

114TH CONGRESS  
1ST SESSION

# S. 1539

To amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

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## IN THE SENATE OF THE UNITED STATES

JUNE 10, 2015

Mrs. MURRAY introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

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 “Stop Child Summer  
5 Hunger Act of 2015”.

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

3 Section 13(a) of the Richard B. Russell National  
 4 School Lunch Act (42 U.S.C. 1761(a)) is amended by add-  
 5 ing at the end the following:

6 “(13) SUMMER ELECTRONIC BENEFITS TRANS-  
 7 FER FOR CHILDREN PROGRAM.—

8 “(A) DEFINITIONS.—In this paragraph:

9 “(i) ELIGIBLE HOUSEHOLD.—The  
 10 term ‘eligible household’ means a house-  
 11 hold that includes 1 or more children who  
 12 are eligible to receive free or reduced price  
 13 lunches under this Act or free or reduced  
 14 price breakfasts under the Child Nutrition  
 15 Act of 1966 (42 U.S.C. 1771 et seq.).

16 “(ii) SUMMER EBT CARD.—The term  
 17 ‘summer EBT card’ means an electronic  
 18 benefit transfer card that is issued to an  
 19 eligible household under this paragraph  
 20 and limited to food purchases.

21 “(B) PROGRAM.—The Secretary shall es-  
 22 tablish a program under which the Secretary  
 23 shall provide to eligible households summer  
 24 EBT cards for the purpose of providing access  
 25 to food for children during summer months—

1 “(i) to reduce or eliminate the food in-  
2 security and hunger of children; and

3 “(ii) to improve the nutritional status  
4 of children.

5 “(C) USE.—An eligible household may use  
6 a summer EBT card only to purchase food  
7 from retail food stores that have been approved  
8 for participation in the supplemental nutrition  
9 assistance program established under the Food  
10 and Nutrition Act of 2008 (7 U.S.C. 2011 et  
11 seq.), in accordance with section 7(b) of that  
12 Act (7 U.S.C. 2016(b)).

13 “(D) AMOUNT.—Each summer EBT card  
14 issued shall be in an amount of—

15 “(i) for calendar year 2017, \$150 in  
16 food assistance per child per summer; and

17 “(ii) for each subsequent calendar  
18 year, the amount specified in clause (i) as  
19 adjusted to reflect changes in reimburse-  
20 ment rates for school meals under this Act  
21 between calendar year 2017 and the most  
22 recent calendar year.

23 “(E) TIMING.—Summer EBT cards shall  
24 be issued at the end of the regular school year.

25 “(F) FUNDING.—

1 “(i) IN GENERAL.—On October 1,  
 2 2016, and on each October 1 thereafter,  
 3 out of any funds in the Treasury not oth-  
 4 erwise appropriated, the Secretary of the  
 5 Treasury shall transfer to the Secretary  
 6 such sums as are necessary to carry out  
 7 this section, to remain available until ex-  
 8 pended.

9 “(ii) RECEIPT AND ACCEPTANCE.—  
 10 The Secretary shall be entitled to receive,  
 11 shall accept, and shall use to carry out this  
 12 section the funds transferred under clause  
 13 (i), without further appropriation.

14 “(G) REGULATIONS.—

15 “(i) IN GENERAL.—Not later than Oc-  
 16 tober 1, 2016, the Secretary shall issue  
 17 regulations to carry out this paragraph.

18 “(ii) REQUIREMENTS.—Regulations  
 19 issued under this subparagraph shall re-  
 20 quire that—

21 “(I) children shall be eligible to  
 22 participate and shall be enrolled into  
 23 the program under this paragraph for  
 24 a summer without further application  
 25 if the children are enrolled to partici-

1           pate in the free or reduced price lunch  
2           program under this Act or the free or  
3           reduced price breakfast program  
4           under the Child Nutrition Act of 1966  
5           (42 U.S.C. 1771 et seq.) during the  
6           school year immediately preceding the  
7           summer; and

8                     “(II) local educational agencies  
9           shall distribute to the families of all  
10          children enrolled in schools partici-  
11          pating in programs authorized under  
12          this Act and the Child Nutrition Act  
13          of 1966 (42 U.S.C. 1771 et seq.) and,  
14          to the maximum extent practicable,  
15          the families of all children enrolled in  
16          schools of the local educational agency  
17          information, as provided by the Sec-  
18          retary—

19                    “(aa) regarding the program  
20           authorized under this paragraph,  
21           including eligibility rules and how  
22           children in eligible households  
23           that are not automatically en-  
24           rolled under subclause (I) may  
25           apply for program benefits; and

1                   “(bb) to assist households  
2                   receiving summer EBT cards in  
3                   making healthy food choices and  
4                   maximizing resources.

5                   “(iii) ALTERNATIVE TIMING.—

6                   “(I) IN GENERAL.—In issuing  
7                   regulations under this subparagraph,  
8                   the Secretary shall allow alternative  
9                   plans for the timing of issuance of the  
10                  summer electronic benefit cards under  
11                  subparagraph (D) in any part of a  
12                  State in which the school year does  
13                  not include a typical summer break,  
14                  on the condition that the Secretary  
15                  determines that no alternative plan in-  
16                  creases or decreases Federal costs.

17                  “(II) CONSIDERATIONS.—In de-  
18                  veloping regulations under subclause  
19                  (I), the Secretary shall consider the  
20                  ability of a State effectively to issue  
21                  benefits under an alternative sched-  
22                  ule.”.

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