

114TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hunger Free Summer
5 for Kids Act of 2015”.

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

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

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

1 “(13) ALTERNATIVE OPTIONS FOR PROGRAM
2 DELIVERY.—

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

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

12 “(ii) off-site consumption in accord-
13 ance with subparagraph (D).

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

17 “(i) to increase program effectiveness
18 and efficiency;

19 “(ii) to improve child nutrition; and

20 “(iii) to reduce food insecurity among
21 children.

22 “(C) ELECTRONIC BENEFIT TRANSFER
23 CARD.—

24 “(i) IN GENERAL.—As an alternative
25 to the meals provided by eligible service in-

1 stitutions and private nonprofit organiza-
2 tions at congregate feeding sites, the Sec-
3 retary shall establish an option for States,
4 beginning in summer 2018, to issue EBT
5 cards to children eligible to participate in
6 the program.

7 “(ii) AMOUNT.—

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

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

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

22 “(iii) TIMING OF ISSUANCE.—EBT
23 cards under this subparagraph may be
24 used only when school is out of session for

1 the summer period, as defined by the Sec-
2 retary.

3 “(iv) USE OF BENEFITS.—

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

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

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

24 “(I) EBT cards are issued only
25 to children residing—

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

3 “(bb) outside an area in
4 which poor economic conditions
5 exist;

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

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

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

20 “(V) EBT cards are issued only
21 to children who have been determined
22 to be eligible for free or reduced price
23 school meals under this Act and the
24 Child Nutrition Act of 1966 (42
25 U.S.C. 1771 et seq.).

1 “(D) OFF-SITE CONSUMPTION.—

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

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

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

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

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

20 “(aa) the site is closed due
21 to extreme weather conditions;

22 “(bb) violence or other pub-
23 lic safety concerns in the area
24 prevent the child from traveling
25 safely to the site;

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

3 “(dd) the site only provides
4 1 meal per day.

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

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

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

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

21 “(i) permit States to operate either al-
22 ternative option but prohibit States from
23 operating both alternative delivery options
24 simultaneously in the same area; and

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

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

11 (A) by striking “and (6)” and inserting
12 “(6)”; and

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