

118TH CONGRESS
1ST SESSION

H. R. 4185

To amend the Emergency Food Assistance Act of 1983 to provide additional agricultural products for distribution by emergency feeding organizations; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2023

Ms. SCHRIER (for herself, Ms. BONAMICI, Mr. CASTEN, Mr. SMITH of Washington, and Ms. DELBENE) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Emergency Food Assistance Act of 1983 to provide additional agricultural products for distribution by emergency feeding organizations; 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 “Expanding Access To
5 Healthy Foods from Local Farmers Act” or the “EAT
6 Healthy Foods from Local Farmers Act”.

1 **SEC. 2. AMENDMENTS.**

2 (a) PURCHASE OF PRIORITY AGRICULTURAL PROD-
3 UCTS.—Section 203D of the Emergency Food Assistance
4 Act of 1983 (7 U.S.C. 7507) is amended—

5 (1) in subsection (a) by inserting “or that State
6 agencies purchase using funds made available under
7 subsection (d),” after “distribution,”

8 (2) in subsection (b) by inserting “or pur-
9 chased” after “donated”,

10 (3) by striking subsection (c),

11 (4) in subsection (d)—

12 (A) by striking “(d)” and inserting “(e)”,

13 and

14 (B) in paragraph (2)—

15 (i) in subparagraph (A) by striking
16 “subparagraphs (B) and (C)” and insert-
17 ing “subparagraph (B)”,

18 (ii) by striking subparagraph (B), and

19 (iii) by redesignating subparagraph
20 (C) as subparagraph (B), and

21 (5) by inserting after subsection (c) the fol-
22 lowing:

23 “(d) PROJECTS FOR STATES TO PURCHASE CERTAIN
24 COMMODITIES FROM ELIGIBLE ENTITIES.—

25 “(1) DEFINITIONS.—In this subsection:

1 “(A) PROJECT.—The term ‘project’ means
2 the purchase of priority agricultural products
3 from eligible entities, and the distribution of
4 those products to needy persons through emer-
5 gency feeding organizations under subsection
6 (a).

7 “(B) PRIORITY AGRICULTURAL PROD-
8 UCT.—The term ‘priority agricultural product’
9 means a fruit, vegetable, dairy, meat, seafood,
10 grain, poultry, or other commodity food prod-
11 uct, available for sale by eligible entities and
12 that States determine to be appropriate for dis-
13 tribution through emergency feeding organiza-
14 tions and culturally or religiously relevant to
15 the local communities that will distribute the
16 products.

17 “(C) ELIGIBLE ENTITY.—The term ‘eligi-
18 ble entity’ means any of the following small
19 businesses that is a grower, packer, processor,
20 distributor, food-hub, or a cooperative, and
21 that—

22 “(i) is—

23 “(I) underserved, including
24 women-owned or veteran-owned; or

1 “(II) composed of, or sources ag-
2 ricultural products from, beginning
3 farmers, or small or mid-sized farms
4 that are structured as family farms;

5 “(ii) can deliver the priority agricul-
6 tural products to emergency feeding orga-
7 nizations selected by the State as being
8 most in need of the products; and

9 “(iii) that is committed to serving
10 communities in need and forging strong re-
11 lationships with emergency feeding organi-
12 zations, public agencies, and Tribal govern-
13 ments through a project, as determined by
14 the State.

15 “(2) FEDERAL FUNDING FOR PROJECTS.—

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (C) and paragraph (4), using funds made
18 available under paragraph (5), the Secretary
19 may provide funds to States to pay for the costs
20 of carrying out a project.

21 “(B) GUIDANCE.—Not later than 180 days
22 after the date of enactment of this Act, the Sec-
23 retary shall issue guidance to States—

24 “(i) to carry out this section;

1 “(ii) to inform States of their alloca-
2 tions under paragraph (3);

3 “(iii) to encourage States to partner
4 with a wide range of emergency feeding or-
5 ganizations to reach communities in need,
6 including those disproportionately impacted
7 by food insecurity; and

8 “(iv) to inform States of public re-
9 porting requirements and minimum project
10 performance standards, as developed by
11 the Secretary.

12 “(C) ALLOCATION.—

13 “(i) ELIGIBILITY FOR ALLOCATION.—
14 The Secretary shall allocate funds made
15 available under paragraph (5) based on the
16 formula in effect under section 214(a),
17 among States that submit a State plan of
18 operation for a project that includes—

19 “(I) a list of eligible entities and
20 emergency feeding organizations in
21 the State that will operate the project
22 in partnership with the State agency;

23 “(II) at the option of the State,
24 a list of priority agricultural products
25 located in the State that are available

1 for purchase and transport to emer-
2 gency feeding organizations to identify
3 which foods may be included in the
4 project;

5 “(III) a time line of when the
6 project will begin operating; and

7 “(IV) a plan to comply with the
8 standards set out in subparagraph
9 (B)(iv).

10 “(ii) REALLOCATION.—If the Sec-
11 retary determines that a State will not ex-
12 pend all the funds allocated to the State
13 under clause (i), the Secretary shall reallo-
14 cate the unexpended funds to other eligible
15 States.

16 “(iii) REPORT.—Each State that re-
17 ceives funds allocated under this subpara-
18 graph shall submit to the Secretary finan-
19 cial reports on a regular basis describing
20 the use of the funds.

21 “(3) PROJECT PURPOSES.—A State may only
22 use Federal funds received under paragraph (2) for
23 a project the purposes of which are—

24 “(A) to maintain and improve food and ag-
25 ricultural supply chain resiliency;

1 “(B) to provide food to individuals in need;
2 and

3 “(C) to build relationships between the
4 State, eligible entities and emergency feeding
5 organizations through the purchase of food.

6 “(4) COOPERATIVE AGREEMENTS.—

7 “(A) IN GENERAL.—A State agency that
8 carries out a project using Federal funds re-
9 ceived under this subsection may enter into co-
10 operative agreements with State agencies of
11 other States under section 203B(d) to maximize
12 the use of commodities purchased under the
13 project.

14 “(B) SUBMISSION.—Not later than 15
15 days after entering into a cooperative agree-
16 ment under clause (i), a State agency shall sub-
17 mit such agreement to the Secretary.

18 “(5) FUNDING.—There is authorized to be ap-
19 propriated to the Secretary to carry out this sub-
20 section \$50,000,000 for each of fiscal years 2024
21 through 2028, to remain available until the end of
22 the respective subsequent fiscal year.

23 “(6) REPORTING.—Not later than 4 years after
24 the effective date of this subsection, the Secretary
25 shall submit to the Committee of Agriculture of the

1 House of Representatives and the Committee on Ag-
2 riculture, Nutrition, and Forestry of the Senate a
3 report containing—

4 “(A) an evaluation of the effectiveness of
5 this subsection in providing nutritious food to
6 individuals in need, improving agricultural sup-
7 ply chain resiliency, and expanding economic
8 opportunity for eligible entities; and

9 “(B) recommendations for the implementa-
10 tion of this subsection to improve nutrition out-
11 comes.”.

12 (b) CONFORMING AMENDMENT.—Section 202A(b)(5)
13 of the Emergency Food Assistance Act of 1983 (7 U.S.C.
14 7503(b)(5)) is amended by striking “donated commodities
15 received under section 203D(d)” and inserting “commod-
16 ities donated under subsection (c), or purchased under
17 subsection (d), of section 203D”.

18 **SEC. 3. INTRADEPARTMENTAL COORDINATION.**

19 (a) WORKING GROUP.—The Secretary of Agriculture
20 shall create a cross-agency working group within the office
21 of the Secretary to work with relevant agencies and orga-
22 nizations of the Department of Agriculture and with
23 stakeholders to review and reconsider how all Department
24 procurement of priority agricultural products can be di-
25 rected to support a wider range of agricultural producers

1 and agricultural product distributors in a manner that
2 meets the Department's overarching goals of nutrition se-
3 curity, greater access to culturally or religiously relevant
4 foods for individuals and households, resilient local and
5 regional food systems, rural job creation, and reversal of
6 the concentration of the ownership of the resources for
7 the production and distribution of agricultural products.

8 (b) ANNUAL REPORT.—The working group estab-
9 lished under subsection (a) shall submit to the Committee
10 on Agriculture of the House of Representatives and the
11 Committee on Agriculture, Nutrition, and Forestry of the
12 Senate, an annual report describing the working group's
13 accomplishments, suggestions, and recommendations for
14 administrative actions and proposed legislation relating to
15 the activities of such group under such subsection.

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