

117TH CONGRESS
1ST SESSION

H. R. 3453

To provide community-based nonprofit feeding and anti-hunger groups with funding to partner with small and mid-sized restaurants to expand meal access and delivery for low-income and vulnerable populations during, and through 1 year following the end of, a pandemic or public health emergency.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Ms. VELÁZQUEZ (for herself, Mr. THOMPSON of Mississippi, Ms. BARRAGÁN, Ms. SCANLON, Mr. GARCÍA of Illinois, Mr. CASE, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide community-based nonprofit feeding and anti-hunger groups with funding to partner with small and mid-sized restaurants to expand meal access and delivery for low-income and vulnerable populations during, and through 1 year following the end of, a pandemic or 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 “Anti-Hunger Pandemic
5 Recovery Act of 2021”.

1 **SEC. 2. DEFINITIONS.**

2 (1) **VULNERABLE POPULATION.**—The term
3 “vulnerable population” means any person who is a
4 member of the target population, is a low income in-
5 dividual, or receives a means-tested benefit as de-
6 fined under this Act.

7 (2) **GRAB-AND-GO MEAL.**—The term “grab-and-
8 go meals” refers to pre-packaged, ready to eat food
9 that has been prepared and cooked no greater than
10 8 hours prior to being sealed or enclosed in a con-
11 tainer.

12 (3) **TARGET POPULATION.**—The term “target
13 population” includes an individual who (or family
14 that)—

15 (A) earns an income below 200 percent of
16 the Federal poverty line;

17 (B) suffers from food insecurity;

18 (C) is homeless;

19 (D) receives (or recently received) assist-
20 ance under a State program funded under part
21 A of title IV of the Social Security Act (42
22 U.S.C. et seq.), relating to temporary assistance
23 to needy families; or

24 (E) is eligible for benefits under any nutri-
25 tion assistance or anti-poverty program.

1 (4) COMMUNITY-BASED NONPROFIT FEEDING
2 AND ANTI-HUNGER GROUP.—The term “community-
3 based nonprofit feeding and anti-hunger group”
4 means an anti-hunger organization, food bank, food
5 pantry, soup kitchen, food rescue group, or commu-
6 nity food security organization that is described in
7 section 501(c)(3) of the Internal Revenue Code of
8 1986 and exempt from tax under section 501(a) of
9 such Code.

10 (5) SECRETARY.—The term “Secretary” means
11 the Secretary of Agriculture.

12 (6) LOW-INCOME INDIVIDUAL.—The term “low-
13 income individual” means, with respect to any cal-
14 endar year, any individual who lives in a household
15 that has a gross income that does not exceed 300
16 percent of the poverty line, as defined in section
17 673(2) of the Community Services Block Grant Act
18 (42 U.S.C. 9902(2)).

19 (7) HOMELESS.—The term “homeless” has the
20 meaning given such term in subtitle B of title VII
21 of the McKinney-Vento Act and the Housing and
22 Urban Development (HUD) definition in section 103
23 of subtitle I of the McKinney-Vento Act.

24 (8) CRISIS HOUSING.—The term “crisis hous-
25 ing” means a supervised publicly or privately oper-

1 ated shelter designated to provide temporary living
2 arrangements (including hotels and motels paid for
3 by Federal, State, or local government programs for
4 low-income individuals or by charitable organiza-
5 tions, congregate shelters, and transitional housing).

6 (9) MEANS-TESTED BENEFIT.—The term
7 “means-tested benefit” means a mandatory spending
8 program of the Federal Government for which, as
9 determined by the Secretary, eligibility for the pro-
10 gram’s benefits, or the amount of such benefits, is
11 determined on the basis of income or resources of
12 the individual or family seeking the benefit.

13 (10) DEPENDENT.—The term “dependent” has
14 the meaning given such term in section 152 of the
15 Internal Revenue Code of 1986, except that the term
16 also includes an individual who is not a citizen or
17 national of the United States if such individual
18 would otherwise be considered a dependent pursuant
19 to such section if such individual were a citizen or
20 national of the United States.

21 (11) DISASTER DECLARATION.—The term “dis-
22 aster declaration” means—

23 (A) an emergency involving Federal pri-
24 mary responsibility determined to exist by the
25 President under section 501(b) of the Robert T.

1 Stafford Disaster Relief and Emergency Assist-
2 ance Act (42 U.S.C. 5191(b));

3 (B) a national emergency declared by the
4 President under the National Emergencies Act
5 (50 U.S.C. 1601 et seq.);

6 (C) an emergency declared by a Federal
7 official with respect to coronavirus (as defined
8 in section 506 of the Coronavirus Preparedness
9 and Response Supplemental Appropriations
10 Act, 2020 (Public Law 116–123));

11 (D) a public health emergency declared by
12 the Secretary of Health and Human Services
13 pursuant to section 319 of the Public Health
14 Service Act (42 U.S.C. 247(d)) with respect to
15 COVID–19 or any other coronavirus with pan-
16 demic potential; or

17 (E) the instance a Governor requests a
18 major disaster declaration under the Robert T.
19 Stafford Disaster Relief and Emergency Assist-
20 ance Act (42 U.S.C. 5121 et seq.).

21 (12) TEMPORARY COMMUNITY NEED.—The
22 term “temporary community need” means prepared
23 meals during the time period under which a disaster
24 declaration is provided. Such community need shall

1 terminate 3 years after the termination of such dec-
2 laration.

3 (13) PANDEMIC.—The term “pandemic” means
4 a communicable disease for which the Federal Gov-
5 ernment has issued a travel alert or travel warning.

6 **SEC. 3. ANTI-HUNGER PANDEMIC RECOVERY FUND.**

7 (a) APPLICATION.—To be eligible to receive a grant
8 to address temporary community needs under this section,
9 a community-based nonprofit feeding and anti-hunger
10 group shall submit to the Secretary an application that
11 contains a description of how the applicant proposes to
12 use the grant funds to implement the components of the
13 temporary grant program listed in subsection (b). The ap-
14 plication shall be submitted in such form, at such time,
15 and containing such other information as the Secretary
16 may require.

17 (b) ANTI-HUNGER PANDEMIC RECOVERY GRANT
18 PROGRAM COMPONENTS.—An application for a grant
19 under this section shall contain an assurance that the ap-
20 plicant will expand the capacity of community-based non-
21 profit feeding and anti-hunger groups and schools to meet
22 the needs of children, families, and vulnerable populations
23 in a pandemic by—

24 (1) contracting with small and mid-sized busi-
25 ness restaurants or small and mid-sized food con-

1 tractors that are small business concerns as defined
2 in section 3 of the Small Business Act (15 U.S.C.
3 632) for—

4 (A) preparing, cooking, and storing grab-
5 and-go meals;

6 (B) serving meals to vulnerable popu-
7 lations or make them available for pick up, or
8 distributed in high poverty areas designated by
9 State and local agencies;

10 (C) bolstering food security for children,
11 dependents, families, and the elderly in rural
12 and hard to reach communities;

13 (D) bolstering food security for depend-
14 ents, target populations, and families in crisis
15 housing; and

16 (E) improving the nutrition of vulnerable
17 populations.

18 (c) CRITERIA.—In evaluating an application of a
19 community-based nonprofit feeding and anti-hunger group
20 to receive a grant, the Secretary shall consider criteria as
21 the Secretary determines appropriate.

22 (d) GRANT ADMINISTRATION.—

23 (1) AMOUNT.—A grant awarded under this sec-
24 tion may not exceed \$500,000.

25 (2) RENEWALS.—

1 (A) IN GENERAL.—The Secretary may
2 renew a grant awarded under this section with
3 respect to an eligible entity if the entity—

4 (i) submits to the Secretary an appli-
5 cation for renewal at such time, in such
6 manner, and containing such information
7 as the Secretary may require; and

8 (ii) demonstrates in such application
9 that—

10 (I) grant, contract, or cooperative
11 agreement funds made available to the
12 entity were used in a manner required
13 under the most recently approved ap-
14 plication of the entity under this sec-
15 tion; and

16 (II) the entity has made progress
17 in achieving the objectives of the ini-
18 tial application approved for the entity
19 under this section.

20 (B) DURATION.—A grant shall be eligible
21 for renewal so long as a disaster declaration is
22 active on the date of the renewal application.

23 (e) SUPPLEMENT, NOT SUPPLANT, REQUIRE-
24 MENT.—A grant, contract, or cooperative agreement made
25 under this Act shall be expended to supplement, and not

1 supplant, the expenditures of the eligible entity involved
2 and the value of in-kind contributions.

3 (f) ADMINISTRATION OF GRANTS.—Grants made
4 under this section shall be administered through the Na-
5 tional Institute of Food and Agriculture.

6 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There is authorized to be appro-
8 priated to carry out this section “\$2,000,000,000 for fiscal
9 year 2022.

10 (b) AVAILABILITY.—Funds appropriated under sub-
11 section (a) shall remain available until expended.

12 **SEC. 5. RULE OF CONSTRUCTION.**

13 Nothing in this Act shall be construed to limit a com-
14 munity-based nonprofit feeding and anti-hunger group
15 from receiving a grant under this Act for any vulnerable
16 population otherwise served by such group with other Fed-
17 eral funds.

18 **SEC. 6. REPORTING REQUIREMENTS.**

19 (a) BEST PRACTICES.—Not later than 180 days after
20 the date of the enactment of this Act, the Secretary shall
21 develop and publish a report on the best practices for com-
22 munity-based nonprofit feeding and anti-hunger groups to
23 do business with the Department of Agriculture, including
24 how to register with the Federal system of award manage-
25 ment (SAM), how to obtain and validate a Federal Data

1 Universal Number System (DUNS), and how to apply for
2 a grant under section 3. Such report shall be available
3 for public review and inspection on the public websites of
4 the Department of Agriculture.

5 (b) GRANTEES.—Not later than 3 years after the
6 date of the enactment of this Act, an eligible entity that
7 receives a grant under this Act shall submit to the Sec-
8 retary a report that contains an evaluation of the results
9 of the activities, including financial expenditures, made
10 during such fiscal year to carry out the program for which
11 such grant is received and any other data the Secretary
12 determines to be necessary for an evaluation of the bene-
13 fits of the grants awarded under this Act.

14 (c) ANNUAL REPORTS TO CONGRESS.—Not later
15 than 4 years after the date of the enactment of this Act,
16 the Secretary shall submit to the Committee on Agri-
17 culture of the House of Representatives a report describ-
18 ing—

19 (1) each grant application received under this
20 Act;

21 (2) any grants awarded under this Act, includ-
22 ing—

23 (A) the name and location of the eligible
24 entity;

25 (B) the total amount of the grant;

1 (C) the date on which the grant was
2 awarded; and

3 (D) information from reports received
4 under subsection (b); and

5 (3) any other data the Secretary determines to
6 be necessary for an evaluation of benefits of the
7 grants awarded under this Act.

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