

115TH CONGRESS
2D SESSION

H. R. 6477

To include lead poisoning prevention and mitigation education as a purpose of the education and obesity prevention program carried out under the Food and Nutrition Act of 2008, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2018

Ms. MOORE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To include lead poisoning prevention and mitigation education as a purpose of the education and obesity prevention program carried out under the Food and Nutrition Act of 2008, 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.**

4 This Act may be cited as the “SNAP-Ed Fights Lead
5 Act of 2018”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The nutrition education and obesity preven-
2 tion program carried out under section 28 of the
3 Food and Nutrition Act of 2008 as amended by this
4 Act (in this Act referred to as SNAP-Ed) is de-
5 signed to improve the likelihood that individuals eli-
6 gible to participate in the supplemental nutrition as-
7 sistance program (popularly known as SNAP) will
8 make healthy food choices within a limited budget
9 and choose physically active lifestyles while sup-
10 porting the role of SNAP in addressing food insecu-
11 rity among low-income Americans.

12 (2) Federal SNAP-Ed guidance encourages
13 States to target their SNAP-Ed efforts to women
14 and then children in households that participate in
15 SNAP.

16 (3) The Secretary of Agriculture encourages
17 States to develop SNAP-Ed policies and activities
18 that address the highest priority nutrition problems
19 and needs of the target audience.

20 (4) Given its target audience, SNAP-Ed can
21 play a role in reaching and mitigating the con-
22 sequence of elevated blood lead levels in children who
23 remain at the greatest risk for lead poisoning by
24 educating individuals on a healthy diet that can help
25 combat lead exposure.

1 (5) According to the Department of Agri-
2 culture, foods rich in iron, calcium and vitamin C
3 have been shown to help limit the absorption of lead
4 by the body. Research indicates that the body ab-
5 sorbs lead faster when the stomach is empty.

6 (6) As part of its response to the lead crisis in
7 Flint, Michigan, the Department of Agriculture pro-
8 moted nutrition education messages through Federal
9 nutrition program providers, community-based part-
10 ner organizations and farmers' markets on impor-
11 tant foods to consume to mitigate lead absorption.
12 However, more can be done to use SNAP-Ed to help
13 children and their families who are affected by lead
14 poisoning.

15 (7) In 2014 the Centers for Disease Control
16 and Prevention estimated that 535,000 children in
17 the United States had blood lead levels at or above
18 5 micrograms per deciliter which is the measure
19 used to identify children with blood lead levels that
20 are much higher than most children's levels. Of
21 these, 150,000 had levels at or greater than 10
22 micrograms per deciliter. Low-income and minority
23 children make up a disproportionate number of these
24 cases.

1 (8) It is critical that the Federal Government
2 continue to promote the use of SNAP-Ed funding
3 for activities that increase education about and ac-
4 cess to foods rich in nutrients key to combatting
5 lead exposure.

6 **SEC. 3. AMENDMENTS.**

7 (a) PURPOSE.—Section 28(b) of the Food and Nutri-
8 tion Act of 2008 (7 U.S.C. 2036a(b)) is amended by add-
9 ing at the end the following:

10 “The Secretary shall ensure that such program includes
11 messaging and education about the foods that can reduce
12 the impact of elevated blood lead levels in children, espe-
13 cially in areas where the health risk to children is high-
14 est.”.

15 (b) STATE NUTRITION EDUCATION PLAN.—Section
16 28(c)(2) of the Food and Nutrition Act of 2008 (7 U.S.C.
17 2036a(c)(2)) is amended—

18 (1) in subparagraph (B)—

19 (A) by amending clause (i) to read as fol-
20 lows:

21 “(i) present valid and data-driven
22 needs assessments of the nutrition, phys-
23 ical activity, and obesity prevention needs
24 of the target population;”;

1 (B) in clause (ii) by striking “and” at the
2 end;

3 (C) in clause (iii) by striking the period at
4 the end and inserting a semicolon;

5 (D) redesignating clauses (ii) and (iii) as
6 clauses (iii) and (iv), respectively;

7 (E) by inserting after clause (i) the fol-
8 lowing:

9 “(ii) identify the use of funding for
10 evidence-based State or local projects that
11 meet those needs;”;

12 (F) by adding at the end the following:

13 “(v) demonstrate and follow evidence-
14 based strategies for effective nutrition edu-
15 cation and obesity prevention;

16 “(vi) include a comprehensive state-
17 wide community needs assessment, pursu-
18 ant to Federal guidelines that include pub-
19 lic comments, to ensure funded activities
20 have the greatest impact on the targeted
21 populations; and

22 “(vii) to the maximum extent prac-
23 ticable, ensure that funds received under
24 this section are expended and targeted to
25 provide nutrition education and obesity

1 prevention services in areas in the State in
2 proportion to the population of eligible in-
3 dividuals residing in such areas.”; and

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

5 “(D) APPROVAL OF NUTRITION EDU-
6 CATION STATE PLAN.—After conducting a thor-
7 ough review of the State nutrition education
8 plan, the Secretary shall have exclusive author-
9 ity to approve or disapprove such plan if it sat-
10 isfies the requirements of this paragraph. The
11 Secretary shall approve such plan only if the
12 Secretary determines that implementation of
13 such plan will—

14 “(i) advance the Federal purposes of
15 SNAP-Ed to help targeted populations
16 make healthy food choices, mitigate lead
17 poisoning, and promote physical activity;

18 “(ii) a substantial likelihood of achiev-
19 ing program objectives;

20 “(iii) require the funded projects to be
21 age-appropriate, culturally appropriate,
22 and linguistically appropriate for the target
23 population;

1 “(iv) satisfactorily measure, monitor,
2 and evaluate the effectiveness of authorized
3 projects;

4 “(v) use funds received to carry out
5 such plan (and associated funds) to direct
6 nutrition education and obesity prevention
7 services to serve areas in the State that
8 have the highest concentration of eligible
9 individuals; and

10 “(vi) effectively provide nutrition edu-
11 cation and obesity prevention services
12 through projects identified based on a
13 thorough statewide community needs as-
14 sessment that involves public and stake-
15 holder feedback and that identifies areas
16 and populations in the State with the
17 greatest need for interventions.

18 “(E) TRANSPARENCY.—Not later than 15
19 days after the Secretary approves a nutrition
20 education State plan (or a modification of such
21 plan), the Secretary shall publish the approved
22 plan (or the approved modification of the ap-
23 proved plan), including the date of approval, on
24 the website of the Department of Agriculture.”.

1 (c) USE OF FUNDS.—Section 28(c) of the Food and
 2 Nutrition Act of 2008 (7 U.S.C. 2036a(c)) is amended—

3 (1) in the heading by inserting “, LEAD MITI-
 4 GATION,” and after “SERVICES”; and

5 (2) in paragraph (3)(A)(iii) by inserting “in-
 6 cluding to address elevated blood lead levels in chil-
 7 dren” before the period at the end.

8 **SEC. 4. REPORT BY COMPTROLLER GENERAL.**

9 Not later than 90 days after the effective date of this
 10 section, the Comptroller General shall begin to conduct an
 11 assessment of how each of the States allocates funds re-
 12 ceived for projects under section 28 of the Food and Nu-
 13 trition Act of 2008 (7 U.S.C. 2036a) and the extent to
 14 which such funds are currently used for lead mitigation
 15 activities. Such assessment shall include an evaluation
 16 of—

17 (1) whether the State allocation of such funds
 18 to local projects aligns with geographic areas with
 19 the highest populations of low-income individuals
 20 and households that participate in SNAP;

21 (2) whether there is a substantial likelihood
 22 that the SNAP-Ed objectives of the State SNAP-Ed
 23 plan will be achieved with funds received for SNAP-
 24 Ed;

1 (3) whether there is effective Federal oversight
2 of implementation of such plan to ensure that Fed-
3 eral funds are being used to achieve such objectives;

4 (4) the extent to which such funds will be used
5 under such plan to carry out lead poisoning mitiga-
6 tion and education projects and the extent to which
7 SNAP-Ed benefits will be targeted to those at high
8 risk for lead poisoning;

9 (5) the extent to which funds are currently
10 being used under section 28 of such Act to carry out
11 lead poisoning mitigation and education projects and
12 the extent to which program benefits are targeted to
13 those at high risk for lead poisoning; and

14 (6) the effectiveness of the process used by
15 States to solicit public and stakeholder input into
16 the development of the State agency plan, including
17 how that input is used to ensure the plan addresses
18 the most pressing nutrition education needs in the
19 State.

20 **SEC. 5. EFFECTIVE DATES.**

21 (a) GENERAL EFFECTIVE DATE.—Except as pro-
22 vided in subsection (b), this Act shall take effect 180 days
23 after the date of the enactment of this Act.

- 1 (b) EFFECTIVE DATE OF AMENDMENTS.—Section 3
- 2 shall take effect on October 1, 2020.

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