

118TH CONGRESS  
1ST SESSION

# H. R. 2723

To modify market development programs under the Department of  
Agriculture, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2023

Ms. PINGREE (for herself, Mr. NEWHOUSE, Ms. TOKUDA, and Ms. CARAVEO)  
introduced the following bill; which was referred to the Committee on Ag-  
riculture

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## A BILL

To modify market development programs under the  
Department of Agriculture, 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 “Local Farms and Food  
5 Act of 2023”.

6 **SEC. 2. LOCAL AGRICULTURE MARKET PROGRAM REFORM.**

7 Section 210A of the Agricultural Marketing Act of  
8 1946 (7 U.S.C. 1627c) is amended—

9 (1) in subsection (a)—

1           (A) by redesignating paragraphs (5)  
2 through (13) as paragraphs (6) through (14),  
3 respectively; and

4           (B) by inserting after paragraph (4) the  
5 following:

6           “(5) FOOD HUB.—The term ‘food hub’ means  
7 a business or organization that actively manages the  
8 aggregation, distribution, and marketing of source-  
9 identified food products to multiple buyers from  
10 multiple producers, who are primarily local and re-  
11 gional producers, to strengthen the ability of those  
12 producers to satisfy local and regional wholesale, re-  
13 tail, and institutional demands.”;

14           (2) in subsection (b)(4), by inserting “, regional  
15 food chain coordination,” after “collaboration”;

16           (3) in subsection (c)(4), by striking “stake-  
17 holders.” and inserting “stakeholders, including eli-  
18 gible entities described in subsection (d)(6)(B) that  
19 receive a grant by submitting an application under  
20 subsection (d)(6)(D) through a competitive coopera-  
21 tive agreement with a nongovernmental organization,  
22 before and after providing grants under the Pro-  
23 gram.”;

24           (4) in subsection (d)—

1 (A) in paragraph (1), by striking “2019  
2 through 2023” and inserting “2024 through  
3 2028”;

4 (B) in paragraph (2)—

5 (i) in subparagraph (I), by striking  
6 “or” at the end;

7 (ii) in subparagraph (J)(ii), by strik-  
8 ing the period at the end and inserting a  
9 semicolon; and

10 (iii) by adding at the end the fol-  
11 lowing:

12 “(K) to support the purchase of general  
13 purpose equipment; or

14 “(L) to support the logistics required for  
15 the redemption of Federal nutrition benefits at  
16 direct producer-to-consumer markets.”;

17 (C) in paragraph (5)(E)—

18 (i) by striking “An eligible entity”  
19 and inserting the following:

20 “(i) IN GENERAL.—Except as pro-  
21 vided in clause (ii), an eligible entity”; and

22 (ii) by adding at the end the fol-  
23 lowing:

24 “(ii) EXCEPTION.—

1           “(I) IN GENERAL.—An eligible  
2           entity described in subparagraph (B)  
3           that has an adjusted gross income of  
4           not more than \$250,000 averaged  
5           over the previous 3 years shall con-  
6           tribute an amount of non-Federal  
7           funds in the form of cash or an in-  
8           kind contribution that is equal to 25  
9           percent of the amount of Federal  
10          funds received.

11          “(II) LIMITATION.—The amount  
12          of Federal funds received under a  
13          grant by an eligible entity that pro-  
14          vides a reduced non-Federal contribu-  
15          tion in accordance with subclause (I)  
16          may not exceed \$200,000.

17          “(III) REQUIRED DOCUMENTA-  
18          TION.—The Secretary shall consider a  
19          letter from an accountant stating that  
20          the adjusted gross income of an eligi-  
21          ble entity described in subparagraph  
22          (B) is not more than \$250,000 aver-  
23          aged over the previous 3 years, based  
24          on the line on Internal Revenue Serv-  
25          ice form 1040 that describes adjusted

1 gross income, sufficient to dem-  
2 onstrate eligibility for a reduced non-  
3 Federal contribution under subclause  
4 (I).”; and

5 (D) in paragraph (6)—

6 (i) in subparagraph (B)—

7 (I) by redesignating clauses (vii)  
8 and (viii) as clauses (viii) and (ix), re-  
9 spectively; and

10 (II) by inserting after clause (vi)  
11 the following:

12 “(vii) a food hub;”;

13 (ii) in subparagraph (C)—

14 (I) in the matter preceding clause  
15 (i), by inserting “, outreach, and tech-  
16 nical assistance” after “applications”;

17 (II) in clause (i)—

18 (aa) by inserting “would”  
19 before “benefit”; and

20 (bb) by striking “or” at the  
21 end;

22 (III) by redesignating clause (ii)  
23 as clause (iii);

24 (IV) by inserting after clause (i)  
25 the following:

1 “(ii) would provide greater geographic  
2 balance relative to the benefits of the Pro-  
3 gram; or”; and

4 (V) in clause (iii) (as so redesignig-  
5 nated), by striking “are used” and in-  
6 serting “would be used”;

7 (iii) by redesignating subparagraphs  
8 (D) and (E) as subparagraphs (E) and  
9 (F), respectively;

10 (iv) by inserting after subparagraph  
11 (C) the following:

12 “(D) SIMPLIFIED APPLICATIONS.—

13 “(i) IN GENERAL.—The Secretary  
14 shall establish a simplified ‘turnkey’ appli-  
15 cation form for eligible entities described in  
16 subparagraph (B) that—

17 “(I) request less than \$100,000;

18 and

19 “(II) chose from the project cat-  
20 egories described in clause (ii), which  
21 shall include a specific, limited set of  
22 key activities with predefined require-  
23 ments established by the Secretary.

24 “(ii) PROJECT CATEGORIES.—

1                   “(I)         DIRECT-TO-CONSUMER  
2                   PROJECTS.—In the case of a direct-to-  
3                   consumer project, an application form  
4                   described in clause (i) shall be avail-  
5                   able for the following categories of  
6                   projects:

7                                 “(aa) An outreach and pro-  
8                                 motion project.

9                                 “(bb) A project to provide  
10                                funding for farmers market man-  
11                                ager staff time.

12                               “(cc) A project to provide  
13                                vendor training.

14                               “(dd) A planning and design  
15                                project.

16                               “(ee) A data collection and  
17                                evaluation project.

18                   “(II)        LOCAL    AND    REGIONAL  
19                   FOOD    MARKETS   AND   ENTERPRISE  
20                   PROJECTS.—In the case of a local and  
21                   regional food market and enterprise  
22                   project, an application form described  
23                   in clause (i) shall be available for the  
24                   following categories of projects:

1                   “(aa) A food hub feasibility  
2 study project.

3                   “(bb) A project to provide  
4 funding for regional food chain  
5 coordination staff time.

6                   “(cc) A project to provide  
7 technical assistance.

8                   “(dd) A data collection and  
9 evaluation project.

10                  “(ee) A project to purchase  
11 general purpose equipment.

12                  “(iii) GENERAL PURPOSE EQUIPMENT  
13 GRANTS.—In the case of a project de-  
14 scribed in clause (ii)(II)(ee), the Secretary,  
15 acting through the Administrator of the  
16 Agricultural Marketing Service, in coordi-  
17 nation with the Administrator of the Rural  
18 Business-Cooperative Service, shall fulfill  
19 the applicable documentation and moni-  
20 toring requirements under sections  
21 200.313 and 200.439 of title 2, Code of  
22 Federal Regulations (as in effect on the  
23 date of enactment of this clause).”; and



1 (v) in subparagraph (E) (as so reded-  
2 igned), by striking clause (ii) and insert-  
3 ing the following:

4 “(ii) EXCEPTION.—An eligible entity  
5 described in subparagraph (B) may use—

6 “(I) not more than \$100,000 of  
7 the amount of a grant for an eligible  
8 activity described in subparagraph (J)  
9 or (K) of paragraph (2)—

10 “(aa) to purchase or up-  
11 grade equipment to improve food  
12 safety; or

13 “(bb) to purchase general  
14 purpose equipment; and

15 “(II) any amount of a grant to  
16 purchase general purpose equipment  
17 in accordance with subparagraph  
18 (D)(ii)(II)(ee).”;

19 (5) in subsection (e)(2)(A), by striking “2019”  
20 and all that follows through the period at the end  
21 and inserting the following: “2024 through 2028 to  
22 support partnerships—

23 “(i) to plan a local or regional food  
24 system;

1 “(ii) to implement a local or regional  
2 food system plan;

3 “(iii) to develop and implement a re-  
4 gional food chain coordination project; and

5 “(iv) to develop and implement a re-  
6 gional outreach, technical assistance, and  
7 evaluation project.”;

8 (6) in subsection (f)(1)—

9 (A) in subparagraph (A), by striking “sub-  
10 section (d); or” and inserting “subsection  
11 (d)(5);”

12 (B) by redesignating subparagraph (B) as  
13 subparagraph (C); and

14 (C) by inserting after subparagraph (A)  
15 the following:

16 “(B) are eligible to submit an application  
17 in accordance with subsection (d)(6)(D); or”;  
18 and

19 (7) in subsection (i)—

20 (A) in paragraph (1), by striking  
21 “\$50,000,000 for fiscal year 2019” and insert-  
22 ing “\$75,000,000 for fiscal year 2024”;

23 (B) in paragraph (2), by striking  
24 “\$20,000,000 for fiscal year 2019” and insert-  
25 ing “\$30,000,000 for fiscal year 2024”; and

1 (C) in paragraph (3)(B)—

2 (i) by striking “Of the funds” and in-  
3 serting the following:

4 “(i) IN GENERAL.—Of the funds”;  
5 and

6 (ii) by adding at the end the fol-  
7 lowing:

8 “(ii) SIMPLIFIED APPLICATIONS.—Of  
9 the funds made available for grants under  
10 subsection (d)(6) for a fiscal year, not less  
11 than 25 percent, and not more than 50  
12 percent, shall be used to provide grants to  
13 eligible entities that submit an application  
14 in accordance with subsection (d)(6)(D).”.

15 **SEC. 3. FUNDING FOR THE SENIORS FARMERS’ MARKET**  
16 **NUTRITION PROGRAM.**

17 Section 4402(a) of the Farm Security and Rural In-  
18 vestment Act of 2002 (7 U.S.C. 3007(a)) is amended by  
19 striking “Of the funds” and all that follows through the  
20 period at the end and inserting the following:

21 “(1) MANDATORY FUNDING.—Of the funds of  
22 the Commodity Credit Corporation, the Secretary of  
23 Agriculture shall use to carry out and expand the  
24 seniors farmers’ market nutrition program

1       \$20,600,000 for each of fiscal years 2024 through  
2       2028.

3               “(2) AUTHORIZATION OF APPROPRIATIONS.—  
4       There is authorized to be appropriated to carry out  
5       this section \$10,000,000 for each of fiscal years  
6       2024 through 2028.”.

7 **SEC. 4. FEDERAL SHARE FOR ACTIVITIES UNDER GUS**  
8               **SCHUMACHER NUTRITION INCENTIVE PRO-**  
9               **GRAM.**

10       Section 4405(b)(1)(C) of the Food, Conservation,  
11       and Energy Act of 2008 (7 U.S.C. 7517(b)(1)(C)) is  
12       amended by striking “50” and inserting “75”.

13 **SEC. 5. PANEL TO REVIEW PRODUCE PRESCRIPTION PRO-**  
14               **GRAM APPLICATIONS.**

15       Section 4405(c)(3) of the Food, Conservation, and  
16       Energy Act of 2008 (7 U.S.C. 7517(c)(3)) is amended by  
17       adding at the end the following:

18               “(C) PANEL TO REVIEW APPLICATIONS.—

19                       “(i) IN GENERAL.—The Secretary  
20               shall establish a panel—

21                               “(I) to review applications sub-  
22                               mitted to the Secretary pursuant to  
23                               this paragraph; and

1                   “(II) to make recommendations  
2                   to the Secretary with respect to those  
3                   applications.

4                   “(ii) MEMBERS.—The panel required  
5                   under clause (i) shall include—

6                   “(I) at least 1 member with expe-  
7                   rience as a healthcare provider; and

8                   “(II) at least 1 member with ex-  
9                   perience administering health plans.”.

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