

Summary of Nutrition Provisions in the Agricultural Act of 2026

Senate Agriculture Committee Majority Farm Bill Proposal

[Discussion draft](#) released on June 23, 2026

[Updated draft](#) released on July 21, 2026

[En bloc amendment](#) adopted at the start of August 6, 2026 mark up

The bill with the en bloc amendment passed out of Committee on September 16, 2026

Updates in discussion draft marked **NEW**; updates in en bloc marked **AMENDED**

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program (SNAP)

NEW [Benefit Cost Share Changes \(Sec. 4101\)](#)

- Provides a one-year delay in the implementation of the benefit cost share requirement to FY 2029 (October 1, 2028) for all states.
- **AMENDED** Allows states to choose whether to use the 2026 or 2027 Payment Error Rate (PER) to determine the FY 2029 benefit cost share.

The FY 2026 PER:

- *Covers the period October 1, 2025 through September 30, 2026 and thus has already been effectively decided,*
- *Includes an historic government shutdown that impacted SNAP operations, and*
- *Includes implementation of other H.R.1 provisions with limited time and guidance.*

The FY 2027 PER will be announced in late June 2028, too late to rely on for budget decisions since most states begin the fiscal year that includes the FY 2029 cost share on July 1, 2028.

- Restricts the availability of a two-year delay in the implementation of the benefit cost share to FY 2030 (October 1, 2029) to states with a high payment error rate (>13.33%) in both FY 2025 and FY 2026.

This limits the possibility of a two-year delay to Alaska, Delaware, DC, Georgia, Illinois, New Mexico and Oregon – the states above 13.33% for FY 2025 -- and only if their error rate stays above the threshold again for FY 2026.

- Permanently increases the highest tier of the benefit cost share from 15% to 20% starting in FY 2031.

The first year of the higher maximum benefit cost share would be based on the payment error rate for FY 2028 (October 1, 2027 through September 30, 2028).

How does the Farm Bill fund SNAP and other nutrition programs?

SNAP and most other nutrition programs covered by the Farm Bill are permanently authorized, meaning that they continue even if the Farm Bill lapses. Still, the Farm Bill provides an opportunity to update or change the authorizing legislation. It also offers a chance to authorize funding for grants, pilots, and other initiatives.

As a formality, this proposal extends funding authorization for SNAP, The Emergency Food Assistance Program (TEFAP) and the Food Distribution Program on Indian Reservations (FDPIR) until 2031. It also reauthorizes funding for the Fresh Fruit and Vegetable Program (FFVP).

SNAP Priorities NOT in this Proposal

Two-Year Delay of the Benefit Cost Share

- To mitigate the fallout from H.R.1, the delay of the benefit cost shift until FY 2030 must be extended to all states. If not, states will be forced to cut costs that will risk SNAP accessibility to millions of families.
- Currently only states with the highest error rates in FY 2026 are eligible for a two-year delay in implementation. Some states would be eligible for a one-year delay to FY 2029 if their error rate is high in FY 2025 but not FY 2026. All other states are subject to the benefit cost shift beginning October 1, 2027 based on payment error rates that have largely already been determined.
- Delaying the benefit cost shift until FY 2030 for all states ensures equity and gives states a meaningful opportunity to improve their payment error rates.

Rolling Back H.R.1 Cuts

- This proposal does nothing to address the many harms in H.R.1, from the permanent structural changes of the benefit cost shift and higher administrative cost share for states to the expansion of time limits and burdensome work reporting requirements. In fact, this proposal would further cut SNAP.

Protecting BBCE

- Maintaining a state's ability to streamline procedures, nimbly adapt to local or regional hardships, and lower the administrative burden on both the state agency and households is critical to the program's success. Especially now when states are forced to examine every way to save money, adopting policies that improve efficiency is an obvious choice.

Online Purchasing (Sec. 4105)

- Makes SNAP online purchasing permanent and directs the transition from demonstration program to permanent status within 120 days of bill enactment.
 - Within one year of the effective date, the Secretary must issue the rules addressing program integrity, consumer protections, and access for people living in rural areas.
 - Stakeholders must be involved in the process and a report of recommendations to Congress is required.

This makes SNAP online purchasing a stable and accessible enhancement for retailers and participants, especially those with mobility or transportation challenges. Transparent rulemaking with clear timelines protects program integrity. Requiring stakeholder input ensures the rules reflect lived experience, and reporting allows for congressional oversight.

NEW & AMENDED SNAP EBT Card and Online Purchasing Security (Sec. 4106)

- Incorporates provisions of S.3949, the Enhanced Cyber Security Act for SNAP Act 2026, including:
 - Requires regulations within two years and updates every five years thereafter to guide upgrades to EBT card, mobile, and online purchase technology to ensure they keep pace with current payment security measures, including transitioning to chip cards or other successor technologies,
 - Authorizes additional funding to states to support EBT card upgrades,
 - Establishes a grant program to help retailers update their point-of-sale equipment to accept chip cards and other contactless payment,
 - Requires states to maintain user interfaces, including both digital and nondigital options, for participants to manage their accounts and sets certain standards for those interfaces,
 - Requires replacement of malfunctioning, stolen, or skimmed EBT cards within five business days and in most cases at no cost to participants, and
 - Directs reports on benefit theft (both frequency and state and retailer measures to limit fraud), cybersecurity rules, and EBT card issuance in Puerto Rico.

Error Reporting Requirements (Sec. 4112)

- Directs USDA to report on all SNAP payment errors regardless of the dollar amount. This report will include over-payments and under-payments below the tolerance threshold (\$58 in FY 2026).

This does not change a state's official payment error rate, nor will it impact if states are subject to the benefit cost shift. While not specifically reported on, this data is already part of the publicly available quality control dataset.

Use of Non-Merit Staff (Sec. 4111)

- Expands the use of non-merit staff to process SNAP cases if the state cannot process applications in a timely manner, if the state has a payment error rate of over six percent, or if the state experiences an increase in applications.
 - Contracts with 3rd parties may *not* provide incentives to deny or delay certifications for individuals otherwise eligible for SNAP.
 - Contractors may not have a financial interest in a SNAP retailer or employment and training program.
 - States should ensure that contractors do not supplant merit staff.
 - States must notify the USDA of the use of contractors, and USDA must publicly post the notification and submit an annual report to Congress on the reasons for the use of contractors.
 - Unlike the House version, the Senate proposal includes some guardrails on the use of contractors, prohibiting them from making eligibility determinations or doing other key functions.

What are “Merit Staff”?

Merit staff are trained state and federal civil servants, including SNAP agency staff.

Under SNAP’s federal statutory and regulatory rules, states must use merit staff to make SNAP eligibility and certification determinations. Currently, non-merit staff have limited roles in application assistance and screening.

As professional public servants, the use of merit-staff brings security, impartiality, integrity, and efficiency in the administration of tax dollars.

In the past, using contracted staff resulted in payment errors, application backlogs, and wasteful spending. Despite the poor outcomes from previous efforts, this provision is a step toward the privatization of safety net programs. This change could also have impacts on union membership.

Updates for Retailers

- **NEW** Adds a provision ensuring appropriate EBT processing equipment support for farmers markets and direct to consumer markets, such as wireless technology (Sec. 4103).
- Extends a prohibition on EBT card transaction routing fees through 2031 (Sec. 4104).
- Amends the definition of a retail food store that may be approved to accept SNAP to include the owning of inventory and directs the USDA to create terms and conditions on approval of online-only entities (Sec. 4107).
- **NEW** Directs the creation of a streamlined process for direct marketing farmers to apply as vendors and accept benefits in SNAP, GusNIP, the Senior Farmers’ Market Nutrition Program, and WIC and the WIC Farmers’ Market Nutrition Program (Sec. 4108).

- Gives retailers denied approval by the USDA to be an authorized EBT retailer another chance to reapply before being barred from applying for six months (Sec. 4109).

Under current law, retailers that did not meet the approval criteria are prohibited from reapplying for at least six months. This proposal would apply the six-month bar only to retailers that did not meet the approval criteria on two consecutive occasions in a three-year period.

- Adds “animal protein” to list of products for which retailers may offer incentives to SNAP shoppers (Sec. 4110).

This allows retailers to offer coupons or savings for SNAP shoppers for animal proteins but does not require it or provide funding for it. The list of foods eligible for incentives currently includes fruit, vegetables, dairy, and whole grain products.

- Extends authorization of \$5 million annually through 2031 for fraud and trafficking prevention (Sec. 4114).

Expanding Dairy Incentives (Sec. 4116)

- Broadens the current Healthy Fluid Milk Incentives initiative into the Dairy Nutrition Incentive Projects, encouraging purchases of milk, cheese, yogurt, and other cultured dairy products.
- Increases the program’s authorized funding from \$20 million to \$80 million.

The House bill increased authorized funding to \$50 million.

AMENDED Allowable Foods

- Adds “hot rotisserie chicken” to the definition of food.

Historically, hot prepared foods have been ineligible for purchase with SNAP benefits, but this would create an exception to allow the purchase of hot rotisserie chicken.

Subtitle C—Miscellaneous

Buy American (Sec. 4304):

- Effective at the beginning of the school year after enactment, requires School Food Authorities (SFAs) participating in school meal programs to make at least 95% of purchases (by cost) domestic products within each of four categories (fresh fruits & vegetables, meal & poultry, dairy, and specialty crops, which includes processed items).

This is a threshold that SFAs would not otherwise have to reach until SY31-32.

- Exempts domestically unavailable products from the cap on non-domestic purchases.

Currently there is lower documentation required for items that appear on a list of domestically unavailable items, but they still count towards the cap.

Dietary Guidelines for Americans (Sec. 4305):

- Changes the process from a minimum of every five years to every 10 years.
- Includes much more detail on what the DGAs must be based upon and defines “evidence-based review” in statute.
- Changes the selection process for advisory board members who support review of the evidence and development of the DGAs.
- Prohibits the DGAs from being based upon or including topics like “taxation, social welfare policies, purchases under Federal feeding programs, food and agricultural production practices, food labeling, socioeconomic status, race, religion, ethnicity, culture, or regulations relating to nutrition.”

Strengthening Local Food Security Program (Sec. 4306):

- Creates a program similar to the Local Food Purchase Cooperative Agreement Program previously operated through Commodity Credit Corporation funding and cancelled in early 2025.

The House bill included a similar provision but called it the Local Farmers Feeding Our Communities Program.

- Authorizes \$200 million per year for FY 2027 through FY 2031 with ten percent allocated to Tribal governments and the remainder to states.
- **AMENDED** Directs USDA to make available \$200 million from the Commodity Credit Corporation in FY 2027 and FY 2028 to carry out this program.

TITLE XII--MISCELLANEOUS PROVISIONS

Subtitle F—Other Miscellaneous Provisions

Whole Milk in the School Breakfast Program (Sec. 12613)

- Provides a technical fix to the Whole Milk for Healthy Kids Act that became law in early 2026 and affirms USDA’s recent regulatory change by allowing schools to serve whole milk at breakfast, not just at lunch.

How is this bill different from the House version?

The House passed the [Farm, Food and National Security Act of 2026](#) in April.

In addition to small changes noted in the description of specific provisions, compared to that bill, the current Senate proposal does **not**:

- Include a provision that would change the purpose of SNAP to include prevention of diet-related chronic disease, obesity, disability, premature death, and unsustainable health care costs as well as promoting military readiness.
- Require a report to Congress on the causes of state variations and increases in SNAP administrative costs and suggestions for improving oversight.
- Limit USDA authority to issue waivers for the Buy American provision in school meal programs.

The latest Senate proposal **does** include the following items that were **not** addressed in the House version:

- Changes to the SNAP benefit cost share provisions in H.R.1.
- Additional language around EBT card security.
- Provisions for farmers' markets and direct marketing producers (*see section on Updates for Retailers*).