

111TH CONGRESS  
2D SESSION

**S. 3870**

To amend the Federal Crop Insurance Act to permit certain livestock owners to plant a secondary crop for the use of the producer as emergency feed.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Mr. JOHNSON introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

# A BILL

To amend the Federal Crop Insurance Act to permit certain livestock owners to plant a secondary crop for the use of the producer as emergency feed.

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. EMERGENCY EXCEPTION FOR PREVENTED**  
4       **PLANTING.**

5           Section 508A(c) of the Federal Crop Insurance Act  
6 (7 U.S.C. 1508a(c)) is amended—  
7                   (1) in paragraph (1), by inserting “paragraph  
8                   (6) or” before “subsections (d) and (e)”; and

4 (3) by adding at the end the following:

5                   “(6) EMERGENCY EXCEPTION.—

6                     “(A) IN GENERAL.—A producer may plant  
7                     a second crop on the same acreage for harvest  
8                     in the same crop year as a first crop and re-  
9                     ceive full prevented planting indemnity pay-  
10                    ments under this subsection, if, as determined  
11                    by the Corporation—

23                             “(B) EFFECT ON ACTUAL PRODUCTION  
24                             HISTORY.—In the case of a producer described  
25                             in subparagraph (A)—

1                     “(i) the adjustment in actual produc-  
2                     tion history described in paragraph (3)  
3                     shall be 100 percent of the producer’s ac-  
4                     tual production history for the agricultural  
5                     commodity; and

6                     “(ii) the second crop shall not be con-  
7                     sidered the crop of record unless the pro-  
8                     ducer so elects.”.

○