

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.”.

○