

107TH CONGRESS
2^D SESSION

S. 2728

To provide emergency agricultural disaster assistance.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2002

Mr. DAYTON (for himself and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide emergency agricultural disaster assistance.

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 “Emergency Agricul-
5 tural Assistance Act of 2002”.

6 **SEC. 2. INCOME LOSS ASSISTANCE.**

7 (a) IN GENERAL.—The Secretary of Agriculture (re-
8 ferred to in this Act as the “Secretary”) shall use
9 \$4,500,000,000 of the funds of the Commodity Credit
10 Corporation to make emergency financial assistance avail-

1 able to producers on a farm that have incurred qualifying
2 income losses in calendar year 2001 or 2002.

3 (b) ADMINISTRATION.—The Secretary shall make as-
4 sistance available under this section in the same manner
5 as provided under section 815 of the Agriculture, Rural
6 Development, Food and Drug Administration, and Re-
7 lated Agencies Appropriations Act, 2001 (Public Law
8 106–387; 114 Stat. 1549A–55), including using the same
9 loss thresholds for the quantity and economic losses as
10 were used in administering that section.

11 (c) USE OF FUNDS FOR CASH PAYMENTS.—The Sec-
12 retary may use funds made available under this section
13 to make, in a manner consistent with this section, cash
14 payments not for crop disasters, but for income loss to
15 carry out the purposes of this section.

16 **SEC. 3. LIVESTOCK ASSISTANCE PROGRAM.**

17 (a) IN GENERAL.—The Secretary shall use
18 \$1,000,000,000 of the funds of the Commodity Credit
19 Corporation to make and administer payments for live-
20 stock losses to producers for 2001 or 2002 losses in a
21 county that has received an emergency designation by the
22 President or the Secretary after January 1, 2001.

23 (b) ADMINISTRATION.—The Secretary shall make as-
24 sistance available under this section in the same manner
25 as provided under section 806 of the Agriculture, Rural

1 Development, Food and Drug Administration, and Re-
2 lated Agencies Appropriations Act, 2001 (Public Law
3 105–277; 114 Stat. 1549A–51).

4 **SEC. 4. COMMODITY CREDIT CORPORATION.**

5 The Secretary shall use the funds, facilities, and au-
6 thorities of the Commodity Credit Corporation to carry
7 out this Act.

8 **SEC. 5. REGULATIONS.**

9 (a) IN GENERAL.—The Secretary may promulgate
10 such regulations as are necessary to implement this Act.

11 (b) PROCEDURE.—The promulgation of the regula-
12 tions and administration of this Act shall be made without
13 regard to—

14 (1) the notice and comment provisions of sec-
15 tion 553 of title 5, United States Code;

16 (2) the Statement of Policy of the Secretary of
17 Agriculture effective July 24, 1971 (36 Fed. Reg.
18 13804), relating to notices of proposed rulemaking
19 and public participation in rulemaking; and

20 (3) chapter 35 of title 44, United States Code
21 (commonly known as the “Paperwork Reduction
22 Act”).

23 (c) CONGRESSIONAL REVIEW OF AGENCY RULE-
24 MAKING.—In carrying out this section, the Secretary shall

1 use the authority provided under section 808 of title 5,
2 United States Code.

3 **SEC. 6. EMERGENCY REQUIREMENT.**

4 (a) IN GENERAL.—The entire amount necessary to
5 carry out this Act shall be available only to the extent that
6 an official budget request for the entire amount, that in-
7 cludes designation of the entire amount of the request as
8 an emergency requirement under the Balanced Budget
9 and Emergency Deficit Control Act of 1985 (2 U.S.C. 900
10 et seq.), is transmitted by the President to Congress.

11 (b) DESIGNATION.—The entire amount necessary to
12 carry out this Act is designated by Congress as an emer-
13 gency requirement pursuant to section 251(b)(2)(A) of
14 that Act (2 U.S.C. 901(b)(2)(A)).

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