

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.

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## 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

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## 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;

1 (iii) a description of how the project  
2 will meet the purposes described in section  
3 203D(d)(3) of the Emergency Food Assist-  
4 ance Act of 1983 (7 U.S.C. 7507(d)(3));  
5 and

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

8 (B) REALLOCATION.—If the Secretary de-  
9 termines that a State will not expend all the  
10 funds allocated to the State under subpara-  
11 graph (A), the Secretary shall reallocate the un-  
12 expended funds to other eligible States.

13 (C) REPORT.—Each State that receives  
14 funds allocated under this paragraph shall sub-  
15 mit to the Secretary financial reports on a reg-  
16 ular basis describing the use of the funds.

17 (4) USE OF FUNDS.—

18 (A) IN GENERAL.—A State that receives  
19 funds under section 203D(d)(5) of the Emer-  
20 gency Food Assistance Act of 1983 (7 U.S.C.  
21 7507(d)(5)) may—

22 (i) receive funds under this section;  
23 and

24 (ii) use funds received under this sec-  
25 tion—

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).

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