

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3829

To require the Secretary of Agriculture to make emergency crop loss assistance available to agricultural producers to cover production losses incurred in the 1992 through 1995 crop years as a result of the destruction of papaya, banana, and other fruit-bearing trees by Hurricanes Andrew and Iniki and Typhoon Omar.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1994

Mrs. MINK introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To require the Secretary of Agriculture to make emergency crop loss assistance available to agricultural producers to cover production losses incurred in the 1992 through 1995 crop years as a result of the destruction of papaya, banana, and other fruit-bearing trees by Hurricanes Andrew and Iniki and Typhoon Omar.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROVISION OF CROP LOSS ASSISTANCE FOR**  
2 **DESTRUCTION OF FRUIT-BEARING TREES IN**  
3 **1992 NATURAL DISASTERS.**

4 (a) APPLICATION OF SECTION.—This section shall  
5 apply with respect to the provision of emergency crop loss  
6 assistance using funds made available for such purpose  
7 pursuant to the undesignated section (relating to disaster  
8 assistance) under the heading “COMMODITY CREDIT COR-  
9 PORATION” in chapter I of the Supplemental Appropria-  
10 tions Act of 1993 (Public Law 103–50; 107 Stat. 241)  
11 and pursuant to the undesignated section (relating to the  
12 Commodity Credit Corporation Fund) under the heading  
13 “COMMODITY CREDIT CORPORATION” in chapter I of the  
14 Emergency Supplemental Appropriations for Relief From  
15 the Major, Widespread Flooding in the Midwest Act of  
16 1993 (Public Law 103–75; 107 Stat. 741).

17 (b) CONSIDERATION OF LONG-TERM FRUIT CROP  
18 LOSSES.—In making emergency crop loss assistance avail-  
19 able to agricultural producers for crop losses resulting  
20 from the destruction of papaya, banana, and other fruit-  
21 bearing trees by Hurricanes Andrew and Iniki and Ty-  
22 phoon Omar in 1992, the Secretary of Agriculture shall  
23 calculate the amount of such assistance by taking into  
24 consideration production losses occurring not only in the  
25 crop year in which the trees were destroyed but also pro-  
26 duction losses occurring in the crop years 1993 through

1 1995 as a direct result of the destruction of the trees. In  
2 determining production losses for the crop years 1993  
3 through 1995, the Secretary shall use an average of the  
4 actual production history of the destroyed trees of the pro-  
5 ducer for the crop years 1989 through 1991, to the extent  
6 such production history is available. The Secretary shall  
7 reduce the production losses determined for crop year  
8 1993, 1994, or 1995 by the amount, if any, of the harvest  
9 taken in that crop year from trees planted to replace the  
10 trees destroyed in 1992.

11 (c) REQUIREMENT TO PLANT REPLACEMENT  
12 TREES.—To be eligible for emergency crop loss assistance  
13 under this section with respect to papaya, banana, or other  
14 fruit-bearing trees destroyed by Hurricane Andrew or  
15 Iniki or Typhoon Omar, an agricultural producer shall be  
16 required to plant sufficient seedlings to replace the de-  
17 stroyed trees.

18 (d) TIME FOR APPLICATION.—The Secretary of Agri-  
19 culture shall provide not less than a 30-day period within  
20 which agricultural producers may apply for emergency  
21 crop loss assistance under this section.

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