
CONFERENCE COMMITTEE ON H.R. 2419

Title I – Commodity Programs

**Section-by-Section Comparison of House Bill,
Senate Amendment, and Current Law**

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
T1-1	<p>Short Title and Table of Contents.</p> <p>Sec. 1 of H.R. 2419, Sec. 1 of the Senate Amendment</p>		<p>This Act may be cited as the “Farm, Nutrition, and Bioenergy Act of 2007”.</p>	<p>This Act may be cited as the “Food and Energy Security Act of 2007”.</p>	
T1-2	<p>Definitions.</p> <p>Sec. 1001 of H.R. 2419, Sections 2, 1001, and 1301 of the Senate Amendment</p>	<p>Sec. 1001(1) of the 2002 of the Farm Security and Rural Investment Act of 2002 (the “2002 farm bill”). “Agricultural Act of 1949” means the Agricultural Act of 1949, as in effect prior to the suspensions under section 171 of the Federal Agriculture Improvement and Reform Act of 1996.</p> <p>No comparable provision.</p> <p>Sec. 1001(2) of the “Base acres” means the number of acres established under Sec. 1101 of the 2002 farm bill with respect to the covered commodity on the election made by the owner of the farm.</p> <p>No comparable provision.</p>	<p>Sec. 1001. Defines various terms used in the bill; most terms are defined as they were in the 2002 farm bill. Added are definitions of “Far East price”, and two definitions regarding cotton quality and premiums, “United States Premium Factor” and Comparable United States Quality”.</p> <p>Sec. 1001(1) defines “Agricultural Act of 1949” as the Agricultural Act of 1949, the same as current law, except adds section 1602(b) of the Farm Security and Rural Investment Act of 2002, and section 1502(b) of this Act.</p> <p>No comparable provision.</p> <p>Sec. 1001(2) defines “base acres” as the number of acres established by the 2002 farm bill as in effect one day before enactment of this bill.</p> <p>Sec. 1001(3) defines “Comparable United States Quality” as, with respect to upland cotton, upland cotton classified as</p>	<p>Sections 2, 1001, and 1301. Defines various terms used in the bill; most terms are defined as they were in the 2002 farm bill. Added are definitions of “average crop revenue payment”, “medium grain rice”, and “pulse crop”.</p> <p>No comparable provision.</p> <p>Sec. 1001(1) defines “average crop revenue payment” as a payment made to producers on a farm under section 1401.</p> <p>Sec. 1001(2) same as House provisions, except adds the qualification, subject to any adjustment under section 1101 of this Act.</p> <p>No comparable provision.</p>	

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		<p>Sec. 1001(3) of the 2002 farm bill. “Counter-cyclical payment” means a payment made to producers on a farm under section 1104.</p> <p>Sec. 1001(4) of the 2002 farm bill. “Covered commodity” means wheat, corn, grain sorghum, barley, oats, upland cotton, rice, soybeans, and other oilseeds.</p> <p>Sec. 1001(5) of the 2002 farm bill. “Direct payment” means a payment made to producers on a farm under section 1103.</p> <p>Sec. 1001(6) of the 2002 farm bill. “Effective price”, with respect to a covered commodity for a crop year, means the price calculated by the Secretary under section 1104 to determine whether counter-cyclical payments are required to be made for that crop year.</p> <p>Sec. 1001(7) of the 2002 farm bill. Defines “extra long staple cotton”.</p> <p>No comparable provision.</p>	<p>Middling (M) 1 3/32-inch cotton with a micronaire of 3.7 to 4.2, strength 30 grams per tex, and uniformity of 83.</p> <p>Sec. 1001(4) same as current law, except includes revenue-based counter-cyclical payments under section 1104.</p> <p>Sec. 1001(5) same as current law, except includes peanuts.</p> <p>Sec. 1001(6) same as current law.</p> <p>Sec. 1001(7) same as current law.</p> <p>Sec. 1001(8) same as current law.</p> <p>Sec. 1001(9) defines “Far East price” as the Friday through Thursday average price quotation for the three lowest-priced growths of upland cotton, as quoted for Middling (M) 1 3/32-inch cotton, delivered C/F Far East.</p>	<p>Sec. 1101(3) same as current law.</p> <p>Sec. 1001(4) same as current law, except includes long grain rice, medium grain rice, and pulse crops.</p> <p>Sec. 1101(5) same as current law.</p> <p>Sec. 1001(6) same as current law.</p> <p>Sec. 1001(7) same as current law.</p> <p>No comparable provision.</p>	

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		<p>Sec. 1001(8) of the 2002 farm bill. “Loan commodity” means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, rice, soybeans, other oilseeds, wool, mohair, honey, dry peas, lentils, and small chickpeas.</p> <p>No comparable provision.</p> <p>Sec. 1001(9) of the 2002 farm bill. “Other oilseed” means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or, if designated by the Secretary, another oilseed.</p> <p>Sec. 1001(10) of the 2002 farm bill. “Payment acres” means 85 percent of the base acres for a covered commodity on which direct and counter-cyclical payments are made.</p> <p>Sec. 1001(11) of the 2002 farm bill. “Payment yield” means the yield established under section 1102 of the 2002 farm bill for a farm for a covered commodity.</p> <p>Sec. 1101(12) of the 2002 farm bill. “Producer” means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced. In determining whether a grower of</p>	<p>Sec. 1001(10) same as current law, except replaces “barley” with “feed barley” and “malt barley”; replaces “rice” with “long grain rice”, “medium grain rice” and “short grain rice”; and adds “peanuts”.</p> <p>No comparable provision.</p> <p>Sec. 1001(11) same as current law.</p> <p>Sec. 1001(12) same as current law, and includes payments for the revenue-based counter-cyclical program.</p> <p>Sec. 1001(13) defines “payment yield” as the yield established for direct and counter-cyclical payments under the 2002 farm bill as in effect one day before enactment of this bill.</p> <p>Sec. 1001(14) same as current law.</p>	<p>Sec. 1001(8) same as current law, except replaces “rice” with “long grain rice” and “medium grain rice”; and adds “large chickpeas”.</p> <p>Sec. 1001(9) defines “medium grain rice” to include short grain rice.</p> <p>Sec. 1001(10) same as current law, except adds camelina.</p> <p>Sec. 1001(11) same as current law, except specifies, “in the case of direct and counter-cyclical payments” to distinguish from payment acres under average crop revenue program.</p> <p>Sec. 1101(12) same as House provision, except references provisions to establish payment yields for a designated oilseed, camelina, or eligible pulse crop.</p> <p>Sec. 1101(13) same as current law.</p>	

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		<p>hybrid seed is a producer, the Secretary shall not take into consideration the existence of a hybrid seed contract and shall ensure that program requirements shall not adversely affect the ability of the grower to receive a payment under this title.</p> <p>No comparable provision.</p> <p>Sec. 1001(13) of the farm bill. “Secretary” means the Secretary of Agriculture.</p> <p>Sec. 1001(14) of the farm bill. “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.</p> <p>Sec. 1101(15) of the 2002 farm bill. “Target price” means the price per bushel (or other appropriate unit in the case of upland cotton, rice, and other oilseeds) of a covered commodity used to determine the payment rate for counter-cyclical payments.</p> <p>Sec. 1101(16) of the 2002 farm bill. “United States”, when used in a geographical sense, means all of the States.</p> <p>No comparable provision.</p>	<p>No comparable provision.</p> <p>Sec. 1001(15) defines “Secretary” as the Secretary of Agriculture.</p> <p>Sec. 1001(16) same as current law.</p> <p>Sec. 1101(17) same as current law, except includes peanuts.</p> <p>Sec. 1101(18) same as current law.</p> <p>Sec. 1001(19) defines “United States</p>	<p>Sec. 1101(14) defines “pulse crop” as dry peas, lentils, small chickpeas, and large chickpeas.</p> <p>Sec. 2 defines the term “Secretary” as used in this Act, as the Secretary of Agriculture.</p> <p>Sec. 1001(16) same as current law.</p> <p>Sec. 1101(16) defines “target price” as the price per bushel, pound, or hundredweight (or other appropriate unit) of a covered commodity used to determine the payment rate for counter-cyclical payments.</p> <p>Sec. 1101(17) same as current law.</p> <p>No comparable provision.</p>	

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		<p>Sec. 1301(1) of the 2002 farm bill. “Base acres for peanuts” means the number of acres assigned to a farm by historic peanut producers pursuant to section 1302(b).</p> <p>Sec. 1301(2) of the 2002 farm bill. “Counter-cyclical payment” means a payment made under section 1304.</p> <p>Sec. 1303(4) of the 2002 farm bill. “Direct payment” means a payment made under section 1303.</p> <p>Sec. 1303(3) of the 2002 farm bill. “Effective price” means the price calculated by the Secretary under section 1304 for peanuts to determine whether counter-cyclical payments are required to be made under that section for a crop year.</p> <p>Sec. 1303(6) of the 2002 farm bill. “Payment acres” means 85 percent of the base acres for peanuts assigned to a farm under section 1302(b).</p> <p>Sec. 1303(7) of the 2002 farm bill.</p>	<p>Premium Factor” as the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1 1/8-inch cotton and for M 1 3/32-inch exceeds the difference in the applicable premiums for comparable international qualities delivered C/F Far East.</p> <p>Peanuts included in the definition in Sec. 1101(2).</p> <p>Peanuts included in the definition in Sec. 1101(4).</p> <p>Peanuts included in the definition in Sec. 1101(6).</p> <p>Peanuts included in the definition in Sec. 1101(7).</p> <p>Peanuts included in the definition in Sec. 1101(12).</p> <p>Peanuts included in the definition in Sec.</p>	<p>Sec. 1301(1) defines “base acres for peanuts” as the number of acres assigned to a farm pursuant to section 1302 of the 2002 farm bill as in effect on the date of enactment and subject to any adjustment under section 1302 of this Act.</p> <p>Sec. 1301(2) same as current law.</p> <p>Sec. 1301(3) same as current law.</p> <p>Sec. 1303(4) same as current law.</p> <p>Sec. 1303(5) same as current law.</p> <p>Sec. 1303(6) same as current law.</p>	

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		<p>“Payment yield” means the yield assigned to a farm by historic peanut producers pursuant to section 1302(b).</p> <p>Sec. 1303(8) of the 2002 farm bill. Defines “producer” as in Sec. 1101(12).</p> <p>Sec. 1303(10) of the 2002 farm bill. Defines “State” as in Sec. 1101(14).</p> <p>Sec. 1303(11) of the 2002 farm bill. “Target price” means the price per ton of peanuts used to determine the payment rate for counter-cyclical payments.</p> <p>Sec. 1303(12) of the 2002 farm bill. Defines “United States” as in Sec. 1101(16).</p>	<p>1101(13).</p> <p>Peanuts included in the definition in Sec. 1101(14).</p> <p>Peanuts included in the definition in Sec. 1101(16).</p> <p>Peanuts included in the definition in Sec. 1101(17).</p> <p>Peanuts included in the definition in Sec. 1101(18).</p>	<p>Sec. 1303(7) same as current law.</p> <p>Sec. 1303(8) same as current law.</p> <p>Sec. 1303(9) same as current law.</p> <p>Sec. 1303(10) same as current law.</p>	
T1-3	<p>Adjustments to Base Acres.</p> <p>Sec. 1101 of H.R. 2419, Sec. 1101 and 1302 of the Senate Amendment</p>	<p>Sec. 1101(e) of the 2002 farm bill. Requires the Secretary to provide base acre adjustments when a conservation reserve contract ends.</p> <p>Sec. 1101(g) of the 2002 farm bill. Requires the Secretary to reduce base acres when the sum of the farm’s base acres, base acres for peanuts, and the farm’s other acreage enrolled in certain conservation programs exceeds the actual cropland acreage of a farm.</p>	<p>Sec. 1101. Producers are generally not given a choice of updating base acres or payment yields under this bill. Sec. 1101(a), however, requires the Secretary to provide base acre adjustments when a conservation reserve contract ends.</p> <p>Sec. 1101(b) same as current law, except that peanut base acres are no longer specified because peanuts are included as a covered commodity.</p>	<p>Sections 1101 and 1302. Same as House, except provides for an adjustment in base acres to include pulse crop, camelina, or newly designated oilseed acreage.</p> <p>Sec. 1101(b) same as current law, except the limitation on acreage enrolled in conservation programs only applies to Federal conservation programs for which payments are made for not producing any agricultural commodity, and adds any eligible pulse crop or camelina acreage or any eligible oilseed acreage as determined by the Secretary.</p>	

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		<p>Sec. 1101(h) of the 2002 farm bill. Permits a farmer to permanently reduce the base acres on a farm at any time.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>Sec. 1302 of the 2002 farm bill. Requires the Secretary to reduce base acres for peanuts when the sum of the farm's base acres for peanuts, base acres for other commodities, and the farm's other acreage enrolled in certain conservation programs exceeds the actual cropland acreage of a farm. Permits a farmer to permanently reduce base acres for peanuts on a farm at any time.</p>	<p>Sec. 1101(c) same as current law, except includes peanuts base acres.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>Peanuts included in Sec. 1101.</p>	<p>Sec. 1101(c)(1) same as current law.</p> <p>Sec. 1101(c)(2) requires the Secretary to suspend direct, counter-cyclical, and average crop revenue payments, and to reduce base acres for land that is no longer used for farming, specifically land that has been developed for commercial or industrial use or has been subdivided and developed for multiple residential units or other nonfarming uses unless the producer demonstrates that the land remains devoted exclusively to agricultural production.</p> <p>Sec. 1101(c)(3) requires the Secretary to track reconstitutions of land, and to review and report on compliance to ensure that land that is commercial or residential is not eligible for payments.</p> <p>Sec. 1302 applies the adjustment of base acre provisions for covered commodities under Section 1101 to peanuts.</p>	
T1-3A	<p>Payment Yields</p> <p>Sec. 1102 of the</p>	<p>Sec. 1102 of the 2002 farm bill. Established payment yields for direct and counter-cyclical payments.</p>	<p>No comparable provision.</p>	<p>Sec. 1102. Provides for the establishment of a payment yield for any designated oilseed,</p>	

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	Senate Amendment			camelina, or eligible pulse crop for the purpose of making direct payments and counter-cyclical payments. Provides a formula for calculating payment yields that is similar to the provisions used in 2002.	
T1-4	Availability of Direct Payments. Sec. 1102 of H.R. 2419, Sec. 1103 and Sec. 1303 of the Senate Amendment	<p>Sec. 1103(a) of the 2002 farm bill. Authorizes direct payments for the 2002-2007 crop years to producers on farms for which payment yields and base acres are established.</p> <p>Sec. 1303(a) of the 2002 farm bill. Authorizes direct payments for peanuts. For the 2003-2007 crop years of peanuts, requires direct payments to producers on a farm to which a payment yield and base acres for peanuts are assigned under Sec. 1302.</p> <p>Sec. 1103(b) of the 2002 farm bill. Sets direct payment rates, as follows: wheat, \$0.52 per bushel; corn, \$0.28 per bushel; grain sorghum, \$0.35 per bushel; barley, \$0.24 per bushel; oats, \$0.024 per bushel; upland cotton, \$0.0667 per pound; rice, \$2.35 per hundredweight; soybeans, \$0.44 per bushel; and other oilseeds, \$0.0080 per pound.</p> <p>Sec. 1303(b) of the 2002 farm bill. Sets the direct payment rate for peanuts at \$36 per ton.</p> <p>Sec. 1103(c) of the 2002 farm bill.</p>	<p>Sec. 1102. Sec. 1102(a) same as current law for the 2008-2012 crop years, except includes peanuts.</p> <p>Peanuts included in Sec. 1102(a).</p> <p>Sec. 1102(b) maintains direct payment rates as in 2002 farm bill, and includes peanuts.</p> <p>Sec. 1102(b) includes peanuts.</p> <p>Sec. 1102(c) same as current law.</p>	<p>Sections 1103 and 1303. Sec. 1103(a) same as current law for the 2008-2012 crop years, except for participants in Average Crop Revenue program.</p> <p>Sec. 1303(a) authorizes direct payments for peanuts for the 2008 through 2012 crop years on farms with an established payment yield and base acres for peanuts, except for participants in Average Crop Revenue program.</p> <p>Sec. 1103(b) maintains direct payment rates as in 2002 farm bill, but specifies separate rates for long grain rice and medium grain rice.</p> <p>Sec. 1303(b) sets the direct payment rate for peanuts at \$36 per ton – the same as current law.</p> <p>Sec. 1103(c) same as current law.</p>	

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		<p>Establishes the formula for the amount of direct payments as the product of the: payment rate; payment acres; and payment yield.</p> <p>Sec. 1303(d) of the 2002 farm bill. Establishes the formula for the amount of direct payments for peanuts for the 2003-2007 crop years as the same formula as in Sec. 1103(c).</p> <p>Sec. 1103(d) of the 2002 farm bill. Establishes the time for direct payments for each of the 2003-2007 crop years, as not earlier than October 1 of the calendar year in which the crop of the covered commodity is harvested. Authorizes an advance direct payment at the option of the producer in an amount up to 22 percent of the direct payment. Requires repayment of advance payments to the Secretary if a producer receives an advance direct payment for a crop year in which the producer ceases to be a producer on that farm or the producer's share in the risk of producing a crop changes before the date the remainder of the direct payment is made.</p> <p>Sec. 1303(e) of the 2002 farm bill. Establishes the time for direct payments and authorizes an advance direct payment for peanuts during the 2003-2007 crop years, under the same terms as Sec. 1103(d).</p> <p>No comparable provision.</p>	<p>Peanuts included in Sec. 1102(c)</p> <p>Sec. 1102(d) same as current law through the 2011 crop year. Terminates advanced direct payments starting with 2012 crop year.</p> <p>Peanuts included in section 1102(d).</p> <p>Sec. 1102(e) prohibits a direct payment if</p>	<p>Sec. 1303(c) continues the provision established under the 2002 farm bill for calculating the payment amount for direct payments for peanuts.</p> <p>Sec. 1103(d) same as House provision.</p> <p>Sec. 1303(d) same as House provision, except specific to peanuts.</p> <p>No comparable provision.</p>	

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			the payment for all covered commodities on the farm would be less than \$25.		
T1-5	<p>Availability of Counter-Cyclical Payments.</p> <p>Sec. 1103 of H.R. 2419, Sec. 1104 and Sec. 1304 of the Senate Amendment</p>	<p>Sec. 1104(a) of the 2002 farm bill. Authorizes counter-cyclical payments for covered commodities if the Secretary determines that the effective price for the commodity is less than the target price for that commodity.</p> <p>Sec. 1304(a) of the 2002 farm bill. Authorizes counter-cyclical payments for peanuts, under the same terms as Sec. 1104(a).</p> <p>Sec. 1104(b) of the 2002 farm bill. Sets formula for determining effective price as the sum of: the higher of the national average market price or the national average loan rate; and the payment rate.</p> <p>Sec. 1304(b) of the 2002 farm bill. Sets the formula for determining the effective price for peanuts, using the same formula as Sec. 1104(b).</p> <p>Sec. 1104(c) of the 2002 farm bill. Establishes target prices (for the 2004-</p>	<p>Sec. 1103. Sec. 1103(a) same as current law for 2008-2012 crop years, except includes peanuts.</p> <p>Peanuts included in Sec. 1103(a).</p> <p>Sec. 1103(b) same as current law, except includes peanuts and clarifies that the Secretary shall establish national average loan rates for all rice and all barley for the purpose of calculating counter-cyclical payments as is done under current law (notwithstanding the fact that separate loan rates are established for long grain and medium grain rice and for feed barley and malt barley in section 1202 of the bill).</p> <p>Peanuts included in Sec. 1103(b).</p> <p>Sec. 1103(c) establishes target prices as follows:</p>	<p>Sections 1104 and 1304 Sec. 1104(a) same as current law for 2008-2012 crop years, except for participants in Average Crop Revenue program.</p> <p>Sec. 1304(a) authorizes counter-cyclical payments for peanuts for the 2008-2012 crop years on farms with an established payment yield and base acres for peanuts, except for participants in Average Crop Revenue program.</p> <p>Sec. 1104(b) same as current law, except, in the case of long grain rice and medium grain rice, the effective price is determined using the same calculation, but by the type or class of rice, as determined by the Secretary.</p> <p>Sec. 1304(b) same as House provision, but specific to peanuts.</p> <p>Sec. 1104(c)(1) establishes target prices as follows:</p>	

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		<p>2007 crop years) as follows: wheat, \$3.92 per bushel; corn, \$2.63 per bushel; grain sorghum, \$2.57 per bushel; barley, \$2.24 per bushel; oats, \$1.44 per bushel; upland cotton, \$0.7240 per pound; rice, \$10.50 per hundredweight;</p> <p>soybeans, \$5.80 per bushel; and other oilseeds, \$0.1010 per pound.</p> <p>Sec. 1304(c) of the 2002 farm bill. Sets the target price for peanuts as \$495 per ton.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>Sec. 1104(d) of the 2002 farm bill. Sets the formula for determining the payment rate for counter-cyclical payments as the difference between: the target price; and the effective price.</p> <p>Sec. 1304(d) of the 2002 farm bill. Sets the same formula for peanuts as in Sec. 1104(d).</p> <p>Sec. 1104(e) of the 2002 farm bill. Sets</p>	<p>wheat, \$4.15 per bushel; corn, \$2.63 per bushel; grain sorghum, \$2.57 per bushel; barley, \$2.73 per bushel; oats, \$1.50 per bushel; upland cotton, \$0.70 per pound; rice, \$10.50 per hundredweight;</p> <p>soybeans, \$6.10 per bushel; other oilseeds, \$0.1150 per pound; and</p> <p>peanuts, \$495.00 per ton.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>Sec. 1103(d) same as current law.</p> <p>Sec. 1103(d) includes peanuts.</p> <p>Sec. 1103(e) same as current law.</p>	<p>wheat, \$4.20 per bushel; corn, \$2.63 per bushel; grain sorghum, \$2.63 per bushel; barley, \$2.63 per bushel; oats, \$1.83 per bushel; upland cotton, \$0.7225 per pound; long grain rice, \$10.50 per cwt.; medium grain rice, \$10.50 per cwt.; soybeans, \$6.00 per bushel; other oilseeds, \$12.74 per cwt.;</p> <p>Sec. 1304(c) establishes the target price for peanuts at \$495 per ton.</p> <p>dry peas, \$8.33 per cwt.; lentils, \$12.82 per cwt.; small chickpeas, \$10.36 per cwt; and large chickpeas, \$12.82 per cwt.</p> <p>Sec. 1104(c)(2) prohibits the Secretary from establishing a target price for a covered commodity that is different from the target price specified in paragraph (1).</p> <p>Sec. 1104(d) same as current law.</p> <p>Sec. 1304(d) same as House provision, but specific to peanuts.</p> <p>Sec. 1104(e) same as current law.</p>	

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		<p>the formula for the counter-cyclical payment amount as the product of the: payment rate; payment acres; and payment yield.</p> <p>Sec. 1304(f) of the 2002 farm bill. Sets the same formula for peanuts as in Sec. 1104(e).</p> <p>Sec. 1104(f) of the 2002 farm bill. If counter-cyclical payments are required, the Secretary shall make the counter-cyclical payment for the crop as soon as practicable after the end of the end of the 12-month marketing year.</p> <p>Authorizes partial counter-cyclical payments for the 2007 crop year, establishes the time for partial payments as after the first 6 months of the marketing year; and specifies that the partial payment cannot exceed 40 percent of the projected counter-cyclical payments. Requires repayment of the amount, if any, by which the total of the partial payments exceed the actual counter-cyclical payment to be made for that crop year.</p> <p>Sec. 1304(g) of the 2002 farm bill. Authorizes partial counter-cyclical payments for peanuts, under the same terms as in Sec. 1104(f).</p> <p>No comparable provision.</p>	<p>Sec. 1103(e) includes peanuts.</p> <p>Sec. 1103(f)(1) same as current law for the 2008-2012 crop years.</p> <p>Sec. 1103(f)(2)-(5) same as current law for the 2008-2010 crop years. Partial counter-cyclical payments will be unavailable beginning with the 2011 crop year.</p> <p>Peanuts included in Sec. 1103(f).</p> <p>Sec. 1103(g) prohibits a counter-cyclical payment if the total counter-cyclical payments for all covered commodities on the farm would be less than \$25.</p>	<p>Sec. 1304(e) same as House provision, but specific to peanuts.</p> <p>Sec. 1104(f)(1) same as House, except payments are made available beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.</p> <p>Sec. 1104(f)(2)-(5) same as House provision, except specifies 180 days rather than 6 months, and producers can elect to receive partial counter-cyclical payment at any time after the Secretary announces the availability of partial counter-cyclical payments until 30 days prior to the end of the marketing year.</p> <p>Sec. 1304(f) same as provided in Sec. 1104(f), except specific to peanuts.</p> <p>No comparable provision.</p>	

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T1-6	<p>Availability of Revenue-Based Counter-Cyclical Payments.</p> <p>Sec. 1104 of H.R. 2419</p>	No comparable provision.	<p>Sec. 1104.</p> <p>Sec. 1104(a) requires the Secretary to offer producers the option to receive revenue-based counter-cyclical payments for the 2008-2012 crop years, as an alternative to receiving counter-cyclical payments under section 1103. Producers will have only one opportunity to elect to receive revenue-based counter cyclical payments as soon as practicable after enactment. If a producer fails to make such election in a timely manner, the producer will receive counter-cyclical payments pursuant to section 1103.</p> <p>Sec. 1104(b) requires the Secretary to make revenue-based counter-cyclical payments to such producers if the Secretary determines that the national actual revenue per acre for the covered commodity is less than the national target revenue per acre for the covered commodity.</p> <p>Sec. 1104(c) provides that the Secretary shall establish a national actual revenue per acre by multiplying the national average yield for the given year by the higher of: the national average market price received by producers during the 12-month marketing year; or the loan rate for the covered commodity under section 1202, except that for rice and barley, the Secretary shall establish national average all rice and all barley loan rates.</p>	No comparable provision.	

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			<p>Sec. 1104(d) establishes the national target revenue per acre as follows: wheat, \$149.92; corn, \$344.12; grain sorghum, \$131.28; barley, \$153.30; oats, \$92.10; upland cotton, \$496.93; rice, \$548.06; soybeans, \$231.87; other oilseeds, \$129.18; and peanuts, \$683.83.</p> <p>Sec. 1104(e) establishes the national payment yield as follows: wheat, 36.1 bushels per acre; corn, 114.4 bushels per acre; grain sorghum, 58.2 bushels per acre; barley, 48.6 bushels per acre; oats, 49.8 bushels per acre; upland cotton, 634 pounds per acre; rice, 51.28 hundredweight per acre; soybeans, 34.1 bushels per acre; other oilseeds, 1167.6 pounds per acre; and peanuts, 1.496 tons per acre.</p> <p>Sec. 1104(f) establishes the formula for the national payment rate as the result of: the difference between the national target revenue per acre and the national actual revenue per acre; divided by the national payment yield.</p> <p>Sec. 1104(g) provides that if revenue-based counter-cyclical payments are required for any of the covered commodities, the amount of the payment shall be equal to the product of: the national payment rate; the payment acres; and the payment yield.</p> <p>Sec. 1104(h) establishes a time for payment when revenue-based counter-</p>		

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
			<p>cyclical payments are required. Requires the Secretary to make partial payments available to producers for any of the 2008-2010 crop years in which the Secretary determines that revenue-based counter-cyclical payments will be required. Stipulates that the first partial payment not exceed 40 percent of the payment for the crop year, and requires repayment of any amounts of partial payment that exceed the actual revenue-based counter-cyclical payments for that crop year.</p> <p>Sec. 1104(i) prohibits a revenue-based counter-cyclical payment if the payment for all covered commodities on the farm would be less than \$25.</p>		
T1-7	<p>Producer Agreement Required as Condition of Provision of Direct Payments and Counter-Cyclical Payments.</p> <p>Sec. 1105 of H.R. 2419, Sections 1105, 1305, and 1402 of the Senate Amendment</p>	<p>Sec. 1105 of the 2002 farm bill. Establishes the requirements that producers must meet to be eligible to receive direct and counter-cyclical payments: comply with conservation; wetland protection; planting flexibility requirements; use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for peanuts for an agricultural or conserving use, and not for a nonagricultural commercial or industrial use; effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land</p>	<p>Sec. 1105. Sec. 1105(a) same as current law, except includes peanuts and omits the reference to noncultivation.</p>	<p>Sections 1105, 1305, and 1402. Sec. 1105(a) same as current law, except includes an additional provision that land cannot be used for a residential use (including land subdivided and developed into residential units or other nonfarming uses, or that is otherwise no longer intended to be used in conjunction with a farming operation).</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>referred to above (base acres).</p> <p>Sets requirements governing transfer of interest.</p> <p>Requires acreage reports. No comparable provision regarding penalties for inaccurate acreage report.</p> <p>Provides for adequate safeguards to protect the interests of tenants and sharecroppers and provides for sharing of payments among the producers on a farm on a fair and equitable basis.</p> <p>Sec. 1305 of the 2002 farm bill. With regard to peanuts, contains the same terms as in Sec. 1105.</p> <p>No comparable provision.</p>	<p>Sec. 1105(b) same as current law.</p> <p>Sec. 1105(c) same as current law. No comparable provision regarding penalties for inaccurate acreage report.</p> <p>Sec. 1105(d) and (e) same as current law.</p> <p>Peanuts included in Sec. 1105</p> <p>No comparable provision.</p>	<p>Sec. 1105(b) same as current law.</p> <p>Sec. 1105(c) same as current law, except provides that no penalty with respect to benefits can be assessed against the producers on a farm for an inaccurate acreage report unless the producers on the farm knowingly and willfully falsified the acreage report.</p> <p>Sec. 1105(d) and (e) same as current law.</p> <p>Sec. 1305 same as Sec. 1105, but specific to peanuts.</p> <p>Sec. 1402 establishes producer agreement requirements for participants in the average crop revenue option that are the same as Sec. 1105, except that no requirement to comply with planting flexibility provisions; and the Farm Service Agency must certify the individuals or entities receiving payments are producers.</p>	
T1-8	<p>Planting Flexibility.</p> <p>Sec. 1106 of H.R. 2419, Sections 1106,</p>	<p>Sec. 1106 of the 2002 farm bill. Limits the planting of fruits, vegetables, and wild rice on base acres, but provides an</p>	<p>Sec. 1106.</p> <p>Sec. 1106(a)-(c) same as current law; includes peanuts.</p>	<p>Sections 1106, 1306 and 1403.</p> <p>Subsections 1106(a)-(c) same as current law, except provides an exception for mung beans and pulse crops.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
	<p>1306, and 1403 of the Senate Amendment</p>	<p>exception for lentils, mung beans, and dry peas.</p> <p>Sec. 1306 of the 2002 farm bill. With regard to peanuts, contains the same terms as in Sec. 1106.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>No comparable provision.</p>	<p>Peanuts included in Sec. 1106.</p> <p>Sec. 1106(d) establishes a pilot Farm Flex project in Indiana for the 2008-2012 crop years, under which tomatoes for processing may be planted on up to 10,000 base acres.</p> <p>No comparable provision.</p> <p>No comparable provision.</p>	<p>Sec. 1306 same as Sec. 1106(a)-(c).</p> <p>Sec. 1106(d) same as House provision, except only for the 2008 and 2009 crop years. No comparable provision in Sec. 1306.</p> <p>Sec. 1403(a)-(c) applies planting flexibility provisions of Sec. 1106(a)-(c) to participants in the average crop revenue program.</p> <p>Sec. 1403(d) provides for the production of fruits or vegetables for processing by participants in the average crop revenue program (2010-2012 crop years) on up to 10,000 base acres in each of the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Wisconsin, with base acres protected.</p>	
T1-8A	<p>Special Rule for Long Grain and Medium Grain Rice.</p> <p>Sec. 1107 of the Senate Amendment</p>	<p>No comparable provision.</p>	<p>No comparable provision.</p>	<p>Sec. 1107. Sec. 1107 provides that for the purposes of making counter-cyclical payments for long grain and medium grain rice, base acres shall be apportioned based on acreage planted in the applicable State to long grain rice and medium grain rice during the 2003–2006 crop years. Requires that base acres, payment acres,</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
				and payment yields established with respect to rice are maintained.	
T1-9	<p>Period of Effectiveness.</p> <p>Sec. 1107 of H.R. 2419, Sec. 1108 of the Senate Amendment</p>	<p>Sec. 1108 of the 2002 farm bill. Authorizes subtitle A of Title I for the 2002-2007 crop years.</p>	<p>Sec. 1107. Authorizes Subtitle A of Title I for the 2008-2012 crop years.</p>	<p>Sec. 1108. Authorizes Part I of Subtitle A of Title I for each covered commodity for the 2008-2012 crop years.</p>	
T1-10	<p>Availability of Nonrecourse Marketing Assistance Loans for Loan Commodities.</p> <p>Sec. 1201 of H.R. 2419, Sec. 1201 and Sec. 1307(a) of the Senate Amendment</p>	<p>Sec. 1201 of the 2002 farm bill. Authorizes the Secretary to make nonrecourse marketing assistance loans for loan commodities available to producers. Authorizes such loans for any amount of a commodity produced; specifies treatment of commingled products; requires producer compliance with conservation and wetland requirements.</p> <p>Sec. 1307(a) of the 2002 farm bill. Authorizes the Secretary to make nonrecourse marketing assistance loans available to peanut producers, which may be obtained through a marketing association or marketing cooperative of producers that is approved by the Secretary, or through the Farm Service Agency. Stipulates that as a condition for an individual or entity to provide storage for peanuts for which a marketing assistance loan is made, the individual or entity shall agree to provide storage on a non-discriminatory basis and to comply with additional requirements as the</p>	<p>Sec. 1201. Sections 1201(a) - (d) same as current law; includes peanuts.</p> <p>Sec. 1201(e) authorizes that for peanuts, a marketing assistance loan or loan deficiency payments made under section 1205 may be obtained through a marketing association or marketing cooperative of producers that is approved by the Secretary, or through the Farm Service Agency. Stipulates that as a condition for an individual or entity to provide storage for peanuts for which a marketing assistance loan is made, the individual or entity shall agree to provide storage on a non-discriminatory basis and to comply with additional requirements as the Secretary deems appropriate in order</p>	<p>Sections 1201 and 1307(a). Sec. 1201 same as current law, except for participants in average crop revenue program.</p> <p>Sec. 1307(a) same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		Secretary deems appropriate in order to promote fairness in the administration of this section. Requires the Secretary to use Commodity Credit Corporation funds to pay storage, handling, and other associated costs for the crop years 2002-2006; terminates such authority beginning with the 2007 crop of peanuts. Authorizes a marketing association or cooperative to market peanuts for which a loan is made under this section, including by separating peanuts by type and quality.	to promote fairness in the administration of this section. Authorizes a marketing association or cooperative to market peanuts for which a loan is made under this section, including by separating peanuts by type and quality.		
T1-10 A	<p>Peanuts Storage and Handling Costs</p> <p>Sec. 1307(a)(7) of the Senate Amendment</p>	<p>Sec. 1307(a)(6) of the 2002 farm bill. Provided for payment of storage, handling, and other associated costs from Commodity Credit Corporation funds for the 2002 through 2006 crops of peanuts. The authority terminated beginning with the 2007 crop of peanuts.</p>	No comparable provision.	<p>Sec. 1307(a)</p> <p>Sec.1307(a)(7) replaces the payment of storage, handling and associated costs under the 2002 farm bill with a mechanism that ensures handling and associated costs are not deducted from a producer's marketing loan. USDA would advance the payment for handling and associated costs for peanuts placed under loan and the advanced costs would be repaid when the peanuts are redeemed.</p>	
T1-11	<p>Loan Rates for Nonrecourse Marketing Assistance Loans.</p> <p>Sec. 1202 of H.R. 2419, Sections 1202, 1210(e), and 1307(b) of the Senate Amendment</p>	<p>Sec. 1202(b) of the 2002 farm bill. Establishes loan rates for marketing assistance loans for the 2004-2007 crop years, as follows:</p> <p>wheat, \$2.75 per bushel; corn, \$1.95 per bushel; grain sorghum, \$1.95 per bushel;</p> <p>barley, \$1.85 per bushel;</p>	<p>Sec. 1202.</p> <p>Establishes loan rates for marketing assistance loans, including two loan rates for rice (one for long grain rice; one for medium and short grain rice) and two for barley (one for feed barley; one for malt barley), as follows:</p> <p>wheat, \$2.94 per bushel; corn, \$1.95 per bushel; grain sorghum, \$1.95 per bushel; malt barley, \$2.50 per bushel; feed barley, \$1.90 per bushel;</p>	<p>Sections 1202, 1210(e) and 1307(b).</p> <p>Establishes loan rates as follows for the 2008-2012 crop years:</p> <p>wheat, \$2.94 per bushel; corn, \$1.95 per bushel; grain sorghum, \$1.95 per bushel;</p> <p>barley, \$1.95 per bushel;</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>oats, \$1.33 per bushel; upland cotton, \$0.52 per pound;</p> <p>extra long staple cotton, \$0.7977 per pound;</p> <p>rice, \$6.50 per hundredweight;</p> <p>soybeans, \$5.00 per bushel; other oilseeds, \$0.0930 per pound for each of the following kinds of oilseeds: sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, and other oilseeds designated by the Secretary;</p> <p>dry peas, \$6.22 per hundredweight; lentils, \$11.72 per hundredweight small chickpeas, \$7.43 per hundredweight.</p> <p>Sec. 1307(b) of the 2002 farm bill. Established the loan rate for marketing assistance loans for peanuts as \$355 per ton.</p> <p>graded wool, \$1.00 per pound; nongraded wool, \$0.40 per pound; honey, \$0.60 per pound; mohair, \$4.20 per pound;</p> <p>No comparable provision.</p> <p>Sec. 1202(c) of the 2002 farm bill, as amended by Sec. 763(b)(3) of the Agriculture, Rural Development, Food</p>	<p>oats, \$1.46 per bushel; base quality upland cotton, \$0.52 per pound;</p> <p>extra long staple cotton, \$0.7977 per pound;</p> <p>long grain rice, \$6.50 per hundredweight;</p> <p>medium grain rice and short grain rice, \$6.50 per hundredweight;</p> <p>soybeans, \$5.00 per bushel; other oilseeds, \$0.1070 per pound for each of the following—sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, and other oilseeds designated by the Secretary;</p> <p>dry peas, \$5.40 per hundredweight; lentils, \$11.28 per hundredweight; small chickpeas, \$8.54 per hundredweight;</p> <p>peanuts, \$355.00 per ton;</p> <p>graded wool, \$1.10 per pound; nongraded wool, \$0.40 per pound; honey, \$0.60 per pound; and mohair, \$4.20 per pound.</p> <p>No comparable provision.</p> <p>Sec. 1202(b) same as current law.</p>	<p>oats, \$1.39 per bushel; base quality of upland cotton, \$0.52 per pound;</p> <p>extra long staple cotton, \$0.7977 per pound;</p> <p>long grain rice, \$6.50 per hundredweight;</p> <p>medium grain rice, \$6.50 per hundredweight;</p> <p>soybeans, \$5.00 per bushel; other oilseeds, \$10.09 per hundredweight;</p> <p>dry peas, \$5.40 per hundredweight; lentils, \$11.28 per hundredweight; small chickpeas, \$7.43 per hundredweight;</p> <p>Sec. 1307(b)</p> <p>peanuts, \$355 per ton</p> <p>graded wool, \$1.20 per pound; nongraded wool, \$0.40 per pound; honey, \$0.72 per pound; mohair, \$4.20 per pound;</p> <p>large chickpeas, \$11.28 per hundredweight;</p> <p>Sec. 1202(b) same as current law, except the “other oilseeds” are not listed and the citation to subsection (a)(10) is incorrect.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>and Drug Administration, and Related Agencies Appropriations Act, 2003. Requires the Secretary to establish a single loan rate in each county for each kind of “other oilseeds” listed.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>Sec. 1202(d) of the 2002 farm bill, as amended by Sec. 763(b)(3) of the</p>	<p>Sec. 1202(c)(1) requires the Secretary to establish a single county loan rate for corn and grain sorghum in each county; establish a single national average loan rate for corn and grain sorghum; and determine each county loan rate and the national average loan rate for corn and grain sorghum from a data set that includes prices for both corn and grain sorghum.</p> <p>Sec. 1202(c)(2) requires the Secretary to administer the applicable loan, marketing loan, counter-cyclical and related programs using a single loan rate for corn and grain sorghum that is identical in each individual county. Provides that any adjustment in the corn and grain sorghum loan rate for location shall be determined on the basis of the combined corn and grain sorghum data set in a manner that any transportation adjustment shall be the same for corn and grain sorghum in each individual county. Allows for adjustments for grade, type, and quality, as appropriate, for the corn or grain sorghum involved in each specific transaction.</p> <p>No comparable provision.</p>	<p>Sec. 1202(d) same as House provision.</p> <p>Sec. 1210(e) same as House provision, except does not specifically apply to counter-cyclical program.</p> <p>Sec. 1202(c) establishes grading basis for marketing loans for pulse crops as based</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2003. Established the quality grades for dry peas as U.S. feed peas; for lentils as U.S. number 3 lentils; and for small chickpeas as U.S. number 3 small chickpeas that drop below a 20/64 screen.</p>		<p>on a grade not less than grade number 2 or other grade factors, including the fair and average quality of the crop in any year; and may be adjusted by the Secretary to reflect the normal market discounts for grades less than number 2 quality.</p>	
T1-12	<p>Terms of Loans. Sec. 1203 of H.R. 2419, Sec. 1203 and Sec. 1307(c) of the Senate Amendment</p>	<p>Sec. 1203 of the 2002 farm bill. Sets the term for loans made under Sec. 1201 as nine months; prohibits extensions.</p> <p>Sec. 1307(c) of the 2002 farm bill. Sets the term for a peanut marketing assistance loan as nine months; prohibits extensions.</p>	<p>Sec. 1203. Same loan term as current law.</p>	<p>Sections 1203 and 1307(c). Same loan term as current law.</p> <p>1307(c) establishes the same loan term for peanuts as current law.</p>	
T1-13	<p>Repayment of Loans. Sec. 1204 of H.R. 2419, Sec. 1204 and Sec. 1307(d) of the Senate Amendment</p>	<p>Sec. 1204(a) of the 2002 farm bill. Sec. 1204(a) establishes a general rule that loans may be repaid at the lesser of: the rate established in section 1202 plus interest; or a rate determined by the Secretary that will minimize forfeitures, accumulation of stocks, storage costs, market impediments, and discrepancies in benefits across State and county boundaries. Excludes upland cotton, rice, extra long staple cotton and sunflower seeds (other than oil sunflower seeds) from the general rule on repayment of loans.</p> <p>Sec. 1307(d) of the 2002 farm bill. Contains an equivalent provision with respect to peanuts as Sec. 1204(a).</p>	<p>Sec. 1204. Sec. 1204(a) same as current law, except specifies long grain rice, medium grain rice, and short grain rice.</p> <p>Peanut provisions included in Sec. 1204(a).</p>	<p>Sections 1204 and 1307(d). Sec. 1204(a) same as current law, except specifies long grain rice and medium grain rice.</p> <p>Sec. 1307(d) same as current law.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Sec. 1204(b) of the 2002 farm bill. Establishes repayment rates for upland cotton and rice. Loans may be repaid at the lesser of the rate established under section 1201, plus interest, or the prevailing world market price for the commodity (adjusted to United States quality and location).</p> <p>Sec. 1204(c) of the 2002 farm bill. Establishes the loan repayment rate for extra long staple cotton as the loan rate established under section 1202, plus interest.</p> <p>Sec. 1204(d) of the 2002 farm bill. Requires the Secretary to issue by regulation a formula to determine the prevailing world market price for upland cotton and rice, adjusted to the United States quality and location, and requires the Secretary to establish a mechanism for periodically announcing such prevailing world market prices.</p> <p>Sec. 1204(e)(1) of the 2002 farm bill. Requires further adjustment (in addition to the adjustment in Sec. 1204(d)) to the prevailing world market price for upland cotton if: the adjusted price is less than 115 percent of the loan rate; and the Friday through Thursday average price for the lowest priced U.S. growth for Middling (M) 1 3/32 inch cotton delivered C.I.F. Northern Europe is greater than the Friday through Thursday average price of</p>	<p>Sec. 1204(b) same as current law, except specifies long grain rice, medium grain rice, and short grain rice.</p> <p>Sec. 1204(c) same as current law specifies long grain rice, medium grain rice, and short grain rice.</p> <p>Sec. 1204(d) same as current law, except specifies that USDA use price quotes from Far East market to determine the prevailing world market price for upland cotton and specifies long grain rice, and medium and short grain rice.</p> <p>Sec. 1204(e) provides for adjustments to the prevailing world market prices for upland cotton and rice for quality and location. For cotton, requires the prevailing world market price to be adjusted to: U.S. quality and location (including premiums associated with comparable United States Quality and a reduction equal to any United States Premium Factor to upland cotton of a quality higher than Middling 1 3/32-inch);</p>	<p>Sec. 1204(b) same as current law, except specifies long grain rice and medium grain rice.</p> <p>Sec. 1204(c) same as current law specifies long grain rice and medium grain rice.</p> <p>Sec. 1204(d) same as current law, except specifies long grain rice and medium grain rice.</p> <p>No comparable provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>the five lowest-priced growths of upland cotton, as quoted for Middling (M) 1 3/32 inch cotton delivered C.I.F. Northern Europe.</p> <p>Sec. 1204(e)(2) of the 2002 farm bill. Authorizes further adjustment of the prevailing world market price of upland cotton, based on data including the U.S. share of world exports, the level of export sales and shipment, and other data the Secretary determines to be relevant.</p> <p>No comparable provision.</p> <p>Sec. 1204(f) of the 2002 farm bill. Establishes the repayment rates for confectionery and other kinds of sunflower seeds (other than oil sunflower seed) at a rate that is the lesser of the loan rate established under section 1202, plus interest, or the repayment rate established</p>	<p>and take into account average costs to market the commodity (including transportation costs).</p> <p>Sec. 1204(f) authorizes the Secretary to further adjust the prevailing world market price for upland cotton that has been based on a Far East price, if such adjustment is necessary to: minimize loan forfeitures; minimize the accumulation of cotton stocks; improve the marketing of upland cotton at home and overseas; ensure that U.S. upland cotton is competitive in world markets; and to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if there are less than three current-crop price quotations and only if such forward-crop price quotation is the lowest available.</p> <p>Sec. 1204(f)(2) Requires the Secretary to establish a mechanism for determining and announcing these adjustments in order to avoid undue disruption in the U.S. market.</p> <p>Sec. 1204(g) same as current law.</p>	<p>Sec. 1204(e) same as House provision, except the prevailing world market price that is further adjusted has been adjusted to U.S. quality and location; and with respect to the appropriate transition, there are insufficient current-crop price quotations (rather than “less than three current-crop quotations”).</p> <p>Sec. 1204(e)(2) same as House provision.</p> <p>Sec. 1204(f) same as current law.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>for oil sunflower seed.</p> <p>Sec. 1204(g) of the 2002 farm bill. Requires repayment rates for dry peas, lentils, and small chickpeas be based on the quality grades for the applicable commodity specified in section 1202(d).</p>	<p>Sec. 1204(h) requires repayment rates for dry peas, lentils and small chickpeas to be based on quality grades for those commodities.</p>	<p>Sec. 1204(g) requires the loan repayment rate for pulse crops be based on the quality grades for the applicable commodity specified in Sec. 1202(c).</p>	
T1-14	<p>Loan Deficiency Payments.</p> <p>Sec. 1205 of H.R. 2419, Sec. 1205 and Sec. 1307(e) of the Senate Amendment</p>	<p>Sec. 1205 of the 2002 farm bill. Authorizes loan deficiency payments to producers who agree to forego marketing loans for the same commodities. Loan deficiency payments are computed by multiplying the payment rate for the commodity by the quantity of the commodity produced. Authorizes loan deficiency payments for producers of unshorn pelts or hay and silage, although such producers are not eligible for marketing loans.</p> <p>Paragraph (e) establishes the effective date for payment rate determination using the rate in effect as of the date the producers request the payment.</p> <p>Sec. 1307(e) of the 2002 farm bill. Authorizes loan deficiency payments to peanut producers, under the same provisions as in Sec. 1205.</p>	<p>Sec. 1205. Sec. 1205(a)-(d) same as current law for 2008-2012 crop years, includes peanuts.</p> <p>Sec. 1205(e) same as current law.</p> <p>Peanuts included in Section 1205.</p>	<p>Sections 1205 and 1307(e). Sec. 1205(a)-(d) same as current law for 2008-2012 crop years.</p> <p>Sec. 1205(e) establishes the effective date for payment rate determination as the date on which the producers on the farm lose beneficial interest and requires the Secretary to establish procedures for consumption on the farm. This subsection does not apply for the 2009-2012 crop years.</p> <p>Sec. 1307(e) same as Sec. 1205, but specific to peanuts.</p>	
T1-15	<p>Payments in Lieu of</p>		<p>Sec. 1206.</p>	<p>Sec. 1206.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
	<p>Loan Deficiency Payments for Grazed Acreage.</p> <p>Sec. 1206 of H.R. 2419, Sec. 1206 of the Senate Amendment</p>	<p>Sec. 1206 of the 2002 farm bill. Authorizes the Secretary to make payments to producers of wheat, barley, oats or triticale if the producers agree to use the acreage for grazing livestock and do not harvest. Payments are required to be made at the same time as loan deficiency payments, in an amount that is the product of: the loan deficiency payment rate; and the payment quantity, as determined by multiplying the quantity of grazed acreage by the payment yield. Separate rules apply for determining the triticale payment amount. Such acreage is not eligible for a crop insurance indemnity or noninsured crop assistance.</p>	<p>Same as current law.</p>	<p>Same as current law.</p>	
T1-16	<p>Special Marketing Loan Provisions for Upland Cotton.</p> <p>Sec. 1207 of H.R. 2419, Sec. 1207 of the Senate Amendment</p>	<p>Sec. 1207(b) of the 2002 farm bill. Requires the President carry out an import quota program for upland cotton whenever the Secretary determines that, for a four-week period, the Friday through Thursday average price for the lowest-priced U.S. growth delivered C.I.F. Northern Europe exceeds the Northern Europe price by more than 1.25 cents per pound. Prohibits the Secretary from adjusting the average price quotation for the value of any certificates during any month for which the Secretary estimates the season-ending U.S. upland cotton stocks-to-use ratio to be below 16 percent. In making such estimates, requires the Secretary to estimate and report the season-ending U.S. stocks-to-use ratio on a monthly basis.</p>	<p>Sec. 1207. Section 1207(a) requires the President to carry out a special import quota program for upland cotton whenever the Secretary determines that for a consecutive 4-week period, the price of American cotton exceeds the price of cotton delivered in the Far East markets. The term “special import quota” is defined as a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota. Provides that the amount of cotton that can come into the U.S. under the special import quota during any marketing year is limited to the equivalent of 10 week’s consumption of upland cotton by domestic mills.</p>	<p>Sec. 1207. Section 1207(a) same as House provision, except specifies the price of American cotton delivered to a definable and significant international market.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Sec. 1207(c) of the 2002 farm bill. Requires a limited global import quota when the average price of the base quality of upland cotton in the designated spot markets exceeds 130 percent of the average price for the preceding 36 months. Limits the quota to equal 21 days of domestic mill consumption; requires, if a quota has been established during the preceding 12 months, that the quantity of the quota next established be the smaller of 21 days of domestic mill consumption or the quantity required to increase the supply to 130 percent of the demand.</p> <p>No comparable provision.</p>	<p>Sec. 1207(b) same as current law.</p> <p>Sec. 1207(c) requires the Secretary, beginning on the date of enactment through July 31, 2013, to issue marketing certificates or cash payments to domestic users of upland cotton for uses of all cotton regardless of origin. The payments or certificates will equal 4-cents per pound. Assistance can only be used for acquisition, construction, installation, modernization, development, conversion, or expansion of land, plant, buildings, equipment, facilities, or machinery. No end date specified.</p>	<p>Sec. 1207(b) same as current law, except provides additional discretion on the quantity of quota.</p> <p>Sec. 1207(c) requires the Secretary, beginning August 1, 2008 through June 30, 2013, to provide economic adjustment assistance equal to 4 cents per pound to domestic users of upland cotton for all documented use of cotton during the previous month regardless of the origin of the cotton. Payment rate drops to 0 cents per pound on July 1, 2013, terminating the funding for the program. Specifies the same uses for the assistance as in the House bill.</p>	
T1-17	<p>Special Competitive Provisions for Extra Long Staple Cotton.</p> <p>Sec. 1208 of H.R. 2419, Sec. 1208 of the Senate</p>	<p>Sec. 1208 of the 2002 farm bill. Requires a program to expand the domestic use of extra long staple cotton produced in the U.S., increase exports, and ensure that the U.S. remains competitive in world markets. Requires the Secretary to make</p>	<p>Sec. 1208. Same as current law.</p>	<p>Sec. 1208. Same as current law, except that it does not specify the form of payments (cash or certificates).</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
	Amendment	payments when: for a four week period, the world market priced for the lowest priced extra long staple cotton is below the prevailing price for a competing growth of extra long staple cotton; and the lowest priced competing growth of extra long staple cotton is less than 134 percent of the loan rate for extra long staple cotton.			
T1-18	Availability of Recourse Loans for High Moisture Feed Grains and Seed Cotton. Sec. 1209 of H.R. 2419, Sec. 1209 of the Senate Amendment	Sec. 1209 of the 2002 farm bill. Authorizes the Secretary to make recourse loans available to producers of corn and grain sorghum who normally harvest all or a portion of their crop in a high moisture state that: present certified scale tickets or field or other physical measurements of the standing or stored crop in regions without certified commercial scales; certify that they were the owners of the feed grain; and comply with established deadlines. Defines “high moisture state” as corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans. Authorizes recourse loans recourse seed cotton loans.	Sec. 1209. Same as current law.	Sec. 1209. Same as current law.	
T1-19	Deadline for Repayment of Marketing Assistance Loan for Peanuts. Sec. 1210 of H.R. 2419	No comparable provision.	Sec. 1210. Requires that marketing assistance loans for peanuts be redeemed no later than June 30 of the year subsequent to the year in which the peanuts were harvested. Such loans not redeemed by the deadline shall be deemed forfeited to the Commodity Credit Corporation.	No comparable provision.	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
T1-19 A	<p>Reimbursable Agreements and Payments of Administrative Expenses</p> <p>Sec. 1307(g) of the Senate Amendment</p>	<p>Sec. 1307(g) of the 2002 farm bill. Provides that the Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses for peanuts only in a manner that is consistent with such activities in regard to other commodities.</p>	<p>No comparable provision.</p>	<p>Sec. 1307(g). Same as current law.</p>	
T1-20	<p>Commodity Quality Incentive Payments for Healthy Oilseeds.</p> <p>Sec. 1211 of H.R. 2419, Sec. 1705 of the Senate Amendment</p>	<p>No comparable provision.</p>	<p>Sec. 1211. Subject to the availability of funds, requires the secretary to provide commodity quality incentive payments during the 2009-2013 crop years for the production of oilseeds with specialized traits that enhance human health. Requires the Secretary to issue a request for proposals for payments under this section.</p>	<p>Sec. 1705. Sec. 1705 similar to House provision, except Senate bill has fewer requirements for proposals; does not specify multi-year contracts; provides protection for proprietary information; and authorizes \$400 million for the period of fiscal years 2008-2012 subject to appropriations.</p>	
T1-20 A	<p>Availability of Average Crop Revenue Payments</p>	<p>No comparable provision.</p>	<p>No comparable provision.</p>	<p>Sec. 1401. Sec. 1401(a) requires the Secretary to give producers the opportunity to make a one-time election to receive average crop revenue payments for the 2010, 2011, and 2012 crop years; the 2011 and 2012 crop years; or the 2012 crop year in lieu or participating in the direct and counter-cyclical program and the marketing assistance loan program.</p> <p>For producers who elect to participate in the Average Crop Revenue program: Sec. 1401(b)(2) requires the Secretary to make fixed payments equal to not less than the product of \$15 per acre and the quantity of base acres on the farm for all</p>	

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				<p>covered commodities and peanuts. Sec. 1401(b)(3) requires the Secretary to make revenue payments available if the actual state revenue for a covered commodity or peanuts is less than the average crop revenue guarantee for that commodity.</p> <p>Sec. 1401(b)(4) provides that average crop revenue payments are made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year. As compared to direct payments, this provision delays fixed ACR payments by one year with no provision for advance payments.</p> <p>Sec. 1401(c) establishes actual state revenue as the product of the actual state yield (the quantity of the covered commodity or peanuts produced in the State during the crop year divided by the number of planted acres) and the average crop revenue harvest price (the harvest price used to calculate revenue under revenue plans offered by the Federal Crop Insurance program).</p> <p>Sec. 1401(d) establishes the average crop revenue program guarantee as 90 percent of the product of the expected state yield per planted acre and the pre-planting price (the price used to calculate revenue under revenue coverage plans offered by the Federal Crop Insurance program) for the crop year and the preceding 2 crop years. The pre-planting price cannot decrease or</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
				<p>increase more than 15 percent from the pre-planting price for the preceding year.</p> <p>Sec. 1401(e) establishes the payment amount, in addition to the amount under section 1401(b)(2) is equal to the product of: the difference between the average crop revenue program guarantee and the actual state revenue; 85 percent of the base acres on the farm for the covered commodity; the ratio of APH on the farm to the expected state yield; and 90 percent.</p> <p>Sec. 1401(f) requires the Secretary to make recourse loans available to producers who participate in this program.</p>	
T1-21	<p>Sugar Program.</p> <p>Sec. 1301 of H.R. 2419, Sec. 1501 of the Senate Amendment</p>	<p>Sec. 156(a) and (b) of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 farm bill), as amended by Sec. 1401 of the 2002 farm bill. Requires the Secretary to make loans available to sugarcane processors at 18 cents per pound for raw cane sugar, and loans available to sugar beet processors at 22.9 cents per pound for refined beet sugar.</p> <p>Sec. 156(c) of the 1996 farm bill. Authorizes the Secretary to reduce the loan rates if negotiated reductions in domestic and export subsidies of other major sugar producing countries in the aggregate exceed the commitments made a part of the Agreement on Agriculture.</p>	<p>Sec. 1301. Amends section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 farm bill) to increase the marketing loan rate for raw cane sugar to 18.5 cents per pound and the marketing loan rate for refined beet sugar to 23.5 cents per pound.</p> <p>Strikes section 156(c) of the 1996 farm bill, which authorized the Secretary to reduce loan rates if there were negotiated reductions in export and domestic subsidies of other major sugar producing countries.</p>	<p>Sec. 1501. Sec. 1501 amends section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 farm bill) to increase the marketing loan rate for raw cane sugar to 18.25 cents per pound for 2009, 18.50 cents per pound for 2010, 18.75 cents per pound for 2011, and 19.00 cents per pound for 2012; and sets the marketing loan rate for refined beet sugar equal to 128.5 percent of the loan rate for raw cane sugar.</p> <p>Same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Sec. 156(d) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm bill. Requires loans to mature at the earlier of: the end of 9 months after the loan is made; or the end of the fiscal year in which the loan is made. Authorizes supplemental loans to be made in the last quarter of a fiscal year.</p> <p>Sec. 156(e) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm bill. Requires loans under this section to be nonrecourse, and requires processors receiving loans provide assurances that they will make payments to producers that are proportional to the value of the loan received for the sugarcane/sugar beets delivered by the producers to the processor. Authorizes the Secretary to establish minimum payments, and prohibits the Secretary from imposing any pre-notification requirement to prevent a processor from electing to forfeit the loan collateral on the maturity of the loan.</p> <p>Sec. 156(f) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm bill. Requires the Secretary to make nonrecourse loans available to processors of sugarcane and sugar beets for in-process sugars and syrups at a rate of 80 percent of the loan rate applicable to raw cane sugar or refined beet sugar.</p> <p>Sec. 156(g) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm</p>	<p>New subsection (c) extends current law requiring that loans be for up to 9 months, that the loans mature at the end of the fiscal year, and that sugar placed under loan during the last quarter of a fiscal year is eligible for a supplemental loan.</p> <p>New subsection (d) extends current law providing that loans will be nonrecourse and that processors will make adequate assurances that payments to growers will be proportional to the loan values. Authorizes the Secretary to set minimums for such payments, and limits the Secretary's authority to require processors to pre-notify forfeitures of collateral.</p> <p>New subsection (e) extends current law authorizing nonrecourse loans on in-process sugars and syrups.</p> <p>New subsection (f) extends current law requiring the Secretary to operate the</p>	<p>Same as House provision.</p> <p>Same as House provision.</p> <p>Same as House provision.</p> <p>New subsection (g) same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>bill. Requires the Secretary to operate the sugar program, to the maximum extent practicable, at no cost to the Federal Government. Authorizes the Commodity Credit Corporation to accept bids from processors (acting in conjunction with producers) for the purchase of sugar in CCC inventory in exchange for reduced production of raw cane or refined beet sugar.</p> <p>Sec. 156(h) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm bill. Requires producers of sugarcane in a State with more than 250 producers of sugarcane (“proportionate share” States) to report yields and acres, and allows the Secretary to require similar reports from other producers of sugarcane and sugar beets. Requires importers of sugars, syrups, or molasses to be used for human consumption, other than quantities that are within the tariff-rate quota, to report.</p> <p>Sec. 156(i) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm bill. Provides that all refined sugars, whether from beets or cane, are substitutable for purposes of the refined sugar and sugar-containing products re-export programs.</p> <p>Sec. 156(j) of the 1996 farm bill, as amended by sec. 1401 of the 2002 farm bill. Authorizes the sugar program for the 1996-2007 crops of sugar beets and</p>	<p>sugar program, to the maximum extent practicable, at no cost to the Federal Government. If producer agrees to reduce production under an inventory disposition program, and such reduced production involves sugar beets or sugarcane already planted, the sugar beets or sugarcane produced on diverted acres may not be used for any commercial purpose other than as a bioenergy feedstock.</p> <p>New subsection (g) extends current law requiring certain producers of sugarcane to report yields and acres. Adds requirement that the Secretary collect information of the production, consumption, stocks and trade of sugar in Mexico, including United States exports of sugar to Mexico; and publicly available information on Mexican production, consumption, and trade of high fructose corn syrups, including United States exports of high fructose corn syrups to Mexico.</p> <p>New subsection (h) extends the current law provision that refined sugars are substitutable for purposes of the refined sugar and sugar-containing products re-export programs.</p> <p>New subsection (i) extends the sugar program through the 2012 crop year, and Sec. 1301(b) clarifies that the program for the 2007 crop will be operated as under</p>	<p>New subsection (h) same as House provision, except does not specifically require that the report include U.S. exports of HFCS to Mexico.</p> <p>New subsection (i) same as House provision.</p> <p>New subsection (j) same as House.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		sugarcane.	current law.		
T1-22	<p>United States Membership in the International Sugar Organization.</p> <p>Sec. 1302 of H.R. 2419, Sec. 1504(I) of the Senate Amendment.</p>	No comparable provision.	<p>Sec. 1302. Requires the Secretary of Agriculture to work with the Secretary of State to restore U.S. membership within the International Sugar Organization within one year from date of enactment of this bill.</p>	<p>Sec. 1504(I). Same as House provision.</p>	
T1-23	<p>Flexible Marketing Allotments for Sugar.</p> <p>Sec. 1303 of H.R. 2419, Sec. 1504 of the Senate Amendment</p>	<p>Sec. 1403 of the 2002 farm bill. Generally, amends the provisions of the Agricultural Adjustment Act of 1938 requiring the Secretary to establish marketing allotments for the 2002 through 2007 crops of domestically produced sugar to balance supply and demand and avoid loan forfeitures.</p> <p>Sec. 359a of the Agricultural Adjustment Act of 1938 defines terms used to implement flexible marketing allotments for sugar. No comparable definition of “human consumption”.</p> <p>Sec. 359b of the Agricultural Adjustment Act of 1938, as amended by sec. 1403 of the 2002 farm bill, as follows:</p> <p>Sec. 359b(a) of the Agricultural Adjustment Act of 1938. Requires the Secretary to annually estimate: the</p>	<p>Sec. 1303. Generally, extends and amends the provisions of the Agricultural Adjustment Act of 1938 requiring the Secretary to establish marketing allotments for the 2008 through 2012 crops of domestically produced sugar to balance supply and demand and avoid loan forfeitures.</p> <p>Sec. 1303(a) amends Sec. 359a of the Agricultural Adjustment Act of 1938 to add the definition of “human consumption” in the context of sugar for human consumption, as meaning sugar in human food, beverages, or similar products.</p> <p>Sec. 1303(b) amends section 359b of the Agricultural Adjustment Act of 1938, as follows:</p> <p>New subsection (a) extends the current sugar estimate requirements for the 2008-2012 crop years.</p>	<p>Sec. 1504. Same as House provision.</p> <p>Sec. 1504(a)(2) same as House provision.</p> <p>Sec. 1504(b) same as House provision.</p> <p>Same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>quantity of sugar subject to human consumption in the United States; the quantity of sugar that would provide to provide reasonable carryover stocks; the quantity available from carry-in stocks for human consumption; the quantity of sugar available from domestic processing of sugarcane, sugar beets, and in-process beet sugar; and the quantity of sugars, syrups, and molasses that will be imported for human consumption.</p> <p>Sec. 359b(b) of the Agricultural Adjustment Act of 1938. Requires the Secretary to establish at the beginning of each crop year marketing allotments at a level that the Secretary estimates will result in no forfeitures of sugar to the Commodity Credit Corporation.</p> <p>No comparable provision.</p> <p>Sec. 359b(c) of the Agricultural Adjustment Act of 1938. Prohibits processors from marketing a quantity in excess of the allocation, except to allow another processor to fulfill an allocation or to facilitate exports.</p>	<p>New subsection (b) requires the Secretary to establish at the beginning of each crop year marketing allotments at a level to maintain raw and refined sugar prices above forfeiture levels. Stipulates allotments not be less than 85 percent of estimated quantity of sugar for domestic human consumption.</p> <p>New subsection (c) provides that the marketing allotments apply to the marketing by processors of sugar intended for domestic human consumption, with exceptions to facilitate the export of sugar, to enable another processor to fulfill an allocation established for that processor, or for uses other than domestic human consumption.</p> <p>New subsection (d) prohibits processors from marketing for domestic human consumption a quantity in excess of the allocation, with the same exceptions as current law.</p>	<p>Same as House provision.</p> <p>Same as House provision, except that the exception for uses other than domestic human consumption does not include the sale of sugar for the production of ethanol or other bioenergy under the Feedstock Flexibility Program.</p> <p>Same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Sec. 359c(b) of the Agricultural Adjustment Act of 1938. Requires the overall allotment quantity be established by adding the estimated sugar consumption and reasonable carryover stocks, and then deducting the following: 1,532,000 short tons, raw value; and carry-in stocks of sugar, including sugar in the CCC inventory. Requires the Secretary to adjust the overall allotment quantity to avoid forfeiture of sugar to the CCC.</p> <p>Sec. 359c(h) of the Agricultural Adjustment Act of 1938. Provides that when the Secretary estimates that imports of sugars, syrups or molasses will exceed 1,532,000 short tons (raw value equivalent) and the imports would lead to a reduction of the overall allotment quantity, the Secretary must suspend the marketing allotments established under this section until imports have been</p>	<p>Defines the term “market” as meaning to sell or otherwise dispose of including the forfeiture of sugar under the loan program, the movement of raw cane sugar into the refining process, and the sale of sugar for the production of ethanol or other bioenergy product, if the disposition of the sugar is administered by the Secretary.</p> <p>Sec. 1303(c) amends section 359c(b) of the Agricultural Adjustment Act of 1938 to require the Secretary to establish the overall quantity of sugar to be allotted for the crop year at a level sufficient to maintain raw and refined sugar prices above forfeiture levels. Stipulates that the overall allotment quantity may not be less than 85 percent of the estimated quantity of sugar for domestic human consumption. Requires the Secretary to adjust the overall allotment quantity to maintain raw and refined sugar prices above forfeiture levels and to maintain adequate supplies in the domestic market.</p> <p>Strikes section 359c(h) of the Agricultural Adjustment Act of 1938.</p>	<p>Sec. 1504(a)(3) amends Sec. 359a of the Agricultural Adjustment Act of 1938 to add the definition of “market” with the same provisions as the House bill.</p> <p>Sec. 1504(c) same as House provision.</p> <p>Same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>restricted below the 1,532,000 short ton level.</p> <p>Sec. 359d(b)(2)(H) of the Agricultural Adjustment Act of 1938. For new entrant processors of beet sugar with no allocation, requires the Secretary to assign an allocation for beet sugar fairly and equitably, and to reduce the allocations for beet sugar for all other processors on a pro rata basis, with an exception for processors re-opening a previously running beet sugar factory.</p> <p>Sec. 359e(b) of the Agricultural Adjustment Act of 1938. Requires the Secretary, anytime that allotments are in effect, to determine whether any sugarcane or sugar beet processors will be unable to market the sugar covered by the State allotment allocated to the processor. If the Secretary determines that a processor will be unable to fill the processor's allocation, the Secretary must reassign the estimated quantity of the deficit to the allocations for other processors within the State. If the deficit is not eliminated, requires the Secretary to reassign the allotment to producers in other States; if still not eliminated, the Secretary must reassign the quantity to the CCC; and if the deficit still cannot be eliminated, the Secretary shall reassign the remainder to imports.</p> <p>Sec. 359f(c) of the Agricultural Adjustment Act of 1938. Requires the</p>	<p>Sec. 1303(d) amends section 359d(b) of the Agricultural Adjustment Act of 1938 to update the criteria for new entrants in the beet sugar sector.</p> <p>Sec. 1303(e) retains the procedures for the Secretary to reassign allotments if processors cannot fulfill the allocations, and specifies that any resulting imports must be in the form of raw cane sugar.</p> <p>Sec. 1303(f) amends Sec. 359f(c) to include the definition of "seed" for purposes of allotments in proportionate</p>	<p>Sec. 1504(d) same as House provision.</p> <p>Sec. 1504(e) same as House provision.</p> <p>Sec. 1504(f) same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Secretary to determine, for each State with an established allotment and greater than 250 sugarcane producers, whether the production of sugarcane will be greater than needed to fill the allotment and provide a normal carryover of inventory. If the Secretary determines the quantity of the sugarcane produced is in excess of the quantity needed, requires the Secretary to establish a proportionate share for each sugarcane-producing farm that limits the acreage that may be harvested for sugar or seed during the year the allotment is in effect.</p> <p>Sec. 359g of the Agricultural Adjustment Act of 1938. Authorizes the Secretary to transfer the acreage base history of a sugarcane farm to any other parcels of land of the applicant, in order to establish proportionate shares.</p> <p>Sec. 359g(d) of the Agricultural Adjustment Act of 1938. Authorizes the transfer of mill allocations.</p> <p>Sec. 359i of the Agricultural Adjustment Act of 1938. Authorizes appeal of decisions made under section 359d</p>	<p>share States.</p> <p>Sec. 1303(g)(1) amends Sec. 359g of the Agricultural Adjustment Act of 1938 to authorize the Secretary to transfer the acreage base history of a sugarcane farm to any other parcels of land of the applicant, in order to establish proportionate shares. Provides that sugarcane base acreage that has been, or is, converted to non-agricultural use may be transferred to other land suitable for the production of sugarcane that can be delivered to a processor in a proportionate share State.</p> <p>Sec. 1303(g)(2) replaces Sec. 359g(d) of the Agricultural Adjustment Act of 1938 regarding transfers of mill allocations under the procedures for appeals</p> <p>Sec. 1303(h) includes transfers of mill allocations under the procedures for appeals to the Secretary regarding allotments, and eliminates an obsolete</p>	<p>Sec. 1504(g)(1) same as House provision.</p> <p>Sec. 1504(g)(2) amends Sec. 359g(d) of the Agricultural Adjustment Act of 1938 to accomplish the same changes as the House provision.</p> <p>Sec. 1504(h) same as House provision.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		establishing marketing allotments, or under section 359f; specifies the procedures for appeal.	special appeal procedure regarding beet sugar allocations. <i>Sec. 1301(i) see item T1-23A.</i> Sec. 1303(j) extends the sugar allotments through the 2012 crop year. Sec. 1303(k) provides for current law with respect to flexible marketing allotments for the 2007 crop year for sugar.	<i>Sec. 1504(i) and (j) see item T1-23A.</i> Sec. 1504(k) extends the sugar allotments through the 2012 crop year and provides for current law with respect to flexible marketing allotments for the 2007 crop year for sugar.	
T1-23 A		Sec. 359k of the Agricultural Adjustment Act of 1938. Requires the U.S. Trade Representative, in consultation with the Secretary, to determine the amount of the quota of cane sugar used by each qualified supplying country. A “qualified supplying country” is one of a list of countries that is allowed to export cane sugar to the U.S. under an agreement. No comparable provision.	Sec. 1303(i) strikes Sec. 359k of the Agricultural Adjustment Act of 1938 and replaces with a new Sec. 359k regarding the orderly administration of tariff rate quotas on imported sugar. New Sec. 359k(c) requires the Secretary to establish orderly shipping patterns for sugar imports.	Sec. 1504(i) strikes Sec. 359k of the Agricultural Adjustment Act of 1938. Sec. 1504(j) adds the new Sec. 359k which is the same as the House provision, except no new subsection (c). No comparable provision	
T1-23 B	Storage Facility Loans. Sec. 1502 of the Senate Amendment	Sec. 1402 of the 2002 farm bill established a sugar storage facility loan program.	No comparable provision.	Sec. 1502. Sec. 1502 amends Sec. 1402(c) of the 2002 farm bill to assure no penalty for prepayment of storage facility loans	
T1-23 C	Commodity Credit Corporation Storage Payments. Sec. 1503 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1503. Sec. 1503 establishes rates for the storage of forfeited sugar for each of the 2008 through 2011 crop years in an amount that is not less than 15 cents per hundredweight of refined sugar per month or 10 cents per hundredweight of raw cane	

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				sugar per month. For each of the 2012 and subsequent crop years, establishes storage payments at rates in effect at the time of enactment.	
T1-23 D	<p>Sense of the Senate regarding NAFTA sugar coordination.</p> <p>Sec. 1505 of the Senate Amendment</p>	No comparable provision.	No comparable provision.	<p>Sec. 1505.</p> <p>Sec. 1505 provides a sense of the Senate that the United States and Mexico should coordinate their respective sugar policies and that the United States should consult with Mexico on policies to maximize benefits for growers, processors and consumers.</p>	
T1-24	<p>Dairy Product Price Support Program.</p> <p>Sec. 1401 of H.R. 2419, Sec.1601 of the Senate Amendment</p>	<p>Sec. 1501 of the 2002 farm bill. Requires the Secretary to support the price of milk produced in the 48 contiguous States by purchasing cheese, butter, and nonfat dry milk produced from the milk, at a rate equal to \$9.90 per hundredweight for milk containing 3.67 percent butterfat. Expires December 31, 2007.</p> <p>No comparable provision.</p> <p>Sec. 1501(c) of the 2002 farm bill. Requires that support purchase prices be the same for all of that product.</p> <p>No comparable provision.</p>	<p>Sec. 1401</p> <p>Requires the Secretary to support the price of cheddar cheese, butter, and nonfat dry milk by purchasing such products at specified prices: cheddar cheese in blocks at not less than \$1.13 per pound; cheddar cheese in barrels at not less than \$1.10 per pound; butter at not less than \$1.05 per pound; and nonfat dry milk at not less than \$0.80 per pound.</p> <p>If net removals of cheese, butter or nonfat dry milk exceed specific limits for 12 consecutive months, the Secretary may reduce the purchase prices of that commodity during the month that immediately follows.</p> <p>The prices that the Secretary pays under this section for the commodities must be uniform across the country.</p> <p>The Secretary may sell cheese, butter, or</p>	<p>Sec. 1601.</p> <p>Same as House provision.</p> <p>No comparable provision.</p> <p>Same as House provision.</p> <p>Same as House provision.</p>	

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			nonfat dry milk for unrestricted use from inventories of the Commodity Credit Corporation at prevailing market prices, but not less than 110 percent of the prices specified in the Purchase Price subsection.		
T1-25	<p>Dairy Forward Pricing Program.</p> <p>Sec. 1402 of H.R. 2419, Sec. 1606 of the Senate Amendment</p>	<p>Sec. 23 of the Agricultural Adjustment Act. Established a temporary pilot program under which milk producers and cooperatives were authorized to voluntarily enter into forward price contracts with milk handlers. Prices received by milk producers and cooperatives under the forward contracts were deemed to satisfy all regulated minimum milk price requirements. Pilot program expired December 31, 2004.</p>	<p>Sec. 1402 Requires the Secretary to establish the dairy forward pricing program, which authorizes milk producers to voluntarily enter into forward price contracts with milk handlers for milk that is not Class I. Under such forward price contracts, prices received by milk producers and cooperatives will be deemed to satisfy all regulated minimum milk price requirements.</p> <p>Prohibits milk handlers from requiring participation in a forward price contract as a condition for purchasing milk from such producers. Provides that a producer or cooperative association that does not enter into a forward price contract may continue to have milk priced under the minimum payment provision of the applicable order. Requires the Secretary to investigate complaints and to take appropriate action if evidence of coercion.</p> <p>No forward price contract can be entered into after September 30, 2012, or extend beyond September 30, 2015.</p>	<p>Sec. 1606. Amends the former dairy forward pricing pilot program to establish a program that allows milk producers and cooperative associations to voluntarily enter into forward price contracts with milk handlers.</p> <p>Same as House provision.</p> <p>Same as House provision.</p>	
T1-26	<p>Dairy Export Incentive Program.</p>	<p>Paragraph (3) of section 153(c) of the</p>	<p>Sec. 1403 Reauthorizes the dairy export incentive</p>	<p>Sec. 1603. Same as House provision.</p>	

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	<p>Sec. 1403 of H.R. 2419, Sec. 1603 of the Senate Amendment</p>	<p>Food Security Act of 1985. Authorizes the Secretary to issue rules to ensure that each year the maximum volume of dairy product exports allowable within the United States' obligations as a member of the World Trade Organization is exported.</p>	<p>program until December 31, 2012.</p> <p>Authorizes the Secretary to issue rules to ensure that each year the maximum volume of dairy product exports allowable within the United States' obligations under the Uruguay Round Agreements is exported.</p>	<p>No comparable provision.</p>	
<p>T1-27</p>	<p>Revision of Federal Marketing Order Amendment Procedures.</p> <p>Sec. 1404 of H.R. 2419, Sec. 1605 of the Senate Amendment</p>	<p>Sec. 8c(17) of the Agricultural Adjustment Act. Provides that notice of a hearing to amend an order be issued not less than three days prior to the date of the hearing.</p>	<p>Sec. 1404</p> <p>No comparable provision.</p> <p>Requires the Secretary, upon receiving a written request for a hearing to amend a milk marketing order, issue a denial of the request or issue a notice of the hearing, and stipulates the timeframe for a hearing. Notice for a hearing on a proposed amendment to a marketing order must be provided not less than three days before the date of the hearing.</p> <p>Requires the Secretary to issue a recommended decision on a proposed amendment to a milk marketing order no more than 90 days after the date set for the submission of post-hearing findings, conclusions and written arguments. Further requires the final decision to be issued no more than 60 days after the recommended decision was issued.</p> <p>Provides that if the Secretary receives a request for a hearing on a proposed</p>	<p>Sec. 1605.</p> <p>Sec. 1605 requires the Secretary to issue supplemental rules of practice within 60 days of enactment. Sets 5 provisions to be included in the rules of practice.</p> <p>Requires the Secretary, upon receiving a proposal for a hearing regarding a milk marketing order, to issue an action plan and expected timeframes for completion of the hearing not more than 180 days after the date of the notice; issue a request for additional information regarding the proposal; or issue a denial of the request.</p> <p>Sets statutory time limit of 90 days after the deadline for submitting post-hearing briefs for USDA to issue a recommended decision on proposed amendments to milk marketing orders and to issue a final decision within 60 days after the deadline for submission of comments and exceptions to the recommended decision.</p> <p>No comparable provision.</p>	

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			<p>amendment to a milk marketing order within 90 days after announcing a decision on a previously proposed amendment to the same order, and the two proposed amendments are essentially the same, the Secretary is not required to call a hearing.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>No comparable provision.</p>	<p>Authorizes industry assessments to supplement appropriated funds if necessary to improve or expedite rulemaking.</p> <p>Authorizes the use of informal rulemaking to amend orders, other than provisions of orders that directly affect milk prices.</p> <p>Requires the Secretary, as part of any hearing to adjust make allowances, to determine the average monthly prices of feed and fuel incurred by dairy producers in the relevant marketing area and to consider those prices in determining whether or not to adjust make allowances.</p>	
T1-28	<p>Dairy Indemnity Program.</p> <p>Sec. 1405 of H.R. 2419, Sec. 1603 of the Senate Amendment</p>	<p>Sec. 3 of Public Law 90-484. Authorized the Secretary under certain circumstances to make indemnity payments to dairy farmers who were directed to remove milk from the market due to the presence of chemical residues. Program expired September 30, 2007.</p>	<p>Sec. 1405 Reauthorizes the dairy indemnity program through September 30, 2012.</p>	<p>Sec. 1603. Same as House provision.</p>	
T1-29	<p>Extension of Milk Income Loss Contract Program.</p>	<p>Sec. 1502 of the 2002 farm bill. Established the national dairy market loss</p>	<p>Sec. 1406 Reauthorizes the MILC program through 2012, under the same terms as current</p>	<p>Sec. 1602. Amends the MILC program by increasing the payment factor to 45 percent for the</p>	

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	<p>Sec. 1406 of H.R. 2419, Sec. 1602 of the Senate Amendment</p>	<p>program, commonly referred to as the Milk Income Loss Contract (MILC) program through September 30, 2005. The program authorized payments to producers when the price of Class I milk in Boston fell below \$16.94 per hundredweight. Payments were equal to 45 percent of the difference on the producer's monthly milk production on up to 2.4 million pounds per year.</p> <p>Sec. 1101 of the Deficit Reduction Act of 2005. Extended the MILC program through August 31, 2007, and reduced the payment percentage to 34 percent.</p> <p>Sec. 9006 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110-28). Extended the MILC program through September 30, 2007, at the 34 percent payment rate.</p> <p>Sec. 751 of the Consolidated Appropriations Act, 2008. Extended the authorities under the 2002 farm bill, as amended, as in effect on September 30, 2007, until March 15, 2008.</p>	<p>law.</p>	<p>period October 1, 2008, through August 31, 2012 and by increasing the annual eligible payment quantity from 2.4 million pounds to 4.15 million pounds for the period October 1, 2008, through August 31, 2012.</p>	
<p>T1-30</p>	<p>Dairy Promotion and Research Program.</p> <p>Sec. 1407 of H.R. 2419, Sec. 1604 of the Senate Amendment</p>	<p>Sections 111, 113, and 130 of the Dairy Production Stabilization Act of 1983.</p> <p>Sec. 113(e)(2) authorizes the National Dairy Promotion and Research Board to expend funds to develop foreign markets through fiscal year 2007.</p> <p>Sec. 111(l) defines "United States," for the dairy promotion program, to mean the forty eight contiguous States.</p> <p>Sec. 130(12) defines "United States" to</p>	<p>Sec. 1407</p> <p>Sec. 1407(a) extends the authority to expend funds to develop foreign markets through fiscal year 2012.</p> <p>Sec. 1407(b) and (c) amend the definition of "United States" to include Alaska, Hawaii, the District of Columbia, and the Commonwealth of Puerto Rico for both</p>	<p>Sec. 1604.</p> <p>Same as House provision.</p> <p>No comparable provision.</p>	

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		<p>mean the 48 contiguous States for purposes of assessments for the dairy research program.</p> <p>No comparable provision.</p>	<p>promotion and research programs.</p> <p>Sec. 1407(d) provides for a refund of assessments for importers on contracts in effect prior to July 26, 2007, for a period of one year after the date of enactment.</p>	<p>No comparable provision.</p>	
T1-31	<p>Report on Department of Agriculture Reporting Procedures for Nonfat Dry Milk.</p> <p>Sec. 1408 of H.R. 2419, Sec. 1607 of the Senate Amendment</p>	<p>No comparable provision.</p>	<p>Sec. 1408 Requires the Secretary to submit a report to Congress within 90 days of enactment of this Act regarding USDA's reporting procedures for nonfat dry milk and the impact of those procedures on Federal milk marketing order minimum prices during the period July 1, 2006, through the date of enactment of this Act.</p>	<p>Sec. 1607. Same as House provision, except Senate requires the Secretary to submit the report to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry.</p>	
T1-32	<p>Federal Milk Marketing Order Review Commission.</p> <p>Sec. 1409 of H.R. 2419, Sec. 1608 of the Senate Amendment</p>	<p>No comparable provision.</p> <p>No comparable provision.</p>	<p>Sec. 1409 No comparable provision.</p> <p>Subject to the availability of funds, establishes the Federal Milk Marketing Order Review Commission to conduct a comprehensive review and evaluation of the current Federal milk marketing order system and non-Federal milk marketing order systems. The commission will consider legislative and regulatory options for:</p> <p>(1) ensuring that the competitiveness of dairy products with other competing products in the marketplace is preserved and enhanced;</p>	<p>Sec. 1608. Defines ASARR institution.</p> <p>Same as House provision, except Senate adds elements of review:</p> <p>(1) same as House provision.</p> <p>(2) ensuring that dairy producers receive</p>	

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			<p>(2) enhancing the competitiveness of American dairy producers in world markets;</p> <p>(3) increasing the responsiveness of the Federal milk marketing order system to market forces;</p> <p>(4) streamlining and expediting the process by which amendments to Federal milk market orders are adopted;</p> <p>(5) simplifying the Federal milk marketing order system;</p> <p>(6) evaluating whether the Federal milk marketing order system, established during the Great Depression, continues to serve the interests of the public, dairy processors, and dairy farmers;</p> <p>(7) evaluating whether Federal milk marketing orders are operating in a manner to minimize costs to taxpayers and consumers; and</p> <p>(8) evaluating the nutritional composition of milk, including the potential benefits and costs of adjusting the milk content standards.</p>	<p>fair and reasonable minimum prices.</p> <p>(3) same as House provision, except “Unites States” rather than “American”.</p> <p>(4) preventing anticompetitive behavior and ensuring that dairy markets are not prone to manipulation.</p> <p>(5) same as House provision.</p> <p>(6) same as House provision.</p> <p>(7) same as House provision.</p> <p>(8) same as House provision.</p> <p>(9) same as House provision, except adds at the end, “while still maintaining a fair price for producers”.</p> <p>(10) same as House provision;</p> <p>(11) evaluating the economic benefits to milk producers of establishing a 2-class system of classifying milk consisting of a fluid milk class and a manufacturing grade milk class, with the price of both classes determined using the component prices of butterfat, protein; and other solids; and</p> <p>(12) evaluating a change in advance</p>	

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			<p>Sec. 1608(c) sets forth the composition of the Commission as 18 members:</p> <ul style="list-style-type: none"> 2 members appointed by the Chairman of the House Agriculture Committee 2 members appointed by the Chairman of the Senate Agriculture Committee 14 members appointed by the Secretary of Agriculture with the following special appointment requirement: <ul style="list-style-type: none"> at least 1 to represent a national consumer organization; at least 4 members to represent land-grant universities or ASCARR institutions with accredited dairy economic programs, with 2 of these being experts in economics; at least 1 shall represent the food and beverage retail sector; 4 dairy producers and 4 dairy processors, appointed to balance geographical distribution of milk production and dairy processing <p>Requires the commission to issue a report to Congress and the Secretary of Agriculture with the results of the review and evaluation conducted under this section. The report shall be issued within two years of the first meeting of the commission.</p>	<p>pricing that is used to calculate the advance price of Class II skim milk under Federal milk marketing orders using the 4-week component prices that are used to calculate prices for Class III and Class IV milk.</p> <p>Sec. 1608(d) same as the House provision, except the number of Secretary appointees is decreased to 10 (although with the same special appointment requirements), and the Chairs of the agriculture subcommittees of the House and Senate Appropriations Committee each are allowed to appoint 2 members to the commission.</p> <p>Same as House provision.</p>	

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			Stipulates that the commission is wholly advisory in nature, and the recommendations it issues are non-binding. Terminates the commission immediately after submission of the report.	Same as House provision.	
T1-32 A	<p>Mandatory Reporting of Dairy Commodities.</p> <p>Sec. 1609 of the Senate Amendment.</p>	<p>Sec. 273 of the Agricultural Marketing Act of 1946. Requires the Secretary to establish a program of mandatory dairy product information reporting that will provide timely, accurate, and reliable marketing information; facilitate more informed decision making; and promote competition in the dairy product manufacturing industry.</p>	No comparable provision.	<p>Sec. 1609. Amends current law to require corporate officers or officially-designated representatives of each dairy processor (other than those that process less than 1 million pounds of dairy products a year) to report to the Secretary on each daily reporting day such price, quantity, and product characteristics as the Secretary determines appropriate with respect to those package sizes used to establish minimum prices for Class III or Class IV milk under Federal milk marketing orders. Requires the Secretary to make the information reported available to the public on the same day as the information is reported. Requires dairy manufacturers to report, at periodic intervals, the quantities of dairy products in storage.</p>	
T1-32 B	<p>Additional Mandatory Dairy Reporting.</p> <p>Sec. 1610 of the Senate Amendment</p>	<p>Sec. 273 of the Agricultural Marketing Act of 1946. Requires the Secretary to establish a program of mandatory dairy product information reporting that will provide timely, accurate, and reliable marketing information; facilitate more informed decisions making; and promote</p>	No comparable provision.	<p>Sec. 1610. Amends current law as amended by Sec. 1609 to require regular audits and comparisons with other related dairy market statistics on at least a quarterly basis.</p>	

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		competition in the dairy product manufacturing industry.			
T1-33	<p>Administration Generally.</p> <p>Sec. 1501 of H.R. 2419, Sec. 1701 of the Senate Amendment</p>	<p>Sec. 1601 of the 2002 farm bill. Authorizes the use of funds, facilities, and authorities of the Commodity Credit Corporation to carry out Title I. Provides that a determinations made by the Secretary shall be final and conclusive. Provides for the promulgation of regulations. Requires that the Secretary, to the maximum extent practicable, make adjustments in the amount of expenditures under subtitles A through E that are subject to the total allowable domestic support levels under the Uruguay Round Agreements, if the Secretary determines that those expenditures will exceed such allowable levels for any applicable reporting period.</p> <p>Sec. 1601(d) protects producers who had an option to receive advance direct and counter-cyclical payments.</p>	<p>Sec. 1501. Authorizes the use of the Commodity Credit Corporation in carrying out the provisions of title 1, and, generally, continues other administrative provisions of the 2002 farm bill.</p> <p>No comparable provision.</p>	<p>Sec. 1701. Same as House provision, except for Sec. 1701(e) below.</p> <p>Sec. 1701(e) same as current law.</p>	
T1-34	<p>Suspension of Permanent Price Support Authority.</p> <p>Sec. 1502 of H.R. 2419, Sec. 1702 of the Senate Amendment</p>	<p>Sec. 1602 of the 2002 farm bill. Suspends the permanent price support authority of the Agricultural Adjustment Act of 1938 and Agricultural Act of 1949 for the 2002-2007 crops.</p>	<p>Sec. 1502. Same as current law for 2008-2012 crops and for milk through December 31, 2012.</p>	<p>Sec. 1702. Same as House provision, except does not include peanuts.</p>	
T1-35	<p>Payment Limitations.</p>	<p>Sec. 1001 of the Food Security Act of 1985, as amended by Sec. 1603 of the</p>	<p>Sec. 1503. Sec. 1503(a)(1) extends payment limitations in the 2002 farm bill, with</p>	<p>Sec. 1703. Sec. 1703(a) same as House provision.</p>	

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	<p>Sec. 1503 of H.R. 2419, Sec. 1703 of the Senate Amendment</p>	<p>2002 farm bill.</p> <p>Limits direct payments to a person during a crop year to \$40,000 (not including peanuts); and limits direct payments for peanuts to \$40,000. Limits counter-cyclical payments to a person during a crop year to \$65,000 (not including peanuts); and limits counter-cyclical payments for peanuts to \$65,000. Limits marketing loan gains and loan deficiency payments to a person during a crop year to \$75,000 (not including peanuts, wool, mohair and honey); limits loan gains and payments to \$75,000 for peanuts, wool, mohair and honey.</p> <p>No comparable provision.</p>	<p>revisions including the elimination of limitations on marketing loan benefits and loan deficiency payments.</p> <p>Amends the Food Security Act of 1985 to limit the total amount of—direct payments that a person or legal entity may receive in a crop year to \$60,000, excluding peanuts; and counter-cyclical payments that a person or legal entity may receive in a crop year to \$65,000, excluding peanuts. For peanuts, a person or entity may not receive more than \$60,000 for direct payments, and no more than \$65,000 for counter-cyclical payments.</p> <p>Sec. 1503(b)(1) amends section 1001(a) of the Food Security Act of 1985 (the definition subsection) by adding definitions for the term “legal entity” as an entity that owns land or an agricultural commodity, or produces an agricultural commodity; and the term defines “person” as a natural person, and does not include a legal entity.</p> <p>Sec. 1503(b)(2) amends Sec. 1001 of the Food Security Act of 1985 by striking subsections (d) through (e) and inserting a</p>	<p>Section 1703(b)(2) amends the Food Security Act of 1985 to establish payment limitations under the new act at \$40,000 for a combination of both traditional direct and average crop revenue fixed payments, and \$60,000 for counter-cyclical payments and the revenue portion of average crop revenue payments. Establishes a separate, identical set of limitations for peanuts. Eliminates limitations on marketing loan benefits and loan deficiency payments.</p> <p>Sec. 1703(b)(1) amends section 1001(a) of the FSA (the definitions subsection) by: (A) striking the definition for a “loan commodity”; (B) defining “Family Member” as an individual to whom a member in the farming operation is related as lineal ancestor, lineal descendant, sibling or spouse; (C) defining “legal entity” as an entity created by Federal or State law that owns land or an agricultural commodity or produces an agricultural commodity; and (D) defining person as a natural person that does not include a legal entity.</p> <p>Sec. 1703(b)(3) same as House provision, except payments made to a legal entity shall be reduced proportionately by an</p>	

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			<p>new subsection (d) to provide for direct attribution for payments, by requiring the Secretary to promulgate regulations to ensure that the total amount of payments are attributed to a person, by taking into account the direct and indirect ownership interests of the person in a legal entity. Provides that every payment made directly to a person will be combined with the person's pro rata interests in payments received by a legal entity in which the person has an ownership interest. Further provides that for every payment made to a legal entity, the payment will be attributed to those persons with an ownership interest in the entity. Provides that attribution of payments made to legal entities be traced through four levels of ownership in the entities, and includes a framework for that attribution.</p>	<p>amount that represents the direct or indirect ownership in the legal entity that has otherwise exceeded the applicable payment limitation.</p>	
T1-35 A	<p>Special rules.</p> <p>Sec. 1503(b)(2) of the H.R. 2419 and Sec. 1703(b)(3) of the Senate Amendment</p>	<p>Sec. 1001(e) of the Food Security Act of 1985. Defines the term "person" to include individuals, business entities, and a state or local government. Excludes cooperative associations of producers.</p> <p>Sec. 1001(f) of the Food Security Act of 1985. Provides that the provisions that limit payments to any person shall not be applicable to land owned by a public school district or is used to maintain a public school.</p> <p>Sec. 1001B of the Food Security Act of 1985. Disqualifies a person from being eligible to receive farm program payments for the applicable crop year, if the</p>	<p>Sec. 1503(b)(2) amends Sec. 1001 of the Food Security Act of 1985 by inserting a new subsection (e) to essentially continue current rules for minor children, marketing cooperatives, trusts and estates, cash rent tenants, federal agencies and state and local governments.</p> <p>New paragraph (8) of new subsection (e) provides for a 2-5 year denial of benefits for evasion of payment limits, including the failure to disclose material</p>	<p>Sec. 1703(b)(3) same as House provision, except no exception for production by state and local governments when the proceeds are used to maintain a public school.</p> <p>Sec. 1703(e) amends section 1001B of the FSA to expand the enforcement capability of the Secretary and to provide for extended penalties for individuals or</p>	

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		Secretary determines that the person has adopted a scheme or device for the purpose of evading section 1001, 1001A, or 1001C.	information. Benefits to be denied on a pro-rata basis according to ownership.	entities that perpetuate a fraud or a scheme or device in order to exceed the applicable limit on payments. Persons or entities that commit fraud or equally serious actions can be subjected to a five-year denial of program benefits. Any member of a legal entity that participates in a scheme or device to evade the limitations shall be jointly and severally liable for any amounts determined to be payable to the Secretary. The Secretary may partially or fully release from liability any person who cooperates with the Secretary in enforcing payment limitation provisions.	
T1-35 B	<p>Three-entity rule; actively engaged in farming; denial of program benefits</p> <p>Sec. 1503(b), (c) and (d) of H.R. 2419 and Sec. 1703(c), (d), and (e) of the Senate Amendment</p>	<p>Sec. 1001A of the Food Security Act of 1985. Prohibits a person who receives farm program payments from holding substantial beneficial interest in more than two entities engaged in farm operations that also receive such payments.</p>	<p>Sec. 1503(c) Amends the Food Security Act of 1985 to repeal the three-entity rule and to require notification of interests. Each entity or person receiving payments is to provide the Secretary the name and social security number of each individual, or the name and tax ID number of each entity, that holds or acquires an ownership interest; and for each person, provide such information for each entity in which the person holds an ownership interest.</p>	<p>Sec. 1703(c) Same as House provision.</p>	
T1-35 C	<p>Actively Engaged in Farming</p>	<p>Sec. 1001A of the Food Security Act of 1985. Requires a person or entity to be actively engaged in farming to receive farm payments. Provides requirements for both “individuals” and “corporations or other entities”.</p>	<p>Sec. 1503(d) Amends the Food Security Act of 1985 to essentially continue the provisions that recipients be “actively engaged” in farming. Existing special classes of actively engaged participants are continued, with the exception that as long as one spouse is determined to be actively</p>	<p>Sec.1703(d) Same as House provision.</p>	

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			engaged, the other spouse shall be determined to have met the requirements of personal labor or active personal management.		
T1-35 D	<p>Transition</p> <p>Sec. 1503(e) of H.R. 2419 and Sec. 1703(g) of the Senate Amendment</p>	<p>Sec. 1603(d) of the 2002 farm bill. Provided that the provisions of Section 1001 of the Food Security Act of 1985, as in effect on the day before the date of enactment would continue to apply to the 2001 crop of any covered commodity.</p>	<p>Sec. 1503(e) Provides that the current provisions of Section 1001 of the Food Security Act of 1985 will remain applicable to the 2007 crop.</p>	<p>Sec. 1703(g) Same as House provision.</p>	
T1-36	<p>Adjusted Gross Income Limitation.</p> <p>Sec. 1504 of H.R. 2419 and Sec. 1704 of the Senate Amendment</p>	<p>Sec. 1001D(b) of the Food Security Act of 1985, as amended by sec. 1604 of the 2002 farm bill. Requires an individual or entity to have an average adjusted gross income (AGI) not exceeding \$2.5 million to receive program payments, unless at least 75 percent of the AGI is derived from farming, ranching, or forestry operations to be eligible to receive direct or counter-cyclical payments, marketing loan gain or loan deficiency payments, or conservation program payments.</p>	<p>Sec. 1504. Sec. 1504(a) extends the adjusted gross income limitation to programs under this Act and extends the effective period through the 2012 crop year.</p> <p>Sec. 1504(b) amends Sec. 1001D of the Food Security Act of 1985, beginning with the 2008 crop year, to require that individuals or entities have an average adjusted gross income (AGI) not exceeding \$1 million to receive program payments. Further provides that an individual or entity with an AGI in excess of \$500,000 shall not be eligible for benefits, unless at least 66.66 percent of the AGI is derived from farming, ranching, or forestry operations, as determined by the Secretary.</p>	<p>Sec. 1704. Sec. 1704(a) extends the effective period through the 2012 crop year.</p> <p>Sec. 1704(c) amends Sec. 1001D of the Food Security Act of 1985 to lower the applicable average adjusted gross income (AGI) limit for recipients of direct or counter-cyclical payments, marketing loan gain or loan deficiency payments and average crop revenue payments to \$1,000,000 for the 2009 crop year and to \$750,000 for the 2010 and subsequent crop years. Individuals or entities that receive 66.66% of their income from farming, ranching or forestry operations are exempted from this restriction. Establishes the income limitation for conservation programs at the current level of \$2.5 million, unless not less than 75 percent of the AGI is derived from farming, ranching, or forestry operations.</p>	

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		No comparable provision.	Modified AGI limits applicable to the 2008 through 2012 crop years. No comparable provision.	Sec.1704(d) provides that existing adjusted gross income provisions of the FSA shall continue to apply with respect to the 2007 and 2008 crops. Sec. 1704(b) authorizes the allocation of adjusted gross income among the individuals filing joint returns provided the allocation is supported by a certified public accountant or attorney.	
T1-36 A	Income Derived from Farming, Ranching or Forestry Sec. 1504(b) of the H.R. 2419 and Sec. 1704(c) of the Senate Amendment	Sec. 1501D(b)(1) of the Food Security Act of 1985. Secretary determines income form farming, ranching, or forestry.	Sec. 1504(b). Sec. 1504(b)(3) amends Sec. 1001D of the FSA by adding a new paragraph (3) to delineate income that is to be included in the portion of average adjusted gross income derived from farming, ranching, or forestry to include the following: the production of crops, livestock, or unfinished raw forestry products; the sale, including the sale of easements and development rights, of farm, ranch, or forestry land or water rights; the sale, but not as a dealer, of equipment purchased to conduct farm, ranch, or forestry operations when the equipment is otherwise subject to depreciation expense; the rental of land used for farming, ranching, or forestry operations; the provision of production inputs and services to farmers, ranchers, and foresters; the processing, storing, and transporting of farm, ranch, and forestry commodities; and the sale of land that has been used for agriculture.”	Sec. 1704(c). Sec. 1704(c) same as the House provision, except the Senate does not limit the sale of equipment to those other than dealers and does not include the provision regarding equipment subject to depreciation; includes income from water or hunting rights; includes packing in processing and shedding in storage; and includes payment or other income attributable to benefits received under any Title I or Title II program.	
T1-37	Adjustments of		Sec. 1505.	Sections 1210 and 1308.	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
	<p>Loans.</p> <p>Sec. 1505 of H.R. 2419, Subsections 1210(a), (b), (c), (d), and (f) and Sec. 1308 of the Senate Amendment</p>	<p>Sec. 162 of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 farm bill). Authorizes adjustments in the loan rates for any commodity based on differences in grade, type, quality, location, and other factors.</p>	<p>Amends section 162 of the 1996 farm bill by inserting “except for cotton and long grain, medium grain, and short grain rice” after “commodity”; extending the provisions; and adding provisions for cotton and rice.</p> <p>Authorizes the Secretary to make adjustments in the loan rate for cotton for differences in quality factors, and requires the Secretary to revise the marketing assistance loan program for cotton to better reflect market values for cotton. Requires revisions, including: eliminating or revising warehouse location differentials to reflect market conditions; changing the way premiums and discounts are calculated by using a three-year weighted moving average of spot market data, weighted by each region’s share of production; eliminating gaps between premium and discount differentials based on certain fiber lengths; and further capping premiums based on leaf and color considerations.</p> <p>Provides for discretionary revisions in—adjusting the loan rates schedule using non-spot market price data in addition to spot market data for cotton; and eliminating gaps between premium and discount differentials based on certain longer fiber lengths.</p> <p>Encourages USDA consultation with the private cotton industry when making the mandatory and discretionary adjustments.</p>	<p>Sec. 1210(a) provides for adjustments in loan rates for loan commodities other than cotton for differences in grade, type, location, and other factors. Sec. 1210(b) same as current law.</p> <p>Sec. 1210(d) same as House provision except with respect to mandatory revisions, the Senate eliminates warehouse location differentials.</p> <p>Same as House provision.</p> <p>Same as House provision, except requires consultation with the private cotton industry.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		<p>Sec. 162(c) of the 1996 farm bill. Allows the Secretary to establish county loan rates in a manner that results in the lowest loan rate being 95% of the national average loan rate, if those loan rates do not result in an increase in outlays. Prohibits any adjustment resulting in an increase in the national average loan rate for any year.</p> <p>Sec. 162 of the 1996 farm bill. See provisions above.</p>	<p>Amends section 162(e) of the 1996 farm bill to provide that “with respect to long grain rice and medium and short grain rice, the Secretary shall not make adjustments in the loan rates for such commodities, except for differences in grade and quality (including milling yields)”.</p> <p>Same as current law.</p> <p>Same as current law.</p>	<p>Sec. 1210(f) prohibits the Secretary from making adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).</p> <p>Sec. 1210(c) same as current law.</p> <p>Sec. 1308 same as current law specifically for peanuts.</p>	
T1-38	<p>Personal Liability of Producers for Deficiencies.</p> <p>Sec. 1506 of H.R. 2419, Sec. 1709 of the Senate Amendment</p>	<p>Sec. 164 of the 1996 farm bill. Exempts producers from liability for certain deficiencies in collateral.</p>	<p>Sec. 1506. Same as current law.</p>	<p>Sec. 1709. Same as current law.</p>	
T1-39	<p>Extension of Existing Administrative Authority Regarding Loans.</p>	<p>Sec. 166 of the 1996 farm bill. Authorizes producers to repay marketing loans with commodity certificates.</p>	<p>Sec. 1507. Same as current law.</p>	<p>Sec. 1710. Same as current law.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
	Sec. 1507 of H.R. 2419, Sec. 1710 of the Senate Amendment				
T1-40	Assignment of Payments. Sec. 1508 of H.R. 2419, Sec. 1711 of the Senate Amendment	Sec. 1612 of the 2002 farm bill. Requires that assignment of payments must be done in accordance with USDA regulations.	Sec. 1508. Same as current law.	Sec. 1711. Same as current law.	
T1-41	Tracking of Benefits. Sec. 1509 of H.R. 2419	Sec. 1614 of the 2002 farm bill. Requires the Secretary to establish procedures to track program benefits under titles I and II of that Act directly or indirectly to individuals and entities.	Sec. 1509. Requires the Secretary to track the benefits provided under titles I and II directly or indirectly to individuals and entities.	No comparable provision.	
T1-42	Upland Cotton Storage Payments. Sec. 1510 of H.R. 2419, Sec. 1204(h) of the Senate Amendment	No comparable provision.	Sec. 1510 Ends the practice of paying for upland cotton storage, handling and other costs associated with cotton going into the loan starting with the 2011 crop.	Sec. 1204(h). Requires payment of cotton storage costs in the same manner and at the same rates as the Secretary provided for the 2006 crop of cotton effective for the 2008-2012 crop years.	
T1-43	Government Publication of Cotton Price Forecasts. Sec. 1511 of H.R. 2419, Sec. 1714 of the Senate Amendment	Sec. 15 of the Agricultural Marketing Act. Prohibits any governmental report, bulletin, or other such publication to forecast cotton prices. Provides for fines for violations.	Sec. 1511 Strikes the current prohibition on the publication of cotton price forecasts.	Sec. 1714. Same as House provision.	
T1-44	Prevention of Deceased Persons Receiving Payments	No comparable provision.	Sec. 1512 Requires the Secretary to submit a report to Congress which identifies any estate of	Sec. 11073 Prohibits the Secretary from providing any agricultural payment under this Act or	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
	<p>Under Farm Commodity Programs.</p> <p>Sec. 1512 of H.R. 2419, Sec. 11073 of the Senate Amendment</p>		<p>a deceased person that received payments under this title for more than two crop years following the death of the person.</p> <p>Requires the Secretary to promulgate regulations specifying deadlines by which a legal entity that receives payments or other benefits under this title must notify the Secretary of any change in ownership of the entity, including the death of a person with direct ownership interest. Any entity that fails to comply may be denied such payments or benefits.</p> <p>Requires the Secretary to recoup erroneous payments made on behalf of a deceased person, and further requires that the Secretary withhold payments that otherwise would be made to farming operations in which the deceased person was actively engaged until the funds have been recouped.</p> <p>Requires the Secretary to biannually reconcile individual tax identification numbers with the Internal Revenue Service for recipients of payments under this title to determine recipients' living status.</p>	<p>Act amended by this Act to any deceased individual or estate of such individual after 2 program years after the date of death of the individual.</p> <p>Requires the Secretary to submit reports to the respective committees on agriculture that describes the number of payments and the aggregate amount of payments to deceased individuals and estates of deceased individuals; and to specify for each such payment, the length of time the estate of the deceased individual has been open.</p>	
T1-45	<p>Hard White Wheat Development Program.</p> <p>Sec. 1706 of the Senate Amendment</p>	<p>Sec. 1601 of the 2002 farm bill. Required the Secretary to make available \$20,000,000 during the 2003 through 2005 crop years to provide incentive payments to producers of hard white</p>	<p>No comparable provision.</p>	<p>Sec. 1706. Creates a program to compensate producers of hard white wheat. Establishes acreage limitation and payment rates. Provides \$35 million for the period of fiscal years 2008-2012.</p>	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
		wheat.			
T1-46	Durum Wheat Quality Program. Sec. 1707 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1707. Authorizes compensation to producers of durum wheat in an amount not to exceed 50% of the actual cost of fungicides applied to a crop of durum wheat of the producers to control wheat scab. Provides \$10 million for each of fiscal years 2008 through 2012 subject to appropriations.	
T1-47	Storage Facility Loans. Sec. 1708 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1708. Establishes a storage facility loan program to provide funds for producers of grains, oilseeds, pulse crops, hay, renewable biomass, and other storable commodities (other than sugar) to construct or upgrade storage and handling facilities for the commodities. Provides the terms of loans, amounts, and security requirements.	
T1-48	State, County, and Area Committees Sec. 1715 of the Senate Amendment	Sec. 8(b)(5)(B)(ii) of the Soil Conservation and Domestic Allotment Act.	No comparable provision.	Sec. 1715. Provides for producer representation on county or area committees that are combined or consolidated. Requires that minority representation of socially disadvantaged farmers and ranchers is maintained. Provides that the producer is eligible to serve only as a member of the county or area committee that the producer elects to administer the farm records of the producer.	
T1-49	Prohibition on charging certain fees.	No comparable provision.	No comparable provision.	Sec. 1716. Prohibits the Secretary from charging fees or related costs for the collection of commodity assessments.	

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	Sec. 1716 of the Senate Amendment				
T1-50	Signature Authority. Sec. 1717 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1717. Provides that if the Secretary approves a document containing signatures of program applicants, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any applicant signing the document on behalf of the applicant unless the applicant knowingly and willfully falsified the evidence of signature authority or a signature.	
T1-51	Modernization of Farm Service Agency Sec. 1718 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1718. Requires the Secretary to modernize the Farm Service Agency information technology and communication systems to ensure timely and efficient program delivery at national, state, and county offices.	
T1-52	Geospatial Systems. Sec. 1719 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1719. Requires the Secretary to ensure that all agencies of the Department of Agriculture consolidate the geospatial systems of the agencies into a single enterprise system that ensures that geospatial data is shareable, portable, and standardized.	
T1-53	Leasing of Office Space. Sec. 1720 of the Senate Amendment	No comparable provision.	No comparable provision.	Sec. 1720. Allows the Secretary to use Commodity Credit Corporation funds to lease space for use by agencies of the Department of Agriculture use provided the space is jointly occupied by the agencies.	

Item		CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
T1-54	<p>Repeals</p> <p>Sec. 1721 of the Senate Amendment</p>	<p>Sections 1605 and 1617 of the 2002 farm bill.</p> <p>Section 1605 established the Commission on the Application of Payment Limitations.</p> <p>Sec. 1617 authorized market loss assistance and certain emergency assistance to persons who failed to receive assistance.</p>	<p>No comparable provision.</p>	<p>Sec. 1721.</p> <p>Repeals section 1605 of the 2002 farm bill authorizing a Commission on Application of Payment Limitations; repeals section 1617 of the 2002 farm bill renewing availability of market loss assistance and certain emergency assistance to persons that failed to receive assistance under earlier authorities.</p>	