

114TH CONGRESS
1ST SESSION

H. R. 4226

To amend the Agricultural Act of 2014 to provide relief for agricultural producers adversely impacted by the Oriental fruit fly.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2015

Mr. CURBELO of Florida (for himself and Ms. GRAHAM) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Act of 2014 to provide relief for agricultural producers adversely impacted by the Oriental fruit fly.

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. REIMBURSEMENT FOR LOSSES TO COMPLY**
4 **WITH GOVERNMENT-IMPOSED ORIENTAL**
5 **FRUIT FLY QUARANTINE.**

6 Section 1501 of the Agricultural Act of 2014 (7
7 U.S.C. 9081) is amended—

8 (1) by redesignating subsection (f) as sub-
9 section (g); and

1 (2) by inserting after subsection (e) the fol-
2 lowing new subsection:

3 “(f) REIMBURSEMENT FOR LOSSES TO COMPLY
4 WITH GOVERNMENT-IMPOSED ORIENTAL FRUIT FLY
5 QUARANTINE.—

6 “(1) REIMBURSEMENT AUTHORIZED.—The Sec-
7 retary shall use such sums as are necessary of the
8 funds of the Commodity Credit Corporation to reim-
9 burse eligible producers on farms that have incurred
10 losses because of an inability to ship a crop to mar-
11 ket, or by being prevented from planting or growing
12 a crop, due to a Federal Government or a State gov-
13 ernment quarantine to control the Oriental fruit fly
14 (*Bactrocera dorsalis*) imposed during the period be-
15 ginning on August 15, 2015, and ending on March
16 31, 2016, or such later date as the Secretary con-
17 siders necessary.

18 “(2) PAYMENT RATE.—Payments to an eligible
19 producer on a farm under paragraph (1) shall be
20 made at a rate not to exceed 70 percent of the mar-
21 ket value of the affected crop. The market value
22 shall be determined using the average market value
23 of the affected crop in the quarantine area during
24 the preceding five crop years, as determined by the
25 Secretary, excluding any crop year in which such a

1 quarantine was in effect and excluding the crop year
2 in which the market value was highest and the crop
3 year in which the market value was lowest.

4 “(3) DURATION.—Payments to an eligible pro-
5 ducer on a farm under paragraph (1) shall cease as
6 soon as possible once the eligible producer on a farm
7 is able to resume marketing a crop after the quar-
8 antine is lifted.

9 “(4) CROP INSURANCE.—

10 “(A) IN GENERAL.—Subject to paragraph
11 (5), in carrying out this subsection, the Sec-
12 retary shall not discriminate against or penalize
13 an eligible producer on a farm that obtained, or
14 did not obtain, crop insurance under the Fed-
15 eral Crop Insurance Act (7 U.S.C. 1501 et
16 seq.), noninsured crop disaster assistance under
17 section 196 of the Federal Agriculture Improve-
18 ment and Reform Act of 1996 (7 U.S.C. 7333),
19 or similar risk protection for that same type of
20 crop.

21 “(B) REQUIREMENT TO OBTAIN INSUR-
22 ANCE.—As a condition on the receipt of a pay-
23 ment under this subsection for a crop, an eligi-
24 ble producer on a farm shall agree to obtain
25 crop insurance, noninsured crop disaster assist-

1 ance, or similar risk protection for that same
2 type of crop for at least the next two crop
3 years, if such insurance, assistance, or protec-
4 tion is available.

5 “(5) EFFECT OF OTHER ASSISTANCE.—The
6 payment that an eligible producer on a farm would
7 otherwise receive under this subsection shall be re-
8 duced by the amount of assistance provided to the
9 producer for losses described in paragraph (1) under
10 any other Federal law, including the Federal Crop
11 Insurance Act (7 U.S.C. 1501 et seq.) and section
12 196 of the Federal Agriculture Improvement and
13 Reform Act of 1996 (7 U.S.C. 7333).”.

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