

Schiff_02

AMENDMENT NO. _____ Calendar No. _____

Purpose: To establish requirements on the use of the authority to provide assistance in the form of block grants.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2031, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCHIFF

Viz:

1 Strike section 1305 and insert the following:

2 **SEC. 1305. ASSISTANCE IN THE FORM OF BLOCK GRANTS.**

3 (a) IN GENERAL.— Subtitle E of title I of the Agri-
4 cultural Act of 2014 (7 U.S.C. 9081 et seq.) is amended
5 by adding at the end the following:

6 **“SEC. 1502. ASSISTANCE IN THE FORM OF BLOCK GRANTS.**

7 **“(a) GENERAL AUTHORITY FOR BLOCK GRANTS.—**

8 **“(1) IN GENERAL.—**In the case of additional
9 funds made available after the date of the enactment
10 of this section for covered losses, the Secretary may

1 make assistance for such losses available in the form
2 of block grants.

3 “(2) COVERED LOSSES.—In this section, the
4 term ‘covered losses’ means losses—

5 “(A) of revenue, quality, or production of
6 crops, trees, bushes, vines, poultry, or livestock
7 as a consequence of a natural disaster (as de-
8 termined by the Secretary); and

9 “(B) for which assistance is not available
10 pursuant to any other Federal law.

11 “(b) REQUIREMENTS ON USE OF AUTHORITY.—

12 “(1) IN GENERAL.—If the Secretary uses the
13 authority under subsection (a)(1) to provide assist-
14 ance for covered losses in the form of block grants,
15 the Secretary shall—

16 “(A) prior to making assistance in the
17 form of funds available, make publicly available
18 the uniform eligibility criteria and payment cal-
19 culation applicable to such assistance;

20 “(B) allocate block grant funds in accord-
21 ance with paragraph (2); and

22 “(C) require that to be eligible to receive
23 such a block grant, a State or State department
24 of agriculture shall—

1 “(i) submit an application at such
2 time, in such a manner, and containing
3 such information as the Secretary shall re-
4 quire by regulation, including a State plan
5 described in paragraph (3);

6 “(ii) carry out audits in accordance
7 with paragraph (4); and

8 “(iii) provide to the Secretary, not
9 later than 1 year after funds are first
10 made available under the block grant to
11 the State, a detailed report that—

12 “(I) does not include personally
13 identifiable information;

14 “(II) includes a listing of all ac-
15 tivities for which such assistance
16 would be dispersed;

17 “(III) describes the amount of
18 awarded block grant funds that, at
19 the time of the report, are not obli-
20 gated or expended; and

21 “(IV) contains such other infor-
22 mation as the Secretary determines
23 necessary to carry out the require-
24 ments under paragraph (5).

25 “(2) ALLOCATION OF BLOCK GRANT FUNDS.—

1 “(A) IN GENERAL.—If the Secretary uses
2 the authority under subsection (a)(1) to provide
3 assistance for covered losses in the form of
4 block grants, the Secretary shall—

5 “(i) award funds such that the
6 amount a State receives for a fiscal year
7 bears the same proportion to the total
8 amount of block grant funds awarded as
9 the covered losses in the State bears to the
10 total covered losses in all States for which
11 assistance is awarded; and

12 “(ii) if the total amount available
13 under the block grant is insufficient, rat-
14 ably reduce the amounts awarded.

15 “(B) REALLOCATION.—Funds awarded
16 under a block grant pursuant to this section—

17 “(i) may not be used by a State in
18 any manner other than as described in the
19 State plan submitted by the State in ac-
20 cordance with paragraph (3); and

21 “(ii) that have not been obligated or
22 expended after the 2-year period beginning
23 on the first date of the award shall be re-
24 scinded.

1 “(3) STATE PLAN.—A State plan described in
2 this paragraph is a plan—

3 “(A) that, with respect to assistance for
4 covered losses, demonstrates—

5 “(i) the covered losses in the State;
6 and

7 “(ii) that, except for under the block
8 grant, assistance pursuant to any other
9 Federal law is not available for such cov-
10 ered losses; and

11 “(B) that includes an assurance that, if
12 awarded a block grant, the State will—

13 “(i) comply with applicable Federal
14 law, including with respect to—

15 “(I) which producers are eligible
16 to receive payments under the block
17 grant; and

18 “(II) any payment limitations re-
19 lating to such producers;

20 “(ii) carry out random audits of the
21 producers that receive payments in accord-
22 ance with paragraph (4); and

23 “(iii) not include any additional re-
24 quirements relating to the eligibility of pro-

1 ducers to receive payments pursuant to the
2 block grant.

3 “(4) AUDITS.—For each year that a State re-
4 ceives a block grant pursuant to this section, the
5 State shall—

6 “(A) conduct an audit of the expenditures
7 of block grant funds by the State, including the
8 random audits described in paragraph
9 (3)(B)(ii); and

10 “(B) not later than 30 days after the com-
11 pletion of such an audit, submit a copy of the
12 audit to the Secretary.

13 “(5) TRANSPARENCY.—

14 “(A) ESTABLISHMENT OF REPOSITORY.—
15 Not later than 30 days after the end of a cal-
16 endar quarter after assistance for covered losses
17 in the form of a block grant pursuant to this
18 section has been made, the Director of the Of-
19 fice of Management and Budget, in coordina-
20 tion with the Secretary, shall make publicly
21 available on a subpage of the website estab-
22 lished under section 2 of the Federal Funding
23 Accountability and Transparency Act of 2006
24 (31 U.S.C. 6101 note; Public Law 109–282)

1 the information required to be submitted under
2 subparagraph (B).

3 “(B) SUBMISSION OF INFORMATION.—For
4 purposes of carrying out subparagraph (A), the
5 Secretary shall, with respect to assistance for
6 covered losses made in the form of a block
7 grant under this section, provide to the Director
8 of the Office of Management and Budget the
9 following information:

10 “(i) The total amount of assistance
11 under such a block grant provided to each
12 State.

13 “(ii) With respect to each State, a de-
14 tailed list of all activities for which such
15 assistance was dispersed.

16 “(iii) A list of the States that applied
17 for but did not receive a block grant and
18 the State plan submitted by each such
19 State under paragraph (3).”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 for the Agricultural Act of 2014 (Public Law 113–79; 128
22 Stat. 650) is amended by inserting after the item relating
23 to section 1501 the following:

“1502. Assistance in the form of block grants.”.