

116TH CONGRESS  
2D SESSION

# H. R. 6445

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

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## 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

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## 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

1 (C) in the case of an authorized program  
2 retailer or a grocer that is unable to cover the  
3 cost of grocery delivery for program partici-  
4 pants, use funds made available under para-  
5 graph (2) to support grocery delivery for pro-  
6 gram participants who are seniors, immunocom-  
7 promised individuals, or other individuals who  
8 are unable to travel safely to a grocery store.

9 (2) FUNDING FOR DELIVERY.—

10 (A) IN GENERAL.—There is appropriated  
11 to the Secretary, out of funds of the Treasury  
12 not otherwise appropriated, \$500,000,000 to  
13 cover the cost of grocery delivery under para-  
14 graph (1)(C).

15 (B) EMERGENCY REQUIREMENT.—The  
16 amount made available under subparagraph (A)  
17 is designated by the Congress as being for an  
18 emergency requirement pursuant to section  
19 251(b)(2)(A)(i) of the Balanced Budget and  
20 Emergency Deficit Control Act of 1985 (2  
21 U.S.C. 901(b)(2)(A)(i)).

22 (C) ADMINISTRATION.—A State agency  
23 shall—

24 (i) pay for the cost of grocery delivery  
25 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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