



## **Legislative Summary: FY 2023 Consolidated Appropriations Act, P.L. No. 117–328 (December 29, 2022), ‘Omnibus’**

On December 23, Congress passed the [\\$1.7 trillion omnibus spending bill](#) to fund the federal government through fiscal year 2023. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies funding bill, one of 12 subcommittee bills contained in the omnibus spending package, provides \$25.5 billion – an increase of \$737 million, 3 percent above fiscal year (FY) 2022 – to fund U.S. Department of Agriculture (USDA) programs. The committee highlights can be found [here](#) and a division-by-division summary of the bill is [here](#).

It is important to note that one offset (funding mechanism) for certain provisions below was a premature cut to the Supplemental Nutrition Assistance Program (SNAP) Emergency Allotments (EAs). This cut will hasten the hunger cliff for millions of people with low incomes as soon as March 2023 (as opposed to the end of the duration of the COVID-19 Public Health Emergency declaration). For more on the SNAP EAs cuts, go to [Food Research & Action Center’s statement](#).

### **Bill Highlights**

The bill includes many add-on provisions to the base appropriations bill. Key food and nutrition highlights include:

- creating a nationwide, permanent Summer EBT Program and changes to the Pandemic EBT program;
- creating a nationwide non-congregate option for summer meals programs in rural areas without congregate sites; and
- maintaining the fruit and vegetable benefit increase in the WIC food package for women and children through September 30, 2023.

### **Summary of Provisions**

#### **Summer Electronic Benefit Transfer (EBT)**

- Establishes a permanent, nationwide Summer Electronic Benefit Transfer (Summer EBT) Program. All states, territories, and Indian Tribal organizations that participate in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) can participate beginning in summer 2024. Eligible children will receive \$40 a month up to \$120 for the summer on an EBT card beginning in 2024.

#### **Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)**

- Provides \$6 billion in funding for WIC, including \$90 million for breastfeeding peer counselors and \$14 million for infrastructure, and maintains the enhanced fruits and vegetables benefits in the WIC Food Package at levels consistent with the National Academy of Sciences report.

### **Child Nutrition Programs**

- Provides \$28.5 billion in funding for child nutrition programs, including the Child and Adult Care Food Program, National School Lunch and School Breakfast programs, Summer Food Program, and the Afterschool Meal and Snack Program. Included in this appropriation is: \$40 million for the Summer EBT Program; \$30 million for school kitchen equipment grants; \$14 million for Farm-to-School grants; and \$3 million for School Breakfast expansion grants.

### **Non-Congregate Summer Food**

- Establishes a permanent non-congregate summer food option for rural areas with no existing congregate meal service beginning in summer 2023. Children eligible to participate must live in a low-income area or be eligible for free and reduced-price meals.

### **Supplemental Nutrition Assistance Program (SNAP)**

- Allows the authority to use federal funds to replace SNAP benefits stolen via card skimming, card cloning, and similar fraudulent methods. Requires USDA to develop guidance and direction for states to adopt theft detection and prevention measures within their EBT systems.

### **The Emergency Food Assistance Program (TEFAP) and Commodities**

- Provides \$445.5 million to fully fund TEFAP purchases as outlined in the 2018 Farm Bill, \$92 million in administrative funding for storage and distribution, \$162 million for the Food Distribution Program on Indian Reservations (FDPIR), \$338.6 million for the Commodity Supplemental Food Program (CSFP), and \$26 million for the Farmer's Market Nutrition Program.

### **Older Americans Act Senior Nutrition Programs**

- Provides \$1.1 billion, including \$540.3 million for congregate meals; \$366.3 million for home-delivered meals; and \$160.1 million for the Nutrition Service Incentive Program.

### **Congressional Hunger Center Bill Emerson/Mickey Leland Hunger Fellows**

- Provides \$2 million for the fellowship program.