

118TH CONGRESS  
2D SESSION

# H. R. 9889

Making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2024, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2024

Mr. VALADAO (for himself, Mr. PANETTA, Mr. DUARTE, Mr. COSTA, Mr. FONG, Mr. LATURNER, Mr. NEWHOUSE, Mr. CARBAJAL, Mr. SOTO, Mr. LAMALFA, Mr. HARDER of California, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

Making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2024, 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 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 fiscal year ending September 30, 2024, and for other pur-  
6 poses, namely:

1 TITLE I  
2 DEPARTMENT OF AGRICULTURE  
3 AGRICULTURAL PROGRAMS  
4 PROCESSING, RESEARCH AND MARKETING  
5 OFFICE OF THE SECRETARY

6 For an additional amount for “Office of the Sec-  
7 retary”, \$14,000,000,000, to remain available until ex-  
8 pended, for necessary expenses related to losses of rev-  
9 enue, quality or production losses of crops (including milk,  
10 on-farm stored commodities, crops prevented from plant-  
11 ing in 2023, and harvested adulterated wine grapes),  
12 trees, bushes, and vines, as a consequence of droughts,  
13 wildfires, hurricanes, floods, derechos, excessive heat, tor-  
14 nadoes, winter storms, freeze, including a polar vortex,  
15 smoke exposure, and excessive moisture occurring in cal-  
16 endar year 2023 under such terms and conditions as de-  
17 termined by the Secretary: *Provided*, That of the amounts  
18 provided under this heading in this Act, the Secretary  
19 shall use up to \$1,500,000,000 to provide assistance to  
20 producers of livestock, as determined by the Secretary of  
21 Agriculture, for losses incurred (including with respect to  
22 livestock relocation, shelter-in-place, and feed crop losses)  
23 during calendar year 2023 due to hurricanes, drought,  
24 wildfires, floods, or other natural disasters: *Provided fur-*  
25 *ther*, That, with respect to smoke tainted wine grapes, the

1 loss (including a quality loss) of such crop during the cov-  
2 erage period due to wildfire, as determined by the Sec-  
3 retary, is considered a qualified loss: *Provided further*,  
4 That losses due to drought shall only be eligible under this  
5 heading in this Act if any area within the county in which  
6 the loss occurs was rated by the U.S. Drought Monitor  
7 as having a D2 (Severe Drought) for eight consecutive  
8 weeks or a D3 (Extreme Drought) or higher level of  
9 drought intensity during the applicable calendar years:  
10 *Provided further*, That at the election of a processor eligi-  
11 ble for a loan under section 156 of the Federal Agriculture  
12 Improvement and Reform Act of 1996 (7 U.S.C. 7272)  
13 or a cooperative processor of dairy, the Secretary shall  
14 make payments for losses in 2023 to such processors (to  
15 be paid to producer members, as determined by such proc-  
16 essors) in lieu of payments to producers and under the  
17 same terms and conditions as payments made to proc-  
18 essors pursuant to title I of the Additional Supplemental  
19 Appropriations for Disaster Relief Act, 2019 (Public Law  
20 116–20) under the heading “Department of Agriculture—  
21 Agricultural Programs—Processing, Research and Mar-  
22 keting—Office of the Secretary”, as last amended by sec-  
23 tion 791(c) of title VII of division B of the Further Con-  
24 solidated Appropriations Act, 2020 (Public Law 116–94):  
25 *Provided further*, That notwithstanding section

1 760.1503(j) of title 7 of the Code of Federal Regulations,  
2 in the event that a processor described in the preceding  
3 proviso does not elect to receive payments under such  
4 clause, the Secretary shall make direct payments to pro-  
5 ducers under this heading in this Act: *Provided further*,  
6 That of the amounts provided under this heading in this  
7 Act, not more than one percent of the funds provided here-  
8 in may be used for administrative costs, including for  
9 streamlining the application process and easing the bur-  
10 den on county office employees, to carry out the matter  
11 under this heading in this Act: *Provided further*, That, ex-  
12 cept as otherwise provided under this heading in this Act,  
13 the Secretary shall impose payment limitations consistent  
14 with section 760.1507 of title 7, Code of Federal Regula-  
15 tions (as in effect on the date of enactment of this Act):  
16 *Provided further*, That, in the case of specialty crops or  
17 high value crops, as determined by the Secretary, the Sec-  
18 retary shall impose payment limitations consistent with  
19 section 760.1507(a)(2) of title 7, Code of Federal Regula-  
20 tions (as in effect on January 1, 2019): *Provided further*,  
21 That, with respect to the payment limitations described  
22 under this heading in this Act, the Secretary shall apply  
23 separate payment limits for each of 2022 and 2023: *Pro-*  
24 *vided further*, That the total amount of payments received  
25 under this heading in this Act and applicable policies of

1 crop insurance under the Federal Crop Insurance Act (7  
2 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster As-  
3 sistance Program (NAP) under section 196 of the Federal  
4 Agriculture Improvement and Reform Act of 1996 (7  
5 U.S.C. 7333) (minus any premiums or fees paid for such  
6 coverages) shall not exceed 90 percent of the loss as deter-  
7 mined by the Secretary: *Provided further*, That the total  
8 amount of payments received under this heading in this  
9 Act for producers who did not obtain a policy or plan of  
10 insurance for an insurable commodity for the applicable  
11 crop year under the Federal Crop Insurance Act (7 U.S.C.  
12 1501 et seq.) for the crop incurring the losses or did not  
13 file the required paperwork and pay the service fee by the  
14 applicable State filing deadline for a noninsurable com-  
15 modity for the applicable crop year under NAP for the  
16 crop incurring the losses shall not exceed 70 percent of  
17 the loss as determined by the Secretary: *Provided further*,  
18 That producers receiving payments under this heading in  
19 this Act, as determined by the Secretary, shall be required  
20 to purchase crop insurance where crop insurance is avail-  
21 able for the next two available crop years and producers  
22 receiving payments under this heading in this Act shall  
23 be required to purchase coverage under NAP where crop  
24 insurance is not available in the next two available crop  
25 years, as determined by the Secretary: *Provided further*,

1 That the Secretary shall administer payments under this  
2 heading in this Act simultaneously for producers regard-  
3 less of type of qualified loss.

## 4 TITLE II

### 5 GENERAL PROVISIONS—THIS ACT

6 SEC. 201. Each amount appropriated or made avail-  
7 able by this Act is in addition to amounts otherwise appro-  
8 priated for the fiscal year involved.

9 SEC. 202. No part of any appropriation contained in  
10 this Act shall remain available for obligation beyond the  
11 current fiscal year unless expressly so provided herein.

12 SEC. 203. Unless otherwise provided for by this Act,  
13 the additional amounts appropriated by this Act to appro-  
14 priations accounts shall be available under the authorities  
15 and conditions applicable to such appropriations accounts  
16 for fiscal year 2024.

17 SEC. 204. Each amount provided by this Act is des-  
18 ignated by the Congress as being for an emergency re-  
19 quirement pursuant to section 4001(a)(1) of S. Con. Res.  
20 14 (117th Congress), the concurrent resolution on the  
21 budget for fiscal year 2024, and section 1(e) of H. Res.  
22 1151 (117th Congress), as engrossed in the House of Rep-  
23 resentatives on June 8, 2022.

- 1 This Act may be cited as the “Agriculture Disaster
- 2 Relief Supplemental Appropriations Act, 2024”.

○