

107TH CONGRESS
2D SESSION

S. 2976

To provide economic disaster assistance to producers of the 2002 crop of rice in the State of Louisiana.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2002

Mr. BREAUX (for himself and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide economic disaster assistance to producers of the 2002 crop of rice in the State of Louisiana.

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 “Louisiana Rice Eco-
5 nomic Relief Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the rice industry in the State of Louisiana
9 contributes significantly to the economy of the State,
10 with an estimated annual value of approximately

1 \$250,000,000 and an estimated average annual eco-
2 nomic benefit of approximately \$1,000,000,000;

3 (2) rice producers in the State are suffering
4 from the lowest rice prices in more than 50 years;

5 (3) with much of the 2002 crop of rice in the
6 State being sold during harvest season, the market-
7 derived income of producers from the sale of rice is
8 falling to record low levels;

9 (4) the historically-low income of producers
10 from the sale of rice in the State, even when com-
11 bined with Federal income support, still is dev-
12 astating to—

13 (A) rice producers in the State;

14 (B) the rice industry infrastructure of the
15 State;

16 (C) businesses that serve and depend on
17 the rice industry; and

18 (D) communities in which rice producers
19 and their families reside and in which the rice
20 industry operates;

21 (5) because of the significant reduction in total
22 income and the current costs of production, many
23 rice producers of the State will not cover their total
24 expenses this year;

1 (6) the historically-low prices of the 2002 crop
2 of rice in the State have contributed to a combined
3 market price and Federal support income level that
4 is approximately \$2.42 per hundredweight less than
5 the average combined market price and Federal sup-
6 port income levels during the 1998 through 2001 pe-
7 riod, which is approximately 22 percent below the
8 average income level for the State for the same time
9 period; and

10 (7) due to the historically-low rice prices and
11 reduced income, rice producers in the State and
12 their families are faced with dire economic cir-
13 cumstances that are crippling them and the commu-
14 nities in which they live and work.

15 **SEC. 3. ECONOMIC DISASTER ASSISTANCE FOR LOUISIANA**
16 **RICE PRODUCERS.**

17 (a) IN GENERAL.—The Secretary of Agriculture shall
18 use such sums as are necessary of funds of the Commodity
19 Credit Corporation to make payments, as soon as prac-
20 ticable after the date of enactment of this Act, to pro-
21 ducers of the 2002 crop of rice on farms located in the
22 State of Louisiana, to assist producers as a result of the
23 disastrous economic conditions occurring with the 2002
24 crop of rice.

1 (b) AMOUNT.—The amount of a payment made to
2 producers on a farm under this section shall be equal to
3 the product obtained by multiplying—

4 (1) the actual quantity of rice produced by the
5 producers on the farm during the 2002 crop year;
6 and

7 (2) a payment rate of \$2.42 per hundredweight.

8 (c) PAYMENT LIMITATION.—

9 (1) IN GENERAL.—The total amount of pay-
10 ments that a person shall be entitled to receive
11 under this section may not exceed \$40,000.

12 (2) REGULATIONS.—The Secretary shall pro-
13 mulgate regulations—

14 (A) defining the term “person” for the
15 purposes of this subsection, which shall con-
16 form, to the maximum extent practicable, to the
17 regulations defining the term “person” promul-
18 gated under section 1001 of the Food Security
19 Act of 1985 (7 U.S.C. 1308); and

20 (B) promulgating such regulations as the
21 Secretary determines necessary to ensure a fair
22 and reasonable application of the limitation es-
23 tablished under this subsection.

24 (d) INFORMATION.—In carrying out this section, the
25 Secretary shall, to the maximum extent practicable—

1 (1) use information that the Secretary has ob-
2 tained from administering other provisions of law;
3 and

4 (2) minimize any additional information or re-
5 quirements that are imposed on eligible producers.

6 (e) ADMINISTRATIVE OFFSET.—Payments under this
7 section shall not be subject to administrative offset, in-
8 cluding administrative offset under chapter 37 of title 31,
9 United States Code, or the Commodity Credit Corporation
10 Charter Act (15 U.S.C. 714 et seq.).

11 **SEC. 4. COMMODITY CREDIT CORPORATION.**

12 The Secretary shall use the funds, facilities, and au-
13 thorities of the Commodity Credit Corporation to carry
14 out this Act.

15 **SEC. 5. REGULATIONS.**

16 (a) IN GENERAL.—The Secretary may promulgate
17 such regulations as are necessary to implement this Act.

18 (b) PROCEDURE.—The promulgation of the regula-
19 tions and administration of this Act shall be made without
20 regard to—

21 (1) the notice and comment provisions of sec-
22 tion 553 of title 5, United States Code;

23 (2) the Statement of Policy of the Secretary of
24 Agriculture effective July 24, 1971 (36 Fed. Reg.

1 13804), relating to notices of proposed rulemaking
2 and public participation in rulemaking; and

3 (3) chapter 35 of title 44, United States Code
4 (commonly known as the “Paperwork Reduction
5 Act”).

6 (c) CONGRESSIONAL REVIEW OF AGENCY RULE-
7 MAKING.—In carrying out this section, the Secretary shall
8 use the authority provided under section 808 of title 5,
9 United States Code.

10 **SEC. 6. EMERGENCY DESIGNATION.**

11 (a) IN GENERAL.—The entire amount made available
12 under this Act shall be available only to the extent that
13 the President submits to Congress an official budget re-
14 quest for a specific dollar amount that includes designa-
15 tion of the entire amount of the request as an emergency
16 requirement for the purposes of the Balanced Budget and
17 Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et
18 seq.).

19 (b) DESIGNATION.—The entire amount made avail-
20 able under this section is designated by Congress as an
21 emergency requirement under sections 251(b)(2)(A) and
22 252(e) of that Act (2 U.S.C. 901(b)(2)(A), 902(e)).

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