

Amy Klobuchar

AMENDMENT NO. _____ Calendar No. _____

Purpose: To make the native sod provisions applicable to the United States and to modify those provisions.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Ms. KLOBUCHAR

Viz:

1 In section 1601(1), strike subparagraph (B) and insert the following:

3 (B) in paragraph (4)—

4 (i) in subparagraph (B), by striking
5 clause (i) and inserting the following:

6 “(i) IN GENERAL.—

7 “(I) AGRICULTURAL ACT OF
8 2014.—As determined by the Secretary,
9 native sod acreage that has
10 been tilled for the production of a covered
11 crop during the period beginning

1 on February 8, 2014, and ending on
2 the date of enactment of the Agri-
3 culture Improvement Act of 2018
4 shall be subject to 4 cumulative years
5 of a reduction in benefits under this
6 section as described in this subpara-
7 graph.

8 “(II) SUBSEQUENT YEARS.—

9 “(aa) NON-HAY AND NON-
10 FORAGE CROPS.—During the
11 first 4 crop years of planting, as
12 determined by the Secretary, na-
13 tive sod acreage that has been
14 tilled for the production of a cov-
15 ered crop other than a hay or
16 forage crop after the date of en-
17 actment of the Agriculture Im-
18 provement Act of 2018 shall be
19 subject to 4 cumulative years of
20 a reduction in benefits under this
21 section as described in this sub-
22 paragraph.

23 “(bb) HAY AND FORAGE
24 CROPS.—During each crop year
25 of planting, as determined by the

1 Secretary, native sod acreage
2 that has been tilled for the pro-
3 duction of a hay or forage crop
4 after the date of enactment of
5 the Agriculture Improvement Act
6 of 2018 shall be subject to 4 cu-
7 mulative years of a reduction in
8 benefits under this section as de-
9 scribed in this subparagraph.”;

10 (ii) by redesignating subparagraph
11 (C) as subparagraph (D);

12 (iii) by inserting after subparagraph
13 (C) the following:

14 “(C) NATIVE SOD CONVERSION CERTIFI-
15 CATION.—

16 “(i) CERTIFICATION.—As a condition
17 on the receipt of benefits under this sec-
18 tion, a producer that has tilled native sod
19 acreage for the production of an insurable
20 crop as described in subparagraph (B)(i)
21 shall certify to the Secretary that acreage
22 using—

23 “(I) an acreage report form of
24 the Farm Service Agency (FSA-578
25 or any successor form); and

1 “(II) 1 or more maps.

2 “(ii) CORRECTIONS.—Beginning on
3 the date on which a producer submits a
4 certification under clause (i), as soon as
5 practicable after the producer discovers a
6 change in tilled native sod acreage de-
7 scribed in that clause, the producer shall
8 submit to the Secretary any appropriate
9 corrections to a form or map described in
10 subclause (I) or (II) of that clause.

11 “(iii) ANNUAL REPORTS.—Not later
12 than January 1, 2019, and each January
13 1 thereafter through January 1, 2023, the
14 Secretary shall submit to the Committee
15 on Agriculture of the House of Representa-
16 tives and the Committee on Agriculture,
17 Nutrition, and Forestry of the Senate a re-
18 port that describes the tilled native sod
19 acreage that has been certified under
20 clause (i) in each county and State as of
21 the date of submission of the report.”; and

22 (iv) in subparagraph (D) (as so reded-
23 ignated)—

24 (I) by striking “This paragraph”
25 and inserting the following:

1 “(i) IN GENERAL.—Subject to clause
2 (ii), this paragraph”; and

3 (II) by adding at the end the fol-
4 lowing:

5 “(ii) ELECTION.—A governor of a
6 State other than a State described in
7 clause (i) may elect to have this paragraph
8 apply to the State.”;

9 Strike section 11114 and insert the following:

10 **SEC. 11114. CROP PRODUCTION ON NATIVE SOD.**

11 Section 508(o) of the Federal Crop Insurance Act (7
12 U.S.C. 1508(o)) is amended—

13 (1) in paragraph (2), by striking subparagraph
14 (A) and inserting the following:

15 “(A) IN GENERAL.—

16 “(i) AGRICULTURAL ACT OF 2014.—
17 Native sod acreage that has been tilled for
18 the production of an insurable crop during
19 the period beginning on February 8, 2014,
20 and ending on the date of enactment of the
21 Agriculture Improvement Act of 2018 shall
22 be subject to 4 cumulative years of a re-
23 duction in benefits under this subtitle as
24 described in this paragraph.

1 “(ii) SUBSEQUENT YEARS.—

2 “(I) NON-HAY AND NON-FORAGE
3 CROPS.—As determined by the Sec-
4 retary, native sod acreage that has
5 been tilled for the production of an in-
6 surable crop other than a hay or for-
7 age crop after the date of enactment
8 of the Agriculture Improvement Act of
9 2018 shall be subject to 4 cumulative
10 years of a reduction in benefits under
11 this subtitle as described in this para-
12 graph.

13 “(II) HAY AND FORAGE
14 CROPS.—During each crop year of
15 planting, as determined by the Sec-
16 retary, native sod acreage that has
17 been tilled for the production of an in-
18 surable hay or forage crop after the
19 date of enactment of the Agriculture
20 Improvement Act of 2018 shall be
21 subject to 4 cumulative years of a re-
22 duction in benefits under this subtitle
23 as described in this paragraph.”;

24 (2) by redesignating paragraph (3) as para-
25 graph (4);

1 (3) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) NATIVE SOD CONVERSION CERTIFI-
4 CATION.—

5 “(A) CERTIFICATION.—As a condition on
6 the receipt of benefits under this subtitle, a pro-
7 ducer that has tilled native sod acreage for the
8 production of an insurable crop as described in
9 paragraph (2)(A) shall certify to the Secretary
10 that acreage using—

11 “(i) an acreage report form of the
12 Farm Service Agency (FSA-578 or any
13 successor form); and

14 “(ii) 1 or more maps.

15 “(B) CORRECTIONS.—Beginning on the
16 date on which a producer submits a certifi-
17 cation under subparagraph (A), as soon as
18 practicable after the producer discovers a
19 change in tilled native sod acreage described in
20 that subparagraph, the producer shall submit to
21 the Secretary any appropriate corrections to a
22 form or map described in clause (i) or (ii) of
23 that subparagraph.

24 “(C) ANNUAL REPORTS.—Not later than
25 January 1, 2019, and each January 1 there-

1 after through January 1, 2023, the Secretary
2 shall submit to the Committee on Agriculture of
3 the House of Representatives and the Com-
4 mittee on Agriculture, Nutrition, and Forestry
5 of the Senate a report that describes the tilled
6 native sod acreage that has been certified under
7 subparagraph (A) in each county and State as
8 of the date of submission of the report.”; and
9 (4) in paragraph (4) (as so redesignated)—

10 (A) by striking “This subsection” and in-
11 serting the following:

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), this subsection”; and

14 (B) by adding at the end the following:

15 “(B) ELECTION.—A governor of a State
16 other than a State described in subparagraph
17 (A) may elect to have this paragraph apply to
18 the State.”.

19 At the end of title XI, add the following:

20 **SEC. 11____. CROPLAND REPORT ANNUAL UPDATES.**

21 Section 11014(c)(2) of the Agricultural Act of 2014
22 (Public Law 113–79; 128 Stat. 963) is amended in the
23 matter preceding subparagraph (A) by striking “2018”
24 and inserting “2023”.