

116TH CONGRESS  
2D SESSION

# S. 3605

To amend the Specialty Crops Competitiveness Act of 2004 to provide specialty crop block grants to fund State food banks and food access networks.

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IN THE SENATE OF THE UNITED STATES

MAY 5, 2020

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Specialty Crops Competitiveness Act of 2004 to provide specialty crop block grants to fund State food banks and food access networks.

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 Bank Access to  
5 Farm Fresh Produce Act of 2020”.

6 **SEC. 2. GRANTS FOR STATE FOOD BANKS AND FOOD AC-**  
7 **CESS NETWORKS.**

8 Section 101 of the Specialty Crops Competitiveness  
9 Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465)  
10 is amended—

1 (1) in subsection (a)—

2 (A) by redesignating paragraphs (1)  
3 through (5) as subparagraphs (A), (B), (C),  
4 (D), and (F), respectively, and indenting appro-  
5 priately;

6 (B) in subparagraph (D) (as so redesign-  
7 dated), by striking “and” at the end;

8 (C) by inserting after subparagraph (D)  
9 (as so redesignated) the following:

10 “(E) by assisting State food banks and  
11 food access networks in accordance with para-  
12 graph (2); and”;

13 (D) in the matter preceding subparagraph  
14 (A) (as so redesignated), by striking “Using the  
15 funds” and inserting the following:

16 “(1) IN GENERAL.—Using the funds”; and

17 (E) by adding at the end the following:

18 “(2) GRANTS FOR FOOD BANKS AND FOOD AC-  
19 CESS NETWORKS.—

20 “(A) IN GENERAL.—Not later than 30  
21 days after the date of enactment of the Food  
22 Bank Access to Farm Fresh Produce Act of  
23 2020, the Secretary shall make grants under  
24 paragraph (1) to States in accordance with sub-  
25 paragraph (B) to disburse funds in the form of

1 grants to eligible entities described in subpara-  
2 graph (C).

3 “(B) GRANTS TO STATES.—To carry out  
4 subparagraph (A), notwithstanding subsections  
5 (d) through (g), the Secretary shall award a  
6 grant to the State department of agriculture in  
7 each of the 20 States that have produced the  
8 highest quantity of specialty crops during the  
9 most recent 3-year period.

10 “(C) ELIGIBLE ENTITIES DESCRIBED.—  
11 The eligible entities referred to in subparagraph  
12 (A) are State food banks and food access net-  
13 works that—

14 “(i) the applicable State department  
15 of agriculture determines are qualified to  
16 receive a grant under that subparagraph;  
17 and

18 “(ii) purchase specialty crops directly  
19 from farmers in the State and not—

20 “(I) through packers, repackers,  
21 shippers, or brokers; or

22 “(II) at terminal markets.

23 “(D) USE OF FUNDS.—A grant received by  
24 an eligible entity under subparagraph (A) may  
25 be used only—

1 “(i) to procure and distribute spe-  
2 cialty crops;

3 “(ii) to purchase, lease, or otherwise  
4 acquire vehicles, including refrigerated ve-  
5 hicles, or other equipment to carry out ac-  
6 tivities related to procurement and dis-  
7 tribution of specialty crops;

8 “(iii) to pay for the cost of additional  
9 personnel;

10 “(iv) to pay for travel relating to pro-  
11 curement of specialty crops; and

12 “(v) to pay for preparation, storage,  
13 and transportation of specialty crops, in-  
14 cluding delivery to end-consumers.”;

15 (2) in subsection (c)—

16 (A) by redesignating paragraphs (1) and  
17 (2) as subparagraphs (A) and (B), respectively,  
18 and indenting appropriately;

19 (B) in the matter preceding subparagraph  
20 (A) (as so redesignated), by striking “Notwith-  
21 standing subsection (b),” and inserting the fol-  
22 lowing:

23 “(1) IN GENERAL.—Notwithstanding subsection  
24 (b), and except as provided in paragraph (2),”;

25 (C) by adding at the end the following:

1           “(2) GRANTS FOR FOOD BANKS AND FOOD AC-  
2           CESS NETWORKS.—Notwithstanding subsection (b),  
3           the amount of a grant received by a State under  
4           subsection (a)(2) shall be not less than  
5           \$100,000,000.”; and

6           (3) in subsection (l)—

7           (A) in paragraph (1), in the matter pre-  
8           ceding subparagraph (A), by inserting “except  
9           for grants made under subsection (a)(2),” be-  
10          fore “using—”; and

11          (B) by adding at the end the following:

12          “(3) EMERGENCY FUNDING FOR GRANTS FOR  
13          FOOD BANKS AND FOOD ACCESS NETWORKS.—

14          “(A) IN GENERAL.—Out of amounts in the  
15          Treasury not otherwise appropriated, the Sec-  
16          retary of the Treasury shall transfer to the Sec-  
17          retary \$8,000,000,000 to award grants under  
18          subsection (a)(2), to remain available until ex-  
19          pended.

20          “(B) RECEIPT AND ACCEPTANCE.—The  
21          Secretary shall be entitled to receive, shall ac-  
22          cept, and shall use to award grants under sub-  
23          section (a)(2) the amount transferred under  
24          subparagraph (A), without further appropria-  
25          tion.

1 “(C) EMERGENCY DESIGNATION.—

2 “(i) IN GENERAL.—The amounts pro-  
3 vided by this paragraph are designated as  
4 an emergency requirement pursuant to sec-  
5 tion 4(g) of the Statutory Pay-As-You-Go  
6 Act of 2010 (2 U.S.C. 933(g)).

7 “(ii) DESIGNATION IN SENATE.—In  
8 the Senate, this paragraph is designated as  
9 an emergency requirement pursuant to sec-  
10 tion 4112(a) of H. Con. Res. 71 (115th  
11 Congress), the concurrent resolution on the  
12 budget for fiscal year 2018.”.

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