To amend the Food and Nutrition Act of 2008, the Richard B. Russell National School Lunch Act, and the Child Nutrition Act of 1966 to increase access to healthy food for families, to amend the Consolidated Farm and Rural Development Act and the Farm Security and Rural Investment Act of 2002 to increase access to credit for small and new farmers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Food and Nutrition Act of 2008, the Richard B. Russell National School Lunch Act, and the Child Nutrition Act of 1966 to increase access to healthy food for families, to amend the Consolidated Farm and Rural Development Act and the Farm Security and Rural Investment Act of 2002 to increase access to credit for small and new farmers, and for other purposes.

Be it enacted by the Senate and House of Representa-

atives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Fresh Regional Eating for Schools and Health Act of 2011”.

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

Sec. 1. Short title; table of contents.

TITLE I—INCREASING ACCESS TO HEALTHY FOOD FOR FAMILIES

Sec. 101. Supplemental nutrition assistance program.
Sec. 102. Smartphone and tablet technology; qualified online retailers.
Sec. 103. Local foods.
Sec. 104. Alternative forms of training for retail stores to provide supplemental foods under WIC program.

TITLE II—INCREASING ACCESS TO CREDIT FOR SMALL AND NEW FARMERS

Sec. 201. Loans for agricultural producers.

TITLE I—INCREASING ACCESS TO HEALTHY FOOD FOR FAMILIES

SEC. 101. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) NUTRITIONAL VALUE OF FOOD.—Section 17(b)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(ii)) is amended—

(1) in subclause (III), by striking “or” at the end;

(2) in subclause (IV), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:
“(V) provide a reasonable expectation that the nutritional value of food purchased with supplemental nutrition assistance program benefits will increase or will assist supplemental nutrition assistance program beneficiaries in meeting Federal nutrition guidelines, on the conditions that—

“(aa) in order to promote the development of innovative locally developed projects that appeal to agricultural producers, supplemental nutrition assistance program beneficiaries, anti-hunger advocates, and public health groups, a State that applies for waivers under this subclause shall solicit substantial public input for a period of not less than 90 days; and

“(bb) a waiver under this subclause shall not reduce the eligibility for, or amount of, bene-
fits available to recipients under this Act.”.

(b) REPORTING REQUIREMENTS.—Section 4 of the Food and Nutrition Act of 2008 (7 U.S.C. 2013) is amended by adding at the end the following:

“(d) REPORTING REQUIREMENTS.—

“(1) RETAIL FOOD STORE.—Not later than March 31 of each year, the owner of any 1 or more retail food store that has annual gross sales in excess of $1,000,000 resulting from the sale of food in exchange for any benefits under the supplemental nutrition assistance program shall prepare and submit to the Secretary a report listing any food purchased by any individual with any benefits under the supplemental nutrition program during the previous calendar year.

“(2) SECRETARY.—Not later than 90 days after the date on which the report described in paragraph (1) is submitted, the Secretary shall prepare and submit to Congress a report compiling the data listed in any report submitted under paragraph (1).”.

SEC. 102. SMARTPHONE AND TABLET TECHNOLOGY; QUALIFIED ONLINE RETAILERS.

(a) Smartphone and Tablet Technology.—
(1) SNAP.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended—

(A) by redesignating the second paragraph (12) (relating to interchange fees) as paragraph (13); and

(B) by adding at the end the following:

“(14) SMARTPHONE AND TABLET TECHNOLOGY.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary, in consultation with organizations representing the electronics payments industry, shall issue recommendations to States on the use and implementation of smartphone and tablet technology for acceptance of electronic benefit transfers under the supplemental nutrition assistance program.

“(B) IMPLEMENTATION.—Not later than 180 days after the date of issuance of recommendations under subparagraph (A) or as of the date of the next electronic benefit transfer contract renewal of the State, as a condition of participation in the program, each State shall ensure that the prime contractors of the State
responsible for electronic benefit transfer services and training shall make such modifications as are necessary to implement smartphone and tablet technology for acceptance of electronic benefit transfers under the supplemental nutrition assistance program in that State.”.

(2) WIC.—Section 17(h)(12) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(12)) is amended by adding at the end the following:

“(ii) SMARTPHONE AND TABLET TECHNOLOGY.—

“(i) IN GENERAL.—Not later than 90 days after the date of enactment of this subparagraph, the Secretary shall issue recommendations to State agencies on the use and implementation of smartphone and tablet technology for acceptance of electronic benefit transfers under the program.

“(ii) IMPLEMENTATION.—Not later than 180 days after the date of issuance of recommendations under clause (i), as a condition of participation in the program, each State agency shall ensure that the prime contractors of the State responsible for electronic benefit transfer services and
training shall make such modifications as are necessary to implement smartphone and tablet technology for acceptance of electronic benefit transfers under the program in that State.”.

(b) QUALIFIED ONLINE RETAILERS.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(5) an online food retailer that meets the requirements described in paragraph (1), except that benefits under the supplemental nutrition assistance program may not be used to pay for any delivery fees from the online food retailer.”.

SEC. 103. LOCAL FOODS.

Section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755) is amended by adding at the end the following:

“(f) LOCAL FOODS.—

“(1) IN GENERAL.—Notwithstanding any other provision of this section or other law, of the funds
made available to the Secretary during a fiscal year
for direct expenditure by the Secretary for agricul-
tural commodities and other foods to be distributed
under this Act and the Child Nutrition Act of 1966
(42 U.S.C. 1771 et seq.) (other than funds made
available under section 10603 of the Farm Security
and Rural Investment Act of 2002 (7 U.S.C. 612c–
4) or section 4404 of the Food, Conservation, and
Energy Act of 2008 (7 U.S.C. 612c–5)), the Sec-
retary shall make available 50 percent of those funds
each fiscal year to schools and school food authori-
ties participating in the food service programs under
this Act and the Child Nutrition Act of 1966 (42
U.S.C. 1771 et seq.) to purchase directly local foods
for use in the food service programs.

“(2) IMPACT ON SPECIALTY CROPS.—If the
Secretary determines that the requirement under
paragraph (1) is negatively impacting the purchase
of specialty crops for distribution under this Act and
the Child Nutrition Act of 1966 (42 U.S.C. 1771 et
seq.), the Secretary may require that schools and
school food authorities, as a condition on the receipt
of funds under paragraph (1), use the funds to pur-
chase local specialty crops.”.
SEC. 104. ALTERNATIVE FORMS OF TRAINING FOR RETAIL STORES TO PROVIDE SUPPLEMENTAL FOODS UNDER WIC PROGRAM.


(1) in clause (x), by striking “and” after the semicolon at the end;

(2) by redesignating clause (xi) as clause (xii); and

(3) by inserting after clause (x) the following: “(xi) a plan to allow retail stores to receive alternate forms of training (including through videoconferencing) from the State agency to obtain authorization to provide supplemental foods under the program; and”.

TITLE II—INCREASING ACCESS TO CREDIT FOR SMALL AND NEW FARMERS

SEC. 201. LOANS FOR AGRICULTURAL PRODUCERS.

(a) DIRECT FARM OWNERSHIP LOANS.—Section 302(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(b)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “or has obtained a baccalaureate degree related to farm management (including horticulture
and agricultural business management)” after “not less than 3 years”; and

(2) by adding at the end the following:

“(4) Suspension of limitation on period for which borrowers are eligible for direct farm ownership loans.—Beginning on the date of enactment of this paragraph, subparagraph (C) of paragraph (1) and subparagraphs (B) and (C) of paragraph (3) shall have no force or effect.”.

(b) Eligibility of food banks and other nonprofit hunger assistance organizations for operating loans.—Section 311(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(a)) is amended by striking “and limited liability companies” each place it appears and inserting “limited liability companies, and food banks and other nonprofit hunger assistance organizations”.

(c) Suspension of limitation on period for which borrowers are eligible for direct operating loans; microloan program.—Section 311(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(e)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “and (4)” and inserting “through (5)”;}
(2) by adding at the end the following:

“(5) Suspension of limitation on period for which borrowers are eligible for direct operating loans.—Beginning on the date of enactment of this paragraph, subparagraph (C) of paragraph (1) shall have no force or effect.

“(6) Microloan program.—

“(A) In general.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall establish a microloan program within the operating loan program established under this subtitle.

“(B) Loan amount.—Each loan issued under the program shall be in an amount of not less than $500 and not more than $5,000.

“(C) Loan processing.—The Secretary shall process any loan application submitted under the program not later than 30 days after the date on which the application was submitted.

“(D) Expediting applications.—The Secretary shall take any measure the Secretary determines necessary to expedite any application submitted under the program.
“(E) Paperwork reduction.—The Secretary shall take measures to reduce any paperwork requirements for loans under the program.”.

(d) Suspension of limitation on period for which borrowers are eligible for guaranteed assistance.—Section 5102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1949 note; Public Law 107–171) is amended by striking “During the period beginning January 1, 2002, and ending December 31, 2010,” and inserting “Beginning January 1, 2002,”.