

110TH CONGRESS
2D SESSION

S. 3108

To require the President to call a White House Conference on Food and Nutrition.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2008

Mr. KERRY (for himself, Mrs. DOLE, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require the President to call a White House Conference on Food and Nutrition.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “The White House Con-
5 ference on Food and Nutrition”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Hunger and undernutrition are political
9 conditions that can be solved.

1 (2) Access to healthy food and good nutrition
2 should be a fundamental right of all Americans.

3 (3) Nearly 40 years have passed since the
4 United States convened a White House conference to
5 comprehensively address the issues of food, hunger,
6 health, and nutrition in America.

7 (4) More than 35,500,000 Americans live in
8 households that face a constant struggle against
9 hunger, 12,600,000 of whom are children and
10 5,000,000 of whom are seniors, the disabled, and the
11 critically ill.

12 (5) The Government spends more than
13 \$55,000,000,000 every year responding to the con-
14 current epidemics of hunger and undernutrition, yet
15 the number of Americans facing hunger continues to
16 grow and our Nation's nutritional health is declin-
17 ing.

18 (6) Conservative cost estimates show that the
19 true cost of hunger and illness related to undernutri-
20 tion in America is at least \$90,000,000,000 a year,
21 more than half of which is paid by Medicare and
22 Medicaid.

23 (7) Appropriate food and nutrition can save the
24 United States billions of dollars in health care costs
25 by preventing or delaying the progression to late-

1 stage disease for tens of millions of Americans who
2 live with chronic diseases, such as diabetes, HIV,
3 AIDS, and heart disease. The costs of the effects
4 and treatments of those diseases are significantly ex-
5 acerbated by hunger, food insecurity, and under-
6 nutrition.

7 (8) A national discussion of the root causes of
8 hunger, food insecurity, and undernutrition, as well
9 as identification of solutions to these epidemics, can
10 lead to action to implement such solutions and to
11 end hunger in America.

12 **SEC. 3. AUTHORIZATION OF THE CONFERENCE.**

13 (a) **AUTHORITY TO CALL CONFERENCE.**—Not later
14 than December 31, 2010, the President shall call the
15 White House Conference on Food and Nutrition (in this
16 Act referred to as the “Conference”) to be convened not
17 later than 18 months after the selection of the Policy Com-
18 mittee established in section 4, in order to make funda-
19 mental policy recommendations on ways to end hunger
20 and to improve nutrition in the United States and to im-
21 plement the purposes set forth in subsection (c).

22 (b) **PLANNING AND DIRECTION.**—The Secretary of
23 Health and Human Services, the Secretary of Agriculture,
24 and the Secretary of the Treasury (in this Act referred

1 to as the “Cochairs’’) shall plan, conduct, and convene the
2 Conference, in consultation with the Surgeon General.

3 (c) PURPOSES OF THE CONFERENCE.—The purposes
4 of the Conference are to—

5 (1) identify viable solutions for ending hunger
6 in the United States;

7 (2) review the current structure, scope, and ef-
8 fectiveness of existing legislation and programs at
9 the Federal, State, and local levels that provide for
10 the nutritional needs of food-insecure people living in
11 the United States;

12 (3) determine the extent to which current Fed-
13 eral, State, and local programs that provide for the
14 nutritional health of Americans can better use avail-
15 able resources and ensure greater coordination
16 among such programs;

17 (4) identify new ways to utilize the abundant
18 agricultural resources of the United States to meet
19 the nutritional needs of all Americans;

20 (5) highlight emerging and innovative programs
21 from the public and private sectors, including com-
22 munity-based and faith-based organizations that ef-
23 fectively address the nutrition needs of vulnerable
24 Americans and recommend such programs as can be
25 reasonably and cost-effectively replicated;

1 (6) identify opportunities for effective partner-
2 ships between the Government, industry, labor,
3 healthcare, and the nonprofit sectors to fight hunger
4 in the United States;

5 (7) explore the possibility of creating a Federal
6 office within the Department of Agriculture to over-
7 see the Nation's response to persistent and wide-
8 spread hunger and food insecurity, to include the
9 oversight and coordination of all Federal, State, and
10 local antihunger programs;

11 (8) bring public attention to the more than
12 35,500,000 people living in the United States that
13 face a constant struggle against hunger, food insecu-
14 rity, and inadequate nutrition;

15 (9) illustrate the medical, developmental, and
16 educational impact of hunger, food insecurity, and
17 inadequate nutrition, and the potential savings to
18 the United States health care system, educational
19 system, and other sectors when appropriate food is
20 available to the critically and chronically ill;

21 (10) build understanding of the true cost of
22 hunger in the United States, to include lost wages,
23 diminished stamina, reduced capacity to learn, and
24 the impact of despair; and

1 (11) build understanding that the ever-bur-
2 geoning dual epidemic of hunger and undernutrition
3 is a matter of national security.

4 **SEC. 4. POLICY COMMITTEE; RELATED COMMITTEES.**

5 (a) ESTABLISHMENT.—Not later than June 30,
6 2009, there is established a Policy Committee comprising
7 of 17 members to be selected as follows:

8 (1) PRESIDENTIAL APPOINTEES.—Nine mem-
9 bers shall be selected by the President and shall in-
10 clude—

11 (A) 3 members who are officers or employ-
12 ees of the United States, including the Surgeon
13 General; and

14 (B) 6 members with experience in address-
15 ing the needs of food-insecure and undernour-
16 ished people in the United States.

17 (2) HOUSE APPOINTEES.—

18 (A) Two members shall be selected by the
19 Speaker of the House of Representatives after
20 consultation with the chairperson of the Com-
21 mittee on Education and Labor, the chair-
22 person of the Committee on Ways and Means,
23 and the chairperson of the Committee on Agri-
24 culture, of the House of Representatives.

1 (B) Two members shall be selected by the
 2 minority leader of the House of Representa-
 3 tives, after consultation with the ranking minor-
 4 ity members of such committees.

5 (3) SENATE APPOINTEES.—

6 (A) Two members shall be selected by the
 7 majority leader of the Senate, after consultation
 8 with members of the Committee on Health,
 9 Education, Labor, and Pensions, the Committee
 10 on Agriculture, and the Committee on Finance,
 11 and the Appropriations Subcommittee on Agri-
 12 culture, Rural Development, and Related Agen-
 13 cies, of the Senate.

14 (B) Two members shall be selected by the
 15 minority leader of the Senate, after consultation
 16 with members of such committees.

17 (b) VOTING; CHAIRPERSON.—

18 (1) The Policy Committee shall act by the vote
 19 of a majority of the members present. A quorum of
 20 Committee members shall not be required to conduct
 21 Committee business.

22 (2) The Surgeon General shall serve as the
 23 chairperson of the Policy Committee. The chair-
 24 person may vote only to break a tie vote of the other
 25 members of the Policy Committee.

1 (c) DUTIES OF THE POLICY COMMITTEE.—The Pol-
 2 icy Committee shall initially meet at the call of the Co-
 3 chairs, not later than 30 days after the last member is
 4 selected under subsection (a). Subsequent meetings of the
 5 Policy Committee shall be held at the call of the chair-
 6 person. Through meetings, hearings, and working ses-
 7 sions, the Policy Committee shall—

8 (1) make recommendations to the Cochairs to
 9 facilitate the timely convening of the Conference;

10 (2) submit to the Cochairs a proposed agenda
 11 for the Conference not later than 90 days after the
 12 first meeting of the Policy Committee;

13 (3) make recommendations for the delegates of
 14 the Conference;

15 (4) establish the number of delegates to be se-
 16 lected under section 5; and

17 (5) establish an executive committee consisting
 18 of 3 members of the Policy Committee to work with
 19 delegates of the Conference.

20 **SEC. 5. CONFERENCE DELEGATES.**

21 To carry out the purposes of the Conference, the Co-
 22 chairs shall bring together delegates representative of the
 23 spectrum of thought in the field of food and nutrition,
 24 without regard to political affiliation or past partisan ac-
 25 tivity, who shall include—

1 (1) representatives of Federal, State, and local
2 governments;

3 (2) professional people and laypeople who are
4 working in the field of food, health, nutrition, and
5 economic security; and

6 (3) representatives of the general public who
7 are affected by hunger in the United States.

8 **SEC. 6. CONFERENCE ADMINISTRATION.**

9 (a) ADMINISTRATION.—In administering this section,
10 the Cochairs shall—

11 (1) provide written notice to all members of the
12 Policy Committee of each meeting, hearing, or work-
13 ing session of such Committee not later than 48
14 hours before the occurrence of such meeting, hear-
15 ing, or working session;

16 (2) request the cooperation and assistance of
17 the heads of such other Federal departments and
18 agencies as may be appropriate, including the detail-
19 ing of personnel;

20 (3) make available for public comment a pro-
21 posed agenda prepared by the Policy Committee,
22 which will reflect to the greatest extent possible the
23 major issues facing the field of food and nutrition
24 consistent with the purposes of the Conference set
25 forth in section 3(c);

1 (4) prepare and make available background ma-
2 terials that the Cochairs deem necessary for the use
3 of delegates to the Conference; and

4 (5) employ such additional personnel as may be
5 necessary to carry out the provisions of this Act
6 without regard to provisions of title 5, United States
7 Code, governing appointments in the competitive
8 service, and without regard to chapter 51 and sub-
9 chapter III of chapter 53 of such title relating to
10 classification and General Schedule pay rates.

11 (b) DUTIES.—In carrying out the Cochairs’s respon-
12 sibilities and functions under this section, the Cochairs
13 shall ensure that—

14 (1) the proposed agenda prepared under sub-
15 section (a)(3) is published in the Federal Register
16 not later than 30 days after such agenda is approved
17 by the Policy Committee;

18 (2) the personnel employed under subsection
19 (a)(5) are fairly balanced in terms of points of views
20 represented and are appointed without regard to po-
21 litical affiliation or previous partisan activities;

22 (3) the recommendations of the Conference are
23 not inappropriately influenced by any public official
24 or by any special interest, but instead are the result

1 of the independent and collective judgment of the
2 delegates of the Conference; and

3 (4) before the Conference is convened—

4 (A) current and adequate statistical data
5 (including decennial census data) and other in-
6 formation on food and nutrition in the United
7 States; and

8 (B) such information as may be necessary
9 to evaluate Federal programs and policies relat-
10 ing to food and nutrition;

11 which the Cochairs may obtain by making grants to
12 or entering into an agreement with, public agencies
13 or nonprofit organizations, are readily available in
14 advance of the Conference to the delegates.

15 (c) GIFTS.—The Cochairs may accept, on behalf of
16 the United States, gifts (in cash or in kind, including vol-
17 untary and uncompensated services), which shall be avail-
18 able to carry out this Act. Gifts of cash shall be available
19 in addition to amounts appropriated to carry out this title.
20 Gifts may be earmarked by the donor or the executive
21 committee for a specific purpose.

22 (d) RECORDS.—The Cochairs shall maintain records
23 regarding—

24 (1) the sources, amounts, and uses of gifts ac-
25 cepted under subsection (c); and

1 (2) the identity of each person receiving assist-
2 ance to carry out this Act, and the amount of such
3 assistance received by each such person.

4 **SEC. 7. REPORT OF THE CONFERENCE.**

5 (a) PRELIMINARY REPORT.—Not later than 100 days
6 after the Conference adjourns, the Policy Committee shall
7 prepare a preliminary report on the Conference which
8 shall be published in the Federal Register and submitted
9 to the chief executive officers of the States. The Policy
10 Committee shall request that the chief executive officers
11 of the States submit to the Policy Committee, not later
12 than 45 days after receiving such report, their views and
13 findings on such report.

14 (b) FINAL REPORT.—Not later than 6 months after
15 the date on which the Conference adjourns, the Policy
16 Committee shall—

17 (1) prepare a final report of the Conference
18 which shall include a compilation of the views and
19 findings of the chief executive officers of the States
20 received under subsection (a); and

21 (2) publish in the Federal Register, and trans-
22 mit to the President and to Congress, the rec-
23 ommendations for the administrative action and the
24 legislation necessary to implement the recommenda-
25 tions contained in such report.

1 **SEC. 8. STATUS REPORTS.**

2 (a) INITIAL STATUS REPORT.—Not later than 2
3 years after the date on which the Conference adjourns,
4 the Surgeon General shall—

5 (1) prepare a status report documenting the im-
6 plementation of the recommendations contained in
7 the final report described in section 7(b)(1); and

8 (2) publish in the Federal Register, and trans-
9 mit to the President and to Congress, such status
10 report.

11 (b) SUBSEQUENT STATUS REPORTS.—Not later than
12 5 years after the date on which the Conference adjourns,
13 and every 5 years thereafter until all recommendations in
14 the final report described in section 7(b)(1) are achieved,
15 the Comptroller General shall—

16 (1) prepare a status report documenting the im-
17 plementation of the recommendations contained in
18 such final report; and

19 (2) publish in the Federal Register, and trans-
20 mit to the President and to Congress, such status
21 report.

22 **SEC. 9. DEFINITION OF STATE.**

23 For the purposes of this Act, the term “State” means
24 any of the several States, the District of Columbia, the
25 Commonwealth of Puerto Rico, Guam, American Samoa,

1 the Virgin Islands of the United States, or the Common-
2 wealth of the Northern Mariana Islands.

3 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AUTHORIZATION.—

5 (1) IN GENERAL.—There are authorized to be
6 appropriated to carry out this Act—

7 (A) such sums as may be necessary for the
8 first fiscal year in which the Policy Committee
9 plans the Conference and for the following fis-
10 cal year; and

11 (B) such sums as may be necessary for the
12 fiscal year in which the Conference is held.

13 (2) LIMITATION.—Any new spending authority
14 or new authority to enter into contracts under this
15 Act, and under which the United States is obligated
16 to make outlays, shall be effective only to the extent,
17 and in such amounts, as are provided in advance in
18 appropriations Acts.

19 (b) AVAILABILITY OF FUNDS.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (3), funds appropriated to carry out this Act
22 and funds received as gifts under section 6(c) shall
23 remain available for obligation or expenditure until
24 the expiration of the 1-year period beginning on the
25 date the Conference adjourns.

1 (2) UNOBLIGATED FUNDS.—Except as provided
2 in paragraph (3), any such funds neither expended
3 nor obligated before the expiration of the 1-year pe-
4 riod beginning on the date the Conference adjourns
5 shall be returned to the United States Treasury.

6 (3) CONFERENCE NOT CONVENED.—If the Con-
7 ference is not convened before December 31, 2010,
8 a trust fund shall be established and such funds
9 shall only be available for a future Conference on
10 Food and Nutrition.

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