

114TH CONGRESS
1ST SESSION

S. 1966

To amend the Richard B. Russell National School Lunch Act to require alternative options for program delivery.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2015

Mr. BOOZMAN (for himself, Mr. McCONNELL, Mr. KIRK, Mr. BROWN, Mr. DONNELLY, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Richard B. Russell National School Lunch Act to require alternative options for program delivery.

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 “Hunger Free Summer
5 for Kids Act of 2015”.

6 **SEC. 2. ALTERNATIVE OPTIONS FOR PROGRAM DELIVERY.**

7 Section 13 of the Richard B. Russell National School
8 Lunch Act (42 U.S.C. 1761) is amended—

1 (1) in subsection (a), by adding at the end the
 2 following:

3 “(13) ALTERNATIVE OPTIONS FOR PROGRAM
 4 DELIVERY.—

5 “(A) IN GENERAL.—To reach children that
 6 do not have readily available access to meals
 7 provided under this section, the Secretary shall
 8 establish 2 alternative options for program de-
 9 livery, including summer food service program
 10 meals delivered through—

11 “(i) an electronic benefit card (re-
 12 ferred to this paragraph as an ‘EBT card’)
 13 in accordance with subparagraph (C); and

14 “(ii) off-site consumption in accord-
 15 ance with subparagraph (D).

16 “(B) PURPOSE.—The Secretary shall de-
 17 sign and implement the alternative options de-
 18 scribed in subparagraph (A) so as—

19 “(i) to increase program effectiveness
 20 and efficiency;

21 “(ii) to improve child nutrition; and

22 “(iii) to reduce food insecurity among
 23 children.

24 “(C) ELECTRONIC BENEFIT TRANSFER
 25 CARD.—

1 “(i) IN GENERAL.—As an alternative
 2 to the meals provided by eligible service in-
 3 stitutions and private nonprofit organiza-
 4 tions at congregate feeding sites, the Sec-
 5 retary shall establish an option for States,
 6 beginning in summer 2018, to issue EBT
 7 cards to children eligible to participate in
 8 the program.

9 “(ii) AMOUNT.—

10 “(I) IN GENERAL.—Subject to
 11 subclause (III), the value of an EBT
 12 card under this subparagraph shall be
 13 \$30, less administrative expenses, for
 14 each child.

15 “(II) ANNUAL LIMITATION.—No
 16 child may receive more than \$100
 17 under this subparagraph in any 12-
 18 month period.

19 “(III) ADJUSTMENT.—Each Jan-
 20 uary 1, the Secretary shall adjust the
 21 value described in subclause (I) by the
 22 same percentage as the adjustment
 23 made under subsection (b)(1)(B).

24 “(iii) TIMING OF ISSUANCE.—EBT
 25 cards under this subparagraph may be

1 used only when school is out of session for
2 the summer period, as defined by the Sec-
3 retary.

4 “(iv) USE OF BENEFITS.—

5 “(I) IN GENERAL.—An EBT
6 card issued under this subparagraph
7 may be used only for the purchase of
8 food from retail stores approved for
9 participation in the special supple-
10 mental nutrition program for women,
11 infants, and children established by
12 section 17 of the Child Nutrition Act
13 of 1966 (42 U.S.C. 1786).

14 “(II) BENEFIT REDEMPTION.—A
15 retail store shall redeem EBT card
16 benefits under this subparagraph in
17 the same manner as benefit redemp-
18 tion under the special supplemental
19 nutrition program described in sub-
20 clause (I).

21 “(v) ADMINISTRATION.—In admin-
22 istering the alternative option described in
23 clause (i), the Secretary shall ensure
24 that—

1 “(I) EBT cards are issued only
2 to children residing—

3 “(aa) in a rural area, as de-
4 fined by the Secretary; or

5 “(bb) outside an area in
6 which poor economic conditions
7 exist;

8 “(II) EBT cards are not issued
9 in an area in which congregate feed-
10 ing sites are operating until the date
11 on which the Secretary promulgates a
12 regulation to prevent duplication in
13 benefits received;

14 “(III) not more than 2.5 percent
15 of the amount of benefits described in
16 clause (ii)(I) is used for administra-
17 tive expenses;

18 “(IV) EBT cards are issued to
19 children only through an application
20 process developed by the Secretary;
21 and

22 “(V) EBT cards are issued only
23 to children who have been determined
24 to be eligible for free or reduced price
25 school meals under this Act and the

1 Child Nutrition Act of 1966 (42
2 U.S.C. 1771 et seq.).

3 “(D) OFF-SITE CONSUMPTION.—

4 “(i) IN GENERAL.—The Secretary
5 shall establish an option for service institu-
6 tions, beginning in summer 2018, to pro-
7 vide summer food service program meals
8 for children eligible to participate in the
9 program to consume off-site.

10 “(ii) AVAILABILITY.—The option de-
11 scribed in clause (i) shall be available to
12 children only when at least 1 of the fol-
13 lowing conditions is present:

14 “(I) The child lives in a rural
15 area, as defined by the Secretary.

16 “(II) The child lives outside an
17 area in which poor economic condi-
18 tions exist.

19 “(III) The program is available
20 to the child at a congregate feeding
21 site but—

22 “(aa) the site is closed due
23 to extreme weather conditions;

24 “(bb) violence or other pub-
25 lic safety concerns in the area

1 prevent the child from traveling
2 safely to the site;

3 “(cc) the site is only open 4
4 or fewer days a week; or

5 “(dd) the site only provides
6 1 meal per day.

7 “(iii) ADMINISTRATION.—In admin-
8 istering the alternative option described in
9 clause (i), the Secretary shall ensure
10 that—

11 “(I) when providing meals under
12 the condition described in clause
13 (ii)(III)(cc), the number of meals
14 served to each child in a single meal
15 service is limited to 2 meals; and

16 “(II) any meal served meets the
17 same standards for safety and quality
18 as a meal served at a congregate feed-
19 ing site.

20 “(E) SCOPE.—In implementing the alter-
21 native options described in subparagraph (A),
22 the Secretary shall—

23 “(i) permit States to operate either al-
24 ternative option but prohibit States from

1 operating both alternative delivery options
 2 simultaneously in the same area; and

3 “(ii) permit States to implement ei-
 4 ther alternative option in some or all eligi-
 5 ble areas in a State.

6 “(F) PROGRAM INTEGRITY.—Not later
 7 than October 1, 2017, the Secretary shall pro-
 8 mulgate regulations, with an opportunity for
 9 notice and comment, to ensure the integrity of
 10 the 2 alternative options for program delivery
 11 described in this paragraph.”; and

12 (2) in subsection (n)—

13 (A) by striking “and (6)” and inserting
 14 “(6)”; and

15 (B) by striking the period at the end and
 16 inserting “; and (7) the plans of the State for
 17 using 1 or both of the alternative options for
 18 program delivery described in subsection
 19 (a)(13).”.

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