

117TH CONGRESS
2^D SESSION

H. R. 9672

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

DECEMBER 22, 2022

Ms. SCHRIER 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 “Farmers Feeding
5 Families Act of 2022”.

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)”, and

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 nutritious, appro-
13 priate for distribution through emergency feed-
14 ing organizations, and culturally relevant to the
15 local communities that will distribute the prod-
16 ucts.

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

23 “(i) is—

24 “(I) underserved, including
25 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 and

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

10 “(iii) that is committed to serving
11 local communities and forging strong rela-
12 tionships with emergency feeding organiza-
13 tions, public agencies, and Tribal govern-
14 ments through a project, as determined by
15 the State.

16 “(2) FEDERAL FUNDING FOR PROJECTS.—

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

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

25 “(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, including those that face bar-
6 riers to entry to participating in existing
7 Department of Agriculture nutrition pro-
8 grams; and

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

13 “(C) ALLOCATION.—

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

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

24 “(II) at the option of the State,
25 a list of priority agricultural products

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

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

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

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

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

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

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

3 “(B) to provide food to individuals in need;
4 and

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

8 “(4) COOPERATIVE AGREEMENTS.—

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

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

20 “(5) FUNDING.—Out of funds not otherwise
21 appropriated, the Secretary of the Treasury shall
22 transfer to the Secretary to carry out this subsection
23 \$50,000,000 for each of the fiscal years 2024
24 through 2028, to remain available until the end of
25 the respective subsequent fiscal year.

1 “(6) REPORTING.—Not later than 4 years after
2 the effective date of this subsection, the Secretary
3 shall submit to the Committee of Agriculture of the
4 House of Representatives and the Committee on Ag-
5 riculture, Nutrition, and Forestry of the Senate a
6 report containing—

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

12 “(B) recommendations for the implementa-
13 tion of this subsection to improve nutrition out-
14 comes.”.

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

21 **SEC. 3. STATE PLAN.**

22 Section 202A(b)(4)(A) of the Emergency Food As-
23 sistance Act of 1983 (7 U.S.C. 7503(b)(4)(A)) is amended
24 by inserting before the semicolon at the end the following:

1 “, including at a minimum all individuals or
2 households with an income less than 250 per-
3 cent of the poverty line”.

4 **SEC. 4. INTRADEPARTMENTAL COORDINATION.**

5 (a) **WORKING GROUP.**—The Secretary of Agriculture
6 shall create a cross-agency working group within the office
7 of the Secretary to work with relevant agencies and orga-
8 nizations of the Department of Agriculture and with
9 stakeholders to review and reconsider how all Department
10 procurement of priority agricultural products can be di-
11 rected to support a wider range of agricultural producers
12 and agricultural product distributors in a manner that
13 meets the Department’s overarching goals of nutrition se-
14 curity, resilient local and regional food systems, rural job
15 creation, and reversal of the concentration of the owner-
16 ship of the resources for the production and distribution
17 of agricultural products.

18 (b) **ANNUAL REPORT.**—The working group estab-
19 lished under subsection (a) shall submit to the Committee
20 on Agriculture of the House of Representatives and the
21 Committee on Agriculture, Nutrition, and Forestry of the
22 Senate, an annual report describing the working group’s
23 accomplishments, suggestions, and recommendations for

- 1 administrative actions and proposed legislation relating to
- 2 the activities of such group under such subsection.

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