

117TH CONGRESS
1ST SESSION

S. 1577

To amend the Richard B. Russell National School Lunch Act to ensure equity for America’s children by providing access to summer meals.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2021

Mr. CORNYN (for himself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Richard B. Russell National School Lunch Act to ensure equity for America’s children by providing access to summer meals.

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 “Summer Meals Alter-
5 native Relief and Transportation Act of 2021” or the
6 “SMART Act of 2021”.

1 **SEC. 2. ACCESS TO NUTRITIOUS SUMMER MEALS FOR CHIL-**
 2 **DREN.**

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) ALTERNATIVE PROGRAM FOR MEAL DE-
 7 LIVERY.—

8 “(A) ADDITIONAL SERVICE OPTIONS.—

9 “(i) IN GENERAL.—Not later than
 10 March, 1, 2022, the Secretary shall estab-
 11 lish under the program additional service
 12 options for eligible States, in accordance
 13 with subparagraph (B), that—

14 “(I) allow for the delivery of
 15 meals directly to the residence of an
 16 eligible child; and

17 “(II) do not require that an eligi-
 18 ble child arrive to, or be served a meal
 19 at, a specified location other than the
 20 residence of the child.

21 “(ii) ADMINISTRATION.—In carrying
 22 out clause (i), the Secretary shall borrow
 23 from previously successful demonstration
 24 projects that have delivered nutritious
 25 meals, by mail or other mechanism, to the

1 residences of children during the summer
2 period.

3 “(B) ELIGIBLE STATES.—The Secretary
4 shall permit the additional service options es-
5 tablished under subparagraph (A)(i) to be car-
6 ried out by a State participating in the program
7 if the State has 1 or more areas, as determined
8 by the Secretary, in which eligible children are
9 unable—

10 “(i) to access meals under the pro-
11 gram at congregate feeding sites; and

12 “(ii) to fully utilize electronic benefit
13 transfer funds provided to a household for
14 the purpose of increasing household access
15 to food for children during the summer
16 months, including because of the distance
17 and transportation options available to a
18 retailer authorized to accept and redeem
19 benefits under the supplemental nutrition
20 assistance program established under the
21 Food and Nutrition Act of 2008 (7 U.S.C.
22 2011 et seq.).

23 “(C) NUTRITIOUS MEALS.—The Secretary
24 shall ensure that meals delivered through the
25 additional service options established under sub-

paragraph (A)(i) meet the criteria for nutritious meals under the program, except that the Secretary shall not impose restrictions that would otherwise prevent the delivery of nutritious meals to children under those additional service options.

“(D) TECHNICAL ASSISTANCE AND SUPPORT.—

“(i) DEFINITION OF ELIGIBLE ENTITY.—In this subparagraph, the term ‘eligible entity’ means a nonprofit organization or institution of higher education—

“(I) that has experience in delivering nutritious summer meals to residential homes using mainstream shipping carriers, in coordination with service institutions; and

“(II) that experience of which is demonstrated in a public report of a research institution with experience in domestic feeding programs.

“(ii) GRANTS AND COOPERATIVE AGREEMENTS.—The Secretary shall provide grants to, or enter into cooperative agreements with, eligible entities to provide

1 technical assistance, support, and evalua-
2 tion to State agencies and service institu-
3 tions, in not more than 5 States, carrying
4 out the additional service options estab-
5 lished under subparagraph (A)(i).

6 “(iii) SUBGRANTS.—An eligible entity
7 that receives a grant or enters into a coop-
8 erative agreement under clause (ii) may
9 award a subgrant to another eligible entity
10 in the State to assist in carrying out the
11 grant or cooperative agreement.

12 “(iv) DURATION.—A grant or cooper-
13 ative agreement under clause (ii) shall be
14 for the period beginning on the date on
15 which the grant is awarded or the coopera-
16 tive agreement is entered into, as applica-
17 ble, and ending on the last day of the third
18 fiscal year that begins after the date of en-
19 actment of the Summer Meals Alternative
20 Relief and Transportation Act of 2021.

21 “(E) REPORT.—Not later than 1 year
22 after the termination of the last grant or coop-
23 erative agreement entered into under subpara-
24 graph (D)(ii), the Secretary shall submit to the
25 Committee on Agriculture, Nutrition, and For-

1 estry of the Senate and the Committee on Agri-
 2 culture of the House of Representatives a re-
 3 port that—

4 “(i) describes—

5 “(I) the use of the alternative de-
 6 livery options established under sub-
 7 paragraph (A)(i); and

8 “(II) the impact of those options
 9 on participation in the program;

10 “(ii) describes the impact of the tech-
 11 nical assistance, support, and evaluation
 12 provided under subparagraph (D) on par-
 13 ticipation in the program; and

14 “(iii) is supported by data from a re-
 15 search institution or institution of higher
 16 education.

17 “(F) AUTHORIZATION OF APPROPRIA-
 18 TIONS.—There is authorized to be appropriated
 19 to the Secretary \$10,000,000 to carry out this
 20 paragraph.”.

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