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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R.

To reauthorize child nutrition programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

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
7 this 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.

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 NUTRI-
TION 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.

Sec. 1031. Technical Amendments.

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

2 In this Act, the term “Secretary” means the Sec-
3 retary 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
10 (j):

11 “(k) EMERGENCY WAIVERS OR MODIFICATIONS.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (4), during an emergency period, the Sec-
14 retary may waive (including by modifying) any re-
15 quirement under this Act or the Child Nutrition Act
16 of 1966 (42 U.S.C. 1771 et seq.), or any regulation
17 issued under either such Act, for States or eligible
18 service providers on a multi-State, State, or eligible
19 service provider basis if—

20 “(A) the requirement cannot reasonably be
21 implemented under the conditions which
22 prompted the emergency period in the affected
23 area;

1 “(B) a State or eligible service provider re-
2 quests a waiver in a format prescribed by the
3 Secretary;

4 “(C) in the case of a request by an eligible
5 service provider under subparagraph (B), the
6 State in which such eligible service provider is
7 located includes a statement of support or oppo-
8 sition with respect to the request; and

9 “(D) the Secretary determines that the
10 waiver would—

11 “(i) facilitate the ability of such
12 States or eligible service providers to carry
13 out the purpose of such Acts; and

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

16 “(2) NATIONWIDE, REGIONAL, AND STATE-
17 WIDE BASIS.—Except as provided in paragraph (3),
18 during an emergency period, the Secretary may
19 waive (including by modifying) any requirement
20 under this Act or the Child Nutrition Act of 1966
21 (42 U.S.C. 1771 et seq.), or any regulation issued
22 under either such Act, on a nationwide, regional, or
23 State-wide basis if the Secretary determines that the
24 waiver would—

1 “(A) facilitate the ability of States or eligi-
2 ble service providers to carry out the purpose of
3 such Acts; and

4 “(3) DURATION.—A waiver established under
5 this subsection may be available for a period of not
6 greater than the emergency period and the 90 days
7 after the end of the emergency period.

8 “(4) LIMITATIONS.—A waiver under this sub-
9 section is subject to the limitations in subsection
10 (1)(4).

11 “(5) DEFINITIONS.—In this subsection:

12 “(A) ELIGIBLE SERVICE PROVIDER.—The
13 term ‘eligible service provider’ has the meaning
14 given the term in subsection (1).

15 “(B) EMERGENCY PERIOD.—The term
16 ‘emergency period’ means a period during which
17 there exists—

18 “(i) a major disaster declared by the
19 President under section 401 of the Robert
20 T. Stafford Disaster Relief and Emergency
21 Assistance Act (42 U.S.C. 5170);

22 “(ii) an emergency declared by the
23 President under section 501 of the Robert
24 T. Stafford Disaster Relief and Emergency
25 Assistance Act (42 U.S.C. 5191);

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

6 “(iv) any renewal of such a public
7 health emergency pursuant to such section
8 319.”; and

9 (2) in subsection (l)—

10 (A) in paragraph (1)(A)—

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

21 (ii) by redesignating clauses (i)
22 through (iii) as clauses (ii) through (iv),
23 respectively; and

24 (iii) by inserting the following new
25 clause (i):

1 “(i) a State or eligible service provider requests
2 the waiver;”;

3 (B) by striking paragraph (2)(B) and in-
4 serting the following:

5 “(B) An application described in subparagraph (A)
6 shall—

7 “(i) be submitted in a format prescribed by the
8 Secretary;

9 “(ii) be completed by the State or eligible serv-
10 ice provider;

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

12 “(I) the State; or

13 “(II) an eligible service provider through
14 the State; and

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

18 (C) in paragraph (4)(A), by striking “con-
19 tent of meals served” and inserting “stand-
20 ards”; and

21 (D) in paragraph (7), by striking subpara-
22 graphs (A) through (C) and inserting the fol-
23 lowing:

24 “(A) a local school food service authority, local
25 educational agency, or school;

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

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

4 **SEC. 102. DIRECT CERTIFICATION FOR CHILDREN RECEIV-**
5 **ING MEDICAID BENEFITS.**

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

8 (1) in subsection (b)—

9 (A) by amending paragraph (5) to read as
10 follows:

11 “(5) DISCRETIONARY CERTIFICATION.—

12 “(A) FREE LUNCHEES OR BREAKFASTS.—

13 Subject to paragraph (6), any local educational
14 agency may certify any child as eligible for free
15 lunches or breakfasts, without further applica-
16 tion, by directly communicating with the appro-
17 priate State or local agency to obtain docu-
18 mentation of the status of the child as—

19 “(i) a member of a family that is re-
20 ceiving assistance under the temporary as-
21 sistance for needy families program funded
22 under part A of title IV of the Social Secu-
23 rity Act (42 U.S.C. 601 et seq.);

24 “(ii) a homeless child or youth (de-
25 fined as 1 of the individuals described in

1 section 725(2) of the McKinney-Vento
2 Homeless Assistance Act (42 U.S.C.
3 11434a(2));

4 “(iii) served by the runaway and
5 homeless youth grant program established
6 under the Runaway and Homeless Youth
7 Act (42 U.S.C. 5701 et seq.);

8 “(iv) a migratory child (as defined in
9 section 1309 of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C.
11 6399));

12 “(v) an eligible child (as defined in
13 paragraph (15)(A)); or

14 “(vi)(I) a foster child whose care and
15 placement is the responsibility of an agen-
16 cy that administers a State plan under
17 part B or E of title IV of the Social Secu-
18 rity Act (42 U.S.C. 621 et seq.); or

19 “(II) a foster child who a court has
20 placed with a caretaker household.

21 “(B) REDUCED PRICE LUNCHES OR
22 BREAKFASTS.—Subject to paragraph (6), any
23 local educational agency may certify any child
24 who is not eligible for free lunches or breakfasts
25 as eligible for reduced price lunches or break-

1 fasts, without further application, by directly
2 communicating with the appropriate State or
3 local agency to obtain documentation of the sta-
4 tus of the child as a child eligible for reduced
5 price meals (as defined in paragraph
6 (15)(A)).”;

7 (B) in paragraph (6)(A), by striking “or
8 (5)” both places it appears and inserting “(5),
9 or (15)”; and

10 (C) in paragraph (15)—

11 (i) in subparagraph (A)—

12 (I) by amending clause (i) to
13 read as follows:

14 “(i) ELIGIBLE CHILD.—The term ‘eli-
15 gible child’ means a child—

16 “(I)(aa) who is eligible for and
17 receiving medical assistance under the
18 Medicaid program; and

19 “(bb) who is a member of a fam-
20 ily with an income as measured by the
21 Medicaid program that does not ex-
22 ceed 133 percent of the poverty line
23 (as determined under the poverty
24 guidelines updated periodically in the
25 Federal Register by the Department

1 of Health and Human Services under
2 the authority of section 673(2) of the
3 Community Services Block Grant Act
4 (42 U.S.C. 9902(2), including any re-
5 vision required by such section)) ap-
6 plicable to a family of the size used
7 for purposes of determining eligibility
8 for the Medicaid program;

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

19 “(III) who is eligible for the
20 Medicaid program because such child
21 receives an adoption assistance pay-
22 ment made under section 473(a) of
23 the Social Security Act (42 U.S.C.
24 673(a)) or under a similar State-fund-

1 ed or State-operated program, as de-
2 termined by the Secretary;

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

13 “(V) who is a member of a
14 household (as that term is defined in
15 section 245.2 of title 7, Code of Fed-
16 eral Regulations (or successor regula-
17 tions)) with a child described in sub-
18 clause (I), (II), (III), or (IV).”; and

19 (II) by adding at the end the fol-
20 lowing:

21 “(iii) CHILD ELIGIBLE FOR REDUCED
22 PRICE MEALS.—The term ‘child eligible for
23 reduced price meals’ means a child—

1 “(I)(aa) who is eligible for and
2 receiving medical assistance under the
3 Medicaid program; and

4 “(bb) who is a member of a fam-
5 ily with an income as measured by the
6 Medicaid program that is greater than
7 133 percent but does not exceed 185
8 percent of the poverty line (as deter-
9 mined under the poverty guidelines
10 updated periodically in the Federal
11 Register by the Department of Health
12 and Human Services under the au-
13 thority of section 673(2) of the Com-
14 munity Services Block Grant Act (42
15 U.S.C. 9902(2), including any revision
16 required by such section)) applicable
17 to a family of the size used for pur-
18 poses of determining eligibility for the
19 Medicaid program; or

20 “(II) who is a member of a
21 household (as that term is defined in
22 section 245.2 of title 7, Code of Fed-
23 eral Regulations (or successor regula-
24 tions)) with a child described in sub-
25 clause (I).”;

1 (ii) by striking subparagraphs (B),
2 (C), (D), (E), (G), and (H);

3 (iii) in subparagraph (F)—

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

6 (II) by striking “conducting the
7 demonstration project under this
8 paragraph” and inserting “carrying
9 out this paragraph”; and

10 (iv) by inserting after subparagraph
11 (A) the following:

12 “(B) AGREEMENTS TO CARRY OUT CER-
13 TIFICATION.—To certify a child under subpara-
14 graph (A)(v) or (B) of paragraph (5), a State
15 agency shall enter into an agreement with 1 or
16 more State agencies conducting eligibility deter-
17 minations for the Medicaid program.

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

21 “(i) an eligible child may be certified
22 for free lunches under this Act and free
23 breakfasts under section 4 of the Child
24 Nutrition Act of 1966 (42 U.S.C. 1773),

1 without further application (as defined in
2 paragraph (4)(G)); and

3 “(ii) a child eligible for reduced price
4 meals may be certified for reduced price
5 lunches under this Act and reduced price
6 breakfasts under section 4 of the Child
7 Nutrition Act of 1966 (42 U.S.C. 1773),
8 without further application (as defined in
9 paragraph (4)(G)).”; and

10 (2) in subsection (d)(2)(G), by inserting “or
11 child eligible for reduced price meals” after “eligible
12 child”.

13 **SEC. 103. EXPANDING COMMUNITY ELIGIBILITY.**

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

15 (1) **MULTIPLIER.—**Clause (vii) of section
16 11(a)(1)(F) of the Richard B. Russell National
17 School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is
18 amended to read as follows:

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

23 (2) **THRESHOLD.—**Clause (viii) of section
24 11(a)(1)(F) of the Richard B. Russell National

1 School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is
2 amended to read as follows:

3 “(viii) THRESHOLD.—For each school
4 year beginning on or after July 1, 2023,
5 the threshold shall be not more than 25
6 percent.”.

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

15 (b) STATEWIDE COMMUNITY ELIGIBILITY.—Section
16 11(a)(1)(F) of the Richard B. Russell National School
17 Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is amended by
18 adding at the end the following:

19 “(xiv) STATEWIDE COMMUNITY ELIGI-
20 BILITY.—For each school year beginning
21 on or after July 1, 2023, the Secretary
22 shall establish an option for States to uti-
23 lize a statewide community eligibility pro-
24 gram under which, in the case of a State
25 agency that agrees to provide funding from

1 sources other than Federal funds to ensure
2 that local educational agencies in the State
3 receive the free reimbursement rate for
4 100 percent of the meals served at applica-
5 ble schools—

6 “(I) the multiplier described in
7 clause (vii) shall apply;

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

11 “(III) the percentage of enrolled
12 students who were identified students
13 shall be calculated across all applica-
14 ble schools in the State regardless of
15 local 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 **MODITY 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 par-
2 ticipating in the school lunch program under this Act and
3 the school breakfast program under section 4 of the Child
4 Nutrition Act of 1966 (42 U.S.C. 1773) commodities val-
5 ued at the total level of assistance authorized under sub-
6 sections (c) and (d) for each school year for the school
7 lunch and school breakfast programs in the State, not
8 later than September 30 of the following school year.”;

9 (2) in subsection (c), by amending paragraph
10 (1) to read as follows:

11 “. NATIONAL SCHOOL LUNCH COMMODITY AS-
12 SISTANCE.—

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

17 “(i) calculate the national average
18 value of donated foods, or cash payments
19 in lieu thereof, in accordance with subpara-
20 graph (B); and

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

1 “(I) for the preceding August,
2 September, and October, computed to
3 the nearest $\frac{1}{4}$ cent;

4 “(II) using 5 major food compo-
5 nents in the Producer Price Index of
6 the Bureau of Labor Statistics, which
7 are—

8 “(aa) cereal and bakery
9 products;

10 “(bb) meats, poultry, and
11 fish;

12 “(cc) dairy products;

13 “(dd) processed fruits and
14 vegetables; and

15 “(ee) fats and oils; and

16 “(III) weighing each such compo-
17 nent using the same relative weight as
18 determined by the Bureau of Labor
19 Statistics.

20 “(B) The national average value of do-
21 nated foods, or cash payments in lieu thereof,
22 shall be equal to 12 percent of the quotient ob-
23 tained by dividing—

1 “(i) the total assistance provided in
2 the preceding school year under section 4,
3 this section, and section 11; by

4 “(ii) the number of lunches served in
5 the preceding school year.

6 “(C) Not later than January 15 of each
7 year after the date of the enactment of the
8 Healthy Meals, Healthy Kids Act, the Secretary
9 shall calculate the total commodity assistance or
10 cash payments in lieu thereof available to a
11 State for the upcoming school year by multi-
12 plying the number of lunches served in the most
13 recent school year for which data are available
14 by the rate established in subparagraph (A).
15 The Secretary shall also annually reconcile the
16 amount of commodity assistance or cash pay-
17 ments in lieu thereof made available under this
18 subparagraph with the amount of assistance
19 used by each State and increase or reduce sub-
20 sequent commodity assistance or cash payments
21 in lieu thereof based on such reconciliation.”;

22 (3) by amending subsection (d) to read as fol-
23 lows:

24 “(d) SCHOOL BREAKFAST LEVEL OF COMMODITY
25 ASSISTANCE.—

1 “(1) IN GENERAL.—The national average value
2 of donated foods for school breakfasts, or cash pay-
3 ments in lieu thereof, shall be 6 cents, adjusted in
4 the same manner as the amount calculated under
5 clause (i) of subparagraph (A) of subsection (c)(1)
6 is adjusted under clause (ii) of such subparagraph.

7 “(2) ALLOCATION.—Not later than January 15
8 of each year after the date of the enactment of the
9 Healthy Meals, Healthy Kids Act, the Secretary
10 shall—

11 “(A) calculate the total commodity assist-
12 ance or cash payments in lieu thereof available
13 to a State for the upcoming school year by mul-
14 tiplying the number of breakfasts served in the
15 most recent school year for which data are
16 available by the rate established in paragraph
17 (1); and

18 “(B) annually reconcile the amount of
19 commodity assistance or cash payments in lieu
20 thereof made available under this subparagraph
21 with the amount of assistance used by each
22 State and increase or reduce subsequent com-
23 modity assistance or cash payments in lieu
24 thereof based on such reconciliation.”;

25 (4) by striking subsection (e); and

1 (5) by redesignating subsection (f) as sub-
2 section (e).

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

6 (1) in clause (ii)—

7 (A) by striking “most recent”; and

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

10 (2) in clause (iii), by inserting “ending on April
11 30” after “12-month period”.

12 **SEC. 204. FOOD SERVICE MANAGEMENT.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary shall issue a request for
15 information and data collection from State agencies and
16 school food authorities regarding the role of food service
17 management companies in carrying out the programs
18 under the Richard B. National School Lunch Act (42
19 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966
20 (42 U.S.C. 1771 et seq.), including information on—

21 (1) participation of small, women- and minor-
22 ity-owned businesses as food service management
23 companies;

24 (2) food service management contract practices;

25 and

1 (3) use of funds by food service management
2 companies to assist, promote, or deter organizing by
3 a labor organization, including any action to enter
4 into contracts in order to avoid, undermine, or vio-
5 late any collective bargaining or a requirement to
6 meet and confer.

7 **SEC. 205. KITCHEN IMPROVEMENT AND PERSONNEL**
8 **TRAINING.**

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

12 (1) redesignating paragraphs (7) through (9) as
13 paragraphs (8) through (10), respectively; and

14 (2) by adding after paragraph (6) the following:

15 “(7) SCRATCH COOKING.—The term ‘scratch
16 cooking’ means the preparation of food using ingre-
17 dients that are unprocessed or minimally pro-
18 cessed.”.

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

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

24 “(a) ESTABLISHMENT.—Not later than 180 days
25 after the date of the enactment of this section, the Sec-

1 retary shall establish a program to award grants, on a
2 competitive basis, to school food authorities to promote
3 scratch cooking.

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

9 “(c) GRANT AMOUNTS AND DURATION.—

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

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

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

20 “(1) offering professional development and
21 training related to preparing, procuring, advertising,
22 serving, and creating menus of meals made with
23 scratch cooking;

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

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

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

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

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

17 “(1) that serve the greatest proportion of stu-
18 dents eligible for free or reduced price lunch under
19 this Act; 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 per-
7 sonnel.

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

13 “(A) conduct a scratch cooking needs as-
14 sessment to evaluate, with respect to such
15 school food authority—

16 “(i) equipment needs;

17 “(ii) equipment utilization;

18 “(iii) procurement processes; and

19 “(iv) workforce capabilities; and

20 “(B) establish a strategic plan based on
21 such needs assessment to carry out the activi-
22 ties under subsection (d).

23 “(3) ELIGIBLE THIRD-PARTY INSTITUTIONS.—

1 “(A) ELIGIBLE THIRD-PARTY INSTITUTION
2 DEFINED.—For purposes of this subsection, the
3 term ‘eligible third-party institution’ means—

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

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

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

17 “(iv) a consortium of entities de-
18 scribed in subclauses (I) through (III).

19 “(B) CRITERIA FOR ELIGIBLE THIRD-
20 PARTY INSTITUTIONS.—The Secretary shall es-
21 tablish specific criteria that eligible third-party
22 training institutions must meet to qualify to
23 enter into an agreement under paragraph (1),
24 which shall include—

1 “(i) prior successful experience in pro-
2 viding or engaging in training and tech-
3 nical assistance programming or applied
4 research activities involving eligible enti-
5 ties, school food service administrators, or
6 school food service directors;

7 “(ii) prior successful experience in de-
8 veloping relevant educational training tools
9 or course materials or curricula on topics
10 addressing child and school nutrition or
11 the updated nutrition standards under sec-
12 tion 4(b)(3); and

13 “(iii) the ability to deliver effective
14 and cost-efficient training and technical as-
15 sistance programming to school food serv-
16 ice personnel—

17 “(I) at training sites that are lo-
18 cated within a proximate geographic
19 distance to schools, central kitchens,
20 or other worksites; or

21 “(II) through an online training
22 and assistance program on topics that
23 do not require in-person attendance.

24 “(4) FUNDING.—Of the amounts made avail-
25 able under subsection (h) to carry out this section,

1 not more than 10 percent may be used to carry out
2 this subsection.

3 “(g) REPORT.—Not later than 180 days after the
4 conclusion of the grant period described in subsection
5 (c)(2), each school food authority that receives a grant
6 under this section shall submit to the Secretary a report
7 that includes, with respect to such school food authority,
8 the change at the end of the grant period, as compared
9 with the school year immediately preceding the beginning
10 of the grant period, in—

11 “(1) the percentage of the 20 most expensive
12 procurement items that contain whole ingredients,
13 raw ingredients, or both;

14 “(2) the percentage of procured food items that
15 are locally procured;

16 “(3) the percentage of menu items prepared
17 with scratch cooking in a 4-week menu cycle;

18 “(4) the percentage of food packaging that is
19 single-serve packaging;

20 “(5) the percentage of students who participate
21 in the school lunch program under this Act; and

22 “(6) the culinary, fiscal, procurement, and man-
23 agement operations.

24 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated \$20,000,000 to carry

1 out this section for each of fiscal years 2024 through
2 2028.”.

3 (c) GRANTS TO FINANCE CERTAIN IMPROVEMENTS
4 TO SCHOOL LUNCH FACILITIES.—The Richard B. Russell
5 National School Lunch Act is amended by inserting after
6 section 26 (42 U.S.C. 1769g) the following:

7 **“SEC. 27. GRANTS TO FINANCE CERTAIN IMPROVEMENTS**
8 **TO SCHOOL LUNCH FACILITIES.**

9 “(a) EQUIPMENT GRANTS.—

10 “(1) IN GENERAL.—Beginning fiscal year 2024,
11 the Secretary shall award grants to State agencies
12 to carry out the activities described in paragraph
13 (2).

14 “(2) SUBGRANTS.—

15 “(A) IN GENERAL.—A State agency receiv-
16 ing a grant under this subsection shall use such
17 grant funds to award subgrants, on a competi-
18 tive basis, to school food authorities.

19 “(B) APPLICATION.—A school food author-
20 ity seeking a subgrant under this paragraph
21 shall submit to the State agency an application
22 at such time, in such manner, and containing
23 such information as the State agency may re-
24 quire.

1 “(C) PRIORITY.—In awarding a subgrant
2 under this subsection, the State agency shall
3 give priority to a school food authority that
4 serves, as determined by the State agency,
5 schools with substantial or disproportionate—

6 “(i) need for infrastructure improve-
7 ment; or

8 “(ii) durable equipment need or im-
9 pairment.

10 “(D) SUBGRANT USES.—A school food au-
11 thority receiving a subgrant under this para-
12 graph shall use such subgrant funds to—

13 “(i) purchase equipment, including
14 software and technology systems, needed to
15 serve healthy meals, improve food safety,
16 promote scratch cooking, facilitate the use
17 of salad bars; and

18 “(ii) support the establishment, main-
19 tenance, and expansion of the school lunch
20 program under this Act and the school
21 breakfast program established by section 4
22 of the Child Nutrition Act of 1966 (42
23 U.S.C. 1773) at such schools.

24 “(3) AUTHORIZATION OF APPROPRIATIONS.—

1 “(A) IN GENERAL.—There are authorized
2 to be appropriated \$35,000,000 for each of fis-
3 cal years 2024 through 2028 to carry out this
4 subsection.

5 “(B) TECHNICAL ASSISTANCE.—The Sec-
6 retary may use not more than 5 percent of the
7 amounts made available to carry out this sub-
8 section for each fiscal year to provide technical
9 assistance to applicants and prospective appli-
10 cants in preparing applications.”.

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

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

14 Section 7(g)(2)(B) of the Child Nutrition Act of 1966
15 (42 U.S.C. 1776(g)(2)(B)) is amended by adding at the
16 end the following:

17 “(iv) AVAILABILITY AND APPRO-
18 PRIATENESS OF TRAINING.—Training car-
19 ried out under this subparagraph shall
20 be—

21 “(I) scheduled primarily during
22 regular, paid working hours;

23 “(II) if such training is scheduled
24 outside of such regular, paid working
25 hours—

1 “(aa) efforts shall be made
2 to inform food service personnel
3 of the reasons requiring the
4 training to be scheduled outside
5 of such hours;

6 “(bb) time spent partici-
7 pating in such training shall be
8 considered compensable time and
9 each individual who participates
10 shall be paid no less than the in-
11 dividual’s regular rate of pay;
12 and

13 “(cc) food service personnel
14 shall not be discharged or in any
15 other manner discriminated
16 against for not being able to at-
17 tend such training; and

18 “(III) offered in-person and in-
19 corporate hands-on training tech-
20 niques, when appropriate.

21 “(v) RELATIONSHIP TO OTHER
22 LAWS.—Nothing in this subparagraph may
23 be construed to supersede or otherwise
24 modify any Federal, State, or local law or

1 legal obligation governing the relationship
2 between an employee and employer.”.

3 **SEC. 212. TECHNOLOGY AND INFRASTRUCTURE IMPROVE-**
4 **MENT.**

5 Section 7(i)(4) of the Child Nutrition Act of 1966
6 (42 U.S.C. 1776(i)(4)) is amended by striking “2010
7 through 2015” and inserting “2023 through 2028”.

8 **SEC. 213. STATE ADMINISTRATIVE EXPENSES.**

9 Section 7 of the Child Nutrition Act of 1966 (42
10 U.S.C. 1776) is amended—

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

13 (2) in subsection (d), by striking “and expendi-
14 ture”; and

15 (3) in subsection (j), by striking “October 1,
16 2015” and inserting “October 1, 2028”.

17 **TITLE III—MODERNIZING THE**
18 **SPECIAL SUPPLEMENTAL NU-**
19 **TRITION PROGRAM FOR**
20 **WOMEN, INFANTS, AND CHIL-**
21 **DREN (WIC)**

22 **SEC. 301. ADJUNCTIVE ELIGIBILITY.**

23 (a) IN GENERAL.—Section 17(d)(2)(A) of the Child
24 Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(A)) is
25 amended—

1 (1) in clause (ii)—

2 (A) in subclause (I), by inserting “resides
3 in a household (as such term is defined in sec-
4 tion 3 of the Food and Nutrition Act of 2008
5 (7 U.S.C. 2012)) that includes an individual
6 who” before “receives”; and

7 (B) in subclause (II), by striking “; or”
8 and inserting a semicolon;

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

10 “(iii)(I) receives medical assistance under title
11 XIX of the Social Security Act (42 U.S.C. 1396 et
12 seq.) or child health assistance under title XXI of
13 such Act (42 U.S.C.1397aa et seq.); or

14 “(II) is a member of a family in which a preg-
15 nant woman, postpartum woman, infant, or child re-
16 ceives assistance or is enrolled as described in sub-
17 clause (I);” and

18 (3) by adding at the end the following:

19 “(iv) is enrolled as a participant in a Head
20 Start program authorized under the Head Start Act
21 (42 U.S.C. 9831 et seq.) or resides in a household
22 in which one or more children is enrolled as a partic-
23 ipant in such a Head Start program;

24 “(v) resides in a household that includes an in-
25 dividual who receives assistance under the food dis-

1 tribution program on Indian reservations established
2 under section 4(b) of the Food and Nutrition Act of
3 2008 (7 U.S.C. 2013(b)); or

4 “(vi) resides in a household that includes an in-
5 dividual who receives assistance from a nutrition as-
6 sistance program funded by the consolidated block
7 grants for Puerto Rico and the American Samoa
8 under section 19 of the Food and Nutrition Act of
9 2008 (7 U.S.C. 2028) or funded by a block grant
10 for the Commonwealth of the Northern Mariana Is-
11 lands pursuant to section 601 of Public Law 96–597
12 (48 U.S.C. 1469d(c)).”.

13 (b) ADJUNCT DOCUMENTATION.—Section
14 17(d)(3)(E) of the Child Nutrition Act of 1966 (42 U.S.C.
15 1786(d)(3)(E)) is amended to read as follows:

16 “(E) ADJUNCT DOCUMENTATION.—In
17 order to participate in the program under this
18 section pursuant to clause (ii) through (vi) of
19 paragraph (2)(A), not earlier than 90 days
20 prior to the date on which the certification or
21 recertification for participation in the program
22 is made—

23 “(i) an individual shall provide docu-
24 mentation of receipt of assistance de-
25 scribed in such clause; or

1 “(ii) a State agency shall use available
2 documentation to show receipt of such as-
3 sistance.”.

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

5 (a) PROCEDURES.—

6 (1) AGE OF ELIGIBILITY FOR CHILDREN UNDER
7 THE SPECIAL SUPPLEMENTAL NUTRITION PRO-
8 GRAM.—

9 (A) DEFINITION OF CHILD.—Section 17 of
10 the Child Nutrition Act of 1966 (42 U.S.C.
11 1786) is amended—

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

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

15 “(A) before October 1, 2026, an individual
16 who—

17 “(i) has attained a first birthday but
18 has not yet attained a fifth birthday; or

19 “(ii)(I) has attained a fifth birthday
20 but has not yet attained a sixth birthday;

21 “(II) does not attend full-day
22 kindergarten; and

23 “(III) is certified before such
24 date by a State agency under sub-
25 section (d)(3)(A)(iii)(II); and

1 “(B) on and after October 1, 2026, an in-
2 dividual who—

3 “(i) has attained a first birthday but
4 has not yet attained a sixth birthday; and
5 “(ii) does not attend full day kinder-
6 garten.”;

7 (ii) in subsection (e)(4)(A), by strik-
8 ing “up to age 5”; and

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

11 (B) CERTIFICATION.—Section
12 17(d)(3)(A)(iii) of the Child Nutrition Act of
13 1966 (42 U.S.C. 1786(d)(3)(A)(iii)) is amended
14 to read as follows:

15 “(iii) CHILDREN.—

16 “(I) CHILDREN UNDER 5.—With
17 respect to a participant child who has
18 not had a fifth birthday—

19 “(aa) before October 1,
20 2026, a State may elect to certify
21 a participant child for a period of
22 2 years, if the State electing the
23 option provided under this clause
24 ensures that a participant child

1 receives the required health and
2 nutrition assessments; and

3 “(bb) on and after October
4 1, 2026 a State shall—

5 “(AA) certify a partici-
6 pant child for a period of 2
7 years; and

8 “(BB) ensure that a
9 participant child receives the
10 required health and nutri-
11 tion assessments, as deter-
12 mined by the Secretary
13 under clause (ix).

14 “(II) 5-YEAR-OLD CHILDREN.—

15 “(aa) IN GENERAL.—Begin-
16 ning not later than October 1,
17 2026, a State shall certify a par-
18 ticipant child who has had a fifth
19 birthday but has not yet attained
20 a sixth birthday, for the period
21 that ends on the earlier of—

22 “(AA) the sixth birth-
23 day of the participant child;
24 and

1 “(BB) the first date on
2 which the participant child
3 attends full-day kinder-
4 garten.

5 “(bb) REQUIREMENTS.—
6 Each State that certifies a par-
7 ticipant child under item (aa)
8 shall—

9 “(AA) ensure that such
10 participant child receives re-
11 quired health and nutrition
12 assessments, as determined
13 by the Secretary under
14 clause (ix); and

15 “(BB) establish a
16 method to determine the
17 first date on which such par-
18 ticipant child attends full-
19 day kindergarten.”.

20 (C) CONFORMING AMENDMENT.—Section
21 1902(a)(53)(A) of the Social Security Act (42
22 U.S.C. 1396a(a)(53)(A)) is amended by strik-
23 ing “below the age of 5” and inserting “(as de-
24 fined in such section)”.

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

5 “(iv) INFANTS.—

6 “(I) IN GENERAL.—With respect
7 to an infant, a State—

8 “(aa) before October 1,
9 2026, may elect to certify an in-
10 fant for participation in the pro-
11 gram for a period of 2 years; and

12 “(bb) on and after October
13 1, 2026, shall certify an infant
14 for participation in the program
15 for a period of 2 years.

16 “(II) ASSESSMENTS.—In certi-
17 fying an infant under subclause (I), a
18 State shall ensure that the infant re-
19 ceives required health and nutrition
20 assessments, as determined by the
21 Secretary under clause (ix).

22 “(III) INFANTS BORN TO PARTIC-
23 IPANT MOTHERS.—For purposes of
24 subclause (I), an infant born to a
25 pregnant woman who is participating

1 in the program shall be certified for
2 participation without further applica-
3 tion.

4 “(IV) CLARIFICATION RELATING
5 TO AGE.—An infant may be certified
6 for participation in the program for a
7 period of 2 years, regardless of wheth-
8 er such infant will become a child dur-
9 ing such period.”.

10 (3) EXTENSION OF POSTPARTUM PERIOD.—

11 (A) BREASTFEEDING WOMEN.—

12 (i) DEFINITION OF BREASTFEEDING
13 WOMAN.—Paragraph (1) of section 17(b)
14 of the Child Nutrition Act of 1966 (42
15 U.S.C. 1786(b)) is amended to read as fol-
16 lows:

17 “(1) BREASTFEEDING WOMAN.—The term
18 ‘breastfeeding woman’ means—

19 “(A) before October 1, 2026, an individual
20 up to one year postpartum who is breastfeeding
21 the infant of the individual; and

22 “(B) on and after October 1, 2026, an in-
23 dividual who is not more than 2 years
24 postpartum and is breastfeeding the infant of
25 the individual.”.

1 (ii) CERTIFICATION.—Section
2 17(d)(3)(A)(ii) of the Child Nutrition Act
3 of 1966 (42 U.S.C. 1786(d)(3)(A)(ii)) is
4 amended to read as follows:

5 “(ii) BREASTFEEDING WOMEN.—With respect
6 to a breastfeeding woman, a State—

7 “(I) before October 1, 2026,
8 may elect to certify such
9 breastfeeding woman for a period
10 of 2 years postpartum; and

11 “(II) on and after October
12 1, 2026, a State shall certify a
13 postpartum woman for a period
14 of 2 years postpartum.”.

15 (B) POSTPARTUM WOMEN.—

16 (i) DEFINITION OF POSTPARTUM
17 WOMAN.—Paragraph (10) of section 17(b)
18 of the Child Nutrition Act of 1966 (42
19 U.S.C. 1786(b)) is amended to read as fol-
20 lows:

21 “(10) POSTPARTUM WOMAN.—The term
22 ‘postpartum woman’ means—

23 “(A) before October 1, 2026, an individual
24 up to six months after termination of preg-
25 nancy; and

1 “(B) on and after October 1, 2026, an in-
2 dividual up to 2 years after termination of preg-
3 nancy.”.

4 (ii) CERTIFICATION.—Section
5 17(d)(3)(A) of the Child Nutrition Act of
6 1966 (42 U.S.C. 1786)(d)(3)(A)) is fur-
7 ther amended by adding at the end the fol-
8 lowing:

9 “(v) POSTPARTUM WOMEN.—With respect to a
10 postpartum woman, a State—

11 “(I) before October 1, 2026,
12 may elect to certify such
13 postpartum woman for a period
14 of 2 years after the termination
15 of the pregnancy of the
16 postpartum woman; and

17 “(II) on and after October
18 1, 2026, a State shall certify a
19 postpartum woman for a period
20 of 2 years after the termination
21 of pregnancy of the postpartum
22 woman.”.

23 (4) PREGNANT WOMEN.—

1 (A) DEFINITION.—Section 17(b)(11) of
2 the Child Nutrition Act of 1966 (7 U.S.C.
3 1431(b)(11)) is amended to read as follows:

4 “(11) PREGNANT WOMEN.—The term ‘pregnant
5 woman’ means an individual determined to have one
6 or more fetuses in utero.”.

7 (B) CERTIFICATION.—Section 17(d)(3)(A)
8 of the Child Nutrition Act of 1966 (42 U.S.C.
9 1786)(d)(3)(A)) is further amended by adding
10 at the end the following:

11 “(vi) PREGNANT WOMEN.—With re-
12 spect to a pregnant woman, a State—

13 “(I) before October 1, 2026, may
14 elect to certify a pregnant woman for
15 the duration of the pregnancy and for
16 the 90 days after the termination of
17 pregnancy; and

18 “(II) on and after October 1,
19 2026, shall certify a pregnant woman
20 for the duration of the pregnancy and
21 for the 90 days after the termination
22 of pregnancy.”.

23 (5) CERTIFICATION WITHIN ONE HOUSEHOLD
24 FAMILY.—Section 17(d)(3)(A) of the Child Nutrition

1 Act of 1966 (42 U.S.C. 1786(d)(3)(A)) is further
2 amended—

3 (A) in clause (i)—

4 (i) by striking “clause (ii)” and in-
5 serting “clauses (ii) through (viii)”; and

6 (ii) by inserting “or recertified” after
7 “certified”;

8 (B) by adding at the end the following:

9 “(vii) CERTIFICATION WITHIN ONE
10 HOUSEHOLD FAMILY.—In order to align
11 certification periods or recertification ap-
12 pointments, when a State or local agency
13 certifies an individual based on income
14 documentation under subparagraph (D) or
15 adjunct documentation under subpara-
16 graph (E), a new certification period that
17 otherwise meets the requirements of the
18 program may be initiated for eligible fam-
19 ily members of such individual.”.

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

24 “(viii) RECERTIFICATION.—Before re-
25 questing new income documentation for

1 purposes of recertifying an individual
2 under the program, a State shall—

3 “(I) determine whether such indi-
4 vidual is eligible for recertification
5 under subparagraph (E); and

6 “(II) if such individual is so eligi-
7 ble—

8 “(aa) recertify such indi-
9 vidual; and

10 “(bb) notify such individual
11 of such recertification.”.

12 (7) NUTRITION RISK.—Section 17(d)(3)(A) of
13 the Child Nutrition Act of 1966 (42 U.S.C.
14 1786)(d)(3)(A)) is further amended by adding at the
15 end the following:

16 “(ix) NUTRITION RISK.—

17 “(I) IN GENERAL.—The Sec-
18 retary may require nutrition risk eval-
19 uations within a single certification
20 period for the purposes of identifying
21 specific risk factors, consistent with
22 medical recommendations.

23 “(II) INFORMATION PROVIDED
24 BY A HEALTH CARE PROVIDER.—In-
25 formation provided by a health care

1 provider shall be sufficient to establish
2 nutrition risk under this section.

3 “(III) DETERMINATION.—In the
4 case of an individual for which a de-
5 termination is made that such indi-
6 vidual does not meet any nutritional
7 risk criteria, the certification of the
8 individual under the program shall
9 terminate on the date of such deter-
10 mination.”.

11 (b) INTERIM ELIGIBILITY.—Section 17(d)(3)(B) of
12 the Child Nutrition Act of 1966 (42 U.S.C.
13 1786)(d)(3)(B)) is amended to read as follows:

14 “(B) INTERIM ELIGIBILITY.—

15 “(i) TEMPORARY CERTIFICATION.—

16 “(I) IN GENERAL.—In the case
17 of a pregnant woman, breastfeeding
18 woman, postpartum woman, infant, or
19 child who is not otherwise determined
20 eligible under this section to partici-
21 pate in the program due to lack of
22 documentation at the time of applica-
23 tion, a State agency shall consider
24 such a pregnant woman, breastfeeding
25 woman, postpartum woman, infant, or

1 child to be temporarily eligible to par-
2 ticipate in the program based on a
3 signed statement by the applicant.

4 “(II) 30-DAY PERIOD.—With re-
5 spect to an individual that is tempo-
6 rarily eligible under subclause (I), the
7 State agency shall—

8 “(aa) provide food instru-
9 ments for a single 30-day period;
10 and

11 “(bb) require that docu-
12 mentation for purposes of certi-
13 fying such individual in accord-
14 ance with this paragraph be pro-
15 vided not later than 30 days
16 after the first day such individual
17 is deemed temporarily eligible
18 under subclause (I).

19 “(III) DOCUMENTATION DEM-
20 ONSTRATING ELIGIBILITY.—If an in-
21 dividual provides documentation in ac-
22 cordance with subclause (II) that
23 demonstrates eligibility for the pro-
24 gram, the individual shall be certified
25 in accordance with this paragraph be-

1 ginning on the first day the individual
2 was deemed temporarily eligible under
3 subclause (I).

4 “(IV) DOCUMENTATION FAILING
5 TO DEMONSTRATE ELIGIBILITY.—If
6 an individual does not provide docu-
7 mentation in accordance with sub-
8 clause (II), or provides documentation
9 that does not demonstrate eligibility
10 for the program—

11 “(aa) the individual shall be
12 determined ineligible to partici-
13 pate in the program; and

14 “(bb) the temporary eligi-
15 bility with respect to such indi-
16 vidual shall terminate at the end
17 of the single 30-day period de-
18 scribed in subclause (II)(aa).

19 “(ii) NUTRITIONAL RISK.—A State
20 may consider a pregnant woman,
21 breastfeeding woman, postpartum woman,
22 infant, or child applicant who meets the in-
23 come eligibility standards to be temporarily
24 eligible on an interim basis to participate
25 in the program and may certify any such

1 individual for participation immediately,
2 without delaying certification until an eval-
3 uation is made concerning nutritional risk.
4 A nutritional risk evaluation of such an in-
5 dividual shall be completed not later than
6 90 days after the individual is certified for
7 participation. If it is subsequently deter-
8 mined that the individual does not meet
9 nutritional risk criteria, the certification of
10 the individual shall terminate on the date
11 of the determination.”.

12 (c) ELIGIBILITY FOR CHILDREN IN KINSHIP FAMI-
13 LIES.—Section 17(f)(1)(C)(ix) of the Child Nutrition Act
14 of 1966 (42 U.S.C. 1786(f)(1)(C)(ix)) is amended by in-
15 serting “a kinship family,” after “under the care of”.

16 **SEC. 303. CERTIFICATION AND RECERTIFICATION DETER-**
17 **MINATIONS AND NUTRITIONAL RISK EVALUA-**
18 **TIONS.**

19 (a) IN GENERAL.—

20 (1) PRESENCE WITH RESPECT TO CERTAIN DE-
21 TERMINATIONS AND EVALUATIONS.—Section
22 17(d)(3)(C) of the Child Nutrition Act of 1966 (42
23 U.S.C. 1786(d)(3)(C)) is amended to read as fol-
24 lows:

1 “(C) PRESENCE WITH RESPECT TO CER-
2 TAIN DETERMINATIONS AND EVALUATIONS.—

3 “(i) IN GENERAL.—Each individual
4 seeking certification, recertification, or a
5 nutritional risk evaluation for participation
6 in the program shall be offered an appoint-
7 ment—

8 “(I) in-person, through video
9 technology permitting 2-way, real-time
10 interactive communications, by tele-
11 phone, and in such other format as
12 the State agency determines appro-
13 priate in order to determine eligibility
14 under the program; and

15 “(II) that occurs in a format,
16 setting, or platform that is accessible
17 to the individual in accordance with
18 the Americans with Disabilities Act of
19 1990 (42 U.S.C. 12101 et seq.) and
20 section 504 of the Rehabilitation Act
21 of 1973 (29 U.S.C. 794).

22 “(ii) ANTHROPOMETRIC DATA FOR
23 REMOTE CERTIFICATION.—If an individual
24 meets the certification presence require-
25 ment through technology permitting 2-way,

1 real-time interactive communications or
2 other methods described in clause (i)(I),
3 the anthropometric data with respect to
4 such individual shall be obtained within 90
5 days.”.

6 (2) TECHNICAL AMENDMENT.—Section
7 17(d)(3) of the Child Nutrition Act of 1966 (42
8 U.S.C. 1786(d)(3)) is amended by conforming the
9 margin of subparagraph (B) to the margin of sub-
10 paragraph (C).

11 (b) REMOTE BENEFIT ISSUANCE.—Section
12 17(f)(6)(B) of the Child Nutrition Act of 1966 (42 U.S.C.
13 1786(f)(6)(B)) is amended—

14 (1) in the second sentence—

15 (A) by striking “vouchers by mail in its
16 plan” and inserting “food instruments by mail,
17 remote issuance, or other means in the State
18 plan”; and

19 (B) by striking “The State” and inserting
20 the following:

21 “(ii) STATE PLAN.—The State”;

22 (2) in the third sentence—

23 (A) by striking “vouchers by mail” and in-
24 serting “food instruments by mail, remote
25 issuance, or other means”; and

1 (B) by striking “The Secretary” and in-
2 serting the following:

3 “(iii) DISAPPROVAL OF STATE
4 PLAN.—The Secretary”; and

5 (3) by striking “(B) State agencies” and all
6 that follows through “to obtain vouchers.” and in-
7 serting the following:

8 “(B) DELIVERY OF FOOD INSTRU-
9 MENTS.—

10 “(i) IN GENERAL.—State agencies
11 may provide for the delivery of food instru-
12 ments, including electronic benefit transfer
13 cards, to any participant through means
14 that do not require the participant to trav-
15 el to the local agency to obtain food instru-
16 ments, such as through mailing or remote
17 issuance.”.

18 (c) ANNUAL INVESTMENT IN WIC TECHNOLOGIES.—
19 Section 17(h) of the Child Nutrition Act of 1966 (42
20 U.S.C. 1786(h)) is amended—

21 (1) in paragraph (2)(B)—

22 (A) by striking clause (ii); and

23 (B) by striking “(I) Except as provided in
24 clause (ii) and” and inserting “Except as pro-
25 vided in”;

1 (2) in paragraph (10)—

2 (A) in subparagraph (A), by striking
3 “2010 through 2015” and inserting “2023
4 through 2028”;

5 (B) in subparagraph (B), by striking
6 clause (ii) and inserting the following:

7 “(ii)(I) \$90,000,000 shall be used
8 to—

9 “(aa) establish, develop, improve,
10 replace, or administer technology plat-
11 forms, including management infor-
12 mation systems, that enhance the
13 services of, access to, or redemption of
14 benefits under the program;

15 “(bb) establish, develop, improve,
16 replace, or administer a system that
17 allows for secure communication of in-
18 formation between health care pro-
19 viders and program clinics in order to
20 facilitate sharing of information nec-
21 essary for certification, establishing
22 nutrition risk, or for the provision of
23 health care services; and

24 “(cc) carry out paragraph (15);
25 and

1 “(II) of which up to \$8,000,000 may
2 be used for Federal administrative costs;
3 and”; and

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

5 “(15) STATE EFFORTS TO ENHANCE CROSS-EN-
6 ROLLMENT WITH MEDICAID AND THE SUPPLE-
7 MENTAL NUTRITION ASSISTANCE PROGRAM.—

8 “(A) PARTICIPATION DATA.—The Sec-
9 retary shall annually collect data from State
10 agencies and make publicly available on the
11 website of the Department State-level estimates
12 of the percentage of pregnant women,
13 postpartum women, infants, and children under
14 age five—

15 “(i) who are enrolled in the program
16 under this section and the supplemental
17 nutrition assistance program under the
18 Food and Nutrition Act of 2008 (7 U.S.C.
19 2011 et seq.); and

20 “(ii) who are—

21 “(I) enrolled in the program
22 under this section and the Medicaid
23 program established under title XIX
24 of the Social Security Act (42 U.S.C.
25 1396 et seq.); and

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

3 “(B) BEST PRACTICES.—The Secretary
4 shall—

5 “(i) in addition to the information
6 made available under subparagraph (A),
7 also publish on the website of the Depart-
8 ment best practices for increasing the per-
9 centages described in such subparagraph;
10 and

11 “(ii) evaluate the number and types of
12 referrals to the program under this section
13 made by—

14 “(I) administrators of the supple-
15 mental nutrition assistance program
16 under the Food and Nutrition Act of
17 2008 (7 U.S.C. 2011 et seq.); and

18 “(II) administrators of the Med-
19 icaid program established under title
20 XIX of the Social Security Act (42
21 U.S.C. 1396 et seq.).

22 “(C) CROSS-ENROLLMENT PLAN.—Not
23 later than 1 year after the date of the enact-
24 ment of this paragraph and annually thereafter,
25 each State shall—

1 “(i) submit to the Secretary an an-
2 nual cross-enrollment plan that—

3 “(I) is developed across the pro-
4 grams described in subparagraph (A)
5 that includes goals, specific measures,
6 and a timeline for increasing the per-
7 centages described in such subpara-
8 graph; and

9 “(II) includes policies to refer to
10 the program under this section par-
11 ticipants in the programs described in
12 such subparagraph who are not cer-
13 tified for the program under this sec-
14 tion; and

15 “(ii) if such plan is approved by the
16 Secretary, implement such plan.

17 “(D) GRANT PROGRAM.—The Secretary
18 shall provide technical assistance and award
19 competitive grants to State agencies to—

20 “(i) increase the percentages de-
21 scribed in subparagraph (A); and

22 “(ii) implement measures pursuant to
23 an annual cross-enrollment plan under
24 subparagraph (C), including—

25 “(I) improving technology;

1 “(II) establishing more robust re-
2 ferral systems;

3 “(III) conducting targeted out-
4 reach to potential participants in the
5 program under this section;

6 “(IV) enhancing State capacity
7 to share and analyze data across the
8 programs described in subparagraph
9 (A); and

10 “(V) providing training or tech-
11 nical assistance to local agencies.

12 “(E) LIMITATION ON DATA.—Any data
13 collected under this paragraph shall be—

14 “(i) used only for the purposes of cer-
15 tifying eligible persons for the program
16 under this section; and

17 “(ii) subject to the confidentiality pro-
18 visions described in section 246.26(d) of
19 title 7, Code of Federal Regulations (or
20 successor regulations).”.

21 (d) REPORT TO CONGRESS.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this Act, the Secretary
24 shall submit to the Committee on Agriculture, Nutri-
25 tion, and Forestry of the Senate and the Committee

1 on Education and Labor of the House of Represent-
2 atives a report on the use of remote technologies
3 under the special supplemental nutrition program
4 for women, infants, and children established by sec-
5 tion 17 of the Child Nutrition Act of 1966 (42
6 U.S.C. 1786) (referred to in this section as the
7 “program”).

8 (2) CONTENT OF REPORT.—The report sub-
9 mitted under paragraph (1) shall include a descrip-
10 tion of—

11 (A) the use of remote technologies and
12 other digital tools, including video, telephone,
13 and online platforms—

14 (i) to certify and recertify eligible in-
15 dividuals for program services; and

16 (ii) to provide nutrition education and
17 breastfeeding support to program partici-
18 pants;

19 (B) the impact of remote technologies, in-
20 cluding video, telephone, and online platforms,
21 on certifications, recertifications, appointments,
22 and participant satisfaction under the program;
23 and

24 (C) best practices to—

1 (i) certify and recertify program par-
2 ticipants for program services using remote
3 technologies;

4 (ii) incorporate the use of digital tools
5 into the program certification process;

6 (iii) integrate nutrition education and
7 breastfeeding support services for program
8 participants into remote technologies and
9 platforms; and

10 (iv) securely manage program partici-
11 pant data.

12 **SEC. 304. PAPERWORK REDUCTION.**

13 Section 17(d)(3) of the Child Nutrition Act of 1966
14 (42 U.S.C. 1786(d)(3)) is amended by adding at the end
15 the following:

16 “(G) PAPERWORK REDUCTION.—

17 “(i) IN GENERAL.—A State agency
18 shall accept a single document that pro-
19 vides some or all of the information re-
20 quired under this paragraph unless the
21 State agency determines there is a suffi-
22 cient reason to doubt the authenticity of
23 such document.

24 “(ii) ELECTRONIC FORM.—A State
25 agency shall accept documentation under

1 this paragraph in electronic form or pro-
2 vided electronically unless the State agency
3 determines there is a sufficient reason to
4 doubt the authenticity of such electroni-
5 cally provided document.”.

6 **SEC. 305. NUTRITION EDUCATION MATERIALS RELATED TO**
7 **FOOD ALLERGIES.**

8 Section 17(e)(3) of the Child Nutrition Act of 1966
9 (7 U.S.C. 1431(e)(3)) is amended by adding at the end
10 the following:

11 “(C) NUTRITION EDUCATION MATERIALS
12 RELATED TO FOOD ALLERGIES.—The nutrition
13 education materials issued under subparagraph
14 (A) shall include nutrition education materials
15 with respect to—

16 “(i) individuals with food allergies
17 during pregnancy and in the postpartum
18 period;

19 “(ii) infants impacted by prenatal
20 food allergy exposure;

21 “(iii) introducing potential food aller-
22 gens to infants; and

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

1 **SEC. 306. BREASTFEEDING SUPPLY COVERAGE.**

2 Section 17(h)(1)(C)(ii) of the Child Nutrition Act of
3 1966 (42 U.S.C. 1786(h)(1)(C)(ii)) is amended—

4 (1) in the heading, by inserting “AND
5 BREASTFEEDING SUPPLIES” after “BREAST
6 PUMPS”; and

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

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

10 Section 17(h)(1)(C) of the Child Nutrition Act of
11 1966 (42 U.S.C. 1786(h)(1)(C)) is amended by adding at
12 the end the following:

13 “(iii) WATER BENEFITS DURING DIS-
14 ASTERS.—

15 “(I) IN GENERAL.—During an
16 emergency period for which the Sec-
17 retary determines that, with respect to
18 a State, access to safe drinking water
19 is impacted and provision of safe
20 drinking water is reasonably necessary
21 to ensure safe preparation of infant
22 formula, a State or local agency may
23 use amounts made available under
24 clause (i) to purchase and distribute
25 safe drinking water to program par-
26 ticipants.

1 “(II) EMERGENCY PERIOD DE-
2 FINED.—In this clause, the term
3 ‘emergency period’ means a period
4 during which there exists—

5 “(aa) a major disaster de-
6 clared by the President under
7 section 401 of the Robert T.
8 Stafford Disaster Relief and
9 Emergency Assistance Act (42
10 U.S.C. 5170);

11 “(bb) an emergency declared
12 by the President under section
13 501 of the Robert T. Stafford
14 Disaster Relief and Emergency
15 Assistance Act (42 U.S.C. 5191);

16 “(cc) a public health emer-
17 gency declared by the Secretary
18 of Health and Human Services
19 pursuant to section 319 of the
20 Public Health Service Act (42
21 U.S.C. 247d); or

22 “(dd) any renewal of such a
23 public health emergency pursuant
24 to such section 319.”.

1 **SEC. 308. INFANT FORMULA PROCUREMENT ONLINE**
2 **SOURCE OF INFORMATION.**

3 Section 17(h)(8)(A) of the Child Nutrition Act of
4 1966 (42 U.S.C. 1786(h)(8)(A)) is amended by adding at
5 the end the following:

6 “(xi) INFANT FORMULA PROCURE-
7 MENT ONLINE SOURCE OF INFORMA-
8 TION.—

9 “(I) IN GENERAL.—Not later
10 than 180 days after the date of enact-
11 ment of this clause, the Secretary
12 shall make available to the public on
13 a website of the Department of Agri-
14 culture the information described in
15 items (aa) through (dd) of subclause
16 (II) relating to bid solicitations of
17 State agencies for infant formula
18 under the program.

19 “(II) STATE AGENCIES.—In so-
20 liciting bids for infant formula under
21 the program, a State agency shall
22 submit to the Secretary, not later
23 than 5 business days after the date of
24 the bid solicitation, a description of
25 the bid solicitation, including—

1 “(aa) the title of the bid so-
2 licitation and the State agency
3 administering the bid solicitation;

4 “(bb) the website hyperlink
5 and other information needed for
6 the purpose of submitting a bid
7 in response to the bid solicitation;

8 “(cc) the contact informa-
9 tion and website hyperlink for
10 the State agency administering
11 the bid solicitation, for the pur-
12 pose of gathering additional in-
13 formation relating to the bid so-
14 licitation; and

15 “(dd) the period during
16 which bids are accepted or the
17 due date for bids, as applicable,
18 under the bid solicitation.

19 “(III) PUBLICATION.—Not later
20 than 5 business days after receiving a
21 description of a bid solicitation under
22 subclause (II), the Secretary shall
23 publish the information described in
24 subclause (I).”.

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

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

6 “(25) BREASTFEEDING PEER COUNSELOR.—
7 The term ‘breastfeeding peer counselor’ means an
8 individual who is recruited and hired from the adult
9 population described in subsection (d)(1) who has—

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

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

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

19 (1) in subparagraph (A), by striking
20 “\$139,000,000” and inserting “\$324,000,000”; and

21 (2) by amending subparagraph (B)(iii) to read
22 as follows:

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

24 “(I) establish State agency
25 Breastfeeding Peer Counseling pro-

1 grams, which shall be administered as
2 determined by the Secretary;

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

6 “(III) establish State and local
7 partnerships to provide such edu-
8 cation at locations—

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

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

19 **SEC. 310. PRODUCT PRICING.**

20 Section 17(h)(11)(B)(i)(II)(aa) of the Child Nutri-
21 tion Act of 1966 (42 U.S.C. 1786(h)(11)(B)(i)(II)(aa)) is
22 amended by striking “the shelf prices of the vendor for
23 all buyers” and inserting “the prices the vendor charges
24 other 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 inserting “and deliv-
7 ery of foods” after “(as determined by the Sec-
8 retary)”.

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)
13 of 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
17 using a card or other access device” and insert-
18 ing “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 fol-
24 lowing:

25 “(iii) **VENDOR REQUIREMENTS.—**Ex-
26 cept in the case of an exemption granted

1 with respect to a State agency under sub-
2 paragraph (C)(iii), not later than October
3 1, 2025, each State agency shall authorize
4 at least three vendors to process online
5 payments under the electronic benefit sys-
6 tems in the State.”; and

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

9 “(iii) **VENDOR REQUIREMENTS EX-**
10 **EMPTION.**—To be eligible for an exemption
11 from the vendor requirements of subpara-
12 graph (B)(iii), a State agency shall dem-
13 onstrate to the satisfaction of the Sec-
14 retary that the State agency is facing un-
15 usual barriers to implementing additional
16 changes to the electronic benefit transfer
17 system.”.

18 (2) **REPORT TO CONGRESS.**—Not later than
19 January 1, 2026, the Secretary shall submit a re-
20 port to the Committee on Agriculture, Nutrition,
21 and Forestry of the Senate and the Committee on
22 Education and Labor of the House of Representa-
23 tives that—

24 (A) details the steps taken to establish and
25 implement online payment models through au-

1 thorized vendors participating in the special
2 supplemental nutrition program for women, in-
3 fants, and children under section 17 of the
4 Child Nutrition Act of 1966 (42 U.S.C. 1786);

5 (B) identifies measures to ensure that ad-
6 ditional authorized vendors may establish and
7 implement such online payment models;

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

11 (D) provides an explanation for each ex-
12 emption provided to a State agency under
13 clause (iii) of section 17(h)(12)(C) of the Child
14 Nutrition Act of 1966 (42 U.S.C.
15 1786(h)(12)(C));

16 (E) includes a description of State and
17 local agency efforts to enhance collaboration
18 with such vendors, including the use of shopper
19 helpers or vendor liaison programs; and

20 (F) includes an analysis of measures that
21 could be taken at the Federal and State levels
22 to streamline the authorization process of such
23 vendors under such program and coordinate
24 vendor authorizations with the supplemental
25 nutrition assistance program.

1 (b) SMALLER VENDORS.—Section 17(h)(10)(B) of
2 the Child Nutrition Act of 1966 (42 U.S.C.
3 1786(h)(10)(B)) is amended by adding at the end the fol-
4 lowing:

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

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

16 “(H) EQUITABLE ACCESS FOR WIC SHOP-
17 PERS.—To facilitate the use of online payments
18 under an electronic benefit transfer system, a
19 State agency shall—

20 “(i) with respect to such electronic
21 benefit transfer system, allow—

22 “(I) transactions to be conducted
23 without the presence of a cashier;

24 “(II) additional methods of au-
25 thentication other than signature or

1 entry of a personal identification num-
2 ber to be used; and

3 “(III) participants to receive sup-
4 plemental foods after an electronic
5 benefit transfer transaction has been
6 processed;

7 “(ii) issue program benefits remotely
8 without receiving a participant signature;

9 “(iii) authorize vendors that do not
10 have a single, fixed location; and

11 “(iv) authorize vendors for a period
12 not to exceed 5 years.”.

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

16 **SEC. 313. SPEND FORWARD AUTHORITIES.**

17 Section 17(i)(3)(A)(ii) of the Child Nutrition Act of
18 1966 (7 U.S.C. 1431(i)(3)(A)(ii)) is amended—

19 (1) in subclause (I)—

20 (A) by striking “3 percent” and inserting
21 “10 percent”; and

22 (B) by inserting “for nutrition services and
23 administration” before “under this section”;

24 and

25 (2) in subclause (II)—

1 (A) by striking “for nutrition services and
2 administration” and inserting “to carry out this
3 section”;

4 (B) by striking “not more than 1/2 of 1
5 percent” and inserting “not more than 3 per-
6 cent”; and

7 (C) by striking “the development of a man-
8 agement information system, including an elec-
9 tronic benefit transfer system” and inserting
10 “purposes related to food delivery, including
11 breastfeeding services and supplies, electronic
12 benefit transfer systems, and other tech-
13 nologies”.

14 **SEC. 314. ADMINISTRATIVE SIMPLIFICATION.**

15 Section 17 of the Child Nutrition Act (7 U.S.C.
16 1431) is amended—

17 (1) in subsection (f)(1), by amending subpara-
18 graph (A) to read as follows:

19 “(A) Each State agency shall submit to
20 the Secretary a plan of operation and adminis-
21 tration. A State shall be required to submit to
22 the Secretary for approval any substantive
23 change in the plan and annual requirements as
24 specified by the Secretary.”; and

25 (2) by repealing subsection (k).

1 **SEC. 315. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 17(g)(1)(A) of the Child Nutrition Act of
3 1966 (7 U.S.C. 1431(g)(1)(A)) is amended by striking
4 “2010 through 2015” and inserting “2023 through
5 2028”; and

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

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

9 (1) in paragraph (1), by inserting “and commu-
10 nity supported agriculture programs” after “road-
11 side stands”;

12 (2) by striking paragraph (3) and redesignating
13 paragraphs (4) through (10) as paragraphs (3)
14 through (9), respectively;

15 (3) in paragraph (3), as so redesignated, by
16 striking “paragraph (6)” both places it appears and
17 inserting “paragraph (5)”;

18 (4) in paragraph (4), as so redesignated—

19 (A) in subparagraph (B), by striking
20 “using funds” and all the follows through
21 “paragraph (3).” and inserting “using funds
22 provided under the grant.”;

23 (B) in subparagraph (C), by striking “may
24 not be” and all that follows through “per year.”
25 and inserting “may not be less than \$20 per
26 year.”;

1 (C) by amending subparagraph (E) to read
2 as follows:

3 “(E) The coupon redemption process under the
4 program shall be designed to ensure that the cou-
5 pons may be redeemed—

6 “(i) either—

7 “(I) by producers authorized by the
8 State to participate in the program; or

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

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

14 (D) in subparagraph (F)—

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

17 (ii) in clause (ii)—

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

20 (II) by inserting “such market
21 development or technical assistance
22 will advance State efforts to develop
23 efficient and appropriate electronic
24 benefits systems or” before “the State
25 intends”; and

- 1 (iii) by striking clause (iii);
- 2 (5) in paragraph (5), as so redesignated—
- 3 (A) in subparagraph (A), by striking “sub-
- 4 paragraph (G)” and inserting “paragraph (8)”;
- 5 (B) in subparagraph (B)—
- 6 (i) in clause (i), by striking “if a
- 7 State provides the amount of matching
- 8 funds required under paragraph (3),”;
- 9 (ii) in clause (ii)—
- 10 (I) by striking “paragraph (10)”
- 11 and inserting “paragraph (8)”;
- 12 (II) by striking “paragraph (6)”
- 13 and inserting “paragraph (5)”;
- 14 (C) in subparagraph (C), by striking “sub-
- 15 paragraph (G)(i)” both places it appears and
- 16 inserting “paragraph (8)”;
- 17 (D) in subparagraph (D)(ii)(II), by strik-
- 18 ing “paragraph (5)” and inserting “paragraph
- 19 (4)”;
- 20 (E) in subparagraph (F)(iii), by striking
- 21 “paragraph (10)(B)(ii)” and inserting “para-
- 22 graph (8)(B)(ii)”;
- 23 (6) in paragraph (7), as so redesignated—
- 24 (A) by striking subparagraph (D); and

1 (B) by redesignating subparagraphs (E)
2 and (F) as subparagraphs (D) and (E), respec-
3 tively;

4 (7) in paragraph (8), as so redesignated, by
5 striking “2010 through 2015” and inserting “2023
6 through 2028”; and

7 (8) in paragraph (9), as so redesignated, by in-
8 serting “token,” after “voucher,”.

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

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

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

14 (2) in subsection (b)—

15 (A) in paragraph (8), by striking “drug
16 abuse” and inserting “substance use disorder”;
17 and

18 (B) in paragraph (16)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “Drug abuse edu-
21 cation” and inserting “Substance use dis-
22 order education”;

23 (ii) in subparagraph (A), by striking
24 “dangers of drug abuse” and inserting

1 “harm of substance use on pregnancy and
2 lactation”; and

3 (iii) in subparagraph (B)—

4 (I) by striking “are suspected
5 drug abusers” and inserting “may
6 have a substance use disorder”;

7 (II) by striking “drug abuse clin-
8 ics,”; and

9 (III) by striking “drug abuse
10 professionals” and inserting “re-
11 sources”;

12 (3) in subsection (e)—

13 (A) in paragraph (1)—

14 (i) by striking “drug abuse” each
15 place it appears and inserting “substance
16 use disorder”; and

17 (ii) by striking “effects of drug and
18 alcohol use by” and inserting “effects of a
19 substance use disorder of”; and

20 (B) in paragraph (5), by striking “sub-
21 stance abuse” and inserting “substance use dis-
22 order”;

23 (4) in subsection (f)—

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

4 (B) in paragraph (13), by striking “drug
5 abuse education” and inserting “substance use
6 disorder education”;

7 (5) in subsection (k)(1)—

8 (A) by striking “1 member” and inserting
9 “one member”; and

10 (B) by striking “drug abuse” and inserting
11 “substance use disorder”; and

12 (6) by adding at the end the following:

13 “(r) ACTIVITIES TO SUPPORT WIC–ELIGIBLE INDI-
14 VIDUALS IMPACTED BY SUBSTANCE USE DISORDER.—

15 “(1) IN GENERAL.—The Secretary shall—

16 “(A) develop and disseminate nutrition
17 education materials for individuals eligible for
18 the program; and

19 “(B) conduct outreach to individuals who
20 are potentially eligible for the program and who
21 are impacted by a substance use disorder.

22 “(2) PURPOSE.—The purpose of this subsection
23 is to ensure that individuals participating in the pro-
24 gram who are impacted by a substance use disorder

1 receive accurate nutrition education from trained
2 staff in an effective and unbiased manner.

3 “(3) NUTRITION EDUCATION MATERIALS.—The
4 Secretary shall collaborate with the Secretary of
5 Health and Human Services to develop appropriate
6 evidence-based nutrition education materials for in-
7 dividuals impacted by a substance use disorder, in-
8 cluding—

9 “(A) nutrition education materials for indi-
10 viduals with substance use disorder during
11 pregnancy and in the postpartum period; and

12 “(B) nutrition education materials for in-
13 fants impacted by prenatal substance exposure
14 and neonatal abstinence syndrome.

15 “(4) NUTRITION EDUCATION CLEARING-
16 HOUSE.—The Secretary shall make available to all
17 State agencies through an online clearinghouse any
18 nutrition education and training materials related to
19 nutrition for individuals impacted by a substance use
20 disorder or neonatal abstinence syndrome that have
21 been produced by the Secretary or the Secretary of
22 Health and Human Services (or produced by a State
23 agency and approved by the Secretary), including
24 educational materials developed under paragraph
25 (15) of section 515(b) of the Public Health Service

1 Act (42 U.S.C. 290bb–21(b)) and guidance issued
2 under section 1005 of the SUPPORT for Patients
3 and Communities Act (42 U.S.C. 1396a note).

4 “(5) AUTHORIZATION OF APPROPRIATIONS.—
5 There are authorized to be appropriated to carry out
6 this subsection \$1,000,000 for fiscal year 2024, to
7 remain available until expended.”.

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

11 **SEC. 401. ELIGIBILITY CERTIFICATION CRITERIA FOR PRO-**
12 **PRIETARY CHILD CARE CENTERS.**

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

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

17 (2) in subparagraph (E), by striking “and” at
18 the end;

19 (3) in subparagraph (F), by striking the period
20 at the end and inserting “; and”; and

21 (4) by adding at the end the following:

22 “(G) in the case of an institution described
23 in paragraph (2)(B), the eligibility of such in-
24 stitution shall be determined on an annual basis
25 in accordance with this section.”.

1 **SEC. 402. AUTOMATIC ELIGIBILITY FOR CHILDREN IN SUP-**
2 **PLEMENTAL NUTRITION ASSISTANCE HOUSE-**
3 **HOLDS.**

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

7 “(7) AUTOMATIC ELIGIBILITY FOR CHILDREN
8 IN SUPPLEMENTAL NUTRITION ASSISTANCE HOUSE-
9 HOLDS.—A child shall be considered automatically
10 eligible for benefits under this section without fur-
11 ther application or eligibility determination if the
12 child is a member of a household receiving assist-
13 ance under the supplemental nutrition assistance
14 program established under the Food and Nutrition
15 Act of 2008 (7 U.S.C. 2011 et seq.).”.

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

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

20 “(F) SERIOUS DEFICIENCY PROCESS.—
21 “(i) IN GENERAL.—Not later than 1
22 year after the date of the enactment of this
23 subparagraph, the Secretary shall review
24 and issue guidance and, as appropriate,
25 regulations regarding the serious deficiency
26 process for the program under this section.

1 “(ii) REVIEW.—In carrying out clause
2 (i), the Secretary shall review, at a min-
3 imum, the processes involved in—

4 “(I) determining when there is a
5 serious deficiency with respect to an
6 institution or a family or group day
7 care home by a State agency, includ-
8 ing—

9 “(aa) what measures auto-
10 matically result in a finding of
11 serious deficiency; and

12 “(bb) how to differentiate
13 between—

14 “(AA) a reasonable
15 margin of human error and
16 systematic or intentional
17 noncompliance; and

18 “(BB) State-specific re-
19 quirements and Federal reg-
20 ulations;

21 “(II) appealing and mediating a
22 finding of serious deficiency with re-
23 spect to an institution or a family or
24 group day care home, including—

1 “(aa) findings related to
2 State-specific requirements and
3 Federal regulations; and

4 “(bb) processes for ensuring
5 officials involved in appeals and
6 mediation are fair and impartial;

7 “(III) determining the cir-
8 cumstances under which a corrective
9 action plan is acceptable;

10 “(IV) termination and disquali-
11 fication, including maintenance of the
12 list under subparagraph (E); and

13 “(V) determining opportunities
14 for strengthening the processes in-
15 tended to reduce additional State
16 agency program requirements on in-
17 stitutions or family or group day care
18 homes that are in addition to those
19 required under Federal law, includ-
20 ing—

21 “(aa) State evaluation of
22 practices used at the time of re-
23 view;

1 “(bb) regional approval of
2 such additional State agency re-
3 quirements; and

4 “(cc) oversight through the
5 management evaluation process.

6 “(iii) STATE-SPECIFIC REQUIRE-
7 MENTS.—The Secretary may not consider
8 State-specific requirements in determining
9 non-compliance or serious deficiency.

10 “(iv) GUIDANCE AND REGULA-
11 TIONS.—

12 “(I) IN GENERAL.—Not later
13 than 1 year after conducting the re-
14 view under clause (ii), the Secretary
15 shall make findings from the informa-
16 tion collected and issue guidance and,
17 as appropriate, regulations from such
18 findings that will—

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

21 “(bb) reduce the paperwork
22 burden on parents; and

23 “(cc) assist sponsoring orga-
24 nizations, State agencies, and the
25 Food and Nutrition Service in

1 ensuring a fair, uniform, and ef-
2 fective administration of the seri-
3 ous deficiency process, while re-
4 taining program integrity.

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

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

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

15 “(BB) a distinction be-
16 tween a reasonable margin
17 of human error and system-
18 atic or intentional non-
19 compliance;

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

22 “(AA) is conducted by
23 a trained official who is
24 independent from and not
25 affiliated with any person or

1 agency involved in the deter-
2 mination being appealed or
3 mediated;

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

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

20 “(cc) timeframes for accept-
21 able corrective action plans for
22 group or family day care homes
23 that are consistent with correc-
24 tive action timeframes for child
25 care 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
16 may 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
25 child, in the case of child care during

1 which there are 8 or more hours between
2 the beginning of the first meal service pe-
3 riod and the beginning of the fourth meal
4 service period.”.

5 **SEC. 405. ADJUSTMENTS.**

6 Section 17(f)(3) of the Richard B. Russell National
7 School Lunch Act (42 U.S.C. 1766(f)(3)) is amended—
8 (1) in subparagraph (A)—
9 (A) by amending clause (ii)(IV) to read as
10 follows:

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

1 (B) by amending clause (iii)(I)(bb) to read
2 as follows:

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

18 (2) by amending subparagraph (B)(ii) to read
19 as follows:

20 “(ii) ANNUAL ADJUSTMENT.—The ad-
21 ministrative reimbursement levels specified
22 in clause (i) shall be adjusted July 1 of
23 each year to reflect changes in the 12-
24 month period ending on the preceding
25 April 30 in the Consumer Price Index for

1 All Urban Consumers published by the Bu-
2 reau of Labor Statistics of the Department
3 of Labor.”.

4 **SEC. 406. AGE LIMITS IN HOMELESS SHELTERS AND EMER-**
5 **GENCY SHELTERS.**

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

9 (1) in the matter before subclause (I), by in-
10 sserting “or individuals” after “children” both places
11 it appears; and

12 (2) in subclause (I), by striking “18 years of
13 age” and inserting “25 years of age”.

14 **SEC. 407. ADVISORY COMMITTEE ON PAPERWORK REDUC-**
15 **TION.**

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

19 “(v) ADVISORY COMMITTEE ON PAPERWORK REDUC-
20 TION.—

21 “(1) ESTABLISHMENT.—Not later than 180
22 days after the date of the enactment of this sub-
23 section, the Secretary shall establish an advisory
24 committee (referred to in this subsection as the ‘Ad-

1 visory Committee’) to carry out the duties described
2 in paragraph (2).

3 “(2) DUTIES.—The duties of the Advisory
4 Committee shall be to—

5 “(A) examine the feasibility of reducing
6 unnecessary or duplicative paperwork resulting
7 from regulations and recordkeeping require-
8 ments, including paperwork resulting from ad-
9 ditional State requirements, for those partici-
10 pating or seeking to participate in the program
11 under this section, including State agencies,
12 family child care homes, child care centers, and
13 sponsoring organizations; and

14 “(B) provide recommendations to the Sec-
15 retary to reduce such paperwork for partici-
16 pants in the program under this section while
17 ensuring that proper accountability and pro-
18 gram integrity are maintained and make such
19 recommendations publicly available.

20 “(3) MEMBERSHIP.—The Advisory Committee
21 shall be composed of not fewer than 14 members, of
22 whom:

23 “(A) 1 shall be a representative of a public
24 nonprofit center.

1 “(B) 1 shall be a representative of a pri-
2 vate nonprofit center.

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

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

7 “(E) 1 shall be a representative of a for-
8 profit center.

9 “(F) 1 shall be a representative of an
10 emergency shelter.

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

13 “(H) 1 shall be a representative of a State
14 agency.

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

19 “(J) 1 shall be a representative of a spon-
20 soring organization of family or group day care
21 homes.

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

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

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

3 “(N) 1 shall be a representative of an ad-
4 vocacy organization representing parents with
5 young children.

6 “(4) CONSIDERATIONS.—In developing the rec-
7 ommendations described in paragraph (2)(B), the
8 Advisory Committee shall consider—

9 “(A) information, recommendations, and
10 reports from the Paperwork Reduction Work
11 Group established by the Food and Nutrition
12 Service pursuant to section 119(i) of the Child
13 Nutrition and WIC Reauthorization Act of
14 2004 (42 U.S.C. 1766);

15 “(B) the use of electronic systems and rec-
16 ordkeeping technologies to reduce paperwork
17 for program participants and program opera-
18 tors; and

19 “(C) duplicative requirements across mul-
20 tiple Federal programs.

21 “(5) GUIDANCE AND REGULATIONS.—Not later
22 than 2 years after the date of the enactment of this
23 subsection, the Secretary shall issue guidance and,
24 as appropriate, regulations based on the rec-
25 ommendations described in paragraph (2)(B) for

1 streamlined and consolidated paperwork and record-
2 keeping requirements for the program, including ac-
3 tions taken to reduce paperwork for parents and
4 program operators by—

5 “(A) streamlining and modernizing appli-
6 cations; and

7 “(B) streamlining and modernizing the
8 monitoring and auditing of programmatic docu-
9 mentation and recordkeeping, including—

10 “(i) eliminating the use of the enroll-
11 ment form for the purpose of claiming
12 meals;

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

15 “(iii) requiring States to accept as
16 documentation digital forms, digitized and
17 electronic signatures, and electronic
18 records;

19 “(iv) allowing the use of electronic
20 data collection systems containing all re-
21 quired Federal child and adult care food
22 program standards;

23 “(v) addressing non-mandated State-
24 specific requirements; and

1 “(vi) requiring the adoption of gen-
2 erally accepted technologies for client-fac-
3 ing technology, virtual visits, and tech-
4 nology used for administrative functions by
5 the child and adult care food program to
6 reduce the burden on participants and pro-
7 gram operators and administrators.

8 “(6) REPORT.—

9 “(A) IN GENERAL.—Not later than 180
10 days after issuing the guidance and, as appro-
11 prium, regulations described in paragraph (5),
12 the Secretary shall submit a report to the Com-
13 mittee on Agriculture, Nutrition, and Forestry
14 of the Senate and the Committee on Education
15 and Labor of the House of Representatives con-
16 taining the information described in subpara-
17 graph (B).

18 “(B) CONTENTS.—The report under sub-
19 paragraph (A) shall contain the following:

20 “(i) With respect to each instance in
21 which the Secretary did not implement a
22 recommendation of the Advisory Com-
23 mittee, an explanation with respect to why
24 such recommendation was not imple-
25 mented.

1 “(ii) Additional recommendations with
2 respect to legislative action that may fur-
3 ther strengthen and streamline the pro-
4 gram application and monitoring process
5 and reduce administrative burdens on
6 grantees, program participants, and local,
7 State, and Federal governments.”.

8 **TITLE V—ADDRESSING CHILD**
9 **FOOD INSECURITY DURING**
10 **THE SUMMER**

11 **SEC. 501. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
12 **DREN.**

13 (a) BETTER INTEGRATE SUMMER EDUCATION AND
14 SUMMER MEALS PROGRAM.—Section 13(a)(1)(A)(i) of
15 the Richard B. Russell National School Lunch Act (42
16 U.S.C. 1761(a)(1)(A)(i)) is amended by striking “50 per-
17 cent” each place it appears and inserting “40 percent”.

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

22 “(8) YEAR-ROUND MEAL SERVICE.—

23 “(A) SEAMLESS SUMMER OPTION FOR
24 SCHOOLS.—Except as otherwise determined by
25 the Secretary, a service institution that is a

1 public or private nonprofit school food authority
2 may provide summer or school vacation food
3 service in accordance with applicable provisions
4 of law governing the school lunch program es-
5 tablished under this Act or the school breakfast
6 program established under the Child Nutrition
7 Act of 1966 (42 U.S.C. 1771 et seq.).

8 “(B) YEAR-ROUND MEAL SERVICE FOR
9 OTHER SERVICE INSTITUTIONS.—Each service
10 institution (other than a service institution de-
11 scribed in subparagraph (A)), in addition to
12 being eligible for reimbursement for meals de-
13 scribed in subsection (b)(2) served during each
14 day of operation during the periods described in
15 subsection (c)(1), may be reimbursed for up to
16 1 meal and 1 snack per child served at sites
17 that provide educational or enrichment activi-
18 ties during the regular school year during—

19 “(i) afterschool hours;

20 “(ii) weekends; and

21 “(iii) school holidays.”.

22 (c) IMPROVE NUTRITION IN UNDERSERVED, HARD-
23 TO-REACH AREAS.—Section 13(a) of the Richard B. Rus-
24 sell National School Lunch Act (42 U.S.C. 1761(a)) is
25 amended—

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

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

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

6 “(A) IN GENERAL.—Subject to the avail-
7 ability of appropriations specifically for the pur-
8 pose of carrying out this paragraph, the Sec-
9 retary may award competitive grants to service
10 institutions selected by the Secretary to in-
11 crease participation in the program—

12 “(i) at congregate feeding sites; and

13 “(ii) through—

14 “(I) innovative approaches to ad-
15 dressing barriers in transportation to
16 such sites; and

17 “(II) mobile meal delivery.

18 “(B) ELIGIBILITY.—To be selected to re-
19 ceive a grant under this paragraph, a service in-
20 stitution—

21 “(i) may be located in any State; and

22 “(ii) shall—

23 “(I) submit to the Secretary an
24 application at such time, in such man-

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

3 “(II) meet criteria established by
4 the Secretary; and

5 “(III) agree to the terms and
6 conditions of the grant, as established
7 by the Secretary.

8 “(C) PRIORITY.—In awarding grants
9 under this paragraph, the Secretary shall give
10 priority to service institutions that—

11 “(i) serve both breakfast and lunch;

12 or

13 “(ii) offer educational or enrichment
14 programs.

15 “(D) TRAVEL REIMBURSEMENT.—A serv-
16 ice institution that receives a grant under this
17 paragraph may use grant funds to provide re-
18 imbursement for travel to satellite congregate
19 feeding sites.

20 “(E) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There is authorized to be appropriated
22 to the Secretary to make competitive grants
23 under this paragraph \$10,000,000 for each fis-
24 cal year.”; and

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

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

10 (e) TIMING OF ADJUSTMENTS.—Section 13(b)(1)(B)
11 of 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
16 B. Russell National School Lunch Act (42 U.S.C.
17 1761(b)(2)) is amended by striking “only serve lunch”
18 and all that follows through “migrant children may”.

19 (g) SUMMER NUTRITION STANDARDS.—Section 13(f)
20 of the Richard B. Russell National School Lunch Act (42
21 U.S.C. 1761(f)) is amended by adding at the end the fol-
22 lowing:

23 “(8) Not later than 2 years after the date of
24 the enactment of this paragraph and in accordance
25 with paragraph (1), the Secretary shall promulgate

1 proposed regulations to update the nutrition stand-
2 ards for the summer food service program author-
3 ized under this Act to be guided by the goals of the
4 most recent Dietary Guidelines for Americans pub-
5 lished under section 301 of the National Nutrition
6 Monitoring and Related Research Act of 1990
7 (7.U.S.C. 5341), taking into account the structure
8 of the Program.’”.

9 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
10 13(r) of the Richard B. Russell National School Lunch
11 Act (42 U.S.C. 1761(r)) is amended by striking “2015”
12 and inserting “2028”.

13 **SEC. 502. SUMMER ELECTRONIC BENEFITS TRANSFER FOR**
14 **CHILDREN PROGRAM.**

15 The Richard B. Russell National School Lunch Act
16 is amended by inserting after section 13 (42 U.S.C. 1761)
17 the following:

18 **“SEC. 13A. SUMMER ELECTRONIC BENEFITS TRANSFER**
19 **FOR CHILDREN PROGRAM.**

20 “(a) PROGRAM ESTABLISHED.—The Secretary shall
21 establish a program under which States and covered In-
22 dian Tribal organizations participating in such program
23 shall, beginning with summer 2024 and annually for each
24 summer thereafter, issue to eligible households summer
25 EBT benefits—

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

2 “(2) for the purpose of providing nutrition as-
3 sistance through electronic benefits transfer during
4 the summer months for eligible children, to ensure
5 continued access to food when school is not in ses-
6 sion for the summer.

7 “(b) SUMMER EBT BENEFITS REQUIREMENTS.—

8 “(1) PURCHASE OPTIONS.—

9 “(A) BENEFITS ISSUED BY STATES.—

10 “(i) WIC PARTICIPATION STATES.—In
11 the case of a State that participated in a
12 demonstration program under section
13 749(g) of the Agriculture, Rural Develop-
14 ment, Food and Drug Administration, and
15 Related Agencies Appropriations Act, 2010
16 (Public Law 111–80; 123 Stat. 2132) dur-
17 ing calendar year 2018 using a WIC
18 model, summer EBT benefits issued pur-
19 suant to subsection (a) by such a State
20 may only be used by the eligible household
21 that receives such summer EBT benefits to
22 purchase—

23 “(I) supplemental foods from re-
24 tailers that have been approved for
25 participation in—

1 “(aa) the special supple-
2 mental nutrition program for
3 women, infants, and children
4 under section 17 of the Child
5 Nutrition Act of 1966 (42 U.S.C.
6 1786); or

7 “(bb) the program under
8 this section; or

9 “(II) food (as defined in section
10 3(k) of the Food and Nutrition Act of
11 2008 (7 U.S.C. 2011(k))) from retail
12 food stores that have been approved
13 for participation in the supplemental
14 nutrition assistance program estab-
15 lished under such Act, in accordance
16 with section 7(b) of such Act (7
17 U.S.C. 2016(b)).

18 “(ii) OTHER STATES.—Summer EBT
19 benefits issued pursuant to subsection (a)
20 by a State not described in clause (i) may
21 only be used by the eligible household that
22 receives such summer EBT benefits to
23 purchase food (as defined in section 3(k)
24 of the Food and Nutrition Act of 2008 (7
25 U.S.C. 2011(k))) from retail food stores

1 that have been approved for participation
2 in the supplemental nutrition assistance
3 program established under such Act, in ac-
4 cordance with section 7(b) of such Act (7
5 U.S.C. 2016(b)).

6 “(B) BENEFITS ISSUED BY COVERED IN-
7 DIAN TRIBAL ORGANIZATIONS.—Summer EBT
8 benefits issued pursuant to subsection (a) by a
9 covered Indian Tribal organization may only be
10 used by the eligible household that receives such
11 summer EBT benefits to purchase supple-
12 mental foods from retailers that have been ap-
13 proved for participation in—

14 “(i) the special supplemental nutrition
15 program for women, infants, and children
16 under section 17 of the Child Nutrition
17 Act of 1966 (42 U.S.C. 1786); or

18 “(ii) the program under this section.

19 “(2) AMOUNT.—Summer EBT benefits issued
20 pursuant to subsection (a)—

21 “(A) shall be—

22 “(i) for calendar year 2024, in an
23 amount equal to \$75 for each child in the
24 eligible household per month during the
25 summer; and

1 “(ii) for calendar year 2025 and each
2 year thereafter, in an amount equal to the
3 amount described in clause (i), adjusted to
4 the nearest lower dollar increment to re-
5 flect changes to the cost of the thrifty food
6 plan (as defined in section 3(u) of the
7 Food and Nutrition Act of 2008 (7 U.S.C.
8 2012(u)) for the 12-month period ending
9 on November 30 of the preceding calendar
10 year; and

11 “(B) may be issued—

12 “(i) in the form of an EBT card; or

13 “(ii) through electronic delivery.

14 “(c) ENROLLMENT IN PROGRAM.—

15 “(1) STATE REQUIREMENTS.—States partici-
16 pating in the program under this section shall—

17 “(A) with respect to summer, automati-
18 cally enroll eligible children in the program
19 under this section without further application
20 from households;

21 “(B) establish procedures to carry out the
22 enrollment described in subparagraph (A); and

23 “(C) require local educational agencies to
24 allow eligible households to opt out of participa-
25 tion in the program under this section and es-

1 tablish procedures for opting out of such par-
2 ticipation.

3 “(2) COVERED INDIAN TRIBAL ORGANIZATION
4 REQUIREMENTS.—Covered Indian Tribal organiza-
5 tions participating in the program under this section
6 shall, to the maximum extent practicable, meet the
7 requirements under subparagraphs (A) through (C)
8 of paragraph (1).

9 “(d) IMPLEMENTATION GRANTS.—The Secretary—
10 “(1) beginning October 1, 2022, may carry out
11 a program to make grants to States and covered In-
12 dian Tribal organizations to build capacity for imple-
13 menting the program under this section; and

14 “(2) not later than October 1, 2023, shall carry
15 out the program described in paragraph (1).

16 “(e) ALTERNATE PLANS IN THE CASE OF CONTIN-
17 UOUS SCHOOL CALENDAR.—The Secretary shall establish
18 alternative plans for when summer EBT benefits may be
19 issued pursuant to subsection (a) in the case of children
20 who are under a continuous school calendar.

21 “(f) FUNDING.—

22 “(1) PROGRAM FUNDING.—In addition to
23 amounts otherwise available, there is appropriated
24 for each of fiscal years 2024 through 2028, out of
25 any money in the Treasury not otherwise appro-

1 appropriated, such sums, to remain available for the pe-
2 riod described in paragraph (2), as may be necessary
3 to carry out the program established under sub-
4 section (a), including for administrative expenses in-
5 curred by the Secretary, States, covered Indian Trib-
6 al organizations, and local educational agencies.

7 “(2) PERIOD DESCRIBED.—With respect to
8 each fiscal year under paragraph (1), amounts made
9 available for such a fiscal year under such para-
10 graph shall remain available for the 2-year period
11 following the date such amounts are made available.

12 “(3) IMPLEMENTATION GRANT FUNDING.—In
13 addition to amounts otherwise available, including
14 under paragraph (1), there is appropriated for each
15 of fiscal years 2023 through 2028, out of any money
16 in the Treasury not otherwise appropriated,
17 \$50,000,000, to remain available until expended, to
18 carry out subsection (d).

19 “(g) DEFINITIONS.—In this section:

20 “(1) COVERED INDIAN TRIBAL ORGANIZA-
21 TION.—The term ‘covered Indian Tribal organiza-
22 tion’ means an Indian Tribal organization that par-
23 ticipates in the special supplemental nutrition pro-
24 gram for women, infants, and children under section

1 17 of the Child Nutrition Act of 1966 (42 U.S.C.
2 1786).

3 “(2) ELIGIBLE CHILD.—The term ‘eligible
4 child’ means, with respect to a summer, a child who
5 was, during the school year immediately preceding
6 such summer—

7 “(A) certified to receive free or reduced
8 price lunch under the school lunch program
9 under this Act;

10 “(B) certified to receive free or reduced
11 price breakfast under the school breakfast pro-
12 gram under section 4 of the Child Nutrition Act
13 of 1966 (42 U.S.C. 1773); or

14 “(C) enrolled in a school described in sub-
15 paragraph (B), (C), (D), (E), or (F) of section
16 11(a)(1).

17 “(3) ELIGIBLE HOUSEHOLD.—The term ‘eligi-
18 ble household’ means a household that includes at
19 least 1 eligible child.

20 “(4) SUPPLEMENTAL FOODS.—The term ‘sup-
21 plemental foods’—

22 “(A) means foods—

23 “(i) containing nutrients determined
24 by nutritional research to be lacking in the
25 diets of children; and

1 “(ii) that promote the health of the
2 population served by the program under
3 this section, as indicated by relevant nutri-
4 tion science, public health concerns, and
5 cultural eating patterns, as determined by
6 the Secretary; and

7 “(B) includes foods not described in sub-
8 paragraph (A) substituted by State agencies,
9 with the approval of the Secretary, that—

10 “(i) provide the nutritional equivalent
11 of foods described in such subparagraph;
12 and

13 “(ii) allow for different cultural eating
14 patterns than foods described in such sub-
15 paragraph.”.

16 **TITLE VI—IMPROVING CAPACITY**
17 **AND PROMOTING SUSTAIN-**
18 **ABILITY**

19 **SEC. 601. VALUES-ALIGNED PROCUREMENT.**

20 Section 9(j) of the Richard B. Russell National
21 School Lunch Act (42 U.S.C. 1758(j)) is amended—

22 (1) in paragraph (1)—

23 (A) by striking “to purchase unprocessed
24 agricultural products, both locally grown and lo-
25 cally raised”; and

1 (B) by striking the semicolon at the end
2 and inserting the following: “, to purchase un-
3 processed agricultural products that were—

4 “(A) locally grown and locally raised;

5 “(B) produced in an environmentally sus-
6 tainable manner;

7 “(C) produced by a certified organic farm
8 or ranch;

9 “(D) produced by an underserved or lim-
10 ited resource producer;

11 “(E) produced by a small or mid-sized
12 farm that is structured as a family farm;

13 “(F) produced by a farm with employees
14 who, as permitted by law, are represented by a
15 collective bargaining agreement or memo-
16 randum of understanding;

17 “(G) produced by a farm participating in
18 a worker justice certification program; or

19 “(H) produced by a farm participating in
20 an independent animal welfare certification pro-
21 gram;”;

22 (2) by amending paragraph (3) to read as fol-
23 lows:

24 “(3) allow institutions receiving funds under
25 this Act and the Child Nutrition Act of 1966 (42

1 U.S.C. 1771 et seq.), including the Department of
2 Defense Fresh Fruit and Vegetable Program, to—

3 “(A)(i) use a geographic preference for the
4 procurement of unprocessed agricultural prod-
5 ucts, both locally grown and locally raised; or

6 “(ii) use locally grown, locally raised,
7 or locally caught as a product specification;
8 and

9 “(B) procure unprocessed agricultural
10 products that are produced—

11 “(i) in an environmentally sustainable
12 manner;

13 “(ii) by a certified organic farm or
14 ranch;

15 “(iii) by an underserved or limited re-
16 source producer;

17 “(iv) by a small or mid-sized farm
18 that is structured as a family farm;

19 “(v) by a farm with employees who, as
20 permitted by law, are represented by a col-
21 lective bargaining agreement or memo-
22 randum of understanding;

23 “(vi) by a farm participating in a
24 worker justice certification program; or

1 “(vii) by a farm participating in an
2 independent animal welfare certification
3 program.”; and

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

5 “(4) DEFINITIONS.—In this subsection:

6 “(A) BEGINNING FARMER OR RANCHER.—
7 The term ‘beginning farmer or rancher’ has the
8 meaning given such term in section 343(a) of
9 the Consolidated Farm and Rural Development
10 Act (7 U.S.C. 1991(a)).

11 “(B) FAMILY FARM.—The term ‘family
12 farm’ has the meaning given such term in sec-
13 tion 4284.902 of title 7, Code of Federal Regu-
14 lations (as in effect on the date of the enact-
15 ment of this paragraph).

16 “(C) UNDERSERVED PRODUCER.—The
17 term ‘underserved producer’ means an indi-
18 vidual (including a member of an Indian Tribe)
19 that is—

20 “(i) a beginning farmer or rancher;

21 “(ii) a veteran farmer or rancher; or

22 “(iii) a socially disadvantaged farmer
23 or rancher.

24 “(D) VETERAN FARMER OR RANCHER.—
25 The term ‘veteran farmer or rancher’ has the

1 meaning given such term in section 2501(a) of
2 the Food, Agriculture, Conservation, and Trade
3 Act of 1990 (7 U.S.C. 2279(a)).”.

4 **SEC. 602. PROCUREMENT TRAINING.**

5 Section 12(m)(4) of the Richard B. Russell National
6 School Lunch Act (42 U.S.C. 1760(m)(4)) is amended by
7 striking “fiscal years 2010 through 2015” and inserting
8 “fiscal years 2023 through 2028”.

9 **SEC. 603. BUY AMERICAN.**

10 Section 12(n) of the Richard B. Russell National
11 School Lunch Act (42 U.S.C. 1760(n)) is amended by
12 adding at the end the following:

13 “(5) ADMINISTRATIVE REVIEWS.—

14 “(A) IN GENERAL.—In conducting the ad-
15 ministrative reviews required under section
16 210.18 of title 7, Code of Federal Regulations
17 (as in effect on the date of the enactment of
18 this paragraph) pursuant to section 22(b)(1), a
19 State agency located in Puerto Rico, Hawaii, or
20 the contiguous United States shall use the form
21 described in subparagraph (B) to assess compli-
22 ance with the requirement under this sub-
23 section.

24 “(B) FORM.—

1 “(i) IN GENERAL.—The Secretary
2 shall develop the form required under sub-
3 paragraph (A).

4 “(ii) CONTENTS.—The form shall re-
5 quire each school food authority to re-
6 port—

7 “(I) the 10 commodities or prod-
8 ucts purchased by such school food
9 authority that—

10 “(aa) are not domestic com-
11 modities or products; and

12 “(bb) make up the largest
13 share of the school food
14 authority’s spending with respect
15 to commodities or products; and

16 “(II) whether each such com-
17 modity or product—

18 “(aa) is not produced do-
19 mestically in sufficient quantities
20 of satisfactory quality to meet
21 the needs of meals provided
22 under the school lunch program
23 under this Act or the school
24 breakfast program under section

1 4 of the Child Nutrition Act of
2 1966 (42 U.S.C. 1773); and

3 “(bb) would be significantly
4 higher in price if purchased do-
5 mestically.

6 “(C) AVAILABILITY OF INFORMATION.—A
7 State agency shall make available to the Sec-
8 retary upon request the information collected
9 using the form described in subparagraph (B).

10 “(D) SUMMARY OF TRENDS.—A State
11 agency shall, on an annual basis—

12 “(i) based on the information collected
13 from school food authorities using the form
14 described in subparagraph (B), analyze
15 and summarize any trends with respect to
16 commodities or products that are not do-
17 mestic commodities or products; and

18 “(ii) submit to the Secretary a report
19 containing such analysis and summary.

20 “(6) ANNUAL NATIONAL PERFORMANCE EVAL-
21 UATION.—

22 “(A) IN GENERAL.—The Secretary shall—

23 “(i) annually evaluate in a nationally-
24 representative study the extent to which
25 school food authorities are in compliance

1 with the requirements of this subsection;
2 and

3 “(ii) publish the findings of such eval-
4 uation on the publicly available website of
5 the Department.

6 “(B) REQUIREMENTS.—The Secretary
7 shall require each school food authority that
8 participates in the evaluation under subpara-
9 graph (A) to disclose, as part of such evalua-
10 tion—

11 “(i) the 10 commodities or products
12 purchased by such school food authority
13 that—

14 “(I) are not domestic commod-
15 ities or products; and

16 “(II) make up the largest share
17 of the school food authority’s spend-
18 ing with respect to commodities or
19 products; and

20 “(ii) whether each such commodity or
21 product—

22 “(I) is not produced domestically
23 in sufficient quantities of satisfactory
24 quality to meet the needs of meals
25 provided under the school lunch pro-

1 gram under this Act or the school
2 breakfast program under section 4 of
3 the Child Nutrition Act of 1966 (42
4 U.S.C. 1773); and

5 “(II) would be significantly high-
6 er in price if purchased domestically.

7 “(7) STUDY AND REPORT.—The Secretary, in
8 consultation with the Secretary of Labor and the
9 heads of other Federal agencies determined by the
10 Secretary to be necessary, shall conduct a study that
11 examines whether the requirement under this sub-
12 section has an impact on the supply of commodities
13 or products in schools, including with respect to—

14 “(A) the availability of domestic commod-
15 ities or products;

16 “(B) the wages, occupational safety and
17 health, and access to and quality of benefits of
18 agricultural workers;

19 “(C) the price of locally grown and locally
20 raised domestic commodities or products as
21 compared to commodities or products that are
22 not domestic commodities or products;

23 “(D) the prevalence of seasonal foods in
24 schools; and

1 “(E) the extent to which schools rely on
2 processed commodities and products.”.

3 **SEC. 604. PLANT-BASED FOODS IN SCHOOLS.**

4 Section 18(d) of the Richard B. Russell National
5 School Lunch Act (42 U.S.C. 1769(d)) is amended to read
6 as follows:

7 “(d) PILOT GRANT PROGRAM FOR PLANT-BASED
8 FOOD OPTIONS.—

9 “(1) PROGRAM AUTHORIZED.—The Secretary
10 shall establish and carry out a pilot grant program
11 to award grants to eligible school food authorities to
12 carry out the activities described in paragraph (4).

13 “(2) IN GENERAL.—

14 “(A) TERM.—The term of a grant awarded
15 under this subsection shall be 3 years.

16 “(B) GRANT AMOUNT.—In awarding
17 grants under this subsection, the Secretary
18 shall, to the extent practicable, award grants of
19 diverse amounts.

20 “(3) APPLICATION.—

21 “(A) IN GENERAL.—To be eligible to re-
22 ceive a grant under this subsection, an eligible
23 school food authority shall submit to the Sec-
24 retary an application at such time, in such

1 manner, and containing such information as the
2 Secretary may require, including—

3 “(i) a participatory evaluation plan;
4 and

5 “(ii) a plan for providing culturally
6 appropriate meals.

7 “(B) PRIORITY.—To the maximum extent
8 practicable, in awarding grants under this sub-
9 section, the Secretary shall give priority to an
10 eligible school food authority that—

11 “(i) will use the grant funds to—

12 “(I) serve a high proportion of
13 children who are eligible for free or
14 reduced price meals;

15 “(II) demonstrate collaboration
16 with nongovernmental and commu-
17 nity-based organizations, agricultural
18 producers, and other community part-
19 ners on the activities described in
20 paragraph (4); and

21 “(III) incorporate experiential
22 and culturally appropriate food, nutri-
23 tion, or agricultural education activi-
24 ties related to 100 percent plant-based
25 food options in the classroom; and

1 “(ii) meets any other criteria that the
2 Secretary determines appropriate.

3 “(4) USE OF FUNDS.—A grant awarded under
4 this subsection may be used for any of the following
5 activities:

6 “(A) To contract with qualified third par-
7 ties for professional development training for
8 food service personnel on serving (including pre-
9 paring, procuring, marketing, and creating
10 menus) 100 percent plant-based food options.

11 “(B) To provide compensation, for each
12 employee who participates in the professional
13 development training described in subparagraph
14 (A), at the regular rate of pay of each such em-
15 ployee.

16 “(C) To provide technical assistance and
17 student engagement and education on 100 per-
18 cent plant-based food options, including pro-
19 viding taste tests, recipe development, and cul-
20 inary education.

21 “(D) To provide compensation for addi-
22 tional work relating to serving meals that in-
23 clude a 100 percent plant-based food option.

24 “(E) To conduct outreach to, and cover
25 costs of procurement of foods from, agricultural

1 producers of 100 percent plant-based food op-
2 tions, including—

3 “(i) underserved or limited resource
4 producers; and

5 “(ii) local farmers.

6 “(5) REPORTS.—

7 “(A) RECORDKEEPING REQUIRED.—Each
8 eligible school food authority awarded a grant
9 under this subsection shall keep records of the
10 100 percent plant-based food options served
11 pursuant to this subsection as the Secretary de-
12 termines appropriate.

13 “(B) REPORT REQUIRED BY SCHOOL FOOD
14 AUTHORITIES.—Not later than 1 year after re-
15 ceiving a grant under this subsection, and an-
16 nually for the duration of the pilot grant pro-
17 gram thereafter, a school food authority shall
18 submit to the Secretary a report on the pilot
19 grant program, including information on—

20 “(i) the number of 100 percent plant-
21 based food options that the school food au-
22 thority served during the grant period
23 compared with the preceding school year;

1 “(ii) the number of schools served by
2 the school food authority pursuant to the
3 grant;

4 “(iii) the number of students served
5 by the school food authority pursuant to
6 the grant; and

7 “(iv) how the school food authority
8 used the grant funds.

9 “(C) REPORT BY SECRETARY.—Not later
10 than 6 months after the end of a school year
11 during which the Secretary receives reports re-
12 quired under subparagraph (B), the Secretary
13 shall submit to Congress a report that includes
14 a summary of such reports received and such
15 information with respect to the pilot program
16 as the Secretary determines to be relevant.

17 “(6) TECHNICAL ASSISTANCE.—The Secretary
18 shall provide technical assistance and information to
19 assist school food authorities—

20 “(A) to facilitate the coordination and
21 sharing of information and resources that may
22 be applicable to the activities described in para-
23 graph (4); and

24 “(B) to collect and share information on
25 best practices.

1 “(7) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to carry out
3 this subsection \$10,000,000 for fiscal year 2024, to
4 remain available through fiscal year 2028.

5 “(8) DEFINITIONS.—In this subsection:

6 “(A) 100 PERCENT PLANT-BASED FOOD
7 OPTION.—The term ‘100 percent plant-based
8 food option’ means a breakfast or lunch meal
9 option or component that—

10 “(i) includes a meat alternate as de-
11 scribed in—

12 “(I) section 210.10 of title 7,
13 Code of Federal Regulations (or suc-
14 cessor regulations); or

15 “(II) appendix A to part 210 of
16 7, Code of Federal Regulations (or
17 successor regulations); and

18 “(ii) does not contain any animal
19 products or byproducts, such as meat,
20 poultry, honey, fish, dairy, or eggs.

21 “(B) BEGINNING FARMER OR RANCHER.—

22 The term ‘beginning farmer or rancher’ has the
23 meaning given such term in section 343(a) of
24 the Consolidated Farm and Rural Development
25 Act (7 U.S.C. 1991(a)).

1 “(C) ELIGIBLE SCHOOL FOOD AUTHOR-
2 ITY.—The term ‘eligible school food authority’
3 means a school food authority for which 50 per-
4 cent or more of the students served by such
5 school food authority are eligible for free or re-
6 duced price lunch under this Act or free or re-
7 duced price breakfast under section 4 of the
8 Child Nutrition Act of 1966 (42 U.S.C. 1773).

9 “(D) UNDERSERVED PRODUCER.—The
10 term ‘underserved producer’ means an indi-
11 vidual (including a member of an Indian Tribe)
12 that is—

13 “(i) a beginning farmer or rancher;

14 “(ii) a veteran farmer or rancher; or

15 “(iii) a socially disadvantaged farmer
16 or rancher.

17 “(E) VETERAN FARMER OR RANCHER.—
18 The term ‘veteran farmer or rancher’ has the
19 meaning given such term in section 2501(a) of
20 the Food, Agriculture, Conservation, and Trade
21 Act of 1990 (7 U.S.C. 2279(a)).”.

22 **SEC. 605. FOOD WASTE AND NUTRITION EDUCATION.**

23 Section 18(e) of the Richard B. Russell National
24 School Lunch Act (42 U.S.C. 1769(e)) is amended to read
25 as follows:

1 “(e) SCHOOL FOOD WASTE REDUCTION GRANT PRO-
2 GRAM.—

3 “(1) GRANT PROGRAM ESTABLISHED.—

4 “(A) IN GENERAL.—The Secretary shall
5 carry out a program to award grants, on a com-
6 petitive basis, to school food authorities to carry
7 out food waste measurement and reporting, pre-
8 vention, education, and reduction projects.

9 “(B) REGIONAL BALANCE.—In awarding
10 grants under this subsection, the Secretary
11 shall, to the maximum extent practicable, en-
12 sure that—

13 “(i) a grant is awarded to a school
14 food authority in each region served by the
15 Administrator of the Food and Nutrition
16 Service; and

17 “(ii) there is equitable treatment of
18 rural, urban, and tribal communities.

19 “(2) APPLICATION.—To be eligible to receive a
20 grant under this subsection, a school food authority
21 shall submit an application to the Secretary at such
22 time, in such manner, and containing such informa-
23 tion as the Secretary may require.

24 “(3) PRIORITY.—In awarding grants under this
25 subsection, the Secretary shall give priority to a

1 school food authority that demonstrates in the appli-
2 cation under paragraph (2) that such school food
3 authority will use the grant to—

4 “(A) carry out experiential education ac-
5 tivities that encourage children served by such
6 school food authority to participate in food
7 waste measurement and reporting, prevention,
8 education, and reduction projects;

9 “(B) prioritize the best use of food in ac-
10 cordance with the Food Recovery Hierarchy
11 published by the Administrator of the Environ-
12 mental Protection Agency;

13 “(C) with respect to food waste measure-
14 ment and reporting, prevention, education, and
15 reduction projects, collaborate with other school
16 food authorities, tribes, nongovernmental and
17 community-based organizations, and other com-
18 munity partners;

19 “(D) make evaluation plans and evaluate
20 the activities carried out using grant funds; and

21 “(E) establish a food waste measurement
22 and reporting, prevention, education, and re-
23 duction project with the goal of long-term
24 project sustainability.

1 “(4) USE OF FUNDS.—A school food authority
2 that receives a grant under this section shall use
3 funds under such grant to carry out at least one of
4 the following:

5 “(A) Planning and carrying out a food
6 waste measurement and reporting, prevention,
7 education, and reduction project.

8 “(B) Providing training to support such a
9 project.

10 “(C) Purchasing equipment to support
11 such a project.

12 “(D) Offering food waste education to stu-
13 dents served by such school food authority.

14 “(5) REQUIREMENT.—A food waste measure-
15 ment and reporting, prevention, education, and re-
16 duction project funded by a grant under this sub-
17 section shall comply with the nutrition standards for
18 the school lunch program authorized under this Act
19 and the school breakfast program established by sec-
20 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
21 1773), as applicable.

22 “(6) REPORTS.—

23 “(A) SCHOOL FOOD AUTHORITY RE-
24 PORT.—Not later than 1 year after receiving a
25 grant under this subsection, and on an annual

1 basis thereafter, a school food authority shall
2 submit to the Secretary a report that includes
3 an evaluation of the outcomes of the projects
4 carried out pursuant to such grant.

5 “(B) SECRETARY REPORT.—Not later than
6 6 months after the end of a school year during
7 which the Secretary receives reports required
8 under subparagraph (B), the Secretary shall
9 submit to Congress a report that includes a
10 summary of the reports received under subpara-
11 graph (B) and such information with respect to
12 the program as the Secretary determines to be
13 relevant.

14 “(7) AUTHORIZATION OF APPROPRIATIONS.—
15 There is authorized to be appropriated to carry out
16 this subsection \$10,000,000 for fiscal year 2024, to
17 remain available through fiscal year 2028.”.

18 **SEC. 606. FARM TO SCHOOL GRANT PROGRAM.**

19 Section 18(g) of the Richard B. Russell National
20 School Lunch Act (42 U.S.C. 1769(g)) is amended—

21 (1) by amending paragraph (1) to read as fol-
22 lows:

23 “(1) DEFINITIONS.—In this subsection:

24 “(A) AGRICULTURAL PRODUCER.—The
25 term ‘agricultural producer’ means a farmer,

1 rancher, or fisher (including of farm-raised
2 fish).

3 “(B) BEGINNING FARMER OR RANCHER.—
4 The term ‘beginning farmer or rancher’ has the
5 meaning given such term in section 343(a) of
6 the Consolidated Farm and Rural Development
7 Act (7 U.S.C. 1991(a)).

8 “(C) ELIGIBLE INSTITUTION.—The term
9 ‘eligible institution’ means a school or institu-
10 tion that participates in a program under this
11 Act or the school breakfast program established
12 under section 4 of the Child Nutrition Act of
13 1966 (42 U.S.C. 1773).

14 “(D) FARM TO SCHOOL PROGRAM.—The
15 term ‘farm to school program’ means a pro-
16 gram that—

17 “(i) benefits an eligible institution, as
18 determined by the Secretary; and

19 “(ii) carries out—

20 “(I) planting and maintenance of
21 farms or gardens;

22 “(II) procurement from local ag-
23 ricultural producers; or

24 “(III) educational activities relat-
25 ing to agriculture, nutrition, or food.

1 “(E) UNDERSERVED PRODUCER.—The
2 term ‘underserved producer’ means an indi-
3 vidual (including a member of an Indian Tribe)
4 that is—

5 “(i) a beginning farmer or rancher;

6 “(ii) a veteran farmer or rancher; or

7 “(iii) a socially disadvantaged farmer
8 or rancher.

9 “(F) VETERAN FARMER OR RANCHER.—

10 The term ‘veteran farmer or rancher’ has the
11 meaning given such term in section 2501(a) of
12 the Food, Agriculture, Conservation, and Trade
13 Act of 1990 (7 U.S.C. 2279(a)).”;

14 (2) in paragraph (2)—

15 (A) by striking “schools” each place it ap-
16 pears and inserting “institutions”;

17 (B) by inserting “land-grant colleges and
18 universities,” before “and nonprofit”; and

19 (C) by striking “grants and technical as-
20 sistance” and inserting “grants, technical as-
21 sistance, research, and evaluation”;

22 (3) in paragraph (3)—

23 (A) in subparagraph (A)—

24 (i) in clause (i), by inserting “and
25 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;” and

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 \$250,000.

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,
23 make awards of diverse amounts and dura-
24 tion in order to best match the award to

1 the purpose and scope of the project to be
2 funded.”;

3 (4) in paragraph (4)—

4 (A) in subparagraph (B), by inserting “,
5 Tribal,” after “State”; and

6 (B) by adding at the end the following:

7 “(C) TRIBAL AGENCIES.—The Secretary
8 may allow a Tribal agency to use funds pro-
9 vided to the Indian Tribe of the Tribal agency
10 through a Federal agency (including the Indian
11 Health Service) or any other Federal benefit to
12 satisfy all or part of the non-Federal share de-
13 scribed in subparagraph (A) if that use is con-
14 sistent with the purpose of the funds or other
15 Federal benefit provided.”;

16 (5) in paragraph (5)—

17 (A) in the heading, by striking “CRITERIA
18 FOR SELECTION” and inserting “PRIORITY”;

19 (B) in the matter preceding subparagraph
20 (A), by striking “To the maximum extent prac-
21 ticable” and inserting the following:

22 “(A) IN GENERAL.—To the maximum ex-
23 tent practicable”;

24 (C) in subparagraph (A), by striking
25 “school” and inserting “institution”;

1 (D) in subparagraph (B), by striking
2 “lunches” and inserting “meals”;

3 (E) by striking subparagraph (C);

4 (F) in subparagraph (D), by striking “eli-
5 gible schools” and all that follows through
6 “partners” and inserting “eligible institutions,
7 State and local agencies, Tribal organizations
8 and agencies, agricultural producers or groups
9 of agricultural producers, land-grant colleges
10 and universities, and nonprofit entities on the
11 activities described in paragraph (3)”;

12 (G) in subparagraph (F), by striking
13 “and” at the end;

14 (H) by redesignating subparagraphs (A)
15 and (B) as clauses (i) and (ii) and adjusting
16 the margins accordingly;

17 (I) by redesignating subparagraphs (D)
18 through (F) as clauses (iv) through (vi), respec-
19 tively, and adjusting the margins accordingly;

20 (J) by inserting after clause (ii), as so re-
21 designated by subparagraph (H), the following:

22 “(iii) incorporate experiential, tradi-
23 tional, and culturally appropriate food, nu-
24 trition, or agricultural education activities
25 in curriculum planning;”.

1 (K) by redesignating subparagraph (G) as
2 clause (ix);

3 (L) by inserting after clause (vi) (as so re-
4 designated) the following:

5 “(vii) expand the selection of local
6 commodities for eligible institutions;

7 “(viii) identify and address chronic
8 diet-related health issues of children served
9 by eligible institutions; and”;

10 (M) by adding at the end the following:

11 “(B) TRIBAL COMMUNITY PROJECTS.—In
12 the case of projects serving Tribal communities,
13 the Secretary shall, to the maximum extent
14 practicable, give priority to projects that best
15 utilize products, including traditional foods,
16 from Tribal agricultural producers, as deter-
17 mined by the Secretary.”;

18 (6) in paragraph (7)—

19 (A) in the matter preceding subparagraph
20 (A), by striking “The Secretary” and all that
21 follows through “nonprofit entities” and insert-
22 ing the following:

23 “(A) IN GENERAL.—The Secretary shall
24 provide technical assistance and information to
25 assist eligible institutions, State and local agen-

1 cies, Indian Tribal organizations, agricultural
2 producers or agricultural producer groups, and
3 nonprofit entities”;

4 (B) in subparagraph (B), by striking
5 “and” at the end;

6 (C) in subparagraph (C), by striking the
7 period at the end and inserting “; and”;

8 (D) by redesignating subparagraphs (A)
9 through (C) as clauses (i) through (iii), respec-
10 tively, and adjusting the margins accordingly;

11 (E) by adding after clause (iii), as so re-
12 designated by subparagraph (D), the following:

13 “(iv) to increase awareness of, and
14 participation in, farm to school programs
15 among agricultural producers or agricul-
16 tural producer groups, including—

17 “(I) underserved or limited re-
18 source producers; and

19 “(II) local farmers.”; and

20 (F) by adding at the end the following:

21 “(B) REVIEW.—

22 “(i) IN GENERAL.—Not later than 1
23 year after the date of enactment of the
24 Healthy Meals, Healthy Kids Act, and
25 every 3 years thereafter, the Secretary

1 shall submit to the Committee on Agri-
2 culture of the House of Representatives,
3 the Committee on Education and Labor of
4 the House of Representatives, and the
5 Committee on Agriculture, Nutrition, and
6 Forestry of the Senate a report that de-
7 scribes the progress that has been made in
8 identifying and eliminating barriers related
9 to developing farm to school programs.

10 “(ii) REQUIREMENTS.—In preparing
11 the report, the Secretary shall examine—

12 “(I) the direct and indirect regu-
13 latory compliance costs affecting the
14 production and marketing of locally or
15 regionally produced agricultural food
16 products to child nutrition programs;

17 “(II) barriers to local and re-
18 gional child nutrition program market
19 access for small-scale production;

20 “(III) barriers to funding
21 projects that meet the criteria de-
22 scribed in paragraph (5)(A);

23 “(IV) barriers to local and re-
24 gional child nutrition market access
25 for Tribal farmers and ranchers; and

1 “(V) barriers to funding Tribal
2 projects under farm to school pro-
3 grams.”;

4 (7) in paragraph (8)—

5 (A) in subparagraph (A), by striking
6 “\$5,000,000” and inserting “\$15,000,000”;
7 and

8 (B) by adding at the end the following:

9 “(C) ADMINISTRATION.—Of the funds pro-
10 vided to the Secretary under subparagraph (A),
11 not more than 5 percent may be used to pay
12 administrative costs incurred by the Secretary
13 in carrying out this subsection.”; and

14 (8) in paragraph (9), by striking “2011
15 through 2015” and inserting “2023 through 2028”.

16 **TITLE VII—SUPPORTING TRIBES**
17 **AND FREELY ASSOCIATED**
18 **STATES**

19 **SEC. 701. TRIBALLY OPERATED MEAL AND SNACK PILOT**
20 **PROJECT.**

21 Section 18 of the Richard B. Russell National School
22 Lunch Act (42 U.S.C. 1769) is amended by inserting after
23 subsection (e), as added by section 605 of this Act, the
24 following:

1 “(f) TRIBALLY OPERATED MEAL AND SNACK PILOT
2 PROJECT.—

3 “(1) IN GENERAL.—The Secretary of Agri-
4 culture shall establish a pilot project to award
5 grants to up to 10 eligible entities to prepare such
6 entities to administer or operate and implement, in
7 covered schools—

8 “(A) the school lunch program authorized
9 under this Act;

10 “(B) the child and adult care food pro-
11 gram established by section 17 of this Act;

12 “(C) the summer food service program for
13 children established by section 13 of this Act;
14 and

15 “(D) the school breakfast program estab-
16 lished by section 4 of the Child Nutrition Act
17 of 1966 (42 U.S.C. 1773).

18 “(2) APPLICATION.—To be eligible to partici-
19 pate in the pilot project under this subsection, an el-
20 igible entity shall submit to the Secretary an appli-
21 cation at such time, in such manner, and containing
22 such information as the Secretary may require.

23 “(3) CRITERIA FOR SELECTION.—In selecting
24 participants under this subsection, the Secretary
25 shall select up to 10 eligible entities that—

1 “(A) are located in diverse geographic
2 areas; and

3 “(B) serve Indian tribes of varying popu-
4 lation size.

5 “(4) GRANTS.—

6 “(A) IN GENERAL.—The Secretary shall
7 award, to each eligible entity selected to partici-
8 pate in the project under this subsection, a
9 grant, of an amount negotiated with such eligi-
10 ble entity, that is not less than \$10,000 and not
11 more than \$200,000.

12 “(B) SUNSET.—The authority of the Sec-
13 retary to award grants under this subsection
14 shall terminate on the date that is 5 years after
15 the date on which the first grant is awarded
16 under this subsection.

17 “(5) REIMBURSEMENTS.—

18 “(A) IN GENERAL.—Notwithstanding any
19 other provision of law, an eligible entity partici-
20 pating in the project under this subsection—

21 “(i) may carry out the programs ref-
22 erenced in subparagraphs (A) through (D)
23 of paragraph (1);

24 “(ii) with respect to the school lunch
25 program authorized under this Act, shall

1 be reimbursed as if it were a State under
2 section 12(f);

3 “(iii) with respect to the child and
4 adult care food program established under
5 this Act, shall be reimbursed as if it were
6 a State under section 17;

7 “(iv) with respect to the summer food
8 service program for children established
9 under this Act, shall be reimbursed as if it
10 were a State under section 13; and

11 “(v) with respect to the school break-
12 fast program established by section 4 of
13 the Child Nutrition Act of 1966 (42
14 U.S.C. 1733), shall be reimbursed as if it
15 were a State under such section.

16 “(B) ADMINISTRATIVE FUNDS.—An eligi-
17 ble entity that participates in the project under
18 this subsection may receive administrative
19 funds at a rate that is consistent with the
20 amount received by a State under section 7 of
21 the Child Nutrition Act of 1966 (42 U.S.C.
22 1776).

23 “(C) TRIBAL OPERATORS.—An Indian
24 tribe that participates in the project under this

1 subsection as direct program operators shall be
2 reimbursed by the Department.

3 “(6) DEFINITIONS.—In this subsection:

4 “(A) BUREAU-FUNDED SCHOOL.—The
5 term ‘Bureau-funded school’ has the meaning
6 given such term in section 1141 of the Edu-
7 cation Amendments of 1978 (25 U.S.C. 2021).

8 “(B) COVERED SCHOOL.—The term ‘cov-
9 ered school’ means—

10 “(i) a Bureau-funded school;

11 “(ii) a school—

12 “(I) on or in proximity to a res-
13 ervation; or

14 “(II) that primarily serves Native
15 American students; and

16 “(iii) early care and education facili-
17 ties, including facilities that participate in
18 a Head Start program authorized under
19 the Head Start Act (42 U.S.C. 9831 et
20 seq.).

21 “(C) ELIGIBLE ENTITY.—The term ‘eligi-
22 ble entity’ means—

23 “(i) an Indian tribe or tribal organiza-
24 tion approved by an Indian tribe;

1 “(ii) a consortium of Indian tribes;

2 and

3 “(iii) a partnership between—

4 “(I) an Indian tribe; and

5 “(II) either—

6 “(aa) a State educational
7 agency;

8 “(bb) a local educational
9 agency;

10 “(cc) a tribal educational
11 agency; or

12 “(dd) the Bureau of Indian
13 Education.

14 “(D) INDIAN TRIBE.—The term ‘Indian
15 tribe’ has the meaning given such term in sec-
16 tion 102 of the Federally Recognized Indian
17 Tribe List Act of 1994 (25 U.S.C. 5130).

18 “(E) SCHOOL.—The term ‘school’ has the
19 meaning given such term in section 12(d) of the
20 Richard B. Russell National School Lunch Act
21 (42 U.S.C. 1760(d)).

22 “(F) TRIBAL EDUCATIONAL AGENCY.—The
23 term ‘tribal educational agency’ has the mean-
24 ing given such term in section 6132(b) of the

1 Elementary and Secondary Education Act of
2 1965 (20 U.S.C. 7452(b)).”.

3 **SEC. 702. ISLAND AREAS ELIGIBILITY FEASIBILITY STUDY**
4 **UNDER THE RICHARD B. RUSSELL NATIONAL**
5 **SCHOOL LUNCH ACT.**

6 Section 18 of the Richard B. Russell National School
7 Lunch Act (42 U.S.C. 1769) is amended by adding at the
8 end the following:

9 “(1) ISLAND AREAS ELIGIBILITY FEASIBILITY
10 STUDY.—

11 “(1) IN GENERAL.—Not later than 30 months
12 after the date of the enactment of this subsection,
13 the Secretary shall complete a feasibility study to as-
14 sess the ability and preparedness of the freely associ-
15 ated States to operate—

16 “(A) the school lunch program authorized
17 under this Act;

18 “(B) the child and adult care food pro-
19 gram established by section 17 of this Act;

20 “(C) the summer food service program for
21 children established by section 13 of this Act;
22 and

23 “(D) the school breakfast program estab-
24 lished by section 4 of the Child Nutrition Act
25 of 1966 (42 U.S.C. 1773).

1 “(2) CONTENTS.—In conducting the study de-
2 scribed in paragraph (1), the Secretary shall con-
3 sider—

4 “(A) any new or additional administrative
5 processes and technology needed to implement
6 each program listed under paragraph (1);

7 “(B) an assessment of preparedness to
8 comply with management evaluations conducted
9 by the Secretary, acting through the Adminis-
10 trator of the Food and Nutrition Service, and
11 cooperate in Federal audits and evaluations;

12 “(C) administrative and financial capa-
13 bility to meet requirements of each program
14 listed under paragraph (1);

15 “(D) ability to oversee each program listed
16 under paragraph (1); and

17 “(E) any other relevant considerations, as
18 determined by the Secretary.

19 “(3) FREELY ASSOCIATED STATE DEFINED.—
20 In this subsection, the term ‘freely associated State’
21 means—

22 “(A) the Federated States of Micronesia;

23 “(B) the Republic of the Marshall Islands;

24 and

25 “(C) the Republic of Palau.”.

1 **TITLE VIII—ADDRESSING LUNCH**
2 **SHAMING AND UNPAID MEAL**
3 **DEBT**

4 **SEC. 801. UNPAID MEAL DEBT.**

5 (a) RETROACTIVE REIMBURSEMENT.—Section
6 9(b)(9)(C) of the Richard B. Russell National School
7 Lunch Act (42 U.S.C. 1758(b)(9)(C)) is amended—

8 (1) by striking “Except” and inserting the fol-
9 lowing:

10 “(i) IN GENERAL.—Except”;

11 (2) by redesignating clauses (i) and (ii) as sub-
12 clauses (I) and (II); and

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

14 “(ii) RETROACTIVITY.—A local edu-
15 cational agency shall revise a previously
16 submitted meal claim to reflect the eligi-
17 bility approval of a child for free or re-
18 duced price meals for the period that be-
19 gins on the first day of the current school
20 year.

21 “(iii) MEAL CLAIM DEFINED.—In this
22 subsection, the term ‘meal claim’ means
23 any documentation provided by a school
24 food authority to a State agency in order
25 to receive reimbursement for the cost of a

1 meal served to a child by such school food
2 authority.”.

3 (b) REDUCING STIGMA ASSOCIATED WITH UNPAID
4 SCHOOL MEAL FEES.—Section 9(b)(10) of the Richard
5 B. Russell National School Lunch Act (42 U.S.C.
6 1758(b)(10)) is amended to read as follows:

7 “(10) REDUCING STIGMA ASSOCIATED WITH
8 UNPAID SCHOOL MEAL FEES.—

9 “(A) OVERT IDENTIFICATION PROHIB-
10 ITED.—A local educational agency or school
11 food authority may not, based on the status of
12 a covered child as a covered child—

13 “(i) physically segregate or otherwise
14 discriminate against such covered child;

15 “(ii) overtly identify such covered
16 child—

17 “(I) through the use of special
18 tokens or tickets; or

19 “(II) by an announcement or a
20 published list of names; or

21 “(iii) identify or stigmatize such cov-
22 ered child by any other means.

23 “(B) ELIGIBILITY DETERMINATION BY
24 LOCAL EDUCATIONAL AGENCY.—For any cov-
25 ered child who is a member of a household that

1 owes a week or more of unpaid school meal
2 fees, a local educational agency shall—

3 “(i) attempt to directly certify such
4 covered child for free meals under para-
5 graph (4) or (5); or

6 “(ii) in a case where the local edu-
7 cational agency is not able to directly cer-
8 tify such covered child under paragraph
9 (4) or (5), provide to the household of such
10 covered child—

11 “(I) a household application and
12 applicable descriptive material; and

13 “(II) written and oral commu-
14 nications to encourage submission of
15 the application.

16 “(C) COLLECTION OF UNPAID SCHOOL
17 MEAL FEES.—In attempting to collect unpaid
18 school meal fees from a household, a local edu-
19 cational agency or school food authority may
20 not—

21 “(i) except as described in subpara-
22 graph (D), direct any communication re-
23 garding unpaid school meal fees to a cov-
24 ered child who is a member of such house-
25 hold;

1 “(ii) withhold educational opportuni-
2 ties (including grades and participation in
3 extracurricular activities or local edu-
4 cational agency programs or services)
5 from, or otherwise stigmatize, a covered
6 child due to the status of the covered child
7 as a covered child; or

8 “(iii) use a debt collector (as such
9 term is defined in section 803 of the Con-
10 sumer Credit Protection Act (15 U.S.C.
11 1692a)).

12 “(D) LETTERS.—A school food authority
13 may require that a covered child deliver a
14 sealed letter addressed to a parent or guardian
15 of the covered child that contains a communica-
16 tion relating to unpaid school meal fees, subject
17 to the condition that the letter shall not be dis-
18 tributed to the covered child in a manner that
19 stigmatizes the covered child.

20 “(E) ELIMINATING STIGMA IN MEAL SERV-
21 ICE.—In providing a meal to a covered child, a
22 local educational agency or school food author-
23 ity may not, based on the status of the covered
24 child as a covered child, dispose of or take away

1 from the covered child any food that has al-
2 ready been served to such covered child.

3 “(F) DEFINITIONS.—In this paragraph:

4 “(i) COVERED CHILD.—The term
5 ‘covered child’ means a child who—

6 “(I) is enrolled in a school that
7 participates in the school lunch pro-
8 gram under this Act or the school
9 breakfast program under section 4 of
10 the Child Nutrition Act of 1966 (42
11 U.S.C. 1773); and

12 “(II) is a member of a household
13 that owes unpaid school meal fees.

14 “(ii) UNPAID SCHOOL MEAL FEES.—
15 The term ‘unpaid school meal fees’ means
16 outstanding fees owed by a household to a
17 school food authority or local educational
18 agency (or both) for lunches under this Act
19 or breakfasts under section 4 of the Child
20 Nutrition Act of 1966 (42 U.S.C. 1773).”.

21 **SEC. 802. NATIONAL ADVISORY COUNCIL ON UNPAID MEAL**
22 **DEBT IN CHILD NUTRITION PROGRAMS.**

23 (a) ESTABLISHMENT.—There is established a Na-
24 tional Advisory Council on Unpaid Meal Debt in Child Nu-

1 trition Programs (in this section referred to as the “Coun-
2 cil”).

3 (b) DUTIES.—The Council shall provide rec-
4 ommendations, in accordance with subsection (g), to the
5 Administrator of the Food and Nutrition Service with re-
6 spect to addressing unpaid school meal fees by ensuring
7 that—

8 (1) students are not stigmatized; and

9 (2) school food authorities can maintain fiscal
10 solvency in order to ensure the long-term viability of
11 school meal programs.

12 (c) MEMBERSHIP.—

13 (1) NUMBER AND APPOINTMENT.—The Council
14 shall be composed of 14 members appointed by the
15 Secretary as follows:

16 (A) 2 members shall be school nutrition
17 State agency directors who are employed in dif-
18 ferent States;

19 (B) 2 members shall be school food service
20 directors of a school meal program in an urban
21 area who are employed in different States;

22 (C) 2 members shall be school food service
23 directors of a school meal program in a rural
24 area who are employed in different States;

1 (D) 2 members shall be officials of the
2 Food and Nutrition Service office of the De-
3 partment of Agriculture;

4 (E) 2 members shall be parents or guard-
5 ians (who are not related to one another or to
6 the same child) of children who are eligible for
7 free and reduced price school meals;

8 (F) 2 members shall represent organiza-
9 tions with expertise in the school meal pro-
10 grams; and

11 (G) 2 members shall be food service profes-
12 sionals who—

13 (i) work in school cafeterias; and

14 (ii) maintain daily contact with stu-
15 dents, including by preparing or serving
16 meals or working at registers.

17 (2) TERMS.—

18 (A) IN GENERAL.—Each member shall be
19 appointed for the life of the Council.

20 (B) VACANCIES.—Any member appointed
21 to fill a vacancy occurring before the expiration
22 of the life of the Council shall be appointed for
23 the remainder of the life of the Council.

24 (d) COMPENSATION.—

1 (1) IN GENERAL.—Members shall serve without
2 pay.

3 (2) TRAVEL EXPENSES.— Each member shall
4 receive travel expenses, including per diem in lieu of
5 subsistence, in accordance with applicable provisions
6 under subchapter I of chapter 57 of title 5, United
7 States Code.

8 (3) PARENTS OR GUARDIANS.—In the case of a
9 member who is a parent or guardian appointed
10 under subsection (c)(1)(E), such member, in addi-
11 tion to reimbursement under paragraph (2), shall, at
12 the discretion of the Secretary, be compensated in
13 advance for other personal expenses related to par-
14 ticipation on the Council, including child care ex-
15 penses and lost wages during scheduled Council
16 meetings.

17 (4) AUTHORIZATION OF APPROPRIATIONS.—
18 There are authorized to be appropriated to carry out
19 this subsection \$1,500,000, to remain available
20 through the date described in subsection (h).

21 (e) CHAIRPERSON; VICE CHAIRPERSON.—

22 (1) ELIGIBILITY.—To be eligible for election to
23 Chairperson or Vice Chairperson of the Council, an
24 individual must be a member of the Council de-
25 scribed in subsection (c)(1).

1 (2) ELECTION.—The Chairperson and Vice
2 Chairperson of the Council shall be elected by such
3 members.

4 (f) MEETINGS.—

5 (1) IN GENERAL.—The Council shall meet not
6 fewer than 2 times per year at the call of the Chair-
7 person.

8 (2) QUORUM.—5 members of the Council shall
9 constitute a quorum.

10 (g) REPORT.—

11 (1) IN GENERAL.—Not later than 3 years after
12 the establishment of the Council under subsection
13 (a), the Council shall submit to the Administrator of
14 the Food and Nutrition Service a report containing
15 the recommendations described in subsection (b).

16 (2) GUIDANCE.—Not later than 1 year after
17 the submission of the report under paragraph (1),
18 the Secretary, acting through the Administrator of
19 the Food and Nutrition Service, shall use the rec-
20 ommendations contained in such report to issue
21 guidance with respect to addressing unpaid school
22 meal fees.

23 (h) TERMINATION.—The Council shall terminate on
24 the date that is 1 day after the submission of the report
25 required under subsection (g).

1 (i) TECHNICAL ASSISTANCE.—The Secretary shall
2 provide the Council with such technical and other assist-
3 ance, including secretarial and clerical assistance, as may
4 be required to carry out its functions.

5 (j) UNPAID SCHOOL MEAL FEES DEFINED.—In this
6 section, the term “unpaid school meal fees” means out-
7 standing fees owed by a household to a local educational
8 agency for lunches under this Act or breakfasts under sec-
9 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
10 1773).

11 **TITLE IX—STRENGTHENING EVI-**
12 **DENCE-BASED NUTRITION**
13 **STANDARDS**

14 **SEC. 901. UPDATING NUTRITION STANDARDS FOR MEAL**
15 **PATTERNS.**

16 (a) NUTRITION STANDARDS FOR SCHOOL MEALS.—

17 (1) AMENDMENTS TO THE RICHARD B. RUS-
18 SELL NATIONAL SCHOOL LUNCH ACT.—Section 9(f)
19 of the Richard B. Russell National School Lunch
20 Act (42 U.S.C. 1758(f)) is amended—

21 (A) in paragraph (1)—

22 (i) by striking “Schools that are par-
23 ticipating” and inserting the following:

24 “(A) SCHOOLS PARTICIPATING IN MEAL
25 PROGRAMS.—Schools that are participating”;

1 (ii) in subparagraph (B)—

2 (I) by striking “nutrient” and in-
3 sserting “dietary”; and

4 (II) by striking “ and food inse-
5 curity” and inserting “, food and nu-
6 trition insecurity, or chronic disease”;

7 (iii) by redesignating subparagraphs
8 (A) and (B) as clauses (i) and (ii), respec-
9 tively, and adjusting the margins accord-
10 ingly; and

11 (iv) by adding at the end the fol-
12 lowing:

13 “(B) REGULATIONS.—

14 “(i) PROPOSED REGULATIONS.—Not
15 later than 180 days after the first publica-
16 tion of the Dietary Guidelines for Ameri-
17 cans under section 301 of the National
18 Nutrition Monitoring and Related Re-
19 search Act of 1990 (7 U.S.C. 5341) that
20 occurs after the date of the enactment of
21 this subparagraph, the Secretary shall pro-
22 mulgate proposed regulations to update the
23 nutrition standards for the school lunch
24 program authorized under this Act and the
25 school breakfast program established by

1 section 4 of the Child Nutrition Act of
2 1966 (42 U.S.C. 1773) to be consistent
3 with the goals of such Guidelines.

4 “(ii) FINAL REGULATIONS.—

5 “(I) IN GENERAL.—Not later
6 than 180 days after promulgation of
7 the proposed regulations under clause
8 (i), the Secretary shall promulgate
9 final regulations.

10 “(II) EFFECTIVE DATE.—The
11 final regulations under this clause
12 shall take effect on the first day of a
13 school year (to be determined by the
14 Secretary) that begins not earlier than
15 1 year and not later than 3 years fol-
16 lowing the date on which the regula-
17 tions are finalized.

18 “(C) REVIEW.—Not less frequently than
19 once every 10 years, or not later than 1 year
20 after the publication of 2 consecutive updates to
21 the Dietary Guidelines for Americans published
22 under section 301 of the National Nutrition
23 Monitoring and Related Research Act of 1990
24 (7 U.S.C. 5341), whichever occurs first, the
25 Secretary shall promulgate regulations to up-

1 date the nutrition standards for the school
2 lunch program authorized under this Act and
3 the school breakfast program established by
4 section 4 of the Child Nutrition Act of 1966
5 (42 U.S.C. 1773) so that the standards are
6 consistent with the goals of the most recent Di-
7 etary Guidelines for Americans.”;

8 (B) in paragraph (2)—

9 (i) by striking “To assist schools in
10 meeting the requirements of this sub-
11 section, the Secretary” and inserting “As-
12 sistance to schools.”;

13 (ii) in subparagraph (A)—

14 (I) by striking “shall” and insert-
15 ing “ASSISTANCE REQUIRED.—To as-
16 sist schools in meeting the require-
17 ments of this subsection, the Sec-
18 retary shall”;

19 (II) in clause (i), by striking
20 “and” at the end;

21 (III) in clause (ii), by striking
22 “and” at the end;

23 (IV) by adding at the end of sub-
24 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
7 and retailers to support development and
8 increased availability and affordability of
9 products that meet the nutrition stand-
10 ards.”;

11 (iii) by amending subparagraph (B) to
12 read as follows:

13 “(B) ASSISTANCE PERMITTED.—

14 “(i) IN GENERAL.—To assist schools
15 in meeting the requirements of this sub-
16 section, the Secretary may—

17 “(I) provide to schools informa-
18 tion regarding other approaches, as
19 determined by the Secretary; and

20 “(II) award grants and monetary
21 incentives to carry out 1 or more of
22 the following:

23 “(aa) Improving the nutri-
24 tional quality of meals and

1 snacks served under a child nu-
2 trition 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
13 both schools and retail markets,
14 including those in underserved
15 communities.

16 “(dd) Funding a statewide
17 nutrition education coordinator
18 to support individual school food
19 authority nutrition education ef-
20 forts and to facilitate collabora-
21 tion with other nutrition edu-
22 cation efforts in the State.

23 “(ii) RECIPIENTS.—Grants provided
24 clause (i) may be made available to third
25 party entities that have experience working

1 with school food service personnel partici-
2 pating in the school lunch program author-
3 ized under this Act and the school break-
4 fast program established by section 4 of
5 the Child Nutrition Act of 1966 (42
6 U.S.C. 1773) to provide technical assist-
7 ance to schools in meeting the goals of this
8 subparagraph.”.

9 (iv) by adding at the end the fol-
10 lowing:

11 “(C) FUNDING.—In addition to amounts
12 otherwise available, out of any money in the
13 Treasury not otherwise appropriated, to remain
14 available until expended, there is appropriated
15 to the Secretary—

16 “(i) for fiscal year 2023, \$3,000,000;
17 and

18 “(ii) for each fiscal year thereafter,
19 \$3,000,000, adjusted for inflation on each
20 October 1 in accordance with section
21 11(a)(3)(B) to provide—

22 “(I) technical assistance and
23 evaluation with respect to the activi-
24 ties described in clauses (i) through

1 (iv) of subparagraph (A) and clauses
2 (i) and (ii) of paragraph (B); and
3 “(II) grants and monetary incen-
4 tives described in clause (i) of para-
5 graph (B).”; and
6 (C) by striking paragraphs (3) and (4).

7 (2) AMENDMENTS TO THE CHILD NUTRITION
8 ACT OF 1966.—Section 10(b) of the Child Nutrition
9 Act of 1966 (42 U.S.C. 1779) is amended—

10 (A) by striking “(b) NATIONAL SCHOOL
11 NUTRITION STANDARDS.—”;

12 (B) in paragraph (1)—

13 (i) in subparagraph (A)—

14 (I) in clause (i)—

15 (aa) by inserting “that are
16 consistent with the goals of the
17 most recent Dietary Guidelines
18 for Americans published under
19 section 301 of the National Nu-
20 trition Monitoring and Related
21 Research Act of 1990 (7 U.S.C.
22 5341)” after “nutrition stand-
23 ards”; and

24 (bb) by striking “; and” and
25 inserting a period;

1 (II) by striking “Secretary
2 shall—” and inserting “Secretary
3 shall”;

4 (III) by striking “(i) establish
5 science-based” and inserting “estab-
6 lish science-based”; and

7 (IV) by striking clause (ii);

8 (ii) by striking subparagraph (D);

9 (iii) by redesignating paragraph (1) as
10 subsection (b) and adjusting the margins
11 accordingly; and

12 (iv) by redesignating subparagraphs
13 (A) through (C) as paragraphs (1) through
14 (3), respectively, and adjusting the mar-
15 gins accordingly;

16 (C) by adding at the end of subsection (b)
17 (as so redesignated) the following:

18 “(4) UPDATING STANDARDS.—

19 “(A) PROPOSED REGULATIONS.—Not later
20 than 180 days after the first publication of the
21 Dietary Guidelines for Americans under section
22 301 of the National Nutrition Monitoring and
23 Related Research Act of 1990 (7 U.S.C. 5341)
24 that occurs after the date of the enactment of
25 this paragraph, the Secretary shall promulgate

1 proposed regulations to update the school nutri-
2 tion standards and requirements established
3 under this subsection so that the standards and
4 requirements are consistent with the goals of
5 such Guidelines.

6 “(B) FINAL REGULATIONS.—

7 “(i) IN GENERAL.—Not later than
8 180 days after promulgation of the pro-
9 posed regulations under subparagraph (A),
10 the Secretary shall promulgate final regu-
11 lations.

12 “(ii) EFFECTIVE DATE.—The final
13 regulations under this subparagraph shall
14 take effect on the first day of the school
15 year that begins not earlier than 1 year
16 and not later than 2 years following the
17 date on which the regulations are finalized.

18 “(5) REVIEW.—Not less frequently than once
19 every 10 years, or not later than 1 year after the
20 publication of two consecutive updates to the Die-
21 tary Guidelines for Americans published under sec-
22 tion 301 of the National Nutrition Monitoring and
23 Related Research Act of 1990 (7 U.S.C. 5341),
24 whichever occurs first, the Secretary shall promul-
25 gate regulations to update the school nutrition

1 standards and requirements established under this
2 subsection so that the standards and requirements
3 are consistent with the goals of the most recent Die-
4 tary Guidelines for Americans.”; and

5 (D) by striking paragraph (2).

6 (3) **APPLICABILITY.**—This subsection and the
7 amendments made by this subsection shall apply on
8 and after the date on which the first publication of
9 the Dietary Guidelines for Americans under section
10 301 of the National Nutrition Monitoring and Re-
11 lated Research Act of 1990 (7 U.S.C. 5341) occurs
12 after the date of the enactment of this Act.

13 **SEC. 902. NON-NUTRITIVE SWEETENERS, SYNTHETIC DYES,**
14 **AND OTHER POTENTIALLY HARMFUL SUB-**
15 **STANCES IN SCHOOL MEALS.**

16 (a) **IN GENERAL.**—Not later than 6 months after the
17 date of the enactment of this section, the Secretary shall
18 seek to enter into an agreement with the National Acad-
19 emy of Sciences, Engineering, and Medicine (referred to
20 in this section as the “National Academy”) under which
21 the National Academy shall create and publish the report
22 described in subsection (b).

23 (b) **REPORT.**—The report shall include recommenda-
24 tions for changes to the nutrition standards for the school
25 lunch program authorized under the Richard B. Russell

1 National School Lunch Act (42 U.S.C. 1751 et seq.) and
2 the school breakfast program established by section 4 of
3 the Child Nutrition Act of 1966 (42 U.S.C. 1773) with
4 respect to non-nutritive sweeteners, synthetic dyes, and
5 other potentially harmful substances in school meals.

6 (c) PUBLICATION.—

7 (1) NATIONAL ACADEMY.—Not later than 1
8 year after the date on which the Secretary and the
9 National Academy enter into the agreement de-
10 scribed in subsection (a), the National Academy
11 shall—

12 (A) submit the report to the Secretary;

13 and

14 (B) publish the report.

15 (2) SECRETARY.—Not later than 30 days after
16 the submission of the report under paragraph
17 (1)(A), the Secretary shall make such report publicly
18 available in an easily identifiable place on the
19 website of the Department.

20 (d) NON-NUTRITIVE SWEETENERS, SYNTHETIC
21 DYES, AND OTHER POTENTIALLY HARMFUL SUB-
22 STANCES STANDARDS.—Not later than 18 months after
23 the submission of the report under subsection (c)(1)(A),
24 the Secretary may promulgate proposed regulations to in-
25 clude standards for non-nutritive sweeteners, synthetic

1 dyes, and other potentially harmful substances for the
2 school lunch program authorized under the Richard B.
3 Russell National School Lunch Act (42 U.S.C. 1751 et
4 seq.) and the school breakfast program established by sec-
5 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
6 1773) based on recommendations made in such report.

7 **TITLE X—OTHER MATTERS**
8 **Subtitle A—Programs Under the**
9 **Richard B. Russell National**
10 **School Lunch Act**

11 **SEC. 1001. ACCOMMODATING DIETARY REQUIREMENTS.**

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

14 (1) in paragraph (1)(B), by striking “lower-fat
15 versions of foods commonly used in the school lunch
16 program under this Act” and inserting “foods that
17 comply with the meal patterns prescribed by the
18 Secretary”; and

19 (2) in paragraph (2)—

20 (A) by amending subparagraph (A)(iii) to
21 read as follows:

22 “(iii) as a reasonable accommodation
23 under the Americans with Disabilities Act
24 (42 U.S.C. 12101 et seq.) and section 504
25 of the Rehabilitation Act of 1973 (29

1 U.S.C. 794), shall provide a substitute for
2 fluid milk for a student whose disability re-
3 stricts their diet.”; and

4 (B) by amending subparagraph (B) to read
5 as follows:

6 “(B) OTHER SUBSTITUTIONS.—

7 “(i) STANDARDS FOR REQUIRED SUB-
8 STITUTION.—

9 “(I) A school shall substitute, for
10 the fluid milk provided under sub-
11 paragraph (A), a nondairy beverage
12 that meets the nutritional needs of a
13 student for whom fluid milk is not nu-
14 tritionally appropriate due to a med-
15 ical or other special dietary need other
16 than a disability described in subpara-
17 graph (A)(iii), as determined by the
18 school in consultation with the parent
19 or legal guardian of such student.

20 “(II) A school shall substitute,
21 for the fluid milk provided under sub-
22 paragraph (A), a nondairy beverage
23 that meets the nutrition standards for
24 the school lunch program authorized
25 under this Act and the school break-

1 fast program established by section 4
2 of the Child Nutrition Act of 1966
3 (42 U.S.C. 1773) if the substitution is
4 requested by written statement by a
5 parent or legal guardian of such stu-
6 dent.

7 “(ii) STANDARDS FOR DISCRETIONARY
8 SUBSTITUTION.—A school may offer all
9 students a nondairy beverage as a sub-
10 stitute for fluid milk that meets the nutri-
11 tion standards for the school lunch pro-
12 gram authorized under this Act and the
13 school breakfast program established by
14 section 4 of the Child Nutrition Act of
15 1966 (42 U.S.C. 1773).

16 “(iii) EXCESS EXPENSES.—Except as
17 provided in clause (iv), expenses incurred
18 by providing substitutions under clauses (i)
19 and (ii) that are in excess of expenses cov-
20 ered by reimbursements under this Act
21 shall be paid by the school food authority.

22 “(iv) PILOT PROGRAM.—

23 “(I) PROGRAM AUTHORIZED.—
24 Not later than 90 days after the date
25 of the enactment of this subpara-

1 graph, the Secretary shall establish
2 and carry out a pilot grant program
3 to award grants to eligible school food
4 authorities to carry out subclause
5 (III).

6 “(II) PRIORITY.—In awarding
7 grants under this clause, the Sec-
8 retary may give priority to—

9 “(aa) an eligible school food
10 authority that serves high pro-
11 portions of children who dem-
12 onstrate high rates of lactose in-
13 tolerance; and

14 “(bb) an eligible school food
15 authority that—

16 “(AA) submits, as part
17 of the application for a
18 grant, a need for nondairy
19 beverages among its student
20 population due to dietary
21 reasons; and

22 “(BB) demonstrates a
23 need for providing nondairy
24 beverages to children by
25 serving a sufficient number

1 (as determined by the Sec-
2 retary) of such children.

3 “(III) USE OF FUNDS.—A school
4 food authority shall use grant funds
5 awarded under this clause to reim-
6 burse the full cost of providing
7 nondairy beverages as substitutes for
8 fluid milk under clause (i)(I) incurred
9 by such school food authority.

10 “(IV) REPORTS.—

11 “(aa) ANNUAL REPORT BY
12 SCHOOL FOOD AUTHORITY.—Not
13 later than 1 year after receiving
14 a grant under this clause, and on
15 an annual basis for the duration
16 of the pilot program thereafter, a
17 school food authority shall sub-
18 mit to the Secretary a report on
19 the pilot grant program, includ-
20 ing information with respect to—

21 “(AA) the number of
22 schools served by the school
23 food authority pursuant to
24 the grant; and

1 “(BB) the number of
2 students served by the
3 school food authority pursu-
4 ant to the grant.

5 “(bb) FINAL REPORT BY
6 SCHOOL FOOD AUTHORITY.—The
7 report that is the final report
8 submitted under item (aa) shall
9 include, in addition to the infor-
10 mation required under subitems
11 (AA) and (BB) of such item—

12 “(AA) the number of
13 nondairy beverages as sub-
14 stitutes for fluid milk that
15 the school food authority
16 served during the grant pe-
17 riod; compared with

18 “(BB) the number of
19 nondairy beverages as sub-
20 stitutes for fluid milk that
21 the school food authority
22 served during the school
23 year immediately preceding
24 the start of the grant period.

1 “(cc) REPORT BY THE SEC-
2 RETARY.—Not later than 6
3 months after the date described
4 in subclause (V), the Secretary
5 shall submit to Congress a report
6 that includes a summary of the
7 information included in the re-
8 ports received under this sub-
9 clause and any such information
10 with respect to the pilot program
11 the Secretary determines to be
12 relevant.

13 “(V) SUNSET.—The authority to
14 carry out this clause shall terminate
15 on the date that is 3 years after the
16 date of the enactment of this subpara-
17 graph.

18 “(VI) ELIGIBLE SCHOOL FOOD
19 AUTHORITY DEFINED.—In this clause,
20 the term ‘eligible school food author-
21 ity’ means a school food authority for
22 which 50 percent or more of the stu-
23 dents served by such school food au-
24 thority are eligible for free or reduced
25 price lunch under this Act or free or

1 reduced price breakfast under section
2 4 of the Child Nutrition Act of 1966
3 (42 U.S.C. 1773).

4 “(VII) AUTHORIZATION OF AP-
5 PROPRIATIONS.—There is authorized
6 to be appropriated to carry out this
7 clause \$2,000,000 for fiscal year
8 2024, to remain available until the
9 date described in subclause (V).”.

10 **SEC. 1002. DATA PROTECTIONS FOR HOUSEHOLD APPLICA-**
11 **TIONS.**

12 Section 9(b)(3)(B) of the Richard B. Russell Na-
13 tional School Lunch Act (42 U.S.C. 1758(b)(3)(B)) is
14 amended by adding at the end the following:

15 “(iii) CONFIDENTIALITY STAND-
16 ARDS.—The confidentiality standards es-
17 tablished by the Secretary shall ensure—

18 “(I) the maintenance of reason-
19 able and appropriate administrative,
20 technical, and physical safeguards to
21 ensure the integrity and confiden-
22 tiality of information submitted
23 through electronic applications de-
24 scribed in clause (ii);

1 “(II) protection against security
2 threats or unauthorized uses or disclo-
3 sures of the information submitted
4 through such electronic applications;
5 and

6 “(III) that data collected by such
7 electronic applications shall be used
8 only as permitted under paragraph
9 (6).”.

10 **SEC. 1003. EATING DISORDER PREVENTION.**

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

13 (1) in subsection (b)—

14 (A) in paragraph (1), by inserting “mental
15 health promotion and education, including
16 awareness of eating disorders” after “physical
17 activity,”;

18 (B) in paragraph (2)(B), by striking
19 “childhood obesity” and inserting “diet-related
20 illnesses”; and

21 (C) in paragraph (3), by inserting “school-
22 based registered dietitians, school-based mental
23 health services providers,” after “school admin-
24 istrators,”;

25 (2) in subsection (d)—

1 (A) in paragraph (1)—

2 (i) by inserting “and the Adminis-
3 trator of the Substance Abuse and Mental
4 Health Services Administration” after
5 “Prevention”; and

6 (ii) by inserting “, school health pro-
7 fessionals (including school-based mental
8 health services providers when available)”
9 after “school food authorities”;

10 (B) by amending paragraph (2)(C) to read
11 as follows:

12 “(C) includes such other technical assist-
13 ance as is required to—

14 “(i) promote sound nutrition and es-
15 tablish healthy school nutrition environ-
16 ments; and

17 “(ii) promote mental health, encour-
18 age mental health assessments, and estab-
19 lish resilient school environments; and”;
20 and

21 (C) in paragraph (3)—

22 (i) in subparagraph (A)—

23 (I) by striking “conjunction” and
24 inserting “consultation”; and

1 (II) by inserting “and the Ad-
2 ministrator of the Substance Abuse
3 and Mental Health Services Adminis-
4 tration” after “Centers for Disease
5 Control and Prevention”;

6 (ii) in subparagraph (C), by striking
7 “January 1, 2014,” and inserting “4 years
8 after the date on which funds are first ap-
9 propriated to carry out this section after
10 the date of the enactment of the Healthy
11 Meals, Healthy Kids Act,”; and

12 (iii) in subparagraph (D)—

13 (I) by striking “\$3,000,000” and
14 inserting “\$5,000,000”; and

15 (II) by striking “2011” and in-
16 serting “2024”.

17 **SEC. 1004. COMPLIANCE AND ACCOUNTABILITY.**

18 Section 22(d) of the Richard B. Russell National
19 School Lunch Act (42 U.S.C. 1769c) is amended by strik-
20 ing “fiscal years 2011 through 2015” and inserting “fiscal
21 years 2023 through 2028”.

22 **SEC. 1005. NATIONAL HUNGER HOTLINE AND CLEARING-**
23 **HOUSE.**

24 Section 26(d) of the Richard B. Russell National
25 School Lunch Act (42 U.S.C. 1769g(d)) is amended by

1 striking “\$250,000 for each of fiscal years 2010 through
2 2023” and inserting “\$500,000 for each of fiscal years
3 2023 through 2028”.

4 **SEC. 1006. ENSURING ADEQUATE MEAL TIME.**

5 The Richard B. Russell National School Lunch Act
6 (42 U.S.C. 1751 et seq.) is amended by adding at the end
7 the following:

8 **“SEC. 30. MEAL TIME STUDY AND GUIDANCE.**

9 “(a) STUDY.—The Secretary shall—

10 “(1) not later than 1 year after the date on
11 which funds are first appropriated under subsection
12 (c), enter into an agreement with an independent,
13 nonpartisan, science-based research organization to
14 carry out a study on the time lunches are served, re-
15 cess is offered, and the duration of lunch periods at
16 schools participating in the school lunch program
17 under this Act; and

18 “(2) not later than 4 years after the date on
19 which funds are first appropriated under subsection
20 (c), publish on the publicly available website of the
21 Department a report that includes the findings of
22 the study required under paragraph (1).

23 “(b) DEVELOPMENT AND DISSEMINATION OF BEST
24 PRACTICES.—The Secretary shall—

1 “(1) not later than 1 year after the date on
2 which the report required under subsection (a)(2) is
3 published, in coordination with the Secretary of
4 Education, establish a task force to—

5 “(A) review such report;

6 “(B) review other research relating to the
7 time lunches are served, recess is offered, and
8 the duration of lunch periods in schools; and

9 “(C) develop best practices with respect to
10 the time lunches are served, recess is offered,
11 and the duration of lunch periods in schools to
12 ensure student health, including appropriate
13 nutritional intake; and

14 “(2) not later than 2 years after the date on
15 which the report required under subsection (a)(2) is
16 published—

17 “(A) review the best practices developed
18 under paragraph (1)(C); and

19 “(B) issue guidance with respect to such
20 best practices to schools participating in the
21 school lunch program under this Act.

22 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to carry out this section
24 \$1,000,000 for fiscal year 2024, to remain available until
25 expended.”.

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

3 **SEC. 1011. ENHANCING NUTRITION EDUCATION.**

4 Section 19 of the Child Nutrition Act of 1966 (42
5 U.S.C. 1788) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (3), by inserting “, in-
8 cluding training on scratch cooking,” after
9 “provide training”; and

10 (B) in paragraph (5), by striking “helping
11 children to maintain a healthy weight by”;

12 (2) in subsection (h)—

13 (A) in paragraph (5)(B)—

14 (i) in clause (i)—

15 (I) by striking “educate” and in-
16 serting “conduct evidence-based nutri-
17 tion education for”; and

18 (II) by striking “of a poor diet
19 and inactivity to obesity and other
20 health problems” and inserting “be-
21 tween diet, activity, and health”;

22 (ii) in clause (iv), by inserting “ other
23 classroom education,” after “health edu-
24 cation,”;

1 (iii) in clause (viii), by striking “and”
2 at the end;

3 (iv) in clause (ix), by striking the pe-
4 riod at the end and inserting “; and”; and

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

6 “(x) conduct projects that—

7 (I) hire qualified food and nutri-
8 tion educators to carry out programs
9 in schools; and

10 (II) have the goal of improving
11 student health and nutrition through
12 such programs.”; and

13 (B) by striking paragraph (6);

14 (3) by striking subsection (k); and

15 (4) by redesignating subsection (l) as subsection

16 (k).

17 **Subtitle C—Improving Food** 18 **Donations**

19 **SEC. 1021. FOOD DONATION IN SCHOOLS.**

20 Section 9(l) of the Richard B. Russell National
21 School Lunch Act (42 U.S.C. 1758(l)) is amended—

22 (1) in paragraph (1)—

23 (A) by striking “local educational agency”

24 and inserting “school food authority”;

1 (B) by striking “eligible local food banks
2 or charitable organizations” and inserting
3 “nonprofit organizations or individuals in need
4 as determined by such school or school food au-
5 thority”;

6 (C) by striking “GENERAL.—Each” and
7 inserting the following: “GENERAL.—

8 “(A) FOOD DONATIONS PERMISSIBLE.—
9 Each”; and

10 (D) by adding at the end the following:

11 “(B) USE OF SCHOOL CAMPUS.—The food
12 donated by a school through the school food au-
13 thority serving such school pursuant to this
14 paragraph may be received, stored, and distrib-
15 uted on the campus of such school.”;

16 (2) in paragraph (2)(A), by striking “local edu-
17 cational agencies” in each place it appears and in-
18 serting “school food authorities”;

19 (3) in paragraph (3), by striking “local edu-
20 cational agency” and inserting “school food author-
21 ity”; and

22 (4) by amending paragraph (4) to read as fol-
23 lows:

1 “(4) DEFINITION.—In this subsection, the term
2 ‘nonprofit organization’ means an incorporated or
3 unincorporated entity that—

4 “(A) is operating for religious, charitable,
5 or educational purposes; and

6 “(B) does not provide net earnings to oper-
7 ate in any other manner that inures to the ben-
8 efit of any officer, employee, or shareholder of
9 the entity.”.

10 **SEC. 1022. BILL EMERSON GOOD SAMARITAN FOOD DONA-**
11 **TION ACT.**

12 Section 22 of the Child Nutrition Act of 1966 (42
13 U.S.C. 1791) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1)—

16 (i) by striking “quality and labeling”
17 and inserting “safety and safety-related la-
18 beling”; and

19 (ii) by inserting “being past date
20 label,” after “surplus,”;

21 (B) in paragraph (2)—

22 (i) by striking “quality and labeling”
23 and inserting “safety and safety-related la-
24 beling”; and

1 (ii) by inserting “being past date
2 label,” after “surplus,”;

3 (C) in paragraph (3), by adding “or is
4 charged a good Samaritan Reduced Price” be-
5 fore the period at the end;

6 (D) in paragraph (4), by striking “for
7 human” and inserting the following: “for—

8 “(A) human consumption; or

9 “(B) pet, emotional support animal, or
10 service animal consumption.”;

11 (E) in paragraph (6), by adding “pet sup-
12 ply,” after “cleaning product,”;

13 (F) in paragraph (10), by inserting “pet
14 food supplier, school, school food authority,”
15 after “caterer, farmer,”;

16 (G) by adding at the end the following:

17 “(11) EMOTIONAL SUPPORT ANIMAL.—The
18 term ‘emotional support animal’ means an animal
19 that is covered by the exclusion specified in section
20 5.303 of title 24, Code of Federal Regulations (or a
21 successor regulation) and that is not a service ani-
22 mal.

23 “(12) GOOD SAMARITAN REDUCED PRICE.—The
24 term ‘good Samaritan reduced price’ means, with re-
25 spect to an apparently wholesome food or an appar-

1 ently fit grocery product, a price that is an amount
2 not greater than the cost of handling, administering,
3 and distributing such food or grocery product.

4 “(13) PET.—The term ‘pet’ means a domes-
5 ticated animal that is kept for pleasure rather than
6 for commercial purposes.

7 “(14) PET SUPPLIES.—The term ‘pet supplies’
8 means tangible personal property used for the caring
9 of pets.

10 “(15) QUALIFIED DIRECT DONOR.—The term
11 ‘qualified direct donor’ means a retail grocer, whole-
12 saler, agricultural producer, restaurant, caterer,
13 school food authority, or institution of higher edu-
14 cation (as defined in section 101 or 102(a)(1)(B) of
15 the Higher Education Act of 1965 (20 U.S.C. 1001;
16 1002(a)(1)(B))).

17 “(16) SERVICE ANIMAL.—The term ‘service
18 animal’ has the meaning given the term in section
19 36.104 of title 28, Code of Federal Regulations (or
20 a successor regulation).”; and

21 (H) by reordering paragraphs (1) through
22 (10) and the paragraphs added by subpara-
23 graph (G) of this paragraph in alphabetical
24 order based on the headings of such para-

1 graphs, and renumbering such paragraphs as so
2 reordered;

3 (2) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) by inserting “or State or unit of
6 local government” after “nonprofit organi-
7 zation”; and

8 (ii) by inserting “or sale at a good Sa-
9 maritan reduced price” after “ultimate dis-
10 tribution”;

11 (B) in paragraph (2), by inserting “or sale
12 at a good Samaritan reduced price” after “ulti-
13 mate distribution”;

14 (C) by adding at the end the following:

15 “(3) LIABILITY OF STATE OR UNIT OF LOCAL
16 GOVERNMENT.—A State or unit of local government
17 shall not be subject to liability arising from the na-
18 ture, age, packaging, or condition of apparently
19 wholesome food or an apparently fit grocery product
20 that the State or unit of local government received
21 as a donation in good faith from a person, gleaner,
22 or nonprofit organization for ultimate distribution to
23 needy individuals.

24 “(4) DIRECT DONATIONS TO NEEDY INDIVID-
25 UALS.—A qualified direct donor shall not be subject

1 to civil or criminal liability arising from the nature,
2 age, packaging, or condition of apparently whole-
3 some food or an apparently fit grocery product that
4 the qualified direct donor donates in good faith to
5 needy individuals.”;

6 (D) by redesignating paragraph (3) as
7 paragraph (5); and

8 (E) in paragraph (5), as so redesignated
9 by subparagraph (D)—

10 (i) by striking “Paragraphs (1) and
11 (2)” and inserting “Paragraphs (1), (2),
12 (3), and (4)”;

13 (ii) by inserting “qualified direct
14 donor, State or local government,” after
15 “person, gleaner,”; and

16 (3) in subsection (e), by inserting “or State or
17 unit of local government” after “the nonprofit orga-
18 nization”.

19 **SEC. 1023. REGULATIONS.**

20 Not later than 180 days after the date of the enact-
21 ment of this section, the Secretary shall—

22 (1) in consultation with the Secretary of Health
23 Human Services, issue regulations with respect to
24 the safety and safety-related labeling standards of
25 apparently wholesome food and an apparently fit

1 grocery product under section 22 of the Child Nutri-
2 tion Act of 1966 (42 U.S.C. 1791);

3 (2) issue guidance with respect to section 22 of
4 the Child Nutrition Act of 1966 (42 U.S.C. 1791),
5 including promoting awareness of food donation
6 under such section.

7 **Subtitle D—Miscellaneous**

8 **SEC. 1031. TECHNICAL AMENDMENTS.**

9 (a) COMMITTEE ON EDUCATION AND LABOR.—The
10 following Acts are amended by striking “Committee on
11 Education and the Workforce” each place such term ap-
12 pears in heading and text and inserting “Committee on
13 Education and Labor”:

14 (1) The Child Nutrition Act of 1966 (42 U.S.C.
15 1771 et seq.).

16 (2) The Richard B. Russell National School
17 Lunch Act (42 U.S.C. 1751 et seq.).

18 (b) OTHER AMENDMENTS.—Section 17(h)(4)(A)(vi)
19 of the Child Nutrition Act of 1966 (42 U.S.C.
20 1786(h)(4)(A)(vi)) is amended by striking “and” at the
21 end.

22 (c) CITATION TO SECTION 504 OF REHABILITATION
23 ACT OF 1973.—Section 12(d)(3) of the Richard B. Rus-
24 sell National School Lunch Act (42 U.S.C. 1760(d)(3))
25 is amended by striking “in the” and all that follows

1 through the period at the end and inserting “in section
2 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).”