

108TH CONGRESS
2D SESSION

H. R. 4874

To provide emergency assistance to producers that have incurred losses in
a 2004 crop due to a disaster.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2004

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

A BILL

To provide emergency assistance to producers that have
incurred losses in a 2004 crop due to a disaster.

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 “Emergency Agricul-
5 tural Disaster Assistance Act of 2004”.

6 **SEC. 2. CROP LOSS ASSISTANCE.**

7 (a) IN GENERAL.—The Secretary of Agriculture (re-
8 ferred to in this Act as the “Secretary”) shall use such
9 sums as are necessary of the funds of the Commodity
10 Credit Corporation to make emergency financial assist-

1 ance available to producers on a farm that have incurred
2 losses in a 2004 crop due to a disaster, as determined
3 by the Secretary.

4 (b) ADMINISTRATION.—Subject to subsection (a), the
5 Secretary shall make assistance available under this sec-
6 tion in the same manner as provided under section 1102
7 of the Agriculture, Rural Development, Food and Drug
8 Administration, and Related Agencies Appropriations Act,
9 1999 (7 U.S.C. 1421 note; Public Law 105–277), includ-
10 ing using the same loss thresholds as were used in admin-
11 istering that section.

12 (c) QUALIFYING LOSSES.—Assistance under this sec-
13 tion may be made for losses associated with crops that
14 are, as determined by the Secretary—

15 (1) quantity losses;

16 (2) quality losses; or

17 (3) severe economic losses due to damaging
18 weather or related condition.

19 (d) CROPS COVERED.—Assistance under this section
20 shall be applicable to losses for all crops (including losses
21 of trees from which a crop is harvested, livestock, and fish-
22 eries), as determined by the Secretary, due to disasters.

23 (e) CROP INSURANCE.—In carrying out this section,
24 the Secretary shall not discriminate against or penalize
25 producers on a farm that have purchased crop insurance

1 under the Federal Crop Insurance Act (7 U.S.C. 1501 et
2 seq.).

3 **SEC. 3. COMMODITY CREDIT CORPORATION.**

4 The Secretary shall use the funds, facilities, and au-
5 thorities of the Commodity Credit Corporation to carry
6 out this Act.

7 **SEC. 4. EMERGENCY DESIGNATION.**

8 The entire amount made available under this Act is
9 designated by Congress as an emergency requirement pur-
10 suant to section 402 of S. Con. Res. 95 (108th Congress),
11 as made applicable to the House of Representatives by H.
12 Res. 649 (108th Congress).

13 **SEC. 5. REGULATIONS.**

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

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

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

21 (2) the Statement of Policy of the Secretary of
22 Agriculture effective July 24, 1971 (36 Fed. Reg.
23 13804), relating to notices of proposed rulemaking
24 and public participation in rulemaking; and

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

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

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