

118TH CONGRESS
2D SESSION

S. _____

To direct the Secretary of Agriculture to establish a program to provide emergency relief to producers that experienced losses as a result of disasters occurring in 2023, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARSHALL introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To direct the Secretary of Agriculture to establish a program to provide emergency relief to producers that experienced losses as a result of disasters occurring in 2023, and for other purposes.

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 “Agricultural Emer-
5 gency Relief Act of 2024”.

6 **SEC. 2. EMERGENCY RELIEF PROGRAM.**

7 (a) IN GENERAL.—The Secretary of Agriculture (re-
8 ferred to in this section as the “Secretary”) shall carry

1 out a program under which the Secretary shall provide
2 payments to producers that experienced losses of crops
3 (including milk, on-farm stored commodities, crops pre-
4 vented from planting in 2023, and harvested adulterated
5 wine grapes), trees, bushes, and vines, as a consequence
6 of droughts, wildfires, hurricanes, floods, derechos, exces-
7 sive heat, tornadoes, winter storms, freeze, including a
8 polar vortex, smoke exposure, quality losses of crops, ex-
9 cessive moisture, and other similar causes of loss occurring
10 in calendar year 2023.

11 (b) TERMS AND CONDITIONS.—Except as otherwise
12 provided in this section, the Secretary shall carry out the
13 program required under subsection (a) under the same
14 terms and conditions provided under Phase 1 of the Emer-
15 gency Relief Program in effect for 2020 and 2021 and
16 first announced in the notification of funding availability
17 published by the Department of Agriculture entitled “No-
18 tice of Funds Availability; Emergency Relief Program
19 (ERP)” (87 Fed. Reg. 30164 (May 18, 2022)).

20 (c) TREATMENT OF CERTAIN LOSSES.—The Sec-
21 retary shall provide payments to producers under the pro-
22 gram required under subsection (a) in a manner consistent
23 with subsection (b) in the case of—

24 (1) quality losses;

1 (2) losses for which a producer did not have
2 coverage under—

3 (A) a policy or plan of insurance under the
4 Federal Crop Insurance Act (7 U.S.C. 1501 et
5 seq.); or

6 (B) the noninsured crop disaster assistance
7 program established under section 196 of the
8 Federal Agriculture Improvement and Reform
9 Act of 1996 (7 U.S.C. 7333);

10 (3) losses for which a producer did not receive
11 an indemnity or payment under—

12 (A) a policy or plan of insurance under the
13 Federal Crop Insurance Act (7 U.S.C. 1501 et
14 seq.); or

15 (B) the noninsured crop disaster assistance
16 program established under section 196 of the
17 Federal Agriculture Improvement and Reform
18 Act of 1996 (7 U.S.C. 7333); and

19 (4) types of losses of crops covered under Phase
20 2 of the Emergency Relief Program established
21 under subpart S of part 760 of title 7, Code of Fed-
22 eral Regulations (as in effect on the date of enact-
23 ment of this Act).

24 (d) **ADDITIONAL TERMS AND CONDITIONS.**—The
25 Secretary shall carry out the program required under sub-

1 section (a) in accordance with the first and third through
2 twelfth provisos under the heading “OFFICE OF THE SEC-
3 RETARY” under the heading “PROCESSING, RESEARCH
4 AND MARKETING” under the heading “AGRICULTURAL
5 PROGRAMS” in title I of the Disaster Relief Supple-
6 mental Appropriations Act, 2022 (division B of Public
7 Law 117–43; 135 Stat. 356), as those provisos were im-
8 plemented for 2020 and 2021, except that—

9 (1) the amount available under the third pro-
10 viso shall be determined pursuant to subsection (f);
11 and

12 (2) each reference to 2020 or 2021 in those
13 provisos shall be deemed to be a reference to 2023.

14 (e) OTHER REQUIREMENTS.—

15 (1) PAYMENT ELIGIBILITY AND AMOUNT.—In
16 determining eligibility for a payment under the pro-
17 gram required under subsection (a), including the
18 amount of that payment, the Secretary shall only
19 consider—

20 (A) the losses described in subsection (a);

21 (B) indemnities received and premiums
22 paid under a policy or plan of insurance under
23 the Federal Crop Insurance Act (7 U.S.C. 1501
24 et seq.); and

1 (C) financial assistance received and fees
2 paid under the noninsured crop disaster assist-
3 ance program established under section 196 of
4 the Federal Agriculture Improvement and Re-
5 form Act of 1996 (7 U.S.C. 7333).

6 (2) PAYMENT LIMITATIONS OR REDUCTIONS.—
7 The Secretary shall not impose any limitation on or
8 reduction in payments to a producer that is not au-
9 thorized by this section.

10 (f) FUNDING.—There are authorized to be appro-
11 priated such sums as are necessary to carry out this sec-
12 tion, to remain available until expended.