To amend the Federal Crop Insurance Act and the Federal Agriculture Improvement and Reform Act of 1996 to make the native sod provisions applicable to the United States and to modify those provisions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. THUNE (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Federal Crop Insurance Act and the Federal Agriculture Improvement and Reform Act of 1996 to make the native sod provisions applicable to the United States and to modify those provisions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Prairie Conservation Act”.
SEC. 2. CROP PRODUCTION ON NATIVE SOD.

(a) FEDERAL CROP INSURANCE.—Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (2), by striking subparagraph (A) and inserting the following:

(A) IN GENERAL.—

“(i) AGRICULTURAL ACT OF 2014.—

Native sod acreage that has been tilled for the production of an insurable crop during the period beginning on February 8, 2014, and ending on the date of enactment of the American Prairie Conservation Act shall be subject to 4 cumulative years of a reduction in benefits under this subtitle as described in this paragraph.

“(ii) AMERICAN PRAIRIE CONSERVATION ACT.—

“(I) NON-HAY AND NON-FORAGE CROPS.—As determined by the Secretary, native sod acreage that has been tilled for the production of an insurable crop other than a hay or forage crop after the date of enactment of the American Prairie Conservation Act shall be subject to 4 cumulative
years of a reduction in benefits under this subtitle as described in this paragraph.

“(II) HAY AND FORAGE CROPS.—During each crop year of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an insurable hay or forage crop after the date of enactment of the American Prairie Conservation Act shall be subject to 4 cumulative years of a reduction in benefits under this subtitle as described in this paragraph.”; and

(2) by striking paragraph (3) and inserting the following:

“(3) NATIVE SOD CONVERSION CERTIFICATION.—

“(A) Certification.—As a condition on the receipt of benefits under this subtitle, a producer that has tilled native sod acreage for the production of an insurable crop as described in paragraph (2)(A) shall certify to the Secretary that acreage using—
“(i) an acreage report form of the Farm Service Agency (FSA–578 or any successor form); and

“(ii) 1 or more maps.

“(B) CORRECTIONS.—Beginning on the date on which a producer submits a certification under subparagraph (A), as soon as practicable after the producer discovers a change in tilled native sod acreage described in that subparagraph, the producer shall submit to the Secretary any appropriate corrections to a form or map described in clause (i) or (ii) of that subparagraph.

“(C) ANNUAL REPORTS.—Not later than January 1, 2019, and each January 1 thereafter through January 1, 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the tilled native sod acreage that has been certified under subparagraph (A) in each county and State as of the date of submission of the report.”.

(b) NONINSURED CROP DISASTER ASSISTANCE.—

Section 196(a)(4) of the Federal Agriculture Improvement
and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amended—

(1) in subparagraph (B), by striking clause (i) and inserting the following:

“(i) IN GENERAL.—

“(I) AGRICULTURAL ACT OF 2014.—As determined by the Secretary, native sod acreage that has been tilled for the production of a covered crop during the period beginning on February 8, 2014, and ending on the date of enactment of the American Prairie Conservation Act shall be subject to 4 cumulative years of a reduction in benefits under this section as described in this subparagraph.

“(II) AMERICAN PRAIRIE CONSERVATION ACT.—

“(aa) NON-HAY AND NON-FORAGE CROPS.—During the first 4 crop years of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of a covered crop other than a hay or
forage crop after the date of enactment of the American Prairie Conservation Act shall be subject to 4 cumulative years of a reduction in benefits under this section as described in this subparagraph.

“(bb) HAY AND FORAGE CROPS.—During each crop year of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of a hay or forage crop after the date of enactment of the American Prairie Conservation Act shall be subject to 4 cumulative years of a reduction in benefits under this section as described in this subparagraph.”;

and

(2) by striking subparagraph (C) and inserting the following:

“(C) NATIVE SOD CONVERSION CERTIFICATION.—
“(i) Certification.—As a condition on the receipt of benefits under this section, a producer that has tilled native sod acreage for the production of an insurable crop as described in subparagraph (B)(i) shall certify to the Secretary that acreage using—

“(I) an acreage report form of the Farm Service Agency (FSA–578 or any successor form); and

“(II) 1 or more maps.

“(ii) Corrections.—Beginning on the date on which a producer submits a certification under clause (i), as soon as practicable after the producer discovers a change in tilled native sod acreage described in that clause, the producer shall submit to the Secretary any appropriate corrections to a form or map described in subclause (I) or (II) of that clause.

“(iii) Annual reports.—Not later than January 1, 2019, and each January 1 thereafter through January 1, 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representa-
atives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the tilled native sod acreage that has been certified under clause (i) in each county and State as of the date of submission of the report.”.

(c) CROPLAND REPORT ANNUAL UPDATES.—Section 11014(c)(2) of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 963) is amended in the matter preceding subparagraph (A) by striking “2018” and inserting “2023”.