

HR 6083

Federal Agriculture Reform and Risk Management Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Agriculture and Food

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Sponsor

Name: Rep. Lucas, Frank D. [R-OK-3]

Party: Republican • **State:** OK • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Jul 9, 2012

Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Reported By	Sep 13, 2012

Subjects & Policy Tags

Policy Area:

Agriculture and Food

Related Bills

No related bills are listed.

Federal Agriculture Reform and Risk Management Act of 2012 - **Title I: Commodities - Subtitle A: Repeals and Reforms** - Repeals, but continues for crop year 2012: (1) direct payments, (2) countercyclical payments, and (3) the average crop revenue election program (ACRE).

Provides for crop years 2013-2017 either: (1) price loss coverage if a covered commodity's effective price is less than its reference price; or (2) alternative revenue loss coverage, as a permanent one-time election, if a covered commodity's county revenue is less than the county revenue loss coverage trigger.

Subtitle B: Marketing Loans - Authorizes: (1) nonrecourse marketing assistance loans, (2) loan deficiency payments, (3) payments in lieu of loan deficiency payments for grazed acreage, (4) programs for upland cotton and extra long staple cotton, (5) assistance for peanuts, and (6) recourse loans for high moisture feed grains and seed cotton.

Subtitle C: Sugar - Directs the Secretary of Agriculture (USDA) to make nonrecourse loans to processors of domestically grown sugarcane and domestically grown sugar beets through crop year 2017.

Directs the Secretary to make sugarcane and sugar beet quantity estimates through crop year 2017 for: (1) human consumption, (2) carryover stocks, (3) carry-in stocks, (4) domestic processing, and (5) imports.

Subtitle D: Dairy - Part I: Dairy Producer Margin Protection and Dairy Market Stabilization Programs - Establishes a dairy production margin protection program under which participating dairy operations are paid: (1) basic production margin protection program payments when production margins are less than threshold levels, and (2) supplemental production margin protection program payments if purchased by a participating dairy operation. Provides for program retroactivity.

Establishes a dairy market stabilization program to assist in balancing the supply of milk with demand when participating dairy operations are experiencing low or negative operating margins.

Terminates the production margin protection and stabilization programs on December 31, 2017.

Part II: Repeal or Reauthorization of Other Dairy-Related Provisions - Repeals: (1) the dairy products price support program, (2) the milk income loss contract program, and (3) the dairy export incentive program.

Extends: (1) the dairy indemnity program, (2) the dairy forward pricing program, and (3) the dairy promotion and research program.

Part III: Effective Date - Makes the provisions of this subtitle effective on October 1, 2012.

Subtitle E: Supplemental Agricultural Disaster Assistance Programs - Provides livestock indemnity payments through FY2017 to eligible producers on farms that have incurred excess livestock death losses due to: (1) attacks by animals reintroduced into the wild by the federal government or protected by federal law, or (2) adverse weather.

Provides compensation through FY2017 to eligible livestock producers for grazing losses caused by drought or fire.

Provides emergency assistance through FY2017 to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease or adverse weather.

Provides assistance through FY2017 to eligible orchardists and nursery tree growers that planted trees for commercial

purposes but lost the trees as a result of a natural disaster, and to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster.

Subtitle F: Administration - Directs the Secretary to use Commodity Credit Corporation (CCC) funds, facilities, and authorities to carry out this title.

Suspends permanent price support authority under the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949 for covered commodities, cotton, and sugar through crop year 2017, and for milk through December 31, 2017.

Revises specified payment limitation provisions.

Prohibits a person or legal entity from receiving specified agricultural benefits during a crop, fiscal, or program year if the average adjusted gross income of such person or entity (over the three taxable years preceding the most immediately preceding complete taxable year) exceeds \$950,000.

Extends specified direct reimbursement payments for geographically disadvantaged farmers and ranchers through FY2017.

Directs the Secretary to preclude the issuance of agricultural payments to, and on behalf of, deceased individuals that were not eligible for payments.

Makes \$100 million available to the Farm Service Agency to carry out this title.

Title II: Conservation - Subtitle A: Conservation Reserve Program - Extends the conservation reserve program (CRP) and the farmable wetland program through FY2017.

Sets forth maximum CRP acreage enrollments for FY2012 through FY 2017.

Subtitle B: Conservation Stewardship Program - Revises, and extends through FY2017, the conservation stewardship program.

Limits aggregate payments to a person or entity to \$200,000 during FY2013 through FY2017.

Subtitle C: Environmental Quality Incentives Program - Extends the environmental quality incentives program through FY2017.

Requires that 60% of FY2013 through FY2017 program funds be used for livestock production practices, and that 5% of such funds be used for wildlife habitat practices.

Provides payments for wildlife habitat development.

Applies program limitations to the period FY2013 through FY2017.

Subtitle D: Agricultural Conservation Easement Program - Establishes the agricultural conservation easement program for the conservation of eligible land and natural resources through easements or other interests in land. (Combines the purposes and coordinates the functions of the wetlands reserve program, the grassland reserve program, and the farmland protection program.)

Sets forth agricultural land and wetland easement provisions.

Makes the provisions of this subtitle effective on October 1, 2012.

Subtitle E: Regional Conservation Partnership Program - Establishes a regional conservation partnership program to: (1) accomplish purposes similar to the agricultural water enhancement program, the Chesapeake Bay watershed program, the cooperative conservation partnership initiative, and the Great Lakes basin program; (2) further the conservation use of natural resources on a regional or watershed scale; and (3) encourage partners to cooperate with producers in meeting or avoiding the need for regulatory requirements related to production on eligible land and implementing projects that affect multiple agricultural or nonindustrial private forest operations on a local, state, or regional basis.

Authorizes the Secretary to enter into a partnership agreement for up to five years, with a one-time extension for up to 12 months.

Provides program funding for FY2013 through FY2017. Sets forth funding allocation provisions.

Makes the provisions of this subtitle effective on October 1, 2012.

Subtitle F: Other Conservation Programs - Authorizes appropriations through FY2017 for: (1) the conservation of private grazing land program, (2) the grass roots source water protection program, (3) the voluntary public access and habitat incentive program, and (4) the small watershed rehabilitation program.

Subtitle G: Funding and Administration - Amends the Food Security Act of 1985 to authorize the use of CCC funds through FY 2017 for: (1) the conservation reserve program, including specified amounts for tree thinning and transferring of contract land from retiring owners and operators to beginning and disadvantaged farmers and ranchers; (2) the agricultural conservation easement program; (3) the conservation security program; (4) the conservation stewardship program; and (5) the environmental quality incentives program.

Makes the provisions of this section effective on October 1, 2012.

Subtitle H: Repeal of Superseded Program Authorities and Transitional Provisions; Technical Amendments - Repeals: (1) the conservation enhancement program, (2) the emergency forestry conservation reserve program, (3) the wetlands reserve program, (4) the farmland protection program, (5) the grassland reserve program, (6) the agricultural water enhancement program, (7) the wildlife habitat incentive program, (8) the Great Lakes Basin program, (9) the Chesapeake Bay watershed program, (10) the cooperative conservation partnership initiative, and (11) the environmental easement program.

Title III: Trade - Subtitle A: Food for Peace Act - Extends specified programs and authorizations of appropriations under the Food for Peace Act through FY2017.

Subtitle B: Agricultural Trade Act of 1978 - Extends through FY2017: (1) export credit guarantee programs, (2) the market access program, and (3) the foreign market cooperator program.

Subtitle C: Other Agricultural Trade Laws - Extends through FY2017: (1) the food for progress program, (2) the Bill Emerson humanitarian trust, (3) the McGovern-Dole international food for education and child nutrition program, (4) technical assistance for specialty crops, and (5) the Global Crop Diversity Trust.

Authorizes the Secretary to establish the position of Under Secretary of Agriculture for Foreign Agricultural Services.

Title IV: Nutrition - Subtitle A: Supplemental Nutrition Assistance Program - Extends the supplemental nutrition assistance program (SNAP, formerly food stamps) through FY2017.

Revises program provisions, including provisions regarding: (1) participant eligibility, (2) retail stores, (3) food assistance security, (4) restaurant meals, (5) services to the elderly and disabled, (6) employment and training programs, (6) excluding medical marijuana from the excess medical expense deduction, (7) limitations on fund use to Puerto Rico, (8) funding for retailer trafficking, and (9) the Commonwealth of the Northern Mariana Islands.

Extends through FY2017: (1) the food distribution program on Indian reservations, and (2) commodity purchases for emergency food assistance.

Subtitle B: Commodity Distribution Programs - Extends through FY2017: (1) the commodity distribution program, (2) the commodity supplemental food program, and (3) the distribution of surplus commodities to special nutrition projects program.

Subtitle C: Miscellaneous - Extends funding for the senior farmers' market nutrition program through FY2017.

Repeals the nutrition information and awareness pilot program.

Establishes a pilot grant program for the purchase of fresh fruit and vegetables.

Title V: Credit - Subtitle A: Farm Ownership Loans - Allows: (1) additional legal entities to qualify for farm ownership loans, and (2) other acceptable experiences to qualify for the three-year farming eligibility requirement for direct loans.

Authorizes appropriations through FY2017 for the conservation loan and loan guarantee program.

Increases maximum down payment loan program amounts.

Subtitle B: Operating Loans - Allows additional legal entities to qualify for farm operating loans.

Authorizes the Secretary to waive the personal liability of a youth borrower if a loan default was due to circumstances beyond the borrower's control.

Establishes a micro loan program for direct or guaranteed loans (maximum micro loan of \$35,000 with a total micro loan indebtedness of \$70,000 per borrower).

Subtitle C: Emergency Loans - Allows additional legal entities to qualify for emergency loans.

Subtitle D: Administrative Provisions - Extends the beginning farmer and rancher individual development accounts pilot program through FY2017.

Subtitle E: State Agricultural Mediation Programs - Extends state agricultural mediation programs through FY2017.

Subtitle F: Loans to Purchasers of Highly Fractionated Land - Amends the loan and loan guarantee program for Indian tribes and tribal corporations to purchase highly fractionated land within the reservation to permit loans to intermediaries to establish revolving loan funds for such purchases.

Title VI: Rural Development - Subtitle A: Consolidated Farm and Rural Development Act - Extends through FY2017: (1) water, waste disposal, and wastewater facility grants; (2) rural business opportunity grants; (3) emergency and imminent community water assistance grants; (4) grants to nonprofit organizations for water well system servicing for

low- and moderate income households; (5) funding for the federal share of developing tribal college or university essential community facilities; (6) rural cooperative development grants; (7) the rural micro enterprise assistance program; (8) the Delta Regional Authority; (9) the Northern Great Plains Regional Authority; (10) the rural business investment program; and (11) the intermediary relending program to finance rural business facilities and community development projects.

Subtitle B: Rural Electrification Act of 1936 - Extends through FY2017: (1) guarantee authority for rural electrification or telephone bonds and notes, (2) expansion of 911 access, and (3) loan guarantees for rural broadband telecommunications infrastructure.

Gives loan priority to applicants that offer to provide broadband service to the greatest proportion of households that had no incumbent service provider.

Subtitle C: Miscellaneous - Extends through FY2017: (1) the distance learning and telemedicine program, (2) value-added agricultural producer grants, and (3) the agriculture innovation center demonstration program.

Title VII: Research, Extension, and Related Matters - Subtitle A: National Agricultural Research, Extension, and Teaching Policy Act of 1977 - Permits an institution to opt out of the designation of "Hispanic-serving agricultural colleges and universities."

Extends the National Agricultural Research, Extension, Education, and Economics Advisory Board until September 30, 2017.

Establishes a veterinary services grant program. Authorizes appropriations.

Authorizes appropriations through FY2017 for agricultural and food policy research centers.

Repeals: (1) the human nutrition intervention and health promotion research program, (2) appropriations for research on national or regional problems, (3) the pilot research program to combine medical and agricultural research, and (4) research equipment grants.

Extends through FY2017: (1) grants and fellowships for food and agricultural sciences education, (2) the nutrition education program, (3) animal health and disease research programs, (4) grants to upgrade agricultural and food sciences facilities at 1890 land-grant colleges and at land grant colleges in insular areas, (5) grants for Hispanic-serving institutions, (6) grants for international agricultural science and education, (7) assistance for extension programs, (8) assistance for university agricultural research, (9) assistance for supplemental and alternative crops, (10) aquaculture assistance programs, (11) rangeland research programs, and (12) biosecurity planning.

Authorizes appropriations through FY2017 for distance education and resident instruction at insular-area institutions of higher education.

Requires the recipient of a competitive grant that involves applied research or extension and that is commodity- or state-specific to provide matching funds or in-kind contributions.

Subtitle B: Food, Agriculture, Conservation, and Trade Act of 1990 - Extends through FY2017 programs and assistance under the National Agricultural Research, Extension, and Teaching Policy Act of 1977.

Repeals: (1) the national agricultural weather information system, (2) the agricultural genome initiative, (3) the electronic

commerce extension program, (4) the nutrient management research and extension initiative, and (5) the agricultural bioenergy feedstock and energy efficiency research and extension initiative.

Extends through FY2017: (1) integrated management systems, (2) Extension Service agent training, (3) sustainable agriculture technology, (4) organic agriculture research, (5) farm business management, and (6) assistive technology for farmers with disabilities, and (7) the national rural information center clearinghouse.

Authorizes grants through FY2017 for bed bug control and related research.

Subtitle C: Agricultural Research, Extension, and Education Reform Act of 1998 - Extends through FY2017: (1) integrated management systems programs, (2) the genetics resource program, (3) agriculture technology development programs, (4) the assistive technology program for farmers with disabilities, (5) integrated research and extension grants, (6) grants for youth organizations, (7) the specialty crop initiative, and (8) the Office of Pest Management Policy.

Repeals: (1) the program to improve the viability of small and medium dairy, livestock, and poultry operations; (2) John's (livestock) disease control program; and (3) the national swine research center.

Subtitle D: Other Laws - Extends through FY2017 programs and assistance under: (1) the Critical Agricultural Materials Act, (2) the Research Facilities Act, (3) the Renewable Resources Extension Act of 1978, and (4) the National Aquaculture Act of 1980.

Revises "1994 Institutions" (Equity in Educational Land-Grant Status Act of 1994) provisions.

Extends the beginning farmer and rancher development program through FY2017. Makes beginning farmers and ranchers who are veterans eligible for program set-asides.

Extends coverage under the McIntire-Stennis Cooperative Forestry Act to the Commonwealth of the Northern Mariana Islands.

Subtitle E: Food, Conservation, and Energy Act of 2008 - Extends through FY2017: (1) the Agricultural Biosecurity Communication Center, (2) research and development of agricultural countermeasures, (3) training for agricultural biosecurity planning and response for food science professionals and veterinarians, and (4) the agricultural biosecurity grant program.

Extends the period prohibiting federal land and facilities at El Reno, Oklahoma, from being declared to be surplus federal property or otherwise be conveyed.

Revises budget submission and funding provisions.

Extends through FY2017: (1) the natural products research program, and (2) the sun grant program.

Repeals: (1) the carbon cycle research program, (2) antibiotic-resistant bacteria research grant program, (3) the farm and ranch stress assistance network, (4) the seed distribution program, and (5) the rural transportation research program.

Conveys the land comprising the Subtropical Horticulture Research Station in Miami-Dade County, Florida, to Miami-Dade County.

Title VIII: Forestry - Subtitle A: Repeal of Certain Forestry Programs - Repeals: (1) the forest land enhancement program, (2) the watershed forestry assistance program, (3) the Hispanic-serving institution agricultural land leadership

program, and (4) the tribal watershed forestry assistance program.

Subtitle B: Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs - Extends the forest legacy program and the community forest and open space conservation program through FY2017.

Subtitle C: Reauthorization of Other Forestry-Related Laws - Extends the rural revitalization technologies program and the Office of International Forestry through FY2017.

Subtitle D: National Forest Critical Area Response - Directs the Secretary to designate critical areas within the National Forest System to address: (1) deteriorating forest health conditions due to insect infestation, drought, disease, or storm damage; and (2) the future risk of insect infestations or disease outbreaks through preventative treatments.

Allows the use of expedited environmental, administrative, and judicial procedures to be used for such areas.

Subtitle E: Miscellaneous Provisions - Directs the Secretary to revise the forest inventory strategic plan.

Title IX: Energy - Extends through FY2017: (1) the biobased marketing program, (2) biorefinery assistance, (3) the bioenergy program for advanced biofuels, (4) the biodiesel fuel education program, (5) the rural energy for America program, (6) biomass research and development, (7) the feedstock flexibility program for bioenergy producers, (8) the biomass crop assistance program, and (9) the community wood energy program.

Repeals the repowering assistance program (to reduce or eliminate biorefinery fossil fuel use) and transfers the remaining funds to the rural energy for America program.

Title X: Horticulture - Extends through FY2017: (1) the specialty crop market news program, (2) the farmers market and local food promotion program, (3) organic production and market initiatives, (4) food safety initiatives, and (5) specialty crop block grants.

Repeals the specialty crop movement-to-market program.

Sets forth investigatory and enforcement provisions under the Organic Foods Production Act of 1990.

Exempts the bulk bin shipment of apples to Canada from specified Apple Export Act requirements.

Subjects imported olive oil to U.S. grade, size, and quality controls.

Authorizes any person to petition USDA for a determination that an organism subject to regulation as a plant pest is not a plant pest.

Repeals the coordinated plant management program and establishes the national clean plant network for diagnostic and pathogen elimination services to: (1) produce clean propagative plant material, and (2) maintain blocks of pathogen-tested plant material in sites throughout the United States.

Requires USDA to report to Congress on biotechnology regulation.

Extends and revises Pesticide Registration Improvement Renewal Act fee and related provisions.

Reducing Regulatory Burdens Act of 2012 - Prohibits, with specified exceptions, the Administrator of the Environmental Protection Agency (EPA) or a state from requiring a permit under the Federal Water Pollution Control Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the

Federal Insecticide, Fungicide, and Rodenticide Act.

Includes bed bugs in the definition of a "vector organism."

Makes the provisions of this title effective on October 1, 2012, with specified exceptions.

Title XI: Crop Insurance - Makes available to crop producers a supplemental coverage option (based on area yield and loss) to cover part of a crop insurance policy deductible. Triggers such option only if area losses exceed 10% of normal levels.

Provides for: (1) 70% premium coverage by the Federal Crop Insurance Corporation (FCIC), and (2) coverage to begin no later than crop year 2013.

Makes permanent the pilot program under which FCIC pays a portion of the premiums for insurance plans or policies for which the insurable unit is defined as a whole farm or enterprise unit.

Makes separate enterprise units available for irrigated and non-irrigated acreages of crops beginning with crop year 2013.

Revises the adjustment in actual production history used to establish insurable yields.

Requires FCIC to: (1) review any policy or pilot program to carry out research and development for new crop insurance policies and submit such policy or program to the Board of Directors, if the policy or program will likely result in a marketable policy and improved coverage; and (2) make an additional annual reimbursement through reinsurance year 2015 to insurance companies selling specialty crop policies.

Provides crop insurance premiums at 50 percentage points less than the otherwise applicable subsidy for the first four crop years of planting on native sod acreage in the Prairie Pothole National Priority Area.

Defines "beginning farmer or rancher" as a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than five crop years.

Requires FCIC, beginning not later than the 2013 upland cotton crop, to make available to producers of maximum eligible acres of upland cotton an additional policy (the Stacked Income Protection Plan). States that Plan coverage shall be in addition to all other coverages available to upland cotton producers.

Requires FCIC and the Risk Management Agency, beginning with the 2013 crop, to make available a revenue crop insurance program for peanuts based on a price equal to the Rotterdam price index for peanuts, as adjusted to reflect the farmer stock price of peanuts in the United States.

Directs the Secretary to: (1) maintain and upgrade FCIC information management systems used in the administration and enforcement of this title, (2) implement an acreage reporting streamlining initiative to permit producers to report acreage and other information directly to USDA.

Requires FCIC to: (1) contract for research and development for insuring producers of freshwater-reared catfish against reduction in the margin between market value and selected production costs; (2) contract to determine the feasibility of insuring commercial poultry production against business disruptions caused by integrator bankruptcy, and for a study to determine the feasibility of insuring poultry producers for a catastrophic event; (3) contract for research and development

of insuring biomass and sweet sorghum grown to produce feedstocks for renewable biofuel, renewable electricity, or biobased products; (4) contract for a feasibility study of insuring swine producers for a catastrophic event; (5) to develop a whole farm risk management insurance plan (with liability up to \$1 million); and (6) contract for a study of whether offering coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

Limits livestock pilot programs to \$50 million per year.

Provides coverages based on individual yields (other than for value-loss crops) under the noninsured crop disaster assistance program equivalent to: (1) catastrophic risk protection, or (2) specified additional coverage. Reduces the premium for additional coverage by 50% for limited resource, beginning, and socially disadvantaged farmers.

Title XII: Miscellaneous - Subtitle A: Livestock - Extends through FY2017: (1) the national aquatic animal health plan, (2) the trichinae certification program, and (3) the National Sheep Industry Improvement Center.

Subtitle B: Socially Disadvantaged Producers and Limited Resource Producers - Provides funding through FY2017 for: (1) outreach and assistance to socially disadvantaged farmers and ranchers (includes farmers and ranchers who are veterans in such program), and (2) the Office of Advocacy and Outreach.

Subtitle C: Other Miscellaneous Provisions - Provides funding through FY2017 for grants to improve the supply, stability, safety, and training of the agricultural labor force.

Prohibits USDA from closing or relocating a Farm Service Agency county or field office that has a high workload compared with other offices in the state.

Prohibits any person from knowingly attending an animal fighting venture or causing a minor to attend such a venture.

Establishes: (1) an Office of Tribal Relations within the Office of the Secretary; and (2) a USDA position of Military Veterans Agricultural Liaison to provide information to returning veterans on beginning farmer training, agricultural vocational and rehabilitation programs.

Authorizes: (1) the Secretary to make grants to state and tribal governments and research institutions to promote the domestic maple syrup industry, and (2) program appropriations through FY2017.

Prohibits any state or local government from imposing standards or conditions on the production or manufacture of agricultural products sold in interstate commerce if: (1) such production or manufacture occurs in another state, and (2) the standard or condition is in addition to the standards and conditions applicable pursuant to federal law and the laws of the state and locality in which such production or manufacture occurs.

Directs the Secretary to increase flood protection for farmers, producers, and other agricultural interests in the Missouri River basin by: (1) recalculating the amount of space within the Missouri River Mainstem Reservoir System that is allocated to flood control storage, and (2) increasing the River's channel capacity between the reservoirs and below Gavins Point.

Actions Timeline

- **Sep 13, 2012:** Reported (Amended) by the Committee on Agriculture. H. Rept. 112-669.
- **Sep 13, 2012:** Placed on the Union Calendar, Calendar No. 481.
- **Jul 11, 2012:** Committee Consideration and Mark-up Session Held.
- **Jul 11, 2012:** Ordered to be Reported (Amended) by the Yeas and Nays: 35 - 11.

• **Jul 9, 2012:** Introduced in House

• **Jul 9, 2012:** Referred to the House Committee on Agriculture.