

118TH CONGRESS  
1ST SESSION

# S. 2235

To amend the Animal Health Protection Act to provide compensation for poultry growers and layers in control areas, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 11, 2023

Mr. COONS (for himself, Mr. WICKER, Mr. CARDIN, Mr. CASEY, Mr. COTTON, Mr. FETTERMAN, Mr. GRAHAM, Mr. OSSOFF, Mr. RICKETTS, Ms. SMITH, Mr. TILLIS, Mr. TUBERVILLE, Mr. VAN HOLLEN, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Animal Health Protection Act to provide compensation for poultry growers and layers in control areas, 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 “Healthy Poultry As-  
5 sistance and Indemnification Act of 2023”.

1 **SEC. 2. COMPENSATION FOR POULTRY GROWERS AND LAY-**  
 2 **ERS IN CONTROL AREAS.**

3 Section 10407 of the Animal Health Protection Act  
 4 (7 U.S.C. 8306) is amended—

5 (1) in subsection (d), in the subsection heading,  
 6 by inserting “FOR DESTROYED ANIMALS” after  
 7 “COMPENSATION”; and

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

9 “(e) COMPENSATION FOR POULTRY GROWERS AND  
 10 LAYERS IN CONTROL AREAS.—

11 “(1) DEFINITION OF CONTROL AREA.—In this  
 12 subsection, the term ‘control area’ means a Control  
 13 Area determined by the Administrator of the Animal  
 14 and Plant Health Inspection Service.

15 “(2) COMPENSATION.—

16 “(A) IN GENERAL.—Except as provided in  
 17 paragraph (3), the Secretary shall compensate  
 18 the owner of a poultry growing or laying facility  
 19 that is located within a control area.

20 “(B) AMOUNT.—

21 “(i) IN GENERAL.—Compensation  
 22 paid under subparagraph (A) shall be in  
 23 an amount that is equal to the product ob-  
 24 tained by multiplying—

25 “(I) the average income from the  
 26 5 most recent flocks of birds that the

1 poultry growing or laying facility grew  
2 or laid; and

3 “(II) the number of flocks of  
4 birds that the owner of the poultry  
5 growing or laying facility was prohib-  
6 ited from growing or laying during the  
7 period of time in which the control  
8 area was in effect.

9 “(ii) LIMITATION.—Compensation  
10 paid any owner of a poultry growing or  
11 laying facility under this subsection shall  
12 not exceed the difference between—

13 “(I) the amount described in  
14 clause (i); and

15 “(II) any compensation received  
16 by the owner from a State or other  
17 source for the 1 or more flocks of  
18 birds that the owner was prohibited  
19 from growing or laying.

20 “(C) TIMING.—Compensation shall be paid  
21 under subparagraph (A) not later than 60 days  
22 after the date on which the owner of a poultry  
23 growing or laying facility submits a request to  
24 the Secretary for compensation.

25 “(3) EXCEPTIONS.—

1           “(A) IN GENERAL.—The exceptions de-  
2           scribed in subsection (d)(3) shall apply to this  
3           subsection.

4           “(B) COMPENSATION FOR DESTROYED  
5           ANIMALS.—No payment shall be made by the  
6           Secretary under this subsection to an owner of  
7           a poultry growing or laying facility who has re-  
8           ceived compensation under subsection (d) for a  
9           facility in the same control area during the  
10          same period of time.”.

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