

117TH CONGRESS
2D SESSION

H. R. 9504

To provide targeted funding for States and other eligible entities through the Social Services Block Grant program to increase the availability of menstrual products for individuals with limited access to such products.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2022

Mr. CASTEN (for himself and Ms. MENG) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide targeted funding for States and other eligible entities through the Social Services Block Grant program to increase the availability of menstrual products for individuals with limited access to such products.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Period PROUD (Pro-
5 viding Resources for Our Underserved and Disadvan-
6 taged) Act of 2022”.

1 **SEC. 2. TARGETED FUNDING FOR MENSTRUAL PRODUCTS**
2 **THROUGH THE SOCIAL SERVICES BLOCK**
3 **GRANT PROGRAM.**

4 (a) INCREASE IN FUNDING FOR SOCIAL SERVICES
5 BLOCK GRANT PROGRAM.—

6 (1) IN GENERAL.—The amount specified in
7 subsection (c) of section 2003 of the Social Security
8 Act (42 U.S.C. 1397b) for purposes of subsections
9 (a) and (b) of such section is deemed to be
10 \$1,900,000,000 for each of fiscal years 2024
11 through 2027, of which, the amount equal to
12 \$200,000,000, reduced by the amounts reserved
13 under paragraph (2)(B) for each such fiscal year,
14 shall be obligated by States in accordance with sub-
15 section (b).

16 (2) APPROPRIATION.—

17 (A) IN GENERAL.—Out of any money in
18 the Treasury of the United States not otherwise
19 appropriated, there is appropriated
20 \$200,000,000 for each of fiscal years 2024
21 through 2027, to carry out this section.

22 (B) RESERVATIONS.—

23 (i) PURPOSES.—The Secretary shall
24 reserve, from the amount appropriated
25 under subparagraph (A) to carry out this
26 section—

1 (I) for each of fiscal years 2024
2 through 2027, not more than 2 per-
3 cent of the amount appropriated for
4 the fiscal year for purposes of enter-
5 ing into an agreement with an eligible
6 entity described in subparagraph (C)
7 to assist in providing technical assist-
8 ance and training, to support effective
9 policy, practice, research, and cross-
10 system collaboration among grantees
11 and subgrantees, and to assist in the
12 administration of the program de-
13 scribed in this section; and

14 (II) for fiscal year 2024, an
15 amount, not to exceed \$2,000,000, for
16 purposes of conducting an evaluation
17 under subsection (d).

18 (ii) NO STATE ENTITLEMENT TO RE-
19 SERVED FUNDS.—The State entitlement
20 under section 2002(a) of the Social Secu-
21 rity Act (42 U.S.C. 1397a(a)) shall not
22 apply to the amounts reserved under clause
23 (i).

24 (C) ELIGIBLE ENTITY DESCRIBED.—An el-
25 igible entity described in this subparagraph is a

1 nonprofit organization described in section
2 501(c)(3) of the Internal Revenue Code of 1986
3 and exempt from taxation under section 501(a)
4 of such Code, that—

5 (i) has experience in more than 1
6 State in the area of community distribu-
7 tions of basic need services, including expe-
8 rience collecting, warehousing, and distrib-
9 uting basic necessities such as menstrual
10 products;

11 (ii) demonstrates competency to im-
12 plement a project, provide fiscal account-
13 ability, collect data, and prepare reports
14 and other necessary documentation; and

15 (iii) demonstrates a willingness to
16 share information with researchers, practi-
17 tioners, and other interested parties.

18 (b) RULES GOVERNING USE OF ADDITIONAL
19 FUNDS.—

20 (1) IN GENERAL.—Funds are used in accord-
21 ance with this subsection if—

22 (A) the State, in consultation with relevant
23 stakeholders, including agencies, professional
24 associations, and nonprofit organizations, dis-
25 tributes the funds to eligible entities to—

1 (i) decrease the unmet need for men-
2 strual products by low-income menstru-
3 ating individuals through—

4 (I) the distribution of free men-
5 strual products;

6 (II) community outreach to assist
7 in participation in existing menstrual
8 product distribution programs; or

9 (III) improving access to men-
10 strual products among low-income in-
11 dividuals; and

12 (ii) increase the ability of communities
13 and low-income families in such commu-
14 nities to provide for the need for menstrual
15 products of low-income adults; and

16 (B) the funds are used subject to the limi-
17 tations in section 2005 of the Social Security
18 Act (42 U.S.C. 1397d).

19 (2) ALLOWABLE USES BY ELIGIBLE ENTI-
20 TIES.—

21 (A) IN GENERAL.—An eligible entity re-
22 ceiving funds made available under subsection
23 (a) shall use the funds for any of the following:

1 (i) To pay for the purchase and dis-
2 tribution of menstrual products among
3 low-income individuals.

4 (ii) To integrate activities carried out
5 under subparagraph (A) with other basic
6 needs assistance programs serving low-in-
7 come families, including the following:

8 (I) Programs funded by the tem-
9 porary assistance for needy families
10 program under part A of title IV of
11 the Social Security Act (42 U.S.C.
12 601 et seq.), including the State
13 maintenance of effort provisions of
14 such program.

15 (II) Programs designed to sup-
16 port the health of eligible children,
17 such as the Children's Health Insur-
18 ance Program under title XXI of the
19 Social Security Act, the Medicaid pro-
20 gram under title XIX of such Act, or
21 State funded health care programs.

22 (III) Programs funded through
23 the special supplemental nutrition
24 program for women, infants, and chil-

1 dren under section 17 of the Child
2 Nutrition Act of 1966.

3 (IV) Programs that offer early
4 home visiting services, including the
5 maternal, infant, and early childhood
6 home visiting program (including the
7 Tribal home visiting program) under
8 section 511 of the Social Security Act
9 (42 U.S.C. 711).

10 (iii) To provide training or technical
11 assistance in carrying out activities under
12 this section.

13 (iv) To cover administrative costs.

14 (B) LIMITATION ON USE OF FUNDS FOR
15 ADMINISTRATIVE COSTS.—An eligible entity re-
16 ceiving funds made available under this section
17 shall not use more than 9 percent of the funds
18 for administrative costs incurred pursuant to
19 this section.

20 (3) AVAILABILITY OF FUNDS.—

21 (A) FUNDS DISTRIBUTED TO ELIGIBLE
22 ENTITIES.—Funds made available under sub-
23 section (a) that are distributed to an eligible en-
24 tity by a State for a fiscal year may be ex-

1 pended by the eligible entity only in such fiscal
2 year or the succeeding fiscal year.

3 (B) EVALUATION.—Funds reserved under
4 subsection (a)(2)(B)(i)(II) to carry out the eval-
5 uation under subsection (d) shall be available
6 for expenditure through September 30, 2028.

7 (4) NO EFFECT ON OTHER PROGRAMS.—Any
8 assistance or benefits received by a family through
9 funds made available under subsection (a) shall be
10 disregarded for purposes of determining the family’s
11 eligibility for, or amount of, benefits under any other
12 Federal needs-based programs.

13 (c) ANNUAL REPORTS.—Section 2004 of the Social
14 Security Act shall apply with respect to payments made
15 to a State under this section in the same way it applies
16 with respect to payments made to a State under section
17 2002 of such Act.

18 (d) EVALUATION.—The Secretary, in consultation
19 with States, the eligible entities described in subsection
20 (a)(2)(C) receiving funds made available under this sec-
21 tion, shall—

22 (1) not later than December 30, 2030, complete
23 an evaluation of the effectiveness of the assistance
24 program carried out pursuant to this section, such
25 as the effect of activities carried out under this Act

1 on mitigating the health risks of unmet menstrual
2 products need among individuals in low-income fami-
3 lies;

4 (2) not later than March 31, 2031, submit to
5 the Committees on Energy and Commerce and on
6 Ways and Means of the House of Representatives
7 and the Committee on Finance of the Senate a re-
8 port on the results of the evaluation; and

9 (3) not later than April 30, 2031, publish the
10 results of the evaluation on the internet website of
11 the Department of Health and Human Services.

12 (e) GUIDANCE.—Not later than 180 days after the
13 date of the enactment of this Act, the Secretary shall issue
14 guidance regarding how the provisions of this section
15 should be carried out, including information regarding eli-
16 gible entities, allowable use of funds, and reporting re-
17 quirements.

18 (f) BEST PRACTICES.—The Secretary of Health and
19 Human Services, in cooperation with the Secretary of
20 Education, shall develop best practices for school officials
21 to use in discussing menstruation with students, and shall
22 publish this information on the internet website of the De-
23 partment of Health and Human Services.

24 (g) DEFINITIONS.—In this section:

1 (1) MENSTRUAL PRODUCTS.—The term “men-
2 strual products” means menstrual cups, menstrual
3 discs, menstrual underwear, and sanitary napkins
4 and tampons, that conform to applicable industry
5 standards.

6 (2) ELIGIBLE ENTITIES.—The term “eligible
7 entity” means a State or local governmental entity,
8 an Indian tribe or tribal organization (as defined in
9 section 4 of the Indian Self-Determination and Edu-
10 cation Assistance Act), or a nonprofit organization
11 described in section 501(c)(3) of the Internal Rev-
12 enue Code of 1986 and exempt from taxation under
13 section 501(a) of such Code that—

14 (A) has experience in the area of commu-
15 nity distributions of basic need services, includ-
16 ing experience collecting, warehousing, and dis-
17 tributing basic necessities such as diapers, food,
18 or menstrual products;

19 (B) demonstrates competency to implement
20 a project, provide fiscal accountability, collect
21 data, and prepare reports and other necessary
22 documentation; and

23 (C) demonstrates a willingness to share in-
24 formation with researchers, practitioners, and
25 other interested parties.

1 (3) STATE.—The term “State” has the mean-
2 ing given in section 1101(a)(1) of the Social Secu-
3 rity Act for purposes of title XX of such Act.

4 (h) LIMITATION ON AUTHORIZATION OF APPROPRIA-
5 TIONS.—For the administration of this section, there are
6 authorized to be appropriated to the Secretary of Health
7 and Human Services not more than \$6,000,000 for fiscal
8 years 2024 through 2027.

9 (i) EXEMPTION FROM SEQUESTRATION.—Funds
10 made available to carry out this section shall be exempt
11 from reduction under any order issued under the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

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