

106TH CONGRESS
2D SESSION

S. 2741

To amend the Agricultural Credit Act of 1987 to extend the authority of the Secretary of Agriculture to provide grants for State mediation programs dealing with agricultural issues, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2000

Mr. JOHNSON (for himself, Mr. CONRAD, Mr. HARKIN, Mr. DORGAN, Mr. ROBERTS, Mr. LEVIN, Mr. KERREY, Mr. GRASSLEY, and Mr. CRAIG) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Agricultural Credit Act of 1987 to extend the authority of the Secretary of Agriculture to provide grants for State mediation programs dealing with agricultural issues, and for other purposes.

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

3 **SECTION 1. STATE AGRICULTURAL MEDIATION PROGRAMS.**

4 (a) ELIGIBLE PERSON; MEDIATION SERVICES.—Sec-
5 tion 501 of the Agricultural Credit Act of 1987 (7 U.S.C.
6 5101) is amended—

(1) in subsection (c), by striking paragraphs (1) and (2) and inserting the following:

“(1) ISSUES COVERED.—

“(A) IN GENERAL.—To be certified as a qualifying State, the mediation program of the State must provide mediation services to persons described in paragraph (2) that are involved in agricultural loans (regardless of whether the loans are made or guaranteed by the Secretary or made by a third party).

“(B) OTHER ISSUES.—The mediation program of a qualifying State may provide mediation services to persons described in paragraph (2) that are involved in 1 or more of the following issues under the jurisdiction of the Department of Agriculture:

“(i) Wetlands determinations.

“(ii) Compliance with farm programs, including conservation programs.

“(iii) Agricultural credit.

“(iv) Rural water loan programs.

“(v) Grazing on National Forest System land.

“(vi) Pesticides.

1 “(vii) Such other issues as the Sec-
 2 retary considers appropriate.

3 “(2) PERSONS ELIGIBLE FOR MEDIATION.—The
 4 persons referred to in paragraph (1) include—

5 “(A) agricultural producers;

6 “(B) creditors of producers (as applicable);

7 and

8 “(C) persons directly affected by actions of
 9 the Department of Agriculture.”; and

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

11 “(d) DEFINITION OF MEDIATION SERVICES.—In this
 12 section, the term ‘mediation services’ may include all ac-
 13 tivities related to—

14 “(1) the intake and scheduling of cases;

15 “(2) the provision of background and selected
 16 information regarding the mediation process;

17 “(3) financial advisory and counseling services
 18 (as appropriate); and

19 “(4) the mediation session.”.

20 (b) USE OF MEDIATION GRANTS.—Section 502(c) of
 21 the Agricultural Credit Act of 1987 (7 U.S.C. 5102(c))
 22 is amended—

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

25 “(1) IN GENERAL.—Each”; and

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

2 “(2) OPERATION AND ADMINISTRATION EX-
3 PENSES.—For purposes of paragraph (1), operation
4 and administration expenses for which a grant may
5 be used include—

6 “(A) salaries;

7 “(B) reasonable fees and costs of medi-
8 ators;

9 “(C) office rent and expenses, such as util-
10 ities and equipment rental;

11 “(D) office supplies;

12 “(E) administrative costs, such as workers’
13 compensation, liability insurance, the employ-
14 er’s share of Social Security, and necessary
15 travel;

16 “(F) education and training;

17 “(G) security systems necessary to ensure
18 the confidentiality of mediation sessions and
19 records of mediation sessions;

20 “(H) costs associated with publicity and
21 promotion of the mediation program;

22 “(I) preparation of the parties for medi-
23 ation; and

24 “(J) financial advisory and counseling
25 services for parties requesting mediation.”.

1 (c) DUTIES OF THE SECRETARY OF AGRICULTURE.—

2 Section 503(a)(1) of the Agricultural Credit Act of 1987

3 (7 U.S.C. 5103(a)(1)) is amended—

4 (1) in subparagraph (B), by striking “and”
5 after the semicolon at the end;

6 (2) in subparagraph (C), by striking the period
7 at the end and inserting “; and”; and

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

9 “(D) shall implement procedures to ensure
10 the confidentiality of any State mediation pro-
11 gram certified under section 501 (including any
12 related communications and records) in accord-
13 ance with section 574 of title 5, United States
14 Code.”.

15 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
16 506 of the Agricultural Credit Act of 1987 (7 U.S.C.
17 5106) is amended by striking “for each of the fiscal years
18 1998 through 2000” and inserting “for each fiscal year”.

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