

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8450
OFFERED BY MS. BONAMICI OF OREGON**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Healthy Meals, Healthy Kids Act”.

4 (b) TABLE OF CONTENTS.—The table of contents of
5 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.

1 SEC. 2. DEFINITION OF SECRETARY.

2 In this Act, the term “Secretary” means the Sec-
3 retary of Agriculture.

1 **TITLE I—EXPANDING ACCESS TO**
2 **SCHOOL MEALS**

3 **SEC. 101. EMERGENCY WAIVERS OR MODIFICATIONS.**

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

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

8 “(k) EMERGENCY WAIVERS OR MODIFICATIONS.—

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

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

21 “(B) a State or eligible service provider re-
22 quests a waiver in a format prescribed by the
23 Secretary;

24 “(C) in the case of a request by an eligible
25 service provider under subparagraph (B), the

1 State in which such eligible service provider is
2 located includes a statement of support or oppo-
3 sition with respect to the request; and

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

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

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

11 “(2) NATIONWIDE, REGIONAL, AND STATE-
12 WIDE BASIS.—Except as provided in paragraph (3),
13 during an emergency period, the Secretary may
14 waive (including by modifying) any requirement
15 under this Act or the Child Nutrition Act of 1966
16 (42 U.S.C. 1771 et seq.), or any regulation issued
17 under either such Act, on a nationwide, regional, or
18 State-wide basis if the Secretary determines that the
19 waiver would facilitate the ability of States or eligi-
20 ble service providers to carry out the purpose of such
21 Acts.

22 “(3) DURATION.—A waiver established under
23 this subsection may be available for a period of not
24 greater than the emergency period and the 90 days
25 after the end of the emergency period.

1 “(4) LIMITATIONS.—A waiver under this sub-
2 section is subject to the limitations in subsection
3 (1)(4).

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

5 “(A) ELIGIBLE SERVICE PROVIDER.—The
6 term ‘eligible service provider’ has the meaning
7 given the term in subsection (1).

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

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

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

19 “(iii) a public health emergency de-
20 clared by the Secretary of Health and
21 Human Services under section 319 of the
22 Public Health Service Act (42 U.S.C.
23 247d); or

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

4 (2) in subsection (l)—

5 (A) in paragraph (1)(A)—

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

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

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

21 “(i) a State or eligible service provider requests
22 the waiver;”;

23 (B) by striking paragraph (2)(B) and in-
24 serting the following:

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

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

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

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

8 “(I) the State; or

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

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

14 (C) in paragraph (4)(A), by striking “con-
15 tent of meals served” and inserting “stand-
16 ards”; and

17 (D) in paragraph (7), by striking subpara-
18 graphs (A) through (C) and inserting the fol-
19 lowing:

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

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

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

1 **SEC. 102. DIRECT CERTIFICATION FOR CHILDREN RECEIV-**
2 **ING MEDICAID BENEFITS.**

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

5 (1) in subsection (b)—

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

8 “(5) DISCRETIONARY CERTIFICATION.—

9 “(A) FREE LUNCHESES OR BREAKFASTS.—
10 Subject to paragraph (6), any local educational
11 agency may certify any child as eligible for free
12 lunches or breakfasts, without further applica-
13 tion, by directly communicating with the appro-
14 priate State or local agency to obtain docu-
15 mentation of the status of the child as—

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

21 “(ii) a homeless child or youth (de-
22 fined as 1 of the individuals described in
23 section 725(2) of the McKinney-Vento
24 Homeless Assistance Act (42 U.S.C.
25 11434a(2));

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

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

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

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

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

18 “(B) REDUCED PRICE LUNCHESES OR
19 BREAKFASTS.—Subject to paragraph (6), any
20 local educational agency may certify any child
21 who is not eligible for free lunches or breakfasts
22 as eligible for reduced price lunches or break-
23 fasts, without further application, by directly
24 communicating with the appropriate State or
25 local agency to obtain documentation of the sta-

1 tus of the child as a child eligible for reduced
2 price meals (as defined in paragraph
3 (15)(A)).”;

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

7 (C) in paragraph (15)—

8 (i) in subparagraph (A)—

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

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

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

16 “(bb) who is a member of a fam-
17 ily with an income as measured by the
18 Medicaid program that does not ex-
19 ceed 133 percent of the poverty line
20 (as determined under the poverty
21 guidelines updated periodically in the
22 Federal Register by the Department
23 of Health and Human Services under
24 the authority of section 673(2) of the
25 Community Services Block Grant Act

1 (42 U.S.C. 9902(2), including any re-
2 vision required by such section)) ap-
3 plicable to a family of the size used
4 for purposes of determining eligibility
5 for the Medicaid program;

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

16 “(III) who is eligible for the
17 Medicaid program because such child
18 receives an adoption assistance pay-
19 ment made under section 473(a) of
20 the Social Security Act (42 U.S.C.
21 673(a)) or under a similar State-fund-
22 ed or State-operated program, as de-
23 termined by the Secretary;

24 “(IV) who is eligible for the Med-
25 icaid program because such child re-

1 ceives a kinship guardianship assist-
2 ance payment made under section
3 473(d) of the Social Security Act (42
4 U.S.C. 673(d)) or under a similar
5 State-funded or State-operated pro-
6 gram, as determined by the Secretary,
7 without regard to whether such child
8 was previously in foster care; or

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

15 (II) by adding at the end the fol-
16 lowing:

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

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

23 “(bb) who is a member of a fam-
24 ily with an income as measured by the
25 Medicaid program that is greater than

1 133 percent but does not exceed 185
2 percent of the poverty line (as deter-
3 mined under the poverty guidelines
4 updated periodically in the Federal
5 Register by the Department of Health
6 and Human Services under the au-
7 thority of section 673(2) of the Com-
8 munity Services Block Grant Act (42
9 U.S.C. 9902(2), including any revision
10 required by such section)) applicable
11 to a family of the size used for pur-
12 poses of determining eligibility for the
13 Medicaid program; or

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

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

22 (iii) in subparagraph (F)—

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

1 (II) by striking “conducting the
2 demonstration project under this
3 paragraph” and inserting “carrying
4 out this paragraph”; and

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

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

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

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

22 “(ii) a child eligible for reduced price
23 meals may be certified for reduced price
24 lunches under this Act and reduced price
25 breakfasts under section 4 of the Child

1 Nutrition Act of 1966 (42 U.S.C. 1773),
2 without further application (as defined in
3 paragraph (4)(G)).”;

4 (2) by amending subparagraph (E) of sub-
5 section (b)(4) to read as follows:

6 “(E) PERFORMANCE IMPROVEMENT
7 GRANTS.—

8 “(i) IN GENERAL.—For each school
9 year beginning after July 1, 2023, the Sec-
10 retary shall offer performance improve-
11 ment grants and technical assistance to
12 State agencies or Tribal organizations (as
13 defined in section 4 of the Indian Self-De-
14 termination and Education Assistance Act
15 (25 U.S.C. 5304)) to increase the percent-
16 age of children eligible for direct certifi-
17 cation under this paragraph or paragraph
18 (5) who are certified in accordance with
19 this paragraph or paragraph (5).

20 “(ii) REQUIREMENTS.—For each
21 school year described in clause (i), the Sec-
22 retary shall—

23 “(I) consider State data from the
24 prior school year, including estimates
25 contained in the report required under

1 section 4301 of the Food, Conserva-
2 tion, and Energy Act of 2008 (42
3 U.S.C. 1758a);

4 “(II) make performance improve-
5 ment grants to States and Tribal or-
6 ganizations to increase the percentage
7 of children eligible for direct certifi-
8 cation under this paragraph or para-
9 graph (5) who are certified in accord-
10 ance with this paragraph or para-
11 graph (5); and

12 “(III) provide technical assist-
13 ance to the recipients of grants under
14 this subparagraph, and other eligible
15 entities, as appropriate, in improving
16 the rates of direct certification.

17 “(iii) USE OF FUNDS.—An eligible en-
18 tity that receives a grant under clause (i)
19 shall use the grant funds to pay costs re-
20 lating to improving the rate of direct cer-
21 tification in the State or Indian Tribe, as
22 applicable, including the cost of—

23 “(I) improving technology relat-
24 ing to direct certification;

1 “(II) providing technical assist-
2 ance to local educational agencies;

3 “(III) implementing or improving
4 a direct certification system or process
5 in the State (including at local edu-
6 cational agencies in the State) or In-
7 dian Tribe, including the cost of
8 equipment;

9 “(IV) establishing or improving
10 the rate of direct certification of chil-
11 dren that are members of households
12 receiving assistance under the food
13 distribution program on Indian res-
14 ervations under section 4(b) of the
15 Food and Nutrition Act of 2008 (7
16 U.S.C. 2013(b)); and

17 “(V) coordinating with multiple
18 public benefits programs to increase
19 the rate of direct certification, includ-
20 ing by conducting feasibility studies
21 and demonstration projects under sec-
22 tion 18(e) of this Act.

23 “(iv) FUNDING.—

24 “(I) IN GENERAL.—On October
25 1, 2022, and each subsequent October

1 1, out of any funds in the Treasury
2 not otherwise appropriated, the Sec-
3 retary of the Treasury shall transfer
4 to the Secretary—

5 “(aa) \$15,000,000 to carry
6 out clause (ii)(II); and

7 “(bb) \$500,000 to carry out
8 clause (ii)(III).

9 “(II) RECEIPT AND ACCEPT-
10 ANCE.—The Secretary shall be enti-
11 tled to receive, shall accept, and shall
12 use to carry out this clause the funds
13 transferred under subclause (I), with-
14 out further appropriation.”; and

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

18 **SEC. 103. EXPANDING COMMUNITY ELIGIBILITY.**

19 (a) MULTIPLIER AND THRESHOLD ADJUSTED.—

20 (1) MULTIPLIER.—Clause (vii) of section
21 11(a)(1)(F) of the Richard B. Russell National
22 School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is
23 amended to read as follows:

24 “(vii) MULTIPLIER.—For each school
25 year beginning on or after July 1, 2023,

1 the Secretary shall use a multiplier of
2 2.5.”.

3 (2) THRESHOLD.—Clause (viii) of section
4 11(a)(1)(F) of the Richard B. Russell National
5 School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is
6 amended to read as follows:

7 “(viii) THRESHOLD.—For each school
8 year beginning on or after July 1, 2023,
9 the threshold shall be not more than 25
10 percent.”.

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

19 (b) STATEWIDE COMMUNITY ELIGIBILITY.—Section
20 11(a)(1)(F) of the Richard B. Russell National School
21 Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is amended by
22 adding at the end the following:

23 “(xiv) STATEWIDE COMMUNITY ELIGI-
24 BILITY.—For each school year beginning
25 on or after July 1, 2023, the Secretary

1 shall establish an option for States to uti-
2 lize a statewide community eligibility pro-
3 gram under which, in the case of a State
4 agency that agrees to provide funding from
5 sources other than Federal funds to ensure
6 that local educational agencies in the State
7 receive the free reimbursement rate for
8 100 percent of the meals served at applica-
9 ble schools—

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

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

15 “(III) the percentage of enrolled
16 students who were identified students
17 shall be calculated across all applica-
18 ble schools in the State regardless of
19 local educational agency.”.

1 **TITLE II—ENSURING THE LONG-**
2 **TERM VIABILITY OF SCHOOL**
3 **MEAL PROGRAMS**

4 **Subtitle A—Programs Under the**
5 **Richard B. Russell National**
6 **School Lunch Act**

7 **SEC. 201. INCREASING REIMBURSEMENT RATE OF SCHOOL**
8 **MEALS.**

9 Section 4(b)(2) of the Richard B. Russell National
10 School Lunch Act (42 U.S.C. 1753(b)(2)) is amended by
11 striking “10.5 cents” and inserting “20.5 cents”.

12 **SEC. 202. STATEWIDE TECHNOLOGY SOLUTIONS INCLUDED**
13 **AS STATE ADMINISTRATIVE COSTS.**

14 Section 4(b)(3)(F)(i) of the Richard B. Russell Na-
15 tional School Lunch Act (42 U.S.C. 1753(b)(3)(F)(i)) is
16 amended by inserting “statewide technology solutions,”
17 after “certification,”.

18 **SEC. 203. ANNUAL REIMBURSEMENT RATE AND COM-**
19 **MODITY IMPROVEMENTS.**

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

23 (1) by amending subsection (b) to read as fol-
24 lows:

1 “(b) The Secretary shall deliver, to each State par-
2 ticipating in the school lunch program under this Act and
3 the school breakfast program under section 4 of the Child
4 Nutrition Act of 1966 (42 U.S.C. 1773), commodities val-
5 ued at the total level of assistance authorized under sub-
6 sections (c) and (d) for each school year for the school
7 lunch and school breakfast programs in the State, not
8 later than September 30 of the following school year.”;

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

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

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

17 “(i) calculate the national average
18 value of donated foods for school lunch, or
19 cash payments in lieu thereof, in accord-
20 ance with subparagraph (B); and

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

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

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

8 “(aa) cereal and bakery
9 products;

10 “(bb) meats, poultry, and
11 fish;

12 “(cc) dairy products;

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

15 “(ee) fats and oils; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (1) in clause (ii)—

7 (A) by striking “most recent”; and

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

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

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

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

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

25 (2) food service management contract practices;

1 (3) trends in compensation and benefits of
2 school food personnel and impact of food service
3 management contracts on such compensation and
4 benefits; and

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

11 (b) RULEMAKING.—Not later than 1 year after the
12 date of issuance of the request for information described
13 in subsection (a), the Secretary shall issue a rule regard-
14 ing the role of food service management companies in car-
15 rying out the programs under the Richard B. National
16 School Lunch Act (42 U.S.C. 1751 et seq.) and the Child
17 Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

18 **SEC. 205. KITCHEN IMPROVEMENT AND PERSONNEL**
19 **TRAINING.**

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

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

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

1 “(7) SCRATCH COOKING.—The term ‘scratch
2 cooking’ means the preparation of food using ingre-
3 dients that are unprocessed or minimally proc-
4 essed.”.

5 (b) TRAINING AND TECHNICAL ASSISTANCE FOR
6 SCHOOL FOOD SERVICE PERSONNEL.—The Richard B.
7 Russell National School Lunch Act is amended by insert-
8 ing after section 21 (42 U.S.C. 1769b–1) the following:
9 **“SEC. 21A. GRANTS TO SUPPORT SCRATCH COOKING.**

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

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

20 “(c) GRANT AMOUNTS AND DURATION.—

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

1 “(2) GRANT PERIOD.—A grant awarded under
2 this section shall be for a period of not more than
3 2 years.

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

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

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

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

15 “(4) providing technical assistance, student en-
16 gagement, and education with respect to scratch
17 cooking, including taste tests, recipe development,
18 and culinary education; or

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

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

4 “(1) that serve the greatest proportion of stu-
5 dents eligible for free or reduced price lunch under
6 this Act; and

7 “(2) that—

8 “(A) are self-operated; or

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

13 “(f) TECHNICAL ASSISTANCE CENTER.—

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

20 “(2) COLLABORATION REQUIREMENT.—As soon
21 as practicable after receiving a grant under this sec-
22 tion, a school food authority shall collaborate with
23 the technical assistance and resource center estab-
24 lished under paragraph (1) to—

1 “(A) conduct a scratch cooking needs as-
2 sessment to evaluate, with respect to such
3 school food authority—

4 “(i) equipment needs;

5 “(ii) equipment utilization;

6 “(iii) procurement processes; and

7 “(iv) workforce capabilities; and

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

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

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

15 “(i) a nonprofit organization with
16 demonstrated experience in food or nutri-
17 tion services training and technical assist-
18 ance;

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

23 “(iii) an area career and technical
24 education school as defined in section 3 of
25 the Carl D. Perkins Career and Technical

1 Education Act of 2006 (20 U.S.C. 2302);
2 or

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

5 “(B) CRITERIA FOR ELIGIBLE THIRD-
6 PARTY INSTITUTIONS.—The Secretary shall es-
7 tablish specific criteria that eligible third-party
8 training institutions must meet to qualify to
9 enter into an agreement under paragraph (1),
10 which shall include—

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

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

23 “(iii) the ability to deliver effective
24 and cost-efficient training and technical as-

1 sistance programming to school food serv-
2 ice personnel—

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

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

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

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

22 “(1) the percentage of whole ingredients, raw
23 ingredients, or both, used in school meals; and

24 “(2) the percentage of menu items prepared
25 with scratch cooking.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated \$20,000,000 to carry
3 out this section for each of fiscal years 2024 through
4 2028.”.

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

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

11 “(a) EQUIPMENT GRANTS.—

12 “(1) IN GENERAL.—Beginning fiscal year 2024,
13 the Secretary shall award grants to State agencies
14 to carry out the activities described in paragraph
15 (2).

16 “(2) SUBGRANTS.—

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

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

1 such information as the State agency may re-
2 quire.

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

8 “(i) need for infrastructure improve-
9 ment; or

10 “(ii) durable equipment need or im-
11 pairment.

12 “(D) SUBGRANT USES.—A school food au-
13 thority receiving a subgrant under this para-
14 graph shall use such subgrant funds to support
15 the establishment, maintenance, and expansion
16 of the school lunch program under this Act and
17 the school breakfast program established by
18 section 4 of the Child Nutrition Act of 1966
19 (42 U.S.C. 1773) at schools served by the
20 school food authority, including by—

21 “(i) purchasing equipment, including
22 software and technology systems, needed to
23 serve healthy meals, improve food safety,
24 promote scratch cooking, facilitate the use
25 of salad bars; or

1 “(ii) improving or adapting equipment
2 needed to serve healthy meals, including by
3 retrofitting such equipment.

4 “(3) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

18 Section 7(g)(2)(B) of the Child Nutrition Act of 1966
19 (42 U.S.C. 1776(g)(2)(B)) is amended by adding at the
20 end the following:

21 “(iv) AVAILABILITY AND APPRO-
22 PRIATENESS OF TRAINING.—Training car-
23 ried out under this subparagraph shall
24 be—

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

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

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

11 “(bb) time spent partici-
12 pating in such training shall be
13 considered compensable time and
14 each individual who participates
15 shall be paid no less than the in-
16 dividual’s regular rate of pay;
17 and

18 “(cc) food service personnel
19 shall not be discharged or in any
20 other manner discriminated
21 against for not being able to at-
22 tend such training; and

23 “(III) offered in-person and in-
24 corporate hands-on training tech-
25 niques, when appropriate.

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

7 **SEC. 212. TECHNOLOGY AND INFRASTRUCTURE IMPROVE-**
8 **MENT.**

9 Section 7(i)(4) of the Child Nutrition Act of 1966
10 (42 U.S.C. 1776(i)(4)) is amended by striking “2010
11 through 2015” and inserting “2023 through 2028”.

12 **SEC. 213. STATE ADMINISTRATIVE EXPENSES.**

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

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

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

19 (3) in subsection (j), by striking “October 1,
20 2015” and inserting “October 1, 2028”.

1 **TITLE III—MODERNIZING THE**
2 **SPECIAL SUPPLEMENTAL NU-**
3 **TRITION PROGRAM FOR**
4 **WOMEN, INFANTS, AND CHIL-**
5 **DREN (WIC)**

6 **SEC. 301. ADJUNCTIVE ELIGIBILITY.**

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

10 (1) in clause (ii)—

11 (A) in subclause (I), by inserting “resides
12 in a household (as such term is defined in sec-
13 tion 3 of the Food and Nutrition Act of 2008
14 (7 U.S.C. 2012)) that includes an individual
15 who” before “receives”; and

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

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

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

23 “(II) is a member of a family in which a preg-
24 nant woman, postpartum woman, infant, or child re-

1 ceives assistance or is enrolled as described in sub-
2 clause (I);” and

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

4 “(iv) is enrolled as a participant in a Head
5 Start program authorized under the Head Start Act
6 (42 U.S.C. 9831 et seq.) or resides in a household
7 in which one or more children is enrolled as a partic-
8 ipant in such a Head Start program;

9 “(v) resides in a household that includes an in-
10 dividual who receives assistance under the food dis-
11 tribution program on Indian reservations established
12 under section 4(b) of the Food and Nutrition Act of
13 2008 (7 U.S.C. 2013(b)); or

14 “(vi) resides in a household that includes an in-
15 dividual who receives assistance from a nutrition as-
16 sistance program funded by the consolidated block
17 grants for Puerto Rico and the American Samoa
18 under section 19 of the Food and Nutrition Act of
19 2008 (7 U.S.C. 2028) or funded by a block grant
20 for the Commonwealth of the Northern Mariana Is-
21 lands pursuant to section 601 of Public Law 96–597
22 (48 U.S.C. 1469d(c)).”.

23 (b) ADJUNCT DOCUMENTATION.—Section
24 17(d)(3)(E) of the Child Nutrition Act of 1966 (42 U.S.C.
25 1786(d)(3)(E)) is amended to read as follows:

1 “(E) ADJUNCT DOCUMENTATION.—In
2 order to participate in the program under this
3 section pursuant to clause (ii) through (vi) of
4 paragraph (2)(A), not earlier than 90 days
5 prior to the date on which the certification or
6 recertification for participation in the program
7 is made—

8 “(i) an individual shall provide docu-
9 mentation of receipt of assistance de-
10 scribed in such clause; or

11 “(ii) a State agency shall use available
12 documentation to show receipt of such as-
13 sistance.”.

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

15 (a) PROCEDURES.—

16 (1) AGE OF ELIGIBILITY FOR CHILDREN UNDER
17 THE SPECIAL SUPPLEMENTAL NUTRITION PRO-
18 GRAM.—

19 (A) DEFINITION OF CHILD.—Section 17 of
20 the Child Nutrition Act of 1966 (42 U.S.C.
21 1786) is amended—

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

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

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

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

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

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

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

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

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

16 “(ii) does not attend full day kinder-
17 garten.”;

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

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

22 (B) CERTIFICATION.—Section
23 17(d)(3)(A)(iii) of the Child Nutrition Act of
24 1966 (42 U.S.C. 1786(d)(3)(A)(iii)) is amended
25 to read as follows:

1 “(iii) CHILDREN.—

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

5 “(aa) before October 1,
6 2026, a State may elect to certify
7 a participant child for a period of
8 2 years, if the State electing the
9 option provided under this clause
10 ensures that a participant child
11 receives the required health and
12 nutrition assessments; and

13 “(bb) on and after October
14 1, 2026 a State shall—

15 “(AA) certify a partici-
16 pant child for a period of 2
17 years; and

18 “(BB) ensure that a
19 participant child receives the
20 required health and nutri-
21 tion assessments, as deter-
22 mined by the Secretary
23 under clause (ix).

24 “(II) 5-YEAR-OLD CHILDREN.—

1 “(aa) IN GENERAL.—Begin-
2 ning not later than October 1,
3 2026, a State shall certify a par-
4 ticipant child who has had a fifth
5 birthday but has not yet attained
6 a sixth birthday, for the period
7 that ends on the earlier of—

8 “(AA) the sixth birth-
9 day of the participant child;
10 and

11 “(BB) the first date on
12 which the participant child
13 attends full-day kinder-
14 garten.

15 “(bb) REQUIREMENTS.—
16 Each State that certifies a par-
17 ticipant child under item (aa)
18 shall—

19 “(AA) ensure that such
20 participant child receives re-
21 quired health and nutrition
22 assessments, as determined
23 by the Secretary under
24 clause (ix); and

1 “(BB) establish a
2 method to determine the
3 first date on which such par-
4 ticipant child attends full-
5 day kindergarten.”.

6 (C) CONFORMING AMENDMENT.—Section
7 1902(a)(53)(A) of the Social Security Act (42
8 U.S.C. 1396a(a)(53)(A)) is amended by striking
9 “below the age of 5” and inserting “(as de-
10 fined in such section)”.

11 (2) CERTIFICATION OF INFANTS.—Section
12 17(d)(3)(A) of the Child Nutrition Act of 1966 (42
13 U.S.C. 1786(d)(3)(A)) is amended by adding at the
14 end the following:

15 “(iv) INFANTS.—

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

18 “(aa) before October 1,
19 2026, may elect to certify an in-
20 fant for participation in the pro-
21 gram for a period of 2 years; and

22 “(bb) on and after October
23 1, 2026, shall certify an infant
24 for participation in the program
25 for a period of 2 years.

1 “(II) ASSESSMENTS.—In certi-
2 fying an infant under subclause (I), a
3 State shall ensure that the infant re-
4 ceives required health and nutrition
5 assessments, as determined by the
6 Secretary under clause (ix).

7 “(III) INFANTS BORN TO PARTIC-
8 IPANT MOTHERS.—For purposes of
9 subclause (I), an infant born to a
10 pregnant woman who is participating
11 in the program shall be certified for
12 participation without further applica-
13 tion.

14 “(IV) CLARIFICATION RELATING
15 TO AGE.—An infant may be certified
16 for participation in the program for a
17 period of 2 years, regardless of wheth-
18 er such infant will become a child dur-
19 ing such period.”.

20 (3) EXTENSION OF POSTPARTUM PERIOD.—

21 (A) BREASTFEEDING WOMEN.—

22 (i) DEFINITION OF BREASTFEEDING
23 WOMAN.—Paragraph (1) of section 17(b)
24 of the Child Nutrition Act of 1966 (42

1 U.S.C. 1786(b)) is amended to read as fol-
2 lows:

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

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

8 “(B) on and after October 1, 2026, an in-
9 dividual who is not more than 2 years
10 postpartum and is breastfeeding the infant of
11 the individual.”.

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

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

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

22 “(II) on and after October
23 1, 2026, a State shall certify a
24 postpartum woman for a period
25 of 2 years postpartum.”.

1 (B) POSTPARTUM WOMEN.—

2 (i) DEFINITION OF POSTPARTUM
3 WOMAN.—Paragraph (10) of section 17(b)
4 of the Child Nutrition Act of 1966 (42
5 U.S.C. 1786(b)) is amended to read as fol-
6 lows:

7 “(10) POSTPARTUM WOMAN.—The term
8 ‘postpartum woman’ means—

9 “(A) before October 1, 2026, an individual
10 up to six months after termination of preg-
11 nancy; and

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

15 (ii) CERTIFICATION.—Section
16 17(d)(3)(A) of the Child Nutrition Act of
17 1966 (42 U.S.C. 1786)(d)(3)(A)) is fur-
18 ther amended by adding at the end the fol-
19 lowing:

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

22 “(I) before October 1, 2026,
23 may elect to certify such
24 postpartum woman for a period
25 of 2 years after the termination

1 of the pregnancy of the
2 postpartum woman; and

3 “(II) on and after October
4 1, 2026, a State shall certify a
5 postpartum woman for a period
6 of 2 years after the termination
7 of pregnancy of the postpartum
8 woman.”.

9 (4) PREGNANT WOMEN.—

10 (A) DEFINITION.—Section 17(b)(11) of
11 the Child Nutrition Act of 1966 (7 U.S.C.
12 1431(b)(11)) is amended to read as follows:

13 “(11) PREGNANT WOMAN.—The term ‘pregnant
14 woman’ means an individual determined to have one
15 or more fetuses in utero.”.

16 (B) CERTIFICATION.—Section 17(d)(3)(A)
17 of the Child Nutrition Act of 1966 (42 U.S.C.
18 1786)(d)(3)(A)) is further amended by adding
19 at the end the following:

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

22 “(I) before October 1, 2026, may
23 elect to certify a pregnant woman for
24 the duration of the pregnancy and for

1 the 90 days after the termination of
2 pregnancy; and

3 “(II) on and after October 1,
4 2026, shall certify a pregnant woman
5 for the duration of the pregnancy and
6 for the 90 days after the termination
7 of pregnancy.”.

8 (5) CERTIFICATION WITHIN ONE HOUSEHOLD
9 FAMILY.—Section 17(d)(3)(A) of the Child Nutrition
10 Act of 1966 (42 U.S.C. 1786(d)(3)(A)) is further
11 amended—

12 (A) in clause (i)—

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

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

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

18 “(vii) CERTIFICATION WITHIN ONE
19 HOUSEHOLD FAMILY.—In order to align
20 certification periods or recertification ap-
21 pointments, when a State or local agency
22 certifies an individual based on income
23 documentation under subparagraph (D) or
24 adjunct documentation under subpara-
25 graph (E), a new certification period that

1 otherwise meets the requirements of the
2 program may be initiated for eligible fam-
3 ily members of such individual.”.

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

8 “(viii) RECERTIFICATION.—Before re-
9 questing new income documentation for
10 purposes of recertifying an individual
11 under the program, a State shall—

12 “(I) determine whether such indi-
13 vidual is eligible for recertification
14 under subparagraph (E); and

15 “(II) if such individual is so eligi-
16 ble—

17 “(aa) recertify such indi-
18 vidual; and

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

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

25 “(ix) NUTRITION RISK.—

1 “(I) IN GENERAL.—The Sec-
2 retary may require nutrition risk eval-
3 uations within a single certification
4 period for the purposes of identifying
5 specific risk factors.

6 “(II) INFORMATION PROVIDED
7 BY A HEALTH CARE PROVIDER.—In-
8 formation provided by a health care
9 provider shall be sufficient to establish
10 nutrition risk for the purposes of pro-
11 gram eligibility under this section.

12 “(III) DETERMINATION.—If it is
13 determined that the individual does
14 not meet any nutritional risk criteria,
15 the certification of the individual shall
16 terminate on the date of determina-
17 tion.”.

18 (b) INTERIM ELIGIBILITY.—Section 17(d)(3)(B) of
19 the Child Nutrition Act of 1966 (42 U.S.C.
20 1786)(d)(3)(B)) is amended to read as follows:

21 “(B) INTERIM ELIGIBILITY.—

22 “(i) TEMPORARY CERTIFICATION.—

23 “(I) IN GENERAL.—In the case
24 of a pregnant woman, breastfeeding
25 woman, postpartum woman, infant, or

1 child who is not otherwise determined
2 eligible under this section to partici-
3 pate in the program due to lack of
4 documentation at the time of applica-
5 tion, a State agency shall consider
6 such a pregnant woman, breastfeeding
7 woman, postpartum woman, infant, or
8 child to be temporarily eligible to par-
9 ticipate in the program based on a
10 signed statement by the applicant.

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

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

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

1 “(III) DOCUMENTATION DEM-
2 ONSTRATING ELIGIBILITY.—If an in-
3 dividual provides documentation in ac-
4 cordance with subclause (II) that
5 demonstrates eligibility for the pro-
6 gram, the individual shall be certified
7 in accordance with this paragraph be-
8 ginning on the first day the individual
9 was deemed temporarily eligible under
10 subclause (I).

11 “(IV) DOCUMENTATION FAILING
12 TO DEMONSTRATE ELIGIBILITY.—If
13 an individual does not provide docu-
14 mentation in accordance with sub-
15 clause (II), or provides documentation
16 that does not demonstrate eligibility
17 for the program—

18 “(aa) the individual shall be
19 determined ineligible to partici-
20 pate in the program; and

21 “(bb) the temporary eligi-
22 bility with respect to such indi-
23 vidual shall terminate at the end
24 of the single 30-day period de-
25 scribed in subclause (II)(aa).

1 “(ii) NUTRITIONAL RISK.—A State
2 may consider a pregnant woman,
3 breastfeeding woman, postpartum woman,
4 infant, or child applicant who meets the in-
5 come eligibility standards to be temporarily
6 eligible on an interim basis to participate
7 in the program and may certify any such
8 individual for participation immediately,
9 without delaying certification until an eval-
10 uation is made concerning nutritional risk.
11 A nutritional risk evaluation of such an in-
12 dividual shall be completed not later than
13 90 days after the individual is certified for
14 participation. If it is subsequently deter-
15 mined that the individual does not meet
16 nutritional risk criteria, the certification of
17 the individual shall terminate on the date
18 of the determination.”.

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

1 **SEC. 303. CERTIFICATION AND RECERTIFICATION DETER-**
2 **MINATIONS AND NUTRITIONAL RISK EVALUA-**
3 **TIONS.**

4 (a) IN GENERAL.—

5 (1) PRESENCE WITH RESPECT TO CERTAIN DE-
6 TERMINATIONS AND EVALUATIONS.—Section
7 17(d)(3)(C) of the Child Nutrition Act of 1966 (42
8 U.S.C. 1786(d)(3)(C)) is amended to read as fol-
9 lows:

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

12 “(i) IN GENERAL.—Each individual
13 seeking certification, recertification, or a
14 nutritional risk evaluation for participation
15 in the program shall be offered an appoint-
16 ment—

17 “(I) in-person, through video
18 technology permitting 2-way, real-time
19 interactive communications, by tele-
20 phone, and in such other format as
21 the Secretary determines appropriate
22 in order to determine eligibility under
23 the program, provided that such for-
24 mat permits 2-way, real-time inter-
25 active communications; and

1 “(II) that occurs in a format,
2 setting, or platform that is accessible
3 to the individual in accordance with
4 the Americans with Disabilities Act of
5 1990 (42 U.S.C. 12101 et seq.) and
6 section 504 of the Rehabilitation Act
7 of 1973 (29 U.S.C. 794).

8 “(ii) ANTHROPOMETRIC DATA FOR
9 REMOTE CERTIFICATION.—If an individual
10 meets the certification presence require-
11 ment through technology permitting 2-way,
12 real-time interactive communications or
13 other methods described in clause (i)(I),
14 the anthropometric data with respect to
15 such individual shall be obtained within 90
16 days.”.

17 (2) TECHNICAL AMENDMENT.—Section
18 17(d)(3) of the Child Nutrition Act of 1966 (42
19 U.S.C. 1786(d)(3)) is amended by conforming the
20 margin of subparagraph (B) to the margin of sub-
21 paragraph (C).

22 (b) REMOTE BENEFIT ISSUANCE.—Section
23 17(f)(6)(B) of the Child Nutrition Act of 1966 (42 U.S.C.
24 1786(f)(6)(B)) is amended—

25 (1) in the second sentence—

1 (A) by striking “vouchers by mail in its
2 plan” and inserting “food instruments by mail,
3 remote issuance, or other means in the State
4 plan”; and

5 (B) by striking “The State” and inserting
6 the following:

7 “(ii) STATE PLAN.—The State”;

8 (2) in the third sentence—

9 (A) by striking “vouchers by mail” and in-
10 sserting “food instruments by mail, remote
11 issuance, or other means”; and

12 (B) by striking “The Secretary” and in-
13 sserting the following:

14 “(iii) DISAPPROVAL OF STATE
15 PLAN.—The Secretary”; and

16 (3) by striking “(B) State agencies” and all
17 that follows through “to obtain vouchers.” and in-
18 sserting the following:

19 “(B) DELIVERY OF FOOD INSTRU-
20 MENTS.—

21 “(i) IN GENERAL.—State agencies
22 may provide for the delivery of food instru-
23 ments, including electronic benefit transfer
24 cards, to any participant through means
25 that do not require the participant to trav-

1 el to the local agency to obtain food instru-
2 ments, such as through mailing or remote
3 issuance.”.

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

7 (1) in paragraph (2)(B)—

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

9 (B) by striking “(I) Except as provided in
10 clause (ii) and” and inserting “Except as pro-
11 vided in”;

12 (2) in paragraph (10)—

13 (A) in subparagraph (A), by striking
14 “2010 through 2015” and inserting “2023
15 through 2028”;

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

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

20 “(aa) establish, develop, improve,
21 replace, or administer technology plat-
22 forms, including management infor-
23 mation systems, that enhance the
24 services of, access to, or redemption of
25 benefits under the program;

1 “(bb) establish, develop, improve,
2 replace, or administer a system that
3 allows for secure communication of in-
4 formation between health care pro-
5 viders and program clinics in order to
6 facilitate sharing of information nec-
7 essary for certification, establishing
8 nutrition risk, or for the provision of
9 health care services; and

10 “(cc) carry out paragraph (15);
11 and

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

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

16 “(15) STATE EFFORTS TO ENHANCE CROSS-EN-
17 ROLLMENT WITH MEDICAID AND THE SUPPLE-
18 MENTAL NUTRITION ASSISTANCE PROGRAM.—

19 “(A) PARTICIPATION DATA.—The Sec-
20 retary shall annually collect data from State
21 agencies and make publicly available on the
22 website of the Department State-level estimates
23 of the percentage of pregnant women,
24 postpartum women, infants, and children under
25 age five—

1 “(i) who are enrolled in the program
2 under this section and the supplemental
3 nutrition assistance program under the
4 Food and Nutrition Act of 2008 (7 U.S.C.
5 2011 et seq.); and

6 “(ii) who are—

7 “(I) enrolled in the program
8 under this section and the Medicaid
9 program established under title XIX
10 of the Social Security Act (42 U.S.C.
11 1396 et seq.); and

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

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

16 “(i) in addition to the information
17 made available under subparagraph (A),
18 also publish on the website of the Depart-
19 ment best practices for increasing the per-
20 centages described in such subparagraph;
21 and

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

1 “(I) administrators of the supple-
2 mental nutrition assistance program
3 under the Food and Nutrition Act of
4 2008 (7 U.S.C. 2011 et seq.); and

5 “(II) administrators of the Med-
6 icaid program established under title
7 XIX of the Social Security Act (42
8 U.S.C. 1396 et seq.).

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

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

15 “(I) is developed across the pro-
16 grams described in subparagraph (A)
17 that includes goals, specific measures,
18 and a timeline for increasing the per-
19 centages described in such subpara-
20 graph; and

21 “(II) includes policies to refer to
22 the program under this section par-
23 ticipants in the programs described in
24 such subparagraph who are not cer-

1 tified for the program under this sec-
2 tion; and

3 “(ii) if such plan is approved by the
4 Secretary, implement such plan.

5 “(D) GRANT PROGRAM.—The Secretary
6 shall provide technical assistance and award
7 competitive grants to State agencies to—

8 “(i) increase the percentages de-
9 scribed in subparagraph (A); and

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

13 “(I) improving technology;

14 “(II) establishing more robust re-
15 ferral systems;

16 “(III) conducting targeted out-
17 reach to potential participants in the
18 program under this section;

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

23 “(V) providing training or tech-
24 nical assistance to local agencies.

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

3 “(i) used only for the purposes of cer-
4 tifying eligible persons for the program
5 under this section; and

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

10 (d) REPORT TO CONGRESS.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Secretary
13 shall submit to the Committee on Agriculture, Nutri-
14 tion, and Forestry of the Senate and the Committee
15 on Education and Labor of the House of Represent-
16 atives a report on the use of remote technologies
17 under the special supplemental nutrition program
18 for women, infants, and children established by sec-
19 tion 17 of the Child Nutrition Act of 1966 (42
20 U.S.C. 1786) (referred to in this section as the
21 “program”).

22 (2) CONTENT OF REPORT.—The report sub-
23 mitted under paragraph (1) shall include a descrip-
24 tion of—

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

4 (i) to certify and recertify eligible in-
5 dividuals for program services; and

6 (ii) to provide nutrition education and
7 breastfeeding support to program partici-
8 pants;

9 (B) the impact of remote technologies, in-
10 cluding video, telephone, and online platforms,
11 on certifications, recertifications, appointments,
12 and participant satisfaction under the program;
13 and

14 (C) best practices to—

15 (i) certify and recertify program par-
16 ticipants for program services using remote
17 technologies;

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

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

24 (iv) securely manage program partici-
25 pant data.

1 **SEC. 304. PAPERWORK REDUCTION.**

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

5 “(G) PAPERWORK REDUCTION.—

6 “(i) IN GENERAL.—A State agency
7 shall accept a single document that pro-
8 vides all of the information required under
9 this paragraph unless the State agency de-
10 termines there is a sufficient reason to
11 doubt the authenticity of such document.

12 “(ii) ELECTRONIC FORM.—A State
13 agency shall accept documentation under
14 this paragraph in support of a household’s
15 application in electronic form or provided
16 electronically unless the State agency de-
17 termines there is a sufficient reason to
18 doubt the authenticity of such electroni-
19 cally provided document.”.

20 **SEC. 305. NUTRITION EDUCATION MATERIALS RELATED TO**
21 **FOOD ALLERGIES.**

22 Section 17(e)(3) of the Child Nutrition Act of 1966
23 (7 U.S.C. 1431(e)(3)) is amended by adding at the end
24 the following:

25 “(C) NUTRITION EDUCATION MATERIALS
26 RELATED TO FOOD ALLERGIES.—The nutrition

1 education materials issued under subparagraph
2 (A) shall include nutrition education materials
3 with respect to—

4 “(i) individuals with food allergies
5 during pregnancy and in the postpartum
6 period;

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

9 “(iii) introducing potential food aller-
10 gens to infants; and

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

12 **SEC. 306. BREASTFEEDING SUPPLY COVERAGE.**

13 Section 17(h)(1)(C)(ii) of the Child Nutrition Act of
14 1966 (42 U.S.C. 1786(h)(1)(C)(ii)) is amended—

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

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

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

21 Section 17(h)(1)(C) of the Child Nutrition Act of
22 1966 (42 U.S.C. 1786(h)(1)(C)) is amended by adding at
23 the end the following:

24 “(iii) WATER BENEFITS DURING DIS-
25 ASTERS.—

1 “(I) IN GENERAL.—During an
2 emergency period for which the Sec-
3 retary determines that, with respect to
4 a State, access to safe drinking water
5 is impacted and provision of safe
6 drinking water is reasonably necessary
7 to ensure safe preparation of infant
8 formula, a State or local agency may
9 use amounts made available under
10 clause (i) to purchase and distribute
11 safe drinking water to program par-
12 ticipants.

13 “(II) EMERGENCY PERIOD DE-
14 FINED.—In this clause, the term
15 ‘emergency period’ means a period
16 during which there exists—

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

23 “(bb) an emergency declared
24 by the President under section
25 501 of the Robert T. Stafford

1 Disaster Relief and Emergency
2 Assistance Act (42 U.S.C. 5191);

3 “(cc) a public health emer-
4 gency declared by the Secretary
5 of Health and Human Services
6 pursuant to section 319 of the
7 Public Health Service Act (42
8 U.S.C. 247d); or

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

12 **SEC. 308. INFANT FORMULA PROCUREMENT ONLINE**
13 **SOURCE OF INFORMATION.**

14 Section 17(h)(8)(A) of the Child Nutrition Act of
15 1966 (42 U.S.C. 1786(h)(8)(A)) is amended by adding at
16 the end the following:

17 “(xi) INFANT FORMULA PROCURE-
18 MENT ONLINE SOURCE OF INFORMA-
19 TION.—

20 “(I) IN GENERAL.—Not later
21 than 180 days after the date of enact-
22 ment of this clause, the Secretary
23 shall make available to the public on
24 a website of the Department of Agri-
25 culture the information described in

1 items (aa) through (dd) of subclause
2 (II) relating to bid solicitations of
3 State agencies for infant formula
4 under the program.

5 “(II) STATE AGENCIES.—In so-
6 liciting bids for infant formula under
7 the program, a State agency shall
8 submit to the Secretary, not later
9 than 5 business days after the date of
10 the bid solicitation, a description of
11 the bid solicitation, including—

12 “(aa) the title of the bid so-
13 licitation and the State agency
14 administering the bid solicitation;

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

19 “(cc) the contact informa-
20 tion and website hyperlink for
21 the State agency administering
22 the bid solicitation, for the pur-
23 pose of gathering additional in-
24 formation relating to the bid so-
25 licitation; and

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

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

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

12 (a) DEFINITION OF BREASTFEEDING PEER COUN-
13 SELOR.—Section 17(b) of the Child Nutrition Act of 1966
14 (42 U.S.C. 1786(b)) is amended by adding at the end the
15 following:

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

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

23 “(B) provides mother-to-mother support to
24 prenatal and postpartum women under the pro-
25 gram.”.

1 (b) SPECIAL NUTRITION EDUCATION.—Section
2 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
3 1786(h)(10)) is amended—

4 (1) in subparagraph (A), by striking
5 “\$139,000,000” and inserting “\$324,000,000”; and

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

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

9 “(I) establish State agency
10 Breastfeeding Peer Counseling pro-
11 grams, which shall be administered as
12 determined by the Secretary;

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

16 “(III) establish State and local
17 partnerships to provide such edu-
18 cation at locations—

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

22 “(bb) in partnership with el-
23 igible entities that deliver services
24 under early childhood home visi-
25 tation programs pursuant to a

1 grant under section 511 of the
2 Social Security Act (42 U.S.C.
3 711).”.

4 **SEC. 310. PRODUCT PRICING.**

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

10 **SEC. 311. WIC A50 STORES.**

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

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

15 (2) in paragraph (14), by striking “food or
16 merchandise” and inserting “food, merchandise, or
17 food delivery”.

18 **SEC. 312. WIC EBT MODERNIZATION.**

19 (a) ONLINE PAYMENT AND MOBILE PAYMENT OP-
20 TIONS.—

21 (1) DATE OF COMPLETION.—Section 17(h)(12)
22 of the Child Nutrition Act of 1966 (42 U.S.C.
23 1786(h)(12)) is amended—

24 (A) in subparagraph (A)(i), by striking
25 “food delivery system that provides benefits

1 using a card or other access device” and insert-
2 ing “benefit delivery method”;

3 (B) in subparagraph (B)—

4 (i) in clause (i), by striking “subpara-
5 graph (C)” and inserting “subparagraph
6 (C)(i)”; and

7 (ii) by adding at the end the fol-
8 lowing:

9 “(iii) **VENDOR REQUIREMENTS.**—Ex-
10 cept in the case of an exemption granted
11 with respect to a State agency under sub-
12 paragraph (C)(iii), not later than October
13 1, 2025, each State agency shall authorize
14 at least three vendors to process online
15 payments under the electronic benefit sys-
16 tems in the State.”; and

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

19 “(iii) **VENDOR REQUIREMENTS EX-**
20 **EMPTION.**—To be eligible for an exemption
21 from the vendor requirements of subpara-
22 graph (B)(iii), a State agency shall dem-
23 onstrate to the satisfaction of the Sec-
24 retary that the State agency is facing un-
25 usual barriers to implementing additional

1 changes to the electronic benefit transfer
2 system.”.

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

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

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

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

21 (D) provides an explanation for each ex-
22 emption provided to a State agency under
23 clause (iii) of section 17(h)(12)(C) of the Child
24 Nutrition Act of 1966 (42 U.S.C.
25 1786(h)(12)(C));

1 (E) includes a description of State and
2 local agency efforts to enhance collaboration
3 with such vendors, including the use of shopper
4 helpers or vendor liaison programs; and

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

11 (b) SMALLER VENDORS.—Section 17(h)(10)(B) of
12 the Child Nutrition Act of 1966 (42 U.S.C.
13 1786(h)(10)(B)) is amended by adding at the end the fol-
14 lowing:

15 “(iv) \$40,000,000 shall be used by
16 State or local agencies to enhance vendor
17 partnerships and streamline the shopping
18 experience of participants, including by es-
19 tablishing and administering vendor liaison
20 programs to support participants and ven-
21 dor staff at retail grocery locations.”.

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

1 “(H) EQUITABLE ACCESS FOR WIC SHOP-
2 PERS.—To facilitate the use of online payments
3 under an electronic benefit transfer system, a
4 State agency shall—

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

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

9 “(II) additional methods of au-
10 thentication other than signature or
11 entry of a personal identification num-
12 ber to be used; and

13 “(III) participants to receive sup-
14 plemental foods after an electronic
15 benefit transfer transaction has been
16 processed;

17 “(ii) ensure that no interchange or re-
18 lated transaction fees are collected from
19 vendors;

20 “(iii) issue program benefits remotely
21 without receiving a participant signature;

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

24 “(v) authorize vendors for a period
25 not to exceed 5 years.”.

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

4 **SEC. 313. SPEND FORWARD AUTHORITIES.**

5 Section 17(i)(3) of the Child Nutrition Act of 1966
6 (7 U.S.C. 1431(i)(3)) is amended—

7 (1) in subparagraph (A)—

8 (A) in clause (i)—

9 (i) in subclause (I), by striking “1
10 percent (except as provided in subpara-
11 graph (C))” and inserting “10 percent”;
12 and

13 (ii) in subclause (II), by striking “1
14 percent” and inserting “10 percent”; and

15 (B) in clause (ii)—

16 (i) in subclause (I)—

17 (I) by striking “3 percent” and
18 inserting “10 percent”; and

19 (II) by inserting “for nutrition
20 services and administration” before
21 “under this section”; and

22 (ii) in subclause (II)—

23 (I) by striking “for nutrition
24 services and administration” and in-
25 serting “to carry out this section”;

1 (II) by striking “not more than
2 1/2 of 1 percent” and inserting “not
3 more than 3 percent”; and

4 (III) by striking “the develop-
5 ment of a management information
6 system, including an electronic benefit
7 transfer system” and inserting “pur-
8 poses related to food delivery, includ-
9 ing breastfeeding services and sup-
10 plies, electronic benefit transfer sys-
11 tems, and other technologies”; and

12 (2) by repealing subparagraph (C).

13 **SEC. 314. ADMINISTRATIVE SIMPLIFICATION.**

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

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

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

24 (2) by repealing subsection (k).

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

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

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

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

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

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

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

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

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

23 (B) in subparagraph (C), by striking “may
24 not be” and all that follows through “per year.”
25 and inserting “may not be less than \$20 per
26 year or more than \$100 per year.”;

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

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

6 “(i) either—

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

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

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

14 (D) in subparagraph (F)—

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

17 (ii) in clause (ii)—

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

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

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

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

4 (7) in paragraph (8), as so redesignated—

5 (A) in subparagraph (A), by striking
6 “2010 through 2015” and inserting “2023
7 through 2028”; and

8 (B) in subparagraph (B)(i)(II), by striking
9 “5 percent” and inserting “10 percent”;

10 (8) in paragraph (9)(A), as so redesignated, by
11 striking “or other negotiable financial instruments”
12 and inserting “token, electronic benefit transfer
13 card, mobile benefit delivery system, or other forms
14 or technologies as determined by the Secretary”.

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

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

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

20 (2) in subsection (b)—

21 (A) in paragraph (8), by striking “drug
22 abuse” and inserting “substance use disorder”;

23 and

24 (B) in paragraph (16)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “Drug abuse edu-
3 cation” and inserting “Substance use dis-
4 order education”;

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

9 (iii) in subparagraph (B)—

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

13 (II) by striking “drug abuse clin-
14 ics,”; and

15 (III) by striking “drug abuse
16 professionals” and inserting “re-
17 sources”;

18 (3) in subsection (e)—

19 (A) in paragraph (1)—

20 (i) by striking “drug abuse” each
21 place it appears and inserting “substance
22 use disorder”; and

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

1 (B) in paragraph (5), by striking “sub-
2 stance abuse” and inserting “substance use dis-
3 order”;

4 (4) in subsection (f)—

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

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

11 (5) in subsection (k)(1)—

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

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

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

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

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

20 “(A) develop and disseminate nutrition
21 education materials for individuals eligible for
22 the program; and

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

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

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

12 “(A) nutrition education materials for indi-
13 viduals with substance use disorder during
14 pregnancy and in the postpartum period; and

15 “(B) nutrition education materials for in-
16 fants impacted by prenatal substance exposure
17 and neonatal abstinence syndrome.

18 “(4) NUTRITION EDUCATION CLEARING-
19 HOUSE.—The Secretary shall make available to all
20 State agencies through an online clearinghouse any
21 nutrition education and training materials related to
22 nutrition for individuals impacted by a substance use
23 disorder or neonatal abstinence syndrome that have
24 been produced by the Secretary or the Secretary of
25 Health and Human Services (or produced by a State

1 agency and approved by the Secretary), including
2 educational materials developed under paragraph
3 (15) of section 515(b) of the Public Health Service
4 Act (42 U.S.C. 290bb–21(b)) and guidance issued
5 under section 1005 of the SUPPORT for Patients
6 and Communities Act (42 U.S.C. 1396a note).

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

11 **TITLE IV—MODERNIZING THE**
12 **CHILD AND ADULT CARE**
13 **FOOD PROGRAM**

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

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

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

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

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

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

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

5 **SEC. 402. AUTOMATIC ELIGIBILITY FOR CHILDREN IN SUP-**
6 **PLEMENTAL NUTRITION ASSISTANCE HOUSE-**
7 **HOLDS.**

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

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

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

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

24 “(F) SERIOUS DEFICIENCY PROCESS.—

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

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

10 “(I) determining when there is a
11 serious deficiency with respect to an
12 institution or a family or group day
13 care home by a State agency, includ-
14 ing—

15 “(aa) what measures auto-
16 matically result in a finding of
17 serious deficiency; and

18 “(bb) how to differentiate
19 between—

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

1 “(BB) State-specific re-
2 quirements and Federal reg-
3 ulations;

4 “(II) appealing and mediating a
5 finding of serious deficiency with re-
6 spect to an institution or a family or
7 group day care home, including—

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

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

14 “(III) determining the cir-
15 cumstances under which a corrective
16 action plan is acceptable;

17 “(IV) termination and disquali-
18 fication, including maintenance of the
19 list under subparagraph (E); and

20 “(V) determining opportunities
21 for strengthening the processes in-
22 tended to reduce additional State
23 agency program requirements on in-
24 stitutions or family or group day care
25 homes that are in addition to those

1 required under Federal law, includ-
2 ing—

3 “(aa) State evaluation of
4 practices used at the time of re-
5 view;

6 “(bb) regional approval of
7 such additional State agency re-
8 quirements; and

9 “(cc) oversight through the
10 management evaluation process.

11 “(iii) STATE-SPECIFIC REQUIRE-
12 MENTS.—The Secretary may not consider
13 State-specific requirements in determining
14 non-compliance or serious deficiency.

15 “(iv) GUIDANCE AND REGULA-
16 TIONS.—

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

24 “(aa) streamline and mod-
25 ernize the program;

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

3 “(cc) assist sponsoring orga-
4 nizations, State agencies, and the
5 Food and Nutrition Service in
6 ensuring a fair, uniform, and ef-
7 fective administration of the seri-
8 ous deficiency process, while re-
9 taining program integrity.

10 “(II) SCOPE.—The guidance or,
11 as appropriate, regulations made or
12 issued under subclause (I) shall in-
13 clude—

14 “(aa) clarity on the required
15 measures for noncompliance, in-
16 cluding—

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

20 “(BB) a distinction be-
21 tween a reasonable margin
22 of human error and system-
23 atic or intentional non-
24 compliance;

1 “(bb) a formal appeals and
2 mediation process that—
3 “(AA) is conducted by
4 a trained official who is
5 independent from and not
6 affiliated with any person or
7 agency involved in the deter-
8 mination being appealed or
9 mediated;
10 “(BB) provides an op-
11 portunity for a fair hearing
12 for any institution or family
13 or group day care home de-
14 termined to have a serious
15 deficiency finding or inad-
16 equate corrective action
17 plan; and
18 “(CC) provides for the
19 evaluation and resolution of
20 disputes over State agency
21 program requirements on in-
22 stitutions or family or group
23 day care homes that are in
24 addition to those required
25 under Federal law;

1 “(cc) timeframes for accept-
2 able corrective action plans for
3 group or family day care homes
4 that are consistent with correc-
5 tive action timeframes for child
6 care centers; and

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

10 **SEC. 404. AUTHORIZATION OF REIMBURSEMENTS FOR AD-**
11 **DITIONAL MEAL OR SNACK.**

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

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

16 “(2) DISBURSEMENTS.—

17 “(A) IN GENERAL.—Subject to subpara-
18 graph (B)”;

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

21 “(B) LIMITATION.—No reimbursement
22 may be made to any institution under this para-
23 graph, or to family or group day care home
24 sponsoring organizations under paragraph (3),
25 for more than—

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

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

11 **SEC. 405. ADJUSTMENTS.**

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

14 (1) in subparagraph (A)—

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

17 “(IV) ADJUSTMENTS.—The re-
18 imbursement factors under this sub-
19 paragraph shall be adjusted on July
20 1, 1997, and each July 1 thereafter,
21 to reflect changes in the Consumer
22 Price Index for food away from home
23 for the 12-month period ending on the
24 preceding April 30. The reimburse-
25 ment factors under this subparagraph

1 shall be rounded to the nearest lower
2 cent increment and based on the
3 unrounded adjustment in effect on
4 April 30 of the preceding school
5 year.”; and

6 (B) by amending clause (iii)(I)(bb) to read
7 as follows:

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

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

1 “(ii) ANNUAL ADJUSTMENT.—The ad-
2 ministrative reimbursement levels specified
3 in clause (i) shall be adjusted July 1 of
4 each year to reflect changes in the 12-
5 month period ending on the preceding
6 April 30 in the Consumer Price Index for
7 All Urban Consumers published by the Bu-
8 reau of Labor Statistics of the Department
9 of Labor.”.

10 **SEC. 406. AGE LIMITS IN HOMELESS SHELTERS AND EMER-**
11 **GENCY SHELTERS.**

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

15 (1) in the matter before subclause (I), by in-
16 serting “or individuals” after “children” both places
17 it appears; and

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

20 **SEC. 407. ADVISORY COMMITTEE ON PAPERWORK REDUC-**
21 **TION.**

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

1 “(v) ADVISORY COMMITTEE ON PAPERWORK REDUC-
2 TION.—

3 “(1) ESTABLISHMENT.—Not later than 180
4 days after the date of the enactment of this sub-
5 section, the Secretary shall establish an advisory
6 committee (referred to in this subsection as the ‘Ad-
7 visory Committee’) to carry out the duties described
8 in paragraph (2).

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

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

20 “(B) provide recommendations to the Sec-
21 retary to reduce such paperwork for partici-
22 pants in the program under this section while
23 ensuring that proper accountability and pro-
24 gram integrity are maintained and make such
25 recommendations publicly available.

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

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

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

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

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

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

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

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

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

20 “(I) 1 shall be a representative of a spon-
21 soring organization for the entities referred to
22 in subparagraphs (A), (B), (D), (E), (F), and
23 (G).

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

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

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

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

10 “(N) 1 shall be a representative of an ad-
11 vocacy organization representing parents with
12 young children.

13 “(4) CONSIDERATIONS.—In developing the rec-
14 ommendations described in paragraph (2)(B), the
15 Advisory Committee shall consider—

16 “(A) information, recommendations, and
17 reports from the Paperwork Reduction Work
18 Group established by the Food and Nutrition
19 Service pursuant to section 119(i) of the Child
20 Nutrition and WIC Reauthorization Act of
21 2004 (42 U.S.C. 1766);

22 “(B) the use of electronic systems and rec-
23 ordkeeping technologies to reduce paperwork
24 for program participants and program opera-
25 tors; and

1 “(C) duplicative requirements across mul-
2 tiple Federal programs.

3 “(5) GUIDANCE AND REGULATIONS.—Not later
4 than 2 years after the date of the enactment of this
5 subsection, the Secretary shall issue guidance and,
6 as appropriate, regulations based on the rec-
7 ommendations described in paragraph (2)(B) for
8 streamlined and consolidated paperwork and record-
9 keeping requirements for the program, including ac-
10 tions taken to reduce paperwork for parents and
11 program operators by—

12 “(A) streamlining and modernizing appli-
13 cations; and

14 “(B) streamlining and modernizing the
15 monitoring and auditing of programmatic docu-
16 mentation and recordkeeping, including—

17 “(i) eliminating the use of the enroll-
18 ment form for the purpose of claiming
19 meals;

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

22 “(iii) requiring States to accept as
23 documentation digital forms, digitized and
24 electronic signatures, and electronic
25 records;

1 “(iv) allowing the use of electronic
2 data collection systems containing all re-
3 quired Federal child and adult care food
4 program standards;

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

7 “(vi) requiring the adoption of gen-
8 erally accepted technologies for client-fac-
9 ing technology, virtual visits, and tech-
10 nology used for administrative functions by
11 the child and adult care food program to
12 reduce the burden on participants and pro-
13 gram operators and administrators.

14 “(6) REPORT.—

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

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

1 “(i) With respect to each instance in
2 which the Secretary did not implement a
3 recommendation of the Advisory Com-
4 mittee, an explanation with respect to why
5 such recommendation was not imple-
6 mented.

7 “(ii) Additional recommendations with
8 respect to legislative action that may fur-
9 ther strengthen and streamline the pro-
10 gram application and monitoring process
11 and reduce administrative burdens on
12 grantees, program participants, and local,
13 State, and Federal governments.”.

14 **TITLE V—ADDRESSING CHILD**
15 **FOOD INSECURITY DURING**
16 **THE SUMMER**

17 **SEC. 501. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
18 **DREN.**

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

24 (b) PUBLIC-PRIVATE PARTNERSHIPS.—Section 13(a)
25 of the Richard B. Russell National School Lunch Act (42

1 U.S.C. 1761(a)) is amended by striking paragraph (8) and
2 inserting the following:

3 “(8) YEAR-ROUND MEAL SERVICE.—

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

14 “(B) YEAR-ROUND MEAL SERVICE FOR
15 OTHER SERVICE INSTITUTIONS.—Each service
16 institution (other than a service institution de-
17 scribed in subparagraph (A)), in addition to
18 being eligible for reimbursement for meals de-
19 scribed in subsection (b)(2) served during each
20 day of operation during the periods described in
21 subsection (c)(1), may be reimbursed for up to
22 1 meal and 1 snack per child served at sites
23 that provide educational or enrichment activi-
24 ties during the regular school year during—

25 “(i) afterschool hours;

1 “(ii) weekends; and

2 “(iii) school holidays.”.

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

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

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

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

12 “(A) IN GENERAL.—Subject to the avail-
13 ability of appropriations specifically for the pur-
14 pose of carrying out this paragraph, the Sec-
15 retary may award competitive grants to States
16 to award subgrants to service institutions in ac-
17 cordance with subparagraph (B).

18 “(B) SUBGRANTS.—

19 “(i) IN GENERAL.—A State that re-
20 ceives a grant under subparagraph (A)
21 shall use such grant funds to award com-
22 petitive subgrants to service institutions se-
23 lected by the State to increase participa-
24 tion in the program—

1 “(I) at congregate feeding sites;

2 and

3 “(II) through—

4 “(aa) innovative approaches
5 to addressing barriers in trans-
6 portation to such sites; and

7 “(bb) mobile meal delivery.

8 “(ii) ELIGIBILITY.—To be selected to
9 receive a subgrant under this subpara-
10 graph, a service institution shall—

11 “(I) be located in the State;

12 “(II) submit to the State an ap-
13 plication at such time, in such man-
14 ner, and containing such information
15 as the State may require;

16 “(III) meet criteria established
17 by the State; and

18 “(IV) agree to the terms and
19 conditions of the subgrant, as estab-
20 lished by the State.

21 “(iii) PRIORITY.—In awarding sub-
22 grants under this subparagraph, the State
23 shall give priority to service institutions
24 that—

1 “(I) serve both breakfast and
2 lunch; or

3 “(II) offer educational or enrich-
4 ment programs.

5 “(iv) TRAVEL REIMBURSEMENT.—A
6 service institution that receives a subgrant
7 under this subparagraph may use subgrant
8 funds to provide reimbursement for travel
9 to satellite congregate feeding sites.

10 “(C) AUTHORIZATION OF APPROPRIA-
11 TIONS.—There are authorized to be appro-
12 priated to the Secretary to make competitive
13 grants under this paragraph, \$10,000,000 for
14 each fiscal year.”; and

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

17 (d) CULTURALLY AND LINGUISTICALLY APPRO-
18 PRIATE OUTREACH REGARDING SUMMER FOOD SERVICE
19 PROGRAM.—Paragraph (10)(B) of section 13(a) of the
20 Richard B. Russell National School Lunch Act (42 U.S.C.
21 1761(a)), as redesignated by subsection (c)(3), is amended
22 by inserting “culturally and linguistically appropriate”
23 after “dissemination of” both places it appears.

24 (e) TIMING OF ADJUSTMENTS.—Section 13(b)(1)(B)
25 of the Richard B. Russell National School Lunch Act (42

1 U.S.C. 1761(b)(1)(B)) is amended by striking “ending the
2 preceding November” and inserting “ending on the pre-
3 ceding October”.

4 (f) THIRD MEAL.—Section 13(b)(2) of the Richard
5 B. Russell National School Lunch Act (42 U.S.C.
6 1761(b)(2)) is amended by striking “only serve lunch”
7 and all that follows through “migrant children may”.

8 (g) MEAL SERVICE DURING UNANTICIPATED
9 SCHOOL CLOSURES.—Section 13(c)(1) of the Richard B.
10 Russell National School Lunch Act (42 U.S.C.
11 1761(c)(1)) is amended by striking “at non-school sites.”

12 (h) SUMMER NUTRITION STANDARDS.—Section 13(f)
13 of the Richard B. Russell National School Lunch Act (42
14 U.S.C. 1761(f)) is amended by adding at the end the fol-
15 lowing:

16 “(8) Not later than 2 years after the date of
17 the enactment of this paragraph and in accordance
18 with paragraph (1), the Secretary shall promulgate
19 proposed regulations to update the nutrition stand-
20 ards for the summer food service program author-
21 ized under this Act to be guided by the goals of the
22 most recent Dietary Guidelines for Americans pub-
23 lished under section 301 of the National Nutrition
24 Monitoring and Related Research Act of 1990

1 (7.U.S.C. 5341), taking into account the structure
2 of the Program.’”.

3 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
4 13(r) of the Richard B. Russell National School Lunch
5 Act (42 U.S.C. 1761(r)) is amended by striking “2015”
6 and inserting “2028”.

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

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

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

14 “(a) PROGRAM ESTABLISHED.—The Secretary shall
15 establish a program under which States and covered In-
16 dian Tribal organizations participating in such program
17 shall, beginning with summer 2024 and annually for each
18 summer thereafter, issue to eligible households summer
19 EBT benefits—

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

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

1 “(b) SUMMER EBT BENEFITS REQUIREMENTS.—

2 “(1) PURCHASE OPTIONS.—

3 “(A) BENEFITS ISSUED BY STATES.—

4 “(i) WIC PARTICIPATION STATES.—In
5 the case of a State that participated in a
6 demonstration program under section
7 749(g) of the Agriculture, Rural Develop-
8 ment, Food and Drug Administration, and
9 Related Agencies Appropriations Act, 2010
10 (Public Law 111–80; 123 Stat. 2132) dur-
11 ing calendar year 2018 using a WIC
12 model, summer EBT benefits issued pur-
13 suant to subsection (a) by such a State
14 may only be used by the eligible household
15 that receives such summer EBT benefits to
16 purchase—

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

20 “(aa) the special supple-
21 mental nutrition program for
22 women, infants, and children
23 under section 17 of the Child
24 Nutrition Act of 1966 (42 U.S.C.
25 1786); or

1 “(bb) the program under
2 this section; or

3 “(II) food (as defined in section
4 3(k) of the Food and Nutrition Act of
5 2008 (7 U.S.C. 2011(k))) from retail
6 food stores that have been approved
7 for participation in the supplemental
8 nutrition assistance program estab-
9 lished under such Act, in accordance
10 with section 7(b) of such Act (7
11 U.S.C. 2016(b)).

12 “(ii) OTHER STATES.—Summer EBT
13 benefits issued pursuant to subsection (a)
14 by a State not described in clause (i) may
15 only be used by the eligible household that
16 receives such summer EBT benefits to
17 purchase food (as defined in section 3(k)
18 of the Food and Nutrition Act of 2008 (7
19 U.S.C. 2011(k))) from retail food stores
20 that have been approved for participation
21 in the supplemental nutrition assistance
22 program established under such Act, in ac-
23 cordance with section 7(b) of such Act (7
24 U.S.C. 2016(b)).

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

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

13 “(ii) the program under this section.

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

16 “(A) shall be—

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

21 “(ii) for calendar year 2025 and each
22 year thereafter, in an amount equal to the
23 amount described in clause (i), adjusted to
24 the nearest lower dollar increment to re-
25 flect changes to the cost of the thrifty food

1 plan (as defined in section 3(u) of the
2 Food and Nutrition Act of 2008 (7 U.S.C.
3 2012(u)) for the 12-month period ending
4 on November 30 of the preceding calendar
5 year; and

6 “(B) may be issued—

7 “(i) in the form of an EBT card; or

8 “(ii) through electronic delivery.

9 “(c) ENROLLMENT IN PROGRAM.—

10 “(1) STATE REQUIREMENTS.—States partici-
11 pating in the program under this section—

12 “(A) shall, with respect to summer, auto-
13 matically enroll eligible children who are di-
14 rectly certified or otherwise determined by a
15 school food authority to be eligible to receive
16 free or reduced price meals in the school year
17 immediately preceding the summer in the pro-
18 gram under this section, without further appli-
19 cation from households;

20 “(B) may provide an application for chil-
21 dren who are not directly certified to receive
22 free or reduced price meals and make eligibility
23 determinations using the same eligibility cri-
24 teria for free or reduced price lunches under
25 this Act;

1 “(C) shall establish procedures to carry out
2 the enrollment described in subparagraph (A);
3 and

4 “(D) shall require local educational agen-
5 cies to allow eligible households to opt out of
6 participation in the program under this section
7 and establish procedures for opting out of such
8 participation.

9 “(2) COVERED INDIAN TRIBAL ORGANIZATION
10 REQUIREMENTS.—Covered Indian Tribal organiza-
11 tions participating in the program under this section
12 shall, to the maximum extent practicable, meet the
13 requirements under subparagraphs (A) through (C)
14 of paragraph (1).

15 “(d) IMPLEMENTATION GRANTS.—Not later than Oc-
16 tober 1, 2022, the Secretary shall carry out a program
17 to make grants to States and covered Indian Tribal orga-
18 nizations to build capacity for implementing the program
19 under this section.

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

25 “(f) DEFINITIONS.—In this section:

1 “(1) COVERED INDIAN TRIBAL ORGANIZA-
2 TION.—The term ‘covered Indian Tribal organiza-
3 tion’ means an Indian Tribal organization that par-
4 ticipates in the special supplemental nutrition pro-
5 gram for women, infants, and children under section
6 17 of the Child Nutrition Act of 1966 (42 U.S.C.
7 1786).

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

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

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

19 “(C) enrolled in a school described in sub-
20 paragraph (B), (C), (D), (E), or (F) of section
21 11(a)(1).

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

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

3 “(A) means foods—

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

7 “(ii) that promote the health of the
8 population served by the program under
9 this section, as indicated by relevant nutri-
10 tion science, public health concerns, and
11 cultural eating patterns, as determined by
12 the Secretary; and

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

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

19 “(ii) allow for different cultural eating
20 patterns than foods described in such sub-
21 paragraph.”.

1 **TITLE VI—IMPROVING CAPACITY**
2 **AND PROMOTING SUSTAIN-**
3 **ABILITY**

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

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

7 (1) in paragraph (1)—

8 (A) by striking “to purchase unprocessed
9 agricultural products, both locally grown and lo-
10 cally raised”; and

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

14 “(A) locally grown and locally raised;

15 “(B) produced in an environmentally sus-
16 tainable manner;

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

19 “(D) produced by an underserved or lim-
20 ited resource producer;

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

23 “(F) produced by a farm with employees
24 who, as permitted by law, are represented by a

1 collective bargaining agreement or memo-
2 randum of understanding;

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

5 “(H) produced by a farm participating in
6 an independent animal welfare certification pro-
7 gram;”;

8 (2) by amending paragraph (3) to read as fol-
9 lows:

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

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

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

19 and

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

22 “(i) in an environmentally sustainable
23 manner;

24 “(ii) by a certified organic farm or
25 ranch;

1 “(iii) by an underserved or limited re-
2 source producer;

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

5 “(v) by a farm with employees who, as
6 permitted by law, are represented by a col-
7 lective bargaining agreement or memo-
8 randum of understanding;

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

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

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

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

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

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

1 “(C) UNDERSERVED PRODUCER.—The
2 term ‘underserved producer’ means an indi-
3 vidual (including a member of an Indian Tribe)
4 that is—

5 “(i) a beginning farmer or rancher;

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

7 “(iii) a socially disadvantaged farmer
8 or rancher.

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

14 **SEC. 602. PROCUREMENT TRAINING.**

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

19 **SEC. 603. BUY AMERICAN.**

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

23 “(5) ADMINISTRATIVE REVIEWS.—

24 “(A) IN GENERAL.—In conducting the re-
25 views required under section 22(b)(1)(C)(i) of

1 the Richard B. Russell National School Lunch
2 Act (42 U.S.C. 1769c(b)(1)(C)(i)), a State
3 agency located in Puerto Rico, Hawaii, or the
4 contiguous United States shall include the in-
5 formation described in subparagraph (B) re-
6 garding compliance with the requirements
7 under this subsection.

8 “(B) INFORMATION REQUIRED.—The in-
9 formation required under subparagraph (A)
10 shall include, with respect to a school food au-
11 thority served by the State agency—

12 “(i) the 10 commodities or food prod-
13 ucts purchased by such school food author-
14 ity that—

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

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

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

23 “(I) is not produced domestically
24 in sufficient quantities of satisfactory
25 quality to meet the needs of meals

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

6 “(II) would be significantly high-
7 er in price if purchased domestically;
8 and

9 “(iii) whether the school food author-
10 ity experienced suspected, alleged, or con-
11 firmed noncompliance on the part of a dis-
12 tributor in the last 12 months.

13 “(6) ANNUAL NATIONALLY REPRESENTATIVE
14 EVALUATION.—

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

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

21 “(ii) publish the findings of such eval-
22 uation on the publicly available website of
23 the Department.

24 “(B) REQUIREMENTS.—The Secretary
25 shall require each school food authority that

1 participates in the evaluation under subpara-
2 graph (A) to disclose, as part of such evalua-
3 tion—

4 “(i) the 10 commodities or food prod-
5 ucts purchased by such school food author-
6 ity that—

7 “(I) are not domestic commod-
8 ities or food products; and

9 “(II) make up the largest share
10 of the school food authority’s spend-
11 ing with respect to commodities or
12 food products;

13 “(ii) whether each such commodity or
14 food product—

15 “(I) is not produced domestically
16 in sufficient quantities of satisfactory
17 quality to meet the needs of meals
18 provided under the school lunch pro-
19 gram under this Act or the school
20 breakfast program under section 4 of
21 the Child Nutrition Act of 1966 (42
22 U.S.C. 1773); and

23 “(II) would be significantly high-
24 er in price if purchased domestically;
25 and

1 “(iii) whether the school food author-
2 ity experienced suspected, alleged, or con-
3 firmed noncompliance on the part of a dis-
4 tributor in the last 12 months.

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

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

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

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

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

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

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

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

7 “(d) PILOT GRANT PROGRAM FOR 100 PERCENT
8 PLANT-BASED FOOD OPTIONS.—

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

13 “(2) IN GENERAL.—

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

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

20 “(3) APPLICATION.—

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

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

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

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

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

11 “(i) will use the grant funds to—

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

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

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

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

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

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

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

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

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

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

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

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

5 “(ii) local farmers.

6 “(5) REPORTS.—

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

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

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

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

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

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

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

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

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

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

1 “(7) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

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

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

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

21 “(B) BEGINNING FARMER OR RANCHER.—

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

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

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

13 “(i) a beginning farmer or rancher;

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

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

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

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

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

1 “(e) SCHOOL FOOD WASTE REDUCTION GRANT PRO-
2 GRAM.—

3 “(1) GRANT PROGRAM ESTABLISHED.—

4 “(A) IN GENERAL.—The Secretary shall
5 carry out a program to award grants, on a com-
6 petitive basis, to school food authorities to carry
7 out food waste measurement and reporting, pre-
8 vention, education, and reduction projects.

9 “(B) REGIONAL BALANCE.—In awarding
10 grants under this subsection, the Secretary
11 shall, to the maximum extent practicable, en-
12 sure that—

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

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

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

24 “(3) PRIORITY.—In awarding grants under this
25 subsection, the Secretary shall give priority to a

1 school food authority that demonstrates in the appli-
2 cation under paragraph (2) that such school food
3 authority will use the grant to—

4 “(A) carry out experiential education ac-
5 tivities that encourage children served by such
6 school food authority to participate in food
7 waste measurement and reporting, prevention,
8 education, and reduction projects;

9 “(B) prioritize the best use of food in ac-
10 cordance with the Food Recovery Hierarchy
11 published by the Administrator of the Environ-
12 mental Protection Agency;

13 “(C) with respect to food waste measure-
14 ment and reporting, prevention, education, and
15 reduction projects, collaborate with other school
16 food authorities, tribes, nongovernmental and
17 community-based organizations, and other com-
18 munity partners;

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

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

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

5 “(A) Planning and carrying out a food
6 waste measurement and reporting, prevention,
7 education, and reduction project.

8 “(B) Providing training to support such a
9 project.

10 “(C) Purchasing equipment to support
11 such a project.

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

14 “(5) REQUIREMENT.—A food waste measure-
15 ment and reporting, prevention, education, and re-
16 duction project funded by a grant under this sub-
17 section shall comply with the nutrition standards for
18 the school lunch program authorized under this Act
19 and the school breakfast program established by sec-
20 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
21 1773), as applicable.

22 “(6) REPORTS.—

23 “(A) SCHOOL FOOD AUTHORITY RE-
24 PORT.—Not later than 1 year after receiving a
25 grant under this subsection, and on an annual

1 basis thereafter, a school food authority shall
2 submit to the Secretary a report that includes
3 an evaluation of the outcomes of the projects
4 carried out pursuant to such grant.

5 “(B) SECRETARY REPORT.—Not later than
6 1 year after the end of a school year during
7 which the Secretary receives reports required
8 under subparagraph (B), the Secretary shall
9 submit to Congress a report that includes a
10 summary of the reports received under subpara-
11 graph (B) and such information with respect to
12 the program as the Secretary determines to be
13 relevant.

14 “(7) AUTHORIZATION OF APPROPRIATIONS.—
15 There is authorized to be appropriated to carry out
16 this subsection \$10,000,000 for fiscal year 2024, to
17 remain available through fiscal year 2028.”.

18 **SEC. 606. FARM TO SCHOOL GRANT PROGRAM.**

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

21 (1) by amending paragraph (1) to read as fol-
22 lows:

23 “(1) DEFINITIONS.—In this subsection:

24 “(A) AGRICULTURAL PRODUCER.—The
25 term ‘agricultural producer’ means a farmer,

1 rancher, or fisher (including of farm-raised
2 fish).

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

8 “(C) ELIGIBLE INSTITUTION.—The term
9 ‘eligible institution’ means a school or institu-
10 tion that participates in a program under this
11 Act or the school breakfast program established
12 under section 4 of the Child Nutrition Act of
13 1966 (42 U.S.C. 1773).

14 “(D) FARM TO SCHOOL PROGRAM.—The
15 term ‘farm to school program’ means a pro-
16 gram that—

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

19 “(ii) carries out—

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

22 “(II) procurement from local ag-
23 ricultural producers; or

24 “(III) educational activities relat-
25 ing to agriculture, nutrition, or food.

1 “(E) UNDERSERVED PRODUCER.—The
2 term ‘underserved producer’ means an indi-
3 vidual (including a member of an Indian Tribe)
4 that is—

5 “(i) a beginning farmer or rancher;

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

7 “(iii) a socially disadvantaged farmer
8 or rancher.

9 “(F) VETERAN FARMER OR RANCHER.—

10 The term ‘veteran farmer or rancher’ has the
11 meaning given such term in section 2501(a) of
12 the Food, Agriculture, Conservation, and Trade
13 Act of 1990 (7 U.S.C. 2279(a)).”;

14 (2) in paragraph (2)—

15 (A) by striking “schools” each place it ap-
16 pears and inserting “institutions”;

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

19 (C) by striking “grants and technical as-
20 sistance” and inserting “grants, technical as-
21 sistance, research, and evaluation”;

22 (3) in paragraph (3)—

23 (A) in subparagraph (A)—

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

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

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

6 “(vi) implementing educational activi-
7 ties relating to agriculture, nutrition, or
8 food;

9 “(vii) implementing innovative ap-
10 proaches to aggregation, processing, trans-
11 portation, and distribution of food;”;

12 (B) by amending subparagraph (C) to read
13 as follows:

14 “(C) AWARDS.—

15 “(i) MAXIMUM AMOUNT.—The total
16 amount provided to a grant recipient under
17 this subsection shall not exceed \$500,000.

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

20 “(iii) PURPOSE AND SCOPE.—In mak-
21 ing awards under this subsection, the Sec-
22 retary shall, to the extent practicable,
23 make awards of diverse amounts and dura-
24 tion in order to best match the award to

1 the purpose and scope of the project to be
2 funded.”;

3 (4) by striking paragraph (4);

4 (5) by redesignating paragraphs (5) through
5 (9) as paragraphs (4) through (8), respectively;

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

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

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

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

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

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

18 (E) by striking subparagraph (C);

19 (F) in subparagraph (D), by striking “eli-
20 gible schools” and all that follows through
21 “partners” and inserting “eligible institutions,
22 State and local agencies, Tribal organizations
23 and agencies, agricultural producers or groups
24 of agricultural producers, land-grant colleges

1 and universities, and nonprofit entities on the
2 activities described in paragraph (3)’’;

3 (G) in subparagraph (F), by striking
4 ‘‘and’’ at the end;

5 (H) by redesignating subparagraphs (A)
6 and (B) as clauses (i) and (ii) and adjusting
7 the margins accordingly;

8 (I) by redesignating subparagraphs (D)
9 through (F) as clauses (iv) through (vi), respec-
10 tively, and adjusting the margins accordingly;

11 (J) by inserting after clause (ii), as so re-
12 designated by subparagraph (H), the following:

13 ‘‘(iii) incorporate experiential, tradi-
14 tional, and culturally appropriate food, nu-
15 trition, or agricultural education activities
16 in curriculum planning;’’.

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

19 (L) by inserting after clause (vi) (as so re-
20 designated) the following:

21 ‘‘(vii) expand the selection of local
22 commodities for eligible institutions;

23 ‘‘(viii) identify and address chronic
24 diet-related health issues of children served
25 by eligible institutions; and’’; and

1 (M) by adding at the end the following:

2 “(B) TRIBAL COMMUNITY PROJECTS.—In
3 the case of projects serving Tribal communities,
4 the Secretary shall, to the maximum extent
5 practicable, give priority to projects that best
6 utilize products, including traditional foods,
7 from Tribal agricultural producers, as deter-
8 mined by the Secretary.”;

9 (7) in paragraph (6), as so redesignated—

10 (A) in the matter preceding subparagraph
11 (A), by striking “The Secretary” and all that
12 follows through “nonprofit entities” and insert-
13 ing the following:

14 “(A) IN GENERAL.—The Secretary shall
15 provide technical assistance and information to
16 assist eligible institutions, State and local agen-
17 cies, Indian Tribal organizations, agricultural
18 producers or agricultural producer groups, and
19 nonprofit entities”;

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

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

1 (D) by redesignating subparagraphs (A)
2 through (C) as clauses (i) through (iii), respec-
3 tively, and adjusting the margins accordingly;

4 (E) by adding after clause (iii), as so re-
5 designated by subparagraph (D), the following:

6 “(iv) to increase awareness of, and
7 participation in, farm to school programs
8 among agricultural producers or agricul-
9 tural producer groups, including—

10 “(I) underserved or limited re-
11 source producers; and

12 “(II) local farmers.”; and

13 (F) by adding at the end the following:

14 “(B) REVIEW.—

15 “(i) IN GENERAL.—Not later than 1
16 year after the date of enactment of the
17 Healthy Meals, Healthy Kids Act, and
18 every 3 years thereafter, the Secretary
19 shall submit to the Committee on Agri-
20 culture of the House of Representatives,
21 the Committee on Education and Labor of
22 the House of Representatives, and the
23 Committee on Agriculture, Nutrition, and
24 Forestry of the Senate a report that de-
25 scribes the progress that has been made in

1 identifying and eliminating barriers related
2 to developing farm to school programs.

3 “(ii) REQUIREMENTS.—In preparing
4 the report, the Secretary shall examine—

5 “(I) the direct and indirect regu-
6 latory compliance costs affecting the
7 production and marketing of locally or
8 regionally produced agricultural food
9 products to child nutrition programs;

10 “(II) barriers to local and re-
11 gional child nutrition program market
12 access for small-scale production;

13 “(III) barriers to funding
14 projects that meet the criteria de-
15 scribed in paragraph (5)(A);

16 “(IV) barriers to local and re-
17 gional child nutrition market access
18 for Tribal farmers and ranchers; and

19 “(V) barriers to funding Tribal
20 projects under farm to school pro-
21 grams.”;

22 (8) in paragraph (7), as so redesignated—

23 (A) in subparagraph (A), by striking
24 “\$5,000,000” and inserting “\$15,000,000”;
25 and

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

2 “(C) ADMINISTRATION.—Of the funds pro-
3 vided to the Secretary under subparagraph (A),
4 not more than 5 percent may be used to pay
5 administrative costs incurred by the Secretary
6 in carrying out this subsection.”; and

7 (9) in paragraph (8), as so redesignated, by
8 striking “2011 through 2015” and inserting “2023
9 through 2028”.

10 **TITLE VII—SUPPORTING TRIBES**
11 **AND FREELY ASSOCIATED**
12 **STATES**

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

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

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

21 “(1) IN GENERAL.—The Secretary of Agri-
22 culture shall establish a pilot project to award
23 grants to up to 10 eligible entities to prepare such
24 entities to administer or operate and implement, in
25 covered schools—

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

3 “(B) the child and adult care food pro-
4 gram established by section 17 of this Act;

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

7 and

8 “(D) the school breakfast program estab-
9 lished by section 4 of the Child Nutrition Act
10 of 1966 (42 U.S.C. 1773).

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

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

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

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

23 “(4) GRANTS.—

24 “(A) IN GENERAL.—The Secretary shall
25 award, to each eligible entity selected to partici-

1 pate in the project under this subsection, a
2 grant, of an amount negotiated with such eligi-
3 ble entity, that is not less than \$10,000 and not
4 more than \$200,000.

5 “(B) SUNSET.—The authority of the Sec-
6 retary to award grants under this subsection
7 shall terminate on the date that is 5 years after
8 the date on which the first grant is awarded
9 under this subsection.

10 “(5) REIMBURSEMENTS.—

11 “(A) IN GENERAL.—Notwithstanding any
12 other provision of law, an eligible entity partici-
13 pating in the project under this subsection—

14 “(i) may carry out the programs ref-
15 erenced in subparagraphs (A) through (D)
16 of paragraph (1);

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

21 “(iii) with respect to the child and
22 adult care food program established under
23 this Act, shall be reimbursed as if it were
24 a State under section 17, including audit
25 funds under subsection (i) of such section;

1 “(iv) with respect to the summer food
2 service program for children established
3 under this Act, shall be reimbursed as if it
4 were a State under section 13, including
5 administrative funds under subsection (k)
6 of such section; and

7 “(v) with respect to the school break-
8 fast program established by section 4 of
9 the Child Nutrition Act of 1966 (42
10 U.S.C. 1733), shall be reimbursed as if it
11 were a State under such section.

12 “(B) ADMINISTRATIVE FUNDS.— An eligi-
13 ble entity that participates in the project under
14 this subsection may receive administrative
15 funds at a rate that is consistent with the
16 amount received by a State under section 7 of
17 the Child Nutrition Act of 1966 (42 U.S.C.
18 1776).

19 “(C) TRIBAL OPERATORS.—An eligible en-
20 tity that is an Indian tribe that participates in
21 the project under this subsection as direct pro-
22 gram operators shall be reimbursed by the De-
23 partment.

24 “(6) DEFINITIONS.—In this subsection:

1 “(A) BUREAU-FUNDED SCHOOL.—The
2 term ‘Bureau-funded school’ has the meaning
3 given such term in section 1141 of the Edu-
4 cation Amendments of 1978 (25 U.S.C. 2021).

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

7 “(i) a Bureau-funded school;

8 “(ii) a school—

9 “(I) on or in proximity to a res-
10 ervation; or

11 “(II) that primarily serves Native
12 American students; and

13 “(iii) early care and education facili-
14 ties, including facilities that participate in
15 a Head Start program authorized under
16 the Head Start Act (42 U.S.C. 9831 et
17 seq.).

18 “(C) ELIGIBLE ENTITY.—The term ‘eligi-
19 ble entity’ means—

20 “(i) an Indian tribe or tribal organiza-
21 tion approved by an Indian tribe;

22 “(ii) a consortium of Indian tribes;
23 and

24 “(iii) a partnership between—

25 “(I) an Indian tribe; and

1 “(II) either—
2 “(aa) a State educational
3 agency;
4 “(bb) a local educational
5 agency;
6 “(cc) a tribal educational
7 agency; or
8 “(dd) the Bureau of Indian
9 Education.

10 “(D) INDIAN TRIBE.—The term ‘Indian
11 tribe’ has the meaning given such term in sec-
12 tion 4 of the Indian Self-Determination and
13 Education Assistance Act (25 U.S.C. 5304).

14 “(E) SCHOOL.—The term ‘school’ has the
15 meaning given such term in section 12(d) of the
16 Richard B. Russell National School Lunch Act
17 (42 U.S.C. 1760(d)).

18 “(F) TRIBAL EDUCATIONAL AGENCY.—The
19 term ‘tribal educational agency’ has the mean-
20 ing given such term in section 6132(b) of the
21 Elementary and Secondary Education Act of
22 1965 (20 U.S.C. 7452(b)).”

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

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

7 “(1) ISLAND AREAS ELIGIBILITY FEASIBILITY
8 STUDY.—

9 “(1) IN GENERAL.—Not later than 12 months
10 after the date of the enactment of this subsection,
11 the Secretary shall begin a feasibility study to assess
12 the ability and preparedness of the freely associated
13 States to operate—

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

16 “(B) the child and adult care food pro-
17 gram established by section 17 of this Act;

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

21 “(D) the school breakfast program estab-
22 lished by section 4 of the Child Nutrition Act
23 of 1966 (42 U.S.C. 1773).

24 “(2) CONTENTS.—In conducting the study de-
25 scribed in paragraph (1), the Secretary shall con-
26 sider—

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

4 “(B) an assessment of preparedness to—

5 “(i) comply with management evalua-
6 tions conducted by the Secretary, acting
7 through the Administrator of the Food and
8 Nutrition Service; and

9 “(ii) cooperate in Federal audits and
10 evaluations;

11 “(C) administrative and financial capa-
12 bility to meet the requirements of each program
13 listed under paragraph (1);

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

16 “(E) statutory requirements that require
17 waiver or modification by the Secretary and the
18 feasibility of carrying out such waivers or modi-
19 fications; and

20 “(F) any other relevant considerations, as
21 determined by the Secretary.

22 “(3) SUBMISSION.—Not later than 24 months
23 after the date on which the Secretary begins the
24 study under paragraph (1), the Secretary shall—

25 “(A) complete such study; and

1 “(B) submit the findings of such study to
2 the Committee on Education and Labor of the
3 House of Representatives and the Senate Com-
4 mittee on Agriculture, Nutrition, and Forestry.

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

8 “(A) the Federated States of Micronesia;

9 “(B) the Republic of the Marshall Islands;

10 and

11 “(C) the Republic of Palau.”.

12 **TITLE VIII—ADDRESSING LUNCH**
13 **SHAMING AND UNPAID MEAL**
14 **DEBT**

15 **SEC. 801. UNPAID MEAL DEBT.**

16 (a) RETROACTIVE REIMBURSEMENT.—Section
17 9(b)(9)(C) of the Richard B. Russell National School
18 Lunch Act (42 U.S.C. 1758(b)(9)(C)) is amended—

19 (1) by striking “Except” and inserting the fol-
20 lowing:

21 “(i) IN GENERAL.—Except”;

22 (2) by redesignating clauses (i) and (ii) as sub-
23 clauses (I) and (II); and

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

1 “(ii) RETROACTIVITY.—A local edu-
2 cational agency shall revise a previously
3 submitted meal claim to reflect the eligi-
4 bility approval of a child for free or re-
5 duced price meals for the period that be-
6 gins on the first day of the current school
7 year.

8 “(iii) MEAL CLAIM DEFINED.—In this
9 subsection, the term ‘meal claim’ means
10 any documentation provided by a school
11 food authority to a State agency in order
12 to receive reimbursement for the cost of a
13 meal served to a child by such school food
14 authority.”.

15 (b) REDUCING STIGMA ASSOCIATED WITH UNPAID
16 SCHOOL MEAL FEES.—Section 9(b)(10) of the Richard
17 B. Russell National School Lunch Act (42 U.S.C.
18 1758(b)(10)) is amended to read as follows:

19 “(10) REDUCING STIGMA ASSOCIATED WITH
20 UNPAID SCHOOL MEAL FEES.—

21 “(A) OVERT IDENTIFICATION PROHIB-
22 ITED.—A local educational agency or school
23 food authority may not, based on the status of
24 a child as a covered child—

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

3 “(ii) overtly identify such covered
4 child—

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

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

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

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

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

19 “(ii) in a case where the local edu-
20 cational agency is not able to directly cer-
21 tify such covered child under paragraph
22 (4) or (5), provide to the household of such
23 covered child—

24 “(I) a household application and
25 applicable descriptive material; and

1 “(II) written and oral commu-
2 nications to encourage submission of
3 the application.

4 “(C) COLLECTION OF UNPAID SCHOOL
5 MEAL FEES.—In attempting to collect unpaid
6 school meal fees from a household, a local edu-
7 cational agency or school food authority may
8 not—

9 “(i) except as described in subpara-
10 graph (D), direct any communication re-
11 garding unpaid school meal fees to a cov-
12 ered child who is a member of such house-
13 hold;

14 “(ii) withhold educational opportuni-
15 ties (including grades and participation in
16 extracurricular activities or local edu-
17 cational agency programs or services)
18 from, or otherwise stigmatize, a covered
19 child due to the status of the covered child
20 as a covered child; or

21 “(iii) use a debt collector (as such
22 term is defined in section 803 of the Con-
23 sumer Credit Protection Act (15 U.S.C.
24 1692a)).

1 “(D) LETTERS.—A school food authority
2 may require that a covered child deliver a
3 sealed letter addressed to a parent or guardian
4 of the covered child that contains a communica-
5 tion relating to unpaid school meal fees, subject
6 to the condition that the letter shall not be dis-
7 tributed to the covered child in a manner that
8 stigmatizes the covered child.

9 “(E) ELIMINATING STIGMA IN MEAL SERV-
10 ICE.—In providing a meal to a covered child, a
11 local educational agency or school food author-
12 ity may not, based on the status of the covered
13 child as a covered child, dispose of or take away
14 from the covered child any food that has al-
15 ready been served to such covered child.

16 “(F) DEFINITIONS.—In this paragraph:

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

19 “(I) is—

20 “(aa) enrolled in a school
21 that participates in the school
22 lunch program under this Act or
23 the school breakfast program
24 under section 4 of the Child Nu-

1 trition Act of 1966 (42 U.S.C.
2 1773); and

3 “(bb) is a member of a
4 household that owes unpaid
5 school meal fees; or

6 “(II) is eligible for a free or re-
7 duced price lunch under this section.

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

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

17 (a) ESTABLISHMENT.—There is established a Na-
18 tional Advisory Council on Unpaid Meal Debt in Child Nu-
19 trition Programs (in this section referred to as the “Coun-
20 cil”).

21 (b) DUTIES.—The Council shall provide rec-
22 ommendations, in accordance with subsection (g), to the
23 Administrator of the Food and Nutrition Service with re-
24 spect to addressing unpaid school meal fees by ensuring
25 that—

1 (1) students are not stigmatized; and

2 (2) school food authorities can maintain fiscal
3 solvency in order to ensure the long-term viability of
4 school meal programs.

5 (c) MEMBERSHIP.—

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

9 (A) 2 members shall be school nutrition
10 State agency directors who are employed in dif-
11 ferent States;

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

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

18 (D) 2 members shall be officials of the
19 Food and Nutrition Service office of the De-
20 partment of Agriculture;

21 (E) 2 members shall be parents or guard-
22 ians (who are not related to one another or to
23 the same child) of children who are eligible for
24 free and reduced price school meals;

1 (F) 2 members shall represent organiza-
2 tions with expertise in the school meal pro-
3 grams; and

4 (G) 2 members shall be food service profes-
5 sionals who—

6 (i) work in school cafeterias; and

7 (ii) maintain daily contact with stu-
8 dents, including by preparing or serving
9 meals or working at registers.

10 (2) TERMS.—

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

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

17 (d) COMPENSATION.—

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

20 (2) TRAVEL EXPENSES.— Each member shall
21 receive travel expenses, including per diem in lieu of
22 subsistence, in accordance with applicable provisions
23 under subchapter I of chapter 57 of title 5, United
24 States Code.

1 (3) PARENTS OR GUARDIANS.—In the case of a
2 member who is a parent or guardian appointed
3 under subsection (c)(1)(E), such member, in addi-
4 tion to reimbursement under paragraph (2), shall, at
5 the discretion of the Secretary, be compensated in
6 advance for other personal expenses related to par-
7 ticipation on the Council, including child care ex-
8 penses and lost wages during scheduled Council
9 meetings.

10 (4) AUTHORIZATION OF APPROPRIATIONS.—
11 There are authorized to be appropriated to carry out
12 this subsection \$1,500,000, to remain available
13 through the date described in subsection (h).

14 (e) CHAIRPERSON; VICE CHAIRPERSON.—

15 (1) ELIGIBILITY.—To be eligible for election to
16 Chairperson or Vice Chairperson of the Council, an
17 individual must be a member of the Council de-
18 scribed in subsection (c)(1).

19 (2) ELECTION.—The Chairperson and Vice
20 Chairperson of the Council shall be elected by such
21 members.

22 (f) MEETINGS.—

23 (1) IN GENERAL.—The Council shall meet not
24 fewer than 2 times per year at the call of the Chair-
25 person.

1 (2) QUORUM.—5 members of the Council shall
2 constitute a quorum.

3 (g) REPORT.—

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

9 (2) GUIDANCE.—Not later than 1 year after
10 the submission of the report under paragraph (1),
11 the Secretary, acting through the Administrator of
12 the Food and Nutrition Service, shall use the rec-
13 ommendations contained in such report to issue
14 guidance with respect to addressing unpaid school
15 meal fees.

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

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

23 (j) UNPAID SCHOOL MEAL FEES DEFINED.—In this
24 section, the term “unpaid school meal fees” means out-
25 standing fees owed by a household to a local educational

1 agency for lunches under this Act or breakfasts under sec-
2 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
3 1773).

4 **TITLE IX—STRENGTHENING EVI-**
5 **DENCE-BASED NUTRITION**
6 **STANDARDS**

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

9 (a) NUTRITION STANDARDS FOR SCHOOL MEALS.—

10 (1) AMENDMENTS TO THE RICHARD B. RUS-
11 SELL NATIONAL SCHOOL LUNCH ACT.—Section 9(f)
12 of the Richard B. Russell National School Lunch
13 Act (42 U.S.C. 1758(f)) is amended—

14 (A) in paragraph (1)—

15 (i) by striking “Schools that are par-
16 ticipating” and inserting the following:

17 “(A) SCHOOLS PARTICIPATING IN MEAL
18 PROGRAMS.—Schools that are participating”;

19 (ii) in subparagraph (B)—

20 (I) by striking “nutrient” and in-
21 sserting “dietary”; and

22 (II) by striking “ and food inse-
23 curity” and inserting “, food and nu-
24 trition insecurity, or chronic disease”;

1 (iii) by redesignating subparagraphs
2 (A) and (B) as clauses (i) and (ii), respec-
3 tively, and adjusting the margins accord-
4 ingly; and

5 (iv) by adding at the end the fol-
6 lowing:

7 “(B) UPDATING STANDARDS.—Not later
8 than 1 year after the first publication of the Di-
9 etary Guidelines for Americans under section
10 301 of the National Nutrition Monitoring and
11 Related Research Act of 1990 (7 U.S.C. 5341)
12 that occurs after the date of the enactment of
13 this subparagraph, and not less frequently than
14 once every 10 years, or not later than 1 year
15 after the publication of 2 consecutive updates to
16 the Dietary Guidelines for Americans published
17 under section 301 of the National Nutrition
18 Monitoring and Related Research Act of 1990
19 (7 U.S.C. 5341) thereafter, whichever occurs
20 first, the Secretary shall:

21 “(i) Enter into an agreement with the
22 National Academies of Sciences, Engineer-
23 ing, and Medicine to—

1 “(I) conduct a review of the nu-
2 trition standards and requirements
3 under paragraph (1); and

4 “(II) recommend updates to such
5 requirements so that they are sub-
6 stantially similar to the Dietary
7 Guidelines for Americans published
8 under section 301 of the National Nu-
9 trition Monitoring and Related Re-
10 search Act of 1990 (7 U.S.C. 5341),
11 taking into account the practical ap-
12 plication for implementation.

13 “(ii) Not later than 1 year after the
14 conclusion of the review described in clause
15 (i)(I), promulgate regulations to update
16 the school nutrition standards and require-
17 ments pursuant to paragraph (1) to align
18 with the recommendations under clause
19 (i)(II).

20 “(C) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There are authorized to be appro-
22 priated to carry out subparagraph (B),
23 \$3,000,000, for the fiscal year in which the
24 first publication of the Dietary Guidelines for
25 Americans under section 301 of the National

1 Nutrition Monitoring and Related Research Act
2 of 1990 (7 U.S.C. 5341) occurs after the date
3 of the enactment of this Act, to remain avail-
4 able until expended.”;

5 (B) in paragraph (2)—

6 (i) by striking “To assist schools in
7 meeting the requirements of this sub-
8 section, the Secretary” and inserting “As-
9 sistance to schools.”;

10 (ii) in subparagraph (A)—

11 (I) by striking “shall” and insert-
12 ing “ASSISTANCE REQUIRED.—To as-
13 sist schools in meeting the require-
14 ments of this subsection, the Sec-
15 retary shall”;

16 (II) in clause (i), by striking
17 “and” at the end;

18 (III) in clause (ii), by striking
19 “and” at the end;

20 (IV) by adding at the end of sub-
21 paragraph (A) the following:

22 “(iii) develop and provide to schools
23 best practices, trainings (including peer-to-
24 peer trainings), and other resources;

1 “(iv) implement healthier school envi-
2 ronment recognition programs; and

3 “(v) work with food manufacturers
4 and retailers to support development and
5 increased availability and affordability of
6 products that meet the nutrition stand-
7 ards; and”;

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

10 “(B) ASSISTANCE PERMITTED.—

11 “(i) IN GENERAL.—To assist schools
12 in meeting the requirements of this sub-
13 section, the Secretary may—

14 “(I) provide to schools informa-
15 tion regarding other approaches, as
16 determined by the Secretary; and

17 “(II) award grants and monetary
18 incentives to carry out 1 or more of
19 the following:

20 “(aa) Improving the nutri-
21 tional quality of meals and
22 snacks served under a child nu-
23 trition program.

24 “(bb) Enhancing the nutri-
25 tion and wellness environment of

1 institutions participating in a
2 child nutrition program, includ-
3 ing by reducing the availability of
4 less healthy foods during the
5 school day.

6 “(cc) Supporting food sys-
7 tems that supply nutritious foods
8 and beverages for children in
9 both schools and retail markets,
10 including those in underserved
11 communities.

12 “(dd) Funding a statewide
13 nutrition education coordinator
14 to support individual school food
15 authority nutrition education ef-
16 forts and to facilitate collabora-
17 tion with other nutrition edu-
18 cation efforts in the State.

19 “(ii) RECIPIENTS.—Grants provided
20 pursuant to clause (i) may be made avail-
21 able to third party entities that have expe-
22 rience working with school food service
23 personnel participating in the school lunch
24 program authorized under this Act and the
25 school breakfast program established by

1 section 4 of the Child Nutrition Act of
2 1966 (42 U.S.C. 1773) to provide tech-
3 nical assistance to schools in meeting the
4 goals of this subparagraph.”; and
5 (C) by striking paragraphs (3) and (4).

6 (2) AMENDMENTS TO THE CHILD NUTRITION
7 ACT OF 1966.—Section 10(b) of the Child Nutrition
8 Act of 1966 (42 U.S.C. 1779) is amended—

9 (A) by striking “(b) NATIONAL SCHOOL
10 NUTRITION STANDARDS.—”;

11 (B) in paragraph (1)—

12 (i) in subparagraph (A)—

13 (I) in clause (i)—

14 (aa) by inserting “that are
15 consistent with the goals of the
16 most recent Dietary Guidelines
17 for Americans published under
18 section 301 of the National Nu-
19 trition Monitoring and Related
20 Research Act of 1990 (7 U.S.C.
21 5341)” after “nutrition stand-
22 ards”; and

23 (bb) by striking “; and” and
24 inserting a period;

1 (II) by striking “Secretary
2 shall—” and inserting “Secretary
3 shall”;

4 (III) by striking “(i) establish
5 science-based” and inserting “estab-
6 lish science-based”; and

7 (IV) by striking clause (ii);

8 (ii) by striking subparagraph (D);

9 (iii) by redesignating paragraph (1) as
10 subsection (b) and adjusting the margins
11 accordingly; and

12 (iv) by redesignating subparagraphs
13 (A) through (C) as paragraphs (1) through
14 (3), respectively, and adjusting the mar-
15 gins accordingly;

16 (C) by adding at the end of subsection (b)
17 (as so redesignated) the following:

18 “(4) UPDATING STANDARDS.—Not later than 1
19 year after the first publication of the Dietary Guide-
20 lines for Americans under section 301 of the Na-
21 tional Nutrition Monitoring and Related Research
22 Act of 1990 (7 U.S.C. 5341) that occurs after the
23 date of the enactment of this subparagraph, and not
24 less frequently than once every 10 years or not later
25 than 1 year after the publication of 2 consecutive

1 updates to the Dietary Guidelines for Americans
2 published under section 301 of the National Nutri-
3 tion Monitoring and Related Research Act of 1990
4 (7 U.S.C. 5341), thereafter, whichever occurs first,
5 the Secretary shall:

6 “(A) Enter into an agreement with the
7 National Academies of Sciences, Engineering,
8 and Medicine to—

9 “(i) conduct a review of the school nu-
10 trition standards and requirements estab-
11 lished under this subsection; and

12 “(ii) recommend updates to such
13 standards and requirements so that they
14 are substantially similar to the Dietary
15 Guidelines for Americans published under
16 section 301 of the National Nutrition Mon-
17 itoring and Related Research Act of 1990
18 (7 U.S.C. 5341), taking into account the
19 practical application for implementation.

20 “(B) Not later than 1 year after the con-
21 clusion of the review described in subparagraph
22 (A)(i), promulgate regulations to update the
23 school nutrition standards and requirements es-
24 tablished under this subsection to align with the

1 recommendations under subparagraph (A)(ii).

2 “(5) AUTHORIZATION OF APPROPRIATIONS.—

3 There are authorized to be appropriated to carry out
4 paragraph (4), \$3,000,000, for the fiscal year in
5 which the first publication of the Dietary Guidelines
6 for Americans under section 301 of the National
7 Nutrition Monitoring and Related Research Act of
8 1990 (7 U.S.C. 5341) occurs after the date of the
9 enactment of this Act, to remain available until ex-
10 pended.”; and

11 (D) by striking paragraph (2).

12 (3) APPLICABILITY.—This subsection and the
13 amendments made by this subsection shall apply on
14 and after the date on which the first publication of
15 the Dietary Guidelines for Americans under section
16 301 of the National Nutrition Monitoring and Re-
17 lated Research Act of 1990 (7 U.S.C. 5341) occurs
18 after the date of the enactment of this Act.

19 (4) REGULATIONS.—Regulations promulgated
20 pursuant to amendments made by this subsection to
21 update the nutrition standards and requirements
22 under the Richard B. Russell National School Lunch
23 Act (42 U.S.C. 1751 et seq.) and the Child Nutri-
24 tion Act of 1966 (42 U.S.C. 1771 et seq.) shall not

1 prohibit any variety of milk that is consistent with
2 the most recent Dietary Guidelines for Americans.

3 (b) ADDITIONAL REIMBURSEMENT.—Section
4 4(b)(3)(D) of the Richard B. Russell National School
5 Lunch Act (42 U.S.C. 1753(b)(3)(D)) is amended—

6 (1) by striking “To be eligible” and inserting
7 the following:

8 “(i) IN GENERAL.—To be eligible”;
9 and

10 (2) by adding at the end the following:

11 “(ii) REPORT.—The Secretary shall
12 make publicly available on the website of
13 the Department and update on an annual
14 basis a list of school food authorities cer-
15 tified to be in compliance in accordance
16 with clause (i).”.

17 **SEC. 902. NON-NUTRITIVE SWEETENERS, SYNTHETIC DYES,**
18 **AND OTHER POTENTIALLY HARMFUL SUB-**
19 **STANCES IN SCHOOL MEALS.**

20 (a) IN GENERAL.—Not later than 6 months after the
21 date of the enactment of this section, the Secretary shall
22 seek to enter into an agreement with the National Acad-
23 emy of Sciences, Engineering, and Medicine (referred to
24 in this section as the “National Academy”) under which

1 the National Academy shall create and publish the report
2 described in subsection (b).

3 (b) REPORT.—The report shall include recommenda-
4 tions for changes to the nutrition standards for the school
5 lunch program authorized under the Richard B. Russell
6 National School Lunch Act (42 U.S.C. 1751 et seq.) and
7 the school breakfast program established by section 4 of
8 the Child Nutrition Act of 1966 (42 U.S.C. 1773) with
9 respect to non-nutritive sweeteners, synthetic dyes, and
10 other potentially harmful substances in school meals.

11 (c) PUBLICATION.—

12 (1) NATIONAL ACADEMY.—Not later than 1
13 year after the date on which the Secretary and the
14 National Academy enter into the agreement de-
15 scribed in subsection (a), the National Academy
16 shall—

17 (A) submit the report to the Secretary;

18 and

19 (B) publish the report.

20 (2) SECRETARY.—Not later than 30 days after
21 the submission of the report under paragraph
22 (1)(A), the Secretary shall make such report publicly
23 available in an easily identifiable place on the
24 website of the Department.

1 (d) NON-NUTRITIVE SWEETENERS, SYNTHETIC
2 DYES, AND OTHER POTENTIALLY HARMFUL SUB-
3 STANCES STANDARDS.—Not later than 18 months after
4 the submission of the report under subsection (c)(1)(A),
5 the Secretary may promulgate proposed regulations to in-
6 clude standards for non-nutritive sweeteners, synthetic
7 dyes, and other potentially harmful substances for the
8 school lunch program authorized under the Richard B.
9 Russell National School Lunch Act (42 U.S.C. 1751 et
10 seq.) and the school breakfast program established by sec-
11 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
12 1773) based on recommendations made in such report.

13 **TITLE X—OTHER MATTERS**
14 **Subtitle A—Programs Under the**
15 **Richard B. Russell National**
16 **School Lunch Act**

17 **SEC. 1001. ACCOMMODATING DIETARY REQUIREMENTS.**

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

20 (1) in paragraph (1)(B), by striking “lower-fat
21 versions of foods commonly used in the school lunch
22 program under this Act” and inserting “foods that
23 comply with the meal patterns prescribed by the
24 Secretary”; and

25 (2) in paragraph (2)—

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

3 “(iii) as a reasonable accommodation
4 under the Americans with Disabilities Act
5 (42 U.S.C. 12101 et seq.) and section 504
6 of the Rehabilitation Act of 1973 (29
7 U.S.C. 794), shall provide a substitute for
8 fluid milk for a student whose disability re-
9 stricts their diet.”; and

10 (B) by amending subparagraph (B) to read
11 as follows:

12 “(B) OTHER SUBSTITUTIONS.—

13 “(i) STANDARDS FOR REQUIRED SUB-
14 STITUTION.—

15 “(I) A school shall substitute, for
16 the fluid milk provided under sub-
17 paragraph (A), a nondairy beverage
18 that meets the nutritional needs of a
19 student for whom fluid milk is not nu-
20 tritionally appropriate due to a med-
21 ical or other special dietary need other
22 than a disability described in subpara-
23 graph (A)(iii), as determined by the
24 school in consultation with the parent
25 or legal guardian of such student.

1 “(II) A school shall substitute,
2 for the fluid milk provided under sub-
3 paragraph (A), a nondairy beverage
4 that meets the nutrition standards for
5 the school lunch program authorized
6 under this Act and the school break-
7 fast program established by section 4
8 of the Child Nutrition Act of 1966
9 (42 U.S.C. 1773) if the substitution is
10 requested by written statement by a
11 parent or legal guardian of such stu-
12 dent.

13 “(ii) STANDARDS FOR DISCRETIONARY
14 SUBSTITUTION.—A school may offer all
15 students a nondairy beverage as a sub-
16 stitute for fluid milk that meets the nutri-
17 tion standards for the school lunch pro-
18 gram authorized under this Act and the
19 school breakfast program established by
20 section 4 of the Child Nutrition Act of
21 1966 (42 U.S.C. 1773).

22 “(iii) EXCESS EXPENSES.—Except as
23 provided in clause (iv), expenses incurred
24 by providing substitutions under clauses (i)
25 and (ii) that are in excess of expenses cov-

1 ered by reimbursements under this Act
2 shall be paid by the school food authority.

3 “(iv) PILOT PROGRAM.—

4 “(I) PROGRAM AUTHORIZED.—

5 Not later than 90 days after the date
6 of the enactment of this subpara-
7 graph, the Secretary shall establish
8 and carry out a pilot grant program
9 to award grants to eligible school food
10 authorities to carry out subclause
11 (III).

12 “(II) PRIORITY.—In awarding
13 grants under this clause, the Sec-
14 retary may give priority to—

15 “(aa) an eligible school food
16 authority that serves high pro-
17 portions of children who dem-
18 onstrate high rates of lactose in-
19 tolerance; and

20 “(bb) an eligible school food
21 authority that—

22 “(AA) submits, as part
23 of the application for a
24 grant, a need for nondairy
25 beverages among its student

1 population due to dietary
2 reasons; and

3 “(BB) demonstrates a
4 need for providing nondairy
5 beverages to children by
6 serving a sufficient number
7 (as determined by the Sec-
8 retary) of such children.

9 “(III) USE OF FUNDS.—A school
10 food authority shall use grant funds
11 awarded under this clause to reim-
12 burse the full cost of providing
13 nondairy beverages as substitutes for
14 fluid milk under clause (i)(I) incurred
15 by such school food authority.

16 “(IV) REPORTS.—

17 “(aa) ANNUAL REPORT BY
18 SCHOOL FOOD AUTHORITY.—Not
19 later than 1 year after receiving
20 a grant under this clause, and on
21 an annual basis for the duration
22 of the pilot program thereafter, a
23 school food authority shall sub-
24 mit to the Secretary a report on

1 the pilot grant program, includ-
2 ing information with respect to—

3 “(AA) the number of
4 schools served by the school
5 food authority pursuant to
6 the grant; and

7 “(BB) the number of
8 students served by the
9 school food authority pursu-
10 ant to the grant.

11 “(bb) FINAL REPORT BY
12 SCHOOL FOOD AUTHORITY.—The
13 report that is the final report
14 submitted under item (aa) shall
15 include, in addition to the infor-
16 mation required under subitems
17 (AA) and (BB) of such item—

18 “(AA) the number of
19 nondairy beverages as sub-
20 stitutes for fluid milk that
21 the school food authority
22 served during the grant pe-
23 riod; compared with

24 “(BB) the number of
25 nondairy beverages as sub-

1 stitutes for fluid milk that
2 the school food authority
3 served during the school
4 year immediately preceding
5 the start of the grant period.

6 “(cc) REPORT BY THE SEC-
7 RETARY.—Not later than 6
8 months after the date described
9 in subclause (V), the Secretary
10 shall submit to Congress a report
11 that includes a summary of the
12 information included in the re-
13 ports received under this sub-
14 clause and any such information
15 with respect to the pilot program
16 the Secretary determines to be
17 relevant.

18 “(V) SUNSET.—The authority to
19 carry out this clause shall terminate
20 on the date that is 3 years after the
21 date of the enactment of this subpara-
22 graph.

23 “(VI) ELIGIBLE SCHOOL FOOD
24 AUTHORITY DEFINED.—In this clause,
25 the term ‘eligible school food author-

1 ity’ means a school food authority for
2 which 50 percent or more of the stu-
3 dents served by such school food au-
4 thority are eligible for free or reduced
5 price lunch under this Act or free or
6 reduced price breakfast under section
7 4 of the Child Nutrition Act of 1966
8 (42 U.S.C. 1773).

9 “(VII) AUTHORIZATION OF AP-
10 PROPRIATIONS.—There is authorized
11 to be appropriated to carry out this
12 clause \$2,000,000 for fiscal year
13 2024, to remain available until the
14 date described in subclause (V).”.

15 **SEC. 1002. DATA PROTECTIONS FOR HOUSEHOLD APPLICA-**
16 **TIONS.**

17 Section 9(b)(3)(B) of the Richard B. Russell Na-
18 tional School Lunch Act (42 U.S.C. 1758(b)(3)(B)) is
19 amended by adding at the end the following:

20 “(iii) CONFIDENTIALITY STAND-
21 ARDS.—The confidentiality standards es-
22 tablished by the Secretary shall ensure—

23 “(I) the maintenance of reason-
24 able and appropriate administrative,
25 technical, and physical safeguards to

1 ensure the integrity and confiden-
2 tiality of information submitted
3 through electronic applications de-
4 scribed in clause (ii);

5 “(II) protection against security
6 threats or unauthorized uses or diselo-
7 sures of the information submitted
8 through such electronic applications;
9 and

10 “(III) that data collected by such
11 electronic applications shall be used
12 only as permitted under paragraph
13 (6).”.

14 **SEC. 1003. EATING DISORDER PREVENTION.**

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

17 (1) in subsection (b)—

18 (A) in paragraph (1), by inserting “mental
19 health promotion and education, including
20 awareness of eating disorders” after “physical
21 activity,”;

22 (B) in paragraph (2)(B), by striking
23 “childhood obesity” and inserting “diet-related
24 illnesses”; and

1 (C) in paragraph (3), by inserting “school-
2 based registered dietitians, school-based mental
3 health services providers,” after “school admin-
4 istrators,”;

5 (2) in subsection (d)—

6 (A) in paragraph (1)—

7 (i) by inserting “and the Adminis-
8 trator of the Substance Abuse and Mental
9 Health Services Administration” after
10 “Prevention”; and

11 (ii) by inserting “, school health pro-
12 fessionals (including school-based mental
13 health services providers when available)”
14 after “school food authorities”;

15 (B) by amending paragraph (2)(C) to read
16 as follows:

17 “(C) includes such other technical assist-
18 ance as is required to—

19 “(i) promote sound nutrition and es-
20 tablish healthy school nutrition environ-
21 ments; and

22 “(ii) promote mental health, encour-
23 age mental health assessments, and estab-
24 lish resilient school environments; and”;

25 and

- 1 (C) in paragraph (3)—
- 2 (i) in subparagraph (A)—
- 3 (I) by striking “conjunction” and
- 4 inserting “consultation”; and
- 5 (II) by inserting “and the Ad-
- 6 ministrators of the Substance Abuse
- 7 and Mental Health Services Adminis-
- 8 tration” after “Centers for Disease
- 9 Control and Prevention”;
- 10 (ii) in subparagraph (C), by striking
- 11 “January 1, 2014,” and inserting “4 years
- 12 after the date on which funds are first ap-
- 13 propriated to carry out this section after
- 14 the date of the enactment of the Healthy
- 15 Meals, Healthy Kids Act,”; and
- 16 (iii) in subparagraph (D)—
- 17 (I) by striking “\$3,000,000” and
- 18 inserting “\$5,000,000”; and
- 19 (II) by striking “2011” and in-
- 20 serting “2024”.

21 **SEC. 1004. COMPLIANCE AND ACCOUNTABILITY.**

22 Section 22(d) of the Richard B. Russell National

23 School Lunch Act (42 U.S.C. 1769c) is amended by strik-

24 ing “fiscal years 2011 through 2015” and inserting “fiscal

25 years 2023 through 2028”.

1 **SEC. 1005. NATIONAL HUNGER HOTLINE AND CLEARING-**
2 **HOUSE.**

3 Section 26(d) of the Richard B. Russell National
4 School Lunch Act (42 U.S.C. 1769g(d)) is amended by
5 striking “\$250,000 for each of fiscal years 2010 through
6 2023” and inserting “\$500,000 for each of fiscal years
7 2023 through 2028”.

8 **SEC. 1006. ENSURING ADEQUATE MEAL TIME.**

9 The Richard B. Russell National School Lunch Act
10 (42 U.S.C. 1751 et seq.) is amended by adding at the end
11 the following:

12 **“SEC. 30. MEAL TIME STUDY AND GUIDANCE.**

13 “(a) STUDY.—The Secretary shall—

14 “(1) not later than 1 year after the date on
15 which funds are first appropriated under subsection
16 (c), enter into an agreement with an independent,
17 nonpartisan, science-based research organization to
18 carry out a study on the time lunches are served, re-
19 cess is offered, and the duration of lunch periods at
20 schools participating in the school lunch program
21 under this Act; and

22 “(2) not later than 4 years after the date on
23 which funds are first appropriated under subsection
24 (c), publish on the publicly available website of the
25 Department a report that includes the findings of
26 the study required under paragraph (1).

1 “(b) DEVELOPMENT AND DISSEMINATION OF BEST
2 PRACTICES.—The Secretary shall—

3 “(1) not later than 1 year after the date on
4 which the report required under subsection (a)(2) is
5 published, in coordination with the Secretary of
6 Education, establish a task force to—

7 “(A) review such report;

8 “(B) review other research relating to the
9 time lunches are served, recess is offered, and
10 the duration of lunch periods in schools; and

11 “(C) develop best practices with respect to
12 the time lunches are served, recess is offered,
13 and the duration of lunch periods in schools to
14 ensure student health, including appropriate
15 nutritional intake; and

16 “(2) not later than 2 years after the date on
17 which the report required under subsection (a)(2) is
18 published—

19 “(A) review the best practices developed
20 under paragraph (1)(C); and

21 “(B) issue guidance with respect to such
22 best practices to schools participating in the
23 school lunch program under this Act.

24 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
25 is authorized to be appropriated to carry out this section

1 \$1,000,000 for fiscal year 2024, to remain available until
2 expended.”.

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

5 **SEC. 1011. ENHANCING NUTRITION EDUCATION.**

6 Section 19 of the Child Nutrition Act of 1966 (42
7 U.S.C. 1788) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (3), by inserting “, in-
10 cluding training on scratch cooking,” after
11 “provide training”; and

12 (B) in paragraph (5), by striking “helping
13 children to maintain a healthy weight by”;

14 (2) in subsection (h)—

15 (A) in paragraph (5)(B)—

16 (i) in clause (i)—

17 (I) by striking “educate” and in-
18 serting “conduct evidence-based nutri-
19 tion education for”; and

20 (II) by striking “of a poor diet
21 and inactivity to obesity and other
22 health problems” and inserting “be-
23 tween diet, activity, and health”;

1 (ii) in clause (iv), by inserting “ other
2 classroom education,” after “health edu-
3 cation,”;

4 (iii) in clause (viii), by striking “and”
5 at the end;

6 (iv) in clause (ix), by striking the pe-
7 riod at the end and inserting “; and”;

8 (v) by adding at the end the following:
9 “(x) conduct projects that—

10 “(I) hire qualified food and nutri-
11 tion educators to carry out programs
12 in schools; and

13 “(II) have the goal of improving
14 student health and nutrition through
15 such programs.”; and

16 (B) by striking paragraph (6);

17 (3) by striking subsection (k); and

18 (4) by redesignating subsection (l) as subsection

19 (k).

20 **Subtitle C—Improving Food** 21 **Donations**

22 **SEC. 1021. FOOD DONATION IN SCHOOLS.**

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

25 (1) in paragraph (1)—

1 (A) by striking “local educational agency”
2 and inserting “school food authority”;

3 (B) by striking “eligible local food banks
4 or charitable organizations” and inserting
5 “nonprofit organizations or individuals in need
6 as determined by such school or school food au-
7 thority”;

8 (C) by striking “GENERAL.—Each” and
9 inserting the following: “GENERAL.—

10 “(A) FOOD DONATIONS PERMISSIBLE.—
11 Each”; and

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

13 “(B) USE OF SCHOOL CAMPUS.—The food
14 donated by a school through the school food au-
15 thority serving such school pursuant to this
16 paragraph may be received, stored, and distrib-
17 uted on the campus of such school.”;

18 (2) in paragraph (2)(A), by striking “local edu-
19 cational agencies” in each place it appears and in-
20 serting “school food authorities”;

21 (3) in paragraph (3), by striking “local edu-
22 cational agency” and inserting “school food author-
23 ity”; and

24 (4) by amending paragraph (4) to read as fol-
25 lows:

1 “(4) DEFINITION.—In this subsection, the term
2 ‘nonprofit organization’ means an incorporated or
3 unincorporated entity that—

4 “(A) is operating for religious, charitable,
5 or educational purposes; and

6 “(B) does not provide net earnings to oper-
7 ate in any other manner that inures to the ben-
8 efit of any officer, employee, or shareholder of
9 the entity.”.

10 **SEC. 1022. BILL EMERSON GOOD SAMARITAN FOOD DONA-**
11 **TION ACT.**

12 Section 22 of the Child Nutrition Act of 1966 (42
13 U.S.C. 1791) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1)—

16 (i) by striking “quality and labeling”
17 and inserting “safety and safety-related la-
18 beling”; and

19 (ii) by inserting “being past date
20 label,” after “surplus,”;

21 (B) in paragraph (2)—

22 (i) by striking “quality and labeling”
23 and inserting “safety and safety-related la-
24 beling”; and

1 (ii) by inserting “being past date
2 label,” after “surplus,”;

3 (C) in paragraph (3), by adding “or is
4 charged a good Samaritan Reduced Price” be-
5 fore the period at the end;

6 (D) in paragraph (4), by striking “for
7 human” and inserting the following: “for—

8 “(A) human consumption; or

9 “(B) pet, emotional support animal, or
10 service animal consumption.”;

11 (E) in paragraph (6), by adding “pet sup-
12 ply,” after “cleaning product,”;

13 (F) in paragraph (10), by inserting “pet
14 food supplier, school, school food authority,”
15 after “caterer, farmer,”;

16 (G) by adding at the end the following:

17 “(11) EMOTIONAL SUPPORT ANIMAL.—The
18 term ‘emotional support animal’ means an animal
19 that is covered by the exclusion specified in section
20 5.303 of title 24, Code of Federal Regulations (or a
21 successor regulation) and that is not a service ani-
22 mal.

23 “(12) GOOD SAMARITAN REDUCED PRICE.—The
24 term ‘good Samaritan reduced price’ means, with re-
25 spect to an apparently wholesome food or an appar-

1 ently fit grocery product, a price that is an amount
2 not greater than the cost of handling, administering,
3 and distributing such food or grocery product.

4 “(13) PET.—The term ‘pet’ means a domes-
5 ticated animal that is kept for pleasure rather than
6 for commercial purposes.

7 “(14) PET SUPPLIES.—The term ‘pet supplies’
8 means tangible personal property used for the caring
9 of pets.

10 “(15) QUALIFIED DIRECT DONOR.—The term
11 ‘qualified direct donor’ means a retail grocer, whole-
12 saler, agricultural producer, restaurant, caterer,
13 school food authority, or institution of higher edu-
14 cation (as defined in section 101 or 102(a)(1)(B) of
15 the Higher Education Act of 1965 (20 U.S.C. 1001;
16 1002(a)(1)(B))).

17 “(16) SERVICE ANIMAL.—The term ‘service
18 animal’ has the meaning given the term in section
19 36.104 of title 28, Code of Federal Regulations (or
20 a successor regulation).”; and

21 (H) by reordering paragraphs (1) through
22 (10) and the paragraphs added by subpara-
23 graph (G) of this paragraph in alphabetical
24 order based on the headings of such para-

1 graphs, and renumbering such paragraphs as so
2 reordered;

3 (2) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) by inserting “or State or unit of
6 local government” after “nonprofit organi-
7 zation”; and

8 (ii) by inserting “or sale at a good Sa-
9 maritan reduced price” after “ultimate dis-
10 tribution”;

11 (B) in paragraph (2), by inserting “or sale
12 at a good Samaritan reduced price” after “ulti-
13 mate distribution”;

14 (C) by adding at the end the following:

15 “(3) LIABILITY OF STATE OR UNIT OF LOCAL
16 GOVERNMENT.—A State or unit of local government
17 shall not be subject to liability arising from the na-
18 ture, age, packaging, or condition of apparently
19 wholesome food or an apparently fit grocery product
20 that the State or unit of local government received
21 as a donation in good faith from a person, gleaner,
22 or nonprofit organization for ultimate distribution to
23 needy individuals.

24 “(4) DIRECT DONATIONS TO NEEDY INDIVID-
25 UALS.—A qualified direct donor shall not be subject

1 to civil or criminal liability arising from the nature,
2 age, packaging, or condition of apparently whole-
3 some food or an apparently fit grocery product that
4 the qualified direct donor donates in good faith to
5 needy individuals.”;

6 (D) by redesignating paragraph (3) as
7 paragraph (5); and

8 (E) in paragraph (5), as so redesignated
9 by subparagraph (D)—

10 (i) by striking “Paragraphs (1) and
11 (2)” and inserting “Paragraphs (1), (2),
12 (3), and (4)”;

13 (ii) by inserting “qualified direct
14 donor, State or local government,” after
15 “person, gleaner,”; and
16 (3) in subsection (e)—

17 (A) by inserting “or State or unit of local
18 government” after “the nonprofit organiza-
19 tion”; and

20 (B) by striking “quality and labeling” in
21 each place it appears and inserting “safety and
22 safety-related labeling”.

23 **SEC. 1023. REGULATIONS.**

24 Not later than 180 days after the date of the enact-
25 ment of this section, the Secretary shall—

1 (1) in consultation with the Secretary of Health
2 Human Services, issue regulations with respect to
3 the safety and safety-related labeling standards of
4 apparently wholesome food and an apparently fit
5 grocery product under section 22 of the Child Nutri-
6 tion Act of 1966 (42 U.S.C. 1791);

7 (2) issue guidance with respect to section 22 of
8 the Child Nutrition Act of 1966 (42 U.S.C. 1791),
9 including promoting awareness of food donation
10 under such section.

11 **Subtitle D—Miscellaneous**

12 **SEC. 1031. TECHNICAL AMENDMENTS.**

13 (a) COMMITTEE ON EDUCATION AND LABOR.—The
14 following Acts are amended by striking “Committee on
15 Education and the Workforce” each place such term ap-
16 pears in heading and text and inserting “Committee on
17 Education and Labor”:

18 (1) The Child Nutrition Act of 1966 (42 U.S.C.
19 1771 et seq.).

20 (2) The Richard B. Russell National School
21 Lunch Act (42 U.S.C. 1751 et seq.).

22 (b) OTHER AMENDMENTS.—Section 17(h)(4)(A)(vi)
23 of the Child Nutrition Act of 1966 (42 U.S.C.
24 1786(h)(4)(A)(vi)) is amended by striking “and” at the
25 end.

1 (c) CITATION TO SECTION 504 OF REHABILITATION
2 ACT OF 1973.—Section 12(d)(3) of the Richard B. Rus-
3 sell National School Lunch Act (42 U.S.C. 1760(d)(3))
4 is amended by striking “in the” and all that follows
5 through the period at the end and inserting “in section
6 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).”

