

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.)

Editorial Notes

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 L. 110-234 was repealed by section 4(a) of Pub.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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

§ 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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

§ 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.)

Editorial Notes

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,