

106TH CONGRESS
2D SESSION

H. R. 4675

To improve the representation and accountability of county and area committees established under the Soil Conservation and Domestic Allotment Act and to ensure equitable service and improved access for farmers, ranchers, and other customers of programs of the Department of Agriculture.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2000

Mrs. CLAYTON (for herself, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Mr. HILLIARD, Ms. NORTON, Mrs. CHRISTENSEN, Mr. CONYERS, Ms. MILLENDER-McDONALD, Ms. LEE, Mr. JACKSON of Illinois, Ms. MCKINNEY, Ms. KILPATRICK, Mr. DIXON, Mr. CLAY, Mr. PAYNE, Mr. FROST, Mr. BISHOP, Mrs. MEEK of Florida, Ms. WATERS, Ms. CARSON, Ms. JACKSON-LEE of Texas, Mr. SCOTT, Ms. BROWN of Florida, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. MEEKS of New York, Mr. WYNN, Mr. CUMMINGS, Mr. RUSH, Mr. TOWNS, Mr. FORD, Mr. OWENS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, and Mr. FATTAH) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the representation and accountability of county and area committees established under the Soil Conservation and Domestic Allotment Act and to ensure equitable service and improved access for farmers, ranchers, and other customers of programs of the Department of Agriculture.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “USDA Accountability and Equity Act of 2000”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—IMPROVED ACCOUNTABILITY OF COUNTY AND AREA
 COMMITTEES AND THEIR EMPLOYEES**

Sec. 101. Membership requirements for county and area committees.

Sec. 102. Improved oversight of county, area, and community committee elec-
 tions.

Sec. 103. Federal civil service status of county and area committee employees.

TITLE II—IMPROVED PROGRAM EQUITY

Sec. 201. Participation of socially disadvantaged farmers and ranchers and
 other similarly situated farmers and ranchers in environmental
 quality incentives program.

Sec. 202. Grants to upgrade agricultural and food sciences facilities at 1890
 land-grant colleges, including Tuskegee University.

Sec. 203. Funding of program of outreach and technical assistance to socially
 disadvantaged farmers.

Sec. 204. Funding of extension Indian reservation program.

Sec. 205. Funding of farm ownership and operating loan programs.

8 **TITLE I—IMPROVED ACCOUNT-**
 9 **ABILITY OF COUNTY AND**
 10 **AREA COMMITTEES AND**
 11 **THEIR EMPLOYEES**

12 **SEC. 101. MEMBERSHIP REQUIREMENTS FOR COUNTY AND**
 13 **AREA COMMITTEES.**

14 Effective 90 days after the date of the enactment of
 15 this Act, section 8(a)(5)(B) of the Soil Conservation and

1 Domestic Allotment Act (16 U.S.C. 590h(a)(5)(B)) is
2 amended by striking clause (ii) and inserting the following:

3 “(ii)(I) A county or area committee shall con-
4 sist of not fewer than 5 nor more than 7 members
5 who are fairly representative of the agricultural pro-
6 ducers in the county or area.

7 “(II) Except as provided in subclause (III), the
8 members of a county or area committee shall be
9 elected by the agricultural producers in such county
10 or area under such procedures as the Secretary may
11 prescribe.

12 “(III) 2 members shall be demographically rep-
13 resentative of groups of agricultural producers in the
14 county or area who, in the absence of appointment
15 under this subclause, would be under-represented on
16 the committee. The Secretary shall appoint these
17 members based on recommendations made by the
18 under-represented groups. If the Secretary makes
19 such an appointment from among persons not so
20 recommended, the Secretary shall provide the rea-
21 sons therefor upon request.”.

22 **SEC. 102. IMPROVED OVERSIGHT OF COUNTY, AREA, AND**
23 **COMMUNITY COMMITTEE ELECTIONS.**

24 (a) UNIFORM GUIDELINES.—The Secretary of Agri-
25 culture shall prescribe uniform guidelines for conducting

1 elections for members and alternates of county and area
 2 committees established pursuant to section 8(b)(5) of the
 3 Soil Conservation and Domestic Allotment Act (16 U.S.C.
 4 590h(b)(5)), members and alternates of community com-
 5 mittees so established, and delegates to local administra-
 6 tive area conventions and county conventions.

7 (b) CERTIFICATION OF ELECTION RESULTS.—Effec-
 8 tive 90 days after the date of the enactment of this Act,
 9 section 8(a)(5)(B) of the Soil Conservation and Domestic
 10 Allotment Act (16 U.S.C. 590h(a)(5)(B)) is amended by
 11 adding at the end the following new clause:

12 “(vi) Members elected pursuant to an election con-
 13 ducted under this subparagraph shall not commence their
 14 term of service unless and until the Secretary determines
 15 that—

16 “(I) the election fully complied with the laws,
 17 regulations, and guidelines applicable to the conduct
 18 of the election; and

19 “(II) the members-elect satisfy the eligibility re-
 20 quirements for committee membership.”.

21 **SEC. 103. FEDERAL CIVIL SERVICE STATUS OF COUNTY**
 22 **AND AREA COMMITTEE EMPLOYEES.**

23 (a) COUNTY COMMITTEE EMPLOYEE DEFINED.—In
 24 this section, the term “county committee employee” means
 25 an employee of a county or area committee employed pur-

1 suant to section 8(b)(5) of the Soil Conservation and Do-
2 mestic Allotment Act (16 U.S.C. 590h(b)(5)).

3 (b) FEDERAL CIVIL SERVICE STATUS.—On and after
4 the effective date of this section, the civil service laws shall
5 apply to all county committee employees, subject to such
6 regulations as the Secretary may prescribe and the conver-
7 sion options for existing county committee employees pro-
8 vided by this section.

9 (c) CONVERSION OF PERMANENT COUNTY COM-
10 MITTEE EMPLOYEES.—Subject to regulations of the Of-
11 fice of Personnel Management, a county committee em-
12 ployee who is so employed on the effective date of this
13 section under an appointment not limited to one year or
14 less shall be converted to Federal civil service appoint-
15 ments, as follows:

16 (1) A county committee employee who has com-
17 pleted 3 years of service shall be given a career civil
18 service appointment.

19 (2) A county committee employee who has com-
20 pleted less than 3 years of service shall be given a
21 career-conditional civil service appointment. The pe-
22 riod of permanent service as a county committee em-
23 ployee shall be counted when calculating the 3 years
24 of service necessary for conversion to career civil
25 service status.

1 (d) CONVERSION OF TEMPORARY COUNTY COM-
2 MITTEE EMPLOYEES.—Subject to regulations of the Of-
3 fice of Personnel Management, a county committee em-
4 ployee who is so employed on the effective date of this
5 section under an appointment of less than one year shall
6 be converted to a temporary Federal civil service appoint-
7 ment.

8 (e) CREDITING SERVICE AS COUNTY COMMITTEE
9 EMPLOYEE.—Service as a county committee employee
10 performed before the effective date of this section shall
11 be counted as creditable Federal service when determining
12 tenure, time-in-grade eligibility, within-grade increases,
13 and probationary periods.

14 (f) REEMPLOYMENT RIGHTS.—Subject to regulations
15 of the Office of Personnel Management, a former perma-
16 nent county committee employee who, before the effective
17 date of this section, was provided reemployment priority
18 rights as a county committee employee due to being sepa-
19 rated through reduction-in-force procedures established by
20 the Secretary of Agriculture, may receive special selection
21 priority for civil service positions in the Farm Service
22 Agency for a period of 2 years after the date of the em-
23 ployee's separation.

24 (g) CONFORMING AMENDMENTS.—(1) Section 226 of
25 the Department of Agriculture Reorganization Act of

1 1994 (7 U.S.C. 6932) is amended by striking subsection
2 (e).

3 (2) Title 5, United States Code, is amended—

4 (A) in section 3502(a)(4)(C)(i), by striking
5 “Soil Conservation and Allotment Act” and inserting
6 “Soil Conservation and Domestic Allotment Act (16
7 U.S.C. 590h(b)), before the effective date of section
8 102 of the USDA Accountability and Equity Act of
9 2000,”;

10 (B) in section 5306(a)(1)(C), by striking “sec-
11 tion 590h(b) of title 16” and inserting “section 8(b)
12 of the Soil Conservation and Domestic Allotment
13 Act (16 U.S.C. 590h(b)), before the effective date of
14 section 102 of the USDA Accountability and Equity
15 Act of 2000”;

16 (C) in section 5334(e), by striking “section
17 590h(b) of title 16” and inserting “section 8(b) of
18 the Soil Conservation and Domestic Allotment Act
19 (16 U.S.C. 590h(b)), before the effective date of sec-
20 tion 102 of the USDA Accountability and Equity
21 Act of 2000”;

22 (D) in section 6312(a)(1), by striking “Soil
23 Conservation and Allotment Act” and inserting “Soil
24 Conservation and Domestic Allotment Act (16
25 U.S.C. 590h(b)), before the effective date of section

1 102 of the USDA Accountability and Equity Act of
2 2000,”;

3 (E) in section 8331(1)(F), by striking “section
4 590h(b) of title 16” and inserting “section 8(b) of
5 the Soil Conservation and Domestic Allotment Act
6 (16 U.S.C. 590h(b)), before the effective date of sec-
7 tion 102 of the USDA Accountability and Equity
8 Act of 2000”;

9 (F) in section 8701(a)(8), by striking “section
10 590h(b) of title 16” and inserting “section 8(b) of
11 the Soil Conservation and Domestic Allotment Act
12 (16 U.S.C. 590h(b)), before the effective date of sec-
13 tion 102 of the USDA Accountability and Equity
14 Act of 2000”; and

15 (G) in section 8901(1)(G), by striking “section
16 590h(b) of title 16” and inserting “section 8(b) of
17 the Soil Conservation and Domestic Allotment Act
18 (16 U.S.C. 590h(b)), before the effective date of sec-
19 tion 102 of the USDA Accountability and Equity
20 Act of 2000”.

21 (3) Section 8(b)(5)(E) of the Soil Conservation and
22 Domestic Allotment Act (16 U.S.C. 590h(b)(5)(E)) is
23 amended by striking the second and third sentences.

1 (h) EFFECTIVE DATE.—This section and the amend-
 2 ments made by this section shall take effect 180 days after
 3 the date of the enactment of this Act.

4 **TITLE II—IMPROVED PROGRAM**
 5 **EQUITY**

6 **SEC. 201. PARTICIPATION OF SOCIALLY DISADVANTAGED**
 7 **FARMERS AND RANCHERS AND OTHER SIMI-**
 8 **LARLY SITUATED FARMERS AND RANCHERS**
 9 **IN ENVIRONMENTAL QUALITY INCENTIVES**
 10 **PROGRAM.**

11 (a) INCLUSION OF DEFINITION.—Section 1201(a) of
 12 the Food Security Act of 1985 (16 U.S.C. 3801(a)) is
 13 amended—

14 (1) by redesignating paragraphs (16), (17), and
 15 (18) as paragraphs (17), (18), and (19), respec-
 16 tively; and

17 (2) by inserting after paragraph (15) the fol-
 18 lowing new paragraph:

19 “(16) SOCIALLY DISADVANTAGED FARMER OR
 20 RANCHER.—The term ‘socially disadvantaged farmer or
 21 rancher’ means a farmer or rancher who is a member of
 22 a socially disadvantaged group (as that term is defined
 23 in section 355(e) of the Consolidated Farm and Rural De-
 24 velopment Act (7 U.S.C. 2003(e))), a farmer or rancher

1 who has limited resources, or a farmer or rancher who
2 is a member of a federally recognized Indian tribe.”.

3 (b) INCREASED FUNDING; AVAILABILITY OF
4 FUNDS.—Section 1241(b) of the Food Security Act of
5 1985 (16 U.S.C. 3841(b)) is amended—

6 (1) in paragraph (1), by striking “and
7 \$200,000,000 for each of fiscal years 1997 through
8 2002” and inserting “\$200,000,000 for each of fis-
9 cal years 1997 through 2000, and \$300,000,000 for
10 each of fiscal years 2001 and 2002”;

11 (2) in paragraph (2), by striking “50 percent”
12 and inserting “one-third”; and

13 (3) by adding at the end the following new
14 paragraphs:

15 “(3) ASSISTANCE FOR SOCIALLY DISADVAN-
16 TAGED FARMERS AND RANCHERS.—For each of fis-
17 cal years 2001 and 2002, one-third of the funding
18 available for technical assistance, cost-share pay-
19 ments, incentives payments, and education under the
20 environmental quality incentives program shall be
21 targeted to increase assistance to socially disadvan-
22 taged farmers and ranchers.

23 “(4) AVAILABILITY OF FUNDS.—Funds made
24 available to the environmental quality incentives pro-

1 gram through the Commodity Credit Corporation
2 shall remain available until expended.”.

3 (c) PRIORITY FOR ASSISTANCE.—Section 1240C of
4 the Food Security Act of 1985 (16 U.S.C. 3839aa–3) is
5 amended—

6 (1) in paragraph (2), by striking “or”;

7 (2) in paragraph (3), by striking the period at
8 the end and inserting “; or”; and

9 (3) by adding at the end the following new
10 paragraph:

11 “(4) are for operations owned or operated by a
12 socially disadvantaged farmer or rancher.”.

13 (d) TIMING OF PAYMENTS; COST-SHARE LIMITA-
14 TIONS.—Section 1240G of the Food Security Act of 1985
15 (16 U.S.C. 3839aa–7) is amended—

16 (1) in subsection (c), by striking “may not be
17 made by the Secretary until the subsequent fiscal
18 year” and inserting “may be made by the Secretary
19 during that fiscal year”; and

20 (2) by adding at the end the following new sub-
21 section:

22 “(d) WAIVER OF COST-SHARE REQUIREMENTS.—In
23 addition to subsection (b), the Secretary may waive or ad-
24 just the maximum rate of cost-share and incentive pay-

1 ments under subsection (a) in the case of a producer who
2 is a socially disadvantaged farmer or rancher.”.

3 (e) CALCULATING PRODUCER CONTRIBUTIONS.—
4 Section 1240B(e)(1) of the Food Security Act of 1985 (16
5 U.S.C. 3839aa–2(e)(1)) is amended by adding at the end
6 the following new subparagraph:

7 “(D) IN-KIND CONTRIBUTIONS.—For pur-
8 poses of calculating the producer’s share of the
9 cost of a structural practice, the Secretary may
10 count contributions in labor, materials, or
11 equipment when the producer is a socially dis-
12 advantaged farmer or rancher.”.

13 **SEC. 202. GRANTS TO UPGRADE AGRICULTURAL AND FOOD**
14 **SCIENCES FACILITIES AT 1890 LAND-GRANT**
15 **COLLEGES, INCLUDING TUSKEGEE UNIVER-**
16 **SITY.**

17 Section 1447(b) of the National Agricultural Re-
18 search, Extension, and Teaching Policy Act of 1977 (7
19 U.S.C. 3222b(b)) is amended to read as follows:

20 “(b) APPROPRIATION.—

21 “(1) IN GENERAL.—Out of any money in the
22 Treasury of the United States not otherwise appro-
23 priated, there are appropriated to the Secretary of
24 Agriculture \$15,000,000 for fiscal year 2001 and for
25 each succeeding fiscal year to carry out this section.

1 “(2) AVAILABILITY.—Amounts appropriated
2 under paragraph (1) shall remain available until ex-
3 pended.”.

4 **SEC. 203. FUNDING OF PROGRAM OF OUTREACH AND**
5 **TECHNICAL ASSISTANCE TO SOCIALLY DIS-**
6 **ADVANTAGED FARMERS.**

7 Section 2501(a)(3) of the Food, Agriculture, Con-
8 servation, and Trade Act of 1990 (7 U.S.C. 2279(a)(3))
9 is amended to read as follows:

10 “(3) APPROPRIATION.—Out of any money in
11 the Treasury of the United States not otherwise ap-
12 propriated, there are appropriated to the Secretary
13 \$10,000,000 for fiscal year 2001 and for each suc-
14 ceeding fiscal year to carry out this section.”.

15 **SEC. 204. FUNDING OF EXTENSION INDIAN RESERVATION**
16 **PROGRAM.**

17 Section 1677(g) of the Food, Agriculture, Conserva-
18 tion, and Trade Act of 1990 (7 U.S.C. 5930(g)) is amend-
19 ed to read as follows:

20 “(g) APPROPRIATION.—Out of any money in the
21 Treasury of the United States not otherwise appropriated,
22 there are appropriated to the Secretary \$8,000,000 for fis-
23 cal year 2001 and for each succeeding fiscal year to carry
24 out this section.”.

1 **SEC. 205. FUNDING OF FARM OWNERSHIP AND OPERATING**
2 **LOAN PROGRAMS.**

3 Section 346(b)(1) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1994(b)(1)) is amended
5 by adding at the end the following:

6 “(H) **ADDITIONAL FUNDING.**—Out of any
7 money in the Treasury of the United States not
8 otherwise appropriated, there are appropriated
9 to the Secretary for fiscal year 2001 and for
10 each succeeding fiscal year \$585,000,000 for
11 direct loans, of which—

12 “(i) \$85,000,000 shall be for farm
13 ownership loans under subtitle A; and

14 “(ii) \$500,000,000 shall be for oper-
15 ating loans under subtitle B.”.

○