

118TH CONGRESS
1ST SESSION

S. 1639

To amend the Farm Security and Rural Investment Act of 2002 to increase funding for the purchase of specialty crops, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2023

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

A BILL

To amend the Farm Security and Rural Investment Act of 2002 to increase funding for the purchase of specialty crops, 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 “Fresh Fruits and
5 Vegetables Nutrition Act of 2023”.

6 **SEC. 2. FRESH FRUITS AND VEGETABLES.**

7 (a) PURCHASE OF SPECIALTY CROPS.—Section
8 10603 of the Farm Security and Rural Investment Act
9 of 2002 (7 U.S.C. 612c–4) is amended—

1 (1) in subsection (a), by striking
 2 “\$200,000,000” and inserting “\$300,000,000”; and
 3 (2) in subsection (b), by striking “\$50,000,000
 4 for each of fiscal years 2008 through 2023” and in-
 5 serting “\$150,000,000 for each of fiscal years 2024
 6 through 2028”.

7 (b) SECTION 32 FUNDS.—Section 4404(a) of the
 8 Food, Conservation, and Energy Act of 2008 (7 U.S.C.
 9 612c–5(a)) is amended—

10 (1) in paragraph (5), by inserting “through fis-
 11 cal year 2023” after “thereafter”; and

12 (2) by adding at the end the following:

13 “(6) \$300,000,000 for fiscal year 2024 and
 14 each fiscal year thereafter.”.

15 (c) DOMESTIC FOOD ASSISTANCE PROGRAM.—Sec-
 16 tion 14222(b)(2) of the Food, Conservation, and Energy
 17 Act of 2008 (7 U.S.C. 612c–6(b)(2)) is amended by strik-
 18 ing subparagraph (A) and inserting the following:

19 “(A)(i) in the case of fiscal year 2024,
 20 \$2,500,000,000;

21 “(ii) in the case of fiscal year 2025,
 22 \$2,525,000,000;

23 “(iii) in the case of fiscal year 2026,
 24 \$2,550,000,000;

1 “(iv) in the case of fiscal year 2027,
2 \$2,575,000,000; and

3 “(v) for fiscal year 2028 and each fiscal
4 year thereafter, the amount made available for
5 the preceding fiscal year, as adjusted to reflect
6 changes for the 12-month period ending on the
7 preceding November 30 in the Consumer Price
8 Index for All Urban Consumers published by
9 the Bureau of Labor Statistics of the Depart-
10 ment of Labor; and”.

11 (d) FRESH FRUIT AND VEGETABLE PROGRAM.—Sec-
12 tion 19 of the Richard B. Russell National School Lunch
13 Act (42 U.S.C. 1769a) is amended—

14 (1) in subsection (a)—

15 (A) by striking “2008” and inserting
16 “2024”; and

17 (B) by inserting “and secondary schools”
18 after “schools”;

19 (2) in subsection (d)(1)(C), by striking “(as de-
20 fined” and inserting “or secondary school (as those
21 terms are defined”;

22 (3) in subsection (f)(2), by striking “\$75” and
23 inserting “\$100”;

24 (4) in subsection (i)—

1 (A) in the matter preceding subparagraph
 2 (A), by inserting “(7 U.S.C. 612c–6)” after
 3 “2008”; and

4 (B) by striking subparagraphs (A) through
 5 (E) and inserting the following:

6 “(A) On July 1, 2024, \$800,000,000.

7 “(B) On July 1, 2025, \$825,000,000.

8 “(C) On July 1, 2026, \$850,000,000.

9 “(D) On July 1, 2027, \$875,000,000.

10 “(E) On July 1, 2028, and each July 1
 11 thereafter, the amount made available for the
 12 preceding fiscal year, as adjusted to reflect
 13 changes for the 12-month period ending the
 14 preceding April 30 in the Consumer Price Index
 15 for All Urban Consumers published by the Bu-
 16 reau of Labor Statistics of the Department of
 17 Labor, for items other than food.”; and

18 (5) by adding at the end the following:

19 “(j) HIGH-POVERTY COMMUNITIES.—Notwith-
 20 standing any other provision of this section, the program
 21 shall be directly available to any local educational agency
 22 identified by the Secretary as being eligible for meal serv-
 23 ice under section 11(a)(1)(F).

24 “(k) BUY AMERICA.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), fruits and vegetables purchased under the
3 program shall be grown in the United States.

4 “(2) WAIVER.—The requirement in paragraph
5 (1) may be waived if a product grown in the United
6 States cannot be purchased for less than 25 percent
7 more than a foreign-sourced product.”.

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