. SKEEN, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H.R. 1906]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1906) “making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes, namely:*

## TITLE I

## AGRICULTURAL PROGRAMS

## PRODUCTION, PROCESSING, AND MARKETING

## OFFICE OF THE SECRETARY

## (INCLUDING TRANSFERS OF FUNDS)

*For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$75,000 for employment under 5 U.S.C. 3109, \$15,436,000, of which, \$12,600,000, to remain available until expended, shall be available only for the development and implementation of a common computing environment: Provided, That not to exceed \$11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That the funds made available for the development and implementation of a common computing environment shall only be available upon approval of the Committees on Appropriations and Agriculture of the House of Representatives and the Senate of a plan for the development and implementation of a common computing environment: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104-127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104-127.*

## EXECUTIVE OPERATIONS

## CHIEF ECONOMIST

*For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$6,411,000.*

## NATIONAL APPEALS DIVISION

*For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$25,000 is for employment under 5 U.S.C. 3109, \$11,718,000.*

## OFFICE OF BUDGET AND PROGRAM ANALYSIS

*For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$6,583,000.*

*OFFICE OF THE CHIEF INFORMATION OFFICER*

*For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$6,051,000.*

*OFFICE OF THE CHIEF FINANCIAL OFFICER*

*For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109, \$4,783,000.*

*OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION*

*For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, \$613,000.*

*AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS*

*(INCLUDING TRANSFERS OF FUNDS)*

*For payment of space rental and related costs pursuant to Public Law 92-313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, \$140,364,000: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.*

*HAZARDOUS WASTE MANAGEMENT*

*(INCLUDING TRANSFERS OF FUNDS)*

*For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961, \$15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.*

*DEPARTMENTAL ADMINISTRATION  
(INCLUDING TRANSFERS OF FUNDS)*

*For Departmental Administration, \$34,738,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.*

*OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS*

*For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), \$3,000,000, to remain available until expended.*

*OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL  
RELATIONS*

*(INCLUDING TRANSFERS OF FUNDS)*

*For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, \$3,568,000: Provided, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations: Provided further, That not less than \$2,241,000 shall be transferred to agencies funded by this Act to maintain personnel at the agency level.*

*OFFICE OF COMMUNICATIONS*

*For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, \$8,138,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins.*

*OFFICE OF THE INSPECTOR GENERAL*

*(INCLUDING TRANSFERS OF FUNDS)*

*For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, \$65,128,000, including such sums as may be*

*necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including not to exceed \$125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.*

*OFFICE OF THE GENERAL COUNSEL*

*For necessary expenses of the Office of the General Counsel, \$29,194,000.*

*OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS*

*For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, \$540,000.*

*ECONOMIC RESEARCH SERVICE*

*For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, \$65,419,000: Provided, That \$1,000,000 shall be transferred to and merged with the appropriation for "Food and Nutrition Service, Food Program Administration" for studies and evaluations: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).*

*NATIONAL AGRICULTURAL STATISTICS SERVICE*

*For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621-1627, Public Law 105-113, and other laws, \$99,405,000, of which up to \$16,490,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.*

*AGRICULTURAL RESEARCH SERVICE*

*For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agri-*

*cultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$834,322,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$250,000, except for headhouses or greenhouses which shall each be limited to \$1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed \$500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$250,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.*

*None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.*

*In fiscal year 2000, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account and shall remain available until expended for authorized purposes.*

#### *BUILDINGS AND FACILITIES*

*For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, \$52,500,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision,*

organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION  
SERVICE

RESEARCH AND EDUCATION ACTIVITIES

*For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including \$180,545,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a-i); \$21,932,000 for grants for cooperative forestry research (16 U.S.C. 582a-a7); \$30,676,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), of which \$1,000,000 shall be made available to West Virginia State College in Institute, West Virginia, which for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222); \$63,238,000 for special grants for agricultural research (7 U.S.C. 450i(c)); \$13,721,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); \$119,300,000 for competitive research grants (7 U.S.C. 450i(b)); \$5,109,000 for the support of animal health and disease programs (7 U.S.C. 3195); \$750,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); \$650,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), to remain available until expended; \$500,000 for the 1994 research program (7 U.S.C. 301 note); \$3,000,000 for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); \$4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); \$1,000,000 for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); \$2,850,000 for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241); \$500,000 for a secondary agriculture education program and two-year post-secondary education (7 U.S.C. 3152(h)); \$4,000,000 for aquaculture grants (7 U.S.C. 3322); \$8,000,000 for sustainable agriculture research and education (7 U.S.C. 5811); \$9,200,000 for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); \$1,552,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103-382; and \$14,825,000 for necessary expenses of Research and Education Activities, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, \$485,698,000.*

*None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.*

## NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

*For establishment of a Native American institutions endowment fund, as authorized by Public Law 103-382 (7 U.S.C. 301 note), \$4,600,000.*

## EXTENSION ACTIVITIES

*Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93-471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, \$276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), \$3,060,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, \$58,695,000; payments for the pest management program under section 3(d) of the Act, \$10,783,000; payments for the farm safety program under section 3(d) of the Act, \$4,000,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95-113 (7 U.S.C. 3222b), \$12,000,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, \$908,000; payments for youth-at-risk programs under section 3(d) of the Act, \$9,000,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, \$3,192,000; payments for Indian reservation agents under section 3(d) of the Act, \$1,714,000; payments for sustainable agriculture programs under section 3(d) of the Act, \$3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), \$2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326 and 328) and Tuskegee University, \$26,843,000, of which \$1,000,000 shall be made available to West Virginia State College in Institute, West Virginia, which for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221); and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341-349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, \$12,242,000; in all, \$424,922,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.*



## INTEGRATED ACTIVITIES

*For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, \$39,541,000, as follows: payments for the water quality program, \$13,000,000; payments for the food safety program, \$15,000,000; payments for the national agriculture pesticide impact assessment program, \$4,541,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, \$4,000,000; payments for the crops affected by Food Quality Protection Act implementation, \$1,000,000; and payments for the methyl bromide transition program, \$2,000,000, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626).*

## OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

*For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, \$618,000.*

## ANIMAL AND PLANT HEALTH INSPECTION SERVICE

## SALARIES AND EXPENSES

## (INCLUDING TRANSFERS OF FUNDS)

*For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, \$441,263,000, of which \$4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the*

*arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.*

*In fiscal year 2000, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.*

*Of the total amount available under this heading in fiscal year 2000, \$87,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.*

#### BUILDINGS AND FACILITIES

*For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, \$5,200,000, to remain available until expended.*

#### AGRICULTURAL MARKETING SERVICE

##### MARKETING SERVICES

*For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed \$90,000 for employment under 5 U.S.C. 3109, \$51,625,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.*

*Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).*

## LIMITATION ON ADMINISTRATIVE EXPENSES

*Not to exceed \$60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.*

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY  
(SECTION 32)

## (INCLUDING TRANSFERS OF FUNDS)

*Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$12,443,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.*

## PAYMENTS TO STATES AND POSSESSIONS

*For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,200,000.*

## GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

## SALARIES AND EXPENSES

*For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$26,448,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.*

## LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

*Not to exceed \$42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.*

*OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

*For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, \$446,000.*

*FOOD SAFETY AND INSPECTION SERVICE*

*For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, \$649,411,000, of which no less than \$544,902,000 shall be available for federal food inspection, and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102-237: Provided, That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.*

*OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN  
AGRICULTURAL SERVICES*

*For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, \$572,000.*

*FARM SERVICE AGENCY*

*SALARIES AND EXPENSES*

*(INCLUDING TRANSFERS OF FUNDS)*

*For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, \$794,839,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$1,000,000 shall be available for employment under 5 U.S.C. 3109.*

## STATE MEDIATION GRANTS

*For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), \$3,000,000.*

## DAIRY INDEMNITY PROGRAM

*(INCLUDING TRANSFERS OF FUNDS)*

*For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$450,000, to remain available until expended (7 U.S.C. 2209b): Provided, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: Provided further, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.*

## AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

*(INCLUDING TRANSFERS OF FUNDS)*

*For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, \$559,422,000, of which \$431,373,000 shall be for guaranteed loans; operating loans, \$2,397,842,000, of which \$1,697,842,000 shall be for unsubsidized guaranteed loans and \$200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, \$1,028,000; for emergency insured loans, \$25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, \$100,000,000.*

*For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, \$7,243,000, of which \$2,416,000, shall be for guaranteed loans; operating loans, \$70,860,000, of which \$23,940,000 shall be for unsubsidized guaranteed loans and \$17,620,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25*

U.S.C. 488, \$21,000; and for emergency insured loans, \$3,882,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$214,161,000, of which \$209,861,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the House and Senate Committees on Appropriations.

#### RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), \$64,000,000: Provided, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

#### CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

#### FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

#### COMMODITY CREDIT CORPORATION FUND

##### REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2000, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11).

#### OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2000, the Commodity Credit Corporation shall not expend more than \$5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961: Provided, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

## TITLE II

## CONSERVATION PROGRAMS

## OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

*For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, \$693,000.*

## NATURAL RESOURCES CONSERVATION SERVICE

## CONSERVATION OPERATIONS

*For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$661,243,000, to remain available until expended (7 U.S.C. 2209b), of which not less than \$5,990,000 is for snow survey and water forecasting and not less than \$9,125,000 is for operation and establishment of the plant materials centers: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed \$250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).*

## WATERSHED SURVEYS AND PLANNING

*For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Wa-*

*tershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), \$10,368,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$110,000 shall be available for employment under 5 U.S.C. 3109.*

#### WATERSHED AND FLOOD PREVENTION OPERATIONS

*For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, \$99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to \$15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed \$47,000,000 of this appropriation shall be available for technical assistance: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: Provided further, That of the funds available for Emergency Watershed Protection activities, \$8,000,000 shall be available for Mississippi, New Mexico, Ohio and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., section 13 of the Act of December 22, 1994; Public Law 78–534; 58 Stat. 905), and the pilot watershed program authorized under the heading “FLOOD PREVENTION” of the Department of Agriculture Appropriation Act, 1954 (Public Law 83–156; 67 Stat. 214).*

#### RESOURCE CONSERVATION AND DEVELOPMENT

*For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), \$35,265,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.*



## FORESTRY INCENTIVES PROGRAM

*For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$6,325,000, to remain available until expended, as authorized by that Act.*

## TITLE III

## RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

## OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

*For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, \$588,000.*

## RURAL COMMUNITY ADVANCEMENT PROGRAM

## (INCLUDING TRANSFERS OF FUNDS)

*For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E-H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), \$718,837,000, to remain available until expended, of which \$23,150,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which \$631,088,000 shall be for the rural utilities programs described in section 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which \$64,599,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided, That of the amount appropriated for rural community programs, \$6,000,000 shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, and low income rural communities to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private and public (including tribal) intermediary organizations proposing to carry out a program of technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources in an amount not less than funds provided: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed \$500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural utilities programs, not to exceed \$20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed \$12,000,000*

*shall be for water and waste disposal systems to benefit Federally Recognized Native American Tribes, including grants pursuant to section 306C of such Act: Provided further, That the Federally Recognized Native American Tribe is not eligible for any other rural utilities programs set aside under the Rural Community Advancement Program; not to exceed \$20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act with up to one percent available to administer the program and up to one percent available to improve interagency coordination; not to exceed \$16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed \$7,300,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed \$45,245,000 shall be available through June 30, 2000, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which \$34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; of which \$8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided further, That any obligated and unobligated balances available from prior years for the "Rural Utilities Assistance Program" account shall be transferred to and merged with this account.*

#### RURAL HOUSING SERVICE

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

###### (INCLUDING TRANSFERS OF FUNDS)

*For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$4,300,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which \$3,200,000,000 shall be for unsubsidized guaranteed loans; \$32,396,000 for section 504 housing repair loans; \$100,000,000 for section 538 guaranteed multi-family housing loans; \$25,001,000 for section 514 farm labor housing; \$114,321,000 for section 515 rental housing; \$5,152,000 for section 524 site loans; \$7,503,000 for credit sales of acquired property, of which up to \$1,250,000 may be for multi-family credit sales; and \$5,000,000 for section 523 self-help housing land development loans.*

*For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$113,350,000, of which \$19,520,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, \$9,900,000; section 538 multi-family housing guaranteed loans, \$480,000; section 514 farm labor housing, \$11,308,000; section 515 rental housing, \$45,363,000; section 524 site loans, \$4,000; credit sales of acquired property, \$874,000, of which up to \$494,250 may be for multi-family credit sales; and section 523 self-help housing land development loans, \$281,000: Provided, That of the total amount appropriated in this paragraph,*

\$11,180,000 shall be available through June 30, 2000, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$375,879,000, which shall be transferred to and merged with the appropriation for "Rural Housing Service, Salaries and Expenses": Provided, That of this amount the Secretary of Agriculture may transfer up to \$7,000,000 to the appropriation for "Outreach for Socially Disadvantaged Farmers".

#### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$640,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than \$5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 2000 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

#### MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$28,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That of the total amount appropriated, \$1,000,000 shall be available through June 30, 2000, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

#### RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for housing for domestic farm labor, very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1486, 1490e, and 1490m, \$45,000,000, to remain available until expended: Provided, That of the total amount appropriated, \$1,200,000 shall be available through June 30, 2000, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

## SALARIES AND EXPENSES

*For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, title V of the Housing Act of 1949, and cooperative agreements, \$61,979,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$520,000 may be used for employment under 5 U.S.C. 3109: Provided further, That the Administrator may expend not more than \$10,000 to provide modest nonmonetary awards to non-USDA employees.*

## RURAL BUSINESS-COOPERATIVE SERVICE

## RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

## (INCLUDING TRANSFERS OF FUNDS)

*For the cost of direct loans, \$16,615,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans of \$38,256,000: Provided further, That of the total amount appropriated, \$3,216,000 shall be available through June 30, 2000, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.*

*In addition, for administrative expenses to carry out the direct loan programs, \$3,337,000 shall be transferred to and merged with the appropriation for "Rural Business-Cooperative Service, Salaries and Expenses".*

## RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

## (INCLUDING RESCISSION OF FUNDS)

*For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$15,000,000.*

*For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$3,453,000.*

*Of the funds derived from interest on the cushion of credit payments in fiscal year 2000, as authorized by section 313 of the Rural Electrification Act of 1936, \$3,453,000 shall not be obligated and \$3,453,000 are rescinded.*

## RURAL COOPERATIVE DEVELOPMENT GRANTS

*For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$6,000,000, of which \$1,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That at least twenty-five percent*

*of the total amount appropriated shall be made available to cooperatives or associations of cooperatives that assist small, minority producers.*

*SALARIES AND EXPENSES*

*For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements, \$24,612,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$260,000 may be used for employment under 5 U.S.C. 3109.*

*RURAL UTILITIES SERVICE*

*RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS  
PROGRAM ACCOUNT*

*(INCLUDING TRANSFERS OF FUNDS)*

*Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, \$121,500,000; 5 percent rural telecommunications loans, \$75,000,000; cost of money rural telecommunications loans, \$300,000,000; municipal rate rural electric loans, \$295,000,000; and loans made pursuant to section 306 of that Act, rural electric, \$1,700,000,000 and rural telecommunications, \$120,000,000, to remain available until expended.*

*For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, \$1,935,000; cost of municipal rate loans, \$10,827,000; cost of money rural telecommunications loans, \$2,370,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.*

*In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$31,046,000, which shall be transferred to and merged with the appropriation for "Rural Utilities Service, Salaries and Expenses".*

*RURAL TELEPHONE BANK PROGRAM ACCOUNT*

*(INCLUDING TRANSFERS OF FUNDS)*

*The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be nec-*

essary in carrying out its authorized programs. During fiscal year 2000 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be \$175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), \$3,290,000.

In addition, for administrative expenses necessary to carry out the loan programs, \$3,000,000, which shall be transferred to and merged with the appropriation for "Rural Utilities Service, Salaries and Expenses".

#### DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., \$20,700,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: Provided, That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

#### SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, and the Consolidated Farm and Rural Development Act, and for cooperative agreements, \$34,107,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$105,000 may be used for employment under 5 U.S.C. 3109.

### TITLE IV

#### DOMESTIC FOOD PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, \$554,000.

##### FOOD AND NUTRITION SERVICE

##### CHILD NUTRITION PROGRAMS

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$9,554,028,000, to remain available through September 30, 2001, of which \$4,618,829,000 is hereby appropriated and \$4,935,199,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That, except as specifically provided under this heading, none of the funds made

available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading, up to \$7,000,000 shall be for school breakfast pilot projects, including the evaluation required under section 18(e) of the National School Lunch Act: Provided further, That up to \$4,363,000 shall be available for independent verification of school food service claims: Provided further, That none of the funds under this heading shall be available unless the value of bonus commodities provided under section 32 of the Act of August 24, 1935 (49 Stat. 774, chapter 641; 7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is included in meeting the minimum commodity assistance requirement of section 6(g) of the National School Lunch Act (42 U.S.C. 1755(g)).

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS,  
AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$4,032,000,000, to remain available through September 30, 2001: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the total amount available, the Secretary shall obligate \$10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional \$5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other federal government departments or agencies unless authorized by section 17 of the Child Nutrition Act of 1966.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 *et seq.*), \$21,071,751,000, of which \$100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That none of the funds made available under this head shall be used for studies and evaluations: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this head shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

## COMMODITY ASSISTANCE PROGRAM

*For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983, \$133,300,000, to remain available through September 30, 2001: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.*

## FOOD DONATIONS PROGRAMS

*For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, \$141,081,000, to remain available through September 30, 2001.*

## FOOD PROGRAM ADMINISTRATION

*For necessary administrative expenses of the domestic food programs funded under this Act, \$111,561,000, of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than \$3,000,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.*

## TITLE V

## FOREIGN ASSISTANCE AND RELATED PROGRAMS

## FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

## (INCLUDING TRANSFERS OF FUNDS)

*For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$109,203,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.*



*None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.*

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

*For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691, 1701-1704, 1721-1726a, 1727-1727e, 1731-1736g-3, and 1737), as follows: (1) \$155,000,000 for Public Law 480 title I credit, including Food for Progress programs; (2) \$21,000,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985; and (3) \$800,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act: Provided, That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: Provided further, That such sums shall remain available until expended (7 U.S.C. 2209b).*

*For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit agreements under said Act, \$127,813,000.*

*In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 480 are utilized, \$1,850,000, of which \$1,035,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service and General Sales Manager" and \$815,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".*

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

*For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, \$3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which \$3,231,000 may be transferred to and merged with the appropriation for "Foreign Agricultural Service and General Sales Manager" and \$589,000 may be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".*

## TITLE VI

RELATED AGENCIES AND FOOD AND DRUG  
ADMINISTRATION

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

*For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$1,186,072,000, of which not to exceed \$145,434,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 2000 shall be subject to the fiscal year 2000 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) \$269,245,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$309,026,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than \$11,542,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) \$132,092,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$48,821,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$154,271,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs, of which \$1,000,000 shall be for premarket review, enforcement and oversight activities related to users and manufacturers of all reprocessed medical devices as authorized by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), and of which no less than \$55,500,000 and 522 full-time equivalent positions shall be for premarket application review activities to meet statutory review times; (6) \$34,536,000 shall be for the National Center for Toxicological Research; (7) \$34,000,000 shall be for the Office of Tobacco; (8) \$25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (9) \$100,180,000 shall be for payments to the General Services Administration for rent and related costs; and (10) \$78,046,000 shall be for other activities, including the Office of the Commissioner; the Office of Policy; the Office of the Senior Associate Commissioner; the Office of International and Constituent Rela-*

tions; the Office of Policy, Legislation, and Planning; and central services for these offices: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committee on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

#### BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$11,350,000, to remain available until expended (7 U.S.C. 2209b).

#### INDEPENDENT AGENCIES

##### COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$63,000,000, including not to exceed \$1,000 for official reception and representation expenses: Provided, That for fiscal year 2000 and thereafter, the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

##### FARM CREDIT ADMINISTRATION

##### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$35,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

#### TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 2000 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 365 passenger motor vehicles, of which 361 shall be for replacement only, and for the hire of such vehicles.

*SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).*

*SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427 and 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.*

*SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: Provided, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.*

*SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, boll weevil program, up to 10 percent of the screwworm program, and up to \$2,000,000 for costs associated with colocating regional offices; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)) and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.*

*SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

*SEC. 707. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.*

*SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.*

*SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.*

*SEC. 710. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease*

space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

*SEC. 711. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under the Small Business Innovation Development Act of 1982, Public Law 97-219 (15 U.S.C. 638).*

*SEC. 712. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.*

*SEC. 713. Notwithstanding any other provision of law, effective on September 29, 1999, appropriations made available to the Rural Housing Insurance Fund Program Account for the costs of direct and guaranteed loans and to the Rural Housing Assistance Grants Account in fiscal years 1994, 1995, 1996, 1997, 1998, and 1999 shall remain available until expended to cover obligations made in each of those fiscal years respectively with regard to each account.*

*SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2000 shall remain available until expended to cover obligations made in fiscal year 2000 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.*

*SEC. 715. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.*

*SEC. 716. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a State or Cooperator to carry out agricultural marketing programs, to carry out programs to protect the Nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the Nation's food supply.*

*SEC. 717. Notwithstanding any other provision of law (including provisions of law requiring competition), the Secretary may enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a State,*

political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will (1) serve a mutual interest of the parties to the agreement in carrying out the Wetlands Reserve Program; (2) all parties will contribute resources to the accomplishment of these objectives: Provided, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 718. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 719. Of the funds made available by this Act, not more than \$1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: Provided, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 720. None of the funds appropriated by this Act may be used to carry out the provisions of section 918 of Public Law 104-127, the Federal Agriculture Improvement and Reform Act.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 723. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

*SEC. 724. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.*

*(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.*

*SEC. 725. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2000 funds under the provisions of section 793 of Public Law 104-127.*

*SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by sections 334-341 of Public Law 104-127 in excess of \$174,000,000.*

*SEC. 727. None of the funds appropriated or otherwise available to the Department of Agriculture in fiscal year 2000 or thereafter may be used to administer the provision of contract payments to a producer under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for contract acreage on which wild rice is planted unless the contract payment is reduced by an acre for each contract acre planted to wild rice.*

*SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 150,000 acres in the fiscal year 2000 wetlands reserve program as authorized by 16 U.S.C. 3837.*

*SEC. 729. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries*

and expenses of personnel to carry out the transfer or obligation of fiscal year 2000 funds under the provisions of section 401 of Public Law 105-185, the Initiative for Future Agriculture and Food Systems.

SEC. 730. Notwithstanding section 381A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009), in fiscal year 2000 and thereafter, the definitions of rural areas for certain business programs administered by the Rural Business-Cooperative Service and the community facilities programs administered by the Rural Housing Service shall be those provided for in statute and regulations prior to the enactment of Public Law 104-127.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 732. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 335 of Public Law 104-127.

SEC. 733. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis in St. Louis, Missouri, or the Food and Drug Administration Detroit, Michigan, District Office Laboratory; or to reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office.

SEC. 734. None of the funds made available by this Act or any other Act for any fiscal year may be used to carry out section 302(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: Provided, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 735. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the users fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2001 appropriations Act.



*SEC. 736. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.*

*SEC. 737. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provision of section 612 of Public Law 105-185.*

*SEC. 738. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food Stamp Act (7 U.S.C. 2036(a)) if such program exceeds \$98,000,000.*

*SEC. 739. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan.*

*SEC. 740. Notwithstanding any other provision of law, in fiscal year 2000 and thereafter, permanent employees of county committees employed on or after October 1, 1998, pursuant to 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) shall be considered as having Federal Civil Service status only for the purpose of applying for United States Department of Agriculture Civil Service vacancies.*

*SEC. 741. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the Federal Government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.*

*SEC. 742. Notwithstanding any other provision of law, the Chief of the Natural Resources Conservation Service shall provide funds, within discretionary amounts available, for the settlement of claims associated with the Chuquatonchee Watershed Project in Mississippi to close out this project.*

*SEC. 743. (a) Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall offer to enter into an agreement with the Governor of the State of Hawaii to conduct a pilot program to inspect mail entering the State of Hawaii for any plant, plant product, plant pest, or other organism that is subject to Federal quarantine laws.*

*(b) The agreement described in subsection (a) shall contain the same terms and conditions as are contained in the memorandum of understanding entered into between the Secretary and the State of California, dated February 1, 1999, unless the Secretary and the Governor agree to different terms or conditions.*

*(c) Unless the Secretary and the Governor agree otherwise, the agreement described in subsection (b) shall terminate on the later of—*

*(1) the date that is 1 year after the date the agreement becomes effective; or*

*(2) the date that the February 1, 1999 memorandum of understanding terminates.*

*SEC. 744. Notwithstanding any other provision of law, the Secretary is authorized under section 306 of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1926), to provide guaranteed lines of credit, including working capital loans, for health care facilities, to address Year 2000 computer conversion issues.*

*SEC. 745. After taking any action involving the seizure, quarantine, treatment, destruction, or disposal of wheat infested with karnal bunt, the Secretary of Agriculture shall compensate the producers and handlers for economic losses incurred as the result of the action not later than 45 days after receipt of a claim that includes all appropriate paperwork.*

*SEC. 746. In addition to amounts otherwise appropriated or made available by this Act, \$2,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships through the Congressional Hunger Center, which is an organization described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and is exempt from taxation under subsection (a) of such section.*

*SEC. 747. Notwithstanding any other provision of law, there are hereby appropriated \$250,000 for the program authorized under section 388 of the Federal Agriculture Improvement and Reform Act of 1996, solely for use in the State of New Hampshire.*

*SEC. 748. The Immigration and Nationality Act (8 U.S.C. 1188 et seq.) is amended: (a) in section 218(c)(1) by striking "60 days" and inserting "45 days", and (b) in section 218(c)(3)(A) by striking "20 days" and inserting "30 days".*

*SEC. 749. SUCCESSORSHIP PROVISIONS RELATING TO BARGAINING UNITS AND EXCLUSIVE REPRESENTATIVES. (a) VOLUNTARY AGREEMENT.—*

*(1) IN GENERAL.—If the exercise of the Secretary of Agriculture's authority under this section results in changes to an existing bargaining unit that has been certified under chapter 71 of title 5, United States Code, the affected parties shall attempt to reach a voluntary agreement on a new bargaining unit and an exclusive representative for such unit.*

*(2) CRITERIA.—In carrying out the requirements of this subsection, the affected parties shall use criteria set forth in—*

*(A) sections 7103(a)(4), 7111(e), 7111(f)(1), and 7120 of title 5, United States Code, relating to determining an exclusive representative; and*

*(B) section 7112 of title 5, United States Code (disregarding subsections (b)(5) and (d) thereof), relating to determining appropriate units.*

*(b) EFFECT OF AN AGREEMENT.—*

*(1) IN GENERAL.—If the affected parties reach agreement on the appropriate unit and the exclusive representative for such unit under subsection (a), the Federal Labor Relations Authority shall certify the terms of such agreement, subject to paragraph (2)(A). Nothing in this subsection shall be considered to require the holding of any hearing or election as a condition for certification.*

*(2) RESTRICTIONS.—*

(A) *CONDITIONS REQUIRING NONCERTIFICATION.*—The Federal Labor Relations Authority may not certify the terms of an agreement under paragraph (1) if—

(i) it determines that any of the criteria referred to in subsection (a)(2) (disregarding section 7112(a) of title 5, United States Code) have not been met; or

(ii) after the Secretary's exercise of authority and before certification under this section, a valid election under section 7111(b) of title 5, United States Code, is held covering any employees who would be included in the unit proposed for certification.

(B) *TEMPORARY WAIVER OF PROVISION THAT WOULD BAR AN ELECTION AFTER A COLLECTIVE BARGAINING AGREEMENT IS REACHED.*—Nothing in section 7111(f)(3) of title 5, United States Code, shall prevent the holding of an election under section 7111(b) of such title that covers employees within a unit certified under paragraph (1), or giving effect to the results of such an election (including a decision not to be represented by any labor organization), if the election is held before the end of the 12-month period beginning on the date such unit is so certified.

(C) *CLARIFICATION.*—The certification of a unit under paragraph (1) shall not, for purposes of the last sentence of section 7111(b) of title 5, United States Code, or section 7111(f)(4) of such title, be treated as if it had occurred pursuant to an election.

(3) *DELEGATION.*—

(A) *IN GENERAL.*—The Federal Labor Relations Authority may delegate to any regional director (as referred to in section 7105(e) of title 5, United States Code) its authority under the preceding provisions of this subsection.

(B) *REVIEW.*—Any action taken by a regional director under subparagraph (A) shall be subject to review under the provisions of section 7105(f) of title 5, United States Code, in the same manner as if such action had been taken under section 7105(e) of such title, except that in the case of a decision not to certify, such review shall be required if application therefore is filed by an affected party within the time specified in such provisions.

(c) *DEFINITION.*—For purposes of this section, the term “affected party” means—

(1) with respect to an exercise of authority by the Secretary of Agriculture under this section, any labor organization affected thereby; and

(2) the Department of Agriculture.

SEC. 750. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used for the implementation of a Support Services Bureau or similar organization.

SEC. 751. *CONTRACTS FOR PROCUREMENT OR PROCESSING OF CERTAIN COMMODITIES.* (a) *DEFINITIONS.*—In this section:

(1) *HUBZONE SOLE SOURCE CONTRACT.*—The term “HUBZone sole source contract” means a sole source contract authorized by section 31 of the Small Business Act (15 U.S.C. 657a).

(2) *HUBZONE PRICE EVALUATION PREFERENCE.*—The term “HUBZone price evaluation preference” means a price evaluation preference authorized by section 31 of the Small Business Act (15 U.S.C. 657a).

(3) *QUALIFIED HUBZONE SMALL BUSINESS CONCERN.*—The term “qualified HUBZone small business concern” has the meaning given the term in section 3(p) of the Small Business Act (15 U.S.C. 632(p)).

(4) *COVERED PROCUREMENT.*—The term “covered procurement” means a contract for the procurement or processing of a commodity furnished under title II or III of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.), section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Food for Progress Act of 1985 (7 U.S.C. 1736o), or any other commodity procurement or acquisition by the Commodity Credit Corporation under any other law.

(b) *PROHIBITION OF USE OF FUNDS.*—None of the funds made available by this Act may be used:

(1) to award a HUBZone sole source contract or a contract awarded through full and open competition in combination with a HUBZone price evaluation preference to any qualified HUBZone small business concern in any covered procurement if performance of the contract by the business concern would exceed the production capacity of the business concern or would require the business concern to subcontract to any other company or enterprise for the purchase of the commodity being procured through the covered procurement.

(2) in any contract awarded through full and open competition in any covered procurement,

(A) to fund a price evaluation preference greater than 5 percent if the dollar value of the contract awarded is not greater than 50 percent of the total dollar value being procured in a single tender for a commodity, or

(B) to fund any price evaluation preference at all if the dollar value of the contract awarded is greater than 50 percent of the total dollar value being procured in a single tender for a commodity.

**SEC. 752. REDESIGNATION OF NATIONAL SCHOOL LUNCH ACT AS RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.** (a) *IN GENERAL.*—The first section of the National School Lunch Act (42 U.S.C. 1751 note) is amended by striking “National School Lunch Act” and inserting “Richard B. Russell National School Lunch Act”.

(b) *CONFORMING AMENDMENTS.*—The following provisions of law are amended by striking “National School Lunch Act” each place it appears and inserting “Richard B. Russell National School Lunch Act”:

(1) Sections 3 and 13(3)(A) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237).

(2) Section 404 of the Agricultural Act of 1949 (7 U.S.C. 1424).

(3) Section 201(a) of the Act entitled “An Act to extend the Agricultural Trade Development and Assistance Act of 1954,

and for other purposes”, approved September 21, 1959 (7 U.S.C. 1431c(a); 73 Stat. 610).

(4) Section 211(a) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4004(a)).

(5) Section 245A(h)(4)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(A)).

(6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104–193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a–22(g)(1)(A), 1070a–24(c)(2), 1070a–26(a)(2); Public Law 105–244). (6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104–193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a–22(g)(1)(A), 1070a–24(c)(2), 1070a–26(a)(2); Public Law 105–244).

(9) Section 231(d)(3)(A)(i) of the Carl D. Perkins Vocational Education Act (20 U.S.C. 2341(d)(3)(A)(i)).

(10) Section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

(11) Section 1397E(d)(4)(A)(iv)(II) of the Internal Revenue Code of 1986.

(12) Sections 254(b)(2)(B) and 263(a)(2)(C) of the Job Training Partnership Act (29 U.S.C. 1633(b)(2)(B), 1643(a)(2)(C)).

(13) Section 3803(c)(2)(C)(xiii) of title 31, United States Code.

(14) Section 602(d)(9)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(9)(A)).

(15) Sections 2(4), 3(1), and 301 of the Healthy Meals for Healthy Americans Act of 1994 (42 U.S.C. 1751 note; Public Law 103–448).

(16) Sections 3, 4, 7, 10, 13, 16(b), 17, and 19(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1772, 1773, 1776, 1779, 1782, 1785(b), 1786, 1788(d)).

(17) Section 658O(b)(3) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)(3)).

(18) Subsection (b) of the first section of Public Law 87–688 (48 U.S.C. 1666(b)).

(19) Section 10405(a)(2)(H) of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2489).

SEC. 753. Public Law 105–199 (112 Stat. 641) is amended in section 3(b)(1)(G) by striking “persons”, and inserting in lieu thereof “governors, who may be represented on the Commission by their respective designees.”.

SEC. 754. Section 889 of the Federal Agriculture Improvement and Reform Act of 1996 is amended—

(1) in the heading, by inserting “HARRY K. DUPREE” before “STUTTGART”;

(2) in subsection (b)(1)—

(A) in the heading, by inserting “HARRY K. DUPREE” before “STUTTGART”; and

(B) in subparagraphs (A) and (B), by inserting “Harry K. Dupree” before “Stuttgart National Aquaculture Research Center” each place it appears.

**SEC. 755. TOBACCO LEASING AND INFORMATION.** (a) **CROSS-COUNTY LEASING.**—Section 319(l) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(l)) is amended in the second sentence by inserting “, Ohio, Indiana, Kentucky,” after “Tennessee”.

(b) **TOBACCO PRODUCTION AND MARKETING INFORMATION.**—Part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) is amended by adding at the end the following:

**“SEC. 320D. TOBACCO PRODUCTION AND MARKETING INFORMATION.**

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary may, subject to subsection (b), release marketing information submitted by persons relating to the production and marketing of tobacco to State trusts or similar organizations engaged in the distribution of national trust funds to tobacco producers and other persons with interests associated with the production of tobacco, as determined by the Secretary.

“(b) **LIMITATIONS.**—

“(1) **IN GENERAL.**—Information may be released under subsection (a) only to the extent that—

“(A) the release is in the interest of tobacco producers, as determined by the Secretary; and

“(B) the information is released to a State trust or other organization that is created to, or charged with, distributing funds to tobacco producers or other parties with an interest in tobacco production or tobacco farms under a national or State trust or settlement.

“(2) **EXEMPTION FROM RELEASE.**—The Secretary shall, to the maximum extent practicable, in advance of making a release of information under subsection (a), allow, by announcement, a period of at least 15 days for persons whose consent would otherwise be required by law to effectuate the release, to elect to be exempt from the release.

“(c) **ASSISTANCE.**—

“(1) **IN GENERAL.**—In making a release under subsection (a), the Secretary may provide such other assistance with respect to information released under subsection (a) as will facilitate the interest of producers in receiving the funds that are the subject of a trust described in subsection (a).

“(2) **FUNDS.**—The Secretary shall use amounts made available for salaries and expenses of the Department to carry out paragraph (1).

“(d) **RECORDS.**—

“(1) **IN GENERAL.**—A person who obtains information described in subsection (a) shall maintain records that are consistent with the purposes of the release and shall not use the records for any purpose not authorized under this section.

“(2) PENALTY.—A person who knowingly violates this subsection shall be fined not more than \$10,000, imprisoned not more than 1 year, or both.

“(e) APPLICATION.—This section shall not apply to—

“(1) records submitted by cigarette manufacturers with respect to the production of cigarettes;

“(2) records that were submitted as expected purchase intentions in connection with the establishment of national tobacco quotas; or

“(3) records that aggregate the purchases of particular buyers.”.

SEC. 756. Notwithstanding section 306(a)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(7)), the city of Berlin, New Hampshire, shall be eligible during fiscal year 2000 for a rural utilities grant or loan under the Rural Community Advancement Program.

SEC. 757. CRANBERRY MARKETING ORDERS. (a) PAID ADVERTISING FOR CRANBERRIES AND CRANBERRY PRODUCTS.—Section 8c(6)(I) of the Agricultural Adjustment Act (7 U.S.C. 608c(6)(I)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first proviso—

(1) by striking “or Florida grown strawberries” and inserting “, Florida grown strawberries, or cranberries”; and

(2) by striking “and Florida Indian River grapefruit” and inserting “Florida Indian River grapefruit, and cranberries”.

(b) COLLECTION OF CRANBERRY INVENTORY DATA.—Section 8d of the Agricultural Adjustment Act (7 U.S.C. 608d), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

“(3) COLLECTION OF CRANBERRY INVENTORY DATA.—

“(A) IN GENERAL.—If an order is in effect with respect to cranberries, the Secretary of Agriculture may require persons engaged in the handling or importation of cranberries or cranberry products (including producer-handlers, second handlers, processors, brokers, and importers) to provide such information as the Secretary considers necessary to effectuate the declared policy of this title, including information on acquisitions, inventories, and dispositions of cranberries and cranberry products.

“(B) DELEGATION TO COMMITTEE.—The Secretary may delegate the authority to carry out subparagraph (A) to any committee that is responsible for administering an order covering cranberries.

“(C) CONFIDENTIALITY.—Paragraph (2) shall apply to information provided under this paragraph.

“(D) VIOLATIONS.—Any person who violates this paragraph shall be subject to the penalties provided under section 8c(14).”.

SEC. 758. Beginning in fiscal year 2001 and thereafter, the Food Stamp Act (Public Law 95–113, section 16(a)) is amended by inserting after the phrase “Indian reservation under section 11(d) of this Act” the following new phrase: “or in a Native village within the State of Alaska identified in section 11(b) of Public Law 92–203, as amended.”.

SEC. 759. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS. (a) EDU-

CATION GRANTS PROGRAM FOR ALASKA NATIVE SERVING INSTITUTIONS.—

(1) GRANT AUTHORITY.—*The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Alaska Native serving institutions for the purpose of promoting and strengthening the ability of Alaska Native serving institutions to carry out education, applied research, and related community development programs.*

(2) USE OF GRANT FUNDS.—*Grants made under this section shall be used—*

(A) *to support the activities of consortia of Alaska Native serving institutions to enhance educational equity for under represented students;*

(B) *to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences;*

(C) *to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level including by village elders and continuing with the provision of financial support for students through their attainment of a doctoral degree; and*

(D) *to facilitate cooperative initiatives between two or more Alaska Native serving institutions, or between Alaska Native serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.*

(3) AUTHORIZATION OF APPROPRIATIONS.—*There are authorized to be appropriated to make grants under this subsection \$10,000,000 in fiscal years 2001 through 2006.*

(b) EDUCATION GRANTS PROGRAM FOR NATIVE HAWAIIAN SERVING INSTITUTIONS.—

(1) GRANT AUTHORITY.—*The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Native Hawaiian serving institutions for the purpose of promoting and strengthening the ability of Native Hawaiian serving institutions to carry out education, applied research, and related community development programs.*

(2) USE OF GRANT FUNDS.—*Grants made under this section shall be used—*

(A) *to support the activities of consortia of Native Hawaiian serving institutions to enhance educational equity for under represented students;*

(B) *to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified*



State, regional, national, or international educational needs in the food and agriculture sciences;

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Native Hawaiian serving institutions, or between Native Hawaiian serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(3) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated to make grants under this subsection \$10,000,000 for each of fiscal years 2001 through 2006.

SEC. 760. Effective October 1, 1999, section 8c(11) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following: “The price of milk paid by a handler at a plant operating in Clark County, Nevada shall not be subject to any order issued under this section.”.

SEC. 761. Notwithstanding any other provision of law, the City of Olean, New York, shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 762. Notwithstanding any other provision of law, the Municipality of Carolina, Puerto Rico shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 763. Section 1232(a) of the Food Security Act of 1985 (16 U.S.C. 3832(a)) is amended—

(1) in paragraph (9), by adding “and” after the semicolon at the end;

(2) in paragraph (10), by striking “; and” and inserting a period; and

(3) by striking paragraph (11).

SEC. 764. None of the funds made available by this or any other Act shall be used to implement Notice CRP–338, issued by the Farm Service Agency on March 10, 1999, nor shall funds be used to implement any related administrative action including implementation of such procedures published in Farm Service Agency program manuals: Provided, That rental payments for any lands enrolled in the Conservation Reserve Program under this section shall be reduced by an amount equal to the federal cost of any remaining value of a federally cost-shared conservation practice as determined by the Secretary.

SEC. 765. None of the funds made available by this or any other Act shall be used to implement Notice CRP–327, issued by the Farm Service Agency on October 26, 1998, nor shall funds be used to implement any related administrative action including implementation of such procedures published in Farm Service Agency program manuals: Provided, That this section shall not apply to any lands

for which there is not full compliance with the conservation practices required under terms of the CRP contract.

SEC. 766. The federal facility located in Riverside, California, and known as the "U.S. Salinity Laboratory", shall be known and designated as the "George E. Brown, Jr., Salinity Laboratory": Provided, That any reference in law, map, regulation, document, paper, or other record of the United States to such federal facility shall be deemed to be a reference to the "George E. Brown, Jr., Salinity Laboratory".

SEC. 767. Sections 657, 658, 1006, 1014 of title 18, United States Code, are amended by—

(1) inserting "or successor agency" after "Farmers Home Administration" each place it appears; and

(2) inserting "or successor agency" after "Rural Development Administration" each place it appears.

SEC. 768. Notwithstanding any other provision of law, the maximum income limits established for single family housing for families and individuals in the high cost areas of Alaska shall be 150 percent of the state metropolitan income level for Alaska.

SEC. 769. Section 1232(a)(7) of the Food Security Act of 1985 is amended—

(1) by striking "except that the Secretary may permit harvesting" and inserting "except that the Secretary—

"(A) may permit—

"(i) harvesting";

(2) by striking "emergency, and the Secretary may permit limited" and inserting "emergency; and

"(ii) limited";

(3) by inserting "and" after the semicolon at the end; and

(4) by adding at the end the following:

"(B) shall approve not more than 6 projects, no more than 1 of which may be in any state, under which land subject to the contract may be harvested for recovery of biomass used in energy production if—

"(i) no acreage subject to the contract is harvested more than once every other year;

"(ii) not more than 25 percent of the total acreage enrolled in the program under this subchapter in any crop reporting district (as designated by the Secretary), is harvested in any 1 year;

"(iii) no portion of the crop is used for any commercial purpose other than energy production from biomass;

"(iv) no wetland, or acreage of any type enrolled in a partial field conservation practice (including riparian forest buffers, filter strips, and buffer strips), is harvested;

"(v) the owner or operator agrees to a payment reduction under this section in an amount determined by the Secretary.

"(C) the total acres for all of the projects shall not exceed 250,000 acres."

## **TITLE VIII—EMERGENCY AND DISASTER ASSISTANCE FOR PRODUCERS**

### **Subtitle A—Crop and Market Loss Assistance**

#### **SEC. 801. CROP LOSS ASSISTANCE.**

(a) *IN GENERAL.*—The Secretary of Agriculture (referred to in this title as the “Secretary”) shall use \$1,200,000,000 of funds of the Commodity Credit Corporation to make emergency financial assistance available to producers on a farm that have incurred losses in a 1999 crop due to a disaster, as determined by the Secretary.

(b) *ADMINISTRATION.*—The Secretary shall make assistance available under this section in the same manner as provided under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), including using the same loss thresholds as were used in administering that section.

(c) *QUALIFYING LOSSES.*—Assistance under this section may be made for losses associated with crops that are, as determined by the Secretary—

- (1) quantity losses;
- (2) quality losses; or
- (3) severe economic losses due to damaging weather or related condition.

(d) *CROPS COVERED.*—Assistance under this section shall be applicable to losses for all crops (including losses of trees from which a crop is harvested, livestock, and fisheries), as determined by the Secretary, due to disasters.

(e) *CROP INSURANCE.*—In carrying out this section, the Secretary shall not discriminate against or penalize producers on a farm that have purchased crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(f) *RICE LOAN DEFICIENCY PAYMENTS.*—In the case of producers of the 1999 crop of rice that harvested such rice on or before August 4, 1999, the Secretary may use funds made available under this section to—

- (1) make loan deficiency payments to producers that received, or that were eligible to receive, such payments under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) in a manner that results in the same total payment that would have been made if the payment had been requested by the producers on August 5, 1999; and

- (2) recalculate any repayment made for a marketing assistance loan for the 1999 crop of rice on or before August 4, 1999, as if the repayment had been made on August 5, 1999.

(g) *HONEY RECOURSE LOANS.*—

- (1) *IN GENERAL.*—Notwithstanding any other provision of law, in order to assist producers of honey to market their honey in an orderly manner during a period of disastrously low prices, the Secretary may use funds made available under this section to make available recourse loans to producers of the

1999 crop of honey on fair and reasonable terms and conditions, as determined by the Secretary.

(2) *LOAN RATE.*—The loan rate of the loans shall be 85 percent of the average price of honey during the 5-crop year period preceding the 1999 crop year, excluding the crop year in which the average price of honey was the highest and the crop year in which the average price of honey was the lowest in the period.

(h) *RECOURSE LOANS FOR MOHAIR.*—

(1) *IN GENERAL.*—Subject to paragraph (2) and notwithstanding any other provision of law, during fiscal year 2000, the Secretary may use funds made available under this section to make recourse loans available in accordance with section 137(c) of the Agricultural Market Transition Act (7 U.S.C. 7237(c)) to producers of mohair produced during or before that fiscal year.

(2) *INTEREST.*—Section 137(c)(4) of that Act shall not apply to a loan made under paragraph (1).

**SEC. 802. MARKET LOSS ASSISTANCE.**

(a) *ASSISTANCE AUTHORIZED.*—The Secretary shall use not more than \$5,544,453,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for final payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(b) *AMOUNT.*—The amount of assistance made available to owners and producers on a farm under this section shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(c) *PROTECTION OF TENANTS AND SHARECROPPERS; SHARING OF PAYMENTS.*—Sections 111(c) and 114(g) of the Agricultural Market Transition Act (7 U.S.C. 7211(c), 7214(g)) shall apply to the payments made under subsection (a).

**SEC. 803. SPECIALTY CROPS.**

(a) *PEANUTS.*—

(1) *IN GENERAL.*—The Secretary shall use such amounts as are necessary of funds of the Commodity Credit Corporation to provide payments to producers of quota peanuts or additional peanuts to partially compensate the producers for continuing low commodity prices, and increasing costs of production, for the 1999 crop year.

(2) *AMOUNT.*—The amount of a payment made to producers on a farm of quota peanuts or additional peanuts under paragraph (1) shall be equal to the product obtained by multiplying—

(A) the quantity of quota peanuts or additional peanuts produced or considered produced by the producers; and

(B) an amount equal to 5 percent of the loan rate established for quota peanuts or additional peanuts, respectively, under section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271).

(b) *CONDITION ON PAYMENT OF SALARIES AND EXPENSES.*—None of the funds appropriated or otherwise made available by this

Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001.

(c) TOBACCO.—

(1) *IN GENERAL.*—The Secretary shall use \$328,000,000 of funds of the Commodity Credit Corporation to make payments to States on behalf of persons described in paragraph (2) for the reduction in the quantity of quota allotted to certain farms under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) from the 1998 crop year to the 1999 crop year.

(2) *ELIGIBLE PERSONS.*—To be eligible to receive a payment under paragraphs (1) through (5), a person must own or operate, or produce tobacco on, a farm—

(A) for which the quantity of quota allotted to the farm under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) was reduced from the 1998 crop year to the 1999 crop year; and

(B) that was used for the production of tobacco during the 1998 or 1999 crop year.

(3) *ALLOCATION TO STATES.*—The Secretary shall allocate funds made available under paragraph (1) to States with eligible persons described in paragraph (2) in proportion to the relative quantity of quota allotted to farms in the States that was reduced from the 1998 crop year to the 1999 crop year.

(4) *DISTRIBUTION BY STATES.*—

(A) *IN GENERAL.*—In the case of a State described in paragraph (3) that is a party to the National Tobacco Grower Settlement Trust, the State shall distribute funds made available under paragraph (3) to eligible persons in the State in accordance with the formulas established pursuant to the Trust.

(B) *OTHER STATES.*—Subject to the approval of the Secretary, in the case of a State described in paragraph (3) that is not a party to the National Tobacco Grower Settlement Trust, the State shall distribute funds made available under paragraph (3) to eligible persons in the State in a manner determined by the State.

(5) *ALTERNATIVE DISTRIBUTION.*—In lieu of making payments under this subsection to States, the Secretary may distribute funds directly to eligible persons using the facilities of private disbursing agents, facilities of the Farm Service Agency, or other available facilities.

(6) *FLUE-CURED TOBACCO.*—

(A) *LIMITATION ON QUANTITY OF ALLOTMENT LEASED OR SOLD.*—Section 316(e) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1316(e)) is amended—

(i) in paragraph (1), by striking “farm or, in” and all that follows through “: Provided, That in” and inserting “farm. In”;

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

“(2) Paragraph (1) shall not apply to flue-cured tobacco.”

(B) TRANSFERS OF QUOTA OR ALLOTMENT ACROSS COUNTY LINES IN A STATE.—Section 316(g) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314b(g)) is amended by adding at the end the following:

“(3) TRANSFERS ALLOWED BY REFERENDUM.—

“(A) REFERENDUM.—On the request of at least 25 percent of the active flue-cured tobacco producers within a State, the Secretary shall conduct a referendum of the active flue-cured tobacco producers within the State to determine whether the producers favor or oppose permitting the sale of a flue-cured tobacco allotment or quota from a farm in a State to any other farm in the State.

“(B) APPROVAL.—If the Secretary determines that a majority of the active flue-cured tobacco producers voting in the referendum approves permitting the sale of a flue-cured tobacco allotment or quota from a farm in the State to any other farm in the State, the Secretary shall permit the sale of a flue-cured tobacco allotment or quota from a farm in the State to any other farm in the State.”

(C) SAME GROWER IN CONTIGUOUS COUNTIES.—Section 379(b) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1379(b)) is amended by inserting “or flue-cured” after “Burley”.

**SEC. 804. OILSEEDS.**

(a) IN GENERAL.—The Secretary shall use \$475,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(b) COMPUTATION.—A payment to producers on a farm under this section for an oilseed shall be equal to the product obtained by multiplying—

- (1) a payment rate determined by the Secretary;
- (2) the acreage of the producers on the farm for the oilseed, as determined under subsection (c); and
- (3) the yield of the producers on the farm for the oilseed, as determined under subsection (d).

(c) ACREAGE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the acreage of the producers on the farm for an oilseed under subsection (b)(2) shall be equal to the greater of—

(A) the number of acres planted to the oilseed by the producers on the farm during the 1997 crop year, as reported by the producers on the farm to the Secretary (including any acreage reports that are filed late); or

(B) the number of acres planted to the oilseed by the producers on the farm during the 1998 crop year, as reported by the producers on the farm to the Secretary (including any acreage reports that are filed late).

(2) NEW PRODUCERS.—In the case of producers on a farm that planted acreage to an oilseed during the 1999 crop year but not the 1997 or 1998 crop year, the acreage of the producers for the oilseed under subsection (b)(2) shall be equal to the

number of acres planted to the oilseed by the producers on the farm during the 1999 crop year, as reported by the producers on the farm to the Secretary (including any acreage reports that are filed late).

(d) **YIELD.**—

(1) **SOYBEANS.**—Except as provided in paragraph (3), in the case of soybeans, the yield of the producers on a farm under subsection (b)(3) shall be equal to the greatest of—

(A) the average county yield per harvested acre for each of the 1994 through 1998 crop years, excluding the crop year with the highest yield per harvested acre and the crop year with the lowest yield per harvested acre;

(B) the actual yield of the producers on the farm for the 1997 crop year; or

(C) the actual yield of the producers on the farm for the 1998 crop year.

(2) **OTHER OILSEEDS.**—Except as provided in paragraph (3), in the case of oilseeds other than soybeans, the yield of the producers on a farm under subsection (b)(3) shall be equal to the greatest of—

(A) the average national yield per harvested acre for each of the 1994 through 1998 crop years, excluding the crop year with the highest yield per harvested acre and the crop year with the lowest yield per harvested acre;

(B) the actual yield of the producers on the farm for the 1997 crop year; or

(C) the actual yield of the producers on the farm for the 1998 crop year.

(3) **NEW PRODUCERS.**—In the case of producers on a farm that planted acreage to an oilseed during the 1999 crop year but not the 1997 or 1998 crop year, the yield of the producers on a farm under subsection (b)(3) shall be equal to the greater of—

(A) the average county yield per harvested acre for each of the 1994 through 1998 crop years, excluding the crop year with the highest yield per harvested acre and the crop year with the lowest yield per harvested acre; or

(B) the actual yield of the producers on the farm for the 1999 crop.

(4) **DATA SOURCE.**—To the maximum extent available, the Secretary shall use data provided by the National Agricultural Statistics Service to carry out this subsection.

**SEC. 805. LIVESTOCK AND DAIRY.**

The Secretary shall use \$325,000,000 of funds of the Commodity Credit Corporation to provide assistance directly to livestock and dairy producers, in a manner determined appropriate by the Secretary, to compensate the producers for economic losses incurred during 1999.

**SEC. 806. UPLAND COTTON.**

(a) **IN GENERAL.**—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(1) in paragraph (1), by striking “or cash payments” and inserting “or cash payments, at the option of the recipient,”;

(2) by striking “3 cents per pound” each place it appears and inserting “1.25 cents per pound”;

(3) in paragraph (3)—

(A) in the first sentence of subparagraph (A), by striking “owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates” and inserting “owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton”; and

(B) in subparagraph (B), by striking the second sentence; and

(4) by striking paragraph (4).

(b) *ENSURING THE AVAILABILITY OF UPLAND COTTON.*—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) *ESTABLISHMENT.*—

“(A) *IN GENERAL.*—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

“(B) *PROGRAM REQUIREMENTS.*—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1<sup>3</sup>/<sub>32</sub>-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

“(C) *TIGHT DOMESTIC SUPPLY.*—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1<sup>3</sup>/<sub>32</sub>-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

“(D) *SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.*—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.”; and

(2) by adding at the end the following:



“(7) *LIMITATION.*—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week’s consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.”.

**SEC. 807. MILK.**

(a) *IN GENERAL.*—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(1) in subsection (b)(4), by striking “calendar year 1999” and inserting “each of calendar years 1999 and 2000”; and

(2) in subsection (h), by striking “1999” each place it appears and inserting “2000”.

(b) *CONFORMING AMENDMENT.*—Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking “2000” and inserting “2001”.

## **Subtitle B—Other Assistance**

**SEC. 811. AUTHORITY FOR ADVANCE PAYMENT IN FULL OF REMAINING PAYMENTS UNDER PRODUCTION FLEXIBILITY CONTRACTS.**

Section 112(d)(3) of the Agricultural Market Transition Act (7 U.S.C. 7212(d)(3)) is amended—

(1) in the paragraph heading, by striking “FOR FISCAL YEAR 1999”; and

(2) by striking “for fiscal year 1999” and inserting “for any of fiscal years 1999 through 2002”.

**SEC. 812. COMMODITY CERTIFICATES.**

Subtitle E of the Agricultural Market Transition Act (7 U.S.C. 7281 et seq.) is amended by adding at the end the following:

**“SEC. 166. COMMODITY CERTIFICATES.**

“(a) *IN GENERAL.*—In making in-kind payments under subtitle C, the Commodity Credit Corporation may—

“(1) acquire and use commodities that have been pledged to the Commodity Credit Corporation as collateral for loans made by the Corporation;

“(2) use other commodities owned by the Commodity Credit Corporation; and

“(3) redeem negotiable marketing certificates for cash under terms and conditions established by the Secretary.

“(b) *METHODS OF PAYMENT.*—The Commodity Credit Corporation may make in-kind payments—

“(1) by delivery of the commodity at a warehouse or other similar facility;

“(2) by the transfer of negotiable warehouse receipts;

“(3) by the issuance of negotiable certificates, which the Commodity Credit Corporation shall exchange for a commodity owned or controlled by the Corporation in accordance with regulations promulgated by the Corporation; or

“(4) by such other methods as the Commodity Credit Corporation determines appropriate to promote the efficient, equi-

*table, and expeditious receipt of the in-kind payments so that a person receiving the payments receives the same total return as if the payments had been made in cash.*

*“(c) ADMINISTRATION.—*

*“(1) FORM.—At the option of a producer, the Commodity Credit Corporation shall make negotiable certificates authorized under subsection (b)(3) available to the producer, in the form of program payments or by sale, in a manner that the Corporation determines will encourage the orderly marketing of commodities pledged as collateral for loans made to producers under subtitle C.*

*“(2) TRANSFER.—A negotiable certificate issued in accordance with this subsection may be transferred to another person in accordance with regulations promulgated by the Secretary.”.*

**SEC. 813. LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.**

*(a) IN GENERAL.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds produced during the 1999 crop year may not exceed \$150,000.*

*(b) 1999 MARKETINGS.—In carrying out subsection (a), the Secretary shall allow a producer that has marketed a quantity of an eligible 1999 crop for which the producer has not received a loan deficiency payment or marketing loan gain under section 134 or 135 of the Agricultural Market Transition Act (7 U.S.C. 7234, 7235) to receive such payment or gain as of the date on which the quantity was marketed or redeemed, as determined by the Secretary.*

**SEC. 814. ASSISTANCE FOR PURCHASE OF ADDITIONAL CROP INSURANCE COVERAGE.**

*The Secretary shall transfer \$400,000,000 of funds of the Commodity Credit Corporation to the Federal Crop Insurance Corporation to be used to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).*

**SEC. 815. FORGIVENESS OF CERTAIN WATER AND WASTE DISPOSAL LOANS.**

*The Secretary shall forgive the principal indebtedness and accrued interest owed by the City of Stroud, Oklahoma, to the Rural Utilities Service on water and waste disposal loans numbered 9105 and 9107.*

**SEC. 816. NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER.**

*(a) DEFINITIONS.—Section 375(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(a)) is amended by adding at the end the following:*

*“(5) INTERMEDIARY.—The term ‘intermediary’ means a financial institution receiving Center funds for establishing a revolving fund and relending to an eligible entity.”.*

*(b) REVOLVING FUND.—Section 375(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)) is amended—*

*(1) in paragraph (3)—*

(A) by striking subparagraph (A) and inserting the following:

“(A) *IN GENERAL.*—The Center may use amounts in the Fund to make direct loans, loan guarantees, cooperative agreements, equity interests, investments, repayable grants, and grants to eligible entities, either directly or through an intermediary, in accordance with a strategic plan submitted under subsection (d).”;

(B) in subparagraph (B), by adding at the end the following: “The Fund is intended to furnish the initial capital for a revolving fund that will eventually be privatized for the purposes of assisting the United States sheep and goat industries.”;

(C) by striking subparagraph (D);

(D) by striking subparagraph (E) and inserting the following:

“(E) *ADMINISTRATION.*—The Center may not use more than 3 percent of the amounts in the portfolio of the Center for each fiscal year for the administration of the Center. The portfolio shall be calculated at the beginning of each fiscal year and shall include a total of—

“(i) all outstanding loan balances;

“(ii) the Fund balance;

“(iii) the outstanding balance to intermediaries;

and

“(iv) the amount the Center paid for all equity interests.”;

(E) in subparagraph (H)—

(i) in clause (v), by striking “or” at the end;

(ii) in clause (vi), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(vii) purchase equity interests.”; and

(F) by redesignating subparagraphs (E) through (H) as subparagraphs (D) through (G), respectively; and

(2) in paragraph (6), by striking subparagraph (D).

(c) *BOARD OF DIRECTORS.*—Section 375(f) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(f)) is amended—

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) review any contract, direct loan, loan guarantee, cooperative agreement, equity interest, investment, repayable grant, and grant to be made or entered into by the Center and any financial assistance provided to the Center.”;

(2) in paragraph (5), by striking subparagraph (C) and inserting the following:

“(C) *REAPPOINTMENT.*—A voting member may be reappointed for not more than 1 additional term.”; and

(3) in paragraph (6), by striking subparagraph (B) and inserting the following:

“(B) *REAPPOINTMENT.*—A voting member appointed to fill a vacancy for an unexpired term may be reappointed for 1 full term.”.

(d) *PRIVATIZATION.*—Section 375 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) is amended by adding at the end the following:

“(j) *PRIVATIZATION.*—

“(1) *IN GENERAL.*—Privatization of a revolving fund for the purposes of assisting the United States sheep and goat industries shall occur on the earlier of—

“(A) September 30, 2006; or

“(B) the date as of which a total of \$30,000,000 has been appropriated for the Center under subsection (e)(6)(C).

“(2) *PRIVATIZATION PROPOSAL.*—On privatization of a revolving fund in accordance with paragraph (1), the Board shall submit to the Secretary, for approval, a privatization proposal that—

“(A) delineates a private successor entity to the Center;

and

“(B) establishes a transition plan.

“(3) *PRIVATE SUCCESSOR ENTITY.*—The private successor entity shall—

“(A) have the purposes described in subsection (c);

“(B) be organized under the laws of 1 of the States; and

“(C) be able to continue the activities of the Center.

“(4) *TRANSITION PLAN.*—The transition plan shall—

“(A) identify any continuing role of the Federal Government with respect to the Center;

“(B) provide for the transfer of all Center assets and liabilities to the private successor entity; and

“(C) delineate the status of the Board and employees of the Center.

“(5) *IMPLEMENTATION.*—

“(A) *IN GENERAL.*—On approval by the Secretary of the private successor entity and the transition plan, the Center shall create the private successor entity and implement the transition plan.

“(B) *AUTHORITY.*—The Secretary shall have all necessary authority to implement the transition plan.

“(6) *TRANSFER OF FUNDS.*—On creation of the private successor entity, all funds held by the Department of the Treasury pursuant to this section shall be transferred to the private successor entity.

“(7) *REPEAL.*—On the date the Secretary publishes notice in the Federal Register that the transition plan is complete, this section is repealed.”.

**SEC. 817. FISHERIES.**

(a) *NORTON SOUND FISHERIES FAILURE.*—

(1) *INCOME ELIGIBILITY.*—Section 763(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (112 Stat. 2681–36), is amended by striking “federal poverty level” and inserting “income eligibility level established for Alaska under the temporary assistance to needy families (TANF) program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)”.

(2) *EMERGENCY ASSISTANCE.*—Section 1124 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (112 Stat. 2681–45), is amended by inserting before the period at the end the following: “or a fisheries failure in the Norton Sound region of Alaska that has resulted in the closure of commercial and subsistence fisheries to persons that depend on fish as their primary source of food and income”.

(3) *APPROPRIATION.*—

(A) *IN GENERAL.*—In addition to amounts appropriated or otherwise made available by this Act, there is appropriated to the Department of Agriculture for fiscal year 2001, out of any money in the Treasury not otherwise appropriated, \$15,000,000, to remain available until expended, to provide emergency disaster assistance to persons or entities affected by the 1999 fisheries failure in the Norton Sound region of Alaska.

(B) *TRANSFER.*—To carry out this paragraph, the Secretary shall transfer to the Secretary of Commerce for obligation and expenditure—

(i) \$10,000,000 for fiscal year 2001 for grants under section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149); and

(ii) \$5,000,000 for fiscal year 2001 for carrying out section 312 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a).

(b) *COMMERCIAL FISHERIES FAILURE.*—

(1) *IN GENERAL.*—In addition to amounts appropriated or otherwise made available by this Act, there is appropriated to the Department of Agriculture for fiscal year 2001, out of any money in the Treasury not otherwise appropriated, \$15,000,000, to remain available until expended, which shall be transferred to the Department of Commerce to provide emergency disaster assistance for the commercial fishery failure under section 308(b)(1) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(b)(1)) with respect to Northeast multispecies fisheries.

(2) *USE.*—Amounts made available under this subsection shall be used to support cooperative research and management activities administered by the National Marine Fisheries Services and based on recommendations by the New England Fishery Management Council.

**SEC. 818. SENSE OF CONGRESS REGARDING FAST-TRACK AUTHORITY AND FUTURE WORLD TRADE ORGANIZATION NEGOTIATIONS.**

It is the sense of Congress that—

(1) the President should make a formal request for appropriate fast-track authority for future United States trade negotiations;

(2) regarding future World Trade Organization negotiations—

(A) rules for trade in agricultural commodities should be strengthened and trade-distorting import and export practices should be eliminated or substantially reduced;

(B) the rules of the World Trade Organization should be strengthened regarding the practices or policies of a foreign government that unreasonably—

(i) restrict market access for products of new technologies, including products of biotechnology; or

(ii) delay or preclude implementation of a report of a dispute panel of the World Trade Organization; and

(C) negotiations within the World Trade Organization should be structured so as to provide the maximum leverage possible to ensure the successful conclusion of negotiations on agricultural products;

(3) the President should—

(A) conduct a comprehensive evaluation of all existing export and food aid programs, including—

(i) the export credit guarantee program established under section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622);

(ii) the market access program established under section 203 of that Act (7 U.S.C. 5623);

(iii) the export enhancement program established under section 301 of that Act (7 U.S.C. 5651);

(iv) the foreign market development cooperator program established under section 702 of that Act (7 U.S.C. 5722); and

(v) programs established under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.); and

(B) transmit to Congress—

(i) the results of the evaluation under subparagraph (A); and

(ii) recommendations on maximizing the effectiveness of the programs described in subparagraph (A); and

(4) the Secretary should carry out a purchase and donation or concessional sales initiative in each of fiscal years 1999 and 2000 to promote the export of additional quantities of soybeans, beef, pork, poultry, and products of such commodities (including soybean meal, soybean oil, textured vegetable protein, and soy protein concentrates and isolates) using programs established under—

(A) the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.);

(B) section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) titles I and II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.); and

(D) the Food for Progress Act of 1985 (7 U.S.C. 1736o).

## **Subtitle C—Administration**

### **SEC. 821. COMMODITY CREDIT CORPORATION.**

*The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.*

### **SEC. 822. ADMINISTRATIVE COSTS.**

(a) **RESERVATION OF FUNDS.**—*Subject to subsections (b) and (c), the Secretary may reserve up to \$56,000,000 of the amounts made available under subtitle A to cover administrative costs incurred by the Farm Service Agency directly related to carrying out that subtitle.*

(b) **PROPORTIONAL RESERVATION.**—*The amount reserved by the Secretary from the amounts made available under each section of subtitle A (other than section 802) shall bear the same proportion to the total amount reserved under subsection (a) as the administrative costs incurred by the Farm Service Agency to carry out that section (other than section 802) bear to the total administrative costs incurred by the Farm Service Agency to carry out that subtitle (other than section 802).*

(c) **EXCEPTION FOR MARKET LOSS ASSISTANCE.**—*The Secretary may not reserve any portion of the amount made available under section 802 to pay administrative costs.*

### **SEC. 823. EMERGENCY REQUIREMENT.**

*The entire amount necessary to carry out this title and the amendments made by this title shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.*

### **SEC. 824. REGULATIONS.**

(a) **PROMULGATION.**—*As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement subtitle A and the amendments made by subtitle A. The promulgation of the regulations and administration of subtitle A shall be made without regard to—*

(1) *the notice and comment provisions of section 553 of title 5, United States Code;*

(2) *the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and*

(3) *chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).*

(b) **CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.**—*In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.*

**SEC. 825. LIVESTOCK AND DAIRY ASSISTANCE.**

(a) *LIVESTOCK ASSISTANCE.*—Of the funds provided in sections 801 and 805, no less than \$200,000,000 shall be in the form of assistance to livestock producers for losses due to drought or other natural disasters.

(b) *DAIRY ASSISTANCE.*—Of the funds provided in section 805, no less than \$125,000,000 shall be in the form of assistance to dairy producers.

(c) *FORM OF ASSISTANCE.*—Assistance for livestock losses shall be in the form of grants and or other in-kind assistance, but shall not include loans.

## **TITLE IX—LIVESTOCK MANDATORY REPORTING**

**SEC. 901. SHORT TITLE.**

This title may be cited as the “Livestock Mandatory Reporting Act of 1999”.

### **Subtitle A—Livestock Mandatory Reporting**

**SEC. 911. LIVESTOCK MANDATORY REPORTING.**

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended—

(1) by inserting before section 202 (7 U.S.C. 1621) the following:

**“Subtitle A—General Provisions”;**

and

(2) by adding at the end the following:

**“Subtitle B—Livestock Mandatory Reporting**

#### **“CHAPTER 1—PURPOSE; DEFINITIONS**

**“SEC. 211. PURPOSE.**

“The purpose of this subtitle is to establish a program of information regarding the marketing of cattle, swine, lambs, and products of such livestock that—

“(1) provides information that can be readily understood by producers, packers, and other market participants, including information with respect to the pricing, contracting for purchase, and supply and demand conditions for livestock, livestock production, and livestock products;

“(2) improves the price and supply reporting services of the Department of Agriculture; and

“(3) encourages competition in the marketplace for livestock and livestock products.



**“SEC. 212. DEFINITIONS.**

*“In this subtitle:*

*“(1) BASE PRICE.—The term ‘base price’ means the price paid for livestock, delivered at the packing plant, before application of any premiums or discounts, expressed in dollars per hundred pounds of carcass weight.*

*“(2) BASIS LEVEL.—The term ‘basis level’ means the agreed-on adjustment to a future price to establish the final price paid for livestock.*

*“(3) CURRENT SLAUGHTER WEEK.—The term ‘current slaughter week’ means the period beginning Monday, and ending Sunday, of the week in which a reporting day occurs.*

*“(4) F.O.B.—The term ‘F.O.B.’ means free on board, regardless of the mode of transportation, at the point of direct shipment by the seller to the buyer.*

*“(5) LIVESTOCK.—The term ‘livestock’ means cattle, swine, and lambs.*

*“(6) LOT.—The term ‘lot’ means a group of 1 or more livestock that is identified for the purpose of a single transaction between a buyer and a seller.*

*“(7) MARKETING.—The term ‘marketing’ means the sale or other disposition of livestock, livestock products, or meat or meat food products in commerce.*

*“(8) NEGOTIATED PURCHASE.—The term ‘negotiated purchase’ means a cash or spot market purchase by a packer of livestock from a producer under which—*

*“(A) the base price for the livestock is determined by seller-buyer interaction and agreement on a day; and*

*“(B) the livestock are scheduled for delivery to the packer not later than 14 days after the date on which the livestock are committed to the packer.*

*“(9) NEGOTIATED SALE.—The term ‘negotiated sale’ means a cash or spot market sale by a producer of livestock to a packer under which—*

*“(A) the base price for the livestock is determined by seller-buyer interaction and agreement on a day; and*

*“(B) the livestock are scheduled for delivery to the packer not later than 14 days after the date on which the livestock are committed to the packer.*

*“(10) PRIOR SLAUGHTER WEEK.—The term ‘prior slaughter week’ means the Monday through Sunday prior to a reporting day.*

*“(11) PRODUCER.—The term ‘producer’ means any person engaged in the business of selling livestock to a packer for slaughter (including the sale of livestock from a packer to another packer).*

*“(12) REPORTING DAY.—The term ‘reporting day’ means a day on which—*

*“(A) a packer conducts business regarding livestock committed to the packer, or livestock purchased, sold, or slaughtered by the packer;*

*“(B) the Secretary is required to make information concerning the business described in subparagraph (A) available to the public; and*

“(C) the Department of Agriculture is open to conduct business.

“(13) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(14) STATE.—The term ‘State’ means each of the 50 States.

## “CHAPTER 2—CATTLE REPORTING

### “SEC. 221. DEFINITIONS.

“In this chapter:

“(1) CATTLE COMMITTED.—The term ‘cattle committed’ means cattle that are scheduled to be delivered to a packer within the 7-day period beginning on the date of an agreement to sell the cattle.

“(2) CATTLE TYPE.—The term ‘cattle type’ means the following types of cattle purchased for slaughter:

“(A) Fed steers.

“(B) Fed heifers.

“(C) Fed Holsteins and other fed dairy steers and heifers.

“(D) Cows.

“(E) Bulls.

“(3) FORMULA MARKETING ARRANGEMENT.—The term ‘formula marketing arrangement’ means the advance commitment of cattle for slaughter by any means other than through a negotiated purchase or a forward contract, using a method for calculating price in which the price is determined at a future date.

“(4) FORWARD CONTRACT.—The term ‘forward contract’ means—

“(A) an agreement for the purchase of cattle, executed in advance of slaughter, under which the base price is established by reference to—

“(i) prices quoted on the Chicago Mercantile Exchange; or

“(ii) other comparable publicly available prices; or

“(B) such other forward contract as the Secretary determines to be applicable.

“(5) PACKER.—The term ‘packer’ means any person engaged in the business of buying cattle in commerce for purposes of slaughter, of manufacturing or preparing meats or meat food products from cattle for sale or shipment in commerce, or of marketing meats or meat food products from cattle in an unmanufactured form acting as a wholesale broker, dealer, or distributor in commerce, except that—

“(A) the term includes only a cattle processing plant that is federally inspected;

“(B) for any calendar year, the term includes only a cattle processing plant that slaughtered an average of at least 125,000 head of cattle per year during the immediately preceding 5 calendar years; and

“(C) in the case of a cattle processing plant that did not slaughter cattle during the immediately preceding 5 calendar years, the Secretary shall consider the plant capacity of the processing plant in determining whether the proc-

essing plant should be considered a packer under this chapter.

“(6) **PACKER-OWNED CATTLE.**—The term ‘packer-owned cattle’ means cattle that a packer owns for at least 14 days immediately before slaughter.

“(7) **TERMS OF TRADE.**—The term ‘terms of trade’ includes, with respect to the purchase of cattle for slaughter—

“(A) whether a packer provided any financing agreement or arrangement with regard to the cattle;

“(B) whether the delivery terms specified the location of the producer or the location of the packer’s plant;

“(C) whether the producer is able to unilaterally specify the date and time during the business day of the packer that the cattle are to be delivered for slaughter; and

“(D) the percentage of cattle purchased by a packer as a negotiated purchase that are delivered to the plant for slaughter more than 7 days, but fewer than 14 days, after the earlier of—

“(i) the date on which the cattle were committed to the packer; or

“(ii) the date on which the cattle were purchased by the packer.

“(8) **TYPE OF PURCHASE.**—The term ‘type of purchase’, with respect to cattle, means—

“(A) a negotiated purchase;

“(B) a formula market arrangement; and

“(C) a forward contract.

**“SEC. 222. MANDATORY REPORTING FOR LIVE CATTLE.**

“(a) **ESTABLISHMENT.**—The Secretary shall establish a program of live cattle price information reporting that will—

“(1) provide timely, accurate, and reliable market information;

“(2) facilitate more informed marketing decisions; and

“(3) promote competition in the cattle slaughtering industry.

“(b) **GENERAL REPORTING PROVISIONS APPLICABLE TO PACKERS AND THE SECRETARY.**—

“(1) **IN GENERAL.**—Whenever the prices or quantities of cattle are required to be reported or published under this section, the prices or quantities shall be categorized so as to clearly delineate—

“(A) the prices or quantities, as applicable, of the cattle purchased in the domestic market; and

“(B) the prices or quantities, as applicable, of imported cattle.

“(2) **PACKER-OWNED CATTLE.**—Information required under this section for packer-owned cattle shall include quantity and carcass characteristics, but not price.

“(c) **DAILY REPORTING.**—

“(1) **IN GENERAL.**—The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary at least twice each reporting day (including once not later than 10:00 a.m. Central Time and once not

later than 2:00 p.m. Central Time) the following information for each cattle type:

“(A) The prices for cattle (per hundredweight) established on that day, categorized by—

“(i) type of purchase;

“(ii) the quantity of cattle purchased on a live weight basis;

“(iii) the quantity of cattle purchased on a dressed weight basis;

“(iv) a range of the estimated live weights of the cattle purchased;

“(v) an estimate of the percentage of the cattle purchased that were of a quality grade of choice or better; and

“(vi) any premiums or discounts associated with—

“(I) weight, grade, or yield; or

“(II) any type of purchase.

“(B) The quantity of cattle delivered to the packer (quoted in numbers of head) on that day, categorized by—

“(i) type of purchase;

“(ii) the quantity of cattle delivered on a live weight basis; and

“(iii) the quantity of cattle delivered on a dressed weight basis.

“(C) The quantity of cattle committed to the packer (quoted in numbers of head) as of that day, categorized by—

“(i) type of purchase;

“(ii) the quantity of cattle committed on a live weight basis; and

“(iii) the quantity of cattle committed on a dressed weight basis.

“(D) The terms of trade regarding the cattle, as applicable.

“(2) PUBLICATION.—The Secretary shall make the information available to the public not less frequently than 3 times each reporting day.

“(d) WEEKLY REPORTING.—

“(1) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary, on the first reporting day of each week, not later than 9:00 a.m. Central Time, the following information applicable to the prior slaughter week:

“(A) The quantity of cattle purchased through a forward contract that were slaughtered.

“(B) The quantity of cattle delivered under a formula marketing arrangement that were slaughtered.

“(C) The quantity and carcass characteristics of packer-owned cattle that were slaughtered.

“(D) The quantity, basis level, and delivery month for all cattle purchased through forward contracts that were agreed to by the parties.

“(E) *The range and average of intended premiums and discounts that are expected to be in effect for the current slaughter week.*

“(2) **FORMULA PURCHASES.**—*The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary, on the first reporting day of each week, not later than 9:00 a.m. Central Time, the following information for cattle purchased through a formula marketing arrangement and slaughtered during the prior slaughter week:*

“(A) *The quantity (quoted in both numbers of head and hundredweights) of cattle.*

“(B) *The weighted average price paid for a carcass, including applicable premiums and discounts.*

“(C) *The range of premiums and discounts paid.*

“(D) *The weighted average of premiums and discounts paid.*

“(E) *The range of prices paid.*

“(F) *The aggregate weighted average price paid for a carcass.*

“(G) *The terms of trade regarding the cattle, as applicable.*

“(3) **PUBLICATION.**—*The Secretary shall make available to the public the information obtained under paragraphs (1) and (2) on the first reporting day of the current slaughter week, not later than 10:00 a.m. Central Time.*

“(e) **REGIONAL REPORTING OF CATTLE TYPES.**—

“(1) **IN GENERAL.**—*The Secretary shall determine whether adequate data can be obtained on a regional basis for fed Holsteins and other fed dairy steers and heifers, cows, and bulls based on the number of packers required to report under this section.*

“(2) **REPORT.**—*Not later than 2 years after the date of enactment of this subtitle, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the determination of the Secretary under paragraph (1).*

“**SEC. 223. MANDATORY PACKER REPORTING OF BOXED BEEF SALES.**

“(a) **DAILY REPORTING.**—*The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary at least twice each reporting day (not less than once before, and once after, 12:00 noon Central Time) information on total boxed beef sales, including—*

“(1) *the price for each lot of each negotiated boxed beef sale (determined by seller-buyer interaction and agreement), quoted in dollars per hundredweight (on a F.O.B. plant basis);*

“(2) *the quantity for each lot of each sale, quoted by number of boxes sold; and*

“(3) *information regarding the characteristics of each lot of each sale, including—*

“(A) *the grade of beef (USDA Choice or better, USDA Select, or ungraded no-roll product);*

“(B) *the cut of beef; and*

“(C) *the trim specification.*

“(b) PUBLICATION.—The Secretary shall make available to the public the information required to be reported under subsection (a) not less frequently than twice each reporting day.

### “CHAPTER 3—SWINE REPORTING

#### “SEC. 231. DEFINITIONS.

“In this chapter:

“(1) AFFILIATE.—The term ‘affiliate’, with respect to a packer, means—

“(A) a person that directly or indirectly owns, controls, or holds with power to vote, 5 percent or more of the outstanding voting securities of the packer;

“(B) a person 5 percent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by the packer; and

“(C) a person that directly or indirectly controls, or is controlled by or under common control with, the packer.

“(2) APPLICABLE REPORTING PERIOD.—The term ‘applicable reporting period’ means the period of time prescribed by the prior day report, the morning report, and the afternoon report, as required under section 232(c).

“(3) BARROW.—The term ‘barrow’ means a neutered male swine.

“(4) BASE MARKET HOG.—The term ‘base market hog’ means a hog for which no discounts are subtracted from and no premiums are added to the base price.

“(5) BRED FEMALE SWINE.—The term ‘bred female swine’ means any female swine, whether a sow or gilt, that has been mated or inseminated and is assumed, or has been confirmed, to be pregnant.

“(6) FORMULA PRICE.—The term ‘formula price’ means a price determined by a mathematical formula under which the price established for a specified market serves as the basis for the formula.

“(7) GILT.—The term ‘gilt’ means a young female swine that has not produced a litter.

“(8) HOG CLASS.—The term ‘hog class’ means, as applicable—

“(A) barrows or gilts;

“(B) sows; or

“(C) boars or stags.

“(9) NONCARCASS MERIT PREMIUM.—The term ‘noncarcass merit premium’ means an increase in the base price of the swine offered by an individual packer or packing plant, based on any factor other than the characteristics of the carcass, if the actual amount of the premium is known before the sale and delivery of the swine.

“(10) OTHER MARKET FORMULA PURCHASE.—

“(A) IN GENERAL.—The term ‘other market formula purchase’ means a purchase of swine by a packer in which the pricing mechanism is a formula price based on any market other than the market for swine, pork, or a pork product.

“(B) *INCLUSION.*—The term ‘other market formula purchase’ includes a formula purchase in a case in which the price formula is based on 1 or more futures or options contracts.

“(11) *OTHER PURCHASE ARRANGEMENT.*—The term ‘other purchase arrangement’ means a purchase of swine by a packer that—

“(A) is not a negotiated purchase, swine or pork market formula purchase, or other market formula purchase; and

“(B) does not involve packer-owned swine.

“(12) *PACKER.*—The term ‘packer’ means any person engaged in the business of buying swine in commerce for purposes of slaughter, of manufacturing or preparing meats or meat food products from swine for sale or shipment in commerce, or of marketing meats or meat food products from swine in an unmanufactured form acting as a wholesale broker, dealer, or distributor in commerce, except that—

“(A) the term includes only a swine processing plant that is federally inspected;

“(B) for any calendar year, the term includes only a swine processing plant that slaughtered an average of at least 100,000 swine per year during the immediately preceding 5 calendar years; and

“(C) in the case of a swine processing plant that did not slaughter swine during the immediately preceding 5 calendar years, the Secretary shall consider the plant capacity of the processing plant in determining whether the processing plant should be considered a packer under this chapter.

“(13) *PACKER-OWNED SWINE.*—The term ‘packer-owned swine’ means swine that a packer (including a subsidiary or affiliate of the packer) owns for at least 14 days immediately before slaughter.

“(14) *PACKER-SOLD SWINE.*—The term ‘packer-sold swine’ means the swine that are—

“(A) owned by a packer (including a subsidiary or affiliate of the packer) for more than 14 days immediately before sale for slaughter; and

“(B) sold for slaughter to another packer.

“(15) *PORK.*—The term ‘pork’ means the meat of a porcine animal.

“(16) *PORK PRODUCT.*—The term ‘pork product’ means a product or byproduct produced or processed in whole or in part from pork.

“(17) *PURCHASE DATA.*—The term ‘purchase data’ means all of the applicable data, including weight (if purchased live), for all swine purchased during the applicable reporting period, regardless of the expected delivery date of the swine, reported by—

“(A) hog class;

“(B) type of purchase; and

“(C) packer-owned swine.

“(18) *SLAUGHTER DATA.*—The term ‘slaughter data’ means all of the applicable data for all swine slaughtered by a packer during the applicable reporting period, regardless of when the

price of the swine was negotiated or otherwise determined, reported by—

- “(A) hog class;
- “(B) type of purchase; and
- “(C) packer-owned swine.

“(19) SOW.—The term ‘sow’ means an adult female swine that has produced 1 or more litters.

“(20) SWINE.—The term ‘swine’ means a porcine animal raised to be a feeder pig, raised for seedstock, or raised for slaughter.

“(21) SWINE OR PORK MARKET FORMULA PURCHASE.—The term ‘swine or pork market formula purchase’ means a purchase of swine by a packer in which the pricing mechanism is a formula price based on a market for swine, pork, or a pork product, other than a future or option for swine, pork, or a pork product.

“(22) TYPE OF PURCHASE.—The term ‘type of purchase’, with respect to swine, means—

- “(A) a negotiated purchase;
- “(B) other market formula purchase;
- “(C) a swine or pork market formula purchase; and
- “(D) other purchase arrangement.

**“SEC. 232. MANDATORY REPORTING FOR SWINE.**

“(a) ESTABLISHMENT.—The Secretary shall establish a program of swine price information reporting that will—

“(1) provide timely, accurate, and reliable market information;

“(2) facilitate more informed marketing decisions; and

“(3) promote competition in the swine slaughtering industry.

“(b) GENERAL REPORTING PROVISIONS APPLICABLE TO PACKERS AND THE SECRETARY.—

“(1) IN GENERAL.—The Secretary shall establish and implement a price reporting program in accordance with this section that includes the reporting and publication of information required under this section.

“(2) PACKER-OWNED SWINE.—Information required under this section for packer-owned swine shall include quantity and carcass characteristics, but not price.

“(3) PACKER-SOLD SWINE.—If information regarding the type of purchase is required under this section, the information shall be reported according to the numbers and percentages of each type of purchase comprising—

- “(A) packer-sold swine; and
- “(B) all other swine.

“(4) ADDITIONAL INFORMATION.—

“(A) REVIEW.—The Secretary shall review the information required to be reported by packers under this section at least once every 2 years.

“(B) OUTDATED INFORMATION.—After public notice and an opportunity for comment, subject to subparagraph (C), the Secretary shall promulgate regulations that specify additional information that shall be reported under this sec-



tion if the Secretary determines under the review under subparagraph (A) that—

“(i) information that is currently required no longer accurately reflects the methods by which swine are valued and priced by packers; or

“(ii) packers that slaughter a significant majority of the swine produced in the United States no longer use backfat or lean percentage factors as indicators of price.

“(C) LIMITATION.—Under subparagraph (B), the Secretary may not require packers to provide any new or additional information that—

“(i) is not generally available or maintained by packers; or

“(ii) would be otherwise unduly burdensome to provide.

“(c) DAILY REPORTING.—

“(1) PRIOR DAY REPORT.—

“(A) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary, for each business day of the packer, such information as the Secretary determines necessary and appropriate to—

“(i) comply with the publication requirements of this section; and

“(ii) provide for the timely access to the information by producers, packers, and other market participants.

“(B) REPORTING DEADLINE AND PLANTS REQUIRED TO REPORT.—Not later than 7:00 a.m. Central Time on each reporting day, a packer required to report under subparagraph (A) shall report information regarding all swine purchased, priced, or slaughtered during the prior business day of the packer.

“(C) INFORMATION REQUIRED.—The information from the prior business day of a packer required under this paragraph shall include—

“(i) all purchase data, including—

“(I) the total number of—

“(aa) swine purchased; and

“(bb) swine scheduled for delivery; and

“(II) the base price and purchase data for slaughtered swine for which a price has been established;

“(ii) all slaughter data for the total number of swine slaughtered, including—

“(I) information concerning the net price, which shall be equal to the total amount paid by a packer to a producer (including all premiums, less all discounts) per hundred pounds of carcass weight of swine delivered at the plant—

“(aa) including any sum deducted from the price per hundredweight paid to a producer that reflects the repayment of a balance

owed by the producer to the packer or the accumulation of a balance to later be repaid by the packer to the producer; and

“(bb) excluding any sum earlier paid to a producer that must later be repaid to the packer;

“(II) information concerning the average net price, which shall be equal to the quotient (stated per hundred pounds of carcass weight of swine) obtained by dividing—

“(aa) the total amount paid for the swine slaughtered at a packing plant during the applicable reporting period, including all premiums and discounts, and including any sum deducted from the price per hundredweight paid to a producer that reflects the repayment of a balance owed by the producer to the packer, or the accumulation of a balance to later be repaid by the packer to the producer, less all discounts; by

“(bb) the total carcass weight (in hundred pound increments) of the swine;

“(III) information concerning the lowest net price, which shall be equal to the lowest net price paid for a single lot or a group of swine slaughtered at a packing plant during the applicable reporting period per hundred pounds of carcass weight of swine;

“(IV) information concerning the highest net price, which shall be equal to the highest net price paid for a single lot or group of swine slaughtered at a packing plant during the applicable reporting period per hundred pounds of carcass weight of swine;

“(V) the average carcass weight, which shall be equal to the quotient obtained by dividing—

“(aa) the total carcass weight of the swine slaughtered at the packing plant during the applicable reporting period; by

“(bb) the number of the swine described in item (aa);

adjusted for special slaughter situations (such as skinning or foot removal), as the Secretary determines necessary to render comparable carcass weights;

“(VI) the average sort loss, which shall be equal to the average discount (in dollars per hundred pounds carcass weight) for swine slaughtered during the applicable reporting period, resulting from the fact that the swine did not fall within the individual packer's established carcass weight or lot variation range;

“(VII) the average backfat, which shall be equal to the average of the backfat thickness (in

*inches) measured between the third and fourth from the last ribs, 7 centimeters from the carcass split (or adjusted from the individual packer's measurement to that reference point using an adjustment made by the Secretary) of the swine slaughtered during the applicable reporting period;*

*“(VIII) the average lean percentage, which shall be equal to the average percentage of the carcass weight comprised of lean meat for the swine slaughtered during the applicable reporting period, except that when a packer is required to report the average lean percentage under this subclause, the packer shall make available to the Secretary the underlying data, applicable methodology and formulae, and supporting materials used to determine the average lean percentage, which the Secretary may convert to the carcass measurements or lean percentage of the swine of the individual packer to correlate to a common percent lean measurement; and*

*“(IX) the total slaughter quantity, which shall be equal to the total number of swine slaughtered during the applicable reporting period, including all types of purchases and packer-owned swine; and*

*“(iii) packer purchase commitments, which shall be equal to the number of swine scheduled for delivery to a packer for slaughter for each of the next 14 calendar days.*

*“(D) PUBLICATION.—The Secretary shall publish the information obtained under this paragraph in a prior day report not later than 8:00 a.m. Central Time on the reporting day on which the information is received from the packer.*

*“(2) MORNING REPORT.—*

*“(A) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary not later than 10:00 a.m. Central Time each reporting day—*

*“(i) the packer's best estimate of the total number of swine, and packer-owned swine, expected to be purchased throughout the reporting day through each type of purchase;*

*“(ii) the total number of swine, and packer-owned swine, purchased up to that time of the reporting day through each type of purchase;*

*“(iii) the base price paid for all base market hogs purchased up to that time of the reporting day through negotiated purchases; and*

*“(iv) the base price paid for all base market hogs purchased through each type of purchase other than negotiated purchase up to that time of the reporting day, unless such information is unavailable due to pricing that is determined on a delayed basis.*

“(B) PUBLICATION.—The Secretary shall publish the information obtained under this paragraph in the morning report as soon as practicable, but not later than 11:00 a.m. Central Time, on each reporting day.

“(3) AFTERNOON REPORT.—

“(A) IN GENERAL.—The corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary not later than 2:00 p.m. Central Time each reporting day—

“(i) the packer’s best estimate of the total number of swine, and packer-owned swine, expected to be purchased throughout the reporting day through each type of purchase;

“(ii) the total number of swine, and packer-owned swine, purchased up to that time of the reporting day through each type of purchase;

“(iii) the base price paid for all base market hogs purchased up to that time of the reporting day through negotiated purchases; and

“(iv) the base price paid for all base market hogs purchased up to that time of the reporting day through each type of purchase other than negotiated purchase, unless such information is unavailable due to pricing that is determined on a delayed basis.

“(B) PUBLICATION.—The Secretary shall publish the information obtained under this paragraph in the afternoon report as soon as practicable, but not later than 3:00 p.m. Central Time, on each reporting day.

“(d) WEEKLY NONCARCASS MERIT PREMIUM REPORT.—

“(1) IN GENERAL.—Not later than 4:00 p.m. Central Time on the first reporting day of each week, the corporate officers or officially designated representatives of each packer processing plant shall report to the Secretary a noncarcass merit premium report that lists—

“(A) each category of standard noncarcass merit premiums used by the packer in the prior slaughter week; and

“(B) the amount (in dollars per hundred pounds of carcass weight) paid to producers by the packer, by category.

“(2) PREMIUM LIST.—A packer shall maintain and make available to a producer, on request, a current listing of the dollar values (per hundred pounds of carcass weight) of each noncarcass merit premium used by the packer during the current or the prior slaughter week.

“(3) AVAILABILITY.—A packer shall not be required to pay a listed noncarcass merit premium to a producer that meets the requirements for the premium if the need for swine in a given category is filled at a particular point in time. Premium list.—A packer shall maintain and make available to a producer, on request, a current listing of the dollar values (per hundred pounds of carcass weight) of each noncarcass merit premium used by the packer during the current or the prior slaughter week.

“(4) PUBLICATION.—The Secretary shall publish the information obtained under this subsection as soon as practicable,

*but not later than 5:00 p.m. Central Time, on the first reporting day of each week.*

#### **“CHAPTER 4—LAMB REPORTING**

##### **“SEC. 241. MANDATORY REPORTING FOR LAMBS.**

*“(a) ESTABLISHMENT.—The Secretary may establish a program of mandatory lamb price information reporting that will—*

*“(1) provide timely, accurate, and reliable market information;*

*“(2) facilitate more informed marketing decisions; and*

*“(3) promote competition in the lamb slaughtering industry.*

*“(b) NOTICE AND COMMENT.—If the Secretary establishes a mandatory price reporting program under subsection (a), the Secretary shall provide an opportunity for comment on proposed regulations to establish the program during the 30-day period beginning on the date of the publication of the proposed regulations.*

#### **“CHAPTER 5—ADMINISTRATION**

##### **“SEC. 251. GENERAL PROVISIONS.**

*“(a) CONFIDENTIALITY.—The Secretary shall make available to the public information, statistics, and documents obtained from, or submitted by, packers, retail entities, and other persons under this subtitle in a manner that ensures that confidentiality is preserved regarding—*

*“(1) the identity of persons, including parties to a contract; and*

*“(2) proprietary business information.*

*“(b) DISCLOSURE BY FEDERAL GOVERNMENT EMPLOYEES.—*

*“(1) IN GENERAL.—Subject to paragraph (2), no officer, employee, or agent of the United States shall, without the consent of the packer or other person concerned, divulge or make known in any manner, any facts or information regarding the business of the packer or other person that was acquired through reporting required under this subtitle.*

*“(2) EXCEPTIONS.—Information obtained by the Secretary under this subtitle may be disclosed—*

*“(A) to agents or employees of the Department of Agriculture in the course of their official duties under this subtitle;*

*“(B) as directed by the Secretary or the Attorney General, for enforcement purposes; or*

*“(C) by a court of competent jurisdiction.*

*“(3) DISCLOSURE UNDER FREEDOM OF INFORMATION ACT.—Notwithstanding any other provision of law, no facts or information obtained under this subtitle shall be disclosed in accordance with section 552 of title 5, United States Code.*

*“(c) REPORTING BY PACKERS.—A packer shall report all information required under this subtitle on an individual lot basis.*

*“(d) REGIONAL REPORTING AND AGGREGATION.—The Secretary shall make information obtained under this subtitle available to the public only in a manner that—*

“(1) ensures that the information is published on a national and a regional or statewide basis as the Secretary determines to be appropriate;

“(2) ensures that the identity of a reporting person is not disclosed; and

“(3) conforms to aggregation guidelines established by the Secretary.

“(e) **ADJUSTMENTS.**—Prior to the publication of any information required under this subtitle, the Secretary may make reasonable adjustments in information reported by packers to reflect price aberrations or other unusual or unique occurrences that the Secretary determines would distort the published information to the detriment of producers, packers, or other market participants.

“(f) **VERIFICATION.**—The Secretary shall take such actions as the Secretary considers necessary to verify the accuracy of the information submitted or reported under chapter 2, 3, or 4.

“(g) **ELECTRONIC REPORTING AND PUBLISHING.**—The Secretary shall, to the maximum extent practicable, provide for the reporting and publishing of the information required under this subtitle by electronic means.

“(h) **REPORTING OF ACTIVITIES ON WEEKENDS AND HOLIDAYS.**—

“(1) **IN GENERAL.**—Livestock committed to a packer, or purchased, sold, or slaughtered by a packer, on a weekend day or holiday shall be reported by the packer to the Secretary (to the extent required under this subtitle), and reported by the Secretary, on the immediately following reporting day.

“(2) **LIMITATION ON REPORTING BY PACKERS.**—A packer shall not be required to report actions under paragraph (1) more than once on the immediately following reporting day.

“(i) **EFFECT ON OTHER LAWS.**—Nothing in this subtitle, the Livestock Mandatory Reporting Act of 1999, or amendments made by that Act restricts or modifies the authority of the Secretary to—

“(1) administer or enforce the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.);

“(2) administer, enforce, or collect voluntary reports under this title or any other law; or

“(3) access documentary evidence as provided under sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50).

**“SEC. 252. UNLAWFUL ACTS.**

“It shall be unlawful and a violation of this subtitle for any packer or other person subject to this subtitle (in the submission of information required under chapter 2, 3, or 4, as determined by the Secretary) to willfully—

“(1) fail or refuse to provide, or delay the timely reporting of, accurate information to the Secretary (including estimated information);

“(2) solicit or request that a packer, the buyer or seller of livestock or livestock products, or any other person fail to provide, as a condition of any transaction, accurate or timely information required under this subtitle;

“(3) fail or refuse to comply with this subtitle; or

“(4) report estimated information in any report required under this subtitle in a manner that demonstrates a pattern of

*significant variance in accuracy when compared to the actual information that is reported for the same reporting period, or as determined by any audit, oversight, or other verification procedures of the Secretary.*

**“SEC. 253. ENFORCEMENT.**

**“(a) CIVIL PENALTY.—**

**“(1) IN GENERAL.—***Any packer or other person that violates this subtitle may be assessed a civil penalty by the Secretary of not more than \$10,000 for each violation.*

**“(2) CONTINUING VIOLATION.—***Each day during which a violation continues shall be considered to be a separate violation.*

**“(3) FACTORS.—***In determining the amount of a civil penalty to be assessed under paragraph (1), the Secretary shall consider the gravity of the offense, the size of the business involved, and the effect of the penalty on the ability of the person that has committed the violation to continue in business.*

**“(4) MULTIPLE VIOLATIONS.—***In determining whether to assess a civil penalty under paragraph (1), the Secretary shall consider whether a packer or other person subject to this subtitle has engaged in a pattern of errors, delays, or omissions in violation of this subtitle.*

**“(b) CEASE AND DESIST.—***In addition to, or in lieu of, a civil penalty under subsection (a), the Secretary may issue an order to cease and desist from continuing any violation.*

**“(c) NOTICE AND HEARING.—***No penalty shall be assessed, or cease and desist order issued, by the Secretary under this section unless the person against which the penalty is assessed or to which the order is issued is given notice and opportunity for a hearing before the Secretary with respect to the violation.*

**“(d) FINALITY AND JUDICIAL REVIEW.—**

**“(1) IN GENERAL.—***The order of the Secretary assessing a civil penalty or issuing a cease and desist order under this section shall be final and conclusive unless the affected person files an appeal of the order of the Secretary in United States district court not later than 30 days after the date of the issuance of the order.*

**“(2) STANDARD OF REVIEW.—***A finding of the Secretary under this section shall be set aside only if the finding is found to be unsupported by substantial evidence.*

**“(e) ENFORCEMENT.—**

**“(1) IN GENERAL.—***If, after the lapse of the period allowed for appeal or after the affirmance of a penalty assessed under this section, the person against which the civil penalty is assessed fails to pay the penalty, the Secretary may refer the matter to the Attorney General who may recover the penalty by an action in United States district court.*

**“(2) FINALITY.—***In the action, the final order of the Secretary shall not be subject to review.*

**“(f) INJUNCTION OR RESTRAINING ORDER.—**

**“(1) IN GENERAL.—***If the Secretary has reason to believe that any person subject to this subtitle has failed or refused to provide the Secretary information required to be reported pursuant to this subtitle, and that it would be in the public interest*

to enjoin the person from further failure to comply with the reporting requirements, the Secretary may notify the Attorney General of the failure.

“(2) ATTORNEY GENERAL.—The Attorney General may apply to the appropriate district court of the United States for a temporary or permanent injunction or restraining order.

“(3) COURT.—When needed to carry out this subtitle, the court shall, on a proper showing, issue a temporary injunction or restraining order without bond.

“(g) FAILURE TO OBEY ORDERS.—

“(1) IN GENERAL.—If a person subject to this subtitle fails to obey a cease and desist or civil penalty order issued under this subsection after the order has become final and unappealable, or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate district court for enforcement of the order.

“(2) ENFORCEMENT.—If the court determines that the order was lawfully made and duly served and that the person violated the order, the court shall enforce the order.

“(3) CIVIL PENALTY.—If the court finds that the person violated the cease and desist provisions of the order, the person shall be subject to a civil penalty of not more than \$10,000 for each offense.

**“SEC. 254. FEES.**

“The Secretary shall not charge or assess a user fee, transaction fee, service charge, assessment, reimbursement, or any other fee for the submission or reporting of information, for the receipt or availability of, or access to, published reports or information, or for any other activity required under this subtitle.

**“SEC. 255. RECORDKEEPING.**

“(a) IN GENERAL.—Subject to subsection (b), each packer required to report information to the Secretary under this subtitle shall maintain, and make available to the Secretary on request, for 2 years—

“(1) the original contracts, agreements, receipts and other records associated with any transaction relating to the purchase, sale, pricing, transportation, delivery, weighing, slaughter, or carcass characteristics of all livestock; and

“(2) such records or other information as is necessary or appropriate to verify the accuracy of the information required to be reported under this subtitle.

“(b) LIMITATIONS.—Under subsection (a)(2), the Secretary may not require a packer to provide new or additional information if—

“(1) the information is not generally available or maintained by packers; or

“(2) the provision of the information would be unduly burdensome.

“(c) PURCHASES OF CATTLE OR SWINE.—A record of a purchase of a lot of cattle or a lot of swine by a packer shall evidence whether the purchase occurred—

“(1) before 10:00 a.m. Central Time;

“(2) between 10:00 a.m. and 2:00 p.m. Central Time; or



“(3) after 2:00 p.m. Central Time.

“**SEC. 256. VOLUNTARY REPORTING.**

“The Secretary shall encourage voluntary reporting by packers (as defined in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191)) to which the mandatory reporting requirements of this subtitle do not apply.

“**SEC. 257. PUBLICATION OF INFORMATION ON RETAIL PURCHASE PRICES FOR REPRESENTATIVE MEAT PRODUCTS.**

“(a) **IN GENERAL.**—Beginning not later than 90 days after the date of enactment of this subtitle, the Secretary shall compile and publish at least monthly (weekly, if practicable) information on retail prices for representative food products made from beef, pork, chicken, turkey, veal, or lamb.

“(b) **INFORMATION.**—The report published by the Secretary under subsection (a) shall include—

“(1) information on retail prices for each representative food product described in subsection (a); and

“(2) information on total sales quantity (in pounds and dollars) for each representative food product.

“(c) **MEAT PRICE SPREADS REPORT.**—During the period ending 2 years after the initial publication of the report required under subsection (a), the Secretary shall continue to publish the Meat Price Spreads Report in the same manner as the Report was published before the date of enactment of this subtitle.

“(d) **INFORMATION COLLECTION.**—

“(1) **IN GENERAL.**—To ensure the accuracy of the reports required under subsection (a), the Secretary shall obtain the information for the reports from 1 or more sources including—

“(A) a consistently representative set of retail transactions; and

“(B) both prices and sales quantities for the transactions.

“(2) **SOURCE OF INFORMATION.**—The Secretary may—

“(A) obtain the information from retailers or commercial information sources; and

“(B) use valid statistical sampling procedures, if necessary.

“(3) **ADJUSTMENTS.**—In providing information on retail prices under this section, the Secretary may make adjustments to take into account differences in—

“(A) the geographic location of consumption;

“(B) the location of the principal source of supply;

“(C) distribution costs; and

“(D) such other factors as the Secretary determines reflect a verifiable comparative retail price for a representative food product.

“(e) **ADMINISTRATION.**—The Secretary—

“(1) shall collect information under this section only on a voluntary basis; and

“(2) shall not impose a penalty on a person for failure to provide the information or otherwise compel a person to provide the information.

**“SEC. 258. SUSPENSION AUTHORITY REGARDING SPECIFIC TERMS OF PRICE REPORTING REQUIREMENTS.**

“(a) *IN GENERAL.*—The Secretary may suspend any requirement of this subtitle if the Secretary determines that application of the requirement is inconsistent with the purposes of this subtitle.

“(b) *SUSPENSION PROCEDURE.*—

“(1) *PERIOD.*—A suspension under subsection (a) shall be for a period of not more than 240 days.

“(2) *ACTION BY CONGRESS.*—If an Act of Congress concerning the requirement that is the subject of the suspension under subsection (a) is not enacted by the end of the period of the suspension established under paragraph (1), the Secretary shall implement the requirement.

**“SEC. 259. FEDERAL PREEMPTION.**

“In order to achieve the goals, purposes, and objectives of this title on a nationwide basis and to avoid potentially conflicting State laws that could impede the goals, purposes, or objectives of this title, no State or political subdivision of a State may impose a requirement that is in addition to, or inconsistent with, any requirement of this subtitle with respect to the submission or reporting of information, or the publication of such information, on the prices and quantities of livestock or livestock products.”.

**SEC. 912. UNJUST DISQUALIFICATION.**

Section 202(b) of the Packers and Stockyards Act, 1921 (7 U.S.C. 192(b)), is amended by striking “whatsoever” each place it appears.

**SEC. 913. CONFORMING AMENDMENTS.**

(a) Section 416 of the Packers and Stockyards Act, 1921 (7 U.S.C. 229a), is repealed.

(b) Section 1127 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), is amended—

(1) by striking subsection (b) and inserting the following:

“(b) *EXPORT MARKET REPORTING.*—The Secretary shall—

“(1) implement a streamlined electronic system for collecting export sales and shipments data, in the least intrusive manner possible, for fresh or frozen muscle cuts of meat food products; and

“(2) develop a data-reporting program to disseminate summary information in a timely manner (in the case of beef, consistent with the reporting under section 602(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5712(a))).”; and

(2) in subsection (c), by striking “this section of the Act” and inserting “subsection (b)”.

## **Subtitle B—Related Beef Reporting Provisions**

**SEC. 921. BEEF EXPORT REPORTING.**

Section 602(a)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5712(a)(1)) is amended by inserting “, beef,” after “cotton”.

**SEC. 922. EXPORT CERTIFICATES FOR MEAT AND MEAT FOOD PRODUCTS.**

*Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall fully implement a program, through the use of a streamlined electronic online system, to issue and report export certificates for all meat and meat products.*

**SEC. 923. IMPORTS OF BEEF, BEEF VARIETY MEATS, AND CATTLE.**

*(a) IN GENERAL.—The Secretary of Agriculture shall—*

*(1) obtain information regarding the import of beef and beef variety meats (consistent with the information categories reported for beef exports under section 602(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5712(a))) and cattle using available information sources; and*

*(2) publish the information in a timely manner weekly and in a form that maximizes the utility of the information to beef producers, packers, and other market participants.*

*(b) CONTENT.—The published information shall include information reporting the year-to-date cumulative annual imports of beef, beef variety meats, and cattle for the current and prior marketing years.*

**SEC. 924. AUTHORIZATION OF APPROPRIATIONS.**

*There are authorized to be appropriated such sums as are necessary to carry out sections 922 and 923.*

## **Subtitle C—Related Swine Reporting Provisions**

**SEC. 931. IMPROVEMENT OF HOGS AND PIGS INVENTORY REPORT.**

*(a) IN GENERAL.—Effective beginning not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall publish on a monthly basis the Hogs and Pigs Inventory Report.*

*(b) GESTATING SOWS.—The Secretary shall include in a separate category of the Report the number of bred female swine that are assumed, or have been confirmed, to be pregnant during the reporting period.*

*(c) PHASE-OUT.—Effective for a period of 8 quarters after the implementation of the monthly report required under subsection (a), the Secretary shall continue to maintain and publish on a quarterly basis the Hogs and Pigs Inventory Report published on or before the date of enactment of this Act.*

**SEC. 932. BARROW AND GILT SLAUGHTER.**

*(a) IN GENERAL.—The Secretary of Agriculture shall promptly obtain and maintain, through an appropriate collection system or valid sampling system at packing plants, information on the total slaughter of swine that reflects differences in numbers between barrows and gilts, as determined by the Secretary.*

*(b) AVAILABILITY.—The information shall be made available to swine producers, packers, and other market participants in a report published by the Secretary not less frequently than weekly.*

*(c) ADMINISTRATION.—*

(1) *IN GENERAL.*—The Secretary shall administer the collection and compilation of information, and the publication of the report, required by this section.

(2) *NONDELEGATION.*—The Secretary shall not delegate the collection, compilation, or administration of the information required by this section to any packer (as defined in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191)).

**SEC. 933. AVERAGE TRIM LOSS CORRELATION STUDY AND REPORT.**

(a) *IN GENERAL.*—The Secretary of Agriculture shall contract with a qualified contractor to conduct a correlation study and prepare a report establishing a baseline and standards for determining and improving average trim loss measurements and processing techniques for pork processors to employ in the slaughter of swine.

(b) *CORRELATION STUDY AND REPORT.*—The study and report shall—

(1) analyze processing techniques that would assist the pork processing industry in improving procedures for uniformity and transparency in how trim loss is discounted (in dollars per hundred pounds carcass weight) by different packers and processors;

(2) analyze slaughter inspection procedures that could be improved so that trimming procedures and policies of the Secretary are uniform to the maximum extent determined practicable by the Secretary;

(3) determine how the Secretary may be able to foster improved breeding techniques and animal handling and transportation procedures through training programs made available to swine producers so as to minimize trim loss in slaughter processing; and

(4) make recommendations that are designed to effect changes in the pork industry so as to achieve continuous improvement in average trim losses and discounts.

(c) *SUBSEQUENT REPORTS ON STATUS OF IMPROVEMENTS AND UPDATES IN BASELINE.*—Not less frequently than once every 2 years after the initial publication of the report required under this section, the Secretary shall make subsequent periodic reports that—

(1) examine the status of the improvement in reducing trim loss discounts in the pork processing industry; and

(2) update the baseline to reflect changes in trim loss discounts.

(d) *SUBMISSION OF REPORTS TO CONGRESS, PRODUCERS, PACKERS, AND OTHERS.*—The reports required under this section shall be made available to—

(1) the public on the Internet;

(2) the Committee on Agriculture of the House of Representatives;

(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(4) producers and packers; and

(5) other market participants.

**SEC. 934. SWINE PACKER MARKETING CONTRACTS.**

Title II of the Packers and Stockyards Act, 1921 (7 U.S.C. 191 et seq.) is amended—

(1) by inserting before section 201 (7 U.S.C. 191) the following:

**“Subtitle A—General Provisions”;**

and

(2) by adding at the end the following:

**“Subtitle B—Swine Packer Marketing Contracts**

**“SEC. 221. DEFINITIONS.**

*“Except as provided in section 223(a), in this subtitle:*

*“(1) MARKET.—The term ‘market’ means the sale or disposition of swine, pork, or pork products in commerce.*

*“(2) PACKER.—The term ‘packer’ has the meaning given the term in section 231 of the Agricultural Marketing Act of 1946.*

*“(3) PORK.—The term ‘pork’ means the meat of a porcine animal.*

*“(4) PORK PRODUCT.—The term ‘pork product’ means a product or byproduct produced or processed in whole or in part from pork.*

*“(5) STATE.—The term ‘State’ means each of the 50 States.*

*“(6) SWINE.—The term ‘swine’ means a porcine animal raised to be a feeder pig, raised for seedstock, or raised for slaughter.*

*“(7) TYPE OF CONTRACT.—The term ‘type of contract’ means the classification of contracts or risk management agreements for the purchase of swine by—*

*“(A) the mechanism used to determine the base price for swine committed to a packer, grouped into practicable classifications by the Secretary (including swine or pork market formula purchases, other market formula purchases, and other purchase arrangements); and*

*“(B) the presence or absence of an accrual account or ledger that must be repaid by the producer or packer that receives the benefit of the contract pricing mechanism in relation to negotiated prices.*

*“(8) OTHER TERMS.—Except as provided in this subtitle, a term has the meaning given the term in section 212 or 231 of the Agricultural Marketing Act of 1946.*

**“SEC. 222. SWINE PACKER MARKETING CONTRACTS OFFERED TO PRODUCERS.**

*“(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Secretary shall establish and maintain a library or catalog of each type of contract offered by packers to swine producers for the purchase of all or part of the producers’ production of swine (including swine that are purchased or committed for delivery), including all available noncarcass merit premiums.*

*“(b) AVAILABILITY.—The Secretary shall make available to swine producers and other interested persons information on the types of contracts described in subsection (a), including notice (on*

a real-time basis if practicable) of the types of contracts that are being offered by each individual packer to, and are open to acceptance by, producers for the purchase of swine.

“(c) **CONFIDENTIALITY.**—The reporting requirements under subsections (a) and (b) shall be subject to the confidentiality protections provided under section 251 of the Agricultural Marketing Act of 1946.

“(d) **INFORMATION COLLECTION.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) obtain (by a filing or other procedure required of each individual packer) information indicating what types of contracts for the purchase of swine are available from each packer; and

“(B) make the information available in a monthly report to swine producers and other interested persons.

“(2) **CONTRACTED SWINE NUMBERS.**—Each packer shall provide, and the Secretary shall collect and publish in the monthly report required under paragraph (1)(B), information specifying—

“(A) the types of existing contracts for each packer;

“(B) the provisions contained in each contract that provide for expansion in the numbers of swine to be delivered under the contract for the following 6-month and 12-month periods;

“(C) an estimate of the total number of swine committed by contract for delivery to all packers within the 6-month and 12-month periods following the date of the report, reported by reporting region and by type of contract; and

“(D) an estimate of the maximum total number of swine that potentially could be delivered within the 6-month and 12-month periods following the date of the report under the provisions described in subparagraph (B) that are included in existing contracts, reported by reporting region and by type of contract.

“(e) **VIOLATIONS.**—It shall be unlawful and a violation of this title for any packer to willfully fail or refuse to provide to the Secretary accurate information required under, or to willfully fail or refuse to comply with any requirement of, this section.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as necessary to carry out this section.

**“SEC. 223. REPORT ON THE SECRETARY’S JURISDICTION, POWER, DUTIES, AND AUTHORITIES.**

“(a) **DEFINITION OF PACKER.**—In this section, the term ‘packer’ has the meaning given the term in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191).

“(b) **REPORT.**—Not later than 90 days after the date of enactment of this subtitle, the Comptroller General of the United States shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the jurisdiction, powers, duties, and authorities of the Secretary that relate to packers and other persons involved in procuring, slaughtering, or processing swine,

pork, or pork products that are covered by this Act and other laws, including—

“(1) the Federal Trade Commission Act (15 U.S.C. 41 *et seq.*), especially sections 6, 8, 9, and 10 of that Act (15 U.S.C. 46, 48, 49, 50); and

“(2) the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 *et seq.*).

“(c) **CONTENTS.**—The Comptroller General shall include in the report an analysis of—

“(1) burdens on and obstructions to commerce in swine, pork, and pork products by packers, and other persons that enter into arrangements with the packers, that are contrary to, or do not protect, the public interest;

“(2) noncompetitive pricing arrangements between or among packers, or other persons involved in the processing, distribution, or sale of pork and pork products, including arrangements provided for in contracts for the purchase of swine;

“(3) the effective monitoring of contracts entered into between packers and swine producers;

“(4) investigations that relate to, and affect, the disclosure of—

“(A) transactions involved in the business conduct and practices of packers; and

“(B) the pricing of swine paid to producers by packers and the pricing of products in the pork and pork product merchandising chain;

“(5) the adequacy of the authority of the Secretary to prevent a packer from unjustly or arbitrarily refusing to offer a producer, or disqualifying a producer from eligibility for, a particular contract or type of contract for the purchase of swine; and

“(6) the ability of the Secretary to cooperate with and enhance the enforcement of actions initiated by other Federal departments and agencies, or Federal independent agencies, to protect trade and commerce in the pork and pork product industries against unlawful restraints and monopolies.”.

**SEC. 935. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this subtitle and the amendments made by this subtitle.

## **Subtitle D—Implementation**

**SEC. 941. REGULATIONS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall publish final regulations to implement this title and the amendments made by this title.

(b) **PUBLICATION OF PROPOSED REGULATIONS.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall publish proposed regulations to implement this title and the amendments made by this title.

(c) *COMMENT PERIOD.*—The Secretary shall provide an opportunity for comment on the proposed regulations during the 30-day period beginning on the date of the publication of the proposed regulations.

(d) *FINAL REGULATIONS.*—Not later than 60 days after the conclusion of the comment period, the Secretary shall publish the final regulations and implement this title and the amendments made by this title.

**SEC. 942. TERMINATION OF AUTHORITY.**

The authority provided by this title and the amendments made by this title terminate 5 years after the date of enactment of this Act.

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000”.

And the Senate agree to the same.

JOE SKEEN,  
JAY DICKEY,  
JACK KINGSTON,  
HENRY BONILLA,  
TOM LATHAM,  
JO ANN EMERSON,  
BILL YOUNG,  
SAM FARR,  
ALLEN BOYD,  
DAVID R. OBEY,

*Managers on the Part of the House.*

THAD COCHRAN,  
CHRISTOPHER S. BOND,  
SLADE GORTON,  
MITCH MCCONNELL,  
CONRAD BURNS,  
TED STEVENS,  
HERB KOHL,  
DIANNE FEINSTEIN,  
ROBERT BYRD,

*Managers on the Part of the Senate.*



JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF  
CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

FOOD SAFETY INITIATIVE

Funding for food safety is of critical importance to the conferees and, accordingly, it has been given high priority. For fiscal year 2000, total funding of \$326,633,000 is approved for programs and activities funded by this bill which are included in the President's Food Safety Initiative, an increase of \$51,886,000 from the fiscal year 1999 level. The funding increases, by agency, are as follows:

Agricultural Research Service .....	\$11,000,000
Cooperative State Research, Education and Extension Service .....	2,635,000
Economic Research Service .....	453,000
National Agricultural Statistic Service .....	2,500,000
Agricultural Marketing Service .....	2,398,000
Food Safety and Inspection Service .....	2,900,000
Food and Drug Administration .....	30,000,000
Total .....	51,886,000

TITLE I—AGRICULTURAL PROGRAMS  
PRODUCTION, PROCESSING, AND MARKETING  
OFFICE OF THE SECRETARY

The conference agreement provides \$15,436,000 for the Office of the Secretary instead of \$2,836,000 as proposed by both the House and Senate. Included in this amount is \$12,600,000 made available solely for the development and implementation of a common computing environment (CCE) for the Department of Agriculture, which will only be available upon approval by the Committees on Appropriations and Agriculture of the House of Representatives and the Senate of a comprehensive plan for development and implementation of the CCE.

The conferees strongly encourage the Department to make the funds from the fiscal year 1996 appropriation for Infoshare available to the Chief Information Officer for continued Service Center oversight and for supporting other high priority work which will facilitate information sharing and electronic access to USDA programs.

The conferees expect the Secretary to use all existing authority for the implementation of trade adjustment assistance measures announced by the President on July 7, 1999, to improve the competitiveness of the U.S. lamb industry.

The conferees believe that there is an absence of clarity concerning the definition of US cattle and US fresh beef products. This limitation hinders the ability of producers to promote their products as "Product of the U.S.A." The conferees direct the Secretary of Agriculture, in consultation with the affected industries, to promulgate regulations defining which cattle and fresh beef products are "Products of the U.S.A." This will facilitate the development of voluntary, value-added promotion programs that will benefit U.S. producers, business, industry, consumers, and commerce.

The conferees encourage the Secretary to enhance funding for research to further study the economic feasibility of converting biomass to ethanol through feedstock development, biomass gasification and syngas conditioning, microbial catalyst development, and syngas fermentation. The conferees note that this research could result in substantial economic benefits for rural America.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The conference agreement provides \$6,411,000 as proposed by the Senate instead of \$5,620,000 as proposed by the House.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides \$6,051,000 for the Office of the Chief Information Officer instead of the \$5,551,000 as proposed by the House and Senate. The amount includes an increase of \$500,000 for information security.

## OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides \$4,783,000 for the Office of the Chief Financial Officer instead of the \$4,283,000 as proposed by the House and the \$5,283,000 as proposed by the Senate. The conference agreement deletes bill language proposed by the Senate that the Chief Financial Officer actively market cross-servicing activities of the National Finance Center.

## AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides \$140,364,000 for agriculture buildings and facilities and rental payments as proposed by the House instead of \$145,364,000 as proposed by the Senate. The conference agreement does not provide \$5,000,000 for repairs, renovations and construction as proposed by the Senate. The House bill proposed no funding for this purpose.

In the event an agency within the Department requires modification of its space needs, language in the bill allows the Secretary of Agriculture to transfer a share of that agency's appropriation or a share of this appropriation to that agency's appropriation, but such transfer cannot exceed 5 percent of the funds made available for space rental and related costs.

## DEPARTMENTAL ADMINISTRATION

The conference agreement provides \$34,738,000 for Departmental Administration as proposed by the Senate instead of \$36,117,000 as proposed by the House.

The amount provided includes the increases requested in the President's Budget for the Office of Civil Rights (\$1,639,000 and 17 staff years) and the Office of Outreach (\$931,000 and 11 staff years) to continue to implement recommendations from the Civil Rights Action Team report, the National Commission on Small Farms report, and to carry out other responsibilities under this account.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL  
RELATIONS

The conference agreement provides \$3,568,000 for the Office of the Assistant Secretary for Congressional Relations instead of \$3,668,000 as proposed by the House and the Senate. The conference agreement includes language providing for the transfer of not less than \$2,241,000 to agencies funded in this Act to maintain personnel at the agency level. The following table reflects the amounts provided by the conference:

Headquarters Activities .....	\$857,000
Intergovernmental Affairs .....	470,000
Agricultural Marketing Service .....	176,000
Agricultural Research Service .....	129,000
Animal and Plant Health Inspection Service .....	101,000
Cooperative State Research, Education and Extension Service .....	120,000
Farm Service Agency .....	355,000
Food and Nutrition Service .....	270,000
Food Safety and Inspection Service .....	309,000
Foreign Agricultural Service .....	183,000
Natural Resources Conservation Service .....	148,000

Risk Management Agency .....	109,000
Rural Business-Cooperative Service .....	52,000
Rural Housing Service .....	147,000
Rural Utilities Service .....	142,000
Total .....	3,568,000

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides \$29,194,000 for the Office of the General Counsel as proposed by the House instead of the \$30,094,000 as proposed by the Senate.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides \$540,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of \$940,000 as proposed by the House. Resources for activities related to the Biobased Coordinating Council as provided under the Agricultural Research Service.

ECONOMIC RESEARCH SERVICE

The conference agreement provided \$65,419,000 for the Economic Research Service instead of \$70,266,000 as proposed by the House and \$62,919,000 as proposed by the Senate. Included in this amount is \$12,195,000 for studies and evaluations of the child nutrition, WIC, and food stamp programs, of which \$1,000,000 is transferred to the Food Program Administration account of the Food and Nutrition Service; and \$453,000 is for estimating the benefits of food safety, as requested in the budget.

The conference agreement does not include \$500,000 for a study on the decline in participation in the food stamp program. The conferees note that GAO released a study in July 1999 on this same issue. The conference agreement deletes bill language reducing Economic Research Service cooperative research by \$2,000,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides \$99,405,000 for the National Agricultural Statistics Service instead of \$100,559,000 as proposed by the House and \$99,355,000 as proposed by the Senate. Included in this amount is up to \$16,490,000 for the Census of Agriculture; and increases of \$2,500,000 for the fruit and vegetable survey, \$800,000 for the pesticide use survey, and \$250,000 for a new office in Puerto Rico. The amount provided includes all savings identified in the President's request.

AGRICULTURAL RESEARCH SERVICE

The conference agreement provides \$834,322,000 for the Agricultural Research Service instead of \$823,381,000 as proposed by the House and \$809,499,000 as proposed by the Senate.

The following table reflects the conference agreement:

FY 1999 Appropriation .....	<i>Amount</i>
	\$785,518,000

Agricultural Genome .....	2,000,000
Bioinformatic tools, biol. databases, and info mgmt (Plants) .....	250,000
Columbia, MO .....	(250,000)
National Plant Germplasm System .....	1,750,000
Albany, CA .....	(250,000)
Ft. Collins, CO .....	(250,000)
Ames, IA .....	(250,000)
Beltsville, MD .....	(250,000)
Columbia, MO .....	(250,000)
Ithaca, NY .....	(250,000)
Pullman, WA .....	(250,000)
Emerging Diseases and Exotic Pests .....	3,775,000
Wheat and barley scab .....	375,000
Madison, WI .....	(300,000)
Raleigh, NC .....	(75,000)
Consortium of Land Grant Universities .....	1,800,000
Cereal Rust, St. Paul, MN .....	250,000
New emerging and exotic plant diseases .....	250,000
Fort Pierce, FL .....	(250,000)
Reniform Nematode, Stoneville, MS .....	500,000
Noxious Weeds, Burns, OR .....	250,000
Avian Pneumovirus, Athens, GA .....	250,000
Poult Enteritis Mortality Syndrome, Athens, GA .....	100,000
Food Quality Protection Act Implementation .....	250,000
IPM tech. for fruits/veg/organophosphates and carbamates .....	250,000
Ft. Pierce, FL .....	(250,000)
Food Safety .....	11,000,000
Preharvest:	
Manure handling and distribution .....	1,750,000
Miss. State, MS .....	(500,000)
Ames, IA .....	(250,000)
Clay Center, NE .....	(250,000)
Lincoln, NE .....	(250,000)
Bushland, TX .....	(250,000)
Phoenix, AZ .....	(250,000)
Antibiotic resistance .....	1,350,000
Athens, GA .....	(450,000)
Ames, IA .....	(450,000)
College Station, TX .....	(450,000)
Risk assessment .....	1,550,000
Athens, GA .....	(400,000)
West Lafayette, IN .....	(250,000)
Clay Center, NE .....	(500,000)
Beltsville, MD .....	(400,000)
Fungal toxins .....	250,000
Athens, GA .....	(250,000)
Zoonotic disease risk .....	250,000
Fayetteville, AR .....	(250,000)
Aflatoxin .....	750,000
Stoneville, MS .....	(500,000)
Phoenix, AZ .....	(250,000)
Postharvest:	
Pathogen control in fruits/vegetables .....	1,200,000
Beltsville, MD .....	(400,000)
Wyndmoor, PA .....	(400,000)
Albany, CA .....	(400,000)
Pathogen control during slaughter/processing .....	500,000
Athens, GA .....	(500,000)
Antimicrobial resistance .....	800,000
Wyndmoor, PA .....	(400,000)
Peoria, IL .....	(400,000)

Food Safety Research, <i>Listeria Monocytogenes</i> and <i>E. Coli</i> Pathogens .....	1,000,000
Listeriosis, Sheep Scrapie, Ovine Progressive Pneumonia Virus (OPPV), Pullman, WA/Dubois, ID .....	600,000
Food Safety Engineering, West Lafayette, IN (Purdue, Univ.) .....	500,000
Hyperspectral Imaging, Stennis Space Center, MS .....	500,000
Global Change .....	900,000
Carbon cycle research .....	900,000
Auburn, AL .....	(400,000)
Mandan, ND .....	(250,000)
Morris, MN .....	(250,000)
Human Nutrition .....	3,000,000
Little Rock, AR .....	(500,000)
San Francisco/Davis, CA .....	(500,000)
Boston, MA .....	(500,000)
Beltsville, MD .....	(500,000)
Grand Forks, ND .....	(500,000)
Houston, TX .....	(500,000)
Sustainable Ecosystems .....	1,500,000
Eutrophication, harmful algal blooms and hypoxia .....	500,000
University Park, PA .....	(250,000)
Watkinsville, GA .....	(250,000)
Predict ecological impacts of extreme natural events .....	500,000
Lubbock, TX .....	(250,000)
El Reno, OK .....	(250,000)
Biologically-based IPM for invasive weeds/pests .....	500,000
Logan, UT .....	(250,000)
Kearneysville, WV .....	(250,000)
Subtotal .....	22,425,000
Contingency Funds .....	(928,500)
Pay Cost .....	4,999,500
Subtotal .....	26,496,000
Alternative Replacement Crops .....	800,000
Animal Vaccines, Joint Research between Univ. of CT/Univ. of MO .....	2,000,000
Animal Waste Management, IL .....	200,000
Appalachian Pasture-Based Beef System, Beckley, WV .....	1,000,000
Aquaculture Research, Pine Bluff, AR .....	500,000
Aquaculture Systems (Rainbow Trout), Univ. of Conn .....	500,000
Asian Bird Influenza, Athens, GA .....	300,000
Binational Agricultural Research & Development (BARD) .....	1,400,000
Biobased Products .....	1,200,000
Biological Controls and Agric. Research:	
Center for Biological Controls, FAMU .....	1,000,000
Science Center of Excellence, FAMU .....	1,000,000
Biomedical Materials in Plants, Beltsville, MD .....	500,000
Center for Food Safety/Post Harvest Technology, MS St. Univ .....	300,000
Fish Diseases, Auburn, AL .....	500,000
Floriculture and Nursery Crop Research (portion for cooperative agreements with university partners, incl. Calif. Univ. & Cornell Univ.; \$200,000 for Ohio State Univ.) .....	2,000,000
Golden Nematode, Cornell Univ .....	200,000
Grape Rootstock, Geneva, NY (Ithaca, NY Worksite) .....	250,000
Greenhouse Lettuce Germplasm, Salinas, CA .....	250,000
Lettuce Geneticist/Breeder Position, Salinas, CA .....	250,000
Lyme Disease, Yale Univ .....	200,000
Mid-West/Mid-South Irrigation, Univ. of MO Delta Center, Portageville, MO ...	200,000
Nat'l Center for Cool & Coldwater Aquaculture, Leetown, WV .....	250,000
Nat'l Center for Dev. of Natural Products, Oxford, MS .....	750,000
Nat'l Sedimentation Lab, Oxford, MS:	
Acoustics .....	50,000

Yazoo River Basin, MS .....	500,000
National Warmwater Aquaculture Center, Stoneville, MS .....	308,000
New England Plant, Soil & Water Research Lab, Orono, ME .....	300,000
Northern Plains Research Lab, Sidney, MT .....	750,000
Organic Minor Crop Specialist, Salinas, CA .....	250,000
Peanut Quality Research, Athens, GA .....	1,000,000
Post-Harvest and Controlled Atmosphere Chamber (Lettuce), Salinas, CA .....	250,000
Potato Research Enhancement, Prosser, WA .....	250,000
Red Imported Fire Ants, Stoneville, MS .....	350,000
Rice Research, Stuttgart, AR .....	500,000
Risk Assessment for BT Crops .....	200,000
Root Diseases of Wheat/Barley, Pullman, WA .....	500,000
Small Fruits, Poplarville, MS .....	750,000
Southern Insect Mgmt. (SCA with NCPA), Stoneville, MS .....	75,000
Sunflower Research, Fargo, ND .....	200,000
Sustainable Vineyard Practices Position, Davis, CA .....	250,000
Temperate Fruit Flies, Yakima, WA .....	250,000
U.S. Plant Stress & Water Conservation Lab, Lubbock, TX .....	750,000
U.S. Pacific Basin Agricultural Research Center, Hilo, HI .....	500,000
Viticulture, Univ. of Idaho—Pharma Research and Ext Center, ID .....	450,000
Watershed Research, Columbia, MO .....	325,000
Subtotal .....	22,308,000
FY 2000 Total .....	834,322,000

<sup>1</sup> Items moved from other USDA accounts.

The conference agreement continues the fiscal year 1999 level of funding for all research projects proposed to be terminated in the President's budget. The conference agreement provides no funding for contingencies.

The conference agreement continues the fiscal year 1999 level of funding for cooperative research conducted at the Rodale Institute, PA, with the ARS Soil-Microbial Systems Laboratory.

The conferees are aware that USDA is considering the relocation of ARS scientists from the Shafter Cotton Research Station, CA. The conferees are concerned that this relocation will reduce the level of resources for cotton research conducted at the station. The conference agreement provides continued funding at the fiscal year 1999 level for this research and directs that no action be taken to shift funds or staffing resources from Shafter without the prior approval of the House and Senate Committees on Appropriations.

The conferees recognize that fruit flies are an impediment to agricultural production in Hawaii and other states and encourage the ARS to consider demonstrating in Hawaii the efficacy of area-wide pest management strategies for fruit flies.

Included in the additional funds recommended for food safety research is an increase of \$600,000 for research on listeriosis, sheep scrapie, ovine progressive pneumonia virus, and other emerging diseases. These funds are to be utilized by the USDA-ARS Animal Disease Research Unit in Pullman, WA, in part for collaborative research on sheep scrapie and ovine progressive pneumonia virus with the USDA-ARS Sheep Experiment Station in Dubois, ID.

#### BUILDINGS AND FACILITIES

The conference agreement provides \$52,500,000 for Agricultural Research Service, Buildings and Facilities instead of no funds as proposed by the House and \$53,000,000 as proposed by the Senate.

The following table reflects the conference agreement:

Arizona: Water Conservation and Western Cotton Laboratory, Maricopa .....	\$1,400,000
California: .....	
Western Human Nutrition Research Center, Davis .....	9,000,000
Western Regional Research Center, Albany .....	2,600,000
District of Columbia: National Arboretum .....	500,000
Hawaii: U.S. Pacific Basin Agricultural Research Center .....	4,500,000
Illinois: .....	
National Center for Agricultural Utilization Research, Peoria ..	1,800,000
USDA Greenhouse complex, Urbana .....	400,000
Iowa: National Animal Disease Center, Ames .....	3,000,000
Kansas: U.S. Grain Marketing Research Laboratory, Manhattan ....	100,000
Louisiana: Southern Regional Research Center, New Orleans .....	5,500,000
Maryland: Beltsville Agricultural Research Center, Beltsville .....	13,000,000
Mississippi: Biocontrol and Insect Rearing Laboratory, Stoneville ...	2,000,000
Montana: Fort Keogh Laboratory, Miles City .....	530,000
New York: Plum Island Animal Disease Center, Greenport .....	3,500,000
Pennsylvania: Eastern Regional Research Center, Philadelphia .....	4,400,000
Utah: Poisonous Plant Laboratory, Logan .....	270,000
Total .....	52,500,000

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION  
SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides \$485,698,000 for research and education activities instead of \$467,327,000 as proposed by the House and \$473,377,000 as proposed by the Senate.

The Cooperative Extension System is playing a critical role in providing risk management training and other targeted program services to farm and ranch families struggling with the current farm crisis. The conferees encourage the Secretary to provide additional funding to the extension system to carry out these programs subject to the reprogramming requirements of this Act.

The following table reflects the conference agreement:

*Research and Education Activities*

[In thousands of dollars]

Payments Under Hatch Act .....	<i>Conference agreement</i> 180,545
Cooperative forestry research (McIntire-Stennis) .....	21,932
Payments to 1890 colleges and Tuskegee .....	30,676
Special Research Grants (P.L. 89-106): .....	
Advanced spatial technologies (MS) .....	1,000
Aegilops cylindricum (jointed goatgrass) (WA) .....	360
Aflatoxin (IL) .....	130
Agriculture-based industrial lubricants (IA) .....	250
Agricultural diversification (HI) .....	131
Agricultural diversity/Red River Trade Corridor (MN/ND) .....	250
Agriculture Telecommunications (NY) .....	500
Agriculture water usage (GA) .....	300
Alliance for food protection (NE, GA) .....	300
Alternative crops (ND) .....	550
Alternative crops for arid lands (TX) .....	100
Alternative salmon products (AK) .....	650
Animal science food safety consortium (AR, IA, KS) .....	1,521
Apple fire blight (NY, MI) .....	500
Aquaculture (LA) .....	330
Aquaculture (MS) .....	592
Aquaculture (NC) .....	300



	<i>Conference agreement</i>
Aquaculture (VA) .....	100
Aquaculture product and marketing development (WV) .....	750
Babcock Institute (WI) .....	600
Biodiesel research (MO) .....	152
Blocking anhydrous methamphetamine production (IA) .....	250
Bovine tuberculosis (MI) .....	200
Brucellosis vaccines (MT) .....	500
Center for animal health and productivity (PA) .....	113
Center for rural studies (VT) .....	200
Chesapeake Bay agroecology (MD) .....	150
Chesapeake Bay aquaculture .....	385
Citrus tristeza .....	700
Coastal cultivars (GA) .....	200
Competitiveness of agricultural products (WA) .....	680
Cool season legume research (ID, WA) .....	329
Cranberry/blueberry (MA) .....	150
Cranberry/blueberry disease and breeding (NJ) .....	220
Dairy and meat goat research (TX) .....	63
Delta rural revitalization (MS) .....	148
Designing foods for health (TX) .....	375
Diaprepes/Root Weevil (FL) .....	350
Drought mitigation (NE) .....	200
Ecosystems (AL) .....	500
Environmental research (NY) .....	400
Environmental risk factors/cancer (NY) .....	200
Environmentally-safe products (VT) .....	200
Expanded wheat pasture (OK) .....	285
Farm and rural business finance (IL) .....	87
Feed Barley for rangeland cattle (MT) .....	750
Floriculture (HI) .....	250
Food and Agriculture Policy Institute (IA, MO) .....	900
Food irradiation (IA) .....	200
Food marketing policy center (CT) .....	400
Food processing center (NE) .....	42
Food quality (AK) .....	350
Food safety (AL) .....	525
Food systems research group (WI) .....	500
Forages for advancing livestock production (KY) .....	250
Forestry (AR) .....	523
Fruit and vegetable market analysis (AZ, MO) .....	320
Generic commodity promotion research and evaluation (NY) .....	198
Global change .....	1,000
Global marketing support service (AR) .....	127
Grain Sorghum (KS) .....	106
Grass seed cropping systems for a sustainable agriculture (WA, OR, ID) .....	423
Human nutrition (IA) .....	473
Human nutrition (LA) .....	752
Human nutrition (NY) .....	622
Hydroponic tomato production/germplasm development in forage grasses (OH) .....	200
Illinois-Missouri Alliance for Biotechnology .....	1,184
Improved dairy management practices (PA) .....	296
Improved early detection of crop diseases (NC) .....	200
Improved fruit practices (MI) .....	445
Infectious disease research (CO) .....	300
Institute for Food Science and Engineering (AR) .....	1,250
Integrated production systems (OK) .....	180
International agricultural market structures and institutions (KY) ...	250
International arid lands consortium .....	400
Iowa biotechnology consortium .....	1,564
Livestock and dairy policy (NY, TX) .....	475
Lowbush blueberry research (ME) .....	220
Maple research (VT) .....	100
Meadowfoam (OR) .....	300
Michigan biotechnology consortium .....	675

	<i>Conference agreement</i>
Midwest advanced food manufacturing alliance .....	423
Midwest agricultural products (IA) .....	592
Milk safety (PA) .....	350
Minor use animal drugs .....	550
Molluscan shellfish (OR) .....	400
Multi-commodity research (OR) .....	364
Multi-cropping strategies for aquaculture (HI) .....	127
National biological impact assessment .....	254
Menatode resistance genetic engineering (NM) .....	127
Nevada arid rangelands initiative (NV) .....	300
New crop opportunities (AK) .....	500
New crop opportunities (KY) .....	700
Non-food uses of agricultural products (NE) .....	64
Oil resources from desert plants (NM) .....	175
Organic waste utilization (NM) .....	100
Pasture and forage research (UT) .....	225
Peach tree short life (SC) .....	162
Peanut allergy reduction (AL) .....	500
Pest control alternatives (SC) .....	106
Phytophthora root rot (NM) .....	127
Plant, drought, and disease resistance gene cataloging (NM) .....	250
Potato research .....	1,350
Precision agriculture (KY) .....	1,000
Preharvest food safety (KS) .....	212
Preservation and processing research (OK) .....	226
Rangeland ecosystems (NM) .....	200
Red snapper research (AL) .....	600
Regional barley gene mapping project .....	500
Regionalized implications of farm programs (MO), (TX) .....	294
Rice modeling (AR) .....	296
Rural Development Centers (PA, IA, ND, MS, OR, LA) .....	523
Rural policies institute (NE, MO) .....	644
Russian wheat aphid (CO) .....	200
Seafood harvesting, processing and marketing (AK) .....	650
Seafood and aquaculture harvesting, processing, and marketing (MS) .....	305
Seafood safety (MA) .....	300
Small fruit research (OR, WA, ID) .....	300
Southwest consortium for plant genetics and water resources .....	338
Soybean cyst nematode (MO) .....	500
STEEP III—water quality in Pacific Northwest .....	500
Sustainable agriculture (CA) .....	300
Sustainable agriculture (MI) .....	445
Sustainable agriculture and natural resources (PA) .....	100
Sustainable agriculture systems (NE) .....	59
Sustainable beef supply (MT) .....	750
Sustainable pest management for dryland wheat (MT) .....	500
Swine waste management (NC) .....	500
Tillage, silviculture, waste management (LA) .....	212
Tomato wilt virus (GA) .....	200
Tropical and subtropical research .....	2,724
Tropical aquaculture (FL) .....	200
Turkey carnavirus (IN) .....	200
Urban pests (GA) .....	64
Vidalia onions (GA) .....	100
Viticulture consortium (NY, CA) .....	1,100
Water conservation (KS) .....	79
Weed control (ND) .....	423
Wetland plants (LA) .....	600
Wheat genetic research (KS) .....	261
Wood utilization research (OR, MS, NC, MN, ME, MI, ID, TN, AK) .....	5,786
Wool research (TX, MT, WY) .....	300
Total, Special Research Grants .....	<u>63,238</u>
Improved pest control:	
Emerging pest/critical issues .....	200

	<i>Conference agreement</i>
Expert IPM decision support system .....	177
Integrated pest management .....	2,731
Minor crop pest management (IR-4) .....	8,990
Pest management alternatives .....	1,623
	<hr/>
Total, Improved pest control .....	13,721
	<hr/>
Competitive research grants:	
Animals .....	29,000
Markets, trade and development .....	4,600
Nutrition, food safety and health .....	16,000
Natural resources and the environment .....	20,500
Plants .....	41,000
Processes and new products .....	8,200
	<hr/>
Total, Competitive research grants .....	119,300
	<hr/>
Animal Health and Disease (Sec. 1433) .....	5,109
Alternative Crops .....	750
Critical Agricultural Materials Act .....	650
1994 Institutions research program .....	500
Graduate fellowship grants .....	3,000
Institution challenge grants .....	4,350
Multicultural scholars program .....	1,000
Hispanic education partnership grants .....	2,850
Secondary agriculture education .....	500
Aquaculture Centers (Sec. 1475) .....	4,000
Sustainable agriculture .....	8,000
Capacity building grants (1890 institutions) .....	9,200
Payments to the 1994 Institutions .....	1,552
	<hr/>
Federal Administration:	
Agriculture development in the American Pacific .....	564
Agriculture waste utilization (WV) .....	500
Alternative fuels characterization laboratory (ND) .....	218
Animal waste management (OK) .....	250
Biotechnology research (MS) .....	500
Center for Agricultural and Rural Development (IA) .....	355
Center for innovative food technology (OH) .....	381
Center for North American Studies (TX) .....	87
Climate change research (FL) .....	200
Cotton research (TX) .....	200
Data information system .....	2,000
Geographic information system .....	1,000
Livestock Marketing Information Center (CO) .....	200
Mariculture (NC) .....	250
Mississippi Valley State University .....	583
National Center for Peanut Competitiveness .....	300
Office of extramural programs .....	310
Pay costs and FERS .....	1,100
Peer panels .....	350
PM-10 study, (CA, WA) .....	873
Precision agriculture (AL, TN) .....	500
Shrimp aquaculture (AZ, HI, MS, MA, SC) .....	3,354
Water quality (IL) .....	350
Water quality (ND) .....	400
	<hr/>
Total, Federal Administration .....	14,825
	<hr/>
Total, Research and Education Activities .....	485,698

The conferees direct that funding provided for the hydroponic tomato production/germplasm development in forage grasses special grant will be divided equally, with \$100,000 for hydroponic tomato production at Ohio State University and \$100,000 for

germplasm development in forage grasses at the University of Toledo.

The conference agreement includes \$5,786,000 for wood utilization research, of which \$650,000 is for the establishment of a new center in Alaska. The remainder is to maintain each of the existing centers at its fiscal year 1999 funding level.

The conference agreement includes \$750,000 for alternative crops, of which \$550,000 is for canola and \$200,000 is for hesperaloe.

The conferees do not concur with language included in the Senate report that Challenge Grants program funds be used to support the Food and Agricultural Education Information System (FAEIS). Section 223 of the Agricultural Research, Extension, and Education Reform Act of 1998 makes amounts available under Section 1417 of the National Agricultural Research, Extension, and Teaching Policy Act available to maintain an agricultural education information system.

The conferees expect that the deadline for proposals for funding under the Secondary Agriculture Education program will be no later than in the Spring of 2000.

#### EXTENSION ACTIVITIES

The conference agreement provides \$424,922,000 for extension activities instead of \$438,987,000 as proposed by the House and \$422,620,000 as proposed by the Senate.

The following table reflects the conference agreement:

<i>Extension Activities</i>	
[In thousands of dollars]	
	<i>Conference agreement</i>
Smith-Lever 3(b) and 3(c) .....	\$276,548
Smith-Lever 3(d):	
Farm safety .....	4,000
Food and nutrition education (EFNEP) .....	58,695
Indian reservation agents .....	1,714
Pest management .....	10,783
Rural development centers .....	908
Sustainable agriculture .....	3,309
Youth at risk .....	9,000
1890 Colleges and Tuskegee .....	26,843
1890 facilities grants .....	12,000
Renewable Resources Extension Act .....	3,192
Rural health and safety education .....	2,628
Extension services at the 1994 institutions .....	3,060
Subtotal .....	412,680
Federal Administration and special grants:	
Ag in the classroom .....	208
Beef producers' improvement (AR) .....	197
Botanic gardens initiative (IL) .....	125
Conservation technology transfer (WI) .....	200
Delta teachers academy .....	3,500
Diabetes detection, prevention (WA) .....	550
Extension specialist (MS) .....	100
General administration .....	4,787
Income enhancement demonstration (OH) .....	246
Integrated cow/calf resources management (IA) .....	250
National Center for Agriculture Safety (IA) .....	195
Pilot tech. transfer (OK, MS) .....	326
Pilot tech. transfer (WI) .....	163

	<i>Conference agreement</i>
Range improvement (NM) .....	197
Rural development (AK) .....	325
Rural development (NM) .....	280
Rural development (OK) .....	150
Rural rehabilitation (GA) .....	246
Wood biomass as an alternative farm product (NY) .....	197
Total, Federal Administration .....	<u>12,242</u>
Total, Extension Activities .....	424,922

Of the funds made available for farm safety, the conference agreement includes \$3,055,000 for the AgrAbility project.

The conferees expect a 4-H after-school program to be administered by the Los Angeles County Cooperative Extension Office of the University of California to be considered for funding from the funds made available to California under Smith-Lever 3(b) and (c).

#### INTEGRATED ACTIVITIES

The conference agreement provides \$39,541,000 for integrated activities instead of no funds as proposed by the House and \$35,541,000 as proposed by the Senate.

Within the funds made available for water quality, the conferees expect that no less than the fiscal year 1999 levels of funding will be provided for the Farm\*A\*Syst program, and the Agricultural Systems for Environmental Quality and the Management Systems Evaluation programs.

The following table reflects the conference agreement:

#### *Integrated Activities*

[In thousands of dollars]

	<i>Conference agreement</i>
Water quality .....	\$13,000
Food safety .....	15,000
Pesticide impact assessment .....	4,541
Crops at risk from FQPA implementation .....	1,000
FQPA risk mitigation program for major food crop systems .....	4,000
Methyl bromide transition program .....	2,000
Total, Integrated Activities .....	<u>39,541</u>

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

##### SALARIES AND EXPENSES

The conference agreement provides \$441,263,000 for the Animal and Plant Health Inspection Service (APHIS) instead of \$444,000,000 as proposed by the House and \$439,445,000 as proposed by the Senate.

The following table reflects the confence agreement:

[In thousands of dollars]

	<i>Conference agreement</i>
Pest and disease exclusion:	
Agricultural quarantine inspection .....	\$34,576
User fees .....	87,000
Subtotal, Agricultural quarantine inspection .....	<u>121,576</u>

	<i>Conference agreement</i>
Cattle ticks .....	5,000
Foot-and-mouth disease .....	3,803
Import-export inspection .....	6,815
International programs .....	7,539
Fruit fly exclusion and detection .....	25,204
Screwworm .....	30,301
Tropical bont tick .....	407
Total, Pest and disease exclusion .....	<u>200,645</u>
Plant and animal health monitoring:	
Animal health monitoring and surveillance .....	66,000
Animal and plant health regulatory enforcement .....	5,855
National animal health emergency management system .....	627
Pest detection .....	6,685
Total, Plant and animal health monitoring .....	<u>79,167</u>
Pest and disease management programs:	
Aquaculture .....	767
Biocontrol .....	8,160
Boll weevil .....	17,757
Brucellosis eradication .....	10,887
Golden nematode .....	580
Gypsy moth .....	4,366
Imported fire ant .....	100
Emerging plant pests .....	3,510
Noxious weeds .....	424
Pink bollworm .....	1,548
Pseudorabies .....	4,567
Scrapie .....	2,991
Tuberculosis .....	4,920
Wildlife services—operations .....	31,672
Witchweed .....	1,506
Total, Pest and disease management programs .....	<u>93,755</u>
Animal care:	
Animal welfare .....	10,175
Horse protection .....	361
Total, Animal care .....	<u>10,536</u>
Scientific and technical services:	
Biotechnology/environmental protection .....	8,530
Integrated systems acquisition project .....	3,500
Plant methods development laboratories .....	4,693
Veterinary biologics .....	10,345
Veterinary diagnostics .....	15,622
Wildlife services—methods development .....	10,365
Total, Scientific and technical services .....	<u>53,055</u>
Contingency fund .....	<u>4,105</u>
Total, Salaries and expenses .....	441,263

The conferees are aware of the spread of Pierce's disease to many California crops resulting from the presence of the Glassy-winged Sharpshooter and accordingly encourage APHIS to work with the proper California agencies to help control these infestations and to draw upon the contingency fund as appropriate.

The conference agreement does not include an earmark of \$6,000,000 for the State of Florida for fruit fly exclusion and detection as proposed by the Senate.

The conference agreement adopts House language providing \$500,000 for research and evaluation of nicarbizin as a means of controlling avian populations for airport safety.

The conference agreement provides \$100,000 for control, management and eradication of the imported fire ant of which, \$58,000 is for use in New Mexico.

The conference report provides \$767,000 for aquaculture of which \$100,000 is to support a wildlife biologist at the Northwest Florida Aquaculture Farm in Blountstown, FL to serve parts of Florida, Alabama and Georgia.

The conference agreement directs that the additional funding of \$100,000 above the fiscal year 1999 level in aquaculture for bird depredation is provided for work on telemetry studies conducted at the Wildlife Services offices in Starkville, MS.

The conference agreement adopts Senate language noting that the increase in the boll weevil eradication program over fiscal year 1999 is to increase the federal cost share. The conference agreement also adopts Senate language urging continuation of the development of the geographic information system so that economic and entomological efficiency of the boll weevil program can continue to improve and reduce overall program costs.

The conference agreement adopts Senate language assuming the decrease in the proposed budget for brucellosis eradication, but providing an increase of \$750,000 for the State of Montana to protect the state's brucellosis-free status, the operation of the bison quarantine facility, and testing of bison that have left Yellowstone National Park. The conference agreement also provides an increase of \$610,000 for the Greater Yellowstone Interagency Brucellosis Committee and encourages the coordination of federal, state and private actions aimed at eliminating brucellosis in the greater Yellowstone area.

The conference agreement adopts Senate language providing an increase of \$136,000 above the fiscal year 1999 level for a total of \$376,000 for the National Poultry Improvement Plan.

The conference agreement adopts House language that expects the Secretary to instruct APHIS to utilize all available resources to provide financial assistance, in addition to direct appropriations and grower assessments, to operate the pink bollworm program in fiscal year 2000.

The conference agreement adopts Senate language providing funding for the Commercial Transportation of Equines for Slaughter Act at the fiscal year 1999 level.

The conference agreement provides no funding for the contagious equine metritis program as proposed by the Senate.

The conference agreement adopts Senate language continuing the demonstration project on kudzu at the fiscal year 1999 level. The conferees encourage APHIS to continue working with the State of Texas regarding *orobanche ramosa* at the fiscal year 1999 level.

The conference agreement does not provide the requested increases in support of the Presidential Order on Invasive Alien Species as proposed by the Senate. The House report provided full funding for this activity.

The conference report provides an increase of \$137,000 above the fiscal year 1999 level for the National Monitoring and Residue

Analysis Laboratory in Gulfport, MS instead of \$1,137,000 as proposed by the Senate. The House provided no funding for this activity. The conferees encourage APHIS to work with the laboratory in securing timely payments for contract work done for USDA agencies.

The conference agreement includes an increase of \$3,928,000 for additional inspectors which will provide 23 staff years at the Canadian border, 15 staff years at the Mexican border, and 12 staff years at the Hawaiian border.

The conferees are concerned about the serious damage to rangeland and cropland by grasshoppers and Mormon crickets in the western United States. Additional line item monies are not available for this activity, therefore, the conferees direct the agency to use contingency funds along with available Commodity Credit Corporation funds to assist the farmers and ranchers in the western states to control the growing population of grasshoppers and Mormon crickets.

The conference agreement does not include an increase of \$2,000,000 above the fiscal year 1999 for the enforcement of the Animal Welfare Act as proposed in the Senate.

The conferees note that the agency has published regulations implementing the Animal Welfare Act which bans tethering of dogs, a practice common in Alaska and other locations that use sled dogs for transportation. A recent study conducted at Cornell University suggests that there is no significant difference in terms of aggressiveness, stressful behavior, socialization, or animal health between tethering dogs and keeping dogs in fenced, outdoor kennels under USDA/APHIS-approved conditions. In light of this new information, the conferees direct the agency to reevaluate its regulations on tethering and report to the Committees on Appropriations its conclusions no later than March 1, 2000.

The conferees urge the Secretary to consider requests from the Senate of Florida for Commodity Credit Corporation (CCC) funds for canopy replacement for trees destroyed in canker-affected areas, for release of the sterile Mediterranean fruit fly, and for increased fruit fly trappings.

The conferees support the Department's continuation of the screwworm program to assure the pest does not reestablish itself in the United States and commends the efforts of the Department in assuring the lease of a production plant in Panama to maintain a biological barrier to the screwworm fly.

The conferees expect APHIS not to redirect support for programs and activities without prior notification to and approval of the Committees on Appropriations in accordance with reprogramming procedures specified in the Act. The conferees also require that APHIS implement appropriations by programs, projects, commodities and activities as specified by the Committees unless otherwise notified. The conferees direct that unspecified reductions necessary to carry out provisions of this Act are to be implemented in accordance with the definitions contained in the "Program, project, and activity" section of the Senate report.



## BUILDINGS AND FACILITIES

The conference agreement provides \$5,200,000 for buildings and facilities as proposed by the Senate instead of \$7,200,000 as proposed by the House.

## AGRICULTURAL MARKETING SERVICE

## MARKETING SERVICES

The conference agreement provides \$51,625,000 for the Agricultural Marketing Service instead of \$49,152,000 as proposed by the House and \$51,229,000 as proposed by the Senate. The conference agreement includes \$321,000 for enhancing market opportunities for small farmers, and an additional \$2,398,000 for the pesticide data program.

The conferees understand that the AMS plans to publish revised draft regulations implementing the National Organic Foods Production Act. The conferees further understand that AMS has agreed to convene two national meetings to begin development of organic standards with respect to seafood, one to be held in Alaska and one on the Gulf Coast. The conferees expect the agency to use the information gathered at these meetings to develop draft regulations establishing national organic standards for seafood to be published in fiscal year 2000. An additional \$75,000 has been provided to organize these meetings, associated costs, and develop the draft seafood regulations.

The conferees direct the AMS, with the assistance of the Economic Research Service and other appropriate USDA agencies, to develop a study measuring the extent slotting fees charged by retail supermarkets to shelve products impact the ability of small and medium-sized producers to reach retail markets and consumers. The AMS is to report to the House and Senate Appropriations Committees prior to the fiscal year 2001 hearings on the design, scope and objectives of this study together with a schedule for its completion.

## GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

## SALARIES AND EXPENSES

The conference agreement provides \$26,448,000 for the Grain Inspection, Packers and Stockyards Administration as proposed by the House instead of \$26,287,000 as proposed by the Senate.

## FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides \$649,411,000 for the Food Safety and Inspection Service instead of \$652,955,000 as proposed by the House and \$638,404,000 as proposed by the Senate.

Of the amount provided, no less than \$544,902,000 is reserved for Federal food inspection. Included in this amount is \$8,000,000 above the budget request for filling inspector vacancies and recruiting new inspectors, and \$3,007,000, the same amount requested in the budget, for hiring new inspectors. The conferees note that despite being provided with its full budget request for fiscal year 1999, the agency has failed to devote sufficient funds for inspection

activities. This has led to inspector shortages in certain parts of the country, creating an unnecessary hardship for the affected plants.

The conference agreement includes \$2,900,000 above the fiscal year 1999 level for the FSIS portion of the Food Safety Initiative, the full amount requested in the budget. The agreement does not provide funds requested for Consumer Safety Officers. The conferees are concerned about the substantial funding increase required to convert and relocate current employees to these upgraded positions. The conferees expect the agency to evaluate its staffing needs and to determine if relocation costs can be avoided by utilizing qualified local personnel and if these positions may be upgraded in a more cost effective manner, and report its findings to the Committees on Appropriations of the House and Senate no later than February 15, 2000.

The conferees expect the agency to provide the Committees on Appropriations of the House and Senate with an analysis of its staffing needs and recruitment program no later than February 15, 2000. If third-party consultants are necessary in order to fully evaluate recruitment, the agency should utilize such services. The conferees expect the agency to provide quarterly updates on budget execution, staffing levels and staffing needs in an effort to avoid future inspector shortages.

#### FARM SERVICE AGENCY

##### STATE MEDIATION GRANTS

The conference agreement provides \$3,000,000 for state mediation grants instead of \$4,000,000 as proposed by the House and \$2,000,000 as proposed by the Senate.

##### AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Operating Loans:	
Guaranteed subsidized .....	(\$200,000,000)
Subsidy .....	17,620,000
Emergency disaster loans .....	(25,000,000)
Subsidy .....	3,882,000

The conference agreement provides for emergency loans an estimated program level of \$25,000,000 and a subsidy of \$3,882,000 as proposed by the Senate instead of \$53,000,000 and \$8,231,000 as proposed by the House. The conferees agree that should additional funds be needed to meet the needs of farmers and ranchers affected by natural disasters, they will favorably consider requests of the Administration to provide supplemental funding for this program.

#### RISK MANAGEMENT AGENCY

The conference agreement provides \$64,000,000 for the Risk Management Agency as proposed by the Senate instead of \$70,716,000 as proposed by the House.

## CORPORATIONS

## COMMODITY CREDIT CORPORATION FUND

## REIMBURSEMENT FOR NET REALIZED LOSSES

The conference agreement provides such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses as proposed by the Senate instead of a limitation of \$14,368,000,000 as proposed by the House.

## TITLE II—CONSERVATION PROGRAMS

## NATURAL RESOURCES CONSERVATION SERVICE

## CONSERVATION OPERATIONS

The conference agreement provides \$661,243,000 for the Natural Resources Conservation Service Conservation Operations instead of \$654,243,000 as proposed by the House and \$656,243,000 as proposed by the Senate. Included in this amount is not less than \$5,990,000 for snow survey and water forecasting as proposed by the Senate instead of \$6,124,000 as proposed by the House, and not less than \$9,125,000 for operation and establishment of plant materials centers as proposed by the Senate instead of \$9,238,000 as proposed by the House.

The conference agreement does not include bill language as proposed by the House which prohibits conservation operations appropriations from being used for demonstration programs.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, funding is included for the following items: \$1,000,000 for the Resurrection River North Forest Acres instead of \$1,250,000 proposed by the Senate; \$150,000 for native plants to clean up the Island of Kahoolawe instead of \$200,000 as proposed by the Senate; \$150,000 to test emerging alternative technology to reduce phosphorus loading into Lake Champlain instead of \$300,000 as proposed by the Senate; \$17,000,000 for the Grazing Lands Conservation Initiative instead of \$15,000,000 as proposed by the House and the Senate; \$3,000,000 for the National Fish and wildlife Foundation Partnerships instead of \$5,000,000 proposed by the Senate; \$7,870,000 for Animal Feeding Operation instead of \$5,000,000 as proposed by the Senate; and \$80,000 for the Tri-Valley Watershed in Utah instead of \$500,000 as proposed by the Senate.

The conferees direct the NRCS to provide financial assistance to the Salinas Valley Water Project in Monterey County, California.

The conference agreement includes bill language that directs the Chief of the Natural Resources Conservation Service to settle claims associated with the Chuquatonchee Water Project in Mississippi.

## WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement includes a provision that of the funds available for Emergency Watershed Protection activities \$8,000,000 shall be available for Mississippi, Wisconsin, New Mex-

ico, and Ohio for financial and technical assistance for pilot rehabilitation projects.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, the following items are included: the conferees direct the NRCS to provide financial assistance to the Freeman Lake Dam in Kentucky and the Tri-Valley Watershed project in Utah.

The conferees direct that the amount of Federal funds that may be made available to an eligible local organization for construction of a particular rehabilitation project shall be equal to 65 percent of the total rehabilitation costs, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation. Consistent with existing statute, rehabilitation assistance provided, may not be used to perform operation and maintenance activities specified in the agreement for the covered water resource projects entered into between the Secretary and the eligible local organization responsible for the works of improvement.

The conferees are aware of continued flooding in the Malheur-Harney Lakes Basin in Oregon, and note that the lake has risen nearly five feet during the past two years. The conferees encourage the agency, with the cooperation of the Farm Service Agency, to assist in the locally coordinated flood response and water management activities being developed in addition to providing assistance through any flood compensation programs. NRCS and FSA should continue to utilize conservation programs in providing water holding and storage areas on private land as necessary intermediate measures in watershed management.

#### RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides \$35,265,000 for the Resource Conservation and Development program as proposed by the House instead of \$35,000,000 as proposed by the Senate.

#### FORESTRY INCENTIVES PROGRAM

The conference agreement provides \$6,325,000 for the Forestry Incentives program as proposed by the Senate. The House bill provided no funds for this account.

### TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

#### OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conferees note extensive backlogs of applicants for rural development programs and direct the Department to use rural development resources only on programs that directly benefit applicants for these programs.

The House and Senate reports recommend projects for consideration under various rural development programs, and the conferees expect the Department to apply established review procedures when considering applications.

The conferees further expect the Department to give consideration to the following request for assistance from rural development programs: construction necessary for the withdrawal, treat-

ment and transmission of water from the Ouachita River to supplement the water supply needs of Union County, AR; the Kettering Medical Center healthy hearts program in medically underserved areas of southwestern Ohio; the Western Massachusetts food processing center; rural utilities projects for the town of Lloyd, NY; a rural business enterprise grant for the Delta Training Center, Indianola, MS; a rural cooperative development grant for the conversion of the Chickasha Cotton Gin, GA, to a cooperative canola seed crushing plant; a community facilities loan and/or grant to address the serious housing shortage for the teachers at Mississippi Valley State University; a rural business enterprise grant for the Impact Seven Project in Almena, WI; the Rural Sanitation Training Initiative (AK) for wastewater technical assistance grants: a request from the California Human Development Corporation, Northern County Region, to expand existing housing for migrant farm Workers in Napa County; funds to assist construction of the Napa Valley Vinters Health Center project to house non-profit medical organizations serving the low-income farm population in Napa County; and a rural business enterprise grant for the Pembroke Farming Cooperative, Kankakee County, IL.

The conferees are aware of the stress of the salt and fresh water resources caused by the growing population along the Mississippi Gulf Coast and direct the Department to utilize its discretionary authority to give high priority applications from that region for water and sewer loans and grants.

The conferees are concerned with the recent economic and infrastructure losses in Grant and Hidalgo Counties, New Mexico. Accordingly, the conferees direct the Secretary to employ the resources of the Department, particularly Rural Development, to provide such assistance as necessary to Grant and Hidalgo Counties, New Mexico.

RURAL DEVELOPMENT

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides \$718,837,000 for the Rural Community Advancement Program (RCAP) instead of \$718,006,000 as proposed by the Senate and \$669,103,000 as proposed by the House.

The following table reflects the conference agreement:

<i>RCAP Accounts</i>	
Water/Sewer .....	\$631,088,000
Community/Facilities .....	23,150,000
Business-Cooperative Development .....	6,599,000
	718,837,000
Earmarks:	
Tech. Asst. (water/sewer) .....	16,215,000
Circuit Rider .....	7,300,000
Native Americans .....	12,000,000
Rural Community Development Initiative .....	6,000,000

The conference agreement does not provide the requested set asides for hazardous weather early warning systems and partnership technical assistance grants. The conferees direct the Depart-

ment to consider applications for these activities and make grants from the appropriate RCAP accounts.

The conference does not provide authority for state rural development directors to transfer funds among accounts.

The conference agreement provides \$6,000,000 for the Rural Community Development Initiative as proposed by the House.

The conference agreement includes a set aside of \$45,245,000 for empowerment zones, enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

The conferees direct that \$1,000,000 of the funds appropriated to the Rural Community Advancement Program be designated for an agri-tourism program.

The conference agreement includes special grant funding for water and waste disposal assistance under the RCAP for Federally recognized Native American Tribes. This provision is intended to help overcome a problem in extremely impoverished areas where communities may not otherwise be eligible for RCAP water and waste disposal assistance programs due to an inability to meet loan repayment requirements. The conferees note that many Native American Tribes are able to meet the more stringent requirements of the normal RCAP programs and they are expected to apply for assistance from funds other than those specifically provided by this special provision.

The conference agreement provides \$3,500,000 for the Rural Business Opportunity Grant (RBOG) program. The conferees direct the Department to use its transfer authority under the RCAP to add additional funds for the RBOG program as needed. The conferees direct the Department to use RBOG funds for regional economic plan activities on behalf of local governments and their designees. Of the funds provided for the RBOG program, the conferees direct the Department to use \$1,000,000 for communities designated by the Secretary of Agriculture as Rural Economic Area Partnerships.

The conferees are aware of the acute need for resources to link rural education and medical facilities in upstate New York with urban centers, and are concerned that no applications from this area were funded in fiscal year 1999. The conferees are also concerned that special consideration was not given to applications from Rural Economic Area Partnership (REAP) communities nationwide. The conferees urge the Department to give consideration to applications from upstate New York and REAP communities nationwide in fiscal year 2000.

## RURAL HOUSING SERVICE

### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy \$181,560,000 (providing for an estimated loan program level of \$4,589,737,000) for activities under the Rural Housing Insurance Fund Program Account instead of \$204,083,000 (providing for an estimated loan program level of \$4,832,687,000) as proposed by the House and \$182,185,000 (providing for an estimated program level of \$4,594,694,000) as proposed by the Senate.

The conference agreement includes a set aside of \$11,180,000 for empowerment zones, enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

The following table reflects the conference agreement:

Rural Housing Insurance Fund Program Account:	
Loan authorizations:	
Single family (sec. 502) .....	(1,100,000,000)
Unsubsidized guaranteed .....	(3,200,000,000)
Housing repair (sec. 504) .....	(32,396,000)
Farm labor (sec. 514) .....	(25,001,000)
Rental housing (sec. 515) .....	(114,321,000)
Multi-family housing guarantees (sec. 538) .....	(100,000,000)
Site loans (sec. 524) .....	(5,152,000)
Credit sales of acquired property .....	(7,503,000)
Self-help housing land development fund .....	(5,000,000)
Total, Loan authorizations .....	<u>(4,589,373,000)</u>
Loan subsidies:	
Single family (sec. 502) .....	93,830,000
Unsubsidized guaranteed .....	19,520,000
Housing repair (sec. 504) .....	9,900,000
Multi-family housing guarantees (sec. 538) .....	480,000
Farm labor (sec. 514) .....	11,308,000
Rental housing (sec. 515) .....	45,363,000
Site loans (sec. 524) .....	4,000
Credit sales of acquired property .....	874,000
Self-help housing land development fund .....	281,000
Total, Loan subsidies .....	<u>181,560,000</u>
RHIF administration expenses (transfer to RHS) .....	<u>375,879,000</u>
Total, Rural Housing Insurance Fund .....	197,439,000
(Loan authorization) .....	(4,589,373,000)

The conference agreement adopts House bill language allowing the transfer of up to \$7,000,000 to the “Outreach for Socially Disadvantaged Farmers” program. The Senate bill had no similar provision.

RENTAL ASSISTANCE PROGRAM

The conference agreement provides \$640,000,000 for rental assistance as proposed by the Senate instead of \$583,400,000 as proposed by the House.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides \$28,000,000 for Mutual and Self-Help Housing Grants as proposed by the House instead of \$26,000,000 as proposed by the Senate.

The conference agreement includes a set aside of \$1,000,000 for empowerment zones, enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides \$45,000,000 for Rural Housing Assistance Grants instead of \$50,000,000 as proposed by the House and \$41,000,000 as proposed by the Senate.

The conference agreement includes a set aside of \$1,200,000 for empowerment zones, enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones as proposed by the Senate instead of \$3,250,000 as proposed by the House.

#### SALARIES AND EXPENSES

The conference agreement provides \$61,979,000 for salaries and expenses as proposed by the House instead of \$60,978,000 as proposed by the Senate. The conference agreement also provides for a transfer of \$375,879,000 from the Rural Housing Insurance Fund as proposed by the Senate. The total provided for salaries and expenses of the Rural Housing Service is \$437,858,000 as proposed by the House instead of \$421,763,000 as proposed by the House.

The conference agreement includes a provision that allows the Administrator of the Rural Housing Service to spend not more than \$10,000 for non-monetary awards to non-employees of the Department of Agriculture as proposed by the House. The Senate bill had no similar provision.

#### RURAL BUSINESS-COOPERATIVE SERVICE

##### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$16,615,000 (providing for an estimated loan program level of \$38,256,000) for the Rural Development Loan Fund Program Account as proposed by the Senate instead of \$22,799,000 (providing for an estimated loan program level of \$52,495,000) as proposed by the House.

The conference agreement includes a set aside of \$3,216,000 for loan subsidies for empowerment zones, enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones as proposed by the Senate instead of \$4,343,000 as proposed by the House.

The conference agreement does not adopt Senate bill language requiring the Department of Agriculture to propose a revised regulation on fees charged to lenders on guaranteed business and industry loans. The House bill had no similar provision.

##### RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides a total of \$6,000,000 for rural cooperative development grants as proposed by the House instead of \$5,500,000 as proposed by the Senate. Both House and Senate bills provide \$1,500,000 from the total amount available for cooperative agreements for the appropriate technology transfer for rural areas program. The conference agreement provides \$500,000 for cooperative research agreements instead of \$1,500,000 as proposed by the House. The Senate bill had no similar provision.

The conference agreement adopts Senate bill language providing that at least 25 percent of the total amount appropriated shall be made available to cooperatives or associations of cooperatives that assist small, minority producers.

The conferees direct the Department to consider a proposal from the primary national swine commodity organization rep-



resenting the pork producers to conduct an in-depth feasibility study and economic analysis of forming national pork producer-owned cooperatives.

#### SALARIES AND EXPENSES

The conference agreement provides a direct appropriation of \$24,612,000 for salaries and expenses of the Rural Business-Cooperative Service as proposed by the House instead of \$25,680,000 as proposed by the Senate.

#### ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION CORPORATION REVOLVING FUND

The conference agreement does not provide funding for the Alternative Agricultural Research and Commercialization Corporation Revolving Fund. The Senate bill provided \$3,500,000 for this account.

#### RURAL UTILITIES SERVICE

#### RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$15,132,000 (providing for an estimated loan program level of \$2,611,500,000) for activities under the Rural Electrification and Telecommunications Loans Program Account instead of \$15,132,000 (providing for an estimated loan program level of \$2,411,500,000) as proposed by the House and \$14,679,000 (providing for an estimated program level of \$1,561,500,000) as proposed by the Senate.

The following table reflects the conference agreement:

Rural Electrification and Telecommunications Loans Program Account:

Loan authorizations:	
Direct loans:	
Electric 5% .....	(121,500,000)
Telecommunications 5% .....	(75,000,000)
Subtotal .....	<u>(196,500,000)</u>
Treasury rates: Telecommunications .....	(300,000,000)
Muni-rate: Electric .....	(295,000,000)
FFB loans:	
Electric, regular .....	(1,700,000,000)
Telecommunications .....	(120,000,000)
Subtotal .....	<u>(1,820,000,000)</u>
Total, Loan authorizations .....	<u>(2,611,500,000)</u>
Loan subsidies:	
Direct loans:	
Electric 5% .....	1,095,000
Telecommunications 5% .....	840,000
Subtotal .....	<u>1,935,000</u>
Treasury rates: Telecommunications .....	2,370,000
Muni-rate: Electric .....	10,827,000

FFB loans: Electric, regular .....	
RETLP administrative expenses (transfer to RUS) .....	31,046,000
<hr/>	
Total, Rural Electrification and Telecommunications Loans	
Program Account .....	46,178,000
(Loan authorization) .....	2,611,500,000

The conference report adopts Senate bill language that appropriates separate subsidies for the cost of direct loans, cost of municipal rate loans and cost of money for rural telecommunications loans. The House bill proposed two aggregate subsidy amounts for the cost of rural electric and telecommunications loans.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides a total subsidy of \$3,290,000 (providing for an estimated loan program level of \$175,000,000) for the Rural Telephone Bank Program Account as proposed by the House instead of \$2,961,000 (providing for an estimated loan program level of \$157,509,000) as proposed by the Senate.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides \$20,700,000 for the Distance Learning and Telemedicine Program instead of \$16,700,000 as proposed by the House and \$13,200,000 as proposed by the Senate. The conference agreement also provides that \$20,000,000 of the total amount shall be available for grants under this program instead of \$16,000,000 as proposed by the House and \$12,500,000 as proposed by the Senate. Both House and Senate bills provide a subsidy of \$700,000 from the total amount available, which provides for an estimated loan level of \$200,000,000.

The conferees are aware of the acute need for resources to link rural education and medical facilities in upstate New York with urban centers, and are concerned that no applications from this area were funded in fiscal year 1999. The conferees are also concerned that special consideration was not given to applications from Rural Economic Area Partnership (REAP) communities in the state. The conferees urge the Department to give consideration to applications from upstate New York and REAP communities in fiscal year 2000.

The conferees support continued funding from the Distance Learning and Telemedicine Program for the Community Hospital TeleHealth Consortium demonstration project to improve health services for medically underserved areas in Louisiana and Mississippi.

SALARIES AND EXPENSES

The conference agreement provides a total appropriation of \$68,153,000 for salaries and expenses of the Rural Utilities Service as proposed by the House instead of \$65,982,000 as proposed by the Senate.

## TITLE IV—DOMESTIC FOOD PROGRAMS

## FOOD AND NUTRITION SERVICE

## CHILD NUTRITION PROGRAMS

The conference agreement provides a total of \$9,554,028,000 for Child Nutrition Programs instead of \$9,547,028,000 as proposed by the House and \$9,560,028,000 as proposed by the Senate. Included in this amount is an appropriated amount of \$4,611,829,000; an amount transferred from section 32 of \$4,935,199,000; and \$7,000,000 for the school breakfast pilot project instead of \$13,000,000 as proposed by the Senate and no funds as proposed by the House.

The conference agreement provides the following for Child Nutrition Programs:

Child Nutrition Programs:	
School lunch program .....	\$5,480,010,000
School breakfast program .....	1,421,789,000
Child and adult care food program .....	1,769,766,000
Summer food service program .....	314,946,000
Special milk program .....	17,551,000
State administrative expenses .....	120,104,000
Commodity procurement and support .....	406,499,000
School meals initiative .....	10,000,000
School breakfast pilot .....	7,000,000
Coordinated review effort .....	4,363,000
Food safety education .....	2,000,000
Total .....	\$9,554,028,000

The conference agreement provides \$10,000,000 for the school meals initiative. Included in this amount is \$4,000,000 for food service training grants to states, \$1,600,000 for technical assistance materials, \$800,000 for the National Food Service Management Institute cooperative agreement, \$400,000 for print and electronic food service resource systems, and \$3,200,000 for other activities.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS,  
AND CHILDREN (WIC)

The conference agreement provides \$4,032,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) instead of \$4,005,000,000 as proposed by the House and \$4,038,107,000 as proposed by the Senate.

The conferees clarify that it is not the intent of the final proviso under the WIC heading to preclude WIC from providing immunization screening, referral and assessment services.

The conferees are aware that the Department is considering changes in the food package to the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). One of those proposals involves potential exceptions to the current sugar cap for the WIC food package. The sugar cap is an issue that has been studied many times, always with the same conclusion. The consensus from the studies, nutritionists, State WIC directors, sugar commodity associations and dentists is that no exceptions to the sugar cap should be made. Accordingly, the conferees direct that the Department make no exceptions to the sugar cap.

## FOOD STAMP PROGRAM

The conference agreement provides \$21,071,751,000 for the Food Stamp Program instead of \$21,577,444,000 as proposed by the House and \$21,563,744,000 as proposed by the Senate. Included in this amount is a contingency reserve of \$100,000,000; \$1,268,000,000 for nutrition assistance to Puerto Rico; and \$98,000,000 for TEFAP. The amount includes a downward re-estimate, as reflected in the Mid-Session Review.

## COMMODITY ASSISTANCE PROGRAM

The conference agreement provides \$133,300,000 for the Commodity Assistance Program instead of \$151,000,000 as proposed by the House and \$131,000,000 as proposed by the Senate. Included in the amount is \$45,000,000 for administration of TEFAP. The conferees note that there is a \$7,700,000 carryover from fiscal year 1999 in this account for the Commodity Supplemental Food Program and have adjusted the appropriation accordingly to maintain a \$96,000,000 program level in fiscal year 2000.

The conferees note that there is a pattern of continuing unexpended balances for the Commodity Supplemental Food Program that could be used to respond to requests for new or expanded programs. Mississippi, Montana, Ohio, Texas, and Vermont all are in a position to begin new programs. The conferees expect the Department to work closely with these applicants, and to take such action as may be necessary later in fiscal year 2000 to effectively utilize the dollars available to maximize participation of these states.

## FOOD PROGRAM ADMINISTRATION

The conference agreement provides \$111,561,000 for Food Program Administration as proposed by the Senate instead of \$108,561,000 as proposed by the House. Included in this amount is an increase of \$3,000,000 for program and financial integrity advancement.

## TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

## FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

The conference agreement provides \$113,469,000 for the Foreign Agricultural Service and General Sales Manager instead of \$142,274,000 as proposed by the House and \$140,469,000 as proposed by the Senate.

Included in the total amount provided is a direct appropriation of \$109,203,000 instead of \$137,768,000 as proposed by the House and \$136,203,000 as proposed by the Senate.

The conference agreement adopts a Senate provision which provides for the transfer of \$3,231,000 from the Export Loan Program and \$1,035,000 from the P.L. 480 program account under the P.L. 480 and Export Loan Program accounts instead of \$3,413,000 from the Export Loan Program and \$1,093,000 from the P.L. 480 program account as proposed by the House.

The conference agreement does not include a Senate bill provision prohibiting funds in this account from being used to promote

the sale of alcohol beverages, including wine. The House bill had no similar provision.

The conference agreement does not include a Senate bill provision providing up to \$2,000,000 solely for the purpose of offsetting international exchange rate fluctuations. The House bill had no similar provision. The conferees note that the deletion of this provision does not indicate a judgment on the merits of the request but reflects the fact that the agency has not developed a plan for this activity as requested in the statement of managers accompanying the fiscal years 1998 and 1999 appropriations Act conference report. The conferees expect such a plan to be submitted with the fiscal year 2001 President's Budget.

The conference agreement deletes House report language which expects that no appropriated funds will be used to pay for travel and other expenses of non-U.S. Government employees participating in the Reverse Trade Mission Program. The Senate report had no similar language. The conference agreement does not approve the funding requested in the budget to create this new program.

The conference agreement maintains the fiscal year 1999 level of funding for the Cochran Fellowship Program.

The conferees recognize the potential for beneficial impact for both farmers and recipients from the monetization of commodity sales in international assistance efforts. The conferees direct the Foreign Agricultural Service, with the assistance of the Economic Research Service and other appropriate USDA agencies, to develop a study demonstrating the short and long-term effects of monetization. The FAS is to report to the House and Senate Appropriations Committees prior to the fiscal year 2001 hearings the design, scope and objectives of this study, together with a schedule for its completion.

The conference agreement provides \$500,000 for administrative expenses associated with the management of the Foreign Market Development/Cooperator Program.

#### PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

The following table reflects the conference agreement for Public Law 480 Program Accounts:

Public Law 480 Program and Grant Accounts:

Title I—Credit sales:	
Program level .....	176,000,000
Direct loans .....	155,000,000
Ocean freight differential .....	21,000,000
Title II—Commodities for disposition abroad:	
Program level .....	800,000,000
Appropriation .....	800,000,000
Title III—Commodity grants:	
Program level .....	0
Appropriation .....	0
Loan subsidies .....	127,813,000
Salaries and expenses:	
General Sales Manager (transfer to FAS) .....	1,035,000

Farm Service Agency (transfer to FSA) .....	815,000
Subtotal .....	1,850,000
Total, Public Law 480:	
Program level .....	976,000,000
Appropriation .....	950,663,000

The conference agreement adopts Senate bill language which appropriates funds for P.L. 480 program accounts and ocean freight under one heading. The House bill appropriated funds for these activities under separate headings.

The conferees note that on September 14, 1999, the Department of Agriculture reported that the Title I and Title II programs had considerable unobligated balances to be carried over to fiscal year 2000: for the Title I subsidy, \$98,674,000; for the Title I ocean freight differential, \$8,217,000; and for the Title II program, \$71,076,000. The conferees direct the Department to work with the U.S. Agency for International Development and report to the Committees on Appropriations of the House and Senate by February 15, 2000, on the reasons for these large unobligated balances. The conferees also note that food aid efforts can be further strengthened through use of the Section 416 program as was the case with the \$725,000,000 program for Russia.

The conferees find that abundant agricultural production and low commodity prices in the United States come at a time when developing countries are unable to meet basic nutritional needs due to low production, natural disasters and civil war. The conferees note that authority exists to help stabilize the domestic farm economy and provide food aid donations to places in need such as Kosvo, the Middle East, the newly independent states, sub-Saharan Africa, Southeast Asia, Turkey and Macedonia.

The conferees believe that the following measures should be considered:

Commodities held in the Bill Emerson Humanitarian Trust be increased to the authorized maximum of 400,000 metric tons;

Monetization of commodities be carried out as a development tool;

All existing authorities be used to assure domestic surpluses are available for the needy overseas;

The Department of Agriculture and the U.S. Agency for International Development (USAID) process proposals for food assistance in timely fashion;

USAID increase non-emergency humanitarian food aid wherever possible and allow flexibility to use monetization to address local development needs;

The Department of Treasury more aggressively pursue forgiveness of PL 480 debt for highly indebted poor countries;

Export sanctions on food and medicines be removed consistent with U.S. foreign policy; and

The U.S. Government maximize participation in multilateral food assistance programs.

## COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

The conference agreement provides \$3,820,000 for administrative expenses of the Commodity Credit Corporation Export Loans Program Account as proposed by the Senate instead of \$4,085,000 as proposed by the House.

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG  
ADMINISTRATION

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

The conference agreement includes a direct appropriation of \$1,040,638,000 for the salaries and expenses of the Food and Drug Administration, instead of \$1,052,950,000 as proposed by the House and \$1,035,538,000 as proposed by the Senate, and provides specific amounts for programs, centers, offices, and operational costs as proposed by the Senate.

The conference agreement includes technical changes to drug, mammography, and export certification user fee language as proposed by the House.

The conference agreement provides that fees derived from applications received during fiscal year 2000 shall be subject to the fiscal year 2000 limitation as proposed by the Senate. The House had no similar provision.

The conference agreement includes a prohibition on the development, establishment, and operation of any program of user fees authorized by 31 U.S.C. 9701 as proposed by the Senate. The House has no similar provision.

The conferees direct FDA to submit a report within 180 days of the date of enactment of this Act on the effects of reducing illegal tobacco sales to minors and the effect on compliance through the use of automated identification systems.

The conference agreement includes an increase of \$28,000,000 in budget authority for premarket application market review as proposed by the Senate.

The conference agreement provides \$500,000 for clinical pharmacology grants awarded competitively.

The conference agreement provides \$100,000 for the Waste-Management and Research Consortium, as proposed by the House.

The conferees are aware that intravenous immune globulin (IVIG), a lifesaving treatment for patients with primary immune deficiency diseases, has been in severe shortage in the United States since November 1997. Given the serious public health problems caused by this shortage, the conferees encourage the FDA to continue to work with the primary immune deficiency community and the plasma industry to help increase the supply of IVIG in the United States. In addition, the conferees request a report from the FDA by March 1, 2000, outlining what action it has taken since the beginning of the shortage and what action it plans to take to respond to this public health crisis.

The conferees note that the Food and Drug Administration has received a food additive petition requesting approval for the use of irradiation on ready-to-eat meats and poultry, and fruits and vegetables. The conferees are aware of the important food safety benefits associated with the petition, and strongly urge the agency to act expeditiously to propose a rule in response to the petition. The FDA should propose such a rule within six months after the receipt of the petition and issue a final rule within twelve months of receipt of the petition.

The conferees note their expectation that FDA publish a proposed rule no later than June 1, 1999, concerning the use of foreign marketing data in the review of new sunscreen active ingredients in the sunscreen over-the-counter drug monograph. The conferees note that the FDA has failed to meet the June 1, 1999, deadline for publication of this proposed rule. The conferees remain concerned that several petitions for approval of new sunscreen active ingredients based on foreign marketing experience have languished at the FDA for years, some as far back as 1980. Meanwhile, skin cancer has become a growing and pervasive public health problem among American citizens, with an estimated one million new cases of skin cancer diagnosed in the U.S. each year. The FDA published an Advance Notice of Proposed Rulemaking in 1996, but in three years since its publication the Agency has yet to advance from the initial stage of administrative review of the proposal. Therefore, the conferees direct the agency to act in an expeditious manner to propose a rule, but in no case shall the FDA propose such a rule later than sixty days after enactment of this Act, nor shall the agency finalize such a rule later than twelve months after enactment of this Act.

The conference agreement includes an increase of \$30,000,000 for the Food Safety Initiative, distributed as follows:

Foods:	
Center .....	\$9,000,000
Field Activities .....	16,900,000
Animal Drugs and Feeds:	
Center .....	3,600,000
Field Activities .....	0
NCTR .....	500,000
Total .....	<u>30,000,000</u>

BUILDINGS AND FACILITIES

The conference agreement provides \$11,350,000 for Food and Drug Administration Building and Facilities instead of \$31,750,000 as proposed by the House and \$8,350,000 as proposed by the Senate.

The conference agreement includes \$3,000,000 for construction at the Arkansas Regional Laboratory.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides \$63,000,000 for the Commodity Futures Trading Commission instead of \$65,000,000 as proposed by the House and \$61,000,000 as proposed by the Senate.



The conference agreement provides \$1,000 of the total appropriated for official reception and representation expenses as proposed by the Senate instead of \$2,000 as proposed by the House. The conference agreement also makes permanent authority for the Commission to charge reasonable user fees for Commission-sponsored events and symposia.

#### FARM CREDIT ADMINISTRATION

##### LIMITATION OF ADMINISTRATIVE EXPENSES

The conference agreement places a limitation of \$35,800,000 on the expenses of the Farm Credit Administration as proposed by the House. The Senate bill had no similar provision.

The conferees note that the Farm Credit System Insurance Fund has achieved the secure base amount established in the Farm Credit Act. The fund has been capitalized through the payment of premiums that are ultimately paid by the farmers, ranchers, and cooperatives that borrow from Farm Credit institutions. The conferees expect the Farm Credit System Insurance Corporation to adhere to the intent of the Farm Credit Act and eliminate premiums when the insurance fund meets or exceeds the statutory secure base amount.

#### TITLE VII—GENERAL PROVISIONS

House and Senate Section 705.—The conference agreement includes technical changes to language (Section 705) proposed by the House and the Senate which makes new obligational authority for certain programs and activities available until expended.

House Section 709.—The conference agreement includes language (Section 709) proposed by the House providing that commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support may be used, as authorized by law, to provide commodities to individuals in cases of hardship.

House Section 711 and Senate Section 710.—The conference agreement includes language (Section 711) proposed by the Senate that caps indirect costs charged against competitive Agricultural Research, Education, and Extension grant awards.

House Section 716 and Senate Section 715.—The conference agreement includes language (Section 716) proposed by the House that authorizes the use of cooperative agreements for the food safety activities of the Food Safety and Inspection Service.

House Section 717 and Senate Section 716.—The conference agreement substitutes new language (Section 717) for a general provision proposed by both the House and Senate regarding cooperative agreements of the Natural Resources Conservation Service. This modification is needed as a result of a recent opinion/ruling of the Office of General Counsel that the existing language does not carry out its intended purpose. The conferees expect rulings and opinions of the Department's Office of General Counsel to apply uniformly to all agencies of the Department.

House Section 725 and Senate Section 724.—The conference agreement includes language (Section 725) proposed by the Senate that prohibits the use of funds to pay the salaries and expenses of

personnel to carry out the transfer or obligation of fiscal year 2000 funds for the Fund for Rural America.

House Section 727 and Senate Section 726.—The conference agreement includes language (Section 727) proposed by the Senate that makes permanent the limitation on contract payments for wild rice.

House Section 728 and Senate Section 727.—The conference agreement includes a limitation (Section 728) of 150,000 acres on Wetland Reserve Program enrollment instead of 120,000 acres proposed by the House and 180,000 acres proposed by the Senate.

House and Senate Section 729.—The conference agreement (Section 729) prohibits the use of funds to carry out the Initiative for Future Agriculture and Food Systems as proposed by the House. The Senate proposed a limitation of \$50,000,000.

House and Senate Section 730.—The conference agreement (Section 730) makes permanent the definition of rural areas for certain business programs as proposed by the Senate.

Senate Section 733.—The conference agreement includes language (Section 733) proposed by the Senate prohibiting the use of funds to close or relocate certain FDA offices.

Senate Section 734.—The conference agreement includes language (Section 734) proposed by the Senate prohibiting the use of funds to carry out certain activities unless the Secretary of Agriculture inspects and certifies agricultural processing equipment and imposes a fee for those activities.

House Section 735 and Senate Section 737.—The conference agreement (Section 737) includes language proposed by the Senate.

House Section 736(a) and Senate Section 728.—The conference agreement (Section 738) limits the emergency food assistance program to \$98,000,000 instead of \$99,000,000 proposed by the House and \$97,000,000 proposed by the Senate.

House Section 737.—The conference agreement (Section 739) prohibits the use of funds for certain activities implementing the Kyoto Protocol proposed by the House.

House Section 738.—The conference agreement does not include language limiting the importation of meat and poultry.

House Section 739.—The conference agreement does not include language regarding the Buy American Act. This language is contained in permanent law, and the conferees expect this language to be complied with.

House Section 740.—The conference agreement does not include language regarding the purchase of American-made equipment and products. This language is contained in permanent law, and the conferees expect this language to be complied with.

House Section 741.—The conference agreement does not include language regarding “Made in America” labeling violations. This language is now contained in permanent law, and the conferees expect this language to be complied with.

House Section 742.—The conference agreement does not include language proposed by the House prohibiting the use of funds by FDA for the testing, development, or approval of certain drugs.

House Section 743.—The conference agreement does not include language proposed by the House further reducing appropriations provided for certain accounts. This matter was addressed in

the funding levels for each account rather than as a general provision.

Senate Section 738.—The conference agreement includes language (Section 740) proposed by the Senate providing FSA county office employees with Federal civil service status for certain purposes.

Senate Section 739.—The conference agreement includes language (Section 741) proposed by the Senate prohibiting the use of funds to transfer or convey federal lands and facilities at Fort Reno, Oklahoma, without the specific authorization of Congress.

Senate Section 740.—The conference agreement includes language (Section 742) proposed by the Senate directing the Chief of the Natural Resources Conservation Service to settle claims associated with the Chuquatonchee Water Project in Mississippi.

Senate Section 741.—The conference agreement includes language (Section 743) proposed by the Senate regarding a mail inspection pilot program in Hawaii.

Senate Section 742.—The conference agreement includes language (Section 744) proposed by the Senate providing authority for guaranteed lines of credit for health care facilities to address Y2K computer conversion.

Senate Section 743.—The conference agreement includes language (Section 745) requiring the Secretary of Agriculture to compensate wheat producers and handlers for losses due to karnal bunt.

House Section 736(b) and Senate Section 744.—The conference agreement (Section 746) provides \$2,000,000 for hunger fellowships instead of \$1,000,000 as proposed by the House and \$3,000,000 as proposed by the Senate.

Senate Section 745.—The conference agreement includes language (Section 747) providing \$250,000 for the program authorized under section 388 of the FAIR Act solely for New Hampshire.

Senate Section 746.—The conference agreement includes language (Section 748) proposed by the Senate amending the Immigration and Nationality Act to reduce the Department of Labor's approval time for processing farmworkers' applications for legal H-2A workers.

Senate Section 747.—The conference agreement includes language (Section 749) proposed by the Senate to provide for successorship relating to certain bargaining units and exclusive representatives.

Senate Section 748.—The conference agreement does not include language proposed by the Senate for emergency and market loss assistance, and sanctions. The conference agreement addresses these issues in Title VIII.

Senate Section 749.—The conference agreement does not include Sense of the Senate language regarding methyl tertiary butyl ether (MTBE). The conferees understand that recent studies have determined that leaking storage facilities have contributed to the detection of MTBE in groundwater. Further, the conferees support the development of alternative uses for agricultural products, including the use of ethanol in reformulated gasoline. The conferees expect the committees of jurisdiction of the House of Representa-

tives and the Senate to carefully examine these issues to determine what, if any, action is warranted by the Congress.

Section 750.—The conference agreement includes language (Section 750) that none of the funds appropriated or otherwise made available by this Act shall be used to implement a Support Services Bureau of similar organization.

Senate Section 750.—The conference agreement (Section 751) includes limitations on the awarding of contracts through the HUBZone program established by section 31 of the Small Business Act, to avoid subcontracting for the commodity being procured if the awards would involve more than 50 percent of the dollar amount of the tender. In addition, the price evaluation preference provided under the HUBZone program may not exceed 5 percent in contracts for commodities made available by this Act. The conferees are concerned that the potential costs of the HUBZone program may diminish the effective program level of certain accounts such as title II of P.L. 480, and accordingly call to the attention of the Secretary the Compliance in Contracting Act of 1984 (specifically 41 U.S.C. 253(b)), to exclude particular sources from participating in full and open competition on a tender if it is found that a firm has received such a large market share as to jeopardize USDA's vendor base, or if necessary, to restrain program costs. The conferees emphasize that these limitations allow contracting officers to exclude particular firms as needed, not to exclude classes of businesses such as all HUBZone firms.

Senate Section 751.—The conference agreement does not include Sense of the Senate language regarding inadvertent planting of dry beans on contract acres. The conferees are aware that there may be instances in which producers, in good faith or in reliance on information provided by agricultural consultants, inadvertently planted crops in violation of section 118 of the Federal Agriculture Improvement and Reform Act of 1996. The Secretary is urged to exercise reasonable treatment of producers in order to avoid harmful consequences.

Senate Section 752.—The conference agreement includes language (Section 752) proposed by the Senate redesignating the National School Lunch Act as the "Richard B. Russell National School Lunch Act".

Senate Section 753.—The conference agreement includes language (Section 753) proposed by the Senate clarifying the membership of a commission.

Senate Section 754.—The conference agreement does not include Sense of the Senate language regarding an action plan on food safety. The conferees request the President to include in the fiscal year 2001 budget request funding to implement a United States Action Plan on Food Security.

Senate Section 755.—The conference agreement does not include Sense of the Senate language regarding apple farmers. The conferees are aware of financial hardships facing apple farmers, and direct the Farm Service Agency to review all programs that assist apple growers, review the limits currently set on operating loan programs used by apple growers to determine whether the current limits are insufficient to cover operating costs, and to re-

port its findings to the Committees on Appropriations of the House of Representatives and the Senate not later than January 1, 2000.

Senate Section 756.—The conference agreement includes language (Section 754) proposed by the Senate designating the “Harry K. Dupree” Stuttgart National Aquaculture Research Center.

Senate Section 757.—The conference agreement includes language (Section 755) to add Kentucky, Indiana and Ohio to existing law regarding cross-county tobacco leasing and to provide for the release of marketing information to State trusts or similar organizations.

Senate Section 758.—The conference agreement includes language (Section 756) proposed by the Senate that makes the city of Berlin, New Hampshire eligible for a rural utilities grant or loan during fiscal year 2000.

Senate Section 759.—The conference agreement includes language (Section 757) proposed by the Senate regarding cranberry marketing orders.

Senate Section 760.—The conference agreement includes language (Section 758) proposed by the Senate to include native villages in Alaska under section 16(a) of the Food Stamp Act.

Senate Section 761.—The conference agreement does not include Sense of the Senate language regarding periodic review of food packages. The conferees expect the Secretary of Agriculture to periodically review the food packages listed at 7 C.F.R. 246.10(c) (1996) and consider including additional nutritious foods for women, infants and children.

Senate Section 762.—The conference agreement includes language (Section 759) proposed by the Senate regarding education grants to Alaska Native Serving Institutions and Native Hawaiian Serving Institutions.

Senate Section 763.—The conference agreement does not include language proposed by the Senate providing minimum Smith-Lever allocations for certain states.

Senate Section 764.—The conference agreement does not include language proposed by the Senate providing minimum Hatch Act allocations for certain states.

Senate Section 765.—The conference agreement does not include Sense of the Senate language regarding timely FDA testing of imported food. The conferees expect FDA, to the maximum extent possible, to ensure timely testing of produce imports by conducting survey tests at the USDA or FDA laboratory closest to the port of entry so that testing results are provided within 24 hours of collection.

Senate Section 766.—The conference agreement includes language (Section 760) that effective October 1, 1999, the price of milk paid by a handler at a plant operating in Clark County, Nevada shall not be subject to the Agricultural Marketing Agreement Act of 1937.

Senate Section 767.—The conference agreement does not include Sense of the Senate language regarding World Trade Organization negotiations. The conferees expect that members of the World Trade Organization should undertake multilateral negotiations to eliminate policies and programs that distort world markets for agricultural commodities.

Section 761.—The conference agreement makes the city of Olean, New York eligible for grants and loans administered by the Rural Utilities Service.

Section 762.—The conference agreement makes the municipality of Carolina, Puerto Rico eligible for grants and loans administered by the Rural Utilities Service.

Section 763.—The conference agreement makes technical corrections to the Food Security Act of 1985.

Section 764.—The conference agreement provides that none of the funds made available by this Act shall be used to implement FSA Notice CRP-338.

The conference agreement allows for the enrollment of certain lands in the conservation reserve program for which a federally cost-shared conservation practice may have previously been installed. The conference agreement requires a reduction in federal rental payments for such lands by an amount equal to the remaining value of the federal costs already incurred. This action is necessary to avoid the double payment for an ongoing conservation practice.

Section 765.—The conference agreement provides that none of the funds made available by this Act shall be used to implement FSA Notice CRP-327.

The conference agreement includes language which provides for certain commercial hunting activities on conservation reserve program lands. The conferees note inclusion of a requirement of strict compliance of program guidelines to ensure protection of environmental benefits and wildlife habitat. The House and Senate included no similar provision.

Section 766.—The conference agreement includes language designating the “George E. Brown, Jr., Salinity Laboratory”.

Section 767.—The conference agreement includes technical changes to title 18 of the United States Code.

Section 768.—The conference agreement includes a provision that maximum income limits established for single family housing in the high cost areas of Alaska shall be 150 percent of the state metropolitan income level for Alaska.

Section 769.—The conference agreement includes a general provision relating to the conservation reserve program that will allow the Secretary to approve not more than 6 projects in which harvests may occur for the recovery of biomass used in energy production. No similar provision was included in the House or Senate bill.

#### TITLE VIII—EMERGENCY AND DISASTER ASSISTANCE FOR PRODUCERS

The conference agreement includes a new title (Title VIII) providing market loss payments and other disaster assistance to producers of 1999 crops. The Senate had proposed similar provisions in section 748. The House bill contained no similar provisions.

Section 801.—The conference agreement includes \$1,200,000,000 in assistance to producers who have incurred losses for crops harvested or intended to be planted or harvested in 1999, which reflects an estimated need as stated by the Department of Agricultural prior to Hurricane Floyd. While funds provided by this

Act shall be available for damage caused by Hurricane Floyd, the conferees note that only preliminary estimates for Hurricane Floyd are available and it is understood that additional resources may be needed to fully address all natural disaster losses in 1999. The conferees expect the Department to forward complete damage estimates to the Appropriations Committee of the House and Senate as soon as practicable. The Secretary may make assistance available for losses in quantity, quality or severe economic losses due to damaging weather or related conditions. The conferees note that the statement of managers accompanying the conference agreement on H.R. 1141, dated May 14, 1999, called on the administration to submit requests for supplemental appropriations for disaster assistance for agricultural producers. Subsequently, other Members of Congress made similar requests to the administration. To date, no request has been transmitted to the Congress for any disaster assistance to producers. The conferees understand that recent weather events and those yet to occur in 1999 may affect the need for crop loss assistance. The conferees continue to invite requests for supplemental funds to address these needs.

Similar to provisions included in P.L. 105-277, this Act grants broad authority to the Secretary of Agriculture to create and implement a crop loss assistance program. However, the conferees note that the Department took seven months to make payments to producers for 1998 losses. Such delays in delivering 1999 payments are unacceptable. If necessary to avoid delay in delivering payments, the Department should consider developing a method by which preliminary payments may be made to producers to allow at least minimal payments to be made expeditiously while avoiding depletion of funds before all producers receive assistance. Further, it is expected that final payments will be made before January 31, 2000.

The conferees note significant losses in the 1999 crops of fruits and vegetables, particularly capsicums, valencia oranges, and apples. The conferees expected the Secretary to ensure fair and equitable treatment of these producers when allocating disaster assistance. In particular, the conferees expect the Secretary to compensate producers for both quantity and quality losses, as authorized by section 801(c) of this Act.

The conferees are aware of losses suffered by California citrus growers during a freeze in late 1998 totaling at least \$90 million. Because the crop was for harvest in 1999, the Department of Agriculture determined that these producers were ineligible for assistance provided in P.L. 105-277. The conferees expect the Secretary to identify adequate funds provided in this title to address these needs.

The conferees note that the Department has failed to implement statutory provisions making producers who obtained non-federally reinsured crop insurance eligible under certain circumstances for the multi-year disaster assistance provided in P.L. 105-277. Similarly, the Department has failed to provide assistance as directed to 1997 producers of apples in New York. The conferees do not view favorably the Department's disregard of directives issued by the Congress. The conferees expect the Department

to comply with both statutory and other guidance provided by the Congress in addressing the needs of these and all producers.

The conferees note that the price received for cottonseed is far below historical averages. The conferees also note that in many areas, revenues from cottonseed sales offset the cost of ginning. Given these depressed prices, the conferees expect the Secretary to consider additional assistance to cotton producers through direct payments or other means to help alleviate the problems caused by those unusually low prices.

The conferees direct the Department to provide, from the amounts appropriated in this title, compensation to Michigan peach producers who purchased a crop insurance policy for the 1999 fresh market peaches crop under the adjusted price election and pricing methodology established by the Risk Management Agency for the 2000 crop year.

Sections 801 and 805.—Section 801 of the conference agreement provides \$1,200,000,000 for agricultural losses to crops and livestock in 1999 and an additional \$325 million is provided in section 805 specifically for livestock and dairy. Of these amounts, the conferees expect the Secretary to identify no less than \$200 million in order to provide direct grant assistance to livestock producers who have suffered economic losses in 1999 in counties in which a Secretarial or Presidential drought declaration has been issued. The conferees note that in some states, such as West Virginia, all or most counties have received such a designation. Net farm income is low due to forced liquidations and increased costs for feed, transportation, and herd maintenance, severely affecting local rural economies. Producers are also faced with high costs of restoring pasture lands in the immediate future and the Secretary is encouraged to exercise authorities of EC-7 of the Emergency Conservation Program to assist affected producers toward recovery. The conferees stress the importance of providing assistance to livestock producers at a level commensurate with the relief provided for crop losses and further note that additional funds may be available for other livestock-related disaster losses.

Section 802.—To ensure timely delivery of market loss payments to eligible producers and owners, the conferees urge the Secretary to make the payments available under the same terms and conditions as the 1999 contract payments. However, any market loss payments made under authority of this legislation shall not be treated as a contract (AMTA) payment for purposes of section 115 of Title I of the Federal Agriculture Improvement and Reform Act of 1996, or section 1001, paragraphs (1) through (4) of the Food Security Act of 1985. Further, it should not be necessary to require eligible owners and operators to file new contracts or redesignate shares in order to receive market loss payments.

Section 803.—The conferees expect the Secretary to utilize all funds collected and not yet transferred to the Treasury under the peanut marketing assessment from producers and first handlers to offset expected losses in area quota pools for the 1999 peanut marketing year as authorized under Section 155(d) of Public Law 104-127.

The conferees recognize that the timing of payments made under this section is critically important to peanut producers and



intend for the Secretary to expedite such payments. With producers and acreage information readily available from the Farm Service Agency, the conferees expect the Secretary to make payments to peanut producers based on projected yields for the 1999 crop year. By using projected yields, the conferees expect the Secretary to ensure that payments are made to producers as soon as practicable and, in any case, within 60 days from the enactment of this legislation.

Section 805.—The conferees note the significant losses of feed for livestock producers. The Department shall insure that a portion of the \$325,000,000 in assistance provided under this section is provided in the form of Livestock Feed Assistance.

Further, from the total amount provided under section 805, no less than \$125,000,000 is to be made available for losses suffered by dairy producers.

Producers impacted by natural and economic disasters deserve to be treated as equally as possible. The conferees are aware that many livestock producers faced a payment limitation this past year of \$40,000, while grain producers had a limit of \$80,000. Payment methods that provide more assistance to one group of producers than another should be avoided whenever possible. With the administration of this new disaster program, the conferees strongly urge the Department to provide livestock producers with assistance equivalent to that of grain producers.

Section 806.—The conferees intend that the reinstatement of the Step-2 program for upland cotton be implemented with respect to sales for exports and domestic purchases by domestic textile mills beginning October 1, 1999. Any agreement entered into with participants in the Step-2 program should cover sales occurring between October 1, 1999 and the date of enactment of this Act in order to ensure that the program is effective with the beginning of fiscal year 2000.

Section 811.—Authority is provided under this section to allow the Department of Agriculture to make production flexibility contract payments on or after October 1 of each remaining contract year. The conferees intend that these payments be made in a timely manner to alleviate cash flow problems. However, the conferees expect the Department to work to notify all program participants of the availability of these advance payments to allow them ample time to take action to avoid payments to producers who will not be leasing a property for that contract year.

Section 813.—The conferees are concerned about an inequity in loan deficiency payments (LDP's) made to producers of feed grains. Currently, producers of corn may receive LDP's on their crops of corn for silage, but producers of grain sorghum whose crops are ensiled or baled as hay fodder are ineligible for LDP's on those crops. This inequity occurs even though grain sorghum for silage or hay has the same intended and actual use as corn silage. In this regard, the conferees expect the Department of Agriculture to make LDP's to eligible producers of grain sorghum in the same manner and, as appropriate, to the same extent as corn producers for the 1999 and subsequent crop years.

The conferees also are concerned about producers who graze their wheat crops and are unable to receive LDP's for the value of

those crops. The conferees expect the Department of Agriculture to make LDP's on the 2000 and subsequent crops of wheat that are grazed.

The conferees are concerned that repayment rates for marketing loans for durum wheat do not adequately reflect the unique quality discounts that are assessed against this class of wheat. Further, the conferees understand that the present method for calculating these repayments unfairly presumes a high quality for durum, which is not imposed on other classes of wheat. The conferees direct the Department to revise the repayment rates for the 1999 crop of durum wheat at a rate per bushel equal to the market value of the quality subclass immediately above sample grade for durum wheat, less any applicable discounts, to correct this inequity.

In implementing the marketing assistance loan program for minor oilseeds, the conferees understand the Department has established separate loan programs for oil-type and confection sunflower seed that do not accurately reflect market relationships. The conferees are concerned that this implementation disadvantages confection-type sunflower seed growers and threatens the domestic confection industry when oil-type sunflower seed prices are below marketing loan levels. The conferees understand under these circumstances grower contracts are offered at levels unrepresentative of world market prices, presenting the opportunity for foreign competitors to contract for and export confection products at levels that undercut U.S. access to traditional foreign markets by the domestic industry. The conferees direct the Department to revise implementation of the marketing assistance loan program for confection sunflower seed, to determine the level at which a loan may be repaid for confection seed using solely the market price for oil-type sunflower seed.

Section 814.—The conference agreement includes \$400,000,000 to provide agricultural producers with a premium discount toward the purchase of crop insurance for the 2000 crop year. The conferees intend and fully expect this premium discount to apply toward the purchase of crop insurance for all crops grown in the 2000 crop year, including all crops for which a fall sales closing date applies.

The conferees note there is no statutory sales closing date for fall-planted crops. Accordingly, should the existence of an early sales closing date create an obstacle toward the provision of a premium discount for producers who plant a fall crop, the Secretary can remove that obstacle by administratively extending the sales closing date. Second, the conferees note that a discount was provided for all crops in the 1999 crop year, including for all crops for which a 1998 fall sales closing date applied, even though the Secretary did not announce the discount until January 8, 1999. With no statutory obstacles in the way and in view of last year's precedent, the conferees fully expect the Secretary to provide producers of fall planted crops with the benefit of a premium discount toward the purchase of crop insurance.

Section 822.—The conference agreement provides additional funding of up to \$56,000,000 for salaries and expenses of the Farm

Service Agency for additional administrative costs incurred in the delivery of the assistance provided under this title.

TITLE IX

The conference agreement includes legislation reported by the Senate Committee on Agriculture, Nutrition and Forestry (S. Rpt. 106-168) requiring certain processors to report the price paid for livestock.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]	
New budget (obligational) authority, fiscal year 1999 .....	\$61,127,644
Budget estimates of new (obligational) authority, fiscal year 2000 .....	66,883,182
House bill, fiscal year 2000 .....	60,736,572
Senate bill, fiscal year 2000 .....	68,358,618
Conference agreement, fiscal year 2000 .....	69,017,125
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1999 .....	+7,889,481
Budget estimates of new (obligational) authority, fiscal year 2000 .....	+2,133,943
House bill, fiscal year 2000 .....	+8,280,553
Senate bill, fiscal year 2000 .....	+658,507

JOE SKEEN,  
 JAY DICKEY,  
 JACK KINGSTON,  
 HENRY BONILLA,  
 TOM LATHAM,  
 JO ANN EMERSON,  
 BILL YOUNG,  
 SAM FARR,  
 ALLEN BOYD,  
 DAVID R. OBEY,  
*Managers on the Part of the House.*

THAD COCHRAN,  
 CHRISTOPHER S. BOND,  
 SLADE GORTON,  
 MITCH MCCONNELL,  
 CONRAD BURNS,  
 TED STEVENS,  
 HERB KOHL,  
 DIANNE FEINSTEIN,  
 ROBERT BYRD,  
*Managers on the Part of the Senate.*