

Union Calendar No. 93

117TH CONGRESS
1ST SESSION

H. R. 2424

[Report No. 117-129]

To direct the Secretary of Agriculture to establish a program under which the Secretary awards grants to States or State departments of agriculture for the purposes of providing support to agricultural fairs for losses sustained due to COVID-19.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2021

Mr. PANETTA (for himself, Mr. LONG, Mr. LEVIN of California, and Mr. NEWHOUSE) introduced the following bill; which was referred to the Committee on Agriculture

SEPTEMBER 27, 2021

Additional sponsors: Mr. CARBAJAL, Mr. COSTA, Mr. DEFazio, Ms. KAPTUR, Ms. STEFANIK, Mr. WELCH, Ms. CRAIG, Mr. ROSE, Mr. THOMPSON of California, Mr. FORTENBERRY, Mr. KAHELE, Mr. KIND, Mr. KHANNA, Mr. MANN, Mr. MCGOVERN, Mrs. BICE of Oklahoma, Ms. MCCOLLUM, Mr. JACOBS of New York, Mr. GOHMERT, Mr. TRONE, Mr. MEUSER, Ms. PINGREE, Mr. CARL, Mr. DELGADO, Mr. GIMENEZ, Ms. KUSTER, Mr. O'HALLERAN, Ms. SALAZAR, and Mr. SABLAN

SEPTEMBER 27, 2021

Reported with an amendment; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 8, 2021]

A BILL

To direct the Secretary of Agriculture to establish a program under which the Secretary awards grants to States or State departments of agriculture for the purposes of providing support to agricultural fairs for losses sustained due to COVID-19.

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 Fairs Res-*
5 *cue Act”.*

6 **SEC. 2. AGRICULTURAL FAIR RESCUE GRANTS.**

7 (a) *IN GENERAL.*—*Not later than 180 days after the*
8 *date on which funds are made available to carry out this*
9 *section, the Secretary of Agriculture, acting through the Ad-*
10 *ministrator of the Agricultural Marketing Service, shall*
11 *award a grant to each State department of agriculture (or*
12 *other appropriate State agency assigned with the promotion*
13 *of agricultural fairs) for the purposes of providing support*
14 *to eligible agricultural fairs for losses sustained by such*
15 *fairs due to COVID–19.*

16 (b) *AMOUNT OF GRANT.*—*The amount of a grant to*
17 *a State or State department of agriculture under this sec-*
18 *tion shall be based on the difference between the average*
19 *attendance at agricultural fairs in the State for a calendar*
20 *year occurring during the 3-calendar-year period beginning*
21 *with calendar year 2017 (or over a shorter period, if attend-*
22 *ance data is not available for the entire 3-calendar-year pe-*
23 *riod) compared to calendar year 2020.*

1 (c) *CONDITIONS.*—As a condition on the receipt of a
2 grant under this section, a State or State department of
3 agriculture shall agree—

4 (1) to prioritize supporting eligible agricultural
5 fairs in the State facing the greatest financial hard-
6 ship; and

7 (2) to use not more than 5 percent of grant funds
8 for administrative costs incurred in providing sup-
9 port to eligible agricultural fairs.

10 (d) *USE OF FUNDS.*—A State or State department of
11 agriculture selected to receive a grant under this section
12 may only use grant funds to assist eligible agricultural fairs
13 that—

14 (1) host annual events that are drivers and pro-
15 moters of agribusiness in the State (as determined by
16 the State);

17 (2) have experienced a closure, stoppage, or can-
18 cellation of a local, county or State fair operations as
19 a direct or indirect result of—

20 (A) the COVID–19 national emergency; or

21 (B) any associated actions taken by any
22 governmental authority at the Federal, State,
23 county, or municipal level in response to that
24 national emergency;

1 (3) agree to, and demonstrate the intent to, re-
2 establish a fair within 18 months of the termination
3 of the declaration specified in subsection (f)(2);

4 (4) agree to use all grant funds within the 18-
5 month period that begins on the date on which such
6 funds are received; and

7 (5) agree to use funds received pursuant to this
8 section for operating capital expenses, to reimburse
9 operating expenses paid from reserves not originally
10 intended for operating expenses, repay indebtedness
11 incurred to pay operating expenses, or repay other
12 third parties that contributed to funding operating
13 expenses, but not for capital improvements.

14 (e) *FUNDING.*—

15 (1) *IN GENERAL.*—There is authorized to be ap-
16 propriated to make grants under this section
17 \$500,000,000 for fiscal year 2022, each succeeding fis-
18 cal year occurring during the COVID–19 national
19 emergency, and the first fiscal year immediately fol-
20 lowing the termination of such national emergency.

21 (2) *ADMINISTRATIVE EXPENSES.*—Of the funds
22 made available under paragraph (1) to carry out this
23 section for a fiscal year, not more than 8 percent may
24 be used for expenses related to administering the pro-
25 gram under this section.

1 (f) *DEFINITIONS.*—*In this section:*

2 (1) *ELIGIBLE AGRICULTURAL FAIR.*—*The term*
3 *“eligible agricultural fair” means a local, county, or*
4 *State fair that—*

5 (A) *is a subunit of a government entity, a*
6 *public corporation organized and existing pursu-*
7 *ant to State law, or is owned and operated as*
8 *a not-for-profit organization described in section*
9 *501(c) of the Internal Revenue Code of 1986 and*
10 *exempt from taxation under section 501(a) of*
11 *such Code; and*

12 (B) *helps farmers, ranchers, or foresters—*

13 (i) *promote their products; or*

14 (ii) *expand agricultural markets*
15 *through conservation programs, agricultural*
16 *research, educational programs, or other*
17 *events that encourage agriculture, horti-*
18 *culture, and the domestic arts.*

19 (2) *COVID–19 NATIONAL EMERGENCY.*—*The*
20 *term “COVID–19 national emergency” means the na-*
21 *tional emergency declared by the President under the*
22 *National Emergencies Act (50 U.S.C. 1601 et seq.) on*
23 *March 13, 2020, with respect to COVID–19.*

24 (3) *STATE.*—*The term “State” means the several*
25 *States, the District of Columbia, the Commonwealth*

1 *of Puerto Rico, Guam, American Samoa, the United*
2 *States Virgin Islands, and the Commonwealth of the*
3 *Northern Mariana Islands.*

4 *(4) STATE DEPARTMENT OF AGRICULTURE.—The*
5 *term “State department of agriculture” means the*
6 *agency, commission, or department of a State govern-*
7 *ment responsible for agriculture in the State.*

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