

114TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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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 \_\_\_\_\_

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**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).”.