

118TH CONGRESS
1ST SESSION

H. R. 243

To amend the Agricultural Act of 2014 and the Consolidated Farm and Rural Development Act to require producers to establish disaster preparedness plans to be eligible for certain disaster assistance programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2023

Mr. COHEN (for himself, Mr. BLUMENAUER, Mr. CARSON, Mr. DOGGETT, Ms. NORTON, and Ms. TITUS) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Act of 2014 and the Consolidated Farm and Rural Development Act to require producers to establish disaster preparedness plans to be eligible for certain disaster assistance programs, 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 “Emergency and Dis-
5 aster Preparedness for Farm Animals Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) American farms continue to experience dev-
2 astating impacts from extreme weather events that
3 have resulted in the death of millions of livestock
4 and poultry in recent years.

5 (2) During 2020 and 2021, the United States
6 experienced a record-breaking hurricane season,
7 record-breaking heat waves and the hottest month
8 on record, a record-breaking wildfire season, and
9 record-breaking droughts across the country.

10 (3) Extreme weather events continue to become
11 more frequent and severe, putting the country's ag-
12 riculture operations and livestock herds at increased
13 risk.

14 (4) To help producers recover from weather-re-
15 lated losses, numerous Federal disaster assistance
16 programs have been established that provide signifi-
17 cant funding to compensate producers each year, but
18 do not require emergency planning.

19 (5) Leading agricultural and animal health en-
20 tities, including the Department of Agriculture, the
21 American Veterinary Medical Association, and the
22 World Organisation for Animal Health, as well as
23 the Federal Emergency Management Agency, all
24 recognize the importance of emergency planning and
25 recommend the development of disaster prepared-

1 ness plans on farms to help mitigate the impacts of
2 extreme weather.

3 (6) As we continue to adapt to a rapidly chang-
4 ing climate, emergency planning requirements are
5 necessary to help ensure farmers are prepared, fi-
6 nancial losses are reduced, and farm animals are
7 protected.

8 **SEC. 3. DISASTER PREPAREDNESS PLANS REQUIRED**
9 **UNDER CERTAIN DISASTER ASSISTANCE PRO-**
10 **GRAMS.**

11 (a) LIVESTOCK INDEMNITY PAYMENTS.—Section
12 1501(b) of the Agricultural Act of 2014 (7 U.S.C.
13 9081(b)) is amended—

14 (1) in paragraph (1)(B), by inserting “(other
15 than a disaster preparedness plan under paragraph
16 (5))” after “management practice”; and

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

18 “(5) SPECIAL RULE FOR PAYMENTS DUE TO
19 ADVERSE WEATHER.—

20 “(A) IN GENERAL.—An eligible producer
21 may only receive a payment under this sub-
22 section for a loss described in paragraph (1)(B)
23 if—

24 “(i) on a date before the 180-day pe-
25 riod preceding such loss, the eligible pro-

1 ducer submitted to the Secretary, acting
2 through the Administrator of the Farm
3 Service Agency, an initial disaster pre-
4 paredness plan;

5 “(ii) in the case of a disaster pre-
6 paredness plan that was submitted to the
7 Secretary on a date before the 2-year pe-
8 riod preceding such loss, the producer sub-
9 mitted a renewal of such plan during such
10 2-year period; and

11 “(iii) not later than 30 days after
12 such loss is incurred, the eligible producer
13 provides to the Secretary a description of
14 how the most recently submitted disaster
15 preparedness plan was implemented on the
16 farm to attempt to prevent such loss.

17 “(B) ELEMENTS.—For purposes of sub-
18 paragraph (A), a disaster preparedness plan
19 shall include—

20 “(i) an adverse weather plan for each
21 potential adverse weather event (based on
22 the region the applicable farm is located
23 and size of the farm) for each species of
24 livestock on the farm; and

1 “(ii) such other information as the
2 Secretary may require.

3 “(C) PUBLICATION.—The Secretary shall
4 make the plans received by the Secretary under
5 subparagraph (A)(i) available to State or local
6 agencies upon request.”.

7 (b) CONSOLIDATED FARM AND RURAL DEVELOP-
8 MENT ACT.—Section 333 of the Consolidated Farm and
9 Rural Development Act (7 U.S.C. 1983) is amended—

10 (1) by striking “and” at the end of paragraph
11 (6);

12 (2) by striking the period at the end of para-
13 graph (7) and inserting “; and”; and

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

15 “(8) in the case of an emergency loan to replace
16 livestock lost due to a natural disaster or major dis-
17 aster or emergency designated by the President
18 under the Robert T. Stafford Disaster Relief and
19 Emergency Assistance Act (42 U.S.C. 5121 et seq.),
20 require the applicant to develop a disaster prepared-
21 ness plan that includes an adverse weather plan for
22 each potential adverse weather event (based on the
23 region the applicable farm is located and size of the
24 farm) for each species of livestock on the farm.”.

1 (c) **EFFECTIVE DATE.**—This section, and the amend-
2 ments made by this section, shall take effect on the date
3 that is 1 year after the date of the enactment of this Act.

○