

## **AGRICULTURAL RISK PROTECTION ACT OF 2000 - TITLE II (AGRICULTURAL ASSISTANCE)**

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## **TITLE II—AGRICULTURAL ASSISTANCE**

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

#### **SEC. 201. MARKET LOSS ASSISTANCE.**

(a) **IN GENERAL.**—The Secretary of Agriculture (referred to in this title as the “Secretary”) shall use funds of the Commodity Credit Corporation to provide assistance in the form of a market loss assistance payment to owners and producers on a farm that are eligible for a final payment for fiscal year 2000 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(b) **AMOUNT AND MANNER.**—In providing payments under this section, the Secretary shall—

(1) use the same contract payment rates as are used under section 802(b) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (7 U.S.C. 1421 note; Public Law 106–78); and

(2) provide the payments in a manner that is consistent with section 802(c) of that Act.

(c) **TIMING.**—The Secretary shall make the payments required by this section not earlier than September 1, 2000, and not later than September 30, 2000.

#### **SEC. 202. OILSEEDS.**

(a) **IN GENERAL.**—The Secretary shall use \$500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 2000 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 number of acres planted to the oilseed by the producers on the farm during the 1997, 1998, or 1999 crop year, whichever is greatest, 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 2000 crop year but not the 1997, 1998, or 1999 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 2000 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 1995 through 1999 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 1997, 1998, or 1999 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 1995 through 1999 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 1997, 1998, or 1999 crop year.

(3) NEW PRODUCERS.—In the case of producers on a farm that planted acreage to an oilseed during the 2000 crop year but not the 1997, 1998, or 1999 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 1995 through 1999 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 2000 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. 203. SPECIALTY CROPS.

(a) REPLENISHMENT OF PERISHABLE AGRICULTURAL COMMODITIES ACT FUND.—Of the amount made available under section 261(a)(2), \$30,450,000 shall—

(1) be deposited in the Perishable Agricultural Commodities Act Fund established by section 3(b)(5) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499c(b)(5));

(2) be merged with other amounts in the Perishable Agricultural Commodities Act Fund; and

(3) be available for the same purposes and for the same time period as other amounts in the Perishable Agricultural Commodities Act Fund.

(b) REPLENISHMENT OF TRUST FUNDS FOR SERVICES UNDER AGRICULTURAL MARKETING ACT OF 1946.—Of the amount made available under section 261(a)(2), \$29,000,000 shall—

(1) be deposited in the trust fund account established to cover the cost of inspection, certification, and identification services provided under section 203(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h));

(2) be merged with other amounts in the trust fund account; and

(3) be available for the same purposes and for the same time period as other amounts in the trust fund account.

(c) INSPECTION SERVICES IMPROVEMENTS.—Of the amount made available under section 261(a)(2), \$11,550,000 shall be used by the Secretary to improve the infrastructure and system used for inspecting fruits and vegetables, including improving—

(1) the program used to train inspectors, including the establishment of an inspector training center;

(2) the technological resources used by inspectors;

(3) the use of digital imaging by inspectors; and

(4) the office space and grading tables used by inspectors.

(d) SURPLUS CROP PURCHASES.—

(1) PURCHASES.—Of the amount made available under section 261(a)(2), \$200,000,000 shall be used by the Secretary to purchase specialty crops that have experienced low prices during the 1998 or 1999 crop years, including apples, black-eyed peas, cherries, citrus, cranberries or cranberry products (including cranberry juice concentrate and frozen cranberry fruit), onions, melons, peaches, and potatoes.

(2) DISPLACEMENT.—The Secretary shall ensure that purchases of specialty crops under this subsection will not displace purchases by the Secretary under any other law.

(e) GROWER COMPENSATION.—

(1) COMPENSATION.—Of the amount made available under section 261(a)(2), \$25,000,000 shall be used by the Secretary to compensate—

(A) growers covered by the Secretary's Declaration of Extraordinary Emergency published on March 2, 2000 (65 Fed. Reg. 11280), regarding the plum pox virus;

(B) growers for losses due to Pierce's disease; and

(C) commercial producers for losses due to citrus canker.

(2) REPORT.—Not later than July 19, 2000, the Secretary, in coordination with the Inspector General of the Department of Agriculture, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agri-

culture, Nutrition, and Forestry of the Senate a report that analyzes—

(A) the economic losses to the produce industry as a result of allegations of false inspection certificates prepared by graders of the Department of Agriculture at Hunts Point Terminal Market, Bronx, New York; and

(B) the restitution by the Secretary for persons damaged as a result of losses described in subparagraph (A).

(f) APPLE LOANS.—

(1) REQUIREMENT.—The Secretary, acting through the Farm Service Agency, shall use funds of the Commodity Credit Corporation to make loans to producers of apples that are suffering economic loss as the result of low prices for apples.

(2) TERM.—The term of a loan made under this subsection shall be not more than 3 years.

(3) INTEREST RATE.—The interest rate for a loan made under this subsection shall be at a rate equal to the then current cost of money to the Government of the United States for loans of similar maturity.

(4) SECURITY.—The Secretary may require a loan made under this subsection to be secured by real property or such other collateral as the Secretary considers appropriate and protects the interests of the Federal Government.

(5) LIMITATION.—The cost of all loans made under this subsection shall not exceed \$5,000,000.

#### SEC. 204. OTHER COMMODITIES.

(a) PEANUTS.—

(1) IN GENERAL.—The Secretary shall use 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 2000 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) a payment rate equal to—

(i) in the case of quota peanuts, \$30.50 per ton;

and

(ii) in the case of additional peanuts, \$16.00 per ton.

(b) TOBACCO.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE PERSON.—The term “eligible person” means a person that owns or operates, or produces eligible tobacco on, a farm—

(i) for which the quantity of quota of eligible tobacco 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 1999 crop year to the 2000 crop year; and

(ii) that is used for the production of eligible tobacco during the 2000 crop year.

(B) ELIGIBLE TOBACCO.—The term “eligible tobacco” means each of the following kinds of tobacco:

(i) Flue-cured tobacco, comprising types 11, 12, 13, and 14.

(ii) Fire-cured tobacco, comprising type 21.

(iii) Burley tobacco, comprising type 31.

(iv) Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 54, and 55.

(2) PAYMENTS.—Effective beginning October 1, 2000, the Secretary shall use \$340,000,000 of funds of the Commodity Credit Corporation to make payments to eligible persons.

(3) ALLOCATION OF FUNDS AMONG STATES.—The funds made available for eligible persons under paragraph (2) shall be allocated among States in the following dollar amounts:

Alabama .....	\$100,000
Arkansas .....	\$1,000
Florida .....	\$2,500,000
Georgia .....	\$13,000,000
Indiana .....	\$5,400,000
Kansas .....	\$23,000
Kentucky .....	\$140,000,000
Missouri .....	\$2,000,000
North Carolina .....	\$100,000,000
Ohio .....	\$6,000,000
Oklahoma .....	\$1,000
South Carolina .....	\$15,000,000
Tennessee .....	\$35,000,000
Virginia .....	\$19,000,000
Wisconsin .....	\$675,000
West Virginia .....	\$1,300,000.

(4) ALLOCATION OF FUNDS AMONG FARMS IN A STATE.—The Secretary shall divide the amount allocated to a State under paragraph (3) among farms in the State based on the quota of eligible tobacco available to each farm of an eligible person for the 2000 crop year.

(5) DIVISION OF FARM PAYMENTS AMONG ELIGIBLE PERSONS IN A STATE.—Not later than October 20, 2000, the Secretary shall divide amounts made available to farms in a State under paragraph (4) among eligible persons who are quota owners, quota lessees, and tobacco producers on farms in the State, and make payments to the eligible persons, on the basis of—

(A) in the case of a State that is a party to the National Tobacco Grower Settlement Trust, the formula in the Trust used to allocate funds among quota owners, quota lessees, and tobacco producers on farms in the State, with such adjustments as the Secretary determines are necessary to enable the payments to be made by October 20, 2000; or

(B) in the case of a State that is not a party to the National Tobacco Grower Settlement Trust, a formula established by the Secretary.

(6) PAYMENTS TO ELIGIBLE PERSONS IN GEORGIA.—The Secretary shall use the amount allocated to the State of Georgia under paragraph (3) to make payments to eligible persons in Georgia only if the State of Georgia agrees to use an equal amount (not to exceed \$13,000,000) to make payments at the same time, or subsequently, to the same eligible persons in the same manner as provided for the Federal payment under paragraphs (4) and (5).

(7) USE FOR ADMINISTRATIVE COSTS.—None of the funds made available under paragraphs (1) through (7) may be used to pay administrative costs incurred in carrying out those paragraphs.

(8) TRANSFER OF ALLOTMENTS.—**[Omitted-Amendment]**

(9) BURLEY TOBACCO INVENTORIES OF PRODUCER ASSOCIATIONS.—**[Omitted-Amendment]**

(10) LIMITATIONS ON BURLEY TOBACCO QUOTA ADJUSTMENTS.—**[Omitted-Amendment]**

(11) LEASE AND TRANSFER OF BURLEY TOBACCO QUOTA.—**[Omitted-Amendment]**

(12) RECORDKEEPING AND SALE OF BURLEY TOBACCO QUOTA AND ACREAGE.—**[Omitted-Amendment]**

(c) HONEY.—

(1) IN GENERAL.—The Secretary shall use funds of the Commodity Credit Corporation to make available recourse loans to producers of the 2000 crop of honey on fair and reasonable terms and conditions, as determined by the Secretary.

(2) LOAN RATE.—The loan rate for a loan under paragraph (1) shall be equal to 85 percent of the average price of honey during the 5-crop year period preceding the 2000 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.

(d) WOOL AND MOHAIR.—

(1) IN GENERAL.—The Secretary shall use funds of the Commodity Credit Corporation to make payments to producers of wool, and producers of mohair, for the 1999 marketing year.

(2) PAYMENT RATE.—The payment rate for payments made to producers under paragraph (1) shall be equal to—

(A) in the case of wool, 20 cents per pound; and

(B) in the case of mohair, 40 cents per pound.

(e) COTTONSEED.—The Secretary shall use \$100,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers and first-handlers of the 2000 crop of cottonseed.

**SEC. 205. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS.**

(a) ELIGIBLE PRODUCERS.—Effective for the 2001 crop year, in the case of a producer that would be eligible for a loan deficiency payment under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(b) **PAYMENT AMOUNT.**—The amount of a payment made to a producer on a farm under this section shall be equal to the amount determined by multiplying—

(1) the loan deficiency payment rate determined under section 135(c) of the Agricultural Market Transition Act (7 U.S.C. 7235(c)) in effect, as of the date of the agreement, for the county in which the farm is located; by

(2) the payment quantity determined by multiplying—

(A) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(B) the greater of—

(i) the established yield for the crop on the farm;

or

(ii) the average county yield per harvested acre of the crop, as determined by the Secretary.

(c) **TIME, MANNER, AND AVAILABILITY OF PAYMENT.**—

(1) **TIME AND MANNER.**—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235), except that the payment shall be made not later than September 30, 2001.

(2) **AVAILABILITY.**—The Secretary shall establish an availability period for the payment authorized by this section that is consistent with the availability period for wheat, barley, and oats established by the Secretary for marketing assistance loans authorized by subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.).

(d) **REGULATIONS.**—The Secretary shall promulgate under section 263 such regulations as are necessary to administer the payments authorized by this section in a fair and equitable manner with respect to producers of wheat and feed grains that do not receive a payment under this section.

(e) **FUNDING.**—The Secretary shall use funds of the Commodity Credit Corporation to carry out this section.

**SEC. 206. EXPANSION OF PRODUCERS ELIGIBLE FOR LOAN DEFICIENCY PAYMENTS.**

**【Omitted-Amendments】**

**SUBTITLE B—CONSERVATION**

**SEC. 211. CONSERVATION ASSISTANCE.**

(a) **ESTABLISHMENT.**—The Secretary shall use \$40,000,000 of funds of the Commodity Credit Corporation to provide financial assistance to farmers and ranchers to—

(1) address threats to soil, water, and related natural resources, including grazing land, wetland, and wildlife habitat;

(2) comply with Federal and State environmental laws; and

(3) make beneficial, cost-effective changes to cropping systems, grazing management, manure, nutrient, pest, or irrigation management, land uses, or other measures needed to conserve and improve soil, water, and related natural resources.



(b) TYPE OF ASSISTANCE.—Assistance under this section may be made in the form of cost share payments or incentive payments, as determined by the Secretary.

(c) AREAS.—The Secretary shall provide assistance under this section to areas that are not designated under section 1230(c) of the Food Security Act of 1985 (16 U.S.C. 3830(c)).

**SEC. 212. CONDITION ON DEVELOPMENT OF LITTLE DARBY NATIONAL WILDLIFE REFUGE, OHIO.**

The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall prepare an environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) before proceeding with any further development of the Little Darby National Wildlife Refuge in Madison and Union Counties, Ohio.

SUBTITLE C—RESEARCH

**SEC. 221. [7 U.S.C. 6711] CARBON CYCLE RESEARCH.**

(a) IN GENERAL.—To the extent funds are made available for this purpose, the Secretary shall provide a grant to the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, acting through Kansas State University, to develop, analyze, and implement, through the land grant universities described in subsection (b), carbon cycle research at the national, regional, and local levels.

(b) LAND GRANT UNIVERSITIES.—The land grant universities referred to in subsection (a) are the following:

- (1) Colorado State University.
- (2) Iowa State University.
- (3) Kansas State University.
- (4) Michigan State University.
- (5) Montana State University.
- (6) Purdue University.
- (7) Ohio State University.
- (8) Texas A&M University.
- (9) University of Nebraska.

(c) USE.—Land grant universities described in subsection (b) shall use funds made available under this section—

(1) to conduct research to improve the scientific basis of using land management practices to increase soil carbon sequestration, including research on the use of new technologies to increase carbon cycle effectiveness, such as biotechnology and nanotechnology;

(2) to enter into partnerships to identify, develop, and evaluate agricultural best practices, including partnerships between—

- (A) Federal, State, or private entities; and
- (B) the Department of Agriculture;

(3) to develop necessary computer models to predict and assess the carbon cycle;

(4) to estimate and develop mechanisms to measure carbon levels made available as a result of—

- (A) voluntary Federal conservation programs;
- (B) private and Federal forests; and
- (C) other land uses;

(5) to develop outreach programs, in coordination with Extension Services, to share information on carbon cycle and agricultural best practices that is useful to agricultural producers; and

(6) to collaborate with the Great Plains Regional Earth Science Application Center to develop a space-based carbon cycle remote sensing technology program to—

(A) provide, on a near-continual basis, a real-time and comprehensive view of vegetation conditions;

(B) assess and model agricultural carbon sequestration; and

(C) develop commercial products.

(d) COOPERATIVE RESEARCH.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with departments and agencies participating in the U.S. Global Change Research Program (which may use any of their statutory authorities) and with eligible entities, may carry out research to promote understanding of—

(A) the flux of carbon in soils and plants (including trees); and

(B) the exchange of other greenhouse gases from agriculture.

(2) ELIGIBLE ENTITIES.—Research under this subsection may be carried out through the competitive awarding of grants and cooperative agreements to colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 1303)).

(3) COOPERATIVE RESEARCH PURPOSES.—Research conducted under this subsection shall encourage collaboration among scientists with expertise in the areas of soil science, agronomy, agricultural economics, forestry, and other agricultural sciences to focus on—

(A) developing data addressing carbon losses and gains in soils and plants (including trees) and the exchange of methane and nitrous oxide from agriculture;

(B) understanding how agricultural and forestry practices affect the sequestration of carbon in soils and plants (including trees) and the exchange of other greenhouse gases, including the effects of new technologies such as biotechnology and nanotechnology;

(C) developing cost-effective means of measuring and monitoring changes in carbon pools in soils and plants (including trees), including computer models;

(D) evaluating the linkage between federal conservation programs and carbon sequestration;

(E) developing methods, including remote sensing, to measure the exchange of carbon and other greenhouse gases sequestered, and to evaluate leakage, performance, and permanence issues; and

(F) assessing the applicability of the results of research conducted under this subsection for developing methods to account for the impact of agricultural activities (including forestry) on the exchange of greenhouse gases.

(4) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2002 through 2007.

(e) EXTENSION PROJECTS.—

(1) IN GENERAL.—The Secretary, in cooperation with departments and agencies participating in the U.S. Global Change Research Program (which may use any of their statutory authorities), and local extension agents, experts from institutions of higher education that offer a curriculum in agricultural and biological sciences, and other local agricultural or conservation organizations, may implement extension projects (including on-farm projects with direct involvement of agricultural producers) that combine measurement tools and modeling techniques into integrated packages to monitor the carbon sequestering benefits of conservation practices and the exchange of greenhouse gas emissions from agriculture which demonstrate the feasibility of methods of measuring and monitoring—

(A) changes in carbon content and other carbon pools in soils and plants (including trees); and

(B) the exchange of other greenhouse gases.

(2) EXTENSION PROJECT RESULTS.—The Secretary may disseminate to farmers, ranchers, private forest landowners, and appropriate State agencies in each State information concerning—

(A) the results of projects under this subsection; and

(B) the manner in which the methods used in the projects might be applicable to the operations of the farmers, ranchers, private forest landowners, and State agencies.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection for each of fiscal years 2002 through 2007.

(f) ADMINISTRATIVE COSTS.—Not more than 3 percent of the funds made available for this section may be used by the Secretary to pay administrative costs incurred in carrying out this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2007 through 2012.

**SEC. 222. TOBACCO RESEARCH FOR MEDICINAL PURPOSES.**

(a) ASSISTANCE.—Of the amount made available under section 261(a)(2), the Secretary, acting through the Cooperative State Research, Education, and Extension Service, shall use \$3,000,000 to provide a grant jointly to Georgetown University and North Carolina State University to conduct research regarding the extraction and purification of proteins from genetically altered tobacco that may be used as a vaccine for cervical cancer.

(b) RELATION TO OTHER LAW.—The Secretary may make the grant described in subsection (a) notwithstanding any general prohibition on the use of appropriated funds to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

**SEC. 223. RESEARCH ON SOIL SCIENCE AND FOREST HEALTH MANAGEMENT.**

Of the amount made available under section 261(a)(2), the Secretary shall use \$10,000,000 to provide a grant to the University of Nebraska in Lincoln, Nebraska, for laboratories and equipment for research on soil science and forest health and management.

**SEC. 224. RESEARCH ON WASTE STREAMS FROM LIVESTOCK PRODUCTION.**

Of the amount made available under section 261(a)(2), the Secretary shall use \$3,500,000 to expand current research related to technologies for—

- (1) reducing, modifying, recycling, and using waste streams from livestock production; and
- (2) eliminating associated air, water, and soil quality problems.

**SEC. 225. IMPROVED STORAGE AND MANAGEMENT OF LIVESTOCK AND POULTRY WASTE.**

(a) ASSISTANCE.—Of the amount made available under section 261(a)(2), the Secretary shall use \$5,000,000—

- (1) to review and assess the actual or potential failure of waste storage and handling systems used in livestock or poultry production and the environmental damages associated with the failure of the systems; and
- (2) to study and demonstrate appropriate market-oriented mechanisms to assist livestock producers and poultry producers to prevent the failure of the systems and rectify environmental damages associated with the failure of the systems.

(b) IMPLEMENTATION.—The Secretary shall carry out this section through grants, contracts, and cooperative agreements with livestock producers, poultry producers, associations of such producers, and foundations supported by such producers.

**SEC. 226. ETHANOL RESEARCH PILOT PLANT.**

Of the amount made available under section 261(a)(2), the Secretary shall use \$14,000,000 to provide a grant to the State of Illinois to complete the construction of a corn-based ethanol research pilot plant (Agreement No. 59–3601–7–078) at Southern Illinois University, Edwardsville, Illinois.

**SEC. 227. BIOINFORMATICS INSTITUTE FOR MODEL PLANT SPECIES.**

(a) ESTABLISHMENT AND PURPOSE.—The Secretary, acting through the Agricultural Research Service, may enter into a cooperative agreement with the National Center for Genome Resources in Santa Fe, New Mexico, New Mexico State University, and Iowa State University, for the establishment and operation of an institute (to be known as the “Bioinformatics Institute for Model Plant Species”) in Santa Fe, New Mexico, for the purpose of enhancing the accessibility and utility of genomic information for plant genetic research.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

- (1) \$3,000,000 for the purpose of establishing the Institute under subsection (a); and

(2) such sums as may be necessary for each fiscal year to carry out the cooperative agreement authorized by subsection (a).

SUBTITLE D—AGRICULTURAL MARKETING

**SEC. 231. [7 U.S.C. 1632a] AGRICULTURAL MARKETING RESOURCE CENTER PILOT PROJECT.<sup>2</sup>**

(a) **ESTABLISHMENT.**—The Secretary shall not use more than 2.5 percent of the funds made available to carry out the Local Agriculture Market Program established under section 210A of the Agricultural Marketing Act of 1946 to establish a pilot project (to be known as the “Agricultural Marketing Resource Center”) at an eligible institution described in subsection (b) that will—

(1) develop a resource center with electronic capabilities to coordinate and provide to independent producers and processors (as determined by the Secretary) of value-added agricultural commodities and products of agricultural commodities information regarding research, business, legal, financial, or logistical assistance; and

(2) develop a strategy to establish a nationwide market information and coordination system.

(b) **ELIGIBLE INSTITUTION.**—To be eligible to receive funding to establish the Agricultural Marketing Resource Center, an applicant shall demonstrate to the Secretary—

(1) the capacity and technical expertise to provide the services described in subsection (a)(1);

(2) an established plan outlining support of the applicant in the agricultural community; and

(3) the availability of resources (in cash or in kind) of definite value to sustain the Center following establishment.

SUBTITLE E—NUTRITION PROGRAMS

**SEC. 241. CALCULATION OF MINIMUM AMOUNT OF COMMODITIES FOR SCHOOL LUNCH REQUIREMENTS.**

(a) **FISCAL YEAR 2000.**—Notwithstanding any other provision of law, in addition to any assistance provided under any other provision of law, of the amount made available under section 261(a)(1), the Secretary shall use \$34,000,000 in fiscal year 2000 to purchase commodities of the type provided under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755) for distribution to schools participating in the school lunch program established under that Act (42 U.S.C. 1751 et seq.).

(b) **FISCAL YEAR 2001.**—**[Omitted-Amendment]**

(c) **ADDITIONAL COMMODITIES IN FISCAL YEAR 2001.**—Notwithstanding any other provision of law, in addition to any assistance provided under any other provision of law (including the amendment made by subsection (b)), of the amount made available under section 261(a)(2), the Secretary shall use \$21,000,000 in fiscal year 2001 to purchase commodities of the type provided under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C.

<sup>2</sup>The formatting for the inserted matter in the section heading for section 231, as amended by section 10102(c)(1)(A) of Public Law 115–334, reflects the probable intent of Congress.

1755) for distribution to schools participating in the school lunch program established under that Act (42 U.S.C. 1751 et seq.).

(d) DISTRIBUTION TO SCHOOLS.—The commodities purchased under subsections (a) and (c) shall, to the maximum extent practicable, be distributed in the same manner as commodities are distributed under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755).

**SEC. 242. SCHOOL LUNCH DATA.**

【Omitted-Amendments】

**SEC. 243. CHILD AND ADULT CARE FOOD PROGRAM INTEGRITY.**

【Omitted-Amendments】

**SEC. 244. ADJUSTMENTS TO WIC PROGRAM.**

【Omitted-Amendments】

SUBTITLE F—OTHER PROGRAMS

**SEC. 251. AUTHORITY TO PROVIDE LOAN IN CONNECTION WITH BOLL WEEVIL ERADICATION.**

(a) LOAN AUTHORITY.—Notwithstanding any other provision of law, the Secretary, acting through the Farm Service Agency, shall use \$10,000,000 of funds of the Commodity Credit Corporation to make a loan to the Texas Boll Weevil Eradication Foundation, Inc., to enable the Foundation to retire certain debt associated with boll weevil eradication zones which have ended their participation, in whole or in part, in the federally funded boll weevil eradication program.

(b) REPAYMENT TERMS AND CONDITIONS.—The loan provided under subsection (a) shall be subject to the following terms and conditions:

(1) Repayment shall be scheduled to begin on January 1 of the year following the first year during which the boll weevil eradication zone, or any part thereof, responsible for the debt retired using the loan resumes participation in any federally funded boll weevil eradication program.

(2) No interest shall be charged.

(c) LIMITATION.—The cost of the loan made under this section shall not exceed the loan subsidy sufficient to make the loan.

**SEC. 252. ANIMAL DISEASE CONTROL.**

(a) PSEUDORABIES.—Of the amount made available under section 261(a)(2), the Secretary shall use \$7,000,000 to cover pseudorabies vaccination costs incurred by pork producers.

(b) BOVINE TUBERCULOSIS.—Of the amount made available under section 261(a)(2), the Secretary shall use \$6,000,000 to respond to bovine tuberculosis in the State of Michigan. The funds shall be available for the following purposes:

(1) The surveillance and testing of cattle and wildlife.

(2) Research regarding bovine tuberculosis, to be conducted by the Agricultural Research Service and Michigan State University.

(3) The provision of increased indemnity payments to encourage the depopulation of infected herds.

(4) The performance of diagnostic testing and treatment of humans affected by bovine tuberculosis.

- (5) Slaughter surveillance.
- (6) The control and prevention of the exposure of livestock to infected wildlife, including the installation of fencing to minimize contact between livestock and wildlife.
- (7) The distribution of information regarding the risk and control of bovine tuberculosis, including technological improvements to enhance communication.

**SEC. 253. EMERGENCY LOANS FOR SEED PRODUCERS.**

(a) **IN GENERAL.**—Of the amount made available under section 261(a)(2), the Secretary shall use \$35,000,000, plus \$200,000 for payment of administrative costs, to make no-interest loans to producers of the 1999 crop of grass, forage, vegetable, and sorghum seed that have not received payments from AgriBiotech for the seed as a result of bankruptcy proceedings involving AgriBiotech (referred to in this section as the “bankruptcy proceedings”).

(b) **LOANS.**—

(1) **IN GENERAL.**—The amount of the loan made to a seed producer under this section shall be not more than 65 percent of the amount owed by AgriBiotech to the seed producer for the 1999 seed crop, as determined by the Secretary.

(2) **ELIGIBILITY.**—To be eligible for a loan under this section, the claim of a seed producer in the bankruptcy proceedings must have arisen from a contract to grow seeds in the United States.

(3) **CONTROL.**—In determining the amount owed by AgriBiotech to a seed producer under paragraph (1), the Secretary shall consider whether the seed producer has relinquished control of the seed to AgriBiotech or has the seed in inventory waiting to be sold.

(4) **SECURITY.**—A loan to a seed producer under this section shall be secured in part by the claim of the seed producer in the bankruptcy proceedings.

(5) **REPAYMENT.**—Each seed producer shall repay to the Secretary, for deposit in the Treasury, the amount of the loan made to the seed producer on the earlier of—

(A) the date of settlement of, completion of, or final distribution of assets in the bankruptcy proceedings involving AgriBiotech; or

(B) the date that is 36 months after the date on which the loan was made to the seed producer.

(c) **ADDITIONAL TERMS.**—

(1) **SHORTFALL IN AMOUNT RECEIVED FROM BANKRUPTCY PROCEEDINGS.**—If the amount that the seed producer receives as a result of the proceedings described in subsection (b)(5)(A) is less than the amount of the loan made to the seed producer under subsection (b)(1), the seed producer shall be eligible to have the balance of the loan converted, but not refinanced, to a loan that has the same terms and conditions as an operating loan under subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.).

(2) **LENGTHY BANKRUPTCY PROCEEDINGS.**—If a seed producer is required to repay a loan under subsection (b)(5)(B), the seed producer shall be eligible to have the balance of the

loan converted, but not refinanced, to a loan that has the same terms and conditions as an operating loan under subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.).

(d) LIMITATION.—The cost of all loans made under this section shall not exceed \$15,000,000.

**SEC. 254. TEMPORARY SUSPENSION OF AUTHORITY TO COMBINE CERTAIN OFFICES.**

(a) SUSPENSION.—During the period beginning on the date of the enactment of this Act and ending on June 1, 2001, the Secretary may not combine or take any action to combine, at the State level, offices of the agencies specified in subsection (b) unless the offices are located in the same county as of the date of the enactment of this Act.

(b) COVERED OFFICES.—Subsection (a) applies to an office of any of the following agencies:

- (1) The Farm Service Agency.
- (2) The Natural Resources Conservation Service.
- (3) The Rural Utilities Service.
- (4) The Rural Housing Service.
- (5) The Rural Business-Cooperative Service.

(c) REPORT.—Not later than April 1, 2001, 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 describing any proposed combination of offices specified in subsection (b) that includes a certification that the proposed combination would result in the lowest cost to the Federal Government over the long term.

**SEC. 255. FARM OPERATING LOAN ELIGIBILITY.**

During the period beginning on the date of the enactment of this Act and ending on December 31, 2002—

- (1) sections 311(c) and 319 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(c), 1949) shall have no force or effect; and
- (2) in making direct loans under subtitle B of that Act (7 U.S.C. 1941 et seq.), the Secretary shall give priority to a qualified beginning farmer or rancher who has not operated a farm or ranch, or who has operated a farm or ranch for not more than 5 years.

**SEC. 256. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.**

【Omitted-Amendment】

**SEC. 257. CROP AND PASTURE FLOOD COMPENSATION PROGRAM.**

(a) DEFINITION OF COVERED LAND.—In this section:

(1) IN GENERAL.—The term “covered land” means land that—

- (A) was unusable for agricultural production during the 2000 crop year as the result of flooding;
  - (B) was used for agricultural production during at least one of the 1992 through 1999 crop years;
  - (C) is a contiguous parcel of land of at least 1 acre;
- and



(D) is located in a county in which producers were eligible for assistance under the 1998 Flood Compensation Program established under part 1439 of title 7, Code of Federal Regulations.

(2) EXCLUSIONS.—The term “covered land” excludes any land for which a producer is insured, enrolled, or assisted during the 2000 crop year under—

(A) a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program operated under section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333);

(C) any crop disaster program established for the 2000 crop year;

(D) the conservation reserve program established under subchapter B of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.);

(E) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.);

(F) any emergency watershed protection program or Federal easement program that prohibits crop production or grazing; or

(G) any other Federal or State water storage program, as determined by the Secretary.

(b) COMPENSATION.—The Secretary shall use not more than \$24,000,000 of funds of the Commodity Credit Corporation to compensate producers with covered land described with respect to losses from long-term flooding.

(c) PAYMENT RATE.—The payment rate for compensation provided to a producer under this section shall equal the average county cash rental rate per acre established by the National Agricultural Statistics Service for the 2000 crop year.

(d) PAYMENT LIMITATION.—The total amount of payments made to a person (as defined in section 1001(5) of the Food Security Act (7 U.S.C. 1308(5))) under this section may not exceed \$40,000.

(e) CONFORMING AMENDMENT.—[Omitted-Amendment]

**SEC. 258. FLOOD MITIGATION NEAR PIERRE, SOUTH DAKOTA.**

(a) REQUIREMENT.—Subject to subsection (b), as soon as practicable after the date of the enactment of this Act, with respect to land and property described in the Flood Mitigation Study and Project Implementation Plan for the Missouri River near Pierre, South Dakota, prepared by the Omaha District Corps of Engineers, dated August 12, 1999, the Secretary of the Army shall—

(1) acquire the land and property from willing sellers; and

(2)(A) floodproof the land;

(B) relocate individuals located on the land;

(C) improve infrastructure on the land; or

(D) take other measures determined by the Secretary.

(b) RELEASES.—

(1) IN GENERAL.—The Secretary shall not proceed with full wintertime Oahe Powerplant releases until the Secretary

amends the economic analysis in effect on the date of the enactment of this Act to include an assumption that the Federal Government is responsible for mitigating any existing ground water flooding to the land and property described in subsection (a).

(2) REDUCTION.—To the extent the Secretary identifies benefits of mitigating any existing ground water flooding, full wintertime Oahe Powerplant releases shall be reduced consistent with the economic analysis described in paragraph (1).

(3) MINIMUM LEVEL.—This subsection shall not permit Oahe Powerplant releases to be reduced below existing operational levels.

**SEC. 259. RESTORATION OF ELIGIBILITY FOR CROP LOSS ASSISTANCE.**

(a) EFFECT OF CHANGE IN LEGAL STRUCTURE.—In the case of an individual or entity that was not eligible for a payment pursuant to subsection (c) of section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in section 101(a) of division A of Public Law 105–277; 7 U.S.C. 1421 note), solely because the individual or entity changed the legal structure of the individual's or entity's farming operation, the individual or entity shall be eligible for the payment the individual or entity would have received pursuant to that subsection had the individual or entity not changed the legal structure, less the amount of any payment received by the individual or entity pursuant to subsection (b) of that section.

(b) MULTIPLE FARMING OPERATIONS.—

(1) ELIGIBLE INDIVIDUALS.—In the case of an individual not described in subsection (a) that farmed acreage as a producer as a part of more than one farming operation, none of which received a payment pursuant to subsection (c) of section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, the individual shall be eligible for a payment pursuant to that subsection for losses that the Secretary determines would have been eligible for compensation with respect to that acreage based on the individual's interest in the production from that acreage.

(2) REDUCTION.—A payment made pursuant to paragraph (1) to an individual shall be reduced by the amount of a payment made pursuant to subsection (b) of that section 1102 attributed directly or indirectly to the individual with respect to the acreage described in paragraph (1).

(c) COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.

SUBTITLE G—ADMINISTRATION

**SEC. 261. FUNDING.**

(a) PAYMENT.—Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide to the Secretary the following:

(1) \$34,000,000 for fiscal year 2000 to carry out section 241(a).

(2) \$465,500,000 for fiscal year 2001 to carry out the following:

(A) Section 203 (other than subsection (f)).

(B) Subtitle C.

(C) Section 231.

(D) Section 241 (other than subsection (a)).

(E) Sections 252 and 253.

(b) ACCEPTANCE.—The Secretary shall be entitled to receive the funds and shall accept the funds, without further appropriation.

**SEC. 262. OBLIGATION PERIOD.**

Except as otherwise provided in this title, the Secretary and the Commodity Credit Corporation shall obligate—

(1) funds made available under section 261(a)(1) only during fiscal year 2000; and

(2) funds made available under section 261(a)(2), and funds of the Commodity Credit Corporation made available under this title, only during fiscal year 2001.

**SEC. 263. REGULATIONS.**

(a) PROMULGATION.—As soon as practicable after the date of the enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title. The promulgation of the regulations and administration of this title 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. 264. PAYGO ADJUSTMENT.**

The Director of the Office of Management and Budget shall not make any estimates of changes in direct spending outlays and receipts under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)) resulting from enactment of this title.

**SEC. 265. COMMODITY CREDIT CORPORATION REIMBURSEMENT.**

Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall use such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, under this title.