

119TH CONGRESS
1ST SESSION

S. 3132

To amend the Food and Nutrition Act of 2008 to exempt discounting food from the equal treatment requirement during a government shutdown, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2025

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food and Nutrition Act of 2008 to exempt discounting food from the equal treatment requirement during a government shutdown, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Relief for
5 Hungry Families Act of 2025”.

1 **SEC. 2. EXEMPTION FROM EQUAL TREATMENT REQUIRE-**
 2 **MENT.**

3 Section 9(j) of the Food and Nutrition Act of 2008
 4 (7 U.S.C. 2018(j)) is amended by adding at the end the
 5 following:

6 “(6) EXEMPTION FROM EQUAL TREATMENT RE-
 7 QUIREMENT.—

8 “(A) DEFINITION OF COVERED PERIOD.—

9 In this paragraph, the term ‘covered period’
 10 means a period during which—

11 “(i) interim continuing appropriations
 12 or full-year appropriations for a fiscal year
 13 for the Department of Agriculture have
 14 lapsed; and

15 “(ii) participants of the supplemental
 16 nutrition assistance program are not re-
 17 ceiving—

18 “(I) any benefits; or

19 “(II) the full amount of benefits.

20 “(B) WAIVER.—Notwithstanding para-
 21 graph (2), during a covered period, an author-
 22 ized retail food store may, without seeking a
 23 waiver, offer an incentive, which shall be effec-
 24 tive for the entire duration of the covered pe-
 25 riod.

1 “(C) EFFECT.—An incentive offered by an
2 authorized retail food store under subparagraph
3 (B) shall not be deemed a violation of the equal
4 treatment requirement described in section
5 278.2(b) of title 7, Code of Federal Regulations
6 (or a successor regulation).”.

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