

115TH CONGRESS
1ST SESSION

S. _____

To amend the Agricultural Act of 2014 to reduce county yield disparities
for agriculture risk coverage.

IN THE SENATE OF THE UNITED STATES

Ms. HEITKAMP (for herself and Mrs. ERNST) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To amend the Agricultural Act of 2014 to reduce county
yield disparities for agriculture risk coverage.

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 “ARC-CO Improvement
5 Act”.

6 **SEC. 2. COUNTY YIELD DISPARITIES.**

7 (a) ACTUAL CROP REVENUES.—Section 1117(b) of
8 the Agricultural Act of 2014 (7 U.S.C. 9017(b)) is amend-
9 ed—

1 (1) in paragraph (1)(A), by inserting “(includ-
2 ing any adjustments under paragraph (3))” after
3 “Secretary”; and

4 (2) by adding at the end the following:

5 “(3) COUNTY YIELD DISPARITIES.—

6 “(A) IN GENERAL.—In the case of county
7 coverage, the Secretary may adjust county
8 yields under paragraph (1)(A) to reduce dis-
9 parities between neighboring and nearby coun-
10 ties with similar soils and climate that cannot
11 be explained by a localized weather event.

12 “(B) AGGREGATE ESTIMATED PAYMENT.—

13 The Secretary shall ensure that all adjustments
14 made under this paragraph are balanced so the
15 aggregate amount of payments made under this
16 section as a result of the adjustments for a crop
17 year do not increase.

18 “(C) OPTIONS.—

19 “(i) IN GENERAL.—If the Secretary
20 makes adjustments under this paragraph,
21 the Secretary shall make the adjustments
22 in accordance with clause (ii) or (iii).

23 “(ii) VARIATIONS WITHIN A STATE.—

24 “(I) IN GENERAL.—Subject to
25 subparagraph (B), the Secretary shall

1 allow State committees of the Farm
2 Service Agency to review and rec-
3 ommend adjustments to the initial
4 yield estimates before the adjustments
5 become final to reduce unexplained
6 variation between neighboring or
7 nearby counties with similar soils and
8 climate.

9 “(II) REVIEW AND APPROVAL.—

10 The Secretary shall review and ap-
11 prove or reject adjustments rec-
12 ommended under subclause (I) before
13 the adjustments become final.

14 “(iii) VARIATIONS ALONG STATE
15 BOUNDARIES.—

16 “(I) IN GENERAL.—Subject to
17 subparagraph (B), the Secretary shall
18 allow State committees of the Farm
19 Service Agency or the national office
20 of the Farm Service Agency, in con-
21 sultation with affected State commit-
22 tees, to review and recommend adjust-
23 ments to the initial yield estimates be-
24 fore the adjustments become final to

1 reduce unexplained variation between
2 counties in neighboring States.

3 “(II) REVIEW AND APPROVAL.—

4 The Secretary shall review and ap-
5 prove or reject adjustments rec-
6 ommended under subclause (I) before
7 the adjustments become final.”.

8 (b) ADDITIONAL DUTIES OF THE SECRETARY.—Sec-
9 tion 1117(g) of the Agricultural Act of 2014 (7 U.S.C.
10 9017(g)) is amended—

11 (1) in paragraph (3), by striking “and” after
12 the semicolon at the end;

13 (2) in paragraph (4)(B), by striking the period
14 at the end and insert a semicolon; and

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

16 “(5) in the case of county coverage, prioritize
17 the use of yields from sources that provide the great-
18 est geographic coverage of county-level data from
19 the same source; and

20 “(6) in the case of county coverage—

21 “(A) use the yield, benchmark revenue and
22 payment rate based on the county of the phys-
23 ical location of the farm; and

24 “(B) in the case of a farm that crosses
25 county boundaries—

1 “(i) split the base acres on a pro rata
2 basis based on the relative quantity of
3 cropland in each county; and
4 “(ii) calculate any payments on that
5 same pro rata basis.”.