

116TH CONGRESS
2D SESSION

S. 3605

To amend the Specialty Crops Competitiveness Act of 2004 to provide specialty crop block grants to fund State food banks and food access networks.

IN THE SENATE OF THE UNITED STATES

MAY 5, 2020

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

A BILL

To amend the Specialty Crops Competitiveness Act of 2004 to provide specialty crop block grants to fund State food banks and food access networks.

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 “Food Bank Access to
5 Farm Fresh Produce Act of 2020”.

6 **SEC. 2. GRANTS FOR STATE FOOD BANKS AND FOOD AC-**
7 **CESS NETWORKS.**

8 Section 101 of the Specialty Crops Competitiveness
9 Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)
10 is amended—

1 (1) in subsection (a)—

2 (A) by redesignating paragraphs (1)
3 through (5) as subparagraphs (A), (B), (C),
4 (D), and (F), respectively, and indenting appro-
5 priately;

6 (B) in subparagraph (D) (as so redesign-
7 nated), by striking “and” at the end;

8 (C) by inserting after subparagraph (D)
9 (as so redesignated) the following:

10 “(E) by assisting State food banks and
11 food access networks in accordance with para-
12 graph (2); and”;

13 (D) in the matter preceding subparagraph
14 (A) (as so redesignated), by striking “Using the
15 funds” and inserting the following:

16 “(1) IN GENERAL.—Using the funds”; and

17 (E) by adding at the end the following:

18 “(2) GRANTS FOR FOOD BANKS AND FOOD AC-
19 CESS NETWORKS.—

20 “(A) IN GENERAL.—Not later than 30
21 days after the date of enactment of the Food
22 Bank Access to Farm Fresh Produce Act of
23 2020, the Secretary shall make grants under
24 paragraph (1) to States in accordance with sub-
25 paragraph (B) to disburse funds in the form of

1 grants to eligible entities described in subpara-
2 graph (C).

3 “(B) GRANTS TO STATES.—To carry out
4 subparagraph (A), notwithstanding subsections
5 (d) through (g), the Secretary shall award a
6 grant to the State department of agriculture in
7 each of the 20 States that have produced the
8 highest quantity of specialty crops during the
9 most recent 3-year period.

10 “(C) ELIGIBLE ENTITIES DESCRIBED.—
11 The eligible entities referred to in subparagraph
12 (A) are State food banks and food access net-
13 works that—

14 “(i) the applicable State department
15 of agriculture determines are qualified to
16 receive a grant under that subparagraph;
17 and

18 “(ii) purchase specialty crops directly
19 from farmers in the State and not—

20 “(I) through packers, repackers,
21 shippers, or brokers; or

22 “(II) at terminal markets.

23 “(D) USE OF FUNDS.—A grant received by
24 an eligible entity under subparagraph (A) may
25 be used only—

1 “(i) to procure and distribute spe-
2 cialty crops;

3 “(ii) to purchase, lease, or otherwise
4 acquire vehicles, including refrigerated ve-
5 hicles, or other equipment to carry out ac-
6 tivities related to procurement and dis-
7 tribution of specialty crops;

8 “(iii) to pay for the cost of additional
9 personnel;

10 “(iv) to pay for travel relating to pro-
11 curement of specialty crops; and

12 “(v) to pay for preparation, storage,
13 and transportation of specialty crops, in-
14 cluding delivery to end-consumers.”;

15 (2) in subsection (c)—

16 (A) by redesignating paragraphs (1) and
17 (2) as subparagraphs (A) and (B), respectively,
18 and indenting appropriately;

19 (B) in the matter preceding subparagraph
20 (A) (as so redesignated), by striking “Notwith-
21 standing subsection (b),” and inserting the fol-
22 lowing:

23 “(1) IN GENERAL.—Notwithstanding subsection
24 (b), and except as provided in paragraph (2),”; and

25 (C) by adding at the end the following:

“(2) GRANTS FOR FOOD BANKS AND FOOD ACCESS NETWORKS.—Notwithstanding subsection (b), the amount of a grant received by a State under subsection (a)(2) shall be not less than \$100,000,000.”; and

(3) in subsection (l)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting “except for grants made under subsection (a)(2),” before “using—”; and

(B) by adding at the end the following:

“(3) EMERGENCY FUNDING FOR GRANTS FOR FOOD BANKS AND FOOD ACCESS NETWORKS.—

“(A) IN GENERAL.—Out of amounts in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$8,000,000,000 to award grants under subsection (a)(2), to remain available until expended.

“(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to award grants under subsection (a)(2) the amount transferred under subparagraph (A), without further appropriation.

1 “(C) EMERGENCY DESIGNATION.—

2 “(i) IN GENERAL.—The amounts pro-
3 vided by this paragraph are designated as
4 an emergency requirement pursuant to sec-
5 tion 4(g) of the Statutory Pay-As-You-Go
6 Act of 2010 (2 U.S.C. 933(g)).

7 “(ii) DESIGNATION IN SENATE.—In
8 the Senate, this paragraph is designated as
9 an emergency requirement pursuant to sec-
10 tion 4112(a) of H. Con. Res. 71 (115th
11 Congress), the concurrent resolution on the
12 budget for fiscal year 2018.”.

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