

109TH CONGRESS  
1ST SESSION

# H. R. 2045

To amend the Farm Security and Rural Investment Act of 2002 to provide producers on a farm with greater flexibility in selecting the crops to be planted on the base acres of the farm.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2005

Mr. PENCE (for himself and Ms. BALDWIN) introduced the following bill;  
which was referred to the Committee on Agriculture

---

## A BILL

To amend the Farm Security and Rural Investment Act of 2002 to provide producers on a farm with greater flexibility in selecting the crops to be planted on the base acres of the farm.

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 “Farming Flexibility  
5 Act of 2005”.

1 **SEC. 2. PRODUCTION OF FRUITS AND VEGETABLES FOR**  
2 **PROCESSING ON COVERED COMMODITY BASE**  
3 **ACRES.**

4 Section 1101 of the Farm Security and Rural Invest-  
5 ment Act of 2002 (7 U.S.C. 7911) is amended by adding  
6 at the end the following new subsection:

7 “(i) PRODUCTION OF FRUITS OR VEGETABLES FOR  
8 PROCESSING.—

9 “(1) IN GENERAL.—Subject to paragraphs (2)  
10 and (3), producers on a farm, with the consent of  
11 the owner and other producers on the farm, may re-  
12 duce the base acres for any covered commodity for  
13 the farm if the reduced acres are used for the plant-  
14 ing and production of fruits or vegetables for proc-  
15 essing.

16 “(2) REVERSION TO COVERED COMMODITY  
17 BASE ACRES.—Any reduced acres of a farm devoted  
18 to the planting and production of fruits or vegeta-  
19 bles during a crop year under paragraph (1) shall be  
20 included in base acres for the covered commodity for  
21 the subsequent crop year, unless the producers on  
22 the farm make the election described in paragraph  
23 (1) for the subsequent crop year.

24 “(3) RECALCULATION OF BASE ACRES.—

25 “(A) IN GENERAL.—Subject to subpara-  
26 graph (B), if the Secretary recalculates base

1           acres for a farm, the planting and production of  
2           fruits or vegetables for processing under para-  
3           graph (1) shall be considered to be the same as  
4           the planting, prevented planting, or production  
5           of the covered commodity.

6           “(B) AUTHORITY.—Nothing in this sub-  
7           section provides authority for the Secretary to  
8           recalculate base acres for a farm.”.

○