

107TH CONGRESS
2D SESSION

S. 3111

To compensate agricultural producers in the State of New Mexico that suffered crop losses as a result of use of a herbicide by the Bureau of Land Management.

IN THE SENATE OF THE UNITED STATES

OCTOBER 15, 2002

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

A BILL

To compensate agricultural producers in the State of New Mexico that suffered crop losses as a result of use of a herbicide by the Bureau of Land Management.

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. COMPENSATION OF NEW MEXICO PRODUCERS**

4 **FOR CROP DAMAGE FROM BLM USE OF HER-**
5 **BICIDE.**

6 (a) IN GENERAL.—The Secretary of Agriculture, in
7 consultation with the Secretary of the Interior, may use
8 such funds of the Commodity Credit Corporation as are
9 necessary to compensate agricultural producers in the

1 State of New Mexico that suffered crop losses as a result
 2 of the use of the herbicide tebuthiuron by the Bureau of
 3 Land Management during the 2002 calendar year.

4 (b) LIABILITY.—Nothing in this section constitutes
 5 an admission of liability by the United States arising from
 6 the use of the herbicide tebuthiuron by the Bureau of
 7 Land Management.

8 (c) REGULATIONS.—

9 (1) IN GENERAL.—The Secretary of Agriculture
 10 may promulgate such regulations as are necessary to
 11 implement this section.

12 (2) PROCEDURE.—The promulgation of the reg-
 13 ulations and administration of this section shall be
 14 made without regard to—

15 (A) the notice and comment provisions of
 16 section 553 of title 5, United States Code;

17 (B) the Statement of Policy of the Sec-
 18 retary of Agriculture effective July 24, 1971
 19 (36 Fed. Reg. 13804), relating to notices of
 20 proposed rulemaking and public participation in
 21 rulemaking; and

22 (C) chapter 35 of title 44, United States
 23 Code (commonly known as the “Paperwork Re-
 24 duction Act”).

1 (3) CONGRESSIONAL REVIEW OF AGENCY RULE-
2 MAKING.—In carrying out this subsection, the Sec-
3 retary shall use the authority provided under section
4 808 of title 5, United States Code.

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