

118TH CONGRESS
1ST SESSION

S. 2598

To amend the Federal Crop Insurance Act to modify whole farm revenue protection, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. BROWN (for himself, Mr. WELCH, Mr. FETTERMAN, Ms. SMITH, Mr. BOOKER, and Mr. WARNOCK) 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 modify whole farm revenue protection, 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 “Whole Farm Revenue
5 Protection Program Improvement Act of 2023”.

6 **SEC. 2. WHOLE FARM REVENUE PROTECTION.**

7 Section 522(c) of the Federal Crop Insurance Act (7
8 U.S.C. 1522(c)) is amended—

9 (1) in paragraph (1)—

1 (A) in subparagraph (B), by striking
2 “and” at the end;

3 (B) in subparagraph (C), by striking the
4 period at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(D) increase participation by producers—

7 “(i) marketing direct-to-consumers;

8 “(ii) marketing through intermediated
9 sales in local and regional markets; or

10 “(iii) using farm identity-preserved
11 marketing.”; and

12 (2) in paragraph (7)—

13 (A) in subparagraph (B), by inserting “or
14 in combination with” after “in lieu of”;

15 (B) in subparagraph (C)—

16 (i) in the matter preceding clause (i),
17 by striking “may” and inserting “shall”;

18 (ii) in clause (i), by striking “or” at
19 the end;

20 (iii) by redesignating clause (ii) as
21 clause (iii); and

22 (iv) by inserting after clause (i) the
23 following:

24 “(ii) utilize a resource-conserving crop
25 rotation; or”;

1 (C) in subparagraph (D), by striking
2 “may” and inserting “shall”;

3 (D) by redesignating subparagraph (F) as
4 subparagraph (G); and

5 (E) by inserting after subparagraph (E)
6 the following:

7 “(F) MODIFICATIONS TO IMPROVE EFFEC-
8 TIVENESS FOR SPECIALTY CROPS AND DIVERSI-
9 FIED FARMS.—Not later than 180 days after
10 the date of enactment of the Whole Farm Rev-
11 enue Protection Program Improvement Act of
12 2023, the Corporation shall implement the fol-
13 lowing modifications to the plan developed
14 under subparagraph (A):

15 “(i) Establish that Internal Revenue
16 Service Tax Form Schedule F shall be suf-
17 ficient for the establishment of historical
18 adjusted revenue, subject to the condition
19 that approved insurance providers may re-
20 quest additional verifiable records in cases
21 where there is documented evidence that
22 the farm tax records of the applicant are
23 incomplete.

24 “(ii) Prohibit an approved insurance
25 provider from adjusting the revenue guar-

1 antee after the approved insurance pro-
2 vider accepts the revised farm operation
3 report, unless the approved insurance pro-
4 vider, in coordination with the Risk Man-
5 agement Agency, identifies indicators of
6 potential fraud.

7 “(iii) Expand the option for signifi-
8 cantly less paperwork and recordkeeping to
9 producers with not less than \$1,000,000 in
10 gross revenue.

11 “(iv) Raise the limit on growth expan-
12 sion for all producers to the lower of—

13 “(I) 100 percent of historic rev-
14 enue; and

15 “(II) \$500,000.

16 “(v) Expand the diversification pre-
17 mium discount to apply to not fewer than
18 10 commodities.

19 “(vi) Moderate the impact of disaster
20 years by—

21 “(I) counting payments made
22 under the noninsured crop disaster as-
23 sistance program established by sec-
24 tion 196 of the Federal Agriculture

1 Improvement and Reform Act of 1996
2 (7 U.S.C. 7333); or

3 “(II) using an assigned yield
4 floor similar to the limitation de-
5 scribed in section 508(g)(6)(A)(i), as
6 determined by the Secretary.

7 “(vii) Increase agent incentives to
8 market whole farm revenue protection
9 by—

10 “(I) providing annual additional
11 administration and operating sub-
12 sidies, at a rate determined by the
13 Secretary, to approved insurance pro-
14 viders for any new whole farm revenue
15 policies written in a given year; and

16 “(II) with respect to a whole
17 farm revenue protection policy, requir-
18 ing approved insurance providers to
19 pay to the agent who sold that policy
20 an amount equal to the total adminis-
21 tration and operating subsidy earned
22 on that policy.

23 “(viii) Provide for additional edu-
24 cational and training opportunities to ap-

1 proved insurance providers and insurance
2 agents.”.

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