

116TH CONGRESS
2D SESSION

S. 4354

To require the Secretary of Agriculture to make recourse loans available to commercial processors of dairy products during the COVID-19 pandemic, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2020

Ms. SMITH introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require the Secretary of Agriculture to make recourse loans available to commercial processors of dairy products during the COVID-19 pandemic, 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. RECOURSE LOAN PROGRAM FOR COMMERCIAL**
4 **PROCESSORS OF DAIRY PRODUCTS.**

5 (a) DEFINITIONS.—In this section:

6 (1) COVID-19.—The term “COVID-19”
7 means the disease caused by SARS-CoV-2, or any

1 viral strain mutating therefrom with pandemic po-
2 tential.

3 (2) ELIGIBLE DAIRY PRODUCT.—The term “eli-
4 gible dairy product” means any dairy product,
5 whether in base commodity or finished product form.

6 (3) QUALIFIED APPLICANT.—The term “quali-
7 fied applicant” means any commercial processor,
8 packager, or merchandiser of eligible dairy products
9 that is impacted by COVID–19.

10 (4) SECRETARY.—The term “Secretary” means
11 the Secretary of Agriculture.

12 (b) AVAILABILITY OF LOANS.—The Secretary shall
13 make recourse loans available to qualified applicants dur-
14 ing the COVID–19 pandemic.

15 (c) AMOUNT OF LOANS.—

16 (1) IN GENERAL.—A recourse loan made under
17 this section shall be provided to qualified applicants
18 up to the value of the eligible dairy product inven-
19 tory of the applicant, as determined by the Secretary
20 and consistent with subsection (d).

21 (2) VALUATION.—For purposes of making re-
22 course loans under this section, the Secretary shall
23 conduct eligible dairy product valuations to provide,
24 to the maximum extent practicable, funds to con-
25 tinue the operations of qualified applicants.

1 (d) INVENTORY USED AS COLLATERAL.—Eligible
2 dairy product inventory used as collateral for the recourse
3 loan program under this section shall be pledged on a ro-
4 tating basis to prevent spoilage of perishable products.

5 (e) TERM OF LOANS.—A recourse loan under this
6 section may be made for a period as determined by the
7 Secretary, except that no recourse loan under this section
8 may end after the date that is 24 months after the date
9 of enactment of this section.

10 (f) FUNDING.—Out of any amounts in the Treasury
11 not otherwise appropriated, there is appropriated to carry
12 out this section \$500,000,000.

13 (g) EMERGENCY DESIGNATION.—

14 (1) IN GENERAL.—The amounts provided by
15 this Act are designated as an emergency require-
16 ment pursuant to section 4(g) of the Statutory Pay-
17 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

18 (2) DESIGNATION IN SENATE.—In the Senate,
19 this Act is designated as an emergency requirement
20 pursuant to section 4112(a) of H. Con. Res. 71
21 (115th Congress), the concurrent resolution on the
22 budget for fiscal year 2018.

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