

118TH CONGRESS
1ST SESSION

S. _____

To amend the Food and Nutrition Act of 2008 to provide guidance and enhanced technical assistance for States seeking to establish a restaurant meals program under the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CORNYN (for himself, Mr. PADILLA, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Food and Nutrition Act of 2008 to provide guidance and enhanced technical assistance for States seeking to establish a restaurant meals program under the supplemental nutrition assistance 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 “Meals for At-Risk
5 Americans Act of 2023”.

1 **SEC. 2. ASSISTANCE FOR STATE RESTAURANT MEALS PRO-**
2 **GRAMS.**

3 (a) **IN GENERAL.**—Section 11 of the Food and Nutri-
4 tion Act of 2008 (7 U.S.C. 2020) is amended by adding
5 at the end the following:

6 “(y) **ASSISTANCE FOR STATE RESTAURANT MEALS**
7 **PROGRAMS.**—

8 “(1) **DEFINITIONS.**—In this subsection:

9 “(A) **DIGITAL APPLICATION.**—The term
10 ‘digital application’ means a web-based platform
11 that allows for the digital submission of applica-
12 tions.

13 “(B) **ENHANCED TECHNICAL ASSIST-**
14 **ANCE.**—The term ‘enhanced technical assist-
15 ance’ means enhanced detailed educational
16 guidance for States to learn how to set up a
17 restaurant meals program.

18 “(C) **RESTAURANT MEALS PROGRAM.**—The
19 term ‘restaurant meals program’ means a State
20 option restaurant program carried out under
21 subsection (e)(25).

22 “(2) **RULEMAKING.**—

23 “(A) **IN GENERAL.**—Not later than 1 year
24 after the date of enactment of this subsection,
25 the Secretary shall promulgate a rule, which
26 may be an interim final rule, that establishes—

1 “(i) guidance for States seeking to es-
2 tablish a restaurant meals program; and

3 “(ii) a digital application that a State
4 may use to submit a State plan under sub-
5 section (e)(25) for establishing a res-
6 taurant meals program.

7 “(B) EFFECTIVENESS OF INTERIM FINAL
8 RULES.—An interim final rule promulgated
9 under subparagraph (A) shall be immediately
10 effective on publication in the Federal Register
11 without requiring the Secretary to demonstrate
12 good cause, notwithstanding subparagraph (B)
13 of section 553(b) of title 5, United States Code.

14 “(C) OPPORTUNITY FOR COMMENT AND
15 HEARING.—An interim final rule promulgated
16 under subparagraph (A) shall give interested
17 persons the opportunity to comment and to re-
18 quest a hearing.

19 “(D) FINAL RULE.—After the conclusion
20 of any comment period or hearing under sub-
21 paragraph (C), the Secretary shall issue a final
22 rule in accordance with section 553 of title 5,
23 United States Code.

24 “(3) STATE APPLICATION STATUS.—

1 “(A) IN GENERAL.—The Secretary shall
2 notify a State agency seeking to establish a res-
3 taurant meals program of the status of the ap-
4 plication of the State agency, including whether
5 the application is in review, approved, or de-
6 nied.

7 “(B) REASON FOR DENIAL.—If an applica-
8 tion described in subparagraph (A) is denied,
9 the Secretary shall provide a statement explain-
10 ing the reasons for the denial.

11 “(4) RESTAURANT APPLICATION STATUS.—The
12 Secretary shall use a real-time data sharing process
13 established by the Secretary to provide to States fre-
14 quent status updates on the status of applications to
15 the Secretary from restaurants in the State to par-
16 ticipate in the restaurant meals program of that
17 State, which shall include an explanation for any de-
18 nial of a restaurant application.

19 “(5) ENHANCED TECHNICAL ASSISTANCE.—Not
20 later than 120 days after the date of enactment of
21 this subsection, the Secretary shall provide enhanced
22 technical assistance to States seeking to establish a
23 restaurant meals program, including assistance to
24 establish a digital application for use by the State.

1 for the purpose of collecting applications from res-
2 taurants in the State.”.

3 (b) PROGRAM REQUIREMENTS.—Section
4 11(e)(25)(A) of the Food and Nutrition Act of 2008 (7
5 U.S.C. 2020(e)(25)(A)) is amended—

6 (1) in clause (ii), by striking “and” at the end;

7 (2) by redesignating clause (iii) as clause (iv);

8 and

9 (3) by inserting after clause (ii) the following:

10 “(iii) whether the State agency will
11 offer a digital application (as defined in
12 subsection (y)(1)) as an option for res-
13 taurants in the State seeking to apply to
14 participate in the program; and”.