

116TH CONGRESS
2D SESSION

H. R. 7483

To provide for the adjustment or modification by the Secretary of Agriculture of loans for critical rural utility service providers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 2, 2020

Mrs. HARTZLER (for herself and Mr. O'HALLERAN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the adjustment or modification by the Secretary of Agriculture of loans for critical rural utility service providers, 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 “Flexible Financing for
5 Rural America Act of 2020”.

1 **SEC. 2. LOAN ADJUSTMENTS FOR CRITICAL RURAL UTILITY**
2 **SERVICE PROVIDERS.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of enactment of this Act, the borrower of a qualified
5 loan described in subsection (b) may submit to the Sec-
6 retary of Agriculture (referred to in this section as the
7 “Secretary”) a request to adjust the interest rate or mod-
8 ify any other term of the qualified loan, which shall include
9 a report summarizing how the loan adjustment would as-
10 sist the borrower in providing critical utility services to
11 rural communities.

12 (b) QUALIFIED LOAN DESCRIBED.—A qualified loan
13 referred to in subsection (a) is a loan made or guaranteed
14 on or before the date of enactment of this Act under—

15 (1) section 4, 201, 305, 306, or 601 of the
16 Rural Electrification Act of 1936 (7 U.S.C. 904,
17 922, 935, 936, 950bb); or

18 (2) the program carried out under the matter
19 under the heading “DISTANCE LEARNING, TELE-
20 MEDICINE, AND BROADBAND PROGRAM” in title I of
21 division A of the American Recovery and Reinvest-
22 ment Act of 2009 (Public Law 111–5; 123 Stat.
23 118) (commonly known as the “Broadband Initia-
24 tives Program”).

25 (c) ADJUSTMENT OF INTEREST RATE; MODIFICA-
26 TION OF LOAN TERMS.—

1 (1) IN GENERAL.—On receipt of a request
2 made under subsection (a) with respect to a loan,
3 the Secretary—

4 (A) in the case of a request for an interest
5 rate adjustment, shall adjust the interest rate
6 on the loan to the cost of funds to the Depart-
7 ment of the Treasury, as of the date of enact-
8 ment of this Act, for obligations of comparable
9 maturity to the term remaining on the out-
10 standing balance of the loan or other such high-
11 er rate as the borrower may request; and

12 (B) in the case of a request for a modifica-
13 tion to a loan term other than the adjustment
14 described in subparagraph (A), may use the au-
15 thorities provided in sections 2, 201, 306C and
16 703 of the Rural Electrification Act of 1936 (7
17 U.S.C. 902, 922, 936c, 950cc–2) and section
18 331(b)(4) of the Consolidated Farm and Rural
19 Development Act (7 U.S.C. 1981(b)(4)) to
20 make such other modifications to the loan
21 terms that the Secretary determines are nec-
22 essary—

23 (i) to address changes in the financial
24 position of the borrower due to the public
25 health emergency declared by the Secretary

1 of Health and Human Services under sec-
2 tion 319 of the Public Health Service Act
3 (42 U.S.C. 247d) on January 31, 2020,
4 with respect to COVID–19; and

5 (ii) to promote the financial sustain-
6 ability of the borrower.

7 (2) EFFECTIVE DATE.—An adjustment or
8 modification under subparagraph (A) or (B), respec-
9 tively, of paragraph (1) shall apply beginning on the
10 first day after the close of the period with respect
11 to which the first payment due on the loan after the
12 date of the request applies.

13 (d) NO FEES OR PENALTIES.—In carrying out this
14 section, the Secretary shall not impose or collect any fee
15 from, or impose any penalty on, a borrower.

16 (e) NOTICE.—Not later than 30 days after the date
17 of enactment of this Act, the Secretary shall publish in
18 the Federal Register a notice of the benefits available to
19 borrowers under this section.

20 (f) APPROPRIATION.—

21 (1) IN GENERAL.—Out of any amounts in the
22 Treasury not otherwise appropriated, there are ap-
23 propriated to the Secretary—

24 (A) such sums as are necessary to carry
25 out subsection (c)(1)(A); and

1 (B) \$300,000,000 to carry out subsection
2 (c)(1)(B).

3 (2) AVAILABILITY.—The amounts appropriated
4 by paragraph (1) shall remain available through De-
5 cember 31, 2021.

6 (g) EMERGENCY DESIGNATION.—

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

11 (2) DESIGNATION IN SENATE.—In the Senate,
12 this Act is designated as an emergency requirement
13 pursuant to section 4112(a) of H. Con. Res. 71
14 (115th Congress), the concurrent resolution on the
15 budget for fiscal year 2018.

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