

110TH CONGRESS  
2D SESSION

# H. R. 6849

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Received

---

## AN ACT

To amend the commodity provisions of the Food, Conservation, and Energy Act of 2008 to permit producers to aggregate base acres and reconstitute farms to avoid the prohibition on receiving direct payments, counter-cyclical payments, or average crop revenue election payments when the sum of the base acres of a farm is 10 acres or less, and for other purposes.

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. TREATMENT OF FARMS WITH LIMITED BASE**  
4 **ACRES.**

5 (a) SUSPENSION OF PROHIBITION.—

6 (1) IN GENERAL.—Section 1101(d) of the  
7 Food, Conservation, and Energy Act of 2008 (7  
8 U.S.C. 8711(d)) is amended by adding at the end  
9 the following:

10 “(4) SUSPENSION OF PROHIBITION.—Para-  
11 graphs (1) through (3) shall not apply during the  
12 2008 and 2009 crop years.”.

13 (2) PEANUTS.—Section 1302(d) of the Food,  
14 Conservation, and Energy Act of 2008 (7 U.S.C.  
15 8752(d)) is amended by adding at the end the fol-  
16 lowing:

17 “(4) SUSPENSION OF PROHIBITION.—Para-  
18 graphs (1) through (3) shall not apply during the  
19 2008 and 2009 crop years.”.

20 (b) EXTENSION OF 2008 SIGNUP FOR DIRECT PAY-  
21 MENTS AND COUNTER-CYCLICAL PAYMENTS.—

22 (1) IN GENERAL.—Section 1106 of the Food,  
23 Conservation, and Energy Act of 2008 (7 U.S.C.  
24 8716) is amended by adding at the end the fol-  
25 lowing:

1 “(f) EXTENSION OF 2008 SIGNUP.—

2 “(1) IN GENERAL.—Notwithstanding any other  
3 provision of law, the Secretary shall extend the 2008  
4 crop year deadline for the signup for benefits under  
5 this subtitle by producers on a farm with base acres  
6 of 10 acres or less until the later of—

7 “(A) November 14, 2008; or

8 “(B) the end of the 45-day period begin-  
9 ning on the date of the enactment of this sub-  
10 section.

11 “(2) PENALTIES.—The Secretary shall ensure  
12 that no penalty with respect to benefits under this  
13 subtitle is assessed against producers on a farm de-  
14 scribed in paragraph (1) for failure to submit re-  
15 ports under this section or timely comply with other  
16 program requirements as a result of compliance with  
17 the extended signup deadline under that para-  
18 graph.”.

19 (2) PEANUTS.—Section 1305 of the Food, Con-  
20 servation, and Energy Act of 2008 (7 U.S.C. 8755)  
21 is amended by adding at the end the following:

22 “(f) EXTENSION OF 2008 SIGNUP.—

23 “(1) IN GENERAL.—Notwithstanding any other  
24 provision of law, the Secretary shall extend the 2008  
25 crop year deadline for the signup for benefits under

1       this subtitle by producers on a farm with base acres  
2       of 10 acres or less until the later of—

3               “(A) November 14, 2008; or

4               “(B) the end of the 45-day period begin-  
5       ning on the date of the enactment of this sub-  
6       section.

7               “(2) PENALTIES.—The Secretary shall ensure  
8       that no penalty with respect to benefits under this  
9       subtitle is assessed against producers on a farm de-  
10      scribed in paragraph (1) for failure to submit re-  
11      ports under this section or timely comply with other  
12      program requirements as a result of compliance with  
13      the extended signup deadline under that para-  
14      graph.”.

15      (c) OFFSETTING REDUCTION.—Section 515(k)(1) of  
16      the Federal Crop Insurance Act (7 U.S.C. 1515(k)(1)) is  
17      amended by striking “not more than \$15,000,000 for each  
18      of fiscal years 2008 through 2011” and inserting “not  
19      more than \$15,000,000 for fiscal year 2008, not more

- 1 than \$9,000,000 for fiscal year 2009, and not more than  
2 \$8,000,000 for each of fiscal years 2010 and 2011”.

Passed the House of Representatives September 24,  
2008.

Attest:                      LORRAINE C. MILLER,  
*Clerk.*