

106TH CONGRESS
1ST SESSION

S. 1523

To provide a safety net for agricultural producers through improvement of the marketing assistance loan program, expansion of land enrollment opportunities under the conservation reserve program, and maintenance of opportunities for foreign trade in United States agricultural commodities.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

Mrs. LINCOLN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide a safety net for agricultural producers through improvement of the marketing assistance loan program, expansion of land enrollment opportunities under the conservation reserve program, and maintenance of opportunities for foreign trade in United States agricultural commodities.

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.**

4 This Act may be cited as the “Help Our Producers
5 Equity Act of 1999”.

1 **SEC. 2. LOAN RATES FOR MARKETING ASSISTANCE LOANS.**

2 (a) IN GENERAL.—Section 132 of the Agricultural
3 Market Transition Act (7 U.S.C. 7232) is amended by
4 adding at the end the following:

5 “(g) LIMITATIONS ON LOAN RATES.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2)—

8 “(A) the limitations imposed under this
9 section on the loan rate for a marketing assist-
10 ance loan for a loan commodity (referred to in
11 this subsection as a ‘covered commodity’) shall
12 not apply with respect to the 1999 through
13 2002 crops of the covered commodity; and

14 “(B) the loan rate for a marketing assist-
15 ance loan under section 131 for the 1999
16 through 2002 crops of the covered commodity
17 shall be not less than the higher of—

18 “(i) 85 percent of the simple average
19 price received by producers of the covered
20 commodity, as determined by the Sec-
21 retary, during the marketing years for the
22 immediately preceding 5 crops of the cov-
23 ered commodity, excluding the year in
24 which the average price was the highest
25 and the year in which the average price
26 was the lowest in the period;

1 “(ii) if the world market price for the
2 crop of at least 3 loan commodities is less
3 than the loan rate established for the crop
4 of the respective loan commodities under
5 subsections (a) through (f), 95 percent of
6 the simple average price received by pro-
7 ducers of the covered commodity, as deter-
8 mined by the Secretary, during the mar-
9 keting years for the immediately preceding
10 5 crops of the covered commodity, exclud-
11 ing the year in which the average price was
12 the highest and the year in which the aver-
13 age price was the lowest in the period; or

14 “(iii) the loan rate established for the
15 1999 crop of the covered commodity under
16 this section.

17 “(2) RICE.—With respect to the 1999 through
18 2002 crops of rice, the Secretary may establish a
19 loan rate in excess of the rate specified in subsection
20 (e).

21 “(3) RETROACTIVE APPLICATION.—In the case
22 of the 1999 crop of each loan commodity, the Sec-
23 retary shall adjust marketing assistance loans and
24 loan deficiency payments made before the date of

1 enactment of this subsection to reflect the require-
2 ments of paragraphs (1) and (2).”.

3 (b) **LIMITATION ON MARKETING LOAN GAINS AND**
4 **LOAN DEFICIENCY PAYMENTS.**—Section 1001(2) of the
5 Food Security Act of 1985 (7 U.S.C. 1308(2)) is amended
6 by striking “during any crop year may not exceed
7 \$75,000” and insert “during—

8 “(A) each of the 1996 through 1998 crop
9 years may not exceed \$75,000; and

10 “(B) each of the 1999 through 2002 crop
11 years may not exceed \$150,000.”.

12 **SEC. 3. EXTENSION OF MARKETING LOAN TERM.**

13 Section 133 of the Agricultural Market Transition
14 Act (7 U.S.C. 7233) is amended by striking subsection
15 (c) and inserting the following:

16 “(c) **EXTENSIONS AUTHORIZED.**—The Secretary
17 may extend the term of a marketing assistance loan for
18 any loan commodity for a period not to exceed 6 months.”.

19 **SEC. 4. MAXIMUM ENROLLMENT IN CONSIDERATION RE-**
20 **SERVE PROGRAM.**

21 Section 1231(d) of the Food Security Act of 1985
22 (16 U.S.C. 3831(d)) is amended—

23 (1) by striking “The” and inserting the fol-
24 lowing:

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the”; and

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

4 “(2) APPLICABILITY.—Subject to the avail-
5 ability of appropriations, paragraph (1) shall not
6 apply to each of the 1999 through 2002 calendar
7 years.”.

8 **SEC. 5. WETLANDS RESERVE PROGRAM.**

9 (a) ANNUAL ENROLLMENT AUTHORITY.—Section
10 1237(b) of the Food Security Act of 1985 (16 U.S.C.
11 3837(b)) is amended by striking paragraph (1) and insert-
12 ing the following:

13 “(1) ANNUAL ENROLLMENT AUTHORITY.—For
14 calendar years 2000 through 2005, the Secretary
15 may enroll up to 250,000 acres annually in the wet-
16 lands reserve program.”.

17 (b) EXTENSION OF PROGRAM.—Section 1237(c) of
18 the Food Security Act of 1985 (16 U.S.C. 3837(c)) is
19 amended by striking “2002” and inserting “2005”.

20 (c) ELIGIBLE LANDS.—Section 1237(d) of the Food
21 Security Act of 1985 (16 U.S.C. 3837(d)) is amended—

22 (1) in paragraph (2), by striking “or” at the
23 end;

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

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

2 “(4)(A) suitable for the establishment of wet-
3 land functions and values;

4 “(B) land that would contribute substantially to
5 the habitat objectives of the North American Water-
6 fowl Management Plan signed by the Minister of the
7 Environment for Canada and the Secretary of the
8 Interior of the United States in May 1986;

9 “(C) land that has not historically been wet-
10 lands.”.

11 (d) COOPERATIVE AGREEMENTS.—Section 1237F of
12 the Food Security Act of 1985 (16 U.S.C. 3837f) is
13 amended—

14 (1) by redesignating subsection (b) as sub-
15 section (c); and

16 (2) by inserting after subsection (a) the fol-
17 lowing:

18 “(b) COOPERATIVE AGREEMENTS.—Notwithstanding
19 chapter 63 of title 31, United States Code, the Secretary
20 may enter into a cooperative agreement for the acquisition
21 of goods or services, including personal services, with a
22 State, a political subdivision or agency of a State, a public
23 or private agency, an organization, or any other person,
24 without regard to any requirements for competition, if the
25 Secretary determines that—

1 “(1) the objectives of the agreement will serve
2 a mutual interest of the parties to the agreement in
3 wetland conservation;

4 “(2) all parties will contribute resources to the
5 accomplishment of the objectives; and

6 “(3) the agreement will further the purposes of
7 this subchapter.”.

8 **SEC. 6. REVIEW OF FEDERAL LAWS AND REGULATIONS**
9 **THAT PROHIBIT THE SALE OR PROVISION OF**
10 **AGRICULTURAL COMMODITIES TO FOREIGN**
11 **COUNTRIES.**

12 (a) FINDING.—Congress finds that any Federal law
13 (including a regulation) that prohibits or otherwise re-
14 stricts the sale or provision of an agricultural commodity
15 to a foreign country should be maintained only if the pro-
16 hibition or other restriction under the law or regulation
17 is essential to the national security interests of the United
18 States.

19 (b) DEFINITIONS.—In this section:

20 (1) AGRICULTURAL COMMODITY.—The term
21 “agricultural commodity” has the meaning given the
22 term in section 102 of the Agricultural Trade Act of
23 1978 (7 U.S.C. 5602).

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on International Rela-
5 tions and the Committee on Armed Services of
6 the House of Representatives; and

7 (B) the Committee on Foreign Relations
8 and the Select Committee on Intelligence of the
9 Senate.

10 (3) SECRETARY.—The term “Secretary” means
11 the Secretary of Agriculture.

12 (c) STUDY.—

13 (1) IN GENERAL.—The President shall conduct
14 an annual study of each Federal law (including a
15 regulation) that prohibits or otherwise restricts the
16 sale or provision of an agricultural commodity to a
17 foreign country to determine—

18 (A) whether the prohibition or other re-
19 striction under the law is essential to the na-
20 tional security interests of the United States,
21 including a description of the risk to the na-
22 tional security interests posed by the removal of
23 the prohibition or other restriction; and

1 (B) the effects of the prohibition or other
2 restriction under the law on United States agri-
3 culture, including an assessment of—

4 (i) the extent to all countries subject
5 to the prohibition constitute a market that
6 accounted for, in the calendar year pre-
7 ceding the imposition of the prohibition or
8 other restriction, more than 3 percent of
9 all export sales from the United States of
10 an agricultural commodity;

11 (ii) the likely effect on incomes of pro-
12 ducers of the commodity involved;

13 (iii) the extent to which the prohibi-
14 tion or other restriction would permit for-
15 eign suppliers to replace United States
16 suppliers; and

17 (iv) the likely effect of the prohibition
18 or other restriction on the reputation of
19 United States agricultural producers as re-
20 liable suppliers of specific agricultural com-
21 modities and of agricultural commodities
22 in general.

23 (2) SECRETARY.—The President, acting
24 through the Secretary, shall conduct the assessment
25 described in paragraph (1)(B).

1 (d) REPORT.—Not later than 1 year after the date
2 of enactment of this Act, and annually thereafter, the
3 President shall prepare and submit to the appropriate con-
4 gressional committees a report containing the results of
5 the study under subsection (c).

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