

110TH CONGRESS
1ST SESSION

S. 165

To require the Secretary of Agriculture to provide compensation for certain livestock losses.

IN THE SENATE OF THE UNITED STATES

JANUARY 4, 2007

Mr. ALLARD (for himself, Mr. ROBERTS, Mr. DOMENICI, Mr. INHOFE, and Mr. HAGEL) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require the Secretary of Agriculture to provide compensation for certain livestock losses.

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 “Livestock Assistance
5 Act of 2007”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **DISASTER COUNTY.**—

9 (A) **IN GENERAL.**—The term “disaster
10 county” means a county included in the geo-

1 graphic area covered by a qualifying natural
 2 disaster declaration for calendar year 2006 or
 3 2007, or both, for which the request for the
 4 declaration was submitted during the period be-
 5 ginning on January 1, 2006, and ending on the
 6 date of enactment of this Act.

7 (B) INCLUSION.—The term “disaster
 8 county” includes a county contiguous to a coun-
 9 ty described in subparagraph (A).

10 (2) QUALIFYING NATURAL DISASTER DECLARA-
 11 TION.—The term “qualifying natural disaster dec-
 12 laration” means—

13 (A) a natural disaster declared by the Sec-
 14 retary under section 321(a) of the Consolidated
 15 Farm and Rural Development Act (7 U.S.C.
 16 1961(a)); or

17 (B) a major disaster or emergency des-
 18 ignated by the President under the Robert T.
 19 Stafford Disaster Relief and Emergency Assist-
 20 ance Act (42 U.S.C. 5121 et seq.).

21 (3) SECRETARY.—The term “Secretary” means
 22 the Secretary of Agriculture.

23 **SEC. 3. LIVESTOCK ASSISTANCE.**

24 (a) LIVESTOCK COMPENSATION PROGRAM.—

1 (1) USE OF COMMODITY CREDIT CORPORATION
2 FUNDS.—Effective beginning on the date of enact-
3 ment of this Act, the Secretary shall use funds of
4 the Commodity Credit Corporation to carry out the
5 2002 Livestock Compensation Program announced
6 by the Secretary on October 10, 2002 (67 Fed. Reg.
7 63070), to provide compensation for livestock losses
8 due to blizzard and drought in the States of Colo-
9 rado, Kansas, Nebraska, New Mexico, and Okla-
10 homa.

11 (2) ELIGIBLE APPLICANTS.—In carrying out
12 the program described in paragraph (1), the Sec-
13 retary shall provide assistance to any applicant
14 that—

15 (A)(i) conducts a livestock operation that
16 is located in a disaster county, including any
17 applicant conducting a livestock operation in-
18 volving eligible livestock (within the meaning of
19 the livestock assistance program under section
20 101(b) of division B of Public Law 108–324
21 (118 Stat. 1234)); or

22 (ii) produces an animal described in sec-
23 tion 10806(a)(1) of the Farm Security and
24 Rural Investment Act of 2002 (21 U.S.C.
25 321d(a)(1)); and

1 (B) meets all other eligibility requirements
2 established by the Secretary for the program.

3 (3) MITIGATION.—In determining the eligibility
4 for or amount of payments for which a producer is
5 eligible under the livestock compensation program,
6 the Secretary shall not penalize a producer that
7 takes actions (recognizing disaster conditions) that
8 reduce the average number of livestock the producer
9 owned for grazing during the production year for
10 which assistance is being provided.

11 (b) LIVESTOCK INDEMNITY PAYMENTS.—

12 (1) IN GENERAL.—The Secretary shall use such
13 sums as are necessary of funds of the Commodity
14 Credit Corporation to make livestock indemnity pay-
15 ments to producers on farms that have incurred live-
16 stock losses during calendar year 2006 or 2007, or
17 both, due to a disaster, as determined by the Sec-
18 retary, including losses due to blizzard and drought.

19 (2) PAYMENT RATES.—Indemnity payments to
20 a producer on a farm under paragraph (1) shall be
21 made at a rate of not less than 30 percent of the
22 market value of the applicable livestock on the day
23 before the date of death of the livestock, as deter-
24 mined by the Secretary.

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