

111TH CONGRESS
2D SESSION

H. R. 4971

To increase the emphasis on urban agricultural issues in the Department of Agriculture through the establishment of a new office to ensure that Department authorities are used to effectively encourage local agricultural production and increase the availability of fresh food in urban areas, particularly underserved communities experiencing hunger, poor nutrition, obesity, and food insecurity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2010

Ms. KAPTUR (for herself, Ms. KILPATRICK of Michigan, Ms. FUDGE, Mr. JACKSON of Illinois, Ms. MOORE of Wisconsin, Ms. VELÁZQUEZ, Ms. LEE of California, Mr. CUMMINGS, Mr. NEAL of Massachusetts, Ms. ROYBAL-ALLARD, Mr. CLAY, Mr. RUSH, Mr. DAVIS of Illinois, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. KUCINICH, Mr. KILDEE, Mr. HARE, Ms. SUTTON, Mr. TONKO, Mr. KANJORSKI, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. SHERMAN, and Mrs. DAHLKEMPER) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase the emphasis on urban agricultural issues in the Department of Agriculture through the establishment of a new office to ensure that Department authorities are used to effectively encourage local agricultural production and increase the availability of fresh food in urban areas, particularly underserved communities expe-

riencing hunger, poor nutrition, obesity, and food insecurity, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Greening Food Deserts Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
 7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and sense of Congress.
- Sec. 3. Office of Urban Agriculture.
- Sec. 4. Natural Resource Conservation Service technical assistance in support of backyard conservation and community gardening programs.
- Sec. 5. Urban forest invasive species control program.
- Sec. 6. Extension and additional funding for seniors farmers’ market nutrition program.
- Sec. 7. Infrastructure funding for farmers’ markets.
- Sec. 8. Evaluation of state of farmers’ markets in census of agriculture.
- Sec. 9. Renaming of Rural Energy for America Program to reflect purpose of the program.
- Sec. 10. Urban agriculture outreach program.
- Sec. 11. Promotion of agricultural education programs in schools by authorizing higher reimbursement rates under school lunch, school breakfast, and summer food service programs.
- Sec. 12. Supplemental Nutrition Assistance Program pilot program of local sustainability grants.

8 **SEC. 2. FINDINGS AND INTENT OF CONGRESS.**

9 (a) FINDINGS.—Congress finds the following:

10 (1) Dramatic economic, demographic, and land
 11 use changes in the United States have created areas
 12 where no supermarkets exist and where limited food
 13 choice, poor food quality, and lack of affordable food
 14 prices impact large segments of the country’s popu-
 15 lation.

1 (2) Demographic changes have opened vast
2 pockets of arable land for agriculture in America's
3 urban centers.

4 (3) Diversifying United States food production
5 from a globally consolidated and industrial food
6 chain to one which includes local production rep-
7 resents an important opportunity to strengthen
8 United States agriculture.

9 (4) With poverty rising due to chronic unem-
10 ployment and with food becoming a more significant
11 component of family budgets, local production be-
12 comes an important option for families facing food
13 insecurity.

14 (5) It is estimated that 18.5 percent of Amer-
15 ican households have withheld food purchases due to
16 economic circumstances, and many of these house-
17 holds reside in ethnically and racially diverse com-
18 munities.

19 (6) Food insecurity, epidemic levels of obesity,
20 hypertension, diabetes and youth osteoporosis are
21 caused by improper nutrition in food deserts without
22 nutritious, reliable, and locally available healthy food
23 options.

1 (7) Advances in agricultural technologies makes
2 production possible in regions previously cordoned
3 off from such opportunity.

4 (8) With studies suggesting that much of the
5 American west is becoming permanently more arid
6 and 40 percent of all fresh water resources in the
7 United States are used for irrigation, the need for
8 more efficient food production and agriculture closer
9 to point of consumption is critical.

10 (9) Concentration in agricultural production
11 and outsourcing have exacerbated the food insecurity
12 of many communities.

13 (10) In 2001, at least 2,300,000 Americans
14 lived in homes in urban areas located more than a
15 mile from the nearest supermarket.

16 (11) Because many of these Americans are
17 without access to a motor vehicle with which to
18 reach supermarkets located more than a mile away
19 from their homes, and there is no accessible local
20 farm production, vast segments of urban areas are
21 now described as “food deserts”.

22 (12) The majority of youth in the United States
23 are growing up in environments with little knowledge
24 of natural food production and nutrition and lack
25 basic survival skills.

1 (13) Two million, two hundred four thousand,
2 seven hundred ninety-two farms were in operation in
3 2007, including 300,000 new farms that began oper-
4 ations with smaller less consolidated operations and
5 lower sales than the average of all farms nationwide.

6 (14) These new farms, on average, consisted of
7 201 acres of land and generated an average of
8 \$71,000 in income, which was nearly half the aver-
9 age size and income levels for the average American
10 farm.

11 (15) Rising fuel costs make transporting food
12 long distances significantly more expensive, but cre-
13 ate opportunities for the economical production of
14 food closer to point of consumption.

15 (16) From 1997 to 2009, the value of imported
16 food products to the United States increased over
17 100 percent from \$43,000,000,000 to
18 \$86,700,000,000, which has led to a growing reli-
19 ance on foreign-produced food, particularly during
20 cold seasons, as diminished options exist for locally
21 produced fresh and affordable choices.

22 (17) Expanding production and access to locally
23 produced food strengthens the vital link between
24 healthy populations, sustainable living, and the nat-
25 ural world.

1 (18) Diabetes and obesity alone cost the Amer-
2 ican people approximately \$130,000,000,000 annu-
3 ally in medical expenses and lost productivity.

4 (19) Expanding access to food for vulnerable
5 populations involves regional food production in
6 communities where the link between daily life and
7 the natural world has been all but eliminated.

8 (20) Many of the tools exist to break the cycle
9 of food insecurity and empower communities: For
10 example, by the end of World War II, over
11 20,000,000 home gardens were supplying 40 percent
12 of domestically consumed produce.

13 (21) Between 1994 and 2008, the number of
14 farmers' markets nationwide grew 167 percent and
15 between fiscal years 2005 and 2006, the number of
16 farmers' markets with electronic benefit transfer de-
17 vices grew from 436 to 532.

18 (22) Promoting the many different forms of ag-
19 riculture, both consolidated, industrial agriculture
20 and small scale, decentralized agriculture, is bene-
21 ficial to serving many different needs in a diverse so-
22 ciety.

23 (23) In 2007, 247,772 farms harvested
24 39,259,592 acres of specialty crops and produced
25 \$67,417,397,000 worth of food products, which, if

1 expanded to include production in food deserts
2 across the country, has the potential to provide in-
3 vestment and improved nutrition to communities and
4 reinvent urban landscapes that lack sufficient access
5 to food.

6 (24) In the Food, Conservation, and Energy
7 Act of 2008 (Public Law 110–246), Congress pro-
8 vided the Department of Agriculture with sufficient
9 flexibility in implementing certain programs to pro-
10 mote locally based agricultural enterprises, including
11 a 5 percent set-aside for business and industry loan
12 program for underserved communities, significant
13 increases for the Senior Farmers’ Market Nutrition
14 Program that links local producers and consumers,
15 an expanded authorization for the Farm to School
16 Program, and new legal requirements allowing flexi-
17 bility in local purchase by some nutrition programs.

18 (b) INTENT OF CONGRESS.—It is the intent of Con-
19 gress—

20 (1) to augment existing authorities to engage
21 agricultural production, combat food insecurity, and
22 counteract the substitution of imported products as
23 they displace greater shares domestically produced
24 products;

1 (2) to pursue better coordination to empower
2 communities to eliminate food deserts, purchase and
3 produce food locally, create sustainable food systems,
4 and connect better the existing programs that can
5 and should be used to alleviate pockets of hunger
6 and severe food insecurity;

7 (3) to work with the various State agencies re-
8 sponsible for administering the Federal nutrition
9 programs on methods and strategies for using Fed-
10 eral food dollars to create local and micro-enterprise
11 development in areas where these nutrition programs
12 are used; and

13 (4) to develop a unified strategy to use the Fed-
14 eral nutrition programs as a tool for economic devel-
15 opment in food insecure regions, even in regions that
16 have not traditionally been centers for food produc-
17 tion where human need is evident.

18 **SEC. 3. OFFICE OF URBAN AGRICULTURE.**

19 (a) **ESTABLISHMENT.**—The Department of Agri-
20 culture Reorganization Act of 1994 is amended by insert-
21 ing after section 220 (7 U.S.C. 6920) the following new
22 section:

1 **“SEC. 221. OFFICE OF URBAN AGRICULTURE.**

2 “(a) ESTABLISHMENT.—The Secretary shall estab-
3 lish within the executive operations of the Department an
4 office to be known as the Office of Urban Agriculture.

5 “(b) PURPOSE AND RESPONSIBILITIES OF OFFICE.—

6 “(1) PURPOSE.—The Office of Urban Agri-
7 culture is established for the purpose of coordinating
8 activities throughout the Department of Agriculture
9 related to urban agriculture and nutrition.

10 “(2) SPECIFIC RESPONSIBILITIES.—The Office
11 of Urban Agriculture shall be responsible for coordi-
12 nating Department activities and conducting over-
13 sight in the following mission areas:

14 “(A) Ensuring that Department authori-
15 ties are used to effectively encourage agricul-
16 tural production in underserved communities to
17 combat hunger, poor nutrition, obesity, and
18 food insecurity.

19 “(B) Ensuring that Department authori-
20 ties are used to empower communities, espe-
21 cially communities with a large percentage of
22 low-income residents, to eliminate shortages of
23 affordable, fresh food products, increase the
24 local production and sale of food, and create
25 sustainable food systems.

1 “(C) Developing a unified strategy to link
2 the agricultural production and nutrition pro-
3 grams administered by the Department as a
4 tool for economic development in underserved
5 communities in a manner that addresses local
6 conditions and engages local residents through
7 agricultural economic development.

8 “(D) Ensuring that nutrition programs ad-
9 ministered by State agencies maximize the im-
10 pact of Federal funds in creating local agricul-
11 tural microenterprises.

12 “(E) Conducting systematic and regular
13 reviews of Department authorities and making
14 policy recommendations to Congress and the
15 Secretary on new authorities or regulation
16 changes to assist underserved communities to
17 combat hunger, poor nutrition, obesity, and
18 food insecurity.

19 “(F) Ensuring that the programs estab-
20 lished by the Greening Food Deserts Act and
21 by amendments made by that Act are imple-
22 mented in a manner consistent with the goal of
23 eliminating underserved communities.

24 “(c) UNDERSERVED COMMUNITY DEFINED.—In this
25 section, the term ‘underserved community’ has the mean-

1 ing given that term in section 25(a)(3) of the Food and
2 Nutrition Act of 2008 (7 U.S.C. 2034(a)(3)).”.

3 (b) CONFORMING AMENDMENTS.—Section 296(b) of
4 the Department of Agriculture Reorganization Act of
5 1994 (7 U.S.C. 7014(b)) is amended—

6 (1) in paragraph (6)(C), by striking “or” at the
7 end;

8 (2) in paragraph (7), by striking the period at
9 the end and inserting “; or”; and

10 (3) by inserting after paragraph (7) the fol-
11 lowing new paragraph:

12 “(8) the responsibility of the Secretary to estab-
13 lish in the Department the Office of Urban Agri-
14 culture in accordance with section 226B.”.

15 (c) SUFFICIENCY OF RESOURCES FOR OFFICE.—Not
16 later than 60 days after the date of enactment of this Act,
17 the Secretary of Agriculture shall submit to Congress a
18 report describing the resources and staff necessary to per-
19 mit the Office of Urban Agriculture established pursuant
20 to section 221 of the Department of Agriculture Reorga-
21 nization Act of 1994, as added by subsection (a), to carry
22 out its responsibilities under such section.

1 **SEC. 4. NATURAL RESOURCE CONSERVATION SERVICE**
 2 **TECHNICAL ASSISTANCE IN SUPPORT OF**
 3 **BACKYARD CONSERVATION AND COMMUNITY**
 4 **GARDENING PROGRAMS.**

5 Section 1242 of the Food Security Act of 1985 (16
 6 U.S.C. 3842) is amended by adding at the end the fol-
 7 lowing new subsection:

8 “(j) TECHNICAL ASSISTANCE FOR BACKYARD CON-
 9 SERVATION AND COMMUNITY GARDENING.—

10 “(1) AUTHORITY TO PROVIDE ASSISTANCE.—

11 The Secretary shall provide technical assistance in
 12 support of backyard conservation and community
 13 gardening programs involving small-scale subsistence
 14 and personal-use agriculture for the purpose of—

15 “(A) achieving expanded and improved
 16 production; and

17 “(B) implementing conservation methods
 18 related to small-scale and personal-use produc-
 19 tion.

20 “(2) USE OF BOTANICAL GARDENS.—To pro-
 21 vide technical assistance under this subsection, the
 22 Secretary shall seek to certify botanical gardens as
 23 third-party providers under subsection (e).

24 “(3) AUTHORIZATION OF APPROPRIATIONS.—
 25 There is authorized to be appropriated to the Sec-

1 retary \$20,000,000 each fiscal year to carry out this
2 subsection.”.

3 **SEC. 5. URBAN FOREST INVASIVE SPECIES CONTROL PRO-**
4 **GRAM.**

5 (a) INVESTMENT IN INVASIVE RESISTANT SPE-
6 CIES.—Section 9(e) of the Cooperative Forestry Assist-
7 ance Act of 1978 (16 U.S.C. 2105(e)) is amended by add-
8 ing at the end the following new sentence: “In carrying
9 out this subsection, the Secretary shall give a priority to
10 the production and procurement in urban areas of plant
11 materials that are resistant to invasive species.”.

12 (b) CHALLENGE COST-SHARE GRANTS FOR INVASIVE
13 SPECIES CONTROL, MANAGEMENT, AND RECOVERY EF-
14 FORTS.—Section 9(f) of the Cooperative Forestry Assist-
15 ance Act of 1978 (16 U.S.C. 2105(f)) is amended—

16 (1) in paragraph (2), by inserting after “50
17 percent” the following: “(75 percent in the case of
18 a project involving invasive species control, manage-
19 ment, or recovery)”; and

20 (2) by adding at the end the following new
21 paragraph:

22 “(3) SET-ASIDE FOR INVASIVE SPECIES CON-
23 TROL, MANAGEMENT, AND RECOVERY EFFORTS.—Of
24 the funds made available for a fiscal year for the
25 challenge cost-share program, the Secretary shall re-

1 serve \$10,000,000 for projects in urban areas involv-
 2 ing invasive species control, management, or recov-
 3 ery efforts.”.

4 **SEC. 6. EXTENSION AND ADDITIONAL FUNDING FOR SEN-**
 5 **IORS FARMERS’ MARKET NUTRITION PRO-**
 6 **GRAM.**

7 (a) EXTENSION AND FUNDING.—Section 4402(a) of
 8 the Farm Security and Rural Investment Act of 2002 (7
 9 U.S.C. 3007(a)) is amended to read as follows:

10 “(a) ESTABLISHMENT.—The Secretary of Agri-
 11 culture shall use funds available to the Commodity Credit
 12 Corporation to carry out and expand a seniors farmers’
 13 market nutrition program in the following amounts:

14 “(1) For fiscal year 2011, not less than
 15 \$25,000,000.

16 “(2) For fiscal year 2012, not less than
 17 \$50,000,000.

18 “(3) For fiscal year 2013, not less than
 19 \$75,000,000.

20 “(4) For each of fiscal years 2014 through
 21 2017, not less than \$100,000,000.”.

22 (b) PURPOSES.—Section 4402(b)(1) of the Farm Se-
 23 curity and Rural Investment Act of 2002 (7 U.S.C.
 24 3007(b)(1)) is amended—

1 (1) by striking “unprepared” and inserting
2 “minimally processed”; and

3 (2) by striking “and herbs” and inserting
4 “herbs, and other locally produced farm products, as
5 the Secretary considers appropriate,”.

6 (c) ADMINISTRATIVE COSTS; UNEXPENDED
7 FUNDS.—Section 4402 of the Farm Security and Rural
8 Investment Act of 2002 (7 U.S.C. 3007) is amended by
9 adding at the end the following new subsections:

10 “(f) ADMINISTRATIVE COSTS.—Not more than 10
11 percent of the funds made available for a fiscal year under
12 subsection (a) may be used to pay administrative costs in-
13 curred in carrying out this section.

14 “(g) UNEXPENDED FUNDS.—To the extent the funds
15 made available under subsection (a) for a fiscal year are
16 not expended in that fiscal year, the Secretary may use
17 such funds in a subsequent fiscal year for the same pur-
18 pose.”.

19 **SEC. 7. INFRASTRUCTURE FUNDING FOR FARMERS’ MAR-**
20 **KETS.**

21 (a) LOANS, LOAN GUARANTEES, AND GRANTS FOR
22 FARMERS’ MARKET EXPANSION.—In addition to assist-
23 ance provided through the seniors farmers’ market nutri-
24 tion program under section 4402 of the Farm Security
25 and Rural Investment Act of 2002 (7 U.S.C. 3007) to ex-

1 pand or aid in the expansion of domestic farmers' mar-
2 kets, the Secretary of Agriculture shall make loans, pro-
3 vide loan guarantees, and make grants to public agencies
4 and nonprofit organizations for—

5 (1) the construction of new farmers' markets;
6 and

7 (2) the improvement or rehabilitation of exist-
8 ing farmers' markets.

9 (b) ELIGIBILITY.—To be eligible to receive a loan,
10 loan guarantee, or grant under subsection (a), a public
11 agency or nonprofit organization involved in the construc-
12 tion, improvement, or rehabilitation of a farmers' market
13 shall—

14 (1) demonstrate financial need, as determined
15 by the Secretary; and

16 (2) commit to reserving at least 50 percent of
17 the floor area of the farmers' market for the sale of
18 products that are produced locally, as determined by
19 the Secretary, by farmers, ranchers, or aquaculture,
20 mariculture, or fisheries operators, or by associa-
21 tions of farmers, ranchers, or such operators.

22 (c) COST SHARING.—

23 (1) GRANTS.—The amount of a grant under
24 subsection (a) shall not exceed 25 percent of the cost
25 of the activity to be supported by the grant.

1 (2) MAXIMUM AMOUNT OF COMBINED GRANT
 2 AND LOAN.—The combined amount of a grant and
 3 loan made or guaranteed under subsection (a) shall
 4 not exceed 80 percent of the cost of the activity to
 5 be supported by the grant and loan.

6 (d) INTEREST RATE.—

7 (1) IN GENERAL.—A loan made by the Sec-
 8 retary under subsection (a) shall bear interest at the
 9 rate equivalent to the rate of interest charged on
 10 Treasury securities of comparable maturity on the
 11 date the loan is approved.

12 (2) DURATION.—The interest rate for each loan
 13 will remain in effect for the term of the loan.

14 (e) FUNDING.—Of the funds of the Commodity Cred-
 15 it Corporation, the Secretary shall make available to carry
 16 out this section \$50,000,000 for each of fiscal years 2011
 17 and 2012.

18 **SEC. 8. EVALUATION OF STATE OF FARMERS' MARKETS IN**
 19 **CENSUS OF AGRICULTURE.**

20 Section 2(a) of the Census of Agriculture Act of 1997
 21 (7 U.S.C. 2204g(a)) is amended by adding at the end the
 22 following new paragraph:

23 “(3) INCLUSION OF FARMERS’ MARKETS.—Ef-
 24 fective beginning with the first census of agriculture
 25 conducted after the date of the enactment of the

1 Greening Food Deserts Act, the Secretary shall in-
2 clude as part of each census of agriculture—

3 “(A) an evaluation of the state of farmers’
4 markets in the United States, including infor-
5 mation regarding the size, location, operational
6 capacity, and geographic dispersion of farmers’
7 markets and types of products sold (both in
8 terms of product diversity and sales locations)
9 through farmers’ markets; and

10 “(B) an analysis of the economic impact of
11 farmers’ markets, including the success of Fed-
12 eral programs in promoting and supporting
13 farmers’ markets.”.

14 **SEC. 9. RENAMING OF RURAL ENERGY FOR AMERICA PRO-**
15 **GRAM TO REFLECT PURPOSE OF THE PRO-**
16 **GRAM.**

17 Section 9007 of the Farm Security and Rural Invest-
18 ment Act of 2002 (7 U.S.C. 8107), as amended by section
19 9001 of the Food, Conservation, and Energy Act of 2008,
20 is amended—

21 (1) in the section heading, by striking “**RURAL**
22 **ENERGY**” and inserting “**RENEWABLE ENERGY**”;
23 and

1 (2) in subsection (a), by striking “Rural Energy
2 for America Program” and inserting “Renewable
3 Energy for America Program”.

4 **SEC. 10. URBAN AGRICULTURE OUTREACH PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty” means a community organization, municipality,
8 institution of higher education, or nonprofit organi-
9 zation.

10 (2) FOOD PRODUCTION.—The term “food pro-
11 duction” includes—

12 (A) the implementation of small scale, or-
13 ganic, aquiculture, and such other urban pro-
14 duction models as the Secretary of Agriculture
15 considers appropriate;

16 (B) the deployment of food infrastructure
17 in an underserved community;

18 (C) the conversion of vacant land into ani-
19 mal and plant food production areas;

20 (D) the creation of infrastructure for com-
21 munity gardens;

22 (E) education regarding small-scale sub-
23 sistence and personal-use agriculture; and

24 (F) other activities that promote agricul-
25 tural enterprise and development in commu-

1 nities not traditionally associated with agricul-
2 tural production.

3 (3) MICROLOAN OR GRANT.—The term
4 “microloan or grant” means a business loan or
5 grant of not more than \$25,000.

6 (4) UNDERSERVED COMMUNITY.—The term
7 “underserved community” has the meaning given
8 that term in section 25(a)(3) of the Food and Nutri-
9 tion Act of 2008 (7 U.S.C. 2034(a)(3)).

10 (b) MICROLOANS AND GRANTS AUTHORIZED.—The
11 Secretary of Agriculture may make a microloan or grant
12 available to an eligible entity to support outreach activities
13 for—

14 (1) developing food production in communities
15 not traditionally associated with agricultural produc-
16 tion; and

17 (2) supporting the local distribution of food
18 products derived from the food production activities.

19 (c) LOAN TERMS.—A microloan made by the Sec-
20 retary under this section shall—

21 (1) be for a term not to exceed three years; and

22 (2) bear an annual interest rate not to exceed
23 Treasury bearing rates.

24 (d) DEFERRAL OF INTEREST AND PRINCIPAL.—The
25 Secretary may permit the deferral of payments on prin-

1 cipal and interest due on a microloan made under this sec-
2 tion for a two-year period beginning on the date the loan
3 is made.

4 (e) GRANT COST SHARING REQUIREMENTS.—

5 (1) MATCHING REQUIREMENT.—The Secretary
6 shall require an eligible entity receiving a grant
7 under this section to match not less than 10 percent
8 of the total amount of the grant.

9 (2) FORM OF NON-FEDERAL SHARE.—The
10 matching requirement may be satisfied through the
11 provision of—

12 (A) cash (including through fees, grants
13 (including community development block
14 grants), and gifts); or

15 (B) in-kind contributions acceptable to the
16 Secretary.

17 (f) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to the Secretary to carry
19 out this section \$20,000,000 for each fiscal year.

1 **SEC. 11. PROMOTION OF AGRICULTURAL EDUCATION PRO-**
2 **GRAMS IN SCHOOLS BY AUTHORIZING HIGH-**
3 **ER REIMBURSEMENT RATES UNDER SCHOOL**
4 **LUNCH, SCHOOL BREAKFAST, AND SUMMER**
5 **FOOD SERVICE PROGRAMS.**

6 (a) SCHOOL LUNCH.—Section 8 of the Richard B.
7 Russell National School Lunch Act (42 U.S.C. 1757) is
8 amended by adding at the end the following new sub-
9 section:

10 “(h) The maximum per meal reimbursement rate oth-
11 erwise applicable to a school shall be increased by 20 per-
12 cent in the case of any meals consisting in whole or part
13 of foods produced through agricultural education pro-
14 grams that use enrolled students to produce food and pro-
15 vide the food to in-house feeding programs. Agricultural
16 education programs include after-school programs in gar-
17 dening or agriculture production, agricultural internships
18 teaching practical agricultural activities, and other school
19 activities associated with food production, processing, and
20 preparation.”.

21 (b) SCHOOL BREAKFAST.—Section 4 of the Child
22 Nutrition Act of 1966 (42 U.S.C. 1773) is amended by
23 adding at the end the following new subsection:

24 “(f) HIGHER REIMBURSEMENT RATE FOR IN-HOUSE
25 FOOD PRODUCTION.—The maximum meal reimbursement
26 rate otherwise applicable to a school shall be increased by

1 20 percent in the case of any breakfasts consisting in
2 whole or part of foods produced through agricultural edu-
3 cation programs that use enrolled students to produce
4 food and provide the food to in-house feeding programs.
5 Agricultural education programs include after-school pro-
6 grams in gardening or agriculture production, agricultural
7 internships teaching practical agricultural activities, and
8 other school activities associated with food production,
9 processing, and preparation.”.

10 (c) SUMMER FOOD SERVICE PROGRAM.—Section
11 13(b)(1)(C) of the Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1761(b)(1)(C)) is amended by add-
13 ing at the end the following new sentence: “If the service
14 institution continues during the summer or school vaca-
15 tion an agricultural education program for which the serv-
16 ice institution received a higher reimbursement rate under
17 section 8(h) of this Act or section 4(f) of the Child Nutri-
18 tion Act of 1966 (42 U.S.C. 1773(f)), the higher rate shall
19 continue to apply to the service institution under this sec-
20 tion.”.

1 **SEC. 12. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**
2 **GRAM PILOT PROGRAM OF LOCAL SUSTAIN-**
3 **ABILITY GRANTS.**

4 The Food and Nutrition Act of 2008 is amended by
5 inserting after section 25 (7 U.S.C. 2034) the following
6 new section:

7 **“SEC. 25A. PILOT PROGRAM OF LOCAL SUSTAINABILITY**
8 **GRANTS.**

9 “(a) GRANTS AUTHORIZED.—From amounts made
10 available to carry out this section, the Secretary shall
11 make eight grants each fiscal year to regional food banks
12 or consortiums of community feeding programs to carry
13 out a demonstration project for the purpose of—

14 “(1) producing fresh fruits and vegetables at
15 these facilities while teaching eligible households how
16 to engage in small-scale food production residentially
17 or at community gardens;

18 “(2) integrating processing and distribution of
19 the produced fresh fruits and vegetables; and

20 “(3) providing an increased benefit under sub-
21 section (c) for eligible households procuring the pro-
22 duced fresh fruits and vegetables at these facilities.

23 “(b) GRANT LIMITS.—The total amount of funds
24 provided as grants to a single recipient under this section
25 for a fiscal year may not exceed \$300,000.

1 “(c) INCREASED BENEFITS.—Eligible households
 2 participating in the pilot program shall be eligible to re-
 3 ceive 120 percent of the value of the supplemental nutri-
 4 tion assistance that would otherwise be provided to the
 5 household under this Act when purchasing food that was
 6 produced through the program.

7 “(d) GRANT COST SHARING REQUIREMENTS.—

8 “(1) MATCHING REQUIREMENT.—As a condi-
 9 tion of any grant made under this section, the Sec-
 10 retary shall require the grant recipient to match not
 11 less than five percent of the total amount of the
 12 grant.

13 “(2) FORM OF NON-FEDERAL SHARE.—The
 14 matching requirement may be satisfied through the
 15 provision of—

16 “(A) cash (including through fees, grants
 17 (including community development block
 18 grants), and gifts); or

19 “(B) in-kind contributions acceptable to
 20 the Secretary.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 22 are authorized to be appropriated to the Secretary to carry
 23 out this section \$2,000,000 for each of fiscal years 2011
 24 through 2015.”.

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