



**UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL CROP INSURANCE CORPORATION**
**Adjusted Gross Revenue and Adjusted Gross Revenue-Lite Farm Bill and Sanctions
Amendment**

(This is a Continuous Amendment)

This amendment modifies the provisions of the Adjusted Gross Revenue (AGR) and Adjusted Gross Revenue-Lite (AGR-Lite) Policies for the 2010 and succeeding insurance years as follows:

In addition to section:	The following provisions have been added:
1. AGR AGR-Lite	<p><u>Native sod.</u> Acreage that has no record of being tilled (determined in accordance with FSA or other verifiable records acceptable to us) for the production of an annual crop on or before May 22, 2008, and on which the plant cover is composed principally of native grasses, grass-like plants, forbs, or shrubs suitable for grazing and browsing.</p> <p><u>Organic crop.</u> An agricultural commodity that is organically produced consistent with section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).</p> <p><u>Organic farming practice.</u> A system of plant production practices used to produce an organic crop that is approved by a certifying agent in accordance with 7 CFR part 205.</p> <p><u>Prairie Pothole National Priority Area.</u> Consists of specific counties within the States of Iowa, Minnesota, Montana, North Dakota or South Dakota as specified on the RMA website at http://www.rma.usda.gov/, or a successor website, or the Farm Service Agency, Agricultural Resource Conservation Program 2-CRP (Revision 4), dated April 28, 2008, or a subsequent publication.</p> <p><u>Tilled.</u> The termination of existing plants by plowing, disking, burning, application of chemicals, or by other means to prepare acreage for the production of an annual crop.</p>
4. AGR	<p>(g) If the Governor of a State designated within the Prairie Pothole National Priority Area elects to make section 508(o) of the Act effective for the State, not have tilled and planted on native sod acreage greater than five acres for the production of any annual agricultural commodity after May 22, 2008 (If you have done so you will not qualify for AGR insurance for the first 5 insurance years you plant such acreage following the date the native sod acreage is tilled);</p> <ol style="list-style-type: none"> (1) If the Governor makes this election after you have received an indemnity, you may be required to repay the amount received and any premium may be refunded to you; or (2) If we determine you have tilled less than five acres of native sod a year for more than one crop year, we will add all the native sod acreage tilled after May 22, 2008, and you will not qualify for AGR insurance for the first five insurance years you plant such acreage following the date the cumulative native sod acreage tilled exceeds five acres.
4. AGR-Lite	<p>(f) If the Governor of a State designated within the Prairie Pothole National Priority Area elects to make section 508(o) of the Act effective for the State, not have tilled and planted on native sod acreage greater than five acres for the production of any annual agricultural commodity after May 22, 2008 (If you have done so you will not qualify for AGR-Lite insurance for the first 5 insurance years you plant such acreage following the date the native sod acreage is tilled);</p> <ol style="list-style-type: none"> (1) If the Governor makes this election after you have received an indemnity, you may be required to repay the amount received and any premium may be refunded to you; or (2) If we determine you have tilled less than five acres of native sod a year for more than one crop year, we will add all the native sod acreage tilled after May 22, 2008, and you will not qualify for AGR-Lite insurance for the first five insurance years you plant such acreage following the date the cumulative native sod acreage tilled exceeds five acres.

In addition to section:	The following provisions have been added:
20(e) - AGR AGR-Lite	<p>If you willfully and intentionally provide false or inaccurate information to us or FCIC or you fail to comply with a requirement of FCIC, in accordance with 7 CFR part 400, subpart R, FCIC may impose on you:</p> <ul style="list-style-type: none"> (1) A civil fine for each violation in an amount not to exceed the greater of: <ul style="list-style-type: none"> (i) The amount of the pecuniary gain obtained as a result of the false or inaccurate information provided or the noncompliance with a requirement of FCIC; or (ii) \$10,000; and (2) A disqualification for a period of up to 5 years from receiving any monetary or non-monetary benefit provided under each of the following: <ul style="list-style-type: none"> (i) Any crop insurance policy offered under the Act; (ii) The Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7333 <i>et seq.</i>); (iii) The Agricultural Act of 1949 (7 U.S.C. 1421 <i>et seq.</i>); (iv) The Commodity Credit Corporation Charter Act (15 U.S.C. 714 <i>et seq.</i>); (v) The Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 <i>et seq.</i>); (vi) Title XII of the Food Security Act of 1985 (16 U.S.C. 3801 <i>et seq.</i>); (vii) The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 <i>et seq.</i>); and (viii) Any federal law that provides assistance to a producer of an agricultural commodity affected by a crop loss or a decline in the prices of agricultural commodities.
In lieu of section:	The following provisions will apply:
13(a) - AGR AGR-Lite	<p>If you and we fail to agree on any determination made by us except those specified in section 13(d) or (e), the disagreement may be resolved through mediation in accordance with section 13(g). If resolution cannot be reached through mediation, or you and we do not agree to mediation, the disagreement must be resolved through arbitration in accordance with the rules of the American Arbitration Association (AAA), except as provided in sections 13(c) and (f), and unless rules are established by FCIC for this purpose. Any mediator or arbitrator with a familial, financial or other business relationship to you or us, or our agent or loss adjuster, is disqualified from hearing the dispute.</p>
13(a)(1) - AGR AGR-Lite	<p>All disputes involving determinations made by us, except those specified in section 13(d) or (e) are subject to mediation or arbitration. However, if the dispute in any way involves a policy or procedure interpretation, regarding whether a specific policy provision or procedure is applicable to the situation, how it is applicable, or the meaning of any policy provision or procedure, either you or we must obtain an interpretation from FCIC in accordance with 7 CFR part 400, subpart X or such other procedures as established by FCIC.</p>
13(e) - AGR AGR-Lite	<p>Except as provided in section 13(d), if you disagree with any other determination made by FCIC or any claim where FCIC is directly involved in the claims process or directs us in the resolution of the claim, you may obtain an administrative review in accordance with 7 CFR part 400, subpart J (administrative review) or appeal in accordance with 7 CFR part 11 (appeal).</p> <ul style="list-style-type: none"> (1) If you elect to bring suit after completion of any appeal, such suit must be filed against FCIC not later than one year after the date of the decision rendered in such appeal. (2) Such suit must be brought in the United States district court for the district in which the insured acreage is located. (3) Under no circumstances can you recover any attorney fees or other expenses, or any punitive, compensatory or any other damages from FCIC.
27(c)- AGR AGR-Lite	<p>Section 27(c) is removed. 27(d) is redesignated 27(c).</p>

*If a Governor makes an election under section 508(o) of the Act to make acreage of native sod planted to an annual crop ineligible for crop insurance for the specified period, such election will be announced by FCIC via a Manager's Bulletin and posted on the RMA website at <http://www.rma.usda.gov/>.