108TH CONGRESS
1ST SESSION

S. 1309

To provide emergency assistance to producers that have suffered crop losses
due to disasters.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2003

Mrs. LINCOLN (for herself and Mr. PRYOR) introduced the following bill;
which was read twice and referred to the Committee on Agriculture, Nu-
trition, and Forestry

A BILL

To provide emergency assistance to producers that have
suffered crop losses due to disasters.

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 2003".

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 2003 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.).

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.

SEC. 4. EMERGENCY DESIGNATION.

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

16 (b) DESIGNATION.—The entire amount made avail-
17 able under this Act is designated by Congress as an emer-
18 gency requirement under sections 251(b)(2)(A) and
19 252(e) of that Act (2 U.S.C. 901(b)(2)(A), 902(e)).

SEC. 5. REGULATIONS.

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

23 (b) PROCEDURE.—The promulgation of the regula-
24 tions and administration of this Act shall be made without
25 regard to—

1   (1) the notice and comment provisions of sec-

2   tion 553 of title 5, United States Code;

3   (2) the Statement of Policy of the Secretary of

4   Agriculture effective July 24, 1971 (36 Fed. Reg.

5   13804), relating to notices of proposed rulemaking

6   and public participation in rulemaking; and

7   (3) chapter 35 of title 44, United States Code

8   (commonly known as the "Paperwork Reduction

9   Act").

10   (c) CONGRESSIONAL REVIEW OF AGENCY RULE-

11   MAKING.—In carrying out this section, the Secretary shall

12   use the authority provided under section 808 of title 5,

13   United States Code.

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