

In the Senate of the United States,

July 16, 1998.

Resolved, That the bill from the House of Representatives (H.R. 4101) entitled “An Act to making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for Ag-*
3 *riculture, Rural Development, Food and Drug Administra-*
4 *tion, and Related Agencies programs for the fiscal year end-*
5 *ing September 30, 1999, and for other purposes, namely:*



1 *TITLE I*
2 *AGRICULTURAL PROGRAMS*
3 *PRODUCTION, PROCESSING, AND MARKETING*
4 *OFFICE OF THE SECRETARY*
5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the Office of the Secretary*
7 *of Agriculture, and not to exceed \$75,000 for employment*
8 *under 5 U.S.C. 3109, \$2,836,000: Provided, That not to ex-*
9 *ceed \$11,000 of this amount, along with any unobligated*
10 *balances of representation funds in the Foreign Agricultural*
11 *Service, shall be available for official reception and rep-*
12 *resentation expenses, not otherwise provided for, as deter-*
13 *mined by the Secretary.*

14 *EXECUTIVE OPERATIONS*
15 *CHIEF ECONOMIST*

16 *For necessary expenses of the Chief Economist, includ-*
17 *ing economic analysis, risk assessment, cost-benefit analy-*
18 *sis, and the functions of the World Agricultural Outlook*
19 *Board, as authorized by the Agricultural Marketing Act of*
20 *1946 (7 U.S.C. 1622g), and including employment pursu-*
21 *ant to the second sentence of section 706(a) of the Organic*
22 *Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000*
23 *is for employment under 5 U.S.C. 3109, \$5,048,000.*

24 *NATIONAL APPEALS DIVISION*

25 *For necessary expenses of the National Appeals Divi-*
26 *sion, including employment pursuant to the second sentence*

1 of section 706(a) of the Organic Act of 1944 (7 U.S.C.
2 2225), of which not to exceed \$25,000 is for employment
3 under 5 U.S.C. 3109, \$11,718,000.

4 *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

5 *For necessary expenses of the Office of Budget and Pro-*
6 *gram Analysis, including employment pursuant to the sec-*
7 *ond sentence of section 706(a) of the Organic Act of 1944*
8 *(7 U.S.C. 2225), of which not to exceed \$5,000 is for em-*
9 *ployment under 5 U.S.C. 3109, \$5,986,000.*

10 *OFFICE OF THE CHIEF INFORMATION OFFICER*

11 *For necessary expenses of the Office of the Chief Infor-*
12 *mation Officer, including employment pursuant to the sec-*
13 *ond sentence of section 706(a) of the Organic Act of 1944*
14 *(7 U.S.C. 2225), of which not to exceed \$10,000 is for em-*
15 *ployment under 5 U.S.C. 3109, \$5,551,000.*

16 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

17 *For necessary expenses of the Office of the Chief Finan-*
18 *cial Officer, including employment pursuant to the second*
19 *sentence of section 706(a) of the Organic Act of 1944 (7*
20 *U.S.C. 2225), of which not to exceed \$10,000 is for employ-*
21 *ment under 5 U.S.C. 3109, \$4,283,000: Provided, That the*
22 *Chief Financial Officer shall actively market cross-servicing*
23 *activities of the National Finance Center.*

1 *to carry out the programs of the Department, where not*
2 *otherwise provided, \$5,000,000, to remain available until*
3 *expended; making a total appropriation of \$137,184,000.*

4 *HAZARDOUS WASTE MANAGEMENT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the Department of Agri-*
7 *culture, to comply with the requirement of section 107(g)*
8 *of the Comprehensive Environmental Response, Compensa-*
9 *tion, and Liability Act, 42 U.S.C. 9607(g), and section*
10 *6001 of the Resource Conservation and Recovery Act, 42*
11 *U.S.C. 6961, \$15,700,000, to remain available until ex-*
12 *pended: Provided, That appropriations and funds available*
13 *herein to the Department for Hazardous Waste Manage-*
14 *ment may be transferred to any agency of the Department*
15 *for its use in meeting all requirements pursuant to the*
16 *above Acts on Federal and non-Federal lands.*

17 *DEPARTMENTAL ADMINISTRATION*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For Departmental Administration, \$27,034,000, to*
20 *provide for necessary expenses for management support*
21 *services to offices of the Department and for general admin-*
22 *istration and disaster management of the Department, re-*
23 *pairs and alterations, and other miscellaneous supplies and*
24 *expenses not otherwise provided for and necessary for the*
25 *practical and efficient work of the Department, including*

1 *employment pursuant to the second sentence of section*
2 *706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which*
3 *not to exceed \$10,000 is for employment under 5 U.S.C.*
4 *3109: Provided, That this appropriation shall be reim-*
5 *bursed from applicable appropriations in this Act for travel*
6 *expenses incident to the holding of hearings as required by*
7 *5 U.S.C. 551–558.*

8 *OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS*

9 *For grants and contracts pursuant to section 2501 of*
10 *the Food, Agriculture, Conservation, and Trade Act of 1990*
11 *(7 U.S.C. 2279), \$3,000,000, to remain available until ex-*
12 *pended.*

13 *OFFICE OF THE ASSISTANT SECRETARY FOR*

14 *CONGRESSIONAL RELATIONS*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary salaries and expenses of the Office of the*
17 *Assistant Secretary for Congressional Relations to carry out*
18 *the programs funded by this Act, including programs in-*
19 *volving intergovernmental affairs and liaison within the ex-*
20 *ecutive branch, \$3,668,000: Provided, That no other funds*
21 *appropriated to the Department by this Act shall be avail-*
22 *able to the Department for support of activities of congres-*
23 *sional relations: Provided further, That not less than*
24 *\$2,241,000 shall be transferred to agencies funded by this*
25 *Act to maintain personnel at the agency level.*

1 *Public Law 95–452 and section 1337 of Public Law 97–*
2 *98: Provided, That funds transferred to the Office of the*
3 *Inspector General through forfeiture proceedings or from the*
4 *Department of Justice Assets Forfeiture Fund or the De-*
5 *partment of the Treasury Forfeiture Fund, as a participat-*
6 *ing agency, as an equitable share from the forfeiture of*
7 *property in investigations in which the Office of the Inspec-*
8 *tor General participates, or through the granting of a Peti-*
9 *tion for Remission or Mitigation, shall be deposited to the*
10 *credit of this account for law enforcement activities author-*
11 *ized under the Inspector General Act of 1978, to remain*
12 *available until expended.*

13 *OFFICE OF THE GENERAL COUNSEL*

14 *For necessary expenses of the Office of the General*
15 *Counsel, \$28,759,000.*

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

18 *For necessary salaries and expenses of the Office of the*
19 *Under Secretary for Research, Education and Economics*
20 *to administer the laws enacted by the Congress for the Eco-*
21 *nomics Research Service, the National Agricultural Statis-*
22 *tics Service, the Agricultural Research Service, and the Co-*
23 *operative State Research, Education, and Extension Serv-*
24 *ice, \$540,000.*

1 *ECONOMIC RESEARCH SERVICE*

2 *For necessary expenses of the Economic Research Serv-*
3 *ice in conducting economic research and analysis, as au-*
4 *thorized by the Agricultural Marketing Act of 1946 (7*
5 *U.S.C. 1621–1627) and other laws, \$53,109,000: Provided,*
6 *That this appropriation shall be available for employment*
7 *pursuant to the second sentence of section 706(a) of the Or-*
8 *ganic Act of 1944 (7 U.S.C. 2225).*

9 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

10 *For necessary expenses of the National Agricultural*
11 *Statistics Service in conducting statistical reporting and*
12 *service work, including crop and livestock estimates, statis-*
13 *tical coordination and improvements, marketing surveys,*
14 *and the Census of Agriculture, as authorized by the Agricul-*
15 *tural Marketing Act of 1946 (7 U.S.C. 1621–1627), the Cen-*
16 *sus of Agriculture Act of 1997 (Public Law 105–113), and*
17 *other laws, \$103,964,000, of which up to \$23,599,000 shall*
18 *be available until expended for the Census of Agriculture:*
19 *Provided, That this appropriation shall be available for em-*
20 *ployment pursuant to the second sentence of section 706(a)*
21 *of the Organic Act of 1944 (7 U.S.C. 2225), and not to*
22 *exceed \$40,000 shall be available for employment under 5*
23 *U.S.C. 3109.*

1 *AGRICULTURAL RESEARCH SERVICE*2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *For necessary expenses to enable the Agricultural Re-*
4 *search Service to perform agricultural research and dem-*
5 *onstration relating to production, utilization, marketing,*
6 *and distribution (not otherwise provided for); home econom-*
7 *ics or nutrition and consumer use including the acquisition,*
8 *preservation, and dissemination of agricultural informa-*
9 *tion; and for acquisition of lands by donation, exchange,*
10 *or purchase at a nominal cost not to exceed \$100, and for*
11 *land exchanges where the lands exchanged shall be of equal*
12 *value or shall be equalized by a payment of money to the*
13 *grantor which shall not exceed 25 percent of the total value*
14 *of the land or interests transferred out of Federal ownership,*
15 *\$768,221,000: Provided, That appropriations hereunder*
16 *shall be available for temporary employment pursuant to*
17 *the second sentence of section 706(a) of the Organic Act of*
18 *1944 (7 U.S.C. 2225), and not to exceed \$115,000 shall be*
19 *available for employment under 5 U.S.C. 3109: Provided*
20 *further, That appropriations hereunder shall be available*
21 *for the operation and maintenance of aircraft and the pur-*
22 *chase of not to exceed one for replacement only: Provided*
23 *further, That appropriations hereunder shall be available*
24 *pursuant to 7 U.S.C. 2250 for the construction, alteration,*
25 *and repair of buildings and improvements, but unless other-*

1 *wise provided, the cost of constructing any one building*
2 *shall not exceed \$250,000, except for headhouses or green-*
3 *houses which shall each be limited to \$1,000,000, and except*
4 *for ten buildings to be constructed or improved at a cost*
5 *not to exceed \$500,000 each, and the cost of altering any*
6 *one building during the fiscal year shall not exceed 10 per-*
7 *cent of the current replacement value of the building or*
8 *\$250,000, whichever is greater: Provided further, That the*
9 *limitations on alterations contained in this Act shall not*
10 *apply to modernization or replacement of existing facilities*
11 *at Beltsville, Maryland: Provided further, That appropria-*
12 *tions hereunder shall be available for granting easements*
13 *at the Beltsville Agricultural Research Center, including an*
14 *easement to the University of Maryland to construct the*
15 *Transgenic Animal Facility which upon completion shall*
16 *be accepted by the Secretary as a gift: Provided further,*
17 *That the foregoing limitations shall not apply to replace-*
18 *ment of buildings needed to carry out the Act of April 24,*
19 *1948 (21 U.S.C. 113a): Provided further, That funds may*
20 *be received from any State, other political subdivision, or-*
21 *ganization, or individual for the purpose of establishing or*
22 *operating any research facility or research project of the*
23 *Agricultural Research Service, as authorized by law.*

1 *cation multicultural scholars program (7 U.S.C.*
2 *3152(b)(5)), to remain available until expended (7 U.S.C.*
3 *2209b); \$2,500,000 for an education grants program for*
4 *Hispanic-serving Institutions (7 U.S.C. 3241); \$1,000,000*
5 *for a secondary agriculture education program (7 U.S.C.*
6 *3152 (h)); \$4,000,000 for aquaculture grants (7 U.S.C.*
7 *3322); \$8,000,000 for sustainable agriculture research and*
8 *education (7 U.S.C. 5811); \$9,200,000 for a program of ca-*
9 *capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eli-*
10 *gible to receive funds under the Act of August 30, 1890 (7*
11 *U.S.C. 321–326 and 328), including Tuskegee University,*
12 *to remain available until expended (7 U.S.C. 2209b);*
13 *\$1,494,000 for payments to the 1994 Institutions pursuant*
14 *to section 534(a)(1) of Public Law 103–382; and*
15 *\$10,247,000 for necessary expenses of Research and Edu-*
16 *cation Activities, of which not to exceed \$100,000 shall be*
17 *for employment under 5 U.S.C. 3109; in all, \$432,982,000:*
18 *Provided, That of the \$2,000,000 made available for a food*
19 *safety competitive research program at least \$550,000 shall*
20 *be available for research on E.coli:0157H7.*

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

1 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

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

5 *EXTENSION ACTIVITIES*

6 *Payments to States, the District of Columbia, Puerto*
7 *Rico, Guam, the Virgin Islands, Micronesia, Northern Mar-*
8 *ianas, and American Samoa: For payments for cooperative*
9 *extension work under the Smith-Lever Act, to be distributed*
10 *under sections 3(b) and 3(c) of said Act, and under section*
11 *208(c) of Public Law 93–471, for retirement and employees’*
12 *compensation costs for extension agents and for costs of pen-*
13 *alty mail for cooperative extension agents and State exten-*
14 *sion directors, \$276,548,000; payments for extension work*
15 *at the 1994 Institutions under the Smith-Lever Act (7*
16 *U.S.C. 343(b)(3)), \$2,060,000; payments for the nutrition*
17 *and family education program for low-income areas under*
18 *section 3(d) of the Act, \$58,695,000; payments for the pest*
19 *management program under section 3(d) of the Act,*
20 *\$10,783,000; payments for the farm safety program under*
21 *section 3(d) of the Act, \$2,855,000; payments for the pes-*
22 *ticide impact assessment program under section 3(d) of the*
23 *Act, \$3,214,000; payments to upgrade 1890 land-grant col-*
24 *lege research, extension, and teaching facilities as author-*
25 *ized by section 1447 of Public Law 95–113 (7 U.S.C.*

1 3222b), \$8,304,000, to remain available until expended;
2 payments for the rural development centers under section
3 3(d) of the Act, \$908,000; payments for a groundwater qual-
4 ity program under section 3(d) of the Act, \$9,061,000; pay-
5 ments for the agricultural telecommunications program, as
6 authorized by Public Law 101–624 (7 U.S.C. 5926),
7 \$900,000; payments for youth-at-risk programs under sec-
8 tion 3(d) of the Act, \$9,554,000; payments for a food safety
9 program under section 3(d) of the Act, \$2,365,000; pay-
10 ments for carrying out the provisions of the Renewable Re-
11 sources Extension Act of 1978, \$3,192,000; payments for In-
12 dian reservation agents under section 3(d) of the Act,
13 \$1,756,000; payments for sustainable agriculture programs
14 under section 3(d) of the Act, \$3,309,000; payments for
15 rural health and safety education as authorized by section
16 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662),
17 \$2,628,000; payments for cooperative extension work by the
18 colleges receiving the benefits of the second Morrill Act (7
19 U.S.C. 321–326 and 328) and Tuskegee University,
20 \$25,843,000; and for Federal administration and coordina-
21 tion including administration of the Smith-Lever Act, and
22 the Act of September 29, 1977 (7 U.S.C. 341–349), and sec-
23 tion 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301
24 note), and to coordinate and provide program leadership
25 for the extension work of the Department and the several

1 *States and insular possessions, \$10,206,000; in all,*
2 *\$432,181,000: Provided, That funds hereby appropriated*
3 *pursuant to section 3(c) of the Act of June 26, 1953, and*
4 *section 506 of the Act of June 23, 1972, shall not be paid*
5 *to any State, the District of Columbia, Puerto Rico, Guam,*
6 *or the Virgin Islands, Micronesia, Northern Marianas, and*
7 *American Samoa prior to availability of an equal sum from*
8 *non-Federal sources for expenditure during the current fis-*
9 *cal year.*

10 *OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING*
11 *AND REGULATORY PROGRAMS*

12 *For necessary salaries and expenses of the Office of the*
13 *Assistant Secretary for Marketing and Regulatory Pro-*
14 *grams to administer programs under the laws enacted by*
15 *the Congress for the Animal and Plant Health Inspection*
16 *Service, the Agricultural Marketing Service, and the Grain*
17 *Inspection, Packers and Stockyards Administration,*
18 *\$618,000.*

19 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*
20 *SALARIES AND EXPENSES*
21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For expenses, not otherwise provided for, including*
23 *those pursuant to the Act of February 28, 1947 (21 U.S.C.*
24 *114b–c), necessary to prevent, control, and eradicate pests*
25 *and plant and animal diseases; to carry out inspection,*
26 *quarantine, and regulatory activities; to discharge the au-*

1 *thorities of the Secretary of Agriculture under the Act of*
2 *March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426–426b); and*
3 *to protect the environment, as authorized by law,*
4 *\$419,473,000, of which \$3,099,000 shall be available for the*
5 *control of outbreaks of insects, plant diseases, animal dis-*
6 *eases and for control of pest animals and birds to the extent*
7 *necessary to meet emergency conditions: Provided, That no*
8 *funds shall be used to formulate or administer a brucellosis*
9 *eradication program for the current fiscal year that does*
10 *not require minimum matching by the States of at least*
11 *40 percent: Provided further, That this appropriation shall*
12 *be available for field employment pursuant to the second*
13 *sentence of section 706(a) of the Organic Act of 1944 (7*
14 *U.S.C. 2225), and not to exceed \$40,000 shall be available*
15 *for employment under 5 U.S.C. 3109: Provided further,*
16 *That this appropriation shall be available for the operation*
17 *and maintenance of aircraft and the purchase of not to ex-*
18 *ceed four, of which two shall be for replacement only: Pro-*
19 *vided further, That, in addition, in emergencies which*
20 *threaten any segment of the agricultural production indus-*
21 *try of this country, the Secretary may transfer from other*
22 *appropriations or funds available to the agencies or cor-*
23 *porations of the Department such sums as may be deemed*
24 *necessary, to be available only in such emergencies for the*
25 *arrest and eradication of contagious or infectious disease*

1 *or pests of animals, poultry, or plants, and for expenses*
2 *in accordance with the Act of February 28, 1947, and sec-*
3 *tion 102 of the Act of September 21, 1944, and any unex-*
4 *pected balances of funds transferred for such emergency*
5 *purposes in the next preceding fiscal year shall be merged*
6 *with such transferred amounts: Provided further, That ap-*
7 *propriations hereunder shall be available pursuant to law*
8 *(7 U.S.C. 2250) for the repair and alteration of leased*
9 *buildings and improvements, but unless otherwise provided,*
10 *the cost of altering any one building during the fiscal year*
11 *shall not exceed 10 percent of the current replacement value*
12 *of the building: Provided further, That, of the amounts*
13 *made available under this heading, not less than*
14 *\$22,970,000 shall be used for fruit fly exclusion and detec-*
15 *tion.*

16 *In fiscal year 1999, the agency is authorized to collect*
17 *fees to cover the total costs of providing technical assistance,*
18 *goods, or services requested by States, other political sub-*
19 *divisions, domestic and international organizations, foreign*
20 *governments, or individuals, provided that such fees are*
21 *structured such that any entity's liability for such fees is*
22 *reasonably based on the technical assistance, goods, or serv-*
23 *ices provided to the entity by the agency, and such fees shall*
24 *be credited to this account, to remain available until ex-*

1 *pending, without further appropriation, for providing such*
2 *assistance, goods, or services.*

3 *Of the total amount available under this heading in*
4 *fiscal year 1999, \$88,000,000 shall be derived from user fees*
5 *deposited in the Agricultural Quarantine Inspection User*
6 *Fee Account.*

7 *BUILDINGS AND FACILITIES*

8 *For plans, construction, repair, preventive mainte-*
9 *nance, environmental support, improvement, extension, al-*
10 *teration, and purchase of fixed equipment or facilities, as*
11 *authorized by 7 U.S.C. 2250, and acquisition of land as*
12 *authorized by 7 U.S.C. 428a, \$4,200,000, to remain avail-*
13 *able until expended: Provided, That the Animal and Plant*
14 *Health Inspection Service shall enter into a cooperative*
15 *agreement for construction of a Federal large animal bio-*
16 *safety level-3 containment facility in Iowa.*

17 *AGRICULTURAL MARKETING SERVICE*

18 *MARKETING SERVICES*

19 *For necessary expenses to carry on services related to*
20 *consumer protection, agricultural marketing and distribu-*
21 *tion, transportation, and regulatory programs, as author-*
22 *ized by law, and for administration and coordination of*
23 *payments to States; including field employment pursuant*
24 *to the second sentence of section 706(a) of the Organic Act*
25 *of 1944 (7 U.S.C. 2225), and not to exceed \$90,000 for em-*
26 *ployment under 5 U.S.C. 3109, \$45,567,000, including*

1 *funds for the wholesale market development program for the*
2 *design and development of wholesale and farmer market fa-*
3 *cilities for the major metropolitan areas of the country: Pro-*
4 *vided, That this appropriation shall be available pursuant*
5 *to law (7 U.S.C. 2250) for the alteration and repair of*
6 *buildings and improvements, but the cost of altering any*
7 *one building during the fiscal year shall not exceed 10 per-*
8 *cent of the current replacement value of the building.*

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

12 *LIMITATION ON ADMINISTRATIVE EXPENSES*

13 *Not to exceed \$59,521,000 (from fees collected) shall be*
14 *obligated during the current fiscal year for administrative*
15 *expenses: Provided, That if crop size is understated and/*
16 *or other uncontrollable events occur, the agency may exceed*
17 *this limitation by up to 10 percent with notification to the*
18 *Appropriations Committees.*

19 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

20 *SUPPLY (SECTION 32)*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *Funds available under section 32 of the Act of August*
23 *24, 1935 (7 U.S.C. 612c) shall be used only for commodity*
24 *program expenses as authorized therein, and other related*
25 *operating expenses, except for: (1) transfers to the Depart-*
26 *ment of Commerce as authorized by the Fish and Wildlife*

1 *Act of August 8, 1956; (2) transfers otherwise provided in*
2 *this Act; and (3) not more than \$10,998,000 for formulation*
3 *and administration of marketing agreements and orders*
4 *pursuant to the Agricultural Marketing Agreement Act of*
5 *1937 and the Agricultural Act of 1961.*

6 *PAYMENTS TO STATES AND POSSESSIONS*

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

11 *GRAIN INSPECTION, PACKERS AND STOCKYARDS*

12 *ADMINISTRATION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses to carry out the provisions of*
15 *the United States Grain Standards Act, for the administra-*
16 *tion of the Packers and Stockyards Act, for certifying proce-*
17 *dures used to protect purchasers of farm products, and the*
18 *standardization activities related to grain under the Agri-*
19 *cultural Marketing Act of 1946, including field employment*
20 *pursuant to the second sentence of section 706(a) of the Or-*
21 *ganic Act of 1944 (7 U.S.C. 2225), and not to exceed*
22 *\$25,000 for employment under 5 U.S.C. 3109, \$26,390,000:*
23 *Provided, That this appropriation shall be available pursu-*
24 *ant to law (7 U.S.C. 2250) for the alteration and repair*
25 *of buildings and improvements, but the cost of altering any*

1 *one building during the fiscal year shall not exceed 10 per-*
2 *cent of the current replacement value of the building.*

3 *INSPECTION AND WEIGHING SERVICES*

4 *LIMITATION ON INSPECTION AND WEIGHING SERVICE*

5 *EXPENSES*

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

13 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

14 *For necessary salaries and expenses of the Office of the*
15 *Under Secretary for Food Safety to administer the laws en-*
16 *acted by the Congress for the Food Safety and Inspection*
17 *Service, \$446,000.*

18 *FOOD SAFETY AND INSPECTION SERVICE*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses to carry on services authorized*
21 *by the Federal Meat Inspection Act, the Poultry Products*
22 *Inspection Act, and the Egg Products Inspection Act,*
23 *\$605,149,000, and in addition, \$1,000,000 may be credited*
24 *to this account from fees collected for the cost of laboratory*
25 *accreditation as authorized by section 1017 of Public Law*
26 *102–237: Provided, That this appropriation shall not be*

1 *available for shell egg surveillance under section 5(d) of the*
 2 *Egg Products Inspection Act (21 U.S.C. 1034(d)): Provided*
 3 *further, That this appropriation shall be available for field*
 4 *employment pursuant to the second sentence of section*
 5 *706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and*
 6 *not to exceed \$75,000 shall be available for employment*
 7 *under 5 U.S.C. 3109: Provided further, That this appro-*
 8 *priation shall be available pursuant to law (7 U.S.C. 2250)*
 9 *for the alteration and repair of buildings and improve-*
 10 *ments, but the cost of altering any one building during the*
 11 *fiscal year shall not exceed 10 percent of the current replace-*
 12 *ment value of the building.*

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

15 *For necessary salaries and expenses of the Office of the*
 16 *Under Secretary for Farm and Foreign Agricultural Serv-*
 17 *ices to administer the laws enacted by Congress for the*
 18 *Farm Service Agency, the Foreign Agricultural Service, the*
 19 *Risk Management Agency, and the Commodity Credit Cor-*
 20 *poration, \$572,000.*

21 *FARM SERVICE AGENCY*

22 *SALARIES AND EXPENSES*

23 *(INCLUDING TRANSFERS OF FUNDS)*

24 *For necessary expenses for carrying out the adminis-*
 25 *tration and implementation of programs administered by*
 26 *the Farm Service Agency, \$710,842,000: Provided, That the*

1 *Secretary is authorized to use the services, facilities, and*
2 *authorities (but not the funds) of the Commodity Credit*
3 *Corporation to make program payments for all programs*
4 *administered by the Agency: Provided further, That other*
5 *funds made available to the Agency for authorized activities*
6 *may be advanced to and merged with this account: Provided*
7 *further, That these funds shall be available for employment*
8 *pursuant to the second sentence of section 706(a) of the Or-*
9 *ganic Act of 1944 (7 U.S.C. 2225), and not to exceed*
10 *\$1,000,000 shall be available for employment under 5*
11 *U.S.C. 3109.*

12 *STATE MEDIATION GRANTS*

13 *For grants pursuant to section 502(b) of the Agricul-*
14 *tural Credit Act of 1987 (7 U.S.C. 5101–5106), \$2,000,000.*

15 *DAIRY INDEMNITY PROGRAM*

16 *(INCLUDING TRANSFERS OF FUNDS)*

17 *For necessary expenses involved in making indemnity*
18 *payments to dairy farmers for milk or cows producing such*
19 *milk and manufacturers of dairy products who have been*
20 *directed to remove their milk or dairy products from com-*
21 *mercial markets because it contained residues of chemicals*
22 *registered and approved for use by the Federal Government,*
23 *and in making indemnity payments for milk, or cows pro-*
24 *ducing such milk, at a fair market value to any dairy farm-*
25 *er who is directed to remove his milk from commercial mar-*
26 *kets because of: (1) the presence of products of nuclear radi-*

1 *ation or fallout if such contamination is not due to the fault*
 2 *of the farmer; or (2) residues of chemicals or toxic sub-*
 3 *stances not included under the first sentence of the Act of*
 4 *August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic*
 5 *substances were not used in a manner contrary to applica-*
 6 *ble regulations or labeling instructions provided at the time*
 7 *of use and the contamination is not due to the fault of the*
 8 *farmer, \$450,000, to remain available until expended (7*
 9 *U.S.C. 2209b): Provided, That none of the funds contained*
 10 *in this Act shall be used to make indemnity payments to*
 11 *any farmer whose milk was removed from commercial mar-*
 12 *kets as a result of the farmer's willful failure to follow proce-*
 13 *dures prescribed by the Federal Government: Provided fur-*
 14 *ther, That this amount shall be transferred to the Commod-*
 15 *ity Credit Corporation: Provided further, That the Sec-*
 16 *retary is authorized to utilize the services, facilities, and*
 17 *authorities of the Commodity Credit Corporation for the*
 18 *purpose of making dairy indemnity disbursements.*

19 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

20 *ACCOUNT*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For gross obligations for the principal amount of di-*
 23 *rect and guaranteed loans as authorized by 7 U.S.C. 1928-*
 24 *1929, to be available from funds in the Agricultural Credit*
 25 *Insurance Fund, as follows: farm ownership loans,*
 26 *\$510,649,000, of which \$425,000,000 shall be for guaranteed*

1 loans; operating loans, \$1,788,378,000, of which
2 \$992,906,000 shall be for unsubsidized guaranteed loans
3 and \$235,000,000 shall be for subsidized guaranteed loans;
4 Indian tribe land acquisition loans as authorized by 25
5 U.S.C. 488, \$1,000,000; for emergency insured loans,
6 \$25,000,000 to meet the needs resulting from natural disas-
7 ters; and for boll weevil eradication program loans as au-
8 thorized by 7 U.S.C. 1989, \$40,000,000.

9 For the cost of direct and guaranteed loans, including
10 the cost of modifying loans as defined in section 502 of the
11 Congressional Budget Act of 1974, as follows: farm owner-
12 ship loans, \$19,580,000, of which \$6,758,000 shall be for
13 guaranteed loans; operating loans, \$70,337,000, of which
14 \$11,518,000 shall be for unsubsidized guaranteed loans and
15 \$20,539,000 shall be for subsidized guaranteed loans; In-
16 dian tribe land acquisition loans as authorized by 25
17 U.S.C. 488, \$153,000; for emergency insured loans,
18 \$5,900,000 to meet the needs resulting from natural disas-
19 ters; and for boll weevil eradication program loans as au-
20 thorized by 7 U.S.C. 1989, \$576,000.

21 In addition, for administrative expenses necessary to
22 carry out the direct and guaranteed loan programs,
23 \$219,861,000, of which \$209,861,000 shall be transferred to
24 and merged with the appropriation for “Farm Service
25 Agency, Salaries and Expenses”.

1 *RISK MANAGEMENT AGENCY*

2 *ADMINISTRATIVE AND OPERATING EXPENSES*

3 *For administrative and operating expenses, as author-*
4 *ized by the Federal Agriculture Improvement and Reform*
5 *Act of 1996 (7 U.S.C. 6933), \$64,000,000: Provided, That*
6 *not to exceed \$700 shall be available for official reception*
7 *and representation expenses, as authorized by 7 U.S.C.*
8 *1506(i).*

9 *CORPORATIONS*

10 *The following corporations and agencies are hereby au-*
11 *thorized to make expenditures, within the limits of funds*
12 *and borrowing authority available to each such corporation*
13 *or agency and in accord with law, and to make contracts*
14 *and commitments without regard to fiscal year limitations*
15 *as provided by section 104 of the Government Corporation*
16 *Control Act as may be necessary in carrying out the pro-*
17 *grams set forth in the budget for the current fiscal year for*
18 *such corporation or agency, except as hereinafter provided.*

19 *FEDERAL CROP INSURANCE CORPORATION FUND*

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

23 *COMMODITY CREDIT CORPORATION FUND*

24 *REIMBURSEMENT FOR NET REALIZED LOSSES*

25 *For fiscal year 1999, such sums as may be necessary*
26 *to reimburse the Commodity Credit Corporation for net re-*

1 *alized losses sustained, but not previously reimbursed (esti-*
 2 *mated to be \$8,439,000,000 in the President's fiscal year*
 3 *1999 Budget Request (H. Doc. 105-177)), but not to exceed*
 4 *\$8,439,000,000, pursuant to section 2 of the Act of August*
 5 *17, 1961 (15 U.S.C. 713a-11).*

6 *OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE*
 7 *MANAGEMENT*

8 *For fiscal year 1999, the Commodity Credit Corpora-*
 9 *tion shall not expend more than \$5,000,000 for expenses to*
 10 *comply with the requirement of section 107(g) of the Com-*
 11 *prehensive Environmental Response, Compensation, and*
 12 *Liability Act, 42 U.S.C. 9607(g), and section 6001 of the*
 13 *Resource Conservation and Recovery Act, 42 U.S.C. 6961:*
 14 *Provided, That expenses shall be for operations and mainte-*
 15 *nance costs only and that other hazardous waste manage-*
 16 *ment costs shall be paid for by the USDA Hazardous Waste*
 17 *Management appropriation in this Act.*

18 *DISASTER ASSISTANCE*

19 *For necessary expenses to provide assistance to agri-*
 20 *cultural producers in a county with respect to which a dis-*
 21 *aster or emergency was declared by the President or the Sec-*
 22 *retary of Agriculture by July 15, 1998, as a result of*
 23 *drought and fire, through—*

24 *(1) the forestry incentives program established*
 25 *under the Cooperative Forestry Assistance Act of 1978*
 26 *(16 U.S.C. 2101 et seq.), \$9,000,000;*

1 *vided, That the entire amount shall be available only to*
2 *the extent that the President submits to Congress an official*
3 *budget request for a specific dollar amount that includes*
4 *designation of the entire amount of the request as an emer-*
5 *gency requirement for the purposes of the Balanced Budget*
6 *and Emergency Deficit Control Act of 1985 (2 U.S.C. 900*
7 *et seq.): Provided further, That the entire amount of funds*
8 *necessary to carry out this paragraph is designated by Con-*
9 *gress as an emergency requirement under section*
10 *251(b)(2)(A) of the Balanced Budget and Emergency Defi-*
11 *cit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).*

12 *TITLE II*

13 *CONSERVATION PROGRAMS*

14 *OFFICE OF THE UNDER SECRETARY FOR NATURAL*

15 *RESOURCES AND ENVIRONMENT*

16 *For necessary salaries and expenses of the Office of the*
17 *Under Secretary for Natural Resources and Environment*
18 *to administer the laws enacted by the Congress for the For-*
19 *est Service and the Natural Resources Conservation Service,*
20 *\$693,000.*

21 *NATURAL RESOURCES CONSERVATION SERVICE*

22 *CONSERVATION OPERATIONS*

23 *For necessary expenses for carrying out the programs*
24 *administered by the Natural Resources Conservation Serv-*
25 *ice, including the provisions of the Act of April 27, 1935*

1 *(16 U.S.C. 590a–f), including preparation of conservation*
2 *plans and establishment of measures to conserve soil and*
3 *water (including farm irrigation and land drainage and*
4 *such special measures for soil and water management as*
5 *may be necessary to prevent floods and the siltation of res-*
6 *ervoirs and to control agricultural related pollutants); oper-*
7 *ation of conservation plant materials centers; classification*
8 *and mapping of soil; dissemination of information; acquisi-*
9 *tion of lands, water, and interests therein for use in the*
10 *plant materials program by donation, exchange, or pur-*
11 *chase at a nominal cost not to exceed \$100 pursuant to the*
12 *Act of August 3, 1956 (7 U.S.C. 428a); purchase and erec-*
13 *tion or alteration or improvement of permanent and tem-*
14 *porary buildings; and operation and maintenance of air-*
15 *craft, \$638,664,000, to remain available until expended (7*
16 *U.S.C. 2209b), of which not less than \$5,835,000 is for snow*
17 *survey and water forecasting and not less than \$9,025,000*
18 *is for operation and establishment of the plant materials*
19 *centers: Provided, That, of the total amount appropriated,*
20 *\$433,000 shall be used, along with prior year appropria-*
21 *tions provided for this project, to complete construction of*
22 *the Alderson Plant Materials Center, Alderson, West Vir-*
23 *ginia: Provided, further, That appropriations hereunder*
24 *shall be available pursuant to 7 U.S.C. 2250 for construc-*
25 *tion and improvement of buildings and public improve-*

1 ments at plant materials centers, except that the cost of al-
2 terations and improvements to other buildings and other
3 public improvements shall not exceed \$250,000: Provided
4 further, That when buildings or other structures are erected
5 on non-Federal land, that the right to use such land is ob-
6 tained as provided in 7 U.S.C. 2250a: Provided further,
7 That this appropriation shall be available for technical as-
8 sistance and related expenses to carry out programs author-
9 ized by section 202(c) of title II of the Colorado River Basin
10 Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided
11 further, That no part of this appropriation may be ex-
12 pended for soil and water conservation operations under the
13 Act of April 27, 1935 in demonstration projects: Provided
14 further, That this appropriation shall be available for em-
15 ployment pursuant to the second sentence of section 706(a)
16 of the Organic Act of 1944 (7 U.S.C. 2225), and not to
17 exceed \$25,000 shall be available for employment under 5
18 U.S.C. 3109: Provided further, That qualified local engi-
19 neers may be temporarily employed at per diem rates to
20 perform the technical planning work of the Service (16
21 U.S.C. 590e-2).

22 WATERSHED SURVEYS AND PLANNING

23 For necessary expenses to conduct research, investiga-
24 tion, and surveys of watersheds of rivers and other water-
25 ways, and for small watershed investigations and planning,
26 in accordance with the Watershed Protection and Flood

1 *Prevention Act approved August 4, 1954 (16 U.S.C. 1001–*
2 *1009), \$11,190,000: Provided, That this appropriation shall*
3 *be available for employment pursuant to the second sentence*
4 *of section 706(a) of the Organic Act of 1944 (7 U.S.C.*
5 *2225), and not to exceed \$110,000 shall be available for em-*
6 *ployment under 5 U.S.C. 3109.*

7 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

8 *For necessary expenses to carry out preventive meas-*
9 *ures, including but not limited to research, engineering op-*
10 *erations, methods of cultivation, the growing of vegetation,*
11 *rehabilitation of existing works and changes in use of land,*
12 *in accordance with the Watershed Protection and Flood*
13 *Prevention Act approved August 4, 1954 (16 U.S.C. 1001–*
14 *1005, 1007–1009), the provisions of the Act of April 27,*
15 *1935 (16 U.S.C. 590a–f), and in accordance with the provi-*
16 *sions of laws relating to the activities of the Department,*
17 *\$101,036,000, to remain available until expended (7 U.S.C.*
18 *2209b) (of which up to \$15,000,000 may be available for*
19 *the watersheds authorized under the Flood Control Act ap-*
20 *proved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a):*
21 *Provided, That this appropriation shall be available for em-*
22 *ployment pursuant to the second sentence of section 706(a)*
23 *of the Organic Act of 1944 (7 U.S.C. 2225), and not to*
24 *exceed \$200,000 shall be available for employment under*
25 *5 U.S.C. 3109: Provided further, That not to exceed*
26 *\$1,000,000 of this appropriation is available to carry out*

1 *the purposes of the Endangered Species Act of 1973 (Public*
2 *Law 93–205), including cooperative efforts as contemplated*
3 *by that Act to relocate endangered or threatened species to*
4 *other suitable habitats as may be necessary to expedite*
5 *project construction.*

6 *RESOURCE CONSERVATION AND DEVELOPMENT*

7 *For necessary expenses in planning and carrying out*
8 *projects for resource conservation and development and for*
9 *sound land use pursuant to the provisions of section 32(e)*
10 *of title III of the Bankhead-Jones Farm Tenant Act (7*
11 *U.S.C. 1010–1011; 76 Stat. 607), the Act of April 27, 1935*
12 *(16 U.S.C. 590a–f), and the Agriculture and Food Act of*
13 *1981 (16 U.S.C. 3451–3461), \$34,377,000, to remain avail-*
14 *able until expended (7 U.S.C. 2209b): Provided, That this*
15 *appropriation shall be available for employment pursuant*
16 *to the second sentence of section 706(a) of the Organic Act*
17 *of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall*
18 *be available for employment under 5 U.S.C. 3109.*

19 *FORESTRY INCENTIVES PROGRAM*

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

1 *TITLE III*
2 *RURAL ECONOMIC AND COMMUNITY*
3 *DEVELOPMENT PROGRAMS*
4 *OFFICE OF THE UNDER SECRETARY FOR RURAL*
5 *DEVELOPMENT*

6 *For necessary salaries and expenses of the Office of the*
7 *Under Secretary for Rural Development to administer pro-*
8 *grams under the laws enacted by the Congress for the Rural*
9 *Housing Service, the Rural Business-Cooperative Service,*
10 *and the Rural Utilities Service of the Department of Agri-*
11 *culture, \$588,000.*

12 *RURAL COMMUNITY ADVANCEMENT PROGRAM*
13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For the cost of direct loans, loan guarantees, and*
15 *grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, and*
16 *1932, except for sections 381E–H and 381N of the Consoli-*
17 *dated Farm and Rural Development Act (7 U.S.C. 2009f),*
18 *\$702,601,000, to remain available until expended, of which*
19 *\$29,786,000 shall be for rural community programs de-*
20 *scribed in section 381E(d)(1) of the Consolidated Farm and*
21 *Rural Development Act; of which \$622,522,000 shall be for*
22 *the rural utilities programs described in section 381E(d)(2)*
23 *of such Act; and of which \$47,893,000 shall be for the rural*
24 *business and cooperative development programs described*
25 *in section 381E(d)(3) of such Act: Provided, That of the*
26 *amount appropriated for the rural business and cooperative*

1 *development programs, not to exceed \$500,000 shall be made*
2 *available for a grant to a qualified national organization*
3 *to provide technical assistance for rural transportation in*
4 *order to promote economic development: Provided further,*
5 *That of the total amount appropriated, 3 percent shall be*
6 *reserved for federally recognized Indian tribes through July*
7 *31, 1999, and if not used by Indian tribes shall be available*
8 *for use by other qualified applicants: Provided further, That*
9 *of the total amount appropriated, not to exceed \$70,000*
10 *shall be available under 7 U.S.C. 381O and shall be used*
11 *only for demonstration programs: Provided further, That*
12 *of the amount appropriated for rural utilities programs,*
13 *not to exceed \$20,000,000 shall be for water and waste dis-*
14 *posal systems to benefit the Colonias along the United*
15 *States/Mexico border, including grants pursuant to section*
16 *306C of such Act; not to exceed \$25,000,000 shall be for*
17 *water and waste disposal systems for rural and native vil-*
18 *lages in Alaska pursuant to section 306D of such Act; not*
19 *to exceed \$16,215,000 shall be for technical assistance*
20 *grants for rural waste systems pursuant to section*
21 *306(a)(14) of such Act; and not to exceed \$5,200,000 shall*
22 *be for contracting with qualified national organizations for*
23 *a circuit rider program to provide technical assistance for*
24 *rural water systems: Provided further, That of the total*
25 *amount appropriated, \$2,800,000 shall be available for a*

1 *community improvement project in Arkansas: Provided fur-*
2 *ther, That of the total amount appropriated, not to exceed*
3 *\$33,926,000 shall be available through June 30, 1999, for*
4 *empowerment zones and enterprise communities, as author-*
5 *ized by Public Law 103-66, of which \$1,844,000 shall be*
6 *for rural community programs described in section*
7 *381E(d)(1) of such Act; of which \$24,900,100 shall be for*
8 *the rural utilities programs described in section 381E(d)(2)*
9 *of such Act; of which \$8,134,000 shall be for the rural busi-*
10 *ness and cooperative development programs described in*
11 *section 381E(d)(3) of such Act.*

12 *RURAL HOUSING SERVICE*

13 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For gross obligations for the principal amount of di-*
16 *rect and guaranteed loans as authorized by title V of the*
17 *Housing Act of 1949, to be available from funds in the rural*
18 *housing insurance fund, as follows: \$4,000,000,000 for loans*
19 *to section 502 borrowers, as determined by the Secretary,*
20 *of which \$3,000,000,000 shall be for unsubsidized guaran-*
21 *teed loans; \$30,000,000 for section 504 housing repair*
22 *loans; \$75,000,000 for section 538 guaranteed multi-family*
23 *housing loans; \$15,758,000 for section 514 farm labor hous-*
24 *ing; \$128,640,000 for section 515 rental housing;*
25 *\$5,000,000 for section 524 site loans; \$25,000,000 for credit*
26 *sales of acquired property, of which up to \$4,000,000 may*

1 *be for multi-family credit sales; and \$5,000,000 for section*
2 *523 self-help housing land development loans.*

3 *For the cost of direct and guaranteed loans, including*
4 *the cost of modifying loans, as defined in section 502 of*
5 *the Congressional Budget Act of 1974, as follows: section*
6 *502 loans, \$120,900,000, of which \$2,700,000 shall be for*
7 *unsubsidized guaranteed loans; section 504 housing repair*
8 *loans, \$10,569,000; section 538 multi-family housing guar-*
9 *anteed loans, \$1,740,000; section 514 farm labor housing,*
10 *\$8,199,000; section 515 rental housing, \$62,069,000; section*
11 *524 site loans, \$16,000; credit sales of acquired property,*
12 *\$3,826,000, of which up to \$1,932,000 may be for multi-*
13 *family credit sales; and section 523 self-help housing land*
14 *development loans, \$282,000: Provided, That of the total*
15 *amount appropriated in this paragraph, \$10,380,100 shall*
16 *be for empowerment zones and enterprise communities, as*
17 *authorized by Public Law 103–66: Provided further, That*
18 *if such funds are not obligated for empowerment zones and*
19 *enterprise communities by June 30, 1999, they shall remain*
20 *available for other authorized purposes under this head.*

21 *In addition, for administrative expenses necessary to*
22 *carry out the direct and guaranteed loan programs,*
23 *\$360,785,000, which shall be transferred to and merged*
24 *with the appropriation for “Rural Housing Service, Sala-*
25 *ries and Expenses”.*

1 \$1,000,000 shall be for empowerment zones and enterprise
2 communities, as authorized by Public Law 103–66: Pro-
3 vided further, That if such funds are not obligated for em-
4 powerment zones and enterprise communities by June 30,
5 1999, they shall remain available for other authorized pur-
6 poses under this head.

7 *RURAL HOUSING ASSISTANCE GRANTS*

8 *For grants and contracts for housing for domestic farm*
9 *labor, very low-income housing repair, supervisory and*
10 *technical assistance, compensation for construction defects,*
11 *and rural housing preservation made by the Rural Housing*
12 *Service, as authorized by 42 U.S.C. 1474, 1479(c), 1486,*
13 *1490e, and 1490m, \$45,720,000, to remain available until*
14 *expended: Provided, That of the total amount appropriated,*
15 *\$1,372,000 shall be for empowerment zones and enterprise*
16 *communities, as authorized by Public Law 103–66: Pro-*
17 *vided further, That if such funds are not obligated for em-*
18 *powerment zones and enterprise communities by June 30,*
19 *1999, they shall remain available for other authorized pur-*
20 *poses under this head.*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Rural Housing Service,*
23 *including administering the programs authorized by the*
24 *Consolidated Farm and Rural Development Act, title V of*
25 *the Housing Act of 1949, and cooperative agreements,*
26 *\$60,978,000: Provided, That this appropriation shall be*

1 *available for employment pursuant to the second sentence*
2 *of section 706(a) of the Organic Act of 1944 (7 U.S.C.*
3 *2225), and not to exceed \$520,000 may be used for employ-*
4 *ment under 5 U.S.C. 3109: Provided futher, That the Ad-*
5 *ministrator may expend not more than \$10,000 to provide*
6 *modest nonmonetary awards to non-USDA employees.*

7 *RURAL BUSINESS-COOPERATIVE SERVICE*

8 *RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For the cost of direct loans, \$16,615,000, as authorized*
11 *by the Rural Development Loan Fund (42 U.S.C. 9812(a)):*
12 *Provided, That such costs, including the cost of modifying*
13 *such loans, shall be as defined in section 502 of the Congres-*
14 *sional Budget Act of 1974: Provided further, That these*
15 *funds are available to subsidize gross obligations for the*
16 *principal amount of direct loans of \$33,000,000: Provided*
17 *further, That through June 30, 1999, of the total amount*
18 *appropriated, \$3,215,520 shall be available for the cost of*
19 *direct loans for empowerment zones and enterprise commu-*
20 *nities, as authorized by title XIII of the Omnibus Budget*
21 *Reconciliation Act of 1993, to subsidize gross obligations*
22 *for the principal amount of direct loans, \$7,246,000: Pro-*
23 *vided further, That if such funds are not obligated for em-*
24 *powerment zones and enterprise communities by June 30,*
25 *1999, they shall remain available for other authorized pur-*
26 *poses under this head.*

1 *In addition, for administrative expenses to carry out*
2 *the direct loan programs, \$3,482,000 shall be transferred*
3 *to and merged with the appropriation for “Rural Business-*
4 *Cooperative Service, Salaries and Expenses”.*

5 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

6 *ACCOUNT*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For the principal amount of direct loans, as authorized*
9 *under section 313 of the Rural Electrification Act, for the*
10 *purpose of promoting rural economic development and job*
11 *creation projects, \$23,000,000.*

12 *For the cost of direct loans, including the cost of modi-*
13 *fying loans as defined in section 502 of the Congressional*
14 *Budget Act of 1974, \$5,801,000.*

15 *Of the funds derived from interest on the cushion of*
16 *credit payments in fiscal year 1999, as authorized by sec-*
17 *tion 313 of the Rural Electrification Act of 1936,*
18 *\$3,783,000 shall not be obligated and \$3,783,000 are re-*
19 *scinded.*

20 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

21 *For rural cooperative development grants authorized*
22 *under section 310B(e) of the Consolidated Farm and Rural*
23 *Development Act (7 U.S.C. 1932), \$3,000,000, of which*
24 *\$1,300,000 shall be available for cooperative agreements for*
25 *the appropriate technology transfer for rural areas program*

1 *and \$250,000 shall be available for an agribusiness and co-*
2 *operative development program.*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the Rural Business-Coopera-*
5 *tive Service, including administering the programs author-*
6 *ized by the Consolidated Farm and Rural Development Act;*
7 *section 1323 of the Food Security Act of 1985; the Coopera-*
8 *tive Marketing Act of 1926; for activities relating to the*
9 *marketing aspects of cooperatives, including economic re-*
10 *search findings, as authorized by the Agricultural Market-*
11 *ing Act of 1946; for activities with institutions concerning*
12 *the development and operation of agricultural cooperatives;*
13 *and for cooperative agreements; \$25,680,000: Provided,*
14 *That this appropriation shall be available for employment*
15 *pursuant to the second sentence of section 706(a) of the Or-*
16 *ganic Act of 1944 (7 U.S.C. 2225), and not to exceed*
17 *\$260,000 may be used for employment under 5 U.S.C. 3109.*

18 *ALTERNATIVE AGRICULTURAL RESEARCH AND*

19 *COMMERCIALIZATION CORPORATION REVOLVING FUND*

20 *For necessary expenses to carry out the Alternative Ag-*
21 *ricultural Research and Commercialization Act of 1990 (7*
22 *U.S.C. 5901–5908), \$7,000,000 are appropriated to the Al-*
23 *ternative Agricultural Research and Commercialization*
24 *Corporation Revolving Fund.*

1 *RURAL UTILITIES SERVICE*
2 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*
3 *LOANS PROGRAM ACCOUNT*
4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *Insured loans pursuant to the authority of section 305*
6 *of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall*
7 *be made as follows: 5 percent rural electrification loans,*
8 *\$71,500,000; 5 percent rural telecommunications loans,*
9 *\$75,000,000; cost of money rural telecommunications loans,*
10 *\$250,000,000; municipal rate rural electric loans,*
11 *\$295,000,000; and loans made pursuant to section 306 of*
12 *that Act, rural electric, \$700,000,000 and rural tele-*
13 *communications, \$120,000,000, to remain available until*
14 *expended.*

15 *For the cost, as defined in section 502 of the Congres-*
16 *sional Budget Act of 1974, including the cost of modifying*
17 *loans, of direct and guaranteed loans authorized by the*
18 *Rural Electrification Act of 1936 (7 U.S.C. 935 and 936),*
19 *as follows: cost of direct loans, \$16,667,000; cost of municipi-*
20 *pal rate loans, \$25,842,000; cost of money rural tele-*
21 *communications loans, \$675,000: Provided, That notwith-*
22 *standing section 305(d)(2) of the Rural Electrification Act*
23 *of 1936, borrower interest rates may exceed 7 percent per*
24 *year.*

25 *In addition, for administrative expenses necessary to*
26 *carry out the direct and guaranteed loan programs,*

1 \$29,982,000, which shall be transferred to and merged with
2 the appropriation for “Rural Utilities Service, Salaries and
3 Expenses”.

4 *RURAL TELEPHONE BANK PROGRAM ACCOUNT*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *The Rural Telephone Bank is hereby authorized to*
7 *make such expenditures, within the limits of funds available*
8 *to such corporation in accord with law, and to make such*
9 *contracts and commitments without regard to fiscal year*
10 *limitations as provided by section 104 of the Government*
11 *Corporation Control Act, as may be necessary in carrying*
12 *out its authorized programs. During fiscal year 1999 and*
13 *within the resources and authority available, gross obliga-*
14 *tions for the principal amount of direct loans shall be*
15 *\$140,000,000.*

16 *For the cost, as defined in section 502 of the Congres-*
17 *sional Budget Act of 1974, including the cost of modifying*
18 *loans, of direct loans authorized by the Rural Electrifica-*
19 *tion Act of 1936 (7 U.S.C. 935), \$3,710,000.*

20 *In addition, for administrative expenses necessary to*
21 *carry out the loan programs, \$3,000,000, which shall be*
22 *transferred to and merged with the appropriation for*
23 *“Rural Utilities Service, Salaries and Expenses”.*

24 *DISTANCE LEARNING AND TELEMEDICINE PROGRAM*

25 *For the cost of direct loans and grants, as authorized*
26 *by 7 U.S.C. 950aaa et seq., \$12,680,000, to remain avail-*

1 *able until expended, to be available for loans and grants*
2 *for telemedicine and distance learning services in rural*
3 *areas: Provided, That the costs of direct loans shall be as*
4 *defined in section 502 of the Congressional Budget Act of*
5 *1974.*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the Rural Utilities Service,*
8 *including administering the programs authorized by the*
9 *Rural Electrification Act of 1936, and the Consolidated*
10 *Farm and Rural Development Act, and for cooperative*
11 *agreements, \$33,000,000: Provided, That this appropriation*
12 *shall be available for employment pursuant to the second*
13 *sentence of section 706(a) of the Organic Act of 1944 (7*
14 *U.S.C. 2225), and not to exceed \$105,000 may be used for*
15 *employment under 5 U.S.C. 3109.*

16 *TITLE IV*

17 *DOMESTIC FOOD PROGRAMS*

18 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

19 *NUTRITION AND CONSUMER SERVICES*

20 *For necessary salaries and expenses of the Office of the*
21 *Under Secretary for Food, Nutrition and Consumer Serv-*
22 *ices to administer the laws enacted by the Congress for the*
23 *Food and Nutrition Service, \$554,000.*

1 *CHILD NUTRITION PROGRAMS*

2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *For necessary expenses to carry out the National*
4 *School Lunch Act (42 U.S.C. 1751 et seq.), except section*
5 *21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771*
6 *et seq.), except sections 17 and 21; \$9,219,897,000, to re-*
7 *main available through September 30, 2000, of which*
8 *\$4,171,747,000 are hereby appropriated and*
9 *\$5,048,150,000 shall be derived by transfer from funds*
10 *available under section 32 of the Act of August 24, 1935*
11 *(7 U.S.C. 612c): Provided, That up to \$4,300,000 shall be*
12 *available for independent verification of school food service*
13 *claims: Provided further, That none of the funds under this*
14 *heading shall be available unless the value of bonus com-*
15 *modities provided under section 32 of the Act of August 24,*
16 *1935 (49 Stat. 774, chapter 641; 7 U.S.C. 612c), and sec-*
17 *tion 416 of the Agricultural Act of 1949 (7 U.S.C. 1431)*
18 *is included in meeting the minimum commodity assistance*
19 *requirement of section 6(g) of the National School Lunch*
20 *Act (42 U.S.C. 1755(g)).*

21 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*

22 *WOMEN, INFANTS, AND CHILDREN (WIC)*

23 *For necessary expenses to carry out the special supple-*
24 *mental nutrition program as authorized by section 17 of*
25 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*

1 \$3,948,000,000, to remain available through September 30,
2 2000: Provided, That up to \$15,000,000 may be used to
3 carry out the farmers' market nutrition program: Provided
4 further, That none of the funds in this Act shall be available
5 to pay administrative expenses of WIC clinics, except those
6 that have an announced policy of prohibiting smoking with-
7 in the space used to carry out the program: Provided fur-
8 ther, That none of the funds provided in this account shall
9 be available for the purchase of infant formula except in
10 accordance with the cost containment and competitive bid-
11 ding requirements specified in section 17 of the Child Nutri-
12 tion Act of 1966.

13 *FOOD STAMP PROGRAM*

14 *For necessary expenses to carry out the Food Stamp*
15 *Act (7 U.S.C. 2011 et seq.), \$23,781,806,000, of which*
16 *\$100,000,000 shall be placed in reserve for use only in such*
17 *amounts and at such times as may become necessary to*
18 *carry out program operations: Provided, That not to exceed*
19 *\$5,700,000 of the funds made available under this head*
20 *shall be used for studies and evaluations: Provided further,*
21 *That funds provided herein shall be expended in accordance*
22 *with section 16 of the Food Stamp Act: Provided further,*
23 *That this appropriation shall be subject to any work reg-*
24 *istration or workfare requirements as may be required by*
25 *law: Provided further, That funds made available for Em-*
26 *ployment and Training under this head shall remain avail-*

1 *able until expended, as authorized by section 16(h)(1) of*
2 *the Food Stamp Act.*

3 *COMMODITY ASSISTANCE PROGRAM*

4 *For necessary expenses to carry out the commodity*
5 *supplemental food program as authorized by section 4(a)*
6 *of the Agriculture and Consumer Protection Act of 1973 (7*
7 *U.S.C. 612c note) and the Emergency Food Assistance Act*
8 *of 1983, \$141,000,000, to remain available through Septem-*
9 *ber 30, 2000: Provided, That none of these funds shall be*
10 *available to reimburse the Commodity Credit Corporation*
11 *for commodities donated to the program.*

12 *FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS*

13 *For necessary expenses to carry out section 4(a) of the*
14 *Agriculture and Consumer Protection Act of 1973 (7 U.S.C.*
15 *612c note), and section 311 of the Older Americans Act of*
16 *1965 (42 U.S.C. 3030a), \$141,081,000, to remain available*
17 *through September 30, 2000.*

18 *FOOD PROGRAM ADMINISTRATION*

19 *For necessary administrative expenses of the domestic*
20 *food programs funded under this Act, \$109,069,000, of*
21 *which \$5,000,000 shall be available only for simplifying*
22 *procedures, reducing overhead costs, tightening regulations,*
23 *improving food stamp coupon handling, and assistance in*
24 *the prevention, identification, and prosecution of fraud and*
25 *other violations of law: Provided, That this appropriation*
26 *shall be available for employment pursuant to the second*

1 *sentence of section 706(a) of the Organic Act of 1944 (7*
2 *U.S.C. 2225), and not to exceed \$150,000 shall be available*
3 *for employment under 5 U.S.C. 3109.*

4 *TITLE V*
5 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*
6 *FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES*
7 *MANAGER*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *For necessary expenses of the Foreign Agricultural*
10 *Service, including carrying out title VI of the Agricultural*
11 *Act of 1954 (7 U.S.C. 1761–1768), market development ac-*
12 *tivities abroad, and for enabling the Secretary to coordinate*
13 *and integrate activities of the Department in connection*
14 *with foreign agricultural work, including not to exceed*
15 *\$128,000 for representation allowances and for expenses*
16 *pursuant to section 8 of the Act approved August 3, 1956*
17 *(7 U.S.C. 1766), \$131,795,000: Provided, That of the total*
18 *amount appropriated, up to \$2,000,000 is available solely*
19 *for the purpose of offsetting fluctuations in international*
20 *currency exchange rates and these funds and any other*
21 *funds that are deposited into the overseas exchange rate ac-*
22 *count shall be available until expended: Provided further,*
23 *That the Service may utilize advances of funds, or reim-*
24 *burse this appropriation for expenditures made on behalf*
25 *of Federal agencies, public and private organizations and*

1 *institutions under agreements executed pursuant to the ag-*
2 *ricultural food production assistance programs (7 U.S.C.*
3 *1736) and the foreign assistance programs of the Inter-*
4 *national Development Cooperation Administration (22*
5 *U.S.C. 2392).*

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

9 *PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For expenses during the current fiscal year, not other-*
12 *wise recoverable, and unrecovered prior years' costs, includ-*
13 *ing interest thereon, under the Agricultural Trade Develop-*
14 *ment and Assistance Act of 1954 (7 U.S.C. 1691, 1701-*
15 *1704, 1721-1726a, 1727-1727e, 1731-1736g-3, and 1737),*
16 *as follows: (1) \$203,475,000 for Public Law 480 title I cred-*
17 *it, including Food for Progress programs; (2) \$17,608,000*
18 *is hereby appropriated for ocean freight differential costs*
19 *for the shipment of agricultural commodities pursuant to*
20 *title I of said Act and the Food for Progress Act of 1985;*
21 *(3) \$837,000,000 is hereby appropriated for commodities*
22 *supplied in connection with dispositions abroad pursuant*
23 *to title II of said Act; and (4) \$30,000,000 is hereby appro-*
24 *priated for commodities supplied in connection with dis-*
25 *positions abroad pursuant to title III of said Act: Provided,*
26 *That not to exceed 15 percent of the funds made available*

1 *to carry out any title of said Act may be used to carry*
2 *out any other title of said Act: Provided further, That such*
3 *sums shall remain available until expended (7 U.S.C.*
4 *2209b).*

5 *For the cost, as defined in section 502 of the Congres-*
6 *sional Budget Act of 1974, of direct credit agreements as*
7 *authorized by the Agricultural Trade Development and As-*
8 *sistance Act of 1954, and the Food for Progress Act of 1985,*
9 *including the cost of modifying credit agreements under*
10 *said Act, \$176,596,000.*

11 *In addition, for administrative expenses to carry out*
12 *the Public Law 480 title I credit program, and the Food*
13 *for Progress Act of 1985, to the extent funds appropriated*
14 *for Public Law 480 are utilized, \$1,850,000, of which*
15 *\$1,035,000 may be transferred to and merged with the ap-*
16 *propriation for "Foreign Agricultural Service and General*
17 *Sales Manager" and \$815,000 may be transferred to and*
18 *merged with the appropriation for "Farm Service Agency,*
19 *Salaries and Expenses".*

20 *COMMODITY CREDIT CORPORATION EXPORT LOANS*

21 *PROGRAM ACCOUNT*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For administrative expenses to carry out the Commod-*
24 *ity Credit Corporation's export guarantee program, GSM*
25 *102 and GSM 103, \$3,820,000; to cover common overhead*
26 *expenses as permitted by section 11 of the Commodity Cred-*

1 *it Corporation Charter Act and in conformity with the Fed-*
2 *eral Credit Reform Act of 1990, of which \$3,231,000 may*
3 *be transferred to and merged with the appropriation for*
4 *“Foreign Agricultural Service and General Sales Manager”*
5 *and \$589,000 may be transferred to and merged with the*
6 *appropriation for “Farm Service Agency, Salaries and Ex-*
7 *penses”.*

8 *TITLE VI*

9 *RELATED AGENCIES AND FOOD AND DRUG*

10 *ADMINISTRATION*

11 *DEPARTMENT OF HEALTH AND HUMAN*

12 *SERVICES*

13 *FOOD AND DRUG ADMINISTRATION*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Food and Drug Adminis-*
16 *tration, including hire and purchase of passenger motor ve-*
17 *hicles; for payment of space rental and related costs pursu-*
18 *ant to Public Law 92–313 for programs and activities of*
19 *the Food and Drug Administration which are included in*
20 *this Act; for rental of special purpose space in the District*
21 *of Columbia or elsewhere; and for miscellaneous and emer-*
22 *gency expenses of enforcement activities, authorized and ap-*
23 *proved by the Secretary and to be accounted for solely on*
24 *the Secretary’s certificate, not to exceed \$25,000;*
25 *\$1,072,640,000, of which not to exceed \$132,273,000 in fees*

1 *pursuant to section 736 of the Federal Food, Drug, and Cos-*
2 *metic Act may be credited to this appropriation and re-*
3 *main available until expended: Provided, That fees derived*
4 *from applications received during fiscal year 1999 shall be*
5 *subject to the fiscal year 1999 limitation: Provided further,*
6 *That none of these funds shall be used to develop, establish,*
7 *or operate any program of user fees authorized by 31 U.S.C.*
8 *9701.*

9 *In addition, fees pursuant to section 354 of the Public*
10 *Health Service Act may be credited to this account, to re-*
11 *main available until expended.*

12 *In addition, fees pursuant to section 801 of the Federal*
13 *Food, Drug, and Cosmetic Act may be credited to this ac-*
14 *count, to remain available until expended.*

15 *BUILDINGS AND FACILITIES*

16 *For plans, construction, repair, improvement, exten-*
17 *sion, alteration, and purchase of fixed equipment or facili-*
18 *ties of or used by the Food and Drug Administration, where*
19 *not otherwise provided, \$12,350,000, to remain available*
20 *until expended (7 U.S.C. 2209b).*

21 *DEPARTMENT OF THE TREASURY*

22 *FINANCIAL MANAGEMENT SERVICE*

23 *PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL*

24 *ASSISTANCE CORPORATION*

25 *For necessary payments to the Farm Credit System*
26 *Financial Assistance Corporation by the Secretary of the*

1 *Treasury, as authorized by section 6.28(c) of the Farm*
2 *Credit Act of 1971, for reimbursement of interest expenses*
3 *incurred by the Financial Assistance Corporation on obli-*
4 *gations issued through 1994, as authorized, \$2,565,000.*

5 *INDEPENDENT AGENCY*

6 *COMMODITY FUTURES TRADING COMMISSION*

7 *For necessary expenses to carry out the provisions of*
8 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
9 *the purchase and hire of passenger motor vehicles; the rental*
10 *of space (to include multiple year leases) in the District*
11 *of Columbia and elsewhere; and not to exceed \$25,000 for*
12 *employment under 5 U.S.C. 3109; \$61,000,000, including*
13 *not to exceed \$1,000 for official reception and representa-*
14 *tion expenses: Provided, That the Commission is authorized*
15 *to charge reasonable fees to attendees of Commission spon-*
16 *sored educational events and symposia to cover the Commis-*
17 *sion's costs of providing those events and symposia, and*
18 *notwithstanding 31 U.S.C. 3302, said fees shall be credited*
19 *to this account, to be available without further appropri-*
20 *ation.*

21 *TITLE VII—GENERAL PROVISIONS*

22 *SEC. 701. Within the unit limit of cost fixed by law,*
23 *appropriations and authorizations made for the Depart-*
24 *ment of Agriculture for the fiscal year 1999 under this Act*
25 *shall be available for the purchase, in addition to those spe-*

1 *cifically provided for, of not to exceed 440 passenger motor*
2 *vehicles, of which 437 shall be for replacement only, and*
3 *for the hire of such vehicles.*

4 *SEC. 702. Funds in this Act available to the Depart-*
5 *ment of Agriculture shall be available for uniforms or allow-*
6 *ances therefor as authorized by law (5 U.S.C. 5901–5902).*

7 *SEC. 703. Not less than \$1,500,000 of the appropria-*
8 *tions of the Department of Agriculture in this Act for re-*
9 *search and service work authorized by the Acts of August*
10 *14, 1946, and July 28, 1954 (7 U.S.C. 427, 1621–1629),*
11 *and by chapter 63 of title 31, United States Code, shall*
12 *be available for contracting in accordance with said Acts*
13 *and chapter.*

14 *SEC. 704. The cumulative total of transfers to the*
15 *Working Capital Fund for the purpose of accumulating*
16 *growth capital for data services and National Finance Cen-*
17 *ter operations shall not exceed \$2,000,000: Provided, That*
18 *no funds in this Act appropriated to an agency of the De-*
19 *partment shall be transferred to the Working Capital Fund*
20 *without the approval of the agency administrator.*

21 *SEC. 705. New obligational authority provided for the*
22 *following appropriation items in this Act shall remain*
23 *available until expended (7 U.S.C. 2209b): Animal and*
24 *Plant Health Inspection Service, the contingency fund to*
25 *meet emergency conditions, fruit fly program, integrated*

1 *systems acquisition project, and up to \$2,000,000 for costs*
2 *associated with collocating regional offices; Farm Service*
3 *Agency, salaries and expenses funds made available to*
4 *county committees; and Foreign Agricultural Service, mid-*
5 *dle-income country training program.*

6 *New obligational authority for the boll weevil program;*
7 *up to 10 percent of the screwworm program of the Animal*
8 *and Plant Health Inspection Service; Food Safety and In-*
9 *spection Service, field automation and information man-*
10 *agement project; funds appropriated for rental payments;*
11 *funds for the Native American Institutions Endowment*
12 *Fund in the Cooperative State Research, Education, and*
13 *Extension Service; and funds for the competitive research*
14 *grants (7 U.S.C. 450i(b)), shall remain available until ex-*
15 *pended.*

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

19 *SEC. 707. Not to exceed \$50,000 of the appropriations*
20 *available to the Department of Agriculture in this Act shall*
21 *be available to provide appropriate orientation and lan-*
22 *guage training pursuant to Public Law 94-449.*

23 *SEC. 708. No funds appropriated by this Act may be*
24 *used to pay negotiated indirect cost rates on cooperative*
25 *agreements or similar arrangements between the United*

1 *States Department of Agriculture and nonprofit institu-*
2 *tions in excess of 10 percent of the total direct cost of the*
3 *agreement when the purpose of such cooperative arrange-*
4 *ments is to carry out programs of mutual interest between*
5 *the two parties. This does not preclude appropriate pay-*
6 *ment of indirect costs on grants and contracts with such*
7 *institutions when such indirect costs are computed on a*
8 *similar basis for all agencies for which appropriations are*
9 *provided in this Act.*

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

17 *SEC. 710. None of the funds in this Act shall be avail-*
18 *able to restrict the authority of the Commodity Credit Cor-*
19 *poration to lease space for its own use or to lease space*
20 *on behalf of other agencies of the Department of Agriculture*
21 *when such space will be jointly occupied.*

22 *SEC. 711. With the exception of grants awarded under*
23 *the Small Business Innovation Development Act of 1982,*
24 *Public Law 97-219 (15 U.S.C. 638), none of the funds in*
25 *this Act shall be available to pay indirect costs on research*

1 *grants awarded competitively by the Cooperative State Re-*
2 *search, Education, and Extension Service that exceed 14*
3 *percent of total Federal funds provided under each award.*

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

7 *SEC. 713. Appropriations to the Department of Agri-*
8 *culture for the cost of direct and guaranteed loans made*
9 *available in fiscal year 1999 shall remain available until*
10 *expended to cover obligations made in fiscal year 1999 for*
11 *the following accounts: the rural development loan fund*
12 *program account; the Rural Telephone Bank program ac-*
13 *count; the rural electrification and telecommunications*
14 *loans program account; and the rural economic develop-*
15 *ment loans program account.*

16 *SEC. 714. Such sums as may be necessary for fiscal*
17 *year 1999 pay raises for programs funded by this Act shall*
18 *be absorbed within the levels appropriated by this Act.*

19 *SEC. 715. Notwithstanding the Federal Grant and Co-*
20 *operative Agreement Act, marketing services of the Agricul-*
21 *tural Marketing Service and the Animal and Plant Health*
22 *Inspection Service may use cooperative agreements to reflect*
23 *a relationship between the Agricultural Marketing Service*
24 *or the Animal and Plant Health Inspection Service and*
25 *a State or Cooperator to carry out agricultural marketing*

1 *programs or to carry out programs to protect the Nation's*
2 *animal and plant resources.*

3 *SEC. 716. None of the funds in this Act may be used*
4 *to retire more than 5 percent of the Class A stock of the*
5 *Rural Telephone Bank or to maintain any account or sub-*
6 *account within the accounting records of the Rural Tele-*
7 *phone Bank the creation of which has not specifically been*
8 *authorized by statute: Provided, That notwithstanding any*
9 *other provision of law, none of the funds appropriated or*
10 *otherwise made available in this Act may be used to trans-*
11 *fer to the Treasury or to the Federal Financing Bank any*
12 *unobligated balance of the Rural Telephone Bank telephone*
13 *liquidating account which is in excess of current require-*
14 *ments and such balance shall receive interest as set forth*
15 *for financial accounts in section 505(c) of the Federal Cred-*
16 *it Reform Act of 1990.*

17 *SEC. 717. Hereafter, none of the funds made available*
18 *to the Department of Agriculture may be used to provide*
19 *assistance to, or to pay the salaries of personnel who carry*
20 *out a market promotion/market access program pursuant*
21 *to section 203 of the Agricultural Trade Act of 1978 (7*
22 *U.S.C. 5623) that provides assistance to the United States*
23 *Mink Export Development Council or any mink industry*
24 *trade association.*

1 *SEC. 718. Of the funds made available by this Act, not*
2 *more than \$1,350,000 shall be used to cover necessary ex-*
3 *penses of activities related to all advisory committees, pan-*
4 *els, commissions, and task forces of the Department of Agri-*
5 *culture, except for panels used to comply with negotiated*
6 *rule makings and panels used to evaluate competitively*
7 *awarded grants.*

8 *SEC. 719. None of the funds appropriated in this Act*
9 *may be used to carry out the provisions of section 918 of*
10 *Public Law 104–127, the Federal Agriculture Improvement*
11 *and Reform Act.*

12 *SEC. 720. No employee of the Department of Agri-*
13 *culture may be detailed or assigned from an agency or office*
14 *funded by this Act to any other agency or office of the De-*
15 *partment for more than 30 days unless the individual's em-*
16 *ploying agency or office is fully reimbursed by the receiving*
17 *agency or office for the salary and expenses of the employee*
18 *for the period of assignment.*

19 *SEC. 721. None of the funds appropriated or otherwise*
20 *made available to the Department of Agriculture shall be*
21 *used to transmit or otherwise make available to any non-*
22 *Department of Agriculture employee questions or responses*
23 *to questions that are a result of information requested for*
24 *the appropriations hearing process.*

1 *SEC. 722. None of the funds made available to the De-*
2 *partment of Agriculture by this Act may be used to acquire*
3 *new information technology systems or significant up-*
4 *grades, as determined by the Office of the Chief Information*
5 *Officer, without the approval of the Chief Information Offi-*
6 *cer and the concurrence of the Executive Information Tech-*
7 *nology Investment Review Board.*

8 *SEC. 723. (a) None of the funds provided by this Act,*
9 *or provided by previous Appropriations Acts to the agencies*
10 *funded by this Act that remain available for obligation or*
11 *expenditure in fiscal year 1999, or provided from any ac-*
12 *counts in the Treasury of the United States derived by the*
13 *collection of fees available to the agencies funded by this*
14 *Act, shall be available for obligation or expenditure through*
15 *a reprogramming of funds which: (1) creates new programs;*
16 *(2) eliminates a program, project, or activity; (3) increases*
17 *funds or personnel by any means for any project or activity*
18 *for which funds have been denied or restricted; (4) relocates*
19 *an office or employees; (5) reorganizes offices, programs, or*
20 *activities; or (6) contracts out or privatizes any functions*
21 *or activities presently performed by Federal employees; un-*
22 *less the Appropriations Committees of both Houses of Con-*
23 *gress are notified fifteen days in advance of such re-*
24 *programming of funds.*

1 (b) None of the funds provided by this Act, or provided
2 by previous Appropriations Acts to the agencies funded by
3 this Act that remain available for obligation or expenditure
4 in fiscal year 1999, or provided from any accounts in the
5 Treasury of the United States derived by the collection of
6 fees available to the agencies funded by this Act, shall be
7 available for obligation or expenditure for activities, pro-
8 grams, or projects through a reprogramming of funds in
9 excess of \$500,000 or 10 percent, whichever is less, that: (1)
10 augments existing programs, projects, or activities; (2) re-
11 duces by 10 percent funding for any existing program,
12 project, or activity, or numbers of personnel by 10 percent
13 as approved by Congress; or (3) results from any general
14 savings from a reduction in personnel which would result
15 in a change in existing programs, activities, or projects as
16 approved by Congress; unless the Appropriations Commit-
17 tees of both Houses of Congress are notified fifteen days in
18 advance of such reprogramming of funds.

19 SEC. 724. Hereafter, none of the funds appropriated
20 or otherwise available to the Department of Agriculture
21 may be used to administer the provision of contract pay-
22 ments to a producer under the Agricultural Market Transi-
23 tion Act (7 U.S.C. 7201 et seq.) for contract acreage on
24 which wild rice is planted unless the contract payment is

1 *reduced by an acre for each contract acre planted to wild*
2 *rice.*

3 *SEC. 725. The Federal facility located in Stuttgart,*
4 *Arkansas, and known as the “United States National Rice*
5 *Germplasm Evaluation and Enhancement Center”, shall be*
6 *known and designated as the “Dale Bumpers National Rice*
7 *Research Center”: Provided, That any reference in law,*
8 *map, regulation, document, paper, or other record of the*
9 *United States to such federal facility shall be deemed to be*
10 *a reference to the “Dale Bumpers National Rice Research*
11 *Center”.*

12 *SEC. 726. Notwithstanding any other provision of law,*
13 *the Secretary of Agriculture, subject to the reprogramming*
14 *requirements established by this Act, may transfer up to*
15 *\$26,000,000 in discretionary funds made available by this*
16 *Act among programs of the Department, not otherwise ap-*
17 *propriated for a specific purpose or a specific location, for*
18 *distribution to or for the benefit of the Lower Mississippi*
19 *Delta Region, as defined in Public Law 100–460, prior to*
20 *normal state or regional allocation of funds: Provided, That*
21 *any funds made available through Chapter Four of Title*
22 *III, Subtitle D of the Federal Agriculture Improvement and*
23 *Reform Act of 1996 may be included in any amount repro-*
24 *grammed under this section if such funds are used for a*
25 *purpose authorized by such Chapter.*

1 *SEC. 727. None of the funds appropriated or otherwise*
2 *made available by this Act may be used to pay the salaries*
3 *and expenses of personnel to carry out section 793 of Public*
4 *Law 104–127.*

5 *SEC. 728. None of the funds appropriated or otherwise*
6 *made available by this Act may be used to pay the salaries*
7 *and expenses of personnel to enroll in excess of 120,000*
8 *acres in the fiscal year 1999 wetlands reserve program as*
9 *authorized by 16 U.S.C. 3837.*

10 *SEC. 729. Notwithstanding section 27(a) of the Food*
11 *Stamp Act, the amount specified for allocation under such*
12 *section for fiscal year 1999 shall be \$80,000,000.*

13 *SEC. 730. None of the funds appropriated or otherwise*
14 *made available by this Act shall be used to pay the salaries*
15 *and expenses of personnel to carry out a conservation farm*
16 *option program, as authorized by section 335 of Public Law*
17 *104–127.*

18 *SEC. 731. Public Law 102–237, Title X, Section*
19 *1013(a) and (b) (7 U.S.C. 426 note) is amended by striking*
20 *“, to the extent practicable,” in each instance in which it*
21 *appears.*

22 *SEC. 732. Funds made available for conservation oper-*
23 *ations by this or any other Act, including prior-year bal-*
24 *ances, shall be available for financial assistance and tech-*

1 nical assistance for Franklin County, Mississippi, in the
2 amounts earmarked in appropriations report language.

3 *SEC. 733. Notwithstanding section 381A of Public Law*
4 *104–127, the definitions of rural areas for certain business*
5 *programs administered by the Rural Business-Cooperative*
6 *Service and the community facilities programs adminis-*
7 *tered by the Rural Housing Service shall be those provided*
8 *for in statute and regulations prior to the enactment of*
9 *Public Law 104–127.*

10 *SEC. 734. Section 306D of the Consolidated Farm and*
11 *Rural Development Act (7 U.S.C. 1926d) is amended by*
12 *inserting “25 percent in” in lieu of “equal” in subsection*
13 *(b), and by inserting “\$25,000,000” in lieu of*
14 *“\$15,000,000” in subsection (d).*

15 *SEC. 735. None of the funds made available to the Food*
16 *and Drug Administration by this Act shall be used to close*
17 *or relocate, or to plan to close or relocate, the Food and*
18 *Drug Administration Division of Drug Analysis in St.*
19 *Louis, Missouri.*

20 *SEC. 736. None of the funds appropriated or otherwise*
21 *made available by this Act shall be used to carry out any*
22 *commodity purchase program which would prohibit par-*
23 *ticipation by a farmer-owned cooperative.*

24 *SEC. 737. None of the funds made available by this*
25 *Act or any other Act for any fiscal year may be used to*

1 *carry out section 302(h) of the Agricultural Marketing Act*
2 *of 1946 (7 U.S.C. 1622(h)) unless the Secretary of Agri-*
3 *culture inspects and certifies agricultural processing equip-*
4 *ment, and imposes a fee for the inspection and certification,*
5 *in a manner that is similar to the inspection and certifi-*
6 *cation of agricultural products under that section, as deter-*
7 *mined by the Secretary: Provided, That this provision shall*
8 *not affect the authority of the Secretary to carry out the*
9 *Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the*
10 *Poultry Products Inspection Act (21 U.S.C. 451 et seq.),*
11 *or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).*

12 *SEC. 738. (a) AMENDMENT OF THE ARMS EXPORT*
13 *CONTROL ACT.—Section 102(b)(2)(D) of the Arms Export*
14 *Control Act (22 U.S.C. 2799aa–1(b)(2)(D)) is amended—*

15 *(1) in clause (i) by striking “or” at the end;*

16 *(2) in clause (ii) by striking the period at the*
17 *end and inserting “, or”; and*

18 *(3) by inserting after clause (ii) the following:*

19 *“(iii) to any credit, credit guarantee, or*
20 *other financial assistance provided by the De-*
21 *partment of Agriculture for the purchase or other*
22 *provision of food or other agricultural commod-*
23 *ities.”.*

24 *(b) The amendments made by subsection (a) shall*
25 *apply to any credit, credit guarantee, or other financial as-*

1 *sistance approved by the Department of Agriculture before,*
2 *on, or after the date of enactment of this Act.*

3 *(c) Amounts made available by this section are des-*
4 *ignated by the Congress as an emergency requirement pur-*
5 *suant to section 251(b)(2)(A) of the Balanced Budget and*
6 *Emergency Deficit Control Act of 1985, as amended: Pro-*
7 *vided, That such amounts shall be available only to the ex-*
8 *tent that an official budget request that includes designation*
9 *of the entire amount of the request as an emergency require-*
10 *ment as defined in the Balanced Budget and Emergency*
11 *Deficit Control Act of 1985, as amended, is transmitted by*
12 *the President to the Congress.*

13 *SEC. 739. None of the funds appropriated or otherwise*
14 *made available by this Act may be used to require any pro-*
15 *ducer to pay an administrative fee for catastrophic risk*
16 *protection under section 508(b)(5)(A) of the Federal Crop*
17 *Insurance Act (7 U.S.C. 1508(b)(5)(A)) in an amount that*
18 *is greater than \$50 per crop per county.*

19 *SEC. 740. Nothing in this Act shall be interpreted or*
20 *construed to alter the current implementation of the Wet-*
21 *lands Reserve Program, unless expressly provided herein.*

22 *SEC. 741. That notwithstanding section 4703(d)(1) of*
23 *title 5, United States Code, the personnel management dem-*
24 *onstrations project established in the Department of Agri-*
25 *culture, as described at 55 FR 9062 and amended at 61*

1 *FR 9507 and 61 FR 49178, shall be continued indefinitely*
2 *and become effective upon enactment of this Act.*

3 *SEC. 742. (a) The first sentence of section 509(f)(4)(A)*
4 *of the Housing Act of 1949 (42 U.S.C. 1479(f)(4)(A)) is*
5 *amended by striking “fiscal year 1998” and inserting “fis-*
6 *cal year 1999”.*

7 *(b) Section 515(b)(4) of the Housing Act of 1949 (42*
8 *U.S.C. 1485(b)(4)) is amended by striking “September 30,*
9 *1998” and inserting “September 30, 1999”.*

10 *(c) The first sentence of section 515(w)(1) of the Hous-*
11 *ing Act of 1949 (42 U.S.C. 1485(w)(1)) is amended by*
12 *striking “fiscal year 1998” and inserting “fiscal year*
13 *1999”.*

14 *(d) Section 538 of the Housing Act of 1949 (42 U.S.C.*
15 *1490p-2) is amended—*

16 *(1) in subsection (t), by striking “fiscal year*
17 *1998” and inserting “fiscal year 1999”; and*

18 *(2) in subsection (u), by striking “September 30,*
19 *1998” and inserting “September 30, 1999”.*

20 *SEC. 743. METHYL BROMIDE ALTERNATIVES RE-*
21 *SEARCH. (a) REVIEW.—The Secretary of Agriculture, act-*
22 *ing through the Agricultural Research Service, shall conduct*
23 *a review of the methyl bromide alternatives research con-*
24 *ducted by the Secretary that describes—*

1 (1) *the amount of funds expended by the Sec-*
2 *retary since January 1, 1990, on methyl bromide al-*
3 *ternatives research, including a description of the*
4 *amounts paid for salaries, expenses, and actual re-*
5 *search;*

6 (2) *plot and field scale testing of methyl bromide*
7 *alternatives conducted by the Secretary since January*
8 *1, 1990, including a description of—*

9 (A) *the total amount of funds expended for*
10 *the testing;*

11 (B) *the amount of funds expended for the*
12 *testing as a portion of a larger project or inde-*
13 *pendently of other projects; and*

14 (C) *the results of the testing and the impact*
15 *of the results on future research; and*

16 (3) *variables that impact the effectiveness of*
17 *methyl bromide alternatives, including a description*
18 *of—*

19 (A) *the individual variables; and*

20 (B) *the plan of the Secretary for addressing*
21 *each of the variables during the plot and field*
22 *scale testing conducted by the Secretary.*

23 (b) *REPORT.—Not later than 120 days after the date*
24 *of enactment of this Act, the Secretary shall submit to the*
25 *appropriations committees of both Houses of Congress a re-*

1 *port that describes the results of the review conducted under*
2 *subsection (a).*

3 *SEC. 744. SENSE OF SENATE ON DISASTER ASSIST-*
4 *ANCE FOR TEXAS AGRICULTURAL PRODUCERS. (a) FIND-*
5 *INGS.—The Senate finds that—*

6 *(1) the statewide economic impact of the drought*
7 *on agriculture in the State of Texas could be more*
8 *than \$4,600,000,000 in losses, according to the Agri-*
9 *cultural Extension Service of the State;*

10 *(2) the direct loss of income to agricultural pro-*
11 *ducers in the State is \$1,500,000,000;*

12 *(3) the National Weather Service has reported*
13 *that all 10 climatic regions in the State have received*
14 *below-average rainfall from March through May of*
15 *1998, a critical time in the production of corn, cot-*
16 *ton, sorghum, wheat, and forage;*

17 *(4) the total losses for cotton producers in the*
18 *State have already reached an estimated*
19 *\$500,000,000;*

20 *(5) nearly half of the rangeland in the State (as*
21 *of May 31, 1998) was rated as poor or very poor as*
22 *a result of the lack of rain;*

23 *(6) the value of lost hay production in the State*
24 *will approach an estimated \$175,000,000 statewide,*
25 *leading to an economic impact of \$582,000,000;*

1 (7) *dryland fruit and vegetable production losses*
2 *in East Texas have already been estimated at*
3 *\$33,000,000;*

4 (8) *the early rains in many parts of the State*
5 *produced a large quantity of forage that is now ex-*
6 *tremely dry and a dangerous source of fuel for*
7 *wildfires; and*

8 (9) *the Forest Service of the State has indicated*
9 *that over half the State is in extreme or high danger*
10 *of wildfires due to the drought conditions.*

11 (b) *SENSE OF SENATE.—It is the sense of the Senate*
12 *that the Secretary of Agriculture should—*

13 (1) *streamline the drought declaration process to*
14 *provide necessary relief to the State of Texas as quick-*
15 *ly as is practicable;*

16 (2) *ensure that local Farm Service Agency offices*
17 *in the State are equipped with full-time and emer-*
18 *gency personnel in drought-stricken areas to assist ag-*
19 *ricultural producers with disaster loan applications;*

20 (3) *direct the Forest Service, and request the*
21 *Federal Emergency Management Agency, to assist the*
22 *State in prepositioning fire fighting equipment and*
23 *other appropriate resources in affected counties of the*
24 *State;*

1 (4) authorize haying and grazing on acreage in
2 the State that is enrolled in the conservation reserve
3 program carried out under section 1231 of the Food
4 Security Act of 1985 (16 U.S.C. 3831); and

5 (5) convene experts within the Department of
6 Agriculture to develop and implement an emergency
7 plan for the State to help prevent wildfires and to
8 overcome the economic impact of the continuing
9 drought by providing assistance from the Department
10 in a rapid and efficient manner for producers that
11 are suffering from drought conditions.

12 SEC. 745. Section 1237D(c)(1) of subchapter C of the
13 Food Security Act of 1985 is amended by inserting after
14 “perpetual” the following “or 30-year”.

15 SEC. 746. Section 1237(b)(2) of subchapter C of the
16 Food Security Act of 1985 is amended by adding the follow-
17 ing:

18 “(C) For purposes of subparagraph (A), to
19 the maximum extent practicable should be inter-
20 preted to mean that acceptance of wetlands re-
21 serve program bids may be in proportion to
22 landowner interest expressed in program op-
23 tions.”.

24 SEC. 747. TECHNICAL CORRECTIONS TO AGRICUL-
25 TURAL RESEARCH, EXTENSION, AND EDUCATION REFORM

1 *ACT OF 1998. (a) FOREST AND RANGELAND RENEWABLE*
2 *RESOURCES RESEARCH.—Section 3(d)(3) of the Forest and*
3 *Rangeland Renewable Resources Research Act of 1978 (16*
4 *U.S.C. 1642(d)(3)) (as amended by section 253(b) of the*
5 *Agricultural Research, Extension, and Education Reform*
6 *Act of 1998) is amended by striking “The Secretary” and*
7 *inserting “At the request of the Governor of the State of*
8 *Maine, New Hampshire, New York, or Vermont, the Sec-*
9 *retary”.*

10 *(b) HONEY RESEARCH, PROMOTION, AND CONSUMER*
11 *INFORMATION.—Section 7(e)(2) of the Honey Research,*
12 *Promotion, and Consumer Information Act (7 U.S.C.*
13 *4606(e)(2)) (as amended by section 605(f)(3) of the Agricul-*
14 *tural Research, Extension, and Education Reform Act of*
15 *1998) is amended by striking “\$0.0075” each place it ap-*
16 *pears and inserting “\$0.01”.*

17 *(c) EFFECTIVE DATE.—The amendments made by this*
18 *section take effect on the date of enactment of the Agricul-*
19 *tural Research, Extension, and Education Reform Act of*
20 *1998.*

21 *SEC. 748. None of the funds appropriated by this Act*
22 *or any other Act shall be used to pay the salaries and ex-*
23 *penses of personnel who prepare or submit appropriations*
24 *language as part of the President’s Budget submission to*
25 *the Congress of the United States for programs under the*

1 *jurisdiction of the Appropriations Subcommittees on Agri-*
2 *culture, Rural Development, and Related Agencies that as-*
3 *sumes revenues or reflects a reduction from the previous*
4 *year due to user fees proposals that have not been enacted*
5 *into law prior to the submission of the Budget unless such*
6 *Budget submission identifies which additional spending re-*
7 *ductions should occur in the event the users fees proposals*
8 *are not enacted prior to the date of the convening of a com-*
9 *mittee of conference for the fiscal year 2000 appropriations*
10 *Act.*

11 *SEC. 749. PILOT PROGRAM TO PERMIT HAYING AND*
12 *GRAZING ON CONSERVATION RESERVE LAND. (a) DEFINI-*
13 *TIONS.—In this section:*

14 (1) *ELIGIBLE STATE.*—*The term “eligible State”*
15 *means any State that is approved by the Secretary*
16 *for inclusion in the pilot program under subsection*
17 *(b), except that the term shall not apply to more than*
18 *7 States.*

19 (2) *SECRETARY.*—*The term “Secretary” means*
20 *the Secretary of Agriculture.*

21 (3) *STATE TECHNICAL COMMITTEE.*—*The term*
22 *“State technical committee” means the State technical*
23 *committee for a State established under section 1261*
24 *of the Food Security Act of 1985 (16 U.S.C. 3861).*

1 (b) *PILOT PROGRAM.*—Notwithstanding section
2 *1232(a)(7) of the Food Security Act of 1985 (16 U.S.C.*
3 *3832(a)(7)), during the 4-year period beginning on the date*
4 *of enactment of this Act, on application by an owner or*
5 *operator of a farm or ranch located in an eligible State*
6 *who has entered into a contract with the Secretary under*
7 *subchapter B of chapter 1 of subtitle D of title XII of that*
8 *Act (16 U.S.C. 3831 et seq.)—*

9 (1) *the Secretary shall permit harvesting and*
10 *grazing on land on the farm or ranch that the Sec-*
11 *retary determines has a sufficiently established cover*
12 *to permit harvesting or grazing without undue harm*
13 *to the purposes of the contract if—*

14 (A) *no land under the contract will be har-*
15 *vested or grazed more than once in a 4-year pe-*
16 *riod;*

17 (B) *the owner or operator agrees to a pay-*
18 *ment reduction under that subchapter in an*
19 *amount determined by the Secretary; and*

20 (C) *the owner or operator agrees to such*
21 *other terms and conditions as the Secretary, in*
22 *consultation with the State technical committee*
23 *for the State, may establish to ensure that the*
24 *harvesting or grazing is consistent with the pur-*

1 poses of the program established under that sub-
2 chapter;

3 (2) the Secretary may permit grazing on land
4 under the contract if—

5 (A) the grazing is incidental to the gleaning
6 of crop residues;

7 (B) the owner or operator agrees to a pay-
8 ment reduction in annual rental payments that
9 would otherwise be payable under that sub-
10 chapter in an amount determined by the Sec-
11 retary; and

12 (C) the owner or operator agrees to such
13 other terms and conditions as the Secretary, in
14 consultation with the State technical committee
15 for the State, may establish to ensure that the
16 grazing is consistent with the purposes of the
17 program established under that subchapter; and

18 (3) the Secretary shall permit harvesting on land
19 on the farm or ranch that the Secretary determines
20 has a sufficiently established cover to permit harvest-
21 ing without undue harm to the purposes of the con-
22 tract if—

23 (A) land under the contract will be har-
24 vested not more than once annually for recovery
25 of biomass used in energy production;

1 (B) the owner or operator agrees to a pay-
2 ment reduction under that subchapter in an
3 amount determined by the Secretary; and

4 (C) the owner or operator agrees to such
5 other terms and conditions as the Secretary, in
6 consultation with the State technical committee
7 for the State, may establish to ensure that the
8 harvesting is consistent with the purposes of the
9 program established under that subchapter.

10 (c) *RELATIONSHIP TO OTHER HAYING AND GRAZING*
11 *AUTHORITY.*—During the 4-year period beginning on the
12 date of enactment of this Act, land that is located in an
13 eligible State shall not be eligible for harvesting or grazing
14 under section 1232(a)(7) of the Food Security Act of 1985
15 (16 U.S.C. 3832(a)(7)).

16 (d) *CONSERVATION PRACTICES AND TIMING RESTRIC-*
17 *TIONS.*—Not later than March 1 of each year, the Secretary,
18 in consultation with the State technical committee for an
19 eligible State, shall determine any conservation practices
20 and timing restrictions that apply to land in the State that
21 is harvested or grazed under subsection (b).

22 (e) *STUDY.*—The Secretary shall make available not
23 more than \$100,000 of funds of the Commodity Credit Cor-
24 poration to contract with the game, fish, and parks depart-
25 ment of an eligible State to conduct an analysis of the pro-

1 *gram conducted under this section (based on information*
2 *provided by all eligible States).*

3 *(f) REGULATIONS.—*

4 *(1) IN GENERAL.—Not later than 90 days after*
5 *the date of enactment of this Act, the Secretary shall*
6 *issue such regulations as are necessary to implement*
7 *this Act.*

8 *(2) PROCEDURE.—The issuance of the regula-*
9 *tions shall be made without regard to—*

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

12 *(B) the Statement of Policy of the Secretary*
13 *of Agriculture effective July 24, 1971 (36 Fed.*
14 *Reg. 13804), relating to notices of proposed rule-*
15 *making and public participation in rulemaking;*

16 *or*

17 *(C) chapter 35 of title 44, United States*
18 *Code (commonly known as the “Paperwork Re-*
19 *duction Act”).*

20 *SEC. 750. EGG GRADING AND SAFETY. (a) PROHIBI-*
21 *TION ON PREVIOUS SHIPMENT OF SHELL EGGS UNDER*
22 *VOLUNTARY GRADING PROGRAM.—Section 203(h) of the*
23 *Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) is*
24 *amended by adding at the end the following: “Shell eggs*
25 *packed under the voluntary grading program of the Depart-*

1 *ment of Agriculture shall not have been shipped for sale*
2 *previous to being packed under the program, as determined*
3 *under a regulation promulgated by the Secretary.”.*

4 *(b) REPORT ON EGG SAFETY AND REPACKAGING.—Not*
5 *later than 90 days after the date of enactment of this Act,*
6 *the Secretary of Agriculture, and the Secretary of Health*
7 *and Human Services, shall submit a joint status report to*
8 *the Committees on Appropriations of the House of Rep-*
9 *resentatives and the Senate that describes actions taken by*
10 *the Secretary of Agriculture and the Secretary of Health*
11 *and Human Services—*

12 *(1) to enhance the safety of shell eggs and egg*
13 *products;*

14 *(2) to prohibit the grading, under the voluntary*
15 *grading program of the Department of Agriculture, of*
16 *shell eggs previously shipped for sale; and*

17 *(3) to assess the feasibility and desirability of*
18 *applying to all shell eggs the prohibition on repackag-*
19 *ing to enhance food safety, consumer information,*
20 *and consumer awareness.*

21 *SEC. 751. (a) FINDINGS.—*

22 *(1) In contrast to our Nation’s generally strong*
23 *economy, in a number of States, agricultural produc-*
24 *ers and rural communities are experiencing serious*
25 *economic hardship.*

1 (2) *Increased supplies of agricultural commod-*
2 *ities in combination with weakened demand have*
3 *caused prices of numerous farm commodities to de-*
4 *cline dramatically.*

5 (3) *Demand for imported agricultural commod-*
6 *ities has fallen in some regions of the world, due in*
7 *part to world economic conditions, and United States*
8 *agricultural exports have declined from their record*
9 *level of \$60,000,000,000 in 1996.*

10 (4) *Prolonged periods of weather disasters and*
11 *crop disease have devastated agricultural producers in*
12 *a number of States.*

13 (5) *Certain States experienced declines in per-*
14 *sonal farm income between 1996 and 1997.*

15 (6) *June estimates by the Department of Agri-*
16 *culture indicate that net farm income for 1998 will*
17 *fall to \$45,500,000,000, down 13 percent from the*
18 *\$52,200,000,000 for 1996.*

19 (7) *Total farm debt for 1998 is expected to reach*
20 *\$172,000,000,000, the highest level since 1985.*

21 (8) *Thousands of farm families are in danger of*
22 *losing their livelihoods and life savings.*

23 (b) *SENSE OF SENATE.*—*Now, therefore, it is the sense*
24 *of the Senate that immediate action by the President and*

1 *Congress is necessary to respond to the economic hardships*
2 *facing agricultural producers and their communities.*

3 *SEC. 752. ELIGIBILITY OF STATE AGRICULTURAL EX-*
4 *PERIMENT STATIONS FOR CERTAIN AGRICULTURAL RE-*
5 *SEARCH PROGRAMS. (a) FUND FOR RURAL AMERICA.—Sec-*
6 *tion 793(c)(2)(B) of the Federal Agriculture Improvement*
7 *and Reform Act of 1996 (7 U.S.C. 2204f(c)(2)(B)) is*
8 *amended—*

9 *(1) in clause (iii), by striking “or” at the end;*
10 *(2) in clause (iv), by striking the period at the*
11 *end and inserting “; or”; and*
12 *(3) by adding at the end the following:*

13 *“(v) a State agricultural experiment*
14 *station.”.*

15 *(b) INITIATIVE FOR FUTURE AGRICULTURE AND FOOD*
16 *SYSTEMS.—Section 401(d) of the Agricultural Research,*
17 *Extension, and Education Reform Act of 1998 (7 U.S.C.*
18 *7621(d)) is amended—*

19 *(1) in paragraph (3), by striking “or” at the*
20 *end;*
21 *(2) in paragraph (4), by striking the period at*
22 *the end and inserting “; or”; and*
23 *(3) by adding at the end the following:*
24 *“(5) a State agricultural experiment station.”.*

1 *SEC. 753. EXEMPTION OF CERTAIN PRODUCTS FROM*
2 *UNITED STATES SANCTIONS. (a) FINDINGS.—(1) Prohibit-*
3 *ing or otherwise restricting the donations or sales of food,*
4 *other agricultural products, medicines or medical equip-*
5 *ment in order to sanction a foreign government for actions*
6 *or policies that the United States finds objectionable, unnec-*
7 *essarily harms innocent populations in the targeted country*
8 *and rarely causes the sanctioned government to alter its ac-*
9 *tions or policies.*

10 *(2) For the United States as a matter of United States*
11 *policy to deny access to United States food, other agricul-*
12 *tural products, medicines and medical equipment by inno-*
13 *cent men, women and children in other countries weakens*
14 *the international leadership and moral authority of the*
15 *United States.*

16 *(3) Sanctions on the sale or donations of American*
17 *food, other agricultural products, medicine or medical*
18 *equipment needlessly harm American farmers and workers*
19 *employed in these sectors by foreclosing markets for these*
20 *United States products.*

21 *(b)(1) EXCLUSION FROM SANCTIONS.—Notwithstand-*
22 *ing any other provision of law, the President shall not re-*
23 *strict or otherwise prohibit any exports (including financ-*
24 *ing) of food, other agricultural products (including fer-*
25 *tilizer), medicines or medical equipment as part of any pol-*

1 *icy of existing or future unilateral economic sanctions im-*
2 *posed against a foreign government.*

3 (2) *EXCEPTIONS.—Subsection (b)(1) of this section*
4 *shall not apply to any regulations or restrictions with re-*
5 *spect to such products for health or safety purposes or dur-*
6 *ing periods of domestic shortages of such products.*

7 (c) *IMPOSE SANCTIONS.—The President may retain or*
8 *impose sanctions covered under subsection (b)(1) if he deter-*
9 *mines that retaining or imposing such sanctions would fur-*
10 *ther United States national security interests.*

11 (d) *EFFECTIVE DATE.—This section shall take effect*
12 *one day after the date of enactment of this section into law.*

13 (e) *EXCLUSION OF CERTAIN COUNTRIES.—Notwith-*
14 *standing any other provision of this section, subsection*
15 *(b)(2) shall read as follows:*

16 “(2) *EXCEPTIONS.—Subsection (b)(1) of this section*
17 *shall not apply to any country that—*

18 (A) *repeatedly provided support for acts of*
19 *international terrorism, within the meaning of sec-*
20 *tion 6(j)(1)(A) of the Export Administration Act of*
21 *1979 (50 U.S.C. App. 2405(j)(1)(A)); or*

22 (B) *systematically denies access to food, medi-*
23 *cine, or medical care to persons on the basis of politi-*
24 *cal beliefs or as a means of coercion or punishment.”.*

1 *SEC. 754. LIVESTOCK INDUSTRY IMPROVEMENT. (a)*
2 *DOMESTIC MARKET REPORTING.—*

3 *(1) IN GENERAL.—Section 203(g) of the Agricultural*
4 *Marketing Act of 1946 (7 U.S.C. 1622(g)) is*
5 *amended—*

6 *(A) by striking “(g) To” and inserting the*
7 *following:*

8 *“(g) COLLECTION AND DISSEMINATION OF MARKETING*
9 *INFORMATION.—*

10 *“(1) IN GENERAL.—The Secretary shall”;* and

11 *(B) by adding at the end the following:*

12 *“(2) DOMESTIC MARKET REPORTING.—*

13 *“(A) MANDATORY REPORTING PILOT PRO-*
14 *GRAM.—*

15 *“(i) IN GENERAL.—The Secretary shall*
16 *conduct a 3-year pilot program under*
17 *which the Secretary shall require any per-*
18 *son or class of persons engaged in the busi-*
19 *ness of buying, selling, or marketing live-*
20 *stock, livestock products, meat, or meat*
21 *products in an unmanufactured form to re-*
22 *port to the Secretary in such manner as the*
23 *Secretary shall require, such information*
24 *relating to prices and the terms of sale for*
25 *the procurement of livestock, livestock prod-*

1 ucts, meat, or meat products in an un-
2 manufactured form as the Secretary deter-
3 mines is necessary to carry out this sub-
4 section.

5 “(ii) *NONCOMPLIANCE.*—*It shall be un-*
6 *lawful for a person engaged in the business*
7 *of buying, selling, or marketing livestock,*
8 *livestock products, meat, or meat products*
9 *in an unmanufactured form to knowingly*
10 *fail or refuse to provide to the Secretary in-*
11 *formation required to be reported under*
12 *subparagraph (A).*

13 “(iii) *CEASE AND DESIST AND CIVIL*
14 *PENALTY.*—

15 “(I) *IN GENERAL.*—*If the Sec-*
16 *retary has reason to believe that a per-*
17 *son engaged in the business of buying,*
18 *selling, or marketing livestock, livestock*
19 *products, meat, or meat products in an*
20 *unmanufactured form is violating the*
21 *provisions of subparagraph (A) (or*
22 *regulation promulgated under subpara-*
23 *graph (A)), the Secretary after notice*
24 *and opportunity for hearing, may*
25 *make an order to cease and desist from*

1 continuing the violation and assess a
2 civil penalty of not more than \$10,000
3 for each violation.

4 “(II) *CONSIDERATIONS.*—In de-
5 termining the amount of a civil pen-
6 alty to be assessed under clause (i), the
7 Secretary shall consider the gravity of
8 the offense, the size of the business in-
9 volved, and the effect of the penalty on
10 the ability of the person to continue in
11 business.

12 “(iv) *REFERRAL TO ATTORNEY GEN-*
13 *ERAL.*—If, after expiration of the period for
14 appeal or after the affirmance of a civil
15 penalty assessed under clause (iii), the per-
16 son against whom the civil penalty is as-
17 sessed fails to pay the civil penalty, the Sec-
18 retary may refer the matter to the Attorney
19 General, who may recover the amount of the
20 civil penalty in a civil action in United
21 States district court.

22 “(B) *VOLUNTARY REPORTING.*—The Sec-
23 retary shall encourage voluntary reporting by
24 persons engaged in the business of buying, sell-
25 ing, or marketing livestock, livestock products,

1 *meats, or meat products in an unmanufactured*
2 *form that are not subjected to a mandatory re-*
3 *porting requirement under subparagraph (A).*

4 “(C) *AVAILABILITY OF INFORMATION.*—*The*
5 *Secretary shall make information received under*
6 *this paragraph available to the public only in a*
7 *form that ensures that—*

8 “(i) *the identity of the person submit-*
9 *ting a report is not disclosed; and*

10 “(ii) *the confidentiality of proprietary*
11 *business information is otherwise protected.*

12 “(D) *EFFECT ON OTHER LAWS.*—*Nothing in*
13 *this paragraph restricts or modifies the author-*
14 *ity of the Secretary to collect voluntary reports*
15 *in accordance with other provisions of law.”.*

16 (2) *TECHNICAL AMENDMENT.*—*Section 203 of the*
17 *Agricultural Marketing Act of 1946 (7 U.S.C. 1622)*
18 *is amended—*

19 (A) *by striking “The Secretary is directed*
20 *and authorized:”;* *and*

21 (B) *in the first sentence of each of sub-*
22 *sections (a) through (f) and subsections (h)*
23 *through (n), by striking “To” and inserting “The*
24 *Secretary shall”.*

1 **(b) PROHIBITION ON NONCOMPETITIVE PRACTICES.**—
2 *Section 202 of the Packers and Stockyards Act, 1921 (7*
3 *U.S.C. 192), is amended—*

4 (1) *in subsection (g), by striking the period at*
5 *the end and inserting “; or”; and*

6 (2) *by adding at the end the following:*

7 “*(h) Engage in any practice or device that the Sec-*
8 *retary by regulation, after consultation with producers of*
9 *cattle, lamb, and hogs, and other persons in the cattle, lamb,*
10 *and hog industries, determines is a detrimental non-*
11 *competitive practice or device relating to the price or a term*
12 *of sale for the procurement of livestock or the sale of meat*
13 *or other byproduct of slaughter.”.*

14 **(c) PROTECTION OF LIVESTOCK PRODUCERS AGAINST**
15 **RETALIATION BY PACKERS.**—

16 (1) **RETALIATION PROHIBITED.**—*Section 202(b)*
17 *of the Packers and Stockyards Act, 1921 (7 U.S.C.*
18 *192(b)), is amended—*

19 (A) *by striking “or subject” and inserting*
20 *“subject”; and*

21 (B) *by inserting before the semicolon at the*
22 *end the following: “, or retaliate against any*
23 *livestock producer on account of any statement*
24 *made by the producer (whether made to the Sec-*

1 retary or a law enforcement agency or in a pub-
2 lic forum) regarding an action of any packer”.

3 (2) *SPECIAL REQUIREMENTS REGARDING ALLE-*
4 *GATIONS OF RETALIATION.*—Section 203 of the *Pack-*
5 *ers and Stockyards Act, 1921 (7 U.S.C. 193), is*
6 *amended by adding at the end the following:*

7 “(e) *SPECIAL PROCEDURES REGARDING ALLEGATIONS*
8 *OF RETALIATION.*—

9 “(1) *CONSIDERATION BY SPECIAL PANEL.*—The
10 *President shall appoint a special panel consisting of*
11 *3 members to receive and initially consider a com-*
12 *plaint submitted by any person that alleges prohib-*
13 *ited packer retaliation under section 202(b) directed*
14 *against a livestock producer.*

15 “(2) *COMPLAINT; HEARING.*—If the panel has
16 reason to believe from the complaint or resulting in-
17 vestigation that a packer has violated or is violating
18 the retaliation prohibition under section 202(b), the
19 panel shall notify the Secretary who shall cause a
20 complaint to be issued against the packer, and a
21 hearing conducted, under subsection (a).

22 “(3) *EVIDENTIARY STANDARD.*—In the case of a
23 complaint regarding retaliation prohibited under sec-
24 tion 202(b), the Secretary shall find that the packer
25 involved has violated or is violating section 202(b) if

1 *the finding is supported by a preponderance of the*
2 *evidence.”.*

3 (3) *DAMAGES FOR PRODUCERS SUFFERING RE-*
4 *TALIATION.—Section 203 of the Packers and Stock-*
5 *yards Act, 1921 (7 U.S.C. 193) (as amended by sub-*
6 *section (b)), is amended by adding at the end the fol-*
7 *lowing:*

8 “(f) *DAMAGES FOR PRODUCERS SUFFERING RETALIA-*
9 *TION.—*

10 “(1) *IN GENERAL.—If a packer violates the retal-*
11 *iation prohibition under section 202(b), the packer*
12 *shall be liable to the livestock producer injured by the*
13 *retaliation for not more than 3 times the amount of*
14 *damages sustained as a result of the violation.*

15 “(2) *ENFORCEMENT.—The liability may be en-*
16 *forced either by complaint to the Secretary, as pro-*
17 *vided in subsection (e), or by suit in any court of*
18 *competent jurisdiction.*

19 “(3) *OTHER REMEDIES.—This subsection shall*
20 *not abridge or alter a remedy existing at common law*
21 *or by statute. The remedy provided by this subsection*
22 *shall be in addition to any other remedy.”.*

23 (d) *REVIEW OF FEDERAL AGRICULTURE CREDIT*
24 *POLICIES.—The Secretary of Agriculture, in consultation*
25 *with the Secretary of the Treasury, the Chairman of the*

1 *Board of Governors of the Federal Reserve System, and the*
2 *Chairman of the Board of the Farm Credit Administration,*
3 *shall establish an interagency working group to study—*

4 (1) *the extent to which Federal lending practices*
5 *and policies have contributed, or are contributing, to*
6 *market concentration in the livestock and dairy sec-*
7 *tors of the national economy; and*

8 (2) *whether Federal policies regarding the finan-*
9 *cial system of the United States adequately take ac-*
10 *count of the weather and price volatility risks inher-*
11 *ent in livestock and dairy enterprises.*

12 *SEC. 755. METERED-DOSE INHALERS. (a) FIND-*
13 *INGS.—Congress finds that—*

14 (1) *the Montreal Protocol on Substances That*
15 *Deplete the Ozone Layer (referred to in this section as*
16 *the “Montreal Protocol”) requires the phaseout of*
17 *products containing ozone-depleting substances, in-*
18 *cluding chloroflourocarbons;*

19 (2) *the primary remaining legal use in the*
20 *United States of newly produced chloroflourocarbons*
21 *is in metered-dose inhalers;*

22 (3) *treatment with metered-dose inhalers is the*
23 *preferred treatment for many patients with asthma*
24 *and chronic obstructive pulmonary disease;*

1 (4) *the incidence of asthma and chronic obstructive*
2 *pulmonary disease is increasing in children and*
3 *is most prevalent among low-income persons in the*
4 *United States;*

5 (5) *the Parties to the Montreal Protocol have*
6 *called for development of national transition strate-*
7 *gies to non-chloroflourocarbon metered-dose inhalers;*

8 (6) *the Commissioner of Food and Drugs pub-*
9 *lished an advance notice of proposed rulemaking that*
10 *suggested a tentative framework for how to phase out*
11 *the use of metered-dose inhalers that contain*
12 *chloroflourocarbons in the Federal Register on March*
13 *6, 1997, 62 Fed. Reg. 10242 (referred to in this sec-*
14 *tion as the “proposal”); and*

15 (7) *the medical and patient communities, while*
16 *calling for a formal transition strategy issued by the*
17 *Food and Drug Administration by rulemaking, have*
18 *expressed serious concerns that the proposal, if imple-*
19 *mented without change, could potentially place some*
20 *patients at risk by causing the removal of metered-*
21 *dose inhalers containing chloroflourocarbons from the*
22 *market before adequate non-chlorofluorocarbon re-*
23 *placements are available.*

24 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
25 *that—*

1 (1) *the Food and Drug Administration should,*
2 *in consultation with the Environmental Protection*
3 *Agency, assess the risks and benefits to the environ-*
4 *ment and to patient health of the proposal and any*
5 *alternatives;*

6 (2) *in conducting such assessments, the Food and*
7 *Drug Administration should consult with patients,*
8 *physicians, other health care providers, manufacturers*
9 *of metered-dose inhalers, and other interested parties;*

10 (3) *using the results of these assessments, and the*
11 *information contained in the comments the Food and*
12 *Drug Administration has received on the proposal,*
13 *the Food and Drug Administration should promptly*
14 *issue a rule ensuring that a range of non-*
15 *chloroflourocarbon metered-dose inhaler alternatives is*
16 *available for users, comparable to existing treatments*
17 *in terms of safety, efficacy, and other appropriate pa-*
18 *rameters necessary to meet patient needs, which rule*
19 *should not be based on a therapeutic class phaseout*
20 *approach; and*

21 (4) *the Food and Drug Administration should*
22 *issue a proposed rule described in paragraph (3) not*
23 *later than May 1, 1999.*

24 SEC. 756. REPORT ON MARKET ACCESS PROGRAM. (a)
25 IN GENERAL.—Not later than 180 days after the date of

1 *enactment of this Act, the Secretary of Agriculture, in con-*
2 *sultation with the Comptroller General of the United States,*
3 *shall submit to the committees of Congress specified in sub-*
4 *section (c) a report that, as determined by the Secretary—*

5 (1)(A) *analyzes the costs and benefits of pro-*
6 *grams carried out under that section in compliance*
7 *with the cost-benefit analysis guidelines established by*
8 *the Office of Management and Budget in Circular A–*
9 *94, dated October 29, 1992; and*

10 (B) *in any macroeconomic studies, treats re-*
11 *sources in the United States as if the resources were*
12 *likely to be fully employed;*

13 (2) *considers all potential costs and benefits of*
14 *the programs carried out under that section, specifi-*
15 *cally noting potential distortions in the economy that*
16 *could lower national output of goods and services and*
17 *employment;*

18 (3) *estimates the impact of programs carried out*
19 *under that section on the agricultural sector and on*
20 *consumers and other sectors of the economy in the*
21 *United States;*

22 (4) *considers costs and benefits of operations re-*
23 *lating to alternative uses of the budget for the pro-*
24 *grams under that section;*

1 (5)(A) analyzes the relation between the prior-
2 ities and spending levels of programs carried out
3 under that section and the privately funded market
4 promotion activities undertaken by participants in
5 the programs; and

6 (B) evaluates the spending additionality for par-
7 ticipants resulting from the program;

8 (6) conducts an analysis of the amount of export
9 additionality for activities financed under programs
10 carried out under that section in sponsored countries,
11 controlling for relevant variables, including—

12 (A) information on the levels of private ex-
13 penditures for promotion;

14 (B) government promotion by competitor
15 nations;

16 (C) changes in foreign and domestic supply
17 conditions;

18 (D) changes in exchange rates; and

19 (E) the effect of ongoing trade liberaliza-
20 tion;

21 (7) provides an evaluation of the sustainability
22 of promotional effort in sponsored markets for recipi-
23 ents in the absence of government subsidies.

24 (b) *EVALUATION BY COMPTROLLER GENERAL.*—The
25 Comptroller General of the United States shall submit an

1 *evaluation of the report to the committees specified in sub-*
2 *section (c).*

3 (c) *COMMITTEES OF CONGRESS.—The committees of*
4 *Congress referred to in subsection (a) are—*

5 (1) *the Committee on Agriculture of the House of*
6 *Representatives and the Committee on Agriculture,*
7 *Nutrition, and Forestry of the Senate; and*

8 (2) *the Committee on Appropriations of the*
9 *House of Representatives and the Committee on Ap-*
10 *propriations of the Senate.*

11 *SEC. 757. SENSE OF THE SENATE CONCERNING AP-*
12 *PROPRIATE ACTIONS TO BE TAKEN TO ALLEVIATE THE*
13 *ECONOMIC EFFECT OF LOW COMMODITY PRICES. It is the*
14 *sense of the Senate that—*

15 (1) *Congress should pass and the President*
16 *should sign S.1269, which would reauthorize fast-*
17 *track trading authority for the President;*

18 (2) *Congress should pass and the President*
19 *should sign S.2078, the Farm and Ranch Risk Man-*
20 *agement Act, which would allow farmers and ranch-*
21 *ers to better prepare for fluctuations in the agricul-*
22 *tural economy;*

23 (3) *the House of Representatives should follow*
24 *the Senate and provide full funding for the Inter-*
25 *national Monetary Fund;*

1 (4) *Congress should pass and the President*
2 *should sign sanctions reform legislation so that the*
3 *agricultural economy of the United States is not*
4 *harmed by sanctions on foreign trade;*

5 (5) *Congress should uphold the Presidential*
6 *waiver of the Jackson-Vanik amendment to the 1974*
7 *Trade Act providing normal trade relations status for*
8 *China and continue to pursue normal trade relations*
9 *with China;*

10 (6) *the House and Senate should continue to*
11 *pursue a package of capital gains and estate tax re-*
12 *forms;*

13 (7) *the President should pursue stronger over-*
14 *sight on all international trade agreements affecting*
15 *agriculture and commerce dispute settlement proce-*
16 *dures when countries are found to be violating such*
17 *trade agreements;*

18 (8) *the President should sign legislation provid-*
19 *ing full deductibility of health care insurance for self-*
20 *employed individuals;*

21 (9) *the Congress and the administration should*
22 *pursue efforts to reduce regulations on farmers; and*

23 (10) *the President should use the administrative*
24 *tools available to him to use Commodity Credit Cor-*

1 *poration and unused Export Enhancement Program*
2 *funds for humanitarian assistance.*

3 *SEC. 758. RESERVE INVENTORIES. Section 813 of the*
4 *Agricultural Act of 1970 (7 U.S.C. 1427a) is amended—*

5 *(1) in the first sentence of subsection (a), by in-*
6 *serting “of agricultural producers” after “distress”;*

7 *(2) in subsection (c), by inserting “the Secretary*
8 *or” after “President or”; and*

9 *(3) in subsection (h)—*

10 *(A) by striking “(h) There is hereby” and*
11 *inserting the following:*

12 *“(h) AUTHORIZATION OF APPROPRIATIONS.—*

13 *“(1) IN GENERAL.—There are”; and*

14 *(B) by adding at the end the following:*

15 *“(2) USE OF FUNDS FOR CASH PAYMENTS.—The*
16 *Secretary may use funds made available under this*
17 *section to make, in a manner consistent with this sec-*
18 *tion, cash payments that don’t go for crop disasters,*
19 *but for income loss to carry out the purposes of this*
20 *section.”.*

21 *SEC. 759. FOOD SAFETY INITIATIVE. (a) IN GEN-*
22 *ERAL.—In addition to the amounts made available under*
23 *other provisions of this Act, there are appropriated, out of*
24 *any money in the Treasury not otherwise appropriated, to*

1 *carry out activities described in the Food Safety Initiative*
2 *submitted by the President for fiscal year 1999—*

3 *(1) \$98,000 to the Chief Economist;*

4 *(2) \$906,000 to the Economic Research Service;*

5 *(3) \$8,920,000 to the Agricultural Research*
6 *Service;*

7 *(4) \$11,000,000 to the Cooperative State Re-*
8 *search, Education, and Extension Service;*

9 *(5) \$8,347,000 to the Food Safety and Inspection*
10 *Service; and*

11 *(6) \$37,000,000 to the Food and Drug Adminis-*
12 *tration.*

13 *(b) AMENDMENT OF THE NO NET COST FUND ASSESS-*
14 *MENTS TO PROVIDE FOR COLLECTION OF ALL ADMINISTRA-*
15 *TIVE COSTS NOT PREVIOUSLY COVERED AND ALL CROP IN-*
16 *SURANCE COSTS FOR TOBACCO.—Section 106A of the Agri-*
17 *cultural Act of 1949, as amended (7 U.S.C. 1445–1(c)), is*
18 *hereby amended by—in subsection (d)(7) changing “the*
19 *Secretary” to “the Secretary; and” and by adding a new*
20 *subsection (d)(8) to read as follows:*

21 *“(8) Notwithstanding any other provision of this*
22 *subsection or other law, that with respect to the 1999*
23 *and subsequent crops of tobacco for which price sup-*
24 *port is made available and for which a fund is main-*
25 *tained under this section, an additional assessment*

1 shall be remitted over and above that otherwise pro-
2 vided for in this subsection. Such additional assess-
3 ment shall be equal to—(1) the administrative costs
4 within the Department of Agriculture that is not oth-
5 erwise covered under another assessment under this
6 section or under another provision of law; and (2)
7 any and all net losses in Federal crop insurance pro-
8 grams for tobacco, whether those losses be on price-
9 supported tobacco or on other tobaccos. The Secretary
10 shall estimate those administrative and insurance
11 costs in advance. The Secretary may make such ad-
12 justments in the assessment under this paragraph for
13 future crops as are needed to cover shortfalls or over-
14 collections. The assessment shall be applied so that the
15 additional amount to be collected under this para-
16 graph shall be the same for all price support tobaccos
17 (and imported tobacco of like kind) which are mar-
18 keted or imported into the United States during the
19 marketing year for the crops covered by this para-
20 graph. For each domestically produced pound of to-
21 bacco the assessment amount to be remitted under this
22 paragraph shall be paid by the purchaser of the to-
23 bacco. On imported tobacco, the assessment shall be
24 paid by the importer. Monies collected pursuant to
25 this section shall be commingled with other monies in

1 *the No Net Cost Fund maintained under this section.*
2 *The administrative and crop insurance costs that are*
3 *taken into account in fixing the amount of the assess-*
4 *ment shall be a claim on the Fund and shall be trans-*
5 *ferred to the appropriate account for the payment of*
6 *administrative costs and insurance costs at a time de-*
7 *termined appropriate by the Secretary. Collections*
8 *under this paragraph shall not affect the amount of*
9 *any other collection established under this section or*
10 *under another provision of law but shall be enforce-*
11 *able in the same manner as other assessments under*
12 *this section and shall be subject to the same sanctions*
13 *for nonpayment.”.*

14 *(c) AMENDMENT OF THE NO NET COST ACCOUNT AS-*
15 *SESSMENTS TO PROVIDE FOR COLLECTION OF ALL ADMIN-*
16 *ISTRATIVE COST NOT PREVIOUSLY COVERED AND ALL*
17 *CROP INSURANCE COSTS.—Section 106B of the Agricul-*
18 *tural Act of 1949, as amended (7 U.S.C. 1445–2), is amend-*
19 *ed by renumbering subsections “(i)” and “(j)” as “(j)” and*
20 *“(k)” respectively, and by adding a new subsection “(i)”*
21 *to read as follows:*

22 *“(i) Notwithstanding any other provision of this sec-*
23 *tion or other law, the Secretary shall require with respect*
24 *to the 1999 and subsequent crops of tobacco for which price*
25 *support is made available and for which an account is*

1 *maintained under this section, that an additional assess-*
2 *ment shall be remitted over and above that otherwise pro-*
3 *vided for in this subsection. Such additional assessment*
4 *shall be equal to—(1) the administrative costs within the*
5 *Department of Agriculture that are not otherwise covered*
6 *under another assessment under this section or under an-*
7 *other provision of law; and (2) any and all net losses in*
8 *Federal crop insurance programs for tobacco, whether those*
9 *losses be on price-supported tobacco or on other tobaccos.*
10 *The Secretary shall estimate those administrative and in-*
11 *surance costs in advance. The Secretary may make such*
12 *adjustments in the assessments under this subsection for fu-*
13 *ture crops as are needed to cover shortfalls or over-collec-*
14 *tions. The assessment shall be applied so that the additional*
15 *amount to be collected under this subsection shall be the*
16 *same for all price support tobaccos (and imported tobacco*
17 *of like kind) which are marketed or imported into the*
18 *United States during the marketing year for the crops cov-*
19 *ered by this subsection. For each domestically produced*
20 *pound of tobacco the assessment amount to be remitted*
21 *under this subsection shall be paid by the purchaser of the*
22 *tobacco. On imported tobacco, the assessment shall be paid*
23 *by the importer. Monies collected pursuant to this section*
24 *shall be commingled with other monies in the No Net Cost*
25 *Account maintained under this section. The administrative*

1 *and crop insurance costs that are taken into account in*
2 *fixing the amount of the assessment shall be a claim on*
3 *the account and shall be transferred to the appropriate ac-*
4 *count for the payment of administrative costs and insur-*
5 *ance costs at a time determined appropriate by the Sec-*
6 *retary. Collections under this subsection shall not effect the*
7 *amount of any other collection established under this section*
8 *or under another provision of law but shall be enforceable*
9 *in the same manner as other assessments under this section*
10 *and shall be subject to the same sanctions for nonpayment.”.*

11 *(d) ELIMINATION OF THE TOBACCO BUDGET ASSESS-*
12 *MENT.—Notwithstanding any other provision of law, the*
13 *provisions of section 106(g) of the Agricultural Act of 1949,*
14 *as amended (7 U.S.C. 1445(g)), shall not apply or be ex-*
15 *tended to the 1999 crops of tobacco and shall not, in any*
16 *case, apply to any tobacco for which additional assessments*
17 *have been rendered under sections 1 and 2 of this Act.*

18 *(e) AMENDMENT OF THE COMMODITY CREDIT COR-*
19 *PORATION CHARTER ACT.—Section 4(g) of the Commodity*
20 *Credit Corporation Charter Act (15 U.S.C. 714b(g)) is*
21 *amended in the first sentence by striking “\$193,000,000”*
22 *and inserting “\$178,000,000”.*

23 *SEC. 760. Expenses for computer-related activities of*
24 *the Department of Agriculture funded through the Commod-*
25 *ity Credit Corporation pursuant to section 161(b)(1)(A) of*

1 *Public Law 104–127 in fiscal year 1999 shall not exceed*
2 *\$50,000,000: Provided, That section 4(g) of the Commodity*
3 *Credit Corporation Charter Act is amended by striking*
4 *\$178,000,000 and inserting \$173,000,000.*

5 *SEC. 761. WAIVER OF STATUTE OF LIMITATIONS FOR*
6 *CERTAIN DISCRIMINATION CLAIMS. (a) DEFINITION OF ELI-*
7 *GIBLE CLAIM.—In this section, the term “eligible claim”*
8 *means a nonemployment-related claim that was filed with*
9 *the Department of Agriculture on or before July 1, 1997*
10 *and alleges discrimination by the Department of Agri-*
11 *culture at any time during the period beginning on Janu-*
12 *ary 1, 1981, and ending on December 31, 1996—*

13 *(1) in violation of the Equal Credit Opportunity*
14 *Act (15 U.S.C. 1691 et seq.) in administering—*

15 *(A) a farm ownership, farm operating, or*
16 *emergency loan funded from the Agricultural*
17 *Credit Insurance Program Account; or*

18 *(B) a housing program established under*
19 *title V of the Housing Act of 1949; or*

20 *(2) in the administration of a commodity pro-*
21 *gram or a disaster assistance program.*

22 *(b) WAIVER.—To the extent permitted by the Constitu-*
23 *tion, an eligible claim, if commenced not later than 2 years*
24 *after the date of the enactment of this Act, shall not be*
25 *barred by any statute of limitations.*

1 (c) *ADMINISTRATIVE PROCEEDINGS.*—

2 (1) *IN GENERAL.*—*In lieu of bringing a civil ac-*
3 *tion, a claimant may seek a written determination on*
4 *the merits of an eligible claim by the Secretary of Ag-*
5 *riculture if such claim is filed with the Secretary*
6 *within two years of the date of enactment of this Act.*

7 (2) *TIME PERIOD FOR RESOLUTION OF ADMINIS-*
8 *TRATIVE CLAIMS.*—*To the maximum extent prac-*
9 *ticable, the Secretary shall, within 180 days from the*
10 *date an eligible claim is filed with the Secretary*
11 *under this subsection, conduct an investigation, issue*
12 *a written determination, and propose a resolution in*
13 *accordance with this subsection.*

14 (3) *HEARING AND AWARD.*—*The Secretary*
15 *shall—*

16 (A) *provide the claimant an opportunity for*
17 *a hearing before making the determination; and*

18 (B) *award the claimant such relief as would*
19 *be afforded under the applicable statute from*
20 *which the eligible claim arose notwithstanding*
21 *any statute of limitations.*

22 (d) *STANDARD OF REVIEW.*—*Federal courts reviewing*
23 *an eligible claim under this section shall apply a de novo*
24 *standard of review.*

1 (e) *LIMITATION ON ADMINISTRATIVE AWARDS AND*
2 *SETTLEMENT AUTHORITY AND EXTENSION OF TIME.—*

3 (1) *LIMITATION ON ADMINISTRATIVE AWARDS*
4 *AND SETTLEMENT AUTHORITY.—A proposed adminis-*
5 *trative award or settlement exceeding \$75,000 (other*
6 *than debt relief) of an eligible claim—*

7 (A) *shall not take effect until 90 days after*
8 *notice of the award or settlement is given to the*
9 *Attorney General; and*

10 (B) *shall not take effect if, during that 90-*
11 *day period, the Attorney General objects to the*
12 *award or settlement.*

13 (2) *EXTENSION OF TIME.—Notwithstanding sub-*
14 *sections (b) and (c), if an eligible claim is denied ad-*
15 *ministratively, the claimant shall have at least 180*
16 *days to commence a cause of action in a Federal*
17 *court of competent jurisdiction seeking a review of*
18 *such denial.*

19 *SEC. 762. CENSUS OF AGRICULTURE. (a) IN GEN-*
20 *ERAL.—Section 2 of the Census of Agriculture Act of 1997*
21 *(7 U.S.C. 2204g) is amended—*

22 (1) *in subsection (b) by inserting at the end the*
23 *following: “In fiscal year 1999 the Secretary of Agri-*
24 *culture is directed to continue to revise the Census of*

1 *Agriculture to eliminate redundancies in questions*
2 *asked of farmers by USDA.”.*

3 *(2) in subsection (d) by deleting in paragraph*
4 *(1) “who willfully gives” and inserting in its place*
5 *“shall not give”, and deleting “, shall be fined not*
6 *more than \$500”.*

7 *(3) in subsection (d) by deleting in paragraph*
8 *(2) “who refuses or willfully neglects” and inserting*
9 *in its place “shall not refuse or willfully neglect”, and*
10 *deleting “, shall not be fined more than \$100”.*

11 *SEC. 763. TREE ASSISTANCE PROGRAM. (a) IN GEN-*
12 *ERAL.—The Secretary of Agriculture may use funds for tree*
13 *assistance made available under Public Law 105–174, to*
14 *carry out a tree assistance program to owners of trees that*
15 *were lost or destroyed as a result of a disaster or emergency*
16 *that was declared by the President or the Secretary of Agri-*
17 *culture during the period beginning May 1, 1998, and end-*
18 *ing August 1, 1998, regardless of whether the damage re-*
19 *sulted in loss or destruction after August 1, 1998.*

20 *(b) ADMINISTRATION.—Subject to subsection (c), the*
21 *Secretary shall carry out the program, to the maximum ex-*
22 *tent practicable, in accordance with the terms and condi-*
23 *tions of the tree assistance program established under part*
24 *783 of title 7, Code of Federal Regulations.*

1 (c) *ELIGIBILITY.*—A person shall be presumed eligible
2 for assistance under the program if the person demonstrates
3 to the Secretary that trees owned by the person were lost
4 or destroyed by May 31, 1999, as a direct result of fire
5 blight infestation that was caused by a disaster or emer-
6 gency described in subsection (a).

7 *SEC. 764. STUDY OF FUTURE FEDERAL AGRICUL-*
8 *TURAL POLICIES. (a) IN GENERAL.*—On the request of the
9 Commission on 21st Century Production Agriculture, the
10 Secretary of Agriculture, acting through the Chief Econo-
11 mist of the Department of Agriculture, shall make assist-
12 ance and information available to the Commission to enable
13 the Commission to conduct a study to guide the development
14 of future Federal agricultural policies.

15 (b) *DUTIES.*—In conducting the study, the Commis-
16 sion shall—

17 (1) examine a range of future Federal agricul-
18 tural policies that may succeed the policies established
19 under the Agricultural Market Transition Act (7
20 U.S.C. 7201 et seq.) for the 2003 and subsequent
21 crops, and the impact of such policies on farm in-
22 come, the structure of agriculture, trade competitive-
23 ness, conservation, the environment and other factors;

1 (2) *assess the potential impact of any legislation*
2 *enacted through the end of the 105th Congress on fu-*
3 *ture Federal agricultural policies; and*

4 (3) *review economic agricultural studies that are*
5 *relevant to future Federal agricultural policies.*

6 (c) *REPORT.—Not later than December 31, 1999, the*
7 *Commission shall submit to the Committee on Agriculture*
8 *of the House of Representatives, the Committee on Agri-*
9 *culture, Nutrition, and Forestry of the Senate, and the*
10 *Committees on Appropriations of the House of Representa-*
11 *tives and the Senate, the results of the study conducted*
12 *under this section.*

13 *SEC. 765. INDICATION OF COUNTRY OF ORIGIN OF IM-*
14 *PORTED PERISHABLE AGRICULTURAL COMMODITIES. (a)*
15 *DEFINITIONS.—In this section:*

16 (1) *FOOD SERVICE ESTABLISHMENT.—The term*
17 *“food service establishment” means a restaurant, cafe-*
18 *teria, lunch room, food stand, saloon, tavern, bar,*
19 *lounge, or other similar facility, operated as an enter-*
20 *prise engaged in the business of selling foods to the*
21 *public.*

22 (2) *PERISHABLE AGRICULTURAL COMMODITY;*
23 *RETAILER.—The terms “perishable agricultural com-*
24 *modity” and “retailer” have the meanings given the*

1 *terms in section 1(b) of the Perishable Agricultural*
2 *Commodities Act, 1930 (7 U.S.C. 499a(b)).*

3 *(b) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—Ex-*
4 *cept as provided in subsection (c), a retailer of a perishable*
5 *agricultural commodity imported into the United States*
6 *shall inform consumers, at the final point of sale of the per-*
7 *ishable agricultural commodity to consumers, of the country*
8 *of origin of the perishable agricultural commodity.*

9 *(c) EXEMPTION FOR FOOD SERVICE ESTABLISH-*
10 *MENTS.—Subsection (b) shall not apply to a perishable ag-*
11 *ricultural commodity imported into the United States to*
12 *the extent that the perishable agricultural commodity is—*

13 *(1) prepared or served in a food service establish-*
14 *ment; and*

15 *(2)(A) offered for sale or sold at the food service*
16 *establishment in normal retail quantities; or*

17 *(B) served to consumers at the food service estab-*
18 *lishment.*

19 *(d) METHOD OF NOTIFICATION.—*

20 *(1) IN GENERAL.—The information required by*
21 *subsection (b) may be provided to consumers by*
22 *means of a label, stamp, mark, placard, or other clear*
23 *and visible sign on the imported perishable agricul-*
24 *tural commodity or on the package, display, holding*

1 *unit, or bin containing the commodity at the final*
2 *point of sale to consumers.*

3 (2) *LABELED COMMODITIES.*—*If the imported*
4 *perishable agricultural commodity is already individ-*
5 *ually labeled regarding country of origin by the pack-*
6 *er, importer, or another person, the retailer shall not*
7 *be required to provide any additional information to*
8 *comply with this section.*

9 (e) *VIOLATIONS.*—*If a retailer fails to indicate the*
10 *country of origin of an imported perishable agricultural*
11 *commodity as required by subsection (b), the Secretary of*
12 *Agriculture may assess a civil penalty on the retailer in*
13 *an amount not to exceed—*

14 (1) *\$1,000 for the first day on which the viola-*
15 *tion occurs; and*

16 (2) *\$250 for each day on which the same viola-*
17 *tion continues.*

18 (f) *DEPOSIT OF FUNDS.*—*Amounts collected under*
19 *subsection (e) shall be deposited in the Treasury of the*
20 *United States as miscellaneous receipts.*

21 (g) *APPLICATION OF SECTION.*—*This section shall*
22 *apply with respect to a perishable agricultural commodity*
23 *imported into the United States after the end of the 6-month*
24 *period beginning on the date of the enactment of this Act.*

25 *SEC. 766. (a) FINDINGS.*—

1 (1) *The President's budget submission includes*
2 *unauthorized user fees.*

3 (2) *It is unlikely these fees will be authorized in*
4 *the immediate future.*

5 (3) *The assumption of revenue from unauthor-*
6 *ized user fees results in a shortfall of funds available*
7 *for programs under the jurisdiction of the Agri-*
8 *culture, Rural Development, Food and Drug Admin-*
9 *istration, and Related Agencies Subcommittee.*

10 (4) *That among the programs for which addi-*
11 *tional funds can be justified are—*

12 (A) *human nutrition research;*

13 (B) *the Food Safety Initiative activities of*
14 *the United States Department of Agriculture and*
15 *the Food and Drug Administration;*

16 (C) *the Wetlands Reserve Program;*

17 (D) *the conservation Farm Option Pro-*
18 *gram;*

19 (E) *the Farmland Protection Program;*

20 (F) *the Inspector General's Law Enforce-*
21 *ment Initiative;*

22 (G) *the Food and Drug Administration pre-*
23 *notification certification;*

24 (H) *the Food and Drug Administration*
25 *clinical pharmacology;*

1 (I) the Food and Drug Administration Of-
2 fice of Cosmetics and Color;

3 (J) the Rural Electric loan programs;

4 (K) the Pesticide Data Program;

5 (L) the Rural Community Advancement
6 Program;

7 (M) civil rights activities; and

8 (N) the Fund for Rural America.

9 (b) *SENSE OF SENATE.*—Therefore, it is the sense of
10 the Senate that in the event an additional allocation be-
11 comes available, the before mentioned programs should be
12 considered for funding.

13 *SEC. 767. OFFICE OF THE SMALL FARMS ADVOCATE.*

14 (a) *DEFINITION OF SMALL FARM.*—In this section, the term
15 “small farm” has the meaning given the term in section
16 506 of the Rural Development Act of 1972 (7 U.S.C. 2666).

17 (b) *ESTABLISHMENT.*—Not later than 180 days after
18 the date of enactment of this Act, the Secretary of Agri-
19 culture shall establish and maintain in the Department of
20 Agriculture an Office of the Small Farms Advocate.

21 (c) *FUNCTIONS.*—The Office of the Small Farms Advo-
22 cate shall—

23 (1) cooperate with, and monitor, agencies and of-
24 fices of the Department to ensure that the Department
25 is meeting the needs of small farms;

1 (2) *provide input to agencies and offices of the*
2 *Department on program and policy decisions to en-*
3 *sure that the interests of small farms are represented;*
4 *and*

5 (3) *develop and implement a plan to coordinate*
6 *the effective delivery of services of the Department to*
7 *small farms.*

8 (d) *ADMINISTRATOR.—*

9 (1) *APPOINTMENT.—The Office of the Small*
10 *Farms Advocate shall be headed by an Administrator,*
11 *who shall be appointed by the President, with the ad-*
12 *vice and consent of the Senate. Nothing in this Act*
13 *shall be construed to authorize a net increase in the*
14 *number of political appointees within the Department*
15 *of Agriculture.*

16 (2) *DUTIES.—The Administrator shall—*

17 (A) *act as an advocate for small farms in*
18 *connection with policies and programs of the De-*
19 *partment; and*

20 (B) *carry out the functions of the Office of*
21 *the Small Farms Advocate under subsection (b).*

22 (3) *EXECUTIVE SCHEDULE.—Section 5315 of*
23 *title 5, United States Code, is amended by adding at*
24 *the end the following:*

1 “Administrator, Office of the Small Farms Advo-
2 cate, Department of Agriculture.”.

3 (e) *RESOURCES.*—Using funds that are otherwise
4 available to the Department of Agriculture, the Secretary
5 shall provide the Office of the Small Farms Advocate with
6 such human and capital resources as are sufficient for the
7 Office to carry out its functions in a timely and efficient
8 manner.

9 (f) *ANNUAL REPORT.*—The Secretary shall annually
10 submit to the Committee on Agriculture of the House of
11 Representatives and the Committee on Agriculture, Nutri-
12 tion, and Forestry of the Senate an annual report that de-
13 scribes actions taken by the Office of the Small Farms Advo-
14 cate to further the interests of small farms.

15 *SEC. 768. LIMIT ON PENALTY FOR INADVERTENT VIO-*
16 *LATION OF CONTRACT UNDER THE AGRICULTURAL MAR-*
17 *KET TRANSITION ACT. If an owner or producer, in good*
18 *faith, inadvertently plants edible beans during the 1998*
19 *crop year on acreage covered by a contract under the Agri-*
20 *cultural Market Transition Act (7 U.S.C. 7201 et seq.), the*
21 *Secretary of Agriculture shall minimize penalties imposed*
22 *for the planting to prevent economic injury to the owner*
23 *or producer.*

24 *SEC. 769. The Secretary of Agriculture shall present*
25 *to Congress by March 1, 1999 a report on whether to rec-*

1 *ommend lifting the ban on the interstate-distribution of*
2 *State inspected meat.*

3 *SEC. 770. PROHIBITION ON LOAN GUARANTEES TO*
4 *BORROWERS THAT HAVE RECEIVED DEBT FORGIVENESS.*

5 *Section 373 of the Consolidated Farm and Rural Develop-*
6 *ment Act (7 U.S.C. 2008h) is amended by striking sub-*
7 *section (b) and inserting the following:*

8 “(b) *PROHIBITION OF LOANS FOR BORROWERS THAT*
9 *HAVE RECEIVED DEBT FORGIVENESS.—*

10 “(1) *PROHIBITIONS.—Except as provided in*
11 *paragraph (2)—*

12 “(A) *the Secretary may not make a loan*
13 *under this title to a borrower that has received*
14 *debt forgiveness on a loan made or guaranteed*
15 *under this title; and*

16 “(B) *the Secretary may not guarantee a*
17 *loan under this title to a borrower that has re-*
18 *ceived—*

19 “(i) *debt forgiveness after April 4,*
20 *1996, on a loan made or guaranteed under*
21 *this title; or*

22 “(ii) *received debt forgiveness on no*
23 *more than 3 occasions on or before April 4,*
24 *1996.*

25 “(2) *EXCEPTIONS.—*

1 “(A) *IN GENERAL.*—*The Secretary may*
2 *make a direct or guaranteed farm operating loan*
3 *for paying annual farm or ranch operating ex-*
4 *penditures of a borrower that was restructured with*
5 *a write-down under section 353.*

6 “(B) *EMERGENCY LOANS.*—*The Secretary*
7 *may make an emergency loan under section 321*
8 *to a borrower that—*

9 “(i) *on or before April 4, 1996, re-*
10 *ceived not more than 1 debt forgiveness on*
11 *a loan made or guaranteed under this title;*
12 *and*

13 “(ii) *after April 4, 1996, has not re-*
14 *ceived debt forgiveness on a loan made or*
15 *guaranteed under this title.”.*

16 *SEC. 771. DEFINITION OF FAMILY FARM. (a) REAL*
17 *ESTATE LOANS.*—*Section 302 of the Consolidated Farm*
18 *and Rural Development Act (7 U.S.C. 1922) is amended*
19 *by adding at the end the following:*

20 “(c) *DETERMINATION OF QUALIFICATION FOR LOAN.*—

21 “(1) *PRIMARY FACTOR.*—*The primary factor to*
22 *be considered in determining whether an applicant*
23 *for a loan under this subtitle is engaged primarily*
24 *and directly in farming or ranching shall be whether*
25 *the applicant is participating in routine, ongoing*

1 *farm activities and in overall decisionmaking with*
2 *regard to the farm or ranch.*

3 “(2) *NO BASIS FOR DENIAL OF LOAN.*—*The Sec-*
4 *retary may not deny a loan under this subtitle solely*
5 *because 2 or more individuals are employed full-time*
6 *in the farming operation for which the loan is*
7 *sought.”.*

8 *(b) OPERATING LOANS.*—*Section 311 of the Consoli-*
9 *dated Farm and Rural Development Act (7 U.S.C. 1941)*
10 *is amended by adding at the end the following:*

11 “(d) *DETERMINATION OF QUALIFICATION FOR*
12 *LOAN.*—

13 “(1) *PRIMARY FACTOR.*—*The primary factor to*
14 *be considered in determining whether an applicant*
15 *for a loan under this subtitle is engaged primarily*
16 *and directly in farming or ranching shall be whether*
17 *the applicant is participating in routine, ongoing*
18 *farm activities and in overall decisionmaking with*
19 *regard to the farm or ranch.*

20 “(2) *NO BASIS FOR DENIAL OF LOAN.*—*The Sec-*
21 *retary may not deny a loan under this subtitle solely*
22 *because 2 or more individuals are employed full-time*
23 *in the farming operation for which the loan is*
24 *sought.”.*

1 (c) *EMERGENCY LOANS.*—Section 321 of the Consoli-
2 dated *Farm and Rural Development Act (7 U.S.C. 1961)*
3 is amended by adding at the end the following:

4 “(e) *DETERMINATION OF QUALIFICATION FOR LOAN.*—

5 “(1) *PRIMARY FACTOR.*—The primary factor to
6 be considered in determining whether an applicant
7 for a loan under this subtitle is engaged primarily
8 and directly in farming or ranching shall be whether
9 the applicant is participating in routine, ongoing
10 farm activities and in overall decisionmaking with
11 regard to the farm or ranch.

12 “(2) *NO BASIS FOR DENIAL OF LOAN.*—The Sec-
13 retary may not deny a loan under this subtitle solely
14 because 2 or more individuals are employed full-time
15 in the farming operation for which the loan is
16 sought.”.

17 (d) *EFFECTIVE DATE.*—This section shall be consid-
18 ered to have been in effect as of January 1, 1977.

19 *SEC. 772. APPLICABILITY OF DISASTER LOAN COLLAT-*
20 *ERAL REQUIREMENTS UNDER THE SMALL BUSINESS ACT.*

21 Section 324(d) of the *Consolidated Farm and Rural Devel-*
22 *opment Act (7 U.S.C. 1964(d))* is amended—

23 (1) by striking “(d) All loans” and inserting the
24 following:

25 “(d) *REPAYMENT.*—

1 “(1) *IN GENERAL.*— *All loans*”; and

2 (2) *by adding at the end the following:*

3 “(2) *NO BASIS FOR DENIAL OF LOAN.*—

4 “(A) *IN GENERAL.*—*Subject to subpara-*
5 *graph (B), the Secretary shall not deny a loan*
6 *under this subtitle to a borrower by reason of the*
7 *fact that the borrower lacks a particular amount*
8 *of collateral for the loan if the Secretary is rea-*
9 *sonably certain that the borrower will be able to*
10 *repay the loan.*

11 “(B) *REFUSAL TO PLEDGE AVAILABLE COL-*
12 *LATERAL.*—*The Secretary may deny or cancel a*
13 *loan under this subtitle if a borrower refuses to*
14 *pledge available collateral on request by the Sec-*
15 *retary.*”.

16 *SEC. 773. NOTIFICATION OF RECALLS OF DRUGS AND*
17 *DEVICES. (a) MATTHEW’S LAW.*—*This section shall be re-*
18 *ferred to as “Matthew’s Law”.*

19 (b) *DRUGS.*—*Section 505 of the Federal Food, Drug,*
20 *and Cosmetic Act (21 U.S.C. 355) is amended by adding*
21 *at the end the following:*

22 “(o)(1) *If the Secretary withdraws an application for*
23 *a drug under paragraph (1) or (2) of the first sentence of*
24 *subsection (e) and a class I recall for the drug results, the*
25 *Secretary shall take such action as the Secretary may deter-*

1 mine to be appropriate to ensure timely notification of the
2 recall to individuals that received the drug, including using
3 the assistance of health professionals that prescribed or dis-
4 pensed the drug to such individuals.

5 “(2) In this subsection:

6 “(A) The term ‘Class I’ refers to the correspond-
7 ing designation given recalls in subpart A of part 7
8 of title 21, Code of Federal Regulations, or a successor
9 regulation.

10 “(B) The term ‘recall’ means a recall, as defined
11 in subpart A of part 7 of title 21, Code of Federal
12 Regulations, or a successor regulation, of a drug.”.

13 (c) *DEVICES*.—Section 518(e) of such Act (21 U.S.C.
14 360h(e)) is amended—

15 (1) in the last sentence of paragraph (2), by in-
16 serting “or if the recall is a class I recall,” after “can-
17 not be identified”; and

18 (2) by adding at the end the following:

19 “(4) In this subsection, the term ‘Class I’ refers to the
20 corresponding designation given recalls in subpart A of
21 part 7 of title 21, Code of Federal Regulations, or a succes-
22 sor regulation.”.

23 (d) *CONFORMING AMENDMENT*.—Section 705(b) of
24 such Act (21 U.S.C. 375(b)) is amended—

1 (1) by striking “or gross” and inserting “gross”;
2 and

3 (2) by striking the period and inserting “, or a
4 class I recall of a drug or device as described in sec-
5 tion 505(o)(1) or 518(e)(2).”.

6 (e) *EFFECTIVE DATE*.—*This section shall take effect*
7 *one day after the date of enactment of this Act.*

8 *TITLE VIII—AGRICULTURAL CREDIT*
9 *RESTORATION ACT*

10 *SEC. 801. SHORT TITLE. This title may be cited as*
11 *the “Agricultural Credit Restoration Act”.*

12 *SEC. 802. AMENDMENTS TO THE CONSOLIDATED FARM*
13 *AND RURAL DEVELOPMENT ACT. (a) Section 343(a)(12)(B)*
14 *of the Consolidated Farm and Rural Development Act (7*
15 *U.S.C. 1991(a)(12)(B)) is amended to read as follows:*

16 “(B) *EXCEPTIONS*.—*The term ‘debt forgiveness’*
17 *does not include—*

18 “(i) *consolidation, rescheduling, reamortiza-*
19 *tion, or deferral of a loan;*

20 “(ii) *1 debt forgiveness in the form of a re-*
21 *structuring, write-down, or net recovery buy-out,*
22 *which occurred prior to date of enactment and*
23 *was due to a financial problem of the borrower*
24 *relating to a natural disaster or a medical con-*
25 *dition of the borrower or of a member of the im-*

1 mediate family of the borrower (or, in the case
2 of a borrower that is an entity, a principal
3 owner of the borrower or a member of the imme-
4 diate family of such an owner); and

5 “(iii) any restructuring, write-down, or net
6 recovery buy-out provided as a part of a resolu-
7 tion of a discrimination complaint against the
8 Secretary.”.

9 (b) Section 355(c)(2) of such Act (7 U.S.C. 2003(c)(2))
10 is amended to read as follows:

11 “(2) RESERVATION AND ALLOCATION.—

12 “(A) IN GENERAL.—The Secretary shall, to
13 the greatest extent practicable, reserve and allo-
14 cate the proportion of each State’s loan funds
15 made available under subtitle B that is equal to
16 that State’s target participation rate for use by
17 the socially disadvantaged farmers or ranchers
18 in that State. The Secretary shall, to the extent
19 practicable, distribute the total so derived on a
20 county by county basis according to the number
21 of socially disadvantaged farmers or ranchers in
22 the county.

23 “(B) REALLOCATION OF UNUSED FUNDS.—

24 The Secretary may pool any funds reserved and
25 allocated under this paragraph with respect to a

1 *State that are not used as described in subpara-*
2 *graph (A) in a State in the first 10 months of*
3 *a fiscal year with the funds similarly not so used*
4 *in other States, and may reallocate such pooled*
5 *funds in the discretion of the Secretary for use*
6 *by socially disadvantaged farmers and ranchers*
7 *in other States.”.*

8 *(c) Section 373(b)(1) of such Act (7 U.S.C.*
9 *2008h(b)(1)) is amended to read as follows:*

10 *“(1) IN GENERAL.—Except as provided in this*
11 *paragraph and in paragraph (2), the Secretary may*
12 *not make or guarantee a loan under subtitle A or B*
13 *to a borrower who received debt forgiveness on a loan*
14 *made or guaranteed under this title unless such for-*
15 *giveness occurred prior to April 4, 1996.”.*

16 *SEC. 803. REGULATIONS. Not later than 90 days after*
17 *the date of the enactment of this Act, the Secretary of Agri-*
18 *culture shall promulgate regulations necessary to carry out*
19 *the amendments made by this Act, without regard to—*

20 *(1) the notice and comment provisions of section*
21 *553 of title 5, United States Code; and*

22 *(2) the statement of policy of the Secretary of*
23 *Agriculture relating to notices of proposed rulemaking*
24 *and public participation in rulemaking that became*
25 *effective on July 24, 1971 (36 Fed. Reg. 13804).*

1 *TITLE IX—INDIA-PAKISTAN RELIEF ACT*

2 *SEC. 901. SHORT TITLE. This title may be cited as*
3 *the “India-Pakistan Relief Act of 1998”.*

4 *SEC. 902. WAIVER AUTHORITY. (a) AUTHORITY.—The*
5 *President may waive for a period not to exceed one year*
6 *upon enactment of this Act with respect to India or Paki-*
7 *stan the application of any sanction or prohibition (or por-*
8 *tion thereof) contained in section 101 or 102 of the Arms*
9 *Export Control Act, section 620E(e) of the Foreign Assist-*
10 *ance Act of 1961, or section 2(b)(4) of the Export Import*
11 *Bank Act of 1945.*

12 *(b) EXCEPTION.—The authority provided in subsection*
13 *(a) shall not apply to any restriction in section 102(b)(2)*
14 *(B), (C), or (G) of the Arms Export Control Act.*

15 *(c) AVAILABILITY OF AMOUNTS.—Amounts made*
16 *available by this section are designated by the Congress as*
17 *an emergency requirement pursuant to section 251(b)(2)(A)*
18 *of the Balanced Budget and Emergency Deficit Control Act*
19 *of 1985, as amended: Provided, That such amounts shall*
20 *be available only to the extent that an official budget request*
21 *that includes designation of the entire amount of the request*
22 *as an emergency requirement as defined in the Balanced*
23 *Budget and Emergency Deficit Control Act of 1985, as*
24 *amended, is transmitted by the President to the Congress.*

1 *SEC. 903. CONSULTATION. Prior to each exercise of the*
 2 *authority provided in section 902, the President shall con-*
 3 *sult with the appropriate congressional committees.*

4 *SEC. 904. REPORTING REQUIREMENT. Not later than*
 5 *30 days prior to the expiration of a one-year period de-*
 6 *scribed in section 902, the Secretary of State shall submit*
 7 *a report to the appropriate congressional committees on eco-*
 8 *nomie and national security developments in India and*
 9 *Pakistan.*

10 *SEC. 905. APPROPRIATE CONGRESSIONAL COMMIT-*
 11 *TEES DEFINED. In this title, the term “appropriate congres-*
 12 *sional committees” means the Committee on Foreign Rela-*
 13 *tions of the Senate and the Committee on International Re-*
 14 *lations of the House of Representatives and the Committees*
 15 *on Appropriations of the House of Representatives and the*
 16 *Senate.*

17 *TITLE X—MEAT LABELING*

18 *SEC. 1001. DEFINITIONS. Section 1 of the Federal Meat*
 19 *Inspection Act (21 U.S.C. 601) is amended by adding at*
 20 *the end the following:*

21 *“(w) BEEF.—The term ‘beef’ means meat pro-*
 22 *duced from cattle (including veal).*

23 *“(x) LAMB.—The term ‘lamb’ means meat, other*
 24 *than mutton, produced from sheep.*

1 “(y) *BEEF BLENDED WITH IMPORTED MEAT.*—
2 *The term ‘beef blended with imported meat’ means*
3 *ground beef, or beef in another meat food product that*
4 *contains United States beef and any imported meat.*

5 “(z) *LAMB BLENDED WITH IMPORTED MEAT.*—
6 *The term ‘lamb blended with imported meat’ means*
7 *ground meat, or lamb in another meat food product,*
8 *that contains United States lamb and any imported*
9 *meat.*

10 “(aa) *IMPORTED BEEF.*—*The term ‘imported*
11 *beef’ means any beef, including any fresh muscle cuts,*
12 *ground meat, trimmings, and beef in another meat*
13 *food product, that is not United States beef, whether*
14 *or not the beef is graded with a quality grade issued*
15 *by the Secretary.*

16 “(bb) *IMPORTED LAMB.*—*The term ‘imported*
17 *lamb’ means any lamb, including any fresh muscle*
18 *cuts, ground meat, trimmings, and lamb in another*
19 *meat food product, that is not United States lamb,*
20 *whether or not the lamb is graded with a quality*
21 *grade issued by the Secretary.*

22 “(cc) *UNITED STATES BEEF.*—

23 “(1) *IN GENERAL.*—*The term ‘United States*
24 *beef’ means beef produced from cattle slaughtered*
25 *in the United States.*

1 “(2) *EXCLUSIONS.*—*The term ‘United*
2 *States beef’ does not include—*

3 “*(A) beef produced from cattle im-*
4 *ported into the United States in sealed*
5 *trucks for slaughter;*

6 “*(B) beef produced from imported car-*
7 *casses;*

8 “*(C) imported beef trimmings; or*

9 “*(D) imported boxed beef.*

10 “*(dd) UNITED STATES LAMB.—*

11 “*(1) IN GENERAL.*—*The term ‘United States*
12 *lamb’ means lamb, except mutton, produced from*
13 *sheep slaughtered in the United States.*

14 “(2) *EXCLUSIONS.*—*The term ‘United*
15 *States lamb’ does not include—*

16 “*(A) lamb produced from sheep im-*
17 *ported into the United States in sealed*
18 *trucks for slaughter;*

19 “*(B) lamb produced from an imported*
20 *carcass;*

21 “*(C) imported lamb trimmings; or*

22 “*(D) imported boxed lamb.’.*

23 *SEC. 1002. LABELING OF IMPORTED MEAT AND MEAT*
24 *FOOD PRODUCTS. (a) LABELING REQUIREMENT.—*

1 (1) *IN GENERAL.*—Section 1(n) of the Federal
2 *Meat Inspection Act (21 U.S.C. 601(n)) is amended*
3 *by adding at the end the following:*

4 “(13)(A) *If it is imported beef or imported lamb*
5 *offered for retail sale as fresh muscle cuts of beef or*
6 *lamb and is not accompanied by labeling that identi-*
7 *fies it as imported beef or imported lamb.*

8 “(B) *If it is United States beef or United States*
9 *lamb offered for retail sale, or offered and intended*
10 *for export as fresh muscle cuts of beef or lamb, and*
11 *is not accompanied by labeling that identifies it as*
12 *United States beef or United States lamb.*

13 “(C) *If it is United States or imported ground*
14 *beef or other processed beef or lamb product and is*
15 *not accompanied by labeling that identifies it as*
16 *United States beef or United States lamb, imported*
17 *beef or imported lamb, beef blended with imported*
18 *meat or lamb blended with imported meat, or other*
19 *designation that identifies the percentage content of*
20 *United States beef and imported beef United States*
21 *lamb and imported lamb or contained in the product,*
22 *as determined by the Secretary under section 7(g).”.*

23 (2) *CONFORMING AMENDMENT.*—Section 20(a) of
24 *the Federal Meat Inspection Act (21 U.S.C. 620(a))*
25 *is amended by adding at the end the following: “All*

1 *imported beef or imported lamb offered for retail sale*
2 *as fresh muscle cuts of beef or lamb shall be plainly*
3 *and conspicuously marked, labeled, or otherwise iden-*
4 *tified as imported beef or imported lamb.”.*

5 *(b) GROUND OR PROCESSED BEEF AND LAMB.—Sec-*
6 *tion 7 of the Federal Meat Inspection Act (21 U.S.C. 607)*
7 *is amended by adding at the end the following:*

8 *“(g) GROUND OR PROCESSED BEEF AND LAMB.—*

9 *“(1) VOLUNTARY LABELING.—Subject to para-*
10 *graph (2), the Secretary shall provide by regulation*
11 *for the voluntary labeling or identification of ground*
12 *beef or lamb, other processed beef or lamb products as*
13 *United States beef or United States lamb, imported*
14 *beef or imported lamb, beef blended with imported*
15 *meat or lamb blended with imported meat, or other*
16 *designation that identifies the percentage content of*
17 *United States and imported beef or imported lamb*
18 *contained in the product, as determined by the Sec-*
19 *retary.*

20 *“(2) MANDATORY LABELING.—*

21 *“(A) IN GENERAL.—Except as provided in*
22 *subparagraph (B), not later than 18 months*
23 *after the date of enactment of this subsection, the*
24 *Secretary shall provide by regulation for the*
25 *mandatory labeling or identification of ground*

1 *beef or lamb, other processed beef or lamb prod-*
2 *ucts as United States beef or United States lamb,*
3 *imported beef or imported lamb, beef blended*
4 *with imported meat or lamb blended with im-*
5 *ported meat, or other designation that identifies*
6 *the percentage content of United States and im-*
7 *ported beef or imported lamb contained in the*
8 *product, as determined by the Secretary.*

9 “(B) *APPLICATION.—Subparagraph (A)*
10 *shall not apply to the extent the Secretary deter-*
11 *mines that the costs associated with labeling*
12 *under subparagraph (A) would result in an un-*
13 *reasonable burden on producers, processors, re-*
14 *tailers, or consumers.”.*

15 (c) *GROUND BEEF AND GROUND LAMB LABELING*

16 *STUDY.—*

17 (1) *IN GENERAL.—The Secretary of Agriculture*
18 *shall conduct a study of the effects of the mandatory*
19 *use of imported, blended, or percentage content label-*
20 *ing on ground beef, ground lamb, and other processed*
21 *beef or lamb products made from imported beef or im-*
22 *ported lamb.*

23 (2) *COSTS AND RESPONSES.—The study shall be*
24 *designed to evaluate the costs associated with and*

1 *SEC. 1102. DEFINITIONS. Section 301 of the Energy*
2 *Policy Act of 1992 (42 U.S.C. 13211) is amended—*

3 (1) *in paragraph (2), by striking “derived from*
4 *biological materials” and inserting “derived from do-*
5 *mestically produced renewable biological materials*
6 *(including biodiesel) at mixtures not less than 20 per-*
7 *cent by volume”;*

8 (2) *in paragraph (8), by striking subparagraph*
9 *(B) and inserting the following:*

10 *“(B) a motor vehicle (other than an auto-*
11 *mobile) or marine vessel that is capable of oper-*
12 *ating on alternative fuel, gasoline, or diesel fuel,*
13 *or an approved blend of alternative fuel and pe-*
14 *troleum-based fuel.”;*

15 (3) *by redesignating paragraphs (11) through*
16 *(14) as paragraphs (12), (14), (15), and (16), respec-*
17 *tively;*

18 (4) *by inserting after paragraph (10) the follow-*
19 *ing:*

20 *“(11) the term ‘heavy duty motor vehicle’ means*
21 *a motor vehicle or marine vessel that is greater than*
22 *8,500 pounds gross vehicle weight rating;”;*

23 (5) *by inserting after paragraph (12) (as red-*
24 *esignated by paragraph (3)) the following:*

1 “(13) the term ‘marine vessel’ means a motorized
2 watercraft or other artificial contrivance used as a
3 means of transportation primarily on the navigable
4 waters of the United States;”;

5 (6) in paragraph (15) (as redesignated by para-
6 graph (3)), by striking “biological materials” and in-
7 serting “domestically produced renewable biological
8 materials (including biodiesel)”.

9 SEC. 1103. AMENDMENTS TO THE ENERGY POLICY
10 AND CONSERVATION ACT. Section 400AA of the Energy Pol-
11 icy and Conservation Act (42 U.S.C. 6374) is amended—

12 (1) in the second sentence of subsection (a)(3)(B),
13 by striking “vehicles converted to use alternative fuels
14 may be acquired if, after conversion,” and inserting
15 “existing fleet vehicles may be converted to use alter-
16 native fuels at the time of a major vehicle overhaul
17 or rebuild, or vehicles that have been converted to use
18 alternative fuels may be acquired, if”; and

19 (2) in subsection (g)—

20 (A) in paragraph (2), by striking “derived
21 from biological materials” and inserting “de-
22 rived from domestically produced renewable bio-
23 logical materials (including biodiesel) at mix-
24 tures not less than 20 percent by volume”;

1 (B) in paragraph (5), by striking subpara-
2 graph (B) and inserting the following:

3 “(B) a motor vehicle (other than an auto-
4 mobile) or marine vessel that is capable of oper-
5 ating on alternative fuel, gasoline, or diesel fuel,
6 or an approved blend of alternative fuel and pe-
7 troleum-based fuel; and”; and

8 (C) in paragraph (6), by inserting “or ma-
9 rine vessel” after “a vehicle”.

10 *SEC. 1104. MINIMUM FEDERAL FLEET REQUIREMENT.*

11 *Section 303 of the Energy Policy Act of 1992 (42 U.S.C.*
12 *13212) is amended—*

13 (1) by redesignating subsections (c) through (f)
14 as subsections (d) through (g), respectively; and

15 (2) by inserting after subsection (b) the follow-
16 ing:

17 “(c) *HEAVY DUTY AND DUAL-FUELED VEHICLE COM-*
18 *PLIANCE CREDITS.—*

19 “(1) *IN GENERAL.—*For purposes of meeting the
20 requirements of this section, the Secretary, in con-
21 sultation with the Administrator of General Services,
22 if appropriate, shall permit a Federal fleet to acquire
23 1 heavy duty alternative fueled vehicle in place of 2
24 light duty alternative fueled vehicles.

1 “(2) *ADDITIONAL CREDITS.*—For purposes of
2 *this section, the Secretary, in consultation with the*
3 *Administrator of General Services, if appropriate,*
4 *shall permit a Federal fleet to take an additional*
5 *credit for the purchase and documented use of alter-*
6 *native fuel used in a dual-fueled vehicle, comparable*
7 *conventionally-fueled motor vehicle, or marine vessel.*

8 “(3) *ACCOUNTING.*—

9 “(A) *IN GENERAL.*—In allowing a credit for
10 *the purchase of a dual-fueled vehicle or alter-*
11 *native fuel, the Secretary may request a Federal*
12 *agency to provide an accounting of the purchase.*

13 “(B) *GUIDELINES.*—The Secretary shall in-
14 *clude any request made under subparagraph (A)*
15 *in the guidelines required under section 308.*

16 “(4) *FUEL AND VEHICLE NEUTRALITY.*—The Sec-
17 *retary shall carry out this subsection in a manner*
18 *that is, to the maximum extent practicable, neutral*
19 *with respect to the type of fuel and vehicle used.”.*

20 *SEC. 1105. STATE AND LOCAL INCENTIVES PROGRAMS.*

21 *(a) ESTABLISHMENT OF PROGRAM.*—Section 409(a) of the
22 *Energy Policy Act of 1992 (42 U.S.C. 13235(a)) is amend-*
23 *ed—*

24 *(1) in paragraph (2)(A), by striking “alternative*
25 *fueled vehicles” and inserting “light and heavy duty*

1 *alternative fueled vehicles and increasing the use of*
2 *alternative fuels”;* and

3 (2) *in paragraph (3)—*

4 (A) *in subparagraph (B), by inserting after*
5 *“introduction of” the following: “converted or ac-*
6 *quired light and heavy duty”;*

7 (B) *in subparagraph (E), by inserting after*
8 *“of sales of” the following: “, incentives toward*
9 *use of, and reporting requirements relating to”;*
10 *and*

11 (C) *in subparagraph (G)—*

12 (i) *by redesignating clauses (i) through*
13 *(iii) as clauses (ii) through (iv), respec-*
14 *tively; and*

15 (ii) *by inserting after “cost of—” the*
16 *following:*

17 *“(I) alternative fuels;”.*

18 (b) *FEDERAL ASSISTANCE TO STATES.—Section*
19 *409(b) of the Energy Policy Act of 1992 (42 U.S.C.*
20 *13235(b)) is amended—*

21 (1) *in paragraph (1)—*

22 (A) *in subparagraph (B), by striking “and”*
23 *at the end;*

24 (B) *in subparagraph (C), by striking the*
25 *period at the end and inserting “; and”; and*

1 (C) by adding at the end the following:

2 “(D) grants of Federal financial assistance
3 for the incremental purchase cost of alternative
4 fuels.”;

5 (2) in paragraph (2)(B), by inserting after “be
6 introduced” the following: “and the volume of alter-
7 native fuel likely to be consumed”; and

8 (3) in paragraph (3)—

9 (A) by inserting “alternative fuels and”
10 after “in procuring”; and

11 (B) by inserting “fuels and” after “of such”.

12 (c) *GENERAL PROVISIONS.*—Section 409(c)(2)(A) of
13 the Energy Policy Act of 1992 (42 U.S.C. 13235(c)(2)(A))
14 is amended by inserting after “alternative fueled vehicles
15 in use” the following: “and volume of alternative fuel con-
16 sumed”.

17 *SEC. 1106. ALTERNATIVE FUEL BUS PROGRAM.* Sec-
18 tion 410(c) of the Energy Policy Act of 1992 (42 U.S.C.
19 13236(c)) is amended in the second sentence by striking
20 “and the conversion of school buses to dedicated vehicles”
21 and inserting “the incremental cost of alternative fuels used
22 in flexible fueled school buses, and the conversion of school
23 buses to alternative fueled vehicles”.

24 *SEC. 1107. ALTERNATIVE FUEL USE IN NONROAD VE-*
25 *HICLES, ENGINES, AND MARINE VESSELS.* Section 412 of

1 *the Energy Policy Act of 1992 (42 U.S.C. 13238) is amend-*
2 *ed—*

3 (1) *in the section heading, by striking “and en-*
4 *gines” and inserting “, engines, and marine vessels”;*

5 (2) *by striking “vehicles and engines” each place*
6 *it appears in subsections (a) and (b) and inserting*
7 *“vehicles, engines, and marine vessels”;*

8 (3) *in subsection (a)—*

9 (A) *in the subsection heading, by striking*
10 *“NONROAD VEHICLES AND ENGINES” and insert-*
11 *ing “IN GENERAL”;*

12 (B) *in paragraph (1)—*

13 (i) *in the first sentence, by striking “a*
14 *study” and inserting “studies”; and*

15 (ii) *in the second sentence—*

16 (I) *by striking “study” and in-*
17 *serting “studies”; and*

18 (II) *by striking “2 years” and in-*
19 *serting “2, 6, and 10 years”;*

20 (C) *in paragraph (2)—*

21 (i) *by striking “study” each place it*
22 *appears and inserting “studies”; and*

23 (ii) *in the second sentence, by inserting*
24 *“or marine vessels” after “such vehicles”;*

25 *and*

1 (D) in paragraph (3)—

2 (i) by striking “report” and inserting
3 “reports”; and

4 (ii) by striking “may” and inserting
5 “shall”; and

6 (4) in subsection (b)—

7 (A) in the subsection heading, by striking
8 “AND ENGINES” and inserting “, ENGINES, AND
9 MARINE VESSELS”; and

10 (B) by striking “rail transportation, vehi-
11 cles used at airports, vehicles or engines used for
12 marine purposes, and other vehicles or engines”
13 and inserting “rail and waterway transpor-
14 tation, vehicles used at airports and seaports, ve-
15 hicles or engines used for marine purposes, ma-
16 rine vessels, and other vehicles, engines, or ma-
17 rine vessels”.

18 SEC. 1108. MANDATE FOR ALTERNATIVE FUEL PRO-
19 VIDERS. Section 501 of the Energy Policy Act of 1992 (42
20 U.S.C. 13251) is amended—

21 (1) in subsection (a)(1), by inserting “or heavy”
22 after “new light”; and

23 (2) in subsection (b)—

24 (A) in paragraph (1), by striking “and” at
25 the end;

1 (B) in paragraph (2), by striking the period
2 at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(3) allow the conversion of an existing fleet ve-
5 hicle into a dual-fueled alternative fueled vehicle at
6 the time of a major overhaul or rebuild of the vehicle,
7 if the original equipment manufacturer’s warranty
8 continues to apply to the vehicle, pursuant to an
9 agreement between the original equipment manufac-
10 turer and the person performing the conversion.”.

11 SEC. 1109. REPLACEMENT FUEL SUPPLY AND DE-
12 MAND PROGRAM. Section 502 of the Energy Policy Act of
13 1992 (42 U.S.C. 13252) is amended—

14 (1) in the first sentence of subsection (a), by in-
15 serting “and heavy” after “in light”; and

16 (2) in the first sentence of subsection (b), by in-
17 serting after “October 1, 1993,” the following: “and
18 every 5 years thereafter through October 1, 2008,”.

19 SEC. 1110. MODIFICATION OF GOALS; ADDITIONAL
20 RULEMAKING AUTHORITY. Section 504 of the Energy Policy
21 Act of 1992 (42 U.S.C. 13254) is amended—

22 (1) in the first sentence of subsection (a), by
23 striking “and periodically thereafter” and inserting
24 “consistent with the reporting requirements of section
25 502(b)”; and

1 (2) *in subsection (c), by inserting after the first*
2 *sentence the following: “Any additional regulation*
3 *issued by the Secretary shall be, to the maximum ex-*
4 *tent practicable, neutral with respect to the type of*
5 *fuel and vehicle used.”.*

6 *SEC. 1111. FLEET REQUIREMENT PROGRAM. (a)*
7 *FLEET PROGRAM PURCHASE GOALS.—Section 507(a)(1) of*
8 *the Energy Policy Act of 1992 (42 U.S.C. 13257(a)(1)) is*
9 *amended by inserting “acquired as, or converted into,” after*
10 *“shall be”.*

11 *(b) FLEET REQUIREMENT PROGRAM.—Section 507(g)*
12 *of the Energy Policy Act of 1992 (42 U.S.C. 13257(g)) is*
13 *amended—*

14 *(1) in paragraph (1), by inserting “acquired as,*
15 *or converted into,” after “shall be”;*

16 *(2) by redesignating paragraph (4) as para-*
17 *graph (5); and*

18 *(3) by inserting after paragraph (3) the follow-*
19 *ing:*

20 *“(4) SUBSTITUTIONS.—The Secretary shall, by*
21 *rule, permit fleets covered under this section to sub-*
22 *stitute the acquisition or conversion of 1 heavy duty*
23 *alternative fueled vehicle for 2 light duty vehicle ac-*
24 *quisitions to meet the requirements of this sub-*
25 *section.”.*

1 (c) *CONVERSIONS.*—Section 507(j) of the *Energy Pol-*
2 *icy Act of 1992 (42 U.S.C. 13257(j)) is amended—*

3 (1) *by striking “Nothing in” and inserting the*
4 *following:*

5 “(1) *IN GENERAL.*—Subject to paragraph (2),
6 *nothing in”;* and

7 (2) *by adding at the end the following:*

8 “(2) *CONVERSION INTO ALTERNATIVE FUELED*
9 *VEHICLES.*—

10 “(A) *IN GENERAL.*—A fleet owner shall be
11 *permitted to convert an existing fleet vehicle into*
12 *an alternative fueled vehicle, and purchase the*
13 *alternative fuel for the converted vehicle, for the*
14 *purpose of compliance with this title or an*
15 *amendment made by this title, if the original*
16 *equipment manufacturer’s warranty continues to*
17 *apply to the vehicle, pursuant to an agreement*
18 *between the original equipment manufacturer*
19 *and the person performing the conversion.*

20 “(B) *CREDITS.*—A fleet owner shall be al-
21 *lowed a credit for the conversion of an existing*
22 *fleet vehicle and the purchase of alternative fuel*
23 *for the vehicle.”.*

1 (d) *MANDATORY STATE FLEET PROGRAMS.*—Section
2 507(o) of the Energy Policy Act of 1992 (42 U.S.C.
3 13257(o)) is amended—

4 (1) in paragraph (1)—

5 (A) by inserting “or heavy” after “new
6 light”; and

7 (B) by inserting “or converted” after “ac-
8 quired”; and

9 (2) in the first sentence of paragraph (2)(A)—

10 (A) by striking “this Act” and inserting
11 “the Biodiesel Energy Development Act of 1997”;

12 and

13 (B) by inserting after “of light” the follow-
14 ing: “or heavy duty alternative fueled”.

15 *SEC. 1112. CREDITS. (a) IN GENERAL.*—Section
16 508(a) of the Energy Policy Act of 1992 (42 U.S.C.
17 13258(a)) is amended—

18 (1) by striking “The Secretary” and inserting
19 the following:

20 “(1) *ADDITIONAL ALTERNATIVE FUELED VEHI-*
21 *CLES.—The Secretary*”; and

22 (2) by adding at the end the following:

23 “(2) *ALTERNATIVE FUEL.—The Secretary shall*
24 *allocate a credit to a fleet or covered person that ac-*
25 *quires a volume of alternative fuel equal to the esti-*

1 *mated need for 1 year for any dual-fueled vehicle ac-*
2 *quired or converted by the fleet or covered person as*
3 *required under this title.”.*

4 *(b) ALLOCATION.—Section 508(b) of the Energy Policy*
5 *Act of 1992 (42 U.S.C. 13258(b)) is amended—*

6 *(1) by striking “In allocating credits under sub-*
7 *section (a),” and inserting the following:*

8 *“(1) ADDITIONAL ALTERNATIVE FUELED VEHI-*
9 *CLES.—In allocating credits under subsection*
10 *(a)(1),“; and*

11 *(2) by adding at the end the following:*

12 *“(2) DUAL-FUELED VEHICLES; ALTERNATIVE*
13 *FUEL.—In allocating credits under subsection (a)(2),*
14 *the Secretary shall allocate 2 credits to a fleet or cov-*
15 *ered person for acquiring or converting a dual-fueled*
16 *vehicle and acquiring a volume of alternative fuel*
17 *equal to the estimated need for 1 year for any dual-*
18 *fueled vehicle if the dual-fueled vehicle acquired is in*
19 *excess of the number that the fleet or covered person*
20 *is required to acquire or is acquired before the date*
21 *that the fleet or covered person is required to acquire*
22 *the number under this title.”.*

23 *SEC. 1113. SECRETARY’S RECOMMENDATION TO CON-*
24 *GRESS. Section 509(a) of the Energy Policy Act of 1992*
25 *(42 U.S.C. 13259(a)) is amended—*

1 (1) in paragraph (1), by inserting before the
2 semicolon at the end the following: “and exempting
3 replacement fuels from taxes levied on non-replace-
4 ment fuels”; and

5 (2) in paragraph (2)—

6 (A) by inserting “and converters” after
7 “suppliers”; and

8 (B) by inserting before the semicolon the fol-
9 lowing: “, including the conversion and war-
10 ranty of motor vehicles into alternative fueled ve-
11 hicles”.

12 This Act may be cited as the “Agriculture, Rural De-
13 velopment, Food and Drug Administration, and Related
14 Agencies Appropriations Act, 1999”.

Attest:

Secretary.

105TH CONGRESS
2^D SESSION

H. R. 4101

AMENDMENT

HR 4101 EAS—2
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