

107TH CONGRESS
1ST SESSION

H. R. 2213

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2001

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

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—

1 (1) \$500,000 to each of the several States; and

2 (2) \$1,000,000 to the Commonwealth of Puerto

3 Rico.

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 ginnerers (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 expendi-
5 tures 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 ex-
17 ceed 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 imple-
23 ment 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—

(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 RULE-
MAKING.—In carrying out this section, the Secretary shall
use the authority provided under section 808 of title 5,
United States Code.

Passed the House of Representatives June 26, 2001.

Attest: **JEFF TRANDAHL,**
Clerk.