

receives documentation that the premium required under a contract has been paid to covered producers.

**(e) Administration**

**(1) In general**

If funding provided for a crop year is not fully allocated under the initial request for proposals under subsection (c), the Secretary shall issue additional requests for proposals for subsequent crop years under this section.

**(2) Prorated payments**

If funding provided for a crop year is less than the amount otherwise approved by the Secretary or for which approval is sought, the Secretary shall prorate the payments or approvals in a manner determined by the Secretary so that the total payments do not exceed the funding level.

**(f) Proprietary information**

The Secretary shall protect proprietary information provided to the Secretary for the purpose of administering this section.

**(g) Program compliance and penalties**

**(1) Guarantee**

The proponent, if approved, shall be required to guarantee that the oilseed on which a payment is made by the Secretary under this section is used for human consumption as described in the proposal, as approved by the Secretary.

**(2) Noncompliance**

If oilseeds on which a payment is made by the Secretary under this section are not actually used for the purpose the payment is made, the proponent shall be required to pay to the Secretary an amount equal to, as determined by the Secretary—

(A) in the case of an inadvertent failure, twice the amount of the payment made by the Secretary under this section to the producer of the oilseeds; and

(B) in any other case, up to twice the full value of the oilseeds involved.

**(3) Documentation**

The Secretary may require such assurances and documentation as may be needed to enforce the guarantee.

**(4) Additional penalties**

**(A) In general**

In addition to payments required under paragraph (2), the Secretary may impose penalties on additional persons that use oilseeds the use of which is restricted under this section for a purpose other than the intended use.

**(B) Amount**

The amount of a penalty under this paragraph shall—

(i) be in an amount determined appropriated by the Secretary; but

(ii) not to exceed twice the full value of the oilseeds.

**(h) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2009 through 2012.

(Pub. L. 110-234, title I, §1605, May 22, 2008, 122 Stat. 1016; Pub. L. 110-246, §4(a), title I, §1605, June 18, 2008, 122 Stat. 1664, 1744.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

**§ 8784. Assignment of payments**

**(a) In general**

The provisions of section 590h(g) of title 16, relating to assignment of payments, shall apply to payments made under this chapter.

**(b) Notice**

The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

(Pub. L. 110-234, title I, §1608, May 22, 2008, 122 Stat. 1018; Pub. L. 110-246, §4(a), title I, §1608, June 18, 2008, 122 Stat. 1664, 1746.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title I of Pub. L. 110-246, June 18, 2008, 122 Stat. 1664, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

**§ 8785. Tracking of benefits**

As soon as practicable after the date of enactment of this Act, the Secretary may track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

(Pub. L. 110-234, title I, §1609, May 22, 2008, 122 Stat. 1018; Pub. L. 110-246, §4(a), title I, §1609, June 18, 2008, 122 Stat. 1664, 1746.)

REFERENCES IN TEXT

The date of enactment of this Act, referred to in text, is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

Titles I and II, referred to in text, are titles I and II of Pub. L. 110-246, June 18, 2008, 122 Stat. 1664, 1753, which enacted this chapter and enacted, amended, and repealed numerous other sections and notes in the Code. For complete classification of titles I and II to the Code, see Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

**§ 8786. Prevention of deceased individuals receiving payments under farm commodity programs**

**(a) Regulations**

Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations that—

(1) describe the circumstances under which, in order to allow for the settlement of estates