

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.

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## 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

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## 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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