

118TH CONGRESS
1ST SESSION

S. 1036

To amend the Food and Nutrition Act of 2008 to streamline nutrition access for older adults and adults with disabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2023

Mr. CASEY (for himself, Mrs. GILLIBRAND, Mr. FETTERMAN, Mr. BLUMENTHAL, Mr. KELLY, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food and Nutrition Act of 2008 to streamline nutrition access for older adults and adults with disabilities, 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 “Senior Hunger Preven-
5 tion Act of 2023”.

6 **SEC. 2. IMPROVING EFFICACY OF THE SUPPLEMENTAL NU-**
7 **TRITION ASSISTANCE PROGRAM.**

8 (a) CERTIFICATION PERIOD.—Section 3(f) of the
9 Food and Nutrition Act of 2008 (7 U.S.C. 2012(f)) is

1 amended in the second sentence by striking “24” and in-
 2 serting “36”.

3 (b) STANDARD MEDICAL EXPENSE DEDUCTION.—
 4 Section 5(e)(5) of the Food and Nutrition Act of 2008
 5 (7 U.S.C. 2014(e)(5)) is amended—

6 (1) in the paragraph heading, by striking “EX-
 7 CESS MEDICAL” and inserting “MEDICAL”;

8 (2) in subparagraph (A), by striking “an excess
 9 medical” and all that follows through the period at
 10 the end and inserting “a standard medical deduction
 11 or a medical expense deduction of actual costs for
 12 the allowable medical expenses incurred by the elder-
 13 ly or disabled member, exclusive of special diets.”;

14 (3) in subparagraph (B)(i), by striking “ex-
 15 cess”; and

16 (4) by adding at the end the following:

17 “(D) STANDARD MEDICAL EXPENSE DE-
 18 DUCTION AMOUNT.—

19 “(i) IN GENERAL.—Except as pro-
 20 vided in clause (ii), the standard medical
 21 expense deduction shall be—

22 “(I) for fiscal year 2024, \$155;

23 and

24 “(II) for each subsequent fiscal
 25 year, equal to the applicable amount

1 for the immediately preceding fiscal
2 year as adjusted to reflect changes for
3 the 12-month period ending the pre-
4 ceding June 30 in the Consumer Price
5 Index for All Urban Consumers: Med-
6 ical Care published by the Bureau of
7 Labor Statistics of the Department of
8 Labor.

9 “(ii) EXCEPTION.—For any fiscal
10 year, a State agency may establish a great-
11 er standard medical expense deduction
12 than described in clause (i) if the greater
13 deduction satisfies cost neutrality stand-
14 ards established by the Secretary for that
15 fiscal year.”.

16 (c) VALUE OF ALLOTMENT.—Section 8(a) of the
17 Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)) is
18 amended in the proviso clause by striking “8 percent” and
19 inserting “ $\frac{1}{3}$ ”.

20 **SEC. 3. STREAMLINING NUTRITION ACCESS FOR OLDER**
21 **ADULTS AND ADULTS WITH DISABILITIES.**

22 (a) DEFINITION OF ELDERLY AND DISABLED.—Sec-
23 tion 3(j)(2)(B) of the Food and Nutrition Act of 2008
24 (7 U.S.C. 2012(j)(2)(B)) is amended by inserting “(which
25 includes medical assistance provided to an individual de-

1 scribed in section 1902(e)(14)(D)(i)(III) of the Social Se-
 2 curity Act (42 U.S.C. 1396a(e)(14)(D)(i)(III)))” after
 3 “(42 U.S.C. 1396 et seq.)”.

4 (b) ELDERLY SIMPLIFIED APPLICATION PRO-
 5 GRAM.—The Food and Nutrition Act of 2008 (7 U.S.C.
 6 2011 et seq.) is amended by adding at the end the fol-
 7 lowing:

8 **“SEC. 31. ELDERLY SIMPLIFIED APPLICATION PROGRAM.**

9 “(a) IN GENERAL.—Not later than 180 days after
 10 the date of enactment of this section, the Secretary shall
 11 establish a program, to be known as the ‘elderly simplified
 12 application program’ (referred to in this section as
 13 ‘ESAP’), under which a State, in carrying out the supple-
 14 mental nutrition assistance program, may elect to imple-
 15 ment a streamlined application and certification process
 16 for households in which all adult members—

17 “(1) are elderly or disabled members; and

18 “(2) have no earned income.

19 “(b) CERTIFICATION PERIOD.—The certification pe-
 20 riod for participants in ESAP shall be 36 months.

21 “(c) INCOME AND OTHER DATA VERIFICATION.—

22 “(1) IN GENERAL.—A State agency deter-
 23 mining the eligibility for an applicant household
 24 under ESAP shall, notwithstanding section
 25 11(e)(3)—

1 “(A) to the maximum extent practicable,
2 use data matching for income verification and
3 household size; and

4 “(B)(i) allow self-declaration by the appli-
5 cant of the information required under section
6 273.2(f) of title 7, Code of Federal Regulations
7 (or successor regulations); but

8 “(ii) verify, prior to certification of the
9 household, factors of eligibility provided by the
10 applicant that the State agency determines are
11 questionable.

12 “(2) ACCOUNTABILITY AND FRAUD PREVEN-
13 TION.—In carrying out paragraph (1), a State agen-
14 cy shall establish accountability and fraud protection
15 measures to deter fraud and ensure the integrity of
16 ESAP and the supplemental nutrition assistance
17 program.

18 “(d) INTERVIEWS.—Notwithstanding section
19 11(e)(6)(A), for recertification of a household under
20 ESAP, the State agency shall not require an interview un-
21 less requested by the household, which may be conducted
22 virtually.

23 “(e) GUIDANCE.—Prior to the establishment of
24 ESAP under subsection (a), the Administrator of the
25 Food and Nutrition Service shall develop guidance for

1 States, including by consulting with States, to carry out
2 ESAP, which shall include—

3 “(1) general implementation guidelines;

4 “(2) reporting requirements;

5 “(3) quality control requirements; and

6 “(4) best practices.”.

7 (c) **COMBINED APPLICATION PROGRAM.**—The Food
8 and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as
9 amended by subsection (b)) is amended by adding at the
10 end the following:

11 **“SEC. 32. COMBINED APPLICATION PROGRAM.**

12 “(a) **IN GENERAL.**—Not later than 180 days after
13 the date of enactment of this section, the Secretary, in
14 coordination with the Commissioner of Social Security,
15 shall establish a program, to be known as the ‘combined
16 application program’ (referred to in this section as ‘CAP’),
17 under which a State, in carrying out the supplemental nu-
18 trition assistance program, may elect to implement a
19 streamlined application process for households in which all
20 adult members are applicants for or recipients of benefits
21 under title II of the Social Security Act (42 U.S.C. 401
22 et seq.) on the basis of a disability or supplemental secu-
23 rity income under title XVI of that Act (42 U.S.C. 1381
24 et seq.).

25 “(b) **PURPOSES.**—The purposes of CAP are—

1 “(1) to reduce the need for households de-
2 scribed in subsection (a) to have in-person interviews
3 with State offices administering the supplemental
4 nutrition assistance program; and

5 “(2) to increase participation in the supple-
6 mental nutrition assistance program by simplifying
7 the application process for that program through in-
8 creased automation and simplified calculation of
9 benefits.

10 “(c) CAP MODELS.—The Secretary, in coordination
11 with the Commissioner of the Social Security Administra-
12 tion, shall offer, at a minimum, each of the following mod-
13 els for States to implement CAP:

14 “(1) STANDARD MODEL.—

15 “(A) IN GENERAL.—Under the standard
16 model, the Commissioner of the Social Security
17 Administration and the State agency admin-
18 istering the supplemental nutrition assistance
19 program shall coordinate—

20 “(i) to develop a simplified joint appli-
21 cation process for the supplemental nutri-
22 tion assistance program that uses stand-
23 ardized benefit amounts or standardized
24 shelter expenses, in accordance with this
25 paragraph; and

1 “(ii) to conduct outreach to adult
 2 members receiving supplemental security
 3 income under title XVI of the Social Secu-
 4 rity Act (42 U.S.C. 1381 et seq.) that are
 5 not receiving benefits under the supple-
 6 mental nutrition assistance program.

7 “(B) STANDARDIZED BENEFIT
 8 AMOUNTS.—

9 “(i) IN GENERAL.—Under the stand-
 10 ardized model described in subparagraph
 11 (A), applicants shall receive a standardized
 12 or automated benefit level under the sup-
 13 plemental nutrition assistance program
 14 based on their shelter expenses and other
 15 income.

16 “(ii) MINIMUM STANDARDIZED BEN-
 17 EFIT LEVELS.—At a minimum, there shall
 18 be 2 standardized benefit levels under
 19 clause (i), including, as determined by the
 20 State—

21 “(I) a level for participants with
 22 low shelter expenses; and

23 “(II) a level for participants with
 24 high shelter expenses.

1 “(iii) COMPARABLE AMOUNT.—A
2 State shall ensure that the amount pro-
3 vided under a standardized benefit level
4 under clause (i) is comparable to an
5 amount that a participant would otherwise
6 receive under the supplemental nutrition
7 assistance program.

8 “(iv) REFERRAL.—A State shall refer
9 a household described in subsection (a) to
10 the supplemental nutrition assistance pro-
11 gram instead of enrolling that household in
12 CAP if the standardized amount that the
13 household would receive under CAP would
14 be significantly less than the amount of
15 benefits that the household would receive
16 under the supplemental nutrition assist-
17 ance program.

18 “(C) STANDARDIZED SHELTER EX-
19 PENSES.—In computing an excess shelter ex-
20 pense deduction under section 5(e)(6), a State
21 agency may use a standard utility allowance in
22 accordance with regulations promulgated by the
23 Secretary.

1 “(2) MODIFIED MODEL.—Under the modified
2 model, a State agency administering the supple-
3 mental nutrition assistance program shall—

4 “(A) conduct outreach to prospective par-
5 ticipants in the supplemental nutrition assist-
6 ance program using information from the Social
7 Security Administration to identify households
8 described in subsection (a) that are not partici-
9 pants in the supplemental nutrition assistance
10 program; and

11 “(B) send to those households simplified
12 application forms for the supplemental nutrition
13 assistance program.”.

14 **SEC. 4. ENROLLMENT AND OUTREACH PILOT PROGRAM**
15 **FOR OLDER ADULTS, KINSHIP FAMILIES, AND**
16 **ADULTS WITH DISABILITIES.**

17 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
18 et seq.) (as amended by section 3(e)) is amended by add-
19 ing at the end the following:

20 **“SEC. 33. ENROLLMENT AND OUTREACH PILOT PROGRAM**
21 **FOR OLDER ADULTS, KINSHIP FAMILIES, AND**
22 **ADULTS WITH DISABILITIES.**

23 “(a) DEFINITIONS.—In this section:

24 “(1) DISABILITY.—The term ‘disability’ has the
25 meaning given the term in section 3 of the Ameri-

1 cans with Disabilities Act of 1990 (42 U.S.C.
2 12102).

3 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means—

5 “(A) a State or local government agency;

6 “(B) an Indian tribe or tribal organization;

7 “(C) a nonprofit organization, including a
8 public or nonprofit provider of services;

9 “(D) a community-based organization; and

10 “(E) an educational provider.

11 “(3) KINSHIP FAMILY.—The term ‘kinship fam-
12 ily’ means a family in which a child resides with and
13 is being raised by a grandparent, another extended
14 family member, or an adult with whom the child has
15 a close family-like relationship, such as a godparent
16 or a close family friend.

17 “(4) OLDER ADULT.—The term ‘older adult’
18 has the meaning given the term ‘older individual’ in
19 section 102 of the Older Americans Act of 1965 (42
20 U.S.C. 3002).

21 “(5) PILOT PROGRAM.—The term ‘pilot pro-
22 gram’ means the pilot program established under
23 subsection (b).

24 “(b) ESTABLISHMENT.—Not later than 180 days
25 after the date of enactment of this section, the Secretary

1 shall establish a pilot program, to be known as the ‘Enroll-
2 ment and Outreach Pilot Program for Older Adults, Kin-
3 ship Families, and Adults with Disabilities’, under which
4 the Secretary shall award grants to eligible entities—

5 “(1) to raise awareness among older adults,
6 kinship families, and adults with disabilities of the
7 availability, eligibility requirements, application pro-
8 cedures, and benefits of the supplemental nutrition
9 assistance program; and

10 “(2) to support older adults, kinship families,
11 and adults with disabilities in enrolling in that pro-
12 gram.

13 “(c) PRIORITY.—In awarding grants under the pilot
14 program, the Secretary shall give priority to—

15 “(1) eligible entities that—

16 “(A) provide services to older adults or
17 adults with disabilities;

18 “(B) provide services to kinship families,
19 including kinship navigator programs;

20 “(C) have experience implementing pro-
21 grams that receive funding under the Older
22 Americans Act of 1965 (42 U.S.C. 3001 et
23 seq.);

1 “(D) have experience implementing pro-
2 grams administered by the Food and Nutrition
3 Service; or

4 “(E) receive, plan to receive, or dem-
5 onstrate an ability to partner with a program
6 that receives funding under the Older Ameri-
7 cans Act of 1965 (42 U.S.C. 3001 et seq.), the
8 Americans with Disabilities Act of 1990 (42
9 U.S.C. 12101 et seq.), or nutrition programs
10 administered by the Secretary; and

11 “(2) projects that will—

12 “(A) serve communities with high rates of
13 food insecurity, malnutrition, or low food ac-
14 cess;

15 “(B) serve rural communities, indigenous
16 communities, or communities of color;

17 “(C) serve members of the lesbian, gay, bi-
18 sexual, transgender, and queer community;

19 “(D) serve adults with limited English pro-
20 ficiency;

21 “(E) serve veterans;

22 “(F) serve residents in federally subsidized
23 housing, including federally subsidized housing
24 units for older adults and adults with disabil-
25 ities;

1 “(G) serve residents living in housing serv-
2 ing kinship families; and

3 “(H) incorporate nutrition education ac-
4 tivities that promote healthy eating and active
5 lifestyles.

6 “(d) ELIGIBLE ACTIVITIES.—An eligible entity re-
7 ceiving a grant under the pilot program shall use the grant
8 to carry out 1 or more of the following activities:

9 “(1) Application assistance, including—

10 “(A) eligibility prescreening;

11 “(B) assistance completing an application
12 for the supplemental nutrition assistance pro-
13 gram;

14 “(C) assistance obtaining application
15 verification documents;

16 “(D) medical expense deduction coun-
17 seling; and

18 “(E) translation of materials and bilingual
19 accommodation.

20 “(2) Tailored information dissemination about
21 the supplemental nutrition assistance program, in-
22 cluding through—

23 “(A) community-based outreach workshops
24 and events;

1 “(B) a toll-free hotline to provide informa-
2 tion about Federal, State, and local food re-
3 sources;

4 “(C) informational websites and other so-
5 cial media sites; and

6 “(D) printed or digital informational con-
7 tent.

8 “(3) Transportation, including—

9 “(A) transportation to or from a local of-
10 fice of the supplemental nutrition assistance
11 program; and

12 “(B) administration of vouchers or similar
13 items for the transportation described in sub-
14 paragraph (A).

15 “(4) Identification, implementation, analysis,
16 and dissemination of replicable and scalable models
17 for increasing enrollment in the supplemental nutri-
18 tion assistance program among older adults, kinship
19 families, and adults with disabilities.

20 “(e) GRANTS.—

21 “(1) MAXIMUM AMOUNT.—A grant awarded
22 under the pilot program to an eligible entity for a
23 fiscal year shall be not less than \$50,000, but not
24 more than \$250,000.

1 “(2) DURATION.—An eligible entity may be
2 awarded a grant under the pilot program for not
3 more than 5 years.

4 “(f) EVALUATION.—Not later than 2 years after the
5 date of establishment of the pilot program, the Secretary
6 shall conduct an evaluation of the pilot program.

7 “(g) FUNDING.—

8 “(1) IN GENERAL.—In addition to amounts
9 otherwise available, there is appropriated, out of any
10 funds in the Treasury not otherwise appropriated,
11 \$12,250,000, to remain available until expended, to
12 carry out the pilot program, of which not more than
13 \$250,000 shall be used to carry out the evaluation
14 under subsection (f).

15 “(2) ADMINISTRATIVE COSTS.—Of the amounts
16 made available under paragraph (1) (excluding the
17 amount made available to carry out subsection (f)),
18 not more than 3 percent may be used by the Sec-
19 retary for administrative costs.”.

20 **SEC. 5. FOOD DELIVERY UNDER SUPPLEMENTAL NUTRI-**
21 **TION ASSISTANCE PROGRAM.**

22 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
23 et seq.) (as amended by section 4) is amended by adding
24 at the end the following:

1 **“SEC. 34. FOOD DELIVERY.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) COVERED RETAIL FOOD STORE.—The
4 term ‘covered retail food store’ means a retail food
5 store, a public or private nonprofit meal delivery
6 service, or a public or nonprofit meal delivery pro-
7 vider participating in the supplemental nutrition as-
8 sistance program that is unable to cover the cost of
9 food delivery for participants of that program.

10 “(2) EMPLOYEE.—The term ‘employee’ has the
11 meaning given the term in section 3 of the Fair
12 Labor Standards Act of 1938 (29 U.S.C. 203).

13 “(b) PROGRAM MODIFICATIONS.—

14 “(1) IN GENERAL.—In carrying out the supple-
15 mental nutrition assistance program, the Secretary
16 shall—

17 “(A) notify retail food stores participating
18 in the supplemental nutrition assistance pro-
19 gram of existing opportunities through which
20 the retail food stores can deliver food to pro-
21 gram participants, including by—

22 “(i) allowing an EBT card to be
23 swiped on delivery of food to the home
24 (with a mobile device); and

25 “(ii) preparing food for pick-up;

1 “(B) authorize public-private partnerships
2 between the Department of Agriculture, retail
3 food stores participating in the supplemental
4 nutrition assistance program, and community-
5 based organizations to provide free or low-cost
6 food delivery, including through the use of pri-
7 vate funds;

8 “(C) in the case of a covered retail food
9 store, use funds made available under subpara-
10 graph (E) of paragraph (3) to provide, in ac-
11 cordance with that paragraph, free grocery de-
12 livery for program participants who are older
13 adults or adults with disabilities who are unable
14 to shop for food or lack safe and accessible
15 transportation options to the covered retail food
16 store; and

17 “(D) require each State to submit to the
18 Secretary a State plan that describes how the
19 State will—

20 “(i) work with retail food stores par-
21 ticipating in the supplemental nutrition as-
22 sistance program and other community-
23 based partners to establish a process for
24 food delivery for program participants;

1 “(ii) administer the reimbursements
2 described in paragraph (3), including tim-
3 ing, eligibility, and distribution processes;
4 and

5 “(iii) ensure that retail food stores
6 participating in the supplemental nutrition
7 assistance program that are reimbursed for
8 delivery costs under paragraph (3) adhere
9 to the requirements described in subpara-
10 graph (B) of that paragraph.

11 “(2) STATE PLANS.—Not later than 10 days
12 after the date on which the Secretary receives a
13 State plan under paragraph (1)(D), the Secretary
14 shall—

15 “(A) approve or deny the State plan; and

16 “(B) make publicly available on the
17 website of the Department of Agriculture—

18 “(i) the State plan;

19 “(ii) the determination made under
20 subparagraph (A) with respect to that
21 plan; and

22 “(iii) any guidance issued to the State
23 with respect to that plan.

24 “(3) REIMBURSEMENT OF RETAIL FOOD
25 STORES.—

1 “(A) IN GENERAL.—Notwithstanding any
2 other provision of law (including regulations, in-
3 cluding sections 274.7(f) and 278.2(b) of title
4 7, Code of Federal Regulations (or successor
5 regulations)), subject to the availability of
6 funds, a State agency shall reimburse a covered
7 retail food store for the cost of food delivery to
8 program participants described in paragraph
9 (1)(C) if—

10 “(i) the covered retail food store
11 meets the requirements under subpara-
12 graph (B); and

13 “(ii) the majority of the number of
14 food items delivered by the covered retail
15 food store are eligible for redemption using
16 benefits under the program, regardless of
17 whether the delivery includes nonfood
18 items, subject to the condition that those
19 nonfood items are of de minimis value.

20 “(B) REQUIREMENTS.—A covered retail
21 food store may receive reimbursement for the
22 cost of food delivery to program participants
23 described in paragraph (1)(C) if the following
24 requirements are met:

1 “(i) Food delivery is performed by
2 employees of the covered retail food store
3 or employees of an entity contracted by the
4 covered retail food store to perform deliv-
5 eries.

6 “(ii) Before any employee described in
7 clause (i) begins making food deliveries,
8 that employee receives employer-provided
9 health and safety training that reflects the
10 most recent guidelines of the Centers for
11 Disease Control and Prevention.

12 “(iii) All employees described in
13 clause (i) performing deliveries are paid at
14 a rate that is not less than the greater
15 of—

16 “(I) the minimum wage rate es-
17 tablished under section 6(a)(1) of the
18 Fair Labor Standards Act of 1938
19 (29 U.S.C. 206(a)(1)); and

20 “(II) the minimum wage rate es-
21 tablished by the applicable State or lo-
22 cality in which the employee works.

23 “(iv) The covered retail food store
24 meets the size standard determined by the
25 Small Business Administration for a super-

1 market or other grocery retailer or a con-
2 venience retailer under section 121.201 of
3 title 13, Code of Federal Regulations (or
4 successor regulations);

5 “(v) The covered retail food store does
6 not—

7 “(I) charge the supplemental nu-
8 trition assistance program participant
9 for delivery costs that the covered re-
10 tail food store will be reimbursed for;

11 “(II) require minimum purchase
12 thresholds in order to provide free de-
13 livery;

14 “(III) restrict delivery times to
15 least favorable windows for supple-
16 mental nutrition assistance program
17 participants; or

18 “(IV) charge surge pricing.

19 “(C) REIMBURSABLE COSTS.—Reimburs-
20 able costs under subparagraph (A) include costs
21 associated with purchasing point-of-sale devices
22 or receiving technical assistance relating to
23 point-of-sale devices.

24 “(D) MAXIMUM REIMBURSEMENT PER DE-
25 LIVERY.—The maximum amount of reimburse-

1 ment under subparagraph (A) for a food deliv-
2 ery fee shall be \$10 per delivery, which may be
3 adjusted by the Secretary for inflation.

4 “(E) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There is authorized to be appropriated
6 to the Secretary \$500,000,000 for fiscal year
7 2024, and each fiscal year thereafter, to remain
8 available until expended, to cover the cost of
9 food delivery described in paragraph (1)(C), to
10 be distributed among the States to fund reim-
11 bursements by States under subparagraph (A).

12 “(4) REPORT.—Not later than April 30, 2025,
13 and April 30 of each year thereafter, the Secretary
14 shall submit to the Committee on Agriculture, Nutri-
15 tion, and Forestry of the Senate and the Committee
16 on Agriculture of the House of Representatives a re-
17 port that describes, for the period covered by the re-
18 port, as applicable—

19 “(A) the number of program participants
20 using food delivery services, including the per-
21 centage of those participants that are older
22 adults and adults with disabilities;

23 “(B) the authorized program retailers that
24 were reimbursed under paragraph (3) and each
25 reimbursement amount;

1 “(C) any complications or difficulties expe-
2 rienced by States in administering reimburse-
3 ments under paragraph (3); and

4 “(D) recommendations or best practices to
5 assist States in implementing food delivery pro-
6 grams.”.

7 **SEC. 6. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

8 (a) FUNDS.—Section 4 of the Agriculture and Con-
9 sumer Protection Act of 1973 (7 U.S.C. 612c note; Public
10 Law 93–86) is amended—

11 (1) in subsection (a), in the first sentence, by
12 striking “2023” and inserting “2028”; and

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

14 “(d) FUNDS.—In addition to amounts otherwise
15 available, there is appropriated, out of any funds in the
16 Treasury not otherwise appropriated, to carry out the pro-
17 gram under this section \$10,000,000 for each of fiscal
18 years 2024 through 2028.”.

19 (b) ADULTS WITH DISABILITIES.—Section 5 of the
20 Agriculture and Consumer Protection Act of 1973 (7
21 U.S.C. 612c note; Public Law 93–86) is amended—

22 (1) by striking “2023” each place it appears
23 and inserting “2028”; and

24 (2) in subsection (g)—

1 (A) in paragraph (1), by striking “to low-
2 income persons aged 60 and older.” and insert-
3 ing the following: “to—

4 “(A) low-income persons aged 60 and
5 older; and

6 “(B) low-income adults with disabilities (as
7 defined in section 3 of the Americans with Dis-
8 abilities Act of 1990 (42 U.S.C. 12102)).”;

9 (B) by redesignating paragraph (2) as
10 paragraph (3);

11 (C) by inserting after paragraph (1) the
12 following:

13 “(2) INCOME ELIGIBILITY.—For purposes of
14 paragraph (1), a low-income individual described in
15 subparagraph (A) or (B) of that paragraph shall
16 have a gross income level that is less than 185 per-
17 cent of the Federal poverty line.”; and

18 (D) in paragraph (3)(B) (as so redesi-
19 gnated), in the matter preceding clause (i), by
20 striking “of—” and all that follows through the
21 period at the end of clause (ii) and inserting “of
22 36 months.”; and

23 (3) in subsection (i), in the matter preceding
24 paragraph (1)—

1 (A) by inserting “or low-income adults
2 with disabilities described in subsection
3 (g)(1)(B)” after “elderly persons”; and

4 (B) by striking “to each elderly participant
5 in or applicant for the commodity supplemental
6 food program for the elderly” and inserting “to
7 each participant in or applicant for such a pro-
8 gram”.

9 **SEC. 7. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.**

10 (a) IN GENERAL.—Section 4402 of the Farm Secu-
11 rity and Rural Investment Act of 2002 (7 U.S.C. 3007)
12 is amended—

13 (1) in subsection (a)—

14 (A) by striking “Of the funds” and insert-
15 ing the following:

16 “(1) MANDATORY FUNDING.—Of the funds”;

17 (B) in paragraph (1) (as so designated), by
18 inserting “(referred to in this section as the
19 ‘Secretary’)” after “Agriculture”; and

20 (C) by adding at the end the following:

21 “(2) AUTHORIZATION OF APPROPRIATIONS.—

22 There are authorized to be appropriated to the Sec-
23 retary to carry out and expand the seniors farmers’
24 market nutrition program—

1 “(A) not less than \$60,000,000 for fiscal
2 year 2024;

3 “(B) not less than \$70,000,000 for fiscal
4 year 2025; and

5 “(C) not less than \$100,000,000 for each
6 of fiscal years 2026 through 2028.”;

7 (2) in subsection (b)(1), by inserting “and
8 adults with disabilities (as defined in section 3 of the
9 Americans with Disabilities Act of 1990 (42 U.S.C.
10 12102))” before the semicolon at the end;

11 (3) by redesignating subsections (e) through (f)
12 as subsections (f) through (i), respectively; and

13 (4) by inserting after subsection (b) the fol-
14 lowing:

15 “(c) BENEFIT AMOUNTS.—Under the seniors farm-
16 ers’ market nutrition program—

17 “(1) the minimum individual benefit shall be
18 \$35; and

19 “(2) the maximum individual benefit shall be
20 \$80.

21 “(d) CERTIFICATION PERIOD.—The certification pe-
22 riod for participants in the seniors farmers’ market nutri-
23 tion program shall be 36 months.

24 “(e) MODERNIZATION GRANTS.—

1 “(1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of the Senior Hunger
3 Prevention Act of 2023, the Secretary shall establish
4 a grant program under which the Secretary shall
5 award grants to State agencies, including Tribal or-
6 ganizations (as defined in section 3 of the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2012)) and terri-
8 tories, that administer the senior farmers’ market
9 nutrition program to modernize program operations,
10 including—

11 “(A) by transitioning from paper-based
12 coupons to an electronic transaction technology,
13 such as a web-based service or installable soft-
14 ware; and

15 “(B) by increasing benefit utilization at
16 farmers’ markets.

17 “(2) GRANT AMOUNT.—

18 “(A) IN GENERAL.—The amount of a
19 grant awarded under paragraph (1) shall not
20 exceed \$350,000.

21 “(B) SUPPLIES.—In the case of an entity
22 that receives a grant under paragraph (1) and
23 uses the grant for purposes described in sub-
24 paragraph (F) of paragraph (3), not more than

1 \$25,000 may be used to carry out that subpara-
2 graph.

3 “(3) ELIGIBLE EXPENSES.—An entity receiving
4 a grant under paragraph (1) may use the grant
5 for—

6 “(A) costs associated with procurement of
7 electronic transaction technology;

8 “(B) planning costs, including personnel
9 costs, relating to electronic transaction tech-
10 nology procurement and implementation;

11 “(C) costs associated with evaluating the
12 impact of transitioning from coupon-based oper-
13 ations to an electronic transaction technology;

14 “(D) training, outreach, and promotional
15 material costs, including the costs associated
16 with translating materials;

17 “(E) maintenance and operations of the
18 electronic transaction technology procured using
19 the grant during the period of performance of
20 the grant;

21 “(F) the purchase of supplies needed to
22 perform electronic transactions onsite; and

23 “(G) additional costs associated with mod-
24 ernizing program operations, as determined ap-
25 propriate by the Secretary.

1 “(4) REPORTS.—Each entity that receives a
2 grant under paragraph (1) shall submit to the Sec-
3 retary and the Administrator of the Food and Nutri-
4 tion Service quarterly performance progress reports
5 on the use of the grant.

6 “(5) AUTHORIZATION OF APPROPRIATIONS.—
7 There is authorized to be appropriated to the Sec-
8 retary to carry out this subsection \$15,000,000 for
9 fiscal year 2024 and each fiscal year thereafter.”.

10 (b) INCOME GUIDELINES.—The Secretary shall re-
11 vise section 249.6(a)(3) of title 7, Code of Federal Regula-
12 tions (or successor regulations), so that income eligibility
13 is at or below 200 percent of the poverty income guide-
14 lines.

15 **SEC. 8. INFRASTRUCTURE FUNDING FOR FARMERS’ MAR-**
16 **KETS; LOCAL PROCUREMENT PILOT PRO-**
17 **GRAM.**

18 The Farm Security and Rural Investment Act of
19 2002 is amended by inserting after section 4402 (7 U.S.C.
20 3007) the following:

21 **“SEC. 4403. INFRASTRUCTURE FUNDING FOR FARMERS’**
22 **MARKETS; LOCAL PROCUREMENT PILOT**
23 **PROGRAM.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) DISABILITY.—The term ‘disability’ has the
2 meaning given the term in section 3 of the Ameri-
3 cans with Disabilities Act of 1990 (42 U.S.C.
4 12102).

5 “(2) FINANCIAL ASSISTANCE.—The term ‘fi-
6 nancial assistance’ means—

7 “(A) a loan;

8 “(B) a loan guarantee; and

9 “(C) a grant.

10 “(3) OLDER ADULT.—The term ‘older adult’
11 has the meaning given the term ‘older individual’ in
12 section 102 of the Older Americans Act of 1965 (42
13 U.S.C. 3002).

14 “(4) PROGRAM.—The term ‘program’ means
15 the program established under subsection (b).

16 “(5) SECRETARY.—The term ‘Secretary’ means
17 the Secretary of Agriculture.

18 “(b) INFRASTRUCTURE FUNDING FOR FARMERS’
19 MARKETS.—

20 “(1) DEFINITION OF ELIGIBLE ENTITY.—In
21 this subsection, the term ‘eligible entity’ means an
22 entity that—

23 “(A) is—

24 “(i) an agricultural cooperative or
25 other agricultural business entity or a pro-

1 ducer network or association, including a
2 community supported agriculture network
3 or association;

4 “(ii) a local or Tribal government;

5 “(iii) a nonprofit corporation;

6 “(iv) a public benefit corporation;

7 “(v) an economic development cor-
8 poration;

9 “(vi) a regional farmers’ market au-
10 thority;

11 “(vii) a food council; or

12 “(viii) any other entity as determined
13 by the Secretary; and

14 “(B) can demonstrate financial need, as
15 determined by the Secretary.

16 “(2) ESTABLISHMENT.—Not later than 180
17 days after the date of enactment of the Senior Hun-
18 ger Prevention Act of 2023, the Secretary shall es-
19 tablish a program under which the Secretary shall
20 provide financial assistance to eligible entities for—

21 “(A) the establishment of new farmers’
22 markets;

23 “(B) the improvement or rehabilitation of
24 existing farmers’ markets, including by adding

1 or improving payment technologies used in
2 those farmers' markets; and

3 “(C) the expansion of community sup-
4 ported agriculture to serve older adults and
5 adults with disabilities.

6 “(3) REQUIREMENTS.—An eligible entity that
7 receives financial assistance under the program shall
8 be required—

9 “(A) to host farmers' markets or related
10 activities at locations accessible—

11 “(i) by public transportation;

12 “(ii) by paratransit; or

13 “(iii) through transportation services
14 provided under the Older Americans Act of
15 1965 (42 U.S.C. 3001 et seq.); and

16 “(B) to reserve not less than 50 percent of
17 the floor area of an applicable farmers' market
18 for the sale of products that are produced lo-
19 cally, as determined by the Secretary, by—

20 “(i) farmers, ranchers, or aquaculture,
21 mariculture, or fisheries operators; or

22 “(ii) associations of farmers, ranchers,
23 or aquaculture, mariculture, or fisheries
24 operators.

1 “(4) COST SHARING.—The non-Federal share
2 of a grant provided under the program shall be 20
3 percent of the amount of the grant, which may com-
4 prise transportation costs, volunteer contributions,
5 and in-kind staffing.

6 “(5) FUNDING.—Of the funds of the Com-
7 modity Credit Corporation, the Secretary shall use
8 to carry out this subsection \$50,000,000 for each of
9 fiscal years 2024 through 2028.

10 “(c) LOCAL PROCUREMENT PILOT PROGRAM.—

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

12 “(A) AGRICULTURAL PRODUCER.—The
13 term ‘agricultural producer’ includes—

14 “(i) an agricultural cooperative;

15 “(ii) a person engaged in farming,
16 ranching, or aquaculture;

17 “(iii) a person engaged in the packing
18 of a food product; and

19 “(iv) a person engaged in the minimal
20 processing of a food product, as deter-
21 mined by the Secretary.

22 “(B) ELIGIBLE ENTITY.—The term ‘eligi-
23 ble entity’ means an entity that—

1 “(i)(I) coordinates enrollment in and
2 distribution of benefits under the seniors
3 farmers’ market nutrition program; or

4 “(II) demonstrates an ability to part-
5 ner with an entity that coordinates enroll-
6 ment in and distribution of benefits under
7 the seniors farmers’ market nutrition pro-
8 gram; and

9 “(ii) is—

10 “(I) a public or nonprofit pro-
11 vider of nutrition services or support
12 to older adults or adults with disabil-
13 ities, including—

14 “(aa) an Aging and Dis-
15 ability Resource Center (as de-
16 fined in section 102 of the Older
17 Americans Act of 1965 (42
18 U.S.C. 3002));

19 “(bb) an area agency on
20 aging (as defined in that section);

21 “(cc) a State health insur-
22 ance program;

23 “(dd) a State unit on aging;

24 “(ee) a center for inde-
25 pendent living;

1 “(ff) a community health
2 center;

3 “(gg) a multipurpose senior
4 center; and

5 “(hh) federally subsidized
6 housing, including federally sub-
7 sidized housing units for older
8 adults and adults with disabil-
9 ities; and

10 “(II) a local, State, or national
11 parks and recreation department.

12 “(2) ESTABLISHMENT.—Not later than 180
13 days after the date of enactment of the Senior Hun-
14 ger Prevention Act of 2023, the Secretary shall es-
15 tablish a pilot program under which the Secretary
16 shall award grants to eligible entities to contract
17 with agricultural producers that will grow produce to
18 support the local procurement and contracting of
19 produce for eligible entities.

20 “(3) PRIORITY.—In awarding grants under
21 paragraph (2), the Secretary shall give priority to an
22 eligible entity that will use the grant funds to benefit
23 underserved communities, including communities
24 that are located in areas of concentrated poverty

1 with limited access to fresh locally or regionally
2 grown food.

3 “(4) METHODS.—Under a contract described in
4 paragraph (2), an agricultural producer may grow
5 produce through traditional or controlled environ-
6 mental agriculture farming.

7 “(5) EVALUATION.—Not later than 2 years
8 after the date of establishment of the pilot program
9 under paragraph (2), the Secretary shall conduct an
10 evaluation of the pilot program.

11 “(6) FUNDING.—

12 “(A) IN GENERAL.—Of the funds of the
13 Commodity Credit Corporation, the Secretary
14 shall use to carry out this subsection \$350,000
15 for each of fiscal years 2024 through 2028.

16 “(B) ADMINISTRATIVE COSTS.—Of the
17 amounts made available under subparagraph
18 (A) for a fiscal year, not more than 5 percent
19 may be used for administrative costs.

20 “(C) EVALUATION.—In addition to
21 amounts made available under subparagraph
22 (A), there is appropriated to the Secretary, out
23 of any funds in the Treasury not otherwise ap-

1 appropriated, \$25,000 to carry out paragraph
2 (5).”.

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