

AMENDMENT TO
RULES COMMITTEE PRINT 119-22
OFFERED BY MR. BISHOP OF GEORGIA

At the end of title XI, add the following:

1 **SEC. ____ . SEASONAL AND PERISHABLE CROP LOSS PILOT**
2 **PROGRAM.**

3 The Specialty Crops Competitiveness Act of 2004
4 (Public Law 108-465; 118 Stat. 3882) is amended—

5 (1) by striking “Secretary of Agriculture” each
6 place it appears and inserting “Secretary”;

7 (2) in section 3 (7 U.S.C. 1621 note)—

8 (A) in paragraph (3), by striking “(3) The
9 term” and inserting the following:

10 “(4) STATE DEPARTMENT OF AGRICULTURE.—
11 The term”;

12 (B) in paragraph (2), by striking “(2) The
13 term” and inserting the following:

14 “(3) STATE.—The term”; and

15 (C) in paragraph (1), by striking “(1) The
16 term” and inserting the following:

17 “(1) SECRETARY.—The term ‘Secretary’ means
18 the Secretary of Agriculture.

19 “(2) SPECIALTY CROP.—The term”; and

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

2 **“TITLE V—SEASONAL AND**
3 **PERISHABLE CROP PROGRAMS**

4 **“SEC. 501. SEASONAL AND PERISHABLE CROP LOSS PILOT**
5 **PROGRAM.**

6 “(a) DEFINITIONS.—In this section:

7 “(1) EFFECTIVE PRICE.—The term ‘effective
8 price’, with respect to a seasonal and perishable crop
9 for a marketing year, means the national average
10 market price for that seasonal and perishable crop
11 during the seasonal marketing window for the sea-
12 sonal and perishable crop.

13 “(2) REFERENCE PRICE.—The term ‘reference
14 price’, with respect to a seasonal and perishable crop
15 for a marketing year, means the average of the na-
16 tional average market prices received by all pro-
17 ducers of the seasonal and perishable crop during
18 the seasonal marketing window for the seasonal and
19 perishable crop for the most recent 5-year period of
20 marketing seasons, excluding—

21 “(A) the marketing season during that pe-
22 riod with the highest national average market
23 price; and

1 “(B) the marketing season during that pe-
2 riod with the lowest national average market
3 price.

4 “(3) SEASONAL AND PERISHABLE CROP.—The
5 term ‘seasonal and perishable crop’ means an aspar-
6 agus, bell pepper, blueberry, cucumber, or squash
7 crop that is—

8 “(A) marketed in raw form for consump-
9 tion without further processing; and

10 “(B) as determined by the Secretary, nor-
11 mally marketed not later than 4 weeks after
12 harvesting.

13 “(4) SEASONAL MARKETING WINDOW.—The
14 term ‘seasonal marketing window’ means the time-
15 frame during a marketing year, as determined by
16 the Secretary—

17 “(A) during which a crop is normally mar-
18 keted within a specific geographical region of
19 the United States; and

20 “(B) that concludes on the date that is not
21 later than 4 weeks after the last day on which
22 the crop is normally harvested.

23 “(b) ESTABLISHMENT OF PILOT PROGRAM.—

24 “(1) IN GENERAL.—Beginning with marketing
25 year 2027, the Secretary shall establish a pilot pro-

1 gram under which the Secretary shall provide annual
2 crop loss payments to producers of seasonal and per-
3 ishable crops located in any geographical region de-
4 scribed in paragraph (2) in accordance with this sec-
5 tion, if the Secretary determines that, during the ap-
6 plicable marketing year—

7 “(A) the effective price of the seasonal and
8 perishable crop is less than the reference price
9 of that seasonal and perishable crop; and

10 “(B) the crop loss described in subpara-
11 graph (A) is caused by imports of the applicable
12 seasonal and perishable crop.

13 “(2) DESCRIPTION OF GEOGRAPHICAL RE-
14 GIONS.—A geographical region referred to in para-
15 graph (1) is a geographical region of the United
16 States in which a seasonal and perishable crop is
17 grown within a seasonal marketing window during
18 which a harvest and shipment of the seasonal and
19 perishable crop occurs, as determined by the Sec-
20 retary.

21 “(c) ELIGIBILITY.—

22 “(1) APPLICATION.—To be eligible to receive a
23 payment under the pilot program under this section,
24 a producer of 1 or more seasonal and perishable
25 crops shall submit to the Secretary an application at

1 such time, in such manner, and containing such in-
2 formation as the Secretary may require, including
3 the information described in paragraph (2).

4 “(2) REQUIREMENT.—No producer may be eli-
5 gible to receive a payment under the pilot program
6 under this section unless the producer—

7 “(A) has an average adjusted gross income
8 of less than \$5,000,000 for the 3 tax years pre-
9 ceeding the most recent tax year; and

10 “(B) derives at least 75 percent of the ad-
11 justed gross income of the producer from farm-
12 ing, ranching, or forestry, as determined by the
13 Secretary.

14 “(d) PAYMENT AMOUNT.—The amount of a payment
15 provided under the pilot program under this section shall
16 be equal to the product obtained by multiplying—

17 “(1) the payment rate for the marketing year
18 for which the payment is provided with respect to
19 the applicable seasonal and perishable crop under
20 subsection (e); and

21 “(2) the average production during the 5 most
22 recent marketing years of the seasonal and perish-
23 able crop by the producer during the seasonal mar-
24 keting window, excluding—

1 “(A) the marketing year during that pe-
2 riod with the highest production; and

3 “(B) the marketing year during that pe-
4 riod with the lowest production.

5 “(e) PAYMENT RATE.—The rate of a payment pro-
6 vided under the pilot program under this section shall be
7 equal to the difference between—

8 “(1) the reference price of the applicable sea-
9 sonal and perishable crop; and

10 “(2) the effective price of that seasonal and
11 perishable crop.

12 “(f) SUNSET.—The pilot program under this section
13 shall terminate on the date that is 5 years after the date
14 of enactment of this section.

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to carry out the pilot program under this
17 section \$200,000,000 for each fiscal year that begins after
18 the date of the enactment of this section and before the
19 date described in subsection (f).”.

