

118TH CONGRESS
1ST SESSION

S. _____

To amend the Department of Agriculture Reorganization Act of 1994 to improve the Office of Urban Agriculture and Innovative Production, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. FETTERMAN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Department of Agriculture Reorganization Act of 1994 to improve the Office of Urban Agriculture and Innovative Production, 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 “Supporting Urban and
5 Innovative Farming Act of 2023”.

6 **SEC. 2. OFFICE OF URBAN AGRICULTURE AND INNOVATIVE**
7 **PRODUCTION.**

8 Section 222 of the Department of Agriculture Reor-
9 ganization Act of 1994 (7 U.S.C. 6923) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (3)(C), by inserting
3 “controlled-environment agriculture, such as”
4 before “indoor”;

5 (B) in paragraph (4)—

6 (i) in subparagraph (F), by striking
7 “and” at the end;

8 (ii) in subparagraph (G), by striking
9 the period at the end and inserting a semi-
10 colon; and

11 (iii) by adding at the end the fol-
12 lowing:

13 “(H) leveraging the Department and
14 State, Tribal, and local agencies to provide
15 technical assistance for business incorporation,
16 navigating local zoning, and managing farm
17 tract numbers for smaller, noncontiguous par-
18 cels to growers implementing activities de-
19 scribed in paragraph (3);

20 “(I) leveraging the Department and State,
21 Tribal, and local agencies to promote conserva-
22 tion techniques unique to urban agriculture and
23 innovative production, including techniques that
24 address stormwater runoff and the impacted

1 nature of urban land and the subsurface of the
2 land; and

3 “(J) assisting urban, innovative, and con-
4 trolled-environment agriculture producers to
5 navigate Federal, State, Tribal, and local poli-
6 cies and regulations that impact business or op-
7 erations.”; and

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

9 “(5) COOPERATIVE AGREEMENTS.—

10 “(A) IN GENERAL.—The Director may
11 enter into cooperative agreements with eligible
12 entities described in subparagraph (B) to sup-
13 port the implementation of responsibilities de-
14 scribed in paragraph (4).

15 “(B) ELIGIBLE ENTITIES.—An eligible en-
16 tity referred to in subparagraph (A) is—

17 “(i) a nonprofit organization;

18 “(ii) an agricultural cooperative;

19 “(iii) an Indian Tribe; or

20 “(iv) a producer network or associa-
21 tion.

22 “(C) PRIORITY.—In establishing coopera-
23 tive agreements under subparagraph (A), the
24 Director shall give priority to cooperative agree-
25 ments with eligible entities that—

1 “(i) serve geographic areas with high
2 concentrations of urban or suburban
3 farms;

4 “(ii) have established relationships
5 with, or a history of serving, socially dis-
6 advantaged populations;

7 “(iii) have experience working with in-
8 dividuals with limited English proficiency;
9 or

10 “(iv) demonstrate experience pro-
11 viding urban agriculture technical assist-
12 ance in their geographic region.”;

13 (2) in subsection (b)—

14 (A) in paragraph (5)(B), by striking
15 “2023” and inserting “2028”; and

16 (B) in paragraph (7)(A), by striking “the
17 date that” and all that follows through “para-
18 graph (2)(B)” and inserting “September 30,
19 2028”;

20 (3) by striking subsection (c) and inserting the
21 following:

22 “(c) GRANTS.—

23 “(1) AUTHORIZATION.—

24 “(A) IN GENERAL.—The Director shall
25 award competitive grants to support the devel-

1 opment of urban and innovative agricultural
2 production that improves access to local foods
3 in areas where access to fresh, healthy food is
4 limited, including through community gardens,
5 urban farms, rooftop farms, urban agroforestry,
6 orchards, outdoor vertical production, green
7 walls, indoor farms, controlled-environment ag-
8 riculture, greenhouses, high-tech vertical tech-
9 nology, hydroponics, aeroponics, and
10 aquaponics.

11 “(B) MICROGRANTS.—An eligible entity
12 may use funds from a grant under subpara-
13 graph (A) to provide microgrants to urban and
14 innovative producers to support the growth of
15 the farm or farm business of the urban and in-
16 novative producer.

17 “(2) ELIGIBLE ENTITIES.—An entity eligible to
18 receive a grant under paragraph (1)(A) is any of the
19 following:

20 “(A) A nonprofit organization.

21 “(B) A unit of local government.

22 “(C) A Tribal government.

23 “(D) An agricultural cooperative or other
24 agricultural business entity or a producer net-

1 work or association, including a community-
2 supported agriculture network or association.

3 “(E) Any school that serves any of grades
4 kindergarten through grade 12.

5 “(3) PRIORITY.—In awarding grants under
6 subparagraph (A) of paragraph (1), the Director
7 shall give priority to applications from eligible enti-
8 ties that plan to use the grant funds to provide
9 microgrants in accordance with subparagraph (B) of
10 that paragraph.”;

11 (4) in subsection (d)—

12 (A) in the subsection heading, by striking
13 “PILOT PROJECTS” and inserting “PROJECTS”;

14 (B) in paragraph (1)(C), in the matter
15 preceding clause (i), by striking “2023” and in-
16 serting “2028”; and

17 (C) in paragraph (2)—

18 (i) in subparagraph (A)—

19 (I) by striking “shall carry out
20 pilot projects under which the Sec-
21 retary”; and

22 (II) by inserting “and construct
23 at-scale composting or anaerobic di-
24 gestion food waste-to-energy projects”
25 after “food waste reduction plans”;

- 1 (ii) in subparagraph (B)—
- 2 (I) in the subparagraph heading,
- 3 by striking “PILOT”;
- 4 (II) in the matter preceding
- 5 clause (i), by inserting “Indian
- 6 Tribes,” after “counties,”;
- 7 (III) by redesignating clauses (vi)
- 8 through (viii) as clauses (vii) through
- 9 (ix), respectively; and
- 10 (IV) by inserting after clause (v)
- 11 the following:
- 12 “(vi) develop food waste-to-energy op-
- 13 erations;”;
- 14 (iii) by redesignating subparagraphs
- 15 (C) through (E) as subparagraphs (D)
- 16 through (F), respectively;
- 17 (iv) by inserting after subparagraph
- 18 (B) the following:
- 19 “(C) LIMITATION.—An entity that receives
- 20 assistance under this paragraph may not use
- 21 that assistance for an anaerobic digester that
- 22 uses manure as the majority of its undigested
- 23 biomass.”; and
- 24 (v) by striking “pilot” each place it
- 25 appears; and

1 (5) by striking subsection (e) and inserting the
2 following:

3 “(e) FUNDING.—Of the funds of the Commodity
4 Credit Corporation, the Secretary shall use to carry out
5 this section \$50,000,000 for each of fiscal years 2024
6 through 2028, to remain available until expended.”.

7 **SEC. 3. AGRICULTURE AND FOOD RESEARCH INITIATIVE.**

8 Section 2(b)(2)(E) of the Competitive, Special, and
9 Facilities Research Grants Act (7 U.S.C. 3157(b)(2)(E))
10 is amended—

11 (1) in clause (iv), by striking “and” at the end;

12 (2) in clause (v), by striking the period at the
13 end and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(vi) hydroponics, aquaponics,
16 aeroponics, and other production tech-
17 nologies used in controlled-environment ag-
18 riculture production.”.

19 **SEC. 4. DATA COLLECTION ON URBAN, INDOOR, AND**
20 **EMERGING AGRICULTURAL PRODUCTION.**

21 Section 1672E of the Food, Agriculture, Conserva-
22 tion, and Trade Act of 1990 (7 U.S.C. 5925g) is amend-
23 ed—

24 (1) by redesignating subsection (d) as sub-
25 section (e);

1 (2) by inserting after subsection (c) the fol-
2 lowing:

3 “(d) DATA COLLECTION ON URBAN, INDOOR, AND
4 EMERGING AGRICULTURAL PRODUCTION.—

5 “(1) IN GENERAL.—Not later than 90 days
6 after the date of the enactment of this subsection
7 and biennially thereafter, the Secretary, acting
8 through the Director of the National Agricultural
9 Statistics Service, shall prepare and transmit to the
10 Committee on Agriculture, Nutrition, and Forestry
11 of the Senate and the Committee on Agriculture of
12 the House of Representatives a report containing
13 data on urban, indoor, and other emerging agricul-
14 tural production, including data on—

15 “(A) community gardens and farms lo-
16 cated in urban areas, suburbs, and urban clus-
17 ters;

18 “(B) rooftop farms, outdoor vertical pro-
19 duction, and green walls;

20 “(C) controlled environment agriculture,
21 indoor farms, greenhouses, and high-tech
22 vertical technology farms;

23 “(D) hydroponic, aeroponic, and aquaponic
24 farm facilities;

1 “(E) other innovations in agricultural pro-
2 duction, as determined by the Secretary;

3 “(F) the locations of the facilities de-
4 scribed in subparagraphs (A) through (E); and

5 “(G) demographic information on the own-
6 ers and operators of those facilities.

7 “(2) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated to carry out
9 this subsection \$14,000,000 for the period of fiscal
10 years 2024 through 2028.”; and

11 (3) in subsection (e) (as so redesignated), by in-
12 serting “(other than subsection (d))” after “this sec-
13 tion” each place it appears.