

117TH CONGRESS
1ST SESSION

H. R. 4710

To require the Secretary of Agriculture to allow emergency haying under the conservation reserve program during the primary nesting season.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2021

Mr. JOHNSON of South Dakota (for himself, Ms. CRAIG, Mr. EMMER, Mrs. FISCHBACH, Mr. HAGEDORN, Mr. STAUBER, and Mr. ARMSTRONG) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To require the Secretary of Agriculture to allow emergency haying under the conservation reserve program during the primary nesting season.

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 “CRP Flexibility Act”.

5 **SEC. 2. EMERGENCY HAYING DURING THE PRIMARY NEST-**
6 **ING SEASON.**

7 Section 1233(b)(1) of the Food Security Act of 1985
8 (16 U.S.C. 3833(b)(1)) is amended—

1 (1) in subparagraph (A)(ii), by inserting “sub-
 2 ject to subclauses (I) and (III) of clause (i), and
 3 subclauses (I) and (II) of clause (ii), of subpara-
 4 graph (B),” before “are subject to”; and

5 (2) in subparagraph (B)(i)—

6 (A) by redesignating subclauses (I)
 7 through (VI) as subclauses (II) through (VII),
 8 respectively;

9 (B) by inserting before subclause (II) (as
 10 so redesignated) the following:

11 “(I) emergency haying in re-
 12 sponse to a localized or regional
 13 drought, flooding, wildfire, or other
 14 emergency, on all practices, during or
 15 outside the primary nesting season,
 16 when—

17 “(aa) the county is des-
 18 ignated as D2 (severe drought)
 19 or greater according to the
 20 United States Drought Monitor;

21 “(bb) there is at least a 40
 22 percent loss in forage production
 23 in the county; or

24 “(cc) the Secretary, in co-
 25 ordination with the State tech-

1 nical committee, determines that
2 the program can assist in the re-
3 sponse to a natural disaster event
4 without permanent damage to
5 the established cover;”;

6 (C) in subclause (II) (as so redesignated),
7 in the matter preceding item (aa), by striking
8 “emergency haying, emergency grazing, or
9 other emergency use” and inserting “emergency
10 grazing or other emergency use”; and

11 (D) in subclause (IV) (as so redesignated),
12 by striking “outside the primary nesting sea-
13 son” and inserting “during or outside the pri-
14 mary nesting season”.

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