

105TH CONGRESS  
1ST SESSION

# H. R. 790

To amend the Federal Crop Insurance Act to ensure the continued availability of affordable crop insurance for producers whose farms are located in counties designated as Federal disaster areas because of weather-related conditions.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mr. POMEROY introduced the following bill; which was referred to the  
Committee on Agriculture

---

## A BILL

To amend the Federal Crop Insurance Act to ensure the continued availability of affordable crop insurance for producers whose farms are located in counties designated as Federal disaster areas because of weather-related conditions.

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 “Crop Insurance Im-  
5       provement Act of 1997”.

1 **SEC. 2. EFFECT OF DISASTER DECLARATION ON AVAIL-**  
 2 **ABILITY OF AFFORDABLE CROP INSURANCE.**

3 (a) DEFINITION OF DESIGNATED DISASTER AREA.—  
 4 Section 502(b) of the Federal Crop Insurance Act (7  
 5 U.S.C. 1502(b)) is amended—

6 (1) by redesignating paragraphs (6), (7), and  
 7 (8) as paragraphs (7), (8), and (9), respectively; and

8 (2) by inserting after paragraph (5) the follow-  
 9 ing new paragraph:

10 “(6) DESIGNATED DISASTER AREA.—The term  
 11 ‘designated disaster area’ means an area—

12 “(A) covered by a Presidential declaration  
 13 of major disaster issued under section 401 of  
 14 the Robert T. Stafford Disaster Relief and  
 15 Emergency Assistance Act (42 U.S.C. 5170); or

16 “(B) determined to be a disaster area by  
 17 the Secretary under subpart A of part 1945 of  
 18 title 7, Code of Federal Regulations.”.

19 (b) CLASSIFICATION OF APPLICANTS INTO RISK  
 20 CATEGORIES.—Section 506(o)(3) of such Act (7 U.S.C.  
 21 1506(o)(3)) is amended by adding at the end the following  
 22 new sentence: “In the case of a producer operating in a  
 23 county included in a designated disaster area declared as  
 24 a result of damaging weather, or operating in a county  
 25 adjacent to the designated disaster area, the Corporation

1 may not include the producer in the nonstandard classi-  
2 fication list on the basis of crop losses resulting from ei-  
3 ther the damaging weather that was the basis for the dec-  
4 laration or conditions related to the damaging weather.”.

5 (c) YIELD DETERMINATIONS.—Section 508(g) of  
6 such Act (7 U.S.C. 1508(g)) is amended by adding at the  
7 end the following new paragraph:

8 “(4) EXCLUSION OF CERTAIN CROP YEARS.—In  
9 establishing the actual production history of a pro-  
10 ducer for a crop under paragraph (2)(A) or using  
11 the producer’s actual production records for any  
12 other purpose under this subsection, the Corporation  
13 shall exclude a crop year of the crop if, at any time  
14 during the crop year, the county in which the crop  
15 was grown (or an adjacent county) was included in  
16 a designated disaster area declared as a result of  
17 damaging weather.”.

○