

113TH CONGRESS
1ST SESSION

H. R. 686

To amend the Federal Crop Insurance Act to modify the ineligibility requirements for producers that produce an annual crop on native sod, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2013

Mrs. NOEM (for herself, Mr. WALZ, Mr. FORTENBERRY, Mr. PETERSON, Mr. BLUMENAUER, Mr. WITTMAN, Mr. THOMPSON of Mississippi, and Mr. LATTA) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Federal Crop Insurance Act to modify the ineligibility requirements for producers that produce an annual crop on native sod, 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 “Protect our Prairies
5 Act”.

1 **SEC. 2. CROP PRODUCTION ON NATIVE SOD.**

2 (a) FEDERAL CROP INSURANCE.—Section 508(o) of
3 the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is
4 amended—

5 (1) in paragraph (1)(B), by inserting “, or the
6 producer cannot substantiate that the ground has
7 ever been tilled,” after “tilled”;

8 (2) in paragraph (2)(A), by striking “for bene-
9 fits under—” and all that follows through the period
10 at the end and inserting “for—

11 “(i) a portion of crop insurance pre-
12 mium subsidies under this subtitle in ac-
13 cordance with paragraph (3);

14 “(ii) benefits under section 196 of the
15 Federal Agriculture Improvement and Re-
16 form Act of 1996 (7 U.S.C. 7333); and

17 “(iii) payments described in sub-
18 section (b) or (c) of section 1001 of the
19 Food Security Act of 1985 (7 U.S.C.
20 1308).”; and

21 (3) by striking paragraph (3) and inserting the
22 following new paragraph:

23 “(3) ADMINISTRATION.—

24 “(A) IN GENERAL.—During the first 4
25 crop years of planting on native sod acreage (as
26 described in paragraph (2)) by a producer—

1 “(i) paragraph (2) shall apply to 65
2 percent of the transitional yield of the pro-
3 ducer; and

4 “(ii) the crop insurance premium sub-
5 sidy provided for the producer under this
6 subtitle shall be 50 percentage points less
7 than the premium subsidy that would oth-
8 erwise apply.

9 “(B) YIELD SUBSTITUTION.—During the
10 period native sod acreage is covered by this sub-
11 section, a producer may not substitute yields
12 for the native sod acreage.”.

13 (b) NONINSURED CROP DISASTER ASSISTANCE.—
14 Section 196(a)(4) of the Federal Agriculture Improvement
15 and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amend-
16 ed—

17 (1) in subparagraph (A)(ii), by inserting “, or
18 the producer cannot substantiate that the ground
19 has ever been tilled,” after “tilled”;

20 (2) in subparagraph (B)(i), by striking “for
21 benefits under—” and all that follows through the
22 period at the end and inserting “for—

23 “(I) benefits under this section;

24 “(II) a portion of crop insurance
25 premium subsidies under the Federal

1 Crop Insurance Act (7 U.S.C. 1501 et
2 seq.) in accordance with subparagraph
3 (C); and

4 “(III) payments described in sub-
5 section (b) or (c) of section 1001 of
6 the Food Security Act of 1985 (7
7 U.S.C. 1308).”; and

8 (3) by striking subparagraph (C) and inserting
9 the following new subparagraph:

10 “(C) ADMINISTRATION.—

11 “(i) IN GENERAL.—During the first 4
12 crop years of planting on native sod acre-
13 age (as described in subparagraph (B)) by
14 a producer—

15 “(I) subparagraph (B) shall
16 apply to 65 percent of the transitional
17 yield of the producer; and

18 “(II) the crop insurance premium
19 subsidy provided for the producer
20 under the Federal Crop Insurance Act
21 (7 U.S.C. 1501 et seq.) shall be 50
22 percentage points less than the pre-
23 mium subsidy that would otherwise
24 apply.

1 “(ii) YIELD SUBSTITUTION.—During
2 the period native sod acreage is covered by
3 this paragraph, a producer may not sub-
4 stitute yields for the native sod acreage.”.

5 (c) CROPLAND REPORT.—

6 (1) BASELINE.—Not later than 180 days after
7 the date of enactment of this Act, the Secretary of
8 Agriculture shall submit to the Committee on Agri-
9 culture of the House of Representatives and the
10 Committee on Agriculture, Nutrition, and Forestry
11 of the Senate a report that describes the cropland
12 acreage in each county and State, and the change in
13 cropland acreage from the preceding year in each
14 county and State, beginning with calendar year
15 2000 and including that information for the most
16 recent year for which that information is available.

17 (2) ANNUAL UPDATES.—Not later than Janu-
18 ary 1, 2014, and each January 1 thereafter through
19 January 1, 2017, the Secretary of Agriculture shall
20 submit to the Committee on Agriculture of the
21 House of Representatives and the Committee on Agri-
22 culture, Nutrition, and Forestry of the Senate a
23 report that describes—

1 (A) the cropland acreage in each county
2 and State as of the date of submission of the
3 report; and

4 (B) the change in cropland acreage from
5 the preceding year in each county and State.

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