

FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

[As Amended Through P.L. 110–246, Effective October 1, 2008]

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TITLE IV—NUTRITION PROGRAMS

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Subtitle D—Miscellaneous

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SEC. 4402. [7 U.S.C. 3007] SENIORS FARMERS’ MARKET NUTRITION PROGRAM.

(a) **FUNDING.**—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers’ market nutrition program \$20,600,000 for each of fiscal years 2008 through 2012.

(b) **PROGRAM PURPOSES.**—The purposes of the seniors farmers’ market nutrition program are—

(1) to provide resources in the form of fresh, nutritious, unprepared, locally grown fruits, vegetables, honey, and herbs from farmers’ markets, roadside stands, and community supported agriculture programs to low-income seniors;

(2) to increase the domestic consumption of agricultural commodities by expanding or aiding in the expansion of domestic farmers’ markets, roadside stands, and community supported agriculture programs; and

(3) to develop or aid in the development of new and additional farmers’ markets, roadside stands, and community supported agriculture programs.

(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.

(d) **PROHIBITION ON COLLECTION OF SALES TAX.**—Each State shall ensure that no State or local tax is collected within the State

on a purchase of food with a benefit distributed under the seniors farmers' market nutrition program.

(e) REGULATIONS.—The Secretary may promulgate such regulations as the Secretary considers to be necessary to carry out the seniors farmers' market nutrition program.

SEC. 4403. [7 U.S.C. 3171 note] NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Agriculture may establish, in not more than 5 States, for a period not to exceed 4 years for each participating State, a pilot program to increase the domestic consumption of fresh fruits and vegetables.

(b) PURPOSE.—

(1) IN GENERAL.—Subject to paragraph (2), the purpose of the program shall be to provide funds to States solely for the purpose of assisting eligible public and private sector entities with cost-share assistance to carry out demonstration projects—

(A) to increase fruit and vegetable consumption; and

(B) to convey related health promotion messages.

(2) LIMITATION.—Funds made available to a State under the program shall not be used to disparage any agricultural commodity.

(c) SELECTION OF STATES.—

(1) IN GENERAL.—In selecting States to participate in the program, the Secretary shall take into consideration, with respect to projects and activities proposed to be carried out under the program—

(A) experience in carrying out similar projects or activities;

(B) innovative approaches; and

(C) the ability of the State to promote and track increases in levels of fruit and vegetable consumption.

(2) ENHANCEMENT OF EXISTING STATE PROGRAMS.—The Secretary may use the pilot program to enhance existing State programs that are consistent with the purpose of the pilot program specified in subsection (b).

(d) ELIGIBLE PUBLIC AND PRIVATE SECTOR ENTITIES.—

(1) IN GENERAL.—A participating State shall establish eligibility criteria under which the State may select public and private sector entities to carry out demonstration projects under the program.

(2) LIMITATION.—No funds made available to States under the program shall be provided by a State to any foreign for-profit corporation.

(e) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using funds provided under this section shall be 50 percent.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2002 through 2012.

SEC. 4404. [2 U.S.C. 1161] 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 2008”.

(b) DEFINITIONS.—In this subsection:

(1) DIRECTOR.—The term “Director” means the head of the Congressional Hunger Center.

(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 (c)(1).

(c) 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.

(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.

(d) 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 (c)(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 non-governmental, 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 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.—

(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 (c)(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.

(e) 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.

(f) 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 (g); and

(2) includes the results of evaluations and audits required by subsection (d).

(g) 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.