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Henry Conrad

6-14

11:03a

AMENDMENT NO. _____ Calendar No. _____

Purpose: To extend and improve the counter-cyclical program.

IN T

AMENDMENT NO 2425

2d Sess.

By

Conrad - others

To 1

To:

S. 3240

and for

Ref

8
Page(s)

and

GPO: 2010 69-070 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CONRAD (for himself, Mr. BAUCUS, Mr. HOEVEN and Mr. CHAMBLISS)

Viz:

1 Strike section 1102 and insert the following:

2 **SEC. 1102. COUNTER-CYCLICAL PROGRAM.**

3 (a) IN GENERAL.—Section 1104 of the Food, Con-
4 servation, and Energy Act of 2008 (7 U.S.C. 8714) is
5 amended—

6 (1) in subsection (a), by striking “2008 through
7 2012 crop years for each covered commodity” and
8 inserting “2013 through 2017 crop years for each
9 covered commodity (other than upland cotton)”;

10 (2) in subsection (b), by striking “during the
11 12-month marketing year” each place it appears in

1 paragraphs (1)(A)(i) and (2)(A)(i) and inserting
2 “for the first 5 months of the marketing year”;

3 (3) in subsection (c), by adding at the end the
4 following:

5 “(4) 2013 THROUGH 2017 CROP YEARS.—For
6 purposes of each of the 2013 through 2017 crop
7 years, the target prices for covered commodities
8 shall be as follows:

9 “(A) Wheat, \$4.46 per bushel.

10 “(B) Corn, \$2.81 per bushel.

11 “(C) Grain sorghum, \$2.81 per bushel.

12 “(D) Feed barley, \$2.81 per bushel.

13 “(E) Malt-type barley, \$3.57 per bushel.

14 “(F) Oats, \$1.92 per bushel.

15 “(G) Long grain rice, \$11.00 per hundred-
16 weight.

17 “(H) Medium grain rice, \$11.00 per hun-
18 dredweight.

19 “(I) Soybeans, \$6.30 per bushel.

20 “(J) Other oilseeds, \$13.18 per hundred-
21 weight.

22 “(K) Dry peas, \$8.82 per hundredweight.

23 “(L) Lentils, \$13.31 per hundredweight.

24 “(M) Small chickpeas, \$10.86 per hun-
25 dredweight.

1 “(N) Large chickpeas, \$13.31 per hun-
2 dredweight.”;

3 (4) by redesignating subsection (f) as sub-
4 section (g); and

5 (5) by inserting after subsection (e) the fol-
6 lowing:

7 “(f) PAYMENT AMOUNT.—

8 “(1) DEFINITIONS.—In this subsection:

9 “(A) PAYMENT ACRES.—The term ‘pay-
10 ment acres’ means—

11 “(i) 75 percent of the acres planted or
12 prevented from being planted to a covered
13 commodity on a farm; but

14 “(ii) not to exceed 75 percent of the
15 total base acres for the covered commodity
16 established for the 2012 crop year.

17 “(B) PAYMENT YIELD.—The term ‘pay-
18 ment yield’ means the yield established for
19 counter-cyclical payments for the 2012 crop
20 year for a farm for a covered commodity.

21 “(2) PAYMENT AMOUNT.—If counter-cyclical
22 payments are required to be paid under this section
23 for any of the 2013 through 2017 crop years of a
24 covered commodity, the amount of the counter-cycli-
25 cal payment to be paid to the producers on a farm

1 for that crop year shall be equal to the product of
2 the following:

3 “(A) The payment rate specified in sub-
4 section (d).

5 “(B) The payment acres of the covered
6 commodity on the farm.

7 “(C) The payment yield for the covered
8 commodity for the farm.”.

9 (b) PEANUTS.—Section 1304 of the Food, Conserva-
10 tion, and Energy Act of 2008 (7 U.S.C. 8754) is amend-
11 ed—

12 (1) in subsection (a), by striking “2008 through
13 2012” and inserting “2013 through 2017”;

14 (2) in subsection (b)(1)(A), by striking “during
15 the 12-month marketing year” and inserting “for
16 the first 5 months of the marketing year”;

17 (3) in subsection (c), by striking “\$495 per
18 ton” and inserting “\$25.25 per hundredweight”;

19 (4) by redesignating subsection (f) as sub-
20 section (g); and

21 (5) by inserting after subsection (e) the fol-
22 lowing:

23 “(f) PAYMENT AMOUNT.—

24 “(1) DEFINITIONS.—In this subsection:

1 “(A) PAYMENT ACRES.—The term ‘pay-
2 ment acres’ means—

3 “(i) 75 percent of the acres planted or
4 prevented from being planted to peanuts
5 on a farm; but

6 “(ii) not to exceed 75 percent of the
7 total base acres for peanuts established for
8 the 2012 crop year.

9 “(B) PAYMENT YIELD.—The term ‘pay-
10 ment yield’ means the yield established for
11 counter-cyclical payments for the 2012 crop
12 year for a farm for peanuts.

13 “(2) PAYMENT AMOUNT.—If counter-cyclical
14 payments are required to be paid under this section
15 for any of the 2013 through 2017 crop years of pea-
16 nuts., the amount of the counter-cyclical payment to
17 be paid to the producers on a farm for that crop
18 year shall be equal to the product of the following:

19 “(A) The payment rate specified in sub-
20 section (d).

21 “(B) The payment acres on the farm.

22 “(C) The payment yield for the farm.”.

23 (c) PRODUCER AGREEMENT REQUIRED AS CONDI-
24 TION OF PROVISION OF PAYMENTS.—Section 1106 shall
25 apply to counter-cyclical payments under sections 1104

1 and 1304 of the Food and Nutrition Act of 2008 (7
2 U.S.C. 8714, 8754) (as amended by this section) in the
3 same manner as that section applies to agriculture risk
4 coverage payments.

5 (d) PAYMENT LIMITATIONS.—Section 1101(b) of the
6 Food Security Act of 1985 (as amended by section
7 1603(a)) is amended—

8 (1) by redesignating paragraphs (1) and (2) as
9 subparagraphs (A) and (B) and indenting appro-
10 priately;

11 (2) by striking “The total” and inserting the
12 following:

13 “(1) IN GENERAL.—The total”; and

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

15 “(2) LIMITATION ON COUNTER-CYCLICAL PAY-
16 MENTS.—

17 “(A) IN GENERAL.—The total amount of
18 counter-cyclical payments received, directly or
19 indirectly, by a person or legal entity (except a
20 joint venture or general partnership) for any
21 crop year under section 1104 of the Food and
22 Nutrition Act of 2008 (7 U.S.C. 8714) for 1 or
23 more covered commodities (except for peanuts)
24 may not exceed \$65,000.

1 “(B) PEANUTS.—The total amount of
2 counter-cyclical payments received, directly or
3 indirectly, by a person or legal entity (except a
4 joint venture or general partnership) for any
5 crop year under section 1304 of the Food and
6 Nutrition Act of 2008 (7 U.S.C. 8754) for pea-
7 nuts may not exceed \$65,000.”.

8 (e) PERIOD OF EFFECTIVENESS.—

9 (1) IN GENERAL.—Section 1109 of the Food,
10 Conservation, and Energy Act of 2008 (7 U.S.C.
11 8719) is amended—

12 (A) by striking “This subtitle” and insert-
13 ing the following:

14 “(1) IN GENERAL.—Except as provided in para-
15 graph (2), this subtitle”; and

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

17 “(2) COUNTER-CYCLICAL PROGRAM.—Section
18 1104 shall be effective beginning with the 2013 crop
19 year of each covered commodity (other than upland
20 cotton) through the 2017 crop year.”.

21 (2) ADMINISTRATION GENERALLY.—Notwith-
22 standing any other provision of law, for the period
23 of crop years 2013 through 2017, the Secretary
24 shall use the funds, facilities, and authorities of the
25 Commodity Credit Corporation to carry out sections

1 1104 and 1304 of the Food and Nutrition Act of
2 2008 (7 U.S.C. 8714, 8754) in accordance with the
3 amendments made by this section.

4 (f) OFFSET.—Sections 11006 and 11012, and the
5 amendments made by those sections, shall have no force
6 or effect.