

116TH CONGRESS
2D SESSION

H. R. 6757

To provide additional agricultural products for distribution by emergency feeding organizations during the COVID-19 public health emergency.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2020

Ms. FUDGE (for herself, Mr. COSTA, Ms. PLASKETT, Mrs. AXNE, Ms. BASS, Mr. BERA, Mr. BLUMENAUER, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CARBAJAL, Mr. CARSON of Indiana, Mr. CASE, Mr. CLAY, Mr. COHEN, Mr. CORREA, Mr. COX of California, Mr. DANNY K. DAVIS of Illinois, Mr. DEFazio, Ms. DELAURO, Mr. HARDER of California, Mr. HASTINGS, Mrs. HAYES, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Mrs. KIRKPATRICK, Mr. LAWSON of Florida, Mr. SEAN PATRICK MALONEY of New York, Mr. McEACHIN, Mr. McNERNEY, Mr. MEEKS, Ms. MOORE, Mr. NORCROSS, Ms. NORTON, Mr. O'HALLERAN, Ms. OMAR, Mr. PANETTA, Ms. PINGREE, Ms. PRESSLEY, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. TED LIEU of California, Mr. SOTO, Mr. THOMPSON of Mississippi, Ms. TITUS, Ms. TLAIB, Ms. WILSON of Florida, Mrs. TORRES of California, Ms. JOHNSON of Texas, and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on 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 additional agricultural products for distribution by emergency feeding organizations during the COVID-19 public health emergency.

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 “Farm to Food Bank
 5 Enhancement Act of 2020”.

6 **SEC. 2. ENHANCED PROJECTS TO HARVEST, PROCESS,**
 7 **PACKAGE, OR TRANSPORT DONATED COM-**
 8 **MODITIES.**

9 (a) DEFINITIONS.—In this section:

10 (1) COVID-19.—The term “COVID-19”
 11 means the 2019 Novel Coronavirus or 2019-nCoV.

12 (2) EMERGENCY FEEDING ORGANIZATION.—
 13 The term “emergency feeding organization” has the
 14 meaning given the term in section 201A of the
 15 Emergency Food Assistance Act of 1983 (7 U.S.C.
 16 7501).

17 (3) PROJECT.—The term “project” has the
 18 meaning given the term in section 203D(d)(1) of the
 19 Emergency Food Assistance Act of 1983 (7 U.S.C.
 20 7507(d)(1)).

21 (4) PRIORITY AGRICULTURAL PRODUCT.—The
 22 term “priority agricultural product” means a dairy,
 23 meat, or poultry product, or a specialty crop—

24 (A) packaged or marketed for sale to com-
 25 mercial or food service industries;

1 (B) for which decreased demand exists for
2 such a product due to the COVID–19 outbreak;
3 and

4 (C) the repurposing of which would be im-
5 practical for grocery or retail sale.

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

8 (6) STATE.—The term “State” has the mean-
9 ing given the term in section 203D of the Emer-
10 gency Food Assistance Act of 1983 (7 U.S.C. 7507).

11 (7) STATE AGENCY.—The term “State agency”
12 has the meaning given the term in section 203D of
13 the Emergency Food Assistance Act of 1983 (7
14 U.S.C. 7507).

15 (b) ENHANCED PROJECTS.—

16 (1) IN GENERAL.—Subject to paragraphs (3)
17 and (4), using funds made available under sub-
18 section (d), the Secretary may provide funds to
19 States to pay for harvesting, processing, packaging,
20 or transportation costs of carrying out a project.

21 (2) GUIDANCE.—Not later than 30 days after
22 the date of enactment of this Act, the Secretary
23 shall issue guidance to States—

24 (A) to carry out this section;

1 (B) to inform States of their allocations
2 under paragraph (3); and

3 (C) to encourage States to carry out
4 projects that work with agricultural producers,
5 processors, and distributors with priority agri-
6 cultural products.

7 (3) ALLOCATION.—

8 (A) ELIGIBILITY FOR ALLOCATION.—The
9 Secretary shall allocate funds made available
10 under subsection (d) based on the formula in
11 effect under section 214(a) of the Emergency
12 Food Assistance Act of 1983 (7 U.S.C.
13 7515(a)), among States that timely submit a
14 State plan of operation for a project that in-
15 cludes—

16 (i) a list of emergency feeding organi-
17 zations in the State that will operate the
18 project in partnership with the State agen-
19 cy;

20 (ii) at the option of the State, a list
21 of priority agricultural products located in
22 the State that are for donation to emer-
23 gency feeding organizations and ready for
24 transport;

(iii) a description of how the project will meet the purposes described in section 203D(d)(3) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d)(3)); and

(iv) a timeline of when the project will begin operating.

(B) REALLOCATION.—If the Secretary determines that a State will not expend all the funds allocated to the State under subparagraph (A), the Secretary shall reallocate the unexpended funds to other eligible States.

(C) REPORT.—Each State that receives funds allocated under this paragraph shall submit to the Secretary financial reports on a regular basis describing the use of the funds.

(4) USE OF FUNDS.—

(A) IN GENERAL.—A State that receives funds under section 203D(d)(5) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d)(5)) may—

(i) receive funds under this section; and
(ii) use funds received under this section—

1 (I) to expand projects for which
2 funds are received under such section
3 203D(d)(5); and

4 (II) to carry out new projects
5 with agricultural producers, proc-
6 essors, or distributors participating in
7 projects for which funds are received
8 under such section 203D(d)(5).

9 (B) FEDERAL SHARE.—Funds received
10 under this section shall not be subject to the
11 Federal share limitation described in section
12 203D(d)(2)(B) of the Emergency Food Assist-
13 ance Act of 1983 (7 U.S.C. 7507(d)(2)(B)).

14 (c) COOPERATIVE AGREEMENTS.—

15 (1) IN GENERAL.—A State agency that carries
16 out a project using Federal funds received under
17 this section may enter into cooperative agreements
18 with State agencies of other States under section
19 203B(d) of the Emergency Food Assistance Act of
20 1983 (7 U.S.C. 7507(d)) to maximize the use of
21 commodities donated under the project.

22 (2) SUBMISSION.—Not later than 15 days after
23 entering into a cooperative agreement under sub-
24 paragraph (A), a State agency shall submit such
25 agreement to the Secretary.

1 (d) APPROPRIATION OF FUNDS.—Out of funds in the
2 Treasury not otherwise appropriated, there is appro-
3 priated to carry out this section \$25,000,000 to remain
4 available until September 30, 2021. Such funds are des-
5 ignated by Congress as being for an emergency require-
6 ment pursuant to section 251(b)(2)(A)(i) of the Balanced
7 Budget and Emergency Deficit Control Act of 1985 (2
8 U.S.C. 901(b)(2)(A)(i)).

9 (e) PUBLIC AVAILABILITY.—Not later than 10 days
10 after the date of the receipt or issuance of each document
11 listed in paragraphs (1), (2), or (3) of this subsection, the
12 Secretary shall make publicly available on the website of
13 the Department of Agriculture the following documents:

14 (1) Any guidance issued under subsection
15 (b)(2).

16 (2) A State plan or operation or report sub-
17 mitted in accordance with subsection (b)(3).

18 (3) A cooperative agreement submitted in ac-
19 cordance with subsection (c).

○