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1 **TITLE IV—NUTRITION**
 2 **PROGRAMS**
 3 **Subtitle A—Food and Nutrition**
 4 **Program**

5 **PART I—RENAMING OF FOOD STAMP PROGRAM**

6 **SEC. 4001. RENAMING OF FOOD STAMP PROGRAM.**

- 7 (a) **SHORT TITLE.**—The first section of the Food
 8 Stamp Act of 1977 (7 U.S.C. 2011 note; Public Law 88–

1 525) is amended by striking “Food Stamp Act of 1977”
2 and inserting “Food and Nutrition Act of 2007”.

3 (b) PROGRAM.—The Food and Nutrition Act of 2007
4 (7 U.S.C. 2011 et seq.) (as amended by subsection (a))
5 is amended by striking “food stamp program” each place
6 it appears and inserting “food and nutrition program”.

7 **PART II—IMPROVING PROGRAM BENEFITS**

8 **SEC. 4101. EXCLUSION OF CERTAIN MILITARY PAYMENTS** 9 **FROM INCOME.**

10 Section 5(d) of the Food and Nutrition Act of 2007
11 (7 U.S.C. 2014(d)) is amended—

12 (1) by striking “(d) Household” and inserting
13 “(d) EXCLUSIONS FROM INCOME.—Household”;

14 (2) by striking “only (1) any” and inserting
15 “only—

16 “(1) any”;

17 (3) by indenting each of paragraphs (2)
18 through (18) so as to align with the margin of para-
19 graph (1) (as amended by paragraph (1));

20 (4) by striking the comma at the end of each
21 of paragraphs (1) through (16) and inserting a
22 semicolon;

23 (5) in paragraph (3)—

24 (A) by striking “like (A) awarded” and in-
25 serting “like—

1 “(A) awarded”;

2 (B) by striking “thereof, (B) to” and in-
3 serting “thereof;

4 “(B) to”; and

5 (C) by striking “program, and (C) to” and
6 inserting “program; and

7 “(C) to”;

8 (6) in paragraph (11), by striking “), or (B)
9 a” and inserting “)); or

10 “(B) a”;

11 (7) in paragraph (17), by striking “, and” at
12 the end and inserting a semicolon;

13 (8) in paragraph (18), by striking the period at
14 the end and inserting “; and”; and

15 (9) by adding at the end the following:

16 “(19) any additional payment under chapter 5
17 of title 37, United States Code, or otherwise des-
18 ignated by the Secretary to be appropriate for exclu-
19 sion under this paragraph, that is received by or
20 from a member of the United States Armed Forces
21 deployed to a designated combat zone, if the addi-
22 tional pay—

23 “(A) is the result of deployment to or serv-
24 ice in a combat zone; and

1 “(B) was not received immediately prior to
2 serving in a combat zone.”.

3 **SEC. 4102. STRENGTHENING THE FOOD PURCHASING**
4 **POWER OF LOW-INCOME AMERICANS.**

5 Section 5(e)(1) of the Food and Nutrition Act of
6 2007 (7 U.S.C. 2014(e)(1)) is amended—

7 (1) in subparagraph (A)(ii), by striking “not
8 less than \$134” and all that follows through the end
9 of the clause and inserting the following: “not less
10 than—

11 “(I) for fiscal year 2008, \$140,
12 \$239, \$197, and \$123, respectively;
13 and

14 “(II) for fiscal year 2009 and
15 each fiscal year thereafter, an amount
16 that is equal to the amount from the
17 previous fiscal year adjusted to the
18 nearest lower dollar increment to re-
19 flect changes for the 12-month period
20 ending on the preceding June 30 in
21 the Consumer Price Index for All
22 Urban Consumers published by the
23 Bureau of Labor Statistics of the De-
24 partment of Labor, for items other
25 than food.”;

1 (2) in subparagraph (B)(ii), by striking “not
2 less than \$269” and all that follows through the end
3 of the clause and inserting the following: “not less
4 than—

5 “(I) for fiscal year 2008, \$281;
6 and

7 “(II) for fiscal year 2009 and
8 each fiscal year thereafter, an amount
9 that is equal to the amount from the
10 previous fiscal year adjusted to the
11 nearest lower dollar increment to re-
12 flect changes for the 12-month period
13 ending on the preceding June 30 in
14 the Consumer Price Index for All
15 Urban Consumers published by the
16 Bureau of Labor Statistics of the De-
17 partment of Labor, for items other
18 than food.”; and

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

20 “(C) REQUIREMENT.—Each adjustment
21 under subparagraphs (A)(ii)(II) and (B)(ii)(II)
22 shall be based on the unrounded amount for the
23 prior 12-month period.”.

1 **SEC. 4103. SUPPORTING WORKING FAMILIES WITH CHILD**
2 **CARE EXPENSES.**

3 Section 5(e)(3)(A) of the Food and Nutrition Act of
4 2007 (7 U.S.C. 2014(e)(3)(A)) is amended by striking “,
5 the maximum allowable level of which shall be \$200 per
6 month for each dependent child under 2 years of age and
7 \$175 per month for each other dependent,”.

8 **SEC. 4104. ENCOURAGING RETIREMENT AND EDUCATION**
9 **SAVINGS AMONG FOOD STAMP RECIPIENTS.**

10 (a) **ALLOWABLE FINANCIAL RESOURCES.**—Section
11 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C.
12 2014(g)) is amended—

13 (1) by striking “(g)(1) The Secretary” and in-
14 serting the following:

15 “(g) **ALLOWABLE FINANCIAL RESOURCES.**—

16 “(1) **TOTAL AMOUNT.**—

17 “(A) **IN GENERAL.**—The Secretary”;

18 (2) in subparagraph (A) (as designated by
19 paragraph (1)—

20 (A) by inserting “(as adjusted in accord-
21 ance with subparagraph (B))” after “\$2,000”;
22 and

23 (B) by inserting “(as adjusted in accord-
24 ance with subparagraph (B))” after “\$3,000”;
25 and

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

1 “(B) ADJUSTMENT FOR INFLATION.—

2 “(i) IN GENERAL.—Beginning on Oc-
3 tober 1, 2007, and each October 1 there-
4 after, the amounts in subparagraph (A)
5 shall be adjusted to the nearest \$100 in-
6 crement to reflect changes for the 12-
7 month period ending the preceding June in
8 the Consumer Price Index for All Urban
9 Consumers published by the Bureau of
10 Labor Statistics of the Department of
11 Labor.

12 “(ii) REQUIREMENT.—Each adjust-
13 ment under clause (i) shall be based on the
14 unrounded amount for the prior 12-month
15 period.”.

16 (b) EXCLUSION OF RETIREMENT ACCOUNTS FROM
17 ALLOWABLE FINANCIAL RESOURCES.—

18 (1) IN GENERAL.—Section 5(g)(2)(B)(v) of the
19 Food and Nutrition Act of 2007 (7 U.S.C.
20 2014(g)(2)(B)(v)) is amended by striking “or retire-
21 ment account (including an individual account)” and
22 inserting “account”.

23 (2) MANDATORY AND DISCRETIONARY EXCLU-
24 SIONS.—Section 5(g) of the Food and Nutrition Act

1 of 2007 (7 U.S.C. 2014(g)) is amended by adding
2 at the end the following:

3 “(7) EXCLUSION OF RETIREMENT ACCOUNTS
4 FROM ALLOWABLE FINANCIAL RESOURCES.—

5 “(A) MANDATORY EXCLUSIONS.—The Sec-
6 retary shall exclude from financial resources
7 under this subsection the value of—

8 “(i) any funds in a plan, contract, or
9 account, described in sections 401(a),
10 403(a), 403(b), 408, 408A, 457(b), and
11 501(c)(18) of the Internal Revenue Code
12 of 1986 and the value of funds in a Fed-
13 eral Thrift Savings Plan account as pro-
14 vided in section 8439 of title 5, United
15 States Code; and

16 “(ii) any retirement program or ac-
17 count included in any successor or similar
18 provision that may be enacted and deter-
19 mined to be exempt from tax under the In-
20 ternal Revenue Code of 1986.

21 “(B) DISCRETIONARY EXCLUSIONS.—The
22 Secretary may exclude from financial resources
23 under this subsection the value of any other re-
24 tirement plans, contracts, or accounts (as deter-
25 mined by the Secretary).”.

1 (c) EXCLUSION OF EDUCATION ACCOUNTS FROM AL-
2 LOWABLE FINANCIAL RESOURCES.—Section 5(g) of the
3 Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) (as
4 amended by subsection (b)) is amended by adding at the
5 end the following:

6 “(8) EXCLUSION OF EDUCATION ACCOUNTS
7 FROM ALLOWABLE FINANCIAL RESOURCES.—

8 “(A) MANDATORY EXCLUSIONS.—The Sec-
9 retary shall exclude from financial resources
10 under this subsection the value of any funds in
11 a qualified tuition program described in section
12 529 of the Internal Revenue Code of 1986 or
13 in a Coverdell education savings account under
14 section 530 of that Code.

15 “(B) DISCRETIONARY EXCLUSIONS.—The
16 Secretary may exclude from financial resources
17 under this subsection the value of any other
18 education programs, contracts, or accounts (as
19 determined by the Secretary).”.

20 **SEC. 4105. FACILITATING SIMPLIFIED REPORTING.**

21 Section 6(c)(1)(A) of the Food and Nutrition Act of
22 2007 (7 U.S.C. 2015(c)(1)(A)) is amended—

23 (1) by striking “reporting by” and inserting
24 “reporting”;

1 (2) in clause (i), by inserting “for periods short-
2 er than 4 months by” before “migrant”;

3 (3) in clause (ii), by inserting “for periods
4 shorter than 4 months by” before “households”; and

5 (4) in clause (iii), by inserting “for periods
6 shorter than 1 year by” before “households”.

7 **SEC. 4106. ACCRUAL OF BENEFITS.**

8 Section 7(i) of the Food and Nutrition Act of 2007
9 (7 U.S.C. 2016(i)) is amended by adding at the end the
10 following:

11 “(12) RECOVERING ELECTRONIC BENEFITS.—

12 “(A) IN GENERAL.—A State agency shall
13 establish a procedure for recovering electronic
14 benefits from the account of a household due to
15 inactivity.

16 “(B) BENEFIT STORAGE.—A State agency
17 may store recovered electronic benefits off-line
18 in accordance with subparagraph (D), if the
19 household has not accessed the account after 6
20 months.

21 “(C) BENEFIT EXPUNGING.—A State
22 agency shall expunge benefits that have not
23 been accessed by a household after a period of
24 12 months.

25 “(D) NOTICE.—A State agency shall—

1 “(B) at the option of the State, to a house-
2 hold with children that ceases to receive cash
3 assistance under a State-funded public assist-
4 ance program.”.

5 **SEC. 4109. UPDATING THE MINIMUM BENEFIT.**

6 Section 8(a) of the Food and Nutrition Act of 2007
7 (7 U.S.C. 2017(a)) is amended—

8 (1) by striking the section heading and all that
9 follows through “(a) The value” and inserting the
10 following:

11 **“SEC. 8. VALUE OF PROGRAM BENEFITS.**

12 “(a) IN GENERAL.—

13 “(1) VALUE.—Subject to paragraph (2), the
14 value”;

15 (2) by striking “: Provided, That for” and in-
16 serting a period and the following:

17 “(2) MINIMUM AMOUNT.—For”;

18 (3) by striking “shall be \$10 per month.” and
19 inserting following: “shall be—

20 “(A) for fiscal year 2008, \$10 per month;

21 “(B) for fiscal year 2009, \$12 per month;

22 and

23 “(C) for each subsequent fiscal year, the
24 applicable amount during the preceding fiscal
25 year, as adjusted to reflect changes for the 12-

1 month period ending the preceding November
2 30 in the Consumer Price Index for all Urban
3 Consumers published by the Bureau of Labor
4 Statistics of the Department of Labor.”; and
5 (4) by adding at the end the following:

6 “(3) REQUIREMENT.—Each adjustment under
7 paragraph (2)(C) shall be based on the unrounded
8 amount for the prior 12-month period.”.

9 **SEC. 4110. AVAILABILITY OF COMMODITIES FOR THE EMER-**
10 **GENCY FOOD ASSISTANCE PROGRAM.**

11 (a) IN GENERAL.—Section 27(a) of the Food and
12 Nutrition Act of 2007 (7 U.S.C. 2036(a)) is amended—

13 (1) by striking “(a) PURCHASE OF COMMOD-

14 ITIES” and all that follows through “through 2007”
15 and inserting the following:

16 “(a) PURCHASE OF COMMODITIES.—

17 “(1) IN GENERAL.—Subject to paragraph (2),
18 for fiscal year 2008 and each fiscal year thereafter”;
19 and

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

21 “(2) AMOUNTS.—In addition to the amounts
22 made available under paragraph (1), for fiscal year
23 2008 and each fiscal year thereafter, from amounts
24 made available to carry out this Act, the Secretary

1 shall use to carry out this subsection
2 \$100,000,000.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) take effect on the date of enactment of this
5 Act.

6 **PART III—IMPROVING PROGRAM OPERATIONS**

7 **SEC. 4201. TECHNICAL CLARIFICATION REGARDING ELIGI-** 8 **BILITY.**

9 Section 6(k) of the Food and Nutrition Act of 2007
10 (7 U.S.C. 2015(k)) is amended—

11 (1) by redesignating paragraphs (1) and (2) as
12 subparagraphs (A) and (B), respectively, and indent-
13 ing appropriately;

14 (2) by striking “No member” and inserting the
15 following:

16 “(1) IN GENERAL.—No member”; and

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

18 “(2) PROCEDURES.—The Secretary shall issue
19 consistent procedures—

20 “(A) to define the terms ‘fleeing’ and ‘ac-
21 tively seeking’ for purposes of this subsection;
22 and

23 “(B) to ensure that State agencies use
24 consistent procedures to target individuals
25 whom law enforcement authorities are actively

1 seeking for the purpose of holding criminal pro-
2 ceedings against the individual.”.

3 **SEC. 4202. ISSUANCE AND USE OF PROGRAM BENEFITS.**

4 (a) IN GENERAL.—Section 7 of the Food and Nutri-
5 tion Act of 2007 (7 U.S.C. 2016) is amended—

6 (1) by striking the section designation and
7 heading and all that follows through “subsection (j))
8 shall be” and inserting the following:

9 **“SEC. 7. ISSUANCE AND USE OF PROGRAM BENEFITS.**

10 “(a) IN GENERAL.—Except as provided in subsection
11 (i), EBT cards shall be”;

12 (2) in subsection (b)—

13 (A) by striking “(b) Coupons” and insert-
14 ing the following:

15 “(b) USE.—Benefits”; and

16 (B) by striking the second proviso;

17 (3) in subsection (c)—

18 (A) by striking “(c) Coupons” and insert-
19 ing the following:

20 “(c) DESIGN.—

21 “(1) IN GENERAL.—EBT cards”;

22 (B) in the first sentence, by striking “and
23 define their denomination”; and

24 (C) by striking the second sentence and in-
25 serting the following:

1 “(2) PROHIBITION.—The name of any public
2 official shall not appear on any EBT card.”;

3 (4) by striking subsection (d);

4 (5) in subsection (e)—

5 (A) by striking “coupons” each place it ap-
6 pears and inserting “benefits”; and

7 (B) by striking “coupon issuers” each
8 place it appears and inserting “benefit issuers”;

9 (6) in subsection (f)—

10 (A) by striking “coupons” each place it ap-
11 pears and inserting “benefits”;

12 (B) by striking “coupon issuer” and insert-
13 ing “benefit issuers”;

14 (C) by striking “section 11(e)(20)” and in-
15 serting “section 11(e)(19).”; and

16 (D) by striking “and allotments”;

17 (7) by striking subsection (g) and inserting the
18 following:

19 “(g) ALTERNATIVE BENEFIT DELIVERY.—

20 “(1) IN GENERAL.—If the Secretary deter-
21 mines, in consultation with the Inspector General of
22 the Department of Agriculture, that it would im-
23 prove the integrity of the food and nutrition pro-
24 gram, the Secretary shall require a State agency to
25 issue or deliver benefits using alternative methods.

1 “(2) NO IMPOSITION OF COSTS.—The cost of
2 documents or systems that may be required by this
3 subsection may not be imposed upon a retail food
4 store participating in the food and nutrition pro-
5 gram.

6 “(3) DEVALUATION AND TERMINATION OF
7 ISSUANCE OF PAPER COUPONS.—

8 “(A) COUPON ISSUANCE.—Effective on the
9 date of enactment of the Food and Energy Se-
10 curity Act of 2007, no State shall issue any
11 coupon, stamp, certificate, or authorization card
12 to a household that receives food and nutrition
13 benefits under this Act.

14 “(B) EBT CARDS.—Effective beginning on
15 the date that is 1 year after the date of enact-
16 ment of the Food and Energy Security Act of
17 2007, only an EBT card issued under sub-
18 section (i) shall be eligible for exchange at any
19 retail food store.

20 “(C) DE-OBLIGATION OF COUPONS.—Cou-
21 pons not redeemed during the 1-year period be-
22 ginning on the date of enactment of the Food
23 and Energy Security Act of 2007 shall—

24 “(i) no longer be an obligation of the
25 Federal Government; and

1 “(ii) not be redeemable.”;

2 (8) in subsection (h)(1), by striking “coupons”
3 and inserting “benefits”;

4 (9) in subsection (j)—

5 (A) in paragraph (2)(A)(ii), by striking
6 “printing, shipping, and redeeming coupons”
7 and inserting “issuing and redeeming benefits”;
8 and

9 (B) in paragraph (5), by striking “coupon”
10 and inserting “benefit”;

11 (10) in subsection (k)—

12 (A) by striking “coupons in the form of”
13 each place it appears and inserting “program
14 benefits in the form of”;

15 (B) by striking “a coupon issued in the
16 form of” each place it appears and inserting
17 “program benefits in the form of”; and

18 (C) in subparagraph (A), by striking “sub-
19 section (i)(11)(A)” and inserting “subsection
20 (h)(11)(A)”; and

21 (11) by redesignating subsections (e) through
22 (k) as subsections (d) through (j), respectively.

23 (b) CONFORMING AMENDMENTS.—

24 (1) Section 3 of the Food and Nutrition Act of
25 2007 (7 U.S.C. 2012) is amended—

1 (A) in subsection (a), by striking “cou-
2 pons” and inserting “benefits”;

3 (B) by striking subsection (b) and insert-
4 ing the following:

5 “(b) BENEFIT.—The term ‘benefit’ means the value
6 of food and nutrition assistance provided to a household
7 by means of—

8 “(1) an electronic benefit transfer under section
9 7(i); or

10 “(2) other means of providing assistance, as de-
11 termined by the Secretary.”;

12 (C) in subsection (c), in the first sentence,
13 by striking “authorization cards” and inserting
14 “benefits”;

15 (D) in subsection (d), by striking “or ac-
16 cess device” and all that follows through the
17 end of the subsection and inserting a period;

18 (E) in subsection (e)—

19 (i) by striking “(e) ‘Coupon issuer’
20 means” and inserting the following:

21 “(e) BENEFIT ISSUER.—The term ‘benefit issuer’
22 means”; and

23 (ii) by striking “coupons” and insert-
24 ing “benefits”;

1 (F) in subsection (g)(7), by striking “sub-
2 section (r)” and inserting “subsection (j)”;

3 (G) in subsection (i)(5)—

4 (i) in subparagraph (B), by striking
5 “subsection (r)” and inserting “subsection
6 (j)”; and

7 (ii) in subparagraph (D), by striking
8 “coupons” and inserting “benefits”;

9 (H) in subsection (j), by striking “(as that
10 term is defined in subsection (p))”;

11 (I) in subsection (k)—

12 (i) in paragraph (1)(A), by striking
13 “subsection (u)(1)” and inserting “sub-
14 section (r)(1)”;

15 (ii) in paragraph (2), by striking
16 “subsections (g)(3), (4), (5), (7), (8), and
17 (9) of this section” and inserting “para-
18 graphs (3), (4), (5), (7), (8), and (9) of
19 subsection (k)”;

20 (iii) in paragraph (3), by striking
21 “subsection (g)(6) of this section” and in-
22 serting “subsection (k)(6)”;

23 (J) in subsection (t), by inserting “, in-
24 cluding point of sale devices,” after “other
25 means of access”;

1 (K) in subsection (u), by striking “(as de-
2 fined in subsection (g))”; and

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

4 “(v) EBT CARD.—The term ‘EBT card’ means an
5 electronic benefit transfer card issued under section 7(i).”;

6 and

7 (M) by redesignating subsections (a)
8 through (v) as subsections (b), (d), (f), (g), (e),
9 (h), (k), (l), (n), (o), (p), (q), (s), (t), (u), (v),
10 (c), (j), (m), (a), (r), and (i), respectively, and
11 moving so as to appear in alphabetical order.

12 (2) Section 4(a) of the Food and Nutrition Act
13 of 2007 (7 U.S.C. 2013(a)) is amended—

14 (A) by striking “coupons” each place it ap-
15 pears and inserting “benefits”; and

16 (B) by striking “Coupons issued” and in-
17 serting “benefits issued”.

18 (3) Section 5 of the Food and Nutrition Act of
19 2007 (7 U.S.C. 2014) is amended—

20 (A) in subsection (a), by striking “section
21 3(i)(4)” and inserting “section 3(n)(4)”;

22 (B) in subsection (h)(3)(B), in the second
23 sentence, by striking “section 7(i)” and insert-
24 ing “section 7(h)”; and

1 (C) in subsection (i)(2)(E), by striking “,
2 as defined in section 3(i) of this Act,”.

3 (4) Section 6 of the Food and Nutrition Act of
4 2007 (7 U.S.C. 2015) is amended—

5 (A) in subsection (b)(1)—

6 (i) in subparagraph (B), by striking
7 “coupons or authorization cards” and in-
8 serting “program benefits”; and

9 (ii) by striking “coupons” each place
10 it appears and inserting “benefits”; and

11 (B) in subsection (d)(4)(L), by striking
12 “section 11(e)(22)” and inserting “section
13 11(e)(19)”.

14 (5) Section 7(f) of the Food and Nutrition Act
15 of 2007 (7 U.S.C. 2016(f)) is amended by striking
16 “including any losses” and all that follows through
17 “section 11(e)(20),”.

18 (6) Section 8 of the Food and Nutrition Act of
19 2007 (7 U.S.C. 2017) is amended—

20 (A) in subsection (b), by striking “, wheth-
21 er through coupons, access devices, or other-
22 wise”; and

23 (B) in subsections (e)(1) and (f), by strik-
24 ing “section 3(i)(5)” each place it appears and
25 inserting “section 3(n)(5)”.

1 (7) Section 9 of the Food and Nutrition Act of
2 2007 (7 U.S.C. 2018) is amended—

3 (A) by striking “coupons” each place it ap-
4 pears and inserting “benefits”;

5 (B) in subsection (a)—

6 (i) in paragraph (1), by striking “cou-
7 pon business” and inserting “benefit trans-
8 actions”; and

9 (ii) by striking paragraph (3) and in-
10 sserting the following:

11 “(3) AUTHORIZATION PERIODS.—The Secretary
12 shall establish specific time periods during which au-
13 thorization to accept and redeem benefits shall be
14 valid under the food and nutrition program.”; and

15 (C) in subsection (g), by striking “section
16 3(g)(9)” and inserting “section 3(k)(9)”.

17 (8) Section 10 of the Food and Nutrition Act
18 of 2007 (7 U.S.C. 2019) is amended—

19 (A) by striking the section designation and
20 heading and all that follows through “Regula-
21 tions” and inserting the following:

22 **“SEC. 10. REDEMPTION OF PROGRAM BENEFITS.**

23 “Regulations”;

24 (B) by striking “section 3(k)(4) of this
25 Act” and inserting “section 3(p)(4)”;

1 (C) by striking “section 7(i)” and inserting
2 “section 7(h)”;

3 (D) by striking “coupons” each place it
4 appears and inserting “benefits”.

5 (9) Section 11 of the Food and Nutrition Act
6 of 2007 (7 U.S.C. 2020) is amended—

7 (A) in subsection (d)—

8 (i) by striking “section 3(n)(1) of this
9 Act” each place it appears and inserting
10 “section 3(t)(1)”;

11 (ii) by striking “section 3(n)(2) of this
12 Act” each place it appears and inserting
13 “section 3(t)(2)”;

14 (B) in subsection (e)—

15 (i) in paragraph (8)(E), by striking
16 “paragraph (16) or (20)(B)” and inserting
17 “paragraph (15) or (18)(B)”;

18 (ii) by striking paragraphs (15) and
19 (19);

20 (iii) by redesignating paragraphs (16)
21 through (18) and (20) through (25) as
22 paragraphs (15) through (17) and (18)
23 through (23), respectively; and

24 (iv) in paragraph (17) (as so redesignated),
25 by striking “(described in section

1 3(n)(1) of this Act)” and inserting “de-
2 scribed in section 3(t)(1)”;

3 (C) in subsection (h), by striking “coupon
4 or coupons” and inserting “benefits”;

5 (D) by striking “coupon” each place it ap-
6 pears and inserting “benefit”;

7 (E) by striking “coupons” each place it ap-
8 pears and inserting “benefits”;

9 (F) in subsection (q), by striking “section
10 11(e)(20)(B)” and inserting “subsection
11 (e)(18)(B)”

12 (10) Section 13 of the Food and Nutrition Act
13 of 2007 (7 U.S.C. 2022) is amended by striking
14 “coupons” each place it appears and inserting “ben-
15 efits”.

16 (11) Section 15 of the Food and Nutrition Act
17 of 2007 (7 U.S.C. 2024) is amended—

18 (A) in subsection (a), by striking “cou-
19 pons” and inserting “benefits”;

20 (B) in subsection (b)(1)—

21 (i) by striking “coupons, authorization
22 cards, or access devices” each place it ap-
23 pears and inserting “benefits”;

24 (ii) by striking “coupons or authoriza-
25 tion cards” and inserting “benefits”; and

1 (iii) by striking “access device” each
2 place it appears and inserting “benefit”;

3 (C) in subsection (c), by striking “cou-
4 pons” each place it appears and inserting “ben-
5 efits”;

6 (D) in subsection (d), by striking “Cou-
7 pons” and inserting “Benefits”;

8 (E) by striking subsections (e) and (f);

9 (F) by redesignating subsections (g) and
10 (h) as subsections (e) and (f), respectively; and

11 (G) in subsection (e) (as so redesignated),
12 by striking “coupon, authorization cards or ac-
13 cess devices” and inserting “benefits”.

14 (12) Section 16(a) of the Food and Nutrition
15 Act of 2007 (7 U.S.C. 2025(a)) is amended by strik-
16 ing “coupons” each place it appears and inserting
17 “benefits”.

18 (13) Section 17 of the Food and Nutrition Act
19 of 2007 (7 U.S.C. 2026) is amended—

20 (A) in subsection (a)(2), by striking “cou-
21 pon” and inserting “benefit”;

22 (B) in subsection (b)(1)—

23 (i) in subparagraph (B)—

24 (I) in clause (iv)—

1 (aa) in subclause (I), insert-
2 ing “or otherwise providing bene-
3 fits in a form not restricted to
4 the purchase of food” after “of
5 cash”;

6 (bb) in subclause (III)(aa),
7 by striking “section 3(i)” and in-
8 serting “section 3(n)”; and

9 (cc) in subclause (VII), by
10 striking “section 7(j)” and in-
11 serting “section 7(i)”; and

12 (II) in clause (v)—

13 (aa) by striking
14 “countersigned food coupons or
15 similar”; and

16 (bb) by striking “food cou-
17 pons” and inserting “EBT
18 cards”; and

19 (ii) in subparagraph (C)(i)(I), by
20 striking “coupons” and inserting “EBT
21 cards”;

22 (C) in subsection (f), by striking “section
23 7(g)(2)” and inserting “section 7(f)(2)”; and

24 (D) in subsection (j), by striking “coupon”
25 and inserting “benefit”.

1 (14) Section 19(a)(2)(A)(ii) of the Food and
2 Nutrition Act of 2007 (7 U.S.C. 2028(a)(2)(A)(ii))
3 is amended by striking “section 3(o)(4)” and insert-
4 ing “section 3(u)(4)”.

5 (15) Section 21 of the Food and Nutrition Act
6 of 2007 (7 U.S.C. 2030) is amended—

7 (A) in subsection (b)(2)(G)(i), by striking
8 “and (19)” and inserting “(and (17))”;

9 (B) in subsection (d)(3), by striking “food
10 coupons” and inserting “EBT cards”; and

11 (C) by striking “coupons” each place it ap-
12 pears and inserting “EBT cards”.

13 (16) Section 22 of the Food and Nutrition Act
14 of 2007 (7 U.S.C. 2031) is amended—

15 (A) by striking “food coupons” each place
16 it appears and inserting “benefits”;

17 (B) by striking “coupons” each place it ap-
18 pears and inserting “benefits”; and

19 (C) in subsection (g)(1)(A), by striking
20 “coupon” and inserting “benefits”.

21 (17) Section 26(f)(3) of the Food and Nutrition
22 Act of 2007 (7 U.S.C. 2035(f)(3)) is amended—

23 (A) in subparagraph (A), by striking “sub-
24 sections (a) through (g)” and inserting “sub-
25 sections (a) through (f)”;

1 (B) in subparagraph (E), by striking
2 “(16), (18), (20), (24), and (25)” and inserting
3 “(15), (17), (18), (22), and (23)”.

4 (c) CONFORMING CROSS-REFERENCES.—

5 (1) IN GENERAL.—

6 (A) USE OF TERMS.—Each provision of
7 law described in subparagraph (B) is amended
8 (as applicable)—

9 (i) by striking “coupons” each place it
10 appears and inserting “benefits”;

11 (ii) by striking “coupon” each place it
12 appears and inserting “benefit”;

13 (iii) by striking “food coupons” each
14 place it appears and inserting “benefits”;

15 (iv) in each section heading, by strik-
16 ing “**FOOD COUPONS**” each place it ap-
17 pears and inserting “**BENEFITS**”;

18 (v) by striking “food stamp coupon”
19 each place it appears and inserting “ben-
20 efit”; and

21 (vi) by striking “food stamps” each
22 place it appears and inserting “benefits”.

23 (B) PROVISIONS OF LAW.—The provisions
24 of law referred to in subparagraph (A) are the
25 following:

1 (i) Section 2 of Public Law 103–205
2 (7 U.S.C. 2012 note; 107 Stat. 2418).

3 (ii) Section 1956(c)(7)(D) of title 18,
4 United States Code.

5 (iii) Titles II through XIX of the So-
6 cial Security Act (42 U.S.C. 401 et seq.).

7 (iv) Section 401(b)(3) of the Social
8 Security Amendments of 1972 (42 U.S.C.
9 1382e note; Public Law 92–603).

10 (v) The Robert T. Stafford Disaster
11 Relief and Emergency Assistance Act (42
12 U.S.C. 5121 et seq.).

13 (vi) Section 802(d)(2)(A)(i)(II) of the
14 Cranston-Gonzalez National Affordable
15 Housing Act (42 U.S.C.
16 8011(d)(2)(A)(i)(II)).

17 (2) DEFINITION REFERENCES.—

18 (A) Section 2 of Public Law 103–205 (7
19 U.S.C. 2012 note; 107 Stat. 2418) is amended
20 by striking “section 3(k)(1)” and inserting
21 “section 3(p)(1)”.

22 (B) Section 205 of the Food Stamp Pro-
23 gram Improvements Act of 1994 (7 U.S.C.
24 2012 note; Public Law 103–225) is amended by
25 striking “section 3(k) of such Act (as amended

1 by section 201)” and inserting “section 3(p) of
2 that Act”.

3 (C) Section 115 of the Personal Responsi-
4 bility and Work Opportunity Reconciliation Act
5 of 1996 (21 U.S.C. 862a) is amended—

6 (i) by striking “section 3(h)” each
7 place it appears and inserting “section
8 3(l)”;

9 (ii) in subsection (e)(2), by striking
10 “section 3(m)” and inserting “section
11 3(s)”.

12 (D) Section 402(a) of the Personal Re-
13 sponsibility and Work Opportunity Reconcili-
14 ation Act of 1996 (8 U.S.C. 1612(a)) is amend-
15 ed—

16 (i) in paragraph (2)(F)(ii), by striking
17 “section 3(r)” and inserting “section 3(j)”;
18 and

19 (ii) in paragraph (3)(B), by striking
20 “section 3(h)” and inserting “section 3(l)”.

21 (E) Section 3803(c)(2)(C)(vii) of title 31,
22 United States Code, is amended by striking
23 “section 3(h)” and inserting “section 3(l)”.

24 (F) Section 303(d)(4) of the Social Secu-
25 rity Act (42 U.S.C. 503(d)(4)) is amended by

1 striking “section 3(n)(1)” and inserting “sec-
2 tion 3(t)(1)”.

3 (G) Section 404 of the Social Security Act
4 (42 U.S.C. 604) is amended by striking “sec-
5 tion 3(h)” each place it appears and inserting
6 “section 3(l)”.

7 (H) Section 531 of the Social Security Act
8 (42 U.S.C. 654) is amended by striking “sec-
9 tion 3(h)” each place it appears and inserting
10 “section 3(l)”.

11 (I) Section 802(d)(2)(A)(i)(II) of the
12 Cranston-Gonzalez National Affordable Hous-
13 ing Act (42 U.S.C. 8011(d)(2)(A)(i)(II)) is
14 amended by striking “(as defined in section
15 3(e) of such Act)”.

16 (d) REFERENCES.—Any reference in any Federal,
17 State, tribal, or local law (including regulations) to a “cou-
18 pon”, “authorization card”, or other access device pro-
19 vided under the Food and Nutrition Act of 2007 (7 U.S.C.
20 2011 et seq.) shall be considered to be a reference to a
21 “benefit” provided under that Act.

22 **SEC. 4203. CLARIFICATION OF SPLIT ISSUANCE.**

23 Section 7(h) of the Food and Nutrition Act of 2007
24 (7 U.S.C. 2016(h)) is amended by striking paragraph (2)
25 and inserting the following:

1 “(2) REQUIREMENTS.—

2 “(A) IN GENERAL.—Any procedure estab-
3 lished under paragraph (1) shall—

4 “(i) not reduce the allotment of any
5 household for any period; and

6 “(ii) ensure that no household experi-
7 ences an interval between issuances of
8 more than 40 days.

9 “(B) MULTIPLE ISSUANCES.—The proce-
10 dure may include issuing benefits to a house-
11 hold in more than 1 issuance only when a ben-
12 efit correction is necessary.”.

13 **SEC. 4204. STATE OPTION FOR TELEPHONIC SIGNATURE.**

14 Section 11(e)(2)(C) of the Food and Nutrition Act
15 of 2007 (7 U.S.C. 2020(e)(2)(C)) is amended—

16 (1) by striking “Nothing in this Act” and in-
17 serting the following:

18 “(C) ELECTRONIC AND AUTOMATED SYS-
19 TEMS.—

20 “(i) IN GENERAL.—Nothing in this
21 Act”; and

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

23 “(ii) STATE OPTION FOR TELEPHONIC
24 SIGNATURE.—A State agency may estab-
25 lish a system by which an applicant house-

1 hold may sign an application through a re-
2 corded verbal assent over the telephone.

3 “(iii) REQUIREMENTS.—A system es-
4 tablished under clause (ii) shall—

5 “(I) record for future reference
6 the verbal assent of the household
7 member and the information to which
8 assent was given;

9 “(II) include effective safeguards
10 against impersonation, identity theft,
11 and invasions of privacy;

12 “(III) not deny or interfere with
13 the right of the household to apply in
14 writing;

15 “(IV) promptly provide to the
16 household member a written copy of
17 the completed application, with in-
18 structions for a simple procedure for
19 correcting any errors or omissions;

20 “(V) comply with paragraph
21 (1)(B);

22 “(VI) satisfy all requirements for
23 a signature on an application under
24 this Act and other laws applicable to
25 the food and nutrition program, with

1 the date on which the household mem-
2 ber provides verbal assent considered
3 as the date of application for all pur-
4 poses; and

5 “(VII) comply with such other
6 standards as the Secretary may estab-
7 lish.”.

8 **SEC. 4205. PRIVACY PROTECTIONS.**

9 Section 11(e)(8) of the Food and Nutrition Act of
10 2007 (7 U.S.C. 2020(e)(8)) is amended—

11 (1) in the matter preceding subparagraph (A)—

12 (A) by striking “limit” and inserting “pro-
13 hibit”; and

14 (B) by striking “to persons” and all that
15 follows through “State programs”;

16 (2) by redesignating subparagraphs (A) through
17 (E) as subparagraphs (B) through (F), respectively;

18 (3) by inserting before subparagraph (B) (as so
19 redesignated) the following:

20 “(A) the safeguards shall permit—

21 “(i) the disclosure of such information
22 to persons directly connected with the ad-
23 ministration or enforcement of the provi-
24 sions of this Act, regulations issued pursu-
25 ant to this Act, Federal assistance pro-

1 grams, or federally-assisted State pro-
2 grams; and

3 “(ii) the subsequent use of the infor-
4 mation by persons described in clause (i)
5 only for such administration or enforce-
6 ment;”; and

7 (4) in subparagraph (F) (as so redesignated) by
8 inserting “or subsection (u)” before the semicolon at
9 the end.

10 **SEC. 4206. STUDY ON COMPARABLE ACCESS TO FOOD AND**
11 **NUTRITION ASSISTANCE FOR PUERTO RICO.**

12 (a) IN GENERAL.—The Secretary shall carry out a
13 study of the feasibility and effects of including the Com-
14 monwealth of Puerto Rico in the definition of the term
15 “State” under section 3 of the Food and Nutrition Act
16 of 2007 (7 U.S.C. 2012), in lieu of providing block grants
17 under section 19 of that Act (7 U.S.C. 2028).

18 (b) INCLUSIONS.—The study shall include—

19 (1) an assessment of the administrative, finan-
20 cial management, and other changes that would be
21 necessary for the Commonwealth to establish a com-
22 parable food and nutrition program, including com-
23 pliance with appropriate program rules under the
24 Food and Nutrition Act of 2007 (7 U.S.C. 2011 et
25 seq.), such as—

1 (A) benefit levels under section 3(o) of that
2 Act (7 U.S.C. 3012(o));

3 (B) income eligibility standards under sec-
4 tions 5(c) and 6 of that Act (7 U.S.C. 2014(c),
5 2015); and

6 (C) deduction levels under section 5(e) of
7 that Act (7 U.S.C. 2014(e));

8 (2) an estimate of the impact on Federal and
9 Commonwealth benefit and administrative costs;

10 (3) an assessment of the impact of the program
11 on low-income Puerto Ricans, as compared to the
12 program under section 19 of that Act (7 U.S.C.
13 2028);

14 (4) such other matters as the Secretary con-
15 siders to be appropriate.

16 (c) REPORT.—Not later than 1 year after the date
17 of enactment of this Act, the Secretary shall submit to
18 the Committee on Agriculture of the House of Representa-
19 tives and the Committee on Agriculture, Nutrition, and
20 Forestry of the Senate a report that describes the results
21 of the study conducted under this section.

22 (d) FUNDING.—

23 (1) IN GENERAL.—On October 1, 2008, out of
24 any funds in the Treasury not otherwise appro-
25 priated, the Secretary of the Treasury shall transfer

1 to the Secretary to carry out this section
2 \$1,000,000, to remain available until expended.

3 (2) RECEIPT AND ACCEPTANCE.—The Sec-
4 retary shall be entitled to receive, shall accept, and
5 shall use to carry out this section the funds trans-
6 ferred under paragraph (1), without further appro-
7 priation.

8 **SEC. 4207. CIVIL RIGHTS COMPLIANCE.**

9 Section 11 of the Food and Nutrition Act of 2007
10 (7 U.S.C. 2020) is amended by striking subsection (c) and
11 inserting the following:

12 “(c) CIVIL RIGHTS COMPLIANCE.—

13 “(1) IN GENERAL.—In the certification of ap-
14 plicant households for the food and nutrition pro-
15 gram, there shall be no discrimination by reason of
16 race, sex, religious creed, national origin, or political
17 affiliation.

18 “(2) RELATION TO OTHER LAWS.—The admin-
19 istration of the program by a State agency shall be
20 consistent with the rights of households under the
21 following laws (including implementing regulations):

22 “(A) The Age Discrimination Act of 1975
23 (42 U.S.C. 6101 et seq.).

24 “(B) Section 504 of the Rehabilitation Act
25 of 1973 (29 U.S.C. 794).

1 “(C) The Americans with Disabilities Act
2 of 1990 (42 U.S.C. 12101 et seq.).

3 “(D) Title VI of the Civil Rights Act of
4 1964 (42 U.S.C. 2000d et seq.).”.

5 **SEC. 4208. EMPLOYMENT, TRAINING, AND JOB RETENTION.**

6 Section 6(d)(4) of the Food and Nutrition Act of
7 2007 (7 U.S.C. 2015(d)(4)) is amended—

8 (1) in subparagraph (B)—

9 (A) by redesignating clause (vii) as clause
10 (viii); and

11 (B) by inserting after clause (vi) the fol-
12 lowing:

13 “(vii) Programs intended to ensure
14 job retention by providing job retention
15 services, if the job retention services are
16 provided for a period of not more than 90
17 days after an individual who received em-
18 ployment and training services under this
19 paragraph gains employment.”; and

20 (2) in subparagraph (F), by adding at the end
21 the following:

22 “(iii) Any individual voluntarily elect-
23 ing to participate in a program under this
24 paragraph shall not be subject to the limi-
25 tations described in clauses (i) and (ii).”.

1 **SEC. 4209. CODIFICATION OF ACCESS RULES.**

2 Section 11(e)(1)) of the Food and Nutrition Act of
3 2007 (7 U.S.C. 2020(e)(1)) is amended—

4 (1) by striking “shall (A) at” and inserting
5 “shall—

6 “(A) at”; and

7 (2) by striking “and (B) use” and inserting
8 “and

9 “(B) comply with regulations of the Sec-
10 retary requiring the use of”.

11 **SEC. 4210. EXPANDING THE USE OF EBT CARDS AT FARM-**
12 **ERS’ MARKETS.**

13 (a) IN GENERAL.—For each of fiscal years 2008
14 through 2010, the Secretary shall make grants to pay 100
15 percent of the costs of eligible entities approved by the
16 Secretary to carry out projects to expand the number of
17 farmers’ markets that accept EBT cards by—

18 (1) providing equipment and training necessary
19 for farmers’ markets to accept EBT cards;

20 (2) educating and providing technical assistance
21 to farmers and farmers’ market operators about the
22 process and benefits of accepting EBT cards; or

23 (3) other activities considered to be appropriate
24 by the Secretary.

25 (b) LIMITATION.—A grant under this section—

1 (1) may not be made for the ongoing cost of
2 carrying out any project; and

3 (2) shall only be provided to eligible entities
4 that demonstrate a plan to continue to provide EBT
5 card access at 1 or more farmers' markets following
6 the receipt of the grant.

7 (c) **ELIGIBLE ENTITIES.**—To be eligible to receive a
8 grant under this section, an entity shall be—

9 (1) a State agency administering the food and
10 nutrition program established under the Food and
11 Nutrition Act of 2007 (7 U.S.C. 2011 et seq.);

12 (2) a State or local government; or

13 (3) a private nonprofit entity that coordinates
14 farmers' markets in a State in cooperation with a
15 State or local government.

16 (d) **SELECTION OF ELIGIBLE ENTITIES.**—The Sec-
17 retary—

18 (1) shall develop criteria to select eligible enti-
19 ties to receive grants under this section; and

20 (2) may give preference to any eligible entity
21 that consists of a partnership between a government
22 entity and a nongovernmental entity.

23 (e) **MANDATORY FUNDING.**—

24 (1) **IN GENERAL.**—On October 1, 2007, out of
25 any funds in the Treasury not otherwise appro-

1 appropriated, the Secretary of the Treasury shall transfer
2 to the Secretary of Agriculture to carry out this sec-
3 tion \$5,000,000, to remain available until expended.

4 (2) RECEIPT AND ACCEPTANCE.—The Sec-
5 retary shall be entitled to receive, shall accept, and
6 shall use to carry out this section the funds trans-
7 ferred under paragraph (1), without further appro-
8 priation.

9 **SEC. 4211. REVIEW OF MAJOR CHANGES IN PROGRAM DE-**
10 **SIGN.**

11 Section 11 of the Food and Nutrition Act of 2007
12 (7 U.S.C. 2020) is amended by striking subsection (a) and
13 inserting the following:

14 “(a) STATE RESPONSIBILITY.—

15 “(1) IN GENERAL.—The State agency of each
16 participating State shall have responsibility for certi-
17 fying applicant households and issuing EBT cards.

18 “(2) LOCAL ADMINISTRATION.—The responsi-
19 bility of the agency of the State government shall
20 not be affected by whether the program is operated
21 on a State-administered or county-administered
22 basis, as provided under section 3(t)(1).

23 “(3) RECORDS.—

24 “(A) IN GENERAL.—Each State agency
25 shall keep such records as may be necessary to

1 determined whether the program is being con-
2 ducted in compliance with this Act (including
3 regulations issued under this Act).

4 “(B) INSPECTION AND AUDIT.—Records
5 described in subparagraph (A) shall—

6 “(i) be available for inspection and
7 audit at any reasonable time;

8 “(ii) subject to subsection (e)(8), be
9 available for review in any action filed by
10 a household to enforce any provision of
11 this Act (including regulations issued
12 under this Act); and

13 “(iii) be preserved for such period of
14 not less than 3 years as may be specified
15 in regulations.

16 “(4) REVIEW OF MAJOR CHANGES IN PROGRAM
17 DESIGN.—

18 “(A) IN GENERAL.—The Secretary shall
19 develop standards for identifying major changes
20 in the operations of a State agency, including—

21 “(i) large or substantially-increased
22 numbers of low-income households that do
23 not live in reasonable proximity to an of-
24 fice performing the major functions de-
25 scribed in subsection (e);

1 “(ii) substantial increases in reliance
2 on automated systems for the performance
3 of responsibilities previously performed by
4 personnel described in subsection
5 (e)(6)(B);

6 “(iii) changes that potentially increase
7 the difficulty of reporting information
8 under subsection (e) or section 6(e); and

9 “(iv) changes that may disproportion-
10 ately increase the burdens on any of the
11 types of households described in subsection
12 (e)(2)(A).

13 “(B) NOTIFICATION.—If a State agency
14 implements a major change in operations, the
15 State agency shall—

16 “(i) notify the Secretary; and

17 “(ii) collect such information as the
18 Secretary shall require to identify and cor-
19 rect any adverse effects on program integ-
20 rity or access, including access by any of
21 the types of households described in sub-
22 section (e)(2)(A).”.

1 **SEC. 4212. PRESERVATION OF ACCESS AND PAYMENT AC-**
2 **CURACY.**

3 Section 16 of the Food and Nutrition Act of 2007
4 (7 U.S.C. 2025) is amended by striking subsection (g) and
5 inserting the following:

6 “(g) COST SHARING FOR COMPUTERIZATION.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graphs (2) and (3), the Secretary is authorized to
9 pay to each State agency the amount provided under
10 subsection (a)(6) for the costs incurred by the State
11 agency in the planning, design, development, or in-
12 stallation of 1 or more automatic data processing
13 and information retrieval systems that the Secretary
14 determines—

15 “(A) would assist in meeting the require-
16 ments of this Act;

17 “(B) meet such conditions as the Secretary
18 prescribes;

19 “(C) are likely to provide more efficient
20 and effective administration of the food and nu-
21 trition program;

22 “(D) would be compatible with other sys-
23 tems used in the administration of State pro-
24 grams funded under part A of title IV of the
25 Social Security Act (42 U.S.C. 601 et seq.);

1 “(E) would be tested adequately before
2 and after implementation, including through
3 pilot projects in limited areas for major systems
4 changes as determined under rules promulgated
5 by the Secretary, data from which shall be thor-
6 oughly evaluated before the Secretary approves
7 the system to be implemented more broadly;
8 and

9 “(F) would be operated in accordance with
10 an adequate plan for—

11 “(i) continuous updating to reflect
12 changed policy and circumstances; and

13 “(ii) testing the effect of the system
14 on access for eligible households and on
15 payment accuracy.

16 “(2) **LIMITATION.**—The Secretary shall not
17 make payments to a State agency under paragraph
18 (1) to the extent that the State agency—

19 “(A) is reimbursed for the costs under any
20 other Federal program; or

21 “(B) uses the systems for purposes not
22 connected with the food and nutrition pro-
23 gram.”.

1 **SEC. 4213. NUTRITION EDUCATION.**

2 (a) **AUTHORITY TO PROVIDE NUTRITION EDU-**
3 **CATION.**—Section 4(a) of the Food and Nutrition Act of
4 2007 (7 U.S.C. 2013(a)) is amended in the first sentence
5 by inserting “and through an approved State plan, nutri-
6 tion education” after “an allotment”.

7 (b) **IMPLEMENTATION.**—Section 11 of the Food and
8 Nutrition Act of 2007 (7 U.S.C. 2020(f)) is amended by
9 striking subsection (f) and inserting the following:

10 “(f) **NUTRITION EDUCATION.**—

11 “(1) **IN GENERAL.**—State agencies may imple-
12 ment a nutrition education program for individuals
13 eligible for program benefits that promotes healthy
14 food choices consistent with the most recent Dietary
15 Guidelines for Americans published under section
16 301 of the National Nutrition Monitoring and Re-
17 lated Research Act of 1990 (7 U.S.C. 5341).

18 “(2) **DELIVERY OF NUTRITION EDUCATION.**—
19 State agencies may deliver nutrition education di-
20 rectly to eligible persons or through agreements with
21 the Cooperative State Research, Education, and Ex-
22 tension Service, including through the expanded food
23 and nutrition education under section 3(d) of the
24 Act of May 8, 1914 (7 U.S.C. 343(d)), and other
25 State and community health and nutrition providers
26 and organizations.

1 “(3) NUTRITION EDUCATION STATE PLANS.—

2 “(A) IN GENERAL.—A State agency that
3 elects to provide nutrition education under this
4 subsection shall submit a nutrition education
5 State plan to the Food and Nutrition Service
6 for approval.

7 “(B) REQUIREMENTS.—The plan shall—

8 “(i) identify the uses of the funding
9 for local projects; and

10 “(ii) conform to standards established
11 by the Secretary through regulations or
12 guidance.

13 “(C) REIMBURSEMENT.—State costs for
14 providing nutrition education under this sub-
15 section shall be reimbursed pursuant to section
16 16(a).

17 “(4) NOTIFICATION.—To the maximum extent
18 practicable, State agencies shall notify applicants,
19 participants, and eligible program participants of the
20 availability of nutrition education under this sub-
21 section.”.

1 **PART IV—IMPROVING PROGRAM INTEGRITY**

2 **SEC. 4301. MAJOR SYSTEMS FAILURES.**

3 (a) IN GENERAL.—Section 13(b) of the Food and
4 Nutrition Act of 2007 (7 U.S.C. 2022(b)) is amended by
5 adding at the end the following:

6 “(5) OVER ISSUANCES CAUSED BY SYSTEMIC
7 STATE ERRORS.—

8 “(A) IN GENERAL.—If the Secretary deter-
9 mines that a State agency over issued benefits
10 to a substantial number of households in a fis-
11 cal year as a result of a major systemic error
12 by the State agency, as determined by the Sec-
13 retary, the Secretary may prohibit the State
14 agency from collecting these over issuances
15 from some or all households.

16 “(B) PROCEDURES.—

17 “(i) INFORMATION REPORTING BY
18 STATES.—Every State agency shall provide
19 to the Secretary all information requested
20 by the Secretary concerning the issuance of
21 benefits to households by the State agency
22 in the applicable fiscal year.

23 “(ii) FINAL DETERMINATION.—After
24 reviewing relevant information provided by
25 a State agency, the Secretary shall make a
26 final determination—

1 “(I) whether the State agency
2 over issued benefits to a substantial
3 number of households as a result of a
4 systemic error in the applicable fiscal
5 year; and

6 “(II) as to the amount of the
7 over issuance in the applicable fiscal
8 year for which the State agency is lia-
9 ble.

10 “(iii) ESTABLISHING A CLAIM.—Upon
11 determining under clause (ii) that a State
12 agency has over issued benefits to house-
13 holds due to a major systemic error deter-
14 mined under subparagraph (A), the Sec-
15 retary shall establish a claim against the
16 State agency equal to the value of the over
17 issuance caused by the systemic error.

18 “(iv) ADMINISTRATIVE AND JUDICIAL
19 REVIEW.—Administrative and judicial re-
20 view, as provided in section 14, shall apply
21 to the final determinations by the Sec-
22 retary under clause (ii).

23 “(v) REMISSION TO THE SEC-
24 RETARY.—

1 “(I) DETERMINATION NOT AP-
2 PEALED.—If the determination of the
3 Secretary under clause (ii) is not ap-
4 pealed, the State agency shall, as soon
5 as practicable, remit to the Secretary
6 the dollar amount specified in the
7 claim under clause (iii).

8 “(II) DETERMINATION AP-
9 PEALED.—If the determination of the
10 Secretary under clause (ii) is ap-
11 pealed, upon completion of adminis-
12 trative and judicial review under
13 clause (iv), and a finding of liability
14 on the part of the State, the appealing
15 State agency shall, as soon as prac-
16 ticable, remit to the Secretary a dollar
17 amount subject to the finding of the
18 administrative and judicial review.

19 “(vi) ALTERNATIVE METHOD OF COL-
20 LECTION.—

21 “(I) IN GENERAL.—If a State
22 agency fails to make a payment under
23 clause (v) within a reasonable period
24 of time, as determined by the Sec-
25 retary, the Secretary may reduce any

1 amount due to the State agency under
2 any other provision of this Act by the
3 amount due.

4 “(II) ACCRUAL OF INTEREST.—
5 During the period of time determined
6 by the Secretary to be reasonable
7 under subclause (I), interest in the
8 amount owed shall not accrue.

9 “(vii) LIMITATION.—Any liability
10 amount established under section
11 16(c)(1)(C) shall be reduced by the
12 amount of the claim established under this
13 subparagraph.”.

14 (b) CONFORMING AMENDMENT.—Section 14(a)(6) of
15 the Food and Nutrition Act of 2007 (7 U.S.C. 2022(b))
16 is amended by striking “pursuant to section” and insert-
17 ing “pursuant to section 13(b)(5) and”.

18 **SEC. 4302. PERFORMANCE STANDARDS FOR BIOMETRIC**
19 **IDENTIFICATION TECHNOLOGY.**

20 Section 16 of the Food and Nutrition Act of 2007
21 (7 U.S.C. 2025) is amended by adding at the end the fol-
22 lowing:

23 “(1) PERFORMANCE STANDARDS FOR BIOMETRIC
24 IDENTIFICATION TECHNOLOGY.—

1 “(1) DEFINITION OF BIOMETRIC IDENTIFICA-
2 TION TECHNOLOGY.—In this subsection, the term
3 ‘biometric identification technology’ means a tech-
4 nology that provides an automated method to iden-
5 tify an individual based on physical characteristics,
6 such as fingerprints or retinal scans.

7 “(2) ADMINISTRATIVE FUNDS.—The Secretary
8 may not pay a State agency any amount for admin-
9 istrative costs for the development, purchase, admin-
10 istration, or other costs associated with the use of
11 biometric identification technology unless the State
12 agency has, under such terms and conditions as the
13 Secretary considers appropriate—

14 “(A) provided to the Secretary an analysis
15 of the cost-effectiveness of the use of the pro-
16 posed biometric identification technology to de-
17 tect fraud in carrying out the food and nutri-
18 tion program;

19 “(B) demonstrated to the Secretary that
20 the analysis is—

21 “(i) statistically valid; and

22 “(ii) based on appropriate and valid
23 assumptions for the households served by
24 the food and nutrition program;

25 “(C) demonstrated to the Secretary that—

1 “(i) the proposed biometric identifica-
2 tion technology is cost-effective in reducing
3 fraud; and

4 “(ii) there are no other technologies
5 or fraud-detection methods that are at
6 least as cost-effective in carrying out the
7 purposes of the proposed biometric identi-
8 fication system; and

9 “(D) demonstrated to the Secretary that
10 no information produced by or used in the bio-
11 metric information technology system will be
12 made available or used for any purpose other
13 than a purpose allowed under section 11(e)(8).

14 “(3) STANDARDS.—The Secretary shall estab-
15 lish uniform standards for the evaluation of cost-ef-
16 fectiveness analyses submitted to the Secretary
17 under paragraph (2).”.

18 **SEC. 4303. CIVIL PENALTIES AND DISQUALIFICATION OF**
19 **RETAIL FOOD STORES AND WHOLESALE**
20 **FOOD CONCERNS.**

21 Section 12 of the Food and Nutrition Act of 2007
22 (7 U.S.C. 2021) is amended—

23 (1) by striking the section designation and
24 heading and all that follows through the end of sub-
25 section (a) and inserting the following:

1 **“SEC. 12. CIVIL PENALTIES AND DISQUALIFICATION OF RE-**
2 **TAIL FOOD STORES AND WHOLESALE FOOD**
3 **CONCERNS.**

4 “(a) DISQUALIFICATION.—

5 “(1) IN GENERAL.—An approved retail food
6 store or wholesale food concern may be—

7 “(A) disqualified for a specified period of
8 time from further participation in the food and
9 nutrition program; or

10 “(B) assessed a civil penalty of up to
11 \$100,000 for each violation.

12 “(2) REGULATIONS.—Regulations promulgated
13 under this Act shall provide criteria for the finding
14 of a violation of, the suspension or disqualification
15 of, and the assessment of a civil penalty against, a
16 retail food store or wholesale food concern on the
17 basis of evidence that may include facts established
18 through on-site investigations, inconsistent redemp-
19 tion data, or evidence obtained through a trans-
20 action report under an electronic benefit transfer
21 system.”;

22 (2) in subsection (b)—

23 (A) by striking “(b) Disqualification” and
24 inserting the following:

25 “(b) PERIOD OF DISQUALIFICATION.—Subject to
26 subsection (c), a disqualification”;

1 (B) in paragraph (1), by striking “of no
2 less than six months nor more than five years”
3 and inserting “not to exceed 5 years”;

4 (C) in paragraph (2), by striking “of no
5 less than twelve months nor more than ten
6 years” and inserting “not to exceed 10 years”;

7 (D) in paragraph (3)(B)—

8 (i) by inserting “or a finding of the
9 unauthorized redemption, use, transfer, ac-
10 quisition, alteration, or possession of EBT
11 cards” after “concern” the first place it
12 appears; and

13 (ii) by striking “civil money penalties”
14 and inserting “civil penalties”; and

15 (E) by striking “civil money penalty” each
16 place it appears and inserting “civil penalty”;

17 (3) in subsection (c)—

18 (A) by striking “(c) The action” and in-
19 serting the following:

20 “(c) CIVIL PENALTY AND REVIEW OF DISQUALIFICA-
21 TION AND PENALTY DETERMINATIONS.—

22 “(1) CIVIL PENALTY.—In addition to a dis-
23 qualification under this section, the Secretary may
24 assess a civil penalty in an amount not to exceed
25 \$100,000 for each violation.

1 “(2) REVIEW.—The action”; and

2 (B) in paragraph (2) (as designated by
3 subparagraph (A)), by striking “civil money
4 penalty” and inserting “civil penalty”;

5 (4) in subsection (d)—

6 (A) by striking “(d)” and all that follows
7 through “. The Secretary shall” and inserting
8 the following:

9 “(d) CONDITIONS OF AUTHORIZATION.—

10 “(1) IN GENERAL.—As a condition of author-
11 ization to accept and redeem benefits, the Secretary
12 may require a retail food store or wholesale food
13 concern that, pursuant to subsection (a), has been
14 disqualified for more than 180 days, or has been
15 subjected to a civil penalty in lieu of a disqualifica-
16 tion period of more than 180 days, to furnish a col-
17 lateral bond or irrevocable letter of credit for a pe-
18 riod of not more than 5 years to cover the value of
19 benefits that the store or concern may in the future
20 accept and redeem in violation of this Act.

21 “(2) COLLATERAL.—The Secretary also may
22 require a retail food store or wholesale food concern
23 that has been sanctioned for a violation and incurs
24 a subsequent sanction regardless of the length of the

1 disqualification period to submit a collateral bond or
2 irrevocable letter of credit.

3 “(3) BOND REQUIREMENTS.—The Secretary
4 shall”;

5 (B) by striking “If the Secretary finds”
6 and inserting the following

7 “(4) FORFEITURE.—If the Secretary finds”;
8 and

9 (C) by striking “Such store or concern”
10 and inserting the following:

11 “(5) HEARING.—A store or concern described
12 in paragraph (4)”;

13 (5) in subsection (e), by striking “civil money
14 penalty” each place it appears and inserting “civil
15 penalty”; and

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

17 “(h) FLAGRANT VIOLATIONS.—

18 “(1) IN GENERAL.—The Secretary, in consulta-
19 tion with the Inspector General of the Department
20 of Agriculture, shall establish procedures under
21 which the processing of program benefit redemptions
22 for a retail food store or wholesale food concern may
23 be immediately suspended pending administrative
24 action to disqualify the retail food store or wholesale
25 food concern.

1 “(2) REQUIREMENTS.—Under the procedures
2 described in paragraph (1), if the Secretary, in con-
3 sultation with the Inspector General, determines
4 that a retail food store or wholesale food concern is
5 engaged in flagrant violations of this Act (including
6 regulations promulgated under this Act), unsettled
7 program benefits that have been redeemed by the re-
8 tail food store or wholesale food concern—

9 “(A) may be suspended; and

10 “(B)(i) if the program disqualification is
11 upheld, may be subject to forfeiture pursuant to
12 subsection (g); or

13 “(ii) if the program disqualification is not
14 upheld, shall be released to the retail food store
15 or wholesale food concern.

16 “(3) NO LIABILITY FOR INTEREST.—The Sec-
17 retary shall not be liable for the value of any interest
18 on funds suspended under this subsection.”.

19 **SEC. 4304. FUNDING OF EMPLOYMENT AND TRAINING PRO-**
20 **GRAMS.**

21 (a) IN GENERAL.—Section 16(h)(1)(A) of the Food
22 and Nutrition Act of 2007 (7 U.S.C. 2025(h)(1)(A)) is
23 amended in subparagraph (A), by striking “to remain
24 available until expended” and inserting “to remain avail-
25 able for 2 fiscal years”.

1 (b) RESCISSION OF FUNDS.—Notwithstanding any
2 other provision of law, funds provided under section
3 16(h)(1)(A) of the Food and Nutrition Act of 2007 (7
4 U.S.C. 2025(h)(1)(A)) for any fiscal year before the fiscal
5 year beginning October 1, 2007, shall be rescinded on the
6 date of enactment of this Act, unless obligated by a State
7 agency before that date.

8 **SEC. 4305. ELIGIBILITY DISQUALIFICATION.**

9 Section 6 of the Food and Nutrition Assistance Act
10 of 2007 (7 U.S.C. 2015) is amended by adding at the end
11 the following:

12 “(p) DISQUALIFICATION FOR OBTAINING CASH BY
13 DESTROYING FOOD AND COLLECTING DEPOSITS.—Any
14 person who has been found by a State or Federal court
15 or administrative agency or in a hearing under subsection
16 (b) to have intentionally obtained cash by purchasing
17 products with food and nutrition benefits that have con-
18 tainers that require return deposits, discarding the prod-
19 uct, and returning the container for the deposit amount
20 shall be ineligible for benefits under this Act for such pe-
21 riod of time as the Secretary shall prescribe by regulation.

22 “(q) DISQUALIFICATION FOR SALE OF FOOD PUR-
23 CHASED WITH FOOD AND NUTRITION BENEFITS.—Sub-
24 ject to any requirements established by the Secretary, any
25 person who has been found by a State or Federal court

1 or administrative agency or in a hearing under subsection
2 (b) to have intentionally sold any food that was purchased
3 using food and nutrition benefits shall be ineligible for
4 benefits under this Act for such period of time as the Sec-
5 retary shall prescribe by regulation.”.

6 **PART V—MISCELLANEOUS**

7 **SEC. 4401. DEFINITION OF STAPLE FOODS.**

8 Subsection (r) of section 3 of the Food and Nutrition
9 Act of 2007 (7 U.S.C. 2012) (as redesignated by section
10 4202(b)(1)(M)) is amended—

11 (1) by striking “(r)(1) Except” and inserting
12 the following:

13 “(r) STAPLE FOODS.—

14 “(1) IN GENERAL.—Except”; and

15 (2) by striking paragraph (2) and inserting the
16 following:

17 “(2) EXCEPTIONS.—The term ‘staple foods’
18 does not include accessory food items, such as cof-
19 fee, tea, cocoa, carbonate and uncarbonated drinks,
20 candy, condiments, and spices, or dietary supple-
21 ments.

22 “(3) DEPTH OF STOCK.—The Secretary may
23 issue regulations to define depth of stock to ensure
24 that stock is available on a continuous basis.”.

1 **SEC. 4402. ACCESSORY FOOD ITEMS.**

2 Section 9(a) of the Food and Nutrition Act of 2007
3 (7 U.S.C. 2018(a)) is amended by adding at the end the
4 following:

5 “(3) ACCESSORY FOOD ITEMS.—

6 “(A) IN GENERAL.—Not later than 1 year
7 after the date of enactment of this paragraph,
8 the Secretary shall promulgate proposed regula-
9 tions providing that a dietary supplement shall
10 not be considered an accessory food item unless
11 the dietary supplement—

12 “(i) contains folic acid or calcium in
13 accordance with sections 101.72 and
14 101.79 of title 21, Code of Federal Regula-
15 tions (as in effect on the date of enactment
16 of this paragraph); and

17 “(ii) is a multivitamin-mineral supple-
18 ment that—

19 “(I) provides at least $\frac{2}{3}$ of the
20 essential vitamins and minerals at
21 100 percent of the daily value levels,
22 as determined by the Food and Drug
23 Administration; and

24 “(II) does not exceed the daily
25 upper limit for those nutrients for
26 which an established daily upper limit

1 has been determined by the Institute
2 of Medicine of the National Academy
3 of Sciences.

4 “(B) FINAL REGULATIONS.—Not later
5 than 2 years after the date of enactment of this
6 paragraph, the Secretary shall promulgate final
7 regulations in accordance with subparagraph
8 (A).

9 “(C) PURCHASE OF DIETARY SUPPLE-
10 MENTS.—No dietary supplements may be pur-
11 chased using benefits under this Act until the
12 earlier of—

13 “(i) the date on which the Secretary
14 promulgates final regulations under sub-
15 paragraph (B); or

16 “(ii) the date on which the Secretary
17 certifies a voluntary system of labeling for
18 the ready and accurate identification of eli-
19 gible dietary supplements, as developed by
20 the Secretary in consultation with the die-
21 tary supplement industry and dietary sup-
22 plement retailers.”.

1 **SEC. 4403. PILOT PROJECTS TO EVALUATE HEALTH AND**
2 **NUTRITION PROMOTION IN THE FOOD AND**
3 **NUTRITION PROGRAM.**

4 Section 17 of the Food and Nutrition Act of 2007
5 (7 U.S.C. 2026) is amended by adding at the end the fol-
6 lowing:

7 “(k) PILOT PROJECTS TO EVALUATE HEALTH AND
8 NUTRITION PROMOTION IN THE FOOD AND NUTRITION
9 PROGRAM.—

10 “(1) IN GENERAL.—The Secretary shall carry
11 out, under such terms and conditions as the Sec-
12 retary considers to be appropriate, pilot projects to
13 develop and test methods—

14 “(A) of using the food and nutrition pro-
15 gram to improve the dietary and health status
16 of households participating in the food and nu-
17 trition program; and

18 “(B) to reduce overweight, obesity, and as-
19 sociated co-morbidities in the United States.

20 “(2) PROJECTS.—Pilot projects carried out
21 under paragraph (1) may include projects to deter-
22 mine whether healthier food purchases by and
23 healthier diets among households participating in
24 the food and nutrition program result from projects
25 that—

1 “(A) increase the food and nutrition assist-
2 ance purchasing power of the participating
3 households by providing increased food and nu-
4 trition assistance benefit allotments to the par-
5 ticipating households;

6 “(B) increase access to farmers markets by
7 participating households through the electronic
8 redemption of food and nutrition assistance at
9 the farmers markets;

10 “(C) provide incentives to authorized food
11 and nutrition program vendors to increase the
12 availability of healthy foods to participating
13 households;

14 “(D) subject authorized food and nutrition
15 program vendors to stricter vendor require-
16 ments with respect to carrying and stocking
17 healthy foods;

18 “(E) provide incentives at the point of pur-
19 chase to encourage participating households to
20 purchase fruits, vegetables, or other healthy
21 foods; or

22 “(F) provide to participating households
23 integrated communication and education pro-
24 grams, including the provision of funding for a
25 portion of a school based nutrition coordinator

1 to implement a broad nutrition action plan and
2 parent nutrition education programs in elemen-
3 tary schools, separately or in combination with
4 pilot projects carried out under subparagraphs
5 (A) through (E).

6 “(3) DURATION.—A pilot project carried out
7 under this subsection shall have a term of not more
8 than 5 years.

9 “(4) EVALUATIONS AND REPORTS.—

10 “(A) EVALUATIONS.—

11 “(i) INDEPENDENT EVALUATION.—

12 “(I) IN GENERAL.—The Sec-
13 retary shall provide for an inde-
14 pendent evaluation of each pilot
15 project under this subsection that
16 measures the impact of the pilot pro-
17 gram on health and nutrition as de-
18 scribed in paragraph (1).

19 “(II) REQUIREMENT.—The inde-
20 pendent evaluation under subclause
21 (I) shall use rigorous methodologies,
22 particularly random assignment or
23 other methods that are capable of pro-
24 ducing scientifically-valid information

1 regarding which activities are effec-
2 tive.

3 “(ii) COSTS.—The Secretary may use
4 funds provided to carry out this section to
5 pay costs associated with monitoring and
6 evaluating each pilot project.

7 “(B) REPORTS.—Not later than 90 days
8 after the last day of fiscal year 2008 and each
9 fiscal year thereafter until the completion of the
10 last evaluation under subparagraph (A), the
11 Secretary shall submit to the Committee on Ag-
12 riculture of the House of Representatives and
13 the Committee on Agriculture, Nutrition, and
14 Forestry of the Senate a report that includes a
15 description of—

16 “(i) the status of each pilot project;

17 “(ii) the results of the evaluation com-
18 pleted during the previous fiscal year; and

19 “(iii) to the maximum extent prac-
20 ticable—

21 “(I) the impact of the pilot
22 project on appropriate health, nutri-
23 tion, and associated behavioral out-
24 comes among households participating
25 in the pilot project;

1 “(II) baseline information rel-
2 evant to the stated goals and desired
3 outcomes of the pilot project; and

4 “(III) equivalent information
5 about similar or identical measures
6 among control or comparison groups
7 that did not participate in the pilot
8 project.

9 “(5) FUNDING.—

10 “(A) IN GENERAL.—Out of any funds
11 made available under section 18, the Secretary
12 shall use \$50,000,000 to carry out this section,
13 to remain available until expended.

14 “(B) USE OF FUNDS.—Of funds made
15 available under subparagraph (A), the Sec-
16 retary shall use not more than \$25,000,000 to
17 carry out a pilot project described in paragraph
18 (1)(E).”.

19 **SEC. 4404. BILL EMERSON NATIONAL HUNGER FELLOWS**
20 **AND MICKEY LELAND INTERNATIONAL HUN-**
21 **GER FELLOWS.**

22 (a) IN GENERAL.—The Food and Nutrition Act of
23 2007 (7 U.S.C. 2011 et seq.) is amended by adding at
24 the end the following:

1 **“SEC. 28. BILL EMERSON NATIONAL HUNGER FELLOWS**
2 **AND MICKEY LELAND INTERNATIONAL HUN-**
3 **GER FELLOWS.**

4 “(a) SHORT TITLE.—This section may be cited as the
5 ‘Bill Emerson National Hunger Fellows and Mickey Le-
6 land International Hunger Fellows Program Act of 2007’.

7 “(b) FINDINGS.—Congress finds that—

8 “(1) there is a critical need for compassionate
9 individuals who are committed to assisting people
10 who suffer from hunger to initiate and administer
11 solutions to the hunger problem;

12 “(2) Bill Emerson, the distinguished late Rep-
13 resentative from the 8th District of Missouri, dem-
14 onstrated—

15 “(A) his commitment to solving the prob-
16 lem of hunger in a bipartisan manner;

17 “(B) his commitment to public service; and

18 “(C) his great affection for the institution
19 and ideals of the United States Congress;

20 “(3) George T. (Mickey) Leland, the distin-
21 guished late Representative from the 18th District
22 of Texas, demonstrated—

23 “(A) his compassion for those in need;

24 “(B) his high regard for public service;

25 and

26 “(C) his lively exercise of political talents;

1 “(4) the special concern that Mr. Emerson and
2 Mr. Leland demonstrated during their lives for the
3 hungry and poor was an inspiration for others to
4 work toward the goals of equality and justice for all;

5 “(5) these 2 outstanding leaders maintained a
6 special bond of friendship regardless of political af-
7 filiation and worked together to encourage future
8 leaders to recognize and provide service to others;
9 and

10 “(6) it is especially appropriate to honor the
11 memory of Mr. Emerson and Mr. Leland by creating
12 a fellowship program to develop and train the future
13 leaders of the United States to pursue careers in hu-
14 manitarian service.

15 “(c) DEFINITIONS.—In this subsection:

16 “(1) DIRECTOR.—The term ‘Director’ means
17 the head of the Congressional Hunger Center.

18 “(2) FELLOW.—The term ‘fellow’ means—

19 “(A) a Bill Emerson Hunger Fellow; or

20 “(B) Mickey Leland Hunger Fellow

21 “(3) FELLOWSHIP PROGRAMS.—The term ‘Fel-
22 lowship Programs’ means the Bill Emerson National
23 Hunger Fellowship Program and the Mickey Leland
24 International Hunger Fellowship Program estab-
25 lished under subsection (d)(1).

1 “(d) FELLOWSHIP PROGRAMS.—

2 “(1) IN GENERAL.—There is established the
3 Bill Emerson National Hunger Fellowship Program
4 and the Mickey Leland International Hunger Fel-
5 lowship Program.

6 “(2) PURPOSES.—

7 “(A) IN GENERAL.—The purposes of the
8 Fellowship Programs are—

9 “(i) to encourage future leaders of the
10 United States—

11 “(I) to pursue careers in humani-
12 tarian and public service;

13 “(II) to recognize the needs of
14 low-income people and hungry people;

15 “(III) to provide assistance to
16 people in need; and

17 “(IV) to seek public policy solu-
18 tions to the challenges of hunger and
19 poverty;

20 “(ii) to provide training and develop-
21 ment opportunities for such leaders
22 through placement in programs operated
23 by appropriate organizations or entities;
24 and

1 “(iii) to increase awareness of the im-
2 portance of public service.

3 “(B) BILL EMERSON HUNGER FELLOW-
4 SHIP PROGRAM.—The purpose of the Bill Emer-
5 son Hunger Fellowship Program is to address
6 hunger and poverty in the United States.

7 “(C) MICKEY LELAND HUNGER FELLOW-
8 SHIP PROGRAM.—The purpose of the Mickey
9 Leland Hunger Fellowship Program is to ad-
10 dress international hunger and other humani-
11 tarian needs.

12 “(3) ADMINISTRATION.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (B), the Secretary shall offer to enter
15 into a contract with the Congressional Hunger
16 Center to administer the Fellowship Programs.

17 “(B) TERMS OF CONTRACT.—The terms of
18 the contract entered into under subparagraph
19 (A), including the length of the contract and
20 provisions for the alteration or termination of
21 the contract, shall be determined by the Sec-
22 retary in accordance with this section.

23 “(e) FELLOWSHIPS.—

24 “(1) IN GENERAL.—The Director shall make
25 available Bill Emerson Hunger Fellowships and

1 Mickey Leland Hunger Fellowships in accordance
2 with this subsection.

3 “(2) CURRICULUM.—

4 “(A) IN GENERAL.—The Fellowship Pro-
5 grams shall provide experience and training to
6 develop the skills necessary to train fellows to
7 carry out the purposes described in subsection
8 (d)(2), including—

9 “(i) training in direct service pro-
10 grams for the hungry and other anti-hun-
11 ger programs in conjunction with commu-
12 nity-based organizations through a pro-
13 gram of field placement; and

14 “(ii) providing experience in policy de-
15 velopment through placement in a govern-
16 mental entity or nongovernmental, non-
17 profit, or private sector organization.

18 “(B) WORK PLAN.—To carry out subpara-
19 graph (A) and assist in the evaluation of the
20 fellowships under paragraph (6), the Director
21 shall, for each fellow, approve a work plan that
22 identifies the target objectives for the fellow in
23 the fellowship, including specific duties and re-
24 sponsibilities relating to those objectives.

25 “(3) PERIOD OF FELLOWSHIP.—

1 “(A) BILL EMERSON HUNGER FELLOW.—
2 A Bill Emerson Hunger Fellowship awarded
3 under this section shall be for not more than 15
4 months.

5 “(B) MICKEY LELAND HUNGER FEL-
6 LOW.—A Mickey Leland Hunger Fellowship
7 awarded under this section shall be for not
8 more than 2 years.

9 “(4) SELECTION OF FELLOWS.—

10 “(A) IN GENERAL.—Fellowships shall be
11 awarded pursuant to a nationwide competition
12 established by the Director.

13 “(B) QUALIFICATIONS.—A successful pro-
14 gram applicant shall be an individual who has
15 demonstrated—

16 “(i) an intent to pursue a career in
17 humanitarian services and outstanding po-
18 tential for such a career;

19 “(ii) leadership potential or actual
20 leadership experience;

21 “(iii) diverse life experience;

22 “(iv) proficient writing and speaking
23 skills;

24 “(v) an ability to live in poor or di-
25 verse communities; and

1 “(vi) such other attributes as are con-
2 sidered to be appropriate by the Director.

3 “(5) AMOUNT OF AWARD.—

4 “(A) IN GENERAL.—A fellow shall re-
5 ceive—

6 “(i) a living allowance during the term
7 of the Fellowship; and

8 “(ii) subject to subparagraph (B), an
9 end-of-service award.

10 “(B) REQUIREMENT FOR SUCCESSFUL
11 COMPLETION OF FELLOWSHIP.—Each fellow
12 shall be entitled to receive an end-of-service
13 award at an appropriate rate for each month of
14 satisfactory service completed, as determined by
15 the Director.

16 “(C) TERMS OF FELLOWSHIP.—A fellow
17 shall not be considered an employee of—

18 “(i) **the Department of Agriculture**;

19 “(ii) the Congressional Hunger Cen-
20 ter; or

21 “(iii) a host agency in the field or pol-
22 icy placement of the fellow.

23 “(D) RECOGNITION OF FELLOWSHIP
24 AWARD.—

1 “(i) EMERSON FELLOW.—An indi-
2 vidual awarded a fellowship from the Bill
3 Emerson Hunger Fellowship shall be
4 known as an ‘Emerson Fellow’.

5 “(ii) LELAND FELLOW.—An indi-
6 vidual awarded a fellowship from the Mick-
7 ey Leland Hunger Fellowship shall be
8 known as a ‘Leland Fellow’.

9 “(6) EVALUATIONS AND AUDITS.—Under terms
10 stipulated in the contract entered into under sub-
11 section (d)(3), the Director shall—

12 “(A) conduct periodic evaluations of the
13 Fellowship Programs; and

14 “(B) arrange for annual independent fi-
15 nancial audits of expenditures under the Fel-
16 lowship Programs.

17 “(f) AUTHORITY.—

18 “(1) IN GENERAL.—Subject to paragraph (2),
19 in carrying out this section, the Director may solicit,
20 accept, use, and dispose of gifts, bequests, or devises
21 of services or property, both real and personal, for
22 the purpose of facilitating the work of the Fellow-
23 ship Programs.

24 “(2) LIMITATION.—Gifts, bequests, or devises
25 of money and proceeds from sales of other property

1 received as gifts, bequests, or devises shall be used
2 exclusively for the purposes of the Fellowship Pro-
3 grams.

4 “(g) REPORT.—The Director shall annually submit
5 to the Secretary of Agriculture, the Committee on Agri-
6 culture of the House of Representatives, and the Com-
7 mittee on Agriculture, Nutrition, and Forestry of the Sen-
8 ate a report that—

9 “(1) describes the activities and expenditures of
10 the Fellowship Programs during the preceding fiscal
11 year, including expenditures made from funds made
12 available under subsection (h); and

13 “(2) includes the results of evaluations and au-
14 dits required by subsection (f).

15 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the Secretary such
17 sums as are necessary to carry out this section, to remain
18 available until expended.”.

19 (b) REPEAL.—Section 4404 of the Farm Security
20 and Rural Investment Act of 2002 (2 U.S.C. 1161) is re-
21 pealed.

22 **SEC. 4405. HUNGER-FREE COMMUNITIES.**

23 (a) DEFINITIONS.—In this section:

24 (1) DOMESTIC HUNGER GOAL.—The term “do-
25 mestic hunger goal” means—

1 (A) the goal of reducing hunger in the
2 United States to at or below 2 percent by 2010;
3 or

4 (B) the goal of reducing food insecurity in
5 the United States to at or below 6 percent by
6 2010.

7 (2) EMERGENCY FEEDING ORGANIZATION.—
8 The term “emergency feeding organization” has the
9 meaning given the term in section 201A of the
10 Emergency Food Assistance Act of 1983 (7 U.S.C.
11 7501).

12 (3) FOOD SECURITY.—The term “food secu-
13 rity” means the state in which an individual has ac-
14 cess to enough food for an active, healthy life.

15 (4) HUNGER-FREE COMMUNITIES GOAL.—The
16 term “hunger-free communities goal” means any of
17 the 14 goals described in the H. Con. Res. 302
18 (102nd Congress).

19 (b) HUNGER REPORTS.—

20 (1) STUDY.—

21 (A) TIMELINE.—

22 (i) IN GENERAL.—Not later than 1
23 year after the date of enactment of this
24 Act, the Secretary shall conduct a study of
25 major matters relating to the problem of

1 hunger in the United States, as determined
2 by the Secretary.

3 (ii) UPDATE.—Not later than 5 years
4 after the date on which the study under
5 clause (i) is conducted, the Secretary shall
6 update the study.

7 (B) MATTERS TO BE ASSESSED.—The
8 matters to be assessed by the Secretary in the
9 study and update under this paragraph shall in-
10 clude—

11 (i) data on hunger and food insecurity
12 in the United States;

13 (ii) measures carried out during the
14 previous year by Federal, State, and local
15 governments to achieve domestic hunger
16 goals and hunger-free communities goals;
17 and

18 (iii) measures that could be carried
19 out by Federal, State, and local govern-
20 ments to achieve domestic hunger goals
21 and hunger-free communities goals.

22 (2) RECOMMENDATIONS.—The Secretary shall
23 develop recommendations on—

1 (A) removing obstacles to achieving domes-
2 tic hunger goals and hunger-free communities
3 goals; and

4 (B) otherwise reducing domestic hunger.

5 (3) REPORT.—The Secretary shall submit to
6 the President and Congress—

7 (A) not later than 1 year after the date of
8 enactment of this Act, a report that contains—

9 (i) a detailed statement of the results
10 of the study, or the most recent update to
11 the study, conducted under paragraph
12 (1)(A); and

13 (ii) the most recent recommendations
14 of the Secretary under paragraph (2); and

15 (B) not later than 5 years after the date
16 of submission of the report under subparagraph
17 (A), an update of the report.

18 (c) HUNGER-FREE COMMUNITIES COLLABORATIVE
19 GRANTS.—

20 (1) DEFINITION OF ELIGIBLE ENTITY.—In this
21 subsection, the term “eligible entity” means a public
22 food program service provider or a nonprofit organi-
23 zation, including but not limited to an emergency
24 feeding organization, that demonstrates the organi-
25 zation has collaborated, or will collaborate, with 1 or

1 more local partner organizations to achieve at least
2 1 hunger-free communities goal.

3 (2) PROGRAM AUTHORIZED.—

4 (A) IN GENERAL.—The Secretary shall use
5 not more than 55 percent of any funds made
6 available under subsection (f) to make grants to
7 eligible entities to pay the Federal share of the
8 costs of an activity described in paragraph (4).

9 (B) FEDERAL SHARE.—The Federal share
10 of the cost of carrying out an activity under
11 this subsection shall not exceed 80 percent.

12 (C) NON-FEDERAL SHARE.—

13 (i) CALCULATION.—The non-Federal
14 share of the cost of an activity under this
15 subsection may be provided in cash or in
16 kind, fairly evaluated, including facilities,
17 equipment, or services.

18 (ii) SOURCES.—Any entity may pro-
19 vide the non-Federal share of the cost of
20 an activity under this subsection through a
21 State government, a local government, or a
22 private source.

23 (3) APPLICATION.—

24 (A) IN GENERAL.—To receive a grant
25 under this subsection, an eligible entity shall

1 submit an application to the Secretary at the
2 time and in the manner and accompanied by
3 any information the Secretary may require.

4 (B) CONTENTS.—Each application sub-
5 mitted under subparagraph (A) shall—

6 (i) identify any activity described in
7 paragraph (4) that the grant will be used
8 to fund;

9 (ii) describe the means by which an
10 activity identified under clause (i) will re-
11 duce hunger in the community of the eligi-
12 ble entity;

13 (iii) list any partner organizations of
14 the eligible entity that will participate in
15 an activity funded by the grant;

16 (iv) describe any agreement between a
17 partner organization and the eligible entity
18 necessary to carry out an activity funded
19 by the grant; and

20 (v) if an assessment described in
21 paragraph (4)(A) has been performed, in-
22 clude—

23 (I) a summary of that assess-
24 ment; and

1 (II) information regarding the
2 means by which the grant will help re-
3 duce hunger in the community of the
4 eligible entity.

5 (C) PRIORITY.—In making grants under
6 this subsection, the Secretary shall give priority
7 to eligible entities that—

8 (i) demonstrate in the application of
9 the eligible entity that the eligible entity
10 makes collaborative efforts to reduce hun-
11 ger in the community of the eligible entity;
12 and

13 (ii)(I) serve communities in which the
14 rates of food insecurity, hunger, poverty,
15 or unemployment are demonstrably higher
16 than national average rates;

17 (II) provide evidence of long-term ef-
18 forts to reduce hunger in the community;

19 (III) provide evidence of public sup-
20 port for the efforts of the eligible entity; or

21 (IV) demonstrate in the application of
22 the eligible entity a commitment to achiev-
23 ing more than 1 hunger-free communities
24 goal.

25 (4) USE OF FUNDS.—

1 (A) ASSESSMENT OF HUNGER IN THE
2 COMMUNITY.—

3 (i) IN GENERAL.—An eligible entity in
4 a community that has not performed an
5 assessment described in clause (ii) may use
6 a grant received under this subsection to
7 perform the assessment for the community.

8 (ii) ASSESSMENT.—The assessment
9 referred to in clause (ii) shall include—

10 (I) an analysis of the problem of
11 hunger in the community served by
12 the eligible entity;

13 (II) an evaluation of any facility
14 and any equipment used to achieve a
15 hunger-free communities goal in the
16 community;

17 (III) an analysis of the effective-
18 ness and extent of service of existing
19 nutrition programs and emergency
20 feeding organizations; and

21 (IV) a plan to achieve any other
22 hunger-free communities goal in the
23 community.

24 (B) ACTIVITIES.—An eligible entity in a
25 community that has submitted an assessment to

1 the Secretary shall use a grant received under
2 this subsection for any fiscal year for activities
3 of the eligible entity, including—

4 (i) meeting the immediate needs of
5 people in the community served by the eli-
6 gible entity who experience hunger by—

7 (I) distributing food;

8 (II) providing community out-
9 reach; or

10 (III) improving access to food as
11 part of a comprehensive service;

12 (ii) developing new resources and
13 strategies to help reduce hunger in the
14 community;

15 (iii) establishing a program to achieve
16 a hunger-free communities goal in the
17 community, including—

18 (I) a program to prevent, mon-
19 itor, and treat children in the commu-
20 nity experiencing hunger or poor nu-
21 trition; or

22 (II) a program to provide infor-
23 mation to people in the community on
24 hunger, domestic hunger goals, and
25 hunger-free communities goals; and

1 (iv) establishing a program to provide
2 food and nutrition services as part of a co-
3 ordinated community-based comprehensive
4 service.

5 (d) HUNGER-FREE COMMUNITIES INFRASTRUCTURE
6 GRANTS.—

7 (1) DEFINITION OF ELIGIBLE ENTITY.—In this
8 subsection, the term “eligible entity” means an
9 emergency feeding organization (as defined in sec-
10 tion 201A(4) of the Emergency Food Assistance Act
11 of 1983 (7 U.S.C. 7501(4))).

12 (2) PROGRAM AUTHORIZED.—

13 (A) IN GENERAL.—The Secretary shall use
14 not more than 45 percent of any funds made
15 available under subsection (f) to make grants to
16 eligible entities to pay the Federal share of the
17 costs of an activity described in paragraph (4).

18 (B) FEDERAL SHARE.—The Federal share
19 of the cost of carrying out an activity under
20 this subsection shall not exceed 80 percent.

21 (3) APPLICATION.—

22 (A) IN GENERAL.—To receive a grant
23 under this subsection, an eligible entity shall
24 submit an application to the Secretary at the

1 time and in the manner and accompanied by
2 any information the Secretary may require.

3 (B) CONTENTS.—Each application sub-
4 mitted under subparagraph (A) shall—

5 (i) identify any activity described in
6 paragraph (4) that the grant will be used
7 to fund; and

8 (ii) describe the means by which an
9 activity identified under clause (i) will re-
10 duce hunger in the community of the eligi-
11 ble entity.

12 (C) PRIORITY.—In making grants under
13 this subsection, the Secretary shall give priority
14 to eligible entities the applications of which
15 demonstrate 2 or more of the following:

16 (i) The eligible entity serves a commu-
17 nity in which the rates of food insecurity,
18 hunger, poverty, or unemployment are de-
19 monstrably higher than national average
20 rates.

21 (ii) The eligible entity serves a com-
22 munity that has carried out long-term ef-
23 forts to reduce hunger in the community.

1 (iii) The eligible entity serves a com-
2 munity that provides public support for the
3 efforts of the eligible entity.

4 (iv) The eligible entity is committed to
5 achieving more than 1 hunger-free commu-
6 nities goal.

7 (4) USE OF FUNDS.—An eligible entity shall
8 use a grant received under this subsection for any
9 fiscal year to carry out activities of the eligible enti-
10 ty, including—

11 (A) constructing, expanding, or repairing a
12 facility or equipment to support hunger relief
13 agencies in the community;

14 (B) assisting an emergency feeding organi-
15 zation in the community in obtaining locally-
16 produced produce and protein products; and

17 (C) assisting an emergency feeding organi-
18 zation in the community to process and serve
19 wild game.

20 (e) REPORT.—If funds are made available under sub-
21 section (f), not later than September 30, 2012, the Sec-
22 retary shall submit to Congress a report describing—

23 (1) each grant made under this section, includ-
24 ing—

1 (A) a description of any activity funded by
2 such a grant; and

3 (B) the degree of success of each activity
4 funded by such a grant in achieving hunger-free
5 communities goals; and

6 (2) the degree of success of all activities funded
7 by grants under this section in achieving domestic
8 hunger goals.

9 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out this section
11 \$50,000,000 for each of fiscal years 2008 through 2012.

12 **SEC. 4406. STATE PERFORMANCE ON ENROLLING CHIL-**
13 **DREN RECEIVING PROGRAM BENEFITS FOR**
14 **FREE SCHOOL MEALS.**

15 (a) IN GENERAL.—Not later than June 30 of each
16 year, the Secretary shall submit to the Committee on Agri-
17 culture of the House of Representatives and the Com-
18 mittee on Agriculture, Nutrition, and Forestry of the Sen-
19 ate a report that assesses the effectiveness of each State
20 in enrolling school-aged children in households receiving
21 program benefits under the Food and Nutrition Act of
22 2007 (7 U.S.C. 2011 et seq.) (referred to in this section
23 as “program benefits”) for free school meals using direct
24 certification.

1 (b) SPECIFIC MEASURES.—The assessment of the
2 Secretary of the performance of each State shall include—

3 (1) an estimate of the number of school-aged
4 children, by State, who were members of a house-
5 hold receiving program benefits at any time in July,
6 August, or September of the prior year;

7 (2) an estimate of the number of school-aged
8 children, by State, who were directly certified as eli-
9 gible for free lunches under the Richard B. Russell
10 National School Lunch Act (42 U.S.C. 1751 et
11 seq.), based on receipt of program benefits, as of Oc-
12 tober 1 of the prior year; and

13 (3) an estimate of the number of school-aged
14 children, by State, who were members of a house-
15 hold receiving program benefits at any time in July,
16 August, or September of the prior year who were not
17 candidates for direct certification because on Octo-
18 ber 1 of the prior year the children attended a
19 school operating under the special assistance provi-
20 sions of section 11(a)(1) of the Richard B. Russell
21 National School Lunch Act (42 U.S.C. 1759a) that
22 is not operating in a base year.

23 (c) PERFORMANCE INNOVATIONS.—The report of the
24 Secretary shall describe best practices from States with

1 the best performance or the most improved performance
2 from the previous year.

3 **Subtitle B—Food Distribution**
4 **Program on Indian Reservations**

5 **SEC. 4501. ASSESSING THE NUTRITIONAL VALUE OF THE**
6 **FDPIR FOOD PACKAGE.**

7 (a) IN GENERAL.—Section 4 of the Food and Nutri-
8 tion Act of 2007 (7 U.S.C. 2013) is amended by striking
9 subsection (b) and inserting the following:

10 “(b) FOOD DISTRIBUTION PROGRAM ON INDIAN
11 RESERVATIONS.—

12 “(1) IN GENERAL.—Distribution of commod-
13 ities, with or without the food and nutrition pro-
14 gram, shall be made whenever a request for concur-
15 rent or separate food program operations, respec-
16 tively, is made by a tribal organization.

17 “(2) ADMINISTRATION.—

18 “(A) IN GENERAL.—Subject to subpara-
19 graphs (B) and (C), in the event of distribution
20 on all or part of an Indian reservation, the ap-
21 propriate agency of the State government in the
22 area involved shall be responsible for the dis-
23 tribution.

24 “(B) ADMINISTRATION BY TRIBAL ORGANI-
25 ZATION.—If the Secretary determines that a

1 tribal organization is capable of effectively and
2 efficiently administering a distribution de-
3 scribed in paragraph (1), then the tribal organi-
4 zation shall administer the distribution.

5 “(C) PROHIBITION.—The Secretary shall
6 not approve any plan for a distribution de-
7 scribed in paragraph (1) that permits any
8 household on any Indian reservation to partici-
9 pate simultaneously in the food and nutrition
10 program and the distribution of federally do-
11 nated foods.

12 “(3) DISQUALIFIED PARTICIPANTS.—An indi-
13 vidual who is disqualified from participation in the
14 food distribution program on Indian reservations
15 under this subsection is not eligible to participate in
16 the food and nutrition program under this Act.

17 “(4) ADMINISTRATIVE COSTS.—The Secretary
18 is authorized to pay such amounts for administrative
19 costs and distribution costs on Indian reservations
20 as the Secretary finds necessary for effective admin-
21 istration of such distribution by a State agency or
22 tribal organization.

23 “(5) BISON MEAT.—Subject to the availability
24 of appropriations, the Secretary may purchase bison

1 meat for recipients of food distributed under this
2 subsection, including bison meat from—

3 “(A) Native American bison producers;
4 and
5 “(B) producer–owned cooperatives of bison
6 ranchers.”.

7 (b) **FDPIR FOOD PACKAGE.**—Not later than 180
8 days after the date of enactment of this Act, the Secretary
9 of Agriculture shall submit to the Committee on Agri-
10 culture of the House of Representatives and the Com-
11 mittee on Agriculture, Nutrition, and Forestry of the Sen-
12 ate a report that describes—

13 (1) how the Secretary derives the process for
14 determining the food package under the food dis-
15 tribution program on Indian reservations established
16 under section 4(b) of the Food and Nutrition Act of
17 2007 (7 U.S.C. 2013(b)) (referred to in this sub-
18 section as the “food package”);

19 (2) the extent to which the food package—

20 (A) addresses the nutritional needs of low-
21 income Americans compared to the food and
22 nutrition program, particularly for very low-in-
23 come households;

24 (B) conforms (or fails to conform) to the
25 2005 Dietary Guidelines for Americans pub-

1 lished under section 301 of the National Nutri-
2 tion Monitoring and Related Research Act of
3 1990 (7 U.S.C. 5341);

4 (C) addresses (or fails to address) the nu-
5 tritional and health challenges that are specific
6 to Native Americans; and

7 (D) is limited by distribution costs or chal-
8 lenges of infrastructure;

9 (3) any plans of the Secretary to revise and up-
10 date the food package to conform with the most re-
11 cent Dietary Guidelines for Americans, including
12 any costs associated with the planned changes; and

13 (4) if the Secretary does not plan changes to
14 the food package, the rationale of the Secretary for
15 retaining the food package.

16 **Subtitle C—Emergency Food As-**
17 **sistance Program and Com-**
18 **modity Supplemental Food Pro-**
19 **gram**

20 **SEC. 4601. EMERGENCY FOOD ASSISTANCE.**

21 (a) STATE PLAN.—Section 202A of the Emergency
22 Food Assistance Act of 1983 (7 U.S.C. 7503) is amended
23 by striking subsection (a) and inserting the following:

24 “(a) PLANS.—To receive commodities under this Act,
25 every 3 years, a State shall submit to the Secretary an

1 operation and administration plan for the provision of as-
2 sistance under this Act.”.

3 (b) **DONATED WILD GAME.**—Section 204(a)(1) of
4 the Emergency Food Assistance Act of 1983 (7 U.S.C.
5 7508(a)(1)) is amended in the first sentence by inserting
6 “and donated wild game” before the period at the end.

7 **SEC. 4602. COMMODITY SUPPLEMENTAL FOOD PROGRAM.**

8 Section 5 of the Agriculture and Consumer Protec-
9 tion Act of 1973 (7 U.S.C. 612c note; Public Law 93–
10 86) is amended by striking subsection (g) and inserting
11 the following:

12 “(g) **PROHIBITION.**—Notwithstanding any other pro-
13 vision of law (including regulations), the Secretary may
14 not require a State or local agency to prioritize assistance
15 to a particular group of individuals that are—

16 “(1) low-income persons aged 60 and older; or

17 “(2) women, infants, and children.”.

18 **Subtitle D—Senior Farmers’**

19 **Market Nutrition Program**

20 **SEC. 4701. EXCLUSION OF BENEFITS IN DETERMINING ELI-**

21 **GIBILITY FOR OTHER PROGRAMS.**

22 (a) **IN GENERAL.**—Section 4402 of the Farm Secu-
23 rity and Rural Investment Act of 2002 (7 U.S.C. 3007)
24 is amended—

1 (1) in subsection (a), by striking “each of fiscal
2 years 2003 through 2007” and inserting “fiscal year
3 2008 and each fiscal year thereafter”;

4 (2) by redesignating subsections (b) and (c) as
5 subsections (c) and (e), respectively;

6 (3) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) **ADDITIONAL FUNDS.**—In addition to the
9 amounts made available under subsection (a), for fiscal
10 year 2008 and each fiscal year thereafter, of the funds
11 of the Commodity Credit Corporation, the Secretary of
12 Agriculture shall use \$10,000,000 to expand the program
13 established under this section.”; and

14 (4) by inserting after subsection (c) (as redesign-
15 ated by paragraph (2)) the following:

16 “(d) **EXCLUSION OF BENEFITS IN DETERMINING**
17 **ELIGIBILITY FOR OTHER PROGRAMS.**—The value of any
18 benefit provided under the program under this section
19 shall not be taken into consideration in determining the
20 eligibility of an individual for any other Federal or State
21 assistance program.”.

22 (b) **EFFECTIVE DATE.**—The amendments made by
23 subsection (a) take effect on the date of enactment of this
24 Act.

1 **SEC. 4702. PROHIBITION ON COLLECTION OF SALES TAX.**

2 Section 4402 of the Farm Security and Rural Invest-
3 ment Act of 2002 (7 U.S.C. 3007) is amended by inserting
4 after subsection (d) (as added by section 4701(a)(4)) the
5 following:

6 “(e) PROHIBITION ON COLLECTION OF SALES
7 TAX.—A State that collects any sales tax on the purchase
8 of food using a benefit provided under the program under
9 this section shall not be eligible to participate in the pro-
10 gram.”.

11 **Subtitle E—Reauthorization of**
12 **Federal Food Assistance Programs**

13 **SEC. 4801. FOOD AND NUTRITION PROGRAM.**

14 (a) GRANTS FOR SIMPLE APPLICATION AND ELIGI-
15 BILITY DETERMINATION SYSTEMS AND IMPROVED AC-
16 CESS TO BENEFITS.—Section 11(t)(1) of the Food and
17 Nutrition Act of 2007 (7 U.S.C. 2020(t)(1)) is amended
18 by striking “For each of fiscal years 2003 through 2007”
19 and inserting “For fiscal year 2008 and each fiscal year
20 thereafter”.

21 (b) FUNDING OF EMPLOYMENT AND TRAINING PRO-
22 GRAMS.—Section 16(h)(1) of the Food and Nutrition Act
23 of 2007 (7 U.S.C. 2025(h)(1)) is amended—

24 (1) in subparagraph (A)(vii), by striking “for
25 each of fiscal years 2002 through 2007” and insert-

1 ing “for fiscal year 2008 and each fiscal year there-
2 after”; and

3 (2) in subparagraph (E)(i), by striking “for
4 each of fiscal years 2002 through 2007” and insert-
5 ing “for fiscal year 2008 and each fiscal year there-
6 after”.

7 (c) REDUCTIONS IN PAYMENTS FOR ADMINISTRA-
8 TIVE COSTS.—Section 16(k)(3) of the Food and Nutrition
9 Act of 2007 (7 U.S.C. 2025(k)(3)) is amended—

10 (1) in the first sentence of subparagraph (A),
11 by striking “for each of fiscal years 1999 through
12 2007” and inserting “for fiscal year 2008 and each
13 fiscal year thereafter”; and

14 (2) in subparagraph (B)(ii), by striking
15 “through fiscal year 2007”.

16 (d) CASH PAYMENT PILOT PROJECTS.—Section
17 17(b)(1)(B)(vi) of the Food and Nutrition Act of 2007
18 (7 U.S.C. 2026(b)(1)(B)(vi)) is amended by striking
19 “through October 1, 2007”.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
21 18(a)(1) of the Food and Nutrition Act of 2007 (7 U.S.C.
22 2027(a)(1)) is amended in the first sentence by striking
23 “for each of the fiscal years 2003 through 2007” and in-
24 serting “for fiscal year 2008 and each fiscal year there-
25 after”.

1 (f) CONSOLIDATED BLOCK GRANTS FOR PUERTO
2 RICO AND AMERICAN SAMOA.—Section 19(a)(2)(A)(ii) of
3 the Food and Nutrition Act of 2007 (7 U.S.C.
4 2028(a)(2)(A)(ii)) by striking “for each of fiscal years
5 2004 through 2007” and inserting “for fiscal year 2008
6 and each fiscal year thereafter”.

7 (g) ASSISTANCE FOR COMMUNITY FOOD
8 PROJECTS.—Section 25 of the Food and Nutrition Act of
9 2007 (7 U.S.C. 2034) is amended—

10 (1) in subsection (b)(2), by striking subpara-
11 graph (B) and inserting the following:

12 “(B) \$10,000,000 for each of fiscal years
13 2008 through 2012.”; and

14 (2) in subsection (h)(4), by striking “2007”
15 and inserting “2012”.

16 **SEC. 4802. COMMODITY DISTRIBUTION.**

17 (a) EMERGENCY FOOD ASSISTANCE.—Section
18 204(a)(1) of the Emergency Food Assistance Act of 1983
19 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by
20 striking “\$60,000,000 for each of the fiscal years 2003
21 through 2007” and inserting “\$100,000,000 for fiscal
22 year 2008 and each fiscal year thereafter”.

23 (b) COMMODITY DISTRIBUTION PROGRAM.—Section
24 4(a) of the Agriculture and Consumer Protection Act of
25 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended

1 in the first sentence by striking “years 1991 through
2 2007” and inserting “year 2008 and each fiscal year
3 thereafter”.

4 (c) COMMODITY SUPPLEMENTAL FOOD PROGRAM.—
5 Section 5 of the Agriculture and Consumer Protection Act
6 of 1973 (7 U.S.C. 612c note; Public Law 93–86) is
7 amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking “each of
10 fiscal years 2003 through 2007” and inserting
11 “fiscal year 2008 and each fiscal year there-
12 after”; and

13 (B) in paragraph (2)(B), by striking “(B)
14 FISCAL YEARS 2004 THROUGH 2007.—” and all
15 that follows through “2007” and inserting the
16 following:

17 “(B) SUBSEQUENT FISCAL YEARS.—For
18 fiscal year 2004 and each subsequent fiscal
19 year”; and

20 (2) in subsection (d)(2), by striking “each of
21 the fiscal years 1991 through 2007” and inserting
22 “fiscal year 2008 and each fiscal year thereafter”.

23 (d) DISTRIBUTION OF SURPLUS COMMODITIES TO
24 SPECIAL NUTRITION PROJECTS.—Section 1114(a)(2)(A)
25 of the Agriculture and Food Act of 1981 (7 U.S.C.

1 1431e(2)(A)) is amended in the first sentence by striking
2 “2007” and inserting “2012”.

3 **SEC. 4803. NUTRITION INFORMATION AND AWARENESS**
4 **PILOT PROGRAM.**

5 Section 4403(f) of the Farm Security and Rural In-
6 vestment Act of 2002 (7 U.S.C. 3171 note; Public Law
7 107–171) is amended by striking “2007” and inserting
8 “2017”.

9 **Subtitle F—Miscellaneous**

10 **SEC. 4901. PURCHASES OF LOCALLY GROWN FRUITS AND**
11 **VEGETABLES.**

12 Section 9(j) of the Richard B. Russell National
13 School Lunch Act (42 U.S.C. 1758(j)) is amended to read
14 as follows:

15 “(j) PURCHASES OF LOCALLY GROWN FRUITS AND
16 VEGETABLES.—The Secretary shall—

17 “(1) encourage institutions receiving funds
18 under this Act and the Child Nutrition Act of 1966
19 (42 U.S.C. 1771 et seq.) to purchase locally grown
20 fruits and vegetables, to the maximum extent prac-
21 ticable and appropriate;

22 “(2) advise institutions participating in a pro-
23 gram described in paragraph (1) of the policy de-
24 scribed in that paragraph and post information con-

1 cerning the policy on the website maintained by the
2 Secretary; and

3 “(3) allow institutions receiving funds under
4 this Act and the Child Nutrition Act of 1966 (42
5 U.S.C. 1771 et seq.), including the Department of
6 Defense, to use a geographic preference for the pro-
7 curement of locally grown fruits and vegetables.”.

8 **SEC. 4902. HEALTHY FOOD EDUCATION AND PROGRAM**
9 **REPLICABILITY.**

10 Section 18(i) of the Richard B. Russell National
11 School Lunch Act (42 U.S.C. 1769(i)) is amended—

12 (1) in paragraph (1)(C), by inserting “promotes
13 healthy food education in the school curriculum
14 and” before “incorporates”;

15 (2) by redesignating paragraph (2) as para-
16 graph (3); and

17 (3) by inserting after paragraph (1) the fol-
18 lowing:

19 “(2) ADMINISTRATION.—In providing grants
20 under this subsection, the Secretary shall give pri-
21 ority to projects that can be replicated in schools.”.

22 **SEC. 4903. FRESH FRUIT AND VEGETABLE PROGRAM.**

23 (a) IN GENERAL.—The Richard B. Russell National
24 School Lunch Act is amended by inserting after section
25 18 (42 U.S.C. 1769) the following:

1 **“SEC. 19. FRESH FRUIT AND VEGETABLE PROGRAM.**

2 “(a) IN GENERAL.—For the school year beginning
3 July 2008 and each subsequent school year, the Secretary
4 shall provide grants to States to carry out a program to
5 make free fresh fruits and vegetables available in elemen-
6 tary schools (referred to in this section as the ‘program’).

7 “(b) PROGRAM.—A school participating in the pro-
8 gram shall make free fresh fruits and vegetables available
9 to students throughout the school day (or at such other
10 times as are considered appropriate by the Secretary) in
11 1 or more areas designated by the school.

12 “(c) FUNDING TO STATES.—

13 “(1) MINIMUM GRANT.—The Secretary shall
14 provide to each of the 50 States and the District of
15 Columbia an annual grant in an amount equal to 1
16 percent of the funds made available for a fiscal year
17 to carry out the program.

18 “(2) ADDITIONAL FUNDING.—Of the funds re-
19 maining after grants are made under paragraph (1),
20 the Secretary shall allocate additional funds to each
21 State that is operating a school lunch program
22 under section 4 based on the proportion that—

23 “(A) the population of the State; bears to

24 “(B) the population of the United States.

25 “(d) SELECTION OF SCHOOLS.—

1 “(1) IN GENERAL.—In selecting schools to par-
2 ticipate in the program, each State shall—

3 “(A) ensure that each school chosen to
4 participate in the program is a school—

5 “(i) except as provided in paragraph
6 (2), in which not less than 50 percent of
7 the students are eligible for free or reduced
8 price meals under this Act; and

9 “(ii) that submits an application in
10 accordance with subparagraph (C); and

11 “(B) to the maximum extent practicable,
12 give the highest priority to schools with the
13 highest proportion of children who are eligible
14 for free or reduced price meals under this Act;

15 “(C) solicit applications from interested
16 schools that include—

17 “(i) information pertaining to the per-
18 centage of students enrolled in the school
19 submitting the application who are eligible
20 for free or reduced price school lunches
21 under this Act;

22 “(ii) a certification of support for par-
23 ticipation in the program signed by the
24 school food manager, the school principal,
25 and the district superintendent (or equiva-

1 lent positions, as determined by the
2 school); and

3 “(iii) such other information as may
4 be requested by the Secretary;

5 “(D) give priority to schools that submit a
6 plan for implementation of the program that in-
7 cludes a partnership with 1 or more entities
8 that provide non-Federal resources (including
9 entities representing the fruit and vegetable in-
10 dustry) for—

11 “(i) the acquisition, handling, pro-
12 motion, or distribution of fresh and dried
13 fruits and fresh vegetables; or

14 “(ii) other support that contributes to
15 the purposes of the program;

16 “(E) give priority to schools that provide
17 evidence of efforts to integrate activities carried
18 out under this section with other efforts to pro-
19 mote sound health and nutrition, reduce over-
20 weight and obesity, or promote physical activity;
21 and

22 “(F) ensure that each school selected is an
23 elementary school.

24 “(2) EXCEPTION.—Clause (i) of paragraph
25 (1)(A) shall not apply to a State if the State does

1 not have a sufficient number of schools that meet
2 the requirement of that clause.

3 “(3) CONSORTIA.—A consortia of schools may
4 apply for funding under this section.

5 “(e) NOTICE OF AVAILABILITY.—To be eligible to
6 participate in the program, a school shall widely publicize
7 within the school the availability of free fresh fruits and
8 vegetables under the program.

9 “(f) PER-STUDENT GRANT.—The per-student grant
10 provided to a school under this section shall be—

11 “(1) determined by a State agency; and

12 “(2) not less than \$50, nor more than \$75, an-
13 nually.

14 “(g) LIMITATION.—To the maximum extent prac-
15 ticable, each State agency shall ensure that in making
16 available to students the fruits and vegetables provided
17 under this section, schools participating in the program
18 offer the fruits and vegetables separately from meals oth-
19 erwise provided at the school under this Act or the Child
20 Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

21 “(h) SCHOOLS ON INDIAN RESERVATIONS.—The
22 Secretary shall ensure that not less than 100 of the
23 schools chosen to participate in the program are schools
24 operated on Indian reservations.

25 “(i) EVALUATION AND REPORTS.—

1 “(1) IN GENERAL.—The Secretary shall con-
2 duct an evaluation of the program, including a de-
3 termination as to whether children experienced, as a
4 result of participating in the program—

5 “(A) increased consumption of fruits and
6 vegetables;

7 “(B) other dietary changes, such as de-
8 creased consumption of less nutritious foods;
9 and

10 “(C) such other outcomes as are consid-
11 ered appropriate by the Secretary.

12 “(2) REPORT.—Not later than September 30,
13 2011, the Secretary shall submit to the Committee
14 on Education and Labor of the House of Represent-
15 atives and the Committee on Agriculture, Nutrition,
16 and Forestry of the Senate, a report that describes
17 the results of the evaluation under paragraph (1).

18 “(j) FUNDING.—

19 “(1) IN GENERAL.—Out of any funds in the
20 Treasury not otherwise appropriated, the Secretary
21 of the Treasury shall transfer to the Secretary to
22 carry out this section—

23 “(A) on October 1, 2007, \$225,000,000;
24 and

1 “(B) on October 1, 2008, and each Octo-
2 ber 1 thereafter, the amount made available for
3 the preceding fiscal year, as adjusted to reflect
4 changes for the 12-month period ending the
5 preceding June 30 in the Consumer Price Index
6 for All Urban Consumers published by the Bu-
7 reau of Labor Statistics of the Department of
8 Labor, for items other than food.

9 “(2) EVALUATION FUNDING.—On October 1,
10 2007, out of any funds in the Treasury not other-
11 wise appropriated, the Secretary of the Treasury
12 shall transfer to the Secretary to carry out the eval-
13 uation required under subsection (i), \$3,000,000, to
14 remain available until expended.

15 “(3) RECEIPT AND ACCEPTANCE.—The Sec-
16 retary shall be entitled to receive, shall accept, and
17 shall use to carry out this section any funds trans-
18 ferred for that purpose, without further appropria-
19 tion.

20 “(4) AUTHORIZATION OF APPROPRIATIONS.—In
21 addition to any other amounts made available to
22 carry out this section, there are authorized to be ap-
23 propriated such sums as are necessary to expand the
24 program established under this section.

1 “(5) ADMINISTRATIVE COSTS.—Of funds made
2 available to carry out this section for a fiscal year,
3 the Secretary may use not more than \$500,000 for
4 the administrative costs of carrying out the pro-
5 gram.

6 “(6) REALLOCATION.—

7 “(A) AMONG STATES.—The Secretary may
8 reallocate any amounts made available to carry
9 out this section that are not obligated or ex-
10 pended by a date determined by the Secretary.

11 “(B) WITHIN STATES.—A State that re-
12 ceives a grant under this section may reallocate
13 any amounts made available under the grant
14 that are not obligated or expended by a date de-
15 termined by the Secretary.”.

16 (b) CONFORMING AMENDMENTS.—Section 18 of the
17 Richard B. Russell National School Lunch Act (42 U.S.C.
18 1769) is amended—

19 (1) by striking subsection (g); and

20 (2) by redesignating subsections (h) through (k)
21 as subsections (g) through (j), respectively.

22 **SEC. 4904. CONFORMING AMENDMENTS TO RENAMING OF**
23 **FOOD STAMP PROGRAM.**

24 (a) IN GENERAL.—

1 (1) Section 4 of the Food and Nutrition Act of
2 2007 (7 U.S.C. 2013) is amended in the section
3 heading by striking “FOOD STAMP PROGRAM” and
4 inserting “FOOD AND NUTRITION PROGRAM”.

5 (2) Section 5(h)(2)(A) of the Food and Nutri-
6 tion Act of 2007 (7 U.S.C. 2014(h)(2)(A)) is
7 amended by striking “Food Stamp Disaster Task
8 Force” and inserting “Food and Nutrition Disaster
9 Task Force”.

10 (3) Section 6 of the Food and Nutrition Act of
11 2007 (7 U.S.C. 2015) is amended—

12 (A) in subsection (d)(3), by striking “eligi-
13 ble for food stamps” and inserting “eligible to
14 receive food and nutrition assistance”;

15 (B) in subsection (g), by striking “food
16 stamps” and inserting “food and nutrition as-
17 sistance”;

18 (C) in subsection (j), in the subsection
19 heading, by striking “FOOD STAMP” and insert-
20 ing “FOOD AND NUTRITION”; and

21 (D) in subsection (o)—

22 (i) in paragraph (2), by striking “food
23 stamp benefits” and inserting “food and
24 nutrition assistance”; and

25 (ii) in paragraph (6)—

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1 (I) in subparagraph (A)—
2 (aa) in clause (i), by striking
3 “food stamps” and inserting
4 “food and nutrition assistance”;
5 and
6 (bb) in clause (ii)—
7 (AA) in the matter pre-
8 ceding subclause (I), by
9 striking “a food stamp re-
10 cipient” and inserting “a
11 member of a household that
12 receives food and nutrition
13 assistance”; and
14 (BB) by striking “food
15 stamp benefits” each place
16 it appears and inserting
17 “food and nutrition assist-
18 ance”; and
19 (II) in subparagraphs (D) and
20 (E), by striking “food stamp recipi-
21 ents” each place it appears and in-
22 serting “members of households that
23 receive food and nutrition assistance”.

24 (4) Section 7 of the Food and Nutrition Act of
25 2007 (7 U.S.C. 2016) is amended—

1 (A) in subsection (i)—

2 (i) in paragraph (3)(B)(ii), by striking
3 “food stamp households” and inserting
4 “households receiving food and nutrition
5 assistance”; and

6 (ii) in paragraph (7), by striking
7 “food stamp issuance” and inserting “food
8 and nutrition assistance issuance”; and

9 (B) in subsection (k)—

10 (i) in paragraph (2), by striking “food
11 stamp benefits” and inserting “food and
12 nutrition assistance benefits”; and

13 (ii) in paragraph (3), by striking
14 “food stamp retail” and inserting “food
15 and nutrition assistance retail”.

16 (5) Section 9(b)(1) of that Food and Nutrition
17 Act of 2007 (7 U.S.C. 2018(b)(1)) is amended by
18 striking “food stamp households” and inserting
19 “households that receive food and nutrition assist-
20 ance”.

21 (6) Section 11 of the Food and Nutrition Act
22 of 2007 (7 U.S.C. 2020) is amended—

23 (A) in subsection (e)—

24 (i) in paragraph (2)—

1 (I) in subparagraph (A), by strik-
2 ing “food stamp offices” and inserting
3 “food and nutrition assistance of-
4 fices”; and

5 (II) in subparagraph (B)—

6 (aa) in clause (iii), by strik-
7 ing “food stamp office” and in-
8 serting “food and nutrition as-
9 sistance office”;

10 (bb) in clause (v)(II), by
11 striking “food stamps” and in-
12 serting “food and nutrition as-
13 sistance”; and

14 (cc) in clause (vii), by strik-
15 ing “food stamp offices” and in-
16 serting “food and nutrition as-
17 sistance offices”;

18 (ii) in paragraph (14), by striking
19 “food stamps” and inserting “food and nu-
20 trition assistance”;

21 (iii) in paragraph (16), by striking
22 “food stamps” and inserting “food and nu-
23 trition assistance”; and

24 (iv) in paragraph (25)—

1 (I) in the matter preceding sub-
2 paragraph (A), by striking “Simplified
3 Food Stamp Program” and inserting
4 “Simplified Food and Nutrition As-
5 sistance Program”; and

6 (II) in subparagraph (A), by
7 striking “food stamp benefits” and in-
8 serting “food and nutrition assist-
9 ance”;

10 (B) in subsection (f)—

11 (i) in paragraph (1)—

12 (I) by striking “food stamps”
13 and inserting “food and nutrition as-
14 sistance”; and

15 (II) by striking “food stamp of-
16 fices” and inserting “food and nutri-
17 tion assistance offices”; and

18 (ii) in paragraph (2)(B), by striking
19 “food stamp participants” each place it ap-
20 pears and inserting “participants in the
21 food and nutrition program”;

22 (C) in subsection (k), by striking “may
23 issue, upon request by the State agency, food
24 stamps” and inserting “may provide, on request

1 by the State agency, food and nutrition assist-
2 ance”;

3 (D) in subsection (l), by striking “food
4 stamp participation” and inserting “food and
5 nutrition program participation”;

6 (E) in subsections (q) and (r), in the sub-
7 section headings, by striking “FOOD STAMPS”
8 each place it appears and inserting “FOOD AND
9 NUTRITION ASSISTANCE”;

10 (F) in subsection (s), by striking “food
11 stamp benefits” each place it appears and in-
12 serting “food and nutrition assistance”; and

13 (G) in subsection (t)(1)—

14 (i) in subparagraph (A), by striking
15 “food stamp application” and inserting
16 “food and nutrition assistance applica-
17 tion”; and

18 (ii) in subparagraph (B), by striking
19 “food stamp benefits” and inserting “food
20 and nutrition assistance”.

21 (7) Section 14(b) of the Food and Nutrition
22 Act of 2007 (7 U.S.C. 2023(b)) is amended by strik-
23 ing “food stamp allotments” and inserting “food and
24 nutrition assistance”.

1 (8) Section 16 of the Food and Nutrition Act
2 of 2007 (7 U.S.C. 2025) is amended—

3 (A) in subsection (a)(4), by striking “food
4 stamp informational activities” and inserting
5 “informational activities relating to the food
6 and nutrition program”;

7 (B) in subsection (c)(9)(C), by striking
8 “food stamp caseload” and inserting “the case-
9 load under the food and nutrition program”;
10 and

11 (C) in subsection (h)(1)(E)(i), by striking
12 “food stamp recipients” and inserting “house-
13 holds receiving food and nutrition assistance”.

14 (9) Section 17 of the Food and Nutrition Act
15 of 2007 (7 U.S.C. 2026) is amended—

16 (A) in subsection (a)(2), by striking “food
17 stamp benefits” each place it appears and in-
18 serting “food and nutrition assistance benefits”;

19 (B) in subsection (b)—

20 (i) in paragraph (1)—

21 (I) in subparagraph (A), by strik-
22 ing “food stamp benefits” and insert-
23 ing “food and nutrition assistance”;
24 and

25 (II) in subparagraph (B)—

1 (aa) in clause (ii)(II), by
2 striking “food stamp recipients”
3 and inserting “food and nutrition
4 assistance recipients”;

5 (bb) in clause (iii)(I), by
6 striking “the State’s food stamp
7 households” and inserting “the
8 number of households in the
9 State receiving food and nutrition
10 assistance”; and

11 (cc) in clause (iv)(IV)(bb),
12 by striking “food stamp deduc-
13 tions” and inserting “food and
14 nutrition assistance deductions”;

15 (ii) in paragraph (2), by striking
16 “food stamp benefits” and inserting “food
17 and nutrition assistance”; and

18 (iii) in paragraph (3)—

19 (I) in subparagraph (A), by strik-
20 ing “food stamp employment” and in-
21 serting “food and nutrition program
22 employment”;

23 (II) in subparagraph (B), by
24 striking “food stamp recipients” and

1 inserting “food and nutrition assist-
2 ance recipients”;

3 (III) in subparagraph (C), by
4 striking “food stamps” and inserting
5 “food and nutrition assistance”; and

6 (IV) in subparagraph (D), by
7 striking “food stamp benefits” and in-
8 serting “food and nutrition assistance
9 benefits”;

10 (C) in subsection (c), by striking “food
11 stamps” and inserting “food and nutrition as-
12 sistance”;

13 (D) in subsection (d)—

14 (i) in paragraph (1)(B), by striking
15 “food stamp benefits” and inserting “food
16 and nutrition assistance”;

17 (ii) in paragraph (2)—

18 (I) in subparagraph (A), by strik-
19 ing “food stamp allotments” each
20 place it appears and inserting “food
21 and nutrition assistance”; and

22 (II) in subparagraph (C)(ii), by
23 striking “food stamp benefit” and in-
24 serting “food and nutrition assist-
25 ance”; and

1 (iii) in paragraph (3)(E), by striking
2 “food stamp benefits” and inserting “food
3 and nutrition assistance”;

4 (E) in subsections (e) and (f), by striking
5 “food stamp benefits” each place it appears and
6 inserting “food and nutrition assistance”;

7 (F) in subsection (g), in the first sentence,
8 by striking “receipt of food stamp” and insert-
9 ing “receipt of food and nutrition assistance”;
10 and

11 (G) in subsection (j), by striking “food
12 stamp agencies” and inserting “food and nutri-
13 tion program agencies”.

14 (10) Section 18(a)(3)(A)(ii) of the Food and
15 Nutrition Act of 2007 (7 U.S.C. 2027(a)(3)(A)(ii))
16 is amended by striking “food stamps” and inserting
17 “food and nutrition assistance”.

18 (11) Section 21(d)(3) of the Food and Nutri-
19 tion Act of 2007 (7 U.S.C. 2030(d)(3)) is amended
20 by striking “food stamp benefits” and inserting
21 “food and nutrition assistance”.

22 (12) Section 22 of the Food and Nutrition Act
23 of 2007 (7 U.S.C. 2031) is amended—

24 (A) in the section heading, by striking
25 “FOOD STAMP PORTION OF MINNESOTA FAMILY

1 INVESTMENT PLAN” and inserting “FOOD AND
2 NUTRITION ASSISTANCE PORTION OF MIN-
3 NESOTA FAMILY INVESTMENT PROJECT”;

4 (B) in subsections (b)(12) and (d)(3), by
5 striking “the Food Stamp Act, as amended,”
6 each place it appears and inserting “this Act”;
7 and

8 (C) in subsection (g)(1), by striking “the
9 Food Stamp Act of 1977 (7 U.S.C. 2011 et
10 seq.)” and inserting “this Act”.

11 (13) Section 26 of the Food and Nutrition Act
12 of 2007 (7 U.S.C. 2035) is amended—

13 (A) in the section heading, by striking
14 “SIMPLIFIED FOOD STAMP PROGRAM” and in-
15 serting “SIMPLIFIED FOOD AND NUTRITION
16 PROGRAM”; and

17 (B) in subsection (b), by striking “sim-
18 plified food stamp program” and inserting
19 “simplified food and nutrition program”.

20 (b) CONFORMING CROSS-REFERENCES.—

21 (1) IN GENERAL.—Each provision of law de-
22 scribed in paragraph (2) is amended (as applica-
23 ble)—

1 (A) by striking “food stamp program”
2 each place it appears and inserting “food and
3 nutrition program”;

4 (B) by striking “Food Stamp Act of 1977”
5 each place it appears and inserting “Food and
6 Nutrition Act of 2007”;

7 (C) by striking “Food Stamp Act” each
8 place it appears and inserting “Food and Nutri-
9 tion Act of 2007”;

10 (D) by striking “food stamp” each place it
11 appears and inserting “food and nutrition as-
12 sistance”;

13 (E) by striking “food stamps” each place
14 it appears and inserting “food and nutrition as-
15 sistance”;

16 (F) in each applicable title, subtitle, chap-
17 ter, subchapter, and section heading, by strik-
18 ing “**FOOD STAMP**” each place it appears and
19 inserting “**FOOD AND NUTRITION ASSIST-**
20 **ANCE**”;

21 (G) in each applicable subsection and ap-
22 propriations heading, by striking “**FOOD**
23 **STAMP**” each place it appears and inserting
24 “**FOOD AND NUTRITION ASSISTANCE**”;

1 (H) in each applicable heading other than
2 a title, subtitle, chapter, subchapter, section,
3 subsection, or appropriations heading, by strik-
4 ing “FOOD STAMP” each place it appears and
5 inserting “FOOD AND NUTRITION ASSISTANCE”;

6 (I) in each applicable title, subtitle, chap-
7 ter, subchapter, and section heading, by strik-
8 ing “**FOOD STAMPS**” each place it appears
9 and inserting “**FOOD AND NUTRITION AS-**
10 **SISTANCE**”;

11 (J) in each applicable subsection and ap-
12 propriations heading, by striking “FOOD
13 STAMPS” each place it appears and inserting
14 “FOOD AND NUTRITION ASSISTANCE”; and

15 (K) in each applicable heading other than
16 a title, subtitle, chapter, subchapter, section,
17 subsection, or appropriations heading, by strik-
18 ing “FOOD STAMPS” each place it appears and
19 inserting “FOOD AND NUTRITION ASSISTANCE”.

20 (2) PROVISIONS OF LAW.—The provisions of
21 law referred to in paragraph (1) are the following:

22 (A) The Congressional Budget Act of 1974
23 (2 U.S.C. 601 et seq.).

1 (B) The Balanced Budget and Emergency
2 Deficit Control Act of 1985 (2 U.S.C. 900 et
3 seq.).

4 (C) The Hunger Prevention Act of 1988
5 (Public Law 100–435; 102 Stat. 1645).

6 (D) The Food Stamp Program Improve-
7 ments Act of 1994 (Public Law 103–225; 108
8 Stat. 106).

9 (E) Title IV of the Farm Security and
10 Rural Investment Act of 2002 (Public Law
11 107–171; 116 Stat. 305).

12 (F) Section 2 of Public Law 103–205 (7
13 U.S.C. 2012 note).

14 (G) Section 807(b) of the Stewart B.
15 McKinney Homeless Assistance Act (7 U.S.C.
16 2014 note; Public Law 100–77).

17 (H) The Electronic Benefit Transfer Inter-
18 operability and Portability Act of 2000 (Public
19 Law 106–171; 114 Stat. 3).

20 (I) Section 502(b) of the Agricultural Re-
21 search, Extension, and Education Reform Act
22 of 1998 (7 U.S.C. 2025 note; Public Law 105–
23 185).

1 (J) The National Agricultural Research,
2 Extension, and Teaching Policy Act of 1977 (7
3 U.S.C. 3101 et seq.).

4 (K) The Emergency Food Assistance Act
5 of 1983 (7 U.S.C. 7501 et seq.).

6 (L) The Immigration and Nationality Act
7 (8 U.S.C. 1101 et seq.).

8 (M) Section 8119 of the Department of
9 Defense Appropriations Act, 1999 (10 U.S.C.
10 113 note; Public Law 105–262).

11 (N) The Armored Car Industry Reciprocity
12 Act of 1993 (15 U.S.C. 5901 et seq.).

13 (O) Title 18, United States Code.

14 (P) The Higher Education Act of 1965
15 (20 U.S.C. 1001 et seq.).

16 (Q) The Internal Revenue Code of 1986.

17 (R) Section 650 of the Treasury and Gen-
18 eral Government Appropriations Act, 2000 (26
19 U.S.C. 7801 note; Public Law 106–58).

20 (S) The Wagner-Peysner Act (29 U.S.C.
21 49 et seq.).

22 (T) The Workforce Investment Act of
23 1998 (29 U.S.C. 2801 et seq.).

24 (U) Title 31, United States Code.

25 (V) Title 37, United States Code.

1 (W) The Public Health Service Act (42
2 U.S.C. 201 et seq.).

3 (X) Titles II through XIX of the Social
4 Security Act (42 U.S.C. 401 et seq.).

5 (Y) Section 406 of the Family Support Act
6 of 1988 (Public Law 100–485; 102 Stat.
7 2400).

8 (Z) Section 232 of the Social Security Act
9 Amendments of 1994 (42 U.S.C. 1314a).

10 (AA) The United States Housing Act of
11 1937 (42 U.S.C. 1437 et seq.).

12 (BB) The Richard B. Russell National
13 School Lunch Act (42 U.S.C. 1751 et seq.).

14 (CC) The Child Nutrition Act of 1966 (42
15 U.S.C. 1771 et seq.).

16 (DD) The Older Americans Act of 1965
17 (42 U.S.C. 3001 et seq.).

18 (EE) Section 208 of the Intergovernmental
19 Personnel Act of 1970 (42 U.S.C. 4728).

20 (FF) The Robert T. Stafford Disaster Re-
21 lief and Emergency Assistance Act (42 U.S.C.
22 5121 et seq.).

23 (GG) The Low-Income Home Energy As-
24 sistance Act of 1981 (42 U.S.C. 8621 et seq.).

1 (HH) Section 658K of the Child Care and
2 Development Block Grant Act of 1990 (42
3 U.S.C. 9858i).

4 (II) The Alaska Native Claims Settlement
5 Act (43 U.S.C. 1601 et seq.).

6 (JJ) Public Law 95–348 (92 Stat. 487).

7 (KK) The Agriculture and Food Act of
8 1981 (Public Law 97–98; 95 Stat. 1213).

9 (LL) The Disaster Assistance Act of 1988
10 (Public Law 100–387; 102 Stat. 924).

11 (MM) The Food, Agriculture, Conserva-
12 tion, and Trade Act of 1990 (Public Law 101–
13 624; 104 Stat. 3359).

14 (NN) The Cranston-Gonzalez National Af-
15 fordable Housing Act (Public Law 101–625;
16 104 Stat. 4079).

17 (OO) Section 388 of the Persian Gulf Con-
18 flict Supplemental Authorization and Personnel
19 Benefits Act of 1991 (Public Law 102–25; 105
20 Stat. 98).

21 (PP) The Food, Agriculture, Conservation,
22 and Trade Act Amendments of 1991 (Public
23 Law 102–237; 105 Stat. 1818).

24 (QQ) The Act of March 26, 1992 (Public
25 Law 102–265; 106 Stat. 90).

1 (RR) Public Law 105–379 (112 Stat.
2 3399).

3 (SS) Section 101(c) of the Emergency
4 Supplemental Act, 2000 (Public Law 106–246;
5 114 Stat. 528).

6 (c) REFERENCES.—Any reference in any Federal,
7 State, tribal, or local law (including regulations) to the
8 “food stamp program” established under the Food and
9 Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) shall be
10 considered to be a reference to the “food and nutrition
11 program” established under that Act.

12 **SEC. 4905. EFFECTIVE AND IMPLEMENTATION DATES.**

13 (a) GENERAL EFFECTIVE DATE.—Except as other-
14 wise provided in this title, this title and the amendments
15 made by this title take effect on April 1, 2008.

16 (b) IMPLEMENTATION OF IMPROVEMENTS TO PRO-
17 GRAM BENEFITS.—

18 (1) IN GENERAL.—A State agency may imple-
19 ment the amendments made by part II of subtitle A
20 beginning on a date (as determined by the State
21 agency) during the period beginning on April 1,
22 2008, and ending on October 1, 2008.

23 (2) CERTIFICATION PERIOD.—At the option of
24 a State agency, the State agency may implement 1
25 or more of the amendments made by sections 4103

1 and 4104 for a certification period that begins not
2 earlier than the implementation date determined by
3 the State under paragraph (1).

4 **SEC. 4906. APPLICATION.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of this title or amendments made by this title, the
7 amendments made by the provisions described in sub-
8 section (b) shall be in effect during the period beginning
9 on the date of enactment of this Act (or such other effec-
10 tive date as is otherwise provided in this title) and ending
11 on September 30, 2012.

12 (b) PROVISIONS.—The provisions referred to in sub-
13 section (a) are—

- 14 (1) section 4101;
- 15 (2) section 4102;
- 16 (3) section 4103;
- 17 (4) section 4104;
- 18 (5) section 4107;
- 19 (6) section 4108;
- 20 (7) section 4109;
- 21 (8) section 4110(a)(2);
- 22 (9) section 4208;
- 23 (10) section 4701(a)(3);
- 24 (11) section 4801(g); and
- 25 (12) section 4903.