

109TH CONGRESS  
1ST SESSION

# S. 1636

To provide agricultural disaster assistance to producers on a farm that incurred qualifying crop or quality losses for the 2005 crop due to damaging weather or related condition, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8, 2005

Mr. DURBIN (for himself, Mr. TALENT, Mr. OBAMA, and Mr. BOND) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To provide agricultural disaster assistance to producers on a farm that incurred qualifying crop or quality losses for the 2005 crop due to damaging weather or related condition, 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. AGRICULTURAL DISASTER ASSISTANCE.**

4       (a) CROP AND TREE ASSISTANCE.—

5           (1) IN GENERAL.—Section 101 of division B of  
6       Public Law 108–324 (118 Stat. 1232) is amended—

7           (A) in subsection (a)(2)—

1 (i) by striking “the 2003, 2004, or  
2 2005 crop (as elected by a producer), but  
3 limited to only one of the crop years list-  
4 ed” and inserting “the 2003 or 2004 crop  
5 (as elected by a producer) and the 2005  
6 crop”; and

7 (ii) by striking “qualifying crop  
8 losses” and all that follows through “in  
9 this paragraph,”; and

10 (B) in subsection (c)(1), by striking  
11 “2004” and inserting “2005”.

12 (2) EMERGENCY DESIGNATION.—The amounts  
13 made available by the transfer of funds in or pursu-  
14 ant to the amendments made by paragraph (1) are  
15 designated as an emergency requirement pursuant to  
16 section 402 of H. Con. Res. 95 (109th Congress).

17 (b) LIVESTOCK COMPENSATION PROGRAM.—

18 (1) USE OF COMMODITY CREDIT CORPORATION  
19 FUNDS.—Effective beginning on the date of enact-  
20 ment of this Act, the Secretary shall use funds of  
21 the Commodity Credit Corporation to carry out the  
22 2002 Livestock Compensation Program announced  
23 by the Secretary on October 10, 2002 (67 Fed. Reg.  
24 63070) for 2005 losses.

(2) ELIGIBLE APPLICANTS.—In carrying out the Program, the Secretary shall—

(A) provide assistance to any applicant that—

(i) conducts a livestock operation that is physically located in a disaster county, including any applicant conducting a livestock operation with eligible livestock, as that term is used in carrying out the livestock assistance program under section 101(b) of division B of Public Law 108–324 (118 Stat. 1232); and

(ii) meets all other eligibility requirements established by the Secretary for the Program; and

(B) provide assistance to any applicant that—

(i) produces an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)); and

(ii) meets all other eligibility requirements established by the Secretary for the Program.

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