

116TH CONGRESS
2D SESSION

S. 4156

To require the Secretary of Agriculture to provide relief from hardship due to the COVID–19 pandemic to agricultural producers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 2, 2020

Mr. INHOFE (for himself, Ms. ERNST, Mr. GRASSLEY, Mr. TILLIS, and Mr. BURR) 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 provide relief from hardship due to the COVID–19 pandemic to agricultural producers, 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 “Responding to Epi-
5 demic Losses and Investing in the Economic Future for
6 Producers Act of 2020” or the “RELIEF for Producers
7 Act of 2020”.

1 **SEC. 2. EMERGENCY ASSISTANCE FOR LIVESTOCK AND**
2 **POULTRY LOSSES.**

3 (a) DEFINITIONS.—In this section:

4 (1) COVERED LIVESTOCK OR POULTRY.—The
5 term “covered livestock or poultry” means livestock
6 or poultry that is—

7 (A) used only for breeding purposes;

8 (B) fattening; or

9 (C) market-ready.

10 (2) COVERED PRODUCER.—The term “covered
11 producer” means a person or legal entity that as-
12 sumes the production and market risks associated
13 with the agricultural production of livestock and
14 poultry (as those terms are defined in section 2(a)
15 of the Packers and Stockyards Act, 1921 (7 U.S.C.
16 182)).

17 (3) COVID–19 PUBLIC HEALTH EMERGENCY.—
18 The term “COVID–19 public health emergency”
19 means the public health emergency declared by the
20 Secretary of Health and Human Services under sec-
21 tion 319 of the Public Health Service Act (42
22 U.S.C. 247d) on January 31, 2020, with respect to
23 COVID–19.

24 (4) INTENTIONAL DEPOPULATION.—The term
25 “intentional depopulation” means—

1 (A) the destruction of covered livestock or
2 poultry; and

3 (B) the transfer of covered livestock or
4 poultry without compensation to a noncommer-
5 cial interest.

6 (5) LIVE POULTRY DEALER.—The term “live
7 poultry dealer” has the meaning given the term in
8 section 2(a) of the Packers and Stockyards Act,
9 1921 (7 U.S.C. 182(a)).

10 (6) PACKER.—The term “packer” has the
11 meaning given the term in section 201 of the Pack-
12 ers and Stockyards Act, 1921 (7 U.S.C. 191).

13 (7) SECRETARY.—The term “Secretary” means
14 the Secretary of Agriculture.

15 (b) PAYMENTS FOR COVERED PRODUCERS.—The
16 Secretary shall make payments to covered producers to
17 offset the actual loss of income related to the intentional
18 depopulation of covered livestock and poultry due to insuf-
19 ficient regional access to meat or poultry processing re-
20 lated to the COVID–19 public health emergency, as deter-
21 mined by the Secretary.

22 (c) PAYMENT RATE FOR COVERED PRODUCERS.—

23 (1) PAYMENTS FOR FIRST 30-DAY PERIOD.—
24 For a period of 30 days beginning, with respect to
25 a covered producer, on the initial date of the inten-

1 tional depopulation described in subsection (b) of the
2 covered livestock or poultry of the covered producer,
3 the Secretary shall reimburse the covered producer
4 for 85 percent of the value of actual losses as deter-
5 mined under subsection (d).

6 (2) SUBSEQUENT 30-DAY PERIODS.—For each
7 30-day period subsequent to the 30-day period de-
8 scribed in paragraph (1), the Secretary shall reduce
9 the value of the actual losses determined under sub-
10 section (d) with respect to a covered producer by 10
11 percent.

12 (3) MAXIMUM AGGREGATE PAYMENT.—In no
13 case shall the amount of payments received by a pro-
14 ducer under this section exceed 100 percent of the
15 actual loss of that producer.

16 (d) VALUATION.—

17 (1) IN GENERAL.—In calculating the amount of
18 actual losses for purposes of the payment rates
19 under subsection (c), the Secretary shall use the av-
20 erage fair market value, as determined by the Sec-
21 retary in collaboration with the Chief Economist of
22 the Department of Agriculture and the Adminis-
23 trator of the Agricultural Marketing Service, for cov-
24 ered livestock or poultry, as applicable, during the

1 period beginning March 1, 2020, and ending on the
2 date of enactment of this section.

3 (2) LIMITATION.—In no case shall a payment
4 made under subsection (b) exceed the average mar-
5 ket value of covered livestock or poultry on the date
6 of the depopulation described in that subsection.

7 (e) EXCLUDED ANIMALS.—The Secretary may not
8 make payments under this section for actual losses associ-
9 ated with livestock owned by a packer or poultry owned
10 by a live poultry dealer.

11 (f) FUNDING.—There are appropriated, out of any
12 amounts in the Treasury not otherwise appropriated, such
13 sums as are necessary to carry out this section.

14 **SEC. 3. ANIMAL DISEASE PREVENTION AND PREPARED-**
15 **NESS.**

16 (a) PURPOSE.—The purpose of this section is to off-
17 set the impact of the COVID–19 public health emergency
18 (as defined in section 2(a)) by supporting prevention and
19 preparedness activities conducted pursuant to section
20 10409A of the Animal Health Protection Act (7 U.S.C.
21 8308a).

22 (b) APPROPRIATIONS.—Out of any amounts in the
23 Treasury not otherwise appropriated, there is appro-
24 priated to carry out section 10409A of the Animal Health

1 Protection Act (7 U.S.C. 8308a) \$300,000,000, to remain
 2 available until expended.

3 (c) EFFECT.—Nothing in this section supersedes ex-
 4 isting activities carried out under section 10409A of the
 5 Animal Health Protection Act (7 U.S.C. 8308a).

6 **SEC. 4. EMERGENCY AUTHORITY FOR THE COMMODITY**
 7 **CREDIT CORPORATION.**

8 Section 5 of the Commodity Credit Corporation Char-
 9 ter Act (15 U.S.C. 714c) is amended—

10 (1) by redesignating subsection (h) as sub-
 11 section (j); and

12 (2) by inserting after subsection (g) the fol-
 13 lowing:

14 “(h) Remove and dispose of, or aid in the removal
 15 or disposition of, surplus livestock and poultry due to sig-
 16 nificant supply chain interruption during an emergency
 17 period.

18 “(i) Aid agricultural processing plants to ensure sup-
 19 ply chain continuity during an emergency period.”.

○