

116TH CONGRESS
2D SESSION

H. R. 6445

To modify nutrition programs to address the Coronavirus Disease 2019,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2020

Mrs. HAYES (for herself and Mr. NEGUSE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, Education and Labor, 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 modify nutrition programs to address the Coronavirus
Disease 2019, 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 “Food Assistance for
5 Kids and Families During COVID-19 Act of 2020”.

6 **SEC. 2. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**
7 **GRAM.**

8 (a) DEFINITIONS.—In this section:

1 (1) PROGRAM.—The term “program” means
2 the supplemental nutrition assistance program es-
3 tablished under the Food and Nutrition Act of 2008
4 (7 U.S.C. 2011 et seq.).

5 (2) SECRETARY.—The term “Secretary” means
6 the Secretary of Agriculture.

7 (b) PROGRAM MODIFICATIONS.—

8 (1) IN GENERAL.—In carrying out the program,
9 the Secretary shall—

10 (A) notify authorized program retailers of
11 existing opportunities through which retailers
12 can deliver groceries to program participants,
13 including by—

14 (i) allowing an EBT card (as defined
15 in section 3 of the Food and Nutrition Act
16 of 2008 (7 U.S.C. 2012)) to be swiped on
17 delivery of groceries to the home (with a
18 mobile device); and

19 (ii) preparing groceries for pick-up;

20 (B) authorize public-private partnerships
21 between the Department of Agriculture, author-
22 ized program retailers, and community-based
23 organizations to support grocery delivery, in-
24 cluding through the use of private funds; and

(C) in the case of an authorized program retailer or a grocer that is unable to cover the cost of grocery delivery for program participants, use funds made available under paragraph (2) to support grocery delivery for program participants who are seniors, immunocompromised individuals, or other individuals who are unable to travel safely to a grocery store.

(2) FUNDING FOR DELIVERY.—

(A) IN GENERAL.—There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, \$500,000,000 to cover the cost of grocery delivery under paragraph (1)(C).

(B) EMERGENCY REQUIREMENT.—The amount made available under subparagraph (A) is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(C) ADMINISTRATION.—A State agency shall—

(i) pay for the cost of grocery delivery under paragraph (1)(C) for an authorized

1 program retailer or grocer described in
2 that subparagraph; and

3 (ii) be reimbursed by the Secretary
4 using funds appropriated under subpara-
5 graph (A).

6 (D) AUTHORIZATION OF APPROPRIA-
7 TIONS.—In addition to the amount appro-
8 priated under subparagraph (A), there are au-
9 thorized to be appropriated to the Secretary
10 such sums as are necessary to cover the cost of
11 grocery delivery under paragraph (1)(C).

12 (3) TERMINATION OF AUTHORITY.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), the authority of the Sec-
15 retary to carry out paragraphs (1) and (2) shall
16 terminate on the date on which the national
17 emergency declared by the President under the
18 National Emergencies Act (50 U.S.C. 1601 et
19 seq.) with respect to the Coronavirus Disease
20 2019 (COVID-19) is terminated.

21 (B) REIMBURSEMENT.—The Secretary
22 may reimburse State agencies under paragraph
23 (2)(C)(ii) after the date described in subpara-
24 graph (A).

1 (C) RETURN OF FUNDS.—The Secretary
 2 shall return to the Treasury any funds appro-
 3 priated under paragraph (2)(A) that have not
 4 been used or obligated under paragraph
 5 (2)(C)(ii) by the date described in subpara-
 6 graph (A).

7 **SEC. 3. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM**
 8 **FOR WOMEN AND CHILDREN.**

9 (a) CERTIFICATION OF INFANTS.—

10 (1) DEFINITION OF INFANT.—Section 17(b) of
 11 the Child Nutrition Act of 1966 (42 U.S.C. 1786(b))
 12 is amended by striking paragraph (5) and inserting
 13 the following:

14 “(5) INFANT.—The term ‘infant’ means—

15 “(A) a person under 1 year of age; and

16 “(B) for purposes of subsection (d), a per-
 17 son under 2 years of age.”.

18 (2) CERTIFICATION.—Section 17(d)(3)(A) of
 19 the Child Nutrition Act of 1966 (42 U.S.C.
 20 1786(d)(3)(A)) is amended by adding at the end the
 21 following:

22 “(iv) INFANTS.—

23 “(I) IN GENERAL.—A State may
 24 elect to certify an infant for a period
 25 of not more than 2 years.

1 “(II) ASSESSMENTS.—In certi-
 2 fying an infant under subclause (I), a
 3 State shall ensure that the infant re-
 4 ceives required health and nutrition
 5 assessments.”.

6 (b) EXTENSION OF POSTPARTUM PERIOD.—

7 (1) BREASTFEEDING WOMEN.—

8 (A) DEFINITION OF BREASTFEEDING
 9 WOMAN.—Section 17(b) of the Child Nutrition
 10 Act of 1966 (42 U.S.C. 1786(b)) is amended by
 11 striking paragraph (1) and inserting the fol-
 12 lowing:

13 “(1) BREASTFEEDING WOMAN.—The term
 14 ‘breastfeeding woman’ means—

15 “(A) a woman who is not more than 1 year
 16 postpartum and is breastfeeding the infant of
 17 the woman; and

18 “(B) for purposes of subsection (d), a
 19 woman who is not more than 2 years postpar-
 20 tum and is breastfeeding the infant of the
 21 woman.”.

22 (B) CERTIFICATION.—Section
 23 17(d)(3)(A)(ii) of the Child Nutrition Act of
 24 1966 (42 U.S.C. 1786(d)(3)(A)(ii)) is amended
 25 by striking “1 year” and all that follows

1 through “earlier” and inserting “not more than
2 2 years postpartum”.

3 (2) POSTPARTUM WOMEN.—

4 (A) DEFINITION OF POSTPARTUM
5 WOMAN.—Section 17(b) of the Child Nutrition
6 Act of 1966 (42 U.S.C. 1786(b)) is amended by
7 striking paragraph (10) and inserting the fol-
8 lowing:

9 “(10) POSTPARTUM WOMAN.—The term ‘post-
10 partum woman’ means—

11 “(A) a woman up to 6 months after termi-
12 nation of pregnancy; and

13 “(B) for purposes of subsection (d), a
14 woman up to 2 years after termination of preg-
15 nancy.”.

16 (B) CERTIFICATION.—Section 17(d)(3)(A)
17 of the Child Nutrition Act of 1966 (42 U.S.C.
18 1786(d)(3)(A)) (as amended by subsection
19 (a)(2)) is amended by adding at the end the fol-
20 lowing:

21 “(v) POSTPARTUM WOMEN.—A State
22 may elect to certify a postpartum woman
23 for a period of up to 2 years after the ter-
24 mination of pregnancy of the postpartum
25 woman.”.

1 **SEC. 4. WAIVER OF ADMINISTRATIVE CONDITIONS.**

2 Section 301 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5141) is
4 amended by inserting “or emergency” after “major dis-
5 aster” each place the term appears.

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