

118TH CONGRESS
2D SESSION

S. 5020

To amend the Agricultural Marketing Act of 1946 to establish certain requirements for meat, poultry, fruit, and vegetable purchases by the Department of Agriculture, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 11, 2024

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

A BILL

To amend the Agricultural Marketing Act of 1946 to establish certain requirements for meat, poultry, fruit, and vegetable purchases by 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 Procurement
5 Act”.

1 **SEC. 2. REQUIREMENTS FOR MEAT, POULTRY, FRUIT, AND**
2 **VEGETABLE PURCHASES BY DEPARTMENT**
3 **OF AGRICULTURE.**

4 (a) CLERICAL AMENDMENTS.—

5 (1) SHORT TITLE.—The Agricultural Marketing
6 Act of 1946 is amended, in the undesignated matter
7 preceding subtitle A (7 U.S.C. 1621 et seq.), by
8 striking “This title” and inserting the following:

9 **“SEC. 200. SHORT TITLE.**

10 **“This title”.**

11 (2) DECLARATION OF POLICY.—Section 202 of
12 the Agricultural Marketing Act of 1946 (7 U.S.C.
13 1621) is amended by striking the section designation
14 and all that follows through “hereby declares” in the
15 first sentence and inserting the following:

16 **“SEC. 201. DECLARATION OF POLICY.**

17 **“Congress declares”.**

18 (b) DUTIES OF SECRETARY RELATING TO AGRICUL-
19 TURAL PRODUCTS.—Section 203 of the Agricultural Mar-
20 keting Act of 1946 (7 U.S.C. 1622) is amended by strik-
21 ing the section designation and all that follows through
22 “Agriculture is directed” in the matter preceding sub-
23 section (a) and inserting the following:

1 **“SEC. 202. REQUIREMENTS FOR MEAT, POULTRY, FRUIT,**
2 **AND VEGETABLE PURCHASES BY DEPART-**
3 **MENT OF AGRICULTURE.**

4 “(a) MEAT AND POULTRY.—Notwithstanding any
5 other provision of law (including regulations), effective be-
6 ginning on the date of enactment of the Local Procure-
7 ment Act, in purchasing any meat or poultry agricultural
8 product pursuant to a purchasing authority of the Depart-
9 ment of Agriculture, the Secretary of Agriculture (referred
10 to in this Act as the ‘Secretary’) shall, to the maximum
11 extent practicable, purchase such an agricultural product
12 that bears a ‘Product of USA’ or ‘Made in the USA’ label,
13 as described in the final rule of the Food Safety and In-
14 spection Service entitled ‘Voluntary Labeling of FSIS-
15 Regulated Products With U.S.-Origin Claims’ (89 Fed.
16 Reg. 19470 (March 18, 2024)).

17 “(b) FRUITS AND VEGETABLES.—Notwithstanding
18 any other provision of law (including regulations), effective
19 beginning on the date of enactment of the Local Procure-
20 ment Act, in purchasing any fruit or vegetable agricultural
21 product pursuant to a purchasing authority of the Depart-
22 ment of Agriculture, the Secretary shall, to the maximum
23 extent practicable, purchase such an agricultural product
24 that is grown in—

25 “(1) the State in which the agricultural product
26 will be delivered; or

1 “(2) a State adjacent to the State described in
2 paragraph (1).

3 “(c) CONTRACT AWARDS.—

4 “(1) SELECTION CRITERIA.—In entering into
5 contracts for the purchase of any meat, poultry,
6 fruit, or vegetable agricultural product, the Sec-
7 retary shall establish and utilize selection criteria for
8 consideration of whether a contract proposal offers
9 the Federal Government the overall best value, with-
10 out limiting evaluation factors to—

11 “(A) lowest price; or

12 “(B) highest technical rating.

13 “(2) PRIORITY.—In entering into contracts for
14 the purchase of any meat, poultry, fruit, or vegetable
15 agricultural product, the Secretary shall give priority
16 to purchasing from vendors that source meat, poul-
17 try, fruit, or vegetable agricultural products, as ap-
18 plicable, from small and mid-sized farms.

19 **“SEC. 203. DUTIES OF SECRETARY RELATING TO AGRICUL-**
20 **TURAL PRODUCTS.**

21 “The Secretary is directed”.

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