

# Union Calendar No. 394

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8450

[Report No. 117-548]

To reauthorize child nutrition programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2022

Mr. SCOTT of Virginia (for himself and Ms. BONAMICI) introduced the following bill; which was referred to the Committee on Education and Labor

NOVEMBER 7, 2022

Additional sponsors: Mr. MCNERNEY, Mr. SABLAN, Mr. JONES, Ms. BROWNLEY, Mr. SWALWELL, Mr. BLUMENAUER, Ms. DEGETTE, Mr. NEGUSE, Mr. DESAULNIER, Mrs. MCBATH, Mr. BOWMAN, Mr. ESPAILLAT, Mr. MFUME, Mrs. HAYES, Ms. STEVENS, Mr. HORSFORD, Mrs. AXNE, Mr. MORELLE, Mr. TONKO, Mr. DEUTCH, Mr. HUFFMAN, Mrs. TRAHAN, Mr. WELCH, Mr. LYNCH, Ms. NORTON, Ms. STRICKLAND, Mr. CARTER of Louisiana, Mr. BROWN of Maryland, Mr. RUPPERSBERGER, Mr. SMITH of Washington, Mr. AGUILAR, Mr. MOULTON, Mr. CASTEN, Ms. SCHAKOWSKY, Ms. WILLIAMS of Georgia, Mr. GOMEZ, Mr. KILMER, Mr. LIEU, and Mr. SARBANES

NOVEMBER 7, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 20, 2022]

# **A BILL**

To reauthorize child nutrition programs, 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; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*  
 5 *“Healthy Meals, Healthy Kids Act”.*

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

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definition of Secretary.*

**TITLE I—EXPANDING ACCESS TO SCHOOL MEALS**

*Sec. 101. Emergency waivers or modifications.*

*Sec. 102. Direct certification for children receiving Medicaid benefits.*

*Sec. 103. Expanding community eligibility.*

**TITLE II—ENSURING THE LONG-TERM VIABILITY OF SCHOOL MEAL PROGRAMS**

*Subtitle A—Programs Under the Richard B. Russell National School Lunch Act*

*Sec. 201. Increasing reimbursement rate of school meals.*

*Sec. 202. Statewide technology solutions included as State administrative costs.*

*Sec. 203. Annual reimbursement rate and commodity improvements.*

*Sec. 204. Food service management.*

*Sec. 205. Kitchen improvement and personnel training.*

*Sec. 206. Statewide online household applications.*

*Subtitle B—Programs Under the Child Nutrition Act of 1966*

*Sec. 211. Professional development and training.*

*Sec. 212. Technology and infrastructure improvement.*

*Sec. 213. State administrative expenses.*

**TITLE III—MODERNIZING THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)**

*Sec. 301. Adjunctive eligibility.*

*Sec. 302. WIC eligibility and certification periods.*

*Sec. 303. Certification and recertification determinations and nutritional risk evaluations.*

*Sec. 304. Paperwork reduction.*

*Sec. 305. Nutrition education materials related to food allergies.*

*Sec. 306. Breastfeeding supply coverage.*

*Sec. 307. Water benefits during disasters.*

*Sec. 308. Infant formula procurement online source of information.*

*Sec. 309. Breastfeeding peer counselor program.*

*Sec. 310. Product pricing.*

- Sec. 311. WIC A50 stores.*
- Sec. 312. WIC EBT Modernization.*
- Sec. 313. Spend forward authorities.*
- Sec. 314. Administrative simplification.*
- Sec. 315. Authorization of appropriations.*
- Sec. 316. WIC farmers' market nutrition program.*
- Sec. 317. Supporting Healthy Mothers and Infants.*

*TITLE IV—MODERNIZING THE CHILD AND ADULT CARE FOOD PROGRAM*

- Sec. 401. Eligibility certification criteria for proprietary child care centers.*
- Sec. 402. Automatic eligibility for children in supplemental nutrition assistance households.*
- Sec. 403. Review of serious deficiency process.*
- Sec. 404. Authorization of reimbursements for additional meal or snack.*
- Sec. 405. Adjustments.*
- Sec. 406. Age limits in homeless shelters and emergency shelters.*
- Sec. 407. Advisory committee on paperwork reduction.*

*TITLE V—ADDRESSING CHILD FOOD INSECURITY DURING THE SUMMER*

- Sec. 501. Summer food service program for children.*
- Sec. 502. Summer electronic benefits transfer for children program.*

*TITLE VI—IMPROVING CAPACITY AND PROMOTING SUSTAINABILITY*

- Sec. 601. Values-aligned procurement.*
- Sec. 602. Procurement training.*
- Sec. 603. Buy American.*
- Sec. 604. Plant-based foods in schools.*
- Sec. 605. Food waste and nutrition education.*
- Sec. 606. Farm to school grant program.*

*TITLE VII—SUPPORTING TRIBES AND FREELY ASSOCIATED STATES*

- Sec. 701. Tribally operated meal and snack pilot project.*
- Sec. 702. Island areas eligibility feasibility study under the Richard B. Russell National School Lunch Act.*

*TITLE VIII—ADDRESSING LUNCH SHAMING AND UNPAID MEAL DEBT*

- Sec. 801. Unpaid meal debt.*
- Sec. 802. National advisory council on unpaid meal debt in child nutrition programs.*

*TITLE IX—STRENGTHENING EVIDENCE-BASED NUTRITION STANDARDS*

- Sec. 901. Updating nutrition standards for meal patterns.*
- Sec. 902. Non-nutritive sweeteners, synthetic dyes, and other potentially harmful substances in school meals.*

## TITLE X—OTHER MATTERS

*Subtitle A—Programs Under the Richard B. Russell National School Lunch Act*

- Sec. 1001. Accommodating dietary requirements.*  
*Sec. 1002. Data protections for household applications.*  
*Sec. 1003. Eating disorder prevention.*  
*Sec. 1004. Compliance and accountability.*  
*Sec. 1005. National hunger hotline and clearinghouse.*  
*Sec. 1006. Ensuring adequate meal time.*

*Subtitle B—Programs Under the Child Nutrition Act of 1966*

- Sec. 1011. Enhancing nutrition education.*

*Subtitle C—Improving Food Donations*

- Sec. 1021. Food donation in schools.*  
*Sec. 1022. Bill Emerson Good Samaritan Food Donation Act.*  
*Sec. 1023. Regulations.*

*Subtitle D—Miscellaneous*

- Sec. 1031. Technical Amendments.*

**1 SEC. 2. DEFINITION OF SECRETARY.**

**2** *In this Act, the term “Secretary” means the Secretary*  
**3** *of Agriculture.*

**4** **TITLE I—EXPANDING ACCESS TO**  
**5** **SCHOOL MEALS**

**6 SEC. 101. EMERGENCY WAIVERS OR MODIFICATIONS.**

**7** *Section 12 of the Richard B. Russell National School*  
**8** *Lunch Act (42 U.S.C. 1760) is amended—*

**9** *(1) by inserting the following after subsection (j):*

**10** *“(k) EMERGENCY WAIVERS OR MODIFICATIONS.—*

**11** *“(1) IN GENERAL.—Except as provided in para-*  
**12** *graph (4), during an emergency period, the Secretary*  
**13** *may waive (including by modifying) any requirement*  
**14** *under this Act or the Child Nutrition Act of 1966 (42*

1       *U.S.C. 1771 et seq.*), or any regulation issued under  
2       either such Act, for States or eligible service providers  
3       on a multi-State, State, or eligible service provider  
4       basis if—

5               “(A) the requirement cannot reasonably be  
6               implemented under the conditions which prompt-  
7               ed the emergency period in the affected area;

8               “(B) a State or eligible service provider re-  
9               quests a waiver in a format prescribed by the  
10              Secretary;

11              “(C) in the case of a request by an eligible  
12              service provider under subparagraph (B), the  
13              State in which such eligible service provider is  
14              located includes a statement of support or oppo-  
15              sition with respect to the request; and

16              “(D) the Secretary determines that the  
17              waiver would—

18                      “(i) facilitate the ability of such States  
19                      or eligible service providers to carry out the  
20                      purpose of such Acts; and

21                      “(ii) not decrease access to, or eligi-  
22                      bility for, any program under such Acts.

23              “(2) *NATIONWIDE, REGIONAL, AND STATE-WIDE*  
24              *BASIS.—Except as provided in paragraph (3), during*  
25              *an emergency period, the Secretary may waive (in-*

1 *cluding by modifying) any requirement under this*  
2 *Act or the Child Nutrition Act of 1966 (42 U.S.C.*  
3 *1771 et seq.), or any regulation issued under either*  
4 *such Act, on a nationwide, regional, or State-wide*  
5 *basis if the Secretary determines that the waiver*  
6 *would facilitate the ability of States or eligible service*  
7 *providers to carry out the purpose of such Acts.*

8 “(3) *DURATION.*—*A waiver established under*  
9 *this subsection may be available for a period of not*  
10 *greater than the emergency period and the 90 days*  
11 *after the end of the emergency period.*

12 “(4) *LIMITATIONS.*—*A waiver under this sub-*  
13 *section is subject to the limitations in subsection*  
14 *(l)(4).*

15 “(5) *DEFINITIONS.*—*In this subsection:*

16 “(A) *ELIGIBLE SERVICE PROVIDER.*—*The*  
17 *term ‘eligible service provider’ has the meaning*  
18 *given the term in subsection (l).*

19 “(B) *EMERGENCY PERIOD.*—*The term*  
20 *‘emergency period’ means a period during which*  
21 *there exists—*

22 “(i) *a major disaster declared by the*  
23 *President under section 401 of the Robert T.*  
24 *Stafford Disaster Relief and Emergency As-*  
25 *sistance Act (42 U.S.C. 5170);*

1           “(ii) an emergency declared by the  
2           President under section 501 of the Robert T.  
3           Stafford Disaster Relief and Emergency As-  
4           sistance Act (42 U.S.C. 5191);

5           “(iii) a public health emergency de-  
6           clared by the Secretary of Health and  
7           Human Services under section 319 of the  
8           Public Health Service Act (42 U.S.C. 247d);  
9           or

10           “(iv) any renewal of such a public  
11           health emergency pursuant to such section  
12           319.”; and

13           (2) in subsection (l)—

14           (A) in paragraph (1)(A)—

15           (i) by striking “Except as” and all  
16           that follows through “requests a waiver”  
17           and inserting “Except as provided in para-  
18           graph (4), the Secretary may waive (includ-  
19           ing by modifying) any requirement under  
20           this Act or the Child Nutrition Act of 1966  
21           (42 U.S.C. 1771 et seq.), or any regulation  
22           issued under either such Act, on a nation-  
23           wide, State, multi-State, or eligible service  
24           provider basis”;



1                   (ii) by redesignating clauses (i)  
2                   through (iii) as clauses (ii) through (iv), re-  
3                   spectively; and

4                   (iii) by inserting before clause (ii), as  
5                   so redesignated, the following new clause (i):

6                   “(i) a State or eligible service provider requests  
7                   the waiver;”;

8                   (B) by striking paragraph (2)(B) and in-  
9                   serting the following:

10                  “(B) An application described in subparagraph (A)  
11 shall—

12                   “(i) be submitted in a format prescribed by the  
13                   Secretary;

14                   “(ii) be completed by the State or eligible service  
15                   provider;

16                   “(iii) be submitted to the Secretary by—

17                   “(I) the State; or

18                   “(II) an eligible service provider through  
19                   the State; and

20                   “(iv) if submitted as described in clause (iii)(II),  
21                   include a statement of support or opposition from the  
22                   State.”;

23                   (C) in paragraph (4)(A), by striking “con-  
24                   tent of meals served” and inserting “standards”;  
25                   and

1           (D) in paragraph (7), by striking subpara-  
 2           graphs (A) through (C) and inserting the fol-  
 3           lowing:

4           “(A) a local school food service authority, local  
 5           educational agency, or school;

6           “(B) a service institution or private nonprofit  
 7           organization described in section 13; or

8           “(C) institutions described in section 17.”.

9   **SEC. 102. DIRECT CERTIFICATION FOR CHILDREN RECEIV-**  
 10           **ING MEDICAID BENEFITS.**

11           Section 9 of the Richard B. Russell National School  
 12           Lunch Act (42 U.S.C. 1758(b)) is amended—

13           (1) in subsection (b)—

14           (A) by amending paragraph (5) to read as  
 15           follows:

16           “(5) *DISCRETIONARY CERTIFICATION.*—

17           “(A) *FREE LUNCHEES OR BREAKFASTS.*—  
 18           Subject to paragraph (6), any local educational  
 19           agency may certify any child as eligible for free  
 20           lunches or breakfasts, without further applica-  
 21           tion, by directly communicating with the appro-  
 22           priate State or local agency to obtain docu-  
 23           mentation of the status of the child as—

24           “(i) a member of a family that is re-  
 25           ceiving assistance under the temporary as-

1           *sistance for needy families program funded*  
2           *under part A of title IV of the Social Secu-*  
3           *rity Act (42 U.S.C. 601 et seq.);*

4           “(ii) *a homeless child or youth (defined*  
5           *as 1 of the individuals described in section*  
6           *725(2) of the McKinney-Vento Homeless As-*  
7           *sistance Act (42 U.S.C. 11434a(2));*

8           “(iii) *served by the runaway and*  
9           *homeless youth grant program established*  
10           *under the Runaway and Homeless Youth*  
11           *Act (42 U.S.C. 5701 et seq.);*

12           “(iv) *a migratory child (as defined in*  
13           *section 1309 of the Elementary and Sec-*  
14           *ondary Education Act of 1965 (20 U.S.C.*  
15           *6399));*

16           “(v) *an eligible child (as defined in*  
17           *paragraph (15)(A)); or*

18           “(vi)(I) *a foster child whose care and*  
19           *placement is the responsibility of an agency*  
20           *that administers a State plan under part B*  
21           *or E of title IV of the Social Security Act*  
22           *(42 U.S.C. 621 et seq.); or*

23           “(II) *a foster child who a court has*  
24           *placed with a caretaker household.*

1           “(B) *REDUCED PRICE LUNCHES OR BREAK-*  
2           *FASTS.—Subject to paragraph (6), any local*  
3           *educational agency may certify any child who is*  
4           *not eligible for free lunches or breakfasts as eligi-*  
5           *ble for reduced price lunches or breakfasts, with-*  
6           *out further application, by directly commu-*  
7           *nicating with the appropriate State or local*  
8           *agency to obtain documentation of the status of*  
9           *the child as a child eligible for reduced price*  
10           *meals (as defined in paragraph (15)(A)).”;*

11           *(B) in paragraph (6)(A), by striking “or*  
12           *(5)” both places it appears and inserting “(5), or*  
13           *(15)”;* and

14           *(C) in paragraph (15)—*

15           *(i) in subparagraph (A)—*

16           *(I) by amending clause (i) to read*  
17           *as follows:*

18           *“(i) ELIGIBLE CHILD.—The term ‘eli-*  
19           *gible child’ means a child—*

20           *“(I)(aa) who is eligible for and re-*  
21           *ceiving medical assistance under the*  
22           *Medicaid program; and*

23           *“(bb) who is a member of a fam-*  
24           *ily with an income as measured by the*  
25           *Medicaid program that does not exceed*

1           133 percent of the poverty line (as de-  
2           termined under the poverty guidelines  
3           updated periodically in the Federal  
4           Register by the Department of Health  
5           and Human Services under the author-  
6           ity of section 673(2) of the Community  
7           Services Block Grant Act (42 U.S.C.  
8           9902(2), including any revision re-  
9           quired by such section)) applicable to a  
10          family of the size used for purposes of  
11          determining eligibility for the Med-  
12          icaid program;

13                 “(II) who is eligible for the Med-  
14                 icaid program because such child re-  
15                 ceives supplemental security income  
16                 benefits under title XVI of the Social  
17                 Security Act (42 U.S.C. 1381–1385) or  
18                 State supplementary benefits of the  
19                 type referred to in section 1616(a) of  
20                 such Act (or payments of the type de-  
21                 scribed in section 212(a) of Public Law  
22                 93–66);

23                 “(III) who is eligible for the Med-  
24                 icaid program because such child re-  
25                 ceives an adoption assistance payment

1           *made under section 473(a) of the So-*  
2           *cial Security Act (42 U.S.C. 673(a)) or*  
3           *under a similar State-funded or State-*  
4           *operated program, as determined by*  
5           *the Secretary;*

6           *“(IV) who is eligible for the Med-*  
7           *icaid program because such child re-*  
8           *ceives a kinship guardianship assist-*  
9           *ance payment made under section*  
10          *473(d) of the Social Security Act (42*  
11          *U.S.C. 673(d)) or under a similar*  
12          *State-funded or State-operated pro-*  
13          *gram, as determined by the Secretary,*  
14          *without regard to whether such child*  
15          *was previously in foster care; or*

16          *“(V) who is a member of a house-*  
17          *hold (as that term is defined in section*  
18          *245.2 of title 7, Code of Federal Regu-*  
19          *lations (or successor regulations)) with*  
20          *a child described in subclause (I), (II),*  
21          *(III), or (IV).”;* and

22                  *(II) by adding at the end the fol-*  
23                  *lowing:*

1           “(iii) *CHILD ELIGIBLE FOR REDUCED*  
2           *PRICE MEALS.*—*The term ‘child eligible for*  
3           *reduced price meals’ means a child—*

4                     “(I)(aa) *who is eligible for and re-*  
5                     *ceiving medical assistance under the*  
6                     *Medicaid program; and*

7                     “(bb) *who is a member of a fam-*  
8                     *ily with an income as measured by the*  
9                     *Medicaid program that is greater than*  
10                    *133 percent but does not exceed 185*  
11                    *percent of the poverty line (as deter-*  
12                    *mined under the poverty guidelines up-*  
13                    *dated periodically in the Federal Reg-*  
14                    *ister by the Department of Health and*  
15                    *Human Services under the authority of*  
16                    *section 673(2) of the Community Serv-*  
17                    *ices Block Grant Act (42 U.S.C.*  
18                    *9902(2), including any revision re-*  
19                    *quired by such section)) applicable to a*  
20                    *family of the size used for purposes of*  
21                    *determining eligibility for the Med-*  
22                    *icaid program; or*

23                    “(II) *who is a member of a house-*  
24                    *hold (as that term is defined in section*  
25                    *245.2 of title 7, Code of Federal Regu-*

1                   lations (or successor regulations)) with  
2                   a child described in subclause (I).”;

3                   (ii) by striking subparagraphs (B),  
4                   (C), (D), (E), (G), and (H);

5                   (iii) in subparagraph (F)—

6                   (I) in the enumerator, by striking  
7                   “(F)” and inserting “(D)”; and

8                   (II) by striking “conducting the  
9                   demonstration project under this para-  
10                  graph” and inserting “carrying out  
11                  this paragraph”; and

12                  (iv) by inserting after subparagraph  
13                  (A) the following:

14                  “(B) *AGREEMENTS TO CARRY OUT CERTIFI-*  
15                  *CATION.—To certify a child under subparagraph*  
16                  *(A)(v) or (B) of paragraph (5), a State agency*  
17                  *shall enter into an agreement with 1 or more*  
18                  *State agencies conducting eligibility determina-*  
19                  *tions for the Medicaid program.*

20                  “(C) *PROCEDURES.—Subject to paragraph*  
21                  *(6), an agreement under subparagraph (B) shall*  
22                  *establish procedures under which—*

23                         “(i) *an eligible child may be certified*  
24                         *for free lunches under this Act and free*  
25                         *breakfasts under section 4 of the Child Nu-*



1            *trition Act of 1966 (42 U.S.C. 1773), with-*  
2            *out further application (as defined in para-*  
3            *graph (4)(G)); and*

4            *“(ii) a child eligible for reduced price*  
5            *meals may be certified for reduced price*  
6            *lunches under this Act and reduced price*  
7            *breakfasts under section 4 of the Child Nu-*  
8            *trition Act of 1966 (42 U.S.C. 1773), with-*  
9            *out further application (as defined in para-*  
10           *graph (4)(G)).”;*

11           *(2) by amending subparagraph (E) of subsection*  
12           *(b)(4) to read as follows:*

13           *“(E)        PERFORMANCE        IMPROVEMENT*  
14           *GRANTS.—*

15           *“(i) IN GENERAL.—For each school*  
16           *year beginning after July 1, 2023, the Sec-*  
17           *retary shall offer performance improvement*  
18           *grants and technical assistance to State*  
19           *agencies or Tribal organizations (as defined*  
20           *in section 4 of the Indian Self-Determina-*  
21           *tion and Education Assistance Act (25*  
22           *U.S.C. 5304)) to increase the percentage of*  
23           *children eligible for direct certification*  
24           *under this paragraph or paragraph (5) who*

1           are certified in accordance with this para-  
2           graph or paragraph (5).

3           “(ii) *REQUIREMENTS.*—For each school  
4           year described in clause (i), the Secretary  
5           shall—

6                   “(I) consider State data from the  
7                   prior school year, including estimates  
8                   contained in the report required under  
9                   section 4301 of the Food, Conservation,  
10                  and Energy Act of 2008 (42 U.S.C.  
11                  1758a);

12                  “(II) make performance improve-  
13                  ment grants to States and Tribal orga-  
14                  nizations to increase the percentage of  
15                  children eligible for direct certification  
16                  under this paragraph or paragraph (5)  
17                  who are certified in accordance with  
18                  this paragraph or paragraph (5); and

19                  “(III) provide technical assistance  
20                  to the recipients of grants under this  
21                  subparagraph, and other eligible enti-  
22                  ties, as appropriate, in improving the  
23                  rates of direct certification.

24           “(iii) *USE OF FUNDS.*—An eligible en-  
25           tity that receives a grant under clause (i)

1           *shall use the grant funds to pay costs relat-*  
2           *ing to improving the rate of direct certifi-*  
3           *cation in the State or Indian Tribe, as ap-*  
4           *plicable, including the cost of—*

5                     *“(I) improving technology relat-*  
6                     *ing to direct certification;*

7                     *“(II) providing technical assist-*  
8                     *ance to local educational agencies;*

9                     *“(III) implementing or improving*  
10                    *a direct certification system or process*  
11                    *in the State (including at local edu-*  
12                    *cational agencies in the State) or In-*  
13                    *dian Tribe, including the cost of equip-*  
14                    *ment;*

15                    *“(IV) establishing or improving*  
16                    *the rate of direct certification of chil-*  
17                    *dren that are members of households*  
18                    *receiving assistance under the food dis-*  
19                    *tribution program on Indian reserva-*  
20                    *tions under section 4(b) of the Food*  
21                    *and Nutrition Act of 2008 (7 U.S.C.*  
22                    *2013(b)); and*

23                    *“(V) coordinating with multiple*  
24                    *public benefits programs to increase*  
25                    *the rate of direct certification, includ-*

1                    *ing by conducting feasibility studies*  
2                    *and demonstration projects under sec-*  
3                    *tion 18(c) of this Act.*

4                    *“(iv) FUNDING.—On October 1, 2022,*  
5                    *and each subsequent October 1, out of any*  
6                    *funds in the Treasury not otherwise appro-*  
7                    *priated, the Secretary of the Treasury shall*  
8                    *transfer to the Secretary—*

9                                *“(I) \$15,000,000 to carry out*  
10                              *clause (i)(II); and*

11                              *“(II) \$500,000 to carry out clause*  
12                              *(i)(III).”;* and

13                    *(3) in subsection (d)(2)(G), by inserting “or*  
14                    *child eligible for reduced price meals” after “eligible*  
15                    *child”.*

16 **SEC. 103. EXPANDING COMMUNITY ELIGIBILITY.**

17                    *(a) MULTIPLIER AND THRESHOLD ADJUSTED.—*

18                              *(1) MULTIPLIER.—Clause (vii) of section*  
19                              *11(a)(1)(F) of the Richard B. Russell National School*  
20                              *Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is amended to*  
21                              *read as follows:*

22                                      *“(vii) MULTIPLIER.—For each school*  
23                                      *year beginning on or after July 1, 2023, the*  
24                                      *Secretary shall use a multiplier of 2.5.”.*

1           (2) *THRESHOLD.*—Clause (viii) of section  
2           11(a)(1)(F) of the Richard B. Russell National School  
3           Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is amended to  
4           read as follows:

5                     “(viii) *THRESHOLD.*—For each school  
6                     year beginning on or after July 1, 2023, the  
7                     threshold shall be not more than 25 per-  
8                     cent.”.

9           (3) *APPLICABILITY.*—The amendments made by  
10           this subsection shall apply to a local educational  
11           agency with respect to a school year beginning on or  
12           after July 1, 2023, for which such local educational  
13           agency elects to receive special assistance payments  
14           under subparagraph (F) of section 11(a)(1) of the  
15           Richard B. Russell National School Lunch Act (42  
16           U.S.C. 1759a(a)(1)).

17           (b) *STATEWIDE COMMUNITY ELIGIBILITY.*—Section  
18           11(a)(1)(F) of the Richard B. Russell National School  
19           Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is amended by add-  
20           ing at the end the following:

21                     “(xiv) *STATEWIDE COMMUNITY ELIGI-*  
22                     *BILITY.*—For each school year beginning on  
23                     or after July 1, 2023, the Secretary shall es-  
24                     tablish an option for States to utilize a  
25                     statewide community eligibility program

1                   *under which, in the case of a State agency*  
2                   *that agrees to provide funding from sources*  
3                   *other than Federal funds to ensure that*  
4                   *local educational agencies in the State re-*  
5                   *ceive the free reimbursement rate for 100*  
6                   *percent of the meals served at applicable*  
7                   *schools—*

8                   *“(I) the multiplier described in*  
9                   *clause (vii) shall apply;*

10                  *“(II) the threshold described in*  
11                  *clause (viii) shall be applied by sub-*  
12                  *stituting ‘zero’ for ‘25’; and*

13                  *“(III) the percentage of enrolled*  
14                  *students who were identified students*  
15                  *shall be calculated across all applicable*  
16                  *schools in the State regardless of local*  
17                  *educational agency.”.*

1 **TITLE II—ENSURING THE LONG-**  
2 **TERM VIABILITY OF SCHOOL**  
3 **MEAL PROGRAMS**

4 **Subtitle A—Programs Under the**  
5 **Richard B. Russell National**  
6 **School Lunch Act**

7 **SEC. 201. INCREASING REIMBURSEMENT RATE OF SCHOOL**  
8 **MEALS.**

9 *Section 4(b)(2) of the Richard B. Russell National*  
10 *School Lunch Act (42 U.S.C. 1753(b)(2)) is amended by*  
11 *striking “10.5 cents” and inserting “20.5 cents”.*

12 **SEC. 202. STATEWIDE TECHNOLOGY SOLUTIONS INCLUDED**  
13 **AS STATE ADMINISTRATIVE COSTS.**

14 *Section 4(b)(3)(F)(i) of the Richard B. Russell Na-*  
15 *tional School Lunch Act (42 U.S.C. 1753(b)(3)(F)(i)) is*  
16 *amended by inserting “statewide technology solutions,”*  
17 *after “certification,”.*

18 **SEC. 203. ANNUAL REIMBURSEMENT RATE AND COM-**  
19 **MODIFY IMPROVEMENTS.**

20 *(a) DIRECT FEDERAL EXPENDITURES.—Section 6 of*  
21 *the Richard B. Russell National School Lunch Act (42*  
22 *U.S.C. 1755(c)(1)) is amended—*

23 *(1) by amending subsection (b) to read as fol-*  
24 *lows:*

1       “(b) *The Secretary shall deliver, to each State partici-*  
2 *pating in the school lunch program under this Act and the*  
3 *school breakfast program under section 4 of the Child Nutri-*  
4 *tion Act of 1966 (42 U.S.C. 1773), commodities valued at*  
5 *the total level of assistance authorized under subsections (c)*  
6 *and (d) for each school year for the school lunch and school*  
7 *breakfast programs in the State, not later than September*  
8 *30 of the following school year.”;*

9           (2) *in subsection (c), by striking “(c)” and all*  
10 *that follows through the end of paragraph (1) and in-*  
11 *serting the following:*

12       “(c) *NATIONAL SCHOOL LUNCH COMMODITY ASSIST-*  
13 *ANCE.—*

14           “(1)(A) *Not later than January 15 of each year*  
15 *after the date of the enactment of the Healthy Meals,*  
16 *Healthy Kids Act, the Secretary shall—*

17           “(i) *calculate the national average value of do-*  
18 *nated foods for school lunch, or cash payments in lieu*  
19 *thereof, in accordance with subparagraph (B); and*

20           “(ii) *adjust the amount calculated under clause*  
21 *(i) by the annual percentage change in the 3-month*  
22 *average value of the Producer Price Index for Foods*  
23 *Used in Schools and Institutions—*

24           “(I) *for the preceding August, September,*  
25 *and October, computed to the nearest 1/4 cent;*



1           “(II) using 5 major food components in the  
2           *Producer Price Index of the Bureau of Labor*  
3           *Statistics, which are—*

4                     “(aa) cereal and bakery products;

5                     “(bb) meats, poultry, and fish;

6                     “(cc) dairy products;

7                     “(dd) processed fruits and vegetables;

8                     and

9                     “(ee) fats and oils; and

10           “(III) weighing each such component using  
11           *the same relative weight as determined by the*  
12           *Bureau of Labor Statistics.*

13           “(B) *The national average value of donated*  
14           *foods, or cash payments in lieu thereof, shall be equal*  
15           *to 12 percent of the quotient obtained by dividing—*

16                     “(i) *the total assistance provided in the pre-*  
17                     *ceding school year under section 4, this section,*  
18                     *and section 11; by*

19                     “(ii) *the number of lunches served in the*  
20                     *preceding school year.*

21           “(C) *Not later than January 15 of each year*  
22           *after the date of the enactment of the Healthy Meals,*  
23           *Healthy Kids Act, the Secretary shall calculate the*  
24           *total commodity assistance or cash payments in lieu*  
25           *thereof available to a State for the upcoming school*

1       year by multiplying the number of lunches served in  
2       the most recent school year for which data are avail-  
3       able by the rate established in subparagraph (A). The  
4       Secretary shall also annually reconcile the amount of  
5       commodity assistance or cash payments in lieu there-  
6       of made available under this subparagraph with the  
7       amount of assistance used by each State and increase  
8       or reduce subsequent commodity assistance or cash  
9       payments in lieu thereof based on such reconciliation.

10           “(D) Among those commodities delivered under  
11       this section, the Secretary shall give special emphasis  
12       to high protein foods, meat, and meat alternates  
13       (which may include domestic seafood commodities  
14       and their products).

15           “(E) Notwithstanding any other provision of this  
16       section, not less than 75 percent of the assistance pro-  
17       vided under this subsection shall be in the form of do-  
18       nated foods for the school lunch program.”.

19       (b) *SPECIAL ASSISTANCE*.—Section 11(a)(3)(B) of the  
20 *Richard B. Russell National School Lunch Act (42 U.S.C.*  
21 *1759a(a)(3)(B)) is amended—*

22           (1) *in clause (ii)—*

23                   (A) *by striking “most recent”; and*

24                   (B) *by inserting “ending on the preceding*  
25                   *April 30” after “12-month period”; and*

1           (2) in clause (iii), by inserting “ending on April  
2           30” after “12-month period”.

3 **SEC. 204. FOOD SERVICE MANAGEMENT.**

4           (a) *REQUEST FOR INFORMATION.*—Not later than 1  
5 year after the date of the enactment of this Act, the Sec-  
6 retary shall issue a request for information and data collec-  
7 tion from State agencies and school food authorities regard-  
8 ing the role of food service management companies in car-  
9 rying out the programs under the Richard B. National  
10 School Lunch Act (42 U.S.C. 1751 et seq.) and the Child  
11 Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including  
12 information on—

13           (1) participation of small, women- and minor-  
14 ity-owned businesses as food service management com-  
15 panies;

16           (2) food service management contract practices;

17           (3) trends in compensation and benefits of school  
18 food personnel and impact of food service manage-  
19 ment contracts on such compensation and benefits;  
20 and

21           (4) use of funds by food service management  
22 companies to assist, promote, or deter organizing by  
23 a labor organization, including any action to enter  
24 into contracts in order to avoid, undermine, or violate

1        *any collective bargaining or a requirement to meet*  
 2        *and confer.*

3        *(b) RULEMAKING.—Not later than 1 year after the date*  
 4        *of issuance of the request for information described in sub-*  
 5        *section (a), the Secretary shall issue a rule regarding the*  
 6        *role of food service management companies in carrying out*  
 7        *the programs under the Richard B. National School Lunch*  
 8        *Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act*  
 9        *of 1966 (42 U.S.C. 1771 et seq.).*

10    **SEC. 205. KITCHEN IMPROVEMENT AND PERSONNEL TRAIN-**  
 11                                    **ING.**

12        *(a) SCRATCH COOKING DEFINED.—Section 12(d) of*  
 13        *the Richard B. Russell National School Lunch Act (42*  
 14        *U.S.C. 1760(d)) is amended by—*

15                    *(1) redesignating paragraphs (7) through (9) as*  
 16                    *paragraphs (8) through (10), respectively; and*

17                    *(2) by adding after paragraph (6) the following:*

18                    *“(7) SCRATCH COOKING.—The term ‘scratch*  
 19                    *cooking’ means the preparation of food using ingredi-*  
 20                    *ents that are unprocessed or minimally processed.”.*

21        *(b) TRAINING AND TECHNICAL ASSISTANCE FOR*  
 22        *SCHOOL FOOD SERVICE PERSONNEL.—The Richard B.*  
 23        *Russell National School Lunch Act is amended by inserting*  
 24        *after section 21 (42 U.S.C. 1769b–1) the following:*

1 **“SEC. 21A. GRANTS TO SUPPORT SCRATCH COOKING.**

2       “(a) *ESTABLISHMENT.*—Not later than 180 days after  
3 the date of the enactment of this section, the Secretary shall  
4 establish a program to award grants, on a competitive  
5 basis, to school food authorities to promote scratch cooking.

6       “(b) *APPLICATION.*—To be eligible for a grant under  
7 this section, a school food authority shall submit to the Sec-  
8 retary an application at such time, in such manner, and  
9 containing such information as the Secretary may require.

10       “(c) *GRANT AMOUNTS AND DURATION.*—

11               “(1) *GRANT AMOUNT.*—The Secretary shall  
12 award a grant of not more than \$100,000 to each  
13 school food authority with an application selected  
14 under this subsection.

15               “(2) *GRANT PERIOD.*—A grant awarded under  
16 this section shall be for a period of not more than 2  
17 years.

18       “(d) *GRANT USES.*—A school food authority that re-  
19 ceives a grant under this section shall use such grant funds  
20 to promote scratch cooking, including by—

21               “(1) offering professional development and train-  
22 ing related to preparing, procuring, advertising, serv-  
23 ing, and creating menus of meals made with scratch  
24 cooking;

25               “(2) investing in software and technology sys-  
26 tems for procurement to support scratch cooking;

1           “(3) *compensating employees for additional food*  
2           *preparation required for scratch cooking;*

3           “(4) *providing technical assistance, student en-*  
4           *gagement, and education with respect to scratch cook-*  
5           *ing, including taste tests, recipe development, and cul-*  
6           *inary education; or*

7           “(5) *carrying out any additional activities to*  
8           *promote scratch cooking that will help school food au-*  
9           *thorities meet or exceed the nutrition standards for*  
10          *the school lunch program authorized under this Act*  
11          *and the school breakfast program established by sec-*  
12          *tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.*  
13          *1773).*

14          “(e) *PRIORITY.—In awarding grants under this sec-*  
15          *tion, the Secretary shall give priority to school food authori-*  
16          *ties—*

17                 “(1) *that serve the greatest proportion of students*  
18                 *eligible for free or reduced price lunch under this Act;*  
19                 *and*

20                 “(2) *that—*

21                         “(A) *are self-operated; or*

22                         “(B) *provide an assurance to the Secretary*  
23                         *that the school food authority will be self-oper-*  
24                         *ated on or before the date that is 1 year before*  
25                         *the last day of the grant period.*

1       “(f) *TECHNICAL ASSISTANCE CENTER.*—

2               “(1) *IN GENERAL.*—*The Secretary shall enter*  
3 *into an agreement with one or more eligible third-*  
4 *party institutions to establish and carry out a single*  
5 *technical assistance and resource center to provide*  
6 *technical assistance for school food service personnel.*

7               “(2) *COLLABORATION REQUIREMENT.*—*As soon*  
8 *as practicable after receiving a grant under this sec-*  
9 *tion, a school food authority shall collaborate with the*  
10 *technical assistance and resource center established*  
11 *under paragraph (1) to—*

12                       “(A) *conduct a scratch cooking needs assess-*  
13 *ment to evaluate, with respect to such school food*  
14 *authority—*

15                               “(i) *equipment needs;*

16                               “(ii) *equipment utilization;*

17                               “(iii) *procurement processes; and*

18                               “(iv) *workforce capabilities; and*

19                       “(B) *establish a strategic plan based on*  
20 *such needs assessment to carry out the activities*  
21 *under subsection (d).*

22               “(3) *ELIGIBLE THIRD-PARTY INSTITUTIONS.*—

23                       “(A) *ELIGIBLE THIRD-PARTY INSTITUTION*  
24 *DEFINED.*—*For purposes of this subsection, the*  
25 *term ‘eligible third-party institution’ means—*

1           “(i) a nonprofit organization with  
2           demonstrated experience in food or nutri-  
3           tion services training and technical assist-  
4           ance;

5           “(ii) an institution of higher education  
6           as defined in section 101 or 102(a)(1)(B) of  
7           the Higher Education Act of 1965 (20  
8           U.S.C. 1001; 1002(a)(1)(B));

9           “(iii) an area career and technical  
10          education school as defined in section 3 of  
11          the Carl D. Perkins Career and Technical  
12          Education Act of 2006 (20 U.S.C. 2302); or

13          “(iv) a consortium of entities described  
14          in subclauses (I) through (III).

15          “(B) CRITERIA FOR ELIGIBLE THIRD-PARTY  
16          INSTITUTIONS.—The Secretary shall establish  
17          specific criteria that eligible third-party training  
18          institutions must meet to qualify to enter into  
19          an agreement under paragraph (1), which shall  
20          include—

21                 “(i) prior successful experience in pro-  
22                 viding or engaging in training and tech-  
23                 nical assistance programming or applied  
24                 research activities involving eligible entities,



1           *school food service administrators, or school*  
2           *food service directors;*

3           “(ii) *prior successful experience in de-*  
4           *veloping relevant educational training tools*  
5           *or course materials or curricula on topics*  
6           *addressing child and school nutrition or the*  
7           *updated nutrition standards under section*  
8           *4(b)(3); and*

9           “(iii) *the ability to deliver effective*  
10           *and cost-efficient training and technical as-*  
11           *sistance programming to school food service*  
12           *personnel—*

13           “(I) *at training sites that are lo-*  
14           *cated within a proximate geographic*  
15           *distance to schools, central kitchens, or*  
16           *other worksites; or*

17           “(II) *through an online training*  
18           *and assistance program on topics that*  
19           *do not require in-person attendance.*

20           “(4) *FUNDING.—Of the amounts made available*  
21           *under subsection (h) to carry out this section, not*  
22           *more than 10 percent may be used to carry out this*  
23           *subsection.*

24           “(g) *REPORT.—Not later than 180 days after the con-*  
25           *clusion of the grant period described in subsection (c)(2),*

1 *each school food authority that receives a grant under this*  
 2 *section shall submit to the Secretary a report that includes,*  
 3 *with respect to such school food authority, the change at*  
 4 *the end of the grant period, as compared with the school*  
 5 *year immediately preceding the beginning of the grant pe-*  
 6 *riod, in—*

7           “(1) *the percentage of whole ingredients, raw in-*  
 8 *gredients, or both, used in school meals; and*

9           “(2) *the percentage of menu items prepared with*  
 10 *scratch cooking.*

11       “(h) *AUTHORIZATION OF APPROPRIATIONS.—There*  
 12 *are authorized to be appropriated \$20,000,000 to carry out*  
 13 *this section for each of fiscal years 2024 through 2028.”.*

14       “(c) *GRANTS TO FINANCE CERTAIN IMPROVEMENTS TO*  
 15 *SCHOOL LUNCH FACILITIES.—The Richard B. Russell Na-*  
 16 *tional School Lunch Act is amended by inserting after sec-*  
 17 *tion 26 (42 U.S.C. 1769g) the following:*

18       “**SEC. 27. GRANTS TO FINANCE CERTAIN IMPROVEMENTS**  
 19                                   **TO SCHOOL LUNCH FACILITIES.**

20       “(a) *IN GENERAL.—Beginning fiscal year 2024, the*  
 21 *Secretary shall award grants to State agencies to carry out*  
 22 *the activities described in subsection (b).*

23       “(b) *SUBGRANTS.—*

24           “(1) *IN GENERAL.—A State agency receiving a*  
 25 *grant under this section shall use such grant funds to*

1       *award subgrants, on a competitive basis, to school*  
2       *food authorities.*

3               “(2) *APPLICATION.*—*A school food authority*  
4       *seeking a subgrant under this subsection shall submit*  
5       *to the State agency an application at such time, in*  
6       *such manner, and containing such information as the*  
7       *State agency may require.*

8               “(3) *PRIORITY.*—*In awarding a subgrant under*  
9       *this subsection, the State agency shall give priority to*  
10       *a school food authority that serves, as determined by*  
11       *the State agency, schools with substantial or dis-*  
12       *proportionate—*

13                       “(A) *need for infrastructure improvement;*  
14                       *or*

15                       “(B) *durable equipment need or impair-*  
16                       *ment.*

17               “(4) *SUBGRANT USES.*—*A school food authority*  
18       *receiving a subgrant under this subsection shall use*  
19       *such subgrant funds to support the establishment,*  
20       *maintenance, and expansion of the school lunch pro-*  
21       *gram under this Act and the school breakfast program*  
22       *established by section 4 of the Child Nutrition Act of*  
23       *1966 (42 U.S.C. 1773) at schools served by the school*  
24       *food authority, including by—*

1           “(A) purchasing equipment, including soft-  
 2           ware and technology systems, needed to serve  
 3           healthy meals, improve food safety, promote  
 4           scratch cooking, facilitate the use of salad bars;  
 5           or

6           “(B) improving or adapting equipment  
 7           needed to serve healthy meals, including by ret-  
 8           rofitting such equipment.

9           “(c) *AUTHORIZATION OF APPROPRIATIONS.*—

10           “(1) *IN GENERAL.*—*There are authorized to be*  
 11           *appropriated \$35,000,000 for each of fiscal years*  
 12           *2024 through 2028 to carry out this section.*

13           “(2) *TECHNICAL ASSISTANCE.*—*The Secretary*  
 14           *may use not more than 5 percent of the amounts*  
 15           *made available to carry out this section for each fiscal*  
 16           *year to provide technical assistance to applicants and*  
 17           *prospective applicants in preparing applications.”.*

18 **SEC. 206. STATEWIDE ONLINE HOUSEHOLD APPLICATIONS.**

19           “(a) *IN GENERAL.*—*Section 9(b) of the Richard B. Rus-*  
 20           *sell National School Lunch Act (42 U.S.C. 1758(b)) is*  
 21           *amended by adding at the end the following:*

22           “(16) *STATEWIDE ONLINE HOUSEHOLD APPLICA-*  
 23           *TIONS.*—

24           “(A) *IN GENERAL.*—*Subject to subpara-*  
 25           *graphs (B) and (C), beginning in the first school*

1           year that begins after the date of the enactment  
2           of this paragraph, a State agency may elect to  
3           establish a Statewide online application to deter-  
4           mine the eligibility of children in households in  
5           that State to receive free or reduced price meals.

6           “(B) STATE AGENCY REQUIREMENTS.—

7           “(i) HOUSEHOLD APPLICATION.—A  
8           Statewide online school meal application  
9           under this paragraph shall comply with the  
10          requirements of—

11           “(I) this subsection; and

12           “(II) paragraphs (1) through (5)  
13          of section 245.6(a)(1) of title 7, Code of  
14          Federal Regulations (or a successor  
15          regulation).

16          “(ii) PROCESSING TIMELINE.—A State  
17          agency electing the option under this para-  
18          graph shall—

19           “(I) determine the eligibility of a  
20          household applying for free or reduced  
21          price meals; and

22           “(II) communicate that deter-  
23          mination to the local educational agen-  
24          cy and the household, within 10 oper-  
25          ating days of the date on which the

1 household submitted the application to  
2 the State agency.

3 “(iii) VERIFICATION.—A State agency  
4 electing the option under this paragraph  
5 shall—

6 “(I) select at random for  
7 verification 3 percent of all household  
8 applications approved by the State  
9 agency for the school year, as of Octo-  
10 ber 1 of the school year;

11 “(II) directly verify the selected  
12 household applications under subclause  
13 (I) in a manner consistent with para-  
14 graph (3)(F); and

15 “(III) prior to October 10 of the  
16 school year, communicate to the local  
17 educational agency which household  
18 applications have been selected for  
19 verification and the outcome of the di-  
20 rect verification conducted under para-  
21 graph (3)(F).

22 “(C) LOCAL EDUCATIONAL AGENCY RE-  
23 QUIREMENTS.—

24 “(i) ELIGIBILITY DETERMINATION.—A  
25 local educational agency in a State with a

1           *Statewide online household application es-*  
2           *tablished under this paragraph shall accept*  
3           *the eligibility determination made by the*  
4           *State agency for a household and provide*  
5           *an eligible child with free or reduced price*  
6           *meals beginning on the first day of the cur-*  
7           *rent school year.*

8           “(ii) *TRANSFERRING STUDENTS.—*  
9           *When a student transfers to a new local*  
10          *educational agency, the new local edu-*  
11          *cational agency shall obtain and accept the*  
12          *eligibility determination made by the State*  
13          *agency.*

14          “(iii) *USE OF STATE SCHOOL MEAL*  
15          *APPLICATION.—A local educational agency*  
16          *in a State with a Statewide online house-*  
17          *hold application established under this*  
18          *paragraph shall not use an alternative on-*  
19          *line household application unless the State*  
20          *agency has approved its use.*

21          “(iv) *PAPER APPLICATION.—A local*  
22          *educational agency in a State with a State-*  
23          *wide online household application estab-*  
24          *lished under this paragraph shall—*

1                   “(I) provide households with the  
2                   option to submit a paper application  
3                   to the local educational agency;

4                   “(II) communicate to households  
5                   the availability of this option and the  
6                   Statewide online household applica-  
7                   tion; and

8                   “(III) make an eligibility deter-  
9                   mination for any paper application  
10                  submitted.

11                  “(v) VERIFICATION.—A local edu-  
12                  cational agency shall verify the household  
13                  applications selected by the State agency  
14                  under subparagraph (B)(iii) that were not  
15                  directly verified by the State agency under  
16                  paragraph (3)(F) in a manner consistent  
17                  with subparagraphs (G) through (J) of  
18                  paragraph (3).”.

19                  (b) TRANSFERRING ELIGIBILITY STATUS.—Section  
20                  9(b)(3)(B) of the Richard B. Russell National School Lunch  
21                  Act (42 U.S.C. 1758(b)) is amended by adding at the end:

22                                   “(iv) TRANSFERRING ELIGIBILITY STA-  
23                                   TUS.—

24                                   “(I) TRANSFERS TO A NEW LOCAL  
25                                   EDUCATIONAL AGENCY.—When a child



1           *transfers to a new local educational*  
2           *agency, the new local educational agen-*  
3           *cy shall obtain and accept the eligi-*  
4           *bility determination from the State or*  
5           *the child's former local educational*  
6           *agency.*

7           “(II) *TRANSFERS OUT OF A*  
8           *LOCAL EDUCATIONAL AGENCY.—When*  
9           *a child transfers out of a local edu-*  
10           *cational agency, the local educational*  
11           *agency shall provide the child's eligi-*  
12           *bility determination to the new local*  
13           *educational agency.*

14           “(III) *COST OF MEALS.—When*  
15           *the former local educational agency is*  
16           *claiming meals under a special provi-*  
17           *sion described in section 11, and the*  
18           *child does not have an individual eligi-*  
19           *bility determination, the new local*  
20           *educational agency shall serve the child*  
21           *meals at no cost and claim the child's*  
22           *meals at the free rate for up to 30 op-*  
23           *erating days, or until a new eligibility*  
24           *determination is made, whichever*  
25           *comes first.”.*

1           (c) *CONFORMING AMENDMENT.*—Section 9(b)(3)(J) of  
 2 *the Richard B. Russell National School Lunch Act* (42  
 3 *U.S.C. 1758(b)(3)(J)*) is amended by inserting “or para-  
 4 *graph (16)(B)(iii)*” after “*subparagraph (D)*”.

5           ***Subtitle B—Programs Under the***  
 6           ***Child Nutrition Act of 1966***

7           ***SEC. 211. PROFESSIONAL DEVELOPMENT AND TRAINING.***

8           Section 7(g)(2)(B) of the *Child Nutrition Act of 1966*  
 9 (*42 U.S.C. 1776(g)(2)(B)*) is amended by adding at the end  
 10 *the following:*

11                                   “(iv) *AVAILABILITY AND APPROPRIATE-*  
 12                                   *NESS OF TRAINING.*—*Training carried out*  
 13                                   *under this subparagraph shall be—*

14   “(I) *scheduled primarily during*  
 15   *regular, paid working hours;*

16   “(II) *if such training is scheduled*  
 17   *outside of such regular, paid working*  
 18   *hours—*

19   “(aa) *efforts shall be made to*  
 20   *inform food service personnel of*  
 21   *the reasons requiring the training*  
 22   *to be scheduled outside of such*  
 23   *hours;*

24   “(bb) *time spent partici-*  
 25   *pating in such training shall be*

1           *considered compensable time and*  
2           *each individual who participates*  
3           *shall be paid no less than the in-*  
4           *dividual's regular rate of pay;*  
5           *and*

6                     *“(cc) food service personnel*  
7                     *shall not be discharged or in any*  
8                     *other manner discriminated*  
9                     *against for not being able to at-*  
10                    *tend such training; and*

11                    *“(III) offered in-person and incor-*  
12                    *porate hands-on training techniques,*  
13                    *when appropriate.*

14                    *“(v) RELATIONSHIP TO OTHER*  
15                    *LAWS.—Nothing in this subparagraph may*  
16                    *be construed to supersede or otherwise mod-*  
17                    *ify any Federal, State, or local law or legal*  
18                    *obligation governing the relationship be-*  
19                    *tween an employee and employer.”.*

20   **SEC. 212. TECHNOLOGY AND INFRASTRUCTURE IMPROVE-**  
21                    **MENT.**

22            *Section 7(i)(4) of the Child Nutrition Act of 1966 (42*  
23    *U.S.C. 1776(i)(4)) is amended by striking “2010 through*  
24    *2015” and inserting “2023 through 2028”.*

1 **SEC. 213. STATE ADMINISTRATIVE EXPENSES.**

2 *Section 7 of the Child Nutrition Act of 1966 (42 U.S.C.*  
3 *1776) is amended—*

4 *(1) in subsection (a)(5)(A), by striking “or ex-*  
5 *penditure”;*

6 *(2) in subsection (d), by striking “and expendi-*  
7 *ture”;* and

8 *(3) in subsection (j), by striking “October 1,*  
9 *2015” and inserting “October 1, 2028”.*

10 **TITLE III—MODERNIZING THE**  
11 **SPECIAL SUPPLEMENTAL NU-**  
12 **TRITION PROGRAM FOR**  
13 **WOMEN, INFANTS, AND CHIL-**  
14 **DREN (WIC)**

15 **SEC. 301. ADJUNCTIVE ELIGIBILITY.**

16 *(a) IN GENERAL.—Section 17(d)(2)(A) of the Child*  
17 *Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(A)) is amend-*  
18 *ed—*

19 *(1) in clause (ii)—*

20 *(A) in subclause (I), by inserting “resides*  
21 *in a household (as such term is defined in sec-*  
22 *tion 3 of the Food and Nutrition Act of 2008 (7*  
23 *U.S.C. 2012)) that includes an individual who”*  
24 *before “receives”; and*

25 *(B) in subclause (II), by striking “; or” and*  
26 *inserting a semicolon;*

1           (2) *by amending clause (iii) to read as follows:*

2           “*(iii)(I) receives medical assistance under title*  
3 *XIX of the Social Security Act (42 U.S.C. 1396 et*  
4 *seq.) or child health assistance under title XXI of such*  
5 *Act (42 U.S.C.1397aa et seq.); or*

6           “*(II) is a member of a family in which a preg-*  
7 *nant woman, postpartum woman, infant, or child re-*  
8 *ceives assistance or is enrolled as described in sub-*  
9 *clause (I);”;* and

10          (3) *by adding at the end the following:*

11          “*(iv) is enrolled as a participant in a Head*  
12 *Start program authorized under the Head Start Act*  
13 *(42 U.S.C. 9831 et seq.) or resides in a household in*  
14 *which one or more children is enrolled as a partici-*  
15 *part in such a Head Start program;*

16          “*(v) resides in a household that includes an indi-*  
17 *vidual who receives assistance under the food distribu-*  
18 *tion program on Indian reservations established*  
19 *under section 4(b) of the Food and Nutrition Act of*  
20 *2008 (7 U.S.C. 2013(b)); or*

21          “*(vi) resides in a household that includes an in-*  
22 *dividual who receives assistance from a nutrition as-*  
23 *sistance program funded by the consolidated block*  
24 *grants for Puerto Rico and the American Samoa*  
25 *under section 19 of the Food and Nutrition Act of*

1       2008 (7 U.S.C. 2028) or funded by a block grant for  
2       the Commonwealth of the Northern Mariana Islands  
3       pursuant to section 601 of Public Law 96–597 (48  
4       U.S.C. 1469d(c)).”.

5       (b) *ADJUNCT DOCUMENTATION.*—Section 17(d)(3)(E)  
6 of the Child Nutrition Act of 1966 (42 U.S.C.  
7 1786(d)(3)(E)) is amended to read as follows:

8               “(E) *ADJUNCT DOCUMENTATION.*—In order  
9               to participate in the program under this section  
10              pursuant to clause (ii) through (vi) of paragraph  
11              (2)(A), not earlier than 90 days prior to the date  
12              on which the certification or recertification for  
13              participation in the program is made—

14                      “(i) an individual shall provide docu-  
15                      mentation of receipt of assistance described  
16                      in such clause; or

17                      “(ii) a State agency shall use available  
18                      documentation to show receipt of such as-  
19                      sistance.”.

20 **SEC. 302. WIC ELIGIBILITY AND CERTIFICATION PERIODS.**

21       (a) *PROCEDURES.*—

22               (1) *AGE OF ELIGIBILITY FOR CHILDREN UNDER*  
23       *THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.*—

1           (A) *DEFINITION OF CHILD.*—Section 17 of  
2           the *Child Nutrition Act of 1966* (42 U.S.C. 1786)  
3           is amended—

4                   (i) in subsection (b), by amending  
5                   paragraph (2) to read as follows:

6           “(2) *CHILD.*—The term ‘child’ means—

7                   “(A) before October 1, 2026, an individual  
8                   who—

9                           “(i) has attained a first birthday but  
10                           has not yet attained a fifth birthday; or

11                           “(ii)(I) has attained a fifth birthday  
12                           but has not yet attained a sixth birthday;

13                                   “(II) does not attend full-day kin-  
14                                   dergarten; and

15                                   “(III) is certified before such date  
16                                   by a State agency under subsection  
17                                   (d)(3)(A)(iii)(II); and

18                   “(B) on and after October 1, 2026, an indi-  
19                   vidual who—

20                           “(i) has attained a first birthday but  
21                           has not yet attained a sixth birthday; and

22                           “(ii) does not attend full day kinder-  
23                           garten.”;

24                           (ii) in subsection (e)(4)(A), by striking  
25                           “up to age 5”; and

1                   (iii) in subsection (f)(7)(D)(i), by  
2                   striking “under the age of 5”.

3                   (B)                   CERTIFICATION.—Section  
4                   17(d)(3)(A)(iii) of the Child Nutrition Act of  
5                   1966 (42 U.S.C. 1786(d)(3)(A)(iii)) is amended  
6                   to read as follows:

7                   “(iii) CHILDREN.—

8                   “(I) CHILDREN UNDER 5.—With  
9                   respect to a participant child who has  
10                  not had a fifth birthday—

11                  “(aa) before October 1, 2026,  
12                  a State may elect to certify a par-  
13                  ticipant child for a period of 2  
14                  years, if the State electing the op-  
15                  tion provided under this clause  
16                  ensures that a participant child  
17                  receives the required health and  
18                  nutrition assessments; and

19                  “(bb) on and after October 1,  
20                  2026 a State shall—

21                  “(AA) certify a partici-  
22                  pant child for a period of 2  
23                  years; and

24                  “(BB) ensure that a  
25                  participant child receives the



1                    *required health and nutrition*  
2                    *assessments, as determined*  
3                    *by the Secretary under clause*  
4                    *(ix).*

5                    “(II) 5-YEAR-OLD CHILDREN.—

6                    “(aa) *IN GENERAL.—Begin-*  
7                    *ning not later than October 1,*  
8                    *2026, a State shall certify a par-*  
9                    *ticipant child who has had a fifth*  
10                   *birthday but has not yet attained*  
11                   *a sixth birthday, for the period*  
12                   *that ends on the earlier of—*

13                   “(AA) *the sixth birthday*  
14                   *of the participant child; and*

15                   “(BB) *the first date on*  
16                   *which the participant child*  
17                   *attends full-day kinder-*  
18                   *garten.*

19                   “(bb)        *REQUIREMENTS.—*  
20                   *Each State that certifies a partic-*  
21                   *ipant child under item (aa)*  
22                   *shall—*

23                   “(AA) *ensure that such*  
24                   *participant child receives re-*  
25                   *quired health and nutrition*

1                                    *assessments, as determined*  
2                                    *by the Secretary under clause*  
3                                    *(ix); and*

4                                    *“(BB) establish a meth-*  
5                                    *od to determine the first date*  
6                                    *on which such participant*  
7                                    *child attends full-day kinder-*  
8                                    *garten.”.*

9                                    *(C) CONFORMING AMENDMENT.—Section*  
10                                    *1902(a)(53)(A) of the Social Security Act (42*  
11                                    *U.S.C. 1396a(a)(53)(A)) is amended by striking*  
12                                    *“below the age of 5” and inserting “(as defined*  
13                                    *in such section)”.*

14                                    *(2) CERTIFICATION OF INFANTS.—Section*  
15                                    *17(d)(3)(A) of the Child Nutrition Act of 1966 (42*  
16                                    *U.S.C. 1786(d)(3)(A)) is amended by adding at the*  
17                                    *end the following:*

18                                    *“(iv) INFANTS.—*

19                                    *“(I) IN GENERAL.—With respect*  
20                                    *to an infant, a State—*

21                                    *“(aa) before October 1, 2026,*  
22                                    *may elect to certify an infant for*  
23                                    *participation in the program for*  
24                                    *a period of 2 years; and*

1                   “(bb) on and after October 1,  
2                   2026, shall certify an infant for  
3                   participation in the program for  
4                   a period of 2 years.

5                   “(II) ASSESSMENTS.—In certi-  
6                   fying an infant under subclause (I), a  
7                   State shall ensure that the infant re-  
8                   ceives required health and nutrition  
9                   assessments, as determined by the Sec-  
10                  retary under clause (ix).

11                  “(III) INFANTS BORN TO PARTICI-  
12                  PANT MOTHERS.—For purposes of sub-  
13                  clause (I), an infant born to a preg-  
14                  nant woman who is participating in  
15                  the program shall be certified for par-  
16                  ticipation without further application.

17                  “(IV) CLARIFICATION RELATING  
18                  TO AGE.—An infant may be certified  
19                  for participation in the program for a  
20                  period of 2 years, regardless of whether  
21                  such infant will become a child during  
22                  such period.”.

23                  (3) EXTENSION OF POSTPARTUM PERIOD.—

24                         (A) BREASTFEEDING WOMEN.—

1                   (i) *DEFINITION OF BREASTFEEDING*  
2                   WOMAN.—*Paragraph (1) of section 17(b) of*  
3                   *the Child Nutrition Act of 1966 (42 U.S.C.*  
4                   *1786(b)) is amended to read as follows:*

5                   “(1) *BREASTFEEDING WOMAN.*—*The term*  
6                   *‘breastfeeding woman’ means—*

7                    “(A) *before October 1, 2026, an individual*  
8                    *up to one year postpartum who is breastfeeding*  
9                    *the infant of the individual; and*

10                   “(B) *on and after October 1, 2026, an indi-*  
11                    *vidual who is not more than 2 years postpartum*  
12                    *and is breastfeeding the infant of the indi-*  
13                    *vidual.”.*

14                   (ii)               *CERTIFICATION.*—*Section*  
15                    *17(d)(3)(A)(ii) of the Child Nutrition Act of*  
16                    *1966 (42 U.S.C. 1786(d)(3)(A)(ii)) is*  
17                    *amended to read as follows:*

18                    “(ii) *BREASTFEEDING WOMEN.*—*With*  
19                    *respect to a breastfeeding woman, a State—*

20                                “(I) *before October 1,*  
21                                *2026, may elect to certify*  
22                                *such breastfeeding woman for*  
23                                *a period of 2 years*  
24                                *postpartum; and*



1                   “(I) before October 1,  
2                   2026, may elect to certify  
3                   such postpartum woman for  
4                   a period of 2 years after the  
5                   termination of the pregnancy  
6                   of the postpartum woman;  
7                   and

8                   “(II) on and after Octo-  
9                   ber 1, 2026, a State shall cer-  
10                  tify a postpartum woman for  
11                  a period of 2 years after the  
12                  termination of pregnancy of  
13                  the postpartum woman.”.

14                  (4) *PREGNANT WOMEN.*—

15                         (A) *DEFINITION.*—Section 17(b)(11) of the  
16                         *Child Nutrition Act of 1966* (42 U.S.C.  
17                         1786(b)(11)) is amended to read as follows:

18                         “(11) *PREGNANT WOMAN.*—The term ‘pregnant  
19                         woman’ means an individual determined to have one  
20                         or more fetuses in utero.”.

21                         (B) *CERTIFICATION.*—Section 17(d)(3)(A)  
22                         of the *Child Nutrition Act of 1966* (42 U.S.C.  
23                         1786)(d)(3)(A)) is further amended by adding at  
24                         the end the following:

1                   “(vi) *PREGNANT WOMEN.*—*With re-*  
 2                   *spect to a pregnant woman, a State—*

3                   “(I) *before October 1, 2026, may*  
 4                   *elect to certify a pregnant woman for*  
 5                   *the duration of the pregnancy and for*  
 6                   *the 90 days after the termination of*  
 7                   *pregnancy; and*

8                   “(II) *on and after October 1,*  
 9                   *2026, shall certify a pregnant woman*  
 10                   *for the duration of the pregnancy and*  
 11                   *for the 90 days after the termination of*  
 12                   *pregnancy.”.*

13                   (5) *CERTIFICATION WITHIN ONE HOUSEHOLD*  
 14                   *FAMILY.*—*Section 17(d)(3)(A) of the Child Nutrition*  
 15                   *Act of 1966 (42 U.S.C. 1786(d)(3)(A)) is further*  
 16                   *amended—*

17                   (A) *in clause (i)—*

18                   (i) *by striking “clause (ii)” and insert-*  
 19                   *ing “clauses (ii) through (viii)”;* and

20                   (ii) *by inserting “or recertified” after*  
 21                   *“certified”;*

22                   (B) *by adding at the end the following:*

23                   “(vii) *CERTIFICATION WITHIN ONE*  
 24                   *HOUSEHOLD FAMILY.*—*In order to align*  
 25                   *certification periods or recertification ap-*

1           *pointments, when a State or local agency*  
2           *certifies an individual based on income doc-*  
3           *umentation under subparagraph (D) or ad-*  
4           *junct documentation under subparagraph*  
5           *(E), a new certification period that other-*  
6           *wise meets the requirements of the program*  
7           *may be initiated for eligible family mem-*  
8           *bers of such individual.”.*

9           (6) *RECERTIFICATION.*—Section 17(d)(3)(A) of  
10          *the Child Nutrition Act of 1966 (42 U.S.C.*  
11          *1786)(d)(3)(A)) is further amended by adding at the*  
12          *end the following:*

13                   “(viii) *RECERTIFICATION.*—Before re-  
14                   *questing new income documentation for*  
15                   *purposes of recertifying an individual*  
16                   *under the program, a State shall—*

17                           “(I) *determine whether such indi-*  
18                           *vidual is eligible for recertification*  
19                           *under subparagraph (E); and*

20                           “(II) *if such individual is so eligi-*  
21                           *ble—*

22                                   “(aa) *recertify such indi-*  
23                                   *vidual; and*

24                                   “(bb) *notify such individual*  
25                                   *of such recertification.”.*



1           (7) *NUTRITION RISK.*—Section 17(d)(3)(A) of the  
2 *Child Nutrition Act of 1966* (42 U.S.C.  
3 1786)(d)(3)(A)) is further amended by adding at the  
4 end the following:

5                   “(ix) *NUTRITION RISK.*—

6                           “(I) *IN GENERAL.*—The Secretary  
7 may require nutrition risk evaluations  
8 within a single certification period for  
9 the purposes of identifying specific risk  
10 factors.

11                           “(II) *INFORMATION PROVIDED BY*  
12 *A HEALTH CARE PROVIDER.*—Informa-  
13 tion provided by a health care provider  
14 shall be sufficient to establish nutrition  
15 risk for the purposes of program eligi-  
16 bility under this section.

17                           “(III) *DETERMINATION.*—If it is  
18 determined that the individual does  
19 not meet any nutritional risk criteria,  
20 the certification of the individual shall  
21 terminate on the date of determina-  
22 tion.”.

23           (b) *INTERIM ELIGIBILITY.*—Section 17(d)(3)(B) of the  
24 *Child Nutrition Act of 1966* (42 U.S.C. 1786)(d)(3)(B)) is  
25 amended to read as follows:

1                   “(B) *INTERIM ELIGIBILITY.*—

2                   “(i) *TEMPORARY CERTIFICATION.*—

3                   “(I) *IN GENERAL.*—*In the case of*  
4                   *a pregnant woman, breastfeeding*  
5                   *woman, postpartum woman, infant, or*  
6                   *child who is not otherwise determined*  
7                   *eligible under this section to partici-*  
8                   *pate in the program due to lack of doc-*  
9                   *umentation at the time of application,*  
10                   *a State agency shall consider such a*  
11                   *pregnant woman, breastfeeding*  
12                   *woman, postpartum woman, infant, or*  
13                   *child to be temporarily eligible to par-*  
14                   *ticipate in the program based on a*  
15                   *signed statement by the applicant.*

16                   “(II) *30-DAY PERIOD.*—*With re-*  
17                   *spect to an individual that is tempo-*  
18                   *rarily eligible under subclause (I), the*  
19                   *State agency shall—*

20                   “(aa) *provide food instru-*  
21                   *ments for a single 30-day period;*  
22                   *and*

23                   “(bb) *require that docu-*  
24                   *mentation for purposes of certi-*  
25                   *fying such individual in accord-*

1                    *ance with this paragraph be pro-*  
2                    *vided not later than 30 days after*  
3                    *the first day such individual is*  
4                    *deemed temporarily eligible under*  
5                    *subclause (I).*

6                    “(III)    *DOCUMENTATION    DEM-*  
7                    *ONSTRATING ELIGIBILITY.—If an indi-*  
8                    *vidual provides documentation in ac-*  
9                    *cordance with subclause (II) that dem-*  
10                    *onstrates eligibility for the program,*  
11                    *the individual shall be certified in ac-*  
12                    *cordance with this paragraph begin-*  
13                    *ning on the first day the individual*  
14                    *was deemed temporarily eligible under*  
15                    *subclause (I).*

16                    “(IV)    *DOCUMENTATION FAILING*  
17                    *TO DEMONSTRATE ELIGIBILITY.—If an*  
18                    *individual does not provide docu-*  
19                    *mentation in accordance with sub-*  
20                    *clause (II), or provides documentation*  
21                    *that does not demonstrate eligibility*  
22                    *for the program—*

23                    “(aa) *the individual shall be*  
24                    *determined ineligible to partici-*  
25                    *pate in the program; and*

1                   “(bb) *the temporary eligi-*  
2                   *bility with respect to such indi-*  
3                   *vidual shall terminate at the end*  
4                   *of the single 30-day period de-*  
5                   *scribed in subclause (II)(aa).*

6                   “(ii) *NUTRITIONAL RISK.—A State*  
7                   *may consider a pregnant woman,*  
8                   *breastfeeding woman, postpartum woman,*  
9                   *infant, or child applicant who meets the in-*  
10                  *come eligibility standards to be temporarily*  
11                  *eligible on an interim basis to participate*  
12                  *in the program and may certify any such*  
13                  *individual for participation immediately,*  
14                  *without delaying certification until an eval-*  
15                  *uation is made concerning nutritional risk.*  
16                  *A nutritional risk evaluation of such an in-*  
17                  *dividual shall be completed not later than*  
18                  *90 days after the individual is certified for*  
19                  *participation. If it is subsequently deter-*  
20                  *mined that the individual does not meet nu-*  
21                  *tritional risk criteria, the certification of*  
22                  *the individual shall terminate on the date of*  
23                  *the determination.”.*

24                  (c) *ELIGIBILITY FOR CHILDREN IN KINSHIP FAMI-*  
25 *LIES.—Section 17(f)(1)(C)(ix) of the Child Nutrition Act*

1 of 1966 (42 U.S.C. 1786(f)(1)(C)(ix)) is amended by insert-  
2 ing “a kinship family,” after “under the care of”.

3 **SEC. 303. CERTIFICATION AND RECERTIFICATION DETER-**  
4 **MINATIONS AND NUTRITIONAL RISK EVALUA-**  
5 **TIONS.**

6 (a) *IN GENERAL.*—

7 (1) *PRESENCE WITH RESPECT TO CERTAIN DE-*  
8 *TERMINATIONS AND EVALUATIONS.*—Section  
9 17(d)(3)(C) of the Child Nutrition Act of 1966 (42  
10 U.S.C. 1786(d)(3)(C)) is amended to read as follows:

11 “(C) *PRESENCE WITH RESPECT TO CERTAIN*  
12 *DETERMINATIONS AND EVALUATIONS.*—

13 “(i) *IN GENERAL.*—Each individual  
14 seeking certification, recertification, or a  
15 nutritional risk evaluation for participation  
16 in the program shall be offered an appoint-  
17 ment—

18 “(I) *in-person, through video tech-*  
19 *nology permitting 2-way, real-time*  
20 *interactive communications, by tele-*  
21 *phone, and in such other format as the*  
22 *Secretary determines appropriate in*  
23 *order to determine eligibility under the*  
24 *program, provided that such format*

1                    *permits 2-way, real-time interactive*  
2                    *communications; and*

3                    *“(II) that occurs in a format, set-*  
4                    *ting, or platform that is accessible to*  
5                    *the individual in accordance with the*  
6                    *Americans with Disabilities Act of*  
7                    *1990 (42 U.S.C. 12101 et seq.) and sec-*  
8                    *tion 504 of the Rehabilitation Act of*  
9                    *1973 (29 U.S.C. 794).*

10                    *“(i) ANTHROPOMETRIC DATA FOR RE-*  
11                    *MOTE CERTIFICATION.—If an individual*  
12                    *meets the certification presence requirement*  
13                    *through technology permitting 2-way, real-*  
14                    *time interactive communications or other*  
15                    *methods described in clause (i)(I), the an-*  
16                    *thropometric data with respect to such indi-*  
17                    *vidual shall be obtained within 90 days.”.*

18                    *(2) TECHNICAL AMENDMENT.—Section 17(d)(3)*  
19                    *of the Child Nutrition Act of 1966 (42 U.S.C.*  
20                    *1786(d)(3)) is amended by conforming the margin of*  
21                    *subparagraph (B) to the margin of subparagraph (C).*

22                    *(b) REMOTE BENEFIT ISSUANCE.—Section 17(f)(6)(B)*  
23                    *of the Child Nutrition Act of 1966 (42 U.S.C.*  
24                    *1786(f)(6)(B)) is amended—*

25                    *(1) in the second sentence—*

1           (A) by striking “*vouchers by mail in its*  
2           *plan*” and inserting “*food instruments by mail,*  
3           *remote issuance, or other means in the State*  
4           *plan*”; and

5           (B) by striking “*The State*” and inserting  
6           *the following:*

7                     “(i) *STATE PLAN.—The State*”;

8           (2) *in the third sentence—*

9                     (A) by striking “*vouchers by mail*” and in-  
10            inserting “*food instruments by mail, remote*  
11            *issuance, or other means*”; and

12            (B) by striking “*The Secretary*” and insert-  
13            ing *the following:*

14                     “(iii) *DISAPPROVAL OF STATE PLAN.—*

15                     *The Secretary*”; and

16            (3) by striking “(B) *State agencies*” and all that  
17            follows through “*to obtain vouchers.*” and inserting  
18            *the following:*

19                     “(B) *DELIVERY OF FOOD INSTRUMENTS.—*

20                     “(i) *IN GENERAL.—State agencies may*  
21            *provide for the delivery of food instruments,*  
22            *including electronic benefit transfer cards,*  
23            *to any participant through means that do*  
24            *not require the participant to travel to the*  
25            *local agency to obtain food instruments,*

1           *such as through mailing or remote*  
2           *issuance.”.*

3           (c) *ANNUAL INVESTMENT IN WIC TECHNOLOGIES.*—  
4   *Section 17(h) of the Child Nutrition Act of 1966 (42 U.S.C.*  
5   *1786(h)) is amended—*

6           (1) *in paragraph (2)(B)—*

7                 (A) *by striking clause (ii); and*

8                 (B) *by striking “(I) Except as provided in*  
9                 *clause (ii) and” and inserting “Except as pro-*  
10                *vided in”;*

11           (2) *in paragraph (10)—*

12                 (A) *in subparagraph (A), by striking “2010*  
13                 *through 2015” and inserting “2023 through*  
14                 *2028”;*

15                 (B) *in subparagraph (B), by striking clause*  
16                 *(ii) and inserting the following:*

17                         *“(ii)(I) \$90,000,000 shall be used to—*

18                                 *“(aa) establish, develop, improve,*  
19                                 *replace, or administer technology plat-*  
20                                 *forms, including management informa-*  
21                                 *tion systems, that enhance the services*  
22                                 *of, access to, or redemption of benefits*  
23                                 *under the program;*

24                                 *“(bb) establish, develop, improve,*  
25                                 *replace, or administer a system that*



1                   *allows for secure communication of in-*  
2                   *formation between health care pro-*  
3                   *viders and program clinics in order to*  
4                   *facilitate sharing of information nec-*  
5                   *essary for certification, establishing*  
6                   *nutrition risk, or for the provision of*  
7                   *health care services; and*

8                   *“(cc) carry out paragraph (15);*  
9                   *and*

10                   *“(II) of which up to \$8,000,000 may be*  
11                   *used for Federal administrative costs; and”;*  
12                   *and*

13                   *(3) by adding at the end the following:*

14                   *“(15) STATE EFFORTS TO ENHANCE CROSS-EN-*  
15                   *ROLLMENT WITH MEDICAID AND THE SUPPLEMENTAL*  
16                   *NUTRITION ASSISTANCE PROGRAM.—*

17                   *“(A) PARTICIPATION DATA.—The Secretary*  
18                   *shall annually collect data from State agencies*  
19                   *and make publicly available on the website of the*  
20                   *Department State-level estimates of the percent-*  
21                   *age of pregnant women, postpartum women, in-*  
22                   *fant, and children under age five—*

23                   *“(i) who are enrolled in the program*  
24                   *under this section and the supplemental nu-*  
25                   *trition assistance program under the Food*

1 *and Nutrition Act of 2008 (7 U.S.C. 2011*  
2 *et seq.); and*

3 “(ii) *who are—*

4 “(I) *enrolled in the program*  
5 *under this section and the Medicaid*  
6 *program established under title XIX of*  
7 *the Social Security Act (42 U.S.C.*  
8 *1396 et seq.); and*

9 “(II) *a member of a family de-*  
10 *scribed in subsection (d)(2)(A)(i).*

11 “(B) *BEST PRACTICES.—The Secretary*  
12 *shall—*

13 “(i) *in addition to the information*  
14 *made available under subparagraph (A),*  
15 *also publish on the website of the Depart-*  
16 *ment best practices for increasing the per-*  
17 *centages described in such subparagraph;*  
18 *and*

19 “(ii) *evaluate the number and types of*  
20 *referrals to the program under this section*  
21 *made by—*

22 “(I) *administrators of the supple-*  
23 *mental nutrition assistance program*  
24 *under the Food and Nutrition Act of*  
25 *2008 (7 U.S.C. 2011 et seq.); and*

1                   “(II) administrators of the Med-  
2                   icaid program established under title  
3                   XIX of the Social Security Act (42  
4                   U.S.C. 1396 et seq.).

5                   “(C) CROSS-ENROLLMENT PLAN.—Not later  
6                   than 1 year after the date of the enactment of  
7                   this paragraph and annually thereafter, each  
8                   State shall—

9                   “(i) submit to the Secretary an annual  
10                  cross-enrollment plan that—

11                  “(I) is developed across the pro-  
12                  grams described in subparagraph (A)  
13                  that includes goals, specific measures,  
14                  and a timeline for increasing the per-  
15                  centages described in such subpara-  
16                  graph; and

17                  “(II) includes policies to refer to  
18                  the program under this section partici-  
19                  pants in the programs described in  
20                  such subparagraph who are not cer-  
21                  tified for the program under this sec-  
22                  tion; and

23                  “(ii) if such plan is approved by the  
24                  Secretary, implement such plan.

1           “(D) *GRANT PROGRAM.*—*The Secretary*  
2           *shall provide technical assistance and award*  
3           *competitive grants to State agencies to—*

4                   “(i) *increase the percentages described*  
5                   *in subparagraph (A); and*

6                   “(ii) *implement measures pursuant to*  
7                   *an annual cross-enrollment plan under sub-*  
8                   *paragraph (C), including—*

9                           “(I) *improving technology;*

10                           “(II) *establishing more robust re-*  
11                           *ferral systems;*

12                           “(III) *conducting targeted out-*  
13                           *reach to potential participants in the*  
14                           *program under this section;*

15                           “(IV) *enhancing State capacity to*  
16                           *share and analyze data across the pro-*  
17                           *grams described in subparagraph (A);*  
18                           *and*

19                           “(V) *providing training or tech-*  
20                           *nical assistance to local agencies.*

21           “(E) *LIMITATION ON DATA.*—*Any data col-*  
22           *lected under this paragraph shall be—*

23                   “(i) *used only for the purposes of certi-*  
24                   *fying eligible persons for the program under*  
25                   *this section; and*

1                   “(i) subject to the confidentiality pro-  
2                   visions described in section 246.26(d) of  
3                   title 7, Code of Federal Regulations (or suc-  
4                   cessor regulations).”.

5           (d) *REPORT TO CONGRESS.*—

6                   (1) *IN GENERAL.*—Not later than 1 year after  
7                   the date of enactment of this Act, the Secretary shall  
8                   submit to the Committee on Agriculture, Nutrition,  
9                   and Forestry of the Senate and the Committee on  
10                  Education and Labor of the House of Representatives  
11                  a report on the use of remote technologies under the  
12                  special supplemental nutrition program for women,  
13                  infants, and children established by section 17 of the  
14                  Child Nutrition Act of 1966 (42 U.S.C. 1786) (re-  
15                  ferred to in this section as the “program”).

16                  (2) *CONTENT OF REPORT.*—The report submitted  
17                  under paragraph (1) shall include a description of—

18                               (A) the use of remote technologies and other  
19                               digital tools, including video, telephone, and on-  
20                               line platforms—

21                                       (i) to certify and recertify eligible indi-  
22                                       viduals for program services; and

23                                       (ii) to provide nutrition education and  
24                                       breastfeeding support to program partici-  
25                                       pants;

1           (B) *the impact of remote technologies, in-*  
2 *cluding video, telephone, and online platforms,*  
3 *on certifications, recertifications, appointments,*  
4 *and participant satisfaction under the program;*  
5 *and*

6           (C) *best practices to—*

7                 (i) *certify and recertify program par-*  
8 *ticipants for program services using remote*  
9 *technologies;*

10                (ii) *incorporate the use of digital tools*  
11 *into the program certification process;*

12                (iii) *integrate nutrition education and*  
13 *breastfeeding support services for program*  
14 *participants into remote technologies and*  
15 *platforms; and*

16                (iv) *securely manage program partici-*  
17 *pant data.*

18 **SEC. 304. PAPERWORK REDUCTION.**

19           Section 17(d)(3) of the Child Nutrition Act of 1966  
20 (42 U.S.C. 1786(d)(3)) is amended by adding at the end  
21 the following:

22                 “(G) *PAPERWORK REDUCTION.—*

23                         “(i) *IN GENERAL.—A State agency*  
24 *shall accept a single document that provides*  
25 *all of the information required under this*

1 paragraph unless the State agency deter-  
2 mines there is a sufficient reason to doubt  
3 the authenticity of such document.

4 “(ii) *ELECTRONIC FORM.*—A State  
5 agency shall accept documentation under  
6 this paragraph in support of a household’s  
7 application in electronic form or provided  
8 electronically unless the State agency deter-  
9 mines there is a sufficient reason to doubt  
10 the authenticity of such electronically pro-  
11 vided document.”.

12 **SEC. 305. NUTRITION EDUCATION MATERIALS RELATED TO**  
13 **FOOD ALLERGIES.**

14 Section 17(e)(3) of the Child Nutrition Act of 1966 (42  
15 USC 1786(e)(3)) is amended by adding at the end the fol-  
16 lowing:

17 “(C) *NUTRITION EDUCATION MATERIALS*  
18 *RELATED TO FOOD ALLERGIES.*—The nutrition  
19 education materials issued under subparagraph  
20 (A) shall include nutrition education materials  
21 with respect to—

22 “(i) *individuals with food allergies*  
23 *during pregnancy and in the postpartum*  
24 *period;*

1                   “(ii) infants impacted by prenatal food  
2                   allergy exposure;

3                   “(iii) introducing potential food aller-  
4                   gens to infants; and

5                   “(iv) children with food allergies.”.

6 **SEC. 306. BREASTFEEDING SUPPLY COVERAGE.**

7           Section 17(h)(1)(C)(ii) of the Child Nutrition Act of  
8 1966 (42 U.S.C. 1786(h)(1)(C)(ii)) is amended—

9                   (1) in the heading, by inserting “AND  
10                   BREASTFEEDING SUPPLIES” after “BREAST PUMPS”;  
11                   and

12                   (2) by inserting “and additional breastfeeding  
13                   supplies” before the period at the end.

14 **SEC. 307. WATER BENEFITS DURING DISASTERS.**

15           Section 17(h)(1)(C) of the Child Nutrition Act of 1966  
16 (42 U.S.C. 1786(h)(1)(C)) is amended by adding at the end  
17 the following:

18                   “(iii) WATER BENEFITS DURING DIS-  
19                   ASTERS.—

20                   “(I) IN GENERAL.—During an  
21                   emergency period for which the Sec-  
22                   retary determines that, with respect to  
23                   a State, access to safe drinking water  
24                   is impacted and provision of safe  
25                   drinking water is reasonably necessary



1           to ensure safe preparation of infant  
2           formula, a State or local agency may  
3           use amounts made available under  
4           clause (i) to purchase and distribute  
5           safe drinking water to program par-  
6           ticipants.

7           “(II) *EMERGENCY PERIOD DE-*  
8           *FINED.*—In this clause, the term ‘emer-  
9           gency period’ means a period during  
10          which there exists—

11           “(aa) a major disaster de-  
12          clared by the President under sec-  
13          tion 401 of the Robert T. Stafford  
14          Disaster Relief and Emergency  
15          Assistance Act (42 U.S.C. 5170);

16           “(bb) an emergency declared  
17          by the President under section  
18          501 of the Robert T. Stafford Dis-  
19          aster Relief and Emergency As-  
20          sistance Act (42 U.S.C. 5191);

21           “(cc) a public health emer-  
22          gency declared by the Secretary of  
23          Health and Human Services pur-  
24          suant to section 319 of the Public

1 *Health Service Act (42 U.S.C.*  
2 *247d); or*

3 *“(dd) any renewal of such a*  
4 *public health emergency pursuant*  
5 *to such section 319.”.*

6 **SEC. 308. INFANT FORMULA PROCUREMENT ONLINE**  
7 **SOURCE OF INFORMATION.**

8 *Section 17(h)(8)(A) of the Child Nutrition Act of 1966*  
9 *(42 U.S.C. 1786(h)(8)(A)) is amended by adding at the end*  
10 *the following:*

11 *“(xi) INFANT FORMULA PROCUREMENT*  
12 *ONLINE SOURCE OF INFORMATION.—*

13 *“(I) IN GENERAL.—Not later than*  
14 *180 days after the date of enactment of*  
15 *this clause, the Secretary shall make*  
16 *available to the public on a website of*  
17 *the Department of Agriculture the in-*  
18 *formation described in items (aa)*  
19 *through (dd) of subclause (II) relating*  
20 *to bid solicitations of State agencies for*  
21 *infant formula under the program.*

22 *“(II) STATE AGENCIES.—In solici-*  
23 *ting bids for infant formula under the*  
24 *program, a State agency shall submit*  
25 *to the Secretary, not later than 5 busi-*

1                    *ness days after the date of the bid solici-*  
2                    *itation, a description of the bid solici-*  
3                    *tation, including—*

4                    *“(aa) the title of the bid so-*  
5                    *licitation and the State agency*  
6                    *administering the bid solicitation;*

7                    *“(bb) the website hyperlink*  
8                    *and other information needed for*  
9                    *the purpose of submitting a bid in*  
10                   *response to the bid solicitation;*

11                   *“(cc) the contact information*  
12                   *and website hyperlink for the*  
13                   *State agency administering the*  
14                   *bid solicitation, for the purpose of*  
15                   *gathering additional information*  
16                   *relating to the bid solicitation;*  
17                   *and*

18                   *“(dd) the period during*  
19                   *which bids are accepted or the due*  
20                   *date for bids, as applicable, under*  
21                   *the bid solicitation.*

22                   *“(III) PUBLICATION.—Not later*  
23                   *than 5 business days after receiving a*  
24                   *description of a bid solicitation under*  
25                   *subclause (II), the Secretary shall pub-*

1                   lish the information described in sub-  
2                   clause (I).”.

3 **SEC. 309. BREASTFEEDING PEER COUNSELOR PROGRAM.**

4           (a) *DEFINITION OF BREASTFEEDING PEER COUN-*  
5 *SELOR.*—Section 17(b) of the Child Nutrition Act of 1966  
6 (42 U.S.C. 1786(b)) is amended by adding at the end the  
7 following:

8                   “(25) *BREASTFEEDING PEER COUNSELOR.*—The  
9           term ‘breastfeeding peer counselor’ means an indi-  
10          vidual who is recruited and hired from the adult pop-  
11          ulation described in subsection (d)(1) who has—

12                           “(A) previous experience with breastfeeding,  
13                           including experience having breastfed at least  
14                           one infant; and

15                           “(B) provides mother-to-mother support to  
16                           prenatal and postpartum women under the pro-  
17                           gram.”.

18          (b) *SPECIAL NUTRITION EDUCATION.*—Section  
19 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.  
20 1786(h)(10)) is amended—

21                   (1) in subparagraph (A), by striking  
22                   “\$139,000,000” and inserting “\$324,000,000”; and

23                   (2) by amending subparagraph (B)(iii) to read  
24                   as follows:

25                           “(iii) \$180,000,000 shall be used to—

1           “(I) establish State agency  
2           *Breastfeeding Peer Counseling* pro-  
3           grams, which shall be administered as  
4           determined by the Secretary;

5           “(II) provide performance bonus  
6           payments under paragraph (4)(C); and

7           “(III) establish State and local  
8           partnerships to provide such education  
9           at locations—

10           “(aa) outside of the clinic,  
11           such as hospitals or physicians’  
12           offices; or

13           “(bb) in partnership with el-  
14           igible entities that deliver services  
15           under early childhood home visi-  
16           tation programs pursuant to a  
17           grant under section 511 of the So-  
18           cial Security Act (42 U.S.C.  
19           711).”.

20 **SEC. 310. PRODUCT PRICING.**

21           Section 17(h)(11)(B)(i)(II)(aa) of the Child Nutrition  
22 Act of 1966 (42 U.S.C. 1786(h)(11)(B)(i)(II)(aa)) is  
23 amended by striking “the shelf prices of the vendor for all  
24 buyers” and inserting “the prices the vendor charges other  
25 customers”.

1 **SEC. 311. WIC A50 STORES.**

2 *Section 17(h) of the Child Nutrition Act of 1966 (42*  
3 *U.S.C. 1786(h)) is amended—*

4 *(1) in paragraph (11)(E), by inserting “more*  
5 *than 5 percent” before “higher than average”; and*

6 *(2) in paragraph (14), by striking “food or mer-*  
7 *chandise” and inserting “food, merchandise, or food*  
8 *delivery”.*

9 **SEC. 312. WIC EBT MODERNIZATION.**

10 *(a) ONLINE PAYMENT AND MOBILE PAYMENT OP-*  
11 *TIONS.—*

12 *(1) DATE OF COMPLETION.—Section 17(h)(12) of*  
13 *the Child Nutrition Act of 1966 (42 U.S.C.*  
14 *1786(h)(12)) is amended—*

15 *(A) in subparagraph (A)(i), by striking*  
16 *“food delivery system that provides benefits using*  
17 *a card or other access device” and inserting*  
18 *“benefit delivery method”;*

19 *(B) in subparagraph (B)—*

20 *(i) in clause (i), by striking “subpara-*  
21 *graph (C)” and inserting “subparagraph*  
22 *(C)(i)”;* and

23 *(ii) by adding at the end the following:*

24 *“(iii) VENDOR REQUIREMENTS.—Ex-*  
25 *cept in the case of an exemption granted*  
26 *with respect to a State agency under sub-*

1 paragraph (C)(iii), not later than October  
2 1, 2025, each State agency shall authorize  
3 at least three vendors to process online pay-  
4 ments under the electronic benefit systems  
5 in the State.”; and

6 (C) in subparagraph (C), by adding at the  
7 end the following:

8 “(iii) *VENDOR REQUIREMENTS EXEMP-*  
9 *TION.—To be eligible for an exemption from*  
10 *the vendor requirements of subparagraph*  
11 *(B)(iii), a State agency shall demonstrate to*  
12 *the satisfaction of the Secretary that the*  
13 *State agency is facing unusual barriers to*  
14 *implementing additional changes to the*  
15 *electronic benefit transfer system.”.*

16 (2) *REPORT TO CONGRESS.—Not later than Jan-*  
17 *uary 1, 2026, the Secretary shall submit a report to*  
18 *the Committee on Agriculture, Nutrition, and For-*  
19 *estry of the Senate and the Committee on Education*  
20 *and Labor of the House of Representatives that—*

21 (A) *details the steps taken to establish and*  
22 *implement online payment models through au-*  
23 *thorized vendors participating in the special*  
24 *supplemental nutrition program for women, in-*

1 *fants, and children under section 17 of the Child*  
2 *Nutrition Act of 1966 (42 U.S.C. 1786);*

3 *(B) identifies measures to ensure that addi-*  
4 *tional authorized vendors may establish and im-*  
5 *plement such online payment models;*

6 *(C) outlines steps to implement additional*  
7 *modern transaction models, including mobile*  
8 *payments, through such authorized vendors;*

9 *(D) provides an explanation for each ex-*  
10 *emption provided to a State agency under clause*  
11 *(iii) of section 17(h)(12)(C) of the Child Nutri-*  
12 *tion Act of 1966 (42 U.S.C. 1786(h)(12)(C));*

13 *(E) includes a description of State and*  
14 *local agency efforts to enhance collaboration with*  
15 *such vendors, including the use of shopper help-*  
16 *ers or vendor liaison programs; and*

17 *(F) includes an analysis of measures that*  
18 *could be taken at the Federal and State levels to*  
19 *streamline the authorization process of such ven-*  
20 *dors under such program and coordinate vendor*  
21 *authorizations with the supplemental nutrition*  
22 *assistance program.*

23 *(b) SMALLER VENDORS.—Section 17(h)(10)(B) of the*  
24 *Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)(B)) is*  
25 *amended by adding at the end the following:*



1           “(iv) \$40,000,000 shall be used by  
2           State or local agencies to enhance vendor  
3           partnerships and streamline the shopping  
4           experience of participants, including by es-  
5           tablishing and administering vendor liaison  
6           programs to support participants and ven-  
7           dor staff at retail grocery locations.”.

8           (c) *EQUITABLE ACCESS FOR WIC SHOPPERS.*—Sec-  
9           tion 17(h)(12) of the Child Nutrition Act of 1966 (42 U.S.C.  
10           1786(h)(12)) is further amended by adding at the end the  
11           following:

12                   “(H) *EQUITABLE ACCESS FOR WIC SHOP-*  
13                   *PERS.*—To facilitate the use of online payments  
14                   under an electronic benefit transfer system, a  
15                   State agency shall—

16                           “(i) with respect to such electronic ben-  
17                           efit transfer system, allow—

18                                   “(I) transactions to be conducted  
19                                   without the presence of a cashier;

20   “(II) additional methods of au-  
21   thentication other than signature or  
22   entry of a personal identification num-  
23   ber to be used; and

24   “(III) participants to receive sup-  
25   plemental foods after an electronic ben-

1                    *efit transfer transaction has been proc-*  
2                    *essed;*

3                    *“(ii) ensure that no interchange or re-*  
4                    *lated transaction fees are collected from ven-*  
5                    *dors;*

6                    *“(iii) issue program benefits remotely*  
7                    *without receiving a participant signature;*

8                    *“(iv) authorize vendors that do not*  
9                    *have a single, fixed location; and*

10                    *“(v) authorize vendors for a period not*  
11                    *to exceed 5 years.”.*

12                    *(d) REPEAL.—Paragraph (13) of section 17(h) of the*  
13                    *Child Nutrition Act of 1966 (42 U.S.C. 1786(h)) is re-*  
14                    *pealed.*

15                    **SEC. 313. SPEND FORWARD AUTHORITIES.**

16                    *Section 17(i)(3) of the Child Nutrition Act of 1966 (42*  
17                    *U.S.C. 1786(i)(3)) is amended—*

18                    *(1) in subparagraph (A)—*

19                    *(A) in clause (i)—*

20                    *(i) in subclause (I), by striking “1 per-*  
21                    *cent (except as provided in subparagraph*  
22                    *(C))” and inserting “10 percent”; and*

23                    *(ii) in subclause (II), by striking “1*  
24                    *percent” and inserting “10 percent”; and*

25                    *(B) in clause (ii)—*

1 (i) in subclause (I)—

2 (I) by striking “3 percent” and  
3 inserting “10 percent”; and

4 (II) by inserting “for nutrition  
5 services and administration” before  
6 “under this section”; and

7 (ii) in subclause (II)—

8 (I) by striking “for nutrition serv-  
9 ices and administration” and inserting  
10 “to carry out this section”;

11 (II) by striking “not more than 1/2  
12 of 1 percent” and inserting “not more  
13 than 3 percent”; and

14 (III) by striking “the development  
15 of a management information system,  
16 including an electronic benefit transfer  
17 system” and inserting “purposes re-  
18 lated to food delivery, including  
19 breastfeeding services and supplies,  
20 electronic benefit transfer systems, and  
21 other technologies”; and

22 (2) by repealing subparagraph (C).

23 **SEC. 314. ADMINISTRATIVE SIMPLIFICATION.**

24 Section 17 of the Child Nutrition Act of 1966 (42  
25 U.S.C. 1786) is amended—

1           (1) *in subsection (f)(1), by amending subpara-*  
2           *graph (A) to read as follows: (A) Each State agency*  
3           *shall submit to the Secretary a plan of operation and*  
4           *administration. A State shall be required to submit to*  
5           *the Secretary for approval any substantive change in*  
6           *the plan and annual requirements as specified by the*  
7           *Secretary.”; and*

8           (2) *by repealing subsection (k).*

9   **SEC. 315. AUTHORIZATION OF APPROPRIATIONS.**

10          *Section 17(g)(1)(A) of the Child Nutrition Act of 1966*  
11          *(42 U.S.C. 1786(g)(1)(A)) is amended by striking “2010*  
12          *through 2015” and inserting “2023 through 2028”; and*

13   **SEC. 316. WIC FARMERS’ MARKET NUTRITION PROGRAM.**

14          *Section 17(m) of the Child Nutrition Act of 1966 (7*  
15          *U.S.C. 1431) is amended—*

16                 (1) *in paragraph (1), by inserting “and commu-*  
17                 *nity supported agriculture programs” after “roadside*  
18                 *stands”;*

19                 (2) *by striking paragraph (3) and redesignating*  
20                 *paragraphs (4) through (10) as paragraphs (3)*  
21                 *through (9), respectively;*

22                 (3) *in paragraph (3), as so redesignated, by*  
23                 *striking “paragraph (6)” both places it appears and*  
24                 *inserting “paragraph (5)”;*

25                 (4) *in paragraph (4), as so redesignated—*

1           (A) in subparagraph (B), by striking  
2           “using funds” and all that follows through “para-  
3           graph (3).” and inserting “using funds provided  
4           under the grant.”;

5           (B) in subparagraph (C), by striking “may  
6           not be” and all that follows through “per year.”  
7           and inserting “may not be less than \$20 per  
8           year or more than \$100 per year.”;

9           (C) by amending subparagraph (E) to read  
10          as follows:

11          “(E) The coupon redemption process under the  
12          program shall be designed to ensure that the coupon  
13          may be redeemed—

14                 “(i) either—

15                         “(I) by producers authorized by the  
16                         State to participate in the program; or

17                         “(II) through a central point of sale at  
18                         a farmers’ market authorized by the State  
19                         to participate in the program; and

20                         “(ii) only to purchase fresh nutritious un-  
21                         prepared food for human consumption.”;

22          (D) in subparagraph (F)—

23                         (i) in clause (i), by striking “clauses  
24                         (ii) and (iii)” and inserting “clause (ii)”;

25                         (ii) in clause (ii)—

1                   (I) by striking “2 percent” and  
2                   inserting “3 percent”; and

3                   (II) by inserting “such market de-  
4                   velopment or technical assistance will  
5                   advance State efforts to develop effi-  
6                   cient and appropriate electronic bene-  
7                   fits systems or” before “the State in-  
8                   tends”; and

9                   (iii) by striking clause (iii);

10                  (5) in paragraph (5), as so redesignated—

11                   (A) in subparagraph (A), by striking “sub-  
12                   paragraph (G)” and inserting “paragraph (8)”;

13                   (B) in subparagraph (B)—

14                   (i) in clause (i), by striking “if a State  
15                   provides the amount of matching funds re-  
16                   quired under paragraph (3),”;

17                   (ii) in clause (ii)—

18                   (I) by striking “paragraph (10)”  
19                   and inserting “paragraph (8)”; and

20                   (II) by striking “paragraph (6)”  
21                   and inserting “paragraph (5)”;

22                   (C) in subparagraph (C), by striking “sub-  
23                   paragraph (G)(i)” both places it appears and in-  
24                   serting “paragraph (8)”;

1           (D) in subparagraph (D)(ii)(II), by strik-  
2           ing “paragraph (5)” and inserting “paragraph  
3           (4)”; and

4           (E) in subparagraph (F)(iii), by striking  
5           “paragraph (10)(B)(ii)” and inserting “para-  
6           graph (8)(B)(ii)”;

7           (6) in paragraph (7), as so redesignated—

8           (A) by striking subparagraph (D); and

9           (B) by redesignating subparagraphs (E)  
10          and (F) as subparagraphs (D) and (E), respec-  
11          tively;

12          (7) in paragraph (8), as so redesignated—

13          (A) in subparagraph (A), by striking “2010  
14          through 2015” and inserting “2023 through  
15          2028”; and

16          (B) in subparagraph (B)(i)(II), by striking  
17          “5 percent” and inserting “10 percent”;

18          (8) in paragraph (9)(A), as so redesignated, by  
19          striking “or other negotiable financial instrument”  
20          and inserting “token, electronic benefit transfer card,  
21          mobile benefit delivery system, or other forms or tech-  
22          nologies as determined by the Secretary”.

23 **SEC. 317. SUPPORTING HEALTHY MOTHERS AND INFANTS.**

24          Section 17 of the Child Nutrition Act of 1966 (42  
25          U.S.C. 1786) is amended—

1           (1) *in subsection (a), by striking “drug abuse”*  
2           *and inserting “substance use disorder”;*

3           (2) *in subsection (b)—*

4                 (A) *in paragraph (8), by striking “drug*  
5                 *abuse” and inserting “substance use disorder”;*  
6                 *and*

7                 (B) *in paragraph (16)—*

8                     (i) *in the matter preceding subpara-*  
9                     *graph (A), by striking “Drug abuse edu-*  
10                    *cation” and inserting “Substance use dis-*  
11                    *order education”;*

12                   (ii) *in subparagraph (A), by striking*  
13                    *“dangers of drug abuse” and inserting*  
14                    *“harm of substance use on pregnancy and*  
15                    *lactation”;* *and*

16                   (iii) *in subparagraph (B)—*

17                         (I) *by striking “are suspected*  
18                         *drug abusers” and inserting “may*  
19                         *have a substance use disorder”;*

20                         (II) *by striking “drug abuse clin-*  
21                         *ics,”;* *and*

22                         (III) *by striking “drug abuse pro-*  
23                         *fessionals” and inserting “resources”;*

24           (3) *in subsection (e)—*

25                 (A) *in paragraph (1)—*



1                   (i) by striking “drug abuse” each place  
2                   it appears and inserting “substance use dis-  
3                   order”; and

4                   (ii) by striking “effects of drug and al-  
5                   cohol use by” and inserting “effects of a  
6                   substance use disorder of”; and

7                   (B) in paragraph (5), by striking “sub-  
8                   stance abuse” and inserting “substance use dis-  
9                   order”;

10                  (4) in subsection (f)—

11                   (A) in paragraph (1)(C)(ix), by striking  
12                   “drugs” and inserting “illicit or other harmful  
13                   substances”; and

14                   (B) in paragraph (13), by striking “drug  
15                   abuse education” and inserting “substance use  
16                   disorder education”; and

17                  (5) by adding at the end the following:

18                  “(t) *ACTIVITIES TO SUPPORT WIC–ELIGIBLE INDIVID-*  
19                  *UALS IMPACTED BY SUBSTANCE USE DISORDER.—*

20                   “(1) *IN GENERAL.—The Secretary shall—*

21                   “(A) *develop and disseminate nutrition edu-*  
22                   *cation materials for individuals eligible for the*  
23                   *program; and*

1           “(B) conduct outreach to individuals who  
2           are potentially eligible for the program and who  
3           are impacted by a substance use disorder.

4           “(2) *PURPOSE.*—The purpose of this subsection  
5           is to ensure that individuals participating in the pro-  
6           gram who are impacted by a substance use disorder  
7           receive accurate nutrition education from trained  
8           staff in an effective and unbiased manner.

9           “(3) *NUTRITION EDUCATION MATERIALS.*—The  
10          Secretary shall collaborate with the Secretary of  
11          Health and Human Services to develop appropriate  
12          evidence-based nutrition education materials for indi-  
13          viduals impacted by a substance use disorder, includ-  
14          ing—

15                 “(A) nutrition education materials for indi-  
16                 viduals with substance use disorder during preg-  
17                 nancy and in the postpartum period; and

18                 “(B) nutrition education materials for in-  
19                 fants impacted by prenatal substance exposure  
20                 and neonatal abstinence syndrome.

21           “(4) *NUTRITION EDUCATION CLEARINGHOUSE.*—  
22          The Secretary shall make available to all State agen-  
23          cies through an online clearinghouse any nutrition  
24          education and training materials related to nutrition  
25          for individuals impacted by a substance use disorder

1        *or neonatal abstinence syndrome that have been pro-*  
2        *duced by the Secretary or the Secretary of Health and*  
3        *Human Services (or produced by a State agency and*  
4        *approved by the Secretary), including educational*  
5        *materials developed under paragraph (15) of section*  
6        *515(b) of the Public Health Service Act (42 U.S.C.*  
7        *290bb–21(b)) and guidance issued under section 1005*  
8        *of the SUPPORT for Patients and Communities Act*  
9        *(42 U.S.C. 1396a note).*

10            “(5) *AUTHORIZATION OF APPROPRIATIONS.—*  
11        *There are authorized to be appropriated to carry out*  
12        *this subsection \$1,000,000 for fiscal year 2024, to re-*  
13        *main available until expended.”.*

14        ***TITLE IV—MODERNIZING THE***  
15        ***CHILD AND ADULT CARE***  
16        ***FOOD PROGRAM***

17        ***SEC. 401. ELIGIBILITY CERTIFICATION CRITERIA FOR PRO-***  
18        ***PRIETARY CHILD CARE CENTERS.***

19        *Section 17(a)(6) of the Richard B. Russell National*  
20        *School Lunch Act (42 U.S.C. 1766(a)(6)) is amended—*

21            *(1) in the matter preceding subparagraph (A),*  
22        *by striking “criteria:” and inserting “criteria—”;*

23            *(2) in subparagraph (E), by striking “and” at*  
24        *the end;*

1           (3) *in subparagraph (F), by striking the period*  
2           *at the end and inserting “; and”; and*

3           (4) *by adding at the end the following:*

4                   “(G) *in the case of an institution described*  
5                   *in paragraph (2)(B), the eligibility of such insti-*  
6                   *tution shall be determined on an annual basis in*  
7                   *accordance with this section.”.*

8   **SEC. 402. AUTOMATIC ELIGIBILITY FOR CHILDREN IN SUP-**  
9                   **PLEMENTAL NUTRITION ASSISTANCE HOUSE-**  
10                   **HOLDS.**

11           *Section 17(c) of the Richard B. Russell National*  
12           *School Lunch Act (42 U.S.C. 1766(c)) is amended by add-*  
13           *ing at the end the following:*

14                   “(7) *AUTOMATIC ELIGIBILITY FOR CHILDREN IN*  
15                   *SUPPLEMENTAL NUTRITION ASSISTANCE HOUSE-*  
16                   *HOLDS.—A child shall be considered automatically el-*  
17                   *igible for benefits under this section without further*  
18                   *application or eligibility determination if the child is*  
19                   *a member of a household receiving assistance under*  
20                   *the supplemental nutrition assistance program estab-*  
21                   *lished under the Food and Nutrition Act of 2008 (7*  
22                   *U.S.C. 2011 et seq.).”.*

1 **SEC. 403. REVIEW OF SERIOUS DEFICIENCY PROCESS.**

2 *Section 17(d)(5) of the Richard B. Russell National*  
3 *School Lunch Act (42 U.S.C. 1766(d)(5)) is amended by*  
4 *adding at the end the following:*

5 *“(F) SERIOUS DEFICIENCY PROCESS.—*

6 *“(i) IN GENERAL.—Not later than 1*  
7 *year after the date of the enactment of this*  
8 *subparagraph, the Secretary shall review*  
9 *and issue guidance and, as appropriate,*  
10 *regulations regarding the serious deficiency*  
11 *process for the program under this section.*

12 *“(ii) REVIEW.—In carrying out clause*  
13 *(i), the Secretary shall review, at a min-*  
14 *imum, the processes involved in—*

15 *“(I) determining when there is a*  
16 *serious deficiency with respect to an*  
17 *institution, facility, or a family or*  
18 *group day care home by a State agen-*  
19 *cy, including—*

20 *“(aa) what measures auto-*  
21 *matically result in a finding of*  
22 *serious deficiency; and*

23 *“(bb) how to differentiate be-*  
24 *tween—*

25 *“(AA) a reasonable*  
26 *margin of human error and*

1                    *systematic or intentional*  
2                    *noncompliance; and*

3                    *“(BB) State-specific re-*  
4                    *quirements and Federal regu-*  
5                    *lations;*

6                    *“(II) appealing and mediating a*  
7                    *finding of serious deficiency with re-*  
8                    *spect to an institution or a family or*  
9                    *group day care home, including—*

10                    *“(aa) findings related to re-*  
11                    *quirements and Federal regula-*  
12                    *tions; and*

13                    *“(bb) processes for ensuring*  
14                    *officials involved in appeals and*  
15                    *mediation are fair and impartial;*

16                    *“(III) determining the cir-*  
17                    *cumstances under which a corrective*  
18                    *action plan is acceptable;*

19                    *“(IV) termination and disquali-*  
20                    *fication, including maintenance of the*  
21                    *list under subparagraph (E); and*

22                    *“(V) determining opportunities*  
23                    *for strengthening the processes intended*  
24                    *to reduce additional State agency pro-*  
25                    *gram requirements on institutions or*

1           *family or group day care homes that*  
2           *are in addition to those required under*  
3           *Federal law, including—*

4                     “(aa) *State evaluation of*  
5                     *practices used at the time of re-*  
6                     *view;*

7                     “(bb) *regional approval of*  
8                     *such additional State agency re-*  
9                     *quirements; and*

10                    “(cc) *oversight through the*  
11                    *management evaluation process.*

12           “(iii) *GUIDANCE AND REGULATIONS.—*

13                     “(I) *IN GENERAL.—Not later than*  
14                     *1 year after conducting the review*  
15                     *under clause (i), the Secretary shall*  
16                     *make findings from the information*  
17                     *collected and issue guidance and, as*  
18                     *appropriate, regulations from such*  
19                     *findings that will—*

20                     “(aa) *streamline and mod-*  
21                     *ernize the program; and*

22                     “(bb) *assist sponsoring orga-*  
23                     *nizations, State agencies, and the*  
24                     *Food and Nutrition Service in en-*  
25                     *sureing a fair, uniform, and effec-*

1                    *tive administration of the serious*  
2                    *deficiency process, while retaining*  
3                    *program integrity.*

4                    “(II) *SCOPE.—The guidance or,*  
5                    *as appropriate, regulations made or*  
6                    *issued under subclause (I) shall in-*  
7                    *clude—*

8                                       “(aa) *clarity on the required*  
9                                       *measures for noncompliance, in-*  
10                                       *cluding—*

11                                                          “(AA) *an allowance for*  
12                                                          *a reasonable margin of*  
13                                                          *human error; and*

14                                                                             “(BB) *a distinction be-*  
15                                                                             *tween a reasonable margin of*  
16                                                                             *human error and systematic*  
17                                                                             *or intentional noncompli-*  
18                                                                             *ance;*

19                                                                             “(bb) *a formal appeals and*  
20                                                                             *mediation process that—*

21                                                                                                “(AA) *is conducted by a*  
22                                                                                                *trained official who is inde-*  
23                                                                                                *pendent from and not affili-*  
24                                                                                                *ated with any person or*  
25                                                                                                *agency involved in the deter-*



1                    *mination being appealed or*  
2                    *mediated;*

3                    *“(BB) provides an op-*  
4                    *portunity for a fair hearing*  
5                    *for any institution or family*  
6                    *or group day care home de-*  
7                    *termined to have a serious*  
8                    *deficiency finding or inad-*  
9                    *equately corrective action plan;*  
10                   *and*

11                   *“(CC) provides for the*  
12                   *evaluation and resolution of*  
13                   *disputes over State agency*  
14                   *program requirements on in-*  
15                   *stitutions or family or group*  
16                   *day care homes that are in*  
17                   *addition to those required*  
18                   *under Federal law;*

19                   *“(cc) timeframes for accept-*  
20                   *able corrective action plans for*  
21                   *group or family day care homes*  
22                   *that are consistent with corrective*  
23                   *action timeframes for child care*  
24                   *centers; and*

1                                   “(dd) a process to dismiss a  
2                                   serious deficiency upon correction  
3                                   of such deficiency.”.

4 **SEC. 404. AUTHORIZATION OF REIMBURSEMENTS FOR AD-**  
5 **DITIONAL MEAL OR SNACK.**

6           Section 17(f)(2) of the Richard B. Russell National  
7 School Lunch Act (42 U.S.C. 1766(f)(2)) is amended—

8                   (1) by striking “(2)(A) Subject to subparagraph  
9                   (B) of this paragraph” and inserting the following:

10                   “(2) *DISBURSEMENTS.*—

11                                   “(A) *IN GENERAL.*—Subject to subpara-  
12                                   graph (B)”;

13                   (2) by amending subparagraph (B) to read as  
14 follows:

15                                   “(B) *LIMITATION.*—No reimbursement may  
16                                   be made to any institution under this para-  
17                                   graph, or to family or group day care home  
18                                   sponsoring organizations under paragraph (3),  
19                                   for more than—

20   “(i) 2 meals and 1 supplement or 1  
21   meal and 2 supplements per day per child;  
22   or

23   “(ii) 3 meals and 1 supplement or 2  
24   meals and 2 supplements per day per child,  
25   in the case of child care during which there

1                   are 8 or more hours between the beginning  
2                   of the first meal service period and the be-  
3                   ginning of the fourth meal service period.”.

4 **SEC. 405. ADJUSTMENTS.**

5           Section 17(f)(3) of the Richard B. Russell National  
6 School Lunch Act (42 U.S.C. 1766(f)(3)) is amended—

7                   (1) in subparagraph (A)—

8                           (A) by amending clause (i)(IV) to read as  
9 follows:

10                                   “(IV) ADJUSTMENTS.—The reim-  
11                                   bursement factors under this subpara-  
12                                   graph shall be adjusted on July 1,  
13                                   1997, and each July 1 thereafter, to re-  
14                                   flect changes in the Consumer Price  
15                                   Index for food away from home for the  
16                                   12-month period ending on the pre-  
17                                   ceding April 30. The reimbursement  
18                                   factors under this subparagraph shall  
19                                   be rounded to the nearest lower cent  
20                                   increment and based on the unrounded  
21                                   adjustment in effect on April 30 of the  
22                                   preceding school year.”; and

23                           (B) by amending clause (iii)(I)(bb) to read  
24 as follows:

1                   “(bb) *ADJUSTMENTS.—The*  
2                   *factors shall be adjusted on July*  
3                   *1, 1997, and each July 1 there-*  
4                   *after, to reflect changes in the*  
5                   *Consumer Price Index for food*  
6                   *away from home for the 12-month*  
7                   *period ending on the preceding*  
8                   *April 30. The reimbursement fac-*  
9                   *tors under this item shall be*  
10                   *rounded down to the nearest lower*  
11                   *cent increment and based on the*  
12                   *unrounded adjustment in effect on*  
13                   *April 30 of the preceding 12-*  
14                   *month period.”; and*

15                   (2) *by amending subparagraph (B)(ii) to read as*  
16                   *follows:*

17                   “(ii) *ANNUAL ADJUSTMENT.—The ad-*  
18                   *ministrative reimbursement levels specified*  
19                   *in clause (i) shall be adjusted July 1 of each*  
20                   *year to reflect changes in the 12-month pe-*  
21                   *riod ending on the preceding April 30 in*  
22                   *the Consumer Price Index for All Urban*  
23                   *Consumers published by the Bureau of*  
24                   *Labor Statistics of the Department of*  
25                   *Labor.”.*

1 **SEC. 406. AGE LIMITS IN HOMELESS SHELTERS AND EMER-**  
 2 **GENCY SHELTERS.**

3 *Section 17(t)(5)(A)(i) of the Richard B. Russell Na-*  
 4 *tional School Lunch Act (42 U.S.C. 1766(t)(5)(A)(i)) is*  
 5 *amended—*

6 *(1) in the matter before subclause (I), by insert-*  
 7 *ing “or individuals” after “children” both places it*  
 8 *appears; and*

9 *(2) in subclause (I), by striking “18 years of*  
 10 *age” and inserting “25 years of age”.*

11 **SEC. 407. ADVISORY COMMITTEE ON PAPERWORK REDUC-**  
 12 **TION.**

13 *Section 17 of the Richard B. Russell National School*  
 14 *Lunch Act (42 U.S.C. 1766) is amended by adding at the*  
 15 *end the following:*

16 *“(v) ADVISORY COMMITTEE ON PAPERWORK REDUC-*  
 17 *TION.—*

18 *“(1) ESTABLISHMENT.—Not later than 180 days*  
 19 *after the date of the enactment of this subsection, the*  
 20 *Secretary shall establish an advisory committee (re-*  
 21 *ferred to in this subsection as the ‘Advisory Com-*  
 22 *mittee’) to carry out the duties described in para-*  
 23 *graph (2).*

24 *“(2) DUTIES.—The duties of the Advisory Com-*  
 25 *mittee shall be to—*

1           “(A) examine the feasibility of reducing un-  
2 necessary or duplicative paperwork resulting  
3 from regulations and recordkeeping require-  
4 ments, including paperwork resulting from addi-  
5 tional State requirements, for those participating  
6 or seeking to participate in the program under  
7 this section, including State agencies, family  
8 child care homes, child care centers, and spon-  
9 soring organizations; and

10           “(B) provide recommendations to the Sec-  
11 retary to reduce such paperwork for participants  
12 in the program under this section while ensuring  
13 that proper accountability and program integ-  
14 rity are maintained and make such rec-  
15 ommendations publicly available.

16           “(3) MEMBERSHIP.—The Advisory Committee  
17 shall be composed of not fewer than 14 members, of  
18 whom:

19           “(A) 1 shall be a representative of a public  
20 nonprofit center.

21           “(B) 1 shall be a representative of a private  
22 nonprofit center.

23           “(C) 1 shall be a representative of a family  
24 or group day care home.

1           “(D) 1 shall be a representative of a Head  
2           Start center.

3           “(E) 1 shall be a representative of a for-  
4           profit center.

5           “(F) 1 shall be a representative of an emer-  
6           gency shelter.

7           “(G) 1 shall be a representative of an adult  
8           day care center.

9           “(H) 1 shall be a representative of a State  
10          agency.

11          “(I) 1 shall be a representative of a spon-  
12          soring organization for the entities referred to in  
13          subparagraphs (A), (B), (D), (E), (F), and (G).

14          “(J) 1 shall be a representative of a spon-  
15          soring organization of family or group day care  
16          homes.

17          “(K) 1 shall be a representative of an anti-  
18          hunger advocacy organization.

19          “(L) 1 shall be a representative of an at-  
20          risk, after school program.

21          “(M) 1 shall be a representative of a child  
22          care advocacy organization.

23          “(N) 1 shall be a representative of an advo-  
24          cacy organization representing parents with  
25          young children.

1           “(4) *CONSIDERATIONS.*—*In developing the rec-*  
2           *ommendations described in paragraph (2)(B), the Ad-*  
3           *visory Committee shall consider—*

4                   “(A) *information, recommendations, and re-*  
5                   *ports from the Paperwork Reduction Work*  
6                   *Group established by the Food and Nutrition*  
7                   *Service pursuant to section 119(i) of the Child*  
8                   *Nutrition and WIC Reauthorization Act of 2004*  
9                   *(42 U.S.C. 1766);*

10                   “(B) *the use of electronic systems and rec-*  
11                   *ordkeeping technologies to reduce paperwork for*  
12                   *program participants and program operators;*  
13                   *and*

14                   “(C) *duplicative requirements across mul-*  
15                   *tiple Federal programs.*

16           “(5) *GUIDANCE AND REGULATIONS.*—*Not later*  
17           *than 3 years after the date of the enactment of this*  
18           *subsection, the Secretary shall issue guidance and, as*  
19           *appropriate, regulations based on the recommenda-*  
20           *tions described in paragraph (2)(B) for streamlined*  
21           *and consolidated paperwork and recordkeeping re-*  
22           *quirements for the program, including actions taken*  
23           *to reduce paperwork for parents and program opera-*  
24           *tors by—*



1           “(A) streamlining and modernizing appli-  
2 cations; and

3           “(B) streamlining and modernizing the  
4 monitoring and auditing of programmatic docu-  
5 mentation and recordkeeping, including—

6                 “(i) eliminating the use of the enroll-  
7 ment form for the purpose of claiming  
8 meals;

9                 “(ii) allowing the use of direct certifi-  
10 cation in all States;

11                “(iii) requiring States to accept as doc-  
12 umentation digital forms, digitized and  
13 electronic signatures, and electronic records;

14                “(iv) allowing the use of electronic  
15 data collection systems containing all re-  
16 quired Federal child and adult care food  
17 program standards;

18                “(v) addressing non-mandated State-  
19 specific requirements; and

20                “(vi) requiring the adoption of gen-  
21 erally accepted technologies for client-facing  
22 technology, virtual visits, and technology  
23 used for administrative functions by the  
24 child and adult care food program to reduce

1           *the burden on participants and program*  
2           *operators and administrators.*

3           “(6) *REPORT.*—

4           “(A) *IN GENERAL.*—*Not later than 180*  
5           *days after issuing the guidance and, as appro-*  
6           *priate, regulations described in paragraph (5),*  
7           *the Secretary shall submit a report to the Com-*  
8           *mittee on Agriculture, Nutrition, and Forestry of*  
9           *the Senate and the Committee on Education and*  
10           *Labor of the House of Representatives containing*  
11           *the information described in subparagraph (B).*

12           “(B) *CONTENTS.*—*The report under sub-*  
13           *paragraph (A) shall contain the following:*

14           “(i) *With respect to each instance in*  
15           *which the Secretary did not implement a*  
16           *recommendation of the Advisory Committee,*  
17           *an explanation with respect to why such*  
18           *recommendation was not implemented.*

19           “(ii) *Additional recommendations with*  
20           *respect to legislative action that may fur-*  
21           *ther strengthen and streamline the program*  
22           *application and monitoring process and re-*  
23           *duce administrative burdens on grantees,*  
24           *program participants, and local, State, and*  
25           *Federal governments.”.*

1 **TITLE V—ADDRESSING CHILD**  
2 **FOOD INSECURITY DURING**  
3 **THE SUMMER**

4 **SEC. 501. SUMMER FOOD SERVICE PROGRAM FOR CHILD-**  
5 **DREN.**

6 (a) *BETTER INTEGRATE SUMMER EDUCATION AND*  
7 *SUMMER MEALS PROGRAM.*—Section 13(a)(1)(A)(i) of the  
8 *Richard B. Russell National School Lunch Act (42 U.S.C.*  
9 *1761(a)(1)(A)(i)) is amended by striking “50 percent” each*  
10 *place it appears and inserting “40 percent”.*

11 (b) *PUBLIC-PRIVATE PARTNERSHIPS.*—Section 13(a)  
12 *of the Richard B. Russell National School Lunch Act (42*  
13 *U.S.C. 1761(a)) is amended by striking paragraph (8) and*  
14 *inserting the following:*

15 “(8) *YEAR-ROUND MEAL SERVICE.*—

16 “(A) *SEAMLESS SUMMER OPTION FOR*  
17 *SCHOOLS.*—*Except as otherwise determined by*  
18 *the Secretary, a service institution that is a pub-*  
19 *lic or private nonprofit school food authority*  
20 *may provide summer or school vacation food*  
21 *service in accordance with applicable provisions*  
22 *of law governing the school lunch program estab-*  
23 *lished under this Act or the school breakfast pro-*  
24 *gram established under the Child Nutrition Act*  
25 *of 1966 (42 U.S.C. 1771 et seq.).*

1           “(B) YEAR-ROUND MEAL SERVICE FOR  
2           OTHER SERVICE INSTITUTIONS.—Each service  
3           institution (other than a service institution de-  
4           scribed in subparagraph (A)), in addition to  
5           being eligible for reimbursement for meals de-  
6           scribed in subsection (b)(2) served during each  
7           day of operation during the periods described in  
8           subsection (c)(1), may be reimbursed for up to 1  
9           meal and 1 snack per child served at sites that  
10          provide educational or enrichment activities dur-  
11          ing the regular school year during—

12                   “(i) afterschool hours;

13                   “(ii) weekends; and

14                   “(iii) school holidays.”.

15          (c) IMPROVE NUTRITION IN UNDERSERVED, HARD-TO-  
16 REACH AREAS.—Section 13(a) of the Richard B. Russell  
17 National School Lunch Act (42 U.S.C. 1761(a)) is amend-  
18 ed—

19                   (1) by striking paragraphs (9) and (10);

20                   (2) by inserting after paragraph (8) the fol-  
21          lowing:

22                   “(9) IMPROVE NUTRITION IN UNDERSERVED,  
23          HARD-TO-REACH AREAS.—

24                   “(A) IN GENERAL.—Subject to the avail-  
25          ability of appropriations specifically for the pur-

1           *pose of carrying out this paragraph, the Sec-*  
2           *retary may award competitive grants to States*  
3           *to award subgrants to service institutions in ac-*  
4           *cordance with subparagraph (B).*

5           “(B) *SUBGRANTS.—*

6                   “(i) *IN GENERAL.—A State that re-*  
7                   *ceives a grant under subparagraph (A) shall*  
8                   *use such grant funds to award competitive*  
9                   *subgrants to service institutions selected by*  
10                   *the State to increase participation in the*  
11                   *program—*

12                           “(I) *at congregate feeding sites;*

13                           *and*

14                           “(II) *through—*

15                                   “(aa) *innovative approaches*  
16                                   *to addressing barriers in trans-*  
17                                   *portation to such sites; and*

18                                   “(bb) *mobile meal delivery.*

19                   “(ii) *ELIGIBILITY.—To be selected to*  
20                   *receive a subgrant under this subparagraph,*  
21                   *a service institution shall—*

22                           “(I) *be located in the State;*

23                           “(II) *submit to the State an ap-*  
24                           *plication at such time, in such man-*

1                    *ner, and containing such information*  
2                    *as the State may require;*

3                    *“(III) meet criteria established by*  
4                    *the State; and*

5                    *“(IV) agree to the terms and con-*  
6                    *ditions of the subgrant, as established*  
7                    *by the State.*

8                    *“(iii) PRIORITY.—In awarding sub-*  
9                    *grants under this subparagraph, the State*  
10                   *shall give priority to service institutions*  
11                   *that—*

12                   *“(I) serve both breakfast and*  
13                   *lunch; or*

14                   *“(II) offer educational or enrich-*  
15                   *ment programs.*

16                   *“(iv) TRAVEL REIMBURSEMENT.—A*  
17                   *service institution that receives a subgrant*  
18                   *under this subparagraph may use subgrant*  
19                   *funds to provide reimbursement for travel to*  
20                   *satellite congregate feeding sites.*

21                   *“(C) AUTHORIZATION OF APPROPRIA-*  
22                   *TIONS.—There are authorized to be appropriated*  
23                   *to the Secretary to make competitive grants*  
24                   *under this paragraph, \$10,000,000 for each fiscal*  
25                   *year.”; and*

1           (3) by redesignating paragraphs (11) and (12)  
2           as paragraphs (10) and (11), respectively.

3           (d) *CULTURALLY AND LINGUISTICALLY APPROPRIATE*  
4 *OUTREACH REGARDING SUMMER FOOD SERVICE PRO-*  
5 *GRAM.*—Paragraph (10)(B) of section 13(a) of the Richard  
6 B. Russell National School Lunch Act (42 U.S.C. 1761(a)),  
7 as redesignated by subsection (c)(3), is amended by insert-  
8 ing “culturally and linguistically appropriate” after “dis-  
9 semination of” both places it appears.

10          (e) *TIMING OF ADJUSTMENTS.*—Section 13(b)(1)(B) of  
11 the Richard B. Russell National School Lunch Act (42  
12 U.S.C. 1761(b)(1)(B)) is amended by striking “ending the  
13 preceding November” and inserting “ending on the pre-  
14 ceding October”.

15          (f) *THIRD MEAL.*—Section 13(b)(2) of the Richard B.  
16 Russell National School Lunch Act (42 U.S.C. 1761(b)(2))  
17 is amended by striking “only serve lunch” and all that fol-  
18 lows through “migrant children may”.

19          (g) *MEAL SERVICE DURING UNANTICIPATED SCHOOL*  
20 *CLOSURES.*—Section 13(c)(1) of the Richard B. Russell Na-  
21 tional School Lunch Act (42 U.S.C. 1761(c)(1)) is amended  
22 by striking “at non-school sites”.

23          (h) *NON-SCHOOL SPONSORS.*—Section 13(f)(7) of the  
24 Richard B. Russell National School Lunch Act (42 U.S.C.  
25 1761(f)(7)) is amended—

1           (1) by striking “school food authority partici-  
2           pating as a”;

3           (2) by striking “, under rules that the school uses  
4           for school meals programs”; and

5           (3) by striking “to a school” and inserting “to  
6           a service institution”.

7           (i) *SUMMER NUTRITION STANDARDS.*—Section 13(f) of  
8           the *Richard B. Russell National School Lunch Act* (42  
9           U.S.C. 1761(f)) is amended by adding at the end the fol-  
10          lowing:

11          “(8) Not later than 2 years after the date of the enact-  
12          ment of this paragraph and in accordance with paragraph  
13          (1), the Secretary shall promulgate proposed regulations to  
14          update the nutrition standards for the summer food service  
15          program authorized under this Act to be guided by the goals  
16          of the most recent *Dietary Guidelines for Americans* pub-  
17          lished under section 301 of the *National Nutrition Moni-  
18          toring and Related Research Act of 1990* (7.U.S.C. 5341),  
19          taking into account the structure of the Program.”.

20          (j) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
21          13(r) of the *Richard B. Russell National School Lunch Act*  
22          (42 U.S.C. 1761(r)) is amended by striking “2015” and in-  
23          serting “2028”.



1 **SEC. 502. SUMMER ELECTRONIC BENEFITS TRANSFER FOR**  
2 **CHILDREN PROGRAM.**

3 *The Richard B. Russell National School Lunch Act is*  
4 *amended by inserting after section 13 (42 U.S.C. 1761) the*  
5 *following:*

6 **“SEC. 13A. SUMMER ELECTRONIC BENEFITS TRANSFER FOR**  
7 **CHILDREN PROGRAM.**

8 *“(a) PROGRAM ESTABLISHED.—The Secretary shall*  
9 *establish a program under which States and covered Indian*  
10 *Tribal organizations participating in such program shall,*  
11 *beginning with summer 2024 and annually for each sum-*  
12 *mer thereafter, issue to eligible households summer EBT*  
13 *benefits—*

14 *“(1) in accordance with this section; and*

15 *“(2) for the purpose of providing nutrition as-*  
16 *sistance through electronic benefits transfer during the*  
17 *summer months for eligible children, to ensure contin-*  
18 *ued access to food when school is not in session for*  
19 *the summer.*

20 **“(b) SUMMER EBT BENEFITS REQUIREMENTS.—**

21 *“(1) PURCHASE OPTIONS.—*

22 *“(A) BENEFITS ISSUED BY STATES.—*

23 *“(i) WIC PARTICIPATION STATES.—In*  
24 *the case of a State that participated in a*  
25 *demonstration program under section*  
26 *749(g) of the Agriculture, Rural Develop-*

1 *ment, Food and Drug Administration, and*  
2 *Related Agencies Appropriations Act, 2010*  
3 *(Public Law 111–80; 123 Stat. 2132) dur-*  
4 *ing calendar year 2018 using a WIC model,*  
5 *summer EBT benefits issued pursuant to*  
6 *subsection (a) by such a State may only be*  
7 *used by the eligible household that receives*  
8 *such summer EBT benefits to purchase—*

9 *“(I) supplemental foods from re-*  
10 *tailers that have been approved for*  
11 *participation in—*

12 *“(aa) the special supple-*  
13 *mental nutrition program for*  
14 *women, infants, and children*  
15 *under section 17 of the Child Nu-*  
16 *trition Act of 1966 (42 U.S.C.*  
17 *1786); or*

18 *“(bb) the program under this*  
19 *section; or*

20 *“(II) food (as defined in section*  
21 *3(k) of the Food and Nutrition Act of*  
22 *2008 (7 U.S.C. 2011(k))) from retail*  
23 *food stores that have been approved for*  
24 *participation in the supplemental nu-*  
25 *trition assistance program established*

1           *under such Act, in accordance with*  
2           *section 7(b) of such Act (7 U.S.C.*  
3           *2016(b)).*

4           “(i) *OTHER STATES.—Summer EBT*  
5           *benefits issued pursuant to subsection (a) by*  
6           *a State not described in clause (i) may only*  
7           *be used by the eligible household that re-*  
8           *ceives such summer EBT benefits to pur-*  
9           *chase food (as defined in section 3(k) of the*  
10           *Food and Nutrition Act of 2008 (7 U.S.C.*  
11           *2011(k))) from retail food stores that have*  
12           *been approved for participation in the sup-*  
13           *plemental nutrition assistance program es-*  
14           *tablished under such Act, in accordance*  
15           *with section 7(b) of such Act (7 U.S.C.*  
16           *2016(b)).*

17           “(B) *BENEFITS ISSUED BY COVERED INDIAN*  
18           *TRIBAL ORGANIZATIONS.—Summer EBT benefits*  
19           *issued pursuant to subsection (a) by a covered*  
20           *Indian Tribal organization may only be used by*  
21           *the eligible household that receives such summer*  
22           *EBT benefits to purchase supplemental foods*  
23           *from retailers that have been approved for par-*  
24           *ticipation in—*

1           “(i) *the special supplemental nutrition*  
2           *program for women, infants, and children*  
3           *under section 17 of the Child Nutrition Act*  
4           *of 1966 (42 U.S.C. 1786); or*

5           “(ii) *the program under this section.*

6           “(2) *AMOUNT.—Summer EBT benefits issued*  
7           *pursuant to subsection (a)—*

8           “(A) *shall be—*

9           “(i) *for calendar year 2024, in an*  
10           *amount equal to \$75 for each child in the*  
11           *eligible household per month during the*  
12           *summer; and*

13           “(ii) *for calendar year 2025 and each*  
14           *year thereafter, in an amount equal to the*  
15           *amount described in clause (i), adjusted to*  
16           *the nearest lower dollar increment to reflect*  
17           *changes to the cost of the thrifty food plan*  
18           *(as defined in section 3(u) of the Food and*  
19           *Nutrition Act of 2008 (7 U.S.C. 2012(u))*  
20           *for the 12-month period ending on Novem-*  
21           *ber 30 of the preceding calendar year; and*

22           “(B) *may be issued—*

23           “(i) *in the form of an EBT card; or*

24           “(ii) *through electronic delivery.*

25           “(c) *ENROLLMENT IN PROGRAM.—*

1           “(1) *STATE REQUIREMENTS.*—*States partici-*  
2           *parting in the program under this section—*

3                   “(A) *shall, with respect to summer, auto-*  
4                   *matically enroll eligible children who, in the*  
5                   *school year immediately preceding the summer,*  
6                   *are directly certified, are identified students (as*  
7                   *defined in section 11(a)(1)(F)(i)), or are other-*  
8                   *wise determined by a local educational agency to*  
9                   *be eligible to receive free or reduce price meals in*  
10                   *the program under this section, without further*  
11                   *application from households;*

12                   “(B) *may provide an application for chil-*  
13                   *dren who do not meet the criteria specified in*  
14                   *subparagraph (A) and make eligibility deter-*  
15                   *minations using the same eligibility criteria for*  
16                   *free or reduced price lunches under this Act;*

17                   “(C) *shall establish procedures to carry out*  
18                   *the enrollment described in subparagraph (A);*  
19                   *and*

20                   “(D) *shall require local educational agencies*  
21                   *to allow eligible households to opt out of partici-*  
22                   *pation in the program under this section and es-*  
23                   *tablish procedures for opting out of such partici-*  
24                   *pation.*

1           “(2) *COVERED INDIAN TRIBAL ORGANIZATION*  
2           *REQUIREMENTS.*—*Covered Indian Tribal organiza-*  
3           *tions participating in the program under this section*  
4           *shall, to the maximum extent practicable, meet the re-*  
5           *quirements under subparagraphs (A) through (C) of*  
6           *paragraph (1).*

7           “(d) *IMPLEMENTATION GRANTS.*—*Not later than Octo-*  
8           *ber 1, 2022, the Secretary shall carry out a program to*  
9           *make grants to States and covered Indian Tribal organiza-*  
10           *tions to build capacity for implementing the program under*  
11           *this section.*

12           “(e) *ALTERNATE PLANS IN THE CASE OF CONTINUOUS*  
13           *SCHOOL CALENDAR.*—*The Secretary shall establish alter-*  
14           *native plans for when summer EBT benefits may be issued*  
15           *pursuant to subsection (a) in the case of children who are*  
16           *under a continuous school calendar.*

17           “(f) *DEFINITIONS.*—*In this section:*

18           “(1) *COVERED INDIAN TRIBAL ORGANIZATION.*—  
19           *The term ‘covered Indian Tribal organization’ means*  
20           *an Indian Tribal organization that participates in*  
21           *the special supplemental nutrition program for*  
22           *women, infants, and children under section 17 of the*  
23           *Child Nutrition Act of 1966 (42 U.S.C. 1786).*

24           “(2) *ELIGIBLE CHILD.*—*The term ‘eligible child’*  
25           *means, with respect to a summer, a child who—*

1           “(A) was, during the school year imme-  
2           diately preceding such summer—

3                   “(i) certified to receive free or reduced  
4                   price lunch under the school lunch program  
5                   under this Act;

6                   “(ii) certified to receive free or reduced  
7                   price breakfast under the school breakfast  
8                   program under section 4 of the Child Nutri-  
9                   tion Act of 1966 (42 U.S.C. 1773); or

10                  “(iii) certified by the State through the  
11                  process described in subsection (c)(1)(B); or

12                  “(B)(i) was, during the school year imme-  
13                  diately preceding such summer, enrolled in a  
14                  school described in subparagraph (B), (C), (D),  
15                  (E), or (F) of section 11(a)(1); and

16                  “(ii) either—

17                          “(I) is an identified student (as de-  
18                          fined in section 11(a)(1)(F)(i)); or

19                          “(II) otherwise meets the requirements  
20                          to receive free or reduced price lunch as de-  
21                          termined by a local educational agency  
22                          through an application process using the  
23                          same eligibility criteria for free or reduced  
24                          price lunches under this Act.

1           “(3) *ELIGIBLE HOUSEHOLD*.—The term ‘eligible  
2 household’ means a household that includes at least 1  
3 eligible child.

4           “(4) *SUPPLEMENTAL FOODS*.—The term ‘supple-  
5 mental foods’—

6           “(A) means foods—

7           “(i) containing nutrients determined  
8 by nutritional research to be lacking in the  
9 diets of children; and

10           “(ii) that promote the health of the  
11 population served by the program under  
12 this section, as indicated by relevant nutri-  
13 tion science, public health concerns, and  
14 cultural eating patterns, as determined by  
15 the Secretary; and

16           “(B) includes foods not described in sub-  
17 paragraph (A) substituted by State agencies,  
18 with the approval of the Secretary, that—

19           “(i) provide the nutritional equivalent  
20 of foods described in such subparagraph;  
21 and

22           “(ii) allow for different cultural eating  
23 patterns than foods described in such sub-  
24 paragraph.”.



1 **TITLE VI—IMPROVING CAPACITY**  
2 **AND PROMOTING SUSTAIN-**  
3 **ABILITY**

4 **SEC. 601. VALUES-ALIGNED PROCUREMENT.**

5 *Section 9(j) of the Richard B. Russell National School*  
6 *Lunch Act (42 U.S.C. 1758(j)) is amended—*

7 *(1) in paragraph (1)—*

8 *(A) by striking “to purchase unprocessed*  
9 *agricultural products, both locally grown and lo-*  
10 *cally raised”; and*

11 *(B) by striking the semicolon at the end and*  
12 *inserting the following: “, to purchase unproc-*  
13 *essed agricultural products that were—*

14 *“(A) locally grown and locally raised;*

15 *“(B) produced in an environmentally sus-*  
16 *tainable manner;*

17 *“(C) produced by a certified organic farm*  
18 *or ranch;*

19 *“(D) produced by an underserved or limited*  
20 *resource producer;*

21 *“(E) produced by a small or mid-sized farm*  
22 *that is structured as a family farm;*

23 *“(F) produced by a farm with employees*  
24 *who, as permitted by law, are represented by a*

1           *collective bargaining agreement or memorandum*  
2           *of understanding;*

3           “(G) *produced by a farm participating in*  
4           *a worker justice certification program; or*

5           “(H) *produced by a farm participating in*  
6           *an independent animal welfare certification pro-*  
7           *gram;”;*

8           (2) *by amending paragraph (3) to read as fol-*  
9           *lows:*

10           “(3) *allow institutions receiving funds under this*  
11           *Act and the Child Nutrition Act of 1966 (42 U.S.C.*  
12           *1771 et seq.), including the Department of Defense*  
13           *Fresh Fruit and Vegetable Program, to—*

14           “(A)(i) *use a geographic preference for the*  
15           *procurement of unprocessed agricultural prod-*  
16           *ucts, both locally grown and locally raised; or*

17           “(ii) *use locally grown, locally raised,*  
18           *or locally caught as a product specification;*

19           *and*

20           “(B) *procure unprocessed agricultural prod-*  
21           *ucts that are produced—*

22           “(i) *in an environmentally sustainable*  
23           *manner;*

24           “(ii) *by a certified organic farm or*  
25           *ranch;*

1           “(iii) by an underserved or limited re-  
2           source producer;

3           “(iv) by a small or mid-sized farm  
4           that is structured as a family farm;

5           “(v) by a farm with employees who, as  
6           permitted by law, are represented by a col-  
7           lective bargaining agreement or memo-  
8           randum of understanding;

9           “(vi) by a farm participating in a  
10          worker justice certification program; or

11          “(vii) by a farm participating in an  
12          independent animal welfare certification  
13          program.”; and

14          (3) by adding at the end the following:

15          “(4) *DEFINITIONS.*—In this subsection:

16                 “(A) *BEGINNING FARMER OR RANCHER.*—  
17                 The term ‘beginning farmer or rancher’ has the  
18                 meaning given such term in section 343(a) of the  
19                 Consolidated Farm and Rural Development Act  
20                 (7 U.S.C. 1991(a)).

21                 “(B) *FAMILY FARM.*—The term ‘family  
22                 farm’ has the meaning given such term in sec-  
23                 tion 4284.902 of title 7, Code of Federal Regula-  
24                 tions (as in effect on the date of the enactment  
25                 of this paragraph).

1           “(C) *UNDERSERVED PRODUCER*.—*The term*  
2           *‘underserved producer’ means an individual (in-*  
3           *cluding a member of an Indian Tribe) that is—*

4                     “(i) *a beginning farmer or rancher;*  
5                     “(ii) *a veteran farmer or rancher; or*  
6                     “(iii) *a socially disadvantaged farmer*  
7                     *or rancher.*

8           “(D) *VETERAN FARMER OR RANCHER*.—*The*  
9           *term ‘veteran farmer or rancher’ has the mean-*  
10           *ing given such term in section 2501(a) of the*  
11           *Food, Agriculture, Conservation, and Trade Act*  
12           *of 1990 (7 U.S.C. 2279(a)).”.*

13 **SEC. 602. PROCUREMENT TRAINING.**

14           *Section 12(m)(4) of the Richard B. Russell National*  
15           *School Lunch Act (42 U.S.C. 1760(m)(4)) is amended by*  
16           *striking “fiscal years 2010 through 2015” and inserting*  
17           *“fiscal years 2023 through 2028”.*

18 **SEC. 603. BUY AMERICAN.**

19           *Section 12(n) of the Richard B. Russell National*  
20           *School Lunch Act (42 U.S.C. 1760(n)) is amended by add-*  
21           *ing at the end the following:*

22                     “(5) *ADMINISTRATIVE REVIEWS*.—

23                     “(A) *IN GENERAL*.—*In conducting the re-*  
24                     *views required under section 22(b)(1)(C)(i) of the*  
25                     *Richard B. Russell National School Lunch Act*

1           *(42 U.S.C. 1769c(b)(1)(C)(i)), a State agency lo-*  
2           *cated in Puerto Rico, Hawaii, or the contiguous*  
3           *United States shall include the information de-*  
4           *scribed in subparagraph (B) regarding compli-*  
5           *ance with the requirements under this subsection.*

6           “(B) *INFORMATION REQUIRED.—The infor-*  
7           *mation required under subparagraph (A) shall*  
8           *include, with respect to a school food authority*  
9           *served by the State agency—*

10            “(i) *the 10 commodities or food prod-*  
11            *ucts purchased by such school food authority*  
12            *that—*

13                “(I) *are not domestic commodities*  
14                *or food products; and*

15                “(II) *make up the largest share of*  
16                *the school food authority’s spending*  
17                *with respect to commodities or food*  
18                *products; and*

19                “(ii) *whether each such commodity or*  
20                *food product—*

21                    “(I) *is not produced domestically*  
22                    *in sufficient quantities of satisfactory*  
23                    *quality to meet the needs of meals pro-*  
24                    *vided under the school lunch program*  
25                    *under this Act or the school breakfast*

1                    *program under section 4 of the Child*  
2                    *Nutrition Act of 1966 (42 U.S.C.*  
3                    *1773); and*

4                    *“(II) would be significantly high-*  
5                    *er in price if purchased domestically;*  
6                    *and*

7                    *“(iii) whether the school food authority*  
8                    *experienced suspected, alleged, or confirmed*  
9                    *noncompliance on the part of a distributor*  
10                   *in the last 12 months.*

11                   *“(6) ANNUAL NATIONALLY REPRESENTATIVE*  
12                   *EVALUATION.—*

13                   *“(A) IN GENERAL.—The Secretary shall—*

14                   *“(i) annually evaluate in a nationally*  
15                   *representative study the extent to which*  
16                   *school food authorities are in compliance*  
17                   *with the requirements of this subsection;*  
18                   *and*

19                   *“(ii) publish the findings of such eval-*  
20                   *uation on the publicly available website of*  
21                   *the Department.*

22                   *“(B) REQUIREMENTS.—The Secretary shall*  
23                   *require each school food authority that partici-*  
24                   *pates in the evaluation under subparagraph (A)*  
25                   *to disclose, as part of such evaluation—*

1           “(i) the 10 commodities or food prod-  
2           ucts purchased by such school food authority  
3           that—

4                   “(I) are not domestic commodities  
5                   or food products; and

6                   “(II) make up the largest share of  
7                   the school food authority’s spending  
8                   with respect to commodities or food  
9                   products;

10           “(ii) whether each such commodity or  
11           food product—

12                   “(I) is not produced domestically  
13                   in sufficient quantities of satisfactory  
14                   quality to meet the needs of meals pro-  
15                   vided under the school lunch program  
16                   under this Act or the school breakfast  
17                   program under section 4 of the Child  
18                   Nutrition Act of 1966 (42 U.S.C.  
19                   1773); and

20                   “(II) would be significantly high-  
21                   er in price if purchased domestically;  
22                   and

23                   “(iii) whether the school food authority  
24                   experienced suspected, alleged, or confirmed

1                    *noncompliance on the part of a distributor*  
2                    *in the last 12 months.*

3                    “(7) *STUDY AND REPORT.*—*The Secretary, in*  
4                    *consultation with the Secretary of Labor and the*  
5                    *heads of other Federal agencies determined by the Sec-*  
6                    *retary to be necessary, shall conduct a study that ex-*  
7                    *amines whether the requirement under this subsection*  
8                    *has an impact on the supply of commodities or food*  
9                    *products in schools, including with respect to—*

10                    “(A) *the availability of domestic commod-*  
11                    *ities or food products;*

12                    “(B) *the wages, occupational safety and*  
13                    *health, and access to and quality of benefits of*  
14                    *agricultural workers;*

15                    “(C) *the price of locally grown and locally*  
16                    *raised domestic commodities or food products as*  
17                    *compared to commodities or food products that*  
18                    *are not domestic commodities or food products;*

19                    “(D) *the prevalence of seasonal foods in*  
20                    *schools; and*

21                    “(E) *the extent to which schools rely on*  
22                    *processed commodities and food products.”.*



1 **SEC. 604. PLANT-BASED FOODS IN SCHOOLS.**

2 *Section 18 of the Richard B. Russell National School*  
3 *Lunch Act (42 U.S.C. 1769) is amended by adding after*  
4 *subsection (c) the following:*

5 “(d) *PILOT GRANT PROGRAM FOR 100 PERCENT*  
6 *PLANT-BASED FOOD OPTIONS.—*

7 “(1) *PROGRAM AUTHORIZED.—The Secretary*  
8 *shall establish and carry out a pilot grant program*  
9 *to award grants to eligible school food authorities to*  
10 *carry out the activities described in paragraph (4).*

11 “(2) *IN GENERAL.—*

12 “(A) *TERM.—The term of a grant awarded*  
13 *under this subsection shall be 3 years.*

14 “(B) *GRANT AMOUNT.—In awarding grants*  
15 *under this subsection, the Secretary shall, to the*  
16 *extent practicable, award grants of diverse*  
17 *amounts.*

18 “(3) *APPLICATION.—*

19 “(A) *IN GENERAL.—To be eligible to receive*  
20 *a grant under this subsection, an eligible school*  
21 *food authority shall submit to the Secretary an*  
22 *application at such time, in such manner, and*  
23 *containing such information as the Secretary*  
24 *may require, including—*

25 “(i) *a participatory evaluation plan;*

26 *and*

1                   “(ii) a plan for providing culturally  
2                   appropriate meals.

3                   “(B) *PRIORITY.*—*To the maximum extent*  
4                   *practicable, in awarding grants under this sub-*  
5                   *section, the Secretary shall give priority to an el-*  
6                   *igible school food authority that—*

7                   “(i) will use the grant funds to—

8                   “(I) serve a high proportion of  
9                   children who are eligible for free or re-  
10                  duced price meals;

11                  “(II) demonstrate collaboration  
12                  with nongovernmental and commu-  
13                  nity-based organizations, agricultural  
14                  producers, and other community part-  
15                  ners on the activities described in  
16                  paragraph (4); and

17                  “(III) incorporate experiential  
18                  and culturally appropriate food, nutri-  
19                  tion, or agricultural education activi-  
20                  ties related to 100 percent plant-based  
21                  food options in the classroom; and

22                  “(ii) meets any other criteria that the  
23                  Secretary determines appropriate.

1           “(4) *USE OF FUNDS.*—A grant awarded under  
2           this subsection may be used for any of the following  
3           activities:

4                   “(A) *To contract with qualified third par-*  
5                   *ties for professional development training for*  
6                   *food service personnel on serving (including pre-*  
7                   *paring, procuring, marketing, and creating*  
8                   *menus) 100 percent plant-based food options.*

9                   “(B) *To provide compensation, for each em-*  
10                   *ployee who participates in the professional devel-*  
11                   *opment training described in subparagraph (A),*  
12                   *at the regular rate of pay of each such employee.*

13                   “(C) *To provide technical assistance and*  
14                   *student engagement and education on 100 per-*  
15                   *cent plant-based food options, including pro-*  
16                   *viding taste tests, recipe development, and cul-*  
17                   *inary education.*

18                   “(D) *To provide compensation for addi-*  
19                   *tional work relating to serving meals that in-*  
20                   *clude a 100 percent plant-based food option.*

21                   “(E) *To conduct outreach to, and cover*  
22                   *costs of procurement of foods from, agricultural*  
23                   *producers of 100 percent plant-based food op-*  
24                   *tions, including—*

1                   “(i) underserved or limited resource  
2                   producers; and

3                   “(ii) local farmers.

4                   “(5) REPORTS.—

5                   “(A) RECORDKEEPING REQUIRED.—Each  
6                   eligible school food authority awarded a grant  
7                   under this subsection shall keep records of the  
8                   100 percent plant-based food options served pur-  
9                   suant to this subsection as the Secretary deter-  
10                  mines appropriate.

11                  “(B) REPORT REQUIRED BY SCHOOL FOOD  
12                  AUTHORITIES.—Not later than 1 year after re-  
13                  ceiving a grant under this subsection, and annu-  
14                  ally for the duration of the pilot grant program  
15                  thereafter, a school food authority shall submit to  
16                  the Secretary a report on the pilot grant pro-  
17                  gram, including information on—

18                         “(i) the number of 100 percent plant-  
19                         based food options that the school food au-  
20                         thority served during the grant period com-  
21                         pared with the preceding school year;

22                         “(ii) the number of schools served by  
23                         the school food authority pursuant to the  
24                         grant;

1                   “(iii) *the number of students served by*  
2                   *the school food authority pursuant to the*  
3                   *grant; and*

4                   “(iv) *how the school food authority*  
5                   *used the grant funds.*

6                   “(C) *REPORT BY SECRETARY.—Not later*  
7                   *than 1 year after the end of a school year during*  
8                   *which the Secretary receives reports required*  
9                   *under subparagraph (B), the Secretary shall sub-*  
10                   *mit to Congress a report that includes a sum-*  
11                   *mary of such reports received and such informa-*  
12                   *tion with respect to the pilot program as the Sec-*  
13                   *retary determines to be relevant.*

14                   “(6) *TECHNICAL ASSISTANCE.—The Secretary*  
15                   *shall provide technical assistance and information to*  
16                   *assist school food authorities—*

17                   “(A) *to facilitate the coordination and shar-*  
18                   *ing of information and resources that may be*  
19                   *applicable to the activities described in para-*  
20                   *graph (4); and*

21                   “(B) *to collect and share information on*  
22                   *best practices.*

23                   “(7) *AUTHORIZATION OF APPROPRIATIONS.—*  
24                   *There is authorized to be appropriated to carry out*

1        *this subsection \$10,000,000 for fiscal year 2024, to re-*  
2        *main available through fiscal year 2028.*

3            “(8) *DEFINITIONS.—In this subsection:*

4                    “(A) *100 PERCENT PLANT-BASED FOOD OP-*  
5                    *TION.—The term ‘100 percent plant-based food*  
6                    *option’ means a breakfast or lunch meal option*  
7                    *or component that—*

8                            “(i) *includes a meat alternate as de-*  
9                            *scribed in—*

10                                    “(I) *section 210.10 of title 7, Code*  
11                                    *of Federal Regulations (or successor*  
12                                    *regulations); or*

13                                    “(II) *appendix A to part 210 of 7,*  
14                                    *Code of Federal Regulations (or suc-*  
15                                    *cessor regulations); and*

16                                    “(ii) *does not contain any animal*  
17                                    *products or byproducts, such as meat, poul-*  
18                                    *try, honey, fish, dairy, or eggs.*

19                    “(B) *BEGINNING FARMER OR RANCHER.—*  
20                    *The term ‘beginning farmer or rancher’ has the*  
21                    *meaning given such term in section 343(a) of the*  
22                    *Consolidated Farm and Rural Development Act*  
23                    *(7 U.S.C. 1991(a)).*

24                    “(C) *ELIGIBLE SCHOOL FOOD AUTHOR-*  
25                    *ITY.—The term ‘eligible school food authority’*

1           *means a school food authority for which 50 per-*  
2           *cent or more of the students served by such school*  
3           *food authority are eligible for free or reduced*  
4           *price lunch under this Act or free or reduced*  
5           *price breakfast under section 4 of the Child Nu-*  
6           *trition Act of 1966 (42 U.S.C. 1773).*

7           “(D) *UNDERSERVED PRODUCER.*—*The term*  
8           *‘underserved producer’ means an individual (in-*  
9           *cluding a member of an Indian Tribe) that is—*  
10            “(i) *a beginning farmer or rancher;*  
11            “(ii) *a veteran farmer or rancher; or*  
12            “(iii) *a socially disadvantaged farmer*  
13            *or rancher.*”

14           “(E) *VETERAN FARMER OR RANCHER.*—*The*  
15           *term ‘veteran farmer or rancher’ has the mean-*  
16           *ing given such term in section 2501(a) of the*  
17           *Food, Agriculture, Conservation, and Trade Act*  
18           *of 1990 (7 U.S.C. 2279(a)).”.*

19   **SEC. 605. FOOD WASTE AND NUTRITION EDUCATION.**

20           *Section 18 of the Richard B. Russell National School*  
21           *Lunch Act (42 U.S.C. 1769(e)) is amended by adding after*  
22           *subsection (d), as added by section 604 of this Act, the fol-*  
23           *lowing:*

24           “(e) *SCHOOL FOOD WASTE REDUCTION GRANT PRO-*  
25           *GRAM.*—

1           “(1) *GRANT PROGRAM ESTABLISHED.*—

2                   “(A) *IN GENERAL.*—*The Secretary shall*  
3                   *carry out a program to award grants, on a com-*  
4                   *petitive basis, to school food authorities to carry*  
5                   *out food waste measurement and reporting, pre-*  
6                   *vention, education, and reduction projects.*

7                   “(B) *REGIONAL BALANCE.*—*In awarding*  
8                   *grants under this subsection, the Secretary shall,*  
9                   *to the maximum extent practicable, ensure*  
10                  *that—*

11                           “(i) *a grant is awarded to a school*  
12                           *food authority in each region served by the*  
13                           *Administrator of the Food and Nutrition*  
14                           *Service; and*

15                           “(ii) *there is equitable treatment of*  
16                           *rural, urban, and tribal communities.*

17                  “(2) *APPLICATION.*—*To be eligible to receive a*  
18                  *grant under this subsection, a school food authority*  
19                  *shall submit an application to the Secretary at such*  
20                  *time, in such manner, and containing such informa-*  
21                  *tion as the Secretary may require.*

22                  “(3) *PRIORITY.*—*In awarding grants under this*  
23                  *subsection, the Secretary shall give priority to a*  
24                  *school food authority that demonstrates in the appli-*



1 *tion under paragraph (2) that such school food au-*  
2 *thority will use the grant to—*

3 *“(A) carry out experiential education ac-*  
4 *tivities that encourage children served by such*  
5 *school food authority to participate in food waste*  
6 *measurement and reporting, prevention, edu-*  
7 *cation, and reduction projects;*

8 *“(B) prioritize the best use of food in ac-*  
9 *cordance with the Food Recovery Hierarchy pub-*  
10 *lished by the Administrator of the Environ-*  
11 *mental Protection Agency;*

12 *“(C) with respect to food waste measure-*  
13 *ment and reporting, prevention, education, and*  
14 *reduction projects, collaborate with other school*  
15 *food authorities, tribes, nongovernmental and*  
16 *community-based organizations, and other com-*  
17 *munity partners;*

18 *“(D) make evaluation plans and evaluate*  
19 *the activities carried out using grant funds; and*

20 *“(E) establish a food waste measurement*  
21 *and reporting, prevention, education, and reduc-*  
22 *tion project with the goal of long-term project*  
23 *sustainability.*

24 *“(4) USE OF FUNDS.—A school food authority*  
25 *that receives a grant under this section shall use*

1 *funds under such grant to carry out at least one of*  
2 *the following:*

3 “(A) *Planning and carrying out a food*  
4 *waste measurement and reporting, prevention,*  
5 *education, and reduction project.*

6 “(B) *Providing training to support such a*  
7 *project.*

8 “(C) *Purchasing equipment to support such*  
9 *a project.*

10 “(D) *Offering food waste education to stu-*  
11 *dents served by such school food authority.*

12 “(5) *REQUIREMENT.—A food waste measurement*  
13 *and reporting, prevention, education, and reduction*  
14 *project funded by a grant under this subsection shall*  
15 *comply with the nutrition standards for the school*  
16 *lunch program authorized under this Act and the*  
17 *school breakfast program established by section 4 of*  
18 *the Child Nutrition Act of 1966 (42 U.S.C. 1773), as*  
19 *applicable.*

20 “(6) *REPORTS.—*

21 “(A) *SCHOOL FOOD AUTHORITY REPORT.—*  
22 *Not later than 1 year after receiving a grant*  
23 *under this subsection, and on an annual basis*  
24 *thereafter, a school food authority shall submit to*  
25 *the Secretary a report that includes an evalua-*

1           *tion of the outcomes of the projects carried out*  
2           *pursuant to such grant.*

3           “(B) *SECRETARY REPORT.*—*Not later than*  
4           *1 year after the end of a school year during*  
5           *which the Secretary receives reports required*  
6           *under subparagraph (B), the Secretary shall sub-*  
7           *mit to Congress a report that includes a sum-*  
8           *mary of the reports received under subparagraph*  
9           *(B) and such information with respect to the*  
10          *program as the Secretary determines to be rel-*  
11          *evant.*

12          “(7) *AUTHORIZATION OF APPROPRIATIONS.*—  
13          *There is authorized to be appropriated to carry out*  
14          *this subsection \$10,000,000 for fiscal year 2024, to re-*  
15          *main available through fiscal year 2028.”.*

16 **SEC. 606. FARM TO SCHOOL GRANT PROGRAM.**

17          *Section 18(g) of the Richard B. Russell National*  
18          *School Lunch Act (42 U.S.C. 1769(g)) is amended—*

19                 *(1) by amending paragraph (1) to read as fol-*  
20          *lows:*

21                 “(1) *DEFINITIONS.*—*In this subsection:*

22                         “(A) *AGRICULTURAL PRODUCER.*—*The term*  
23                         *‘agricultural producer’ means a farmer, rancher,*  
24                         *or fisher (including of farm-raised fish).*

1           “(B) *BEGINNING FARMER OR RANCHER.*—  
2           *The term ‘beginning farmer or rancher’ has the*  
3           *meaning given such term in section 343(a) of the*  
4           *Consolidated Farm and Rural Development Act*  
5           *(7 U.S.C. 1991(a)).*

6           “(C) *ELIGIBLE INSTITUTION.*—*The term ‘el-*  
7           *igible institution’ means a school or institution*  
8           *that participates in a program under this Act or*  
9           *the school breakfast program established under*  
10           *section 4 of the Child Nutrition Act of 1966 (42*  
11           *U.S.C. 1773).*

12           “(D) *FARM TO SCHOOL PROGRAM.*—*The*  
13           *term ‘farm to school program’ means a program*  
14           *that—*

15                   “(i) *benefits an eligible institution, as*  
16                   *determined by the Secretary; and*

17                           “(ii) *carries out—*

18                                   “(I) *planting and maintenance of*  
19                                   *farms or gardens;*

20                                   “(II) *procurement from local agri-*  
21                                   *cultural producers; or*

22                                   “(III) *educational activities relat-*  
23                                   *ing to agriculture, nutrition, or food.*

1           “(E) *UNDERSERVED PRODUCER*.—*The term*  
2           *‘underserved producer’ means an individual (in-*  
3           *cluding a member of an Indian Tribe) that is—*

4                     “(i) *a beginning farmer or rancher;*

5                     “(ii) *a veteran farmer or rancher; or*

6                     “(iii) *a socially disadvantaged farmer*  
7                     *or rancher.*

8           “(F) *VETERAN FARMER OR RANCHER*.—*The*  
9           *term ‘veteran farmer or rancher’ has the mean-*  
10           *ing given such term in section 2501(a) of the*  
11           *Food, Agriculture, Conservation, and Trade Act*  
12           *of 1990 (7 U.S.C. 2279(a)).”;*

13           (2) *in paragraph (2)—*

14                     (A) *by striking “schools” each place it ap-*  
15                     *pears and inserting “institutions”;*

16                     (B) *by inserting “land-grant colleges and*  
17                     *universities,” before “and nonprofit”; and*

18                     (C) *by striking “grants and technical assist-*  
19                     *ance” and inserting “grants, technical assist-*  
20                     *ance, research, and evaluation”;*

21           (3) *in paragraph (3)—*

22                     (A) *in subparagraph (A)—*

23                             (i) *in clause (i), by inserting “and*  
24                             *technical assistance” after “training”;*

1                   (ii) by redesignating clauses (vi) and  
2                   (vii) as clauses (viii) and (ix), respectively;  
3                   and

4                   (iii) by inserting after clause (v) the  
5                   following:

6                   “(vi) implementing educational activi-  
7                   ties relating to agriculture, nutrition, or  
8                   food;

9                   “(vii) implementing innovative ap-  
10                  proaches to aggregation, processing, trans-  
11                  portation, and distribution of food;”;

12                  (B) by amending subparagraph (C) to read  
13                  as follows:

14                  “(C) AWARDS.—

15                         “(i) MAXIMUM AMOUNT.—The total  
16                         amount provided to a grant recipient under  
17                         this subsection shall not exceed \$500,000.

18                         “(ii) TERM.—The term of an award  
19                         shall not exceed 3 years.

20                         “(iii) PURPOSE AND SCOPE.—In mak-  
21                         ing awards under this subsection, the Sec-  
22                         retary shall, to the extent practicable, make  
23                         awards of diverse amounts and duration in  
24                         order to best match the award to the pur-  
25                         pose and scope of the project to be funded.”;

1           (4) by striking paragraph (4);  
2           (5) by redesignating paragraphs (5) through (9)  
3 as paragraphs (4) through (8), respectively;  
4           (6) in paragraph (4), as so redesignated—  
5           (A) in the heading, by striking “CRITERIA  
6 FOR SELECTION” and inserting “PRIORITY”;  
7           (B) in the matter preceding subparagraph  
8 (A), by striking “To the maximum extent prac-  
9 ticable” and inserting the following:  
10           “(A) IN GENERAL.—To the maximum ex-  
11 tent practicable”;  
12           (C) in subparagraph (A), by striking  
13 “school” and inserting “institution”;  
14           (D) in subparagraph (B), by striking  
15 “lunches” and inserting “meals”;  
16           (E) by striking subparagraph (C);  
17           (F) in subparagraph (D), by striking “eligi-  
18 ble schools” and all that follows through “part-  
19 ners” and inserting “eligible institutions, State  
20 and local agencies, Tribal organizations and  
21 agencies, agricultural producers or groups of ag-  
22 ricultural producers, land-grant colleges and  
23 universities, and nonprofit entities on the activi-  
24 ties described in paragraph (3)”;

1           (G) in subparagraph (F), by striking “and”  
2           at the end;

3           (H) by redesignating subparagraphs (A)  
4           and (B) as clauses (i) and (ii) and adjusting the  
5           margins accordingly;

6           (I) by redesignating subparagraphs (D)  
7           through (F) as clauses (iv) through (vi), respec-  
8           tively, and adjusting the margins accordingly;

9           (J) by inserting after clause (ii), as so re-  
10          designated by subparagraph (H), the following:

11                 “(iii) incorporate experiential, tradi-  
12                 tional, and culturally appropriate food, nu-  
13                 trition, or agricultural education activities  
14                 in curriculum planning;”.

15          (K) by redesignating subparagraph (G) as  
16          clause (ix);

17          (L) by inserting after clause (vi) (as so re-  
18          designated) the following:

19                 “(vii) expand the selection of local  
20                 commodities for eligible institutions;

21                 “(viii) identify and address chronic  
22                 diet-related health issues of children served  
23                 by eligible institutions; and”; and

24          (M) by adding at the end the following:



1           “(B) *TRIBAL COMMUNITY PROJECTS.*—*In*  
2           *the case of projects serving Tribal communities,*  
3           *the Secretary shall, to the maximum extent prac-*  
4           *ticable, give priority to projects that best utilize*  
5           *products, including traditional foods, from Trib-*  
6           *al agricultural producers, as determined by the*  
7           *Secretary.”;*

8           *(7) in paragraph (6), as so redesignated—*

9           *(A) in the matter preceding subparagraph*  
10          *(A), by striking “The Secretary” and all that fol-*  
11          *lows through “nonprofit entities” and inserting*  
12          *the following:*

13          “(A) *IN GENERAL.*—*The Secretary shall*  
14          *provide technical assistance and information to*  
15          *assist eligible institutions, State and local agen-*  
16          *cies, Indian Tribal organizations, agricultural*  
17          *producers or agricultural producer groups, and*  
18          *nonprofit entities”;*

19          *(B) in subparagraph (B), by striking “and”*  
20          *at the end;*

21          *(C) in subparagraph (C), by striking the*  
22          *period at the end and inserting “; and”;*

23          *(D) by redesignating subparagraphs (A)*  
24          *through (C) as clauses (i) through (iii), respec-*  
25          *tively, and adjusting the margins accordingly;*

1           (E) by adding after clause (iii), as so reded-  
2           signed by subparagraph (D), the following:

3           “(iv) to increase awareness of, and  
4           participation in, farm to school programs  
5           among agricultural producers or agricul-  
6           tural producer groups, including—

7                   “(I) underserved or limited re-  
8                   source producers; and

9                   “(II) local farmers.”; and

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

11          “(B) REVIEW.—

12                   “(i) IN GENERAL.—Not later than 1  
13                   year after the date of enactment of the  
14                   Healthy Meals, Healthy Kids Act, and every  
15                   3 years thereafter, the Secretary shall sub-  
16                   mit to the Committee on Agriculture of the  
17                   House of Representatives, the Committee on  
18                   Education and Labor of the House of Rep-  
19                   resentatives, and the Committee on Agri-  
20                   culture, Nutrition, and Forestry of the Sen-  
21                   ate a report that describes the progress that  
22                   has been made in identifying and elimi-  
23                   nating barriers related to developing farm  
24                   to school programs.

1           “(ii) *REQUIREMENTS.—In preparing*  
2           *the report, the Secretary shall examine—*

3                   “(I) *the direct and indirect regu-*  
4                   *latory compliance costs affecting the*  
5                   *production and marketing of locally or*  
6                   *regionally produced agricultural food*  
7                   *products to child nutrition programs;*

8                   “(II) *barriers to local and re-*  
9                   *gional child nutrition program market*  
10                   *access for small-scale production;*

11                   “(III) *barriers to funding projects*  
12                   *that meet the criteria described in*  
13                   *paragraph (5)(A);*

14                   “(IV) *barriers to local and re-*  
15                   *gional child nutrition market access*  
16                   *for Tribal farmers and ranchers; and*

17                   “(V) *barriers to funding Tribal*  
18                   *projects under farm to school pro-*  
19                   *grams.”;*

20           (8) *in paragraph (7), as so redesignated—*

21                   (A) *in subparagraph (A), by striking*  
22                   *“\$5,000,000” and inserting “\$15,000,000”; and*

23                   (B) *by adding at the end the following:*

24                   “(C) *ADMINISTRATION.—Of the funds pro-*  
25                   *vided to the Secretary under subparagraph (A),*

1           *not more than 5 percent may be used to pay ad-*  
2           *ministrative costs incurred by the Secretary in*  
3           *carrying out this subsection.”; and*

4           *(9) in paragraph (8), as so redesignated, by*  
5           *striking “2011 through 2015” and inserting “2023*  
6           *through 2028”.*

7   ***TITLE VII—SUPPORTING TRIBES***  
8       ***AND FREELY ASSOCIATED***  
9       ***STATES***

10 ***SEC. 701. TRIBALLY OPERATED MEAL AND SNACK PILOT***  
11           ***PROJECT.***

12           *Section 18 of the Richard B. Russell National School*  
13 *Lunch Act (42 U.S.C. 1769) is amended by inserting after*  
14 *subsection (e), as added by section 605 of this Act, the fol-*  
15 *lowing:*

16           ***“(f) TRIBALLY OPERATED MEAL AND SNACK PILOT***  
17 ***PROJECT.—***

18           ***“(1) IN GENERAL.—The Secretary of Agriculture***  
19 ***shall establish a pilot project to award grants to up***  
20 ***to 10 eligible entities to prepare such entities to ad-***  
21 ***minister or operate and implement, in covered***  
22 ***schools—***

23           ***“(A) the school lunch program authorized***  
24 ***under this Act;***

1           “(B) *the child and adult care food program*  
2           *established by section 17 of this Act;*

3           “(C) *the summer food service program for*  
4           *children established by section 13 of this Act;*  
5           *and*

6           “(D) *the school breakfast program estab-*  
7           *lished by section 4 of the Child Nutrition Act of*  
8           *1966 (42 U.S.C. 1773).*

9           “(2) *APPLICATION.—To be eligible to participate*  
10          *in the pilot project under this subsection, an eligible*  
11          *entity shall submit to the Secretary an application at*  
12          *such time, in such manner, and containing such in-*  
13          *formation as the Secretary may require.*

14          “(3) *CRITERIA FOR SELECTION.—In selecting*  
15          *participants under this subsection, the Secretary shall*  
16          *select up to 10 eligible entities that—*

17                 “(A) *are located in diverse geographic*  
18                 *areas; and*

19                 “(B) *serve Indian tribes of varying popu-*  
20                 *lation size.*

21          “(4) *GRANTS.—*

22                 “(A) *IN GENERAL.—The Secretary shall*  
23                 *award, to each eligible entity selected to partici-*  
24                 *pate in the project under this subsection, a*  
25                 *grant, of an amount negotiated with such eligible*

1           *entity, that is not less than \$10,000 and not*  
2           *more than \$200,000.*

3           “(B) *SUNSET.*—*The authority of the Sec-*  
4           *retary to award grants under this subsection*  
5           *shall terminate on the date that is 5 years after*  
6           *the date on which the first grant is awarded*  
7           *under this subsection.*

8           “(5) *REIMBURSEMENTS.*—

9           “(A) *IN GENERAL.*—*Notwithstanding any*  
10          *other provision of law, an eligible entity partici-*  
11          *parting in the project under this subsection—*

12                  “(i) *may carry out the programs ref-*  
13                  *erenced in subparagraphs (A) through (D)*  
14                  *of paragraph (1);*

15                  “(ii) *with respect to the school lunch*  
16                  *program authorized under this Act, shall be*  
17                  *reimbursed as if it were a State under sec-*  
18                  *tion 12(f);*

19                  “(iii) *with respect to the child and*  
20                  *adult care food program established under*  
21                  *this Act, shall be reimbursed as if it were a*  
22                  *State under section 17, including audit*  
23                  *funds under subsection (i) of such section;*

24                  “(iv) *with respect to the summer food*  
25                  *service program for children established*

1           *under this Act, shall be reimbursed as if it*  
2           *were a State under section 13, including*  
3           *administrative funds under subsection (k) of*  
4           *such section; and*

5           *“(v) with respect to the school breakfast*  
6           *program established by section 4 of the*  
7           *Child Nutrition Act of 1966 (42 U.S.C.*  
8           *1733), shall be reimbursed as if it were a*  
9           *State under such section.*

10          *“(B) ADMINISTRATIVE FUNDS.—An eligible*  
11          *entity that participates in the project under this*  
12          *subsection may receive administrative funds at a*  
13          *rate that is consistent with the amount received*  
14          *by a State under section 7 of the Child Nutrition*  
15          *Act of 1966 (42 U.S.C. 1776).*

16          *“(C) TRIBAL OPERATORS.—An eligible enti-*  
17          *ty that is an Indian tribe that participates in*  
18          *the project under this subsection as direct pro-*  
19          *gram operators shall be reimbursed by the De-*  
20          *partment.*

21          *“(6) DEFINITIONS.—In this subsection:*

22          *“(A) BUREAU-FUNDED SCHOOL.—The term*  
23          *‘Bureau-funded school’ has the meaning given*  
24          *such term in section 1141 of the Education*  
25          *Amendments of 1978 (25 U.S.C. 2021).*

1                   “(B) *COVERED SCHOOL*.—The term ‘covered  
2 school’ means—

3                   “(i) a Bureau-funded school;

4                   “(ii) a school—

5                         “(I) on or in proximity to a res-  
6 ervation; or

7                         “(II) that primarily serves Native  
8 American students; and

9                   “(iii) early care and education facili-  
10 ties, including facilities that participate in  
11 a Head Start program authorized under the  
12 Head Start Act (42 U.S.C. 9831 et seq.).

13                   “(C) *ELIGIBLE ENTITY*.—The term ‘eligible  
14 entity’ means—

15                   “(i) an Indian tribe or tribal organi-  
16 zation approved by an Indian tribe;

17                   “(ii) a consortium of Indian tribes;  
18 and

19                   “(iii) a partnership between—

20                         “(I) an Indian tribe; and

21                         “(II) either—

22                                 “(aa) a State educational  
23 agency;

24                                 “(bb) a local educational  
25 agency;



1                   “(cc) a tribal educational  
2                   agency; or

3                   “(dd) the Bureau of Indian  
4                   Education.

5                   “(D) INDIAN TRIBE.—The term ‘Indian  
6                   tribe’ has the meaning given such term in section  
7                   4 of the Indian Self-Determination and Edu-  
8                   cation Assistance Act (25 U.S.C. 5304).

9                   “(E) SCHOOL.—The term ‘school’ has the  
10                  meaning given such term in section 12(d) of the  
11                  Richard B. Russell National School Lunch Act  
12                  (42 U.S.C. 1760(d)).

13                  “(F) TRIBAL EDUCATIONAL AGENCY.—The  
14                  term ‘tribal educational agency’ has the meaning  
15                  given such term in section 6132(b) of the Ele-  
16                  mentary and Secondary Education Act of 1965  
17                  (20 U.S.C. 7452(b)).”.

18 **SEC. 702. ISLAND AREAS ELIGIBILITY FEASIBILITY STUDY**  
19                                   **UNDER THE RICHARD B. RUSSELL NATIONAL**  
20                                   **SCHOOL LUNCH ACT.**

21                  Section 18 of the Richard B. Russell National School  
22                  Lunch Act (42 U.S.C. 1769) is amended by adding at the  
23                  end the following:

24                  “(l) ISLAND AREAS ELIGIBILITY FEASIBILITY  
25                  STUDY.—

1           “(1) *IN GENERAL.*—Not later than 12 months  
2           after the date of the enactment of this subsection, the  
3           Secretary shall begin a feasibility study to assess the  
4           ability and preparedness of the freely associated  
5           States to operate—

6                   “(A) the school lunch program authorized  
7                   under this Act;

8                   “(B) the child and adult care food program  
9                   established by section 17 of this Act;

10                  “(C) the summer food service program for  
11                  children established by section 13 of this Act;  
12                  and

13                  “(D) the school breakfast program estab-  
14                  lished by section 4 of the Child Nutrition Act of  
15                  1966 (42 U.S.C. 1773).

16           “(2) *CONTENTS.*—In conducting the study de-  
17           scribed in paragraph (1), the Secretary shall con-  
18           sider—

19                   “(A) any new or additional administrative  
20                   processes and technology needed to implement  
21                   each program listed under paragraph (1);

22                   “(B) an assessment of preparedness to—

23                           “(i) comply with management evalua-  
24                           tions conducted by the Secretary, acting

1                   *through the Administrator of the Food and*  
2                   *Nutrition Service; and*

3                   “(ii) *cooperate in Federal audits and*  
4                   *evaluations;*

5                   “(C) *administrative and financial capa-*  
6                   *bility to meet the requirements of each program*  
7                   *listed under paragraph (1);*

8                   “(D) *ability to oversee each program listed*  
9                   *under paragraph (1);*

10                  “(E) *statutory requirements that require*  
11                  *waiver or modification by the Secretary and the*  
12                  *feasibility of carrying out such waivers or modi-*  
13                  *fications; and*

14                  “(F) *any other relevant considerations, as*  
15                  *determined by the Secretary.*

16                  “(3) *SUBMISSION.—Not later than 24 months*  
17                  *after the date on which the Secretary begins the study*  
18                  *under paragraph (1), the Secretary shall—*

19                         “(A) *complete such study; and*

20                         “(B) *submit the findings of such study to*  
21                         *the Committee on Education and Labor of the*  
22                         *House of Representatives and the Senate Com-*  
23                         *mittee on Agriculture, Nutrition, and Forestry.*

1           “(4) *FREELY ASSOCIATED STATE DEFINED.*—*In*  
 2           *this subsection, the term ‘freely associated State’*  
 3           *means—*

4                     “(A) *the Federated States of Micronesia;*

5                     “(B) *the Republic of the Marshall Islands;*

6                     *and*

7                     “(C) *the Republic of Palau.*”.

8           **TITLE VIII—ADDRESSING LUNCH**  
 9           **SHAMING AND UNPAID MEAL**  
 10          **DEBT**

11          **SEC. 801. UNPAID MEAL DEBT.**

12          (a)       *RETROACTIVE REIMBURSEMENT.*—*Section*  
 13          *9(b)(9)(C) of the Richard B. Russell National School Lunch*  
 14          *Act (42 U.S.C. 1758(b)(9)(C)) is amended—*

15                   (1) *by striking “Except” and inserting the fol-*  
 16                   *lowing:*

17                             “(i) *IN GENERAL.*—*Except*”;

18                   (2) *by redesignating clauses (i) and (ii) as sub-*  
 19                   *clauses (I) and (II); and*

20                   (3) *by adding at the end the following:*

21                             “(ii) *RETROACTIVITY.*—*A local edu-*  
 22                             *cational agency shall revise a previously*  
 23                             *submitted meal claim to reflect the eligi-*  
 24                             *bility approval of a child for free or reduced*

1           *price meals for the period that begins on the*  
2           *first day of the current school year.*

3           “(iii) *MEAL CLAIM DEFINED.*—*In this*  
4           *subsection, the term ‘meal claim’ means any*  
5           *documentation provided by a school food*  
6           *authority to a State agency in order to re-*  
7           *ceive reimbursement for the cost of a meal*  
8           *served to a child by such school food author-*  
9           *ity.”.*

10          **(b) *REDUCING STIGMA ASSOCIATED WITH UNPAID***  
11          ***SCHOOL MEAL FEES.***—*Section 9(b)(10) of the Richard B.*  
12          *Russell National School Lunch Act (42 U.S.C. 1758(b)(10))*  
13          *is amended to read as follows:*

14                 ***(10) REDUCING STIGMA ASSOCIATED WITH UN-***  
15                 ***PAID SCHOOL MEAL FEES.***—

16                         ***(A) OVERT IDENTIFICATION PROHIB-***  
17                         ***ITED.***—*A local educational agency or school food*  
18                         *authority may not, based on the status of a child*  
19                         *as a covered child—*

20                                 ***(i) physically segregate or otherwise***  
21                                 ***discriminate against such covered child;***

22                                 ***(ii) overtly identify such covered***  
23                                 ***child—***

24   ***(I) through the use of special to-***  
25   ***kens or tickets; or***

1                   “(II) by an announcement or a  
2                   published list of names; or

3                   “(iii) identify or stigmatize such cov-  
4                   ered child by any other means.

5                   “(B) ELIGIBILITY DETERMINATION BY  
6                   LOCAL EDUCATIONAL AGENCY.—For any covered  
7                   child who is a member of a household that owes  
8                   a week or more of unpaid school meal fees, a  
9                   local educational agency shall—

10                   “(i) attempt to directly certify such  
11                   covered child for free meals under para-  
12                   graph (4) or (5); or

13                   “(ii) in a case where the local edu-  
14                   cational agency is not able to directly cer-  
15                   tify such covered child under paragraph (4)  
16                   or (5), provide to the household of such cov-  
17                   ered child—

18                   “(I) a household application and  
19                   applicable descriptive material; and

20                   “(II) written and oral commu-  
21                   nications to encourage submission of  
22                   the application.

23                   “(C) COLLECTION OF UNPAID SCHOOL MEAL  
24                   FEES.—In attempting to collect unpaid school

1 meal fees from a household, a local educational  
2 agency or school food authority may not—

3 “(i) except as described in subpara-  
4 graph (D), direct any communication re-  
5 garding unpaid school meal fees to a cov-  
6 ered child who is a member of such house-  
7 hold;

8 “(ii) withhold educational opportuni-  
9 ties (including grades and participation in  
10 extracurricular activities or local edu-  
11 cational agency programs or services) from,  
12 or otherwise stigmatize, a covered child due  
13 to the status of the covered child as a cov-  
14 ered child; or

15 “(iii) use a debt collector (as such term  
16 is defined in section 803 of the Consumer  
17 Credit Protection Act (15 U.S.C. 1692a)).

18 “(D) *LETTERS*.—A school food authority  
19 may require that a covered child deliver a sealed  
20 letter addressed to a parent or guardian of the  
21 covered child that contains a communication re-  
22 lating to unpaid school meal fees, subject to the  
23 condition that the letter shall not be distributed  
24 to the covered child in a manner that stigmatizes  
25 the covered child.

1           “(E) *ELIMINATING STIGMA IN MEAL SERV-*  
2           *ICE.—In providing a meal to a covered child, a*  
3           *local educational agency or school food authority*  
4           *may not, based on the status of the covered child*  
5           *as a covered child, dispose of or take away from*  
6           *the covered child any food that has already been*  
7           *served to such covered child.*

8           “(F) *DEFINITIONS.—In this paragraph:*

9           “(i) *COVERED CHILD.—The term ‘cov-*  
10          *ered child’ means a child who—*

11           “(I) *is—*

12           “(aa) *enrolled in a school*  
13           *that participates in the school*  
14           *lunch program under this Act or*  
15           *the school breakfast program*  
16           *under section 4 of the Child Nu-*  
17           *trition Act of 1966 (42 U.S.C.*  
18           *1773); and*

19           “(bb) *is a member of a house-*  
20           *hold that owes unpaid school meal*  
21           *fees; or*

22           “(II) *is eligible for a free or re-*  
23           *duced price lunch under this section.*

24           “(ii) *UNPAID SCHOOL MEAL FEES.—*  
25          *The term ‘unpaid school meal fees’ means*



1            *outstanding fees owed by a household to a*  
2            *school food authority or local educational*  
3            *agency (or both) for lunches under this Act*  
4            *or breakfasts under section 4 of the Child*  
5            *Nutrition Act of 1966 (42 U.S.C. 1773).”.*

6    **SEC. 802. NATIONAL ADVISORY COUNCIL ON UNPAID MEAL**  
7            **DEBT IN CHILD NUTRITION PROGRAMS.**

8            (a) *ESTABLISHMENT.*—*There is established a National*  
9    *Advisory Council on Unpaid Meal Debt in Child Nutrition*  
10 *Programs (in this section referred to as the “Council”).*

11          (b) *DUTIES.*—*The Council shall provide recommenda-*  
12 *tions, in accordance with subsection (g), to the Adminis-*  
13 *trator of the Food and Nutrition Service with respect to*  
14 *addressing unpaid school meal fees by ensuring that—*

15            (1) *students are not stigmatized; and*

16            (2) *school food authorities can maintain fiscal*  
17 *solvency in order to ensure the long-term viability of*  
18 *school meal programs.*

19          (c) *MEMBERSHIP.*—

20            (1) *NUMBER AND APPOINTMENT.*—*The Council*  
21 *shall be composed of 14 members appointed by the*  
22 *Secretary as follows:*

23            (A) *2 members shall be school nutrition*  
24 *State agency directors who are employed in dif-*  
25 *ferent States;*

1           (B) 2 members shall be school food service  
2 directors of a school meal program in an urban  
3 area who are employed in different States;

4           (C) 2 members shall be school food service  
5 directors of a school meal program in a rural  
6 area who are employed in different States;

7           (D) 2 members shall be officials of the Food  
8 and Nutrition Service office of the Department of  
9 Agriculture;

10          (E) 2 members shall be parents or guard-  
11 ians (who are not related to one another or to the  
12 same child) of children who are eligible for free  
13 and reduced price school meals;

14          (F) 2 members shall represent organizations  
15 with expertise in the school meal programs; and

16          (G) 2 members shall be food service profes-  
17 sionals who—

18                 (i) work in school cafeterias; and

19                 (ii) maintain daily contact with stu-  
20 dents, including by preparing or serving  
21 meals or working at registers.

22         (2) *TERMS.*—

23                 (A) *IN GENERAL.*—Each member shall be  
24 appointed for the life of the Council.

1                   (B) *VACANCIES.*—*Any member appointed to*  
2                   *fill a vacancy occurring before the expiration of*  
3                   *the life of the Council shall be appointed for the*  
4                   *remainder of the life of the Council.*

5                   (d) *COMPENSATION.*—

6                   (1) *IN GENERAL.*—*Members shall serve without*  
7                   *pay.*

8                   (2) *TRAVEL EXPENSES.*—*Each member shall re-*  
9                   *ceive travel expenses, including per diem in lieu of*  
10                   *subsistence, in accordance with applicable provisions*  
11                   *under subchapter I of chapter 57 of title 5, United*  
12                   *States Code.*

13                   (3) *PARENTS OR GUARDIANS.*—*In the case of a*  
14                   *member who is a parent or guardian appointed under*  
15                   *subsection (c)(1)(E), such member, in addition to re-*  
16                   *imbursement under paragraph (2), shall, at the dis-*  
17                   *cretion of the Secretary, be compensated in advance*  
18                   *for other personal expenses related to participation on*  
19                   *the Council, including child care expenses and lost*  
20                   *wages during scheduled Council meetings.*

21                   (4) *AUTHORIZATION OF APPROPRIATIONS.*—  
22                   *There are authorized to be appropriated to carry out*  
23                   *this subsection \$1,500,000, to remain available*  
24                   *through the date described in subsection (h).*

25                   (e) *CHAIRPERSON; VICE CHAIRPERSON.*—

1           (1) *ELIGIBILITY.*—*To be eligible for election to*  
2           *Chairperson or Vice Chairperson of the Council, an*  
3           *individual must be a member of the Council described*  
4           *in subsection (c)(1).*

5           (2) *ELECTION.*—*The Chairperson and Vice*  
6           *Chairperson of the Council shall be elected by such*  
7           *members.*

8           (f) *MEETINGS.*—

9           (1) *IN GENERAL.*—*The Council shall meet not*  
10          *fewer than 2 times per year at the call of the Chair-*  
11          *person.*

12          (2) *QUORUM.*—*5 members of the Council shall*  
13          *constitute a quorum.*

14          (g) *REPORT.*—

15          (1) *IN GENERAL.*—*Not later than 3 years after*  
16          *the establishment of the Council under subsection (a),*  
17          *the Council shall submit to the Administrator of the*  
18          *Food and Nutrition Service a report containing the*  
19          *recommendations described in subsection (b).*

20          (2) *GUIDANCE.*—*Not later than 1 year after the*  
21          *submission of the report under paragraph (1), the*  
22          *Secretary, acting through the Administrator of the*  
23          *Food and Nutrition Service, shall use the rec-*  
24          *ommendations contained in such report to issue guid-*

1        *ance with respect to addressing unpaid school meal*  
 2        *fees.*

3        *(h) TERMINATION.—The Council shall terminate on*  
 4        *the date that is 1 day after the submission of the report*  
 5        *required under subsection (g).*

6        *(i) TECHNICAL ASSISTANCE.—The Secretary shall pro-*  
 7        *vide the Council with such technical and other assistance,*  
 8        *including secretarial and clerical assistance, as may be re-*  
 9        *quired to carry out its functions.*

10        *(j) UNPAID SCHOOL MEAL FEES DEFINED.—In this*  
 11        *section, the term “unpaid school meal fees” means out-*  
 12        *standing fees owed by a household to a local educational*  
 13        *agency for lunches under this Act or breakfasts under sec-*  
 14        *tion 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).*

15        **TITLE IX—STRENGTHENING EVI-**  
 16        **DENCE-BASED                    NUTRITION**  
 17        **STANDARDS**

18        **SEC. 901. UPDATING NUTRITION STANDARDS FOR MEAL**  
 19        **PATTERNS.**

20        *(a) NUTRITION STANDARDS FOR SCHOOL MEALS.—*

21                *(1) AMENDMENTS TO THE RICHARD B. RUSSELL*  
 22        *NATIONAL SCHOOL LUNCH ACT.—Section 9(f) of the*  
 23        *Richard B. Russell National School Lunch Act (42*  
 24        *U.S.C. 1758(f)) is amended—*

25                        *(A) in paragraph (1)—*

1                   (i) by striking “Schools that are par-  
2                   ticipating” and inserting the following:

3                   “(A) SCHOOLS PARTICIPATING IN MEAL  
4                   PROGRAMS.—Schools that are participating”;

5                   (ii) in subparagraph (B)—

6                   (I) by striking “nutrient” and in-  
7                   serting “dietary”; and

8                   (II) by striking “ and food insecu-  
9                   rity” and inserting “, food and nutri-  
10                  tion insecurity, or chronic disease”;

11                  (iii) by redesignating subparagraphs  
12                  (A) and (B) as clauses (i) and (ii), respec-  
13                  tively, and adjusting the margins accord-  
14                  ingly; and

15                  (iv) by adding at the end the following:

16                  “(B) UPDATING STANDARDS.—Not later  
17                  than 1 year after the first publication of the Die-  
18                  tary Guidelines for Americans under section 301  
19                  of the National Nutrition Monitoring and Re-  
20                  lated Research Act of 1990 (7 U.S.C. 5341) that  
21                  occurs after the date of the enactment of this sub-  
22                  paragraph, and not less frequently than once  
23                  every 10 years, or not later than 1 year after the  
24                  publication of 2 consecutive updates to the Die-  
25                  tary Guidelines for Americans published under

1           *section 301 of the National Nutrition Monitoring*  
2           *and Related Research Act of 1990 (7 U.S.C.*  
3           *5341) thereafter, whichever occurs first, the Sec-*  
4           *retary shall:*

5                     *“(i) Enter into an agreement with the*  
6                     *National Academies of Sciences, Engineer-*  
7                     *ing, and Medicine to—*

8                             *“(I) conduct a review of the nutri-*  
9                             *tion standards and requirements under*  
10                            *paragraph (1); and*

11                            *“(II) recommend updates to such*  
12                            *requirements so that they are substan-*  
13                            *tially similar to the Dietary Guide-*  
14                            *lines for Americans published under*  
15                            *section 301 of the National Nutrition*  
16                            *Monitoring and Related Research Act*  
17                            *of 1990 (7 U.S.C. 5341), taking into*  
18                            *account the practical application for*  
19                            *implementation.*

20                            *“(ii) Not later than 1 year after the*  
21                            *conclusion of the review described in clause*  
22                            *(i)(I), promulgate regulations to update the*  
23                            *school nutrition standards and requirements*  
24                            *pursuant to paragraph (1) to align with the*  
25                            *recommendations under clause (i)(II).*

1           “(C) *AUTHORIZATION OF APPROPRIA-*  
2           *TIONS.—There are authorized to be appropriated*  
3           *to carry out subparagraph (B), \$3,000,000, for*  
4           *the fiscal year in which the first publication of*  
5           *the Dietary Guidelines for Americans under sec-*  
6           *tion 301 of the National Nutrition Monitoring*  
7           *and Related Research Act of 1990 (7 U.S.C.*  
8           *5341) occurs after the date of the enactment of*  
9           *this Act, to remain available until expended.”;*

10           *(B) in paragraph (2)—*

11           *(i) by striking “To assist schools in*  
12           *meeting the requirements of this subsection,*  
13           *the Secretary” and inserting “Assistance to*  
14           *schools.”;*

15           *(ii) in subparagraph (A)—*

16           *(I) by striking “shall” and insert-*  
17           *ing “ASSISTANCE REQUIRED.—To as-*  
18           *ist schools in meeting the requirements*  
19           *of this subsection, the Secretary shall”;*

20           *(II) in clause (i), by striking*  
21           *“and” at the end;*

22           *(III) in clause (ii), by striking*  
23           *“and” at the end;*

24           *(IV) by adding at the end of sub-*  
25           *paragraph (A) the following:*



1           “(iii) develop and provide to schools  
2 best practices, trainings (including peer-to-  
3 peer trainings), and other resources;

4           “(iv) implement healthier school envi-  
5 ronment recognition programs; and

6           “(v) work with food manufacturers and  
7 retailers to support development and in-  
8 creased availability and affordability of  
9 products that meet the nutrition standards;  
10 and”;

11           (iii) by amending subparagraph (B) to  
12 read as follows:

13           “(B) ASSISTANCE PERMITTED.—

14           “(i) IN GENERAL.—To assist schools in  
15 meeting the requirements of this subsection,  
16 the Secretary may—

17           “(I) provide to schools informa-  
18 tion regarding other approaches, as de-  
19 termined by the Secretary; and

20           “(II) award grants and monetary  
21 incentives to carry out 1 or more of the  
22 following:

23           “(aa) Improving the nutri-  
24 tional quality of meals and snacks

1 served under a child nutrition  
2 program.

3 “(bb) *Enhancing the nutri-*  
4 *tion and wellness environment of*  
5 *institutions participating in a*  
6 *child nutrition program, includ-*  
7 *ing by reducing the availability of*  
8 *less healthy foods during the*  
9 *school day.*

10 “(cc) *Supporting food sys-*  
11 *tems that supply nutritious foods*  
12 *and beverages for children in both*  
13 *schools and retail markets, includ-*  
14 *ing those in underserved commu-*  
15 *nities.*

16 “(dd) *Funding a statewide*  
17 *nutrition education coordinator to*  
18 *support individual school food au-*  
19 *thority nutrition education efforts*  
20 *and to facilitate collaboration*  
21 *with other nutrition education ef-*  
22 *forts in the State.*

23 “(ii) *RECIPIENTS.—Grants provided*  
24 *pursuant to clause (i) may be made avail-*  
25 *able to third party entities that have experi-*

1            *ence working with school food service per-*  
2            *sonnel participating in the school lunch*  
3            *program authorized under this Act and the*  
4            *school breakfast program established by sec-*  
5            *tion 4 of the Child Nutrition Act of 1966*  
6            *(42 U.S.C. 1773) to provide technical assist-*  
7            *ance to schools in meeting the goals of this*  
8            *subparagraph.*

9            *“(iii) AUTHORIZATION OF APPROPRIA-*  
10           *TIONS.—There is authorized to be appro-*  
11           *priated to carry out grants and monetary*  
12           *incentives pursuant to clause (i)*  
13           *\$30,000,000 for fiscal year 2024, to be*  
14           *available until expended.”; and*  
15           *(C) by striking paragraphs (3) and (4).*

16           *(2) AMENDMENTS TO THE CHILD NUTRITION ACT*  
17           *OF 1966.—Section 10(b) of the Child Nutrition Act of*  
18           *1966 (42 U.S.C. 1779) is amended—*

19           *(A) by striking “(b) NATIONAL SCHOOL NU-*  
20           *TRITION STANDARDS.—”;*

21           *(B) in paragraph (1)—*

22           *(i) in subparagraph (A)—*

23           *(I) in clause (i)—*

24           *(aa) by inserting “that are*  
25           *consistent with the goals of the*

1                    *most recent Dietary Guidelines for*  
2                    *Americans published under sec-*  
3                    *tion 301 of the National Nutrition*  
4                    *Monitoring and Related Research*  
5                    *Act of 1990 (7 U.S.C. 5341)”*  
6                    *after “nutrition standards”; and*  
7                    *(bb) by striking “; and” and*  
8                    *inserting a period;*  
9                    *(II) by striking “Secretary*  
10                   *shall—” and inserting “Secretary*  
11                   *shall”;*  
12                   *(III) by striking “(i) establish*  
13                   *science-based” and inserting “establish*  
14                   *science-based”; and*  
15                   *(IV) by striking clause (ii);*  
16                   *(ii) by striking subparagraph (D);*  
17                   *(iii) by redesignating paragraph (1) as*  
18                   *subsection (b) and adjusting the margins*  
19                   *accordingly; and*  
20                   *(iv) by redesignating subparagraphs*  
21                   *(A) through (C) as paragraphs (1) through*  
22                   *(3), respectively, and adjusting the margins*  
23                   *accordingly;*  
24                   *(C) by adding at the end of subsection (b)*  
25                   *(as so redesignated) the following:*

1           “(4) *UPDATING STANDARDS.*—Not later than 1  
2           year after the first publication of the Dietary Guide-  
3           lines for Americans under section 301 of the National  
4           Nutrition Monitoring and Related Research Act of  
5           1990 (7 U.S.C. 5341) that occurs after the date of the  
6           enactment of this subparagraph, and not less fre-  
7           quently than once every 10 years or not later than 1  
8           year after the publication of 2 consecutive updates to  
9           the Dietary Guidelines for Americans published under  
10          section 301 of the National Nutrition Monitoring and  
11          Related Research Act of 1990 (7 U.S.C. 5341), there-  
12          after, whichever occurs first, the Secretary shall:

13                   “(A) Enter into an agreement with the Na-  
14                   tional Academies of Sciences, Engineering, and  
15                   Medicine to—

16                           “(i) conduct a review of the school nu-  
17                           trition standards and requirements estab-  
18                           lished under this subsection; and

19                           “(ii) recommend updates to such  
20                           standards and requirements so that they are  
21                           substantially similar to the Dietary Guide-  
22                           lines for Americans published under section  
23                           301 of the National Nutrition Monitoring  
24                           and Related Research Act of 1990 (7 U.S.C.

1           5341), taking into account the practical ap-  
2           plication for implementation.

3           “(B) Not later than 1 year after the conclu-  
4           sion of the review described in subparagraph  
5           (A)(i), promulgate regulations to update the  
6           school nutrition standards and requirements es-  
7           tablished under this subsection to align with the  
8           recommendations under subparagraph (A)(ii).

9           “(5) *AUTHORIZATION OF APPROPRIATIONS.*—  
10          *There are authorized to be appropriated to carry out*  
11          *paragraph (4), \$3,000,000, for the fiscal year in*  
12          *which the first publication of the Dietary Guidelines*  
13          *for Americans under section 301 of the National Nu-*  
14          *trition Monitoring and Related Research Act of 1990*  
15          *(7 U.S.C. 5341) occurs after the date of the enactment*  
16          *of this Act, to remain available until expended.”; and*  
17          *(D) by striking paragraph (2).*

18          (3) *APPLICABILITY.*—*This subsection and the*  
19          *amendments made by this subsection shall apply on*  
20          *and after the date on which the first publication of*  
21          *the Dietary Guidelines for Americans under section*  
22          *301 of the National Nutrition Monitoring and Re-*  
23          *lated Research Act of 1990 (7 U.S.C. 5341) occurs*  
24          *after the date of the enactment of this Act.*

1           (4) *REGULATIONS.*—*Regulations promulgated*  
2           *pursuant to amendments made by this subsection to*  
3           *update the nutrition standards and requirements*  
4           *under the Richard B. Russell National School Lunch*  
5           *Act (42 U.S.C. 1751 et seq.) and the Child Nutrition*  
6           *Act of 1966 (42 U.S.C. 1771 et seq.) shall not prohibit*  
7           *any variety of milk that is consistent with the most*  
8           *recent Dietary Guidelines for Americans.*

9           (b) *ADDITIONAL REIMBURSEMENT.*—*Section*  
10 *4(b)(3)(D) of the Richard B. Russell National School Lunch*  
11 *Act (42 U.S.C. 1753(b)(3)(D)) is amended—*

12           (1) *by striking “To be eligible” and inserting the*  
13 *following:*

14                           *“(i) IN GENERAL.—To be eligible”; and*

15           (2) *by adding at the end the following:*

16                           *“(ii) REPORT.—The Secretary shall*  
17                           *make publicly available on the website of*  
18                           *the Department and update on an annual*  
19                           *basis a list of school food authorities cer-*  
20                           *tified to be in compliance in accordance*  
21                           *with clause (i).”.*

1 **SEC. 902. NON-NUTRITIVE SWEETENERS, SYNTHETIC DYES,**  
2 **AND OTHER POTENTIALLY HARMFUL SUB-**  
3 **STANCES IN SCHOOL MEALS.**

4 (a) *IN GENERAL.*—Not later than 6 months after the  
5 date of the enactment of this section, the Secretary shall  
6 seek to enter into an agreement with the National Academy  
7 of Sciences, Engineering, and Medicine (referred to in this  
8 section as the “National Academy”) under which the Na-  
9 tional Academy shall create and publish the report de-  
10 scribed in subsection (b).

11 (b) *REPORT.*—The report shall include recommenda-  
12 tions for nutrition standards for the school lunch program  
13 authorized under the Richard B. Russell National School  
14 Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast  
15 program established by section 4 of the Child Nutrition Act  
16 of 1966 (42 U.S.C. 1773) with respect to non-nutritive  
17 sweeteners, synthetics dyes, and other potentially harmful  
18 substances in school meals.

19 (c) *PUBLICATION.*—

20 (1) *NATIONAL ACADEMY.*—Not later than 1 year  
21 after the date on which the Secretary and the Na-  
22 tional Academy enter into the agreement described in  
23 subsection (a), the National Academy shall—

24 (A) submit the report to the Secretary; and  
25 (B) publish the report.



1           (2) *SECRETARY.*—Not later than 30 days after  
2           the submission of the report under paragraph (1)(A),  
3           the Secretary shall make such report publicly avail-  
4           able in an easily identifiable place on the website of  
5           the Department.

6           (d) *NON-NUTRITIVE SWEETENERS, SYNTHETIC DYES,*  
7           *AND OTHER POTENTIALLY HARMFUL SUBSTANCES STAND-*  
8           *ARDS.*—Not later than 18 months after the submission of  
9           the report under subsection (c)(1)(A), the Secretary may  
10          promulgate proposed regulations to include standards for  
11          non-nutritive sweeteners, synthetic dyes, and other poten-  
12          tially harmful substances for the school lunch program au-  
13          thorized under the Richard B. Russell National School  
14          Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast  
15          program established by section 4 of the Child Nutrition Act  
16          of 1966 (42 U.S.C. 1773) based on recommendations made  
17          in such report.

18           **TITLE X—OTHER MATTERS**  
19          **Subtitle A—Programs Under the**  
20          **Richard B. Russell National**  
21          **School Lunch Act**

22          **SEC. 1001. ACCOMMODATING DIETARY REQUIREMENTS.**

23           Section 9(a) of the Richard B. Russell National School  
24          Lunch Act (42 U.S.C. 1758(a)) is amended—

25           (1) in paragraph (1)—

1           (A) in subparagraph (A), by amending  
2 clause (i) to read as follows:

3           “(i) shall not—

4                 “(I) be construed to prohibit the substi-  
5 tution of foods to accommodate the medical needs  
6 of individual students; or

7                 “(II) be construed to prohibit the nutrition-  
8 ally-equivalent substitution of foods to accommo-  
9 date religiously-based or other special dietary  
10 needs of individual students; and”;

11           (B) in subparagraph (B), by striking  
12 “lower-fat versions of foods commonly used in  
13 the school lunch program under this Act” and  
14 inserting “foods that comply with the meal pat-  
15 terns prescribed by the Secretary”; and

16           (2) in paragraph (2)—

17                 (A) by amending subparagraph (A)(iii) to  
18 read as follows:

19                 “(iii) as a reasonable accommodation  
20 under the Americans with Disabilities Act  
21 (42 U.S.C. 12101 et seq.) and section 504 of  
22 the Rehabilitation Act of 1973 (29 U.S.C.  
23 794), shall provide a substitute for fluid  
24 milk for a student whose disability restricts  
25 their diet.”; and

1           *(B) by amending subparagraph (B) to read*  
2           *as follows:*

3           “(B) *OTHER SUBSTITUTIONS.—*

4                   “(i) *STANDARDS FOR REQUIRED SUB-*  
5                   *STITUTION.—*

6                           “(I) *A school shall substitute, for*  
7                           *the fluid milk provided under subpara-*  
8                           *graph (A), a nondairy beverage that*  
9                           *meets the nutritional needs of a stu-*  
10                           *dent for whom fluid milk is not nutri-*  
11                           *tionally appropriate due to a medical*  
12                           *or other special dietary need other than*  
13                           *a disability described in subparagraph*  
14                           *(A)(iii), as determined by the school in*  
15                           *consultation with the parent or legal*  
16                           *guardian of such student.*

17                           “(II) *A school shall substitute, for*  
18                           *the fluid milk provided under subpara-*  
19                           *graph (A), a nondairy beverage that is*  
20                           *nutritionally equivalent to fluid milk*  
21                           *and meets nutritional standards estab-*  
22                           *lished by the Secretary if the substi-*  
23                           *tution is requested by written state-*  
24                           *ment by a parent or legal guardian of*  
25                           *such student.*

1           “(i) *STANDARDS FOR DISCRETIONARY*  
2           *SUBSTITUTION.*—*A school may offer all stu-*  
3           *dents a nondairy beverage as a substitute*  
4           *for fluid milk that is nutritionally equiva-*  
5           *lent to fluid milk and meets nutritional*  
6           *standards established by the Secretary.*

7           “(iii) *EXCESS EXPENSES.*—*Except as*  
8           *provided in clause (iv), expenses incurred*  
9           *by providing substitutions under clauses (i)*  
10           *and (ii) that are in excess of expenses cov-*  
11           *ered by reimbursements under this Act shall*  
12           *be paid by the school food authority.*

13           “(iv) *PILOT PROGRAM.*—

14           “(I) *PROGRAM AUTHORIZED.*—  
15           *Not later than 90 days after the date*  
16           *of the enactment of this subparagraph,*  
17           *the Secretary shall establish and carry*  
18           *out a pilot grant program to award*  
19           *grants to eligible school food authori-*  
20           *ties to carry out subclause (III).*

21           “(II) *PRIORITY.*—*In awarding*  
22           *grants under this clause, the Secretary*  
23           *may give priority to—*

24                   “(aa) *an eligible school food*  
25                   *authority that serves high propor-*

1            *tions of children who demonstrate*  
2            *high rates of lactose intolerance;*  
3            *and*

4            *“(bb) an eligible school food*  
5            *authority that—*

6            *“(AA) submits, as part*  
7            *of the application for a*  
8            *grant, a need for nondairy*  
9            *beverages among its student*  
10           *population due to dietary*  
11           *reasons; and*

12           *“(BB) demonstrates a*  
13           *need for providing nondairy*  
14           *beverages to children by serv-*  
15           *ing a sufficient number (as*  
16           *determined by the Secretary)*  
17           *of such children.*

18           *“(III) USE OF FUNDS.—A school*  
19           *food authority shall use grant funds*  
20           *awarded under this clause to reimburse*  
21           *the full cost of providing nondairy bev-*  
22           *erages as substitutes for fluid milk*  
23           *under clause (i)(I) incurred by such*  
24           *school food authority.*

25           *“(IV) REPORTS.—*

1           “(aa) *ANNUAL REPORT BY*  
2           *SCHOOL FOOD AUTHORITY.—Not*  
3           *later than 1 year after receiving a*  
4           *grant under this clause, and on*  
5           *an annual basis for the duration*  
6           *of the pilot program thereafter, a*  
7           *school food authority shall submit*  
8           *to the Secretary a report on the*  
9           *pilot grant program, including*  
10           *information with respect to—*

11                   “(AA) *the number of*  
12                   *schools served by the school*  
13                   *food authority pursuant to*  
14                   *the grant; and*

15                   “(BB) *the number of*  
16                   *students served by the school*  
17                   *food authority pursuant to*  
18                   *the grant.*

19           “(bb) *FINAL REPORT BY*  
20           *SCHOOL FOOD AUTHORITY.—The*  
21           *report that is the final report sub-*  
22           *mitted under item (aa) shall in-*  
23           *clude, in addition to the informa-*  
24           *tion required under subitems (AA)*  
25           *and (BB) of such item—*

1                   “(AA) *the number of*  
2                   *nondairy beverages as sub-*  
3                   *stitutes for fluid milk that*  
4                   *the school food authority*  
5                   *served during the grant pe-*  
6                   *riod; compared with*

7                   “(BB) *the number of*  
8                   *nondairy beverages as sub-*  
9                   *stitutes for fluid milk that*  
10                  *the school food authority*  
11                  *served during the school year*  
12                  *immediately preceding the*  
13                  *start of the grant period.*

14                  “(cc) *REPORT BY THE SEC-*  
15                  *RETARY.—Not later than 6*  
16                  *months after the date described in*  
17                  *subclause (V), the Secretary shall*  
18                  *submit to Congress a report that*  
19                  *includes a summary of the infor-*  
20                  *mation included in the reports re-*  
21                  *ceived under this subclause and*  
22                  *any such information with respect*  
23                  *to the pilot program the Secretary*  
24                  *determines to be relevant.*

1           “(V) *SUNSET.*—*The authority to*  
2           *carry out this clause shall terminate*  
3           *on the date that is 3 years after the*  
4           *date of the enactment of this subpara-*  
5           *graph.*

6           “(VI) *ELIGIBLE SCHOOL FOOD*  
7           *AUTHORITY DEFINED.*—*In this clause,*  
8           *the term ‘eligible school food authority’*  
9           *means a school food authority for*  
10           *which 50 percent or more of the stu-*  
11           *dents served by such school food au-*  
12           *thority are eligible for free or reduced*  
13           *price lunch under this Act or free or*  
14           *reduced price breakfast under section 4*  
15           *of the Child Nutrition Act of 1966 (42*  
16           *U.S.C. 1773).*

17           “(VII) *AUTHORIZATION OF AP-*  
18           *PROPRIATIONS.*—*There is authorized to*  
19           *be appropriated to carry out this*  
20           *clause \$2,000,000 for fiscal year 2024,*  
21           *to remain available until the date de-*  
22           *scribed in subclause (V).”.*



1 **SEC. 1002. DATA PROTECTIONS FOR HOUSEHOLD APPLICA-**  
2 **TIONS.**

3 *Section 9(b)(3)(B) of the Richard B. Russell National*  
4 *School Lunch Act (42 U.S.C. 1758(b)(3)(B)) is amended by*  
5 *adding at the end the following:*

6 “(iii) *CONFIDENTIALITY STANDARDS.—*  
7 *The confidentiality standards established by*  
8 *the Secretary shall ensure—*

9 *“(I) the maintenance of reason-*  
10 *able and appropriate administrative,*  
11 *technical, and physical safeguards to*  
12 *ensure the integrity and confidentiality*  
13 *of information submitted through elec-*  
14 *tronic applications described in clause*  
15 *(ii);*

16 *“(II) protection against security*  
17 *threats or unauthorized uses or disclo-*  
18 *tures of the information submitted*  
19 *through such electronic applications;*  
20 *and*

21 *“(III) that data collected by such*  
22 *electronic applications shall be used*  
23 *only as permitted under paragraph*  
24 *(6).”.*

1 **SEC. 1003. EATING DISORDER PREVENTION.**

2 *Section 9A of the Richard B. Russell National School*  
3 *Lunch Act (42 U.S.C. 1758b) is amended—*

4 *(1) in subsection (b)—*

5 *(A) in paragraph (1), by inserting “mental*  
6 *health promotion and education, including*  
7 *awareness of eating disorders” after “physical*  
8 *activity,”;*

9 *(B) in paragraph (2)(B), by striking*  
10 *“childhood obesity” and inserting “diet-related*  
11 *illnesses”; and*

12 *(C) in paragraph (3), by inserting “school-*  
13 *based registered dietitians, school-based mental*  
14 *health services providers,” after “school adminis-*  
15 *trators,”;*

16 *(2) in subsection (d)—*

17 *(A) in paragraph (1)—*

18 *(i) by inserting “and the Adminis-*  
19 *trator of the Substance Abuse and Mental*  
20 *Health Services Administration” after*  
21 *“Prevention”; and*

22 *(ii) by inserting “, school health profes-*  
23 *sionals (including school-based mental*  
24 *health services providers when available)”*  
25 *after “school food authorities”;*

1           (B) by amending paragraph (2)(C) to read  
2 as follows:

3           “(C) includes such other technical assistance  
4 as is required to—

5                 “(i) promote sound nutrition and es-  
6 tablish healthy school nutrition environ-  
7 ments; and

8                 “(ii) promote mental health, encourage  
9 mental health assessments, and establish re-  
10 siliant school environments; and”;

11           (C) in paragraph (3)—

12                 (i) in subparagraph (A)—

13                         (I) by striking “conjunction” and  
14 inserting “consultation”; and

15                         (II) by inserting “and the Admin-  
16 istrator of the Substance Abuse and  
17 Mental Health Services Administra-  
18 tion” after “Centers for Disease Con-  
19 trol and Prevention”;

20                 (ii) in subparagraph (C), by striking  
21 “January 1, 2014,” and inserting “4 years  
22 after the date on which funds are first ap-  
23 propriated to carry out this section after the  
24 date of the enactment of the Healthy Meals,  
25 Healthy Kids Act,”; and

1                   (iii) in subparagraph (D)—  
2                   (I) by striking “\$3,000,000” and  
3                   inserting “\$5,000,000”; and  
4                   (II) by striking “2011” and in-  
5                   serting “2024”.

6 **SEC. 1004. COMPLIANCE AND ACCOUNTABILITY.**

7           Section 22(d) of the Richard B. Russell National  
8 School Lunch Act (42 U.S.C. 1769c) is amended by striking  
9 “fiscal years 2011 through 2015” and inserting “fiscal  
10 years 2023 through 2028”.

11 **SEC. 1005. NATIONAL HUNGER HOTLINE AND CLEARING-**  
12 **HOUSE.**

13           Section 26(d) of the Richard B. Russell National  
14 School Lunch Act (42 U.S.C. 1769g(d)) is amended by  
15 striking “\$250,000 for each of fiscal years 2010 through  
16 2023” and inserting “\$500,000 for each of fiscal years 2023  
17 through 2028”.

18 **SEC. 1006. ENSURING ADEQUATE MEAL TIME.**

19           The Richard B. Russell National School Lunch Act (42  
20 U.S.C. 1751 et seq.) is amended by adding at the end the  
21 following:

22 **“SEC. 30. MEAL TIME STUDY AND GUIDANCE.**

23           “(a) *STUDY.*—The Secretary shall—

24                   “(1) not later than 1 year after the date on  
25                   which funds are first appropriated under subsection

1       (c), enter into an agreement with an independent,  
2       nonpartisan, science-based research organization to  
3       carry out a study on the time lunches are served, re-  
4       cess is offered, and the duration of lunch periods at  
5       schools participating in the school lunch program  
6       under this Act; and

7               “(2) not later than 4 years after the date on  
8       which funds are first appropriated under subsection  
9       (c), publish on the publicly available website of the  
10       Department a report that includes the findings of the  
11       study required under paragraph (1).

12       “(b) *DEVELOPMENT AND DISSEMINATION OF BEST*  
13       *PRACTICES.—The Secretary shall—*

14               “(1) not later than 1 year after the date on  
15       which the report required under subsection (a)(2) is  
16       published, in coordination with the Secretary of Edu-  
17       cation, establish a task force to—

18                       “(A) review such report;

19                       “(B) review other research relating to the  
20       time lunches are served, recess is offered, and the  
21       duration of lunch periods in schools; and

22                       “(C) develop best practices with respect to  
23       the time lunches are served, recess is offered, and  
24       the duration of lunch periods in schools to ensure

1           *student health, including appropriate nutritional*  
2           *intake; and*

3           “(2) not later than 2 years after the date on  
4           *which the report required under subsection (a)(2) is*  
5           *published—*

6                   “(A) review the best practices developed  
7                   *under paragraph (1)(C); and*

8                   “(B) issue guidance with respect to such  
9                   *best practices to schools participating in the*  
10                  *school lunch program under this Act.*

11           “(c) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
12           *authorized to be appropriated to carry out this section*  
13           *\$1,000,000 for fiscal year 2024, to remain available until*  
14           *expended.”.*

15           ***Subtitle B—Programs Under the***  
16           ***Child Nutrition Act of 1966***

17           ***SEC. 1011. ENHANCING NUTRITION EDUCATION.***

18           *Section 19 of the Child Nutrition Act of 1966 (42*  
19           *U.S.C. 1788) is amended—*

20                   (1) *in subsection (a)—*

21                           (A) *in paragraph (3), by inserting “, in-*  
22                           *cluding training on scratch cooking,” after “pro-*  
23                           *vide training”; and*

24                           (B) *in paragraph (5), by striking “helping*  
25                           *children to maintain a healthy weight by”;*

1           (2) *in subsection (h)—*

2                   (A) *in paragraph (5)(B)—*

3                           (i) *in clause (i)—*

4                                   (I) *by striking “educate” and in-*  
5                                   *serting “conduct evidence-based nutri-*  
6                                   *tion education for”; and*

7                                   (II) *by striking “of a poor diet*  
8                                   *and inactivity to obesity and other*  
9                                   *health problems” and inserting “be-*  
10                                   *tween diet, activity, and health”;*

11                           (ii) *in clause (iv), by inserting “ other*  
12                           *classroom education,” after “health edu-*  
13                           *cation,”;*

14                           (iii) *in clause (viii), by striking “and”*  
15                           *at the end;*

16                           (iv) *in clause (ix), by striking the pe-*  
17                           *riod at the end and inserting “; and”;* and

18                           (v) *by adding at the end the following:*

19                                   “(x) *conduct projects that—*

20   (I) *hire qualified food and nutri-*  
21   *tion educators to carry out programs*  
22   *in schools; and*

23   (II) *have the goal of improving*  
24   *student health and nutrition through*  
25   *such programs.”; and*

1                   (B) by striking paragraph (6);  
 2                   (3) by striking subsection (k); and  
 3                   (4) by redesignating subsection (l) as subsection  
 4                   (k).

5                   **Subtitle C—Improving Food**  
 6                   **Donations**

7                   **SEC. 1021. FOOD DONATION IN SCHOOLS.**

8                   Section 9(l) of the Richard B. Russell National School  
 9                   Lunch Act (42 U.S.C. 1758(l)) is amended—

10                   (1) in paragraph (1)—

11                   (A) by striking “local educational agency”  
 12                   and inserting “school food authority”;

13                   (B) by striking “eligible local food banks or  
 14                   charitable organizations” and inserting “non-  
 15                   profit organizations or individuals in need as  
 16                   determined by such school or school food author-  
 17                   ity”;

18                   (C) by striking “GENERAL.—Each” and in-  
 19                   serting the following: “GENERAL.—

20                   “(A) *FOOD DONATIONS PERMISSIBLE.—*  
 21                   *Each*”; and

22                   (D) by adding at the end the following:

23                   “(B) *USE OF SCHOOL CAMPUS.—The food*  
 24                   *donated by a school through the school food au-*  
 25                   *thority serving such school pursuant to this*



1           *paragraph may be received, stored, and distrib-*  
 2           *uted on the campus of such school.”;*

3           (2) *in paragraph (2)(A), by striking “local edu-*  
 4           *cational agencies” in each place it appears and in-*  
 5           *serting “school food authorities”;*

6           (3) *in paragraph (3), by striking “local edu-*  
 7           *cational agency” and inserting “school food author-*  
 8           *ity”;* and

9           (4) *by amending paragraph (4) to read as fol-*  
 10          *lows:*

11           “(4) *DEFINITION.—In this subsection, the term*  
 12          *‘nonprofit organization’ means an incorporated or*  
 13          *unincorporated entity that—*

14                   *“(A) is operating for religious, charitable,*  
 15                   *or educational purposes; and*

16                   *“(B) does not provide net earnings to oper-*  
 17                   *ate in any other manner that inures to the ben-*  
 18                   *efit of any officer, employee, or shareholder of the*  
 19                   *entity.”.*

20   **SEC. 1022. BILL EMERSON GOOD SAMARITAN FOOD DONA-**  
 21                   **TION ACT.**

22           *Section 22 of the Child Nutrition Act of 1966 (42*  
 23   *U.S.C. 1791) is amended—*

24                   (1) *in subsection (b)—*

25                           (A) *in paragraph (1)—*

1           (i) by striking “quality and labeling”  
2           and inserting “safety and safety-related la-  
3           beling”; and

4           (ii) by inserting “being past date  
5           label,” after “surplus,”;

6           (B) in paragraph (2)—

7           (i) by striking “quality and labeling”  
8           and inserting “safety and safety-related la-  
9           beling”; and

10          (ii) by inserting “being past date  
11          label,” after “surplus,”;

12          (C) in paragraph (3), by adding “or is  
13          charged a good Samaritan Reduced Price” before  
14          the period at the end;

15          (D) in paragraph (4), by striking “for  
16          human” and inserting the following: “for—

17               “(A) human consumption; or

18               “(B) pet, emotional support animal, or  
19               service animal consumption.”;

20          (E) in paragraph (6), by adding “pet sup-  
21          ply,” after “cleaning product,”;

22          (F) in paragraph (10), by inserting “pet  
23          food supplier, school, school food authority,”  
24          after “caterer, farmer,”;

25          (G) by adding at the end the following:

1           “(11) *EMOTIONAL SUPPORT ANIMAL*.—The term  
2           ‘emotional support animal’ means an animal that is  
3           covered by the exclusion specified in section 5.303 of  
4           title 24, Code of Federal Regulations (or a successor  
5           regulation) and that is not a service animal.

6           “(12) *GOOD SAMARITAN REDUCED PRICE*.—The  
7           term ‘good Samaritan reduced price’ means, with re-  
8           spect to an apparently wholesome food or an appar-  
9           ently fit grocery product, a price that is an amount  
10          not greater than the cost of handling, administering,  
11          and distributing such food or grocery product.

12          “(13) *PET*.—The term ‘pet’ means a domes-  
13          ticated animal that is kept for pleasure rather than  
14          for commercial purposes.

15          “(14) *PET SUPPLIES*.—The term ‘pet supplies’  
16          means tangible personal property used for the caring  
17          of pets.

18          “(15) *QUALIFIED DIRECT DONOR*.—The term  
19          ‘qualified direct donor’ means a retail grocer, whole-  
20          saler, agricultural producer, restaurant, caterer,  
21          school food authority, or institution of higher edu-  
22          cation (as defined in section 101 or 102(a)(1)(B) of  
23          the Higher Education Act of 1965 (20 U.S.C. 1001;  
24          1002(a)(1)(B))).

1           “(16) *SERVICE ANIMAL*.—The term ‘service ani-  
2           mal’ has the meaning given the term in section  
3           36.104 of title 28, Code of Federal Regulations (or a  
4           successor regulation).”; and

5                   (H) by reordering paragraphs (1) through  
6                   (10) and the paragraphs added by subparagraph  
7                   (G) of this paragraph in alphabetical order  
8                   based on the headings of such paragraphs, and  
9                   renumbering such paragraphs as so reordered;

10                  (2) in subsection (c)—

11                   (A) in paragraph (1)—

12                           (i) by inserting “or State or unit of  
13                           local government” after “nonprofit organi-  
14                           zation”; and

15                           (ii) by inserting “or sale at a good Sa-  
16                           maritan reduced price” after “ultimate dis-  
17                           tribution”;

18                   (B) in paragraph (2), by inserting “or sale  
19                   at a good Samaritan reduced price” after “ulti-  
20                   mate distribution”;

21                   (C) by adding after paragraph (2) the fol-  
22                   lowing:

23                  “(3) *LIABILITY OF STATE OR UNIT OF LOCAL*  
24                  *GOVERNMENT*.—A State or unit of local government  
25                  shall not be subject to liability arising from the na-

1 *ture, age, packaging, or condition of apparently*  
2 *wholesome food or an apparently fit grocery product*  
3 *that the State or unit of local government received as*  
4 *a donation in good faith from a person, gleaner, or*  
5 *nonprofit organization for ultimate distribution to*  
6 *needy individuals.*

7 “(4) *DIRECT DONATIONS TO NEEDY INDIVID-*  
8 *UALS.—A qualified direct donor shall not be subject*  
9 *to civil or criminal liability arising from the nature,*  
10 *age, packaging, or condition of apparently wholesome*  
11 *food or an apparently fit grocery product that the*  
12 *qualified direct donor donates in good faith to needy*  
13 *individuals.*

14 “(5) *LIABILITY WITH RESPECT TO PETS.—*

15 “(A) *DONATIONS MADE.—A person or*  
16 *gleaner shall not be subject to civil or criminal*  
17 *liability arising from the nature, age, packaging,*  
18 *or condition of food described in subsection*  
19 *(b)(4)(B) or pet supplies that the person or*  
20 *gleaner donates in good faith to a nonprofit or-*  
21 *ganization or State or unit of local government*  
22 *for direct distribution to pets.*

23 “(B) *DONATIONS RECEIVED.—A nonprofit*  
24 *organization or State or unit of local government*  
25 *shall not be subject to civil or criminal liability*

1            *arising from the nature, age, packaging, or con-*  
2            *dition of food described in subsection (b)(4)(B)*  
3            *or pet supplies that the nonprofit organization*  
4            *or State or unit of local government received as*  
5            *a donation in good faith from a person or glean-*  
6            *er for direct distribution to pets.”;*

7            *(D) by redesignating paragraph (3) as*  
8            *paragraph (6); and*

9            *(E) in paragraph (6), as so redesignated by*  
10           *subparagraph (D)—*

11                    *(i) by striking “Paragraphs (1) and*  
12                    *(2)” and inserting “Paragraphs (1), (2),*  
13                    *(3), (4), and (5)”;* and

14                    *(ii) by inserting “qualified direct*  
15                    *donor, State or local government,” after*  
16                    *“person, gleaner,”; and*

17            *(3) in subsection (e)—*

18                    *(A) by inserting “or State or unit of local*  
19                    *government” after “the nonprofit organization”;*  
20                    *and*

21                    *(B) by striking “quality and labeling” in*  
22                    *each place it appears and inserting “safety and*  
23                    *safety-related labeling”.*

1 **SEC. 1023. REGULATIONS.**

2 *Not later than 180 days after the date of the enactment*  
3 *of this section, the Secretary shall—*

4 *(1) in consultation with the Secretary of Health*  
5 *Human Services, issue regulations with respect to the*  
6 *safety and safety-related labeling standards of appar-*  
7 *ently wholesome food and an apparently fit grocery*  
8 *product under section 22 of the Child Nutrition Act*  
9 *of 1966 (42 U.S.C. 1791);*

10 *(2) issue guidance with respect to section 22 of*  
11 *the Child Nutrition Act of 1966 (42 U.S.C. 1791), in-*  
12 *cluding promoting awareness of food donation under*  
13 *such section.*

14 ***Subtitle D—Miscellaneous***

15 **SEC. 1031. TECHNICAL AMENDMENTS.**

16 *(a) COMMITTEE ON EDUCATION AND LABOR.—The fol-*  
17 *lowing Acts are amended by striking “Committee on Edu-*  
18 *cation and the Workforce” each place such term appears*  
19 *in heading and text and inserting “Committee on Edu-*  
20 *cation and Labor”:*

21 *(1) The Child Nutrition Act of 1966 (42 U.S.C.*  
22 *1771 et seq.).*

23 *(2) The Richard B. Russell National School*  
24 *Lunch Act (42 U.S.C. 1751 et seq.).*

1           **(b) OTHER AMENDMENTS.**—*Section 17(h)(4)(A)(vi) of*  
2 *the Child Nutrition Act of 1966 (42 U.S.C.*  
3 *1786(h)(4)(A)(vi)) is amended by striking “and” at the end.*

4           **(c) CITATION TO SECTION 504 OF REHABILITATION**  
5 *ACT OF 1973.*—*Section 12(d)(3) of the Richard B. Russell*  
6 *National School Lunch Act (42 U.S.C. 1760(d)(3)) is*  
7 *amended by striking “in the” and all that follows through*  
8 *the period at the end and inserting “in section 7 of the*  
9 *Rehabilitation Act of 1973 (29 U.S.C. 705).”*





Union Calendar No. 394

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 8450**

[Report No. 117-548]

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## **A BILL**

To reauthorize child nutrition programs, and for  
other purposes.

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NOVEMBER 7, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed