

107TH CONGRESS  
1ST SESSION

**H. R. 2213**

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IN THE SENATE OF THE UNITED STATES

JUNE 26, 2001

Received; read twice and referred to the Committee on Agriculture, Nutrition,  
and Forestry

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**AN ACT**

To respond to the continuing economic crisis adversely  
affecting American agricultural producers.

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

**1 SECTION 1. MARKET LOSS ASSISTANCE.**

2 (a) ASSISTANCE AUTHORIZED.—The Secretary of  
3 Agriculture (referred to in this Act as the “Secretary”)  
4 shall, to the maximum extent practicable, use  
5 \$4,622,240,000 of funds of the Commodity Credit Cor-  
6 poration to make a market loss assistance payment to  
7 owners and producers on a farm that are eligible for a  
8 final payment for fiscal year 2001 under a production  
9 flexibility contract for the farm under the Agriculture  
10 Market Transition Act (7 U.S.C. 7201 et seq.).

11 (b) AMOUNT.—The amount of assistance made avail-  
12 able to owners and producers on a farm under this section  
13 shall be proportionate to the amount of the total contract  
14 payments received by the owners and producers for fiscal  
15 year 2001 under a production flexibility contract for the  
16 farm under the Agricultural Market Transition Act.

**17 SEC. 2. SUPPLEMENTAL OILSEEDS PAYMENT.**

18 The Secretary shall use \$423,510,000 of funds of the  
19 Commodity Credit Corporation to make a supplemental  
20 payment under section 202 of the Agricultural Risk Pro-  
21 tection Act of 2000 (Public Law 106–224; 7 U.S.C. 1421  
22 note) to producers of the 2000 crop of oilseeds that pre-  
23 viously received a payment under such section.

**24 SEC. 3. SUPPLEMENTAL PEANUT PAYMENT.**

25 The Secretary shall use \$54,210,000 of funds of the  
26 Commodity Credit Corporation to provide a supplemental

1 payment under section 204(a) of the Agricultural Risk  
2 Protection Act of 2000 (Public Law 106–224; 7 U.S.C.  
3 1421 note) to producers of quota peanuts or additional  
4 peanuts for the 2000 crop year that previously received  
5 a payment under such section. The Secretary shall adjust  
6 the payment rate specified in such section to reflect the  
7 amount made available for payments under this section.

8 **SEC. 4. SUPPLEMENTAL TOBACCO PAYMENT.**

9 (a) SUPPLEMENTAL PAYMENT.—The Secretary shall  
10 use \$129,000,000 of funds of the Commodity Credit Cor-  
11 poration to provide a supplemental payment under section  
12 204(b) of the Agricultural Risk Protection Act of 2000  
13 (Public Law 106–224; 7 U.S.C. 1421 note) to eligible per-  
14 sons (as defined in such section) that previously received  
15 a payment under such section.

16 (b) SPECIAL RULE FOR GEORGIA.—The Secretary  
17 may make payments under this section to eligible persons  
18 in Georgia only if the State of Georgia agrees to use the  
19 sum of \$13,000,000 to make payments at the same time,  
20 or subsequently, to the same persons in the same manner  
21 as provided for the Federal payments under this section,  
22 as required by section 204(b)(6) of the Agricultural Risk  
23 Protection Act of 2000.

**1 SEC. 5. SUPPLEMENTAL WOOL AND MOHAIR PAYMENT.**

2 The Secretary shall use \$16,940,000 of funds of the  
3 Commodity Credit Corporation to provide a supplemental  
4 payment under section 814 of the Agriculture, Rural De-  
5 velopment, Food and Drug Administration, and Related  
6 Agencies Appropriations Act, 2001 (as enacted by Public  
7 Law 106–387), to producers of wool, and producers of mo-  
8 hair, for the 2000 marketing year that previously received  
9 a payment under such section. The Secretary shall adjust  
10 the payment rate specified in such section to reflect the  
11 amount made available for payments under this section.

**12 SEC. 6. SUPPLEMENTAL COTTONSEED ASSISTANCE.**

13 The Secretary shall use \$84,700,000 of funds of the  
14 Commodity Credit Corporation to provide supplemental  
15 assistance under section 204(e) of the Agricultural Risk  
16 Protection Act of 2000 (Public Law 106–224; 7 U.S.C.  
17 1421 note) to producers and first-handlers of the 2000  
18 crop of cottonseed that previously received assistance  
19 under such section.

**20 SEC. 7. SPECIALTY CROPS.**

21 (a) BASE STATE GRANTS.—The Secretary shall use  
22 \$26,000,000 of funds of the Commodity Credit Corpora-  
23 tion to make grants to the several States and the Com-  
24 monwealth of Puerto Rico to be used to support activities  
25 that promote agriculture. The amount of the grant shall  
26 be—

4 (b) GRANTS FOR VALUE OF PRODUCTION.—The Sec-  
5 retary shall use \$133,400,000 of funds of the Commodity  
6 Credit Corporation to make a grant to each of the several  
7 States in an amount that represents the proportion of the  
8 value of specialty crop production in the State in relation  
9 to the national value of specialty crop production, as fol-  
10 lows:

- 11 (1) California, \$63,320,000.
- 12 (2) Florida, \$16,860,000.
- 13 (3) Washington, \$9,610,000.
- 14 (4) Idaho, \$3,670,000.
- 15 (5) Arizona, \$3,430,000.
- 16 (6) Michigan, \$3,250,000.
- 17 (7) Oregon, \$3,220,000.
- 18 (8) Georgia, \$2,730,000.
- 19 (9) Texas, \$2,660,000.
- 20 (10) New York, \$2,660,000.
- 21 (11) Wisconsin, \$2,570,000.
- 22 (12) North Carolina, \$1,540,000.
- 23 (13) Colorado, \$1,510,000.
- 24 (14) North Dakota, \$1,380,000.
- 25 (15) Minnesota, \$1,320,000.

- 1 (16) Hawaii, \$1,150,000.
- 2 (17) New Jersey, \$1,100,000.
- 3 (18) Pennsylvania, \$980,000.
- 4 (19) New Mexico, \$900,000.
- 5 (20) Maine, \$880,000.
- 6 (21) Ohio, \$800,000.
- 7 (22) Indiana, \$660,000.
- 8 (23) Nebraska, \$640,000.
- 9 (24) Massachusetts, \$640,000.
- 10 (25) Virginia, \$620,000.
- 11 (26) Maryland, \$500,000.
- 12 (27) Louisiana, \$460,000.
- 13 (28) South Carolina, \$440,000.
- 14 (29) Tennessee, \$400,000.
- 15 (30) Illinois, \$400,000.
- 16 (31) Oklahoma, \$390,000.
- 17 (32) Alabama, \$300,000.
- 18 (33) Delaware, \$290,000.
- 19 (34) Mississippi, \$250,000.
- 20 (35) Kansas, \$210,000.
- 21 (36) Arkansas, \$210,000.
- 22 (37) Missouri, \$210,000.
- 23 (38) Connecticut, \$180,000.
- 24 (39) Utah, \$140,000.
- 25 (40) Montana, \$140,000.

- 1 (41) New Hampshire, \$120,000.
- 2 (42) Nevada, \$120,000.
- 3 (43) Vermont, \$120,000.
- 4 (44) Iowa, \$100,000.
- 5 (45) West Virginia, \$90,000.
- 6 (46) Wyoming, \$70,000.
- 7 (47) Kentucky, \$60,000.
- 8 (48) South Dakota, \$40,000.
- 9 (49) Rhode Island, \$40,000.
- 10 (50) Alaska, \$20,000.

11 (c) SPECIALTY CROP PRIORITY.—As a condition on  
12 the receipt of a grant under this section, a State shall  
13 agree to give priority to the support of specialty crops in  
14 the use of the grant funds.

15 (d) SPECIALTY CROP DEFINED.—In this section, the  
16 term “specialty crop” means any agricultural crop, except  
17 wheat, feed grains, oilseeds, cotton, rice, peanuts, and to-  
18 bacco.

## 19 SEC. 8. COMMODITY ASSISTANCE PROGRAM.

20 The Secretary shall use \$10,000,000 of funds of the  
21 Commodity Credit Corporation to make a grant to each  
22 of the several States to be used by the States to cover  
23 direct and indirect costs related to the processing, trans-  
24 portation, and distribution of commodities to eligible re-  
25 cipient agencies. The grants shall be allocated to States

1 in the manner provided under section 204(a) of the Emer-  
2 gency Food Assistance Act of 1983 (7 U.S.C. 7508(a)).

3 **SEC. 9. TECHNICAL CORRECTION REGARDING INDEMNITY**

4 **PAYMENTS FOR COTTON PRODUCERS.**

5 (a) CONDITIONS ON PAYMENT TO STATE.—Sub-  
6 section (b) of section 1121 of the Agriculture, Rural De-  
7 velopment, Food and Drug Administration, and Related  
8 Agencies Appropriations Act, 1999 (as contained in sec-  
9 tion 101(a) of division A of Public Law 105-277 (7 U.S.C.  
10 1421 note), and as amended by section 754 of the Agri-  
11 culture, Rural Development, Food and Drug Administra-  
12 tion, and Related Agencies Appropriations Act, 2001 (as  
13 enacted by Public Law 106-387; 114 Stat. 1549A-42),  
14 is amended to read as follows:

15 “(b) CONDITIONS ON PAYMENT TO STATE.—The  
16 Secretary of Agriculture shall make the payment to the  
17 State of Georgia under subsection (a) only if the State—

18 “(1) contributes \$5,000,000 to the indemnity  
19 fund and agrees to expend all amounts in the indem-  
20 nity fund by not later than January 1, 2002 (or as  
21 soon as administratively practical thereafter), to pro-  
22 vide compensation to cotton producers as provided in  
23 such subsection;

24 “(2) requires the recipient of a payment from  
25 the indemnity fund to repay the State, for deposit

1 in the indemnity fund, the amount of any duplicate  
2 payment the recipient otherwise recovers for such  
3 loss of cotton, or the loss of proceeds from the sale  
4 of cotton, up to the amount of the payment from the  
5 indemnity fund; and

6 “(3) agrees to deposit in the indemnity fund the  
7 proceeds of any bond collected by the State for the  
8 benefit of recipients of payments from the indemnity  
9 fund, to the extent of such payments.”.

10 (b) ADDITIONAL DISBURSEMENTS FROM THE IN-  
11 DEMNITY FUND.—Subsection (d) of such section is  
12 amended to read as follows:

13 “(d) ADDITIONAL DISBURSEMENT TO COTTON GIN-  
14 NERS.—The State of Georgia shall use funds remaining  
15 in the indemnity fund, after the provision of compensation  
16 to cotton producers in Georgia under subsection (a) (in-  
17 cluding cotton producers who file a contingent claim, as  
18 defined and provided in section 5.1 of chapter 19 of title  
19 2 of the Official Code of Georgia), to compensate cotton  
20 ginners (as defined and provided in such section) that—

21 “(1) incurred a loss as the result of—

22 “(A) the business failure of any cotton  
23 buyer doing business in Georgia; or

24 “(B) the failure or refusal of any such cot-  
25 ton buyer to pay the contracted price that had

1       been agreed upon by the ginner and the buyer  
2       for cotton grown in Georgia on or after Janu-  
3       ary 1, 1997, and had been purchased or con-  
4       tracted by the ginner from cotton producers in  
5       Georgia;

6       “(2) paid cotton producers the amount which  
7       the cotton ginner had agreed to pay for such cotton  
8       received from such cotton producers in Georgia; and

9       “(3) satisfy the procedural requirements and  
10      deadlines specified in chapter 19 of title 2 of the Of-  
11      ficial Code of Georgia applicable to cotton ginner  
12      claims.”.

13      (c) CONFORMING AMENDMENT.—Subsection (c) of  
14     such section is amended by striking “Upon the establish-  
15     ment of the indemnity fund, and not later than October  
16     1, 1999, the” and inserting “The”.

17 **SEC. 10. INCREASE IN PAYMENT LIMITATIONS REGARDING**  
18                   **LOAN DEFICIENCY PAYMENTS AND MAR-**  
19                   **KETING LOAN GAINS.**

20       Notwithstanding section 1001(2) of the Food Secu-  
21       rity Act of 1985 (7 U.S.C. 1308(1)), the total amount of  
22       the payments specified in section 1001(3) of that Act that  
23       a person shall be entitled to receive for one or more con-  
24       tract commodities and oilseeds under the Agricultural

1 Market Transition Act (7 U.S.C. 7201 et seq.) during the  
2 2001 crop year may not exceed \$150,000.

3 **SEC. 11. TIMING OF, AND LIMITATION ON, EXPENDITURES.**

4 (a) **DEADLINE FOR EXPENDITURES.**—All expenditures  
5 required by this Act shall be made not later than  
6 September 30, 2001. Any funds made available by this  
7 Act and remaining unexpended by October 1, 2001, shall  
8 be deemed to be unexpendable, and the authority provided  
9 by this Act to expend such funds is rescinded effective on  
10 that date.

11 (b) **TOTAL AMOUNT OF EXPENDITURES.**—The total  
12 amount expended under this Act may not exceed  
13 \$5,500,000,000. If the payments required by this Act  
14 would result in expenditures in excess of such amount, the  
15 Secretary shall reduce such payments on a pro rata basis  
16 as necessary to ensure that such expenditures do not exceed  
17 such amount.

18 **SEC. 12. REGULATIONS.**

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

1 (1) the notice and comment provisions of sec-  
2 tion 553 of title 5, United States Code;

10 (b) CONGRESSIONAL REVIEW OF AGENCY RULE-  
11 MAKING.—In carrying out this section, the Secretary shall  
12 use the authority provided under section 808 of title 5,  
13 United States Code.

Passed the House of Representatives June 26, 2001.

Attest: JEFF TRANDAHL,

### *Clerk.*