

TITLE IV—NUTRITION PROGRAMS

Subtitle A—Food and Nutrition Program

PART I—RENAMING OF FOOD STAMP PROGRAM

Sec. 4001. Renaming of food stamp program.

PART II—IMPROVING PROGRAM BENEFITS

- Sec. 4101. Exclusion of certain military payments from income.
Sec. 4102. Strengthening the food purchasing power of low-income Americans.
Sec. 4103. Supporting working families with child care expenses.
Sec. 4104. Encouraging retirement and education savings among food stamp recipients.
Sec. 4105. Facilitating simplified reporting.
Sec. 4106. Accrual of benefits.
Sec. 4107. Eligibility for unemployed adults.
Sec. 4108. Transitional benefits option.
Sec. 4109. Updating the minimum benefit.
Sec. 4110. Availability of commodities for the emergency food assistance program.

PART III—IMPROVING PROGRAM OPERATIONS

- Sec. 4201. Technical clarification regarding eligibility.
Sec. 4202. Issuance and use of program benefits.
Sec. 4203. Clarification of split issuance.
Sec. 4204. State option for telephonic signature.
Sec. 4205. Privacy protections.
Sec. 4206. Study on comparable access to food and nutrition assistance for Puerto Rico.
Sec. 4207. Civil rights compliance.
Sec. 4208. Employment, training, and job retention.
Sec. 4209. Codification of access rules.
Sec. 4210. Expanding the use of EBT cards at farmers' markets.
Sec. 4211. Review of major changes in program design.
Sec. 4212. Preservation of access and payment accuracy.

PART IV—IMPROVING PROGRAM INTEGRITY

- Sec. 4301. Major systems failures.
Sec. 4302. Performance standards for biometric identification technology.
Sec. 4303. Civil penalties and disqualification of retail food stores and wholesale food concerns.
Sec. 4304. Funding of employment and training programs.
Sec. 4305. Eligibility disqualification.

PART V—MISCELLANEOUS

- Sec. 4401. Definition of staple foods.
Sec. 4402. Accessory food items.
Sec. 4403. Pilot projects to evaluate health and nutrition promotion in the food and nutrition program.

2

Sec. 4404. Bill Emerson National Hunger Fellows and Mickey Leland International Hunger Fellows.

Sec. 4405. Hunger-free communities.

Subtitle B—Food Distribution Program on Indian Reservations

Sec. 4501. Assessing the nutritional value of the FDPIR food package.

Subtitle C—Emergency Food Assistance Program and Commodity Supplemental Food Program

Sec. 4601. Emergency food assistance.

Sec. 4602. Commodity Supplemental Food Program.

Subtitle D—Senior Farmers' Market Nutrition Program

Sec. 4701. Exclusion of benefits in determining eligibility for other programs.

Sec. 4702. Prohibition on collection of sales tax.

Subtitle E—Reauthorization of Federal Food Assistance Programs

Sec. 4801. Food and nutrition program.

Sec. 4802. Commodity distribution.

Sec. 4803. Nutrition information and awareness pilot program.

Subtitle F—Miscellaneous

Sec. 4901. Purchases of locally produced foods.

Sec. 4902. Healthy food education and program replicability.

Sec. 4903. Fresh fruit and vegetable program.

Sec. 4904. Conforming amendments to renaming of food stamp program.

Sec. 4905. Effective and implementation dates.

Sec. 4906. Application.

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

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

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

7 (a) **SHORT TITLE.**—The first section of the Food
8 Stamp Act of 1977 (7 U.S.C. 2011 note; Public Law 88–
9 525) is amended by striking “Food Stamp Act of 1977”
10 and inserting “Food and Nutrition Act of 2007”.

1 (b) PROGRAM.—The Food and Nutrition Act of 2007
2 (7 U.S.C. 2011 et seq.) (as amended by subsection (a))
3 is amended by striking “food stamp program” each place
4 it appears and inserting “food and nutrition program”.

5 **PART II—IMPROVING PROGRAM BENEFITS**

6 **SEC. 4101. EXCLUSION OF CERTAIN MILITARY PAYMENTS**
7 **FROM INCOME.**

8 Section 5(d) of the Food and Nutrition Act of 2007
9 (7 U.S.C. 2014(d)) is amended—

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

12 (2) by striking “only (1) any” and inserting
13 “only—

14 “(1) any”;

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

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

21 (5) in paragraph (3)—

22 (A) by striking “like (A) awarded” and in-
23 serting “like—

24 “(A) awarded”;

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

3 “(B) to”; and

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

6 “(C) to”;

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

9 “(B) a”;

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

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

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

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

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

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

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

3 Section 5(e)(1) of the Food and Nutrition Act of
4 2007 (7 U.S.C. 2014(e)(1)) is amended—

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

9 “(I) for fiscal year 2008, \$140,
10 \$239, \$197, and \$123, respectively;
11 and

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

24 (2) in subparagraph (B)(ii), by striking “not
25 less than \$269” and all that follows through the end

1 of the clause and inserting the following: “not less
2 than—

3 “(I) for fiscal year 2008, \$281;
4 and

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

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

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

22 **SEC. 4103. SUPPORTING WORKING FAMILIES WITH CHILD**
23 **CARE EXPENSES.**

24 Section 5(e)(3)(A) of the Food and Nutrition Act of
25 2007 (7 U.S.C. 2014(e)(3)(A)) is amended by striking “,

1 the maximum allowable level of which shall be \$200 per
2 month for each dependent child under 2 years of age and
3 \$175 per month for each other dependent,”.

4 **SEC. 4104. ENCOURAGING RETIREMENT AND EDUCATION**
5 **SAVINGS AMONG FOOD STAMP RECIPIENTS.**

6 (a) ALLOWABLE FINANCIAL RESOURCES.—Section
7 5(g) of the Food and Nutrition Act of 2007 (7 U.S.C.
8 2014(g)) is amended—

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

11 “(g) ALLOWABLE FINANCIAL RESOURCES.—

12 “(1) TOTAL AMOUNT.—

13 “(A) IN GENERAL.—The Secretary”;

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

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

19 (B) by inserting “(as adjusted in accord-
20 ance with subparagraph (B))” after “\$3,000”;
21 and

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

23 “(B) ADJUSTMENT FOR INFLATION.—

24 “(i) IN GENERAL.—Beginning on Oc-
25 tober 1, 2007, and each October 1 there-

1 after, the amounts in subparagraph (A)
2 shall be adjusted to the nearest \$100 in-
3 crement to reflect changes for the 12-
4 month period ending the preceding June in
5 the Consumer Price Index for All Urban
6 Consumers published by the Bureau of
7 Labor Statistics of the Department of
8 Labor.

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

13 (b) EXCLUSION OF RETIREMENT ACCOUNTS FROM
14 ALLOWABLE FINANCIAL RESOURCES.—

15 (1) IN GENERAL.—Section 5(g)(2)(B)(v) of the
16 Food and Nutrition Act of 2007 (7 U.S.C.
17 2014(g)(2)(B)(v)) is amended by striking “or retire-
18 ment account (including an individual account)” and
19 inserting “account”.

20 (2) MANDATORY AND DISCRETIONARY EXCLU-
21 SIONS.—Section 5(g) of the Food and Nutrition Act
22 of 2007 (7 U.S.C. 2014(g)) is amended by adding
23 at the end the following:

24 “(7) EXCLUSION OF RETIREMENT ACCOUNTS
25 FROM ALLOWABLE FINANCIAL RESOURCES.—

1 “(A) MANDATORY EXCLUSIONS.—The Sec-
2 retary shall exclude from financial resources
3 under this subsection the value of—

4 “(i) any funds in a plan, contract, or
5 account, described in sections 401(a),
6 403(a), 403(b), 408, 408A, 457(b), and
7 501(c)(18) of the Internal Revenue Code
8 of 1986 and the value of funds in a Fed-
9 eral Thrift Savings Plan account as pro-
10 vided in section 8439 of title 5, United
11 States Code; and

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

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

22 (c) EXCLUSION OF EDUCATION ACCOUNTS FROM AL-
23 LOWABLE FINANCIAL RESOURCES.—Section 5(g) of the
24 Food and Nutrition Act of 2007 (7 U.S.C. 2014(g)) (as

1 amended by subsection (b)) is amended by adding at the
2 end the following:

3 “(8) EXCLUSION OF EDUCATION ACCOUNTS
4 FROM ALLOWABLE FINANCIAL RESOURCES.—

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

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

18 **SEC. 4105. FACILITATING SIMPLIFIED REPORTING.**

19 Section 6(c)(1)(A) of the Food and Nutrition Act of
20 2007 (7 U.S.C. 2015(c)(1)(A)) is amended—

21 (1) by striking “reporting by” and inserting
22 “reporting”;

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

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

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

5 **SEC. 4106. ACCRUAL OF BENEFITS.**

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

9 “(12) RECOVERING ELECTRONIC BENEFITS.—

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

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

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

23 “(D) NOTICE.—A State agency shall—

1 “(i) send notice to a household the
2 benefits of which are stored under sub-
3 paragraph (B); and

4 “(ii) not later than 48 hours after re-
5 quest by the household, make the stored
6 benefits available to the household.”.

7 **SEC. 4107. ELIGIBILITY FOR UNEMPLOYED ADULTS.**

8 (a) IN GENERAL.—Section 6(o)(2) of the Food and
9 Nutrition Act of 2007 (7 U.S.C. 2015(o)(2)) is amended
10 in the matter preceding subparagraph (A) by striking “3
11 months” and inserting “6 months, or at the option of a
12 State agency, 3 months,”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 subsection (a) take effect on October 1, 2008.

15 **SEC. 4108. TRANSITIONAL BENEFITS OPTION.**

16 Section 11(s)(1) of the Food and Nutrition Act of
17 2007 (7 U.S.C. 2020(s)(1)) is amended—

18 (1) by striking “benefits to a household”; and
19 inserting “benefits—

20 “(A) to a household”;

21 (2) by striking the period at the end and insert-
22 ing “; or”; and

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

24 “(B) at the option of the State, to a house-
25 hold with children that ceases to receive cash

1 assistance under a State-funded public assist-
2 ance program.”.

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

4 Section 8(a) of the Food and Nutrition Act of 2007
5 (7 U.S.C. 2017(a)) is amended—

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

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

10 “(a) IN GENERAL.—

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

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

15 “(2) MINIMUM AMOUNT.—For”;

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

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

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

20 and

21 “(C) for each subsequent fiscal year, the
22 applicable amount during the preceding fiscal
23 year, as adjusted to reflect changes for the 12-
24 month period ending the preceding November
25 30 in the Consumer Price Index for all Urban

1 Consumers published by the Bureau of Labor
2 Statistics of the Department of Labor.”; and
3 (4) by adding at the end the following:

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

7 **SEC. 4110. AVAILABILITY OF COMMODITIES FOR THE EMER-**
8 **GENCY FOOD ASSISTANCE PROGRAM.**

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

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

12 ITIES” and all that follows through “through 2007”
13 and inserting the following:

14 “(a) PURCHASE OF COMMODITIES.—

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

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

19 “(2) AMOUNTS.—In addition to the amounts
20 made available under paragraph (1), for fiscal year
21 2008 and each fiscal year thereafter, from amounts
22 made available to carry out this Act, the Secretary
23 shall use to carry out this subsection \$92,000,000.”.

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

4 **PART III—IMPROVING PROGRAM OPERATIONS**

5 **SEC. 4201. TECHNICAL CLARIFICATION REGARDING ELIGI-**
6 **BILITY.**

7 Section 6(k) of the Food and Nutrition Act of 2007
8 (7 U.S.C. 2015(k)) is amended—

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

12 (2) by striking “No member” and inserting the
13 following:

14 “(1) IN GENERAL.—No member”; and

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

16 “(2) PROCEDURES.—The Secretary shall issue
17 consistent procedures—

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

21 “(B) to ensure that State agencies use
22 consistent procedures to target individuals
23 whom law enforcement authorities are actively
24 seeking for the purpose of holding criminal pro-
25 ceedings against the individual.”.

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

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

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

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

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

10 (2) in subsection (b)—

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

13 “(b) USE.—Benefits”; and

14 (B) by striking the second proviso;

15 (3) in subsection (c)—

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

18 “(c) DESIGN.—

19 “(1) IN GENERAL.—EBT cards”;

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

22 (C) by striking the second sentence and in-
23 serting the following:

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

26 (4) by striking subsection (d);

1 (5) in subsection (e)—

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

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

6 (6) in subsection (f)—

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

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

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

13 (D) by striking “and allotments”;

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

16 “(g) ALTERNATIVE BENEFIT DELIVERY.—

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

23 “(2) NO IMPOSITION OF COSTS.—The cost of
24 documents or systems that may be required by this
25 subsection may not be imposed upon a retail food

1 store participating in the food and nutrition pro-
2 gram.

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

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

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

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

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

23 “(ii) not be redeemable.”;

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

1 (9) in subsection (j)—

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

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

8 (10) in subsection (k)—

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

12 (B) by striking “a coupon issued in the
13 form of” each place it appears and inserting
14 “program benefits in the form of”; and

15 (C) in subparagraph (A), by striking “sub-
16 section (i)(11)(A)” and inserting “subsection
17 (h)(11)(A)”; and

18 (11) by redesignating subsections (e) through
19 (k) as subsections (d) through (j), respectively.

20 (b) CONFORMING AMENDMENTS.—

21 (1) Section 3 of the Food and Nutrition Act of
22 2007 (7 U.S.C. 2012) is amended—

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

1 (B) by striking subsection (b) and insert-
2 ing the following:

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

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

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

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

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

16 (E) in subsection (e)—

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

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

21 (ii) by striking “coupons” and insert-
22 ing “benefits”;

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

25 (G) in subsection (i)(5)—

21

1 (i) in subparagraph (B), by striking
2 “subsection (r)” and inserting “subsection
3 (j)”;

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

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

8 (I) in subsection (k)—

9 (i) in paragraph (1)(A), by striking
10 “subsection (u)(1)” and inserting “sub-
11 section (r)(1)”;

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

17 (iii) in paragraph (3), by striking
18 “subsection (g)(6) of this section” and in-
19 serting “subsection (k)(6)”;

20 (J) in subsection (t), by inserting “, in-
21 cluding point of sale devices,” after “other
22 means of access”;

23 (K) in subsection (u), by striking “(as de-
24 fined in subsection (g))”;

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

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

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

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

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

13 (B) by striking “Coupons issued” and in-
14 sserting “benefits issued”.

15 (3) Section 5 of the Food and Nutrition Act of
16 2007 (7 U.S.C. 2014) is amended—

17 (A) in subsection (a), by striking “section
18 3(i)(4)” and inserting “section 3(n)(4)”;

19 (B) in subsection (h)(3)(B), in the second
20 sentence, by striking “section 7(i)” and insert-
21 ing “section 7(h)”;

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

24 (4) Section 6 of the Food and Nutrition Act of
25 2007 (7 U.S.C. 2015) is amended—

1 (A) in subsection (b)(1)—

2 (i) in subparagraph (B), by striking
3 “coupons or authorization cards” and in-
4 serting “program benefits”; and

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

7 (B) in subsection (d)(4)(L), by striking
8 “section 11(e)(22)” and inserting “section
9 11(e)(19)”.

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

14 (6) Section 8 of the Food and Nutrition Act of
15 2007 (7 U.S.C. 2017) is amended—

16 (A) in subsection (b), by striking “, wheth-
17 er through coupons, access devices, or other-
18 wise”; and

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

22 (7) Section 9 of the Food and Nutrition Act of
23 2007 (7 U.S.C. 2018) is amended—

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

1 (B) in subsection (a)—

2 (i) in paragraph (1), by striking “cou-
3 pon business” and inserting “benefit trans-
4 actions”; and

5 (ii) by striking paragraph (3) and in-
6 serting the following:

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

11 (C) in subsection (g), by striking “section
12 3(g)(9)” and inserting “section 3(k)(9)”.

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

15 (A) by striking the section designation and
16 heading and all that follows through “Regula-
17 tions” and inserting the following:

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

19 “Regulations”;

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

22 (C) by striking “section 7(i)” and inserting
23 “section 7(h)”;

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

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

3 (A) in subsection (d)—

4 (i) by striking “section 3(n)(1) of this
5 Act” each place it appears and inserting
6 “section 3(t)(1)”; and

7 (ii) by striking “section 3(n)(2) of this
8 Act” each place it appears and inserting
9 “section 3(t)(2)”;

10 (B) in subsection (e)—

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

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

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

20 (iv) in paragraph (17) (as so redesign-
21 nated), by striking “(described in section
22 3(n)(1) of this Act)” and inserting “de-
23 scribed in section 3(t)(1)”;

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

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

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

5 (F) in subsection (q), by striking “section
6 11(e)(20)(B)” and inserting “subsection
7 (e)(18)(B)”

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

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

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

16 (B) in subsection (b)(1)—

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

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

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

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

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

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

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

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

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

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

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

20 (B) in subsection (b)(1)—

21 (i) in subparagraph (B)—

22 (I) in clause (iv)—

23 (aa) in subclause (I), insert-
24 ing “or otherwise providing bene-
25 fits in a form not restricted to

1 the purchase of food” after “of
2 cash”;

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

6 (cc) in subclause (VII), by
7 striking “section 7(j)” and in-
8 serting “section 7(i)”;

9 (II) in clause (v)—

10 (aa) by striking
11 “countersigned food coupons or
12 similar”;

13 (bb) by striking “food cou-
14 pons” and inserting “EBT
15 cards”;

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

19 (C) in subsection (f), by striking “section
20 7(g)(2)” and inserting “section 7(f)(2)”;

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

23 (14) Section 19(a)(2)(A)(ii) of the Food and
24 Nutrition Act of 2007 (7 U.S.C. 2028(a)(2)(A)(ii))

1 is amended by striking “section 3(o)(4)” and insert-
2 ing “section 3(u)(4)”.

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

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

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

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

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

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

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

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

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

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

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

4 (c) CONFORMING CROSS-REFERENCES.—

5 (1) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (2) DEFINITION REFERENCES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(2) REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 “(A) the safeguards shall permit—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 **SEC. 4207. CIVIL RIGHTS COMPLIANCE.**

23 Section 11 of the Food and Nutrition Act of 2007
24 (7 U.S.C. 2020) is amended by striking subsection (c) and
25 inserting the following:

1 “(c) CIVIL RIGHTS COMPLIANCE.—

2 “(1) IN GENERAL.—In the certification of ap-
3 plicant households for the food and nutrition pro-
4 gram, there shall be no discrimination by reason of
5 race, sex, religious creed, national origin, or political
6 affiliation.

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

11 “(A) The Age Discrimination Act of 1975
12 (42 U.S.C. 6101 et seq.).

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

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

17 “(D) Title VI of the Civil Rights Act of
18 1964 (42 U.S.C. 2000d et seq.).”.

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

20 Section 6(d)(4) of the Food and Nutrition Act of
21 2007 (7 U.S.C. 2015(d)(4)) is amended—

22 (1) in subparagraph (B)—

23 (A) by redesignating clause (vii) as clause
24 (viii); and

1 (B) by inserting after clause (vi) the fol-
2 lowing:

3 “(vii) Programs intended to ensure
4 job retention by providing job retention
5 services, if the job retention services are
6 provided for a period of not more than 90
7 days after an individual who received em-
8 ployment and training services under this
9 paragraph gains employment.”; and

10 (2) in subparagraph (F), by adding at the end
11 the following:

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

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

17 Section 11(e)(1)) of the Food and Nutrition Act of
18 2007 (7 U.S.C. 2020(e)(1)) is amended—

19 (1) by striking “shall (A) at” and inserting
20 “shall—

21 “(A) at”; and

22 (2) by striking “and (B) use” and inserting
23 “and

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

1 **SEC. 4210. EXPANDING THE USE OF EBT CARDS AT FARM-**
2 **ERS' MARKETS.**

3 (a) IN GENERAL.—For each of fiscal years 2008
4 through 2010, the Secretary shall make grants to pay 100
5 percent of the costs of eligible entities approved by the
6 Secretary to carry out projects to expand the number of
7 farmers' markets that accept EBT cards by—

8 (1) providing equipment and training necessary
9 for farmers' markets to accept EBT cards;

10 (2) educating and providing technical assistance
11 to farmers and farmers' market operators about the
12 process and benefits of accepting EBT cards; or

13 (3) other activities considered to be appropriate
14 by the Secretary.

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

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

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

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

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

1 (2) a State or local government; or

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

5 (d) SELECTION OF ELIGIBLE ENTITIES.—The Sec-
6 retary—

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

9 (2) may give preference to any eligible entity
10 that consists of a partnership between a government
11 entity and a nongovernmental entity.

12 (e) MANDATORY FUNDING.—

13 (1) IN GENERAL.—On October 1, 2007, out of
14 any funds in the Treasury not otherwise appro-
15 priated, the Secretary of the Treasury shall transfer
16 to the Secretary of Agriculture to carry out this sec-
17 tion \$5,000,000, to remain available until expended.

18 (2) RECEIPT AND ACCEPTANCE.—The Sec-
19 retary shall be entitled to receive, shall accept, and
20 shall use to carry out this section the funds trans-
21 ferred under paragraph (1), without further appro-
22 priation.

1 **SEC. 4211. REVIEW OF MAJOR CHANGES IN PROGRAM DE-**
2 **SIGN.**

3 Section 11 of the Food and Nutrition Act of 2007
4 (7 U.S.C. 2020) is amended by striking subsection (a) and
5 inserting the following:

6 “(a) STATE RESPONSIBILITY.—

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

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

15 “(3) RECORDS.—

16 “(A) IN GENERAL.—Each State agency
17 shall keep such records as may be necessary to
18 determined whether the program is being con-
19 ducted in compliance with this Act (including
20 regulations issued under this Act).

21 “(B) INSPECTION AND AUDIT.—Records
22 described in subparagraph (A) shall—

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

25 “(ii) subject to subsection (e)(8), be
26 available for review in any action filed by

1 a household to enforce any provision of
2 this Act (including regulations issued
3 under this Act); and

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

7 “(4) REVIEW OF MAJOR CHANGES IN PROGRAM
8 DESIGN.—

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

12 “(i) large or substantially-increased
13 numbers of low-income households that do
14 not live in reasonable proximity to an of-
15 fice performing the major functions de-
16 scribed in subsection (e);

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

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

1 “(iv) changes that may disproportion-
2 ately increase the burdens on any of the
3 types of households described in subsection
4 (e)(2)(A).

5 “(B) NOTIFICATION.—If a State agency
6 implements a major change in operations, the
7 State agency shall—

8 “(i) notify the Secretary; and

9 “(ii) collect such information as the
10 Secretary shall require to identify and cor-
11 rect any adverse effects on program integ-
12 rity or access, including access by any of
13 the types of households described in sub-
14 section (e)(2)(A).”.

15 **SEC. 4212. PRESERVATION OF ACCESS AND PAYMENT AC-**
16 **CURACY.**

17 Section 16 of the Food and Nutrition Act of 2007
18 (7 U.S.C. 2025) is amended by striking subsection (g) and
19 inserting the following:

20 “(g) COST SHARING FOR COMPUTERIZATION.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graphs (2) and (3), the Secretary is authorized to
23 pay to each State agency the amount provided under
24 subsection (a)(6) for the costs incurred by the State
25 agency in the planning, design, development, or in-

1 stallation of 1 or more automatic data processing
2 and information retrieval systems that the Secretary
3 determines—

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

6 “(B) meet such conditions as the Secretary
7 prescribes;

8 “(C) are likely to provide more efficient
9 and effective administration of the food and nu-
10 trition program;

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

15 “(E) would be tested adequately before
16 and after implementation, including through
17 pilot projects in limited areas for major systems
18 changes as determined under rules promulgated
19 by the Secretary, data from which shall be thor-
20 oughly evaluated before the Secretary approves
21 the system to be implemented more broadly;
22 and

23 “(F) would be operated in accordance with
24 an adequate plan for—

1 “(i) continuous updating to reflect
2 changed policy and circumstances; and

3 “(ii) testing the effect of the system
4 on access for eligible households and on
5 payment accuracy.

6 “(2) LIMITATION.—The Secretary shall not
7 make payments to a State agency under paragraph
8 (1) to the extent that the State agency—

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

11 “(B) uses the systems for purposes not
12 connected with the food and nutrition pro-
13 gram.”.

14 **PART IV—IMPROVING PROGRAM INTEGRITY**

15 **SEC. 4301. MAJOR SYSTEMS FAILURES.**

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

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

21 “(A) IN GENERAL.—If the Secretary deter-
22 mines that a State agency over issued benefits
23 to a substantial number of households in a fis-
24 cal year as a result of a major systemic error
25 by the State agency, as determined by the Sec-

1 retary, the Secretary may prohibit the State
2 agency from collecting these over issuances
3 from some or all households.

4 “(B) PROCEDURES.—

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

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

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

20 “(II) as to the amount of the
21 over issuance in the applicable fiscal
22 year for which the State agency is lia-
23 ble.

24 “(iii) ESTABLISHING A CLAIM.—Upon
25 determining under clause (ii) that a State

1 agency has over issued benefits to house-
2 holds due to a major systemic error deter-
3 mined under subparagraph (A), the Sec-
4 retary shall establish a claim against the
5 State agency equal to the value of the over
6 issuance caused by the systemic error.

7 “(iv) ADMINISTRATIVE AND JUDICIAL
8 REVIEW.—Administrative and judicial re-
9 view, as provided in section 14, shall apply
10 to the final determinations by the Sec-
11 retary under clause (ii).

12 “(v) REMISSION TO THE SEC-
13 RETARY.—

14 “(I) DETERMINATION NOT AP-
15 PEALD.—If the determination of the
16 Secretary under clause (ii) is not ap-
17 pealed, the State agency shall, as soon
18 as practicable, remit to the Secretary
19 the dollar amount specified in the
20 claim under clause (iii).

21 “(II) DETERMINATION AP-
22 PEALD.—If the determination of the
23 Secretary under clause (ii) is ap-
24 pealed, upon completion of adminis-
25 trative and judicial review under

1 clause (iv), and a finding of liability
2 on the part of the State, the appealing
3 State agency shall, as soon as prac-
4 ticable, remit to the Secretary a dollar
5 amount subject to the finding of the
6 administrative and judicial review.

7 “(vi) ALTERNATIVE METHOD OF COL-
8 LECTION.—

9 “(I) IN GENERAL.—If a State
10 agency fails to make a payment under
11 clause (v) within a reasonable period
12 of time, as determined by the Sec-
13 retary, the Secretary may reduce any
14 amount due to the State agency under
15 any other provision of this Act by the
16 amount due.

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

22 “(vii) LIMITATION.—Any liability
23 amount established under section
24 16(c)(1)(C) shall be reduced by the

1 amount of the claim established under this
2 subparagraph.”.

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

7 **SEC. 4302. PERFORMANCE STANDARDS FOR BIOMETRIC**
8 **IDENTIFICATION TECHNOLOGY.**

9 Section 16 of the Food and Nutrition Act of 2007
10 (7 U.S.C. 2025) is amended by adding at the end the fol-
11 lowing:

12 “(1) PERFORMANCE STANDARDS FOR BIOMETRIC
13 IDENTIFICATION TECHNOLOGY.—

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

20 “(2) ADMINISTRATIVE FUNDS.—The Secretary
21 may not pay a State agency any amount for admin-
22 istrative costs for the development, purchase, admin-
23 istration, or other costs associated with the use of
24 biometric identification technology unless the State

1 agency has, under such terms and conditions as the
2 Secretary considers appropriate—

3 “(A) provided to the Secretary an analysis
4 of the cost-effectiveness of the use of the pro-
5 posed biometric identification technology to de-
6 tect fraud in carrying out the food and nutri-
7 tion program;

8 “(B) demonstrated to the Secretary that
9 the analysis is—

10 “(i) statistically valid; and

11 “(ii) based on appropriate and valid
12 assumptions for the households served by
13 the food and nutrition program;

14 “(C) demonstrated to the Secretary that—

15 “(i) the proposed biometric identifica-
16 tion technology is cost-effective in reducing
17 fraud; and

18 “(ii) there are no other technologies
19 or fraud-detection methods that are at
20 least as cost-effective in carrying out the
21 purposes of the proposed biometric identi-
22 fication system; and

23 “(D) demonstrated to the Secretary that
24 no information produced by or used in the bio-
25 metric information technology system will be

1 made available or used for any purpose other
2 than a purpose allowed under section 11(e)(8).

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

7 **SEC. 4303. CIVIL PENALTIES AND DISQUALIFICATION OF**
8 **RETAIL FOOD STORES AND WHOLESALE**
9 **FOOD CONCERNS.**

10 Section 12 of the Food and Nutrition Act of 2007
11 (7 U.S.C. 2021) is amended—

12 (1) by striking the section designation and
13 heading and all that follows through the end of sub-
14 section (a) and inserting the following:

15 **“SEC. 12. CIVIL PENALTIES AND DISQUALIFICATION OF RE-**
16 **TAIL FOOD STORES AND WHOLESALE FOOD**
17 **CONCERNS.**

18 “(a) DISQUALIFICATION.—

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

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

24 “(B) assessed a civil penalty of up to
25 \$100,000 for each violation.

1 “(2) REGULATIONS.—Regulations promulgated
2 under this Act shall provide criteria for the finding
3 of a violation of, the suspension or disqualification
4 of, and the assessment of a civil penalty against, a
5 retail food store or wholesale food concern on the
6 basis of evidence that may include facts established
7 through on-site investigations, inconsistent redemp-
8 tion data, or evidence obtained through a trans-
9 action report under an electronic benefit transfer
10 system.”;

11 (2) in subsection (b)—

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

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

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

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

22 (D) in paragraph (3)(B)—

23 (i) by inserting “or a finding of the
24 unauthorized redemption, use, transfer, ac-
25 quisition, alteration, or possession of EBT

1 cards” after “concern” the first place it
2 appears; and

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

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

7 (3) in subsection (c)—

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

10 “(c) CIVIL PENALTY AND REVIEW OF DISQUALIFICA-
11 TION AND PENALTY DETERMINATIONS.—

12 “(1) CIVIL PENALTY.—In addition to a dis-
13 qualification under this section, the Secretary may
14 assess a civil penalty in an amount not to exceed
15 \$100,000.

16 “(2) REVIEW.—The action”; and

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

20 (4) in subsection (d)—

21 (A) by striking “(d)” and all that follows
22 through “. The Secretary shall” and inserting
23 the following:

24 “(d) CONDITIONS OF AUTHORIZATION.—

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

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

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

20 (B) by striking “If the Secretary finds”
21 and inserting the following

22 “(4) FORFEITURE.—If the Secretary finds”;
23 and

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

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

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

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

7 “(h) FLAGRANT VIOLATIONS.—

8 “(1) IN GENERAL.—The Secretary, in consulta-
9 tion with the Inspector General of the Department
10 of Agriculture, shall establish procedures under
11 which the processing of program benefit redemptions
12 for a retail food store or wholesale food concern may
13 be immediately suspended pending administrative
14 action to disqualify the retail food store or wholesale
15 food concern.

16 “(2) REQUIREMENTS.—Under the procedures
17 described in paragraph (1), if the Secretary, in con-
18 sultation with the Inspector General, determines
19 that a retail food store or wholesale food concern is
20 engaged in flagrant violations of this Act (including
21 regulations promulgated under this Act), unsettled
22 program benefits that have been redeemed by the re-
23 tail food store or wholesale food concern—

24 “(A) may be suspended; and

1 “(B)(i) if the program disqualification is
2 upheld, may be subject to forfeiture pursuant to
3 subsection (g); or

4 “(ii) if the program disqualification is not
5 upheld, shall be released to the retail food store
6 or wholesale food concern.

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

10 **SEC. 4304. FUNDING OF EMPLOYMENT AND TRAINING PRO-**
11 **GRAMS.**

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

17 (b) RESCISSION OF FUNDS.—Notwithstanding any
18 other provision of law, funds provided under section
19 16(h)(1)(A) of the Food and Nutrition Act of 2007 (7
20 U.S.C. 2025(h)(1)(A)) for any fiscal year before the fiscal
21 year beginning October 1, 2007, shall be rescinded on the
22 date of enactment of this Act, unless obligated by a State
23 agency before that date.

1 **SEC. 4305. ELIGIBILITY DISQUALIFICATION.**

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

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

16 **PART V—MISCELLANEOUS**

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

18 Subsection (r) of section 3 of the Food and Nutrition
19 Act of 2007 (7 U.S.C. 2012) (as redesignated by section
20 4202(b)(1)(M)) is amended—

21 (1) by striking “(r)(1) Except” and inserting
22 the following:

23 “(r) STAPLE FOODS.—

24 “(1) IN GENERAL.—Except”; and

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

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

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

9 **SEC. 4402. ACCESSORY FOOD ITEMS.**

10 Section 9(a) of the Food and Nutrition Act of 2007
11 (7 U.S.C. 2018(a)) is amended by adding at the end the
12 following:

13 “(3) ACCESSORY FOOD ITEMS.—

14 “(A) IN GENERAL.—Not later than 1 year
15 after the date of enactment of this paragraph,
16 the Secretary shall promulgate proposed regula-
17 tions providing that a dietary supplement shall
18 not be considered an accessory food item unless
19 the dietary supplement—

20 “(i) contains folic acid or calcium in
21 accordance with sections 101.72 and
22 101.79 of title 21, Code of Federal Regula-
23 tions (as in effect on the date of enactment
24 of this paragraph); and

1 “(ii) the date on which the Secretary
2 certifies a voluntary system of labeling for
3 the ready and accurate identification of eli-
4 gible dietary supplements, as developed by
5 the Secretary in consultation with the die-
6 tary supplement industry and dietary sup-
7 plement retailers.”.

8 **SEC. 4403. PILOT PROJECTS TO EVALUATE HEALTH AND**
9 **NUTRITION PROMOTION IN THE FOOD AND**
10 **NUTRITION PROGRAM.**

11 Section 17 of the Food and Nutrition Act of 2007
12 (7 U.S.C. 2026) is amended by adding at the end the fol-
13 lowing:

14 “(k) **PILOT PROJECTS TO EVALUATE HEALTH AND**
15 **NUTRITION PROMOTION IN THE FOOD AND NUTRITION**
16 **PROGRAM.—**

17 “(1) **IN GENERAL.—**The Secretary shall carry
18 out, under such terms and conditions as the Sec-
19 retary considers to be appropriate, pilot projects to
20 develop and test methods—

21 “(A) of using the food and nutrition pro-
22 gram to improve the dietary and health status
23 of households participating in the food and nu-
24 trition program; and

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

3 “(2) PROJECTS.—Pilot projects carried out
4 under paragraph (1) may include projects to deter-
5 mine whether healthier food purchases by and
6 healthier diets among households participating in
7 the food and nutrition program result from projects
8 that—

9 “(A) increase the food and nutrition assist-
10 ance purchasing power of the participating
11 households by providing increased food and nu-
12 trition assistance benefit allotments to the par-
13 ticipating households;

14 “(B) increase access to farmers markets by
15 participating households through the electronic
16 redemption of food and nutrition assistance at
17 the farmers markets;

18 “(C) provide incentives to authorized food
19 and nutrition program vendors to increase the
20 availability of healthy foods to participating
21 households;

22 “(D) subject authorized food and nutrition
23 program vendors to stricter vendor require-
24 ments with respect to carrying and stocking
25 healthy foods;

1 particularly random assignment or
2 other methods that are capable of pro-
3 ducing scientifically-valid information
4 regarding which activities are effec-
5 tive.

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

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

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

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

22 “(iii) to the maximum extent prac-
23 ticable—

24 “(I) the impact of the pilot
25 project on appropriate health, nutri-

1 tion, and associated behavioral out-
2 comes among households participating
3 in the pilot project;

4 “(II) baseline information rel-
5 evant to the stated goals and desired
6 outcomes of the pilot project; and

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

12 “(5) FUNDING.—

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

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

1 **SEC. 4404. BILL EMERSON NATIONAL HUNGER FELLOWS**
2 **AND MICKEY LELAND INTERNATIONAL HUN-**
3 **GER FELLOWS.**

4 (a) IN GENERAL.—The Food and Nutrition Act of
5 2007 (7 U.S.C. 2011 et seq.) is amended by adding at
6 the end the following:

7 **“SEC. 28. BILL EMERSON NATIONAL HUNGER FELLOWS**
8 **AND MICKEY LELAND INTERNATIONAL HUN-**
9 **GER FELLOWS.**

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

13 “(b) FINDINGS.—Congress finds that—

14 “(1) there is a critical need for compassionate
15 individuals who are committed to assisting people
16 who suffer from hunger to initiate and administer
17 solutions to the hunger problem;

18 “(2) Bill Emerson, the distinguished late Rep-
19 resentative from the 8th District of Missouri, dem-
20 onstrated—

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

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

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

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

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

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

6 and

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

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

12 “(5) these 2 outstanding leaders maintained a
13 special bond of friendship regardless of political af-
14 filiation and worked together to encourage future
15 leaders to recognize and provide service to others;
16 and

17 “(6) it is especially appropriate to honor the
18 memory of Mr. Emerson and Mr. Leland by creating
19 a fellowship program to develop and train the future
20 leaders of the United States to pursue careers in hu-
21 manitarian service.

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

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

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

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

2 “(B) Mickey Leland Hunger Fellow

3 “(3) FELLOWSHIP PROGRAMS.—The term ‘Fel-
4 lowship Programs’ means the Bill Emerson National
5 Hunger Fellowship Program and the Mickey Leland
6 International Hunger Fellowship Program estab-
7 lished under subsection (d)(1).

8 “(d) FELLOWSHIP PROGRAMS.—

9 “(1) IN GENERAL.—There is established the
10 Bill Emerson National Hunger Fellowship Program
11 and the Mickey Leland International Hunger Fel-
12 lowship Program.

13 “(2) PURPOSES.—

14 “(A) IN GENERAL.—The purposes of the
15 Fellowship Programs are—

16 “(i) to encourage future leaders of the
17 United States—

18 “(I) to pursue careers in humani-
19 tarian and public service;

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

22 “(III) to provide assistance to
23 people in need; and

1 “(IV) to seek public policy solu-
2 tions to the challenges of hunger and
3 poverty;

4 “(ii) to provide training and develop-
5 ment opportunities for such leaders
6 through placement in programs operated
7 by appropriate organizations or entities;
8 and

9 “(iii) to increase awareness of the im-
10 portance of public service.

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

15 “(C) MICKEY LELAND HUNGER FELLOW-
16 SHIP PROGRAM.—The purpose of the Mickey
17 Leland Hunger Fellowship Program is to ad-
18 dress international hunger and other humani-
19 tarian needs.

20 “(3) ADMINISTRATION.—

21 “(A) IN GENERAL.—Subject to subpara-
22 graph (B), the Secretary shall offer to enter
23 into a contract with the Congressional Hunger
24 Center to administer the Fellowship Programs.

1 mental entity or nongovernmental, non-
2 profit, or private sector organization.

3 “(B) WORK PLAN.—To carry out subpara-
4 graph (A) and assist in the evaluation of the
5 fellowships under paragraph (6), the Director
6 shall, for each fellow, approve a work plan that
7 identifies the target objectives for the fellow in
8 the fellowship, including specific duties and re-
9 sponsibilities relating to those objectives.

10 “(3) PERIOD OF FELLOWSHIP.—

11 “(A) BILL EMERSON HUNGER FELLOW.—
12 A Bill Emerson Hunger Fellowship awarded
13 under this section shall be for not more than 15
14 months.

15 “(B) MICKEY LELAND HUNGER FEL-
16 LOW.—A Mickey Leland Hunger Fellowship
17 awarded under this section shall be for not
18 more than 2 years.

19 “(4) SELECTION OF FELLOWS.—

20 “(A) IN GENERAL.—Fellowships shall be
21 awarded pursuant to a nationwide competition
22 established by the Director.

23 “(B) QUALIFICATIONS.—A successful pro-
24 gram applicant shall be an individual who has
25 demonstrated—

1 “(i) an intent to pursue a career in
2 humanitarian services and outstanding po-
3 tential for such a career;

4 “(ii) leadership potential or actual
5 leadership experience;

6 “(iii) diverse life experience;

7 “(iv) proficient writing and speaking
8 skills;

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

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

13 “(5) AMOUNT OF AWARD.—

14 “(A) IN GENERAL.—A fellow shall re-
15 ceive—

16 “(i) a living allowance during the term
17 of the Fellowship; and

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

20 “(B) REQUIREMENT FOR SUCCESSFUL
21 COMPLETION OF FELLOWSHIP.—Each fellow
22 shall be entitled to receive an end-of-service
23 award at an appropriate rate for each month of
24 satisfactory service completed, as determined by
25 the Director.

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

3 “(i) [the Department of Agriculture];

4 “(ii) the Congressional Hunger Cen-
5 ter; or

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

8 “(D) RECOGNITION OF FELLOWSHIP
9 AWARD.—

10 “(i) EMERSON FELLOW.—An indi-
11 vidual awarded a fellowship from the Bill
12 Emerson Hunger Fellowship shall be
13 known as an ‘Emerson Fellow’.

14 “(ii) LELAND FELLOW.—An indi-
15 vidual awarded a fellowship from the Mick-
16 ey Leland Hunger Fellowship shall be
17 known as a ‘Leland Fellow’.

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

21 “(A) conduct periodic evaluations of the
22 Fellowship Programs; and

23 “(B) arrange for annual independent fi-
24 nancial audits of expenditures under the Fel-
25 lowship Programs.

1 “(f) AUTHORITY.—

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

8 “(2) LIMITATION.—Gifts, bequests, or devises
9 of money and proceeds from sales of other property
10 received as gifts, bequests, or devises shall be used
11 exclusively for the purposes of the Fellowship Pro-
12 grams.

13 “(g) REPORT.—The Director shall annually submit
14 to the Secretary of Agriculture, the Committee on Agri-
15 culture of the House of Representatives, and the Com-
16 mittee on Agriculture, Nutrition, and Forestry of the Sen-
17 ate a report that—

18 “(1) describes the activities and expenditures of
19 the Fellowship Programs during the preceding fiscal
20 year, including expenditures made from funds made
21 available under subsection (h); and

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

24 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the Secretary such

1 sums as are necessary to carry out this section, to remain
2 available until expended.”.

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

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

7 (a) DEFINITIONS.—In this section:

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

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

13 (B) the goal of reducing food insecurity in
14 the United States to at or below 6 percent by
15 2010.

16 (2) EMERGENCY FEEDING ORGANIZATION.—
17 The term “emergency feeding organization” has the
18 meaning given the term in section 201A of the
19 Emergency Food Assistance Act of 1983 (7 U.S.C.
20 7501).

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

24 (4) HUNGER-FREE COMMUNITIES GOAL.—The
25 term “hunger-free communities goal” means any of

1 the 14 goals described in the H. Con. Res. 302
2 (102nd Congress).

3 (b) HUNGER REPORTS.—

4 (1) STUDY.—

5 (A) TIMELINE.—

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

12 (ii) UPDATE.—Not later than 5 years
13 after the date on which the study under
14 clause (i) is conducted, the Secretary shall
15 update the study.

16 (B) MATTERS TO BE ASSESSED.—The
17 matters to be assessed by the Secretary in the
18 study and update under this paragraph shall in-
19 clude—

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

22 (ii) measures carried out during the
23 previous year by Federal, State, and local
24 governments to achieve domestic hunger

1 goals and hunger-free communities goals;
2 and

3 (iii) measures that could be carried
4 out by Federal, State, and local govern-
5 ments to achieve domestic hunger goals
6 and hunger-free communities goals.

7 (2) RECOMMENDATIONS.—The Secretary shall
8 develop recommendations on—

9 (A) removing obstacles to achieving domes-
10 tic hunger goals and hunger-free communities
11 goals; and

12 (B) otherwise reducing domestic hunger.

13 (3) REPORT.—The Secretary shall submit to
14 the President and Congress—

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

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

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

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

1 (c) HUNGER-FREE COMMUNITIES COLLABORATIVE
2 GRANTS.—

3 (1) DEFINITION OF ELIGIBLE ENTITY.—In this
4 subsection, the term “eligible entity” means a public
5 food program service provider or a nonprofit organi-
6 zation, including but not limited to an emergency
7 feeding organization, that demonstrates the organi-
8 zation has collaborated, or will collaborate, with 1 or
9 more local partner organizations to achieve at least
10 1 hunger-free communities goal.

11 (2) PROGRAM AUTHORIZED.—

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

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

20 (C) NON-FEDERAL SHARE.—

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

1 (ii) SOURCES.—Any entity may pro-
2 vide the non-Federal share of the cost of
3 an activity under this subsection through a
4 State government, a local government, or a
5 private source.

6 (3) APPLICATION.—

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

12 (B) CONTENTS.—Each application sub-
13 mitted under subparagraph (A) shall—

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

17 (ii) describe the means by which an
18 activity identified under clause (i) will re-
19 duce hunger in the community of the eligi-
20 ble entity;

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

24 (iv) describe any agreement between a
25 partner organization and the eligible entity

1 necessary to carry out an activity funded
2 by the grant; and

3 (v) if an assessment described in
4 paragraph (4)(A) has been performed, in-
5 clude—

6 (I) a summary of that assess-
7 ment; and

8 (II) information regarding the
9 means by which the grant will help re-
10 duce hunger in the community of the
11 eligible entity.

12 (C) PRIORITY.—In making grants under
13 this subsection, the Secretary shall give priority
14 to eligible entities that—

15 (i) demonstrate in the application of
16 the eligible entity that the eligible entity
17 makes collaborative efforts to reduce hun-
18 ger in the community of the eligible entity;
19 and

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

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

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

3 (IV) demonstrate in the application of
4 the eligible entity a commitment to achiev-
5 ing more than 1 hunger-free communities
6 goal.

7 (4) USE OF FUNDS.—

8 (A) ASSESSMENT OF HUNGER IN THE
9 COMMUNITY.—

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

15 (ii) ASSESSMENT.—The assessment
16 referred to in clause (ii) shall include—

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

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

24 (III) an analysis of the effective-
25 ness and extent of service of existing

1 nutrition programs and emergency
2 feeding organizations; and

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

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

11 (i) meeting the immediate needs of
12 people in the community served by the eli-
13 gible entity who experience hunger by—

14 (I) distributing food;

15 (II) providing community out-
16 reach; or

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

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

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

1 (I) a program to prevent, mon-
2 itor, and treat children in the commu-
3 nity experiencing hunger or poor nu-
4 trition; or

5 (II) a program to provide infor-
6 mation to people in the community on
7 hunger, domestic hunger goals, and
8 hunger-free communities goals; and

9 (iv) establishing a program to provide
10 food and nutrition services as part of a co-
11 ordinated community-based comprehensive
12 service.

13 (d) HUNGER-FREE COMMUNITIES INFRASTRUCTURE
14 GRANTS.—

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

20 (2) PROGRAM AUTHORIZED.—

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

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

4 (3) APPLICATION.—

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

10 (B) CONTENTS.—Each application sub-
11 mitted under subparagraph (A) shall—

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

15 (ii) describe the means by which an
16 activity identified under clause (i) will re-
17 duce hunger in the community of the eligi-
18 ble entity.

19 (C) PRIORITY.—In making grants under
20 this subsection, the Secretary shall give priority
21 to eligible entities the applications of which
22 demonstrate 2 or more of the following:

23 (i) The eligible entity serves a commu-
24 nity in which the rates of food insecurity,
25 hunger, poverty, or unemployment are de-

1 monstrably higher than national average
2 rates.

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

6 (iii) The eligible entity serves a com-
7 munity that provides public support for the
8 efforts of the eligible entity.

9 (iv) The eligible entity is committed to
10 achieving more than 1 hunger-free commu-
11 nities goal.

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

16 (A) constructing, expanding, or repairing a
17 facility or equipment to support hunger relief
18 agencies in the community;

19 (B) assisting an emergency feeding organi-
20 zation in the community in obtaining locally-
21 produced produce and protein products; and

22 (C) assisting an emergency feeding organi-
23 zation in the community to process and serve
24 wild game.

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

4 (1) each grant made under this section, includ-
5 ing—

6 (A) a description of any activity funded by
7 such a grant; and

8 (B) the degree of success of each activity
9 funded by such a grant in achieving hunger-free
10 communities goals; and

11 (2) the degree of success of all activities funded
12 by grants under this section in achieving domestic
13 hunger goals.

14 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to carry out this section
16 \$50,000,000 for each of fiscal years 2008 through 2012.

17 **Subtitle B—Food Distribution**
18 **Program on Indian Reservations**

19 **SEC. 4501. ASSESSING THE NUTRITIONAL VALUE OF THE**
20 **FDPIR FOOD PACKAGE.**

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

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

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

6 “(2) ADMINISTRATION.—

7 “(A) IN GENERAL.—Subject to subpara-
8 graphs (B) and (C), in the event of distribution
9 on all or part of an Indian reservation, the ap-
10 propriate agency of the State government in the
11 area involved shall be responsible for the dis-
12 tribution.

13 “(B) ADMINISTRATION BY TRIBAL ORGANI-
14 ZATION.—If the Secretary determines that a
15 tribal organization is capable of effectively and
16 efficiently administering a distribution de-
17 scribed in paragraph (1), then the tribal organi-
18 zation shall administer the distribution.

19 “(C) PROHIBITION.—The Secretary shall
20 not approve any plan for a distribution de-
21 scribed in paragraph (1) that permits any
22 household on any Indian reservation to partici-
23 pate simultaneously in the food and nutrition
24 program and the distribution of federally do-
25 nated foods.

1 “(3) DISQUALIFIED PARTICIPANTS.—An indi-
2 vidual who is disqualified from participation in the
3 food distribution program on Indian reservations
4 under this subsection is not eligible to participate in
5 the food and nutrition program under this Act.

6 “(4) ADMINISTRATIVE COSTS.—The Secretary
7 is authorized to pay such amounts for administrative
8 costs and distribution costs on Indian reservations
9 as the Secretary finds necessary for effective admin-
10 istration of such distribution by a State agency or
11 tribal organization.

12 “(5) BISON MEAT.—Subject to the availability
13 of appropriations, the Secretary may purchase bison
14 meat for recipients of food distributed under this
15 subsection, including bison meat from—

16 “(A) Native American bison producers;
17 and

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

20 (b) FDPIR FOOD PACKAGE.—Not later than 180
21 days after the date of enactment of this Act, the Secretary
22 of Agriculture shall submit to the Committee on Agri-
23 culture of the House of Representatives and the Com-
24 mittee on Agriculture, Nutrition, and Forestry of the Sen-
25 ate a report that describes—

1 (1) how the Secretary derives the process for
2 determining the food package under the food dis-
3 tribution program on Indian reservations established
4 under section 4(b) of the Food and Nutrition Act of
5 2007 (7 U.S.C. 2013(b)) (referred to in this sub-
6 section as the “food package”);

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

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

12 (B) conforms (or fails to conform) to the
13 2005 Dietary Guidelines for Americans pub-
14 lished under section 301 of the National Nutri-
15 tion Monitoring and Related Research Act of
16 1990 (7 U.S.C. 5341);

17 (C) addresses (or fails to address) the nu-
18 tritional and health challenges that are specific
19 to Native Americans; and

20 (D) is limited by distribution costs or chal-
21 lenges of infrastructure;

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

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

4 **Subtitle C—Emergency Food As-**
5 **sistance Program and Com-**
6 **modity Supplemental Food Pro-**
7 **gram**

8 **SEC. 4601. EMERGENCY FOOD ASSISTANCE.**

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

12 “(a) PLANS.—To receive commodities under this Act,
13 every 3 years, a State shall submit to the Secretary an
14 operation and administration plan for the provision of as-
15 sistance under this Act.”.

16 (b) DONATED WILD GAME.—Section 204(a)(1) of
17 the Emergency Food Assistance Act of 1983 (7 U.S.C.
18 7508(a)(1)) is amended in the first sentence by inserting
19 “and donated wild game” before the period at the end.

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

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

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

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

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

7 **Subtitle D—Senior Farmers’**
8 **Market Nutrition Program**

9 **SEC. 4701. EXCLUSION OF BENEFITS IN DETERMINING ELI-**
10 **GIBILITY FOR OTHER PROGRAMS.**

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

14 (1) in subsection (a), by striking “each of fiscal
15 years 2003 through 2007” and inserting “fiscal year
16 2008 and each fiscal year thereafter”;

17 (2) by redesignating subsections (b) and (c) as
18 subsections (c) and (e), respectively;

19 (3) by inserting after subsection (a) the fol-
20 lowing:

21 “(b) ADDITIONAL FUNDS.—In addition to the
22 amounts made available under subsection (a), for fiscal
23 year 2008 and each fiscal year thereafter, of the funds
24 of the Commodity Credit Corporation, the Secretary of

1 Agriculture shall use \$10,000,000 to expand the program
2 established under this section.”; and

3 (4) by inserting after subsection (c) (as redesignig-
4 nated by paragraph (2)) the following:

5 “(d) EXCLUSION OF BENEFITS IN DETERMINING
6 ELIGIBILITY FOR OTHER PROGRAMS.—The value of any
7 benefit provided under the program under this section
8 shall not be taken into consideration in determining the
9 eligibility of an individual for any other Federal or State
10 assistance program.”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a) take effect on the date of enactment of this
13 Act.

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

15 Section 4402 of the Farm Security and Rural Invest-
16 ment Act of 2002 (7 U.S.C. 3007) (as amended by section
17 4701) is amended by inserting after subsection (c) the fol-
18 lowing:

19 “(d) PROHIBITION ON COLLECTION OF SALES
20 TAX.—A State that collects any sales tax on the purchase
21 of food using a benefit provided under the program under
22 this section shall not be eligible to participate in the pro-
23 gram.”.

1 **Subtitle E—Reauthorization of**
2 **Federal Food Assistance Programs**

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

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

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

14 (1) in subparagraph (A)(vii), by striking “for
15 each of fiscal years 2002 through 2007” and insert-
16 ing “for fiscal year 2008 and each fiscal year there-
17 after”; and

18 (2) in subparagraph (E)(i), by striking “for
19 each of fiscal years 2002 through 2007” and insert-
20 ing “for fiscal year 2008 and each fiscal year there-
21 after”.

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

1 (1) in the first sentence of subparagraph (A),
2 by striking “for each of fiscal years 1999 through
3 2007” and inserting “for fiscal year 2008 and each
4 fiscal year thereafter”; and

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

7 (d) CASH PAYMENT PILOT PROJECTS.—Section
8 17(b)(1)(B)(vi) of the Food and Nutrition Act of 2007
9 (7 U.S.C. 2026(b)(1)(B)(vi)) is amended by striking
10 “through October 1, 2007”.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
12 18(a)(1) of the Food and Nutrition Act of 2007 (7 U.S.C.
13 2027(a)(1)) is amended in the first sentence by striking
14 “for each of the fiscal years 2003 through 2007” and in-
15 serting “for fiscal year 2008 and each fiscal year there-
16 after”.

17 (f) CONSOLIDATED BLOCK GRANTS FOR PUERTO
18 RICO AND AMERICAN SAMOA.—Section 19(a)(2)(A)(ii) of
19 the Food and Nutrition Act of 2007 (7 U.S.C.
20 2028(a)(2)(A)(ii)) by striking “for each of fiscal years
21 2004 through 2007” and inserting “for fiscal year 2008
22 and each fiscal year thereafter”.

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

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

3 “(B) \$10,000,000 for each of fiscal years
4 2008 through 2012.”; and

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

7 (h) AVAILABILITY OF COMMODITIES FOR THE EMER-
8 GENCY FOOD ASSISTANCE PROGRAM.—Section 27(a) of
9 the Food and Nutrition Act of 2007 (7 U.S.C. 2036(a))
10 is amended by striking “for each of fiscal years 2002
11 through 2007” and inserting the following “for fiscal year
12 2008 and each fiscal year thereafter”.

13 **SEC. 4802. COMMODITY DISTRIBUTION.**

14 (a) EMERGENCY FOOD ASSISTANCE.—Section
15 204(a)(1) of the Emergency Food Assistance Act of 1983
16 (7 U.S.C. 7508(a)(1)) is amended in the first sentence by
17 striking “\$60,000,000 for each of the fiscal years 2003
18 through 2007” and inserting “\$100,000,000 for fiscal
19 year 2008 and each fiscal year thereafter”.

20 (b) COMMODITY DISTRIBUTION PROGRAM.—Section
21 4(a) of the Agriculture and Consumer Protection Act of
22 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended
23 in the first sentence by striking “years 1991 through
24 2007” and inserting “year 2008 and each fiscal year
25 thereafter”.

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

5 (1) in subsection (a)—

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

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

14 “(B) SUBSEQUENT FISCAL YEARS.—For
15 fiscal year 2004 and each subsequent fiscal
16 year”; and

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

20 (d) DISTRIBUTION OF SURPLUS COMMODITIES TO
21 SPECIAL NUTRITION PROJECTS.—Section 1114(a)(2)(A)
22 of the Agriculture and Food Act of 1981 (7 U.S.C.
23 1431e(2)(A)) is amended in the first sentence by striking
24 “2007” and inserting “2012”.

1 **SEC. 4803. NUTRITION INFORMATION AND AWARENESS**
2 **PILOT PROGRAM.**

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

7 **Subtitle F—Miscellaneous**

8 **SEC. 4901. PURCHASES OF LOCALLY PRODUCED FOODS.**

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

12 “(j) PURCHASES OF LOCALLY PRODUCED FOODS.—

13 The Secretary shall—

14 “(1) encourage institutions receiving funds
15 under this Act and the Child Nutrition Act of 1966
16 (42 U.S.C. 1771 et seq.) to purchase locally pro-
17 duced foods, to the maximum extent practicable and
18 appropriate;

19 “(2) advise institutions participating in a pro-
20 gram described in paragraph (1) of the policy de-
21 scribed in that paragraph and post information con-
22 cerning the policy on the website maintained by the
23 Secretary; and

24 “(3) allow institutions receiving funds under
25 this Act and the Child Nutrition Act of 1966 (42
26 U.S.C. 1771 et seq.), including the Department of

1 Defense Fresh Fruit and Vegetable Program, to use
2 a geographic preference for the procurement of lo-
3 cally produced foods.”.

4 **SEC. 4902. HEALTHY FOOD EDUCATION AND PROGRAM**
5 **REPLICABILITY.**

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

8 (1) in paragraph (1)(C), by inserting “promotes
9 healthy food education in the school curriculum
10 and” before “incorporates”;

11 (2) by redesignating paragraph (2) as para-
12 graph (3); and

13 (3) by inserting after paragraph (1) the fol-
14 lowing:

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

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

19 (a) IN GENERAL.—The Richard B. Russell National
20 School Lunch Act is amended by inserting after section
21 18 (42 U.S.C. 1769) the following:

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

23 “(a) IN GENERAL.—For the school year beginning
24 July [2008] and each subsequent school year, the Sec-
25 retary shall provide grants to States to carry out a pro-

1 gram to make free fresh fruits and vegetables available
2 in elementary schools (referred to in this section as the
3 ‘program’).

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

9 “(c) FUNDING TO STATES.—

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

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

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

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

22 “(d) SELECTION OF SCHOOLS.—

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

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

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

7 “(ii) that submits an application in
8 accordance with subparagraph (C); and

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

13 “(C) solicit applications from interested
14 schools that include—

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

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

1 “(iii) such other information as may
2 be requested by the Secretary;

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

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

12 “(ii) other support that contributes to
13 the purposes of the program;

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

20 “(F) ensure that each school selected is an
21 elementary school.

22 “(2) EXCEPTION.—Clause (i) of paragraph
23 (1)(A) shall not apply to a State if the State does
24 not have a sufficient number of schools that meet
25 the requirement of that clause.

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

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

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

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

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

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

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

23 “(i) EVALUATION AND REPORTS.—

24 “(1) IN GENERAL.—The Secretary shall con-
25 duct an evaluation of the program, including a de-

1 termination as to whether children experienced, as a
2 result of participating in the program—

3 “(A) increased consumption of fruits and
4 vegetables;

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

8 “(C) improved health outcomes.

9 “(2) REPORT.—Not later than September 30,
10 2011, the Secretary shall submit to the Committee
11 on Education and Labor of the House of Represent-
12 atives and the Committee on Agriculture, Nutrition,
13 and Forestry of the Senate, a report that describes
14 the results of the evaluation under paragraph (1).

15 “(j) FUNDING.—

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

20 “(A) on October 1, 2007, \$225,000,000;
21 and

22 “(B) on October 1, 2008, and each Octo-
23 ber 1 thereafter, the amount made available for
24 the preceding fiscal year, as adjusted to reflect
25 changes for the 12-month period ending the

1 preceding June 30 in the Consumer Price Index
2 for All Urban Consumers published by the Bu-
3 reau of Labor Statistics of the Department of
4 Labor, for items other than food.

5 “(2) EVALUATION FUNDING.—On October 1,
6 2007, out of any funds in the Treasury not other-
7 wise appropriated, the Secretary of the Treasury
8 shall transfer to the Secretary to carry out the eval-
9 uation required under subsection (h), \$3,000,000, to
10 remain available until expended.

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

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

21 “(5) ADMINISTRATIVE COSTS.—Of funds made
22 available to carry out this section for a fiscal year,
23 the Secretary may use not more than \$500,000 for
24 the administrative costs of carrying out the pro-
25 gram.

1 “(6) REALLOCATION.—

2 “(A) AMONG STATES.—The Secretary may
3 reallocate any amounts made available to carry
4 out this section that are not obligated or ex-
5 pended by a date determined by the Secretary.

6 “(B) WITHIN STATES.—A State that re-
7 ceives a grant under this section may reallocate
8 any amounts made available under the grant
9 that are not obligated or expended by a date de-
10 termined by the Secretary.”.

11 (b) CONFORMING AMENDMENTS.—Section 18 of the
12 Richard B. Russell National School Lunch Act (42 U.S.C.
13 1769) is amended—

14 (1) by striking subsection (g); and

15 (2) by redesignating subsections (h) through (k)
16 as subsections (g) through (j), respectively.

17 **SEC. 4904. CONFORMING AMENDMENTS TO RENAMING OF**
18 **FOOD STAMP PROGRAM.**

19 (a) IN GENERAL.—

20 (1) Section 4 of the Food and Nutrition Act of
21 2007 (7 U.S.C. 2013) is amended in the section
22 heading by striking “FOOD STAMP PROGRAM” and
23 inserting “FOOD AND NUTRITION PROGRAM”.

24 (2) Section 5(h)(2)(A) of the Food and Nutri-
25 tion Act of 2007 (7 U.S.C. 2014(h)(2)(A)) is

1 amended by striking “Food Stamp Disaster Task
2 Force” and inserting “Food and Nutrition Disaster
3 Task Force”.

4 (3) Section 6 of the Food and Nutrition Act of
5 2007 (7 U.S.C. 2015) is amended—

6 (A) in subsection (d)(3), by striking “eligi-
7 ble for food stamps” and inserting “eligible to
8 receive food and nutrition assistance”;

9 (B) in subsection (g), by striking “food
10 stamps” and inserting “food and nutrition as-
11 sistance”;

12 (C) in subsection (j), in the subsection
13 heading, by striking “FOOD STAMP” and insert-
14 ing “FOOD AND NUTRITION”; and

15 (D) in subsection (o)—

16 (i) in paragraph (2), by striking “food
17 stamp benefits” and inserting “food and
18 nutrition assistance”; and

19 (ii) in paragraph (6)—

20 (I) in subparagraph (A)—

21 (aa) in clause (i), by striking
22 “food stamps” and inserting
23 “food and nutrition assistance”;
24 and

25 (bb) in clause (ii)—

1 (AA) in the matter pre-
2 ceding subclause (I), by
3 striking “a food stamp re-
4 cipient” and inserting “a
5 member of a household that
6 receives food and nutrition
7 assistance”; and

8 (BB) by striking “food
9 stamp benefits” each place
10 it appears and inserting
11 “food and nutrition assist-
12 ance”; and

13 (II) in subparagraphs (D) and
14 (E), by striking “food stamp recipi-
15 ents” each place it appears and in-
16 serting “members of households that
17 receive food and nutrition assistance”.

18 (4) Section 7 of the Food and Nutrition Act of
19 2007 (7 U.S.C. 2016) is amended—

20 (A) in subsection (i)—

21 (i) in paragraph (3)(B)(ii), by striking
22 “food stamp households” and inserting
23 “households receiving food and nutrition
24 assistance”; and

1 (ii) in paragraph (7), by striking
2 “food stamp issuance” and inserting “food
3 and nutrition assistance issuance”; and

4 (B) in subsection (k)—

5 (i) in paragraph (2), by striking “food
6 stamp benefits” and inserting “food and
7 nutrition assistance benefits”; and

8 (ii) in paragraph (3), by striking
9 “food stamp retail” and inserting “food
10 and nutrition assistance retail”.

11 (5) Section 9(b)(1) of that Food and Nutrition
12 Act of 2007 (7 U.S.C. 2018(b)(1)) is amended by
13 striking “food stamp households” and inserting
14 “households that receive food and nutrition assist-
15 ance”.

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

18 (A) in subsection (e)—

19 (i) in paragraph (2)—

20 (I) in subparagraph (A), by strik-
21 ing “food stamp offices” and inserting
22 “food and nutrition assistance of-
23 fices”; and

24 (II) in subparagraph (B)—

1 (aa) in clause (iii), by strik-
2 ing “food stamp office” and in-
3 serting “food and nutrition as-
4 sistance office”;

5 (bb) in clause (v)(II), by
6 striking “food stamps” and in-
7 serting “food and nutrition as-
8 sistance”; and

9 (cc) in clause (vii), by strik-
10 ing “food stamp offices” and in-
11 serting “food and nutrition as-
12 sistance offices”;

13 (ii) in paragraph (14), by striking
14 “food stamps” and inserting “food and nu-
15 trition assistance”;

16 (iii) in paragraph (16), by striking
17 “food stamps” and inserting “food and nu-
18 trition assistance”; and

19 (iv) in paragraph (25)—

20 (I) in the matter preceding sub-
21 paragraph (A), by striking “Simplified
22 Food Stamp Program” and inserting
23 “Simplified Food and Nutrition As-
24 sistance Program”; and

1 (II) in subparagraph (A), by
2 striking “food stamp benefits” and in-
3 sserting “food and nutrition assist-
4 ance”;

5 (B) in subsection (f)—

6 (i) in paragraph (1)—

7 (I) by striking “food stamps”
8 and inserting “food and nutrition as-
9 sistance”; and

10 (II) by striking “food stamp of-
11 fices” and inserting “food and nutri-
12 tion assistance offices”; and

13 (ii) in paragraph (2)(B), by striking
14 “food stamp participants” each place it ap-
15 pears and inserting “participants in the
16 food and nutrition program”;

17 (C) in subsection (k), by striking “may
18 issue, upon request by the State agency, food
19 stamps” and inserting “may provide, on request
20 by the State agency, food and nutrition assist-
21 ance”;

22 (D) in subsection (l), by striking “food
23 stamp participation” and inserting “food and
24 nutrition program participation”;

1 (E) in subsections (q) and (r), in the sub-
2 section headings, by striking “FOOD STAMPS”
3 each place it appears and inserting “FOOD AND
4 NUTRITION ASSISTANCE”;

5 (F) in subsection (s), by striking “food
6 stamp benefits” each place it appears and in-
7 serting “food and nutrition assistance”; and

8 (G) in subsection (t)(1)—

9 (i) in subparagraph (A), by striking
10 “food stamp application” and inserting
11 “food and nutrition assistance applica-
12 tion”; and

13 (ii) in subparagraph (B), by striking
14 “food stamp benefits” and inserting “food
15 and nutrition assistance”.

16 (7) Section 14(b) of the Food and Nutrition
17 Act of 2007 (7 U.S.C. 2023(b)) is amended by strik-
18 ing “food stamp allotments” and inserting “food and
19 nutrition assistance”.

20 (8) Section 16 of the Food and Nutrition Act
21 of 2007 (7 U.S.C. 2025) is amended—

22 (A) in subsection (a)(4), by striking “food
23 stamp informational activities” and inserting
24 “informational activities relating to the food
25 and nutrition program”;

1 (B) in subsection (c)(9)(C), by striking
2 “food stamp caseload” and inserting “the case-
3 load under the food and nutrition program”;
4 and

5 (C) in subsection (h)(1)(E)(i), by striking
6 “food stamp recipients” and inserting “house-
7 holds receiving food and nutrition assistance”.

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

10 (A) in subsection (a)(2), by striking “food
11 stamp benefits” each place it appears and in-
12 serting “food and nutrition assistance benefits”;

13 (B) in subsection (b)—

14 (i) in paragraph (1)—

15 (I) in subparagraph (A), by strik-
16 ing “food stamp benefits” and insert-
17 ing “food and nutrition assistance”;
18 and

19 (II) in subparagraph (B)—

20 (aa) in clause (ii)(II), by
21 striking “food stamp recipients”
22 and inserting “food and nutrition
23 assistance recipients”;

24 (bb) in clause (iii)(I), by
25 striking “the State’s food stamp

1 households” and inserting “the
2 number of households in the
3 State receiving food and nutrition
4 assistance”; and

5 (cc) in clause (iv)(IV)(bb),
6 by striking “food stamp deduc-
7 tions” and inserting “food and
8 nutrition assistance deductions”;

9 (ii) in paragraph (2), by striking
10 “food stamp benefits” and inserting “food
11 and nutrition assistance”; and

12 (iii) in paragraph (3)—

13 (I) in subparagraph (A), by strik-
14 ing “food stamp employment” and in-
15 serting “food and nutrition program
16 employment”;

17 (II) in subparagraph (B), by
18 striking “food stamp recipients” and
19 inserting “food and nutrition assist-
20 ance recipients”;

21 (III) in subparagraph (C), by
22 striking “food stamps” and inserting
23 “food and nutrition assistance”; and

24 (IV) in subparagraph (D), by
25 striking “food stamp benefits” and in-

1 serting “food and nutrition assistance
2 benefits”;

3 (C) in subsection (c), by striking “food
4 stamps” and inserting “food and nutrition as-
5 sistance”;

6 (D) in subsection (d)—

7 (i) in paragraph (1)(B), by striking
8 “food stamp benefits” and inserting “food
9 and nutrition assistance”;

10 (ii) in paragraph (2)—

11 (I) in subparagraph (A), by strik-
12 ing “food stamp allotments” each
13 place it appears and inserting “food
14 and nutrition assistance”; and

15 (II) in subparagraph (C)(ii), by
16 striking “food stamp benefit” and in-
17 serting “food and nutrition assist-
18 ance”; and

19 (iii) in paragraph (3)(E), by striking
20 “food stamp benefits” and inserting “food
21 and nutrition assistance”;

22 (E) in subsections (e) and (f), by striking
23 “food stamp benefits” each place it appears and
24 inserting “food and nutrition assistance”;

1 (F) in subsection (g), in the first sentence,
2 by striking “receipt of food stamp” and insert-
3 ing “receipt of food and nutrition assistance”;
4 and

5 (G) in subsection (j), by striking “food
6 stamp agencies” and inserting “food and nutri-
7 tion program agencies”.

8 (10) Section 18(a)(3)(A)(ii) of the Food and
9 Nutrition Act of 2007 (7 U.S.C. 2027(a)(3)(A)(ii))
10 is amended by striking “food stamps” and inserting
11 “food and nutrition assistance”.

12 (11) Section 21(d)(3) of the Food and Nutri-
13 tion Act of 2007 (7 U.S.C. 2030(d)(3)) is amended
14 by striking “food stamp benefits” and inserting
15 “food and nutrition assistance”.

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

18 (A) in the section heading, by striking
19 “FOOD STAMP PORTION OF MINNESOTA FAMILY
20 INVESTMENT PLAN” and inserting “FOOD AND
21 NUTRITION ASSISTANCE PORTION OF MIN-
22 NESOTA FAMILY INVESTMENT PROJECT”;

23 (B) in subsections (b)(12) and (d)(3), by
24 striking “the Food Stamp Act, as amended,”

1 each place it appears and inserting “this Act”;
2 and

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

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

8 (A) in the section heading, by striking
9 “SIMPLIFIED FOOD STAMP PROGRAM” and in-
10 serting “SIMPLIFIED FOOD AND NUTRITION
11 PROGRAM”; and

12 (B) in subsection (b), by striking “sim-
13 plified food stamp program” and inserting
14 “simplified food and nutrition program”.

15 (b) CONFORMING CROSS-REFERENCES.—

16 (1) IN GENERAL.—Each provision of law de-
17 scribed in paragraph (2) is amended (as applica-
18 ble)—

19 (A) by striking “food stamp program”
20 each place it appears and inserting “food and
21 nutrition program”;

22 (B) by striking “Food Stamp Act of 1977”
23 each place it appears and inserting “Food and
24 Nutrition Act of 2007”;

1 (C) by striking “Food Stamp Act” each
2 place it appears and inserting “Food and Nutri-
3 tion Act of 2007”;

4 (D) by striking “food stamp” each place it
5 appears and inserting “food and nutrition as-
6 sistance”;

7 (E) by striking “food stamps” each place
8 it appears and inserting “food and nutrition as-
9 sistance”;

10 (F) in each applicable title, subtitle, chap-
11 ter, subchapter, and section heading, by strik-
12 ing “**FOOD STAMP**” each place it appears and
13 inserting “**FOOD AND NUTRITION ASSIST-**
14 **ANCE**”;

15 (G) in each applicable subsection and ap-
16 propriations heading, by striking “**FOOD**
17 **STAMP**” each place it appears and inserting
18 “**FOOD AND NUTRITION ASSISTANCE**”;

19 (H) in each applicable heading other than
20 a title, subtitle, chapter, subchapter, section,
21 subsection, or appropriations heading, by strik-
22 ing “**FOOD STAMP**” each place it appears and
23 inserting “**FOOD AND NUTRITION ASSISTANCE**”;

24 (I) in each applicable title, subtitle, chap-
25 ter, subchapter, and section heading, by strik-

1 ing “**FOOD STAMPS**” each place it appears
2 and inserting “**FOOD AND NUTRITION AS-**
3 **SISTANCE**”;

4 (J) in each applicable subsection and ap-
5 propriations heading, by striking “**FOOD**
6 **STAMPS**” each place it appears and inserting
7 “**FOOD AND NUTRITION ASSISTANCE**”; and

8 (K) in each applicable heading other than
9 a title, subtitle, chapter, subchapter, section,
10 subsection, or appropriations heading, by strik-
11 ing “**FOOD STAMPS**” each place it appears and
12 inserting “**FOOD AND NUTRITION ASSISTANCE**”.

13 (2) PROVISIONS OF LAW.—The provisions of
14 law referred to in paragraph (1) are the following:

15 (A) The Congressional Budget Act of 1974
16 (2 U.S.C. 601 et seq.).

17 (B) The Balanced Budget and Emergency
18 Deficit Control Act of 1985 (2 U.S.C. 900 et
19 seq.).

20 (C) The Hunger Prevention Act of 1988
21 (Public Law 100–435; 102 Stat. 1645).

22 (D) The Food Stamp Program Improve-
23 ments Act of 1994 (Public Law 103–225; 108
24 Stat. 106).

1 (E) Title IV of the Farm Security and
2 Rural Investment Act of 2002 (Public Law
3 107–171; 116 Stat. 305).

4 (F) Section 2 of Public Law 103–205 (7
5 U.S.C. 2012 note).

6 (G) Section 807(b) of the Stewart B.
7 McKinney Homeless Assistance Act (7 U.S.C.
8 2014 note; Public Law 100–77).

9 (H) The Electronic Benefit Transfer Inter-
10 operability and Portability Act of 2000 (Public
11 Law 106–171; 114 Stat. 3).

12 (I) Section 502(b) of the Agricultural Re-
13 search, Extension, and Education Reform Act
14 of 1998 (7 U.S.C. 2025 note; Public Law 105–
15 185).

16 (J) The National Agricultural Research,
17 Extension, and Teaching Policy Act of 1977 (7
18 U.S.C. 3101 et seq.).

19 (K) The Emergency Food Assistance Act
20 of 1983 (7 U.S.C. 7501 et seq.).

21 (L) The Immigration and Nationality Act
22 (8 U.S.C. 1101 et seq.).

23 (M) Section 8119 of the Department of
24 Defense Appropriations Act, 1999 (10 U.S.C.
25 113 note; Public Law 105–262).

1 (N) The Armored Car Industry Reciprocity
2 Act of 1993 (15 U.S.C. 5901 et seq.).

3 (O) Title 18, United States Code.

4 (P) The Higher Education Act of 1965
5 (20 U.S.C. 1001 et seq.).

6 (Q) The Internal Revenue Code of 1986.

7 (R) Section 650 of the Treasury and Gen-
8 eral Government Appropriations Act, 2000 (26
9 U.S.C. 7801 note; Public Law 106–58).

10 (S) The Wagner-Peysner Act (29 U.S.C.
11 49 et seq.).

12 (T) The Workforce Investment Act of
13 1998 (29 U.S.C. 2801 et seq.).

14 (U) Title 31, United States Code.

15 (V) Title 37, United States Code.

16 (W) The Public Health Service Act (42
17 U.S.C. 201 et seq.).

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

20 (Y) Section 406 of the Family Support Act
21 of 1988 (Public Law 100–485; 102 Stat.
22 2400).

23 (Z) Section 232 of the Social Security Act
24 Amendments of 1994 (42 U.S.C. 1314a).

1 (AA) The United States Housing Act of
2 1937 (42 U.S.C. 1437 et seq.).

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

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

7 (DD) The Older Americans Act of 1965
8 (42 U.S.C. 3001 et seq.).

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

11 (FF) The Robert T. Stafford Disaster Re-
12 lief and Emergency Assistance Act (42 U.S.C.
13 5121 et seq.).

14 (GG) The Low-Income Home Energy As-
15 sistance Act of 1981 (42 U.S.C. 8621 et seq.).

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

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

21 (JJ) Public Law 95–348 (92 Stat. 487).

22 (KK) The Agriculture and Food Act of
23 1981 (Public Law 97–98; 95 Stat. 1213).

24 (LL) The Disaster Assistance Act of 1988
25 (Public Law 100–387; 102 Stat. 924).

1 (MM) The Food, Agriculture, Conserva-
2 tion, and Trade Act of 1990 (Public Law 101-
3 624; 104 Stat. 3359).

4 (NN) The Cranston-Gonzalez National Af-
5 fordable Housing Act (Public Law 101-625;
6 104 Stat. 4079).

7 (OO) Section 388 of the Persian Gulf Con-
8 flict Supplemental Authorization and Personnel
9 Benefits Act of 1991 (Public Law 102-25; 105
10 Stat. 98).

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

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

16 (RR) Public Law 105-379 (112 Stat.
17 3399).

18 (SS) Section 101(c) of the Emergency
19 Supplemental Act, 2000 (Public Law 106-246;
20 114 Stat. 528).

21 (c) REFERENCES.—Any reference in any Federal,
22 State, tribal, or local law (including regulations) to the
23 “food stamp program” established under the Food and
24 Nutrition Act of 2007 (7 U.S.C. 2011 et seq.) shall be

1 considered to be a reference to the “food and nutrition
2 program” established under that Act.

3 **SEC. 4905. EFFECTIVE AND IMPLEMENTATION DATES.**

4 (a) GENERAL EFFECTIVE DATE.—Except as other-
5 wise provided in this title, this title and the amendments
6 made by this title take effect on April 1, 2008.

7 (b) IMPLEMENTATION OF IMPROVEMENTS TO PRO-
8 GRAM BENEFITS.—

9 (1) IN GENERAL.—A State agency may imple-
10 ment the amendments made by part II of subtitle A
11 beginning on a date (as determined by the State
12 agency) during the period beginning on April 1,
13 2008, and ending on October 1, 2008.

14 (2) CERTIFICATION PERIOD.—At the option of
15 a State agency, the State agency may implement 1
16 or more of the amendments made by sections 4103
17 and 4104 for a certification period that begins not
18 earlier than the implementation date determined by
19 the State under paragraph (1).

20 **SEC. 4906. APPLICATION.**

21 (a) IN GENERAL.—Notwithstanding any other provi-
22 sion of this title or amendments made by this title, the
23 amendments made by the provisions described in sub-
24 section (b) shall be in effect during the period beginning
25 on the date of enactment of this Act (or such other effec-

1 tive date as is otherwise provided in this title) and ending
2 on September 30, 2012.

3 (b) PROVISIONS.—The provisions referred to in sub-
4 section (a) are—

5 (1) section 4101;

6 (2) section 4102;

7 (3) section 4103;

8 (4) section 4104;

9 (5) section 4105;

10 (6) section 4107;

11 (7) section 4108;

12 (8) section 4109;

13 (9) section 4110(a)(2);

14 (10) section 4208;

15 (11) section 4701(a)(3);

16 (12) section 4801(g); and

17 (13) section 4903.