

## Updated Healthy & Nutritious Food for All Bill: Initial Draft – w edits spurred by Sanders staffers' call, further discussions, previously

### Introduction

In March 2018, Gray Panthers of Metropolitan Washington partnered with the Central NorthEast Civic Association to convene ***The Why Conference: Food Justice and Our Right to Food – The Fight Against Hunger***. The conference posed the seminal and follow-up questions, “Why in the world’s wealthiest nation does hunger even exist? Further, if we, the working class, make and produce everything, why are we the hungry?” The question was explored and answered with the aid of a publication produced by the renowned California think tank Food First, whose backgrounder on world hunger myths began by explaining that after 40 years researching the issue, their conclusion that the main problem dealing with hunger was in how people thought about it. The backgrounder further stated, “*Food scarcity is not the problem, but the scarcity of real democracy protecting people’s access to nutritious food is a huge problem. So, fighting hunger means tackling concentrated political and economic power in order to create new equitable rules. Otherwise hunger will continue no matter how much food we grow.*” (Excerpted from ***Backgrounder, World Hunger: Ten Myths*** by Food First co-founders Frances Moore Lappé & Joseph Collins).

The answer to the Why question developed by the conference was that hunger exists as the result of food being commodified as a for-profit industry, under the economic system of public production for private expropriation, best known as capitalism, which profits from people being hungry. And, people are hungry not just because they don’t have enough money, but also because this exploitative economic system needs hungry workers to frighten the rest of us about what could be in store for us, to get us to work for nothing – like, during the 2019 government shutdown. And, people lack enough money to meet their needs for a myriad of reasons: their jobs don’t pay enough to meet their needs (no living wage); they are unemployed and don’t receive support to meet their needs (inadequate support for the unemployed); they are homeless (no affordable housing policy); an illness has taken so much of their funds they can’t afford healthy, nutritious food (no universal health care); and many other challenges brought on and/or complicated by the chaos of capitalism. This is true for all of our social needs – housing, health care, education, water, energy, etc.

This bill is the product of the Food for All Bill committee that emerged from the Why Conference. We also learned from the ‘myths’ that feudalism fell because people stopped believing in it. This fact is particularly resonant today when nearly a million federal workers are either furloughed, meaning working without pay or not working with no assurances they will be paid. This is happening during a time that 40 percent of adults in this country cannot survive a \$400 emergency, and we hear reports daily of federal workers selling off items and possessions to secure funds to make it through the shutdown, some even having to sell their blood. All this is being precipitated by the 45<sup>th</sup> US President, who never worked a day in his life, who should never and can never speak for our (working) class.

### Preamble:

We offer this **Healthy & Nutritious Food for All Bill** with the understanding that healthy and nutritious food is a basic human right for all people. Based on research, we know that there is an abundance of healthy and nutritious food, but that many people in the U.S. are not able to access this food because of lack of money, and/or lack of access to healthy nutritious food, i.e., those who live in food deserts or swamps. This bill offers a model of policies, programs, and practices to insure the distribution of healthy and nutritious food to all people in the U.S. based on need.

For precedents, legislation should be scrubbed to identify and consolidate all the food provisions in various bills not necessarily focused on food programs. *(As one example, when School Meal provisions in the 1980s were incorporated into Defense Appropriations to bypass Sen. Jesse Helms, who chaired the relevant appropriations committee, but would not bring the provisions restoring funding for school meals up for a vote.)*

**Section 1: Expansion of Food Stamps.** All families receiving food stamps on a monthly basis will receive the maximum amount of food stamps, in order to have a healthy diet, and the ability to have sufficient food stamps to ensure an adequate amount of food, meaning **it will not again be designed to run out before the end of the month.** The amount will be determined by an assemblage of nutritionists, food experts, and the experiences of food stamp recipients, who can help provide input on what the allotment of monthly food stamps should be; based on various factors such as family size and the right to eat healthy, nutritious, culturally appropriate food wherever one might be, starting with reviewing the “High Cost Food Plan” for possible implementation, previously developed at the federal level but never allotted. To ensure geography is not a limiting factor, this right is the same for those living in cities, suburbs, rural areas, outer US colonies (i.e. Guam, Puerto Rico, Alaska, Hawaii), and all food deserts. The administrators are responsible for ensuring this access universally.\*

- A. Change the existing benefit allotment formula from the currently inadequate “Thrifty Food Plan” formula for allocating food stamps, which is based on a short-term emergency diet and, although allocated monthly, is only designed to last for two weeks. The guidance for the act will, as stated in the previous paragraph, create new standards for allotting food stamp benefits. A Task Force of nutritionists, food experts, participants, anti-hunger, anti-poverty, food service groups, farmers, farmworkers, professional food/nutrition organizations, e.g., representatives from National Dietetics Association, School Nutrition Association, Congressional Research Service, Institute of Medicine, National Welfare Rights Union, Poor Peoples Campaign, National Latino Ranchers & Farmers Association, and others with expertise on the real impact of this support program from experience, to assess and help craft the new standards.
  - a. Recognizing that hunger is immediate and Task Forces generally move more like a “force of nature” – very deliberately & slowly – this bill recommends that in the interim, the following allotment levels, based on the strategy of quadrupling the average per-meal allotment of \$1.32 per meal will be implemented until the findings of the Task Force are released.
  - b. The base level for SNAP allotments are amended to \$5.28 per meals for 90 meals (3 meals per day for 30 days) for one person; adding \$300 for each additional family member, recognizing that these funds are for families making and preparing their meals at home. Because these benefits are being universalized and eliminating the complex “Food Stamp (now SNAP) allotment formula”, some of the inadequacies are being addressed – like those stories of seniors only being eligible for \$15 a month in benefits, often costing more than the benefits when one has to pay someone else to take them for the benefits and/or the foods they purchase. This allotment level will cover allotment levels for Alaska (Urban, Rural 1 & Rural II), Guam, Hawaii and the Virgin Islands.
  - c. This results in allotments as follows:  
Family Size - Allotment

1 - \$475.20; 2 - \$775.20; 3 - \$1075.20; 4 - \$1375.20; 5 - \$1675.20; 6 - \$1975.20; 7 - \$2275.20 and so on.

- B. Incorporated into the new formula will be guidance on developing easy to compute standards and strategies for determining benefit levels that include, but are not limited to: family size; geography, i.e., proximity of healthy and nutritious food access (including allotments that take into account the realities of obtaining the food); consideration for special diets required for various health needs, i.e., special diet requirements for seniors, infants, disabled participants, pregnant and/or nursing mothers, allergies, et al.
- C. Participants will not be required to work in exchange for program benefits. College students are also categorically eligible, and seniors' benefit levels will be sufficient for their needs.
- D. Returning citizens are categorically eligible to participate, and former conditions of incarceration will not be an impediment to program participation.
- E. An auxiliary program will be established, working with socially disadvantaged farmers and ranchers to develop a priority program that explores how best to create supports and incentives that enable participation by this target group, including smaller markets operating in rural, suburban and urban markets, especially in areas designated as "food deserts or swamps."
- F. Developing strategies to support certifying applicants with mobility challenges, whether physical, income, and/or transport. These strategies can include, but are not limited to supporting field or mobile employees who can travel to customers, or to location(s) closer to customers, or some other distance access strategy currently being utilized by the health care or other community.
- G. Alternatively, working with the Department of Transportation, funds will be made available to underwrite jitneys or community van services to both assist customers registering and certifying for the program, as well as offering rides for shopping, either at supermarkets, farmers markets, and/or non-profit or community grocery stores.
- H. All SNAP families will receive, in addition to maximum benefits for procuring healthy and nutritious food, an allotment designated for purchasing non-food items that will support purchase of sanitary and household items such as (dish) detergent, laundry soap, bleach, and other items designed to maintain clean and healthy homes, kitchens and environments, none of which can be purchased with Food Stamp benefits. The amount will be scaled in accordance with family size.
- I. Families or individuals who, despite having obtained the maximal food stamp allocations outlined in this section, still find themselves needing additional food stamp allotments for any reason during a given month, shall be free to return to any food stamp application venue. via guaranteed, free-of-charge transportation as needed, in order to complete a short form stating the circumstances causing this additional need, as well as the additional dollar amount's worth

of food stamps needed. All applicants shall obtain their additional food stamps on the day of application, and all requests for additional food stamps shall be considered *bon fide*.

- J. All food stamp distribution and application venues, in urban, rural, and/or suburban areas shall operate seven days per week, and some shall remain open for twenty-four hours, and provide transportation to those who need to reach them at late night or early morning hours.
- K. Hiring priorities at these food stamp application/distribution centers shall go to residents of the communities in which these centers are located. Employees at these centers shall be paid a living wage.

**Section 2. Presumptive Eligibility.** All people who apply for food stamps will be presumed “eligible” to receive food stamps, after filling out a one-page document that explains why they need food stamps. There will be no waiting period when applying for food stamps, all prospective recipients will receive their food stamps in the social services office where they have applied, on that same day.

A. Basic background check - one page:

- Name
- Income
- Address
- Family Size
- What led you to apply for food stamps?
- Provisions for Homeless (Point of Contact, Surrogate/Proxy, Social Service Organization, Shelter, PO Box)
- Provisions for Returning citizens
- Military members
- Citizenship is NOT a requirement.

B. Customers can apply for benefits through the one page form preceding in 2.A. at any social service agency, i.e., SSA, DMV, HHS, etc.

C. EBT cards will be provided to Customers at no charge. This includes replacements as needed. There will be no fees allowed for checking on card benefits.

D. Resources will be made available to support strategies to accommodate customers with limited literacy, disabilities, and broadest possible interpretation services, as are currently made available to WIC customers through Language Line.

E. Facilitate establishment of procedures facilitating customers signing up in such alternate locations as clinics/hospitals, colleges/universities, faith institutions, etc.

F. Provisions will be made to facilitate these institutions offering assistance to customers in filling out forms as needed.

**Section 3. Full Funding For the National School Lunch and Breakfast Programs:** A healthy and nutritious School Breakfast and Lunch are recognized as critical components of a quality education and available to all children in attendance free of charge. There will be a programmatic expansion of funding to ensure the availability of free meals through the Healthy and Nutritious Public School Breakfast and Lunch

Programs in every city and town across the nation, wherever children are in school. [As one example, examine DC's Healthy School Meals Act (which is fairly comprehensive and includes strategies & goals for increasing student physical activity as well) for sample language & strategies; also check out some model legislation supporting development and production of appealing, appetizing culturally appropriate and healthy, nutritious meals that meet school meal nutritional standards for more details & input; will also emphasize and support local production and supply using incentives & preference (to encourage collaboration and contracting with local farmers rather than agribusiness.)]

Nutritional standards, training and guidance will be examined and guided by those with extensive experience and knowledge of nutritional benefits, innovative approaches and meal development, working with those identified with expertise and knowledge of foods and culturally appropriate menus that appeal to the target school population. These programs will ensure maximum support for students who may be relying on school meals for their primary nutritional support.

Cost will not be a factor since all meals are to be served free of charge to all students, each of whom is eligible to participate in these programs and obtain their choice of healthy fare, inasmuch as this program is an integral part of the educational experience. As the result, input into nutritional menus that integrate a range of dietary preferences of the customer base will be developed with input from the customers, to ensure that the menus offer choices that accommodate, appeal to and/or introduce all eaters to the wide range of backgrounds of the school population. All children, including foster children and those whose parents receive Medicaid, food stamps, or TANF (welfare) benefits or are referred to by a school principal or guidance counselor, are automatically eligible for and encouraged to receive meals free in these programs. Area eligibility strategies developed and currently being implemented to justify serving and covering costs of providing meals free to all students will be used whenever and wherever possible as the existing payment system is being completely overhauled. In that process, input and guidance from the School Nutrition Association, its history and members (food service professionals working to provide quality school meals to students within the cost constraints of the current system) will be sought and their input integrated into the planning and covering of program costs and calculations for providing support to various school systems, districts and meal programs.

Local farmers operating in the surrounding areas of the schools, will have priority in terms of the bulk purchasing of food and drink from local farmers, for example in Farm-to-School programs. In particular, priority will be given to farmers who represent communities of color, including training, support with applying to participate, and facilitating their participation. Input in developing the support needed will be solicited from the local producers themselves, in fashions that recognize and accommodate those special circumstances of the small farmers and producers.

**Section 4. Full Funding for the Child and Adult Care Food Programs:** The Child and Adult Care Food Program provides support to feed children from infancy up to age 21 in both home day care programs and child care facilities, such as Head Start, and other group child care settings. There will be provisions in this section supporting meals served family style (as Head Start does), as well as in individual pods or meals as do school meal programs. The explicit details of meals and food to be served, including preparing, procuring, menus, and other specifics will be developed by a Task Force comprised of experts in child care, nutrition standards, and creating nutritious menus appealing to program participants.

A. Nutritional standards, training and guidance will be examined and refined by those with extensive experience and knowledge of nutritional benefits of innovative approaches and meal development. Those members identified with expertise and knowledge of foods and culturally

appropriate menus that appeal to the target customers will also thoroughly review the standards, training and guidance with the goal of developing modules and materials to assist program practitioners.

B. Congregate Meals – This program provides meals for seniors in group settings, as in senior living facilities, adult day care programs, etc. The program serves adults who are in day care or other group programs, utilizing nutritional standards developed by nutritionists and gerontologists for group meals, with input from the customers.

C. Home Delivered Meals – This program provides meals for seniors in individual settings, similar to the private program, Meals on Wheels. Meals are to be tailored to various nutritional needs and health restrictions. Seeking innovative partnering of this government program with Meals on Wheels may be a preferred option and should be explored.

D. Commodity Supplemental Foods Program – This program provides nutritious commodities to pregnant women, children to age 6, and seniors age 60 and over. Instead, children should be served up to age 6 in WIC which provides nutritional prescriptions to support its customers thriving, and seniors should be allotted sufficient healthy and nutritious food benefits under the Food Stamps program or its equivalent, rather than using commodities to supplement meals for pregnant women, children, seniors, and/or school meals, without concomitant fresh and healthy foods that are not provided by commodities.

#### **Section 5. Establishing Non-Profit Or Government-Owned Grocery Stores in Food Deserts:**

Neighborhoods, communities, and towns where there is a shortage of fresh foods and grocery stores, would be given grants by USDA, to create, stock and manage non-profit or government-run grocery stores and farmers markets. Priority will be given to local farmers to provide food for the grocery stores, in particular, farmers of color. Standards will be established with input from small farmers and target communities to ensure that both the customer and provider needs are met. Emphasis will be placed on securing access to adequate supplies of healthy and nutritious food to stock the stores. Innovative strategies may be used, including:

- Establish networks linking restaurants, non-profits and schools;
- Utilize national, state and local networks;
- Build on the non-profit networks;
- Link with gleaning farms;
- Utilize 'ugly' produce;
- Build on models based on need;
- Work with such representative groups as the Federation of Southern Cooperatives;
- Have representation from the sustainable food movement sector;
- Identify non-profit grocery e.g., WIC stores;
- Develop a corollary education program for customers, practitioners and surrounding community;
- Utilize model of Greater Food Depository in Chicago for distributing commodities;
- Develop program linking up with grocers to get overstock quantities to supply not-for-profit stores with produce and other healthy foods, securing product and creating jobs;
- Explore linking up with chefs operating innovative programs with tractor trailers, forming 'disaster kitchens' (i.e., José Andres in Puerto Rico after hurricanes or Guy Fieri during wildfires in California) to explore potential support for non-profit stores and soup kitchens.

**Section 6:** **Local restaurants that have passed local food inspection procedures** can provide local food banks, soup kitchens and their customers with food from those restaurants:

- Use as models existing programs that repurpose prepared food to develop standards, procedures and guidance, e.g., DC Central Kitchen;
- Promote the passage of Good Samaritan laws to indemnify agencies/organizations donating and utilizing prepared and other foods;
- This provision supports access to prepared or ready-to-eat meals for persons without cooking facilities or skills, i.e., homeless persons;
- Explore potential for securing training opportunities with provider restaurants for food bank/soup kitchen customers.

**Section 7:** **Farm to Store/Restaurant Distribution of Produce, Dairy & Poultry Products and Meats**

A. Small farms, and farms owned by People of Color raising produce or livestock shall enjoy priority status in selling their products to restaurants, food cooperatives, shelters, schools, assisted-living facilities, or hospitals in their communities or metropolitan areas. These producers shall also have the option of bringing their products directly to farmers' markets, or of selling them to their Federal, State, County, or Municipal government agencies. A task force consisting of local farmers, nutritionists, agronomists, consumers, civil servants and other members of civil society shall arrive at a prices for these foodstuffs that keep them affordable to consumers, but which simultaneously guarantee food producers a comfortable standard of living, and ensure their ability to innovate and improve production methods and produce quality, and provide veterinarian services for livestock.

B. Small farmers and farmers of Color shall also be eligible for grants, interest-free loans, or a combination thereof from the U.S. Department of Agriculture in order to realize the advantages and improvements mentioned above, and to maintain livestock on a healthful and free-range basis.

C. In order to obtain such government assistance, farmers must maintain livestock in a healthful and human manner, without denying them their natural mobility and reproduction needs. The inclusion of offal, growth hormones, or other artificial drugs in feed shall be prohibited, and render a producer ineligible for such assistance. The same ruling shall apply to the use of artificial coloration, or fertilizers containing carcinogenic chemicals in the raising of produce.

D. Where needed, Federal, state, county, or municipal governments, with assistance from the U.S. Department of Agriculture, shall provide small local farmers and farmers of Color with transportation for the bringing of produce, dairy products or meat to grocery stores, distribution cooperatives, restaurants, schools, assisted-living facilities or hospitals within their larger communities in a timely manner that will prevent spoilage.

E. Municipal governments shall have priority rights to claim empty lots in urban areas in order to lease or sell them to community groups or non-profit organizations wishing to use these lots for the establishment of grocery stores or food distribution or processing centers.

F. All food processing centers shall be required to process food in a manner that keeps it clean and fresh, and which does not compromise its nutritional value. Standards of refrigeration shall be

strictly maintained, and the use of artificial coloration and carcinogenic preservatives shall be prohibited.

G. The term "carcinogenic" shall refer to all preservatives, feed ingredients, fertilizer ingredients, or colorations that the U.S. Food and Drug Administration has found to be linked to any form of cancer, or is being investigated on such grounds.

**Section 8. Incorporating the Food & Farm Act:** This act was proposed by Congressman Blumenauer of Oregon and supported by the Progressive Caucus. It is fairly broad, and focused more on making adjustments to the supply side of food production and the Farm Bill. The Food & Farm Act covers: Commodities and Crop Insurance; Conservation; Food Assistance; Nutrition; Future of American Farmers; Food Waste; Research, Extension, and Related Matters; Animal Welfare; and Regional Food Systems.

**Section 9. Establishing A USDA National Food For All Task Force:** Recognizing that too often those administering and crafting programs to provide support to our citizens in need have little experience with the challenges faced by those in need, the U.S. Department of Agriculture will create a new kind of Task Force to oversee the challenge presented by this effort to convert our existing food programs into those that are compassionate, creative, and respectful of the dignity of those being served. Additionally, and equally important, the Task Force will craft measures and standards to manage and ensure oversight of the offices and practitioners implementing the provisions and programs articulated herein. This 25-Member Task Force will be comprised of Welfare Rights leaders and other representatives of the poor, with emphasis on identifying representatives who have experienced hunger and/or utilized various social support programs in response. The Task Force will, at a minimum, include: farmers, civil society leaders, physicians, elected officials, artists, food bank operators, nutritionists, social service administrators who work in the field of government and non-profit food distributors and soup kitchens. One of the first challenges for this Task Force will be to craft an oversight strategy to ensure these goals will be met.

The Task Force will release an annual report to Congress, have Congressional hearings, and provide details on hunger statistics, food deserts and swamps in America, as well as other food challenges facing America. And, additionally, offer solutions to ending hunger in America. The annual Task Force report will be issued to the public and the press.

**Section 9: Federal Funds from the Department of Transportation:** Funds will be authorized to provide local governments with resources to support customers or providers needing transportation assistance, for the express purposes of providing transport to customers by: procuring vans and drivers, funding for public transport where available to support those who need transportation assistance to get to social service offices, food banks, soup kitchens, non profit or government operated grocery stores in food deserts, or grocery stores.

A. A citizens advisory board will be created, comprised of local elected officials, faith leaders, transportation experts, volunteer organizations, social service workers, community and neighborhood leaders to ensure that an effective and successful transportation system is developed for local entities who receive government transportation funds for food accessibility;

B. No fees or charges are accepted from those who use the food access transportation system;

C. A van or similar (e.g. jitney) transportation system will be established under this act, to ensure that any Transportation back and forth to a food provider, will be accessible to those who are



physically challenged, low income, or need assistance in transportation because they don't have access to a car, cannot afford public transportation - either dollars or time;

**Section 10: Miscellaneous.** Members of Indigenous Nations inhabiting areas of the Great Plains containing farms that previous owners have abandoned due to financial difficulties shall share with those producers priority rights to grants, interest-free loans, or a combination thereof for the reclamation of those farms, or the use of those farms as forage for bison, deer, or other livestock native to the region.

March 16, 2019