

117TH CONGRESS
1ST SESSION

H. R. 3519

To amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide electronic benefits transfer program for children during school closures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2021

Mr. LEVIN of California (for himself and Mrs. HAYES) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide electronic benefits transfer program for children during school closures, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Child Hunger
5 Act of 2021”.

1 **SEC. 2. SUMMER ELECTRONIC BENEFITS TRANSFER FOR**
2 **CHILDREN PROGRAM.**

3 Section 13(a) of the Richard B. Russell National
4 School Lunch Act (42 U.S.C. 1761(a)) is amended by add-
5 ing at the end the following:

6 “(13) SCHOOL CLOSURE ELECTRONIC BENE-
7 FITS TRANSFER FOR CHILDREN PROGRAM.—

8 “(A) DEFINITIONS.—In this paragraph:

9 “(i) COVERED PERIOD.—The term
10 ‘covered period’ means a period in which
11 an elementary school or secondary school is
12 closed, operating remotely, or operating in
13 a hybrid-manner for 5 or more consecutive
14 weekdays during the calendar year.

15 “(ii) ELIGIBLE HOUSEHOLD.—The
16 term ‘eligible household’ means a house-
17 hold that includes 1 or more children who
18 are eligible to receive free or reduced-price
19 lunches under this Act or free or reduced-
20 price breakfasts under the Child Nutrition
21 Act of 1966 (42 U.S.C. 1771 et seq.), in-
22 cluding children eligible for such meals
23 pursuant to section 11(a)(1)(F).

24 “(iii) FREE RATE.—The term ‘free
25 rate’ has the meaning given the term in
26 section 1101(j)(4) of the Families First

1 Coronavirus Response Act (7 U.S.C. 2011
2 note).

3 “(iv) SCHOOL CLOSURE EBT CARD.—
4 The term ‘school closure EBT card’ means
5 an electronic benefit transfer (EBT) card
6 that is issued to an eligible household
7 under this paragraph and limited to food
8 purchases.

9 “(B) PROGRAM.—The Secretary shall es-
10 tablish a program under which the Secretary
11 shall provide to eligible households school clo-
12 sure EBT cards for the purpose of providing
13 access to food for children during covered peri-
14 ods—

15 “(i) to reduce or eliminate the food in-
16 security and hunger of children; and

17 “(ii) to improve the nutritional status
18 of children.

19 “(C) USE.—An eligible household may use
20 a school closure EBT card only to purchase
21 food from retail food stores that have been ap-
22 proved for participation in the supplemental nu-
23 trition assistance program established under the
24 Food and Nutrition Act of 2008 (7 U.S.C.

1 2011 et seq.), in accordance with section 7(b)
2 of that Act (7 U.S.C. 2016(b)).

3 “(D) AMOUNT.—The amount of a school
4 closure EBT card issued pursuant to this para-
5 graph shall be, with respect to a covered period,
6 not less than the value of meals at the free rate
7 for each day of such covered period.

8 “(E) FUNDING.—

9 “(i) IN GENERAL.—On October 1,
10 2021, and on each October 1 thereafter,
11 out of any funds in the Treasury not oth-
12 erwise appropriated, the Secretary of the
13 Treasury shall transfer to the Secretary
14 such sums as are necessary to carry out
15 this paragraph (including administrative
16 expenses), to remain available until ex-
17 pended.

18 “(ii) RECEIPT AND ACCEPTANCE.—
19 The Secretary shall be entitled to receive,
20 shall accept, and shall use to carry out this
21 section the funds transferred under clause
22 (i), without further appropriation.

23 “(F) REGULATIONS.—

1 “(i) IN GENERAL.—Not later than Oc-
2 tober 1, 2021, the Secretary shall issue
3 regulations to carry out this paragraph.

4 “(ii) REQUIREMENTS.—Regulations
5 issued under this subparagraph shall re-
6 quire that—

7 “(I) children shall be eligible to
8 participate and shall be enrolled into
9 the program under this paragraph for
10 a covered period without further ap-
11 plication if the children are enrolled to
12 participate in the free or reduced-
13 price lunch program under this Act or
14 the free or reduced-price breakfast
15 program under the Child Nutrition
16 Act of 1966 (42 U.S.C. 1771 et seq.);

17 “(II) local educational agencies
18 shall support the administration of
19 the program under this paragraph
20 by—

21 “(aa) communicating to the
22 State agency when any school is
23 closed, operating remotely, or op-
24 erating in a hybrid-manner for
25 more than 5 days; and

1 “(bb) providing data on the
2 children eligible to participate in
3 the program under this para-
4 graph;

5 “(III) State agencies shall pro-
6 vide information on children eligible to
7 participate in the program under this
8 paragraph with the State agency con-
9 ducting eligibility determinations for
10 the supplemental nutrition assistance
11 program established under the Food
12 and Nutrition Act of 2008 (7 U.S.C.
13 2011 et seq.); and

14 “(IV) State agencies conducting
15 eligibility determinations described in
16 subclause (III) shall—

17 “(aa) distribute the school
18 closure EBT cards;

19 “(bb) provide information to
20 households regarding the pro-
21 gram under this paragraph, in-
22 cluding eligibility rules and how
23 children in eligible households
24 that are not automatically en-

1 rolled under subclause (I) may
2 apply for program benefits; and
3 “(cc) administer the pro-
4 gram under this paragraph in ac-
5 cordance with regulations pro-
6 mulgated by the Secretary.

7 “(G) IMPLEMENTATION GRANTS.—

8 “(i) IN GENERAL.—The Secretary
9 shall carry out a program to make grants
10 to States to support the development of
11 data systems or upgrades to existing data
12 systems that are necessary to implement
13 this paragraph.

14 “(ii) FUNDING.—In addition to
15 amounts made available under subpara-
16 graph (E), on October 1, 2021, out of any
17 funds in the Treasury not otherwise appro-
18 priated, the Secretary of the Treasury
19 shall transfer to the Secretary to carry out
20 this subparagraph \$50,000,000, to remain
21 available until expended.”.

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