H. R. 8450

To reauthorize child nutrition programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2022

Mr. Scott of Virginia (for himself and Ms. Bonamici) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To reauthorize child nutrition programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Healthy Meals, Healthy Kids Act”.

(b) Table of Contents.—The table of contents of 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 NUTRITION 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.

Subtitle D—Miscellaneous

Sec. 1031. Technical amendments.
SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

TITLE I—EXPANDING ACCESS TO SCHOOL MEALS

SEC. 101. EMERGENCY WAIVERS OR MODIFICATIONS.

Section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) is amended—

(1) by inserting the following after subsection (j):

“(k) EMERGENCY WAIVERS OR MODIFICATIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (4), during an emergency period, the Secretary may waive (including by modifying) any requirement under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), or any regulation issued under either such Act, for States or eligible service providers on a multi-State, State, or eligible service provider basis if—

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

“(B) a State or eligible service provider requests a waiver in a format prescribed by the Secretary;
“(C) in the case of a request by an eligible service provider under subparagraph (B), the State in which such eligible service provider is located includes a statement of support or opposition with respect to the request; and

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

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

“(ii) not decrease access to, or eligibility for, any program under such Acts.

“(2) NATIONWIDE, REGIONAL, AND STATEWIDE BASIS.—Except as provided in paragraph (3), during an emergency period, the Secretary may waive (including by modifying) any requirement under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), or any regulation issued under either such Act, on a nationwide, regional, or statewide basis if the Secretary determines that the waiver would—

“(A) facilitate the ability of States or eligible service providers to carry out the purpose of such Acts.
“(3) DURATION.—A waiver established under this subsection may be available for a period of not greater than the emergency period and the 90 days after the end of the emergency period.

“(4) LIMITATIONS.—A waiver under this subsection is subject to the limitations in subsection (l)(4).

“(5) DEFINITIONS.—In this subsection:

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

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

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

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

“(iii) a public health emergency declared by the Secretary of Health and Human Services under section 319 of the
Public Health Service Act (42 U.S.C. 247d); or

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

(2) in subsection (l)—

(A) in paragraph (1)(A)—

(i) by striking “Except as” and all that follows through “requests a waiver” and inserting “Except as provided in paragraph (4), the Secretary may waive (including by modifying) any requirement under this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), or any regulation issued under either such Act, on a nationwide, State, multi-State, or eligible service provider basis”;

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

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

“(i) a State or eligible service provider requests the waiver;”;
(B) by striking paragraph (2)(B) and inserting the following:

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

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

“(ii) be completed by the State or eligible service provider;

“(iii) be submitted to the Secretary by—

“(I) the State; or

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

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

(C) in paragraph (4)(A), by striking “content of meals served” and inserting “standards”; and

(D) in paragraph (7), by striking subparagraphs (A) through (C) and inserting the following:

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

“(B) a service institution or private nonprofit organization described in section 13; or
“(C) institutions described in section 17.”.

**SEC. 102. DIRECT CERTIFICATION FOR CHILDREN RECEIVING MEDICAID BENEFITS.**

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

(1) in subsection (b)—

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

“(5) DISCRETIONARY CERTIFICATION.—

“(A) FREE LUNCHES OR BREAKFASTS.—

Subject to paragraph (6), any local educational agency may certify any child as eligible for free lunches or breakfasts, without further application, by directly communicating with the appropriate State or local agency to obtain documentation of the status of the child as—

“(i) a member of a family that is receiving assistance under the temporary assistance for needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

“(ii) a homeless child or youth (defined as 1 of the individuals described in section 725(2) of the McKinney-Vento
Homeless Assistance Act (42 U.S.C. 11434a(2));

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

“(iv) a migratory child (as defined in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399));

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

“(vi)(I) a foster child whose care and placement is the responsibility of an agency that administers a State plan under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq.); or

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

“(B) REDUCED PRICE LUNCHES OR BREAKFASTS.—Subject to paragraph (6), any local educational agency may certify any child who is not eligible for free lunches or breakfasts as eligible for reduced price lunches or breakfasts, without further application, by directly
communicating with the appropriate State or local agency to obtain documentation of the status of the child as a child eligible for reduced price meals (as defined in paragraph (15)(A)).

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

(C) in paragraph (15)—

(i) in subparagraph (A)—

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

“(i) ELIGIBLE CHILD.—The term ‘eligible child’ means a child—

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

“(bb) who is a member of a family with an income as measured by the Medicaid program that does not exceed 133 percent of the poverty line (as determined under the poverty guidelines updated periodically in the Federal Register by the Department of Health and Human Services under...
the authority of section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any re-
vision required by such section)) applicable to a family of the size used for purposes of determining eligibility for the Medicaid program;

“(II) who is eligible for the Medicaid program because such child receives supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381–1385) or State supplementary benefits of the type referred to in section 1616(a) of such Act (or payments of the type described in section 212(a) of Public Law 93–66);

“(III) who is eligible for the Medicaid program because such child receives an adoption assistance payment made under section 473(a) of the Social Security Act (42 U.S.C. 673(a)) or under a similar State-funded or State-operated program, as determined by the Secretary;
“(IV) who is eligible for the Medicaid program because such child receives a kinship guardianship assistance payment made under section 473(d) of the Social Security Act (42 U.S.C. 673(d)) or under a similar State-funded or State-operated program, as determined by the Secretary, without regard to whether such child was previously in foster care; or

“(V) who is a member of a household (as that term is defined in section 245.2 of title 7, Code of Federal Regulations (or successor regulations)) with a child described in subclause (I), (II), (III), or (IV).”; and

(II) by adding at the end the following:

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

“(I)(aa) who is eligible for and receiving medical assistance under the Medicaid program; and
“(bb) who is a member of a family with an income as measured by the Medicaid program that is greater than 133 percent but does not exceed 185 percent of the poverty line (as determined under the poverty guidelines updated periodically in the Federal Register by the Department of Health and Human Services under the authority of section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section)) applicable to a family of the size used for purposes of determining eligibility for the Medicaid program; or

“(II) who is a member of a household (as that term is defined in section 245.2 of title 7, Code of Federal Regulations (or successor regulations)) with a child described in subclause (I).”;

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

(iii) in subparagraph (F)—
(I) in the enumerator, by striking ``(F)'' and inserting ``(D)''; and

(II) by striking ``conducting the demonstration project under this paragraph'' and inserting ``carrying out this paragraph''; and

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

``(B) AGREEMENTS TO CARRY OUT CERTIFICATION.—To certify a child under subparagraph (A)(v) or (B) of paragraph (5), a State agency shall enter into an agreement with 1 or more State agencies conducting eligibility determinations for the Medicaid program.

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

``(i) an eligible child may be certified for free lunches under this Act and free breakfasts under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), without further application (as defined in paragraph (4)(G)); and

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

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

SEC. 103. EXPANDING COMMUNITY ELIGIBILITY.

(a) Multiplier and Threshold Adjusted.—

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

“(vii) Multiplier.—For each school
year beginning on or after July 1, 2023,
the Secretary shall use a multiplier of
2.5.”.

(2) Threshold.—Clause (viii) of section
11(a)(1)(F) of the Richard B. Russell National
School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is
amended to read as follows:

“(viii) Threshold.—For each school
year beginning on or after July 1, 2023,
the threshold shall be not more than 25 percent.’’

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

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

“(xiv) STATEWIDE COMMUNITY ELIGIBILITY.—For each school year beginning on or after July 1, 2023, the Secretary shall establish an option for States to utilize a statewide community eligibility program under which, in the case of a State agency that agrees to provide funding from sources other than Federal funds to ensure that local educational agencies in the State receive the free reimbursement rate for
100 percent of the meals served at applicable schools—

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

“(II) the threshold described in clause (viii) shall be applied by substituting ‘zero’ for ‘25’; and

“(III) the percentage of enrolled students who were identified students shall be calculated across all applicable schools in the State regardless of local educational agency.”.

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.

Section 4(b)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753(b)(2)) is amended by striking “10.5 cents” and inserting “20.5 cents”.
SEC. 202. STATEWIDE TECHNOLOGY SOLUTIONS INCLUDED AS STATE ADMINISTRATIVE COSTS.


SEC. 203. ANNUAL REIMBURSEMENT RATE AND COMMODITY IMPROVEMENTS.

(a) DIRECT FEDERAL EXPENDITURES.—Section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(c)(1)) is amended—

(1) by amending subsection (b) to read as follows:

“(b) The Secretary shall deliver, to each State participating in the school lunch program under this Act and the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) commodities valued at the total level of assistance authorized under subsections (c) and (d) for each school year for the school lunch and school breakfast programs in the State, not later than September 30 of the following school year.”;

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

“NATIONAL SCHOOL LUNCH COMMODITY ASSISTANCE.—
“(1)(A) Not later than January 15 of each year after the date of the enactment of the Healthy Meals, Healthy Kids Act, the Secretary shall—

“(i) calculate the national average value of donated foods, or cash payments in lieu thereof, in accordance with subparagraph (B); and

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

“(I) for the preceding August, September, and October, computed to the nearest 1⁄4 cent;

“(II) using 5 major food components in the Producer Price Index of the Bureau of Labor Statistics, which are—

“(aa) cereal and bakery products;

“(bb) meats, poultry, and fish;

“(cc) dairy products;

“(dd) processed fruits and vegetables; and

“(ee) fats and oils; and
“(III) weighing each such component using the same relative weight as determined by the Bureau of Labor Statistics.

“(B) The national average value of donated foods, or cash payments in lieu thereof, shall be equal to 12 percent of the quotient obtained by dividing—

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

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

“(C) Not later than January 15 of each year after the date of the enactment of the Healthy Meals, Healthy Kids Act, the Secretary shall calculate the total commodity assistance or cash payments in lieu thereof available to a State for the upcoming school year by multiplying the number of lunches served in the most recent school year for which data are available by the rate established in subparagraph (A). The Secretary shall also annually reconcile the amount of commodity assistance or cash payments in lieu thereof made available under this subparagraph with the amount of assistance used by each State and increase or reduce subse-
quent commodity assistance or cash payments in lieu thereof based on such reconciliation.”;

(3) by amending subsection (d) to read as follows:

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

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

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

“(A) calculate the total commodity assistance or cash payments in lieu thereof available to a State for the upcoming school year by multiplying the number of breakfasts served in the most recent school year for which data are available by the rate established in paragraph (1); and

“(B) annually reconcile the amount of commodity assistance or cash payments in lieu
thereof made available under this subparagraph with the amount of assistance used by each State and increase or reduce subsequent commodity assistance or cash payments in lieu thereof based on such reconciliation.”;

(4) by striking subsection (e); and

(5) by redesignating subsection (f) as subsection (e).


(1) in clause (ii)—

(A) by striking “most recent”; and

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

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

SEC. 204. FOOD SERVICE MANAGEMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for information and data collection from State agencies and school food authorities regarding the role of food service management companies in carrying out the programs under the Richard B. National School Lunch Act (42

(1) participation of small, women- and minority-owned businesses as food service management companies;

(2) food service management contract practices;

and

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

SEC. 205. KITCHEN IMPROVEMENT AND PERSONNEL TRAINING.

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

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

(2) by adding after paragraph (6) the following: “(7) SCRATCH COOKING.—The term ‘scratch cooking’ means the preparation of food using ingredients that are unprocessed or minimally processed.”.
(b) TRAINING AND TECHNICAL ASSISTANCE FOR
SCHOOL FOOD SERVICE PERSONNEL.—The Richard B.
Russell National School Lunch Act is amended by insert-
ing after section 21 (42 U.S.C. 1769b–1) the following:

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

“(a) ESTABLISHMENT.—Not later than 180 days
after the date of the enactment of this section, the Sec-
retary shall establish a program to award grants, on a
competitive basis, to school food authorities to promote
scratch cooking.

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

“(c) GRANT AMOUNTS AND DURATION.—

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

“(2) GRANT PERIOD.—A grant awarded under
this section shall be for a period of not more than
2 years.
“(d) GRANT USES.—A school food authority that receives a grant under this section shall use such grant funds to promote scratch cooking, including by—

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

“(2) investing in software and technology systems for procurement to support scratch cooking;

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

“(4) providing technical assistance, student engagement, and education with respect to scratch cooking, including taste tests, recipe development, and culinary education; or

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

“(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to school food authorities—
“(1) that serve the greatest proportion of students eligible for free or reduced price lunch under this Act; and

“(2) that—

“(A) are self-operated; or

“(B) provide an assurance to the Secretary that the school food authority will be self-operated on or before the date that is 1 year before the last day of the grant period.

“(f) TECHNICAL ASSISTANCE CENTER.—

“(1) IN GENERAL.—The Secretary shall enter into an agreement with one or more eligible third-party institutions to establish and carry out a single technical assistance and resource center to provide technical assistance for school food service personnel.

“(2) COLLABORATION REQUIREMENT.—As soon as practicable after receiving a grant under this section, a school food authority shall collaborate with the technical assistance and resource center established under paragraph (1) to—

“(A) conduct a scratch cooking needs assessment to evaluate, with respect to such school food authority—

“(i) equipment needs;
“(ii) equipment utilization;

“(iii) procurement processes; and

“(iv) workforce capabilities; and

“(B) establish a strategic plan based on such needs assessment to carry out the activities under subsection (d).

“(3) ELIGIBLE THIRD-PARTY INSTITUTIONS.—

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

“(i) a nonprofit organization with demonstrated experience in food or nutrition services training and technical assistance;

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

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

“(iv) a consortium of entities described in subclauses (I) through (III).
“(B) CRITERIA FOR ELIGIBLE THIRD-
PARTY INSTITUTIONS.—The Secretary shall es-
establish specific criteria that eligible third-party
training institutions must meet to qualify to
enter into an agreement under paragraph (1),
which shall include—

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

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

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

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

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

“(4) FUNDING.—Of the amounts made available under subsection (h) to carry out this section, not more than 10 percent may be used to carry out this subsection.

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

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

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

“(3) the percentage of menu items prepared with scratch cooking in a 4-week menu cycle;
“(4) the percentage of food packaging that is single-serve packaging;
“(5) the percentage of students who participate in the school lunch program under this Act; and
“(6) the culinary, fiscal, procurement, and management operations.
“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $20,000,000 to carry out this section for each of fiscal years 2024 through 2028.”.

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

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

“(a) EQUIPMENT GRANTS.—
“(1) IN GENERAL.—Beginning fiscal year 2024, the Secretary shall award grants to State agencies to carry out the activities described in paragraph (2).
“(2) SUBGRANTS.—
“(A) IN GENERAL.—A State agency receiving a grant under this subsection shall use such
grant funds to award subgrants, on a competitive basis, to school food authorities.

“(B) APPLICATION.—A school food authority seeking a subgrant under this paragraph shall submit to the State agency an application at such time, in such manner, and containing such information as the State agency may require.

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

“(i) need for infrastructure improvement; or

“(ii) durable equipment need or impairment.

“(D) SUBGRANT USES.—A school food authority receiving a subgrant under this paragraph shall use such subgrant funds to—

“(i) purchase equipment, including software and technology systems, needed to serve healthy meals, improve food safety, promote scratch cooking, facilitate the use of salad bars; and
“(ii) support the establishment, maintenance, and expansion of the school lunch program under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) at such schools.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated $35,000,000 for each of fiscal years 2024 through 2028 to carry out this subsection.

“(B) TECHNICAL ASSISTANCE.—The Secretary may use not more than 5 percent of the amounts made available to carry out this subsection for each fiscal year to provide technical assistance to applicants and prospective applicants in preparing applications.”.

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

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

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

“(iv) AVAILABILITY AND APPROPRIATENESS OF TRAINING.—Training car-
ried out under this subparagraph shall be—

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

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

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

“(bb) time spent participating in such training shall be considered compensable time and each individual who participates shall be paid no less than the individual’s regular rate of pay; and

“(cc) food service personnel shall not be discharged or in any other manner discriminated against for not being able to attend such training; and
“(III) offered in-person and in-
corporate hands-on training tech-
niques, when appropriate.

“(v) RELATIONSHIP TO OTHER
LAWS.—Nothing in this subparagraph may
be construed to supersede or otherwise
modify any Federal, State, or local law or
legal obligation governing the relationship
between an employee and employer.”.

SEC. 212. TECHNOLOGY AND INFRASTRUCTURE IMPROVE-
MENT.

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

SEC. 213. STATE ADMINISTRATIVE EXPENSES.

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

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

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

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

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TITLE III—MODERNIZING THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

SEC. 301. ADJUNCTIVE ELIGIBILITY.

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

(1) in clause (ii)—

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

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

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

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

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

(3) by adding at the end the following:

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

“(v) resides in a household that includes an in-
dividual who receives assistance under the food dis-
tribution program on Indian reservations established
under section 4(b) of the Food and Nutrition Act of
2008 (7 U.S.C. 2013(b)); or

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

(b) ADJUNCT DOCUMENTATION.—Section
1786(d)(3)(E)) is amended to read as follows:
“(E) Adjunct Documentation.—In order to participate in the program under this section pursuant to clause (ii) through (vi) of paragraph (2)(A), not earlier than 90 days prior to the date on which the certification or recertification for participation in the program is made—

“(i) an individual shall provide documentation of receipt of assistance described in such clause; or

“(ii) a State agency shall use available documentation to show receipt of such assistance.”.

SEC. 302. WIC ELIGIBILITY AND CERTIFICATION PERIODS.

(a) Procedures.—

(1) Age of Eligibility for Children Under the Special Supplemental Nutrition Program.—

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

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

“(2) Child.—The term ‘child’ means—
“(A) before October 1, 2026, an individual who—

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

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

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

“(III) is certified before such date by a State agency under subsection (d)(3)(A)(iii)(II); and

“(B) on and after October 1, 2026, an individual who—

“(i) has attained a first birthday but has not yet attained a sixth birthday; and

“(ii) does not attend full day kindergarten.”;

(ii) in subsection (e)(4)(A), by striking “up to age 5”; and

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

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

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

“(aa) before October 1, 2026, a State may elect to certify a participant child for a period of 2 years, if the State electing the option provided under this clause ensures that a participant child receives the required health and nutrition assessments; and

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

“(AA) certify a participant child for a period of 2 years; and

“(BB) ensure that a participant child receives the required health and nutrition assessments, as determined by the Secretary under clause (ix).

“(II) 5-YEAR-OLD CHILDREN.—
“(aa) IN GENERAL.—Beginning not later than October 1, 2026, a State shall certify a participant child who has had a fifth birthday but has not yet attained a sixth birthday, for the period that ends on the earlier of—

“(AA) the sixth birthday of the participant child;

and

“(BB) the first date on which the participant child attends full-day kindergarten.

“(bb) REQUIREMENTS.—Each State that certifies a participant child under item (aa) shall—

“(AA) ensure that such participant child receives required health and nutrition assessments, as determined by the Secretary under clause (ix); and
“(BB) establish a method to determine the first date on which such participant child attends full-day kindergarten.”.

(C) CONFORMING AMENDMENT.—Section 1902(a)(53)(A) of the Social Security Act (42 U.S.C. 1396a(a)(53)(A)) is amended by striking “below the age of 5” and inserting “(as defined in such section)”.

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

“(iv) INFANTS.—

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

“(aa) before October 1, 2026, may elect to certify an infant for participation in the program for a period of 2 years; and

“(bb) on and after October 1, 2026, shall certify an infant for participation in the program for a period of 2 years.
“(II) Assessments.—In certifying an infant under subclause (I), a State shall ensure that the infant receives required health and nutrition assessments, as determined by the Secretary under clause (ix).

“(III) Infants born to participant mothers.—For purposes of subclause (I), an infant born to a pregnant woman who is participating in the program shall be certified for participation without further application.

“(IV) Clarification relating to age.—An infant may be certified for participation in the program for a period of 2 years, regardless of whether such infant will become a child during such period.”.

(3) Extension of postpartum period.—

(A) Breastfeeding women.—

(i) Definition of breastfeeding woman.—Paragraph (1) of section 17(b) of the Child Nutrition Act of 1966 (42
U.S.C. 1786(b)) is amended to read as follows:

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

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

“(B) on and after October 1, 2026, an individual who is not more than 2 years postpartum and is breastfeeding the infant of the individual.”.

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

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

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

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

(B) POSTPARTUM WOMEN.—
(i) **Definition of Postpartum Woman.**—Paragraph (10) of section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) is amended to read as follows:

“(10) **Postpartum Woman.**—The term ‘postpartum woman’ means—

“(A) before October 1, 2026, an individual up to six months after termination of pregnancy; and

“(B) on and after October 1, 2026, an individual up to 2 years after termination of pregnancy.”.

(ii) **Certification.**—Section 17(d)(3)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786)(d)(3)(A)) is further amended by adding at the end the following:

“(v) **Postpartum Women.**—With respect to a postpartum woman, a State—

“(I) before October 1, 2026, may elect to certify such postpartum woman for a period of 2 years after the termination of the pregnancy of the postpartum woman; and
“(II) on and after October 1, 2026, a State shall certify a postpartum woman for a period of 2 years after the termination of pregnancy of the postpartum woman.”.

(4) Pregnant women.—

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

“(11) Pregnant women.—The term ‘pregnant woman’ means an individual determined to have one or more fetuses in utero.”.

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

“(vi) Pregnant women.—With respect to a pregnant woman, a State—

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

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

(5) Certification within One Household Family.—Section 17(d)(3)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(A)) is further amended—

(A) in clause (i)—

(i) by striking “clause (ii)” and inserting “clauses (ii) through (viii)”;

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

(B) by adding at the end the following:

“(vii) Certification within one household family.—In order to align certification periods or recertification appointments, when a State or local agency certifies an individual based on income documentation under subparagraph (D) or adjunct documentation under subparagraph (E), a new certification period that otherwise meets the requirements of the program may be initiated for eligible family members of such individual.”.

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

“(viii) RECERTIFICATION.—Before requesting new income documentation for purposes of recertifying an individual under the program, a State shall—

“(I) determine whether such individual is eligible for recertification under subparagraph (E); and

“(II) if such individual is so eligible—

“(aa) recertify such individual; and

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

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

“(ix) NUTRITION RISK.—

“(I) IN GENERAL.—The Secretary may require nutrition risk evaluations within a single certification period for the purposes of identifying
specific risk factors, consistent with medical recommendations.

“(II) INFORMATION PROVIDED BY A HEALTH CARE PROVIDER.—In-
formation provided by a health care provider shall be sufficient to establish nutrition risk under this section.

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

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

“(B) INTERIM ELIGIBILITY.—

“(i) TEMPORARY CERTIFICATION.—

“(I) IN GENERAL.—In the case of a pregnant woman, breastfeeding woman, postpartum woman, infant, or child who is not otherwise determined eligible under this section to partici-
participate in the program due to lack of
documentation at the time of applica-
tion, a State agency shall consider
such a pregnant woman, breastfeeding
woman, postpartum woman, infant, or
child to be temporarily eligible to par-
ticipate in the program based on a
signed statement by the applicant.

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

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

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

“(III) DOCUMENTATION DEM-
ONSTRATING ELIGIBILITY.—If an in-
Individual provides documentation in accordance with subclause (II) that demonstrates eligibility for the program, the individual shall be certified in accordance with this paragraph beginning on the first day the individual was deemed temporarily eligible under subclause (I).

“(IV) DOCUMENTATION FAILING TO DEMONSTRATE ELIGIBILITY.—If an individual does not provide documentation in accordance with subclause (II), or provides documentation that does not demonstrate eligibility for the program—

“(aa) the individual shall be determined ineligible to participate in the program; and

“(bb) the temporary eligibility with respect to such individual shall terminate at the end of the single 30-day period described in subclause (II)(aa).

“(ii) NUTRITIONAL RISK.—A State may consider a pregnant woman,
breastfeeding woman, postpartum woman, infant, or child applicant who meets the income eligibility standards to be temporarily eligible on an interim basis to participate in the program and may certify any such individual for participation immediately, without delaying certification until an evaluation is made concerning nutritional risk. A nutritional risk evaluation of such an individual shall be completed not later than 90 days after the individual is certified for participation. If it is subsequently determined that the individual does not meet nutritional risk criteria, the certification of the individual shall terminate on the date of the determination.”.


SEC. 303. CERTIFICATION AND RECERTIFICATION DETERMINATIONS AND NUTRITIONAL RISK EVALUATIONS.

(a) In General.—
(1) Presence with respect to certain determinations and evaluations.—Section 17(d)(3)(C) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(C)) is amended to read as follows:

“(C) Presence with respect to certain determinations and evaluations.—

“(i) In general.—Each individual seeking certification, recertification, or a nutritional risk evaluation for participation in the program shall be offered an appointment—

“(I) in-person, through video technology permitting 2-way, real-time interactive communications, by telephone, and in such other format as the State agency determines appropriate in order to determine eligibility under the program; and

“(II) that occurs in a format, setting, or platform that is accessible to the individual in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and

“(ii) Anthropometric data for remote certification.—If an individual meets the certification presence requirement through technology permitting 2-way, real-time interactive communications or other methods described in clause (i)(I), the anthropometric data with respect to such individual shall be obtained within 90 days.”.

(2) Technical amendment.—Section 17(d)(3) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)) is amended by conforming the margin of subparagraph (B) to the margin of subparagraph (C).


(1) in the second sentence—

(A) by striking “vouchers by mail in its plan” and inserting “food instruments by mail, remote issuance, or other means in the State plan”; and
(B) by striking “The State” and inserting the following:

“(ii) State plan.—The State”;

(2) in the third sentence—

(A) by striking “vouchers by mail” and inserting “food instruments by mail, remote issuance, or other means”; and

(B) by striking “The Secretary” and inserting the following:

“(iii) Disapproval of state plan.—The Secretary”; and

(3) by striking “(B) State agencies” and all that follows through “to obtain vouchers.” and inserting the following:

“(B) Delivery of food instruments.—

“(i) In general.—State agencies may provide for the delivery of food instruments, including electronic benefit transfer cards, to any participant through means that do not require the participant to travel to the local agency to obtain food instruments, such as through mailing or remote issuance.”.
(c) ANNUAL INVESTMENT IN WIC TECHNOLOGIES.—

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

(1) in paragraph (2)(B)—

(A) by striking clause (ii); and

(B) by striking “(i) Except as provided in clause (ii) and” and inserting “Except as provided in”;

(2) in paragraph (10)—

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

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

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

“(aa) establish, develop, improve, replace, or administer technology platforms, including management information systems, that enhance the services of, access to, or redemption of benefits under the program;

“(bb) establish, develop, improve, replace, or administer a system that allows for secure communication of in-
formation between health care providers and program clinics in order to facilitate sharing of information necessary for certification, establishing nutrition risk, or for the provision of health care services; and

“(cc) carry out paragraph (15); and

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

(3) by adding at the end the following:

“(15) STATE EFFORTS TO ENHANCE CROSS-ENROLLMENT WITH MEDICAID AND THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

“(A) PARTICIPATION DATA.—The Secretary shall annually collect data from State agencies and make publicly available on the website of the Department State-level estimates of the percentage of pregnant women, postpartum women, infants, and children under age five—

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

“(ii) who are—

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

“(II) a member of a family described in subsection (d)(2)(A)(i).

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

“(i) in addition to the information made available under subparagraph (A), also publish on the website of the Department best practices for increasing the percentages described in such subparagraph; and

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

“(I) administrators of the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); and
“(II) administrators of the Medicaid program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

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

“(i) submit to the Secretary an annual cross-enrollment plan that—

“(I) is developed across the programs described in subparagraph (A) that includes goals, specific measures, and a timeline for increasing the percentages described in such subparagraph; and

“(II) includes policies to refer to the program under this section participants in the programs described in such subparagraph who are not certified for the program under this section; and

“(ii) if such plan is approved by the Secretary, implement such plan.
“(D) GRANT PROGRAM.—The Secretary shall provide technical assistance and award competitive grants to State agencies to—

“(i) increase the percentages described in subparagraph (A); and

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

“(I) improving technology;

“(II) establishing more robust referral systems;

“(III) conducting targeted outreach to potential participants in the program under this section;

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

“(V) providing training or technical assistance to local agencies.

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

“(i) used only for the purposes of certifying eligible persons for the program under this section; and
“(ii) subject to the confidentiality provisions described in section 246.26(d) of title 7, Code of Federal Regulations (or successor regulations).”.

(d) Report to Congress.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and Labor of the House of Representatives a report on the use of remote technologies under the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) (referred to in this section as the “program”).

(2) Content of report.—The report submitted under paragraph (1) shall include a description of—

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

(i) to certify and recertify eligible individuals for program services; and
(ii) to provide nutrition education and breastfeeding support to program participants;

(B) the impact of remote technologies, including video, telephone, and online platforms, on certifications, recertifications, appointments, and participant satisfaction under the program; and

(C) best practices to—

(i) certify and recertify program participants for program services using remote technologies;

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

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

(iv) securely manage program participant data.

SEC. 304. PAPERWORK REDUCTION.

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

“(G) PAPERWORK REDUCTION.—
“(i) In general.—A State agency shall accept a single document that provides some or all of the information required under this paragraph unless the State agency determines there is a sufficient reason to doubt the authenticity of such document.

“(ii) Electronic form.—A State agency shall accept documentation under this paragraph in electronic form or provided electronically unless the State agency determines there is a sufficient reason to doubt the authenticity of such electronically provided document.”.

SEC. 305. NUTRITION EDUCATION MATERIALS RELATED TO FOOD ALLERGIES.

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

“(C) Nutrition education materials related to food allergies.—The nutrition education materials issued under subparagraph (A) shall include nutrition education materials with respect to—
“(i) individuals with food allergies during pregnancy and in the postpartum period;

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

“(iii) introducing potential food allergens to infants; and

“(iv) children with food allergies.”.

SEC. 306. BREASTFEEDING SUPPLY COVERAGE.


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

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

SEC. 307. WATER BENEFITS DURING DISASTERS.

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

“(iii) WATER BENEFITS DURING DISASTERS.—

“(I) IN GENERAL.—During an emergency period for which the Secretary determines that, with respect to
a State, access to safe drinking water
is impacted and provision of safe
drinking water is reasonably necessary
to ensure safe preparation of infant
formula, a State or local agency may
use amounts made available under
clause (i) to purchase and distribute
safe drinking water to program par-
ticipants.

“(II) Emergency period defined.—In this clause, the term
‘emergency period’ means a period
during which there exists—

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

“(bb) an emergency declared
by the President under section
501 of the Robert T. Stafford
Disaster Relief and Emergency
Assistance Act (42 U.S.C. 5191);
“(cc) a public health emergency declared by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d); or

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

SEC. 308. INFANT FORMULA PROCUREMENT ONLINE SOURCE OF INFORMATION.

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

“(xi) INFANT FORMULA PROCUREMENT ONLINE SOURCE OF INFORMATION.—

“(I) IN GENERAL.—Not later than 180 days after the date of enactment of this clause, the Secretary shall make available to the public on a website of the Department of Agriculture the information described in items (aa) through (dd) of subclause (II) relating to bid solicitations of
State agencies for infant formula under the program.

“(II) STATE AGENCIES.—In soliciting bids for infant formula under the program, a State agency shall submit to the Secretary, not later than 5 business days after the date of the bid solicitation, a description of the bid solicitation, including—

“(aa) the title of the bid solicitation and the State agency administering the bid solicitation;

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

“(cc) the contact information and website hyperlink for the State agency administering the bid solicitation, for the purpose of gathering additional information relating to the bid solicitation; and

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

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

SEC. 309. BREASTFEEDING PEER COUNSELOR PROGRAM.

(a) Definition of Breastfeeding Peer Counselor.—Section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) is amended by adding at the end the following:

“(25) Breastfeeding peer counselor.—The term ‘breastfeeding peer counselor’ means an individual who is recruited and hired from the adult population described in subsection (d)(1) who has—

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

“(B) provides mother-to-mother support to prenatal and postpartum women under the program.”.
(b) **SPECIAL NUTRITION EDUCATION.**—Section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)) is amended—

(1) in subparagraph (A), by striking "$139,000,000" and inserting "$324,000,000"; and

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

“(iii) $180,000,000 shall be used to—

“(I) establish State agency Breastfeeding Peer Counseling programs, which shall be administered as determined by the Secretary;

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

“(III) establish State and local partnerships to provide such education at locations—

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

“(bb) in partnership with eligible entities that deliver services under early childhood home visitation programs pursuant to a
grant under section 511 of the Social Security Act (42 U.S.C. 711).

SEC. 310. PRODUCT PRICING.

Section 17(h)(11)(B)(i)(II)(aa) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(11)(B)(i)(II)(aa)) is amended by striking “the shelf prices of the vendor for all buyers” and inserting “the prices the vendor charges other customers”.

SEC. 311. WIC A50 STORES.

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

(1) in paragraph (11)(E), by inserting “more than 5 percent” before “higher than average”; and

(2) in paragraph (14), by inserting “and delivery of foods” after “(as determined by the Secretary)”.

SEC. 312. WIC EBT MODERNIZATION.

(a) Online Payment and Mobile Payment Options.—

(1) Date of Completion.—Section 17(h)(12) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(12)) is amended—

(A) in subparagraph (A)(i), by striking “food delivery system that provides benefits
using a card or other access device” and inserting “benefit delivery method”;

(B) in subparagraph (B)—

(i) in clause (i), by striking “subparagraph (C)” and inserting “subparagraph (C)(i)”; and

(ii) by adding at the end the following:

“(iii) VENDOR REQUIREMENTS.—Except in the case of an exemption granted with respect to a State agency under subparagraph (C)(iii), not later than October 1, 2025, each State agency shall authorize at least three vendors to process online payments under the electronic benefit systems in the State.”; and

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

“(iii) VENDOR REQUIREMENTS EXEMPTION.—To be eligible for an exemption from the vendor requirements of subparagraph (B)(iii), a State agency shall demonstrate to the satisfaction of the Secretary that the State agency is facing unusual barriers to implementing additional
changes to the electronic benefit transfer
system.”.

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

(A) details the steps taken to establish and
implement online payment models through au-
thorized vendors participating in the special
supplemental nutrition program for women, in-
fants, and children under section 17 of the
Child Nutrition Act of 1966 (42 U.S.C. 1786);

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

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

(D) provides an explanation for each ex-
emption provided to a State agency under
clause (iii) of section 17(h)(12)(C) of the Child
(E) includes a description of State and local agency efforts to enhance collaboration with such vendors, including the use of shopper helpers or vendor liaison programs; and

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

(b) SMALLER VENDORS.—Section 17(h)(10)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)(B)) is amended by adding at the end the following:

“(iv) $40,000,000 shall be used by State or local agencies to enhance vendor partnerships and streamline the shopping experience of participants, including by establishing and administering vendor liaison programs to support participants and vendor staff at retail grocery locations.”.

(c) EQUITABLE ACCESS FOR WIC SHOPPERS.—Section 17(h)(12) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(12)) is further amended by adding at the end the following:
“(H) Equitable Access for WIC Shoppers.—To facilitate the use of online payments under an electronic benefit transfer system, a State agency shall—

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

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

“(II) additional methods of authentication other than signature or entry of a personal identification number to be used; and

“(III) participants to receive supplemental foods after an electronic benefit transfer transaction has been processed;

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

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

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

(d) Repeal.—Paragraph (13) of section 17(h) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)) is repealed.
SEC. 313. SPEND FORWARD AUTHORITIES.


(1) in subclause (I)—

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

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

and

(2) in subclause (II)—

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

(B) by striking “not more than ½ of 1 percent” and inserting “not more than 3 percent”; and

(C) by striking “the development of a management information system, including an electronic benefit transfer system” and inserting “purposes related to food delivery, including breastfeeding services and supplies, electronic benefit transfer systems, and other technologies”.

SEC. 314. ADMINISTRATIVE SIMPLIFICATION.

Section 17 of the Child Nutrition Act (7 U.S.C. 1431) is amended—
(1) in subsection (f)(1), by amending subparagraph (A) to read as follows:

“(A) Each State agency shall submit to the Secretary a plan of operation and administration. A State shall be required to submit to the Secretary for approval any substantive change in the plan and annual requirements as specified by the Secretary.”; and

(2) by repealing subsection (k).

SEC. 315. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 316. WIC FARMERS’ MARKET NUTRITION PROGRAM.

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

(1) in paragraph (1), by inserting “and community supported agriculture programs” after “roadside stands”; 

(2) by striking paragraph (3) and redesignating paragraphs (4) through (10) as paragraphs (3) through (9), respectively;
(3) in paragraph (3), as so redesignated, by striking “paragraph (6)” both places it appears and inserting “paragraph (5)”;

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

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

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

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

“(E) The coupon redemption process under the program shall be designed to ensure that the coupons may be redeemed—

“(i) either—

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

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

“(ii) only to purchase fresh nutritious un-

prepared food for human consumption.”; and
(D) in subparagraph (F)—

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

(ii) in clause (ii)—

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

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

(iii) by striking clause (iii);

(5) in paragraph (5), as so redesignated—

(A) in subparagraph (A), by striking “sub-
paragraph (G)” and inserting “paragraph (8)”;

(B) in subparagraph (B)—

(i) in clause (i), by striking “if a
State provides the amount of matching
funds required under paragraph (3),”; and

(ii) in clause (ii)—

(I) by striking “paragraph (10)”
and inserting “paragraph (8)”;

(II) by striking “paragraph (6)”
and inserting “paragraph (5)”;

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(C) in subparagraph (C), by striking “sub-
paragraph (G)(i)” both places it appears and
inserting “paragraph (8)”;
(D) in subparagraph (D)(ii)(II), by strik-
ing “paragraph (5)” and inserting “paragraph
(4)”;
(E) in subparagraph (F)(iii), by striking
“paragraph (10)(B)(ii)” and inserting “para-
graph (8)(B)(ii)”;
(6) in paragraph (7), as so redesignated—
(A) by striking subparagraph (D); and
(B) by redesignating subparagraphs (E)
and (F) as subparagraphs (D) and (E), respec-
tively;
(7) in paragraph (8), as so redesignated, by
striking “2010 through 2015” and inserting “2023
through 2028”; and
(8) in paragraph (9), as so redesignated, by in-
serting “token,” after “voucher,”.

SEC. 317. SUPPORTING HEALTHY MOTHERS AND INFANTS.

Section 17 of the Child Nutrition Act of 1966 (42
U.S.C. 1786) is amended—
(1) in subsection (a), by striking “drug abuse”
and inserting “substance use disorder”;
(2) in subsection (b)—
(A) in paragraph (8), by striking “drug abuse” and inserting “substance use disorder”; and

(B) in paragraph (16)—

(i) in the matter preceding subparagraph (A), by striking “Drug abuse education” and inserting “Substance use disorder education”;

(ii) in subparagraph (A), by striking “dangers of drug abuse” and inserting “harm of substance use on pregnancy and lactation”; and

(iii) in subparagraph (B)—

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

(II) by striking “drug abuse clinics,”; and 

(III) by striking “drug abuse professionals” and inserting “resources”; 

(3) in subsection (e)—

(A) in paragraph (1)—
(i) by striking “drug abuse” each place it appears and inserting “substance use disorder”; and

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

(B) in paragraph (5), by striking “substance abuse” and inserting “substance use disorder”;

(4) in subsection (f)—

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

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

(5) in subsection (k)(1)—

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

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

(6) by adding at the end the following:

“(r) Activities To Support WIC-Eligible Individuals Impacted by Substance Use Disorder.—

“(1) In general.—The Secretary shall—
“(A) develop and disseminate nutrition education materials for individuals eligible for the program; and

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

“(2) PURPOSE.—The purpose of this subsection is to ensure that individuals participating in the program who are impacted by a substance use disorder receive accurate nutrition education from trained staff in an effective and unbiased manner.

“(3) NUTRITION EDUCATION MATERIALS.—The Secretary shall collaborate with the Secretary of Health and Human Services to develop appropriate evidence-based nutrition education materials for individuals impacted by a substance use disorder, including—

“(A) nutrition education materials for individuals with substance use disorder during pregnancy and in the postpartum period; and

“(B) nutrition education materials for infants impacted by prenatal substance exposure and neonatal abstinence syndrome.

“(4) NUTRITION EDUCATION CLEARINGHOUSE.—The Secretary shall make available to all
State agencies through an online clearinghouse any
nutrition education and training materials related to
nutrition for individuals impacted by a substance use
disorder or neonatal abstinence syndrome that have
been produced by the Secretary or the Secretary of
Health and Human Services (or produced by a State
agency and approved by the Secretary), including
educational materials developed under paragraph
(15) of section 515(b) of the Public Health Service
Act (42 U.S.C. 290bb–21(b)) and guidance issued
under section 1005 of the SUPPORT for Patients
and Communities Act (42 U.S.C. 1396a note).

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

TITLE IV—MODERNIZING THE
CHILD AND ADULT CARE
FOOD PROGRAM

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

Section 17(a)(6) of the Richard B. Russell National
School Lunch Act (42 U.S.C. 1766(a)(6)) is amended—
(1) in the matter preceding subparagraph (A),
by striking “criteria:” and inserting “criteria—”;
(2) in subparagraph (E), by striking “and” at the end;

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

(4) by adding at the end the following:

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

SEC. 402. AUTOMATIC ELIGIBILITY FOR CHILDREN IN SUPPLEMENTAL NUTRITION ASSISTANCE HOUSEHOLDS.

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

“(7) AUTOMATIC ELIGIBILITY FOR CHILDREN IN SUPPLEMENTAL NUTRITION ASSISTANCE HOUSEHOLDS.—A child shall be considered automatically eligible for benefits under this section without further application or eligibility determination if the child is a member of a household receiving assistance under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).”).
SEC. 403. REVIEW OF SERIOUS DEFICIENCY PROCESS.

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

“(F) SERIOUS DEFICIENCY PROCESS.—

“(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this subparagraph, the Secretary shall review and issue guidance and, as appropriate, regulations regarding the serious deficiency process for the program under this section.

“(ii) REVIEW.—In carrying out clause (i), the Secretary shall review, at a minimum, the processes involved in—

“(I) determining when there is a serious deficiency with respect to an institution or a family or group day care home by a State agency, including—

“(aa) what measures automatically result in a finding of serious deficiency; and

“(bb) how to differentiate between—

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

“(BB) State-specific requirements and Federal regulations;

“(II) appealing and mediating a finding of serious deficiency with respect to an institution or a family or group day care home, including—

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

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

“(III) determining the circumstances under which a corrective action plan is acceptable;

“(IV) termination and disqualification, including maintenance of the list under subparagraph (E); and

“(V) determining opportunities for strengthening the processes intended to reduce additional State agency program requirements on in-
stitutions or family or group day care homes that are in addition to those required under Federal law, including—

“(aa) State evaluation of practices used at the time of review;

“(bb) regional approval of such additional State agency requirements; and

“(cc) oversight through the management evaluation process.

“(iii) STATE-SPECIFIC REQUIREMENTS.—The Secretary may not consider State-specific requirements in determining non-compliance or serious deficiency.

“(iv) GUIDANCE AND REGULATIONS.—

“(I) IN GENERAL.—Not later than 1 year after conducting the review under clause (ii), the Secretary shall make findings from the information collected and issue guidance and, as appropriate, regulations from such findings that will—
“(aa) streamline and modernize the program;

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

“(cc) assist sponsoring organizations, State agencies, and the Food and Nutrition Service in ensuring a fair, uniform, and effective administration of the serious deficiency process, while retaining program integrity.

“(II) SCOPE.—The guidance or, as appropriate, regulations made or issued under subclause (I) shall include—

“(aa) clarity on the required measures for noncompliance, including—

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

“(BB) a distinction between a reasonable margin of human error and system-
atic or intentional non-compliance;

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

“(AA) is conducted by a trained official who is independent from and not affiliated with any person or agency involved in the determination being appealed or mediated;

“(BB) provides an opportunity for a fair hearing for any institution or family or group day care home determined to have a serious deficiency finding or inadequate corrective action plan; and

“(CC) provides for the evaluation and resolution of disputes over State agency program requirements on institutions or family or group day care homes that are in
addition to those required under Federal law;

“(cc) timeframes for acceptable corrective action plans for group or family day care homes that are consistent with corrective action timeframes for child care centers; and

“(dd) a process to dismiss a serious deficiency upon correction of such deficiency.”.

SEC. 404. AUTHORIZATION OF REIMBURSEMENTS FOR ADDITIONAL MEAL OR SNACK.

Section 17(f)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(f)(2)) is amended—

(1) by striking “(2)(A) Subject to subparagraph (B) of this paragraph” and inserting the following:

“(2) DISBURSEMENTS.—

“(A) IN GENERAL.—Subject to subparagraph (B)”; and

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

“(B) LIMITATION.—No reimbursement may be made to any institution under this paragraph, or to family or group day care home
sponsoring organizations under paragraph (3), for more than—

“(i) 2 meals and 1 supplement or 1 meal and 2 supplements per day per child; or

“(ii) 3 meals and 1 supplement or 2 meals and 2 supplements per day per child, in the case of child care during which there are 8 or more hours between the beginning of the first meal service period and the beginning of the fourth meal service period.”.

SEC. 405. ADJUSTMENTS.

Section 17(f)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(f)(3)) is amended—

(1) in subparagraph (A)—

(A) by amending clause (ii)(IV) to read as follows:

“(IV) ADJUSTMENTS.—The reimbursement factors under this subparagraph shall be adjusted on July 1, 1997, and each July 1 thereafter, to reflect changes in the Consumer Price Index for food away from home for the 12-month period ending on the
preceding April 30. The reimburse-
ment factors under this subparagraph
shall be rounded to the nearest lower
cent increment and based on the
unrounded adjustment in effect on
April 30 of the preceding school
year.”; and
(B) by amending clause (iii)(I)(bb) to read
as follows:
“(bb) ADJUSTMENTS.—The fac-
tors shall be adjusted on July 1,
1997, and each July 1 thereafter, to
reflect changes in the Consumer Price
Index for food away from home for
the 12-month period ending on the
preceding April 30. The reimburse-
ment factors under this item shall be
rounded down to the nearest lower
cent increment and based on the
unrounded adjustment in effect on
April 30 of the preceding 12- month
period.”; and
(2) by amending subparagraph (B)(ii) to read
as follows:
“(ii) ANNUAL ADJUSTMENT.—The administrative reimbursement levels specified in clause (i) shall be adjusted July 1 of each year to reflect changes in the 12-month period ending on the preceding April 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

SEC. 406. AGE LIMITS IN HOMELESS SHELTERS AND EMERGENCY SHELTERS.


(1) in the matter before subclause (I), by inserting “or individuals” after “children” both places it appears; and

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

SEC. 407. ADVISORY COMMITTEE ON PAPERWORK REDUCTION.

Section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) is amended by adding at the end the following:
“(v) ADVISORY COMMITTEE ON PAPERWORK REDUCTION.—

“(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall establish an advisory committee (referred to in this subsection as the ‘Advisory Committee’) to carry out the duties described in paragraph (2).

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

“(A) examine the feasibility of reducing unnecessary or duplicative paperwork resulting from regulations and recordkeeping requirements, including paperwork resulting from additional State requirements, for those participating or seeking to participate in the program under this section, including State agencies, family child care homes, child care centers, and sponsoring organizations; and

“(B) provide recommendations to the Secretary to reduce such paperwork for participants in the program under this section while ensuring that proper accountability and program integrity are maintained and make such recommendations publicly available.
“(3) MEMBERSHIP.—The Advisory Committee shall be composed of not fewer than 14 members, of whom:

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

“(B) 1 shall be a representative of a private nonprofit center.

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

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

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

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

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

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

“(I) 1 shall be a representative of a sponsoring organization for the entities referred to in subparagraphs (A), (B), (D), (E), (F), and (G).
“(J) I shall be a representative of a sponsoring organization of family or group day care homes.

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

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

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

“(N) I shall be a representative of an advocacy organization representing parents with young children.

“(4) CONSIDERATIONS.—In developing the recommendations described in paragraph (2)(B), the Advisory Committee shall consider—

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

“(B) the use of electronic systems and recordkeeping technologies to reduce paperwork for program participants and program operators; and
“(C) duplicative requirements across multiple Federal programs.

“(5) GUIDANCE AND REGULATIONS.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall issue guidance and, as appropriate, regulations based on the recommendations described in paragraph (2)(B) for streamlined and consolidated paperwork and record-keeping requirements for the program, including actions taken to reduce paperwork for parents and program operators by—

“(A) streamlining and modernizing applications; and

“(B) streamlining and modernizing the monitoring and auditing of programmatic documentation and recordkeeping, including—

“(i) eliminating the use of the enrollment form for the purpose of claiming meals;

“(ii) allowing the use of direct certification in all States;

“(iii) requiring States to accept as documentation digital forms, digitized and electronic signatures, and electronic records;
“(iv) allowing the use of electronic data collection systems containing all required Federal child and adult care food program standards;

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

“(vi) requiring the adoption of generally accepted technologies for client-facing technology, virtual visits, and technology used for administrative functions by the child and adult care food program to reduce the burden on participants and program operators and administrators.

“(6) REPORT.—

“(A) IN GENERAL.—Not later than 180 days after issuing the guidance and, as appropriate, regulations described in paragraph (5), the Secretary shall submit a report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and Labor of the House of Representatives containing the information described in subparagraph (B).

“(B) CONTENTS.—The report under subparagraph (A) shall contain the following:
“(i) With respect to each instance in which the Secretary did not implement a recommendation of the Advisory Committee, an explanation with respect to why such recommendation was not implemented.

“(ii) Additional recommendations with respect to legislative action that may further strengthen and streamline the program application and monitoring process and reduce administrative burdens on grantees, program participants, and local, State, and Federal governments.”.

**TITLE V—ADDRESSING CHILD FOOD INSECURITY DURING THE SUMMER**

**SEC. 501. SUMMER FOOD SERVICE PROGRAM FOR CHILDREN.**

(a) **Better Integrate Summer Education and Summer Meals Program.**—Section 13(a)(1)(A)(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)(1)(A)(i)) is amended by striking “50 percent” each place it appears and inserting “40 percent”.

(b) **Public-Private Partnerships.**—Section 13(a) of the Richard B. Russell National School Lunch Act (42
U.S.C. 1761(a)) is amended by striking paragraph (8) and
inserting the following:

“(8) **YEAR-ROUND MEAL SERVICE.**—

“(A) **SEAMLESS SUMMER OPTION FOR SCHOOLS.**—Except as otherwise determined by
the Secretary, a service institution that is a
public or private nonprofit school food authority
may provide summer or school vacation food
service in accordance with applicable provisions
of law governing the school lunch program es-
tablished under this Act or the school breakfast
program established under the Child Nutrition
Act of 1966 (42 U.S.C. 1771 et seq.).

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

“(i) afterschool hours;
“(ii) weekends; and
“(iii) school holidays.”.

(c) **Improve Nutrition in Underserved, Hard-to-Reach Areas.—** Section 13(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)) is amended—

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

(2) by inserting after paragraph (8) the following:

“(9) **Improve Nutrition in Underserved, Hard-to-Reach Areas.—**

“(A) **In General.—** Subject to the availability of appropriations specifically for the purpose of carrying out this paragraph, the Secretary may award competitive grants to service institutions selected by the Secretary to increase participation in the program—

“(i) at congregate feeding sites; and

“(ii) through—

“(I) innovative approaches to addressing barriers in transportation to such sites; and

“(II) mobile meal delivery.
“(B) ELIGIBILITY.—To be selected to receive a grant under this paragraph, a service institution—

“(i) may be located in any State; and

“(ii) shall—

“(I) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

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

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

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

“(i) serve both breakfast and lunch; or

“(ii) offer educational or enrichment programs.

“(D) TRAVEL REIMBURSEMENT.—A service institution that receives a grant under this paragraph may use grant funds to provide re-
imbursement for travel to satellite congregate
feeding sites.

“(E) Authorization of Appropriations.—There is authorized to be appropriated
to the Secretary to make competitive grants
under this paragraph $10,000,000 for each fis-
cal year.”; and

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

(d) Culturally and Linguistically Approp-
riate Outreach Regarding Summer Food Service
Program.—Paragraph (10)(B) of section 13(a) of the
Richard B. Russell National School Lunch Act (42 U.S.C.
1761(a)), as redesignated by subsection (c)(3), is amended
by inserting “culturally and linguistically appropriate”
after “dissemination of” both places it appears.

(e) Timing of Adjustments.—Section 13(b)(1)(B)
of the Richard B. Russell National School Lunch Act (42
U.S.C. 1761(b)(1)(B)) is amended by striking “ending the
preceding November” and inserting “ending on the pre-
ceding October”.

(f) Third Meal.—Section 13(b)(2) of the Richard
B. Russell National School Lunch Act (42 U.S.C.
1761(b)(2)) is amended by striking “only serve lunch”
and all that follows through “migrant children may”. 
(g) **SUMMER NUTRITION STANDARDS.**—Section 13(f) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(f)) is amended by adding at the end the following:

“(8) Not later than 2 years after the date of the enactment of this paragraph and in accordance with paragraph (1), the Secretary shall promulgate proposed regulations to update the nutrition standards for the summer food service program authorized under this Act to be guided by the goals of the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), taking into account the structure of the Program.”.

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

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

The Richard B. Russell National School Lunch Act is amended by inserting after section 13 (42 U.S.C. 1761) the following:
"SEC. 13A. SUMMER ELECTRONIC BENEFITS TRANSFER FOR CHILDREN PROGRAM.

“(a) Program Established.—The Secretary shall establish a program under which States and covered Indian Tribal organizations participating in such program shall, beginning with summer 2024 and annually for each summer thereafter, issue to eligible households summer EBT benefits—

“(1) in accordance with this section; and

“(2) for the purpose of providing nutrition assistance through electronic benefits transfer during the summer months for eligible children, to ensure continued access to food when school is not in session for the summer.

“(b) Summer EBT Benefits Requirements.—

“(1) Purchase Options.—

“(A) Benefits Issued by States.—

“(i) WIC Participation States.—In the case of a State that participated in a demonstration program under section 749(g) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80; 123 Stat. 2132) during calendar year 2018 using a WIC model, summer EBT benefits issued pur-
suant to subsection (a) by such a State
may only be used by the eligible household
that receives such summer EBT benefits to
purchase—

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

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

“(bb) the program under
this section; or

“(II) food (as defined in section
3(k) of the Food and Nutrition Act of
2008 (7 U.S.C. 2011(k))) from retail
food stores that have been approved
for participation in the supplemental
nutrition assistance program estab-
lished under such Act, in accordance
with section 7(b) of such Act (7
U.S.C. 2016(b)).
“(ii) OTHER STATES.—Summer EBT benefits issued pursuant to subsection (a) by a State not described in clause (i) may only be used by the eligible household that receives such summer EBT benefits to purchase food (as defined in section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2011(k))) from retail food stores that have been approved for participation in the supplemental nutrition assistance program established under such Act, in accordance with section 7(b) of such Act (7 U.S.C. 2016(b)).

“(B) BENEFITS ISSUED BY COVERED INDIAN TRIBAL ORGANIZATIONS.—Summer EBT benefits issued pursuant to subsection (a) by a covered Indian Tribal organization may only be used by the eligible household that receives such summer EBT benefits to purchase supplemental foods from retailers that have been approved for participation in—

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

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

“(A) shall be—

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

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

“(B) may be issued—

“(i) in the form of an EBT card; or

“(ii) through electronic delivery.

“(c) ENROLLMENT IN PROGRAM.—

“(1) STATE REQUIREMENTS.—States participating in the program under this section shall—
“(A) with respect to summer, automatically enroll eligible children in the program under this section without further application from households;

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

“(C) require local educational agencies to allow eligible households to opt out of participation in the program under this section and establish procedures for opting out of such participation.

“(2) COVERED INDIAN TRIBAL ORGANIZATION REQUIREMENTS.—Covered Indian Tribal organizations participating in the program under this section shall, to the maximum extent practicable, meet the requirements under subparagraphs (A) through (C) of paragraph (1).

“(d) IMPLEMENTATION GRANTS.—The Secretary—

“(1) beginning October 1, 2022, may carry out a program to make grants to States and covered Indian Tribal organizations to build capacity for implementing the program under this section; and

“(2) not later than October 1, 2023, shall carry out the program described in paragraph (1).
“(e) ALTERNATE PLANS IN THE CASE OF CONTINUOUS SCHOOL CALENDAR.—The Secretary shall establish alternative plans for when summer EBT benefits may be issued pursuant to subsection (a) in the case of children who are under a continuous school calendar.

“(f) FUNDING.—

“(1) PROGRAM FUNDING.—In addition to amounts otherwise available, there is appropriated for each of fiscal years 2024 through 2028, out of any money in the Treasury not otherwise appropriated, such sums, to remain available for the period described in paragraph (2), as may be necessary to carry out the program established under subsection (a), including for administrative expenses incurred by the Secretary, States, covered Indian Tribal organizations, and local educational agencies.

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

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

“(g) DEFINITIONS.—In this section:

“(1) COVERED INDIAN TRIBAL ORGANIZATION.—The term ‘covered Indian Tribal organization’ means an Indian Tribal organization that participates in the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

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

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

“(B) certified to receive free or reduced price breakfast under the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773); or

“(C) enrolled in a school described in subparagraph (B), (C), (D), (E), or (F) of section 11(a)(1).
“(3) ELIGIBLE HOUSEHOLD.—The term ‘eligible household’ means a household that includes at least 1 eligible child.

“(4) SUPPLEMENTAL FOODS.—The term ‘supplemental foods’—

“(A) means foods—

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

“(ii) that promote the health of the population served by the program under this section, as indicated by relevant nutrition science, public health concerns, and cultural eating patterns, as determined by the Secretary; and

“(B) includes foods not described in subparagraph (A) substituted by State agencies, with the approval of the Secretary, that—

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

“(ii) allow for different cultural eating patterns than foods described in such subparagraph.”.
TITLE VI—IMPROVING CAPACITY
AND PROMOTING SUSTAINABILITY

SEC. 601. VALUES-ALIGNED PROCUREMENT.

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

(1) in paragraph (1)—

(A) by striking “to purchase unprocessed agricultural products, both locally grown and locally raised”; and

(B) by striking the semicolon at the end and inserting the following: “, to purchase unprocessed agricultural products that were—

“(A) locally grown and locally raised;

“(B) produced in an environmentally sustainable manner;

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

“(D) produced by an underserved or limited resource producer;

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

“(F) produced by a farm with employees who, as permitted by law, are represented by a
collective bargaining agreement or memorandum of understanding;

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

“(H) produced by a farm participating in an independent animal welfare certification program;”;

(2) by amending paragraph (3) to read as follows:

“(3) allow institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including the Department of Defense Fresh Fruit and Vegetable Program, to—

“(A) (i) use a geographic preference for the procurement of unprocessed agricultural products, both locally grown and locally raised; or

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

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

“(i) in an environmentally sustainable manner;

“(ii) by a certified organic farm or ranch;
“(iii) by an underserved or limited resource producer;

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

“(v) by a farm with employees who, as permitted by law, are represented by a collective bargaining agreement or memorandum of understanding;

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

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

(3) by adding at the end the following:

“(4) DEFINITIONS.—In this subsection:

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

“(B) FAMILY FARM.—The term ‘family farm’ has the meaning given such term in section 4284.902 of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this paragraph).
“(C) Underserved Producer.—The term ‘underserved producer’ means an individual (including a member of an Indian Tribe) that is—

“(i) a beginning farmer or rancher;

“(ii) a veteran farmer or rancher; or

“(iii) a socially disadvantaged farmer or rancher.

“(D) Veteran Farmer or Rancher.—The term ‘veteran farmer or rancher’ has the meaning given such term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).”.

SEC. 602. PROCUREMENT TRAINING.

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

SEC. 603. BUY AMERICAN.

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

“(5) Administrative Reviews.—

“(A) In general.—In conducting the administrative reviews required under section
210.18 of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this paragraph) pursuant to section 22(b)(1), a State agency located in Puerto Rico, Hawaii, or the contiguous United States shall use the form described in subparagraph (B) to assess compliance with the requirement under this subsection.

“(B) FORM.—

“(i) IN GENERAL.—The Secretary shall develop the form required under subparagraph (A).

“(ii) CONTENTS.—The form shall require each school food authority to report—

“(I) the 10 commodities or products purchased by such school food authority that—

“(aa) are not domestic commodities or products; and

“(bb) make up the largest share of the school food authority’s spending with respect to commodities or products; and
“(II) whether each such commodity or product—

“(aa) is not produced domestically in sufficient quantities of satisfactory quality to meet the needs of meals provided under the school lunch program under this Act or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773); and

“(bb) would be significantly higher in price if purchased domestically.

“(C) AVAILABILITY OF INFORMATION.—A State agency shall make available to the Secretary upon request the information collected using the form described in subparagraph (B).

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

“(i) based on the information collected from school food authorities using the form described in subparagraph (B), analyze and summarize any trends with respect to
commodities or products that are not domestic commodities or products; and

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

“(6) ANNUAL NATIONAL PERFORMANCE EVALUATION.—

“(A) IN GENERAL.—The Secretary shall—

“(i) annually evaluate in a nationally-representative study the extent to which school food authorities are in compliance with the requirements of this subsection; and

“(ii) publish the findings of such evaluation on the publicly available website of the Department.

“(B) REQUIREMENTS.—The Secretary shall require each school food authority that participates in the evaluation under subparagraph (A) to disclose, as part of such evaluation—

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

“(I) are not domestic commodities or products; and
“(II) make up the largest share
of the school food authority’s spend-
ing with respect to commodities or
products; and
“(ii) whether each such commodity or
product—
“(I) is not produced domestically
in sufficient quantities of satisfactory
quality to meet the needs of meals
provided under the school lunch pro-
gram under this Act or the school
breakfast program under section 4 of
the Child Nutrition Act of 1966 (42
U.S.C. 1773); and
“(II) would be significantly high-
er in price if purchased domestically.
“(7) STUDY AND REPORT.—The Secretary, in
consultation with the Secretary of Labor and the
heads of other Federal agencies determined by the
Secretary to be necessary, shall conduct a study that
examines whether the requirement under this sub-
section has an impact on the supply of commodities
or products in schools, including with respect to—
“(A) the availability of domestic commod-
ities or products;
“(B) the wages, occupational safety and health, and access to and quality of benefits of agricultural workers;

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

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

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

SEC. 604. PLANT-BASED FOODS IN SCHOOLS.

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

“(d) Pilot Grant Program for Plant-Based Food Options.—

“(1) Program Authorized.—The Secretary shall establish and carry out a pilot grant program to award grants to eligible school food authorities to carry out the activities described in paragraph (4).

“(2) In General.—

“(A) Term.—The term of a grant awarded under this subsection shall be 3 years.
“(B) Grant Amount.—In awarding grants under this subsection, the Secretary shall, to the extent practicable, award grants of diverse amounts.

“(3) Application.—

“(A) In general.—To be eligible to receive a grant under this subsection, an eligible school food authority shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

“(i) a participatory evaluation plan; and

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

“(B) Priority.—To the maximum extent practicable, in awarding grants under this subsection, the Secretary shall give priority to an eligible school food authority that—

“(i) will use the grant funds to—

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

“(II) demonstrate collaboration with nongovernmental and commu-
community-based organizations, agricultural producers, and other community partners on the activities described in paragraph (4); and

“(III) incorporate experiential and culturally appropriate food, nutrition, or agricultural education activities related to 100 percent plant-based food options in the classroom; and

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

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

“(A) To contract with qualified third parties for professional development training for food service personnel on serving (including preparing, procuring, marketing, and creating menus) 100 percent plant-based food options.

“(B) To provide compensation, for each employee who participates in the professional development training described in subparagraph (A), at the regular rate of pay of each such employee.
“(C) To provide technical assistance and student engagement and education on 100 percent plant-based food options, including providing taste tests, recipe development, and culinary education.

“(D) To provide compensation for additional work relating to serving meals that include a 100 percent plant-based food option.

“(E) To conduct outreach to, and cover costs of procurement of foods from, agricultural producers of 100 percent plant-based food options, including—

“(i) underserved or limited resource producers; and

“(ii) local farmers.

“(5) Reports.—

“(A) Recordkeeping required.—Each eligible school food authority awarded a grant under this subsection shall keep records of the 100 percent plant-based food options served pursuant to this subsection as the Secretary determines appropriate.

“(B) Report required by school food authorities.—Not later than 1 year after receiving a grant under this subsection, and an-
nually for the duration of the pilot grant pro-
gram thereafter, a school food authority shall
submit to the Secretary a report on the pilot
grant program, including information on—

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

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

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

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

“(C) REPORT BY SECRETARY.—Not later
than 6 months after the end of a school year
during which the Secretary receives reports re-
quired under subparagraph (B), the Secretary
shall submit to Congress a report that includes
a summary of such reports received and such
information with respect to the pilot program
as the Secretary determines to be relevant.
“(6) Technical Assistance.—The Secretary shall provide technical assistance and information to assist school food authorities—

“(A) to facilitate the coordination and sharing of information and resources that may be applicable to the activities described in paragraph (4); and

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

“(7) Authorization of Appropriations.—There is authorized to be appropriated to carry out this subsection $10,000,000 for fiscal year 2024, to remain available through fiscal year 2028.

“(8) Definitions.—In this subsection:

“(A) 100 percent plant-based food option.—The term ‘100 percent plant-based food option’ means a breakfast or lunch meal option or component that—

“(i) includes a meat alternate as described in—

“(I) section 210.10 of title 7, Code of Federal Regulations (or successor regulations); or
“(II) appendix A to part 210 of
7, Code of Federal Regulations (or
successor regulations); and
“(ii) does not contain any animal
products or byproducts, such as meat,
poultry, honey, fish, dairy, or eggs.
“(B) BEGINNING FARMER OR RANCHER.—
The term ‘beginning farmer or rancher’ has the
meaning given such term in section 343(a) of
the Consolidated Farm and Rural Development
Act (7 U.S.C. 1991(a)).
“(C) ELIGIBLE SCHOOL FOOD AUTHORITY.—The term ‘eligible school food authority’
means a school food authority for which 50 per-
cent or more of the students served by such
school food authority are eligible for free or re-
duced price lunch under this Act or free or re-
duced price breakfast under section 4 of the
“(D) UNDERSERVED PRODUCER.—The
term ‘underserved producer’ means an indi-
vidual (including a member of an Indian Tribe)
that is—
“(i) a beginning farmer or rancher;
“(ii) a veteran farmer or rancher; or
“(iii) a socially disadvantaged farmer or rancher.

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

SEC. 605. FOOD WASTE AND NUTRITION EDUCATION.

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

“(e) SCHOOL FOOD WASTE REDUCTION GRANT PROGRAM.—

“(1) GRANT PROGRAM ESTABLISHED.—

“(A) IN GENERAL.—The Secretary shall carry out a program to award grants, on a competitive basis, to school food authorities to carry out food waste measurement and reporting, prevention, education, and reduction projects.

“(B) REGIONAL BALANCE.—In awarding grants under this subsection, the Secretary shall, to the maximum extent practicable, ensure that—

“(i) a grant is awarded to a school food authority in each region served by the
Administrator of the Food and Nutrition Service; and

“(ii) there is equitable treatment of rural, urban, and tribal communities.

“(2) APPLICATION.—To be eligible to receive a grant under this subsection, a school food authority shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to a school food authority that demonstrates in the application under paragraph (2) that such school food authority will use the grant to—

“(A) carry out experiential education activities that encourage children served by such school food authority to participate in food waste measurement and reporting, prevention, education, and reduction projects;

“(B) prioritize the best use of food in accordance with the Food Recovery Hierarchy published by the Administrator of the Environmental Protection Agency;

“(C) with respect to food waste measurement and reporting, prevention, education, and
reduction projects, collaborate with other school
food authorities, tribes, nongovernmental and
community-based organizations, and other com-

"(D) make evaluation plans and evaluate
the activities carried out using grant funds; and

"(E) establish a food waste measurement
and reporting, prevention, education, and re-
duction project with the goal of long-term
project sustainability.

"(4) USE OF FUNDS.—A school food authority
that receives a grant under this section shall use
funds under such grant to carry out at least one of
the following:

"(A) Planning and carrying out a food
waste measurement and reporting, prevention,
education, and reduction project.

"(B) Providing training to support such a
project.

"(C) Purchasing equipment to support
such a project.

"(D) Offering food waste education to stu-
dents served by such school food authority.

"(5) REQUIREMENT.—A food waste measure-
ment and reporting, prevention, education, and re-
duction project funded by a grant under this sub-
section shall comply with the nutrition standards for
the school lunch program authorized under this Act
and the school breakfast program established by sec-
tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
1773), as applicable.

“(6) REPORTS.—

“(A) SCHOOL FOOD AUTHORITY RE-
PORT.—Not later than 1 year after receiving a
grant under this subsection, and on an annual
basis thereafter, a school food authority shall
submit to the Secretary a report that includes
an evaluation of the outcomes of the projects
carried out pursuant to such grant.

“(B) SECRETARY REPORT.—Not later than
6 months after the end of a school year during
which the Secretary receives reports required
under subparagraph (B), the Secretary shall
submit to Congress a report that includes a
summary of the reports received under subpara-
graph (B) and such information with respect to
the program as the Secretary determines to be
relevant.

“(7) AUTHORIZATION OF APPROPRIATIONS.—

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

SEC. 606. FARM TO SCHOOL GRANT PROGRAM.

Section 18(g) of the Richard B. Russell National
School Lunch Act (42 U.S.C. 1769(g)) is amended—

(1) by amending paragraph (1) to read as fol-

lows:

“(1) DEFINITIONS.—In this subsection:

“(A) AGRICULTURAL PRODUCER.—The
term ‘agricultural producer’ means a farmer,
rancher, or fisher (including of farm-raised
fish).

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

“(C) ELIGIBLE INSTITUTION.—The term
‘eligible institution’ means a school or institu-
tion that participates in a program under this
Act or the school breakfast program established
under section 4 of the Child Nutrition Act of
“(D) Farm to School Program.—The term ‘farm to school program’ means a program that—

“(i) benefits an eligible institution, as determined by the Secretary; and

“(ii) carries out—

“(I) planting and maintenance of farms or gardens;

“(II) procurement from local agricultural producers; or

“(III) educational activities relating to agriculture, nutrition, or food.

“(E) Underserved Producer.—The term ‘underserved producer’ means an individual (including a member of an Indian Tribe) that is—

“(i) a beginning farmer or rancher;

“(ii) a veteran farmer or rancher; or

“(iii) a socially disadvantaged farmer or rancher.

“(F) Veteran Farmer or Rancher.—The term ‘veteran farmer or rancher’ has the meaning given such term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).”;}
(2) in paragraph (2)—

(A) by striking “schools” each place it appears and inserting “institutions”;

(B) by inserting “land-grant colleges and universities,” before “and nonprofit”; and

(C) by striking “grants and technical assistance” and inserting “grants, technical assistance, research, and evaluation”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by inserting “and technical assistance” after “training”;

(ii) by redesignating clauses (vi) and (vii) as clauses (viii) and (ix), respectively;

and

(iii) by inserting after clause (v) the following:

“(vi) implementing educational activities relating to agriculture, nutrition, or food;

“(vii) implementing innovative approaches to aggregation, processing, transportation, and distribution of food;”; and

(B) by amending subparagraph (C) to read as follows:
“(C) AWARDS.—

“(i) MAXIMUM AMOUNT.—The total amount provided to a grant recipient under this subsection shall not exceed $250,000.

“(ii) TERM.—The term of an award shall not exceed 3 years.

“(iii) PURPOSE AND SCOPE.—In making awards under this subsection, the Secretary shall, to the extent practicable, make awards of diverse amounts and duration in order to best match the award to the purpose and scope of the project to be funded.”;

(4) in paragraph (4)—

(A) in subparagraph (B), by inserting “, Tribal,” after “State”; and

(B) by adding at the end the following:

“(C) TRIBAL AGENCIES.—The Secretary may allow a Tribal agency to use funds provided to the Indian Tribe of the Tribal agency through a Federal agency (including the Indian Health Service) or any other Federal benefit to satisfy all or part of the non-Federal share described in subparagraph (A) if that use is con-
sistent with the purpose of the funds or other
Federal benefit provided.”;

(5) in paragraph (5)—

(A) in the heading, by striking “CRITERIA
FOR SELECTION” and inserting “PRIORITY”;

(B) in the matter preceding subparagraph
(A), by striking “To the maximum extent prac-
ticable” and inserting the following:

“(A) IN GENERAL.—To the maximum ex-
tent practicable”;

(C) in subparagraph (A), by striking
“school” and inserting “institution”;

(D) in subparagraph (B), by striking
“lunches” and inserting “meals”;

(E) by striking subparagraph (C);

(F) in subparagraph (D), by striking “eligi-
gle schools” and all that follows through
“partners” and inserting “eligible institutions,
State and local agencies, Tribal organizations
and agencies, agricultural producers or groups
of agricultural producers, land-grant colleges
and universities, and nonprofit entities on the
activities described in paragraph (3)”;

(G) in subparagraph (F), by striking
“and” at the end;
(H) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii) and adjusting the margins accordingly;

(I) by redesignating subparagraphs (D) through (F) as clauses (iv) through (vi), respectively, and adjusting the margins accordingly;

(J) by inserting after clause (ii), as so redesignated by subparagraph (H), the following:

“(iii) incorporate experiential, traditional, and culturally appropriate food, nutrition, or agricultural education activities in curriculum planning;”;

(K) by redesignating subparagraph (G) as clause (ix);

(L) by inserting after clause (vi) (as so redesignated) the following:

“(vii) expand the selection of local commodities for eligible institutions;

“(viii) identify and address chronic diet-related health issues of children served by eligible institutions; and”;

(M) by adding at the end the following:

“(B) TRIBAL COMMUNITY PROJECTS.—In the case of projects serving Tribal communities, the Secretary shall, to the maximum extent
practicable, give priority to projects that best utilize products, including traditional foods, from Tribal agricultural producers, as determined by the Secretary.’’;

(6) in paragraph (7)—

(A) in the matter preceding subparagraph (A), by striking “The Secretary” and all that follows through “nonprofit entities” and inserting the following:

“(A) IN GENERAL.—The Secretary shall provide technical assistance and information to assist eligible institutions, State and local agencies, Indian Tribal organizations, agricultural producers or agricultural producer groups, and nonprofit entities”;

(B) in subparagraph (B), by striking “and” at the end;

(C) in subparagraph (C), by striking the period at the end and inserting “; and”;

(D) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and adjusting the margins accordingly;

(E) by adding after clause (iii), as so redesignated by subparagraph (D), the following:
“(iv) to increase awareness of, and participation in, farm to school programs among agricultural producers or agricultural producer groups, including—

“(I) underserved or limited resource producers; and

“(II) local farmers.”; and

(F) by adding at the end the following:

“(B) REVIEW.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Healthy Meals, Healthy Kids Act, and every 3 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Education and Labor of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the progress that has been made in identifying and eliminating barriers related to developing farm to school programs.

“(ii) REQUIREMENTS.—In preparing the report, the Secretary shall examine—
“(I) the direct and indirect regulatory compliance costs affecting the production and marketing of locally or regionally produced agricultural food products to child nutrition programs;

“(II) barriers to local and regional child nutrition program market access for small-scale production;

“(III) barriers to funding projects that meet the criteria described in paragraph (5)(A);

“(IV) barriers to local and regional child nutrition market access for Tribal farmers and ranchers; and

“(V) barriers to funding Tribal projects under farm to school programs.”;

(7) in paragraph (8)—

(A) in subparagraph (A), by striking “$5,000,000” and inserting “$15,000,000”;

and

(B) by adding at the end the following:

“(C) ADMINISTRATION.—Of the funds provided to the Secretary under subparagraph (A), not more than 5 percent may be used to pay
1 administrative costs incurred by the Secretary
2 in carrying out this subsection.”; and
3 (8) in paragraph (9), by striking “2011
4 through 2015” and inserting “2023 through 2028”.

**TITLE VII—SUPPORTING TRIBES**
**AND FREELY ASSOCIATED STATES**

**SEC. 701. TRIBALLY OPERATED MEAL AND SNACK PILOT PROJECT.**

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by inserting after subsection (e), as added by section 605 of this Act, the following:

“(f) TRIBALLY OPERATED MEAL AND SNACK PILOT PROJECT.—

“(1) IN GENERAL.—The Secretary of Agriculture shall establish a pilot project to award grants to up to 10 eligible entities to prepare such entities to administer or operate and implement, in covered schools—

“(A) the school lunch program authorized under this Act;

“(B) the child and adult care food program established by section 17 of this Act;
“(C) the summer food service program for
children established by section 13 of this Act;
and
“(D) the school breakfast program estab-
lished by section 4 of the Child Nutrition Act

“(2) APPLICATION.—To be eligible to partici-
pate in the pilot project under this subsection, an el-
igible entity shall submit to the Secretary an appli-
cation at such time, in such manner, and containing
such information as the Secretary may require.

“(3) CRITERIA FOR SELECTION.—In selecting
participants under this subsection, the Secretary
shall select up to 10 eligible entities that—

“(A) are located in diverse geographic
areas; and

“(B) serve Indian tribes of varying popu-
lation size.

“(4) GRANTS.—

“(A) IN GENERAL.—The Secretary shall
award, to each eligible entity selected to partici-
pate in the project under this subsection, a
grant, of an amount negotiated with such eligi-
ble entity, that is not less than $10,000 and not
more than $200,000.
“(B) Sunset.—The authority of the Secretary to award grants under this subsection shall terminate on the date that is 5 years after the date on which the first grant is awarded under this subsection.

“(5) Reimbursements.—

“(A) In general.—Notwithstanding any other provision of law, an eligible entity participating in the project under this subsection—

“(i) may carry out the programs referenced in subparagraphs (A) through (D) of paragraph (1);

“(ii) with respect to the school lunch program authorized under this Act, shall be reimbursed as if it were a State under section 12(f);

“(iii) with respect to the child and adult care food program established under this Act, shall be reimbursed as if it were a State under section 17;

“(iv) with respect to the summer food service program for children established under this Act, shall be reimbursed as if it were a State under section 13; and
“(v) with respect to the school break-
fast program established by section 4 of
the Child Nutrition Act of 1966 (42
U.S.C. 1733), shall be reimbursed as if it
were a State under such section.

“(B) ADMINISTRATIVE FUNDS.—An eligi-
ble entity that participates in the project under
this subsection may receive administrative
funds at a rate that is consistent with the
amount received by a State under section 7 of
the Child Nutrition Act of 1966 (42 U.S.C.
1776).

“(C) TRIBAL OPERATORS.—An Indian
tribe that participates in the project under this
subsection as direct program operators shall be
reimbursed by the Department.

“(6) DEFINITIONS.—In this subsection:

“(A) BUREAU-FUNDED SCHOOL.—The
term ‘Bureau-funded school’ has the meaning
given such term in section 1141 of the Edu-

“(B) COVERED SCHOOL.—The term ‘cov-
ered school’ means—

“(i) a Bureau-funded school;

“(ii) a school—
“(I) on or in proximity to a reservation; or
“(II) that primarily serves Native American students; and
“(iii) early care and education facilities, including facilities that participate in a Head Start program authorized under the Head Start Act (42 U.S.C. 9831 et seq.).

“(C) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—
“(i) an Indian tribe or tribal organization approved by an Indian tribe;
“(ii) a consortium of Indian tribes;

and
“(iii) a partnership between—
“(I) an Indian tribe; and
“(II) either—
“(aa) a State educational agency;
“(bb) a local educational agency;
“(cc) a tribal educational agency; or
“(dd) the Bureau of Indian Education.

“(D) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130).

“(E) SCHOOL.—The term ‘school’ has the meaning given such term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)).

“(F) TRIBAL EDUCATIONAL AGENCY.—The term ‘tribal educational agency’ has the meaning given such term in section 6132(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7452(b)).”.

SEC. 702. ISLAND AREAS ELIGIBILITY FEASIBILITY STUDY UNDER THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by adding at the end the following:

“(l) ISLAND AREAS ELIGIBILITY FEASIBILITY STUDY.—

“(1) IN GENERAL.—Not later than 30 months after the date of the enactment of this subsection,
the Secretary shall complete a feasibility study to assess the ability and preparedness of the freely associated States to operate—

“(A) the school lunch program authorized under this Act;

“(B) the child and adult care food program established by section 17 of this Act;

“(C) the summer food service program for children established by section 13 of this Act; and

“(D) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

“(2) CONTENTS.—In conducting the study described in paragraph (1), the Secretary shall consider—

“(A) any new or additional administrative processes and technology needed to implement each program listed under paragraph (1);

“(B) an assessment of preparedness to comply with management evaluations conducted by the Secretary, acting through the Administrator of the Food and Nutrition Service, and cooperate in Federal audits and evaluations;
“(C) administrative and financial capability to meet requirements of each program listed under paragraph (1);

“(D) ability to oversee each program listed under paragraph (1); and

“(E) any other relevant considerations, as determined by the Secretary.

“(3) FREELY ASSOCIATED STATE DEFINED.—In this subsection, the term ‘freely associated State’ means—

“(A) the Federated States of Micronesia;

“(B) the Republic of the Marshall Islands;

and

“(C) the Republic of Palau.”.

TITLE VIII—ADDRESSING LUNCH SHAMING AND UNPAID MEAL DEBT

SEC. 801. UNPAID MEAL DEBT.

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

(1) by striking “Except” and inserting the following:

“(i) IN GENERAL.—Except”;
(2) by redesignating clauses (i) and (ii) as subclauses (I) and (II); and

(3) by adding at the end the following:

“(ii) Retroactivity.—A local educational agency shall revise a previously submitted meal claim to reflect the eligibility approval of a child for free or reduced price meals for the period that begins on the first day of the current school year.

“(iii) Meal claim defined.—In this subsection, the term ‘meal claim’ means any documentation provided by a school food authority to a State agency in order to receive reimbursement for the cost of a meal served to a child by such school food authority.”.

(b) Reducing Stigma Associated With Unpaid School Meal Fees.—Section 9(b)(10) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(10)) is amended to read as follows:

“(10) Reducing stigma associated with unpaid school meal fees.—

“(A) Overt identification prohibited.—A local educational agency or school
food authority may not, based on the status of
a covered child as a covered child—

“(i) physically segregate or otherwise
discriminate against such covered child;

“(ii) overtly identify such covered
child—

“(I) through the use of special
tokens or tickets; or

“(II) by an announcement or a
published list of names; or

“(iii) identify or stigmatize such cov-
ered child by any other means.

“(B) ELIGIBILITY DETERMINATION BY
LOCAL EDUCATIONAL AGENCY.—For any cov-
ered child who is a member of a household that
owes a week or more of unpaid school meal
fees, a local educational agency shall—

“(i) attempt to directly certify such
covered child for free meals under para-
graph (4) or (5); or

“(ii) in a case where the local edu-
cational agency is not able to directly cer-
tify such covered child under paragraph
(4) or (5), provide to the household of such
covered child—
“(I) a household application and applicable descriptive material; and

“(II) written and oral communications to encourage submission of the application.

“(C) Collection of Unpaid School Meal Fees.—In attempting to collect unpaid school meal fees from a household, a local educational agency or school food authority may not—

“(i) except as described in subparagraph (D), direct any communication regarding unpaid school meal fees to a covered child who is a member of such household;

“(ii) withhold educational opportunities (including grades and participation in extracurricular activities or local educational agency programs or services) from, or otherwise stigmatize, a covered child due to the status of the covered child as a covered child; or

“(iii) use a debt collector (as such term is defined in section 803 of the Con-
sumer Credit Protection Act (15 U.S.C. 1692a)).

“(D) LETTERS.—A school food authority may require that a covered child deliver a sealed letter addressed to a parent or guardian of the covered child that contains a communication relating to unpaid school meal fees, subject to the condition that the letter shall not be distributed to the covered child in a manner that stigmatizes the covered child.

“(E) ELIMINATING STIGMA IN MEAL SERVICE.—In providing a meal to a covered child, a local educational agency or school food authority may not, based on the status of the covered child as a covered child, dispose of or take away from the covered child any food that has already been served to such covered child.

“(F) DEFINITIONS.—In this paragraph:

“(i) COVERED CHILD.—The term ‘covered child’ means a child who—

“(I) is enrolled in a school that participates in the school lunch program under this Act or the school breakfast program under section 4 of
the Child Nutrition Act of 1966 (42 U.S.C. 1773); and

“(II) is a member of a household that owes unpaid school meal fees.

“(ii) UNPAID SCHOOL MEAL FEES.—The term ‘unpaid school meal fees’ means outstanding fees owed by a household to a school food authority or local educational agency (or both) for lunches under this Act or breakfasts under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).”.

SEC. 802. NATIONAL ADVISORY COUNCIL ON UNPAID MEAL DEBT IN CHILD NUTRITION PROGRAMS.

(a) ESTABLISHMENT.—There is established a National Advisory Council on Unpaid Meal Debt in Child Nutrition Programs (in this section referred to as the “Council”).

(b) DUTIES.—The Council shall provide recommendations, in accordance with subsection (g), to the Administrator of the Food and Nutrition Service with respect to addressing unpaid school meal fees by ensuring that—

(1) students are not stigmatized; and
(2) school food authorities can maintain fiscal solvency in order to ensure the long-term viability of school meal programs.

(c) Membership.—

(1) NUMBER AND APPOINTMENT.—The Council shall be composed of 14 members appointed by the Secretary as follows:

(A) 2 members shall be school nutrition State agency directors who are employed in different States.

(B) 2 members shall be school food service directors of a school meal program in an urban area who are employed in different States.

(C) 2 members shall be school food service directors of a school meal program in a rural area who are employed in different States.

(D) 2 members shall be officials of the Food and Nutrition Service office of the Department of Agriculture.

(E) 2 members shall be parents or guardians (who are not related to one another or to the same child) of children who are eligible for free and reduced price school meals.
(F) 2 members shall represent organizations with expertise in the school meal programs.

(G) 2 members shall be food service professionals who—

(i) work in school cafeterias; and

(ii) maintain daily contact with students, including by preparing or serving meals or working at registers.

(2) TERMS.—

(A) IN GENERAL.—Each member shall be appointed for the life of the Council.

(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the life of the Council shall be appointed for the remainder of the life of the Council.

(d) COMPENSATION.—

(1) IN GENERAL.—Members shall serve without pay.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.
(3) Parents or guardians.—In the case of a member who is a parent or guardian appointed under subsection (c)(1)(E), such member, in addition to reimbursement under paragraph (2), shall, at the discretion of the Secretary, be compensated in advance for other personal expenses related to participation on the Council, including child care expenses and lost wages during scheduled Council meetings.

(4) Authorization of appropriations.—There are authorized to be appropriated to carry out this subsection $1,500,000, to remain available through the date described in subsection (h).

(e) Chairperson; Vice Chairperson.—

(1) Eligibility.—To be eligible for election to Chairperson or Vice Chairperson of the Council, an individual must be a member of the Council described in subsection (c)(1).

(2) Election.—The Chairperson and Vice Chairperson of the Council shall be elected by such members.

(f) Meetings.—

(1) In general.—The Council shall meet not fewer than 2 times per year at the call of the Chairperson.
(2) QUORUM.—5 members of the Council shall constitute a quorum.

(g) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the establishment of the Council under subsection (a), the Council shall submit to the Administrator of the Food and Nutrition Service a report containing the recommendations described in subsection (b).

(2) GUIDANCE.—Not later than 1 year after the submission of the report under paragraph (1), the Secretary, acting through the Administrator of the Food and Nutrition Service, shall use the recommendations contained in such report to issue guidance with respect to addressing unpaid school meal fees.

(h) TERMINATION.—The Council shall terminate on the date that is 1 day after the submission of the report required under subsection (g).

(i) TECHNICAL ASSISTANCE.—The Secretary shall provide the Council with such technical and other assistance, including secretarial and clerical assistance, as may be required to carry out its functions.

(j) UNPAID SCHOOL MEAL FEES DEFINED.—In this section, the term “unpaid school meal fees” means outstanding fees owed by a household to a local educational
agency for lunches under this Act or breakfasts under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

**TITLE IX—STRENGTHENING EVIDENCE-BASED NUTRITION STANDARDS**

**SEC. 901. UPDATING NUTRITION STANDARDS FOR MEAL PATTERNS.**

(a) **Nutrition Standards for School Meals.**—

(1) **Amendments to the Richard B. Russell National School Lunch Act.**—Section 9(f) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)) is amended—

(A) in paragraph (1)—

(i) by striking “Schools that are participating” and inserting the following:

“(A) **Schools Participating in Meal Programs.**—Schools that are participating”;

(ii) in subparagraph (B)—

(I) by striking “nutrient” and inserting “dietary”; and

(II) by striking “and food insecurity” and inserting “, food and nutrition insecurity, or chronic disease”;
(iii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly; and

(iv) by adding at the end the following:

“(B) Regulations.—

“(i) Proposed regulations.—Not later than 180 days after the first publication of the Dietary Guidelines for Americans under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) that occurs after the date of the enactment of this subparagraph, the Secretary shall promulgate proposed regulations to update the nutrition standards for the school lunch program authorized under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) to be consistent with the goals of such Guidelines.

“(ii) Final regulations.—

“(I) In general.—Not later than 180 days after promulgation of...
the proposed regulations under clause (i), the Secretary shall promulgate final regulations.

“(II) EFFECTIVE DATE.—The final regulations under this clause shall take effect on the first day of a school year (to be determined by the Secretary) that begins not earlier than 1 year and not later than 3 years following the date on which the regulations are finalized.

“(C) REVIEW.—Not less frequently than once every 10 years, or not later than 1 year after the publication of 2 consecutive updates to the Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), whichever occurs first, the Secretary shall promulgate regulations to update the nutrition standards for the school lunch program authorized under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) so that the standards are
consistent with the goals of the most recent Dietary Guidelines for Americans.”;

(B) in paragraph (2)—

(i) by striking “To assist schools in meeting the requirements of this subsection, the Secretary” and inserting “Assistance to schools.”;

(ii) in subparagraph (A)—

(I) by striking “shall” and inserting “ASSISTANCE REQUIRED.—To assist schools in meeting the requirements of this subsection, the Secretary shall”;

(II) in clause (i), by striking “and” at the end;

(III) in clause (ii), by striking “and” at the end; and

(IV) by adding at the end of subparagraph (A) the following:

“(iii) develop and provide to schools best practices, trainings (including peer-to-peer trainings), and other resources;

“(iv) implement healthier school environment recognition programs; and
“(v) work with food manufacturers and retailers to support development and increased availability and affordability of products that meet the nutrition standards.”;

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

“(B) ASSISTANCE PERMITTED.—

“(i) IN GENERAL.—To assist schools in meeting the requirements of this subsection, the Secretary may—

“(I) provide to schools information regarding other approaches, as determined by the Secretary; and

“(II) award grants and monetary incentives to carry out 1 or more of the following:

“(aa) Improving the nutritional quality of meals and snacks served under a child nutrition program.

“(bb) Enhancing the nutrition and wellness environment of institutions participating in a child nutrition program, includ-
ing by reducing the availability of less healthy foods during the school day.

“(ce) Supporting food systems that supply nutritious foods and beverages for children in both schools and retail markets, including those in underserved communities.

“(dd) Funding a statewide nutrition education coordinator to support individual school food authority nutrition education efforts and to facilitate collaboration with other nutrition education efforts in the State.

“(ii) RECIPIENTS.—Grants provided clause (i) may be made available to third party entities that have experience working with school food service personnel participating in the school lunch program authorized under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) to provide technical assist-
ance to schools in meeting the goals of this
subparagraph.”; and
(iv) by adding at the end the fol-
lowing:
“(C) FUNDING.—In addition to amounts
otherwise available, out of any money in the
Treasury not otherwise appropriated, to remain
available until expended, there is appropriated
to the Secretary—
“(i) for fiscal year 2023, $3,000,000;
and
“(ii) for each fiscal year thereafter,
$3,000,000, adjusted for inflation on each
October 1 in accordance with section
11(a)(3)(B) to provide—
“(I) technical assistance and
evaluation with respect to the activi-
ties described in clauses (i) through
(iv) of subparagraph (A) and clauses
(i) and (ii) of paragraph (B); and
“(II) grants and monetary incen-
tives described in clause (i) of para-
graph (B).”; and
(C) by striking paragraphs (3) and (4).
(2) Amendments to the Child Nutrition Act of 1966.—Section 10(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1779) is amended—

(A) by striking “(b) National School Nutrition Standards.—”;

(B) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting “that are consistent with the goals of the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341)” after “nutrition standards”; and

(bb) by striking “; and” and inserting a period;

(II) by striking “Secretary shall—” and inserting “Secretary shall”;

(III) by striking “(i) establish science-based” and inserting “establish science-based”; and
(IV) by striking clause (ii);

(ii) by striking subparagraph (D);

(iii) by redesignating paragraph (1) as subsection (b) and adjusting the margins accordingly; and

(iv) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and adjusting the margins accordingly;

(C) by adding at the end of subsection (b) (as so redesignated) the following:

“(4) UPDATING STANDARDS.—

“(A) PROPOSED REGULATIONS.—Not later than 180 days after the first publication of the Dietary Guidelines for Americans under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) that occurs after the date of the enactment of this paragraph, the Secretary shall promulgate proposed regulations to update the school nutrition standards and requirements established under this subsection so that the standards and requirements are consistent with the goals of such Guidelines.

“(B) FINAL REGULATIONS.—
“(i) IN GENERAL.—Not later than 180 days after promulgation of the proposed regulations under subparagraph (A), the Secretary shall promulgate final regulations.

“(ii) EFFECTIVE DATE.—The final regulations under this subparagraph shall take effect on the first day of the school year that begins not earlier than 1 year and not later than 2 years following the date on which the regulations are finalized.

“(5) REVIEW.—Not less frequently than once every 10 years, or not later than 1 year after the publication of two consecutive updates to the Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), whichever occurs first, the Secretary shall promulgate regulations to update the school nutrition standards and requirements established under this subsection so that the standards and requirements are consistent with the goals of the most recent Dietary Guidelines for Americans.”; and

(D) by striking paragraph (2).
(3) **Applicability.**—This subsection and the amendments made by this subsection shall apply on and after the date on which the first publication of the Dietary Guidelines for Americans under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) occurs after the date of the enactment of this Act.

**SEC. 902. NON-NUTRITIVE SWEETENERS, SYNTHETIC DYES, AND OTHER POTENTIALLY HARMFUL SUBSTANCES IN SCHOOL MEALS.**

(a) **In General.**—Not later than 6 months after the date of the enactment of this section, the Secretary shall seek to enter into an agreement with the National Academy of Sciences, Engineering, and Medicine (referred to in this section as the “National Academy”) under which the National Academy shall create and publish the report described in subsection (b).

(b) **Report.**—The report shall include recommendations for changes to the nutrition standards for the school lunch program authorized under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) with respect to non-nutritive sweeteners, synthetics dyes, and other potentially harmful substances in school meals.
(c) Publication.—

(1) National Academy.—Not later than 1 year after the date on which the Secretary and the National Academy enter into the agreement described in subsection (a), the National Academy shall—

(A) submit the report to the Secretary;

and

(B) publish the report.

(2) Secretary.—Not later than 30 days after the submission of the report under paragraph (1)(A), the Secretary shall make such report publicly available in an easily identifiable place on the website of the Department.

(d) Non-Nutritive Sweeteners, Synthetic Dyes, and Other Potentially Harmful Substances Standards.—Not later than 18 months after the submission of the report under subsection (c)(1)(A), the Secretary may promulgate proposed regulations to include standards for non-nutritive sweeteners, synthetic dyes, and other potentially harmful substances for the school lunch program authorized under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast program established by sec-

**TITLE X—OTHER MATTERS**

**Subtitle A—Programs Under the Richard B. Russell National School Lunch Act**

**SEC. 1001. ACCOMMODATING DIETARY REQUIREMENTS.**

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

1. in paragraph (1)(B), by striking “lower-fat versions of foods commonly used in the school lunch program under this Act” and inserting “foods that comply with the meal patterns prescribed by the Secretary”; and

2. in paragraph (2)—

   (A) by amending subparagraph (A)(iii) to read as follows:

   “(iii) as a reasonable accommodation under the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), shall provide a substitute for fluid milk for a student whose disability restricts their diet.”; and
(B) by amending subparagraph (B) to read as follows:

“(B) Other Substitutions.—

“(i) Standards for Required Substitution.—

“(I) A school shall substitute, for the fluid milk provided under subparagraph (A), a nondairy beverage that meets the nutritional needs of a student for whom fluid milk is not nutritionally appropriate due to a medical or other special dietary need other than a disability described in subparagraph (A)(iii), as determined by the school in consultation with the parent or legal guardian of such student.

“(II) A school shall substitute, for the fluid milk provided under subparagraph (A), a nondairy beverage that meets the nutrition standards for the school lunch program authorized under this Act and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) if the substitution is
requested by written statement by a
parent or legal guardian of such stu-
dent.

“(ii) Standards for discretionary
substitution.—A school may offer all
students a nondairy beverage as a sub-
stitute for fluid milk that meets the nutri-
tion standards for the school lunch pro-
gram authorized under this Act and the
school breakfast program established by
section 4 of the Child Nutrition Act of

“(iii) Excess expenses.—Except as
provided in clause (iv), expenses incurred
by providing substitutions under clauses (i)
and (ii) that are in excess of expenses cov-
ered by reimbursements under this Act
shall be paid by the school food authority.

“(iv) Pilot program.—

“(I) Program authorized.—
Not later than 90 days after the date
of the enactment of this subpara-
graph, the Secretary shall establish
and carry out a pilot grant program
to award grants to eligible school food
authorities to carry out subclause (III).

“(II) PRIORITY.—In awarding grants under this clause, the Secretary may give priority to—

“(aa) an eligible school food authority that serves high proportions of children who demonstrate high rates of lactose intolerance; and

“(bb) an eligible school food authority that—

“(AA) submits, as part of the application for a grant, a need for nondairy beverages among its student population due to dietary reasons; and

“(BB) demonstrates a need for providing nondairy beverages to children by serving a sufficient number (as determined by the Secretary) of such children.
“(III) USE OF FUNDS.—A school food authority shall use grant funds awarded under this clause to reimburse the full cost of providing nondairy beverages as substitutes for fluid milk under clause (i)(I) incurred by such school food authority.

“(IV) REPORTS.—

“(aa) ANNUAL REPORT BY SCHOOL FOOD AUTHORITY.—Not later than 1 year after receiving a grant under this clause, and on an annual basis for the duration of the pilot program thereafter, a school food authority shall submit to the Secretary a report on the pilot grant program, including information with respect to—

“(AA) the number of schools served by the school food authority pursuant to the grant; and

“(BB) the number of students served by the
school food authority pursuant to the grant.

“(bb) Final report by school food authority.—The report that is the final report submitted under item (aa) shall include, in addition to the information required under subitems (AA) and (BB) of such item—

“(AA) the number of nondairy beverages as substitutes for fluid milk that the school food authority served during the grant period; compared with

“(BB) the number of nondairy beverages as substitutes for fluid milk that the school food authority served during the school year immediately preceding the start of the grant period.

“(ce) Report by the secretary.—Not later than 6 months after the date described
in subclause (V), the Secretary shall submit to Congress a report that includes a summary of the information included in the reports received under this subclause and any such information with respect to the pilot program the Secretary determines to be relevant.

“(V) SUNSET.—The authority to carry out this clause shall terminate on the date that is 3 years after the date of the enactment of this subparagraph.

“(VI) ELIGIBLE SCHOOL FOOD AUTHORITY DEFINED.—In this clause, the term ‘eligible school food authority’ means a school food authority for which 50 percent or more of the students served by such school food authority are eligible for free or reduced price lunch under this Act or free or reduced price breakfast under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).
“(VII) Authorization of Appropriations.—There is authorized to be appropriated to carry out this clause $2,000,000 for fiscal year 2024, to remain available until the date described in subclause (V).”.

SEC. 1002. DATA PROTECTIONS FOR HOUSEHOLD APPLICATIONS.

Section 9(b)(3)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(3)(B)) is amended by adding at the end the following:

“(iii) Confidentiality standards.—The confidentiality standards established by the Secretary shall ensure—

“(I) the maintenance of reasonable and appropriate administrative, technical, and physical safeguards to ensure the integrity and confidentiality of information submitted through electronic applications described in clause (ii);

“(II) protection against security threats or unauthorized uses or disclosures of the information submitted
through such electronic applications;
and
“(III) that data collected by such electronic applications shall be used only as permitted under paragraph (6).”.

SEC. 1003. EATING DISORDER PREVENTION.

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

(1) in subsection (b)—

(A) in paragraph (1), by inserting “mental health promotion and education, including awareness of eating disorders” after “physical activity,”;

(B) in paragraph (2)(B), by striking “childhood obesity” and inserting “diet-related illnesses”; and

(C) in paragraph (3), by inserting “school-based registered dietitians, school-based mental health services providers,” after “school administrators,”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “and the Administrator of the Substance Abuse and Mental
Health Services Administration” after "Prevention”; and
(ii) by inserting “, school health professionals (including school-based mental
health services providers when available)” after “school food authorities”;
(B) by amending paragraph (2)(C) to read as follows:
“(C) includes such other technical assistance as is required to—
“(i) promote sound nutrition and establish healthy school nutrition environ-
ments; and
“(ii) promote mental health, encourage mental health assessments, and estab-
lish resilient school environments; and”; and
(C) in paragraph (3)—
(i) in subparagraph (A)—
(I) by striking “conjunction” and inserting “consultation”; and
(II) by inserting “and the Assistant Administrator of the Substance Abuse
and Mental Health Services Adminis-
180
	
tration” after “Centers for Disease

Control and Prevention”;

(ii) in subparagraph (C), by striking

“January 1, 2014,” and inserting “4 years

after the date on which funds are first ap-

propriated to carry out this section after

the date of the enactment of the Healthy

Meals, Healthy Kids Act,”; and

(iii) in subparagraph (D)—

(I) by striking “$3,000,000” and

inserting “$5,000,000”; and

(II) by striking “2011” and in-

serting “2024”.

SEC. 1004. COMPLIANCE AND ACCOUNTABILITY.

Section 22(d) of the Richard B. Russell National

School Lunch Act (42 U.S.C. 1769c) is amended by strik-

ing “fiscal years 2011 through 2015” and inserting “fiscal

years 2023 through 2028”.

SEC. 1005. NATIONAL HUNGER HOTLINE AND CLEARING-

HOUSE.

Section 26(d) of the Richard B. Russell National

School Lunch Act (42 U.S.C. 1769g(d)) is amended by

striking “$250,000 for each of fiscal years 2010 through

2023” and inserting “$500,000 for each of fiscal years

2023 through 2028”.
SEC. 1006. ENSURING ADEQUATE MEAL TIME.

The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) is amended by adding at the end the following:

“SEC. 30. MEAL TIME STUDY AND GUIDANCE.

“(a) Study.—The Secretary shall—

“(1) not later than 1 year after the date on which funds are first appropriated under subsection (c), enter into an agreement with an independent, nonpartisan, science-based research organization to carry out a study on the time lunches are served, recess is offered, and the duration of lunch periods at schools participating in the school lunch program under this Act; and

“(2) not later than 4 years after the date on which funds are first appropriated under subsection (c), publish on the publicly available website of the Department a report that includes the findings of the study required under paragraph (1).

“(b) Development and Dissemination of Best Practices.—The Secretary shall—

“(1) not later than 1 year after the date on which the report required under subsection (a)(2) is published, in coordination with the Secretary of Education, establish a task force to—

“(A) review such report;
“(B) review other research relating to the time lunches are served, recess is offered, and the duration of lunch periods in schools; and

“(C) develop best practices with respect to the time lunches are served, recess is offered, and the duration of lunch periods in schools to ensure student health, including appropriate nutritional intake; and

“(2) not later than 2 years after the date on which the report required under subsection (a)(2) is published—

“(A) review the best practices developed under paragraph (1)(C); and

“(B) issue guidance with respect to such best practices to schools participating in the school lunch program under this Act.

“(c) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $1,000,000 for fiscal year 2024, to remain available until expended.”.

Subtitle B—Programs Under the Child Nutrition Act of 1966

SEC. 1011. ENHANCING NUTRITION EDUCATION.

Section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1788) is amended—
(1) in subsection (a)—

(A) in paragraph (3), by inserting “, including training on scratch cooking,” after “provide training”; and

(B) in paragraph (5), by striking “helping children to maintain a healthy weight by”;

(2) in subsection (h)—

(A) in paragraph (5)(B)—

(i) in clause (i)—

(I) by striking “educate” and inserting “conduct evidence-based nutrition education for”; and

(II) by striking “of a poor diet and inactivity to obesity and other health problems” and inserting “between diet, activity, and health”;

(ii) in clause (iv), by inserting “other classroom education,” after “health education,”;

(iii) in clause (viii), by striking “and” at the end;

(iv) in clause (ix), by striking the period at the end and inserting “; and”; and

(v) by adding at the end the following:

“(x) conduct projects that—
“(I) hire qualified food and nutrition educators to carry out programs in schools; and

“(II) have the goal of improving student health and nutrition through such programs.”; and

(B) by striking paragraph (6);

(3) by striking subsection (k); and

(4) by redesignating subsection (l) as subsection (k).

Subtitle C—Improving Food Donations

SEC. 1021. FOOD DONATION IN SCHOOLS.

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

(1) in paragraph (1)—

(A) by striking “local educational agency” and inserting “school food authority”;

(B) by striking “eligible local food banks or charitable organizations” and inserting “nonprofit organizations or individuals in need as determined by such school or school food authority”;

(C) by striking “GENERAL.—Each” and inserting the following: “GENERAL.—
“(A) Food donations permissible.—

Each”; and

(D) by adding at the end the following:

“(B) Use of school campus.—The food

donated by a school through the school food au-

thority serving such school pursuant to this

paragraph may be received, stored, and distrib-

uted on the campus of such school.”;

(2) in paragraph (2)(A), by striking “local edu-

cational agencies” in each place it appears and in-

serting “school food authorities”; 

(3) in paragraph (3), by striking “local edu-

cational agency” and inserting “school food author-

ity”; and

(4) by amending paragraph (4) to read as fol-

lows:

“(4) Definition.—In this subsection, the term

‘nonprofit organization’ means an incorporated or

unincorporated entity that—

“(A) is operating for religious, charitable,

or educational purposes; and

“(B) does not provide net earnings to oper-

ate in any other manner that inures to the ben-

efit of any officer, employee, or shareholder of

the entity.”.
SEC. 1022. BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT.

Section 22 of the Child Nutrition Act of 1966 (42 U.S.C. 1791) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “quality and labeling” and inserting “safety and safety-related labeling”; and

(ii) by inserting “being past date label,” after “surplus,”;

(B) in paragraph (2)—

(i) by striking “quality and labeling” and inserting “safety and safety-related labeling”; and

(ii) by inserting “being past date label,” after “surplus,”;

(C) in paragraph (3), by adding “or is charged a good Samaritan Reduced Price” before the period at the end;

(D) in paragraph (4), by striking “for human” and inserting the following: “for—

“(A) human consumption; or

“(B) pet, emotional support animal, or service animal consumption.”;
(E) in paragraph (6), by adding “pet supply,” after “cleaning product,;”

(F) in paragraph (10), by inserting “pet food supplier, school, school food authority,” after “caterer, farmer,”;

(G) by adding at the end the following:

“(11) EMOTIONAL SUPPORT ANIMAL.—The term ‘emotional support animal’ means an animal that is covered by the exclusion specified in section 5.303 of title 24, Code of Federal Regulations (or a successor regulation) and that is not a service animal.

“(12) GOOD SAMARITAN REDUCED PRICE.—The term ‘good Samaritan reduced price’ means, with respect to an apparently wholesome food or an apparently fit grocery product, a price that is an amount not greater than the cost of handling, administering, and distributing such food or grocery product.

“(13) PET.—The term ‘pet’ means a domesticated animal that is kept for pleasure rather than for commercial purposes.

“(14) PET SUPPLIES.—The term ‘pet supplies’ means tangible personal property used for the caring of pets.
“(15) Qualified direct donor.—The term ‘qualified direct donor’ means a retail grocer, wholesaler, agricultural producer, restaurant, caterer, school food authority, or institution of higher education (as defined in section 101 or 102(a)(1)(B) of the Higher Education Act of 1965 (20 U.S.C. 1001; 1002(a)(1)(B))).

“(16) Service animal.—The term ‘service animal’ has the meaning given the term in section 36.104 of title 28, Code of Federal Regulations (or a successor regulation).”; and

(H) by reordering paragraphs (1) through (10) and the paragraphs added by subparagraph (G) of this paragraph in alphabetical order based on the headings of such paragraphs, and renumbering such paragraphs as so reordered;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting “or State or unit of local government” after “nonprofit organization”; and

(ii) by inserting “or sale at a good Samaritan reduced price” after “ultimate distribution”;
(B) in paragraph (2), by inserting ‘‘or sale at a good Samaritan reduced price’’ after ‘‘ultimate distribution’’;

(C) by adding at the end the following:

‘‘(3) LIABILITY OF STATE OR UNIT OF LOCAL GOVERNMENT.—A State or unit of local government shall not be subject to liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the State or unit of local government received as a donation in good faith from a person, gleaner, or nonprofit organization for ultimate distribution to needy individuals.

‘‘(4) DIRECT DONATIONS TO NEEDY INDIVIDUALS.—A qualified direct donor shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the qualified direct donor donates in good faith to needy individuals.’’;

(D) by redesignating paragraph (3) as paragraph (5); and

(E) in paragraph (5), as so redesignated by subparagraph (D)—
(i) by striking “Paragraphs (1) and 
(2)” and inserting “Paragraphs (1), (2), 
(3), and (4)”; and 

(ii) by inserting “qualified direct 
donor, State or local government,” after 
“person, gleaner,”; and 

(3) in subsection (e), by inserting “or State or 
unit of local government” after “the nonprofit orga-
nization”.

SEC. 1023. REGULATIONS.

Not later than 180 days after the date of the enact-
ment of this section, the Secretary shall—

(1) in consultation with the Secretary of Health 
Human Services, issue regulations with respect to 
the safety and safety-related labeling standards of 
apparently wholesome food and an apparently fit 
grocery product under section 22 of the Child Nutri-
tion Act of 1966 (42 U.S.C. 1791); and 

(2) issue guidance with respect to section 22 of 
the Child Nutrition Act of 1966 (42 U.S.C. 1791), 
including promoting awareness of food donation 
under such section.
Subtitle D—Miscellaneous

SEC. 1031. TECHNICAL AMENDMENTS.

(a) Committee on Education and Labor.—The following Acts are amended by striking “Committee on Education and the Workforce” each place such term appears in heading and text and inserting “Committee on Education and Labor”:


(b) Other Amendments.—Section 17(h)(4)(A)(vi) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(4)(A)(vi)) is amended by striking “and” at the end.

(c) Citation to Section 504 of Rehabilitation Act of 1973.—Section 12(d)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)(3)) is amended by striking “in the” and all that follows through the period at the end and inserting “in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).”