

Master

Patrick Leahy

AMENDMENT NO. _____

Calendar No. _____

Purpose: _____

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

H.R. 268

Making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by LEAHY

Viz:

- 1 (1) On page 2, strike line 6 through line 17 on page
- 2 4 and insert the following:
- 3 For an additional amount for the "Office of the Sec-
- 4 retary", \$3,005,442,000, which shall remain available
- 5 until December 31, 2020, for necessary expenses related
- 6 to losses of crops (including milk and harvested adulter-
- 7 ated wine grapes), trees, bushes, and vines, as a con-
- 8 sequence of Hurricanes Michael and Florence, other hurri-
- 9 canes, floods, tornadoes, typhoons, volcanic activity, snow
- 10 storms, and wildfires occurring in calendar years 2018
- 11 and 2019 under such terms and conditions as determined
- 12 by the Secretary: *Provided*, That the Secretary may pro-
- 13 vide assistance for such losses in the form of block grants

Baldwin
Blumenthal
Booker
Durbin
Gillibrand
Markey
Menendez
Murray
Sanders
Van Holler
Warren
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Harris
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1 to eligible states and territories and such assistance may
2 include compensation to producers, as determined by the
3 Secretary, for forest restoration and poultry and livestock
4 losses: *Provided further*, That of the amounts provided
5 under this heading, tree assistance payments may be made
6 under section 1501(e) of the Agricultural Act of 2014 (7
7 U.S.C. 9081(e)) to eligible orchardists or nursery tree
8 growers (as defined in such section) of pecan trees with
9 a tree mortality rate that exceeds 7.5 percent (adjusted
10 for normal mortality) and is less than 15 percent (ad-
11 justed for normal mortality), to be available until ex-
12 pended, for losses incurred during the period beginning
13 January 1, 2018, and ending December 31, 2018: *Pro-*
14 *vided further*, That in the case of producers impacted by
15 volcanic activity that resulted in the loss of crop land, or
16 access to crop land, the Secretary shall consider all meas-
17 ures available, as appropriate, to bring replacement land
18 into production: *Provided further*, That the total amount
19 of payments received under this heading and applicable
20 policies of crop insurance under the Federal Crop Insur-
21 ance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop
22 Disaster Assistance Program (NAP) under section 196 of
23 the Federal Agriculture Improvement and Reform Act of
24 1996 (7 U.S.C. 7333) shall not exceed 90 percent of the
25 loss as determined by the Secretary: *Provided further*,

1 That the total amount of payments received under this
2 heading for producers who did not obtain a policy or plan
3 of insurance for an insurable commodity for the applicable
4 crop year under the Federal Crop Insurance Act (7 U.S.C.
5 1501 et seq.) for the crop incurring the losses or did not
6 file the required paperwork and pay the service fee by the
7 applicable State filing deadline for a noninsurable com-
8 modity for the applicable crop year under NAP for the
9 crop incurring the losses shall not exceed 70 percent of
10 the loss as determined by the Secretary: *Provided further,*
11 That producers receiving payments under this heading, as
12 determined by the Secretary, shall be required to purchase
13 crop insurance where crop insurance is available for the
14 next two available crop years, excluding tree insurance
15 policies, and producers receiving payments under this
16 heading shall be required to purchase coverage under NAP
17 where crop insurance is not available in the next two avail-
18 able crop years, as determined by the Secretary: *Provided*
19 *further,* That, not later than 120 days after the end of
20 fiscal year 2019, the Secretary shall submit a report to
21 the Congress specifying the type, amount, and method of
22 such assistance by state and territory: *Provided further,*
23 That such amount is designated by the Congress as being
24 for an emergency requirement pursuant to section

- 1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 2 Deficit Control Act of 1985.

3 (2) On page 6, strike lines 9 through 24, insert the
4 following, and renumber general provisions on pages 7 and
5 8 appropriately:

6 SEC. 101. In addition to other amounts made avail-
7 able by section 309 of division A of the Additional Supple-
8 mental Appropriations for Disaster Relief Requirements
9 Act, 2017 (Public Law 115-72; 131 Stat. 1229), there
10 is appropriated to the Secretary, out of any moneys in the
11 Treasury not otherwise appropriated, for the fiscal year
12 ending September 30, 2019, \$600,000,000 to provide a
13 grant to the Commonwealth of Puerto Rico for disaster
14 nutrition assistance in response to a major disaster or
15 emergency designated by the President under the Robert
16 T. Stafford Disaster Relief and Emergency Assistance Act
17 (42 U.S.C. 5121 et seq.): *Provided*, That the funds made
18 available to the Commonwealth of Puerto Rico under this
19 section shall remain available for obligation by the Com-
20 monwealth until September 30, 2020, and shall be in addi-
21 tion to funds otherwise made available: *Provided further*,
22 That such amount is designated by the Congress as being
23 for an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

3 SEC. 102. There is hereby appropriated \$5,000,000,
4 to remain available until September 30, 2020, for the Sec-
5 retary of Agriculture to conduct an independent study, in-
6 cluding a survey of participants, to compare the impact
7 of the additional benefits provided by section 309 of Public
8 Law 115-72 to the food insecurity, health status, and
9 well-being of low-income residents in Puerto Rico without
10 such additional benefits: *Provided*, That such amount is
11 designated by the Congress as being for an emergency re-
12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
13 anced Budget and Emergency Deficit Control Act of 1985.

14 SEC. 103. In addition to amounts otherwise made
15 available, out of the funds made available under section
16 18 of Food and Nutrition Act of 2008, \$5,000,000 shall
17 be available for the Secretary to provide a grant to Amer-
18 ican Samoa for disaster nutrition assistance in response
19 to the presidentially declared major disasters and emer-
20 gencies: *Provided*, That funds made available to the terri-
21 tory under this section shall remain available for obliga-
22 tion by the territory until September 30, 2020: *Provided*
23 *further*, That such amount is designated by the Congress
24 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 (3) On page 9, line 21, strike “2018” and insert
4 “2018, and tornadoes and floods occurring in calendar
5 year 2019”.

6 (4) On page 14, line 4, strike “eruptions, and” and
7 insert “eruptions,”.

8 (5) On page 14, line 5, after “earthquakes,” insert
9 “and calendar year 2019 tornadoes and floods,”

10 (6) On page 38, line 17, insert “or tornadoes and
11 floods occurring in calendar year 2019,” after “2018,”.

12 (7) On page 39, line 20, insert “, and tornadoes and
13 floods occurring in calendar year 2019” after “2018”.

14 (8) On page 40, line 13, insert “, and tornadoes and
15 floods occurring in calendar year 2019” after “2018”.

16 (9) On page 42, line 10, insert “, and tornadoes and
17 floods occurring in calendar year 2019” after “2018”.

1 (10) On page 43, line 17, insert “, and tornadoes and
 2 floods occurring in calendar year 2019” after “2018”.

3 (11) On page 66, insert the following new section at
 4 the appropriate place:

5 SEC. 1104. Of all amounts made available for mitiga-
 6 tion activities under the heading “Department of Housing
 7 and Urban Development - Community Development
 8 Fund” in Public Law 115-123, the Secretary shall publish
 9 in the Federal Register the allocations to all eligible grant-
 10 ees, and the necessary administrative requirements appli-
 11 cable to such allocations within 90 days after enactment
 12 of this Act;

13 (1) For any plans or amendments addressing
 14 the use of any funds provided under Public Law
 15 115-123 and received by the Secretary prior to De-
 16 cember 22, 2018, the Secretary shall review pending
 17 amendments within 15 days of enactment of this Act
 18 and pending plans within 30 days of enactment of
 19 this Act;

20 (2) After the date of this Act, the Secretary
 21 may not apply the statutory waiver or alternative re-
 22 quirement authority provided by Public Law 115-
 23 123 to extend or otherwise alter existing statutory

- 1 and regulatory provisions governing the timeline for
- 2 review of required grantee plans.

- 3 (12) On page 66, strike lines 10 through 17.