

109TH CONGRESS
1ST SESSION

H. R. 1118

To amend the Federal Crop Insurance Act to establish permanent authority for the Secretary of Agriculture to quickly provide disaster relief to agricultural producers who incur crop losses as a result of damaging weather or related condition in federally declared disaster areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2005

Mr. PETERSON of Minnesota (for himself, Mr. ETHERIDGE, Mr. MCINTYRE, and Mr. ROSS) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Federal Crop Insurance Act to establish permanent authority for the Secretary of Agriculture to quickly provide disaster relief to agricultural producers who incur crop losses as a result of damaging weather or related condition in federally declared disaster areas, 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. SHORT TITLE.**

4 This Act may be cited as the “Permanent Emergency
5 Agricultural Assistance Act”.

1 **SEC. 2. CROP DISASTER ASSISTANCE FOR FUTURE CROP**
2 **YEARS.**

3 The Federal Crop Insurance Act is amended by in-
4 serting after section 518 (7 U.S.C. 1518) the following
5 new section:

6 **“SEC. 519. PERMANENT AUTHORITY TO PROVIDE EMER-**
7 **GENCY AGRICULTURAL ASSISTANCE.**

8 “(a) **AUTHORITY TO PROVIDE EMERGENCY ASSIST-**
9 **ANCE.**—The Secretary shall use the funds of the Com-
10 modity Credit Corporation to make emergency financial
11 assistance available to producers on a farm who incur
12 qualifying crop losses for an insurable crop due to dam-
13 aging weather or related condition, as determined by the
14 Secretary, which results in the designation of the county
15 in which the farm is located as a federally declared dis-
16 aster area.

17 “(b) **ADMINISTRATION.**—Except as provided in sub-
18 sections (c) and (d), the Secretary shall make assistance
19 available under this section in the same manner as pro-
20 vided under section 815 of the Agriculture, Rural Develop-
21 ment, Food and Drug Administration, and Related Agen-
22 cies Appropriations Act, 2001 (Public Law 106–387; 114
23 Stat. 1549A–55), including using the same loss thresholds
24 for the quantity and quality losses as were used in admin-
25 istering that section.

1 “(c) PAYMENT RATE.—The Secretary shall make as-
2 sistance available to producers on a farm for a crop under
3 this section at a rate equal to 65 percent of the established
4 price for the crop for any deficiency in production of 35
5 percent or more for the crop.

6 “(d) RECEIPT CONDITIONED ON HAVING CROP IN-
7 SURANCE.—The producers on a farm shall not be eligible
8 for assistance under subsection (a) with respect to losses
9 to a crop unless the producers obtained, before the losses
10 were incurred, a policy or plan of insurance for the crop
11 under this title that provided a level of coverage equal to
12 or greater than 60 percent.

13 “(e) FEDERALLY DECLARED DISASTER AREA DE-
14 FINED.—

15 “(1) PRESIDENTIAL OR SECRETARIAL DESIGNA-
16 TION.—In this section, the term ‘federally declared
17 disaster area’ means a county covered by—

18 “(A) a Presidential declaration of major
19 disaster issued under section 301 of the Robert
20 T. Stafford Disaster Relief and Emergency As-
21 sistance Act (42 U.S.C. 5170); or

22 “(B) a declaration by the Secretary of a
23 disaster area under subpart A of part 1945 of
24 title 7, Code of Federal Regulations.

1 “(2) EXCLUSION OF CONTIGUOUS COUNTIES.—

2 The term does not include a county contiguous to a
3 county covered by a declaration described in para-
4 graph (1) unless the contiguous county is also cov-
5 ered by the same designation.

6 “(f) EFFECTIVE DATE.—This section applies to the
7 2005 and subsequent crop years.

8 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated such amounts as may be
10 necessary to reimburse the Commodity Credit Corporation
11 for funds expended by the Secretary under this section.”.

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