

113TH CONGRESS
1ST SESSION

H. R. 3072

To provide for the establishment of the Local Food for Healthy Families Program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2013

Mr. KILDEE introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Ways and Means, 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 provide for the establishment of the Local Food for Healthy Families Program.

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 “Local Food for
5 Healthy Families Act of 2013”.

6 **SEC. 2. LOCAL FOOD FOR HEALTHY FAMILIES PROGRAM.**

7 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
8 of Agriculture (hereinafter in this Act referred to as the
9 Secretary unless the context specifies otherwise) shall es-

1 establish the Local Food for Healthy Families Program for
2 the purpose of making grants to certain entities to carry
3 out projects to provide incentives to low-income families
4 receiving supplemental nutrition assistance program bene-
5 fits to purchase fruits and vegetables.

6 (b) ADMINISTRATIVE COSTS.—Not more than 10
7 percent of the funds made available to carry out this Act
8 for a fiscal year may be used by the Secretary to admin-
9 ister, evaluate, and monitor this Act for such fiscal year.

10 (c) ADVISORY COMMITTEE.—The Secretary shall
11 convene an advisory committee composed of representa-
12 tives of organizations that have prior experience imple-
13 menting local fruit and vegetable incentive programs to
14 advise him on the design of the Local Food for Healthy
15 Families Program.

16 **SEC. 3. ELIGIBLE ENTITIES.**

17 (a) APPLICATIONS.—Subject to subsection (b), to be
18 eligible to receive a grant to carry out a project under this
19 Act, the following entities may submit to the Secretary
20 an application that contains such information and assur-
21 ances, at such time and in such form, as the Secretary
22 may require by rule:

- 23 (1) Private nonprofit entities.
- 24 (2) Agricultural cooperatives.
- 25 (3) Producer networks or associations.

- 1 (4) Community health organizations.
- 2 (5) Public benefit corporations.
- 3 (6) Economic development cooperatives.
- 4 (7) Farmers' markets.
- 5 (8) Community supported agriculture programs.
- 6 (9) Buying clubs.
- 7 (10) Retail food stores that participate in the
- 8 supplemental nutrition assistance program.
- 9 (11) State, local, or tribal agencies.

10 (b) **REQUIRED ASSURANCE.**—An application sub-
11 mitted under subsection (a) shall include an assurance
12 that the applicant will impose on recipients of incentives
13 under this Act the same terms and conditions that apply
14 to purchases made by individuals using supplemental nu-
15 trition assistance program benefits.

16 **SEC. 4. PRIORITY.**

17 In making grants under section 2, the Secretary shall
18 give priority to eligible entities that—

- 19 (1) are located in underserved communities,
- 20 (2) provide locally produced fruits and vegeta-
21 bles,
- 22 (3) maximize the share of funds used for direct
23 incentives to participants,
- 24 (4) use direct-to-consumer sales marketing,

1 (5) demonstrate a track record of designing and
2 implementing successful nutrition incentive pro-
3 grams that connect low-income consumers and agri-
4 cultural producers,

5 (6) develop innovative linkages between for-
6 profit and nonprofit organizations, and

7 (7) address other criteria as established by the
8 Secretary.

9 **SEC. 5. MATCHING FUNDS REQUIREMENT.**

10 (a) FEDERAL SHARE OF COSTS.—Not more than 50
11 percent of the cost of any project for which a grant is
12 made under section 2 may be paid with Federal funds.

13 (b) NON-FEDERAL SHARE OF COSTS.—An eligible
14 entity that applies for a grant under section 2 shall agree
15 to provide not less than 50 percent of the cost of the
16 project for which application is submitted from non-Fed-
17 eral sources, except that—

18 (1) an eligible entity that is a nonprofit entity
19 may value in cash or in-kind (fairly evaluated) its
20 share of the cost of such project, and

21 (2) an eligible entity that is a for-profit entity
22 may value only in cash (and may not include services
23 of an employee, including salaries paid or expenses
24 covered by the employer) its share of the cost of
25 such project.

1 **SEC. 6. INDEPENDENT EVALUATIONS.**

2 The Secretary shall provide for an independent eval-
3 uation of each project for which a grant is made under
4 this Act. Such evaluation shall—

5 (1) measure the impact of such project on—

6 (A) improving the nutrition and health sta-
7 tus of families that participate in projects car-
8 ried out under this Act, and

9 (B) increasing the quantity of fruits and
10 vegetables purchased by such families, and

11 (2) use rigorous methodologies capable of pro-
12 ducing scientifically valid information regarding the
13 effectiveness of such project.

14 **SEC. 7. TECHNICAL ASSISTANCE AND RELATED INFORMA-**
15 **TION.**

16 (a) **TECHNICAL ASSISTANCE.**—In carrying out this
17 Act, the Secretary may provide technical assistance re-
18 garding the operation of the Local Food for Healthy Fam-
19 ilies Program to entities that request such information.

20 (b) **SHARING INFORMATION.**—The Secretary may
21 provide for sharing of information concerning the oper-
22 ation of the Local Food for Healthy Families Program,
23 the operation of projects carried out under such program,
24 and the issues arising from such program and such
25 projects, with and among—

1 (1) governmental, for-profit, and nonprofit
2 groups, and the public through publications, con-
3 ferences, and other appropriate forums, and

4 (2) researchers, practitioners, and other inter-
5 ested persons.

6 **SEC. 8. TREATMENT OF FUNDS.**

7 (a) IN GENERAL.—The value of any incentive pro-
8 vided under this Act to a participating family shall not
9 be considered income or resources for any purpose under
10 any Federal, State, or local law.

11 (b) NO LIMITATION ON BENEFITS.—A grant made
12 available under this Act shall not be used to carry out
13 any project that limits the use of benefits provided under
14 the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et
15 seq.) or any other Federal nutrition law.

16 (c) HOUSEHOLD ALLOTMENT.—Incentives provided
17 under this Act to families that receive supplemental nutri-
18 tion assistance program benefits shall not—

19 (1) be considered to be part of such benefits; or

20 (2) be used in the collection or disposition of
21 claims under section 13 of the Food and Nutrition
22 Act of 2008 (7 U.S.C. 2022).

23 **SEC. 9. APPROPRIATION OF FUNDS.**

24 Out of any funds in the Treasury not otherwise ap-
25 propriated, the Secretary of the Treasury shall transfer

- 1 to the Secretary to carry out the Local Food for Healthy
- 2 Families Program \$20,000,000 for each of the fiscal years
- 3 2014 through 2018.

