

118TH CONGRESS
1ST SESSION

S. 3294

To amend the Richard B. Russell National School Lunch Act with respect to reimbursements under the child and adult care food program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14 (legislative day, NOVEMBER 13), 2023

Mr. CASEY (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MARKEY, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Ms. SMITH, Ms. WARREN, and Mr. WELCH) 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 with respect to reimbursements under the child and adult care food program, 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 “Child Care Nutrition
5 Enhancement Act of 2023”.

1 **SEC. 2. REIMBURSEMENTS UNDER CACFP PROGRAM.**

2 (a) ADDITIONAL REIMBURSEMENTS.—Section 17 of
3 the Richard B. Russell National School Lunch Act (42
4 U.S.C. 1766) is amended—

5 (1) in subsection (c)—

6 (A) in paragraphs (1), (2), and (3), by in-
7 serting “and subject to paragraph (7)” after
8 “subsection (f)(3)” each place it appears; and

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

10 “(7) ADDITIONAL REIMBURSEMENT.—Beginning on
11 the first day of the first month that begins after the date
12 of enactment of this paragraph, each meal and supplement
13 served under this section shall receive an additional reim-
14 bursement in the amount of 10 cents (as adjusted pursu-
15 ant to section 11(a) of this Act).”;

16 (2) in subsection (f)(2)(A), by striking “multi-
17 plying the” and all that follows through the period
18 at the end and inserting the following: “multi-
19 plying—

20 “(i) the total number of each type of
21 meal (breakfast, lunch, or supper) or sup-
22 plement served in such institution in that
23 fiscal year; and

24 “(ii) the sum obtained by adding the
25 applicable national average payment rate
26 for each such type of meal or supplement,

1 as determined under subsection (c), to the
 2 additional reimbursement amount required
 3 under paragraph (7) of that subsection.”;
 4 (3) in subsection (o)(3)(A), by inserting “(in-
 5 cluding the additional reimbursement amount re-
 6 quired under subsection (c)(7))” before the period at
 7 the end;

8 (4) in subsection (r)(4)(B)—

9 (A) in clause (i), by inserting “plus the ad-
 10 ditional reimbursement amount required under
 11 paragraph (7) of that subsection” before the
 12 period at the end; and

13 (B) in clause (ii), by inserting “plus the
 14 additional reimbursement amount required
 15 under subsection (c)(7)” before the period at
 16 the end; and

17 (5) in subsection (t)(5)(B), by inserting “plus
 18 the additional reimbursement amount required
 19 under paragraph (7) of that subsection” before the
 20 period at the end.

21 (b) REIMBURSEMENT OF FAMILY OR GROUP DAY
 22 CARE HOME SPONSORING ORGANIZATIONS.—Section
 23 17(f)(3) of the Richard B. Russell National School Lunch
 24 Act (42 U.S.C. 1766(f)(3)) is amended—

25 (1) in subparagraph (A)—

1 (A) in clause (ii)—

2 (i) in the heading, by striking “TIER
3 I FAMILY OR GROUP DAY CARE HOMES”
4 and inserting “CALCULATION OF REIM-
5 BURSEMENT”;

6 (ii) by striking subclause (I);

7 (iii) by redesignating subclauses (II),
8 (III), and (IV) as subclauses (I), (II), and
9 (III), respectively;

10 (iv) in subclause (I) (as so redesign-
11 nated)—

12 (I) by striking “subclause (III), a
13 tier I” and inserting “subclause (II),
14 a”; and

15 (II) by striking “, except that”
16 and all that follows through “section
17 9”;

18 (v) in subclause (II) (as so redesign-
19 nated)—

20 (I) by striking “subclause (IV)”
21 and inserting “subclause (III)”; and

22 (II) by striking “subclause (II)”
23 and inserting “subclause (I)”;

24 (vi) in subclause (III) (as so redesign-
25 nated), in the first sentence, by striking

1 “food at home” and inserting “food away
2 from home”; and

3 (vii) by adding at the end the fol-
4 lowing:

5 “(IV) ADDITIONAL REIMBURSE-
6 MENT.—The additional reimburse-
7 ment amount required under sub-
8 section (c)(7) shall apply to the reim-
9 bursements of meals and supplements
10 under this subparagraph.”; and

11 (B) by striking clause (iii); and

12 (2) by striking subparagraph (E).

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