

117TH CONGRESS
1ST SESSION

S. 359

To amend the Federal Crop Insurance Act to modify prevented planting coverage.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2021

Mr. HOEVEN (for himself and Ms. BALDWIN) 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 prevented planting coverage.

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 “Feed Emergency En-
5 hancement During Disasters with Cover Crops Act of
6 2021” or the “FEEDD Act of 2021”.

7 **SEC. 2. SECOND CROP PLANTED.**

8 Section 508A(c) of the Federal Crop Insurance Act
9 (7 U.S.C. 1508a(c)) is amended—

1 (1) in paragraph (1), by striking subparagraph
2 (B) and inserting the following:

3 “(B) SECOND CROP PLANTED.—The pro-
4 ducer may—

5 “(i) plant a second crop on the same
6 acreage for harvest in the same crop year;
7 and

8 “(ii) collect, subject to paragraphs (4)
9 and (5)—

10 “(I) an indemnity payment estab-
11 lished by the Corporation for the first
12 crop, but not to exceed 35 percent of
13 the prevented planting guarantee for
14 the acreage for the first crop; or

15 “(II) an indemnity payment that
16 is equal to 100 percent of the pre-
17 vented planting guarantee for the
18 acreage for the first crop, if the sec-
19 ond crop—

20 “(aa) is a cover crop, as de-
21 termined by the Secretary;

22 “(bb) is planted in an area
23 with low hay or forage supplies
24 due to widespread excessive mois-
25 ture, flood, drought, or other fac-

1 tors, as determined by the Sec-
2 retary;

3 “(cc) is planted with an in-
4 tended use of animal feed that is
5 hayed, grazed, or chopped; and

6 “(dd) will be donated or
7 used by the producer.”;

8 (2) in paragraph (3), by striking “Except” and
9 all that follows through “paragraph (1)(B)” and in-
10 serting “Except in the case of a second crop planted
11 as described in subitems (aa) through (dd) of para-
12 graph (1)(B)(ii)(II) or double cropping described in
13 subsection (d), if a producer makes an election
14 under paragraph (1)(B)(ii)(I)”;

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

16 “(6) INDEMNITY PAYMENTS DURING HAYING,
17 GRAZING, OR CHOPPING.—

18 “(A) DEFINITION OF HARVEST DATE.—In
19 this paragraph, the term ‘harvest date’ means
20 a date—

21 “(i) determined by the Secretary for
22 purposes of subparagraph (C); and

23 “(ii) that may differ based on the re-
24 gion of the United States for which the
25 date is established.

1 “(B) ANNUAL ESTABLISHMENT OF HAR-
2 VEST DATE.—The Secretary shall establish a
3 harvest date for each region of the United
4 States by crop year, taking into account current
5 and regularly updated forward-looking meteorolo-
6 gical data.

7 “(C) NO REDUCTION IN INDEMNITY PAY-
8 MENTS.—For the purposes of paragraph
9 (1)(B)(ii)(I), the Secretary shall not reduce the
10 amount of an indemnity payment collected by a
11 producer that hays, grazes, or chops cover
12 crops, as determined by the Secretary, on pre-
13 vented planting acres after the harvest date ap-
14 plicable to the region in which the prevented
15 planting acres are located.”.

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