

116TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. BOOZMAN (for himself, Mr. LEAHY, Mr. McCONNELL, Mr. BROWN, Mrs. HYDE-SMITH, Mr. BENNET, and Mr. HOEVEN) 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 summer food service 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 2019”.

6 **SEC. 2. ALTERNATIVE OPTIONS FOR SUMMER FOOD SERV-**
7 **ICE PROGRAM DELIVERY.**

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

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

3 “(13) ALTERNATIVE OPTIONS FOR PROGRAM
4 DELIVERY.—

5 “(A) PURPOSE.—The purpose of this para-
6 graph is to establish the alternative program
7 delivery options described in subparagraph
8 (B)—

9 “(i) to provide meals to children that
10 do not have readily available access to
11 meals otherwise provided under this sec-
12 tion; and

13 “(ii)(I) to increase program participa-
14 tion, effectiveness, and efficiency;

15 “(II) to improve child nutrition; and

16 “(III) to reduce food insecurity among
17 children.

18 “(B) ALTERNATIVE OPTIONS.—The Sec-
19 retary shall establish the following 2 alternative
20 options for program delivery:

21 “(i) Provision of an electronic benefit
22 card (referred to in this paragraph as an
23 ‘EBT card’) in accordance with subpara-
24 graph (C).

1 “(ii) Off-site consumption in accord-
2 ance with subparagraph (D).

3 “(C) EBT CARD.—

4 “(i) IN GENERAL.—Beginning not
5 later than summer 2022, the Secretary
6 shall make available an option to States to
7 provide program meals under this section
8 through the issuance to children of EBT
9 cards.

10 “(ii) AMOUNT.—

11 “(I) IN GENERAL.—Subject to
12 subclause (III), the value of an EBT
13 card provided under this subpara-
14 graph to a child shall be \$30 per
15 month.

16 “(II) ANNUAL LIMITATION.—No
17 child shall receive benefits under this
18 subparagraph in an amount greater
19 than \$100 in any summer period, as
20 defined by the Secretary.

21 “(III) ADJUSTMENT.—On Janu-
22 ary 1 of each year, the Secretary shall
23 adjust the values described in sub-
24 clauses (I) and (II) by the same per-

1 centage as the adjustment made
2 under subsection (b)(1)(B).

3 “(iii) 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 supplemental nu-
9 trition assistance program established
10 under the Food and Nutrition Act of
11 2008 (7 U.S.C. 2011 et seq.).

12 “(II) BENEFIT REDEMPTION.—A
13 retail store shall redeem EBT card
14 benefits under this subparagraph in
15 the same manner that benefits are re-
16 deemed under the supplemental nutri-
17 tion assistance program described in
18 subclause (I).

19 “(III) TIMING.—An EBT card
20 issued under this subparagraph may
21 be used by a child only when school is
22 out of session for the summer period,
23 as defined by the Secretary.

1 “(D) OFF-SITE CONSUMPTION.—

2 “(i) IN GENERAL.—Beginning not
3 later than summer 2022, the Secretary
4 shall make available an option to States to
5 provide program meals under this section
6 through service institutions that provide
7 off-site consumption.

8 “(ii) AVAILABILITY.—In admin-
9 istering this subparagraph, the Secretary
10 shall ensure that off-site consumption is
11 only available to a child if—

12 “(I) the child is determined to be
13 eligible for a free or reduced price
14 lunch under this Act and a free or re-
15 duced price breakfast under section 4
16 of the Child Nutrition Act of 1966
17 (42 U.S.C. 1773); and

18 “(II) not less than 1 of the con-
19 ditions described in clause (iii) is
20 present.

21 “(iii) CONDITIONS.—The conditions
22 referred to in clause (ii)(II) are the fol-
23 lowing:

24 “(I) The child lives in a rural
25 area, as determined by the Secretary.

1 “(II) The child lives outside an
2 area in which poor economic condi-
3 tions exist.

4 “(III) The program is available
5 to the child at a congregate feeding
6 site but—

7 “(aa) the site is closed due
8 to extreme weather conditions;

9 “(bb) violence or other pub-
10 lic safety concerns in the area
11 prevent the child from traveling
12 safely to the site;

13 “(cc) the site is open not
14 more than 4 days a week; or

15 “(dd) the site provides only
16 1 meal per day.

17 “(iv) ADMINISTRATION.—In admin-
18 istering this subparagraph, the Secretary
19 shall ensure that—

20 “(I) in the case of off-site con-
21 sumption under the condition de-
22 scribed in clause (iii)(III)(cc), the
23 number of reimbursable meals served
24 to each child in a single meal service
25 is not more than 2;

1 “(II) any meal served by a serv-
2 ice institution through off-site con-
3 sumption meets the same standards
4 for safety and quality as a meal
5 served at a congregate feeding site;
6 and

7 “(III) each State gives priority to
8 a child living in an area in which a
9 congregate feeding site is not reason-
10 ably accessible, as determined by the
11 Secretary.

12 “(E) SCOPE.—Under this paragraph, a
13 State—

14 “(i) may implement an alternative op-
15 tion described in subparagraph (B) in any
16 area described in subitem (AA) or (BB) of
17 subparagraph (C)(iv)(I)(aa) in the State;
18 but

19 “(ii) shall not simultaneously imple-
20 ment both alternative options described in
21 subparagraph (B) in the same area in the
22 State.

23 “(F) REGULATIONS.—Not later than Octo-
24 ber 1, 2021, the Secretary shall promulgate

1 regulations, with an opportunity for notice and
2 comment—

3 “(i) to ensure the integrity of the al-
4 ternative options for program delivery de-
5 scribed in subparagraph (B); and

6 “(ii) to prevent duplication in benefits
7 received under this paragraph.”; and

8 (2) in subsection (n)—

9 (A) by striking “and (6)” and inserting
10 “(6)”; and

11 (B) by striking the period at the end and
12 inserting “; and (7) the plans of the State for
13 using the alternative options for program deliv-
14 ery described in subsection (a)(13), if applica-
15 ble.”.