118TH CONGRESS
1ST SESSION

H. R. ______

To amend the Food, Conservation, and Energy Act of 2008 with respect to the Gus Schumacher Nutrition Incentive Program and the sustainability of such program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CRAWFORD introduced the following bill; which was referred to the Committee on

A BILL

To amend the Food, Conservation, and Energy Act of 2008 with respect to the Gus Schumacher Nutrition Incentive Program and the sustainability of such program, 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 “GusNIP Expansion

5 Act of 2023”.
SEC. 2. IMPROVING THE FINANCING OF THE GUS

SCHUMACHER NUTRITION INCENTIVE PROGRAM.

(a) Food Insecurity Nutrition Incentive

Grants.—Section 4405(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517(b)) is amended—

(1) in paragraph (1)(C), by striking “50” and inserting “80”; and

(2) by adding at the end the following:

“(3) Cooperative agreements to scale statewide incentive programs.—

“(A) In general.—For the purposes of scaling existing incentive programs under paragraphs (1) and (2), the Secretary shall establish cooperative agreements between—

“(i) eligible entities and the Food and Nutrition Service or the National Institute of Food and Agriculture (or both); and

“(ii) either—

“(I) a State SNAP agency; or

“(II) a non-profit or local government in partnership with a State SNAP agency.

“(B) Criteria.—Each agreement entered into pursuant to this paragraph—

“(i) shall—
“(I) be for a duration of at least 4 years;
“(II) include a requirement that any project carried out pursuant to the agreement be subject to the criteria and priorities under paragraphs (1) and (2); and
“(III) require that before the end of the agreement, at least 90 percent of the funds received pursuant to the agreement are spent on redeemed incentives at the eligible retailer; and
“(ii) may only be entered into with an entity that previously received a grant under this subsection.
“(C) PRIORITY.—The Secretary shall prioritize cooperative agreements under this paragraph—
“(i) in the same manner as projects under paragraph (2); and
“(ii) that work in a variety of retail settings, including independent retailers and farmers markets.”.
(b) PRODUCE PRESCRIPTION PROGRAM.—Section 4405(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517(c)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—The Secretary shall establish—

“(A) a pilot grant program under which the Secretary shall award grants to eligible entities to conduct projects that demonstrate and evaluate the impact of the projects on—

“(i) the improvement of dietary health through increased consumption of fruits and vegetables;

“(ii) the reduction of individual and household food insecurity; and

“(iii) the reduction in healthcare use and associated costs; and

“(B) a grant program described in subparagraph (A) that has a demonstrated ability to expand clinical research on the value of delivering the program through clinical practice.”;

(2) in paragraph (3), by adding at the end the following:

“(C) CRITERIA.—
“(i) Seeding Infrastructure Grants.—The Secretary shall establish criteria for awarding grants under paragraph (1)(A) that—

“(I) study previously unknown facts about the program design;

“(II) establish or validate best practices; or

“(III) establish infrastructure that aids community health centers and independent produce retail outlets.

“(ii) Expansion Grants.—The Secretary shall establish criteria for awarding grants under paragraph (1)(B) that have—

“(I) a minimum intervention cohort of 300 patients;

“(II) a matched group or have demonstrated the ability to scale when delivered through clinical practice;

and

“(III) an intervention duration of 12 months or longer.”; and

(3) by adding at the end the following:
“(6) RANGE OF AWARDS.—The amount of a grant awarded—

“(A) under subsection (c)(1)(A) shall be not less than $100,000 and not more than $400,000; and

“(B) under subsection (c)(1)(B) shall be not less than $1,000,000 and not more than $2,500,000.

“(7) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary, in consultation with the Comptroller General of the United States, the Secretary of Health and Human Services, the Administrator of the Centers for Medicare and Medicaid Services, and any other relevant agency head, shall conduct a study and issue recommendations on how to transition payment for the produce prescription program to health insurance programs not later than 10 years of after the date of the enactment of the GusNIP Expansion Act of 2023.

“(8) REVIEW PANEL.—Not later than 1 year of the date of enactment of the GusNIP Expansion Act of 2023, the Secretary shall establish a review panel to review grant applications under this subsection.”.
(c) FUNDING.—Section 4405(f) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517(f)) is amended—

(1) in paragraph (1), by striking “2023” and inserting “2028”;

(2) in paragraph (2)—

(A) in subparagraph (F), by striking “and” at the end;

(B) in subparagraph (G), by striking “and each fiscal year thereafter.” and inserting “; and”;

(C) by adding at the end the following:

“(H) $57,500,000 for fiscal years 2024 through 2028; and

“(I) $56,000,000 for fiscal year 2029 and each fiscal year thereafter.”;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “2023” and inserting “2028”; and

(B) in subparagraph (A), by striking the semicolon and inserting: “—

“(i) 50 percent of such funds shall be used for pilot grants described in sub-section (c)(1)(A); and
“(ii) 50 percent of such funds shall be used for grant programs described in subsection (c)(1)(B);”;

(C) in subparagraph (C)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) $12,000,000 for each of the fiscal years 2024 through 2028; and”; and

(D) by adding at the end the following:

“(D) the Secretary shall use 80 percent of remaining funds for cooperative agreements under subsection (b) of this section.”.