
CONFERENCE COMMITTEE PRINT

Title IV – Nutrition Programs

**Comparing H.R. 2419, As Passed by the House
And the Senate Amendment Thereto**

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SEC. 4001. RENAMING THE FOOD STAMP PROGRAM.

(a) AMENDMENTS TO THE FOOD STAMP ACT OF 1977.—

(1) **REFERENCES AMENDED.**—The provisions of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.)—

(A) specified in paragraph (2)(A) are amended in the section heading by striking “**FOOD STAMP**” each place it appears and inserting “**SECURE SUPPLEMENTAL NUTRITION ASSISTANCE**”;

(B) specified in paragraph (2)(B) are amended in the subsection heading by striking “FOOD STAMP” each place it appears and inserting “SECURE SUPPLEMENTAL NUTRITION ASSISTANCE”;

(C) specified in paragraph (2)(C) are amended by striking each place it appears “food stamp recipient” and inserting “member of a household that receives Secure Supplemental Nutrition Assistance Program benefits”;

(D) specified in paragraph (2)(D) are amended by striking “food stamp recipients” each place it appears and inserting “members of households that receive Secure Supplemental Nutrition Assistance Program benefits”;

(E) specified in paragraph (2)(E) are amended by striking “food stamp households” each place it appears and inserting “households that receive Secure Supplemental Nutrition Assistance Program benefits”;

(F) specified in paragraph (2)(F) are amended by striking “Simplified Food Stamp Program” each place it appears and inserting “Simplified Secure Supplemental Nutrition Assistance Program”;

(G) specified in paragraph (2)(H) are amended by striking “food stamp participants” each place it appears and inserting “participants in the Secure Supplemental Nutrition Assistance Program”;

(H) specified in paragraph (2)(I) are amended by striking “food stamp informational activities” each place it appears and inserting “informational activities relating to the Secure Supplemental Nutrition Assistance Program”;

(I) specified in paragraph (2)(J) are amended by striking “food stamp caseload” each place it appears and inserting “caseload under the Secure Supplemental Nutrition Assistance Program”;

SEC. 4001. RENAMING OF FOOD STAMP PROGRAM.

(a) Short Title- The first section of the Food Stamp Act of 1977 (7 U.S.C. 2011 note; Public Law 88-525) is amended by striking ‘Food Stamp Act of 1977’ and inserting ‘Food and Nutrition Act of 2007’.

(b) Program- The Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) (as amended by subsection (a)) is amended by striking ‘food stamp program’ each place it appears and inserting ‘food and nutrition program’.

SEC. 4909. CONFORMING AMENDMENTS TO RENAMING OF FOOD STAMP PROGRAM.

(a) In General-

(1) Section 4 of the Food and Nutrition Act of 2007 (7 U.S.C. 2013) is amended in the section heading by striking ‘FOOD STAMP PROGRAM’ and inserting ‘FOOD AND NUTRITION PROGRAM’.

(2) Section 5(h)(2)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(h)(2)(A)) is amended by striking ‘Food Stamp Disaster Task Force’ and inserting ‘Food and Nutrition Disaster Task Force’.

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

(A) in subsection (d)(3), by striking ‘eligible for food stamps’ and inserting ‘eligible to receive food and nutrition assistance’;

(B) in subsection (g), by striking ‘food stamps’ and inserting ‘food and nutrition assistance’;

(C) in subsection (j), in the subsection heading, by striking ‘Food Stamp’ and inserting ‘Food and Nutrition’; and

(D) in subsection (o)--

(i) in paragraph (2), by striking ‘food stamp benefits’ and inserting ‘food and nutrition assistance’; and

(ii) in paragraph (6)--

(I) in subparagraph (A)--

(aa) in clause (i), by striking ‘food stamps’ and inserting ‘food and nutrition assistance’; and

(bb) in clause (ii)--

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(J) specified in paragraph (2)(K) are amended by striking “State’s food stamp households” each place it appears and inserting “the number of households in the State receiving Secure Supplemental Nutrition Assistance Program benefits”;

(K) specified in paragraph (2)(L) are amended in the section heading by striking “**FOOD STAMP PORTION**” each place it appears and inserting “**SECURE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS**”;

(L) specified in paragraph (2)(M) are amended by striking “food stamps” each place it appears and inserting “Secure Supplemental Assistance Nutrition Program benefits”;

(M) specified in paragraph (2)(N) are amended by striking “Food stamp program” each place it appears and inserting “Secure Supplemental Nutrition Assistance Program”;

(N) specified in paragraph (2)(o) are amended by striking “food stamp program benefits” each place it appears and inserting “Secure Supplemental Nutrition Program benefits”; and

(O) specified in paragraph (2)(O) are amended by striking “food stamp program” each place it appears and inserting “Secure Supplemental Nutrition Assistance Nutrition Program”.

(2) **PROVISIONS REFERRED TO.**—The provisions of the of the Food Stamp Act of 1977 referred to in paragraph (1) are the following:

(A) Sections 4 and 26.

(B) Section 6(j).

(C) Section 6(o)(6)(A)(ii).

(D) (i) Subparagraphs (D) and (E) of section 6(o)(6);

(ii) sections 16(h)(1)(E)(i) and 12(a); and

(iii) paragraphs (1)(B)(ii)(II) and (3)(B) of section 17(b).

(E) Sections 7(h)(3)(B)(ii), 9(b)(1), 12(a), and 17(b)(1)(B)(ii)(I).

(F) Sections 11(e)(25) and 26(b).

(AA) in the matter preceding subclause (I), by striking `a food stamp recipient' and inserting `a member of a household that receives food and nutrition assistance'; and

(BB) by striking `food stamp benefits' each place it appears and inserting `food and nutrition assistance'; and

(II) in subparagraphs (D) and (E), by striking `food stamp recipients' each place it appears and inserting `members of households that receive food and nutrition assistance'.

(4) Section 7 of the Food and Nutrition Act of 2007 (7 U.S.C. 2016) (as amended by section 4202(a)(11)) is amended--

(A) in subsection (h)--

(i) in paragraph (3)(B)(ii), by striking `food stamp households' and inserting `households receiving food and nutrition assistance'; and

(ii) in paragraph (7), by striking `food stamp issuance' and inserting `food and nutrition assistance issuance'; and

(B) in subsection (j)--

(i) in paragraph (2), by striking `food stamp benefits' and inserting `food and nutrition assistance benefits'; and

(ii) in paragraph (3), by striking `food stamp retail' and inserting `food and nutrition assistance retail'.

(5) Section 9(b)(1) of that Food and Nutrition Act of 2007 (7 U.S.C. 2018(b)(1)) is amended by striking `food stamp households' and inserting `households that receive food and nutrition assistance'.

(6) Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020) (as amended by section 4202(b)(9)(B)(III)) is amended--

(A) in subsection (e)--

(i) in paragraph (2)--

(I) in subparagraph (A), by striking `food stamp offices' and inserting `food and nutrition assistance offices'; and

(II) in subparagraph (B)--

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(G) Section 11(f)(2)(B).
(H) Section 16(a).
(I) Section 16(e)(9)(C).
(J) Section 17(b)(1)(B)(iii)(I).
(K) Section 22.
(L) (i) Subsections (d)(3) and (o)(6)(A)(i) of section 6;
(ii) paragraphs (2)(B)(v)(II) and (14) of section 11(e); and
(iii) sections 12(e)(16), 17(b)(3)(C), and 18(a)(3)(A)(ii).
(M) Section 3(h).
(N) (i) In section 6—
 (I) subsection (h); and
 (II) in subsection (o)—
 (aa) paragraph (2); and
 (bb) subclauses (IV) and (V) of paragraph (6)(A)(ii).
(ii) Section 7(k)(2).
(iii) In section 11—
 (I) subsection (e)(25)(A);
 (II) paragraphs (1), (2), and (3) of subsection (s); and
 (III) subsection (t)(1)(B).
(iv) In section 17—
 (I) subsection (a)(2);
 (II) paragraphs (1)(A), (2), and (3)(D) of subsection (b);
 (III) paragraphs (1)(B), (2)(C)(ii), and (3)(E) of subsection (d);
 and
 (IV) subsections (e) and (f).

(aa) in clause (iii), by striking `food stamp office' and inserting `food and nutrition assistance office';
(bb) in clause (v)(II), by striking `food stamps' and inserting `food and nutrition assistance';
and
(cc) in clause (vii), by striking `food stamp offices' and inserting `food and nutrition assistance offices';

 (ii) in paragraph (14), by striking `food stamps' and inserting `food and nutrition assistance';

 (iii) in paragraph (15), by striking `food stamps' and inserting `food and nutrition assistance'; and

 (iv) in paragraph (23)--

 (I) in the matter preceding subparagraph (A), by striking `Simplified Food Stamp Program' and inserting `Simplified Food and Nutrition Assistance Program'; and

 (II) in subparagraph (A), by striking `food stamp benefits' and inserting `food and nutrition assistance';

(B) in subsection (k), by striking `may issue, upon request by the State agency, food stamps' and inserting `may provide, on request by the State agency, food and nutrition assistance';

(C) in subsection (l), by striking `food stamp participation' and inserting `food and nutrition program participation';

(D) in subsections (q) and (r), in the subsection headings, by striking `Food Stamps' each place it appears and inserting `Food and Nutrition Assistance';

(E) in subsection (s), by striking `food stamp benefits' each place it appears and inserting `food and nutrition assistance'; and

(F) in subsection (t)(1)--

 (i) in subparagraph (A), by striking `food stamp application' and inserting `food and nutrition assistance application'; and

 (ii) in subparagraph (B), by striking `food stamp benefits' and inserting `food and nutrition assistance'.

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(v) Section 21(d)(3).
“(O) (i) Sections 2, 3(h), and 4.
(ii) In section 5—
 (I) subsections (a), (b), (c), and (d);
 (II) clauses (ii)(III) and (iv)(IV) of subsection (e)(6)(C);
 (III) paragraphs (1), (3), and (6)(B)(iv) of subsection (g);
 and
 (IV) subsections (h)(2)(A) and (k)(4)(B).
(iii) In section 6—
 (I) subsections (a) and (b);
 (II) in subsection (d)(1)—
 (aa) subparagraphs (A) and (B);
 (bb) clauses (i), (ii), and (iii) of subparagraph (C);
 and
 (cc) clauses (v) and (vi) of subparagraph (D);
 (III) paragraphs (2)(C), (3), and (4)(A)(i) of subsection (d);
 (IV) subsections (e), (f), and (h);
 (V) paragraphs (1) and (2) of subsection (i); and
 (VI) subsections (j), (k), (l)(1), (m)(1), (n), (o)(5)(A);
(iv) In section 7—
 (I) subsections (a), (b), and (g);
 (II) paragraphs (1) and (2)(B) of subsection (j); and
 (III) in subsection (k)—
 (aa) paragraph (3); and
 (bb) subparagraphs (B)(ii) and (C) of paragraph

(7) Section 14(b) of the Food and Nutrition Act of 2007 (7 U.S.C. 2023(b)) is amended by striking `food stamp allotments' and inserting `food and nutrition assistance'.
(8) Section 16 of the Food and Nutrition Act of 2007 (7 U.S.C. 2025) is amended—
-
 (A) in subsection (a)(4), by striking `food stamp informational activities' and inserting `informational activities relating to the food and nutrition program';
 (B) in subsection (c)(9)(C), by striking `food stamp caseload' and inserting `the caseload under the food and nutrition program'; and
 (C) in subsection (h)(1)(E)(i), by striking `food stamp recipients' and inserting `households receiving food and nutrition assistance'.
(9) Section 17 of the Food and Nutrition Act of 2007 (7 U.S.C. 2026) is amended—
-
 (A) in subsection (a)(2), by striking `food stamp benefits' each place it appears and inserting `food and nutrition assistance benefits';
 (B) in subsection (b)--
 (i) in paragraph (1)--
 (I) in subparagraph (A), by striking `food stamp benefits' and inserting `food and nutrition assistance'; and
 (II) in subparagraph (B)--
(aa) in clause (ii)(II), by striking `food stamp recipients' and inserting `food and nutrition assistance recipients';
(bb) in clause (iii)(I), by striking `the State's food stamp households' and inserting `the number of households in the State receiving food and nutrition assistance'; and
(cc) in clause (iv)(IV)(bb), by striking `food stamp deductions' and inserting `food and nutrition assistance deductions';
 (ii) in paragraph (2), by striking `food stamp benefits' and inserting `food and nutrition assistance'; and
 (iii) in paragraph (3)--

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- (4).
- (v) In section 8—
- (I) subsections (a), (c)(2), and (d)(2);
 - (II) in subsection (f)—
 - (aa) clauses (i)(II)(aa), (ii)(I), and (iv) of paragraph (1)(D); and
 - (bb) paragraph (3)(B)(ii)(II)(bb).
- (vi) In section 9—
- (I) paragraphs (1) and (3) of subsection (a); and
 - (II) subsections (b)(1), (d), (e), and (g).
- (vii) In section 11—
- (I) subsections (c) and (d);
 - (II) in subsection (e)—
 - (aa) paragraph (1)(A);
 - (bb) clauses (i) and (iv) of paragraph (2)(B); and
 - (cc) paragraphs (10), (17), (20)(B), and (22);
 - (III) subsections (f)(1), (g), (i), and (j)(1);
 - (IV) paragraphs (1), (2), (3), and (4) of subsection (o);
 - (V) subsections (p) and (q); and
 - (VI) paragraphs (2)(A) and (B)(4)(A) of subsection (t).
- (viii) Sections 12(a) and 14(a)(1).
- (ix) Subsections (b)(1) and (c) of section 15.
- (x) In section 16—
- (I) subsection (a);
 - (II) paragraph (1), (2), and (3) of subsection (b);

- (I) in subparagraph (A), by striking `food stamp employment' and inserting `food and nutrition program employment';
- (II) in subparagraph (B), by striking `food stamp recipients' and inserting `food and nutrition assistance recipients';
- (III) in subparagraph (C), by striking `food stamps' and inserting `food and nutrition assistance'; and
- (IV) in subparagraph (D), by striking `food stamp benefits' and inserting `food and nutrition assistance benefits';
- (C) in subsection (c), by striking `food stamps' and inserting `food and nutrition assistance';
- (D) in subsection (d)--
- (i) in paragraph (1)(B), by striking `food stamp benefits' and inserting `food and nutrition assistance';
 - (ii) in paragraph (2)--
 - (I) in subparagraph (A), by striking `food stamp allotments' each place it appears and inserting `food and nutrition assistance'; and
 - (II) in subparagraph (C)(ii), by striking `food stamp benefit' and inserting `food and nutrition assistance'; and
 - (iii) in paragraph (3)(E), by striking `food stamp benefits' and inserting `food and nutrition assistance';
- (E) in subsections (e) and (f), by striking `food stamp benefits' each place it appears and inserting `food and nutrition assistance';
- (F) in subsection (g), in the first sentence, by striking `receipt of food stamp' and inserting `receipt of food and nutrition assistance'; and
- (G) in subsection (j), by striking `food stamp agencies' and inserting `food and nutrition program agencies'.
- (10) Section 18(a)(3)(A)(ii) of the Food and Nutrition Act of 2007 (7 U.S.C. 2027(a)(3)(A)(ii)) is amended by striking `food stamps' and inserting `food and nutrition assistance'.

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(III) in subsection (c)—

(aa) the matter preceding subparagraph (A);

(bb) subparagraphs (D)(i)(II) and (F)(iii)(I) of paragraph (1); and

(cc) subparagraphs (A), (B), and (C) of paragraph (9);

(IV) subsections (e), (g), and (i)(1); and

(V) in subsection (k)—

(aa) subparagraphs (A) and (B) of paragraph (2);

(bb) subparagraphs (A) and (B)(i) of paragraph (3); and

(cc) subparagraphs (A)(ii) and (B)(iv)(II) of paragraph (5).

(xi) In section 17—

(I) subsection (a)(1);

(II) in subsection (b)—

(aa) subparagraphs (A) and (B)(i) of paragraph (1); and

(bb) subparagraph (2);

(III) subsection (c);

(IV) subparagraphs (A) and (C) of subsection (d) (2); and

(V) subsections (e), (g), and (h)(2).

(xii) Subsections (a)(3)(D), (b), (d), and (e) of section 18.

(xiii) Subsections (a)(1) and (f) of section 20.

(xiv) In section 21—

(I) subsection (a);

(11) Section 21(d)(3) of the Food and Nutrition Act of 2007 (7 U.S.C. 2030(d)(3)) is amended by striking 'food stamp benefits' and inserting 'food and nutrition assistance'.

(12) Section 22 of the Food and Nutrition Act of 2007 (7 U.S.C. 2031) is amended--

(A) in the section heading, by striking 'FOOD STAMP PORTION OF MINNESOTA FAMILY INVESTMENT PLAN' and inserting 'FOOD AND NUTRITION ASSISTANCE PORTION OF MINNESOTA FAMILY INVESTMENT PROJECT';

(B) in subsections (b)(12) and (d)(3), by striking 'the Food Stamp Act, as amended,' each place it appears and inserting 'this Act'; and

(C) in subsection (g)(1), by striking 'the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.)' and inserting 'this Act'.

(13) Section 26 of the Food and Nutrition Act of 2007 (7 U.S.C. 2035) is amended--

(A) in the section heading, by striking 'SIMPLIFIED FOOD STAMP PROGRAM' and inserting 'SIMPLIFIED FOOD AND NUTRITION PROGRAM'; and

(B) in subsection (b), by striking 'simplified food stamp program' and inserting 'simplified food and nutrition program'.

(b) Conforming Cross-References-

(1) IN GENERAL- Each provision of law described in paragraph (2) is amended (as applicable)--

(A) by striking 'food stamp program' each place it appears and inserting 'food and nutrition program';

(B) by striking 'Food Stamp Act of 1977' each place it appears and inserting 'Food and Nutrition Act of 2007';

(C) by striking 'Food Stamp Act' each place it appears and inserting 'Food and Nutrition Act of 2007';

(D) by striking 'food stamp' each place it appears and inserting 'food and nutrition assistance';

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- (II) in subsection (b)—
 - (aa) in paragraph (2)—
 - (AA) clause (i) and (ii) of subparagraph (A);
 - (BB) subparagraphs (B) and (C)(i);
 - (CC) clause (ii), and subclauses (II), (III), and (IV) of clause (iii), of subparagraph (F); and
 - (DD) subparagraph (G)(i);
 - (bb) paragraph (3);
 - (cc) in paragraph (4)—
 - (AA) subparagraphs (A) and (B); and
 - (BB) the flush text at the end;
 - (dd) paragraphs (5) and (7);
- (III) subsection (C)(2)(B);
- (IV) paragraphs (1)(A), (2), and (3) of subsection (d); and
- (V) paragraphs (1) and (2) of subsection (f).
- (xv) In section 22—
 - (I) subsection (a)(1);
 - (II) in subsection (b)—
 - (aa) paragraph (2);
 - (bb) in paragraph (3)—
 - (AA) subparagraphs (A) and (B)(ii);
 - (BB) clauses (ii) and (iii) of subparagraph (C);
 - (CC) subparagraph (D)(ii); and
 - (DD) clauses (i), (ii), and (iv) of

- (E) by striking `food stamps' each place it appears and inserting `food and nutrition assistance';
 - (F) in each applicable title, subtitle, chapter, subchapter, and section heading, by striking `food stamp' each place it appears and inserting `food and nutrition assistance';
 - (G) in each applicable subsection and appropriations heading, by striking `Food Stamp' each place it appears and inserting `Food and Nutrition Assistance';
 - (H) in each applicable heading other than a title, subtitle, chapter, subchapter, section, subsection, or appropriations heading, by striking `FOOD STAMP' each place it appears and inserting `FOOD AND NUTRITION ASSISTANCE';
 - (I) in each applicable title, subtitle, chapter, subchapter, and section heading, by striking `food stamps' each place it appears and inserting `food and nutrition assistance';
 - (J) in each applicable subsection and appropriations heading, by striking `Food Stamps' each place it appears and inserting `Food and Nutrition Assistance'; and
 - (K) in each applicable heading other than a title, subtitle, chapter, subchapter, section, subsection, or appropriations heading, by striking `FOOD STAMPS' each place it appears and inserting `FOOD AND NUTRITION ASSISTANCE'.
- (2) PROVISIONS OF LAW- The provisions of law referred to in paragraph (1) are the following:
- (A) The Hunger Prevention Act of 1988 (Public Law 100-435; 102 Stat. 1645).
 - (B) The Food Stamp Program Improvements Act of 1994 (Public Law 103-225; 108 Stat. 106).
 - (C) Title IV of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171; 116 Stat. 305).
 - (D) Section 2 of Public Law 103-205 (7 U.S.C. 2012 note).
 - (E) Section 807(b) of the Stewart B. McKinney Homeless Assistance Act

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- subparagraph (E);
- (cc) paragraph (5);
- (dd) subparagraphs (B) and (C) of paragraph (6);
- (ee) subparagraphs (A) and (B) of paragraph (7);
- (ff) paragraphs (8) and (9);
- (gg) in paragraph (10)—
 - (AA) subparagraph (A)
 - (BB) clauses (i) and (ii) of subparagraph (B);
 - and
 - (CC) subparagraph (C); and
- (hh) paragraphs (11), (12), and (13);
- (III) in subsection (d)—
 - (aa) paragraph (1)(B)(i); and
 - (bb) paragraph (3); and
- (IV) subsections (g)1 and (h).
- (xvi) Section 23(c).
- (xvii) In section 26—
 - (I) subparagraphs (B) and (C) of subsection (c)(4); and
 - (II) subsection (f)(1).

(b) REFERENCES IN OTHER LAWS, DOCUMENT, AND RECORDS OF THE UNITED STATES.—In any law (excluding the Food Stamp Act of 1977), regulation, rule, document, or record of the United States—

- (1) a reference to food stamp recipients shall be deemed to be a reference to recipients of Secure Supplemental Nutrition Assistance Program benefits;
- (2) a reference to food stamp households shall be deemed to be a reference to households that receive Secure Supplemental Nutrition Assistance Program benefits;

- (7 U.S.C. 2014 note; Public Law 100-77).
- (F) The Electronic Benefit Transfer Interoperability and Portability Act of 2000 (Public Law 106-171; 114 Stat. 3).
- (G) Section 502(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 2025 note; Public Law 105-185).
- (H) The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.).
- (I) The Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.).
- (J) The Immigration and Nationality Act (8 U.S.C. 1101 et seq.).
- (K) Section 8119 of the Department of Defense Appropriations Act, 1999 (10 U.S.C. 113 note; Public Law 105-262).
- (L) The Armored Car Industry Reciprocity Act of 1993 (15 U.S.C. 5901 et seq.).
- (M) Title 18, United States Code.
- (N) The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).
- (O) The Internal Revenue Code of 1986.
- (P) Section 650 of the Treasury and General Government Appropriations Act, 2000 (26 U.S.C. 7801 note; Public Law 106-58).
- (Q) The Wagner-Peysner Act (29 U.S.C. 49 et seq.).
- (R) The Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.).
- (S) Title 31, United States Code.
- (T) Title 37, United States Code.
- (U) The Public Health Service Act (42 U.S.C. 201 et seq.).
- (V) Titles II through XIX of the Social Security Act (42 U.S.C. 401 et seq.).
- (W) Section 406 of the Family Support Act of 1988 (Public Law 100-485; 102 Stat. 2400).
- (X) Section 232 of the Social Security Act Amendments of 1994 (42 U.S.C. 1314a).

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(3) a reference to the Simplified Food Stamp Program shall be deemed to be a reference to the Simplified Secure Supplemental Nutrition Assistance Program;

(4) a reference to food stamp participants shall be deemed to be a reference to participants in the Secure Supplemental Nutrition Assistance Program;

(5) a reference to food stamp informational activities shall be deemed to be a reference to informational activities relating to the Secure Supplemental Nutrition Assistance Program;

(6) a reference to food stamp caseload shall be deemed to be a reference to caseload under the Secure Supplemental Nutrition Assistance Program;

(7) a reference to food stamps shall be deemed to be a reference to Secure Supplemental Nutrition Assistance Program benefits; and

(8) a reference to the food stamp program shall be deemed to be a reference to Secure Supplemental Nutrition Assistance Program.

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(Y) The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.).

(Z) The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(AA) The Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

(BB) The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

(CC) Section 208 of the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728).

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

(EE) The Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

(FF) Section 658K of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i).

(GG) The Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(HH) Public Law 95-348 (92 Stat. 487).

(II) The Agriculture and Food Act of 1981 (Public Law 97-98; 95 Stat. 1213).

(JJ) The Disaster Assistance Act of 1988 (Public Law 100-387; 102 Stat. 924).

(KK) The Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 104 Stat. 3359).

(LL) The Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625; 104 Stat. 4079).

(MM) Section 388 of the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991 (Public Law 102-25; 105 Stat. 98).

(NN) The Food, Agriculture, Conservation, and Trade Act Amendments of 1991 (Public Law 102-237; 105 Stat. 1818).

(OO) The Act of March 26, 1992 (Public Law 102-265; 106 Stat. 90).

(PP) Public Law 105-379 (112 Stat. 3399).

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	<p>(QQ) Section 101(c) of the Emergency Supplemental Act, 2000 (Public Law 106-246; 114 Stat. 528).</p> <p>(c) References- Any reference in any Federal, State, tribal, or local law (including regulations) to the `food stamp program' established under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) shall be considered to be a reference to the `food and nutrition program' established under that Act.</p>
<p>SEC. 4002. DEFINITION OF DRUG ADDICTION OR ALCOHOLIC TREATMENT AND REHABILITATION PROGRAM.</p> <p>Section 3(f) of the Food Stamp Act of 1977 (7 U.S.C. 2012(f)) is amended by striking “ center, under part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.)” and inserting</p> <p>“center, that is—</p> <p style="padding-left: 40px;">“(1) tax exempt; and</p> <p style="padding-left: 40px;">“(2) certified by the State title XIX agency, under part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.), as receiving funding under part B, eligible to receive funding under part B even if no funds are being received, or operating to further the purposes of part B, except that nothing in this paragraph shall be construed to require State or Federal licensure to meet these requirements;”.</p>	<p>No comparable provision.</p>
<p>SEC. 4003. NUTRITION EDUCATION.</p> <p>(a) AUTHORITY TO PROVIDE NUTRITION EDUCATION.—Section 4(a) of the Food Stamp Act of 1977 (7 U.S.C. 2013(a)) is amended in the first sentence by inserting “and through an approved State plan, nutrition education” after “an allotment”.</p> <p>(b) IMPLEMENTATION.—Section 11(f) of the Food Stamp Act of 1977 (7 U.S.C. 2020(f)) is amended to read as follows:</p> <p>“(f) NUTRITION EDUCATION.—</p> <p style="padding-left: 40px;">“(1) IN GENERAL.—State agencies may implement a nutrition education program for individuals eligible for Secure Supplemental Nutrition Assistance Program benefits that promotes healthy food choices consistent with current Dietary Guidelines.</p> <p style="padding-left: 40px;">“(2) DELIVERY OF NUTRITION EDUCATION.—State agencies may deliver</p>	<p>SEC. 4213. NUTRITION EDUCATION.</p> <p>(a) Authority To Provide Nutrition Education- Section 4(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2013(a)) is amended in the first sentence by inserting `and through an approved State plan, nutrition education' after `an allotment'.</p> <p>(b) Implementation- Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(f)) is amended by striking subsection (f) and inserting the following:</p> <p> `(f) Nutrition Education-</p> <p style="padding-left: 40px;"> `(1) IN GENERAL- State agencies may implement a nutrition education program for individuals eligible for program benefits that promotes healthy food choices consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).</p>

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nutrition education directly to eligible persons or through agreements with the Cooperative State Research, Education and Extension Service, including through the expanded food and nutrition education under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), and other State and community health and nutrition providers and organizations.

“(3) **NUTRITION EDUCATION STATE PLANS.**—State agencies wishing to provide nutrition education under this subsection shall submit a Nutrition Education State Plan to the Food and Nutrition Service for approval. The plan shall identify the uses of the funding for local projects and conform to standards set forth by the Secretary in regulations or guidance. State costs for providing nutrition education under this subsection shall be reimbursed pursuant to section 16(a).

“(4) **NOTIFICATION.**—Whenever practicable, State agencies shall notify applicants, participants, and eligible program participants of the availability of nutrition education under this subsection.”.

“(2) **DELIVERY OF NUTRITION EDUCATION-** State agencies may deliver nutrition education directly to eligible persons or through agreements with the Cooperative State Research, Education, and Extension Service, including through the expanded food and nutrition education under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), and other State and community health and nutrition providers and organizations.

“(3) **NUTRITION EDUCATION STATE PLANS-**

“(A) **IN GENERAL-** A State agency that elects to provide nutrition education under this subsection shall submit a nutrition education State plan to the Secretary for approval.

“(B) **REQUIREMENTS-** The plan shall--

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

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

“(C) **REIMBURSEMENT-** State costs for providing nutrition education under this subsection shall be reimbursed pursuant to section 16(a).

“(4) **NOTIFICATION-** To the maximum extent practicable, State agencies shall notify applicants, participants, and eligible program participants of the availability of nutrition education under this subsection.’.

SEC. 4004. FOOD DISTRIBUTION ON INDIAN RESERVATIONS.

(a) **IN GENERAL.**—Section 4 of the Food Stamp Act of 1977 (7 U.S.C. 2013) is amended by striking subsection (b) and inserting the following:

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

“(1) **IN GENERAL.**—Distribution of commodities, with or without the Secure Supplemental Nutrition Assistance Program, shall be made whenever a request for concurrent or separate food program operations, respectively, is made by a tribal organization.

“(2) **ADMINISTRATION.**—

“(A) **IN GENERAL.**—Subject to subparagraphs (B) and (C), in the event of a distribution on all or part of an Indian reservation, the appropriate agency of the State government in the area involved shall be responsible

SEC. 4501. ASSESSING THE NUTRITIONAL VALUE OF THE FDPIR FOOD PACKAGE.

(a) **In General-** Section 4 of the Food and Nutrition Act of 2007 (7 U.S.C. 2013) is amended by striking subsection (b) and inserting the following:

“(b) **Food Distribution Program on Indian Reservations-**

“(1) **IN GENERAL-** Distribution of commodities, with or without the food and nutrition program, shall be made whenever a request for concurrent or separate food program operations, respectively, is made by a tribal organization.

“(2) **ADMINISTRATION-**

“(A) **IN GENERAL-** Subject to subparagraphs (B) and (C), in the event of distribution on all or part of an Indian reservation, the appropriate agency of the State government in the area involved shall be responsible for the

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for the distribution.

“(B) **ADMINISTRATION BY TRIBAL ORGANIZATION.**—If the Secretary determines that a tribal organization is capable of effectively and efficiently administering a distribution described in subparagraph (A), then the tribal organization shall administer the distribution.

“(C) **PROHIBITION.**—The Secretary shall not approve any plan for a distribution described in subparagraph (A) that permits any household on any Indian reservation to participate simultaneously in the Secure Supplemental Nutrition Assistance Program and the distribution of federally donated foods.

“(3) **DISQUALIFIED PARTICIPANTS.**—The Secretary shall ensure that an individual who is disqualified from participation in the Food Distribution Program on Indian Reservations under this subsection is not eligible to participate in the Secure Supplemental Nutrition Assistance Program under this Act.

“(4) **ADMINISTRATIVE COSTS.**—The Secretary is authorized to pay such amounts for administrative costs of such distribution on Indian reservations as the Secretary finds necessary for effective administration of such distribution by a State agency or tribal organization.

“(5) **TRADITIONAL AND LOCAL FOODS FUND.**—

“(A) **IN GENERAL.**—The Secretary shall establish a fund to purchase traditional and locally-grown food, designated by region, for recipients of food distributed under this subsection.

“(B) **NATIVE AMERICAN PRODUCERS.**—For recipients of food distributed under subparagraph (A), at least 50 percent shall be produced by Native American farmers, ranchers, and producers.

“(C) **DEFINITION OF TRADITIONAL AND LOCALLY GROWN.**—The Secretary, in conjunction with the Indian Tribal Organizations, will determine the definition of traditional and locally-grown.

“(D) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$5,000,000 for each of the fiscal years 2008 through 2012 to carry out subparagraph (A).”

(b) **FDPIR FOOD PACKAGE.**—Not later than 180 days after the date of enactment of

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distribution.

“(B) **ADMINISTRATION BY TRIBAL ORGANIZATION-** If the Secretary determines that a tribal organization is capable of effectively and efficiently administering a distribution described in paragraph (1), then the tribal organization shall administer the distribution.

“(C) **PROHIBITION-** The Secretary shall not approve any plan for a distribution described in paragraph (1) that permits any household on any Indian reservation to participate simultaneously in the food and nutrition program and the distribution of federally donated foods.

“(3) **DISQUALIFIED PARTICIPANTS-** An individual who is disqualified from participation in the food distribution program on Indian reservations under this subsection is not eligible to participate in the food and nutrition program under this Act.

“(4) **ADMINISTRATIVE COSTS-** The Secretary is authorized to pay such amounts for administrative costs and distribution costs on Indian reservations as the Secretary finds necessary for effective administration of such distribution by a State agency or tribal organization.

“(5) **BISON MEAT-** Subject to the availability of appropriations, the Secretary may purchase bison meat for recipients of food distributed under this subsection, including bison meat from--

“(A) Native American bison producers; and

“(B) producer-owned cooperatives of bison ranchers.

“(6) **TRADITIONAL FOOD FUND-**

“(A) **IN GENERAL-** Subject to the availability of appropriations, the Secretary shall establish a fund for use in purchasing traditional foods for recipients of food distributed under this subsection.

“(B) **SURVEY-** In carrying out this paragraph, the Secretary shall--

“(i) survey participants of the food distribution program on Indian reservations established under this subsection to determine which traditional foods are most desired by those participants; and

“(ii) purchase or offer to purchase those traditional foods that may be procured cost-effectively.

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this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(1) how the Secretary derives the process for determining the food package under the Food Distribution Program on Indian Reservations established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)) (referred to in this subsection as the “food package”);

(2) the extent to which the food package—

(A) conforms (or fails to conform) to the 2005 Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341);

(B) addresses (or fails to address) the nutritional and health challenges that are specific to Native Americans; and

(C) addresses (or fails to address) the nutritional needs of low-income Native Americans, compared to the Secure Supplemental Nutrition Assistance Program;

(3) any plans of the Secretary to revise and update the food package to conform with the most recent Dietary Guidelines for Americans, including any costs associated with the planned changes; and

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

“(C) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to the Secretary to carry out this paragraph \$5,000,000 for each of fiscal years 2008 through 2012.”

(b) FDPIR Food Package- Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes--

(1) how the Secretary derives the process for determining the food package under the food distribution program on Indian reservations established under section 4(b) of the Food and Nutrition Act of 2007 (7 U.S.C. 2013(b)) (referred to in this subsection as the “food package”);

(2) the extent to which the food package--

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

(B) conforms (or fails to conform) to the 2005 Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341);

(C) addresses (or fails to address) the nutritional and health challenges that are specific to Native Americans; and

(D) is limited by distribution costs or challenges of infrastructure;

(3) any plans of the Secretary to revise and update the food package to conform with the most recent Dietary Guidelines for Americans, including any costs associated with the planned changes; and

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

SEC. 4005. EXCLUDING COMBAT RELATED PAY FROM COUNTABLE INCOME.

Section (5)(d) of the Food Stamp Act of 1977 (7 U.S.C. 2014(d)) is amended—

(1) by striking “and (18)”, and inserting “(18)”, and

(2) by inserting before the period at the end the following: “and (19) any additional payment received under Chapter 5 of title 37, United States Code, by (or as an allotment

SEC. 4101. EXCLUSION OF CERTAIN MILITARY PAYMENTS FROM INCOME.

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

(1) by striking “(d) Household” and inserting “(d) Exclusions From Income- Household”;

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to or transfer from) a member of the United States Armed Forces deployed to a designated combat zone for the duration of the member's deployment to or service in a combat zone if the additional pay was not received immediately prior to serving in that or another combat zone."

(2) by striking `only (1) any' and inserting `only--

`(1) any';

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

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

(5) in paragraph (3)--

(A) by striking `like (A) awarded' and inserting `like--

`(A) awarded';

(B) by striking `thereof, (B) to' and inserting `thereof;

`(B) to'; and

(C) by striking `program, and (C) to' and inserting `program; and

`(C) to';

(6) in paragraph (11), by striking `)), or (B) a' and inserting `)); or

`(B) a';

(7) in paragraph (17), by striking `, and' at the end and inserting a semicolon;

(8) in paragraph (18), by striking the period at the end and inserting `; and';
and

(9) by adding at the end the following:

`(19) any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this paragraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay--

(A) is the result of deployment to or service in a combat zone; and

(B) was not received immediately prior to serving in a combat zone.'

SEC. 4006. INCREASING THE STANDARD DEDUCTION.

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

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Section (5)(e)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(1)) is amended—

(1) in subparagraph (A)(ii) by striking “not less than \$134” and all that follows through the period at the end, and inserting the following: “not less than \$145, \$248, \$205, and \$128, respectively. On October 1, 2008, and each October 1 thereafter, such standard deduction shall be an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, for items other than food, for the 12 months ending the preceding June 30.”; and

(2) in subparagraph (B)(ii) by striking “not less than \$269.” and inserting the following: “not less than \$291. On October 1, 2008, and each October 1 thereafter, such standard deduction shall be an amount that is equal to the amount of the previous fiscal year adjusted to the nearest dollar increment to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, for items other than food, for the 12 months ending the preceding June 30.”.

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

(1) in subparagraph (A)(ii), by striking ‘not less than \$134’ and all that follows through the end of the clause and inserting the following: ‘not less than--

‘(I) for fiscal year 2008, \$140, \$239, \$197, and \$123, respectively; and

‘(II) for fiscal year 2009 and each fiscal year thereafter, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.’;

(2) in subparagraph (B)(ii), by striking ‘not less than \$269’ and all that follows through the end of the clause and inserting the following: ‘not less than--

‘(I) for fiscal year 2008, \$281; and

‘(II) for fiscal year 2009 and each fiscal year thereafter, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.’; and

(3) by adding at the end the following:

‘(C) REQUIREMENT- Each adjustment under subparagraphs (A)(ii)(II) and (B)(ii)(II) shall be based on the unrounded amount for the prior 12-month period.’.

SEC. 4007. DEDUCTING DEPENDENT CARE EXPENSES.

Section (5)(e)(3)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(3)(A)) is amended by striking “, the maximum allowable level of which shall be \$200 per month for each dependent child under 2 years of age and \$175 per month for each other dependent,”.

SEC. 4103. SUPPORTING WORKING FAMILIES WITH CHILD CARE EXPENSES.

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

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SEC. 4008. ADJUSTING COUNTABLE RESOURCES FOR INFLATION.

Section (5)(g) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)) is amended—

(1) by striking “(g)(1) The Secretary” and inserting the following:

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

“(1) **TOTAL AMOUNT.**—

“(A) **IN GENERAL.**—The Secretary”.

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

(A) by inserting “(as adjusted in accordance with subparagraph (B))” after “\$2,000”; and

(B) by inserting “(as adjusted in accordance with subparagraph (B))” after “\$3,000”; and

(3) by adding at the end the following:

“(B) **ADJUSTMENT FOR INFLATION.**—

“(i) **IN GENERAL.**—Beginning on October 1, 2007, and each October 1 thereafter, the amounts in subparagraph (A) shall be adjusted to the nearest \$100 increment to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

“(ii) **REQUIREMENT.**—Each adjustment under clause (i) shall be based on the unrounded amount for the prior 12-month period.”.

SEC. 4104(a). ENCOURAGING RETIREMENT AND EDUCATION SAVINGS AMONG FOOD STAMP RECIPIENTS.

(a) Allowable Financial Resources- Section 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) is amended--

(1) by striking “(g)(1) The Secretary” and inserting the following:

“(g) Allowable Financial Resources-

“(1) **TOTAL AMOUNT-**

“(A) **IN GENERAL-** The Secretary’;

(2) in subparagraph (A) (as designated by paragraph (1))--

(A) by striking “\$2,000” and inserting “\$3,500 (as adjusted in accordance with subparagraph (B))”; and

(B) by striking “\$3,000” and inserting “\$4,500 (as adjusted in accordance with subparagraph (B))”; and

(3) by adding at the end the following:

“(B) **ADJUSTMENT FOR INFLATION-**

“(i) **IN GENERAL-** Beginning on October 1, 2008, and each October 1 thereafter, the amounts in subparagraph (A) shall be adjusted and rounded down to the nearest \$250 to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

“(ii) **REQUIREMENT-** Each adjustment under clause (i) shall be based on the unrounded amount for the prior 12-month period.’.

SEC. 4009. EXCLUDING EDUCATION ACCOUNTS FROM COUNTABLE INCOME.

Section (5)(g) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)) is amended by adding at the end the following:

“(7) **EXCLUSION OF EDUCATION ACCOUNTS FROM COUNTABLE RESOURCES.**—

“(A) **MANDATORY EXCLUSIONS.**—The Secretary shall exclude from financial

SEC. 4104(c).

(c) Exclusion of Education Accounts From Allowable Financial Resources- Section 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) (as amended by subsection (b)) is amended by adding at the end the following:

“(8) **EXCLUSION OF EDUCATION ACCOUNTS FROM ALLOWABLE FINANCIAL RESOURCES-**

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resources under this subsection the value of any funds in a qualified tuition program described in section 529 of the Internal Revenue Code of 1986 or in a Coverdell education savings account under section 530 of that Code.

“(B) **DISCRETIONARY EXCLUSIONS.**—The Secretary may also exclude from financial resources under this subsection the value of any program or account included in any successor or similar provision that is enacted and determined to be exempt from taxation under the Internal Revenue Code of 1986.”.

“(A) **MANDATORY EXCLUSIONS-** The Secretary shall exclude from financial resources under this subsection the value of any funds in a qualified tuition program described in section 529 of the Internal Revenue Code of 1986 or in a Coverdell education savings account under section 530 of that Code.

“(B) **DISCRETIONARY EXCLUSIONS-** The Secretary may exclude from financial resources under this subsection the value of any other education programs, contracts, or accounts (as determined by the Secretary).’.

SEC. 4010. EXCLUDING RETIREMENT ACCOUNTS FROM COUNTABLE INCOME.

Section (5)(g) of the of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)), as amended by section 4009, is amended—

(1) in subsection (g)(2)(B)(v) by striking “or retirement account (including an individual account)” and inserting “account”; and

(2) adding at the end the following:

“(8) **EXCLUSION OF RETIREMENT ACCOUNTS FROM COUNTABLE RESOURCES.**—

“(A) **MANDATORY EXCLUSIONS.**—The Secretary shall exclude from financial resources under this subsection the value of any funds in a plan, contract, or account as described in section 401(a), 403(a), 403(b), 408, 408A, 457(b), or 501(c)(18) of the Internal Revenue Code of 1986 and the value of funds in a Federal Thrift Savings Plan account as provided section 8439 of title 5, United States Code.

“(B) **DISCRETIONARY EXCLUSIONS.**—

“(i) The Secretary may exclude from financial resources under this subsection any other retirement plans, contracts, or accounts that have been determined to be tax qualified retirement plans, contracts, or accounts, under the Internal Revenue Code of 1986.

“(ii) The Secretary may also exclude from financial resources under this subsection the value of any program or account included in any successor or similar provision that is enacted and determined to be exempt from taxation under the Internal Revenue Code of 1986.”.

SEC 4104(b).

(b) Exclusion of Retirement Accounts From Allowable Financial Resources-

(1) **IN GENERAL-** Section 5(g)(2)(B)(v) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)(2)(B)(v)) is amended by striking “or retirement account (including an individual account)’ and inserting “account’.

(2) **MANDATORY AND DISCRETIONARY EXCLUSIONS-** Section 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) is amended by adding at the end the following:

“(7) **EXCLUSION OF RETIREMENT ACCOUNTS FROM ALLOWABLE FINANCIAL RESOURCES-**

“(A) **MANDATORY EXCLUSIONS-** The Secretary shall exclude from financial resources under this subsection the value of--

“(i) any funds in a plan, contract, or account, described in sections 401(a), 403(a), 403(b), 408, 408A, 457(b), and 501(c)(18) of the Internal Revenue Code of 1986 and the value of funds in a Federal Thrift Savings Plan account as provided in section 8439 of title 5, United States Code; and

“(ii) any retirement program or account included in any successor or similar provision that may be enacted and determined to be exempt from tax under the Internal Revenue Code of 1986.

“(B) **DISCRETIONARY EXCLUSIONS-** The Secretary may exclude from financial resources under this subsection the value of any other retirement plans, contracts, or accounts (as determined by the Secretary).’.

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<p>No comparable provision.</p>	<p>SEC. 4105. FACILITATING SIMPLIFIED REPORTING.</p> <p>Section 6(c)(1)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2015(c)(1)(A)) is amended--</p> <ul style="list-style-type: none">(1) by striking `reporting by' and inserting `reporting';(2) in clause (i), by inserting `for periods shorter than 4 months by' before `migrant';(3) in clause (ii), by inserting `for periods shorter than 4 months by' before `households'; and(4) in clause (iii), by inserting `for periods shorter than 1 year by' before `households'.
<p>SEC. 4011. DEOBLIGATE FOOD STAMP COUPONS.</p> <p>(a) IN GENERAL.—Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended—</p> <ul style="list-style-type: none">(1) by striking the section designation and heading and all that follows through “subsection (j)) shall be” and inserting the following: “SEC. 7. ISSUANCE AND USE OF BENEFITS.<p>“(a) IN GENERAL.—Except as provided in subsection (j), EBT cards shall be”.</p><ul style="list-style-type: none">(2) in subsection (b)—<ul style="list-style-type: none">(A) by striking “(b) Coupons” and inserting the following:<p>“(b) USE.—Benefits”; and</p><ul style="list-style-type: none">(B) by striking “: <i>Provided further</i>” and all that follows through “denominations issued”;(3) in subsection (c)—<ul style="list-style-type: none">(A) by striking “(c) Coupons” and inserting the following: <p>“(c) DESIGN.—</p> <ul style="list-style-type: none">“(1) IN GENERAL.—EBT cards”;	<p>SEC. 4202. ISSUANCE AND USE OF PROGRAM BENEFITS.</p> <p>(a) In General- Section 7 of the Food and Nutrition Act of 2007 (7 U.S.C. 2016) is amended--</p> <ul style="list-style-type: none">(1) by striking the section designation and heading and all that follows through `subsection (j)) shall be' and inserting the following: `SEC. 7. ISSUANCE AND USE OF PROGRAM BENEFITS.<p>`(a) In General- Except as provided in subsection (i), EBT cards shall be';</p><ul style="list-style-type: none">(2) in subsection (b)--<ul style="list-style-type: none">(A) by striking `(b) Coupons' and inserting the following:<p>`(b) Use-</p><ul style="list-style-type: none">(1) IN GENERAL- Benefits';<ul style="list-style-type: none">(B) in paragraph (1) (as designated by subparagraph (A)), by striking the second proviso; and(C) by adding at the end the following:<p>`(2) STUDY- As soon as practicable after the date of enactment of this paragraph, the Comptroller General of the United States shall conduct a study of the effects of the Secretary issuing a rule requiring that benefits shall only be used to purchase food that is included in the most recent applicable thrifty food plan</p>

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(B) in the 1st sentence by striking “and define their denomination”;
and

(C) by striking the 2d sentence and inserting the following:

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

(4) by striking subsection (d);

(5) in subsection (e)—

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

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

(6) in subsection (f)—

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

(B) by striking “coupon issuer” and inserting “benefit issuer”; and

(C) by striking “section 11(e)(20)” and all that follows through the period and inserting “section 11(e)(19).”;

(7) by amending subsection (g) to read as follows:

“(g) **BENEFIT SYSTEM.**—

“(1) **COST.**—The cost of documents or systems that may be required by subsection (i) may not be imposed upon a retail food store participating in the Secure Supplemental Nutrition Assistance Program.

“(2) **DEVALUATION AND TERMINATION OF ISSUANCE OF PAPER COUPONS.**—

“(A) **COUPON ISSUANCE.**—Beginning on the effective date of this subsection, no State shall issue any coupon, stamp, certificate, or authorization card to a household that receives benefits under this Act.

“(B) **EBT CARDS.**—Beginning 1 year after the effective date of this subsection, only an EBT card issued under subsection (i) shall be eligible for exchange at any retail food store.

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market basket.’;

(3) in subsection (c)--

(A) by striking `(c) Coupons' and inserting the following:

`(c) Design-

`(1) IN GENERAL- EBT cards';

(B) in the first sentence, by striking `and define their denomination'; and

(C) by striking the second sentence and inserting the following:

`(2) **PROHIBITION-** The name of any public official shall not appear on any EBT card.';

(4) by striking subsection (d);

(5) in subsection (e)--

(A) by striking `coupons' each place it appears and inserting `benefits'; and

(B) by striking `coupon issuers' each place it appears and inserting `benefit issuers';

(6) in subsection (f)--

(A) by striking `coupons' each place it appears and inserting `benefits';

(B) by striking `coupon issuer' and inserting `benefit issuers';

(C) by striking `section 11(e)(20)' and inserting `section 11(e)(19).'; and

(D) by striking `and allotments';

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

`(g) **Alternative Benefit Delivery-**

`(1) IN GENERAL- If the Secretary determines, in consultation with the Inspector General of the Department of Agriculture, that it would improve the integrity of the food and nutrition program, the Secretary shall require a State agency to issue or deliver benefits using alternative methods.

`(2) **NO IMPOSITION OF COSTS-** The cost of documents or systems that may be required by this subsection may not be imposed upon a retail food store

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“(C) **DE-OBLIGATION OF COUPONS.**—Coupons not redeemed in the 1-year period beginning on the effective date of this subsection will no longer be an obligation of the Federal Government and shall not be redeemable.”.

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

(9) in subsection (j)—

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

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

(10) in subsection (k)—

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

(B) by striking “a coupon issued in the form of” each place it appears and inserting “benefits in the form of”.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 3 of the Food Stamp Act of 1977 (7 U.S.C. 2012) is amended—

(A) in subsection (a) by striking “coupons” and inserting “benefits”;

(B) by amending subsection (b) to read as follows:

“(b) ‘Benefit’ means the value of assistance provided under this Act to a household by means of an electronic benefit transfer under section 7(i), or other means of providing assistance, as determined by the Secretary.”;

(C) in the 1st sentence of subsection (c) by striking “authorization cards” and inserting “benefits”;

(D) in subsection (d) by striking “or access device” and all that follows through “number”;

(E) in subsection (e)—

(i) by striking “coupon issuer” and inserting “benefit issuer”;
and

(ii) by striking “coupons” and inserting “benefits”;

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participating in the food and nutrition program.

“(3) **DEVALUATION AND TERMINATION OF ISSUANCE OF PAPER COUPONS-**

“(A) **COUPON ISSUANCE-** Effective on the date of enactment of the Food and Energy Security Act of 2007, no State shall issue any coupon, stamp, certificate, or authorization card to a household that receives food and nutrition benefits under this Act.

“(B) **EBT CARDS-** Effective beginning on the date that is 1 year after the date of enactment of the Food and Energy Security Act of 2007, only an EBT card issued under subsection (i) shall be eligible for exchange at any retail food store.

“(C) **DE-OBLIGATION OF COUPONS-** Coupons not redeemed during the 1-year period beginning on the date of enactment of the Food and Energy Security Act of 2007 shall--

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

“(ii) not be redeemable.”;

(8) in subsection (h)(1), by striking ‘coupons’ and inserting ‘benefits’;

(9) in subsection (i), by adding at the end the following:

“(12) **INTERCHANGE FEES-** No interchange fees shall apply to electronic benefit transfer transactions under this subsection.”;

(10) in subsection (j)--

(A) in paragraph (2)(A)(ii), by striking ‘printing, shipping, and redeeming coupons’ and inserting ‘issuing and redeeming benefits’; and

(B) in paragraph (5), by striking ‘coupon’ and inserting ‘benefit’;

(11) in subsection (k)--

(A) by striking ‘coupons in the form of’ each place it appears and inserting ‘program benefits in the form of’;

(B) by striking ‘a coupon issued in the form of’ each place it appears and inserting ‘program benefits in the form of’; and

(C) in subparagraph (A), by striking ‘subsection (i)(11)(A)’ and inserting

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(F) by inserting after subsection (f) the following:

“(f-1) **EBT CARD.**—The term ‘EBT card’ means an electronic benefit transfer card issued under section 7(i).”;

(G) in subsection (i)(5)(D) by striking “coupons” and inserting “benefits”; and

(H) in subsection (t) by inserting “including point of sale devices,” after “other means of access”.

(2) Section 4(a) of the Food Stamp Act of 1977 (7 U.S.C. 2013(a)) is amended—

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

(B) by striking “coupons issued” and inserting “benefits issued”.

(3) Section 5(i)(2)(E) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)(E)) is amended by striking “, as defined in section 3(i) of this Act,”.

(4) Section 6(b)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2015(b)(1)) is amended—

(A) in subparagraph (B) by striking “coupons or authorization cards” and inserting “benefits”; and

(B) by striking “coupons” each place it appears and inserting “benefits”.

(5) Section 7(j)(5) is amended by striking “coupon” and inserting “benefit”.

(6) Section 8(b) of the Food Stamp Act of 1977 (7 U.S.C. 2017(b)) is amended by striking “, whether through coupons, access devices, or otherwise”.

(7) Section 9 of the Food Stamp Act of 1977 (7 U.S.C. 2018) is amended—

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

(B) in subsection (a)—

(i) in paragraph (1) by striking “coupon” and inserting “benefit”; and

subsection (h)(11)(A); and

(12) by redesignating subsections (e) through (k) as subsections (d) through (j), respectively.

(b) Conforming Amendments-

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

(A) in subsection (a), by striking ‘coupons’ and inserting ‘benefits’;

(B) by striking subsection (b) and inserting the following:

‘(b) Benefit- The term ‘benefit’ means the value of food and nutrition assistance provided to a household by means of--

‘(1) an electronic benefit transfer under section 7(i); or

‘(2) other means of providing assistance, as determined by the Secretary.’;

(C) in subsection (c), in the first sentence, by striking ‘authorization cards’ and inserting ‘benefits’;

(D) in subsection (d), by striking ‘or access device’ and all that follows through the end of the subsection and inserting a period;

(E) in subsection (e)--

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

‘(e) Benefit Issuer- The term ‘benefit issuer’ means’; and

(ii) by striking ‘coupons’ and inserting ‘benefits’;

(F) in subsection (g)(7), by striking ‘subsection (r)’ and inserting ‘subsection (j)’;

(G) in subsection (i)(5)--

(i) in subparagraph (B), by striking ‘subsection (r)’ and inserting ‘subsection (j)’; and

(ii) in subparagraph (D), by striking ‘coupons’ and inserting ‘benefits’;

(H) in subsection (j), by striking ‘(as that term is defined in subsection (p))’;

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(ii) in paragraph (3) by striking “coupons, or to redeem”.

(8) Section 10 of the Food Stamp Act of 1977 (7 U.S.C. 2019) is amended—

(A) by striking the section designation and heading and all that follows through “Regulations” and inserting the following:

“SEC. 10. REDEMPTION OF BENEFITS.

“Regulations”; and

(B) by striking “coupons” each place it appears and inserting “benefits”.

(9) Section 11 of the Food Stamp Act of 1977 (7 U.S.C. 2020) is amended—

(A) in subsection (e)—

(i) in paragraph (15) by striking “when using its authorization card in order to receive its coupons” and inserting “when receiving benefits”; and

(ii) in paragraph (19) by striking “that,” and all that follows through “paragraph;” and inserting “that eligible households may be required to present photographic identification cards in order to receive their benefits.”;

(B) in subsection (h) by striking “coupon or coupons” and inserting “benefits”;

(C) by striking “coupon” each place it appears and inserting “benefit”; and

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

(10) Section 13 of the Food Stamp Act of 1977 (7 U.S.C. 2022) is amended by striking “coupons” each place it appears and inserting “benefits”.

(11) Section 15 of the Food Stamp Act of 1977 (7 U.S.C. 2024) is amended—

(A) in subsection (a) by striking “coupons” and inserting “benefits”;

(B) in subsection (b)(1)—

(I) in subsection (k)--

(i) in paragraph (1)(A), by striking `subsection (u)(1)' and inserting `subsection (r)(1)';

(ii) in paragraph (2), by striking `subsections (g)(3), (4), (5), (7), (8), and (9) of this section' and inserting `paragraphs (3), (4), (5), (7), (8), and (9) of subsection (k)'; and

(iii) in paragraph (3), by striking `subsection (g)(6) of this section' and inserting `subsection (k)(6)';

(J) in subsection (t), by inserting `, including point of sale devices,' after `other means of access';

(K) in subsection (u), by striking `(as defined in subsection (g))'; and

(L) by adding at the end the following:

`(v) EBT Card- The term `EBT card' means an electronic benefit transfer card issued under section 7(i).'; and

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

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

(A) by striking `coupons' each place it appears and inserting `benefits'; and

(B) by striking `Coupons issued' and inserting `benefits issued'.

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

(A) in subsection (a), by striking `section 3(i)(4)' and inserting `section 3(n)(4)';

(B) in subsection (h)(3)(B), in the second sentence, by striking `section 7(i)' and inserting `section 7(h)'; and

(C) in subsection (i)(2)(E), by striking `, as defined in section 3(i) of this Act,'.

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

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

(ii) by striking “coupons or authorization cards” and inserting “benefits”; and

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

(C) in subsection (c) by striking “coupons” each place it appears and inserting “benefits”;

(D) in subsection (d) by striking “Coupons” and inserting “Benefits”;

(E) in subsections (e) and (f) by striking “coupon” each place it appears and inserting “benefit”; and

(F) in subsection (g) by striking “coupon, authorization cards or access devices” and inserting “benefits”; and

(12) Section 16(a) of the Food Stamp Act of 1977 (7 U.S.C. 2025(a)) is amended by striking “coupons” each place it appears and inserting “benefits”.

(13) Section 17 of the Food Stamp Act of 1977 (7 U.S.C. 2026) is amended—

(A) in subsection (a)(2) by striking “coupon” and inserting “benefit”;

(B) in subsection (b)(1)—

(i) in subparagraph (B)(v)—

(I) by striking “countersigned food coupons or similar”; and

(II) by striking “food coupons” and inserting “EBT cards”; and

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

(C) in subsection (j) by striking “coupon” and inserting “benefit”.

(14) Section 21 of the Food Stamp Act of 1977 (7 U.S.C. 2030) is amended—

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(A) in subsection (b)(1)--

(i) in subparagraph (B), by striking ‘coupons or authorization cards’ and inserting ‘program benefits’; and

(ii) by striking ‘coupons’ each place it appears and inserting ‘benefits’; and

(B) in subsection (d)(4)(L), by striking ‘section 11(e)(22)’ and inserting ‘section 11(e)(19)’.

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

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

(A) in subsection (b), by striking ‘, whether through coupons, access devices, or otherwise’; and

(B) in subsections (e)(1) and (f), by striking ‘section 3(i)(5)’ each place it appears and inserting ‘section 3(n)(5)’.

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

(A) by striking ‘coupons’ each place it appears and inserting ‘benefits’;

(B) in subsection (a)--

(i) in paragraph (1), by striking ‘coupon business’ and inserting ‘benefit transactions’; and

(ii) by striking paragraph (3) and inserting the following:

‘(3) AUTHORIZATION PERIODS- The Secretary shall establish specific time periods during which authorization to accept and redeem benefits shall be valid under the food and nutrition program.’; and

(C) in subsection (g), by striking ‘section 3(g)(9)’ and inserting ‘section 3(k)(9)’.

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

(A) by striking the section designation and heading and all that follows

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(A) in subsection (d)(3)—

(i) by striking “food coupons” and inserting “benefits”; and

(ii) by striking “food stamp benefits” and inserting “benefits”.

(15) Section 22 of the Food Stamp Act of 1977 (7 U.S.C. 2031) is amended—

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

(B) by striking “coupons” each place it appears and inserting “benefits”; and

(C) in subsection (g)(1)(A) by striking “coupon” and inserting “benefit”.

(c) **REFERENCES IN OTHER LAWS, DOCUMENTS, AND RECORDS OF THE UNITED STATES.**—In any law (excluding the Food Stamp Act of 1977), regulation, rule, document, or record of the United States, a reference to “coupon”, “authorization card”, or “other access device” as used in the Food Stamp Act of 1977 as in effect before the date of the enactment of this Act shall be deemed to be a reference to “benefit” as defined in such Act as in effect after the date of the enactment of this Act.

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through ‘Regulations’ and inserting the following:

‘SEC. 10. REDEMPTION OF PROGRAM BENEFITS.

‘Regulations’;

(B) by striking ‘section 3(k)(4) of this Act’ and inserting ‘section 3(p)(4)’;

(C) by striking ‘section 7(i)’ and inserting ‘section 7(h)’; and

(D) by striking ‘coupons’ each place it appears and inserting ‘benefits’.

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

(A) in subsection (d)--

(i) by striking ‘section 3(n)(1) of this Act’ each place it appears and inserting ‘section 3(t)(1)’; and

(ii) by striking ‘section 3(n)(2) of this Act’ each place it appears and inserting ‘section 3(t)(2)’;

(B) in subsection (e)--

(i) in paragraph (8)(E), by striking ‘paragraph (16) or (20)(B)’ and inserting ‘paragraph (15) or (18)(B)’;

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

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

(iv) in paragraph (17) (as so redesignated), by striking ‘(described in section 3(n)(1) of this Act)’ and inserting ‘described in section 3(t)(1)’;

(C) in subsection (h), by striking ‘coupon or coupons’ and inserting ‘benefits’;

(D) by striking ‘coupon’ each place it appears and inserting ‘benefit’;

(E) by striking ‘coupons’ each place it appears and inserting ‘benefits’;

(F) in subsection (q), by striking ‘section 11(e)(20)(B)’ and inserting

`subsection (e)(18)(B)'

(10) Section 13 of the Food and Nutrition Act of 2007 (7 U.S.C. 2022) is amended by striking `coupons' each place it appears and inserting `benefits'.

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

(A) in subsection (a), by striking `coupons' and inserting `benefits';

(B) in subsection (b)(1)--

(i) by striking `coupons, authorization cards, or access devices' each place it appears and inserting `benefits';

(ii) by striking `coupons or authorization cards' and inserting `benefits'; and

(iii) by striking `access device' each place it appears and inserting `benefit';

(C) in subsection (c), by striking `coupons' each place it appears and inserting `benefits';

(D) in subsection (d), by striking `Coupons' and inserting `Benefits';

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

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

(G) in subsection (e) (as so redesignated), by striking `coupon, authorization cards or access devices' and inserting `benefits'.

(12) Section 16(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(a)) is amended by striking `coupons' each place it appears and inserting `benefits'.

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

(A) in subsection (a)(2), by striking `coupon' and inserting `benefit';

(B) in subsection (b)(1)--

(i) in subparagraph (B)--

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(I) in clause (iv)--

(aa) in subclause (I), inserting `or otherwise providing benefits in a form not restricted to the purchase of food' after `of cash';

(bb) in subclause (III)(aa), by striking `section 3(i)' and inserting `section 3(n)'; and

(cc) in subclause (VII), by striking `section 7(j)' and inserting `section 7(i)'; and

(II) in clause (v)--

(aa) by striking `countersigned food coupons or similar'; and

(bb) by striking `food coupons' and inserting `EBT cards'; and

(ii) in subparagraph (C)(i)(I), by striking `coupons' and inserting `EBT cards';

(C) in subsection (f), by striking `section 7(g)(2)' and inserting `section 7(f)(2)'; and

(D) in subsection (j), by striking `coupon' and inserting `benefit'.

(14) Section 19(a)(2)(A)(ii) of the Food and Nutrition Act of 2007 (7 U.S.C. 2028(a)(2)(A)(ii)) is amended by striking `section 3(o)(4)' and inserting `section 3(u)(4)'.

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

(A) in subsection (b)(2)(G)(i), by striking `and (19)' and inserting `(and (17)';

(B) in subsection (d)(3), by striking `food coupons' and inserting `EBT cards'; and

(C) by striking `coupons' each place it appears and inserting `EBT cards'.

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

(A) by striking `food coupons' each place it appears and inserting `benefits';

(B) by striking `coupons' each place it appears and inserting `benefits'; and

(C) in subsection (g)(1)(A), by striking `coupon' and inserting `benefits'.

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

(A) in subparagraph (A), by striking `subsections (a) through (g)' and inserting `subsections (a) through (f)'; and

(B) in subparagraph (E), by striking `(16), (18), (20), (24), and (25)' and inserting `(15), (17), (18), (22), and (23)'.

(c) Conforming Cross-References-

(1) IN GENERAL-

(A) USE OF TERMS- Each provision of law described in subparagraph (B) is amended (as applicable)--

(i) by striking `coupons' each place it appears and inserting `benefits';

(ii) by striking `coupon' each place it appears and inserting `benefit';

(iii) by striking `food coupons' each place it appears and inserting `benefits';

(iv) in each section heading, by striking `food coupons' each place it appears and inserting `benefits';

(v) by striking `food stamp coupon' each place it appears and inserting `benefit'; and

(vi) by striking `food stamps' each place it appears and inserting `benefits'.

(B) PROVISIONS OF LAW- The provisions of law referred to in subparagraph (A) are the following:

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

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

(iii) Titles II through XIX of the Social Security Act (42 U.S.C. 401 et seq.).

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

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

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

(2) DEFINITION REFERENCES-

(A) Section 2 of Public Law 103-205 (7 U.S.C. 2012 note; 107 Stat. 2418) is amended by striking `section 3(k)(1)' and inserting `section 3(p)(1)'.

(B) Section 205 of the Food Stamp Program Improvements Act of 1994 (7 U.S.C. 2012 note; Public Law 103-225) is amended by striking `section 3(k) of such Act (as amended by section 201)' and inserting `section 3(p) of that Act'.

(C) Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is amended--

(i) by striking `section 3(h)' each place it appears and inserting `section 3(l)'; and

(ii) in subsection (e)(2), by striking `section 3(m)' and inserting `section 3(s)'.

(D) Section 402(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)) is amended--

(i) in paragraph (2)(F)(ii), by striking `section 3(r)' and inserting `section 3(j)'; and

(ii) in paragraph (3)(B), by striking `section 3(h)' and inserting `section 3(l)'.

(E) Section 3803(c)(2)(C)(vii) of title 31, United States Code, is amended by striking `section 3(h)' and inserting `section 3(l)'.

(F) Section 303(d)(4) of the Social Security Act (42 U.S.C. 503(d)(4)) is amended by striking `section 3(n)(1)' and inserting `section 3(t)(1)'.

(G) Section 404 of the Social Security Act (42 U.S.C. 604) is amended by striking `section 3(h)' each place it appears and inserting `section 3(l)'.

(H) Section 531 of the Social Security Act (42 U.S.C. 654) is amended by

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	<p>striking `section 3(h)' each place it appears and inserting `section 3(l)'.</p> <p>(I) Section 802(d)(2)(A)(i)(II) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8011(d)(2)(A)(i)(II)) is amended by striking `(as defined in section 3(e) of such Act)'.</p> <p>(d) References- Any reference in any Federal, State, tribal, or local law (including regulations) to a `coupon', `authorization card', or other access device provided under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) shall be considered to be a reference to a `benefit' provided under that Act.</p>
<p>No comparable provision.</p>	<p>SEC. 4107. ELIGIBILITY FOR UNEMPLOYED ADULTS.</p> <p>(a) In General- Section 6(o) of the Food and Nutrition Act of 2007 (7 U.S.C. 2015(o)) is amended--</p> <p>(1) in paragraph (2), in the matter preceding subparagraph (A) by striking `3 months' and inserting `6 months'; and</p> <p>(2) in paragraph (5), by striking subparagraph (C).</p> <p>(b) Effective Date- The amendments made by subsection (a) take effect on October 1, 2008.</p>
<p>No comparable provision.</p>	<p>SEC. 4108. TRANSITIONAL BENEFITS OPTION.</p> <p>Section 11(s)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(s)(1)) is amended--</p> <p>(1) by striking `benefits to a household'; and inserting `benefits--</p> <p style="padding-left: 40px;">`(A) to a household';</p> <p>(2) by striking the period at the end and inserting `; or'; and</p> <p>(3) by adding at the end the following:</p> <p style="padding-left: 40px;">`(B) at the option of the State, to a household with children that ceases to receive cash assistance under a State-funded public assistance program.'</p>
<p>SEC. 4012. ALLOW FOR THE ACCRUAL OF BENEFITS.</p>	<p>SEC. 4106. ACCRUAL OF BENEFITS.</p>

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Section 7(i) of the Food Stamp Act of 1977 (7 U.S.C. 2016(i)) is amended by adding at the end the following:

“(12) RECOVERING ELECTRONIC BENEFITS.—

“(A) A State agency may recover benefits from a household’s electronic benefits account because of inactivity in the account after the household has not accessed the account the lesser of—

“(i) 3 months during which the account has continuously had a balance in excess of \$1,000, adjusted for changes in the thrifty food plan since June 2007; or

“(ii) 12 months.

“(B) A household whose benefits are recovered under subparagraph (A) shall receive notice and shall have the benefits made available again upon a request made during a period of not less than 12 months after the recovery.”.

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

“(12) RECOVERING ELECTRONIC BENEFITS-

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

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

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

“(D) NOTICE- A State agency shall--

“(i) send notice to a household the benefits of which are stored under subparagraph (B); and

“(ii) not later than 48 hours after request by the household, make the stored benefits available to the household.’.

SEC. 4013. INCREASING THE MINIMUM BENEFIT.

Section 8(a) of the Food Stamp Act of 1977 (7 U.S.C. 2017(a)) is amended by striking “\$10 per month” and inserting “10 percent of the thrifty food plan for a household containing 1 member, as determined by the Secretary under section 3(o)”.

SEC. 4109. MINIMUM BENEFIT.

(a) In General- Section 8(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2017(a)) is amended by striking ‘\$10 per month’ and inserting ‘10 percent of the thrifty food plan for a household containing 1 member’.

(b) Effective Date- The amendment made by subsection (a) takes effect on October 1, 2008.

SEC. 4014. STATE OPTION FOR TELEPHONIC SIGNATURE.

Section 11(e)(2)(C) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(2)(C)) is amended—

(1) by inserting “(i)” after “(C)”; and

(2) by adding at the end the following:

“(ii) A State agency may establish a system by which an applicant household may sign an application through a recorded verbal assent over the telephone. Any

SEC. 4204. STATE OPTION FOR TELEPHONIC SIGNATURE.

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

(1) by striking ‘Nothing in this Act’ and inserting the following:

“(C) ELECTRONIC AND AUTOMATED SYSTEMS-

“(i) IN GENERAL- Nothing in this Act’; and

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such system shall—

“(I) record for future reference the household member’s verbal assent and the information to which assent was given;

“(II) include effective safeguards against impersonation, identity theft, or invasions of privacy;

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

“(IV) promptly send the household member a written copy of the application, with instructions on a simple procedure for correcting any errors or omissions;

“(V) comply with paragraph (1)(B);

“(VI) satisfy all requirements for a signature on an application under this Act and other laws applicable to the Secure Supplemental Nutrition Assistance Program, with the date on which the household member provides verbal assent effective as the date of application for all purposes; and

“(VII) comply with such other standards as the Secretary may establish.”.

(2) by adding at the end the following:

“(ii) STATE OPTION FOR TELEPHONIC SIGNATURE- A State agency may establish a system by which an applicant household may sign an application through a recorded verbal assent over the telephone.

“(iii) REQUIREMENTS- A system established under clause (ii) shall--

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

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

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

“(IV) promptly provide to the household member a written copy of the completed application, with instructions for a simple procedure for correcting any errors or omissions;

“(V) comply with paragraph (1)(B);

“(VI) satisfy all requirements for a signature on an application under this Act and other laws applicable to the food and nutrition program, with the date on which the household member provides verbal assent considered as the date of application for all purposes; and

“(VII) comply with such other standards as the Secretary may establish.”.

SEC. 4201. TECHNICAL CLARIFICATION REGARDING ELIGIBILITY.

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

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking ‘No member’ and inserting the following:

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	<p>`(1) IN GENERAL- No member'; and</p> <p>(3) by adding at the end the following:</p> <p>`(2) PROCEDURES- The Secretary shall issue consistent procedures--</p> <p style="padding-left: 40px;">`(A) to define the terms `fleeing' and `actively seeking' for purposes of this subsection; and</p> <p style="padding-left: 40px;">`(B) to ensure that State agencies use consistent procedures that disqualify individuals whom law enforcement authorities are actively seeking for the purpose of holding criminal proceedings against the individual.'</p>
<p>No comparable provision.</p>	<p>SEC. 4203. CLARIFICATION OF SPLIT ISSUANCE.</p> <p>Section 7(h) of the Food and Nutrition Act of 2007 (7 U.S.C. 2016(h)) is amended by striking paragraph (2) and inserting the following:</p> <p>`(2) REQUIREMENTS-</p> <p style="padding-left: 40px;">`(A) IN GENERAL- Any procedure established under paragraph (1) shall--</p> <p style="padding-left: 80px;">`(i) not reduce the allotment of any household for any period; and</p> <p style="padding-left: 80px;">`(ii) ensure that no household experiences an interval between issuances of more than 40 days.</p> <p style="padding-left: 40px;">`(B) MULTIPLE ISSUANCES- The procedure may include issuing benefits to a household in more than 1 issuance only when a benefit correction is necessary.'</p>
<p>No comparable provision.</p>	<p>SEC. 4205. PRIVACY PROTECTIONS.</p> <p>Section 11(e)(8) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(e)(8)) is amended--</p> <p>(1) in the matter preceding subparagraph (A)--</p> <p style="padding-left: 40px;">(A) by striking `limit' and inserting `prohibit'; and</p> <p style="padding-left: 40px;">(B) by striking `to persons' and all that follows through `State programs';</p> <p>(2) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively;</p>

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

“(A) the safeguards shall permit--

“(i) the disclosure of such information to persons directly connected with the administration or enforcement of the provisions of this Act, regulations issued pursuant to this Act, Federal assistance programs, or federally-assisted State programs; and

“(ii) the subsequent use of the information by persons described in clause (i) only for such administration or enforcement;” and

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

SEC. 4207. CIVIL RIGHTS COMPLIANCE.

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

“(c) Civil Rights Compliance-

“(1) IN GENERAL- In the certification of applicant households for the food and nutrition program, there shall be no discrimination by reason of race, sex, religious creed, national origin, or political affiliation.

“(2) RELATION TO OTHER LAWS- The administration of the program by a State agency shall be consistent with the rights of households under the following laws (including implementing regulations):

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

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

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

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

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

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

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	<p>(1) in subparagraph (B)--</p> <p>(A) by redesignating clause (vii) as clause (viii); and</p> <p>(B) by inserting after clause (vi) the following:</p> <p style="padding-left: 40px;">(vii) Programs intended to ensure job retention by providing job retention services, if the job retention services are provided for a period of not more than 90 days after an individual who received employment and training services under this paragraph gains employment.'; and</p> <p>(2) in subparagraph (F), by adding at the end the following:</p> <p style="padding-left: 40px;">(iii) Any individual voluntarily electing to participate in a program under this paragraph shall not be subject to the limitations described in clauses (i) and (ii).'</p>
	<p>SEC. 4209. CODIFICATION OF ACCESS RULES.</p> <p>Section 11(e)(1)) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(e)(1)) is amended--</p> <p>(1) by striking `shall (A) at' and inserting `shall--</p> <p style="padding-left: 40px;">(A) at'; and</p> <p>(2) by striking `and (B) use' and inserting `and</p> <p style="padding-left: 40px;">(B) comply with regulations of the Secretary requiring the use of'.</p>
<p>No comparable provision.</p>	<p>SEC. 4210. EXPANDING THE USE OF EBT CARDS AT FARMERS' MARKETS.</p> <p>(a) In General- For each of fiscal years 2008 through 2010, the Secretary shall make grants to pay 100 percent of the costs of eligible entities approved by the Secretary to carry out projects to expand the number of farmers' markets that accept EBT cards by--</p> <p>(1) providing equipment and training necessary for farmers' markets to accept EBT cards;</p> <p>(2) educating and providing technical assistance to farmers and farmers' market operators about the process and benefits of accepting EBT cards; or</p> <p>(3) other activities considered to be appropriate by the Secretary.</p> <p>(b) Limitation- A grant under this section--</p>

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	<p>(1) may not be made for the ongoing cost of carrying out any project; and</p> <p>(2) shall only be provided to eligible entities that demonstrate a plan to continue to provide EBT card access at 1 or more farmers' markets following the receipt of the grant.</p> <p>(c) Eligible Entities- To be eligible to receive a grant under this section, an entity shall be--</p> <p>(1) a State agency administering the food and nutrition program established under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.);</p> <p>(2) a State agency or local government; or</p> <p>(3) a private nonprofit entity that coordinates farmers' markets in a State in cooperation with a State or local government.</p> <p>(d) Selection of Eligible Entities- The Secretary--</p> <p>(1) shall develop criteria to select eligible entities to receive grants under this section; and</p> <p>(2) may give preference to any eligible entity that consists of a partnership between a government entity and a nongovernmental entity.</p> <p>(e) Mandatory Funding-</p> <p>(1) IN GENERAL- On October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this section \$5,000,000, to remain available until expended.</p> <p>(2) RECEIPT AND ACCEPTANCE- The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.</p>
<p>SEC. 4015. REVIEW OF MAJOR CHANGES IN PROGRAM DESIGN.</p> <p>(a) PROHIBITION.—Section 11(e)(6) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(6)) is amended—</p> <p>(1) in subparagraph (A) by striking “and” at the end;</p> <p>(2) by striking subparagraph (B) and inserting the following:</p> <p>“(B) except as provided in section 5(h)(4), only State employees</p>	<p>SEC. 4211. REVIEW OF MAJOR CHANGES IN PROGRAM DESIGN.</p> <p>Section 11 of the Food and Nutrition Act of 2007 (7 U.S.C. 2020) is amended by striking subsection (a) and inserting the following:</p> <p>“(a) State Responsibility-</p> <p>“(1) IN GENERAL- The State agency of each participating State shall have responsibility for certifying applicant households and issuing EBT cards.</p>

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employed in accordance with the current standards for a Merit System of Personnel Administration, or any standards later prescribed by the Office of Personnel Management pursuant to section 208 of the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728) modifying or superseding such standards relating to the establishment and maintenance of personnel standards on a merit basis, shall undertake such certifications and shall—

“(i) represent the State agency in any official communications with a prospective applicant, applicant, or recipient household regarding their application or participation, except that a nonprofit organization may assist a household under paragraph (1) through activities allowable under section 16(a)(4);

“(ii) participate in making any determinations relating to a household’s substantive or procedural compliance with the requirements of this Act or implementing regulations, including the adequacy of the household’s application or of verification or other information the household has submitted in support of that application; or

“(iii) participate in making any other determinations required under this subsection;

except that nothing in this subparagraph shall prevent a State agency from contracting for automated systems, issuance services or program information activities reimbursed under paragraph (2), (3), (4), or (6) of section 16(a) or under section 16(g) or for assisting in the verification of an applicant’s identity; and

“(C) the State agency shall not use any Federal funds—

“(i) to implement, to perform, or to carry out any contract that does not comply with the requirements in effect under subparagraph (B); or

“(ii) to pay any cost associated with the termination, breach, or full or partial abrogation, of any contract that does not comply with the requirements in effect under such subparagraph;”.

(b) **WAIVERS.**—Section 17(b)(1)(B)(iv)(III)(ff) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(ff)) is amended by inserting “or 11(e)(6)(B)” before the semicolon at the end.

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

“(3) RECORDS-

“(A) IN GENERAL- Each State agency shall keep such records as may be necessary to determine whether the program is being conducted in compliance with this Act (including regulations issued under this Act).

“(B) INSPECTION AND AUDIT- Records described in subparagraph (A) shall--

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

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

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

“(4) REVIEW OF MAJOR CHANGES IN PROGRAM DESIGN-

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

“(i) large or substantially-increased numbers of low-income households that do not live in reasonable proximity to an office performing the major functions described in subsection (e);

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

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

“(iv) changes that may disproportionately increase the burdens on any of the types of households described in subsection (e)(2)(A).

“(B) NOTIFICATION- If a State agency implements a major change in operations, the State agency shall--

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(c) **PROJECTS.**—Section 26(f)(3)(E) of the Food Stamp Act of 1977 (7 U.S.C. 2035(f)(3)(E)) is amended by inserting “(6)(B),” after “paragraphs”.

(d) **DISASTERS.**—Section 5(h) of the Food Stamp Act of 1977 (7 U.S.C. 2014(h)) is amended by inserting at the end:

“(4) The Secretary may authorize a state agency, on a temporary basis, to use employees or individuals that do not meet the standards prescribed under section 11(e)(6)(B) in order to determine eligibility for a disaster food stamp program under this subsection.”.

(e) **DISALLOWANCE OF FUNDS.**—No funds shall be available under any appropriations act for implementing or continuing any contract that does not comply with section 11(e)(6)(B) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)(6)(B)) as amended by subsection (a) nor for any costs associated with the termination or full or partial abrogation of such contract.

(f) **TRANSITION PERIOD.**—Subsection (e) shall not apply to the costs of implementing, continuing, or renegotiating any contract concluded before January 1, 2007, (but shall apply to any costs associated with the termination or full or partial abrogation of such contract) until the first day of the first month beginning at least 120 days after the date of enactment of this Act.

`(i) notify the Secretary; and

`(ii) collect such information as the Secretary shall require to identify and correct any adverse effects on program integrity or access, including access by any of the types of households described in subsection (e)(2)(A).’.

No comparable provision

SEC. 4212. PRESERVATION OF ACCESS AND PAYMENT ACCURACY.

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

`(g) Cost Sharing for Computerization-

`(1) **IN GENERAL-** Except as provided in paragraphs (2) and (3), the Secretary is authorized to pay to each State agency the amount provided under subsection (a)(6) for the costs incurred by the State agency in the planning, design, development, or installation of 1 or more automatic data processing and information retrieval systems that the Secretary determines--

`(A) would assist in meeting the requirements of this Act;

`(B) meet such conditions as the Secretary prescribes;

`(C) are likely to provide more efficient and effective administration of the food and nutrition program;

`(D) would be compatible with other systems used in the administration of State programs, including the program funded under part A of title IV of

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	<p>the Social Security Act (42 U.S.C. 601 et seq.);</p> <p>`(E) would be tested adequately before and after implementation, including through pilot projects in limited areas for major systems changes as determined under rules promulgated by the Secretary, data from which shall be thoroughly evaluated before the Secretary approves the system to be implemented more broadly; and</p> <p>`(F) would be operated in accordance with an adequate plan for--</p> <ul style="list-style-type: none"> `(i) continuous updating to reflect changed policy and circumstances; and `(ii) testing the effect of the system on access for eligible households and on payment accuracy. <p>`(2) LIMITATION- The Secretary shall not make payments to a State agency under paragraph (1) to the extent that the State agency--</p> <ul style="list-style-type: none"> `(A) is reimbursed for the costs under any other Federal program; or `(B) uses the systems for purposes not connected with the food and nutrition program.'
<p>SEC. 4016. GRANTS FOR SIMPLE APPLICATION AND ELIGIBILITY DETERMINATION SYSTEMS AND IMPROVED ACCESS TO BENEFITS.</p> <p>Section 11(t)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2020(t)(1)) is amended by striking “2007” and inserting “2012”.</p>	<p>SEC. 4801(a). FOOD AND NUTRITION PROGRAM.</p> <p>(a) Grants for Simple Application and Eligibility Determination Systems and Improved Access to Benefits- Section 11(t)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2020(t)(1)) is amended by striking `For each of fiscal years 2003 through 2007' and inserting `For fiscal year 2008 and each fiscal year thereafter'.</p>
<p>SEC. 4017. CIVIL MONEY PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.</p> <p>Section 12 of the Food Stamp Act of 1977 (7 U.S.C. 2021) is amended—</p> <p>(1) by striking the section heading and all that follows through “(a) Any approved”, and inserting the following:</p> <p>“SEC. 12. CIVIL MONEY PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.</p> <p>“(a) DISQUALIFICATION.—</p>	<p>SEC. 4303. CIVIL PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.</p> <p>Section 12 of the Food and Nutrition Act of 2007 (7 U.S.C. 2021) is amended--</p> <p>(1) by striking the section designation and heading and all that follows through the end of subsection (a) and inserting the following:</p> <p>`SEC. 12. CIVIL PENALTIES AND DISQUALIFICATION OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.</p> <p>`(a) Disqualification-</p>

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“(1) **IN GENERAL.**—An approved”;

(2) in subsection (a)—

(A) in the 1st sentence by striking “\$10,000 for each violation” and all that follows through the period at the end, and inserting “\$100,000 for each violation.”; and

(B) in the 2d sentence—

(i) by striking “Regulations” and inserting the following:

“(2) **REGULATIONS.**—Regulations”;

(ii) by striking “finding of a violation and the” and inserting “finding of a violation,”;

(iii) by inserting a comma after “disqualification of”; and

(iv) by striking “a retail store” and inserting “and the assessment of a civil money penalty against, a retail store”;

(3) in subsection (b)—

(A) by striking “(b) Disqualification” and all that follows through “shall be—”, and inserting the following:

“(b) **PERIOD OF DISQUALIFICATION.**—Subject to subsection (c), a disqualification shall be—”;

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

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

(D) in paragraph (3)—

(i) in subparagraph (B)—

(I) by striking “coupons or trafficking in coupons or authorization cards” each place it appears, and inserting “program access devices or benefit instruments or trafficking in program access devices or benefit instruments”; and

(II) by inserting “or a finding of the unauthorized

“(1) **IN GENERAL.**—An approved retail food store or wholesale food concern that violates a provision of this Act or a regulation under this Act may be--

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

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

(2) **REGULATIONS.**—Regulations promulgated under this Act shall provide criteria for the finding of a violation of, the suspension or disqualification of, and the assessment of a civil penalty against, a retail food store or wholesale food concern on the basis of evidence that may include facts established through on-site investigations, inconsistent redemption data, or evidence obtained through a transaction report under an electronic benefit transfer system.”;

(2) in subsection (b)--

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

“(b) **Period of Disqualification.**—Subject to subsection (c), a disqualification”;

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

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

(D) in paragraph (3)(B)--

(i) by inserting “or a finding of the unauthorized redemption, use, transfer, acquisition, alteration, or possession of EBT cards” after “concern” the first place it appears; and

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

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

(3) in subsection (c)--

(A) by striking “(c) The action” and inserting the following:

“(c) **Civil Penalty and Review of Disqualification and Penalty Determinations.**—

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redemption, use, transfer, acquisition, alteration, or possession of benefits or access devices” after “concern” the 1st place it appears;

(4) in paragraph (3)(C) by striking “and” at the end;

(5) in subsection (c)—

(A) by striking “(c) The action” and inserting the following:

“(c) **TREATMENT OF DISQUALIFICATION AND PENALTY DETERMINATIONS.**—
The action”; and

(B) by striking “coupons” and inserting “benefits”;

(6) in subsection (d) by striking “coupons” in each place it appears and inserting “benefits”;

(7) in subsection (f) by striking “food coupons” and inserting “benefits”;

(8) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively;

(9) inserting after subsection (b) the following:

“(c) In addition to a disqualification under subsection (b), the Secretary may assess a civil monetary penalty of up to \$100,000;” and

(10) by adding at the end:

“(i) The Secretary shall, in consultation with the Inspector General of the Department of Agriculture, provide for procedures by which the processing of benefit redemptions for certain retail food stores and wholesale food concerns may be immediately suspended pending administrative action to disqualify such a store or concern. Under the procedures prescribed pursuant to this subsection, if the Secretary, in consultation with the Inspector General, determines that a retail food store or wholesale food concern is engaged in flagrant violations of this Act or the regulations issued pursuant to this Act, unsettled benefits that have been redeemed by the retail food store or wholesale food concern may be suspended and, if the suspension is upheld, subject to forfeiture pursuant to section 12(g). If the disqualification action is not upheld, suspended funds held by the Secretary shall be released to such store or such concern. The Secretary shall not be liable for the value of any interest on funds suspended under this subsection.”.

`(1) CIVIL PENALTY- In addition to a disqualification under this section, the Secretary may assess a civil penalty in an amount not to exceed \$100,000 for each violation.

`(2) REVIEW- The action'; and

(B) in paragraph (2) (as designated by subparagraph (A)), by striking `civil money penalty' and inserting `civil penalty';

(4) in subsection (d)--

(A) by striking `(d)' and all that follows through ` . The Secretary shall' and inserting the following:

`(d) Conditions of Authorization-

`(1) IN GENERAL- As a condition of authorization to accept and redeem benefits, the Secretary may require a retail food store or wholesale food concern that, pursuant to subsection (a), has been disqualified for more than 180 days, or has been subjected to a civil penalty in lieu of a disqualification period of more than 180 days, to furnish a collateral bond or irrevocable letter of credit for a period of not more than 5 years to cover the value of benefits that the store or concern may in the future accept and redeem in violation of this Act.

`(2) COLLATERAL- The Secretary also may require a retail food store or wholesale food concern that has been sanctioned for a violation and incurs a subsequent sanction regardless of the length of the disqualification period to submit a collateral bond or irrevocable letter of credit.

`(3) BOND REQUIREMENTS- The Secretary shall';

(B) by striking `If the Secretary finds' and inserting the following

`(4) FORFEITURE- If the Secretary finds'; and

(C) by striking `Such store or concern' and inserting the following:

`(5) HEARING- A store or concern described in paragraph (4)';

(5) in subsection (e), by striking `civil money penalty' each place it appears and inserting `civil penalty'; and

(6) by adding at the end the following:

`(h) Flagrant Violations-

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`(1) IN GENERAL- The Secretary, in consultation with the Inspector General of the Department of Agriculture, shall establish procedures under which the processing of program benefit redemptions for a retail food store or wholesale food concern may be immediately suspended pending administrative action to disqualify the retail food store or wholesale food concern.

`(2) REQUIREMENTS- Under the procedures described in paragraph (1), if the Secretary, in consultation with the Inspector General, determines that a retail food store or wholesale food concern is engaged in flagrant violations of this Act (including regulations promulgated under this Act), unsettled program benefits that have been redeemed by the retail food store or wholesale food concern--

- `(A) may be suspended; and
- `(B)(i) if the program disqualification is upheld, may be subject to forfeiture pursuant to subsection (g); or
- `(ii) if the program disqualification is not upheld, shall be released to the retail food store or wholesale food concern.

`(3) NO LIABILITY FOR INTEREST- The Secretary shall not be liable for the value of any interest on funds suspended under this subsection.'

SEC. 4018. MAJOR SYSTEMS FAILURES.

Section 13(b) of the Food Stamp Act of 1977 (7 U.S.C. 2022(b)) is amended by adding at the end the following:

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

“(A) **IN GENERAL.**—If the Secretary determines that a State agency over issued benefits to a substantial number of households in a fiscal year as a result of a major systemic error by the State agency, as determined by the Secretary, the Secretary may prohibit the State agency from collecting these over issuances from some or all households.

“(B) **PROCEDURES.**—

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

SEC. 4301. MAJOR SYSTEMS FAILURES.

(a) In General- Section 13(b) of the Food and Nutrition Act of 2007 (7 U.S.C. 2022(b)) is amended by adding at the end the following:

`(5) **OVER ISSUANCES CAUSED BY SYSTEMIC STATE ERRORS-**

`(A) **IN GENERAL-** If the Secretary determines that a State agency over issued benefits to a substantial number of households in a fiscal year as a result of a major systemic error by the State agency, as determined by the Secretary, the Secretary may prohibit the State agency from collecting these over issuances from some or all households.

`(B) **PROCEDURES-**

`(i) **INFORMATION REPORTING BY STATES-** Every State agency shall provide to the Secretary all information requested by the Secretary concerning the issuance of benefits to households by the State agency in the applicable fiscal year.

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

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

“(II) as to the amount of the over issuance in the applicable fiscal year for which the State agency is liable.

“(iii) **ESTABLISHING A CLAIM.**—Upon determining under clause (ii) that a State agency has over issued benefits to households due to a major systemic error determined under subparagraph (A), the Secretary shall establish a claim against the State agency equal to the value of the over issuance caused by the systemic error.

“(iv) **ADMINISTRATIVE AND JUDICIAL REVIEW.**—Administrative and judicial review, as provided in section 14, shall apply to the final determinations by the Secretary under clause (ii).

“(v) **REMISSION TO THE SECRETARY.**—

“(I) **DETERMINATION NOT APPEALED.**—If the determination of the Secretary under clause (ii) is not appealed, the State agency shall, as soon as practicable, remit to the Secretary the dollar amount specified in the claim under clause (iii).

“(II) **DETERMINATION APPEALED.**—If the determination of the Secretary under clause (ii) is appealed, upon completion of administrative and judicial review under clause (iv), and a finding of liability on the part of the State, the appealing State agency shall, as soon as practicable, remit to the Secretary a dollar amount subject to the finding of the administrative and judicial review.

“(vi) **ALTERNATIVE METHOD OF COLLECTION.**—

“(I) **IN GENERAL.**—If a State agency fails to make a payment under clause (v) within a reasonable period of time, as determined by the Secretary, the Secretary may reduce any amount due to the State agency under any other provision of this Act by the amount due.

“(II) **ACCRUAL OF INTEREST.**—During the period of time

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`(ii) **FINAL DETERMINATION-** After reviewing relevant information provided by a State agency, the Secretary shall make a final determination--

`(I) whether the State agency over issued benefits to a substantial number of households as a result of a systemic error in the applicable fiscal year; and

`(II) as to the amount of the over issuance in the applicable fiscal year for which the State agency is liable.

`(iii) **ESTABLISHING A CLAIM-** Upon determining under clause (ii) that a State agency has over issued benefits to households due to a major systemic error determined under subparagraph (A), the Secretary shall establish a claim against the State agency equal to the value of the over issuance caused by the systemic error.

`(iv) **ADMINISTRATIVE AND JUDICIAL REVIEW-** Administrative and judicial review, as provided in section 14, shall apply to the final determinations by the Secretary under clause (ii).

`(v) **REMISSION TO THE SECRETARY-**

`(I) **DETERMINATION NOT APPEALED-** If the determination of the Secretary under clause (ii) is not appealed, the State agency shall, as soon as practicable, remit to the Secretary the dollar amount specified in the claim under clause (iii).

`(II) **DETERMINATION APPEALED-** If the determination of the Secretary under clause (ii) is appealed, upon completion of administrative and judicial review under clause (iv), and a finding of liability on the part of the State, the appealing State agency shall, as soon as practicable, remit to the Secretary a dollar amount subject to the finding of the administrative and judicial review.

`(vi) **ALTERNATIVE METHOD OF COLLECTION-**

`(I) **IN GENERAL-** If a State agency fails to make a payment under clause (v) within a reasonable period of time, as determined by the Secretary, the Secretary may reduce any amount due to the State agency under any other provision of

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determined by the Secretary to be reasonable under subclause (I), interest in the amount owed shall not accrue.

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

this Act by the amount due.

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

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

(b) **Conforming Amendment.**—Section 14(a)(6) of the Food and Nutrition Act of 2007 (7 U.S.C. 2023(a)(6)) is amended by striking ‘pursuant to section’ and inserting ‘pursuant to section 13(b)(5) and’.

SEC. 4019. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

Section 16(h)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2025(h)(1)) is amended—

(1) in subparagraph (A)(vii) by striking “fiscal years 2002 through 2007” and inserting “fiscal years 2008 through 2012”; and

(2) in subparagraph (E)(i) by striking “fiscal years 2002 through 2007” and inserting “fiscal years 2008 through 2012”.

SEC. 4801(b).

(b) **Funding of Employment and Training Programs.**—Section 16(h)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(h)(1)) is amended--

(1) in subparagraph (A)(vii), by striking ‘for each of fiscal years 2002 through 2007’ and inserting ‘for fiscal year 2008 and each fiscal year thereafter’; and

(2) in subparagraph (E)(i), by striking ‘for each of fiscal years 2002 through 2007’ and inserting ‘for fiscal year 2008 and each fiscal year thereafter’.

SEC. 4304. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

(a) **In General.**—Section 16(h)(1)(A) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(h)(1)(A)) is amended in subparagraph (A), by striking ‘to remain available until expended’ and inserting ‘to remain available for 2 fiscal years’.

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

SEC. 4020. REDUCTIONS IN PAYMENTS FOR ADMINISTRATIVE COSTS.

Section 16(k)(3) of the Food Stamp Act of 1977 (7 U.S.C. 2025(k)(3)) is amended—

(1) in subparagraph (A) by striking “2007” and inserting “2012”; and

(2) in subparagraph (B)(ii) by striking “2007” and inserting “2012”.

SEC. 4801(c).

(c) **Reductions in Payments for Administrative Costs.**—Section 16(k)(3) of the Food and Nutrition Act of 2007 (7 U.S.C. 2025(k)(3)) is amended--

(1) in the first sentence of subparagraph (A), by striking ‘for each of fiscal years 1999 through 2007’ and inserting ‘for fiscal year 2008 and each fiscal year thereafter’; and

(2) in subparagraph (B)(ii), by striking ‘through fiscal year 2007’.

<p>No comparable provision</p>	<p>SEC. 4302. PERFORMANCE STANDARDS FOR BIOMETRIC IDENTIFICATION TECHNOLOGY.</p> <p>Section 16 of the Food and Nutrition Act of 2007 (7 U.S.C. 2025) is amended by adding at the end the following:</p> <p>`(l) Performance Standards for Biometric Identification Technology-</p> <p> `(1) DEFINITION OF BIOMETRIC IDENTIFICATION TECHNOLOGY- In this subsection, the term `biometric identification technology' means a technology that provides an automated method to identify an individual based on physical characteristics, such as fingerprints or retinal scans.</p> <p> `(2) ADMINISTRATIVE FUNDS- The Secretary may not pay a State agency any amount for administrative costs for the development, purchase, administration, or other costs associated with the use of biometric identification technology unless the State agency has, under such terms and conditions as the Secretary considers appropriate--</p> <p> `(A) provided to the Secretary an analysis of the cost-effectiveness of the use of the proposed biometric identification technology to detect fraud in carrying out the food and nutrition program;</p> <p> `(B) demonstrated to the Secretary that the analysis is--</p> <p> `(i) statistically valid; and</p> <p> `(ii) based on appropriate and valid assumptions for the households served by the food and nutrition program;</p> <p> `(C) demonstrated to the Secretary that--</p> <p> `(i) the proposed biometric identification technology is cost-effective in reducing fraud; and</p> <p> `(ii) there are no other technologies or fraud-detection methods that are at least as cost-effective in carrying out the purposes of the proposed biometric identification system; and</p> <p> `(D) demonstrated to the Secretary that no information produced by or used in the biometric information technology system will be made available or used for any purpose other than a purpose allowed under section 11(e)(8).</p>
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	<p>(3) STANDARDS- The Secretary shall establish uniform standards for the evaluation of cost-effectiveness analyses submitted to the Secretary under paragraph (2).'</p>
<p>SEC. 4021. CASH PAYMENT PILOT PROJECTS.</p> <p>Section 17(b)(1)(B)(vi) of the Food Stamp Act of 1977 (7 U.S.C. 2026(b)(1)(B)(vi)) is amended by striking “2007” and inserting “2012”.</p>	<p>SEC. 4801(d).</p> <p>(d) Cash Payment Pilot Projects- Section 17(b)(1)(B)(vi) of the Food and Nutrition Act of 2007 (7 U.S.C. 2026(b)(1)(B)(vi)) is amended by striking `through October 1, 2007'.</p>
<p>SEC. 4022. FINDINGS OF CONGRESS REGARDING SECURE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM NUTRITION EDUCATION.</p> <p>(a) FINDINGS.—The Congress finds the following:</p> <p>(1) Nutrition education under the Food Stamp Act of 1977 plays an essential role in improving the dietary and physical activity practices of low-income Americans, helping to reduce food insecurity, prevent obesity, and reduce the risks of chronic disease.</p> <p>(2) Expert bodies, such as the Institute of Medicine, indicate that dietary and physical activity behavior change is more likely to result from the combined application of public health approaches and education than from individual education alone.</p> <p>(3) State programs are currently implementing such nutrition education using effective strategies, including direct education, group activities, and social marketing.</p> <p>(b) SUPPORT NUTRITION EDUCATION.—The Secretary of Agriculture should support and encourage the most effective interventions for nutrition education under the Food Stamp Act of 1977, including public health approaches as well as traditional education, to increase the likelihood that recipients of Secure Supplemental Nutrition Assistance benefits and those who are potentially eligible for such benefits will choose diets and physical activity practices consistent with the Dietary Guidelines for Americans. To promote the most effective implementation of publicly funded programs, State nutrition education activities under the Food Stamp Act of 1977 should be coordinated with other federally funded food assistance and public health programs and should leverage public/private partnerships to maximize resources and impact.</p>	<p>SEC. 4407. SENSE OF CONGRESS REGARDING NUTRITION EDUCATION UNDER THE FOOD AND NUTRITION PROGRAM.</p> <p>(a) Findings- Congress finds that--</p> <p>(1) nutrition education under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) plays an essential role in improving the dietary and physical activity practices of low-income people in the United States, helping to reduce food insecurity, prevent obesity, and reduce the risks of chronic disease;</p> <p>(2) expert organizations, such as the Institute of Medicine, indicate that dietary and physical activity behavior change is more likely to result from the combined application of public health approaches and education than from education alone; and</p> <p>(3) State programs are implementing nutrition education using effective strategies, including direct education, group activities, and social marketing.</p> <p>(b) Sense of Congress- It is the sense of Congress that--</p> <p>(1) the Secretary should support and encourage effective interventions for nutrition education under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.), including coordination with public health approaches and traditional education, to increase the likelihood that recipients of food and nutrition program benefits and people who are potentially eligible for those benefits will choose diets and physical activity practices consistent with the Dietary Guidelines for Americans;</p> <p>(2) to promote the most effective implementation of publicly-funded programs, State nutrition education activities under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.)--</p> <p>(A) should be coordinated with other federally-funded food assistance and</p>

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	<p>public health programs; and</p> <p>(B) should leverage public/private partnerships to maximize the resources and impact of the programs; and</p> <p>(3) funds provided under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) for nutrition education should be used only for activities that promote diets and physical activity consistent with the Dietary Guidelines for Americans among--</p> <p>(A) recipients of food and nutrition program benefits; and</p> <p>(B) people who are potentially eligible for those benefits.</p>
<p>No comparable provision</p>	<p>SEC. 4305. ELIGIBILITY DISQUALIFICATION.</p> <p>Section 6 of the Food and Nutrition Assistance Act of 2007 (7 U.S.C. 2015) is amended by adding at the end the following:</p> <p>“(p) Disqualification for Obtaining Cash by Destroying Food and Collecting Deposits- Any person who has been found by a State or Federal court or administrative agency or in a hearing under subsection (b) to have intentionally obtained cash by purchasing products with food and nutrition benefits that have containers that require return deposits, discarding the product, and returning the container for the deposit amount shall be ineligible for benefits under this Act for such period of time as the Secretary shall prescribe by regulation.</p> <p>“(q) Disqualification for Sale of Food Purchased With Food and Nutrition Benefits- Subject to any requirements established by the Secretary, any person who has been found by a State or Federal court or administrative agency or in a hearing under subsection (b) to have intentionally sold any food that was purchased using food and nutrition benefits shall be ineligible for benefits under this Act for such period of time as the Secretary shall prescribe by regulation.’.</p>
<p>No comparable provision</p>	<p>SEC. 4401. DEFINITION OF STAPLE FOODS.</p> <p>Subsection (r) of section 3 of the Food and Nutrition Act of 2007 (7 U.S.C. 2012) (as redesignated by section 4202(b)(1)(M)) is amended--</p> <p>(1) by striking “(r)(1) Except’ and inserting the following:</p> <p>“(r) Staple Foods-</p> <p>“(1) IN GENERAL- Except’; and</p>

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

`(2) EXCEPTIONS- The term `staple foods' does not include accessory food items, such as coffee, tea, cocoa, carbonate and uncarbonated drinks, candy, condiments, and spices, or dietary supplements.

`(3) DEPTH OF STOCK- The Secretary may issue regulations to define depth of stock to ensure that stocks of staple foods are available on a continuous basis.'

No comparable provision

SEC. 4402. ACCESSORY FOOD ITEMS.

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

`(4) ACCESSORY FOOD ITEMS-

`(A) IN GENERAL- Not later than 1 year after the date of enactment of this paragraph, the Secretary shall promulgate proposed regulations providing that a dietary supplement shall not be considered an accessory food item unless the dietary supplement--

`(i) contains folic acid or calcium in accordance with sections 101.72 and 101.79 of title 21, Code of Federal Regulations (as in effect on the date of enactment of this paragraph); and

`(ii) is a multivitamin-mineral supplement that--

`(I) provides at least 2/3 of the essential vitamins and minerals at 100 percent of the daily value levels, as determined by the Food and Drug Administration; and

`(II) does not exceed the daily upper limit for those nutrients for which an established daily upper limit has been determined by the Institute of Medicine of the National Academy of Sciences.

`(B) FINAL REGULATIONS- Not later than 2 years after the date of enactment of this paragraph, the Secretary shall promulgate final regulations in accordance with subparagraph (A).

`(C) PURCHASE OF DIETARY SUPPLEMENTS- No dietary supplements may be purchased using benefits under this Act until the earlier of--

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	<p>`(i) the date on which the Secretary promulgates final regulations under subparagraph (B); or</p> <p>`(ii) the date on which the Secretary certifies a voluntary system of labeling for the ready and accurate identification of eligible dietary supplements, as developed by the Secretary in consultation with the dietary supplement industry and dietary supplement retailers.'</p>
<p>SEC. 4023. NUTRITION EDUCATION AND PROMOTION INITIATIVE TO ADDRESS OBESITY.</p> <p>Section 17 of the Food Stamp Act of 1977 (7 U.S.C. 2026) is amended by adding at the end the following:</p> <p>“(k) NUTRITION EDUCATION AND PROMOTION INITIATIVE TO ADDRESS OBESITY.—</p> <p>“(1) IN GENERAL.—The Secretary shall establish a demonstration program, to be known as the ‘Initiative to Address Obesity Among Low-Income Americans’ (referred to in this subsection as the ‘Initiative’), to develop and implement solutions to reduce obesity in the United States.</p> <p>“(A) SELECTION.—The Secretary shall solicit and competitively select demonstration proposals for strategies to address obesity among low-income Americans.</p> <p>“(B) EVALUATION.—The effectiveness of these strategies shall be rigorously evaluated to assess the impact on overweight and obesity among low-income persons and particularly children, as well as the feasibility of replicating these programs in other locations.</p> <p>“(C) DISSEMINATION.—Evaluation results shall be shared broadly to inform policy makers, service providers, other partners, and the public in order to promote wide use of successful strategies.</p> <p>“(2) GRANTS.—</p> <p>“(A) IN GENERAL.—In carrying out the Initiative, the Secretary may enter into competitively awarded contracts or cooperative agreements with, or grants to, public or private organizations or agencies as defined by the Secretary, for use in accordance with projects that meet the strategy goals of the Initiative.</p>	<p>SEC. 4403. PILOT PROJECTS TO EVALUATE HEALTH AND NUTRITION PROMOTION IN THE FOOD AND NUTRITION PROGRAM.</p> <p>Section 17 of the Food and Nutrition Act of 2007 (7 U.S.C. 2026) is amended by adding at the end the following:</p> <p>“(k) Pilot Projects To Evaluate Health and Nutrition Promotion in the Food and Nutrition Program-</p> <p>“(1) IN GENERAL- The Secretary shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to develop and test methods--</p> <p>“(A) of using the food and nutrition program to improve the dietary and health status of households participating in the food and nutrition program; and</p> <p>“(B) to reduce overweight, obesity (including childhood obesity), and associated co-morbidities in the United States.</p> <p>“(2) PROJECTS- Pilot projects carried out under paragraph (1) may include projects to determine whether healthier food purchases by and healthier diets among households participating in the food and nutrition program result from projects that--</p> <p>“(A) increase the food and nutrition assistance purchasing power of the participating households by providing increased food and nutrition assistance benefit allotments to the participating households;</p> <p>“(B) increase access to farmers markets by participating households through the electronic redemption of food and nutrition assistance at the farmers markets;</p> <p>“(C) provide incentives to authorized food and nutrition program vendors to</p>

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“(B) **APPLICATION.**—To be eligible to receive a contract, cooperative agreement, or grant under this paragraph, an organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(C) **SELECTION CRITERIA.**—Demonstration proposals shall be evaluated against publicly disseminated criteria that include—

“(i) identification of a low-income target audience that corresponds to individuals living in households with incomes at or below 185 percent of the poverty level;

“(ii) incorporation of a scientifically-based strategy that is designed to improve diet quality through more healthful food purchases, preparation, or consumption;

“(iii) a commitment to a demonstration plan that allows for a rigorous outcome evaluation, including data collection;

“(iv) strategies to improve the nutritional value of food served during school hours and during after-school hours;

“(v) innovative ways to provide significant improvement to the health and wellness of children;

“(vi) other criteria, as determined by the Secretary.

“(D) **USE OF FUNDS.**—

“(i) **PROHIBITION.**—Funds shall not be used for projects that limit the use of benefits.

“(ii) **MONITORING AND EVALUATION.**—The Secretary may use funds provided for the Initiative to pay costs associated with monitoring, evaluation, and dissemination of the Initiative’s findings.

“(3) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of the fiscal years 2008 through 2012, except that no new grants may be made under this subsection after September 30, 2012.”.

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increase the availability of healthy foods to participating households;

`(D) subject authorized food and nutrition program vendors to stricter vendor requirements with respect to carrying and stocking healthy foods;

`(E) provide incentives at the point of purchase to encourage participating households to purchase fruits, vegetables, or other healthy foods; or

`(F) provide to participating households integrated communication and education programs, including the provision of funding for a portion of a school based nutrition coordinator to implement a broad nutrition action plan and parent nutrition education programs in elementary schools, separately or in combination with pilot projects carried out under subparagraphs (A) through (E).

`(3) **DURATION-** A pilot project carried out under this subsection shall have a term of not more than 5 years.

`(4) **EVALUATIONS AND REPORTS-**

 `(A) **EVALUATIONS-**

 `(i) **INDEPENDENT EVALUATION-**

 `**(I) IN GENERAL-** The Secretary shall provide for an independent evaluation of each pilot project under this subsection that measures the impact of the pilot program on health and nutrition as described in paragraph (1).

 `**(II) REQUIREMENT-** The independent evaluation under subclause (I) shall use rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically-valid information regarding which activities are effective.

 `(ii) **COSTS-** The Secretary may use funds provided to carry out this section to pay costs associated with monitoring and evaluating each pilot project.

 `**(B) REPORTS-** Not later than 90 days after the last day of fiscal year 2008 and each fiscal year thereafter until the completion of the last evaluation under subparagraph (A), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a

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	<p>description of--</p> <ul style="list-style-type: none"> `(i) the status of each pilot project; `(ii) the results of the evaluation completed during the previous fiscal year; and `(iii) to the maximum extent practicable-- <ul style="list-style-type: none"> `(I) the impact of the pilot project on appropriate health, nutrition, and associated behavioral outcomes among households participating in the pilot project; `(II) baseline information relevant to the stated goals and desired outcomes of the pilot project; and `(III) equivalent information about similar or identical measures among control or comparison groups that did not participate in the pilot project. <p>`(5) FUNDING-</p> <ul style="list-style-type: none"> `(A) IN GENERAL- Out of any funds made available under section 18, the Secretary shall use \$50,000,000 to carry out this section, to remain available until expended. `(B) USE OF FUNDS- Of funds made available under subparagraph (A), the Secretary shall use not more than \$25,000,000 to carry out a pilot project described in paragraph (2)(E).'
<p>No comparable provision.</p>	<p>SEC. 4405. HUNGER-FREE COMMUNITIES.</p> <p>(a) Definitions- In this section:</p> <ul style="list-style-type: none"> (1) DOMESTIC HUNGER GOAL- The term `domestic hunger goal' means-- <ul style="list-style-type: none"> (A) the goal of reducing hunger in the United States to at or below 2 percent by 2010; or (B) the goal of reducing food insecurity in the United States to at or below 6 percent by 2010. (2) EMERGENCY FEEDING ORGANIZATION- The term `emergency feeding organization' has the meaning given the term in section 201A of the Emergency

Food Assistance Act of 1983 (7 U.S.C. 7501).

(3) **FOOD SECURITY**- The term `food security' means the state in which an individual has access to enough food for an active, healthy life.

(4) **HUNGER-FREE COMMUNITIES GOAL**- The term `hunger-free communities goal' means any of the 14 goals described in the H. Con. Res. 302 (102nd Congress).

(b) **Hunger Reports**-

(1) **STUDY**-

(A) **TIMELINE**-

(i) **IN GENERAL**- Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study of major matters relating to the problem of hunger in the United States, as determined by the Secretary.

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

(B) **MATTERS TO BE ASSESSED**- The matters to be assessed by the Secretary in the study and update under this paragraph shall include--

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

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

(iii) measures that could be carried out by Federal, State, and local governments to achieve domestic hunger goals and hunger-free communities goals.

(2) **RECOMMENDATIONS**- The Secretary shall develop recommendations on--

(A) removing obstacles to achieving domestic hunger goals and hunger-free communities goals; and

(B) otherwise reducing domestic hunger.

(3) **REPORT**- The Secretary shall submit to the President and Congress--

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

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

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

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

(c) Hunger-Free Communities Collaborative Grants-

(1) **DEFINITION OF ELIGIBLE ENTITY-** In this subsection, the term 'eligible entity' means a public food program service provider or a nonprofit organization, including but not limited to an emergency feeding organization, that demonstrates the organization has collaborated, or will collaborate, with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.

(2) PROGRAM AUTHORIZED-

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

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

(C) NON-FEDERAL SHARE-

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

(ii) **SOURCES-** Any entity may provide the non-Federal share of the cost of an activity under this subsection through a State government, a local government, or a private source.

(3) APPLICATION-

(A) **IN GENERAL-** To receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at the time and in the

manner and accompanied by any information the Secretary may require.

(B) CONTENTS- Each application submitted under subparagraph (A) shall--

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

(ii) describe the means by which an activity identified under clause (i) will reduce hunger in the community of the eligible entity;

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

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

(v) if an assessment described in paragraph (4)(A) has been performed, include--

(I) a summary of that assessment; and

(II) information regarding the means by which the grant will help reduce hunger in the community of the eligible entity.

(C) PRIORITY- In making grants under this subsection, the Secretary shall give priority to eligible entities that--

(i) demonstrate in the application of the eligible entity that the eligible entity makes collaborative efforts to reduce hunger in the community of the eligible entity; and

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

(II) provide evidence of long-term efforts to reduce hunger in the community;

(III) provide evidence of public support for the efforts of the eligible entity; or

(IV) demonstrate in the application of the eligible entity a commitment to achieving more than 1 hunger-free communities goal.

(4) USE OF FUNDS-

(A) ASSESSMENT OF HUNGER IN THE COMMUNITY-

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

(ii) ASSESSMENT- The assessment referred to in clause (ii) shall include--

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

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

(III) an analysis of the effectiveness and extent of service of existing nutrition programs and emergency feeding organizations; and

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

(B) ACTIVITIES- An eligible entity in a community that has submitted an assessment to the Secretary shall use a grant received under this subsection for any fiscal year for activities of the eligible entity, including--

(i) meeting the immediate needs of people in the community served by the eligible entity who experience hunger by--

(I) distributing food;

(II) providing community outreach; or

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

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

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

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(I) a program to prevent, monitor, and treat children in the community experiencing hunger or poor nutrition; or

(II) a program to provide information to people in the community on hunger, domestic hunger goals, and hunger-free communities goals; and

(iv) establishing a program to provide food and nutrition services as part of a coordinated community-based comprehensive service.

(d) Hunger-Free Communities Infrastructure Grants-

(1) **DEFINITION OF ELIGIBLE ENTITY-** In this subsection, the term 'eligible entity' means an emergency feeding organization (as defined in section 201A(4) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501(4))).

(2) PROGRAM AUTHORIZED-

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

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

(3) APPLICATION-

(A) **IN GENERAL-** To receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at the time and in the manner and accompanied by any information the Secretary may require.

(B) **CONTENTS-** Each application submitted under subparagraph (A) shall--

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

(ii) describe the means by which an activity identified under clause (i) will reduce hunger in the community of the eligible entity.

(C) **PRIORITY-** In making grants under this subsection, the Secretary shall give priority to eligible entities the applications of which demonstrate 2 or more of the following:

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	<p>(i) The eligible entity serves a community in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates.</p> <p>(ii) The eligible entity serves a community that has carried out long-term efforts to reduce hunger in the community.</p> <p>(iii) The eligible entity serves a community that provides public support for the efforts of the eligible entity.</p> <p>(iv) The eligible entity is committed to achieving more than 1 hunger-free communities goal.</p> <p>(4) USE OF FUNDS- An eligible entity shall use a grant received under this subsection for any fiscal year to carry out activities of the eligible entity, including--</p> <p>(A) constructing, expanding, or repairing a facility or equipment to support hunger relief agencies in the community;</p> <p>(B) assisting an emergency feeding organization in the community in obtaining locally-produced produce and protein products; and</p> <p>(C) assisting an emergency feeding organization in the community to process and serve wild game.</p> <p>(e) Report- If funds are made available under subsection (f), not later than September 30, 2012, the Secretary shall submit to Congress a report describing--</p> <p>(1) each grant made under this section, including--</p> <p>(A) a description of any activity funded by such a grant; and</p> <p>(B) the degree of success of each activity funded by such a grant in achieving hunger-free communities goals; and</p> <p>(2) the degree of success of all activities funded by grants under this section in achieving domestic hunger goals.</p> <p>(f) Authorization of Appropriations- There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2008 through 2012.</p>
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No comparable provision.

SEC. 4406. STATE PERFORMANCE ON ENROLLING CHILDREN RECEIVING PROGRAM BENEFITS FOR FREE SCHOOL MEALS.

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(a) In General- Not later than June 30 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that assesses the effectiveness of each State in enrolling school-aged children in households receiving program benefits under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) (referred to in this section as `program benefits') for free school meals using direct certification.

(b) Specific Measures- The assessment of the Secretary of the performance of each State shall include--

- (1) an estimate of the number of school-aged children, by State, who were members of a household receiving program benefits at any time in July, August, or September of the prior year;
- (2) an estimate of the number of school-aged children, by State, who were directly certified as eligible for free lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), based on receipt of program benefits, as of October 1 of the prior year; and
- (3) an estimate of the number of school-aged children, by State, who were members of a household receiving program benefits at any time in July, August, or September of the prior year who were not candidates for direct certification because on October 1 of the prior year the children attended a school operating under the special assistance provisions of section 11(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a) that is not operating in a base year.

(c) Performance Innovations- The report of the Secretary shall describe best practices from States with the best performance or the most improved performance from the previous year.

SEC. 4024. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2027(a)(1)) is amended by striking “2003 through 2007” and inserting “2008 through 2012”.

SEC. 4801(e).

(e) Authorization of Appropriations- Section 18(a)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2027(a)(1)) is amended in the first sentence by striking `for each of the fiscal years 2003 through 2007' and inserting `for fiscal year 2008 and each fiscal year thereafter'.

SEC. 4025. CONSOLIDATED BLOCK GRANTS FOR PUERTO RICO AND AMERICAN SAMOA.

Section 19(a)(2)(A)(ii) of the Food Stamp Act of 1977 (7 U.S.C. 2028(a)(2)(A)(ii)) is

SEC. 4801(f).

(f) Consolidated Block Grants for Puerto Rico and American Samoa- Section 19(a)(2)(A)(ii) of the Food and Nutrition Act of 2007 (7 U.S.C. 2028(a)(2)(A)(ii)) by

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amended in subparagraph (A)(ii) by striking “2007” and inserting “2012”.

striking `for each of fiscal years 2004 through 2007' and inserting `for fiscal year 2008 and each fiscal year thereafter'.

SEC. 4026. STUDY ON COMPARABLE ACCESS TO SECURE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR PUERTO RICO.

Section 19 of the Food Stamp Act of 1977 (7 U.S.C. 2028) is amended by adding at the end the following:

“(e) **STUDY.**—The Secretary shall conduct a study of the feasibility and effects of including the Commonwealth of Puerto Rico under section 3(m), in lieu of providing the block grant under this section. The study shall include—

“(1) an assessment of the administrative, financial management, and other changes that would be required by the Commonwealth to establish a comparable Secure Supplemental Nutrition Assistance Program;

“(2) a discussion of the appropriate program rules under the other sections of the Act, such as benefit levels under section 3(o), income eligibility standards under sections 5 and 6, and deduction levels under section 5(e), for the Commonwealth to establish a comparable Secure Supplemental Nutrition Assistance Program;

“(3) an estimate of the impact on Federal and Commonwealth benefit and administrative costs;

“(4) an estimate of the impact of the Secure Supplemental Nutrition Assistance Program on hunger and food insecurity among low-income Puerto Ricans, and

“(5) such other findings as the Secretary deems appropriate.

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

(a) In General- The Secretary shall carry out a study of the feasibility and effects of including the Commonwealth of Puerto Rico in the definition of the term `State' under section 3 of the Food and Nutrition Act of 2007 (7 U.S.C. 2012), in lieu of providing block grants under section 19 of that Act (7 U.S.C. 2028).

(b) Inclusions- The study shall include--

(1) an assessment of the administrative, financial management, and other changes that would be necessary for the Commonwealth to establish a comparable food and nutrition program, including compliance with appropriate program rules under the Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.), such as--

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

(B) income eligibility standards under sections 5(c) and 6 of that Act (7 U.S.C. 2014(c), 2015); and

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

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

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

(4) such other matters as the Secretary considers to be appropriate.

(c) Report- Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under this section.

(d) Funding-

(1) IN GENERAL- On October 1, 2008, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$1,000,000, to remain available until expended.

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(2) RECEIPT AND ACCEPTANCE- The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

SEC. 4027. REAUTHORIZATION OF COMMUNITY FOOD PROJECT COMPETITIVE GRANTS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 25 of the Food Stamp Act of 1977 (U.S.C. 2034) is amended—

(1) in subsections (c), (d), (e)(1), and (f)(1) by striking “subsection (b)” each place it appears and inserting “subsection (g)”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (g) as subsections (b) through (f), respectively; and

(4) by inserting after subsection (f) the following:

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to make grants available to assist eligible private nonprofit entities to establish and carry out community food projects \$30,000,000 for each of the fiscal years 2008 through 2012.”.

(b) **PREFERENCES FOR CERTAIN PROJECTS.**—Subsection (c) of section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034), as so redesignated by subsection (a) of this section, is amended—

(1) in paragraph (3) by striking “or” at the end;

(2) in paragraph (4) by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(5) serve special needs in areas of—

“(A) transportation and processing for expanding institutional and emergency food service demand for local food;

“(B) retail access to healthy foods in underserved markets;

“(C) integration of urban and metro-area food production in food projects; and

SEC. 4801(g).

(g) Assistance for Community Food Projects- Section 25 of the Food and Nutrition Act of 2007 (7 U.S.C. 2034) is amended--

(1) in subsection (b)(2), by striking subparagraph (B) and inserting the following:

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

(2) in subsection (h)(4), by striking ‘2007’ and inserting ‘2012’.

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“(D) technical assistance for youth, socially disadvantaged individuals, and limited resource groups.”.

(c) **MATCHING FUND REQUIREMENTS.**—Subsection (d)(1) of section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034), as so redesignated by subsection (a) of this section, is amended by striking “50” and inserting “75”.

(d) **TERM OF GRANT.**—Subsection (e)(2) of section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034(e)(2)), as so redesignated by subsection (a) of this section, is amended by striking “3” and inserting “5”.

(e) **FUNDING FOR INNOVATIVE PROGRAMS.**—Subsection (h)(4) of section 25 of the Food Stamp Act of 1977 (7 U.S.C. 2034), as so redesignated by subsection (a) of this section, is amended—

(1) by striking “fiscal years 2003 though 2007” and inserting “fiscal years 2008 through 2012”; and

(2) by striking “200,000” and inserting “\$500,000”.

SEC. 4028. EMERGENCY FOOD ASSISTANCE PROGRAM.

Section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2036(a)) is amended by—

(1) by striking “(a) **PURCHASE OF COMMODITIES**” and all that follows through 2007’ and inserting the following:

“(a) **PURCHASE OF COMMODITIES.**—

“(1) **IN GENERAL.**—As provided in paragraph (2), for each of the fiscal years 2008 through 2012”;

(2) by striking “\$140,000,000 of”; and

(3) by adding at the end the following:

“(2) **AMOUNTS.**—The following amounts are made available to carry out this subsection:

“(A) for fiscal year 2008, \$250,000,000; and

“(B) for each of the fiscal years 2009 through 2012, the dollar amount of commodities specified in subparagraph (A) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(o)(4)

SEC. 4110. AVAILABILITY OF COMMODITIES FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM.

(a) In General- Section 27(a) of the Food and Nutrition Act of 2007 (7 U.S.C. 2036(a)) is amended--

(1) by striking ‘(a) Purchase of Commodities’ and all that follows through ‘through 2007’ and inserting the following:

‘(a) Purchase of Commodities-

‘(1) **IN GENERAL-** Subject to paragraph (2), for fiscal year 2008 and each fiscal year thereafter’; and

(2) by adding at the end the following:

‘(2) **AMOUNTS-** In addition to the amounts made available under paragraph (1), for fiscal year 2008 and each fiscal year thereafter, from amounts made available to carry out this Act, the Secretary shall use to carry out this subsection \$110,000,000.’.

(b) Effective Date- The amendments made by subsection (a) take effect on the date of enactment of this Act.

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<p>between June 30, 2007 and June 30 of the immediately preceding fiscal year.”.</p>	
<p>SEC. 4201. AUTHORIZATION OF APPROPRIATIONS.</p> <p>Section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended by striking “\$60,000,000 for each of the fiscal years 2003 through 2007” and inserting “ \$100,000,000 for each of the fiscal years 2008 through 2012”.</p>	<p>SEC. 4802(a). COMMODITY DISTRIBUTION.</p> <p>(a) Emergency Food Assistance- Section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by striking ` \$60,000,000 for each of the fiscal years 2003 through 2007' and inserting ` \$100,000,000 for fiscal year 2008 and each fiscal year thereafter'.</p> <p>SEC. 4601. EMERGENCY FOOD ASSISTANCE.</p> <p>(a) State Plan- Section 202A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7503) is amended by striking subsection (a) and inserting the following:</p> <p>`(a) Plans- To receive commodities under this Act, every 3 years, a State shall submit to the Secretary an operation and administration plan for the provision of assistance under this Act.'</p> <p>(b) Donated Wild Game- Section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by inserting `and donated wild game' before the period at the end.</p>
<p>SEC. 4202. DISTRIBUTION OF SURPLUS COMMODITIES; SPECIAL NUTRITION PROJECTS.</p> <p>Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended by striking “2007” and inserting “2012”.</p>	<p>SEC. 4802(d).</p> <p>(d) Distribution of Surplus Commodities to Special Nutrition Projects- Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the first sentence by striking `2007' and inserting `2012'.</p>
<p>SEC. 4203. COMMODITY DISTRIBUTION PROGRAM.</p> <p>(a) COMMODITY DISTRIBUTION PROGRAM.—Section 4 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended by striking “2007” and inserting “2012”.</p> <p>(b) COMMODITY SUPPLEMENTAL FOOD PROGRAM.—Section 5 of the Agriculture and Consumer Protection Act (7 U.S.C. 612c note) is amended—</p> <p>(1) in subsection (a)—</p> <p>(A) in paragraph (1) by striking “fiscal years 2003 through 2007” and inserting “for fiscal year 2008 and each fiscal year thereafter”; and</p> <p>(B) in paragraph (2)(B)—</p>	<p>SEC. 4802(b) and (c).</p> <p>(b) Commodity Distribution Program- Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended in the first sentence by striking `years 1991 through 2007' and inserting `year 2008 and each fiscal year thereafter'.</p> <p>(c) Commodity Supplemental Food Program- Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86) is amended--</p> <p>(1) in subsection (a)--</p> <p>(A) in paragraph (1), by striking `each of fiscal years 2003 through 2007' and inserting `fiscal year 2008 and each fiscal year thereafter'; and</p> <p>(B) in paragraph (2)(B), by striking `(B) FISCAL YEARS 2004</p>

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(i) in the heading by striking in “2007” and inserting “2012”;
and

(ii) by striking “2007” and inserting “2012”;

(2) in subsection (d)(2) by inserting “, and for each fiscal year thereafter,”
after “2007”;

(3) by amending subsection (g) to read as follows:

“(g) **USE OF RESOURCES.**—Each local agency shall use funds made available to the agency to provide assistance under the program to low-income elderly individuals, women, infants, and children in need for food assistance in accordance with such regulations as the Secretary may prescribe.”;

(4) in paragraphs (2) and (3) of subsection (h) by inserting “elderly individuals,” before “pregnant”; and

(5) by adding at the end the following:

“(m) **INCOME ELIGIBILITY STANDARDS.**—The Secretary shall establish maximum income eligibility standards to be used in conjunction with such other risk criteria as may be appropriate in determining eligibility for the program. Such income standards shall be the same for all pregnant, postpartum, and breastfeeding women, for infants, for children, and for elderly individuals qualifying for the program, and shall not exceed the maximum income limit prescribed under section 17(d)(2)(A)(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(A)(i)).”.

THROUGH 2007- ' and all that follows through `2007' and inserting the following:

`(B) SUBSEQUENT FISCAL YEARS- For fiscal year 2004 and each subsequent fiscal year';

(2) in subsection (d)(2), by striking `each of the fiscal years 1991 through 2007' and inserting `fiscal year 2008 and each fiscal year thereafter'; and

(3) in subsection (g)--

(A) by striking `If a local' and inserting the following:

`(1) IN GENERAL- If a local'; and

(B) by adding at the end the following:

`(2) STATE OPTION- Subject to a determination by the Secretary that annual appropriations have enabled every State seeking to participate in the commodity supplemental food program to participate in that program, a State may serve low-income persons aged 60 and older that have a household income that is not more than 185 percent of the most recent annual Federal Poverty Income Guidelines published by the Department of Health and Human Services, if--

`(A) the State has submitted to the Secretary justification for that service;
and

`(B) the Secretary has approved the request of the State.'.

SEC. 4602. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

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

`(g) Prohibition- Notwithstanding any other provision of law (including regulations), the Secretary may not require a State or local agency to prioritize assistance to a particular group of individuals that are--

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

`(2) women, infants, and children.'.

No comparable provision.

SEC. 4901. PERIODIC SURVEYS OF FOODS PURCHASED BY SCHOOL FOOD

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AUTHORITIES.

Section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755) is amended by adding at the end the following:

`(f) Periodic Surveys of Foods Purchased by School Food Authorities-

`(1) IN GENERAL- For fiscal year 2008 and every fifth fiscal year thereafter, the Secretary shall carry out a nationally representative survey of the foods purchased during the most recent school year for which data is available by school authorities participating in the national school lunch program.

`(2) REPORT- On completion of each survey, the Secretary shall submit to Congress a report that describes the results of the survey.

`(3) FUNDING- Of the funds made available under section 3, the Secretary shall use to carry out this subsection not more than \$3,000,000 for fiscal year 2008 and every fifth fiscal year thereafter.'

No comparable provision.

SEC. 4903. HEALTHY FOOD EDUCATION AND PROGRAM REPLICABILITY.

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

(1) in paragraph (1)(C), by inserting `promotes healthy food education in the school curriculum and' before `incorporates';

(2) by redesignating paragraph (2) as paragraph (4);

(3) by inserting after paragraph (1) the following:

`(2) ADMINISTRATION- In providing grants under paragraph (1), the Secretary shall give priority to projects that can be replicated in schools.

`(3) PILOT PROGRAM FOR HIGH-POVERTY SCHOOLS-

`(A) DEFINITIONS- In this paragraph:

`(i) ELIGIBLE PROGRAM- The term `eligible program' means--

`(I) a school-based program with hands-on vegetable gardening and nutrition education that is incorporated into the curriculum for 1 or more grades at 2 or more eligible schools;
or

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`(II) a community-based summer program with hands-on vegetable gardening and nutrition education that is part of, or coordinated with, a summer enrichment program at 2 or more eligible schools.

`(ii) ELIGIBLE SCHOOL- The term `eligible school' means a public school, at least 50 percent of the students of which are eligible for free or reduced price meals under this Act.

`(B) ESTABLISHMENT- The Secretary shall carry out a pilot program under which the Secretary shall provide to nonprofit organizations or public entities in not more than 5 States grants to develop and run, through eligible programs, community gardens at eligible schools in the States that would--

`(i) be planted, cared for, and harvested by students at the eligible schools; and

`(ii) teach the students participating in the community gardens about agriculture, sound farming practices, and diet.

`(C) PRIORITY STATES- Of the States provided a grant under this paragraph--

`(i) at least 1 State shall be among the 15 largest States, as determined by the Secretary;

`(ii) at least 1 State shall be among the 16th to 30th largest States, as determined by the Secretary; and

`(iii) at least 1 State shall be a State that is not described in clause (i) or (ii).

`(D) USE OF PRODUCE- Produce from a community garden provided a grant under this paragraph may be--

`(i) used to supplement food provided at the eligible school;

`(ii) distributed to students to bring home to the families of the students; or

`(iii) donated to a local food bank or senior center nutrition program.

`(E) NO COST-SHARING REQUIREMENT- A nonprofit organization or public entity that receives a grant under this paragraph shall not be required

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to share the cost of carrying out the activities assisted under this paragraph.

`(F) EVALUATION- A nonprofit organization or public entity that receives a grant under this paragraph shall be required to cooperate in an evaluation in accordance with paragraph (1)(H).

`(G) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to carry out this paragraph \$10,000,000.'; and

(4) in paragraph (4) (as redesignated by paragraph (2)), by inserting `(other than paragraph (3))' after `this subsection'.

SEC. 4301. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.

Section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4) is amended by striking subsection (b) and inserting the following new subsection:

“(b) PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.—

“(1) **PURCHASE AUTHORITY.**—The Secretary of Agriculture shall purchase fresh fruits and vegetables for distribution to schools and service institutions in accordance with section 6(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(a)), using, of the amount specified in subsection (a)—

“(A) not less than \$50,000,000 for each of fiscal years 2008 and 2009; and

“(B) not less than \$75,000,000 for each of fiscal years 2010 through 2012.

“(2) **SERVICING AGENCY.**—The Secretary of Agriculture may provide for the Secretary of Defense to serve as the servicing agency for the procurement of the fresh fruits and vegetables under this subsection on the same terms and conditions as provided in the memorandum of agreement entered into between the Agricultural Marketing Service, the Food and Consumer Service, and the Defense Personnel Support Center during August 1995 (or any successor memorandum of agreement).”.

SEC. 4907. MINIMUM PURCHASES OF FRUITS, VEGETABLES, AND NUTS THROUGH SECTION 32 TO SUPPORT DOMESTIC NUTRITION ASSISTANCE PROGRAMS.

(a) **Minimum Funding for Purchases of Fruits, Vegetables, and Nuts-** In lieu of the purchases of fruits, vegetables, and nuts required by section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4), the Secretary shall purchase fruits, vegetables, and nuts for the purpose of providing nutritious foods for use in domestic nutrition assistance programs, using, of the funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), the following amounts:

(1) \$390,000,000 for fiscal year 2008.

(2) \$393,000,000 for fiscal year 2009.

(3) \$399,000,000 for fiscal year 2010.

(4) \$403,000,000 for fiscal year 2011.

(5) \$406,000,000 for fiscal year 2012 and each fiscal year thereafter.

(b) **Form of Purchases-** Fruits, vegetables, and nuts may be purchased under this section in frozen, canned, dried, or fresh form.

(c) **Value-Added Products-** The Secretary may offer value-added products containing fruits, vegetables, or nuts under this section, taking into consideration--

(1) whether demand exists for the value-added product; and

(2) the interests of entities that receive fruits, vegetables, and nuts under this section.

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SEC. 4302. BUY AMERICAN REQUIREMENTS.

(a) **FINDINGS.**—The Congress finds the following:

(1) Federal law requires that commodities and products purchased with Federal funds be, to the extent practicable, of domestic origin.

(2) Federal Buy American statutory requirements seek to ensure that purchases made with Federal funds benefit domestic producers.

(3) The Richard B. Russell National School Lunch Act requires the use of domestic food products for all meals served under the program, including foods products purchased with local funds.

(b) **BUY AMERICAN STATUTORY REQUIREMENTS.**—The Department of Agriculture should undertake training, guidance, and enforcement of the various current Buy American statutory requirements and regulations, including those of the National School Lunch Act and the DOD Fresh program.

SEC. 4906. BUY AMERICAN REQUIREMENTS.

(a) Findings- Congress finds the following:

(1) Federal law requires that commodities and products purchased with Federal funds be, to the extent practicable, of domestic origin.

(2) Federal Buy American statutory requirements seek to ensure that purchases made with Federal funds benefit domestic producers.

(3) The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) requires the use of domestic food products for all meals served under the program, including foods products for all meals served under the program, including foods products purchased with local funds.

(b) Buy American Statutory Requirements- The Department of Agriculture should undertake training, guidance, and enforcement of the various current Buy American statutory requirements and regulations, including those of the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Department of Defense fresh fruit and vegetable distribution program.

SEC. 4303. EXPANSION OF FRESH FRUIT AND VEGETABLE PROGRAM.

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended in subsection (g)—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “July 2004” and inserting “July 2007”; and

(B) in paragraph (1) by amending subparagraphs (A) and (B) to read as follows:

“(A) 35 elementary or secondary schools in each State;

“(B) additional elementary or secondary schools in each State in proportion to the student population of the State; and”;

(2) in paragraph (3)(A)—

(A) in the matter preceding clause (i) by striking “paragraph (1)(B)” and inserting “paragraph (1)”;

SEC. 4904. FRESH FRUIT AND VEGETABLE PROGRAM.

(a) In General- The Richard B. Russell National School Lunch Act is amended by inserting after section 18 (42 U.S.C. 1769) the following:

SEC. 19. FRESH FRUIT AND VEGETABLE PROGRAM.

(a) In General- For the school year beginning July 2008 and each subsequent school year, the Secretary shall provide grants to States to carry out a program to make free fresh fruits and vegetables available in elementary schools (referred to in this section as the `program').

(b) Program- A school participating in the program shall make free fresh fruits and vegetables available to students throughout the school day (or at such other times as are considered appropriate by the Secretary) in 1 or more areas designated by the school.

(c) Funding to States-

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

(2) ADDITIONAL FUNDING- Of the funds remaining after grants are made

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(B) in clause (iii) by striking “and” at the end;

(C) in clause (iv) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(v) encourage plans for implementation that include locally grown foods, where geographically available, in accordance with section 9(j).”.

(3) in paragraph (5) in each of subparagraphs (A) and (B), by striking “2008” and inserting “2012”; and

(4) in paragraph (6)(B)—

(A) in clause (i)—

(i) by striking “October 1, 2004, and on each October 1 thereafter,” and inserting “October 1, 2007, and on each October 1 thereafter,”; and

(ii) by striking “\$9,000,000” and inserting “\$70,000,000”; and

(B) by adding at the end the following:

“(iii) **ADMINISTRATIVE EXPENSES.**—For fiscal year 2009 and each fiscal year thereafter, of the amount available to carry out this subsection, the Secretary may reserve not more than 1 percent of that amount for administrative expenses in carrying out this subsection.

“(iv) **STATE ADMINISTRATIVE COSTS.**—For fiscal year 2009 and each fiscal year thereafter, of the amount received by a State to carry out this subsection, the State may use not more than 5 percent of that amount for administrative expenses in carrying out this subsection. To be eligible to use such funds for such expenses, the State must submit to the Secretary a plan indicating how the State intends to use such funds.

“(v) **FEDERAL REQUIREMENTS.**—The Secretary shall establish requirements to be followed by States in administering this subsection. The initial set of requirements shall be established not later than 1 year after the date of the enactment of this clause.”.

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under paragraph (1), the Secretary shall allocate additional funds to each State that is operating a school lunch program under section 4 based on the proportion that--

`(A) the population of the State; bears to

`(B) the population of the United States.

`(d) Selection of Schools-

`(1) IN GENERAL- In selecting schools to participate in the program, each State shall--

`(A) ensure that each school chosen to participate in the program is a school--

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

`(ii) that submits an application in accordance with subparagraph (C); and

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

`(C) solicit applications from interested schools that include--

`(i) information pertaining to the percentage of students enrolled in the school submitting the application who are eligible for free or reduced price school lunches under this Act;

`(ii) a certification of support for participation in the program signed by the school food manager, the school principal, and the district superintendent (or equivalent positions, as determined by the school); and

`(iii) such other information as may be requested by the Secretary;

`(D) give priority to schools that submit a plan for implementation of the program that includes a partnership with 1 or more entities that provide non-Federal resources (including entities representing the fruit and vegetable industry) for--

`(i) the acquisition, handling, promotion, or distribution of fresh and

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dried fruits and fresh vegetables; or

`(ii) other support that contributes to the purposes of the program;

`(E) give priority to schools that provide evidence of efforts to integrate activities carried out under this section with other efforts to promote sound health and nutrition, reduce overweight and obesity, or promote physical activity; and

`(F) ensure that each school selected is an elementary school.

`(2) EXCEPTION- Clause (i) of paragraph (1)(A) shall not apply to a State if the State does not have a sufficient number of schools that meet the requirement of that clause.

`(3) CONSORTIA- A consortia of schools may apply for funding under this section.

`(e) Notice of Availability- To be eligible to participate in the program, a school shall widely publicize within the school the availability of free fresh fruits and vegetables under the program.

`(f) Per-Student Grant- The per-student grant provided to a school under this section shall be--

`(1) determined by a State agency; and

`(2) not less than \$50, nor more than \$75, annually.

`(g) Limitation- To the maximum extent practicable, each State agency shall ensure that in making available to students the fruits and vegetables provided under this section, schools participating in the program offer the fruits and vegetables separately from meals otherwise provided at the school under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

`(h) Schools on Indian Reservations- The Secretary shall ensure that not less than 100 of the schools chosen to participate in the program are schools operated on Indian reservations.

`(i) Evaluation and Reports-

`(1) IN GENERAL- The Secretary shall conduct an evaluation of the program, including a determination as to whether children experienced, as a result of participating in the program--

`(A) increased consumption of fruits and vegetables;

`(B) other dietary changes, such as decreased consumption of less nutritious foods; and

`(C) such other outcomes as are considered appropriate by the Secretary.

`(2) REPORT- Not later than September 30, 2011, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that describes the results of the evaluation under paragraph (1).

`(j) Funding-

`(1) IN GENERAL- Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section--

`(A) on October 1, 2007, \$225,000,000; and

`(B) on October 1, 2008, and each October 1 thereafter, the amount made available for the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.

`(2) EVALUATION FUNDING- On October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out the evaluation required under subsection (i), \$3,000,000, to remain available until expended.

`(3) RECEIPT AND ACCEPTANCE- The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section any funds transferred for that purpose, without further appropriation.

`(4) AUTHORIZATION OF APPROPRIATIONS- In addition to any other amounts made available to carry out this section, there are authorized to be appropriated such sums as are necessary to expand the program established under this section.

`(5) ADMINISTRATIVE COSTS- Of funds made available to carry out this section for a fiscal year, the Secretary may use not more than \$500,000 for the administrative costs of carrying out the program.

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“(6) REALLOCATION-

“(A) AMONG STATES- The Secretary may reallocate any amounts made available to carry out this section that are not obligated or expended by a date determined by the Secretary.

“(B) WITHIN STATES- A State that receives a grant under this section may reallocate any amounts made available under the grant that are not obligated or expended by a date determined by the Secretary.’.

(b) Conforming Amendments- Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended--

(1) by striking subsection (g); and

(2) by redesignating subsections (h) through (k) as subsections (g) through (j), respectively.

SEC. 4304. PURCHASES OF LOCALLY PRODUCED FOODS.

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

“(j) **PURCHASES OF LOCALLY PRODUCED FOODS.**—The Secretary shall—

“(1) encourage institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to purchase locally produced foods, to the maximum extent practicable and appropriate;

“(2) advise institutions participating in a program described in paragraph (1) of the policy described in that paragraph and post information concerning the policy on the website maintained by the Secretary; and

“(3) allow institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including the Department of Defense Fresh Fruit and Vegetable Program, to use a geographic preference for the procurement of locally produced foods.”.

SEC. 4902. PURCHASES OF LOCALLY GROWN FRUITS AND VEGETABLES.

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

“(j) **Purchases of Locally Grown Fruits and Vegetables-** The Secretary shall--

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

“(2) advise institutions participating in a program described in paragraph (1) of the policy described in that paragraph and post information concerning the policy on the website maintained by the Secretary; and

“(3) allow institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including the Department of Defense, to use a geographic preference for the procurement of locally grown fruits and vegetables.’.

SEC. 4401. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended—

SEC. 4701. EXCLUSION OF BENEFITS IN DETERMINING ELIGIBILITY FOR OTHER PROGRAMS.

(a) In General- Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended--

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(1) by amending subsection (a) to read as follows:

“(a) **AUTHORIZATION.**—

“(1) The Secretary of Agriculture shall use \$15,000,000 for each of fiscal years 2008 through 2012 of the funds available to the Commodity Credit Corporation to carry out and expand the seniors farmers’ market nutrition program.

“(2) There are authorized to be appropriated \$20,000,000 for fiscal year 2008, \$30,000,000 for fiscal year 2009, \$45,000,000 for fiscal year 2010, \$60,000,000 for fiscal year 2011, and \$75,000,000 for fiscal year 2012 to carry out and expand the seniors farmers’ market nutrition program.”;

(2) in subsection (b)(1) by inserting “honey,” after “vegetables,”;

(3) by amending subsection (c) to read as follows:

“(c) **EXCLUSION OF BENEFITS IN DETERMINING ELIGIBILITY FOR OTHER PROGRAMS.**—The value of any benefit provided to any eligible seniors farmers’ market nutrition program recipient under this section shall not be considered to be income or resources for any purposes under any Federal, State, or local law.”; and

(4) by adding at the end the following:

“(d) **PROHIBITION ON COLLECTION OF SALES TAX.**—The State shall ensure that no State or local taxes are collected within the State on purchases of food with coupons distributed under the seniors farmers’ market nutrition program.

“(e) **REGULATIONS.**—The Secretary may issue such regulations as the Secretary considers necessary to carry out the seniors farmers’ market nutrition program.”.

(1) in subsection (a), by striking ‘each of fiscal years 2003 through 2007’ and inserting ‘fiscal year 2008 and each fiscal year thereafter’;

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

(3) by inserting after subsection (a) the following:

“(b) **Additional Funds-** In addition to the amounts made available under subsection (a), for fiscal year 2008 and each fiscal year thereafter, of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use \$10,000,000 to expand the program established under this section.’; and

(4) by inserting after subsection (c) (as redesignated by paragraph (2)) the following:

“(d) **Exclusion of Benefits in Determining Eligibility for Other Programs-** The value of any benefit provided under the program under this section shall not be taken into consideration in determining the eligibility of an individual for any other Federal or State assistance program.’.

(b) **Effective Date-** The amendments made by subsection (a) take effect on the date of enactment of this Act.

SEC. 4702. PROHIBITION ON COLLECTION OF SALES TAX.

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

“(e) **Prohibition on Collection of Sales Tax-** A State that collects any sales tax on the purchase of food using a benefit provided under the program under this section shall not be eligible to participate in the program.’.

SEC. 4402. CONGRESSIONAL HUNGER CENTER.

Section 4404 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note) is amended to read as follows:

“SEC. 4404. BILL EMERSON NATIONAL HUNGER FELLOWS AND MICKEY LELAND INTERNATIONAL HUNGER FELLOWS.

“(a) **SHORT TITLE.**—This section may be cited as the “Bill Emerson National Hunger Fellows and Mickey Leland International Hunger Fellows Program Act of 2007”.

SEC. 4404. BILL EMERSON NATIONAL HUNGER FELLOWS AND MICKEY LELAND INTERNATIONAL HUNGER FELLOWS.

(a) **In General-** The Food and Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

“SEC. 28. BILL EMERSON NATIONAL HUNGER FELLOWS AND MICKEY LELAND INTERNATIONAL HUNGER FELLOWS.

“(a) **Short Title-** This section may be cited as the ‘Bill Emerson National Hunger Fellows

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“(b) **FINDINGS.**—The Congress finds as follows:

“(1) There is a critical need for compassionate individuals who are committed to assisting people who suffer from hunger to initiate and administer solutions to the hunger problem.

“(2) Bill Emerson, the distinguished late Representative from the 8th District of Missouri, demonstrated his commitment to solving the problem of hunger in a bipartisan manner, his commitment to public service, and his great affection for the institution and ideals of the Congress of the United States.

“(3) George T. (Mickey) Leland, the distinguished late Representative from the 18th District of Texas, demonstrated his compassion for those in need, his high regard for public service, and his lively exercise of political talents.

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

“(5) These two outstanding leaders maintained a special bond of friendship regardless of political affiliation and worked together to encourage future leaders to recognize and provide service to others, and therefore it is especially appropriate to honor the memory of Mr. Emerson and Mr. Leland by creating a fellowship program to develop and train the future leaders of the United States to pursue careers in humanitarian service.

“(c) **DEFINITIONS.**—In this section:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means—

“(A) if the Secretary of Agriculture enters into a contract described in subsection (d)(3), the head of the Congressional Hunger Center; or

“(B) if the Secretary does not enter into such a contract, the Secretary.

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

“(A) a Bill Emerson Hunger Fellow; or

“(B) a Mickey Leland Hunger Fellow

“(3) **FELLOWSHIP PROGRAMS.**—The term ‘Fellowship Programs’ means the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program established by subsection (d).

and Mickey Leland International Hunger Fellows Program Act of 2007’.

“(b) Findings- Congress finds that--

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

“(2) Bill Emerson, the distinguished late Representative from the 8th District of Missouri, demonstrated--

“(A) his commitment to solving the problem of hunger in a bipartisan manner;

“(B) his commitment to public service; and

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

“(3) George T. (Mickey) Leland, the distinguished late Representative from the 18th District of Texas, demonstrated--

“(A) his compassion for those in need;

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

“(C) his lively exercise of political talents;

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

“(5) these 2 outstanding leaders maintained a special bond of friendship regardless of political affiliation and worked together to encourage future leaders to recognize and provide service to others; and

“(6) it is especially appropriate to honor the memory of Mr. Emerson and Mr. Leland by creating a fellowship program to develop and train the future leaders of the United States to pursue careers in humanitarian service.

“(c) Definitions- In this subsection:

“(1) **DIRECTOR.**- The term ‘Director’ means the head of the Congressional Hunger Center.

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“(d) **FELLOWSHIP PROGRAM.**—There is established in the Department of Agriculture the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program.

“(1) **PURPOSES.**—The purposes of the Fellowship Programs are—

“(A) to encourage future leaders of the United States to pursue careers in humanitarian and public service, to recognize the needs of low-income people and hungry people, and to provide assistance to people in need; and

“(B) to seek public policy solutions to the challenges of hunger and poverty, to provide training and development opportunities for such leaders through placement in programs operated by appropriate organizations or entities.

“(2) **FOCUS OF PROGRAMS.**—

“(A) **FOCUS OF BILL EMERSON HUNGER FELLOWSHIP PROGRAM.**—The Bill Emerson Hunger Fellowship Program shall address hunger and poverty in the United States.

“(B) **FOCUS OF MICKEY LELAND HUNGER FELLOWSHIP PROGRAM.**—The Mickey Leland Hunger Fellowship Program shall address international hunger and other humanitarian needs.

“(3) **ADMINISTRATION.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall offer to enter into a contract with the Congressional Hunger Center to administer the Fellowship Programs.

“(B) **REQUIREMENT.**—As a condition of a contract described in subparagraph (A), the Congressional Hunger Center shall agree to submit to Congress each year the results of an independent financial audit that demonstrates that the Congressional Hunger Center uses accounting procedures that conform to generally accepted accounting principles and auditing procedures that conform to chapter 75 of title 31, United States Code (commonly known as the ‘Single Audit Act of 1984’).

“(e) **FELLOWSHIPS.**—

“(1) **IN GENERAL.**—The Administrator shall make available Bill Emerson Hunger Fellowships and Mickey Leland Hunger Fellowships in accordance with

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“(2) **FELLOW-** The term ‘fellow’ means--

“(A) a Bill Emerson Hunger Fellow; or

“(B) Mickey Leland Hunger Fellow

“(3) **FELLOWSHIP PROGRAMS-** The term ‘Fellowship Programs’ means the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program established under subsection (d)(1).

“(d) **Fellowship Programs-**

“(1) **IN GENERAL-** There is established the Bill Emerson National Hunger Fellowship Program and the Mickey Leland International Hunger Fellowship Program.

“(2) **PURPOSES-**

“(A) **IN GENERAL-** The purposes of the Fellowship Programs are--

“(i) to encourage future leaders of the United States--

“(I) to pursue careers in humanitarian and public service;

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

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

“(IV) to seek public policy solutions to the challenges of hunger and poverty;

“(ii) to provide training and development opportunities for such leaders through placement in programs operated by appropriate organizations or entities; and

“(iii) to increase awareness of the importance of public service.

“(B) **BILL EMERSON HUNGER FELLOWSHIP PROGRAM-** The purpose of the Bill Emerson Hunger Fellowship Program is to address hunger and poverty in the United States.

“(C) **MICKEY LELAND HUNGER FELLOWSHIP PROGRAM-** The purpose of the Mickey Leland Hunger Fellowship Program is to address international hunger and other humanitarian needs.

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this subsection.

“(2) CURRICULUM.—

“(A) **IN GENERAL.**—The fellowship programs shall provide experience and training to develop the skills necessary to train fellows to carry out the purposes described in subsection (d)(1), including—

“(i) training in direct service programs for the hungry and other anti-hunger programs in conjunction with community-based organizations through a program of field placement; and

“(ii) providing experience in policy development through placement in a governmental entity or nongovernmental, nonprofit, or private sector organization.

“(B) **WORK PLAN.**—To carry out subparagraph (A) and assist in the evaluation of the fellowships under paragraph (6), the Administrator shall, for each fellow, approve a work plan that identifies the target objectives for the fellow in the fellowship, including specific duties and responsibilities relating to those objectives.

“(3) PERIOD OF FELLOWSHIP.—

“(A) **EMERSON FELLOW.**—A Bill Emerson Hunger Fellowship awarded under this subsection shall be for not more than 15 months.

“(B) **LELAND FELLOW.**—A Mickey Leland Hunger Fellowship awarded under this subsection shall be for not more than 2 years.

“(4) SELECTION OF FELLOWS.—

“(A) **IN GENERAL.**—Fellowships shall be awarded pursuant to a nationwide competition established by the Administrator.

“(B) **QUALIFICATIONS.**—A successful program applicant shall be an individual who has demonstrated—

“(i) an intent to pursue a career in humanitarian service and outstanding potential for such a career;

“(ii) leadership potential or actual leadership experience;

“(iii) diverse life experience;

“(3) ADMINISTRATION-

“(A) **IN GENERAL-** Subject to subparagraph (B), the Secretary shall offer to provide a grant to the Congressional Hunger Center to administer the Fellowship Programs.

“(B) **TERMS OF GRANT-** The terms of the grant provided under subparagraph (A), including the length of the grant and provisions for the alteration or termination of the grant, shall be determined by the Secretary in accordance with this section.

“(e) Fellowships-

“(1) **IN GENERAL-** The Director shall make available Bill Emerson Hunger Fellowships and Mickey Leland Hunger Fellowships in accordance with this subsection.

“(2) CURRICULUM-

“(A) **IN GENERAL-** The Fellowship Programs shall provide experience and training to develop the skills necessary to train fellows to carry out the purposes described in subsection (d)(2), including--

“(i) training in direct service programs for the hungry and other anti-hunger programs in conjunction with community-based organizations through a program of field placement; and

“(ii) providing experience in policy development through placement in a governmental entity or nongovernmental, nonprofit, or private sector organization.

“(B) **WORK PLAN-** To carry out subparagraph (A) and assist in the evaluation of the fellowships under paragraph (6), the Director shall, for each fellow, approve a work plan that identifies the target objectives for the fellow in the fellowship, including specific duties and responsibilities relating to those objectives.

“(3) PERIOD OF FELLOWSHIP-

“(A) **BILL EMERSON HUNGER FELLOW-** A Bill Emerson Hunger Fellowship awarded under this section shall be for not more than 15 months.

“(B) **MICKEY LELAND HUNGER FELLOW-** A Mickey Leland Hunger

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- “(iv) proficient writing and speaking skills;
- “(v) an ability to live in poor or diverse communities; and
- “(vi) such other attributes as are considered to be appropriate by the Administrator.

“(5) AMOUNT OF AWARD.—

“(A) **IN GENERAL.**—A fellow shall receive a living allowance during the term of the Fellowship and, subject to subparagraph (B), an end-of-service award.

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

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

- “(i) the Department of Agriculture;
- “(ii) the Congressional Hunger Center; or
- “(iii) a host agency in the field or policy placement of the fellow.

“(D) RECOGNITION OF FELLOWSHIP AWARD.—

“(i) **EMERSON FELLOW.**—An individual awarded a fellowship from the Bill Emerson Hunger Fellowship shall be known as an ‘Emerson Fellow’.

“(ii) **LELAND FELLOW.**—An individual awarded a fellowship from the Mickey Leland Hunger Fellowship shall be known as a ‘Leland Fellow’.

“(6) **EVALUATION.**—The Administrator shall conduct periodic evaluations of the Fellowship Programs.

“(f) AUTHORITY.—

“(1) **IN GENERAL.**—Subject to paragraph (2), in carrying out this section, the Administrator may solicit, accept, use, and dispose of gifts, bequests, or devises

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Fellowship awarded under this section shall be for not more than 2 years.

“(4) SELECTION OF FELLOWS-

“(A) **IN GENERAL-** Fellowships shall be awarded pursuant to a nationwide competition established by the Director.

“(B) **QUALIFICATIONS-** A successful program applicant shall be an individual who has demonstrated--

- “(i) an intent to pursue a career in humanitarian services and outstanding potential for such a career;
- “(ii) leadership potential or actual leadership experience;
- “(iii) diverse life experience;
- “(iv) proficient writing and speaking skills;
- “(v) an ability to live in poor or diverse communities; and
- “(vi) such other attributes as are considered to be appropriate by the Director.

“(5) AMOUNT OF AWARD-

“(A) **IN GENERAL-** A fellow shall receive--

- “(i) a living allowance during the term of the Fellowship; and
- “(ii) subject to subparagraph (B), an end-of-service award.

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

“(C) **TERMS OF FELLOWSHIP-** A fellow shall not be considered an employee of--

- “(i) the Department of Agriculture;
- “(ii) the Congressional Hunger Center; or
- “(iii) a host agency in the field or policy placement of the fellow.

“(D) RECOGNITION OF FELLOWSHIP AWARD-

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of services or property, both real and personal, for the purpose of facilitating the work of the Fellowship Programs.

“(2) **LIMITATION.**—Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be used exclusively for the purposes of the Fellowship Programs.

“(g) **REPORT.**—Each year, the Administrator shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the activities and expenditures of the Fellowship Programs during the preceding fiscal year.

“(h) **FUNDING.**—There is authorized to be appropriated to the Secretary to carry out this section \$3,000,000 for each of the fiscal years 2008 through 2012.”.

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“(i) **EMERSON FELLOW-** An individual awarded a fellowship from the Bill Emerson Hunger Fellowship shall be known as an ‘Emerson Fellow’.

“(ii) **LELAND FELLOW-** An individual awarded a fellowship from the Mickey Leland Hunger Fellowship shall be known as a ‘Leland Fellow’.

“(6) **EVALUATIONS AND AUDITS-** Under terms stipulated in the contract entered into under subsection (d)(3), the Director shall--

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

“(B) arrange for annual independent financial audits of expenditures under the Fellowship Programs.

“(f) **Authority-**

“(1) **IN GENERAL-** Subject to paragraph (2), in carrying out this section, the Director may solicit, accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of facilitating the work of the Fellowship Programs.

“(2) **LIMITATION-** Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be used exclusively for the purposes of the Fellowship Programs.

“(g) **Report-** The Director shall annually submit to the Secretary of Agriculture, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that--

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

“(2) includes the results of evaluations and audits required by subsection (f).

“(h) **Authorization of Appropriations-** There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section, to remain available until expended.’.

(b) **Repeal-** Section 4404 of the Farm Security and Rural Investment Act of 2002 (2 U.S.C. 1161) is repealed.

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SEC. 4403. JOINT NUTRITION MONITORING AND RELATED RESEARCH ACTIVITIES.

Subtitle D of title IV of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 333) is amended—

(1) by redesignating section 4405 (2 U.S.C. 1161 note; Public Law 107–171) as section 4406; and

(2) by inserting after section 4404 the following:

“SEC. 4405. JOINT NUTRITION MONITORING AND RELATED RESEARCH ACTIVITIES.

“The Secretary of Agriculture and the Secretary of Health and Human Services shall continue to provide jointly for national nutrition monitoring and related research activities carried out as of the date of enactment of this section—

“(1) to collect continuous dietary, health, physical activity, and diet and health knowledge data on a nationally representative sample;

“(2) to periodically collect data on special at-risk populations, as identified by the Secretaries;

“(3) to distribute information on health, nutrition, the environment, and physical activity to the public in a timely fashion;

“(4) to analyze new data that becomes available;

“(5) to continuously update food composition tables; and

“(6) to research and develop data collection methods and standards.”.

No comparable provision.

SEC. 7501. JOINT NUTRITION MONITORING AND RELATED RESEARCH ACTIVITIES.

The Secretary and the Secretary of Health and Human Services shall continue to provide jointly for national nutrition monitoring and related research activities carried out as of the date of enactment of this Act--

(1) to collect continuous data relating to diet, health, physical activity, and knowledge about diet and health, using a nationally-representative sample;

(2) to periodically collect data described in paragraph (1) on special at-risk populations, as identified by the Secretaries;

(3) to distribute information on health, nutrition, the environment, and physical activity to the public in a timely manner;

(4) to analyze new data as the data becomes available;

(5) to continuously update food composition tables; and

(6) to research and develop data collection methods and standards.

SEC. 4905. TEAM NUTRITION NETWORK.

Section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1788) is amended by striking subsection (l) and inserting the following:

“(l) Funding-

“(1) MANDATORY FUNDING-

“(A) IN GENERAL- On October 1, 2008, and on each October 1 thereafter through October 1, 2011, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$3,000,000, to remain available until expended.

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`(B) RECEIPT AND ACCEPTANCE- The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

`(C) NUTRITIONAL HEALTH OF SCHOOL CHILDREN- In allocating funds made available under this paragraph, the Secretary shall give priority to carrying out subsections (a) through (g).

`(2) AUTHORIZATION OF APPROPRIATIONS- In addition to the amounts made available under paragraph (1), there are authorized to be appropriated such sums as are necessary to carry out this section.'

No comparable provision.

SEC. 4908. AGRICULTURAL POLICY AND PUBLIC HEALTH.

(a) In General- The Comptroller General of the United States shall conduct a study to assess whether the agricultural policies of the United States have an impact on health, nutrition, overweight and obesity, and diet-related chronic disease.

(b) Requirements- In conducting the study under subsection (a), the Comptroller General of the United States shall--

(1) review, and evaluate the methodological rigor of, existing literature and studies relating to the subjects of the study required under subsection (a);

(2) summarize the existing literature and explain the extent, if any, to which the literature shows a clear association or causal relationship between United States agricultural policy and health, nutrition, overweight and obesity, and diet-related chronic diseases; and

(3) if the existing literature shows that there is a relationship between United States agricultural policy and health, nutrition, overweight and obesity, and diet-related chronic diseases, make recommendations to guide or revise Federal agricultural policies to improve health and reduce obesity and diet-related chronic disease.

(c) Report- Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under this section.

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<p>SEC. 4404 SENSE OF THE CONGRESS.</p> <p>It is the sense of the Congress that food items provided pursuant to the Federal school breakfast and school lunch program should be selected so as to reduce the incidence of juvenile obesity and to maximize nutritional value.</p>	<p>No comparable provision.</p>
<p>No comparable provision.</p>	<p>SEC. 4912. GRAIN PILOT PROGRAM.</p> <p>(a) In General- Section 17A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766a) is amended by adding at the end the following:</p> <p> `e) Grain Pilot Program-</p> <p> `1) DEFINITION OF ELIGIBLE GRAIN AND GRAIN PRODUCT- In this subsection, the terms `eligible grain' and `grain product' mean a grain or bread product, including but not limited to, baked products and ready-to-eat cereals, having whole grain as the primary ingredient by weight as specified on the label or according to the recipe; except that the Secretary may review and update as necessary the definition established under this section.'</p> <p> `2) PROGRAM-</p> <p> `A) IN GENERAL- For the school year beginning July 2008, the Secretary shall carry out a pilot program to provide eligible grain and grain products to--</p> <p> `i) up to 125 elementary or secondary schools operating a program under this section in each of 6 States; and</p> <p> `ii) elementary or secondary schools operating a program under this section on 1 Indian reservation.</p> <p> `B) REQUIREMENT- A school participating in the program shall provide eligible grain and grain products as one of the meal supplement components as described in subsection (d) to students participating in a program authorized under this section.</p> <p> `C) FUNDING TO STATES- The Secretary shall allocate funds to each participating State based on the prior year claiming pattern for the afterschool snack program in selected schools.</p> <p> `3) SELECTION OF SCHOOLS- In selecting schools to participate in the program under paragraph (2), the Secretary shall--</p>

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`(A) ensure each school selected is located in a needy area as defined in subsection (c)(1); and

`(B) solicit applications from interested schools that meet the criteria established in subparagraph (A) and include--

- `(i) a certification of support for participation in the program signed by the school food manager, the school principal, and the district superintendent (or equivalent positions, as determined by the school); and
- `(ii) such other information as may be requested by the Secretary.

`(4) REPORT- Not later than December 31, 2010, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the pilot program.

`(5) FUNDING- The Secretary shall use not more than \$4,000,000 to carry out this subsection (other than paragraph (4)), of which--

- `(A) \$2,000,000 shall be from funds made available to carry out the senior farmers' market nutrition program under section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007); and
- `(B) \$2,000,000 shall be from funds made available to carry out assistance for community food projects under section 25 of the Food and Nutrition Act of 2007 (7 U.S.C. 2034).

`(6) EVALUATION AND ADMINISTRATION- Of the funding made available the Secretary shall use not more than \$3,000,000 to carry out the evaluation required in paragraph (4) and for the administration of the program.'

(b) Effective Date- The amendment made by this section shall take effect on the date of enactment of this Act.

No comparable provision.

SEC. 4913. REPORT ON FEDERAL HUNGER PROGRAMS.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains--

(1) a complete list of all Federal programs that seek to alleviate hunger or food

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insecurity or improve nutritional intake, including programs that support collaboration, coordination, research, or infrastructure related to these issues;

(2) for each program listed under paragraph (1)--

(A) the total amount of Federal funds used to carry out the program in the most recent fiscal year for which comparable data is available;

(B) a comparison of the amount described in subparagraph (A) with the amount used to carry out a similar program 10 and 20 years previously;

(C) to the maximum extent practicable, the amount of Federal funds used under the program to provide direct food aid to individuals (including the amount used for the costs of administering the program); and

(D) a review to determine whether the program has been independently reviewed for effectiveness with respect to achieving the goals of the program, including--

(i) the findings of the independent review; and

(ii) for the 10 highest-cost programs, a determination of whether the review was conducted in accordance with accepted research principles;

(3) for the 10- and 20-year periods before the date of enactment of this Act, and for the most recent year for which data is available, the estimated number of people in the United States who are hungry (or food insecure) or obese; and

(4) as of the date of submission of the report--

(A) the number of employees of the Department of Agriculture, including contractors and other individuals whose salary is paid in full or part by the Department; and

(B) the number of farmers and other agricultural producers in the United States that receive some form of assistance from the Department.

No comparable provision.

SEC. 4914. FOOD EMPLOYMENT EMPOWERMENT AND DEVELOPMENT PROGRAM.

(a) Definitions- In this section:

(1) ELIGIBLE ENTITY- The term `eligible entity' means an entity that meets the

requirements of subsection (b)(2).

(2) VULNERABLE SUBPOPULATION-

(A) IN GENERAL- The term `vulnerable subpopulation' means low-income individuals, unemployed individuals, and other subpopulations identified by the Secretary as being likely to experience special risks from hunger or a special need for job training.

(B) INCLUSIONS- The term `vulnerable subpopulation' includes--

(i) addicts (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

(ii) at-risk youths (as defined in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472));

(iii) individuals that are basic skills deficient (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));

(iv) homeless individuals (as defined in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b));

(v) homeless youths (as defined in section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a));

(vi) individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102));

(vii) low-income individuals (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)); and

(viii) older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)).

(b) Food Employment Empowerment and Development Program-

(1) ESTABLISHMENT- The Secretary shall establish a food employment empowerment and development program under which the Secretary shall make grants to eligible entities to encourage the effective use of community resources to combat hunger and the root causes of hunger by creating opportunity through food recovery and job training.

(2) ELIGIBLE ENTITIES- To be eligible to receive a grant under this section, an entity shall be a public agency, or private nonprofit institution, that conducts, or

will conduct, 2 or more of the following activities as an integral part of the normal operation of the entity:

(A) Recovery of donated food from area restaurants, caterers, hotels, cafeterias, farms, or other food service businesses.

(B) Distribution of meals or recovered food to--

(i) nonprofit organizations described in section 501(c)(3) of the Internal Revenue Code of 1986;

(ii) entities that feed vulnerable subpopulations; and

(iii) other agencies considered appropriate by the Secretary.

(C) Training of unemployed and underemployed adults for careers in the food service industry.

(D) Carrying out of a welfare-to-work job training program in combination with--

(i) production of school meals, such as school meals served under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.); or

(ii) support for after-school programs, such as programs conducted by community learning centers (as defined in section 4201(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171(b))).

(3) USE OF FUNDS- An eligible entity may use a grant awarded under this section for--

(A) capital investments related to the operation of the eligible entity;

(B) support services for clients, including staff, of the eligible entity and individuals enrolled in job training programs;

(C) purchase of equipment and supplies related to the operation of the eligible entity or that improve or directly affect service delivery;

(D) building and kitchen renovations that improve or directly affect service delivery;

(E) educational material and services;

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(F) administrative costs, in accordance with guidelines established by the Secretary; and

(G) additional activities determined appropriate by the Secretary.

(4) PREFERENCES- In awarding grants under this section, the Secretary shall give preference to eligible entities that perform, or will perform, any of the following activities:

(A) Carrying out food recovery programs that are integrated with--

(i) culinary worker training programs, such as programs conducted by a food service management institute under section 21 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b-1);

(ii) school education programs; or

(iii) programs of service-learning (as defined in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)).

(B) Providing job skills training, life skills training, and case management support to vulnerable subpopulations.

(C) Integrating recovery and distribution of food with a job training program.

(D) Maximizing the use of an established school, community, or private food service facility or resource in meal preparation and culinary skills training.

(E) Providing job skills training, life skills training, and case management support to vulnerable subpopulations.

(5) ELIGIBILITY FOR JOB TRAINING- To be eligible to receive job training assistance from an eligible entity using a grant made available under this section, an individual shall be a member of a vulnerable subpopulation.

(6) PERFORMANCE INDICATORS- The Secretary shall establish, for each year of the program, performance indicators and expected levels of performance for meal and food distribution and job training for eligible entities to continue to receive and use grants under this section.

(7) TECHNICAL ASSISTANCE- The Secretary may provide such technical assistance to eligible entities as the Secretary considers appropriate to help the

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eligible entities in carrying out this section.

(8) RELATIONSHIP TO OTHER LAW-

(A) BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT- An action taken by an eligible entity using a grant provided under this section shall be covered by the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

(B) FOOD HANDLING GUIDELINES- In using a grant provided under this section, an eligible entity shall comply with any applicable food handling guideline established by a State or local authority.

(9) MAXIMUM AMOUNT OF GRANT- The amount of a grant provided to an eligible entity for a fiscal year under this section shall not exceed \$200,000.

(c) Authorization of Appropriations-

(1) IN GENERAL- There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

(2) TECHNICAL ASSISTANCE- Of the amount of funds that are made available for a fiscal year under paragraph (1), the Secretary shall use to provide technical assistance under subsection (b)(7) not more than the greater of--

(A) 5 percent of the amount of funds that are made available for the fiscal year under paragraph (1); or

(B) \$1,000,000.

No comparable provision.

SEC. 4915. INFRASTRUCTURE AND TRANSPORTATION GRANTS TO SUPPORT RURAL FOOD BANK DELIVERY OF HEALTHY PERISHABLE FOODS.

(a) Purpose- The purpose of this section is to provide grants to State and local food banks and other emergency feeding organizations (as defined in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501))--

(1) to support and expand the efforts of food banks operating in rural areas to procure and transport highly perishable and healthy food;

(2) to improve identification of potential providers of donated food and to enhance the nonprofit food donation system, particularly in and for rural areas; and

(3) to support the procurement of locally produced food from small and family farms and ranches for distribution to needy people.

(b) Definition of Time-Sensitive Food Product-

(1) IN GENERAL- In this section, the term `time-sensitive food product' means a fresh, raw, or processed food with a short time limitation for safe and acceptable consumption, as determined by the Secretary.

(2) INCLUSIONS- The term `time-sensitive food product' includes--

- (A) fruits;
- (B) vegetables;
- (C) dairy products;
- (D) meat;
- (E) fish; and
- (F) poultry.

(c) Grant Program-

(1) IN GENERAL- The Secretary shall establish a program under which the Secretary shall provide grants, on a competitive basis, to expand the capacity and infrastructure of food banks, statewide food bank associations, and regional food bank collaboratives that operate in rural areas to improve the capacity of the food banks to receive, store, distribute, track, collect, and deliver time-sensitive food products made available from national and local food donors.

(2) MAXIMUM AMOUNT- The maximum amount of a grant provided under this subsection shall be not more than \$1,000,000 for a fiscal year.

(3) USE OF FUNDS- A food bank may use a grant provided under this section for--

- (A) the development and maintenance of a computerized system for the tracking of time-sensitive food products;
- (B) capital, infrastructure, and operating costs associated with--
 - (i) the collection and transportation of time-sensitive food products;or

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	<p>(ii) the storage and distribution of time-sensitive food products;</p> <p>(C) improving the security and diversity of the emergency food distribution and recovery systems of the United States through the support of--</p> <p>(i) small, midsize, or family farms and ranches;</p> <p>(ii) fisheries and aquaculture; and</p> <p>(iii) donations from local food producers and manufacturers to persons in need;</p> <p>(D) providing recovered healthy foods to food banks and similar nonprofit emergency food providers to reduce hunger in the United States; and</p> <p>(E) improving the identification of--</p> <p>(i) potential providers of donated foods;</p> <p>(ii) potential nonprofit emergency food providers; and</p> <p>(iii) persons in need of emergency food assistance in rural areas.</p> <p>(d) Audits- The Secretary shall establish fair and reasonable procedures to audit the use of funds made available to carry out this section.</p> <p>(e) Authorization of Appropriations- There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2008 through 2012.</p>
<p>No comparable provision.</p>	<p>SEC. 4803. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.</p> <p>Section 4403(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107-171) is amended by striking `2007' and inserting `2012'.</p>
<p>No comparable provision.</p>	<p>SEC. 4910. EFFECTIVE AND IMPLEMENTATION DATES.</p> <p>(a) General Effective Date- Except as otherwise provided in this title, this title and the amendments made by this title take effect on April 1, 2008.</p> <p>(b) Implementation of Improvements to Program Benefits-</p> <p>(1) IN GENERAL- A State agency may implement the amendments made by part II of subtitle A beginning on a date (as determined by the State agency) during the</p>

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	<p>period beginning on April 1, 2008, and ending on October 1, 2008.</p> <p>(2) CERTIFICATION PERIOD- At the option of a State agency, the State agency may implement 1 or more of the amendments made by sections 4103 and 4104 for a certification period that begins not earlier than the implementation date determined by the State under paragraph (1).</p>
<p>No comparable provision.</p>	<p>SEC. 4911. APPLICATION.</p> <p>(a) In General- Notwithstanding any other provision of this title or amendments made by this title, the amendments made by the provisions described in subsection (b) shall be in effect during the period beginning on the date of enactment of this Act (or such other effective date as is otherwise provided in this title) and ending on September 30, 2012.</p> <p>(b) Provisions- The provisions referred to in subsection (a) are--</p> <ul style="list-style-type: none"> (1) section 4101; (2) section 4102; (3) section 4103; (4) section 4104; (5) section 4107; (6) section 4108; (7) section 4109; (8) section 4110(a)(2); (9) section 4208; (10) section 4701(a)(3); (11) section 4801(g); and (12) section 4903.
<p>No comparable provision.</p>	<p>SEC. 4202. ISSUANCE AND USE OF PROGRAM BENEFITS.</p> <p>(2) STUDY- As soon as practicable after the date of enactment of this paragraph, the Comptroller General of the United States shall conduct a study of the effects</p>

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of the Secretary issuing a rule requiring that benefits shall only be used to purchase food that is included in the most recent applicable thrifty food plan market basket.';

**note: this language also appears on pages 18-19 of this document