

118TH CONGRESS
1ST SESSION

H. R. 2378

To provide increased financial assistance for farmers markets and farmers market nutrition programs, to increase local agricultural production through food bank in-house production and local farmer contracting; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2023

Ms. KAPTUR (for herself and Mr. EVANS) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, 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

A BILL

To provide increased financial assistance for farmers markets and farmers market nutrition programs, to increase local agricultural production through food bank in-house production and local farmer contracting; 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 “Farmers’ Market and
5 Food Bank Local Revitalization Act of 2023”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Food insecurity, epidemic levels of obesity,
4 hypertension, diabetes, and youth osteoporosis are
5 caused by improper nutrition yielded by lack of nu-
6 tritious, reliable, and locally available healthy food
7 options.

8 (2) The American Diabetes Association esti-
9 mated a 41-percent increase in costs of diagnosed
10 diabetes from 2007 (\$174,000,000,000) to 2012
11 (\$245,000,000,000) with most of these costs (62
12 percent) coming from senior health programs such
13 as Medicare and Medicaid.

14 (3) Since sequestration in 2008, there has been
15 no funding increase for the Senior Farmers' Market
16 Nutrition Program.

17 (4) From 2008 to 2020, the moderate at home
18 food cost for a family of 2 (aged 51–70 years old)
19 increased by an average of \$70 a month. The Sen-
20 iors Farmers' Market Nutrition Program funding
21 has not kept pace with such inflation.

22 (5) According to the Department of Agri-
23 culture, Seniors Farmers' Market Nutrition Pro-
24 gram has a total program funding backlog of
25 \$20,065,021 and a season benefit level backlog of

1 \$16,120,741 across all participating States, terri-
2 tories, and Native American Tribes.

3 (6) Roughly 1 in 10 United States senior citi-
4 zens (about 5,146,000) are forced to live well below
5 the Federal poverty level, and the Seniors Farmers'
6 Market Nutrition Program is only able to reach
7 about 725,000 due to inadequate funding.

8 (7) Since sequestration in 2008, funding for the
9 WIC Farmers' Market Nutrition Program has fallen
10 by over \$6,000,000 and never rebounded.

11 (8) The WIC Farmers' Market Nutrition Pro-
12 gram is a vital safeguard for the nearly 1 in 7 chil-
13 dren who will be born into poverty in the United
14 States and will be at nutritional risk.

15 (9) According to the Department of Agri-
16 culture, the WIC Farmers' Market Nutrition Pro-
17 gram has a total program and seasonal benefit fund-
18 ing backlog of \$6,198,432 across all participating
19 States, territories, and Native American Tribes.

20 (10) In the United States, food banks will pro-
21 vide meals to 1 in 7 people.

22 (11) Many food banks share special relation-
23 ships with local farmers who often donate their
24 crops to food banks. The partnership allows for

1 more efficient and sustainable procurement for food
2 banks.

3 (12) Assisting food banks to grow their own
4 food will aid local procurement and allow food banks
5 to serve as farming resources to their communities,
6 especially to those who are food insecure.

7 (13) The Agriculture Improvement Act of 2018,
8 specifically required looking at ways to incorporate
9 local goods to reduce food waste.

10 (b) PURPOSES.—The purposes of this Act are—

11 (1) to increase and enhance funding for the
12 Farmers' Market Nutrition Programs to support
13 seniors and food insecure families, and to increase
14 market capacity for local farmers;

15 (2) to provide funding assistance for the expan-
16 sion and construction of farmers' markets in both
17 rural and urban food desert areas;

18 (3) to increase local food production through
19 partnership with food banks by local farmer con-
20 tracting and funding assistance to food banks to
21 grow necessary produce through traditional or con-
22 trolled environment agricultural farming.

1 **SEC. 3. AUTHORIZATION AND ADDITIONAL AUTHORIZA-**
2 **TION OF APPROPRIATIONS FOR SENIORS**
3 **FARMERS' MARKET NUTRITION PROGRAM.**

4 (a) AUTHORIZATION OF APPROPRIATIONS FOR SEN-
5 IORS FARMERS' MARKET NUTRITION PROGRAM.—Section
6 4402(a) of the Farm Security and Rural Investment Act
7 of 2002 (7 U.S.C. 3007(a)) is amended by striking
8 “2023” and inserting “2028”.

9 (b) ADDITIONAL AUTHORIZATION OF APPROPRIA-
10 TIONS TO EXPAND PARTICIPATION IN THE SENIORS
11 FARMERS' MARKET NUTRITION PROGRAM.—

12 (1) INCREASED AUTHORIZATION OF APPROPRIA-
13 TIONS.—To expand and address season benefit level
14 and total backlogs of the Seniors Farmers' Market
15 Nutrition Program, there is authorized to be appro-
16 priated—

17 (A) for fiscal year 2024, an increase to
18 \$60,000,000;

19 (B) for fiscal year 2025, an increase to
20 \$70,000,000; and

21 (C) for each of the fiscal years 2026
22 through 2028, and increase to \$100,000,000.

23 (2) BENEFIT ENHANCEMENT.—For the purpose
24 of expanding access to the Seniors Farmers' Market
25 Nutrition Program, funds appropriated under sub-
26 section (a) shall be used for the following purposes:

1 (A) Program eligibility income limit shall
2 increase to 200 percent of the Federal poverty
3 guideline.

4 (B) The minimum individual benefit shall
5 be increased to \$35.

6 (C) The maximum individual benefit limit
7 shall be removed.

8 **SEC. 4. MINIMUM INDIVIDUAL BENEFIT INCREASE UNDER**
9 **THE WIC FARMERS' MARKET NUTRITION**
10 **PROGRAM.**

11 Section 17(m) of the Child Nutrition Act of 1966 (42
12 U.S.C. 1786(m)) is amended—

13 (1) by striking “paragraph (10)” both places it
14 appears and inserting “paragraph (9)”;

15 (2) in paragraph (5)(C)—

16 (A) by striking “\$10” and inserting
17 “\$35”; and

18 (B) by striking “\$30” and inserting
19 “\$60”; and

20 (3) in paragraph (9)(A), by striking “2015”
21 and inserting “2028”.

1 **SEC. 5. INFRASTRUCTURE FUNDING FOR FARMERS MAR-**
2 **KETS.**

3 (a) **IN GENERAL.**—The Secretary of Agriculture shall
4 make loans, loan guarantees, and grants to public agencies
5 and nonprofit organizations for—

6 (1) the construction of new farmers’ markets;

7 or

8 (2) the improvement or rehabilitation of exist-
9 ing farmers’ markets, including by adding or im-
10 proving payment technologies used in such farmers’
11 markets.

12 (b) **ELIGIBILITY.**—To be eligible to receive a loan,
13 loan guarantee, or grant under subsection (a) with respect
14 to a farmers’ market the public agency or nonprofit orga-
15 nization involved shall—

16 (1) demonstrate financial need as determined
17 by the Secretary; and

18 (2) commit to reserving at least 50 percent of
19 the floor area of the farmers’ market for the sale of
20 products that are produced locally, as determined by
21 the Secretary, by farmers, ranchers, or aquaculture,
22 mariculture, or fisheries operators, or by associa-
23 tions of farmers, ranchers, or such operators.

24 (c) **COST SHARING.**—

1 (1) GRANTS.—The amount of a grant under
2 this section shall not exceed 25 percent of the cost
3 of the activity for which the grant is made.

4 (2) MAXIMUM AMOUNT.—The combined amount
5 of a grant made and loan made or guaranteed under
6 this section shall not exceed 80 percent of the cost
7 of the activity for which the grant or loan is made
8 or guaranteed.

9 (d) INTEREST RATE.—

10 (1) IN GENERAL.—A loan made by the Sec-
11 retary under subsection (a) shall bear interest at the
12 rate equivalent to the rate of interest charged on
13 Treasury securities of comparable maturity on the
14 date the loan is approved.

15 (2) DURATION.—The interest rate referred to
16 in paragraph (1) with respect to a loan referred to
17 in such paragraph shall remain in effect for the term
18 of the loan.

19 (e) FUNDING.—Of the funds of the Commodity Cred-
20 it Corporation, the Secretary shall make available to carry
21 out this section \$50,000,000 for each of fiscal years 2024
22 through 2029.

1 **SEC. 6. PILOT PROGRAM FOR FOOD BANKS AND LOCAL**
2 **FARMER CONTRACTING FOR LOCAL PRO-**
3 **CUREMENT.**

4 (a) **ESTABLISHMENT.**—The Secretary of Agriculture
5 shall establish a pilot grant program in which food banks
6 may voluntarily contract with their local farmers for them
7 to grow produce for food bank programs to promote local
8 procurement of produce. Food banks serving economically
9 depressed or food desert areas shall be given priority to
10 receive grants under this section. The Secretary shall
11 make grants to food banks in 5 urban ZIP Codes (as des-
12 ignated by the Census Bureau), 5 suburban ZIP Codes
13 (as designated by the Census Bureau), and 5 rural ZIP
14 Codes (as designated by the Census Bureau) distributed
15 as follows:

16 (1) 3 of such grants in each ZIP Code selected
17 under paragraph (1) shall be awarded to food banks
18 in each Census Bureau Region of the United States;
19 and

20 (2) 3 of such grants among 3 of such ZIP
21 Codes selected by the Secretary.

22 (b) **METHODS.**—Under contracts made by food banks
23 with grants received under subsection (a), local farmers
24 may grow produce through traditional or controlled envi-
25 ronmental agriculture farming.

1 (c) FUNDING.—Of the funds of the Commodity Cred-
2 it Corporation, the Secretary shall make available to carry
3 out this section \$7,500,000 for fiscal years of 2024 and
4 2025. The amount of a grant under this section shall be
5 \$500,000 per grant as to operate 15 separate pilot pro-
6 gram grant locations in total.

7 **SEC. 7. REPORTING REQUIREMENT.**

8 Not later than 180 days after effective date of this
9 Act, the Secretary of Agriculture shall submit to—

10 (1) the Committee on Agriculture, and the
11 Committee on Education and the Workforce, of the
12 House of Representatives; and

13 (2) the Committee on Agriculture, Nutrition,
14 and Forestry, and the Committee on Aging, of the
15 Senate,

16 a report that contains a review of the effect of this Act
17 on local procurement of food, local farmers, who or what
18 groups or entities are procuring the food, and the commu-
19 nities involved.

20 **SEC. 8. EFFECTIVE DATE.**

21 This Act shall take effect 120 days after the date of
22 the enactment of this Act.

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