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1                   **Subtitle A—Federal Crop**  
2                   **Insurance**

3   **SEC. 11001. AVAILABILITY OF SUPPLEMENTAL CROP INSUR-**  
4                   **ANCE BASED ON AREA YIELD AND LOSS PLAN**  
5                   **OF INSURANCE OR AREA REVENUE PLAN OF**  
6                   **INSURANCE.**

7           (a) IN GENERAL.—Section 508(c) of the Federal  
8 Crop Insurance Act (7 U.S.C. 1508(c)) is amended by  
9 adding at the end the following new paragraph:

10                   “(11) SUPPLEMENTAL AREA COVERAGE.—

11                   “(A) AVAILABILITY OF COVERAGE.—Not-  
12 withstanding paragraph (4), if area coverage is  
13 available in an area (as determined by the Cor-  
14 poration under paragraph (3)), the Corporation  
15 shall provide eligible producers in that area  
16 with the option to purchase supplemental insur-  
17 ance coverage based on—

18                   “(i) an area yield and loss plan of in-  
19 surance; or

20                   “(ii) an area revenue plan of insur-  
21 ance that includes coverage for a loss in  
22 yield.

1           “(B) ELIGIBLE PRODUCERS.—To be eligi-  
2           ble to obtain supplemental coverage under this  
3           paragraph, a producer must purchase either an  
4           individual yield and loss plan of insurance or a  
5           revenue plan of insurance that includes cov-  
6           erage for a loss in yield at an additional cov-  
7           erage level for the same crop to be covered by  
8           the supplemental coverage.

9           “(C) LIMITATION.—In providing supple-  
10          mental coverage to a producer under this para-  
11          graph, the sum of the following shall not exceed  
12          100 percent:

13                 “(i) The coverage level expressed in  
14                 percentage terms for the individual yield  
15                 and loss plan of insurance or the revenue  
16                 plan of insurance that includes coverage  
17                 for a loss in yield that is purchased by the  
18                 producer for the same crop covered by the  
19                 supplemental coverage, as required by sub-  
20                 paragraph (B).

21                 “(ii) The share expressed in percent-  
22                 age terms of the area yield and loss plan  
23                 of insurance or the area revenue plan of  
24                 insurance (at whatever coverage level is se-  
25                 lected) that is used to determine the level

1 of supplemental insurance coverage pro-  
2 vided the producer under this paragraph.

3 “(D) PAYMENT OF PORTION OF PRE-  
4 MIUM.—As provided in subsection (e), the Cor-  
5 poration shall pay a portion of the premium for  
6 supplemental coverage under this paragraph  
7 and the associated individual area yield and loss  
8 plan of insurance or revenue plan of insurance  
9 that includes coverage for a loss in yield.

10 “(E) AMOUNT OF INDEMNITY PAID UNDER  
11 SUPPLEMENTAL COVERAGE.—The indemnity  
12 payable under supplemental coverage provided  
13 under this paragraph shall be calculated as—

14 “(i) the total indemnity for the area  
15 yield and loss plan of insurance or area  
16 revenue plan of insurance, at the coverage  
17 level chosen by the producer; multiplied by

18 “(ii) the share of the coverage of the  
19 area yield and loss plan of insurance or  
20 area revenue plan of insurance selected by  
21 the producer.

22 “(F) SPECIAL RULE RELATING TO QUALI-  
23 FYING LOSSES.—In the case of a qualifying loss  
24 in an area (as determined by the Corporation)  
25 under supplemental coverage provided under

1           this paragraph, subject to the applicable cov-  
2           erage limits, the total amount of the indemnity  
3           shall be available to the producer regardless of  
4           the loss incurred under the individual yield and  
5           loss plan of insurance or the revenue plan of in-  
6           surance that includes coverage for a loss in  
7           yield of the producer.

8           “(G) REINSURANCE YEAR.—Subject to the  
9           availability of area yield and loss or revenue  
10          coverage for an insurable crop in an area (as  
11          determined by the Corporation), the Corpora-  
12          tion shall provide supplemental coverage under  
13          this paragraph not later than the 2008 reinsur-  
14          ance year.”.

15          (b) CONFORMING AMENDMENTS.—Section 508(d)(2)  
16          of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2))  
17          is amended—

18               (1) by striking “additional coverage” in the  
19               matter preceding subparagraph (A) and inserting  
20               “additional and supplemental coverages”; and

21               (2) by adding at the end the following new sub-  
22               paragraph:

23                       “(C) In the case of supplemental coverage  
24                       provided under subsection (c)(11) that, in com-  
25                       bination with either the individual yield and loss

1 coverage, or a comparable coverage for a policy  
2 or plan of insurance that is not based on indi-  
3 vidual yield and does not insure more than 100  
4 percent of the recorded or appraised average  
5 yield indemnified at not greater than 100 per-  
6 cent of the expected market price, the amount  
7 of the premium shall—

8 “(i) be sufficient to cover anticipated  
9 losses and a reasonable reserve; and

10 “(ii) include an amount for operating  
11 and administrative expenses, as determined  
12 by the Corporation, on an industry-wide  
13 basis as a percentage of the amount of the  
14 premium used to define loss ratio.”.

15 (c) OFFSET.—The Federal Crop Insurance Corpora-  
16 tion shall take such actions, including the establishment  
17 of adequate premiums, as are necessary to improve the  
18 actuarial soundness of Federal multiperil crop insurance  
19 to achieve, on and after October 1, 2008, an overall pro-  
20 jected loss ratio of not greater than 1.00.

21 **SEC. 11002. PREMIUMS AND REINSURANCE REQUIRE-**  
22 **MENTS.**

23 (a) PREMIUM ADJUSTMENTS.—Section 508(a) of the  
24 Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amend-  
25 ed by adding at the end the following new paragraph:

1 “(9) PREMIUM ADJUSTMENTS.—

2 “(A) PROHIBITION.—Except as provided  
3 in subparagraph (B), the paying, allowing, or  
4 giving, or offering to pay, allow, or give, directly  
5 or indirectly, either as an inducement to pro-  
6 cure insurance or after insurance has been pro-  
7 cured, any rebate, discount, abatement, credit,  
8 or reduction of the premium named in an insur-  
9 ance policy or any other valuable consideration  
10 or inducement whatsoever not specified in the  
11 policy, is strictly prohibited under this title.

12 “(B) EXCEPTIONS.—Subparagraph (A)  
13 does not apply with respect to the following:

14 “(i) A rebate authorized under sub-  
15 section (b)(5)(B).

16 “(ii) A performance-based discount  
17 authorized under subsection (d)(3).”.

18 (b) PAYMENT OF CATASTROPHIC RISK PROTECTION  
19 FEE ON BEHALF OF PRODUCERS.—Section 508(b)(5)(B)  
20 of the Federal Crop Insurance Act (7 U.S.C.  
21 1508(b)(5)(B)) is amended—

22 (1) in the subparagraph heading, by inserting  
23 “OF CATASTROPHIC RISK PROTECTION FEE” after  
24 “PAYMENT”;

25 (2) in clause (i)—

1 (A) by striking “or other payment”; and

2 (B) by striking “with catastrophic risk  
3 protection or additional coverage”; and insert-  
4 ing “through the payment of all or a portion of  
5 catastrophic risk protection administrative  
6 fees”;

7 (3) in clause (ii)—

8 (A) by striking “or other payment made by  
9 an insurance provider” and inserting “payment  
10 made pursuant to clause (i) by an insurance  
11 provider”;

12 (B) by striking “issuance of catastrophic  
13 risk protection or additional coverage to” and  
14 inserting “payment of catastrophic risk protec-  
15 tion administrative fees on behalf of”; and

16 (C) by striking “or other payment” the  
17 second place it appears;

18 (4) in clause (iv), by striking “A policy or plan  
19 of insurance” and inserting “Catastrophic risk pro-  
20 tection coverage”;

21 (5) in clause (v)—

22 (A) by striking “licensing fee or other ar-  
23 rangement under this subparagraph” and in-  
24 serting “licensing fee arrangement”; and



1 (B) by striking “levels of additional cov-  
2 erage” and inserting “levels of coverage”; and  
3 (6) by striking clause (vi).

4 (c) CHANGE IN DUE DATE FOR POLICYHOLDER PRE-  
5 MIUMS.—Section 508 of the Federal Crop Insurance Act  
6 (7 U.S.C. 1508) is amended—

7 (1) in subsection (b)(5)(C), by striking “the  
8 date that premium” and inserting “the same date on  
9 which the premium”;

10 (2) in subsection (c)(10)(B)—

11 (A) by inserting “; TIME FOR PAYMENT”  
12 after “WAIVER”; and

13 (B) by adding at the end the following new  
14 sentence: “Subparagraph (C) of such subsection  
15 shall apply with respect to the collection date  
16 for policy premiums.”; and

17 (3) in subsection (d), by adding at the end the  
18 following new paragraph:

19 “(4) BILLING DATE FOR PREMIUMS.—Begin-  
20 ning with the 2017 reinsurance year, the Corpora-  
21 tion shall establish August 1 as the billing date for  
22 premiums.”.

23 (d) REINSURANCE.—

24 (1) REIMBURSEMENT RATE.—Section  
25 508(k)(4)(A) of the Federal Crop Insurance Act (7

1 U.S.C. 1508(k)(4)(A)) is amended by striking clause  
2 (ii) and inserting the following new clause:

3 “(ii) for each of the 2009 and subse-  
4 quent reinsurance years, 22.5 percent of  
5 the premium used to define loss ratio.”.

6 (2) RENEGOTIATION OF STANDARD REINSUR-  
7 ANCE AGREEMENT.—Section 508(k) of the Federal  
8 Crop Insurance Act (7 U.S.C. 1508(k)) is amended  
9 by adding at the end the following new paragraph:

10 “(8) RENEGOTIATION OF STANDARD REINSUR-  
11 ANCE AGREEMENT.—

12 “(A) PERIODIC RENEGOTIATION.—Fol-  
13 lowing the reinsurance year ending June 30,  
14 2012, the Corporation may renegotiate the fi-  
15 nancial terms of the standard reinsurance  
16 agreement during the next reinsurance year and  
17 once during each period of five reinsurance  
18 years thereafter.

19 “(B) EFFECT OF FEDERAL LAW  
20 CHANGES.—If changes in Federal law are en-  
21 acted that require revisions in the financial  
22 terms of the standard reinsurance agreement,  
23 and such changes in the agreement are made  
24 on a mandatory basis by the Corporation, such  
25 changes will not be deemed to be a renegoti-

1           ation of the agreement for purposes of subpara-  
2           graph (A).

3           “(C) CONSULTATION.—Approved insur-  
4           ance providers and their representatives may  
5           confer with each other, and collectively with the  
6           Corporation, during the renegotiation process  
7           under subparagraph (A).”.

8           (e) CHANGE IN DUE DATE FOR ADMINISTRATIVE  
9           AND OPERATING EXPENSE PAYMENT.—Section 516(b) of  
10          the Federal Crop Insurance Act (7 U.S.C. 1516(b)) is  
11          amended by adding at the end the following new para-  
12          graph:

13           “(3) DUE DATE FOR ADMINISTRATIVE AND OP-  
14           ERATING EXPENSE PAYMENT.—Beginning with the  
15           2017 reinsurance year, the Corporation shall make  
16           payments pursuant to paragraph (1)(B) during Oc-  
17           tober 2017, and for subsequent reinsurance years,  
18           every October thereafter.”.

19          (f) CONFORMING AMENDMENTS.—

20           (1) PREMIUM REDUCTION AUTHORITY.—Sub-  
21           section 508(e) of the Federal Crop Insurance Act (7  
22           U.S.C. 1508(e)) is amended—

23           (A) in paragraph (2) by striking “para-  
24           graph (4)” and inserting “paragraph (3)”;

25           (B) by striking paragraph (3); and

1 (C) by redesignating paragraphs (4) and  
2 (5) as paragraphs (3) and (4), respectively.

3 (2) PREMIUM RATE REDUCTION PILOT PRO-  
4 GRAM.—Section 523 of the Federal Crop Insurance  
5 Act (7 U.S.C. 1523) is amended—

6 (A) by striking subsection (d); and

7 (B) by redesignating subsection (e) as sub-  
8 section (d).

9 (3) SUBMISSION OF POLICIES AND MATE-  
10 RIALS.—Section 508(h)(1)(A) of the Federal Crop  
11 Insurance Act (7 U.S.C. 1508(h)(1)(A)) is amended  
12 by striking “; and” and inserting “; or”.

13 **SEC. 11003. RESEARCH AND DEVELOPMENT CONTRACTS**  
14 **FOR ORGANIC PRODUCTION COVERAGE IM-**  
15 **PROVEMENTS.**

16 Section 522(c) of the Federal Crop Insurance Act (7  
17 U.S.C. 1522(c)) is amended—

18 (1) by redesignating paragraph (10) as para-  
19 graph (11); and

20 (2) by inserting after paragraph (9) the fol-  
21 lowing new paragraph:

22 “(10) CONTRACTS FOR ORGANIC PRODUCTION  
23 COVERAGE IMPROVEMENTS.—

24 “(A) CONTRACT REQUIRED.—Not later  
25 than 180 days after the date of the enactment

1 of the **【2007 Farm Bill】**, the Corporation shall  
2 enter into one or more contracts for the devel-  
3 opment of improvements in Federal crop insur-  
4 ance policies covering crops produced in compli-  
5 ance with standards issued by the Department  
6 of Agriculture under the National Organic Pro-  
7 gram.

8 “(B) REVIEW OF UNDERWRITING, RISK,  
9 AND LOSS EXPERIENCE.—

10 “(i) REVIEW REQUIRED.—A contract  
11 under subparagraph (A) shall include a re-  
12 view of the underwriting, risk, and loss ex-  
13 perience of organic crops covered by the  
14 Corporation, as compared with the same  
15 crops produced in the same counties and  
16 during the same time periods using non-or-  
17 ganic methods. The review should be de-  
18 signed to allow the Corporation to deter-  
19 mine whether significant, consistent, or  
20 systemic variations in loss history exist be-  
21 tween organic and non-organic production,  
22 and shall include the widest available range  
23 of data, including loss history under exist-  
24 ing crop insurance policies, collected by the

1 National Agricultural Statistics Service,  
2 and other sources of information.

3 “(ii) EFFECT ON PREMIUM SUR-  
4 CHARGE.—Unless the review under this  
5 subparagraph documents the existence of  
6 such significant, consistent, and systemic  
7 variations in loss history between organic  
8 and non-organic crops, either collectively or  
9 on an individual basis, the Corporation  
10 shall eliminate or reduce the premium sur-  
11 charge that the Corporation charges for  
12 coverage for organic crops

13 “(C) ADDITIONAL PRICE ELECTION.—A  
14 contract under subparagraph (A) shall include  
15 the development of a procedure, including any  
16 associated changes in policy terms or materials  
17 required for implementation of the procedure,  
18 to offer producers of organic crops an addi-  
19 tional price election that would reflect the ac-  
20 tual retail or wholesale prices, as appropriate,  
21 received by organic producers for their crops, as  
22 established using data collected and maintained  
23 by the Agricultural Marketing Service or other  
24 sources. The development of the procedure shall  
25 be completed in a timely manner to allow the

1 Corporation to begin offering the additional  
2 price election for organic crops with sufficient  
3 data for the 2009 crop year, and expand it  
4 thereafter as the Agricultural Marketing Service  
5 expands its data collection and availability for  
6 prices of organic crops.

7 “(D) REPORTING REQUIREMENTS.—The  
8 Corporation shall submit to the Committee on  
9 Agriculture of the House of Representatives  
10 and the Committee on Agriculture, Nutrition,  
11 and Forestry of the Senate an annual report on  
12 the progress made in developing and improving  
13 Federal crop insurance for organic crops, in-  
14 cluding the numbers and varieties of organic  
15 crops insured, the development of new insur-  
16 ance approaches, and the progress of the initia-  
17 tives mandated under this paragraph. The re-  
18 port shall also include such recommendations as  
19 the Corporation considers appropriate regarding  
20 additional opportunities to improve Federal  
21 crop insurance coverage for such crops.”.

1 **SEC. 11004. TARGETING RISK MANAGEMENT EDUCATION**  
2 **FOR BEGINNING FARMERS AND RANCHERS**  
3 **AND CERTAIN OTHER FARMERS AND RANCH-**  
4 **ERS.**

5 Section 524(a) of the Federal Crop Insurance Act (7  
6 U.S.C. 1524(a)) is amended—

7 (1) by redesignating paragraph (4) as para-  
8 graph (5); and

9 (2) by inserting after paragraph (3) the fol-  
10 lowing new paragraph:

11 “(4) **TARGETING RISK MANAGEMENT EDU-**  
12 **CATION FOR CERTAIN FARMERS AND RANCHERS.—**

13 “(A) **IN GENERAL.—**In carrying out the  
14 education and information program established  
15 under paragraph (2) and the partnerships for  
16 risk management education program under  
17 paragraph (3), the Secretary shall include a  
18 special emphasis on risk management strategies  
19 and education and outreach specifically targeted  
20 at farmers and ranchers described in subpara-  
21 graph (B).

22 “(B) **COVERED FARMERS AND RANCH-**  
23 **ERS.—**Subparagraph (A) applies with respect to  
24 the following:

25 “(i) Beginning farmers and ranchers.



1           “(ii) Immigrant farmers and ranchers  
2           who are attempting to become established  
3           producers in the United States.

4           “(iii) Socially disadvantaged farmers  
5           and ranchers.

6           “(iv) Farmers and ranchers who are  
7           preparing to retire and are using transition  
8           strategies to help new farmers and ranch-  
9           ers get started.

10           “(v) Farmers and ranchers who are  
11           converting their current production and  
12           marketing systems to pursue new mar-  
13           kets.”.

14 **SEC. 11005. CROP INSURANCE INELIGIBILITY RELATED TO**  
15 **CROP PRODUCTION ON NONCROPLAND.**

16           Section 502 of the Federal Crop Insurance Act (7  
17 U.S.C. 1502) is amended by adding at the end the fol-  
18 lowing new subsection:

19           “(e) CROP INSURANCE INELIGIBILITY RELATED TO  
20 CROP PRODUCTION ON NONCROPLAND.—

21           “(1) NONCROPLAND DEFINED.—In this sub-  
22 section, the term ‘noncropland’ means rangeland,  
23 forestland, and native grassland the Secretary deter-  
24 mines has not been used for crop production dur-  
25 ing—

1                   “(A) any 5 years since the 1986 crop year;

2                   or

3                   “(B) 3 consecutive years since the 1986

4                   crop year.

5                   “(2) INELIGIBILITY.—Noncropland acreage on  
6                   which an agricultural commodity for which a policy  
7                   or plan of insurance is available under this title is  
8                   planted shall be ineligible for crop insurance under  
9                   this title for the first 4 years of planting, as deter-  
10                  mined by the Secretary.

11                  “(3) YIELD DETERMINATION BASED ON COUN-  
12                  TY ACTUAL PRODUCTION HISTORY.—If an agricul-  
13                  tural commodity described in paragraph (2) is plant-  
14                  ed for 4 years, beginning with the fifth year in which  
15                  the commodity is planted, the producer of the com-  
16                  modity may procure crop insurance for the com-  
17                  modity under this title. The yield for such crop in-  
18                  surance shall be determined only—

19                         “(A) by using the actual production history  
20                         for the farm; and

21                         “(B) for each year in which the farm does  
22                         not have an actual production history, by using  
23                         the average actual production history for the  
24                         commodity in the county in which the farm is  
25                         located.

1           “(4) EFFECTIVE DATE.—This subsection shall  
2           apply to crop years following the 2007 crop year.”.

3   **SEC. 11006. CHANGE IN DUE DATE FOR CORPORATION PAY-**  
4                           **MENTS FOR UNDERWRITING GAINS.**

5           Effective beginning with the 2016 reinsurance year,  
6   the Federal Crop Insurance Corporation shall make pay-  
7   ments for underwriting gains under the Federal Crop In-  
8   surance Act (7 U.S.C. 1501 et seq.)—

9           (1) for the 2016 reinsurance year on October 1,  
10          2017; and

11          (2) for each reinsurance year thereafter on the  
12          October 1 of the next calendar year.

13   **SEC. 11007. SESAME INSURANCE PILOT PROGRAM.**

14          (a) PILOT PROGRAM REQUIRED.—The Secretary of  
15   Agriculture shall establish and carry out a pilot program  
16   under which a producer of non-dehiscent sesame under  
17   contract may elect to obtain multi-peril crop insurance, as  
18   determined by the Secretary.

19          (b) TERMS AND CONDITIONS.—The multi-peril crop  
20   insurance offered under the sesame insurance pilot pro-  
21   gram shall—

22               (1) be offered through reinsurance arrange-  
23               ments with private insurance companies;

24               (2) be actuarially sound; and

1           (3) require the payment of premiums and ad-  
2           ministrative fees by a producer obtaining the insur-  
3           ance.

4           (c) LOCATION.—The sesame insurance pilot program  
5 shall be carried out only in the State of Texas.

6           (d) RELATION TO PROHIBITION ON RESEARCH AND  
7 DEVELOPMENT BY CORPORATION.—Section 522(e)(4) of  
8 the Federal Crop Insurance Act (7 U.S.C. 1522(e)(4))  
9 shall apply with respect to the sesame insurance pilot pro-  
10 gram.

11          (e) DURATION.—The Secretary shall commence the  
12 sesame insurance pilot program as soon as practicable  
13 after the date of the enactment of this Act and continue  
14 the program through the 2012 crop year.

## 15   **Subtitle B—Livestock and Poultry**

### 16   **SEC. 11101. REPEAL OF PROHIBITION ON MANDATORY** 17                   **IDENTIFICATION SYSTEM FOR COUNTRY OF** 18                   **ORIGIN LABELING.**

19          Section 282(f) of the Agricultural Marketing Act of  
20 1946 (7 U.S.C. 1638a(f)) is amended by striking “CER-  
21 TIFICATION OF ORIGIN.—” and all that follows through  
22 “(2) EXISTING CERTIFICATION PROGRAMS.—To certify”  
23 and inserting “CERTIFICATION OF ORIGIN.—To certify”.

1 **SEC. 11102. SENSE OF CONGRESS REGARDING**  
2 **PSEUDORABIES ERADICATION PROGRAM.**

3 It is the sense of Congress that—

4 (1) the Secretary should recognize the threat  
5 feral swine pose to the domestic swine population;

6 (2) keeping the United States commercial swine  
7 herd free of pseudorabies is essential to maintaining  
8 and growing pork export markets;

9 (3) the establishment of a swine surveillance  
10 system will assist the swine industry in the moni-  
11 toring, surveillance, and eradication of pseudorabies;  
12 and

13 (4) pseudorabies eradication is a high priority  
14 that the Secretary should carry out under the au-  
15 thorities of the Animal Health Protection Act.

16 **SEC. 11103. ARBITRATION OF LIVESTOCK AND POULTRY**  
17 **CONTRACTS.**

18 The Packers and Stockyards Act, 1921 (7 U.S.C. 181  
19 et seq.) is amended—

20 (1) by redesignating section 416 as section 417;  
21 and

22 (2) by inserting after section 415 the following  
23 new section:

1 **“SEC. 416. ARBITRATION OF LIVESTOCK AND POULTRY**  
2 **CONTRACTS.**

3 “If a livestock or poultry contract provides for the  
4 use of arbitration to resolve a controversy under the live-  
5 stock or poultry contract, arbitration may be used to settle  
6 the controversy only if, after the controversy arises, both  
7 parties consent in writing to use arbitration to settle the  
8 controversy.”.

9 **SEC. 11104. SENSE OF CONGRESS REGARDING THE VOL-**  
10 **UNTARY CONTROL PROGRAM FOR LOW**  
11 **PATHOGENIC AVIAN INFLUENZA.**

12 It is the sense of Congress that—

13 (1) the voluntary control program for low path-  
14 ogenic avian influenza is a critical component of the  
15 animal health protection system of the United  
16 States, as well as a safeguard against highly patho-  
17 genic avian influenza; and

18 (2) the Secretary of Agriculture has appro-  
19 priately provided for the payment of compensation to  
20 owners of poultry and cooperating State agencies of  
21 100 percent of eligible costs, and the Secretary  
22 should continue to provide such payments at 100  
23 percent of such costs.

24 **SEC. 11105. SENSE OF CONGRESS REGARDING THE CATTLE**  
25 **FEVER TICK ERADICATION PROGRAM.**

26 It is the sense of Congress that—

1           (1) the cattle fever tick and the southern cattle  
2 tick are vectors of the causal agent of babesiosis, a  
3 severe and often fatal disease of cattle; and

4           (2) implementing a national strategic plan for  
5 the cattle fever tick eradication program is a high  
6 priority that the secretary should carry out in order  
7 to—

8           (A) prevent the entry of cattle fever ticks  
9 into the United States;

10           (B) enhance and maintain an effective sur-  
11 veillance program to rapidly detect any cattle  
12 fever tick incursions; and

13           (C) research, identify, and procure the  
14 tools and knowledge necessary to prevent and  
15 eradicate cattle fever ticks in the United States.

16 **SEC. 11106. SENSE OF CONGRESS REGARDING STATE IN-**  
17 **SPECTED MEAT AND POULTRY PRODUCTS.**

18 It is the sense of Congress that—

19           (1) the food supply in the United States con-  
20 tinues to be the safest in the world;

21           (2) State inspected meat and poultry products  
22 are safe and wholesome, and should be available to  
23 consumers nationwide to increase the economic via-  
24 bility of small establishments and allow States to  
25 broadly market their products; and

1           (3) the Federal and State meat and poultry in-  
2           spection systems should function seamlessly to en-  
3           sure food safety and inspire consumer confidence in  
4           the food supply.

5           **Subtitle C—Socially Disadvantaged**  
6           **Producers and Limited Re-**  
7           **source Producers**

8           **SEC. 11201. OUTREACH AND TECHNICAL ASSISTANCE FOR**  
9                           **SOCIALLY DISADVANTAGED FARMERS AND**  
10                          **RANCHERS AND LIMITED RESOURCE FARM-**  
11                          **ERS AND RANCHERS.**

12           (a) IN GENERAL.—Section 2501 of the Food, Agri-  
13           culture, Conservation, and Trade Act of 1990 (7 U.S.C.  
14           2279) is amended—

15                   (1) in subsection (a)—

16                           (A) by striking paragraph (2) and insert-  
17                          ing the following new paragraph:

18                           “(2) REQUIREMENTS.—The outreach and tech-  
19                          nical assistance program under paragraph (1) shall  
20                          be used—

21                                   “(A) to enhance coordination of the out-  
22                                   reach, technical assistance, and education ef-  
23                                   forts authorized under agriculture programs;  
24                                   and

25                                   “(B) to assist the Secretary in—



1 “(i) reaching socially disadvantaged or  
2 limited resource farmers and ranchers and  
3 prospective socially disadvantaged or lim-  
4 ited resource farmers and ranchers in an  
5 appropriate manner; and

6 “(ii) improving the participation of  
7 those farmers and rancher in Department  
8 programs, as determined under section  
9 2501A.”;

10 (B) in paragraph (3)—

11 (i) in subparagraph (A), by striking  
12 “entity to provide information” and insert-  
13 ing “entity that has demonstrated an abil-  
14 ity to carry out the requirements described  
15 in paragraph (2) to provide outreach”; and

16 (ii) by adding at the end the following  
17 new subparagraphs:

18 “(D) ADDITIONAL CONTRACTING AUTHOR-  
19 ITY.—

20 “(i) IN GENERAL.—Any agency of the  
21 Department of Agriculture may make  
22 grants and enter into contracts and coop-  
23 erative agreements with a community-  
24 based organization that meets the defini-  
25 tion of an eligible entity under subsection

1 (e) in order to utilize the community-based  
2 organization to provide outreach and tech-  
3 nical assistance.

4 “(ii) MATCHING FUNDS.—As a condi-  
5 tion of any grant made, or any contract or  
6 any cooperative agreement entered into  
7 under this subparagraph, the Secretary  
8 shall require the eligible entity to match  
9 not less than 25 percent of the total  
10 amount of the funds provided by the grant,  
11 contract, or cooperative agreement.

12 “(E) REPORT.—The Secretary shall sub-  
13 mit to the Committee on Agriculture of the  
14 House of Representatives and the Committee  
15 on Agriculture, Nutrition, and Forestry of the  
16 Senate, and make publicly available, an annual  
17 report that includes a list of the following:

18 “(i) The recipients of funds made  
19 available under the program.

20 “(ii) The activities undertaken and  
21 services provided.

22 “(iii) The number of producers served  
23 and outcomes of such service.

24 “(iv) The problems and barriers iden-  
25 tified by entities in trying to increase par-

1           ticipation by socially disadvantaged farm-  
2           ers and ranchers.”; and

3           (C) in paragraph (4)—

4                 (i) by striking subparagraph (A), and  
5           inserting the following new subparagraph:

6                 “(A) AVAILABILITY OF FUNDS.—Of the  
7           funds of the Commodity Credit Corporation, the  
8           Secretary shall make available \$15,000,000 for  
9           each of the fiscal years 2008 through 2012 to  
10          carry out this subsection.”;

11                (ii) in subparagraph (B), by striking  
12          “authorized to be appropriated under sub-  
13          paragraph (A)” and inserting “made avail-  
14          able under subparagraph (A)”;

15                (iii) by adding at the end the fol-  
16          lowing new subparagraph:

17                “(C) LIMITATION ON USE OF FUNDS FOR  
18          ADMINISTRATIVE EXPENSES.—Not more than 5  
19          percent of the amounts made available under  
20          subparagraph (A) for a fiscal year may be used  
21          for expenses related to administering the pro-  
22          gram under this section.”; and

23          (2) in subsection (e)(5)(A)(ii)—

24                 (A) by inserting “and on behalf of” before  
25          “socially”; and

1 (B) by striking “2-year” and inserting “3-  
2 year”.

3 (b) COORDINATION WITH OUTREACH.—

4 (1) IN GENERAL.—Not more than 18 months  
5 after the date of enactment of this Act, the Sec-  
6 retary shall develop a plan to join and relocate—

7 (A) the outreach and technical assistance  
8 program established under section 2501 of the  
9 Food, Agriculture, Conservation, and Trade Act  
10 of 1990 (7 U.S.C. 2279); and

11 (B) the Office of Outreach of the Depart-  
12 ment of Agriculture.

13 (2) REPORT.—After the relocation described in  
14 this subsection is completed, the Secretary shall sub-  
15 mit to Congress a report that include information  
16 describing the new location of the program.

17 **SEC. 11202. IMPROVED PROGRAM DELIVERY BY DEPART-**  
18 **MENT OF AGRICULTURE ON INDIAN RES-**  
19 **ERVATIONS.**

20 Section 2501(g)(1) of the Food, Agriculture, Con-  
21 servation, and Trade Act of 1990 (7 U.S.C. 2279(g)(1))  
22 is amended—

23 (1) in the first sentence, by striking “where  
24 there is a demonstrated demand for service” after  
25 “offices”; and

1 (2) by striking the second sentence.

2 **SEC. 11203. TRANSPARENCY AND ACCOUNTABILITY FOR SO-**  
3 **cially Disadvantaged Farmers and**  
4 **Ranchers.**

5 Section 2501A of the Food, Agriculture, Conserva-  
6 tion, and Trade Act of 1990 (7 U.S.C. 2279–1) is amend-  
7 ed by striking subsection (c) and inserting the following  
8 new subsections:

9 “(c) **COMPILATION OF PROGRAM PARTICIPATION**  
10 **DATA.—**

11 “(1) **ANNUAL REQUIREMENT.—**For each county  
12 and State in the United States, the Secretary of Ag-  
13 riculture (referred to in this section as the ‘Sec-  
14 retary’) shall annually compile program application  
15 and participation rate data regarding socially dis-  
16 advantaged farmers and ranchers by computing for  
17 each program of the Department of Agriculture that  
18 serves agricultural producers and landowners—

19 “(A) raw numbers of applicants and par-  
20 ticipants by race, ethnicity, and gender, subject  
21 to appropriate privacy protections, as deter-  
22 mined by the Secretary; and

23 “(B) the application and participation rate,  
24 by race, ethnicity, and gender, as a percentage

1 of the total participation rate of all agricultural  
2 producers and landowners.

3 “(2) AUTHORITY TO COLLECT DATA.—The  
4 heads of the agencies of the Department of Agri-  
5 culture shall collect and transmit to the Secretary  
6 any data, including data on race, gender, and eth-  
7 nicity, that the Secretary determines to be necessary  
8 to carry out paragraph (1).

9 “(3) REPORT.—Using the technologies and sys-  
10 tems of the National Agricultural Statistics Service,  
11 the Secretary shall compile and present the data  
12 compiled under paragraph (1) for each program de-  
13 scribed in that paragraph in a manner that includes  
14 the raw numbers and participation rates for—

15 “(A) the entire United States;

16 “(B) each State; and

17 “(C) each county in each State.

18 “(4) PUBLIC AVAILABILITY OF REPORT.—The  
19 Secretary shall maintain and make readily available  
20 to the public, via website and otherwise in electronic  
21 and paper form, the report described in paragraph  
22 (3).

23 “(d) LIMITATIONS ON USE OF DATA.—

24 “(1) PRIVACY PROTECTIONS.—In carrying out  
25 this section, the Secretary shall not disclose the

1 names or individual data of any program partici-  
2 pant.

3 “(2) AUTHORIZED USES.—The data under this  
4 section shall be used exclusively for the purposes de-  
5 scribed in subsection (a).

6 “(3) LIMITATION.—Except as otherwise pro-  
7 vided, the data under this section shall not be used  
8 for the evaluation of individual applications for as-  
9 sistance.”.

10 **SEC. 11204. BEGINNING FARMER AND RANCHER DEVELOP-**  
11 **MENT PROGRAM.**

12 Section 7405 of the Farm Security and Rural Invest-  
13 ment Act of 2002 (7 U.S.C. 3319f) is amended by striking  
14 subsection (h) and inserting the following new subsection:

15 “(h) AVAILABILITY OF FUNDS.—Of the funds of the  
16 Commodity Credit Corporation, the Secretary shall make  
17 available \$15,000,000 for each of the fiscal years 2008  
18 through 2012 to carry out this section.”.

19 **SEC. 11205. PROVISION OF RECEIPT FOR SERVICE OR DE-**  
20 **NIAL OF SERVICE.**

21 In any case in which a producer or landowner, or pro-  
22 spective producer or landowner, requests from the Depart-  
23 ment of Agriculture any benefit or service offered by the  
24 Department to agricultural producers or landowners, the  
25 Secretary of Agriculture shall provide for the issuance, on

1 the date on which the producer or landowner, or prospec-  
2 tive producer or landowner, makes the request, a receipt  
3 containing—

4 (1) the date, place, and subject of the request;

5 and

6 (2) the action taken, not taken, or rec-  
7 ommendations made in response to the request.

8 **SEC. 11206. TRACKING OF SOCIALLY DISADVANTAGED**  
9 **FARMERS AND RANCHERS AND LIMITED RE-**  
10 **SOURCE FARMERS AND RANCHERS IN CEN-**  
11 **SUS OF AGRICULTURE AND CERTAIN STUD-**  
12 **IES.**

13 The Secretary of Agriculture shall ensure, to the  
14 maximum extent practicable, that the Census of Agri-  
15 culture and studies carried out by the Economic Research  
16 Service accurately document the number, location, and  
17 economic contributions of socially disadvantaged farmers  
18 and ranchers and limited resource farmers and ranchers  
19 in agricultural production.

20 **SEC. 11207. FARMWORKER COORDINATOR.**

21 (a) ESTABLISHMENT.—The Secretary of Agriculture  
22 shall establish the position of Farmworker Coordinator (in  
23 this section referred to as the “Coordinator”), which shall  
24 be located in the Office of Outreach of the Department  
25 of Agriculture.



1 (b) DUTIES.—The Secretary may delegate to the Co-  
2 ordinator responsibility for any or all of the following:

3 (1) Assisting in administering the program es-  
4 tablished by section 2281 of the Food, Agriculture,  
5 Conservation, and Trade Act of 1990 (42 U.S.C.  
6 5177a).

7 (2) Serving as a liaison to community-based  
8 non-profit organizations that represent, and have  
9 demonstrated experience serving, low-income mi-  
10 grant and seasonal farmworkers.

11 (3) Coordinating with the Department of Agri-  
12 culture and State and local governments to assure  
13 that farmworker needs are assessed and met during  
14 declared disasters and other emergencies.

15 (4) Consulting with the Office of Small Farm  
16 Coordination, Office of Outreach, Outreach Coordi-  
17 nators, and other entities to better integrate farm-  
18 worker perspectives, concerns, and interests into the  
19 ongoing programs of the Department.

20 (5) Consulting with Hispanic-serving institu-  
21 tions on research, program improvements, or agri-  
22 cultural education opportunities that assist low-in-  
23 come and migrant seasonal farmworkers.

1           (5) Assuring that farmworkers have access to  
2           services and support to enter agriculture as pro-  
3           ducers.

4           (c) AUTHORIZATION OF APPROPRIATIONS.—There  
5           are authorized to be appropriated to the Secretary such  
6           sums as necessary to carry out this section for fiscal years  
7           2008 through 2012.

8           **SEC. 11208. OFFICE OF OUTREACH RELOCATION.**

9           (a) RELOCATION PROPOSAL.—Not more than 18  
10           months after the date of enactment of the Act, the Sec-  
11           retary shall develop a proposal to relocate the Office of  
12           Outreach of the Department of Agriculture.

13           (b) ADMINISTRATION.—The Office of Outreach shall  
14           be responsible for the administration of—

15           (1) the outreach and technical assistance pro-  
16           gram established under section 2501 of the Food,  
17           Agriculture, Conservation, and Trade Act of 1990 (7  
18           U.S.C. 2279); and

19           (2) the beginning farmer and rancher develop-  
20           ment program established under section 7405 of the  
21           Farm Security and Rural Investment Act of 2002 (7  
22           U.S.C. 3319f).

23           **SEC. 11209. MINORITY FARMER ADVISORY COMMITTEE.**

24           (a) ESTABLISHMENT.—Not later than 18 months  
25           after the date of enactment of this Act, the Secretary of

1 Agriculture shall establish an advisory committee, to be  
2 known as the “Advisory Committee on Minority Farmers”  
3 (in this section referred to as the “Committee”), which  
4 shall be overseen by the Office of Outreach of the Depart-  
5 ment of Agriculture.

6 (b) DUTIES.—The Committee shall—

7 (1) review all civil rights cases to ensure that  
8 they are processed in a timely manner;

9 (2) ensure that the processing of civil rights  
10 cases complies with applicable laws;

11 (3) report quarterly to the Secretary of Agri-  
12 culture on civil rights enforcement and outreach;

13 (4) monitor and annually report to Congress on  
14 compliance with all civil rights and related laws by  
15 all agencies and under all programs of the Depart-  
16 ment;

17 (5) recommend to the Secretary corrective ac-  
18 tions to prevent civil rights violations; and

19 (6) review the operations of the outreach and  
20 technical assistance program established under sec-  
21 tion 2501 of the Food, Agriculture, Conservation,  
22 and Trade Act of 1990 (7 U.S.C. 2279).

23 (c) MEMBERSHIP OF COMMITTEE.—The Committee  
24 shall be composed of the following:

25 (1) Three members appointed by the Secretary.

1           (2) Two members appointed by the chairman of  
2           the Committee on Agriculture, Nutrition, and For-  
3           estry of the Senate, in consultation with the ranking  
4           member of the Committee.

5           (3) Two members appointed by the chairman of  
6           the Committee on Agriculture of the House of Rep-  
7           resentatives, in consultation with the ranking mem-  
8           ber of the Committee.

9           (4) A civil rights professional.

10          (5) A socially disadvantaged farmer or rancher.

11          (6) Such other persons or professionals as de-  
12          termined by the Secretary to be appropriate.

## 13           **Subtitle D—Other Miscellaneous** 14           **Provisions**

### 15   **SEC. 11301. DESIGNATION OF SEPARATE COTTON-PRO-** 16                           **DUCING STATES UNDER COTTON RESEARCH** 17                           **AND PROMOTION ACT.**

18          Section 17(f) of the Cotton Research and Promotion  
19   Act (7 U.S.C. 2116(f)) is amended by adding at the end  
20   the following new sentence: “Notwithstanding the pre-  
21   ceding sentence, effective beginning with the 2008 crop  
22   of cotton, the States of Kansas, Virginia, and Florida shall  
23   each be deemed to be a separate cotton-producing State  
24   for the purposes of this Act.”.

1 **SEC. 11302. COTTON CLASSIFICATION SERVICES.**

2       The first sentence of section 3a of the Act of March  
3 3, 1927 (commonly known as the Cotton Statistics and  
4 Estimates Act; 7 U.S.C. 473a), is amended by striking  
5 “2007” and inserting “2012”.

6 **SEC. 11303. AVAILABILITY OF EXCESS AND SURPLUS COM-**  
7 **PUTERS IN RURAL AREAS.**

8       The Secretary of Agriculture may make available to  
9 any city or town located in a rural area (as defined in  
10 section 343(a)(13)(A) of the Consolidated Farm and  
11 Rural Development Act) excess or surplus computers or  
12 other technical equipment of the Department of Agri-  
13 culture.