

Calendar No. 506

103D CONGRESS
2D SESSION

S. 1614

[Report No. 103-300]

A BILL

To amend the Child Nutrition Act of 1966 and the National School Lunch Act to promote healthy eating habits for children and to extend certain authorities contained in such Acts through fiscal year 1998, and for other purposes.

JULY 1 (legislative day, JUNE 7), 1994
Reported with an amendment

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 1993

Mr. LEAHY (for himself, Mr. HARKIN, Mr. DASCHLE, Mr. ROCKEFELLER, Mr. JEFFORDS, Mr. DURENBERGER, Mr. BINGAMAN, Mr. CAMPBELL, Mr. SIMON, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

JULY 1 (legislative day, JUNE 7), 1994

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Child Nutrition Act of 1966 and the National School Lunch Act to promote healthy eating habits for children and to extend certain authorities contained in such Acts through fiscal year 1998, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Better Nutrition and Health for Children Act of 1993”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SPECIAL NUTRITION PROGRAM FOR WOMEN, INFANTS,
 AND CHILDREN

Sec. 101. Full funding for WIC.

Sec. 102. WIC breastfeeding promotion.

Sec. 103. Expansion of WIC farmers’ market program.

Sec. 104. Technical amendments.

TITLE II—SCHOOL BREAKFAST AND RELATED PROGRAMS

Sec. 201. Providing milk to low-income children.

Sec. 202. Elimination of cost basis for severe need reimbursement.

Sec. 203. Low-fat yogurt as an allowable choice.

Sec. 204. Promotion of school breakfast program.

Sec. 205. Startup costs for school breakfast program.

Sec. 206. Expansion of school breakfast programs.

Sec. 207. State administrative expenses.

Sec. 208. Clarification of authority to ban junk foods.

Sec. 209. Nutrition education and training program.

TITLE III—SCHOOL LUNCH AND RELATED PROGRAMS

Sec. 301. Elimination of whole milk requirement.

Sec. 302. Low-fat yogurt as an allowable choice.

Sec. 303. Reports on increasing consumption of healthy foods in school lunches.

Sec. 304. Information to parents concerning importance of nutrition.

Sec. 305. Income guidelines for free lunches served to elementary school stu-
 dents.

Sec. 306. School flexibility.

Sec. 307. Automatic eligibility of Head Start participants.

Sec. 308. Special assistance payments.

Sec. 309. Promotion of healthy eating habits for children.

Sec. 310. Organic foods.

Sec. 311. Food and nutrition projects.

Sec. 312. Summer food service program for children.

Sec. 313. Commodity distribution program.

Sec. 314. Child and adult care food program.

Sec. 315. Meal supplements for children in afterschool care.

Sec. 316. Demonstration projects to improve food service for homeless children.

- Sec. 317. Pilot program to increase offerings of fruits and vegetables.
- Sec. 318. Pilot program to increase consumption of low-fat dairy products and lean meats.
- Sec. 319. Pilot projects for fortified fluid milk; information on fortified milk.
- Sec. 320. Food service management institute and other institutions.
- Sec. 321. Compliance and accountability.
- Sec. 322. Nutrition guidance for child nutrition programs.
- Sec. 323. Information clearinghouse.

TITLE IV—PROGRAM INTEGRITY

- Sec. 401. Findings.
- Sec. 402. Duties of the Secretary relating to anticompetitive activities.
- Sec. 403. Prevention and control of anticompetitive activities.

TITLE V—EFFECTIVE DATES

- Sec. 501. Effective dates.

1 **TITLE I—SPECIAL NUTRITION** 2 **PROGRAM FOR WOMEN, IN-** 3 **FANTS, AND CHILDREN**

4 **SEC. 101. FULL FUNDING FOR WIC.**

5 Section 17 of the Child Nutrition Act of 1966 (42
6 U.S.C. 1786) is amended—

7 (1) in the second sentence of subsection (a)—

8 (A) by striking “authorized” and inserting
9 “established”; and

10 (B) by striking “, up to the authorization
11 levels set forth in subsection (g) of this sec-
12 tion,”;

13 (2) in subsection (c)—

14 (A) in the first sentence of paragraph (1),
15 by striking “may” and inserting “shall”; and

16 (B) in paragraph (2), by striking “appro-
17 priated” and inserting “made available”;

1 (3) in subsection (g)—

2 (A) by striking paragraph (1) and insert-
3 ing the following new paragraph:

4 “(1)(A) There are authorized to be—

5 “(i) appropriated to carry out this section such
6 amounts as are necessary for each of fiscal years
7 1995 through 2000; and

8 “(ii) made available such amounts as are nec-
9 essary for the Secretary of the Treasury to fulfill the
10 requirements of subparagraph (B).

11 “(B)(i) For each of fiscal years 1996 through 2000,
12 the Secretary of the Treasury shall credit to a special fund
13 of the Treasury an amount equal to—

14 “(I) \$254,000,000 for fiscal year 1996;

15 “(II) \$407,000,000 for fiscal year 1997;

16 “(III) \$384,000,000 for fiscal year 1998;

17 “(IV) \$398,000,000 for fiscal year 1999; and

18 “(V) \$411,000,000 for fiscal year 2000.

19 “(ii) Amounts in the fund—

20 “(I) shall be available only for the program au-
21 thorized under this section, exclusive of activities au-
22 thorized under subsection (m); and

23 “(II) shall be paid to the Secretary to carry out
24 subclause (I).

1 ~~“(iii) For a fiscal year specified in clause (i), the~~
 2 ~~amount credited to the fund for the fiscal year shall be~~
 3 ~~available for use in the program only if appropriations~~
 4 ~~Acts for the fiscal year, without the addition of amounts~~
 5 ~~provided under clause (i) for the fund, provide new budget~~
 6 ~~authority for the program of no less than—~~

7 ~~“(I) \$3,660,000,000 for fiscal year 1996;~~

8 ~~“(II) \$3,759,000,000 for fiscal year 1997;~~

9 ~~“(III) \$3,861,000,000 for fiscal year 1998;~~

10 ~~“(IV) \$3,996,000,000 for fiscal year 1999; and~~

11 ~~“(V) \$4,126,000,000 for fiscal year 2000.~~

12 ~~“(C) As authorized by section 3 of the National~~
 13 ~~School Lunch Act (42 U.S.C. 1752), funds made available~~
 14 ~~to carry out this section shall remain available until ex-~~
 15 ~~ended.”;~~

16 ~~(B) in the first sentence of paragraph (4),~~
 17 ~~by striking “appropriated” and inserting “made~~
 18 ~~available”;~~ and

19 ~~(C) in paragraph (5), by striking “appro-~~
 20 ~~priated” and inserting “made available”;~~

21 ~~(4) in subsection (h)—~~

22 ~~(A) in paragraph (1)—~~

23 ~~(i) in subparagraph (A), by striking~~
 24 ~~“appropriated” both places it appears and~~
 25 ~~inserting “made available”; and~~

1 (ii) in subparagraph (C), by striking
 2 “appropriated” both places it appears and
 3 inserting “made available”; and
 4 (B) in the first sentence of paragraph
 5 (2)(A), by striking “1990, 1991, 1992, 1993
 6 and 1994” and inserting “1990 through 2000”;
 7 and
 8 (5) in subsection (l), by striking “funds appro-
 9 priated” and inserting “funds made available”.

10 **SEC. 102. WIC BREASTFEEDING PROMOTION.**

11 Section 17 of the Child Nutrition Act of 1966 (42
 12 U.S.C. 1786) is amended—

13 (1) in subsection (d)(4)—

14 (A) by striking “and” at the end of sub-
 15 paragraph (B);

16 (B) by redesignating subparagraph (C) as
 17 subparagraph (D); and

18 (C) by inserting after subparagraph (B)
 19 the following new subparagraph:

20 “(C) the rate of breastfeeding among
 21 postpartum women participating in the program,
 22 and expenditures for breastfeeding promotion; and”;
 23 and

24 (2) in subsection (h)(3)(A)—

1 (A) in clause (i)(II), by striking
2 “\$8,000,000” and inserting “\$16,000,000”;
3 and

4 (B) in clause (ii), by inserting after “sup-
5 port activities” the following: “(including the
6 purchase of breast pumps)”.

7 **SEC. 103. EXPANSION OF WIC FARMERS’ MARKET PRO-**
8 **GRAM.**

9 (a) **IN GENERAL.**—Section 17(m) of the Child Nutri-
10 tion Act of 1966 (42 U.S.C. 1786(m)) is amended—

11 (1) in paragraph (3), by striking “30 percent”
12 and inserting “25 percent”;

13 (2) in paragraph (5)(C)(ii), by inserting before
14 the period at the end the following: “, except that
15 the Secretary, at the request of the State agency,
16 may increase the amount under unusual cir-
17 cumstances such as a natural disaster”;

18 (3) in paragraph (5)(F)—

19 (A) in clause (i), by striking “15 percent”
20 and inserting “17 percent”;

21 (B) in clause (ii), by striking “2 percent”
22 each place it appears and inserting “3 percent”;

23 (C) by redesignating clause (iii) as clause
24 (iv); and

1 (D) by inserting after clause (ii) the follow-
 2 ing new clause:

3 “(iii) During any fiscal year for which a State re-
 4 ceives assistance under this subsection, the Secretary shall
 5 permit the State to use 3 percent of total program funds
 6 for market development (including the establishment of
 7 additional farmers’ markets and the improvement and ex-
 8 pansion of participating markets) if the Secretary deter-
 9 mines that the State intends to promote—

10 “(I) the development of farmers’ markets in so-
 11 cially or economically disadvantaged areas where
 12 residents have limited access to locally grown fruits
 13 and vegetables; or

14 “(II) the participation of—

15 “(aa) socially disadvantaged farmers (as
 16 defined in section 2501(e)(2) of the Food, Agri-
 17 culture, Conservation, and Trade Act of 1990
 18 (7 U.S.C. 2279(e)(2)));

19 “(bb) farmers located in very rural areas
 20 (as defined by the Secretary); or

21 “(cc) farmers who own or operate small-
 22 scale or limited-resource farms (as defined by
 23 the Secretary).”;

24 (4) in paragraph (10)(A), by striking “and
 25 \$8,000,000 for fiscal year 1994” and inserting

1 “\$8,000,000 for fiscal year 1994, \$10,500,000 for
 2 fiscal year 1995, \$12,500,000 for fiscal year 1996,
 3 \$15,000,000 for fiscal year 1997, and \$18,000,000
 4 for fiscal year 1998’; and

5 (5) in paragraph (11)(D), by inserting before
 6 the period at the end the following: “or any other
 7 agency approved by the chief executive officer of the
 8 State”.

9 (b) ~~PROMOTION BY THE SECRETARY.~~—The Secretary
 10 of Agriculture shall promote the use of farmers’ markets
 11 by recipients of Federal nutrition programs administered
 12 by the Secretary and shall annually report to the appro-
 13 priate committees of Congress on the efforts of the Sec-
 14 retary to carry out this subsection.

15 **SEC. 104. TECHNICAL AMENDMENTS.**

16 (a) ~~CARRYOVER FUNDS.~~—Section 17(i)(3)(A) of the
 17 Child Nutrition Act of 1966 (42 U.S.C. 1786(i)(3)(A)) is
 18 amended by striking “1 percent” each place it appears in
 19 clauses (i) and (ii) and inserting “3 percent”.

20 (b) ~~CHANGE OF NAME OF WIC PROGRAM.~~—

21 (1) ~~IN GENERAL.~~—Section 17 of the Child Nu-
 22 trition Act of 1966 (42 U.S.C. 1786) is amended—

23 (A) by striking the section heading and in-
 24 serting the following new section heading:

1 “SPECIAL NUTRITION PROGRAM FOR WOMEN, INFANTS,
2 AND CHILDREN”;

3 (B) in the first sentence of subsection
4 (c)(1), by striking “special supplemental food
5 program” and inserting “special nutrition pro-
6 gram”;

7 (C) in the second sentence of subsection
8 (k)(1), by striking “special supplemental food
9 program” each place it appears and inserting
10 “special nutrition program”; and

11 (D) in subsection (o)(1)(B), by striking
12 “special supplemental food program” and in-
13 serting “special nutrition program”.

14 (2) CONFORMING AMENDMENTS.—

15 (A) The second sentence of section 9(c) of
16 the Food Stamp Act of 1977 (7 U.S.C.
17 2018(c)) is amended by striking “special sup-
18 plemental food program for women, infants and
19 children” and inserting “special nutrition pro-
20 gram for women, infants, and children”.

21 (B) Section 685(b)(8) of the Individuals
22 with Disabilities Education Act (20 U.S.C.
23 1484a(b)(8)) is amended by striking “Special
24 Supplemental Food Program for Women, In-
25 fants and Children” and inserting “special nu-

1 trition program for women, infants, and chil-
2 dren”.

3 ~~(C) Section 3803(c)(2)(C)(x) of title 31,~~
4 United States Code, is amended by striking
5 “special supplemental food program” and in-
6 serting “special nutrition program”.

7 ~~(D) Section 399(b)(6) of the Public Health~~
8 Service Act (42 U.S.C. 280c-6(b)(6)) is amend-
9 ed by striking “special supplemental food pro-
10 gram” and inserting “special nutrition pro-
11 gram”.

12 ~~(E) Paragraphs (11)(C) and (53)(A) of~~
13 section 1902(a) of the Social Security Act (42
14 U.S.C. 1396a(a)) are each amended by striking
15 “special supplemental food program” and in-
16 serting “special nutrition program”.

17 ~~(F) Section 202 of the Children’s Nutri-~~
18 tion Assistance Act of 1992 (Public Law 102-
19 512; 42 U.S.C. 1786 note) is amended by strik-
20 ing “special supplemental food program” each
21 place it appears and inserting “special nutrition
22 program”.

1 **TITLE II—SCHOOL BREAKFAST**
 2 **AND RELATED PROGRAMS**

3 **SEC. 201. PROVIDING MILK TO LOW-INCOME CHILDREN.**

4 Section 3(a)(2) of the Child Nutrition Act of 1966
 5 ~~(42 U.S.C. 1772(a)(2))~~ is amended—

6 (1) by inserting “(A)” after “shall not apply
 7 to”;

8 (2) by striking “kindergarten”; and

9 (3) by inserting before the period at the end the
 10 following: “; (B) elementary schools in which at least
 11 60 percent of the children participating in the school
 12 lunch program authorized under the National School
 13 Lunch Act ~~(42 U.S.C. 1751 et seq.)~~ are eligible for
 14 free or reduced price lunches; or (C) schools that do
 15 not participate in the school lunch program but that
 16 participate in the school breakfast program author-
 17 ized under this Act”.

18 **SEC. 202. ELIMINATION OF COST BASIS FOR SEVERE NEED**
 19 **REIMBURSEMENT.**

20 Section 4(d) of the Child Nutrition Act of 1966 ~~(42~~
 21 ~~U.S.C. 1773(d))~~ is amended—

22 (1) in paragraph (1)(B), by striking “; and in
 23 which” and all that follows through “program”; and

24 (2) by striking paragraph (2) and inserting the
 25 following new paragraph:

1 ~~“(2) If at least 40 percent of the students at a school~~
 2 ~~who participate in the school lunch program established~~
 3 ~~under the National School Lunch Act (42 U.S.C. 1751~~
 4 ~~et seq.) are eligible to receive meals at free or reduced~~
 5 ~~prices, the school shall be entitled to receive the meal reim-~~
 6 ~~bursement rate specified in subsection (b)(2).”.~~

7 **SEC. 203. LOW-FAT YOGURT AS AN ALLOWABLE CHOICE.**

8 Section 4(e)(1) of the Child Nutrition Act of 1966
 9 ~~(42 U.S.C. 1773(e)(1))~~ is amended by adding at the end
 10 the following new sentences: ~~“The Secretary shall permit~~
 11 ~~schools to offer low-fat yogurt as an alternative for eggs,~~
 12 ~~meats, or other meat alternatives in the school breakfast~~
 13 ~~program. The Secretary may require that the yogurt be~~
 14 ~~enriched with proteins or other nutrients.”.~~

15 **SEC. 204. PROMOTION OF SCHOOL BREAKFAST PROGRAM.**

16 Section 4(f)(1) of the Child Nutrition Act of 1966
 17 ~~(42 U.S.C. 1773(f)(1))~~ is amended—

18 (1) by inserting ~~“(A)”~~ after ~~“(1)”~~; and

19 (2) by adding at the end the following new sub-
 20 paragraph:

21 ~~“(B) In cooperation with State educational agencies,~~
 22 ~~the Secretary shall establish a program to promote the~~
 23 ~~school breakfast program by—~~

1 “(i) marketing the program in a manner that
2 expands participation in the program by schools and
3 students; and

4 “(ii) improving public education and outreach
5 efforts that enhance the public image of the pro-
6 gram.”.

7 **SEC. 205. STARTUP COSTS FOR SCHOOL BREAKFAST PRO-**
8 **GRAM.**

9 Section 4(g)(1) of the Child Nutrition Act of 1966
10 (42 U.S.C. 1773(g)(1)) is amended—

11 (1) in the first sentence, by striking “and
12 \$5,000,000 for each of the fiscal years 1991, 1992,
13 1993, and 1994,” and inserting “, \$5,000,000 for
14 each of fiscal years 1991 through 1994, and
15 \$9,000,000 for each of fiscal years 1995 through
16 1998,”; and

17 (2) by inserting after the first sentence the fol-
18 lowing new sentence: “Of the amounts made avail-
19 able under the preceding sentence for fiscal years
20 1995 through 1998, not more than \$3,000,000 shall
21 be used to carry out the expansion program author-
22 ized by subsection (i) for each of fiscal years 1995
23 and 1996, and not more than \$4,000,000 shall be
24 used to carry out the expansion program for each of
25 fiscal years 1997 and 1998.”.

1 **SEC. 206. EXPANSION OF SCHOOL BREAKFAST PROGRAMS.**

2 Section 4 of the Child Nutrition Act of 1966 (42
3 U.S.C. 1773) is amended by adding at the end the follow-
4 ing new subsection:

5 “EXPANSION OF PROGRAMS

6 “(h)(1) With funds made available to carry out this
7 subsection under subsection (g)(1), the Secretary shall
8 make payments on a competitive basis to State edu-
9 cational agencies in a substantial number of States for dis-
10 tribution to eligible schools to assist the schools with ex-
11 penses incurred in expanding a school breakfast program
12 established under this section. Payments received under
13 this subsection shall be in addition to payments to which
14 State educational agencies are entitled under subsection
15 (b).

16 “(2) In making payments under this subsection in
17 any fiscal year, the Secretary shall provide a preference
18 to State educational agencies that submit to the Sec-
19 retary—

20 “(A) a plan to expand school breakfast pro-
21 grams conducted in the State, including a descrip-
22 tion of—

23 “(i) the manner in which the agency will
24 provide technical assistance and funding to
25 schools in the State to expand the programs; or

1 “(ii) significant public or private resources
2 that have been assembled to carry out the ex-
3 pansion of the programs during the year; or

4 “(B) documentation of the need for—

5 “(i) equipment, including the purchase, re-
6 placement, or upgrading of equipment associ-
7 ated with expanding the school breakfast pro-
8 gram; or

9 “(ii) other needs, including a need for tem-
10 porary personnel, or funds to defray adminis-
11 trative or other costs associated with expanding
12 the school breakfast program.

13 “(3) Subparagraphs (B) and (C) of subsection (g)(2),
14 and paragraphs (3) through (5) of subsection (g), shall
15 apply to payments made under this subsection.”.

16 **SEC. 207. STATE ADMINISTRATIVE EXPENSES.**

17 Section 7 of the Child Nutrition Act of 1966 (42
18 U.S.C. 1776) is amended—

19 (1) in subsection (a)(2)—

20 (A) in the first sentence, by inserting after
21 “1 percent” the following: “plus \$780,000,”;
22 and

23 (B) in the second sentence, by striking
24 “September 30, 1981, or \$100,000” and insert-
25 ing “September 30, 1993, or \$175,000”; and

1 (2) by striking subsection (h) and inserting the
2 following new subsection:

3 “(h)(1) In addition to the funds allocated pursuant
4 to the other provisions of this section, the Secretary shall
5 make available to each State, for administrative costs in-
6 curred for any fiscal year in connection with the distribu-
7 tion of commodities, an amount equal to not less than 1
8 percent, and not more than 1½ percent, of the value of
9 the commodities distributed by the Secretary to each State
10 pursuant to this Act and the National School Lunch Act
11 (42 U.S.C. 1751 et seq).

12 “(2) The allocation required under this subsection
13 shall be made to the State agency responsible for the dis-
14 tribution of commodities authorized under this Act and
15 the National School Lunch Act.”.

16 **SEC. 208. CLARIFICATION OF AUTHORITY TO BAN JUNK**
17 **FOODS.**

18 Section 10 of the Child Nutrition Act of 1966 (42
19 U.S.C. 1779) is amended—

20 (1) by designating the first, second, and third
21 sentences as subsections (a), (b), and (c), respec-
22 tively;

23 (2) in subsection (b) (as so designated)—

1 (A) by striking “Such regulations” and in-
 2 serting “(1) Except as provided in paragraph
 3 (2), the regulations”; and

4 (B) by adding at the end the following new
 5 paragraphs:

6 “(2) The regulations shall authorize State agencies
 7 and school food authorities to establish rules and policies
 8 that are more stringent than the minimum requirements
 9 imposed by the Secretary, including prohibiting or control-
 10 ling the sale of any competitive foods throughout the
 11 school campus at any time during the school day.

12 “(3) The Secretary shall develop and recommend to
 13 each State agency and school food authority model lan-
 14 guage that bans the sale of competitive foods of minimal
 15 nutritional value anywhere on school grounds before the
 16 end of the last lunch period.”.

17 **SEC. 209. NUTRITION EDUCATION AND TRAINING PRO-**
 18 **GRAM.**

19 (a) USE OF FUNDS.—Section 19(f)(1) of the Child
 20 Nutrition Act of 1966 (42 U.S.C. 1788(f)(1)) is amend-
 21 ed—

22 (1) by striking “for (A) employing” and insert-
 23 ing “for—
 24 “(A) employing”;

1 ~~(2)~~ by indenting the margins of each of sub-
2 paragraphs ~~(B)~~ through ~~(I)~~ as so to align with the
3 margin of subparagraph ~~(A)~~ (as amended by para-
4 graph ~~(1)~~);

5 ~~(3)~~ by striking “and” at the end of subpara-
6 graph ~~(H)~~;

7 ~~(4)~~ by redesignating subparagraph ~~(I)~~ as sub-
8 paragraph ~~(Q)~~; and

9 ~~(5)~~ by inserting after subparagraph ~~(H)~~ the fol-
10 lowing new subparagraphs:

11 “(I) providing funding for a nutrition compo-
12 nent in the health education curriculum offered to
13 children in kindergarten through grade 12;

14 “(J) instructing teachers, school administrators,
15 or other school staff on how to promote better nutri-
16 tional health and to motivate children to practice
17 sound eating habits;

18 “(K) developing means of providing nutrition
19 education to children and families of children
20 through after-school programs;

21 “(L) training in relation to healthy and nutri-
22 tious meals;

23 “(M) creating instructional programming for
24 teachers, school food service personnel, and parents
25 on the relationships between nutrition and health

1 and the role of the food guide pyramid established
2 by the Secretary;

3 ~~“(N) funding aspects of the Strategic Plan for~~
4 ~~Nutrition and Education issued by the Secretary;~~

5 ~~“(O) increasing evaluation efforts at the State~~
6 ~~level regarding needs assessment for nutrition edu-~~
7 ~~cation efforts;~~

8 ~~“(P) encouraging public service advertisements~~
9 ~~to promote healthy eating habits for children; and”.~~

10 ~~(b) AUTHORIZATION OF APPROPRIATIONS.—Section~~
11 ~~19(i)(2)(A) of such Act is amended—~~

12 ~~(1) by striking “and” at the end of clause (iii);~~

13 ~~(2) by striking the period at the end of clause~~
14 ~~(iv) and inserting “; and”; and~~

15 ~~(3) by adding at the end the following new~~
16 ~~clause:~~

17 ~~“(v) \$30,000,000 for each of fiscal years 1995~~
18 ~~through 1998.”.~~

19 **TITLE III—SCHOOL LUNCH AND** 20 **RELATED PROGRAMS**

21 **SEC. 301. ELIMINATION OF WHOLE MILK REQUIREMENT.**

22 Section 9(a)(2) of the National School Lunch Act (42
23 U.S.C. 1758(a)(2)) is amended by striking “fluid whole
24 milk and fluid unflavored lowfat milk” and inserting “fluid
25 milk”.

1 **SEC. 302. LOW-FAT YOGURT AS AN ALLOWABLE CHOICE.**

2 Section 9(a)(2) of the National School Lunch Act (42
3 U.S.C. 1758(a)(2)) is amended by adding at the end the
4 following new sentences: “The Secretary shall permit
5 schools to offer low-fat yogurt as an alternative for meats,
6 eggs, cooked dry beans or peas, peanut butter, or other
7 meat alternatives in the school lunch program. The Sec-
8 retary may require that the yogurt be enriched with pro-
9 teins or other nutrients.”.

10 **SEC. 303. REPORTS ON INCREASING CONSUMPTION OF**
11 **HEALTHY FOODS IN SCHOOL LUNCHES.**

12 Not later than 3 years after the date of enactment
13 of this Act, the Secretary of Agriculture shall submit to
14 the appropriate committees of Congress—

15 (1) a report on the impact on the nutritional
16 health of children of increasing the number of
17 servings of fruits and vegetables offered or served in
18 lunches served by schools participating in the school
19 lunch program established under the National
20 School Lunch Act (42 U.S.C. 1751 et seq.) from 2
21 to 3 servings per lunch, including—

22 (A) a summary of school food practices re-
23 garding offerings of fruits and vegetables dur-
24 ing lunch; and

25 (B) a description of the desirability of pro-
26 viding an additional Federal reimbursement as

1 an incentive to encourage schools to offer or
2 serve 3 or more fruits or vegetables per lunch;

3 ~~(2)~~ a report on means by which the Secretary
4 has encouraged students participating in the school
5 lunch program to increase consumption of—

6 (A) fresh fruits and vegetables;

7 ~~(B)~~ fiber-rich, low-sodium, whole grains,
8 breads, and pastas;

9 ~~(C)~~ low-fat, low-sodium soups and stews;

10 ~~(D)~~ low-fat yogurt, cheeses, and other
11 dairy products;

12 ~~(E)~~ reduced-fat or leaner meats;

13 ~~(F)~~ low-fat salad dressings; and

14 ~~(G)~~ other similar low-fat, reduced-fat, low-
15 sodium, or high-fiber foods; and

16 ~~(3)~~ a report on the actions the Secretary has
17 taken—

18 ~~(A)~~ to reduce the fat, saturated fat, so-
19 dium, or sugar content of the bonus and entitle-
20 ment commodities the Secretary donates to
21 schools; and

22 ~~(B)~~ to carry out paragraph ~~(2)~~ of section
23 14(b) of the National School Lunch Act (42
24 U.S.C. 1762a(b)) (as added by section
25 313(2)(B)).

1 **SEC. 304. INFORMATION TO PARENTS CONCERNING IMPOR-**
 2 **TANCE OF NUTRITION.**

3 Section 9(a) of the National School Lunch Act (42
 4 U.S.C. 1758(a)) is amended by adding at the end the fol-
 5 lowing new paragraph:

6 “(5)(A) The Secretary shall carry out a program to
 7 assist States through grants-in-aid and other means to
 8 provide information to parents concerning the importance
 9 of nutrition for good health by carrying out parent-student
 10 education programs and programs to encourage parents
 11 to visit schools with their children to see the operation of
 12 the school lunch program established under this Act and
 13 the school breakfast program established under the Child
 14 Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

15 “(B) There are authorized to be appropriated to
 16 carry out subparagraph (A) \$2,000,000 for each fiscal
 17 year.”.

18 **SEC. 305. INCOME GUIDELINES FOR FREE LUNCHES**
 19 **SERVED TO ELEMENTARY SCHOOL STU-**
 20 **DENTS.**

21 The second sentence of section 9(b)(1)(A) of the Na-
 22 tional School Lunch Act (42 U.S.C. 1758(b)(1)(A)) is
 23 amended by inserting after “130 percent” the following:
 24 “(or, in the case of a student attending an elementary
 25 school, 185 percent)”.

1 **SEC. 306. SCHOOL FLEXIBILITY.**

2 Section 9(b)(5) of the National School Lunch Act (42
3 U.S.C. 1758(b)(5)) is amended by adding at the end the
4 following new sentences: “A State agency or local school
5 food authority shall use information concerning the eligi-
6 bility of a child for free or reduced price meals for the
7 purpose of determining the eligibility of the child for free
8 or reduced price meals. A State agency or local school food
9 authority may use a determination of the eligibility of a
10 child for free or reduced price meals to demonstrate the
11 eligibility of the child for benefits under other Federal,
12 State, or local means-tested programs.”.

13 **SEC. 307. AUTOMATIC ELIGIBILITY OF HEAD START PAR-**
14 **TICIPANTS.**

15 Section 9(b)(6) of the National School Lunch Act (42
16 U.S.C. 1758(b)(6)) is amended—

17 (1) in subparagraph (A)—

18 (A) in the matter preceding clause (i), by
19 striking “a member of”;

20 (B) in clause (i)—

21 (i) by inserting “a member of” after
22 “(i)”;

23 (ii) by striking “or” at the end of the
24 clause;

25 (C) in clause (ii)—

1 (i) by inserting “a member of” after
 2 “(ii)”;

3 (ii) by striking the period at the end
 4 of the clause and inserting “; or”;

5 (D) by adding at the end the following new
 6 clause:

7 “(iii) enrolled as a participant in the Head
 8 Start program authorized under the Head Start Act
 9 (42 U.S.C. 9831 et seq.)”;

10 (2) in subparagraph (B), by striking “food
 11 stamps or aid to families with dependent children”
 12 and inserting “food stamps, aid to families with de-
 13 pendent children, or enrollment or participation in
 14 the Head Start program”.

15 **SEC. 308. SPECIAL ASSISTANCE PAYMENTS.**

16 Section 11(a)(1) of the National School Lunch Act
 17 (42 U.S.C. 1759a(a)(1)) is amended by striking “lunches”
 18 each place it appears in the third and fourth sentences
 19 and inserting “meals”.

20 **SEC. 309. PROMOTION OF HEALTHY EATING HABITS FOR**
 21 **CHILDREN.**

22 Section 12 of the National School Lunch Act (42
 23 U.S.C. 1760) is amended by adding at the end the follow-
 24 ing new subsection:

1 ~~“(j) The Secretary shall develop, and make available~~
2 ~~to the public, public service advertisements that promote~~
3 ~~healthy eating habits for children.”.~~

4 **SEC. 310. ORGANIC FOODS.**

5 Section 12 of the National School Lunch Act (42
6 U.S.C. 1760) (as amended by section 309) is further
7 amended by adding at the end the following new sub-
8 section:

9 ~~“(k)(1) The Secretary shall advise State educational~~
10 ~~agencies and schools participating in the school lunch pro-~~
11 ~~gram about the increased opportunities offered by the Or-~~
12 ~~ganic Foods Production Act of 1990 (7 U.S.C. 6501 et~~
13 ~~seq.); and by programs established under this subsection,~~
14 ~~for schools to obtain organically produced agricultural~~
15 ~~products (as defined in section 2103 of such Act (7 U.S.C.~~
16 ~~6502)) (referred to in this subsection as ‘organically pro-~~
17 ~~duced agricultural products’) such as meats, poultry prod-~~
18 ~~ucts, fruits, products made from grains, dairy products,~~
19 ~~and vegetables that are organically produced.~~

20 ~~“(2) The Secretary shall—~~

21 ~~“(A) establish an information clearinghouse to~~
22 ~~provide information on where to obtain organically~~
23 ~~produced agricultural products;~~

1 ~~“(B) collect, obtain, or develop information re-~~
 2 ~~garding the availability of organically produced agri-~~
 3 ~~cultural products; and~~

4 ~~“(C) provide the information, or make the in-~~
 5 ~~formation readily available, to State educational~~
 6 ~~agencies and schools participating in the school~~
 7 ~~lunch program established under this Act or the~~
 8 ~~school breakfast program established under the~~
 9 ~~Child Nutrition Act of 1966 (42 U.S.C. 1771 et~~
 10 ~~seq.).~~

11 ~~“(3) Out of any moneys in the Treasury not other-~~
 12 ~~wise appropriated, the Secretary of the Treasury shall pro-~~
 13 ~~vide to the Secretary \$2,000,000 for each of fiscal years~~
 14 ~~1995 through 1997. The Secretary shall be entitled to re-~~
 15 ~~ceive the funds and shall accept the funds.~~

16 ~~“(4)(A) The Secretary shall use the funds provided~~
 17 ~~under paragraph (3) to provide to States and schools par-~~
 18 ~~ticipating in the school lunch program authorized under~~
 19 ~~this Act or the school breakfast program authorized under~~
 20 ~~section 4 of the Child Nutrition Act of 1966 (42 U.S.C.~~
 21 ~~1773)—~~

22 ~~“(i) organically produced agricultural products~~
 23 ~~purchased by the Secretary; or~~

24 ~~“(ii) incentive awards or other payments in~~
 25 ~~such amounts as the Secretary determines appro-~~

1 prate to encourage the purchase of organically pro-
2 duced agricultural products by schools that agree to
3 purchase significant quantities of the products.

4 “(B) In carrying out subparagraph (A)(ii), the Sec-
5 retary may provide—

6 “(i) payments to schools to assist in covering
7 the price differential between products that are not
8 organically produced agricultural products and or-
9 ganically produced agricultural products;

10 “(ii) incentive awards to schools that agree to
11 purchase significant quantities (as determined by the
12 Secretary) of organically produced agricultural prod-
13 ucts during the school year; or

14 “(iii) other types of payments to schools to pro-
15 mote the use of organically produced agricultural
16 products by school lunch and breakfast programs.

17 “(5) The Secretary shall report to the appropriate
18 committees of Congress on the numbers of schools affected
19 by the program established under this subsection and on
20 the effectiveness of the program in encouraging the pur-
21 chase of organically produced agricultural products by
22 schools.

23 “(6) The Secretary may provide a priority for receiv-
24 ing funds under this subsection to schools that purchase
25 organically produced products from—

1 ~~“(A) socially disadvantaged farmers or ranchers~~
 2 ~~(as defined in section 2501(e)(2) of the Food, Agri-~~
 3 ~~culture, Conservation, and Trade Act of 1990 (7~~
 4 ~~U.S.C. 2279(e)(2)))~~;

5 ~~“(B) farmers or ranchers located in very rural~~
 6 ~~areas (as defined by the Secretary); or~~

7 ~~“(C) farmers or ranchers who own or operate~~
 8 ~~small-scale or limited-resource farms or ranches (as~~
 9 ~~defined by the Secretary).”~~.

10 **SEC. 311. FOOD AND NUTRITION PROJECTS.**

11 Section 12 of the National School Lunch Act (~~42~~
 12 ~~U.S.C. 1760~~) (~~as amended by section 310~~) is further
 13 amended by adding at the end the following new sub-
 14 section:

15 ~~“(1)(1) The Secretary shall award on an annual basis~~
 16 ~~grants to private nonprofit educational organizations in 3~~
 17 ~~States to create and demonstrate food and nutrition~~
 18 ~~projects that are fully integrated with elementary school~~
 19 ~~curricula.~~

20 ~~“(2) Each private nonprofit organization referred to~~
 21 ~~in paragraph (1) shall be selected by the Secretary and~~
 22 ~~shall—~~

23 ~~“(A) assist local schools and educators in teach-~~
 24 ~~ing food and nutrition education that integrates~~

1 math, science, and verbal skills in the elementary
2 grades;

3 “(B) assist local schools and educators in teach-
4 ing sustainable agricultural practices and ecology
5 through practical applications, like gardening;

6 “(C) assist in teaching the importance of com-
7 munity-based models to combat hunger;

8 “(D) create community service learning oppor-
9 tunities;

10 “(E) be experienced in assisting in the creation
11 of curriculum-based models in elementary schools;

12 “(F) be sponsored by an organization, or be an
13 organization, that provides information concerning
14 hunger and community involvement; and

15 “(G) be able to provide model curricula, exam-
16 ples, advice, and guidance to school, community
17 groups, States, and local organizations regarding
18 means of carrying out similar projects.

19 “(3) Out of any moneys in the Treasury not other-
20 wise appropriated, the Secretary of the Treasury shall pro-
21 vide to the Secretary for payment to each of the 3 private
22 nonprofit educational organizations selected under this
23 section not less than \$100,000 nor more than \$200,000
24 for each of fiscal years 1994 through 1998. The Secretary

1 shall be entitled to receive the funds and shall accept the
2 funds.

3 ~~“(4) The Secretary shall establish fair and reasonable~~
4 ~~auditing procedures regarding the expenditure of funds~~
5 ~~under this subsection.”.~~

6 **SEC. 312. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
7 **DREN.**

8 ~~(a) DEFINITION OF AREAS IN WHICH POOR ECO-~~
9 ~~NOMIC CONDITIONS EXIST.—Section 13(a)(1)(C) of the~~
10 ~~National School Lunch Act (42 U.S.C. 1761(a)(1)(C)) is~~
11 ~~amended by striking “50 percent” and inserting “40 per-~~
12 ~~cent”.~~

13 ~~(b) PRIVATE NONPROFIT ORGANIZATIONS.—~~

14 ~~(1) LIMITS ON SITES AND NUMBER OF CHIL-~~
15 ~~DREN SERVED.—Section 13(a)(7)(B) of such Act is~~
16 ~~amended by striking clause (i) and inserting the fol-~~
17 ~~lowing new clause:~~

18 ~~“(i) serve a total of not more than 3,000 chil-~~
19 ~~dren per day at not more than 20 sites, with not~~
20 ~~more than 500 children being served at any 1 site;”.~~

21 ~~(2) VENDORS; WAITING PERIOD.—Section~~
22 ~~13(a)(7) of such Act is amended—~~

23 ~~(A) in subparagraph (B)(ii), by inserting~~
24 ~~before the semicolon at the end the following: “,~~
25 ~~except as provided in subparagraph (C);”;~~ and

1 (B) by striking subparagraph (C) and in-
 2 serting the following new subparagraph:

3 “~~(C)~~ A State may, with the approval of the Secretary,
 4 grant a waiver to a private nonprofit organization from
 5 the eligibility requirements of subparagraph (B)(ii) to per-
 6 mit the organization to obtain meals from a vendor under
 7 the same terms and conditions as other service institu-
 8 tions, if the State determines that other reasonable alter-
 9 natives do not exist and that failure to grant a waiver will
 10 result in the lack of the establishment of a feeding site
 11 for children in the area.”.

12 ~~(c) SECOND HELPINGS.—~~Section 13(a) of such Act
 13 is amended by adding at the end the following new para-
 14 graph:

15 “~~(8)~~ In carrying out this section, the Secretary shall
 16 issue regulations that provide an allowance for second
 17 helpings of up to 5 percent.”.

18 ~~(d) SINGLE RATE FOR OPERATIONAL AND ADMINIS-~~
 19 ~~TRATIVE COSTS.—~~

20 ~~(1) IN GENERAL.—~~Paragraph ~~(1)~~ of section
 21 ~~13(b)~~ of such Act is amended to read as follows:

22 “~~(1)(A)~~ Except as otherwise provided in this para-
 23 graph, payments to service institutions shall equal the full
 24 cost of food service operations, including the cost of ob-

1 taining, preparing, and serving food, and administrative
2 costs.

3 “(B) Payments to an institution may not exceed—

4 “(i) \$2.2375 for each lunch and supper served;

5 “(ii) \$1.2425 for each breakfast served; and

6 “(iii) 58.75 cents for each meal supplement
7 served.

8 “(C) The amounts specified in subparagraph (B)
9 shall be adjusted on January 1, 1994, and each January
10 1 thereafter, to the nearest $\frac{1}{4}$ cent in accordance with
11 the changes for the 12-month period ending the preceding
12 November 30 in the series for food away from home of
13 the Consumer Price Index for All Urban Consumers pub-
14 lished by the Bureau of Labor Statistics of the Depart-
15 ment of Labor.

16 “(D) Notwithstanding any other provision of this
17 paragraph, reimbursement for administrative costs of a
18 service institution shall not exceed 12 percent of the total
19 reimbursement provided to the service institution under
20 this paragraph.”.

21 (2) CONFORMING AMENDMENTS.—Section
22 13(b) of such Act is amended—

23 (A) in paragraph (3), by striking the sec-
24 ond sentence; and

25 (B) by striking paragraph (4).

1 (e) OFFER VS. SERVE OPTION.—Section 13(b)(2) of
 2 such Act is amended by adding at the end the following
 3 new sentences: “The Secretary shall issue regulations that
 4 allow schools that are service institutions and that prepare
 5 and serve meals on-site to permit children to refuse 1 food
 6 item that the children do not intend to consume without
 7 lowering the Federal reimbursement levels that are due
 8 under the program established by this section and be
 9 treated in the same manner as a service institution that
 10 serves meals under the program.”.

11 (f) REIMBURSEMENT FOR TRANSPORTATION.—Sec-
 12 tion 13(b) of such Act (as amended by subsection
 13 (d)(2)(B)) is further amended by adding at the end the
 14 following new paragraph:

15 “(4)(A) The Secretary shall provide an additional re-
 16 imbursement to each eligible service institution located in
 17 a very rural area (as defined by the Secretary) for the
 18 cost of transporting each child to and from a feeding site
 19 for children who are brought to the site by the service in-
 20 stitution or for whom transportation is arranged by the
 21 service institution.

22 “(B) Subject to subparagraph (C), the amount of re-
 23 imbursement provided to a service institution under this
 24 paragraph may not exceed the lesser of—

1 “(i) 75 cents per day for each child transported
2 to and from a feeding site; or

3 “(ii) the actual cost of transporting children to,
4 and home from, a feeding site.

5 “(C) The amounts specified in subparagraph (B)
6 shall be adjusted in accordance with paragraph (1)(C).”.

7 ~~(g)~~ STARTUP COSTS.—Section 13 of such Act is
8 amended—

9 (1) in subsection ~~(g)~~, by striking the second and
10 third sentences;

11 (2) by redesignating subsections ~~(g)~~ and ~~(h)~~ as
12 subsections ~~(h)~~ and ~~(i)~~, respectively; and

13 (3) by inserting after subsection ~~(f)~~ the follow-
14 ing new subsection:

15 “~~(g)~~(1) The Secretary shall make payments, totalling
16 not less than \$2,000,000 for each fiscal year, to States
17 for distribution to service institutions in a substantial
18 number of States to assist the institutions with non-
19 recurring expenses incurred in initiating the summer food
20 service program. Payments received under this subsection
21 shall be in addition to payments to which States are enti-
22 tled under other provisions of this section and shall be
23 used for increasing the number of feeding sites or the total
24 meals served.

1 “(2) In making payments under this subsection for
2 any fiscal year, the Secretary shall, to the maximum ex-
3 tent practicable, ensure a wide geographic distribution
4 among the States receiving the payments.

5 “(3) In making payments under this subsection for
6 any fiscal year, the Secretary shall provide a preference
7 to States—

8 “(A)(i) in which the number of children partici-
9 pating in the program authorized by this section
10 represents the lowest percentages of the number of
11 children receiving free or reduced price meals under
12 the national school lunch program; or

13 “(ii) that do not have a summer food service
14 program available to a large number of low-income
15 children in the State; and

16 “(B) that submit to the Secretary a plan to ex-
17 pand the programs conducted in the State, including
18 a description of—

19 “(i) the manner in which the State will
20 provide technical assistance to service institu-
21 tions in the State to expand the programs; or

22 “(ii) significant public or private resources
23 that have been assembled to carry out the ex-
24 pansion of the programs during the year.

1 ~~“(4) Funds made available under this subsection that~~
2 are not used by the State shall be available to the Sec-
3 retary for distribution to the States during the following
4 fiscal year, in accordance with procedures established by
5 the Secretary.

6 ~~“(5) The Secretary shall allow States to apply on an~~
7 annual basis for assistance under this subsection.

8 ~~“(6) In allocating funds within the State, each State~~
9 shall give preference for assistance under this subsection
10 to service institutions in areas that demonstrate the great-
11 est need for the program or that are in areas in which
12 poor economic conditions exist.

13 ~~“(7) Each State shall ensure that—~~

14 ~~“(A) service institutions receiving assistance~~
15 under this subsection establish additional feeding
16 sites that provide meal service to children in pre-
17 viously unserved areas; or

18 ~~“(B) as a result of receiving the assistance,~~
19 service institutions serve more meals than were
20 served in the previous year.

21 ~~“(8) Expenditures of funds from State and local~~
22 sources for the maintenance of the program shall not be
23 diminished as a result of payments received under this
24 subsection.

1 “(9) Not later than January 1, 1996, the Secretary
 2 shall submit a report to the Committee on Education and
 3 Labor of the House of Representatives and the Committee
 4 on Agriculture, Nutrition, and Forestry of the Senate con-
 5 cerning the efforts of the Secretary and the States to in-
 6 crease the participation of service institutions in the pro-
 7 gram.

8 “(10) As used in this subsection, the term ‘service
 9 institution’ means a service institution (as defined in sub-
 10 section (a)(1)(B)) that—

11 “(A) will serve children a significant percentage
 12 of whom are members of low-income families; and

13 “(B) agrees to operate the summer food service
 14 program established with the assistance provided
 15 under this subsection for a period of not less than
 16 3 years.”.

17 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
 18 13(r) of such Act is amended by striking “1994” and in-
 19 serting “1998”.

20 **SEC. 313. COMMODITY DISTRIBUTION PROGRAM.**

21 Section 14 of the National School Lunch Act (42
 22 U.S.C. 1762a) is amended—

23 (1) in subsection (a), by striking “1994” and
 24 inserting “1998”; and

25 (2) in subsection (b)—

1 (A) by inserting “(1)” after “(b)”; and

2 (B) by adding at the end the following new
3 paragraphs:

4 “(2) The Secretary shall improve the overall nutri-
5 tional quality of entitlement commodities provided to
6 schools to assist the schools in furthering the nutritional
7 goals for meals established under section 24.

8 “(3) The Secretary shall—

9 “(A) require that nutritional content informa-
10 tion labels be placed on packages or shipments of
11 entitlement commodities provided to the schools; or

12 “(B) otherwise provide nutritional content in-
13 formation regarding the commodities provided to the
14 schools.”.

15 **SEC. 314. CHILD AND ADULT CARE FOOD PROGRAM.**

16 (a) DEFINITION OF INSTITUTION.—The second sen-
17 tence of section 17(a) of the National School Lunch Act
18 (42 U.S.C. 1766(a)) is amended by striking “for which
19 it receives compensation from amounts granted to the
20 States under title XX of the Social Security Act (but only
21 if such organization receives compensation under such title
22 for at least 25 percent of its enrolled children or 25 per-
23 cent of its licensed capacity, whichever is less)” and insert-
24 ing “if at least 25 percent of the children served by the

1 organization meet the income eligibility criteria estab-
 2 lished under section 9(b) for free or reduced price meals”.

3 ~~(b) EXPANSION FUNDS.—Section 17(f)(3)(C) of such~~
 4 ~~Act is amended—~~

5 (1) in the last sentence, by striking “two
 6 months” and inserting “6 months”; and

7 (2) by adding at the end the following new sen-
 8 tences: “Expansion funds may be used to conduct
 9 outreach to unlicensed day care homes to enable the
 10 day care homes to become licensed and to partici-
 11 pate in the program established under this section.
 12 A sponsoring organization may receive expansion
 13 funds for no more than 50 day care homes.”.

14 ~~(c) EXTENSION.—Section 17(p)(5) of such Act is~~
 15 ~~amended by striking “1994” and inserting “1998”.~~

16 ~~(d) MEDICAID AND WIC INFORMATION.—Section 17~~
 17 ~~of such Act is amended by adding at the end the following~~
 18 ~~new subsection:~~

19 “(q)(1)(A) The Secretary shall provide materials con-
 20 cerning the medical assistance program established under
 21 title XIX of the Social Security Act (42 U.S.C. 1396 et
 22 seq.) (referred to in this subsection as the ‘medicaid pro-
 23 gram’) to State agencies for use in carrying out the pro-
 24 gram established under this section.

1 “(B) The materials shall inform State agencies about
2 the availability and importance of—

3 ~~“(i) the medicaid program to children from low-~~
4 income families, including a basic explanation of
5 program benefits and national income standards;
6 and

7 ~~“(ii) the medicaid program components estab-~~
8 lished for low-income elderly and disabled persons
9 under subparagraphs (A)(ii)(X) and (E) of section
10 ~~1902(a)(10) of the Social Security Act (42 U.S.C.~~
11 ~~1396a(a)(10))~~, including a basic explanation of pro-
12 gram benefits and national income standards.

13 “(C) The Secretary—

14 ~~“(i) may request that the Secretary of Health~~
15 and Human Services assist in the preparation of the
16 materials; and

17 ~~“(ii) shall submit the materials to the Secretary~~
18 of Health and Human Services for comment prior to
19 submitting the materials to State agencies.

20 “(2) The Secretary shall also provide State agencies
21 with basic information concerning the importance and
22 benefits of the special nutrition program for women, in-
23 fants, and children authorized under section 17 of the
24 Child Nutrition Act of 1966 (42 U.S.C. 1786).

25 “(3) The State agency shall—

1 ~~“(A) provide each child care institution partici-~~
2 ~~pating in the program established under this section,~~
3 ~~other than institutions providing day care outside~~
4 ~~school hours for schoolchildren, with materials that~~
5 ~~include—~~

6 ~~“(i) a basic explanation of the benefits and~~
7 ~~importance of—~~

8 ~~“(I) health care coverage provided to~~
9 ~~young low-income children under the med-~~
10 ~~icaid program; and~~

11 ~~“(II) the special nutrition program for~~
12 ~~women, infants, and children;~~

13 ~~“(ii) the maximum income limits, accord-~~
14 ~~ing to family size, applicable to children up to~~
15 ~~age 5 in the State under the medicaid program~~
16 ~~and under the special nutrition program for~~
17 ~~women, infants, and children; and~~

18 ~~“(iii) a listing of the addresses and phone~~
19 ~~numbers of offices at which parents may apply;~~

20 ~~“(B) provide each adult day care center partici-~~
21 ~~pating in the program established under this section~~
22 ~~with materials that include—~~

23 ~~“(i) a basic explanation of benefits pro-~~
24 ~~vided under subparagraphs (A)(ii)(X) and (E)~~

1 of section 1902(a)(10) of the Social Security
2 Act;

3 “(ii) information on the income limits for
4 the benefits by household size; and

5 “(iii) a listing of addresses and phone
6 numbers of offices at which low-income elderly
7 and disabled persons may apply for the bene-
8 fits;

9 “(C) annually provide the institutions with an
10 update of the information on income limits described
11 in subparagraphs (A)(ii) and (B)(ii);

12 “(D) ensure that, at least once a year, the insti-
13 tutions to which subparagraph (A) applies provide
14 written information to parents that includes—

15 “(i) basic information on the benefits pro-
16 vided under the medicaid program and the spe-
17 cial nutrition program for women, infants, and
18 children;

19 “(ii) information on the maximum income
20 limits, according to family size, applicable to
21 each program; and

22 “(iii) information on where parents may
23 apply to participate in each program; and

1 “(E) ensure that, at least once a year, adult
2 day care centers provide written information to pro-
3 gram participants that provides—

4 “(i) basic information on the benefits pro-
5 vided under subparagraphs (A)(ii)(X) and (E)
6 of section 1902(a)(10) of the Social Security
7 Act;

8 “(ii) information on the income limits, by
9 household size, applicable to the benefits; and

10 “(iii) information on where low-income and
11 disabled persons may apply for the benefits.”.

12 **SEC. 315. MEAL SUPPLEMENTS FOR CHILDREN IN AFTER-**
13 **SCHOOL CARE.**

14 Section 17A of the National School Lunch Act (42
15 U.S.C. 1766a) is amended—

16 (1) in subsection (a)(2)—

17 (A) by inserting “and” at the end of sub-
18 paragraph (A);

19 (B) by striking “; and” at the end of sub-
20 paragraph (B) and inserting a period; and

21 (C) by striking subparagraph (C); and

22 (2) by adding at the end the following new sub-
23 section:

24 “(e) **AUTOMATIC ELIGIBILITY.**—

1 “(1) ~~IN GENERAL.~~—A child shall be considered
 2 automatically eligible for a free or reduced price
 3 meal supplement under this section, without further
 4 application or eligibility determination, if the child
 5 has been certified as eligible for free or reduced
 6 price breakfasts or lunches under the Child Nutri-
 7 tion Act of 1966 (42 U.S.C. 1771 et seq.) or this
 8 Act, respectively.

9 “(2) ~~PROOF.~~—Proof of eligibility for free or re-
 10 duced price breakfasts or lunches shall be sufficient
 11 to satisfy any verification requirement imposed for
 12 meal supplements under this section.”.

13 **SEC. 316. DEMONSTRATION PROJECTS TO IMPROVE FOOD**
 14 **SERVICE FOR HOMELESS CHILDREN.**

15 Section 18(c) of the National School Lunch Act (42
 16 U.S.C. 1769(c)) is amended—

17 (1) in paragraph (1), by inserting after “(1)”
 18 the following new sentences: “Out of any moneys in
 19 the Treasury not otherwise appropriated, the Sec-
 20 retary of the Treasury shall provide to the Secretary
 21 to carry out this subsection \$4,000,000 for fiscal
 22 year 1995, \$5,000,000 for fiscal year 1996,
 23 \$8,000,000 for fiscal year 1997, and \$10,000,000
 24 for fiscal year 1998. The Secretary shall be entitled
 25 to receive the funds and shall accept the funds.”;

1 (2) in the first sentence of paragraph (5)(A)—

2 (A) by inserting “or provided” after “ap-
3 propriated”;

4 (B) by striking “and” after “1993,”; and

5 (C) by inserting after “1994,” the follow-
6 ing: “; and the amount specified in paragraph
7 (1) for each of fiscal years 1995 through
8 1998”;

9 (3) in paragraph (6)—

10 (A) by inserting “(A)” after “(6)”;

11 (B) by striking “1994” and inserting
12 “1998”; and

13 (C) by adding at the end the following new
14 subparagraph:

15 “(B)(i) For any fiscal year in which all the funds pro-
16 vided for homeless demonstration programs established
17 under this subsection are not completely used, the Sec-
18 retary shall transfer the unused funds for the fiscal year
19 to the Secretary of the Treasury.

20 “(ii) For each fiscal year for which funds are trans-
21 ferred to the Secretary of the Treasury under clause (i),
22 the Secretary of Agriculture shall submit a report to the
23 appropriate committees of Congress that includes—

24 “(I) an explanation of the actions the Secretary
25 has taken to carry out paragraph (7);

1 ~~“(II) an estimate, if practicable, of the number~~
2 ~~of children living in homeless shelters who are not~~
3 ~~served by the program established under this sub-~~
4 ~~section; and~~

5 ~~“(III) a detailed plan for expanding the pro-~~
6 ~~gram so that more eligible children may participate~~
7 ~~in the program.”; and~~

8 ~~(4) by adding at the end the following new~~
9 ~~paragraph:~~

10 ~~“(8)(A) Out of the funds provided under paragraph~~
11 ~~(1), the Secretary shall use funds, for each of fiscal years~~
12 ~~1995 through 1998, to carry out programs operated by~~
13 ~~shelters, halfway houses, and hospitals described in sub-~~
14 ~~paragraph (B) that the Secretary has approved for partici-~~
15 ~~pation, for the purpose of providing nutrition counseling,~~
16 ~~nutrition assessments, and referrals to individuals partici-~~
17 ~~pating in—~~

18 ~~“(i) the program established under this sub-~~
19 ~~section;~~

20 ~~“(ii) the special nutrition program for women,~~
21 ~~infants, and children established under section 17 of~~
22 ~~the Child Nutrition Act of 1966 (42 U.S.C. 1786);~~

23 ~~“(iii) the medical assistance program estab-~~
24 ~~lished under title XIX of the Social Security Act (42~~

1 U.S.C. 1396 et seq.) (also known as the ‘medicaid
2 program’); and

3 “(iv) similar programs for homeless pregnant
4 women, pregnant women at risk of becoming home-
5 less, homeless mothers with newborn infants, or the
6 guardians of boarder babies or other abandoned in-
7 fants.

8 “(B) Programs administered by halfway houses,
9 homeless shelters, hospitals, or transitional housing orga-
10 nizations under subparagraph (A), if approved by the Sec-
11 retary, may receive funding under this paragraph for pur-
12 poses specified in regulations of the Secretary.

13 “(C) The Secretary shall impose such auditing and
14 recordkeeping requirements as are necessary to monitor
15 the use of Federal funds to carry out this paragraph.

16 “(D) The Secretary shall periodically report to the
17 appropriate committees of Congress on the referral and
18 nutrition counseling and assessment programs carried out
19 under this paragraph.”.

20 **SEC. 317. PILOT PROGRAM TO INCREASE OFFERINGS OF**
21 **FRUITS AND VEGETABLES.**

22 Section 18 of the National School Lunch Act (42
23 U.S.C. 1769) is amended by adding at the end the follow-
24 ing new subsection:

1 ~~“(e)(1) The Secretary shall establish a national pilot~~
 2 ~~program (referred to in this subsection as the ‘pilot pro-~~
 3 ~~gram’)~~ to assist schools participating in the school lunch
 4 ~~program established under this Act, and the school break-~~
 5 ~~fast program established under section 4 of the Child Nu-~~
 6 ~~trition Act of 1966 (42 U.S.C. 1773), to offer participat-~~
 7 ~~ing students additional choices of fruits and vegetables.~~

8 ~~“(2) The Secretary shall establish procedures under~~
 9 ~~which schools may apply to participate in the pilot pro-~~
 10 ~~gram. To the maximum extent practicable, the Secretary~~
 11 ~~shall select qualified schools that apply from each State.~~

12 ~~“(3) The Secretary shall use the funds provided~~
 13 ~~under this subsection to provide to the schools referred~~
 14 ~~to in paragraph (1)—~~

15 ~~“(A) per meal reimbursements, in addition to~~
 16 ~~reimbursements otherwise due the schools;~~

17 ~~“(B) incentive awards to schools that agree to~~
 18 ~~increase their offerings of fruits and vegetables dur-~~
 19 ~~ing the school year; or~~

20 ~~“(C) fruits and vegetables purchased by the~~
 21 ~~Secretary.~~

22 ~~“(4) The Secretary may provide a priority for receiv-~~
 23 ~~ing benefits under this subsection to schools that—~~

24 ~~“(A) are located in low-income areas (as de-~~
 25 ~~finied by the Secretary);~~

1 ~~“(B) rarely offer 3 or more servings of fruits or~~
 2 ~~vegetables per meal; or~~

3 ~~“(C) purchase or agree to purchase a substan-~~
 4 ~~tial portion of their fruits and vegetables from—~~

5 ~~“(i) socially disadvantaged farmers (as de-~~
 6 ~~finied in section 2501(e)(2) of the Food, Agri-~~
 7 ~~culture, Conservation, and Trade Act of 1990~~
 8 ~~(7 U.S.C. 2279(e)(2)))~~;

9 ~~“(ii) farmers located in very rural areas~~
 10 ~~(as defined by the Secretary); or~~

11 ~~“(iii) farmers who own or operate small-~~
 12 ~~scale or limited-resource farms (as defined by~~
 13 ~~the Secretary).~~

14 ~~“(5) Not later than March 31, 1996, and March 31,~~
 15 ~~1997, the Secretary shall report to the appropriate com-~~
 16 ~~mittees of Congress on the impact of the pilot program~~
 17 ~~on participating schools, including—~~

18 ~~“(A) the extent to which school children in-~~
 19 ~~creased consumption of fruits and vegetables;~~

20 ~~“(B) the extent of any increase in costs to the~~
 21 ~~schools in offering the additional fruits or vegeta-~~
 22 ~~bles;~~

23 ~~“(C) the desirability of—~~

24 ~~“(i) requiring that each school participat-~~
 25 ~~ing in the school lunch program increase the~~

1 number of servings of fruits or vegetables of-
2 fered per meal to at least 3 servings; and

3 “(ii) mandating that the Secretary provide
4 additional Federal reimbursements to assist
5 schools in complying with the proposed require-
6 ment described in clause (i); and

7 “(D) the extent to which fresh, frozen, and
8 canned foods are offered under the pilot program.

9 “(6) Out of any moneys in the Treasury not other-
10 wise appropriated, the Secretary of the Treasury shall pro-
11 vide to the Secretary to carry out this subsection
12 \$40,000,000 for each of fiscal years 1995 through 1997.
13 The Secretary shall be entitled to receive the funds and
14 shall accept the funds.”.

15 **SEC. 318. PILOT PROGRAM TO INCREASE CONSUMPTION OF**
16 **LOW-FAT DAIRY PRODUCTS AND LEAN**
17 **MEATS.**

18 Section 18 of the National School Lunch Act (42
19 U.S.C. 1769) (as amended by section 317) is further
20 amended by adding at the end the following new sub-
21 section:

22 “(f)(1) The Secretary shall establish a national pilot
23 program (referred to in this subsection as the ‘pilot pro-
24 gram’) to better assist schools participating in the school
25 lunch program established under this Act and the school

1 breakfast program established under section 4 of the Child
2 Nutrition Act of 1966 (42 U.S.C. 1773) to offer low-fat
3 dairy products and lean meats and poultry products.

4 “(2) The Secretary shall establish procedures under
5 which schools may apply to participate in the pilot pro-
6 gram. To the maximum extent practicable, the Secretary
7 shall select qualified schools that apply from each State.

8 “(3) The Secretary shall purchase, and provide to
9 schools selected to participate in the pilot program, low-
10 fat dairy products and lean meats and poultry products.

11 “(4) Not later than March 31, 1996, and March 31,
12 1997, the Secretary shall report to the appropriate com-
13 mittees of Congress on the impact of the pilot program
14 on participating schools, including—

15 “(A) the extent to which school children in-
16 creased consumption of low-fat dairy products and
17 lean meats and poultry products; and

18 “(B) alternative means of providing additional
19 offerings of low-fat dairy products and lean meats
20 and poultry products in the school lunch and break-
21 fast programs.

22 “(5) Out of any moneys in the Treasury not other-
23 wise appropriated, the Secretary of the Treasury shall pro-
24 vide to the Secretary to carry out the pilot program with
25 respect to the purchase and distribution of—

1 ~~“(A) low-fat dairy products, \$35,000,000 for~~
 2 ~~each of fiscal years 1995 through 1997; and~~

3 ~~“(B) lean meats and poultry products,~~
 4 ~~\$10,000,000 for each of fiscal years 1995 through~~
 5 ~~1997.~~

6 ~~“(6) The Secretary shall be entitled to receive the~~
 7 ~~funds described in paragraph (5) and shall accept the~~
 8 ~~funds.”.~~

9 **SEC. 319. PILOT PROJECTS FOR FORTIFIED FLUID MILK;**
 10 **INFORMATION ON FORTIFIED MILK.**

11 ~~(a) IN GENERAL.—~~Section 18 of the National School
 12 ~~Lunch Act (42 U.S.C. 1769) (as amended by section 318)~~
 13 ~~is further amended by adding at the end the following new~~
 14 ~~subsection:~~

15 ~~“(g)(1) The Secretary shall establish pilot projects in~~
 16 ~~at least 25 school districts under which the milk offered~~
 17 ~~by schools meets the fortification requirements of para-~~
 18 ~~graph (3) for lowfat, skim, and other forms of fluid milk.~~

19 ~~“(2) The Secretary shall make available to school dis-~~
 20 ~~tricts information that compares the nutritional benefits~~
 21 ~~of fluid milk that meets the fortification requirements of~~
 22 ~~paragraph (3) and the nutritional benefits of other milk~~
 23 ~~that is made available through the school lunch program~~
 24 ~~established under this Act.~~

1 “(3) The fortification requirements for fluid milk for
2 the pilot project referred to in paragraph (1) shall provide
3 that—

4 “(A) all whole milk in final package form for
5 beverage use shall contain not less than—

6 “(i) 3.25 percent milk fat; and

7 “(ii) 8.7 percent milk solids not fat;

8 “(B) all lowfat milk in final package form for
9 beverage use shall contain not less than 10 percent
10 milk solids not fat; and

11 “(C) all skim milk in final package form for
12 beverage use shall contain not less than 9 percent
13 milk solids not fat.

14 “(4)(A) In selecting where to establish pilot projects
15 under this subsection, the Secretary shall take into ac-
16 count, among other factors, the availability of fortified
17 milk and the interest of the school district in being in-
18 cluded in the pilot program.

19 “(B) The Secretary shall establish the pilot projects
20 in as many geographic areas as practicable, except that
21 none of the projects shall be established in school districts
22 that use milk described in paragraph (3) or similar milk.

23 “(5) Not later than 2 years after the establishment
24 of pilot projects under this subsection, the Secretary shall
25 report to the appropriate committees of Congress on—

1 ~~“(A) the effect of the pilot program on the nu-~~
2 ~~trition and health of children;~~

3 ~~“(B) the acceptability of fortified whole, lowfat,~~
4 ~~and skim milk products to participating children and~~
5 ~~teachers;~~

6 ~~“(C) the impact of offering the milk on milk~~
7 ~~consumption;~~

8 ~~“(D) the views of the school food service au-~~
9 ~~thorities on the pilot program; and~~

10 ~~“(E) any increases or reductions in costs attrib-~~
11 ~~uted to the pilot program.~~

12 ~~“(6) The Secretary shall—~~

13 ~~“(A) obtain copies of research studies and pa-~~
14 ~~pers that discuss the impact of the fortification of~~
15 ~~milk pursuant to standards established by the State~~
16 ~~of California in the early 1960’s; and~~

17 ~~“(B) make the information available to the pub-~~
18 ~~lic.~~

19 ~~“(7)(A) The pilot projects established under this sub-~~
20 ~~section shall terminate on the last day of the third year~~
21 ~~after the establishment of the pilot projects.~~

22 ~~“(B) The Secretary shall advise representatives of all~~
23 ~~districts participating in the pilot projects that the dis-~~
24 ~~tricts may continue to offer the fortified forms of milk de-~~
25 ~~scribed in paragraph (3) after the project terminates.”.~~

1 (b) INFORMATION ON FORTIFIED MILK.—Section
 2 9(a) of such Act (7 U.S.C. 1758(a)) (as amended by sec-
 3 tion 304) is further amended by adding at the end the
 4 following new paragraph:

5 “(6)(A) In the case of fluid milk offered under the
 6 national school lunch program established under this Act,
 7 the school breakfast program established under section 4
 8 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), and
 9 the special milk program established under section 3 of
 10 such Act (42 U.S.C. 1772), the Secretary shall establish
 11 a program under which schools may obtain information
 12 about where to obtain milk described in section 18(g)(3).

13 “(B) The Secretary shall notify State educational
 14 agencies and participating schools about the possible bene-
 15 fits to school children of the milk described in section
 16 18(g)(3) and of the availability of the informational serv-
 17 ice made available under this paragraph.

18 “(C) Not later than 120 days after the date of enact-
 19 ment of this paragraph, the Secretary shall issue an eval-
 20 uation that compares the nutritional value of—

21 “(i) milk that is fortified as described in section
 22 18(g)(3);

23 “(ii) milk that is fortified in a similar manner
 24 to milk described in clause (i); and

1 “(iii) milk not fortified as described in clause (i)
2 or (ii).”.

3 **SEC. 320. FOOD SERVICE MANAGEMENT INSTITUTE AND**
4 **OTHER INSTITUTIONS.**

5 Section 21 of the National School Lunch Act (42
6 U.S.C. 1769b-1) is amended—

7 (1) in subsection (b)—

8 (A) by striking “and” at the end of para-
9 graph (2);

10 (B) by striking the period at the end of
11 paragraph (3) and inserting “; and”; and

12 (C) by adding at the end the following new
13 paragraph:

14 “(4) in the case of a food service management
15 institute established as authorized by subsection
16 (a)(2) and other institutions (such as a culinary in-
17 stitute)—

18 “(A) training food service personnel to
19 comply with the nutrition guidance and objec-
20 tive referred to in section 24(b) through a na-
21 tional network of instructors or other means;

22 “(B) preparing informational materials,
23 such as video instruction tapes and menu plan-
24 ners, to promote healthier food preparation; and

1 “(C) assisting State educational agencies
2 in providing additional nutrition and health in-
3 structions and instructors.”; and

4 (2) in subsection (c)—

5 (A) in paragraph (1), by striking “1992,
6 1993, and 1994” and inserting “1992 through
7 1998”; and

8 (B) in paragraph (2), by striking “1991,
9 1992, 1993, and 1994” and inserting “1991
10 through 1998”.

11 **SEC. 321. COMPLIANCE AND ACCOUNTABILITY.**

12 Not later than 90 days after the date of enactment
13 of this Act, the Secretary of Agriculture shall submit a
14 report to the Committee on Education and Labor of the
15 House of Representatives and the Committee on Agri-
16 culture, Nutrition, and Forestry of the Senate that ana-
17 lyzes—

18 (1) the status of the coordinated review system
19 authorized under section 22 of the National School
20 Lunch Act (42 U.S.C. 1769c);

21 (2) the advantages and disadvantages of the
22 system; and

23 (3) the cost impact of the system on schools.

1 **SEC. 322. NUTRITION GUIDANCE FOR CHILD NUTRITION**
 2 **PROGRAMS.**

3 (a) IN GENERAL.—Section 24 of the National School
 4 Lunch Act (42 U.S.C. 1769e) is amended—

5 (1) by striking subsection (b) and inserting the
 6 following new subsection:

7 “(b) REVISION OF MENU PLANNING GUIDES.—

8 “(1) FAT CONTENT.—The Secretary shall in-
 9 clude in menu planning guides the recommendation
 10 provided in the April 1992 version of the publication
 11 that menus achieve an average fat content of 30 per-
 12 cent of calories from fat and that saturated fat in-
 13 take should be reduced to an average of 10 percent
 14 or less of calories.

15 “(2) REVISED RECOMMENDATIONS.—The Sec-
 16 retary shall, as necessary, revise the menu planning
 17 guides for each covered program to include rec-
 18 ommendations for the implementation of nutrition
 19 guidance described in the publication, including re-
 20 vised recommendations in the publication concerning
 21 the consumption of fat and saturated fat.”;

22 (2) in subsection (c), by inserting after “publi-
 23 cation” the following: “, including the guidance re-
 24 garding fat and saturated fat consumption,”; and

1 (3) in subsection (d), by inserting after “publi-
 2 cation” the following: “, including the guidance re-
 3 garding fat and saturated fat consumption”.

4 (b) REPORT.—Not later than July 1, 1995, the Sec-
 5 retary of Agriculture shall submit to the appropriate com-
 6 mittees of Congress a report that—

7 (1) describes actions taken to ensure compli-
 8 ance with the requirements of section 24 of the Na-
 9 tional School Lunch Act (42 U.S.C. 1769e); and

10 (2) makes recommendations regarding the use-
 11 fulness of specific guidelines for dietary fiber, so-
 12 dium, and sugar regarding the school lunch and
 13 breakfast programs established under the National
 14 School Lunch Act (42 U.S.C. 1751 et seq.) and the
 15 Child Nutrition Act of 1966 (42 U.S.C. 1771 et
 16 seq.); respectively.

17 (c) REGULATIONS.—Not later than 150 days after
 18 the date of enactment of this Act, the Secretary of Agri-
 19 culture shall issue final regulations to implement section
 20 24 of the National School Lunch Act (as amended by sub-
 21 section (a)).

22 **SEC. 323. INFORMATION CLEARINGHOUSE.**

23 The National School Lunch Act (42 U.S.C. 1751 et
 24 seq.) is amended by adding at the end the following new
 25 section:

1 **~~“SEC. 25. INFORMATION CLEARINGHOUSE.~~**

2 ~~“(a) IN GENERAL.—The Secretary shall enter into~~
3 ~~a contract with a nongovernmental organization described~~
4 ~~in subsection (b) to establish and maintain a clearinghouse~~
5 ~~to provide information to nongovernmental groups located~~
6 ~~throughout the United States that assist low-income indi-~~
7 ~~viduals or communities regarding food assistance, self-help~~
8 ~~activities to aid individuals in becoming self-reliant, and~~
9 ~~other activities that empower low-income individuals or~~
10 ~~communities to improve the lives of low-income individuals~~
11 ~~and reduce reliance on Federal, State, or local govern-~~
12 ~~mental agencies for food or other assistance.~~

13 ~~“(b) NONGOVERNMENTAL ORGANIZATION.—The~~
14 ~~nongovernmental organization referred to in subsection~~
15 ~~(a) shall be selected on a competitive basis and shall—~~

16 ~~“(1) be experienced in the gathering of first-~~
17 ~~hand information in all the States through on-site~~
18 ~~visits to grassroots organizations in each State that~~
19 ~~fight hunger and poverty or that assist individuals~~
20 ~~in becoming self-reliant;~~

21 ~~“(2) be experienced in the establishment of a~~
22 ~~clearinghouse similar to the clearinghouse described~~
23 ~~in subsection (a);~~

24 ~~“(3) agree to contribute in-kind resources to-~~
25 ~~wards the establishment and maintenance of the~~
26 ~~clearinghouse and agree to provide the clearinghouse~~

1 information, free of charge, to the Secretary, States,
2 counties, cities, antihunger groups, and grassroots
3 organizations that assist individuals in becoming
4 self-sufficient and self-reliant;

5 “(4) be sponsored by an organization, or be an
6 organization, that—

7 “(A) has helped combat hunger for at least
8 10 years;

9 “(B) is committed to reinvesting in the
10 United States; and

11 “(C) is knowledgeable regarding Federal
12 nutrition programs;

13 “(5) be experienced in communicating the pur-
14 pose of the clearinghouse through the media, includ-
15 ing the radio and print media, and be able to pro-
16 vide access to the clearinghouse information through
17 computer or telecommunications technology, as well
18 as through the mails; and

19 “(6) be able to provide examples, advice, and
20 guidance to communities, States, counties, cities,
21 antihunger groups, and local organizations regarding
22 means of assisting individuals and communities to
23 reduce reliance on government programs, to reduce
24 hunger and to improve nutrition, and to otherwise

1 assist low-income individuals and communities be-
2 come more self-sufficient.

3 “(c) AUDITS.—The Secretary shall establish fair and
4 reasonable auditing procedures regarding the expenditures
5 of funds to carry out this section.

6 “(d) FUNDING.—Out of any moneys in the Treasury
7 not otherwise appropriated, the Secretary of the Treasury
8 shall pay to the Secretary to provide to the organization
9 selected under this section, to establish and maintain the
10 information clearinghouse, \$200,000 for each of fiscal
11 years 1995 and 1996, \$150,000 for fiscal year 1997, and
12 \$75,000 for fiscal year 1998. The Secretary shall be enti-
13 tled to receive the funds and shall accept the funds.”.

14 **TITLE IV—PROGRAM INTEGRITY**

15 **SEC. 401. FINDINGS.**

16 Congress finds that—

17 (1) in recent years, there has been an alarming
18 number of instances of price-fixing and bid-rigging
19 regarding foods purchased for—

20 (A) the school lunch program established
21 under the National School Lunch Act (42
22 U.S.C. 1751 et seq.); and

23 (B) the school breakfast program estab-
24 lished under the Child Nutrition Act of 1966
25 (42 U.S.C. 1771 et seq.);

1 (2) during the past several years, the Antitrust
2 Division of the United States Department of Justice
3 has filed over 100 criminal cases against companies
4 and individuals accused of bid-rigging conspiracies,
5 false statements, mail fraud, price-fixing, and simi-
6 lar activities involving dairy products sold to schools
7 or the Department of Defense;

8 (3) over 30 grand juries in States are inves-
9 tigating similar activities, especially in connection
10 with activities involving the dairy industry;

11 (4) 54 corporations and 50 individuals have
12 been convicted by Federal courts of similar activi-
13 ties, and total fines and civil damages of approxi-
14 mately \$100,000,000 have been assessed in Federal
15 and State actions for similar activities;

16 (5) a report of the Comptroller General of the
17 United States noted that, as of March 1992, the
18 Secretary of Agriculture had neither suspended nor
19 debarred any of the 13 dairy companies or 28 indi-
20 viduals convicted, as of March 1992, of milk con-
21 tract bid-rigging from participating in the school
22 lunch and breakfast programs;

23 (6) effective educational and monitoring pro-
24 grams can greatly reduce the incidence of price-fix-

1 ing and bid-rigging by companies that sell products
2 to schools;

3 (7) reducing the incidence of price-fixing and
4 bid-rigging in connection with the school lunch and
5 breakfast programs could save school districts, par-
6 ents, and taxpayers millions of dollars per year;

7 (8) the Comptroller General of the United
8 States has noted that bid-rigging awareness training
9 is an effective means of deterring improper collusion
10 and bid-rigging; and

11 (9) the Comptroller General of the United
12 States in a General Accounting Office report ad-
13 dressed many of the concerns described in this sec-
14 tion with respect to bid rigging in the school lunch
15 program.

16 **SEC. 402. DUTIES OF THE SECRETARY RELATING TO ANTI-**
17 **COMPETITIVE ACTIVITIES.**

18 (a) IN GENERAL.—The National School Lunch Act
19 (42 U.S.C. 1751 et seq.) (as amended by section 323) is
20 further amended by adding at the end the following new
21 section:

22 **“SEC. 26. DUTIES OF THE SECRETARY RELATING TO ANTI-**
23 **COMPETITIVE ACTIVITIES.**

24 **“(a) DEFINITIONS.—As used in this section:**

1 ~~“(1) CHILD NUTRITION PROGRAM.—The term~~
2 ~~‘child nutrition program’ means—~~

3 ~~“(A) the school lunch program established~~
4 ~~under this Act;~~

5 ~~“(B) the school breakfast program estab-~~
6 ~~lished under section 4 of the Child Nutrition~~
7 ~~Act of 1966 (42 U.S.C. 1773);~~

8 ~~“(C) the special milk program established~~
9 ~~under section 3 of such Act (42 U.S.C. 1772);~~

10 ~~“(D) the special nutrition program for~~
11 ~~women, infants, and children authorized under~~
12 ~~section 17 of such Act (42 U.S.C. 1786);~~

13 ~~“(E) the summer food service program for~~
14 ~~children established under section 13 of this~~
15 ~~Act; and~~

16 ~~“(F) the child and adult care food program~~
17 ~~established under section 17 of this Act.~~

18 ~~“(2) CONTRACTOR.—The term ‘contractor’~~
19 ~~means a person that contracts with a State, an~~
20 ~~agency of a State, or a local agency to provide goods~~
21 ~~or services in conjunction with the participation of~~
22 ~~a local agency in a child nutrition program.~~

23 ~~“(3) LOCAL AGENCY.—The term ‘local agency’~~
24 ~~means a school, school food authority, child care~~
25 ~~center, sponsoring organization, or other entity au-~~

1 thorized to operate a child nutrition program at the
2 local level.

3 ~~“(4) NONPROCUREMENT DEBARMENT.—The~~
4 term ‘nonprocurement debarment’ means an action
5 to bar a person from programs and activities involv-
6 ing Federal financial and nonfinancial assistance,
7 but not including Federal procurement programs
8 and activities.

9 ~~“(5) PERSON.—The term ‘person’ means any~~
10 individual, corporation, partnership, association, or
11 other legal entity, however organized.

12 ~~“(b) ASSISTANCE.—The Secretary shall—~~

13 ~~“(1) provide advice, training, technical assist-~~
14 ance, and guidance (which may include awareness
15 training, training films, and troubleshooting advice)
16 to representatives of States and local agencies re-
17 garding means of identifying and preventing anti-
18 competitive activities relating to the provision of
19 goods or services in conjunction with the participa-
20 tion of a local agency in a child nutrition program;
21 and

22 ~~“(2) provide information to, and fully cooperate~~
23 with, the Attorney General and State attorneys gen-
24 eral regarding investigations of anticompetitive ac-
25 tivities relating to the provision of goods or services

1 in conjunction with the participation of a local agen-
 2 cy in a child nutrition program.

3 ~~“(c) FOOD SERVICE MANAGEMENT INSTITUTE.—~~

4 The Secretary may request assistance from the food serv-
 5 ice management institute authorized under section 21 in
 6 carrying out subsection (b)(1).

7 ~~“(d) NONPROCUREMENT DEBARMENT.—~~

8 ~~“(1) DEBARMENT DECISIONS.—Except as pro-~~
 9 ~~vided in paragraph (3), not later than 180 days~~
 10 ~~after notification of the occurrence of a cause for de-~~
 11 ~~barment described in paragraph (2), the Secretary~~
 12 ~~shall decide whether to initiate nonprocurement de-~~
 13 ~~barment proceedings against the contractor who has~~
 14 ~~committed the cause for debarment.~~

15 ~~“(2) CAUSES FOR DEBARMENT.—~~

16 ~~“(A) IN GENERAL.—Subject to subpara-~~
 17 ~~graph (B), actions requiring consideration of~~
 18 ~~nonprocurement debarment pursuant to para-~~
 19 ~~graph (1) shall be limited to convictions or civil~~
 20 ~~judgments for the following offenses:~~

21 ~~“(i) Violation of Federal or State~~
 22 ~~antitrust laws, including laws relating to~~
 23 ~~bid-rigging and price-fixing.~~

24 ~~“(ii) Commission of embezzlement,~~
 25 ~~theft, forgery, fraud, bribery, making false~~

1 statements, receiving stolen property, mak-
 2 ing false claims, or obstruction of justice.

3 ~~“(B) APPLICATION.—Subparagraph (A)~~
 4 ~~shall apply to the extent an offense is commit-~~
 5 ~~ted by a contractor in connection with providing~~
 6 ~~a good or service in conjunction with the par-~~
 7 ~~ticipation of a local agency in a child nutrition~~
 8 ~~program.~~

9 ~~“(3) EXCEPTION.—If the Secretary determines~~
 10 ~~that a decision on initiating nonprocurement debar-~~
 11 ~~ment proceedings cannot be made within 180 days~~
 12 ~~because of the need to further investigate matters~~
 13 ~~relating to the possible debarment, the Secretary~~
 14 ~~may have such additional time as the Secretary con-~~
 15 ~~siders necessary to make a decision, but not to ex-~~
 16 ~~ceed an additional 180 days.~~

17 ~~“(4) MANDATORY CHILD NUTRITION PROGRAM~~
 18 ~~DEBARMENT PERIODS.—~~

19 ~~“(A) IN GENERAL.—Subject to the other~~
 20 ~~provisions of this paragraph and notwithstand-~~
 21 ~~ing any other provision of law except subsection~~
 22 ~~(e), if after deciding to initiate nonprocurement~~
 23 ~~debarment proceedings pursuant to paragraph~~
 24 ~~(1) the Secretary decides to debar a contractor,~~
 25 ~~the debarment shall be for no less than 1 year.~~

1 “(B) ~~PREVIOUS DEBARMENT.~~—If the con-
2 tractor has been previously debarred pursuant
3 to nonprocurement debarment proceedings initi-
4 ated pursuant to paragraph (1), and the cause
5 for debarment is a conviction or civil judgment
6 described in paragraph (2) based on activities
7 that occurred subsequent to the initial debar-
8 ment, the debarment shall be for no less than
9 3 years.

10 “(C) ~~SCOPE.~~—At a minimum, a debarment
11 under this subsection shall serve to bar the con-
12 tractor for the specified period from contracting
13 to provide goods or services in conjunction with
14 the participation of a local agency in a child nu-
15 trition program.

16 “(D) ~~REVERSAL, REDUCTION, OR EXCEP-~~
17 ~~TION.~~—Nothing in this paragraph shall restrict
18 the ability of the Secretary to reverse a debar-
19 ment decision, to reduce the period or scope of
20 a debarment, nor to grant an exception permit-
21 ting a debarred contractor to participate in a
22 particular contract to provide goods or services
23 in conjunction with the participation of a local
24 agency in a child nutrition program, if the Sec-

1 retary determines there is good cause for the
2 action.

3 ~~“(5) INFORMATION.—On request, the Secretary~~
4 shall present to the appropriate committees of Con-
5 gress information regarding the decisions required
6 by this subsection.

7 ~~“(6) RELATIONSHIP TO OTHER AUTHORI-~~
8 ~~TIES.—~~

9 ~~“(A) IN GENERAL.—Subject to subpara-~~
10 ~~graph (B), consideration of nonprocurement de-~~
11 ~~barment pursuant to this subsection shall not~~
12 ~~reduce or diminish the authority of a Federal,~~
13 ~~State, or local government agency or court to~~
14 ~~penalize, imprison, fine, suspend, debar, or take~~
15 ~~other adverse action against a person in a civil,~~
16 ~~criminal or administrative proceeding.~~

17 ~~“(B) COORDINATION.—To the maximum~~
18 ~~extent practicable, the Secretary shall consoli-~~
19 ~~date and coordinate any nonprocurement debar-~~
20 ~~ment actions pursuant to this subsection with~~
21 ~~other adverse actions, including other~~
22 ~~nonprocurement debarment actions.~~

23 ~~“(7) REGULATIONS.—The Secretary shall issue~~
24 ~~such regulations as are necessary to carry out this~~
25 ~~subsection.~~

1 “(e) MANDATORY DEBARMENT.—Notwithstanding
 2 any other provision of this section, the Secretary shall ini-
 3 tiate nonprocurement debarment proceedings against the
 4 contractor (including a dairy cooperative) who has com-
 5 mitted the cause for debarment (as determined under sub-
 6 section (d)), unless the action—

7 “(1) is likely to have a significant adverse effect
 8 on competition or prices in the relevant market or
 9 nationally;

10 “(2) will interfere with the ability of a school,
 11 school district, or school district consortium to pro-
 12 cure a needed product for a child nutrition program;
 13 or

14 “(3) is not in the public interest, as determined
 15 by the Secretary.

16 “(f) TERMINATION OF AUTHORITY.—The authority
 17 provided by this section shall terminate on September 30,
 18 1999.”.

19 “(b) REPORT ON CONSISTENT DEBARMENT POLICY.—
 20 Not later than 120 days after the date of enactment of
 21 this Act, the Director of the Office of Management and
 22 Budget (in consultation with the Secretary of Agriculture
 23 and the Secretary of Defense) shall advise the appropriate
 24 committees of Congress and the Comptroller General of

1 the United States as to the appropriateness and usefulness
 2 of a consistent debarment policy under—

- 3 (1) the Federal acquisition regulations issued
- 4 under title 48, Code of Federal Regulations; and
- 5 (2) Federal nonprocurement regulations.

6 ~~(c) APPLICATION.—~~Section 26(d) of the National
 7 School Lunch Act ~~(as added by subsection (a))~~ shall not
 8 apply to a conviction or civil judgment that is based on
 9 an activity that took place prior to the date of enactment
 10 of this Act.

11 **SEC. 403. PREVENTION AND CONTROL OF ANTICOMPETI-**
 12 **TIVE ACTIVITIES.**

13 The National School Lunch Act (42 U.S.C. 1751 et
 14 seq.) ~~(as amended by section 402)~~ is further amended by
 15 adding at the end the following new section:

16 **“SEC. 27. PREVENTION AND CONTROL OF ANTICOMPETI-**
 17 **TIVE ACTIVITIES.**

18 ~~“(a) ASSISTANCE.—~~

19 ~~“(1) IN GENERAL.—~~The Secretary may provide
 20 grants to State educational agencies and other State
 21 agencies that administer child nutrition programs
 22 ~~(as defined in section 26(a)(1))~~ to assist the agen-
 23 cies in the prevention and control of anticompetitive
 24 activities relating to the programs, including activi-

1 ties to further coordination and cooperation with law
2 enforcement officials.

3 ~~“(2) FORMULA.—~~The grants shall be made
4 pursuant to a formula established by the Secretary
5 that takes into account the size of the child nutrition
6 programs in each State; subject to a minimum grant
7 amount for each State.

8 ~~“(b) FEDERAL ACTIVITIES.—~~

9 ~~“(1) IN GENERAL.—~~Subject to paragraph (2),
10 the Secretary shall retain 25 percent of the sums
11 made available for any fiscal year to carry out this
12 section to administer subsection (a) and to conduct
13 the activities described in section 26(b).

14 ~~“(2) ADDITIONAL FUNDS.—~~Nothing in para-
15 graph (1) shall preclude the Secretary from expend-
16 ing for the activities described in section 26(b) any
17 funds otherwise available to carry out section 26(b).

18 ~~“(c) INFORMATION.—~~On request, the Secretary shall
19 provide to the appropriate committees of Congress infor-
20 mation regarding the administration of this section and
21 other efforts to reduce the incidence of anticompetitive ac-
22 tivity (such as price-fixing and bid-rigging), in connection
23 with child nutrition programs (as defined in section
24 26(a)(1)).

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated to carry out this section
 3 \$4,000,000 for each of fiscal years 1994 through 1998.”.

4 **TITLE V—EFFECTIVE DATES**

5 **SEC. 501. EFFECTIVE DATES.**

6 (a) IN GENERAL.—Except as provided in subsection
 7 (b), this Act and the amendments made by this Act shall
 8 become effective on the date of enactment of this Act.

9 (b) SPECIAL EFFECTIVE DATES.—The amendments
 10 made by—

11 (1) sections 101 through 104, 205 through 207,
 12 313, and 318 shall become effective on October 1,
 13 1994;

14 (2) sections 201 through 204, 209, 301 through
 15 310, 314(a), 314(b), 315, 317, and 320 shall be-
 16 come effective on July 1, 1995;

17 (3) section 312 shall become effective on Sep-
 18 tember 1, 1995; and

19 (4) section 314(c) shall become effective on Oc-
 20 tober 1, 1995.

21 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

22 (a) SHORT TITLE.—This Act may be cited as the “Bet-
 23 ter Nutrition and Health for Children Act of 1994”.

24 (b) TABLE OF CONTENTS.—The table of contents of this
 25 Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SCHOOL LUNCH AND RELATED PROGRAMS

- Sec. 101. Delivery of commodities.*
- Sec. 102. Combined Federal and State commodity purchases.*
- Sec. 103. Nutritional requirements.*
- Sec. 104. Elimination of whole milk requirement.*
- Sec. 105. Use of free and reduced price meal eligibility information.*
- Sec. 106. Automatic eligibility of Head Start participants.*
- Sec. 107. Use of nutrition education and training program resources.*
- Sec. 108. Special assistance for schools electing to serve all children free lunches or breakfasts.*
- Sec. 109. Definition of school.*
- Sec. 110. Reimbursement for meals, supplements, and milk under certain programs contingent on timely submission of claims and final program operations report.*
- Sec. 111. Organically produced agricultural products.*
- Sec. 112. Food and nutrition projects.*
- Sec. 113. Summer food service program for children.*
- Sec. 114. Commodity distribution program.*
- Sec. 115. Child and adult care food program.*
- Sec. 116. Homeless children nutrition program; demonstration program for the prevention of boarder babies.*
- Sec. 117. Pilot projects.*
- Sec. 118. Food service management institute.*
- Sec. 119. Compliance and accountability.*
- Sec. 120. Duties of the Secretary of Agriculture relating to nonprocurement debarment under certain child nutrition programs.*
- Sec. 121. Nutrition education promotion program.*
- Sec. 122. Information clearinghouse.*
- Sec. 123. Guidance and grants for accommodating medical and special dietary needs of children with disabilities.*

TITLE II—SCHOOL BREAKFAST AND RELATED PROGRAMS

- Sec. 201. School breakfast program.*
- Sec. 202. State administrative expenses.*
- Sec. 203. Competitive foods of minimal nutritional value.*
- Sec. 204. Special supplemental nutrition program.*
- Sec. 205. Nutrition education and training program.*

TITLE III—EFFECTIVE DATES

- Sec. 301. Effective dates.*

1 **TITLE I—SCHOOL LUNCH AND**
2 **RELATED PROGRAMS**

3 **SEC. 101. DELIVERY OF COMMODITIES.**

- 4 (a) *IN GENERAL.*—Section 6 of the National School
5 Lunch Act (42 U.S.C. 1755) is amended—

1 (1) by striking subsection (b) and inserting the
2 following new subsection:

3 “(b) The Secretary shall deliver, to each State partici-
4 pating in the school lunch program under this Act, com-
5 modities valued at the total level of assistance authorized
6 under subsection (c) for each school year for the school lunch
7 program in the State, not later than September 30 of the
8 following school year.”;

9 (2) by striking subsections (c) and (d); and

10 (3) by redesignating subsections (e) and (f) as
11 subsections (c) and (d), respectively.

12 (b) CONFORMING AMENDMENTS.—

13 (1) Subsection (f), and clauses (i) and (ii) of
14 subsection (g)(3)(A), of section 14 of such Act (42
15 U.S.C. 1762a) are amended by striking “section 6(e)”
16 and inserting “section 6(c)”.

17 (2) The last sentence of section 16(a) of such Act
18 (42 U.S.C. 1765(a)) is amended by striking “section
19 6(e) of this Act” and inserting “section 6(c)”.

20 (3) Section 17(h)(1)(B) of such Act (42 U.S.C.
21 1766(h)(1)(B)) is amended by striking “section 6(e)”
22 and inserting “section 6(c)”.

1 **SEC. 102. COMBINED FEDERAL AND STATE COMMODITY**
 2 **PURCHASES.**

3 *Section 7 of the National School Lunch Act (42 U.S.C.*
 4 *1756) is amended by adding at the end the following new*
 5 *subsection:*

6 *“(d) Notwithstanding any other provision of law, the*
 7 *Secretary may enter into an agreement with a State agency*
 8 *under which funds payable to the State under section 4 or*
 9 *11 may be used by the Secretary for the purpose of purchas-*
 10 *ing commodities for use by schools in the State in meals*
 11 *served under the school lunch program under this Act.”.*

12 **SEC. 103. NUTRITIONAL REQUIREMENTS.**

13 *(a) TECHNICAL ASSISTANCE FOR SCHOOL LUNCH*
 14 *PROGRAM.—Section 9(a)(1) of the National School Lunch*
 15 *Act (42 U.S.C. 1758(a)(1)) is amended—*

16 *(1) by inserting “(A)” after “(1)”;* and

17 *(2) by adding at the end the following new sub-*
 18 *paragraph:*

19 *“(B) The Secretary shall provide technical assistance*
 20 *and training, including technical assistance and training*
 21 *in the preparation of lower-fat versions of foods commonly*
 22 *used in the school lunch program under this Act, to schools*
 23 *participating in the school lunch program to assist the*
 24 *schools in complying with the nutritional requirements pre-*
 25 *scribed by the Secretary pursuant to subparagraph (A) and*
 26 *in providing appropriate meals to children with medically*

1 *certified special dietary needs. The Secretary shall provide*
 2 *additional technical assistance to schools that are having*
 3 *difficulty maintaining compliance with the requirements.”.*

4 (b) *MINIMUM NUTRITIONAL REQUIREMENTS MEAS-*
 5 *URED BY WEEKLY AVERAGE OF NUTRIENT CONTENT OF*
 6 *SCHOOL LUNCHES.—Section 9(a)(1)(A) of such Act (42*
 7 *U.S.C. 1758(a)(1)(A)) (as amended by subsection (a)) is*
 8 *further amended—*

9 (1) *by striking “; except that such minimum nu-*
 10 *tritional requirements” and inserting the following: “;*
 11 *except that—*

12 (i) *the minimum nutritional requirements”;*

13 (2) *by striking the period at the end and insert-*
 14 *ing “; and”;* and

15 (3) *by adding at the end the following new*
 16 *clause:*

17 (ii) *the minimum nutritional requirements*
 18 *shall be measured by not less than the weekly average*
 19 *of the nutrient content of school lunches.”.*

20 **SEC. 104. ELIMINATION OF WHOLE MILK REQUIREMENT.**

21 *Section 9(a)(2) of the National School Lunch Act (42*
 22 *U.S.C. 1758(a)(2)) is amended—*

23 (1) *by inserting “(A)” after “(2)”;*

24 (2) *by striking “fluid whole milk and fluid*
 25 *unflavored lowfat milk” and inserting “fluid milk, ex-*

1 *cept that a State educational agency may require*
2 *schools in the State to offer any type or types of milk*
3 *to students”; and*

4 *(3) by adding at the end the following new sub-*
5 *paragraph:*

6 *“(B)(i) The Secretary shall purchase each calendar*
7 *year to carry out the school lunch program under this Act,*
8 *and the school breakfast program under section 4 of the*
9 *Child Nutrition Act of 1966 (42 U.S.C. 1773), lowfat cheese*
10 *on a bid basis in a quantity that is the milkfat equivalent*
11 *of the quantity of milkfat the Secretary estimates the Com-*
12 *modity Credit Corporation will purchase each calendar*
13 *year as a result of the elimination of the requirement that*
14 *schools offer students fluid whole milk and fluid unflavored*
15 *lowfat milk, based on data provided by the Director of Of-*
16 *fice of Management and Budget.*

17 *“(ii) Not later than 30 days after the Secretary pro-*
18 *vides an estimate required under clause (i), the Director*
19 *of the Congressional Budget Office shall provide to the ap-*
20 *propriate committees of Congress a report on whether the*
21 *Director concurs with the estimate of the Secretary.*

22 *“(iii) The quantity of lowfat cheese that is purchased*
23 *under this subparagraph shall be in addition to the quan-*
24 *tity of cheese that is historically purchased by the Secretary*
25 *to carry out school feeding programs. The Secretary shall*

1 *take such actions as are necessary to ensure that purchases*
 2 *under this subparagraph shall not displace commercial pur-*
 3 *chases of cheese by schools.’’.*

4 **SEC. 105. USE OF FREE AND REDUCED PRICE MEAL ELIGI-**
 5 **BILITY INFORMATION.**

6 *Clause (iii) of section 9(b)(2)(C) of the National School*
 7 *Lunch Act (42 U.S.C. 1758(b)(2)(C)(iii)) is amended to*
 8 *read as follows:*

9 *“(iii) The use or disclosure of any information ob-*
 10 *tained from an application for free or reduced price meals,*
 11 *or from a State or local agency referred to in clause (ii),*
 12 *shall be limited to—*

13 *“(I) a person directly connected with the admin-*
 14 *istration or enforcement of this Act or the Child Nu-*
 15 *trition Act of 1966 (42 U.S.C. 1771 et seq.), or a reg-*
 16 *ulation issued pursuant to either Act;*

17 *“(II) a person directly connected with the ad-*
 18 *ministration or enforcement of a State health or edu-*
 19 *cation program administered by the State or local*
 20 *educational agency (other than a program carried out*
 21 *under title XIX of the Social Security Act (42 U.S.C.*
 22 *1396 et seq.)); and*

23 *“(III)(aa) the Comptroller General of the United*
 24 *States for audit and examination authorized by any*
 25 *other provision of law; and*

1 “(bb) notwithstanding any other provision of
 2 law, a Federal, State, or local law enforcement official
 3 for the purpose of investigating an alleged violation
 4 of any program covered by paragraph (1) or this
 5 paragraph.

6 “(iv) Information provided by a school under clause
 7 (iii)(II) shall be limited to the income eligibility status of
 8 the child for whom application for free or reduced price
 9 meal benefits was made or for whom eligibility information
 10 was provided under clause (ii), unless the consent of the
 11 parent or guardian of the child for whom application for
 12 benefits was made is obtained.

13 “(v) A person described in clause (iii) who publishes,
 14 divulges, discloses, or makes known in any manner, or to
 15 any extent not authorized by Federal law (including a regu-
 16 lation), any information obtained under this subsection
 17 shall be fined not more than \$1,000 or imprisoned not more
 18 than 1 year, or both.”.

19 **SEC. 106. AUTOMATIC ELIGIBILITY OF HEAD START PAR-**
 20 **TICIPANTS.**

21 (a) *IN GENERAL.*—Section 9(b)(6) of the National
 22 School Lunch Act (42 U.S.C. 1758(b)(6)) is amended—

23 (1) in subparagraph (A)—

24 (A) in the matter preceding clause (i), by
 25 striking “a member of”;

1 (B) in clause (i)—

2 (i) by inserting “a member of” after

3 “(i)”; and

4 (ii) by striking “or” at the end;

5 (C) in clause (ii)—

6 (i) by inserting “a member of” after

7 “(ii)”; and

8 (ii) by striking the period at the end

9 and inserting “; or”; and

10 (D) by adding at the end the following new

11 clause:

12 “(iii) enrolled as a participant in a Head Start

13 program authorized under the Head Start Act (42

14 U.S.C. 9831 et seq.), on the basis of a determination

15 that the child is a member of a family that meets the

16 low-income criteria prescribed under section

17 645(a)(1)(A) of the Head Start Act (42 U.S.C.

18 9840(a)(1)(A)).”; and

19 (2) in subparagraph (B), by striking “food

20 stamps or aid to families with dependent children”

21 and inserting “food stamps or aid to families with

22 dependent children, or of enrollment or participation

23 in a Head Start program on the basis described in

24 subparagraph (A)(iii).”.

1 (b) *EFFECTIVE DATE.*—The amendments made by sub-
 2 section (a) shall become effective on September 1, 1995.

3 **SEC. 107. USE OF NUTRITION EDUCATION AND TRAINING**
 4 **PROGRAM RESOURCES.**

5 Section 9 of the National School Lunch Act (42 U.S.C.
 6 1758) is amended by adding at the end the following new
 7 subsection:

8 “(f) In carrying out this Act and the Child Nutrition
 9 Act of 1966 (42 U.S.C. 1771 et seq.), a State educational
 10 agency shall, particularly with regard to the responsibilities
 11 of the agency under subsection (a)(3), use resources provided
 12 through the nutrition education and training program au-
 13 thorized under section 19 of the Child Nutrition Act of 1966
 14 (42 U.S.C. 1788) for training aimed at improving the qual-
 15 ity and acceptance of school meals.”.

16 **SEC. 108. SPECIAL ASSISTANCE FOR SCHOOLS ELECTING**
 17 **TO SERVE ALL CHILDREN FREE LUNCHES OR**
 18 **BREAKFASTS.**

19 Section 11(a)(1) of the National School Lunch Act (42
 20 U.S.C. 1759a(a)(1)) is amended—

21 (1) by inserting “(A)” after “(1)”;

22 (2) in the second sentence, by striking “In the
 23 case of” and inserting the following:

24 “(B) Except as provided in subparagraph (C), (D), or
 25 (E), in the case of”; and

1 (3) *by striking the third and fourth sentences*
2 *and inserting the following new subparagraphs:*

3 “(C)(i) *Except as provided in subparagraph (D), in*
4 *the case of any school that—*

5 “(I) *elects to serve all children in the school free*
6 *lunches under the school lunch program during any*
7 *period of 3 successive school years, or in the case of*
8 *a school that serves both lunches and breakfasts, elects*
9 *to serve all children in the school free lunches and free*
10 *breakfasts under the school lunch program and the*
11 *school breakfast program established under section 4*
12 *of the Child Nutrition Act of 1966 (42 U.S.C. 1773)*
13 *during any period of 3 successive school years; and*

14 “(II) *pays, from sources other than Federal*
15 *funds, for the costs of serving the lunches or breakfasts*
16 *that are in excess of the value of assistance received*
17 *under this Act and the Child Nutrition Act of 1966*
18 *(42 U.S.C. 1771 et seq.) with respect to the number*
19 *of lunches or breakfasts served during the period;*
20 *special assistance payments shall be paid to the State edu-*
21 *cational agency with respect to the school during the period*
22 *on the basis of the number of lunches or breakfasts deter-*
23 *mined under clause (ii) or (iii).*

24 “(ii) *For purposes of making special assistance pay-*
25 *ments under clause (i), except as provided in clause (iii),*

1 *the number of lunches or breakfasts served by a school to*
2 *children who are eligible for free lunches or breakfasts or*
3 *reduced price lunches or breakfasts during each school year*
4 *of the 3-school-year period shall be considered to be equal*
5 *to the number of lunches or breakfasts served by the school*
6 *to children eligible for free lunches or breakfasts or reduced*
7 *price lunches or breakfasts during the first school year of*
8 *the period.*

9 “(iii) *For purposes of computing the amount of the*
10 *payments, a school may elect to determine on a more fre-*
11 *quent basis the number of children who are eligible for free*
12 *or reduced price lunches or breakfasts who are served*
13 *lunches or breakfasts during the 3-school-year period.*

14 “(D)(i) *In the case of any school that, on the date of*
15 *enactment of this subparagraph, is receiving special assist-*
16 *ance payments under this paragraph for a 3-school-year pe-*
17 *riod described in subparagraph (C), the State may grant,*
18 *at the end of the 3-school-year period, an extension of the*
19 *period for an additional 2 school years, if the State deter-*
20 *mines, through available socioeconomic data approved by*
21 *the Secretary, that the income level of the population of the*
22 *school has remained stable.*

23 “(ii) *A school described in clause (i) may reapply to*
24 *the State at the end of the 2-school-year period described*
25 *in clause (i) for the purpose of continuing to receive special*

1 *assistance payments, as determined in accordance with this*
2 *paragraph, for a subsequent 5-school-year period. The school*
3 *may reapply to the State at the end of the 5-school-year*
4 *period, and at the end of each 5-school-year period there-*
5 *after for which the school receives special assistance pay-*
6 *ments under this paragraph, for the purpose of continuing*
7 *to receive the payments for a subsequent 5-school-year pe-*
8 *riod. The school shall require submission of applications for*
9 *free and reduced price lunches, or for free and reduced price*
10 *lunches and breakfasts, in the first school year of each 5-*
11 *school-year period for which the school receives special as-*
12 *sistance payments under this paragraph, for the purpose*
13 *of calculating the special assistance payments.*

14 “(E)(i) *In the case of any school that—*

15 “(I) *elects to serve all children in the school free*
16 *lunches under the school lunch program during any*
17 *period of 4 successive school years, or in the case of*
18 *a school that serves both lunches and breakfasts, elects*
19 *to serve all children in the school free lunches and free*
20 *breakfasts under the school lunch program and the*
21 *school breakfast program during any period of 4 suc-*
22 *cessive school years; and*

23 “(II) *pays, from sources other than Federal*
24 *funds, for the costs of serving the lunches or breakfasts*
25 *that are in excess of the value of assistance received*

1 *under this Act and the Child Nutrition Act of 1966*
2 *(42 U.S.C. 1771 et seq.) with respect to the number*
3 *of lunches or breakfasts served during the period;*
4 *total Federal cash reimbursements and total commodity as-*
5 *sistance shall be provided to the State educational agency*
6 *with respect to the school at a level that is equal to the*
7 *total Federal cash reimbursements and total commodity as-*
8 *sistance received by the school in the last school year for*
9 *which the school accepted applications under the school*
10 *lunch or school breakfast program, adjusted annually for*
11 *inflation in accordance with paragraph (3)(B) and for*
12 *changes in enrollment, to carry out the school lunch or*
13 *school breakfast program.*

14 *“(ii) A school described in clause (i) may reapply to*
15 *the State at the end of the 4-school-year period described*
16 *in clause (i), and at the end of each 4-school-year period*
17 *thereafter for which the school receives reimbursements and*
18 *assistance under this subparagraph, for the purpose of con-*
19 *tinuing to receive the reimbursements and assistance for a*
20 *subsequent 4-school-year period. The State may approve an*
21 *application under this clause if the State determines,*
22 *through available socioeconomic data approved by the Sec-*
23 *retary, that the income level of the population of the school*
24 *has remained consistent with the income level of the popu-*

1 *lation of the school in the last school year for which the*
 2 *school accepted the applications described in clause (i).”.*

3 **SEC. 109. DEFINITION OF SCHOOL.**

4 *(a) IN GENERAL.—Section 12(d)(5) of the National*
 5 *School Lunch Act (42 U.S.C. 1760(d)(5)) is amended—*

6 *(1) in the first sentence—*

7 *(A) in subparagraph (A), by striking*
 8 *“under,” and inserting “under and”;*

9 *(B) in subparagraph (B), by striking “,*
 10 *and” and inserting a period; and*

11 *(C) by striking subparagraph (C); and*

12 *(2) in the second sentence, by striking “of clauses*
 13 *(A) and (B).”.*

14 *(b) EFFECTIVE DATE.—The amendments made by sub-*
 15 *section (a) shall become effective on October 1, 1995.*

16 **SEC. 110. REIMBURSEMENT FOR MEALS, SUPPLEMENTS,**
 17 **AND MILK UNDER CERTAIN PROGRAMS CON-**
 18 **TINGENT ON TIMELY SUBMISSION OF CLAIMS**
 19 **AND FINAL PROGRAM OPERATIONS REPORT.**

20 *Section 12 of the National School Lunch Act (42*
 21 *U.S.C. 1760) is amended by adding at the end the following*
 22 *new subsection:*

23 *“(j)(1) Except as provided in paragraph (2), the Sec-*
 24 *retary may provide reimbursements for final claims sub-*
 25 *mitted to State agencies by eligible schools, institutions, and*

1 *service institutions for service of meals, supplements, and*
 2 *milk under this Act or the Child Nutrition Act of 1966 (42*
 3 *U.S.C. 1771 et seq.) only if—*

4 “(A) *the claims have been submitted to the State*
 5 *agencies not later than 60 days after the last day of*
 6 *the month for which reimbursements are claimed; and*

7 “(B) *the final program operations report for the*
 8 *month is submitted to the Secretary not later than 90*
 9 *days after the last day of the month.*

10 “(2) *The Secretary may waive the requirements of*
 11 *paragraph (1).”.*

12 ***SEC. 111. ORGANICALLY PRODUCED AGRICULTURAL PROD-***
 13 ***UCTS.***

14 *Section 12 of the National School Lunch Act (42*
 15 *U.S.C. 1760) (as amended by section 110) is further amend-*
 16 *ed by adding at the end the following new subsection:*

17 “(k)(1) *The Secretary shall make available, at the re-*
 18 *quest of State educational agencies and schools participat-*
 19 *ing in the school lunch program, information about means*
 20 *for schools to obtain organically produced agricultural*
 21 *products (as defined in section 2103 of the Organic Foods*
 22 *Production Act of 1990 (7 U.S.C. 6502)), such as meats,*
 23 *poultry products, fruits, products made from grains, dairy*
 24 *products, and vegetables that are organically produced.”.*

1 “(2) Paragraph (1) shall apply beginning on the date
 2 the Secretary establishes an organic certification program
 3 for producers and handlers of agricultural products in ac-
 4 cordance with such Act (7 U.S.C. 6501 et seq.).”.

5 **SEC. 112. FOOD AND NUTRITION PROJECTS.**

6 Section 12 of the National School Lunch Act (42
 7 U.S.C. 1760) (as amended by section 111) is further amend-
 8 ed by adding at the end the following new subsection:

9 “(1)(1) The Secretary, acting through the Adminis-
 10 trator of the Food and Nutrition Service or through the Ex-
 11 tension Service, shall award on an annual basis grants to
 12 a private nonprofit organization or educational institution
 13 in each of 3 States to create, operate, and demonstrate food
 14 and nutrition projects that are fully integrated with ele-
 15 mentary school curricula.

16 “(2) Each organization or institution referred to in
 17 paragraph (1) shall be selected by the Secretary and shall—

18 “(A) assist local schools and educators in offer-
 19 ing food and nutrition education that integrates
 20 math, science, and verbal skills in the elementary
 21 grades;

22 “(B) assist local schools and educators in teach-
 23 ing agricultural practices through practical applica-
 24 tions, like gardening;

1 “(C) create community service learning opportu-
2 nities or educational programs;

3 “(D) be experienced in assisting in the creation
4 of curriculum-based models in elementary schools;

5 “(E) be sponsored by an organization or institu-
6 tion, or be an organization or institution, that pro-
7 vides information, or conducts other educational ef-
8 forts, concerning the success and productivity of
9 American agriculture and the importance of the free
10 enterprise system to the quality of life in the United
11 States; and

12 “(F) be able to provide model curricula, exam-
13 ples, advice, and guidance to school, community
14 groups, States, and local organizations regarding
15 means of carrying out similar projects.

16 “(3) Subject to the availability of appropriations to
17 carry out this subsection, the Secretary shall make grants
18 to each of the 3 private organizations or institutions selected
19 under this section in amounts of not less than \$100,000,
20 nor more than \$200,000, for each of fiscal years 1995
21 through 1998.

22 “(4) The Secretary shall establish fair and reasonable
23 auditing procedures regarding the expenditure of funds
24 under this subsection.

1 “(5) There are authorized to be appropriated to carry
 2 out this subsection such sums as are necessary for each of
 3 fiscal years 1995 through 1998.”.

4 **SEC. 113. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
 5 **DREN.**

6 (a) *ORDER OF PRIORITY.*—Section 13(a)(4) of the Na-
 7 tional School Lunch Act (42 U.S.C. 1761(a)(4)) is amended
 8 by striking subparagraphs (A) through (F) and inserting
 9 the following:

10 “(A) School food authorities.

11 “(B) Units of local, municipal, or county gov-
 12 ernment that have demonstrated successful program
 13 performance in a prior year.

14 “(C) Other units of local, municipal, or county
 15 government, and private nonprofit organizations eli-
 16 gible under paragraph (7).”.

17 (b) *PRIVATE NONPROFIT ORGANIZATIONS.*—Section
 18 13(a)(7) of such Act (42 U.S.C. 1761(a)(7)) is amended by
 19 striking subparagraph (C).

20 (c) *NON-SCHOOL SITES.*—Section 13(c)(1) of such Act
 21 (42 U.S.C. 1761(c)(1)) is amended by inserting before the
 22 period at the end the following: “or that provide meal serv-
 23 ice at non-school sites to children who are not in school for
 24 a period during the months of October through April due
 25 to an unanticipated school closure”.

1 (d) *REGISTERED FOOD SERVICE MANAGEMENT COM-*
 2 *PANY REPORTS.*—Section 13(l)(3) of such Act (42 U.S.C.
 3 1761(l)(3)) is amended by striking “and their program
 4 record” and inserting “that have been seriously deficient
 5 in their participation in the program,”.

6 (e) *MANAGEMENT AND ADMINISTRATION PLAN.*—Sec-
 7 tion 13(n) of such Act (42 U.S.C. 1761(n)) is amended—

8 (1) in paragraph (2), by adding “and” after the
 9 semicolon at the end;

10 (2) in paragraph (3), by striking the semicolon
 11 at the end and inserting a period; and

12 (3) by striking paragraphs (4) through (12).

13 (f) *ELIMINATION OF WARNING IN PRIVATE NONPROFIT*
 14 *ORGANIZATION APPLICATION RELATING TO CRIMINAL PRO-*
 15 *VISIONS AND RELATED MATTERS.*—Section 13(q) of such
 16 Act (42 U.S.C. 1761(q)) is amended—

17 (1) by striking paragraph (2);

18 (2) by redesignating paragraph (3) as para-
 19 graph (2); and

20 (3) in paragraph (4), by striking “paragraphs
 21 (1) and (3)” and inserting “paragraphs (1) and (2)”.

22 (g) *HEARINGS REGARDING STATE ACTION ON THE*
 23 *BASIS OF FEDERAL REVIEW FINDINGS.*—Section 13(q) of
 24 such Act (42 U.S.C. 1761(q)) (as amended by paragraphs

1 (1) and (2) of subsection (f)) is further amended by insert-
 2 ing before paragraph (4) the following new paragraph:

3 “(3) A State shall not be required to provide a hearing
 4 to a private nonprofit organization concerning a State ac-
 5 tion taken on the basis of a Federal review finding with
 6 respect to a program carried out under this section. If a
 7 State does not provide a hearing to the organization con-
 8 cerning the action, the Secretary, on request, shall provide
 9 a hearing to the organization concerning the action.”.

10 (h) *EXTENSION OF PROGRAM.*—Section 13(r) of such
 11 Act (42 U.S.C. 1761(r)) is amended by striking “1994” and
 12 inserting “1998”.

13 **SEC. 114. COMMODITY DISTRIBUTION PROGRAM.**

14 (a) *EXTENSION.*—Section 14(a) of the National School
 15 Lunch Act (42 U.S.C. 1762a(a)) is amended by striking
 16 “1994” and inserting “1998”.

17 (b) *NUTRITIONAL CONTENT.*—Section 14(b) of such
 18 Act (42 U.S.C. 1762a(b)) is amended—

19 (1) by inserting “(1)” after “(b)”; and

20 (2) by adding at the end the following new para-
 21 graphs:

22 “(2) The Secretary shall improve the overall nutri-
 23 tional quality of entitlement commodities (within the mean-
 24 ing of section 18) provided to schools under the school lunch

1 *program to assist the schools in improving the nutritional*
 2 *content of meals served under the program.*

3 *“(3) The Secretary shall—*

4 *“(A) require that nutritional content informa-*
 5 *tion labels be placed on packages or shipments of com-*
 6 *modities provided to schools under the school lunch*
 7 *program; or*

8 *“(B) otherwise provide nutritional content infor-*
 9 *mation regarding the commodities provided to schools*
 10 *under the school lunch program.”.*

11 ***SEC. 115. CHILD AND ADULT CARE FOOD PROGRAM.***

12 *(a) REAPPLICATION FOR ASSISTANCE AT 3-YEAR IN-*
 13 *TERVALS.—Section 17(d)(2)(A) of the National School*
 14 *Lunch Act (42 U.S.C. 1766(d)(2)(A)) is amended by strik-*
 15 *ing “2-year intervals” and inserting “3-year intervals”.*

16 *(b) USE OF ADMINISTRATIVE FUNDS TO CONDUCT*
 17 *OUTREACH AND RECRUITMENT TO UNLICENSED DAY CARE*
 18 *HOMES.—Section 17(f)(3)(C) of such Act (42 U.S.C.*
 19 *1766(f)(3)(C)) is amended—*

20 *(1) by inserting “(i)” after “(C)”;* and

21 *(2) by adding at the end the following new*
 22 *clause:*

23 *“(ii) Funds for administrative expenses may be used*
 24 *by a family or group day care home sponsoring organiza-*
 25 *tion to conduct outreach and recruitment to unlicensed fam-*

1 ily or group day care homes so that the day care homes
2 may become licensed.”.

3 (c) *INFORMATION AND TRAINING CONCERNING CHILD*
4 *HEALTH AND DEVELOPMENT*.—Section 17(k) of such Act
5 (42 U.S.C. 1766(k)) is amended by adding at the end the
6 following new paragraph:

7 “(4) The Secretary shall encourage States to provide
8 information and training concerning child health and de-
9 velopment to family or group day care home sponsoring or-
10 ganizations.”.

11 (d) *EXTENSION OF STATEWIDE DEMONSTRATION*
12 *PROJECTS*.—Section 17(p) of such Act (42 U.S.C. 1766(p))
13 is amended—

14 (1) in paragraph (4)(B), by striking “1992” and
15 inserting “1998”; and

16 (2) in paragraph (5), by striking “1994” and in-
17 serting “1998”.

18 (e) *WIC INFORMATION*.—Section 17 of such Act (42
19 U.S.C. 1766) is amended by adding at the end the following
20 new subsection:

21 “(q)(1) The Secretary shall provide State agencies with
22 basic information concerning the importance and benefits
23 of the special supplemental nutrition program for women,
24 infants, and children authorized under section 17 of the
25 Child Nutrition Act of 1966 (42 U.S.C. 1786).

1 “(2) *The State agency shall—*

2 “(A) *provide each child care institution partici-*
3 *pating in the program established under this section,*
4 *other than institutions providing day care outside*
5 *school hours for schoolchildren, with materials that*
6 *include—*

7 “(i) *a basic explanation of the benefits and*
8 *importance of the special supplemental nutrition*
9 *program for women, infants, and children;*

10 “(ii) *the maximum income limits, accord-*
11 *ing to family size, applicable to children up to*
12 *age 5 in the State under the special supple-*
13 *mental nutrition program for women, infants,*
14 *and children; and*

15 “(iii) *a listing of the addresses and phone*
16 *numbers of offices at which parents may apply;*

17 “(B) *annually provide the institutions with an*
18 *update of the information on income limits described*
19 *in subparagraph (A)(ii); and*

20 “(C) *ensure that, at least once a year, the insti-*
21 *tutions to which subparagraph (A) applies provide*
22 *written information to parents that includes—*

23 “(i) *basic information on the benefits pro-*
24 *vided under the special supplemental nutrition*
25 *program for women, infants, and children;*

1 “(ii) information on the maximum income
2 limits, according to family size, applicable to the
3 program; and

4 “(iii) information on where parents may
5 apply to participate in the program.”.

6 **SEC. 116. HOMELESS CHILDREN NUTRITION PROGRAM;**
7 **DEMONSTRATION PROGRAM FOR THE PRE-**
8 **VENTION OF BOARDER BABIES.**

9 (a) *HOMELESS CHILDREN NUTRITION PROGRAM.*—
10 *The National School Lunch Act is amended by inserting*
11 *after section 17A (42 U.S.C. 1766a) the following new sec-*
12 *tion:*

13 **“SEC. 17B. HOMELESS CHILDREN NUTRITION PROGRAM.**

14 “(a) *IN GENERAL.*—*The Secretary shall conduct*
15 *projects designed to provide food service throughout the year*
16 *to homeless children under the age of 6 in emergency shel-*
17 *ters.*

18 “(b) *AGREEMENTS TO PARTICIPATE IN PROJECTS.*—

19 “(1) *IN GENERAL.*—*The Secretary shall enter*
20 *into agreements with State, city, local, or county gov-*
21 *ernments, other public entities, or private nonprofit*
22 *organizations to participate in the projects conducted*
23 *under this section.*

24 “(2) *ELIGIBILITY REQUIREMENTS.*—*The Sec-*
25 *retary shall establish eligibility requirements for the*

1 *entities described in paragraph (1) that desire to par-*
2 *ticipate in the projects conducted under this section,*
3 *including requirements that—*

4 *“(A) each private nonprofit organization*
5 *shall operate not more than 5 food service sites*
6 *under the project and shall serve not more than*
7 *300 homeless children under the age of 6 at each*
8 *site; and*

9 *“(B) each food service site operated by any*
10 *of the organizations shall meet applicable State*
11 *and local health, safety, and sanitation stand-*
12 *ards.*

13 *“(c) PROJECT REQUIREMENTS.—*

14 *“(1) IN GENERAL.—A project conducted under*
15 *this section shall—*

16 *“(A) use the same meal patterns, and re-*
17 *ceive reimbursement payments for meals and*
18 *supplements at the same rates, as apply to child*
19 *care centers participating in the child care food*
20 *program established under section 17 for free*
21 *meals and supplements; and*

22 *“(B) receive reimbursement payments for*
23 *meals and supplements served on Saturdays,*
24 *Sundays, and holidays, at the request of the*
25 *sponsor of the project.*

1 “(2) *MODIFICATION.*—*The Secretary may modify*
 2 *the meal pattern requirements to take into account*
 3 *the needs of infants.*

4 “(3) *HOMELESS CHILDREN ELIGIBLE FOR FREE*
 5 *MEALS WITHOUT APPLICATION.*—*Homeless children*
 6 *under the age of 6 in emergency shelters shall be con-*
 7 *sidered eligible for free meals without submitting an*
 8 *application.*

9 “(d) *FUNDING PRIORITIES.*—*From the amount de-*
 10 *scribed in subsection (f), the Secretary shall provide funding*
 11 *for projects carried out under this section for a particular*
 12 *fiscal year (referred to in this subsection as the ‘current fis-*
 13 *cal year’)* *in the following order of priority, to the maxi-*
 14 *mum extent practicable:*

15 “(1) *The Secretary shall first provide such fund-*
 16 *ing to entities and organizations, each of which—*

17 “(A) *received funding under this section or*
 18 *section 18(c) (as in effect on the day before the*
 19 *date of enactment of this section) to carry out a*
 20 *project for the preceding fiscal year; and*

21 “(B) *is eligible to receive funding under this*
 22 *section to carry out the project for the current*
 23 *fiscal year;*

24 *to enable the entity or organization to carry out the*
 25 *project under this section for the current fiscal year*

1 *at the level of service provided by the project during*
 2 *the preceding fiscal year.*

3 “(2) *From the portion of the amount that re-*
 4 *mains after the application of paragraph (1), the Sec-*
 5 *retary shall provide funds to entities and organiza-*
 6 *tions, each of which is eligible to receive funding*
 7 *under this section, to enable the entity or organiza-*
 8 *tion to carry out a new project under this section for*
 9 *the current fiscal year, or to expand the level of serv-*
 10 *ice provided by a project for the current fiscal year*
 11 *over the level provided by the project during the pre-*
 12 *ceding fiscal year.*

13 “(e) *NOTICE.—The Secretary shall advise each State*
 14 *of the availability of the projects conducted under this sub-*
 15 *section for States, cities, counties, local governments, and*
 16 *other public entities, and shall advise each State of the pro-*
 17 *cedures for applying to participate in the project.*

18 “(f) *FUNDING.—*

19 “(1) *IN GENERAL.—From funds made available*
 20 *under section 7(a)(5)(B)(i) of the Child Nutrition Act*
 21 *of 1966 (42 U.S.C. 1776(a)(5)(B)(i)), the Secretary*
 22 *shall expend \$3,000,000 for fiscal year 1995 and each*
 23 *subsequent fiscal year to carry out this section.*

24 “(2) *EXCEPTION.—The Secretary may expend*
 25 *less than the amount described in paragraph (1) if*

1 *there is an insufficient number of suitable applicants*
 2 *to carry out projects under this section. Any funds*
 3 *made available under this subsection to carry out the*
 4 *projects for a fiscal year that are not obligated to*
 5 *carry out the projects in the fiscal year shall remain*
 6 *available until expended for purposes of carrying out*
 7 *the projects.*

8 “(g) *DEFINITION OF EMERGENCY SHELTER.*—As used
 9 *in this section, the term ‘emergency shelter’ has the meaning*
 10 *provided in section 321(2) of the Stewart B. McKinney*
 11 *Homeless Assistance Act (42 U.S.C. 11351(2)).”.*

12 “(b) *DEMONSTRATION PROGRAM FOR THE PREVENTION*
 13 *OF BOARDER BABIES.*—Subsection (c) of section 18 of the
 14 *National School Lunch Act (42 U.S.C. 1769(c)) is amended*
 15 *to read as follows:*

16 “(c)(1) *Using the funds provided under paragraph (7),*
 17 *the Secretary shall conduct at least 1 demonstration project*
 18 *through a participating entity during each of fiscal years*
 19 *1995 through 1998 that is designed to provide food and nu-*
 20 *trition services throughout the year to—*

21 “(A) *homeless pregnant women; and*

22 “(B) *homeless mothers or guardians of infants,*
 23 *and the children of the mothers and guardians.*

24 “(2) *To be eligible to obtain funds under this sub-*
 25 *section, a homeless shelter, transitional housing organiza-*

1 *tion, or other entity that provides or will provide temporary*
2 *housing for individuals described in paragraph (1) shall (in*
3 *accordance with guidelines established by the Secretary)—*

4 “(A) *submit to the Secretary a proposal to pro-*
5 *vide food and nutrition services, including a plan for*
6 *coordinating the services with services provided under*
7 *the special supplemental nutrition program for*
8 *women, infants, and children authorized under sec-*
9 *tion 17 of the Child Nutrition Act of 1966 (42 U.S.C.*
10 *1786);*

11 “(B) *receive the approval of the Secretary for the*
12 *proposal;*

13 “(C) *be located in an urban area that has—*

14 “(i) *a significant population of boarder ba-*
15 *bies;*

16 “(ii) *a very high rate of mortality for chil-*
17 *dren under 1 year of age; or*

18 “(iii) *a significant population of homeless*
19 *pregnant women and homeless women with in-*
20 *fant;*

21 *as determined by the Secretary; and*

22 “(D) *be able to coordinate services provided*
23 *under this subsection with the services provided by the*
24 *local government and with other programs that may*

1 *assist the participants receiving services under this*
2 *subsection.*

3 “(3) *Food and nutrition services funded under this*
4 *subsection—*

5 “(A) *may include—*

6 “(i) *meals, supplements, and other food;*

7 “(ii) *nutrition education;*

8 “(iii) *nutrition assessments;*

9 “(iv) *referrals to—*

10 “(I) *the special supplemental nutrition*
11 *program for women, infants, and children*
12 *authorized under section 17 of such Act (42*
13 *U.S.C. 1786);*

14 “(II) *the medical assistance program*
15 *established under title XIX of the Social Se-*
16 *curity Act (42 U.S.C. 1396 et seq.); and*

17 “(III) *other public or private programs*
18 *and services;*

19 “(v) *activities related to the services de-*
20 *scribed in any of clauses (i) through (iv); and*

21 “(vi) *administrative activities related to the*
22 *services described in any of clauses (i) through*
23 *(v); and*

24 “(B) *may not include the construction, purchase,*
25 *or rental of real property.*

1 “(4)(A) A participating entity shall—

2 “(i) use the same meal patterns, and receive re-
3 imbursement payments for meals and supplements at
4 the same rates, as apply to child care centers partici-
5 pating in the child care food program under section
6 17 for free meals and supplements;

7 “(ii) receive reimbursement payments for meals
8 and supplements served on Saturdays, Sundays, and
9 holidays, at the request of the entity; and

10 “(iii) maintain a policy of not providing serv-
11 ices or assistance to pregnant women, or homeless
12 women with infants, who use a controlled substance
13 (as defined in section 102 of the Controlled Sub-
14 stances Act (21 U.S.C. 802)).

15 “(B) The Secretary may modify the meal pattern re-
16 quirements to take into account the needs of infants, home-
17 less pregnant women, homeless mothers, guardians of in-
18 fants, or the children of the women, mothers, or guardians.

19 “(C) The Secretary shall provide funding to a partici-
20 pating entity for services described in paragraph (3) that
21 are provided to individuals described in paragraph (1).

22 “(5) The Secretary shall impose such auditing and rec-
23 ordkeeping requirements as are necessary to monitor the use
24 of Federal funds to carry out this subsection.

1 “(6) *The Secretary shall periodically report to the ap-*
2 *propriate committees of Congress on projects carried out*
3 *under this subsection.*

4 “(7)(A) *Out of any moneys in the Treasury not other-*
5 *wise appropriated, the Secretary of the Treasury shall pro-*
6 *vide to the Secretary \$400,000 for each of fiscal years 1995*
7 *through 1998 to carry out this subsection. The Secretary*
8 *shall be entitled to receive the funds and shall accept the*
9 *funds.*

10 “(B) *Any funds provided under subparagraph (A) to*
11 *carry out projects under this subsection for a fiscal year*
12 *that are not obligated in the fiscal year shall be used by*
13 *the Secretary to carry out the homeless children nutrition*
14 *program established under section 17B.*

15 “(8) *As used in this subsection:*

16 “(A) *The term ‘boarder baby’ means an aban-*
17 *doned infant described in section 103(1) of the Aban-*
18 *doned Infants Assistance Act of 1988 (Public Law*
19 *100–505; 42 U.S.C. 670 note).*

20 “(B) *The term ‘nutrition education’ has the*
21 *meaning provided in section 17(b)(7) of the Child Nu-*
22 *trition Act of 1966 (42 U.S.C. 1786(b)(7)).”.*

1 **SEC. 117. PILOT PROJECTS.**

2 (a) *FORTIFIED FLUID MILK.*—Section 18 of the Na-
3 tional School Lunch Act (42 U.S.C. 1769) is amended by
4 adding at the end the following new subsection:

5 “(e)(1) Subject to the availability of appropriations to
6 carry out this subsection, the Secretary shall establish pilot
7 projects in at least 25 school districts under which the milk
8 offered by schools meets the fortification requirements of
9 paragraph (3) for lowfat, skim, and other forms of fluid
10 milk.

11 “(2) The Secretary shall make available to school dis-
12 tricts information that compares the nutritional benefits of
13 fluid milk that meets the fortification requirements of para-
14 graph (3) and the nutritional benefits of other milk that
15 is made available through the school lunch program estab-
16 lished under this Act.

17 “(3) The fortification requirements for fluid milk for
18 the pilot project referred to in paragraph (1) shall provide
19 that—

20 “(A) all whole milk in final package form for
21 beverage use shall contain not less than—

22 “(i) 3.25 percent milk fat; and

23 “(ii) 8.7 percent milk solids not fat;

24 “(B) all lowfat milk in final package form for
25 beverage use shall contain not less than 10 percent
26 milk solids not fat; and

1 “(C) all skim milk in final package form for bev-
2 erage use shall contain not less than 9 percent milk
3 solids not fat.

4 “(4)(A) In selecting where to establish pilot projects
5 under this subsection, the Secretary shall take into account,
6 among other factors, the availability of fortified milk and
7 the interest of the school district in being included in the
8 pilot project.

9 “(B) The Secretary shall establish the pilot projects in
10 as many geographic areas as practicable, except that none
11 of the projects shall be established in school districts that
12 use milk described in paragraph (3) or similar milk.

13 “(5) Not later than 2 years after the establishment of
14 pilot projects under this subsection, the Secretary shall re-
15 port to the appropriate committees of Congress on—

16 “(A) the acceptability of fortified whole, lowfat,
17 and skim milk products to participating children;

18 “(B) the impact of offering the milk on milk con-
19 sumption;

20 “(C) the views of the school food service authori-
21 ties on the pilot projects; and

22 “(D) any increases or reductions in costs attrib-
23 uted to the pilot projects.

24 “(6) The Secretary shall—

1 “(A) obtain copies of any research studies or pa-
 2 pers that discuss the impact of the fortification of
 3 milk pursuant to standards established by the States;
 4 and

5 “(B) on request, make available to State agencies
 6 and the public—

7 “(i) the information obtained under sub-
 8 paragraph (A); and

9 “(ii) information about where to obtain
 10 milk described in paragraph (3).

11 “(7)(A) The pilot projects established under this sub-
 12 section shall terminate on the last day of the third year
 13 after the establishment of the pilot projects.

14 “(B) The Secretary shall advise representatives of all
 15 districts participating in the pilot projects that the districts
 16 may continue to offer the fortified forms of milk described
 17 in paragraph (3) after the project terminates.”.

18 (b) INCREASED CHOICES OF FRUITS, VEGETABLES,
 19 LEGUMES, CEREALS, AND GRAIN-BASED PRODUCTS.—Sec-
 20 tion 18 of such Act (42 U.S.C. 1769) (as amended by sub-
 21 section (a)) is further amended by adding at the end the
 22 following new subsection:

23 “(f)(1) The Secretary is authorized to establish a pilot
 24 project to assist schools participating in the school lunch
 25 program established under this Act, and the school breakfast

1 *program established under section 4 of the Child Nutrition*
2 *Act of 1966 (42 U.S.C. 1773), to offer participating stu-*
3 *dents additional choices of fruits, vegetables, legumes, cere-*
4 *als, and grain-based products (including, subject to para-*
5 *graph (7), organically produced agricultural commodities*
6 *and products) (collectively referred to in this subsection as*
7 *‘qualified products’).*

8 “(2) *The Secretary shall establish procedures under*
9 *which schools may apply to participate in the pilot project.*
10 *To the maximum extent practicable, the Secretary shall se-*
11 *lect qualified schools that apply from each State.*

12 “(3) *The Secretary shall use the funds provided under*
13 *this subsection to provide to the schools referred to in para-*
14 *graph (1)—*

15 “(A) *per meal reimbursements, in addition to re-*
16 *imbursements otherwise due the schools;*

17 “(B) *incentive awards to schools that agree to*
18 *increase the choices of the schools of qualified products*
19 *during the school year; or*

20 “(C) *qualified products acquired by the Sec-*
21 *retary.*

22 “(4) *The Secretary may provide a priority for receiv-*
23 *ing funds under this subsection to—*

24 “(A) *schools that are located in low-income areas*
25 *(as defined by the Secretary); and*

1 “(B) schools that rarely offer 3 or more choices
2 of qualified products per meal.

3 “(5) On request, the Secretary shall provide informa-
4 tion to the appropriate committees of Congress on the im-
5 pact of the pilot project on participating schools, includ-
6 ing—

7 “(A) the extent to which school children in-
8 creased consumption of qualified products;

9 “(B) the extent to which increased consumption
10 of qualified products offered under the pilot project
11 has contributed to a reduction in fat intake in the
12 school breakfast and school lunch programs;

13 “(C) the desirability of—

14 “(i) requiring that each school participating
15 in the school breakfast program increase the
16 number of choices of qualified products offered
17 per meal to at least 2 choices;

18 “(ii) requiring that each school participat-
19 ing in the school lunch program increase the
20 number of choices of qualified products offered
21 per meal; and

22 “(iii) mandating that the Secretary provide
23 additional Federal reimbursements to assist
24 schools in complying with clauses (i) and (ii);

1 “(D) the views of school food service authorities
2 on the pilot project; and

3 “(E) any increase or reduction in costs to the
4 schools in offering the additional qualified products.

5 “(6) Subject to the availability of funds appropriated
6 to carry out this subsection, the Secretary shall use not more
7 than \$10,000,000 for each of fiscal years 1995 through 1997
8 to carry out this subsection.

9 “(7) For purposes of this subsection, qualified products
10 shall include organically produced agricultural commod-
11 ities and products beginning on the date the Secretary es-
12 tablishes an organic certification program for producers
13 and handlers of agricultural products in accordance with
14 the Organic Foods Production Act of 1990 (7 U.S.C. 6501
15 et seq.).”.

16 (c) INCREASED CHOICES OF LOWFAT DAIRY PROD-
17 UCTS AND LEAN MEAT AND POULTRY PRODUCTS.—Section
18 18 of such Act (42 U.S.C. 1769) (as amended by subsection
19 (b)) is further amended by adding at the end the following
20 new subsection:

21 “(g)(1) The Secretary is authorized to establish a pilot
22 project to assist schools participating in the school lunch
23 program established under this Act, and the school breakfast
24 program established under section 4 of the Child Nutrition
25 Act of 1966 (42 U.S.C. 1773), to offer participating stu-

1 *dents additional choices of lowfat dairy products and lean*
 2 *meat and poultry products (including, subject to paragraph*
 3 *(7), organically produced agricultural commodities and*
 4 *products) (collectively referred to in this subsection as*
 5 *'qualified products').*

6 “(2) *The Secretary shall establish procedures under*
 7 *which schools may apply to participate in the pilot project.*
 8 *To the maximum extent practicable, the Secretary shall se-*
 9 *lect qualified schools that apply from each State.*

10 “(3) *The Secretary shall use the funds provided under*
 11 *this subsection to provide to the schools referred to in para-*
 12 *graph (1)—*

13 “(A) *per meal reimbursements, in addition to re-*
 14 *imbursements otherwise due the schools;*

15 “(B) *incentive awards to schools that agree to*
 16 *increase the choices of the schools of qualified products*
 17 *during the school year; or*

18 “(C) *qualified products acquired by the Sec-*
 19 *retary.*

20 “(4) *The Secretary may provide a priority for receiv-*
 21 *ing funds under this subsection to—*

22 “(A) *schools that are located in low-income areas*
 23 *(as defined by the Secretary); and*

24 “(B) *schools that rarely offer 3 or more choices*
 25 *of qualified products per meal.*

1 “(5) On request, the Secretary shall provide informa-
2 tion to the appropriate committees of Congress on the im-
3 pact of the pilot project on participating schools, includ-
4 ing—

5 “(A) the extent to which school children in-
6 creased consumption of qualified products;

7 “(B) the extent to which increased consumption
8 of qualified products offered under the pilot project
9 has contributed to a reduction in fat intake in the
10 school breakfast and school lunch programs;

11 “(C) the desirability of—

12 “(i) requiring that each school participating
13 in the school breakfast program increase the
14 number of choices of qualified products offered
15 per meal to at least 2 choices;

16 “(ii) requiring that each school participat-
17 ing in the school lunch program increase the
18 number of choices of qualified products offered
19 per meal; and

20 “(iii) mandating that the Secretary provide
21 additional Federal reimbursements to assist
22 schools in complying with clauses (i) and (ii);

23 “(D) the views of the school food service authori-
24 ties on the pilot project; and

1 “(E) any increase or reduction in costs to the
2 schools in offering the additional qualified products.

3 “(6) Subject to the availability of funds appropriated
4 to carry out this subsection, the Secretary shall use not more
5 than \$10,000,000 for each of fiscal years 1995 through 1997
6 to carry out this subsection.

7 “(7) For purposes of this subsection, qualified products
8 shall include organically produced agricultural commod-
9 ities and products beginning on the date the Secretary es-
10 tablishes an organic certification program for producers
11 and handlers of agricultural products in accordance with
12 the Organic Foods Production Act of 1990 (7 U.S.C. 6501
13 et seq.).”.

14 **SEC. 118. FOOD SERVICE MANAGEMENT INSTITUTE.**

15 (a) *REQUIRED ACTIVITIES.*—Section 21(c)(2) of the
16 National School Lunch Act (42 U.S.C. 1769b–1(c)(2)) is
17 amended—

18 (1) in subparagraph (B)—

19 (A) by striking “and” at the end of clause
20 (viii);

21 (B) by redesignating clause (ix) as clause
22 (x); and

23 (C) by inserting after clause (viii) the fol-
24 lowing new clause:

25 “(ix) culinary skills; and”;

1 (2) by striking “and” at the end of subpara-
2 graph (D);

3 (3) by striking the period at the end of subpara-
4 graph (E) and inserting a semicolon; and

5 (4) by adding at the end the following new sub-
6 paragraphs:

7 “(F) training food service personnel to com-
8 ply with the nutrition guidance and objectives of
9 section 24 through a national network of instruc-
10 tors or other means;

11 “(G) preparing informational materials,
12 such as video instruction tapes and menu plan-
13 ners, to promote healthier food preparation; and

14 “(H) assisting State educational agencies in
15 providing additional nutrition and health in-
16 structions and instructors, including training
17 personnel to comply with the nutrition guidance
18 and objectives of section 24.”.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—Section 21
20 (42 U.S.C. 1769b–1) is amended—

21 (1) in subsection (a)(1), by striking “from” and
22 inserting “subject to the availability of, and from,”;
23 and

24 (2) by striking subsection (e) and inserting the
25 following new subsection:

1 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—

2 “(1) *TRAINING ACTIVITIES AND TECHNICAL AS-*
3 *SISTANCE.*—*There are authorized to be appropriated*
4 *\$3,000,000 for fiscal year 1990, \$2,000,000 for fiscal*
5 *year 1991, and \$1,000,000 for each of fiscal years*
6 *1992 through 1998 for purposes of carrying out sub-*
7 *section (a)(1).*

8 “(2) *FOOD SERVICE MANAGEMENT INSTITUTE.*—

9 “(A) *FUNDING.*—*Out of any moneys in the*
10 *Treasury not otherwise appropriated, the Sec-*
11 *retary of the Treasury shall provide to the Sec-*
12 *retary \$2,000,000 for fiscal year 1995 and each*
13 *subsequent fiscal year to carry out subsection*
14 *(a)(2). The Secretary shall be entitled to receive*
15 *the funds and shall accept the funds.*

16 “(B) *ADDITIONAL FUNDING.*—*In addition*
17 *to amounts made available under subparagraph*
18 *(A), there are authorized to be appropriated to*
19 *carry out subsection (a)(2) \$2,000,000 for each of*
20 *fiscal years 1995 through 1998. The Secretary*
21 *shall carry out activities under subsection (a)(2),*
22 *in addition to the activities funded under sub-*
23 *paragraph (A), to the extent provided for, and in*
24 *such amounts as are provided for, in advance in*
25 *appropriations Acts.”.*

1 **SEC. 119. COMPLIANCE AND ACCOUNTABILITY.**

2 *Not later than 1 year after the date of enactment of*
 3 *this Act, the Director of the Office of Technology Assessment*
 4 *shall submit a report to the Committee on Education and*
 5 *Labor of the House of Representatives and the Committee*
 6 *on Agriculture, Nutrition, and Forestry of the Senate that*
 7 *analyzes—*

8 *(1) the status of the coordinated review system*
 9 *authorized under section 22 of the National School*
 10 *Lunch Act (42 U.S.C. 1769c);*

11 *(2) the advantages and disadvantages of the sys-*
 12 *tem; and*

13 *(3) the cost impact of the system on schools.*

14 **SEC. 120. DUTIES OF THE SECRETARY OF AGRICULTURE RE-**
 15 **LATING TO NONPROCUREMENT DEBARMENT**
 16 **UNDER CERTAIN CHILD NUTRITION PRO-**
 17 **GRAMS.**

18 *(a) FINDINGS.—Congress finds that—*

19 *(1) in recent years, there has been an alarming*
 20 *number of instances of price-fixing and bid-rigging*
 21 *regarding foods purchased for—*

22 *(A) the school lunch program established*
 23 *under the National School Lunch Act (42 U.S.C.*
 24 *1751 et seq.); and*

1 (B) the school breakfast program established
 2 under section 4 of the Child Nutrition Act of
 3 1966 (42 U.S.C. 1773);

4 (2) effective educational and monitoring pro-
 5 grams can greatly reduce the incidence of price-fixing
 6 and bid-rigging by companies that sell products to
 7 schools;

8 (3) reducing the incidence of price-fixing and
 9 bid-rigging in connection with the school lunch and
 10 breakfast programs could save school districts, par-
 11 ents, and taxpayers millions of dollars per year; and

12 (4) the Comptroller General of the United States
 13 has noted that bid-rigging awareness training is an
 14 effective means of deterring improper collusion and
 15 bid-rigging.

16 (b) *NONPROCUREMENT DEBARMENT*.—The National
 17 School Lunch Act (42 U.S.C. 1751 et seq.) is amended by
 18 adding at the end the following new section:

19 **“SEC. 25. DUTIES OF THE SECRETARY RELATING TO**
 20 **NONPROCUREMENT DEBARMENT.**

21 “(a) *PURPOSES*.—The purposes of this section are to
 22 promote the prevention and deterrence of instances of fraud,
 23 bid rigging, and other anticompetitive activities encoun-
 24 tered in the procurement of products for child nutrition pro-
 25 grams by—

1 “(1) *establishing guidelines and a timetable for*
2 *the Secretary to initiate debarment proceedings, as*
3 *well as establishing mandatory debarment periods;*
4 *and*

5 “(2) *providing training, technical advice, and*
6 *guidance in identifying and preventing the activities.*

7 “(b) *DEFINITIONS.—As used in this section:*

8 “(1) *CHILD NUTRITION PROGRAM.—The term*
9 *‘child nutrition program’ means—*

10 “(A) *the school lunch program established*
11 *under this Act;*

12 “(B) *the summer food service program for*
13 *children established under section 13;*

14 “(C) *the child and adult care food program*
15 *established under section 17;*

16 “(D) *the homeless children nutrition pro-*
17 *gram established under section 17B;*

18 “(E) *the special milk program established*
19 *under section 3 of the Child Nutrition Act of*
20 *1966 (42 U.S.C. 1772);*

21 “(F) *the school breakfast program estab-*
22 *lished under section 4 of such Act (42 U.S.C.*
23 *1773); and*

24 “(G) *the special supplemental nutrition*
25 *program for women, infants, and children au-*

1 *thorized under section 17 of such Act (42 U.S.C.*
2 *1786).*

3 “(2) *CONTRACTOR.*—*The term ‘contractor’ means*
4 *a person that contracts with a State, an agency of a*
5 *State, or a local agency to provide goods or services*
6 *in relation to the participation of a local agency in*
7 *a child nutrition program.*

8 “(3) *LOCAL AGENCY.*—*The term ‘local agency’*
9 *means a school, school food authority, child care cen-*
10 *ter, sponsoring organization, or other entity author-*
11 *ized to operate a child nutrition program at the local*
12 *level.*

13 “(4) *NONPROCUREMENT DEBARMENT.*—*The term*
14 *‘nonprocurement debarment’ means an action to bar*
15 *a person from programs and activities involving Fed-*
16 *eral financial and nonfinancial assistance, but not*
17 *including Federal procurement programs and activi-*
18 *ties.*

19 “(5) *PERSON.*—*The term ‘person’ means any in-*
20 *dividual, corporation, partnership, association, coop-*
21 *erative, or other legal entity, however organized.*

22 “(c) *ASSISTANCE TO IDENTIFY AND PREVENT FRAUD*
23 *AND ANTICOMPETITIVE ACTIVITIES.*—*The Secretary shall—*

24 “(1) *in cooperation with any other appropriate*
25 *individual, organization, or agency, provide advice,*

1 *training, technical assistance, and guidance (which*
 2 *may include awareness training, training films, and*
 3 *troubleshooting advice) to representatives of States*
 4 *and local agencies regarding means of identifying*
 5 *and preventing fraud and anticompetitive activities*
 6 *relating to the provision of goods or services in con-*
 7 *junction with the participation of a local agency in*
 8 *a child nutrition program; and*

9 *“(2) provide information to, and fully cooperate*
 10 *with, the Attorney General and State attorneys gen-*
 11 *eral regarding investigations of fraud and anti-*
 12 *competitive activities relating to the provision of*
 13 *goods or services in conjunction with the participa-*
 14 *tion of a local agency in a child nutrition program.*

15 *“(d) NONPROCUREMENT DEBARMENT.—*

16 *“(1) IN GENERAL.—Except as provided in para-*
 17 *graph (3) and subsection (e), not later than 180 days*
 18 *after notification of the occurrence of a cause for de-*
 19 *barment described in paragraph (2), the Secretary*
 20 *shall initiate nonprocurement debarment proceedings*
 21 *against the contractor who has committed the cause*
 22 *for debarment.*

23 *“(2) CAUSES FOR DEBARMENT.—Actions requir-*
 24 *ing initiation of nonprocurement debarment pursuant*
 25 *to paragraph (1) shall include a situation in which*

1 *a contractor is found guilty in any criminal proceed-*
2 *ing, or found liable in any civil or administrative*
3 *proceeding, in connection with the supplying, provid-*
4 *ing, or selling of goods or services to any local agency*
5 *in connection with a child nutrition program, of—*

6 *“(A) an anticompetitive activity, including*
7 *bid-rigging, price-fixing, the allocation of cus-*
8 *tomers between competitors, or other violation of*
9 *Federal or State antitrust laws;*

10 *“(B) fraud, bribery, theft, forgery, or embez-*
11 *zlement;*

12 *“(C) knowingly receiving stolen property;*

13 *“(D) making a false claim or statement; or*

14 *“(E) other obstruction of justice.*

15 *“(3) EXCEPTION.—If the Secretary determines*
16 *that a decision on initiating nonprocurement debar-*
17 *ment proceedings cannot be made within 180 days*
18 *after notification of the occurrence of a cause for de-*
19 *barment described in paragraph (2) because of the*
20 *need to further investigate matters relating to the pos-*
21 *sible debarment or for other good cause (as deter-*
22 *mined by the Secretary), the Secretary may have such*
23 *additional time as the Secretary considers necessary*
24 *to make a decision, but not to exceed an additional*
25 *180 days.*

1 “(4) *MANDATORY CHILD NUTRITION PROGRAM*
2 *DEBARMENT PERIODS.*—

3 “(A) *IN GENERAL.*—*Subject to the other*
4 *provisions of this paragraph and notwithstand-*
5 *ing any other provision of law except subsection*
6 *(e), if, after deciding to initiate nonprocurement*
7 *debarment proceedings pursuant to paragraph*
8 *(1), the Secretary decides to debar a contractor,*
9 *the debarment shall be for a period of not less*
10 *than 1 year.*

11 “(B) *PREVIOUS DEBARMENT.*—*If the con-*
12 *tractor has been previously debarred pursuant to*
13 *nonprocurement debarment proceedings initiated*
14 *pursuant to paragraph (1), and the cause for de-*
15 *barment is described in paragraph (2) based on*
16 *activities that occurred subsequent to the initial*
17 *debarment, the debarment shall be for a period*
18 *of not less than 3 years.*

19 “(C) *SCOPE.*—*At a minimum, a debarment*
20 *under this subsection shall serve to bar the con-*
21 *tractor for the specified period from contracting*
22 *to provide goods or services in conjunction with*
23 *the participation of a local agency in a child nu-*
24 *trition program.*

1 “(D) *REVERSAL, REDUCTION, OR EXCEP-*
 2 *TION.—Nothing in this section shall restrict the*
 3 *ability of the Secretary to—*

4 “(i) *reverse a debarment decision;*

5 “(ii) *reduce the period or scope of a de-*
 6 *barment;*

7 “(iii) *grant an exception permitting a*
 8 *debarred contractor to participate in a par-*
 9 *ticular contract to provide goods or services;*

10 *or*

11 “(iv) *otherwise settle a debarment ac-*
 12 *tion at any time;*

13 *in conjunction with the participation of a local*
 14 *agency in a child nutrition program, if the Sec-*
 15 *retary determines there is good cause for the ac-*
 16 *tion, after taking into account factors set forth in*
 17 *paragraphs (1) through (6) of subsection (e).*

18 “(5) *INFORMATION.—On request, the Secretary*
 19 *shall present to the appropriate congressional com-*
 20 *mittees information regarding the decisions required*
 21 *by this subsection.*

22 “(6) *RELATIONSHIP TO OTHER AUTHORITIES.—*
 23 *A debarment imposed under this section shall not re-*
 24 *duce or diminish the authority of a Federal, State, or*
 25 *local government agency or court to penalize, im-*

1 *prison, fine, suspend, debar, or take other adverse ac-*
2 *tion against a person in a civil, criminal, or admin-*
3 *istrative proceeding.*

4 “(7) *REGULATIONS.*—*The Secretary shall issue*
5 *such regulations as are necessary to carry out this*
6 *subsection.*

7 “(e) *MANDATORY DEBARMENT.*—*Notwithstanding any*
8 *other provision of this section, the Secretary shall initiate*
9 *the nonprocurement debarment proceedings described in*
10 *subsection (d)(1) against the contractor who has committed*
11 *a cause for debarment (as determined under subsection*
12 *(d)(2)), unless the action—*

13 “(1) *is likely to have a significant adverse effect*
14 *on competition or prices in the relevant market or na-*
15 *tionally;*

16 “(2) *will interfere with the ability of a local*
17 *agency to procure a needed product for a child nutri-*
18 *tion program;*

19 “(3) *is unfair to a person that is not involved*
20 *in the improper activity that would otherwise result*
21 *in the debarment;*

22 “(4) *is likely to have significant adverse eco-*
23 *nomie impacts on the local economy in a manner*
24 *that is unfair to innocent parties;*

1 “(5) is not justified in light of the penalties al-
 2 ready imposed on the contractor for violations rel-
 3 evant to the proposed debarment; or

4 “(6) is not in the public interest, or otherwise is
 5 not in the interests of justice, as determined by the
 6 Secretary.

7 “(f) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—
 8 Prior to seeking judicial review in a court of competent ju-
 9 risdiction, a contractor against whom a nonprocurement
 10 debarment proceeding has been initiated shall—

11 “(1) exhaust all administrative procedures pre-
 12 scribed by the Secretary; and

13 “(2) receive notice of the final determination of
 14 the Secretary.

15 “(g) INFORMATION RELATING TO PREVENTION AND
 16 CONTROL OF ANTICOMPETITIVE ACTIVITIES.—On request,
 17 the Secretary shall present to the appropriate congressional
 18 committees information regarding the activities of the Sec-
 19 retary relating to anticompetitive activities, fraud,
 20 nonprocurement debarment, and any waiver granted by the
 21 Secretary under this section.”.

22 “(c) APPLICABILITY.—Section 25 of the National School
 23 Lunch Act (as added by subsection (b)) shall not apply to
 24 a cause for debarment as described in section 25(d)(2) of

1 *such Act that is based on an activity that took place prior*
 2 *to the effective date of section 25 of such Act.*

3 *(d) NO REDUCTION IN AUTHORITY TO DEBAR OR SUS-*
 4 *PEND A PERSON FROM FEDERAL FINANCIAL AND NON-*
 5 *FINANCIAL ASSISTANCE AND BENEFITS.—The authority of*
 6 *the Secretary of Agriculture that exists on the day before*
 7 *the date of enactment of this Act to debar or suspend a per-*
 8 *son from Federal financial and nonfinancial assistance and*
 9 *benefits under Federal programs and activities shall not be*
 10 *diminished or reduced by this Act or the amendment made*
 11 *by subsection (b).*

12 **SEC. 121. NUTRITION EDUCATION PROMOTION PROGRAM.**

13 *The National School Lunch Act (42 U.S.C. 1751 et*
 14 *seq.) (as amended by section 120(b)) is further amended by*
 15 *adding at the end of each the following new section:*

16 **“SEC. 26. NUTRITION EDUCATION PROMOTION PROGRAM.**

17 *“(a) IN GENERAL.—The Secretary, using amounts re-*
 18 *ceived under subsection (d), shall establish a nutrition edu-*
 19 *cation promotion program to promote healthy eating habits*
 20 *among participants in the domestic food assistance pro-*
 21 *grams of the Department.*

22 *“(b) CONDUCT OF PROGRAM.—In carrying out the*
 23 *program described in subsection (a), the Secretary may—*

24 *“(1) develop or assist other persons in developing*
 25 *appropriate educational materials, including public*

1 *service announcements, promotional publications, and*
2 *press kits for the purpose of promoting nutrition edu-*
3 *cation;*

4 *“(2) distribute or assist other persons in distrib-*
5 *uting the materials to appropriate public or private*
6 *individuals and entities; and*

7 *“(3) provide funds to public or private individ-*
8 *uals and entities, including teachers, child care pro-*
9 *viders, physicians, health professional organizations,*
10 *food service personnel, school food authorities, and*
11 *community-based organizations for the purpose of as-*
12 *sisting the individuals and entities in conducting nu-*
13 *trition education promotion programs to promote*
14 *healthy eating habits among the participants in the*
15 *domestic food assistance programs of the Department.*

16 *“(c) COOPERATIVE AGREEMENTS AND GRANTS.—The*
17 *Secretary may enter into cooperative agreements with, and*
18 *make grants to, Federal agencies, State, and local govern-*
19 *ments, and other entities, to carry out the program de-*
20 *scribed in subsection (a).*

21 *“(d) GIFTS, BEQUESTS, AND DEVICES.—*

22 *“(1) IN GENERAL.—Notwithstanding any other*
23 *provision of law, the Secretary may solicit, accept,*
24 *use, and dispose of gifts, bequests, or devises of serv-*
25 *ices or property, both real and personal, for the pur-*

1 *pose of establishing and carrying out the program de-*
 2 *scribed in subsection (a). Gifts, bequests, or devises of*
 3 *money and proceeds from the sale of other property*
 4 *received as gifts, bequests, or devises shall be deposited*
 5 *in the Treasury and shall be available for disburse-*
 6 *ment on order of the Secretary.*

7 “(2) *CRITERIA FOR ACCEPTANCE.*—*The Sec-*
 8 *retary shall establish criteria for determining whether*
 9 *to solicit and accept gifts, bequests, or devises under*
 10 *paragraph (1), including criteria that would ensure*
 11 *that the acceptance of any gifts, bequests, or devises*
 12 *would not—*

13 *“(A) reflect unfavorably on the ability of the*
 14 *Secretary to carry out the responsibilities of the*
 15 *Secretary in a fair and objective manner; or*

16 *“(B) compromise, or appear to compromise,*
 17 *the integrity of any governmental program or*
 18 *any officer or employee involved in the pro-*
 19 *gram.”.*

20 ***SEC. 122. INFORMATION CLEARINGHOUSE.***

21 *The National School Lunch Act (42 U.S.C. 1751 et*
 22 *seq.) (as amended by section 121) is further amended by*
 23 *adding at the end the following new section:*

1 ***“SEC. 27. INFORMATION CLEARINGHOUSE.***

2 “(a) *IN GENERAL.*—The Secretary shall enter into a
3 contract with a nongovernmental organization described in
4 subsection (b) to establish and maintain a clearinghouse to
5 provide information to nongovernmental groups located
6 throughout the United States that assist low-income indi-
7 viduals or communities regarding food assistance, self-help
8 activities to aid individuals in becoming self-reliant, and
9 other activities that empower low-income individuals or
10 communities to improve the lives of low-income individuals
11 and reduce reliance on Federal, State, or local governmental
12 agencies for food or other assistance.

13 “(b) *NONGOVERNMENTAL ORGANIZATION.*—The non-
14 governmental organization referred to in subsection (a)
15 shall be selected on a competitive basis and shall—

16 “(1) *be experienced in the gathering of first-hand*
17 *information in all the States through onsite visits to*
18 *grassroots organizations in each State that fight hun-*
19 *ger and poverty or that assist individuals in becom-*
20 *ing self-reliant;*

21 “(2) *be experienced in the establishment of a*
22 *clearinghouse similar to the clearinghouse described*
23 *in subsection (a);*

24 “(3) *agree to contribute in-kind resources to-*
25 *wards the establishment and maintenance of the*
26 *clearinghouse and agree to provide clearinghouse in-*

1 *formation, free of charge, to the Secretary, States,*
2 *counties, cities, antihunger groups, and grassroots or-*
3 *ganizations that assist individuals in becoming self-*
4 *sufficient and self-reliant;*

5 “(4) *be sponsored by an organization, or be an*
6 *organization, that—*

7 “(A) *has helped combat hunger for at least*
8 *10 years;*

9 “(B) *is committed to reinvesting in the*
10 *United States; and*

11 “(C) *is knowledgeable regarding Federal nu-*
12 *trition programs;*

13 “(5) *be experienced in communicating the pur-*
14 *pose of the clearinghouse through the media, including*
15 *the radio and print media, and be able to provide ac-*
16 *cess to the clearinghouse information through com-*
17 *puter or telecommunications technology, as well as*
18 *through the mails; and*

19 “(6) *be able to provide examples, advice, and*
20 *guidance to States, counties, cities, communities,*
21 *antihunger groups, and local organizations regarding*
22 *means of assisting individuals and communities to*
23 *reduce reliance on government programs, reduce hun-*
24 *ger, improve nutrition, and otherwise assist low-in-*

1 *come individuals and communities become more self-*
 2 *sufficient.*

3 “(c) *AUDITS.—The Secretary shall establish fair and*
 4 *reasonable auditing procedures regarding the expenditures*
 5 *of funds to carry out this section.*

6 “(d) *FUNDING.—Out of any moneys in the Treasury*
 7 *not otherwise appropriated, the Secretary of the Treasury*
 8 *shall pay to the Secretary to provide to the organization*
 9 *selected under this section, to establish and maintain the*
 10 *information clearinghouse, \$200,000 for each of fiscal years*
 11 *1995 and 1996, \$150,000 for each of fiscal years 1997 and*
 12 *1998, and \$75,000 for fiscal year 1999. The Secretary shall*
 13 *be entitled to receive the funds and shall accept the funds.”.*

14 **SEC. 123. GUIDANCE AND GRANTS FOR ACCOMMODATING**
 15 **MEDICAL AND SPECIAL DIETARY NEEDS OF**
 16 **CHILDREN WITH DISABILITIES.**

17 *The National School Lunch Act (42 U.S.C. 1751 et*
 18 *seq.) (as amended by section 122) is further amended by*
 19 *adding at the end the following new section:*

20 **“SEC. 28. GUIDANCE AND GRANTS FOR ACCOMMODATING**
 21 **MEDICAL AND SPECIAL DIETARY NEEDS OF**
 22 **CHILDREN WITH DISABILITIES.**

23 “(a) *DEFINITIONS.—As used in this section:*

1 “(1) *CHILDREN WITH DISABILITIES*.—The term
2 ‘children with disabilities’ means individuals, each of
3 which is—

4 “(A) a participant in a covered program;
5 and

6 “(B) an individual with a disability, as de-
7 fined in section 7(8) of the Rehabilitation Act of
8 1973 (29 U.S.C. 706(8)) for purposes of section
9 504 of the Rehabilitation Act of 1973 (29 U.S.C.
10 794).

11 “(2) *COVERED PROGRAM*.—The term ‘covered
12 program’ means—

13 “(A) the school lunch program established
14 under this Act;

15 “(B) the school breakfast program estab-
16 lished under section 4 of the Child Nutrition Act
17 of 1966 (42 U.S.C. 1773); and

18 “(C) any other program established under
19 this Act or the Child Nutrition Act of 1966 (42
20 U.S.C. 1771 et seq.) that the Secretary deter-
21 mines is appropriate.

22 “(3) *ELIGIBLE ENTITY*.—The term ‘eligible en-
23 tity’ means a school food service authority, or institu-
24 tion or organization, that participates in a covered
25 program.

1 “(b) *GUIDANCE.*—

2 “(1) *DEVELOPMENT.*—*The Secretary, in con-*
3 *sultation with the Attorney General and the Secretary*
4 *of Education, shall develop and approve guidances for*
5 *accommodating the medical and special dietary needs*
6 *of children with disabilities under covered programs*
7 *in a manner that is consistent with section 504 of the*
8 *Rehabilitation Act of 1973 (29 U.S.C. 794).*

9 “(2) *TIMING.*—*In the case of the school lunch*
10 *program established under this Act and the school*
11 *breakfast program established under section 4 of the*
12 *Child Nutrition Act of 1966 (42 U.S.C. 1773), the*
13 *Secretary shall develop the guidance as required by*
14 *paragraph (1) not later than 90 days after the date*
15 *of enactment of this section.*

16 “(3) *DISTRIBUTION.*—*Not later than 60 days*
17 *after the date that the development of the guidance re-*
18 *lating to a covered program is completed, the Sec-*
19 *retary shall distribute the guidance to school food*
20 *service authorities, and institutions and organiza-*
21 *tions, participating in the covered program.*

22 “(4) *REVISION OF GUIDANCE.*—*The Secretary, in*
23 *consultation with the Attorney General and the Sec-*
24 *retary of Education, shall periodically update and*
25 *approve the guidance to reflect new scientific infor-*

1 *mation and comments and suggestions from persons*
2 *carrying out covered programs, recognized medical*
3 *authorities, parents, and other persons.*

4 *“(c) GRANTS.—*

5 *“(1) IN GENERAL.—Subject to the availability of*
6 *appropriations provided in advance to carry out this*
7 *subsection, the Secretary shall make grants on a com-*
8 *petitive basis to State educational agencies for dis-*
9 *tribution to eligible entities to assist the eligible enti-*
10 *ties with nonrecurring expenses incurred in accommo-*
11 *dating the medical and special dietary needs of chil-*
12 *dren with disabilities in a manner that is consistent*
13 *with section 504 of the Rehabilitation Act of 1973 (29*
14 *U.S.C. 794).*

15 *“(2) ADDITIONAL ASSISTANCE.—Subject to para-*
16 *graph (3)(A)(iii), assistance received through grants*
17 *made under this subsection shall be in addition to*
18 *any other assistance that State educational agencies*
19 *and eligible entities would otherwise receive.*

20 *“(3) ALLOCATION BY SECRETARY.—*

21 *“(A) PREFERENCE.—In making grants*
22 *under this subsection for any fiscal year, the Sec-*
23 *retary shall provide a preference to State edu-*
24 *cational agencies that, individually—*

1 “(i) submit to the Secretary a plan for
2 accommodating the needs described in para-
3 graph (1), including a description of the
4 purpose of the project for which the agency
5 seeks such a grant, a budget for the project,
6 and a justification for the budget;

7 “(ii) provide to the Secretary data
8 demonstrating that the State served by the
9 agency has a substantial percentage of chil-
10 dren with medical or special dietary needs,
11 and information explaining the basis for the
12 data; or

13 “(iii) demonstrate to the satisfaction of
14 the Secretary that the activities supported
15 through such a grant will be coordinated
16 with activities supported under other Fed-
17 eral, State, and local programs, including—

18 “(I) activities carried out under
19 title XIX of the Social Security Act (42
20 U.S.C. 1396 et seq.);

21 “(II) activities carried out under
22 the Individuals with Disabilities Edu-
23 cation Act (20 U.S.C. 1400 et seq.);
24 and

1 “(III) activities carried out under
2 section 19 of the Child Nutrition Act of
3 1966 (42 U.S.C. 1788) or by the food
4 service management institute estab-
5 lished under section 21.

6 “(B) REALLOCATION.—The Secretary shall
7 act in a timely manner to recover and reallocate
8 to other States any amounts provided to a State
9 educational agency under this subsection that
10 are not used by the agency within a reasonable
11 period (as determined by the Secretary).

12 “(C) APPLICATIONS.—The Secretary shall
13 allow State educational agencies to apply on an
14 annual basis for assistance under this subsection.

15 “(4) ALLOCATION BY STATE EDUCATIONAL AGEN-
16 CIES.—In allocating funds made available under this
17 subsection within a State, the State educational agen-
18 cy shall give a preference to eligible entities that dem-
19 onstrate the greatest ability to use the funds to carry
20 out the plan submitted by the State in accordance
21 with paragraph (3)(A)(i).

22 “(5) MAINTENANCE OF EFFORT.—Expenditures
23 of funds from State and local sources to accommodate
24 the needs described in paragraph (1) shall not be di-

1 *minished as a result of grants received under this sub-*
 2 *section.*

3 “(6) *AUTHORIZATION OF APPROPRIATIONS.—*
 4 *There are authorized to be appropriated \$1,000,000*
 5 *for each of fiscal years 1995 through 2000 to carry*
 6 *out this subsection.”.*

7 ***TITLE II—SCHOOL BREAKFAST***
 8 ***AND RELATED PROGRAMS***

9 ***SEC. 201. SCHOOL BREAKFAST PROGRAM.***

10 *(a) TECHNICAL ASSISTANCE FOR SCHOOL BREAKFAST*
 11 *PROGRAM.—Section 4(e)(1) of the Child Nutrition Act of*
 12 *1966 (42 U.S.C. 1773(e)(1)) is amended—*

13 *(1) by inserting “(A)” after “(1)”;* and

14 *(2) by adding at the end the following new sub-*
 15 *paragraph:*

16 *“(B) The Secretary shall provide through State edu-*
 17 *cational agencies technical assistance and training, includ-*
 18 *ing technical assistance and training in the preparation*
 19 *of lower-fat versions of foods commonly used in the school*
 20 *breakfast program established under this section, to schools*
 21 *participating in the school breakfast program to assist the*
 22 *schools in complying with the nutritional requirements pre-*
 23 *scribed by the Secretary pursuant to subparagraph (A) and*
 24 *in providing appropriate meals to children with medically*
 25 *certified special dietary needs. The Secretary shall provide*

1 *through State educational agencies additional technical as-*
 2 *sistance to schools that are having difficulty maintaining*
 3 *compliance with the requirements.”.*

4 *(b) STARTUP AND EXPANSION OF SCHOOL BREAKFAST*
 5 *PROGRAM AND SUMMER FOOD SERVICE PROGRAM FOR*
 6 *CHILDREN.—Subsection (g) of section 4 of the Child Nutri-*
 7 *tion Act of 1966 (42 U.S.C. 1773(g)) is amended to read*
 8 *as follows:*

9 *“STARTUP COSTS*

10 *“(g)(1) The Secretary shall make payments, totalling*
 11 *not less than \$5,000,000 for each of fiscal years 1991*
 12 *through 1996, \$6,000,000 for each of fiscal years 1997 and*
 13 *1998, and \$7,000,000 for fiscal year 1999 and each subse-*
 14 *quent fiscal year, on a competitive basis and in the follow-*
 15 *ing order of priority (subject to other provisions of this sub-*
 16 *section), to—*

17 *“(A) State educational agencies in a substantial*
 18 *number of States for distribution to eligible schools to*
 19 *assist the schools with nonrecurring expenses incurred*
 20 *in—*

21 *“(i) initiating a school breakfast program*
 22 *under this section; or*

23 *“(ii) expanding a school breakfast program;*
 24 *and*

1 “(B) a substantial number of States for distribu-
2 tion to service institutions to assist the institutions
3 with nonrecurring expenses incurred in—

4 “(i) initiating a summer food service pro-
5 gram for children; or

6 “(ii) expanding a summer food service pro-
7 gram for children.

8 “(2) Payments received under this subsection shall be
9 in addition to payments to which State agencies are enti-
10 tled under subsection (b) and section 13 of the National
11 School Lunch Act (42 U.S.C. 1761).

12 “(3) To be eligible to receive a payment under this sub-
13 section, a State educational agency shall submit to the Sec-
14 retary a plan to expand school breakfast programs con-
15 ducted in the State, including a description of the manner
16 in which the agency will provide technical assistance and
17 funding to schools in the State to expand the programs.

18 “(4) In making payments under this subsection for
19 any fiscal year to initiate or expand school breakfast pro-
20 grams, the Secretary shall provide a preference to State edu-
21 cational agencies that—

22 “(A) have in effect a State law that requires the
23 expansion of the programs during the year;

1 “(B) have significant public or private resources
2 that have been assembled to carry out the expansion
3 of the programs during the year;

4 “(C) do not have a breakfast program available
5 to a large number of low-income children in the State;
6 or

7 “(D) serve an unmet need among low-income
8 children, as determined by the Secretary.

9 “(5) In making payments under this subsection for
10 any fiscal year to initiate or expand summer food service
11 programs for children, the Secretary shall provide a pref-
12 erence to States—

13 “(A)(i) in which the numbers of children partici-
14 pating in the summer food service program for chil-
15 dren represent the lowest percentages of the number of
16 children receiving free or reduced price meals under
17 the national school lunch program established under
18 the National School Lunch Act (42 U.S.C. 1751 et
19 seq.); or

20 “(ii) that do not have a summer food service pro-
21 gram for children available to a large number of low-
22 income children in the State; and

23 “(B) that submit to the Secretary a plan to ex-
24 pand the summer food service programs for children
25 conducted in the State, including a description of—

1 “(i) the manner in which the State will
2 provide technical assistance and funding to serv-
3 ice institutions in the State to expand the pro-
4 grams; and

5 “(ii) significant public or private resources
6 that have been assembled to carry out the expan-
7 sion of the programs during the year.

8 “(6) The Secretary shall act in a timely manner to
9 recover and reallocate to other States any amounts provided
10 to a State educational agency or State under this subsection
11 that are not used by the agency or State within a reasonable
12 period (as determined by the Secretary).

13 “(7) The Secretary shall allow States to apply on an
14 annual basis for assistance under this subsection.

15 “(8) Each State agency and State, in allocating funds
16 within the State, shall give preference for assistance under
17 this subsection to eligible schools and service institutions
18 that demonstrate the greatest need for a breakfast program
19 or a summer food service program for children, respectively.

20 “(9) Expenditures of funds from State and local
21 sources for the maintenance of the breakfast program and
22 the summer food service program for children shall not be
23 diminished as a result of payments received under this sub-
24 section.

25 “(10) As used in this subsection:

1 “(A) The term ‘eligible school’ means a school—

2 “(i) attended by children a significant per-
3 centage of whom are members of low-income
4 families; and

5 “(ii) that agrees to operate the breakfast
6 program established with the assistance provided
7 under this section for a period of not less than
8 3 years.

9 “(B) The term ‘service institutions’ means an in-
10 stitution or organization described in paragraph
11 (1)(B) or (7) of section 13(a) of the National School
12 Lunch Act (42 U.S.C. 1761(a)(1)(B) or (7)).

13 “(C) The term ‘summer food service program for
14 children’ means a program authorized by section 13
15 of such Act (42 U.S.C. 1761).”.

16 **SEC. 202. STATE ADMINISTRATIVE EXPENSES.**

17 (a) *FUNDING FOR HOMELESS CHILDREN NUTRITION*
18 *PROGRAM.*—Section 7(a) of the Child Nutrition Act of 1966
19 (42 U.S.C. 1776(a)) is amended—

20 (1) in the second sentence of paragraph (1), by
21 striking “paragraphs (2), (3), and (4) of this sub-
22 section” and inserting “paragraphs (2) through (5)”;
23 and

24 (2) in paragraph (5), by striking subparagraph
25 (B) and inserting the following new subparagraph:

1 “(B)(i) Notwithstanding any other provision of this
 2 subsection, of the amounts that are provided under para-
 3 graph (1), before making the allocations required under
 4 paragraphs (2), (3), and (4), the Secretary shall allocate
 5 \$3,000,000 for fiscal year 1995 and each subsequent fiscal
 6 year to carry out section 17B of the National School Lunch
 7 Act.

8 “(ii) After making the allocations required under
 9 clause (i) and paragraphs (2), (3), and (4), the Secretary
 10 shall allocate, for purposes of administrative costs, any re-
 11 maining amounts among States that demonstrate a need
 12 for the amounts.”.

13 (b) WITHHOLDING OF FUNDS FOR SERIOUS DEFICI-
 14 CIENCY IN STATE ADMINISTRATION OF PROGRAMS.—Sec-
 15 tion 7(a) of such Act (42 U.S.C. 1776(a)) is amended by
 16 adding at the end the following new paragraph:

17 “(9)(A) If the Secretary determines that the adminis-
 18 tration of any program by a State under this Act (other
 19 than section 17) or under the National School Lunch Act
 20 (42 U.S.C. 1751 et seq.), or compliance with a regulation
 21 issued to carry out a program pursuant to either of such
 22 Acts, is seriously deficient, and the State fails to correct
 23 the deficiency within a period of time specified by the Sec-
 24 retary, the Secretary may withhold from the State all or
 25 part of the funds allocated to the State under this section

1 *and sections 13(k)(1) and 17 of the National School Lunch*
 2 *Act (42 U.S.C. 1761(k)(1) and 1766).*

3 “(B) *On a subsequent determination by the Secretary*
 4 *that the administration of the program for which the Sec-*
 5 *retary withheld funds under subparagraph (A), or compli-*
 6 *ance with the regulation issued to carry out the program,*
 7 *is no longer seriously deficient and is carried out in an*
 8 *acceptable manner, the Secretary may allocate all or part*
 9 *of the funds withheld under subparagraph (A) to the*
 10 *State.”.*

11 (c) *EXTENSION OF AUTHORITY TO PROVIDE FUNDS*
 12 *FOR STATE ADMINISTRATIVE EXPENSES.—Section 7(h) of*
 13 *such Act (42 U.S.C. 1776(h)) is amended by striking*
 14 *“1994” and inserting “1998”.*

15 (d) *PROHIBITION OF FUNDING UNLESS STATE*
 16 *AGREES TO PARTICIPATE IN CERTAIN STUDIES OR SUR-*
 17 *VEYS.—Section 7 of such Act (42 U.S.C. 1776) is amend-*
 18 *ed—*

19 (1) *by redesignating subsection (h) as subsection*
 20 (i); and

21 (2) *by inserting after subsection (g) the following*
 22 *new subsection:*

23 “(h) *The Secretary may not provide amounts under*
 24 *this section to a State for administrative costs incurred in*
 25 *any fiscal year unless the State agrees to participate in*

1 *each study or survey of a program authorized under this*
 2 *Act or the National School Lunch Act (42 U.S.C. 1751 et*
 3 *seq.) that is conducted by the Secretary.”.*

4 ***SEC. 203. COMPETITIVE FOODS OF MINIMAL NUTRITIONAL***
 5 ***VALUE.***

6 *Section 10 of the Child Nutrition Act of 1966 (42*
 7 *U.S.C. 1779) is amended—*

8 *(1) by designating the first, second, and third*
 9 *sentences as subsections (a), (b), and (c), respectively;*

10 *(2) in subsection (b) (as so designated)—*

11 *(A) by striking “Such regulations” and in-*
 12 *serting “(1) The regulations”; and*

13 *(B) by adding at the end the following new*
 14 *paragraphs:*

15 *“(2) The Secretary shall develop and provide to ele-*
 16 *mentary schools, through each State agency, model language*
 17 *that bans the sale of competitive foods of minimal nutri-*
 18 *tional value anywhere on elementary school grounds before*
 19 *the end of the last lunch period.*

20 *“(3) The Secretary shall provide to secondary schools,*
 21 *through State agencies, a copy of regulations (in existence*
 22 *on the effective date of this paragraph) concerning the sale*
 23 *of competitive foods of minimal nutritional value.*

1 “(4) Paragraphs (2) and (3) shall not apply to a State
2 that has in effect a ban on the sale of competitive foods
3 of minimal nutritional value in schools in the State.”.

4 **SEC. 204. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.**

5 (a) *DEFINITION OF NUTRITIONAL RISK.*—Section
6 17(b)(8) of the Child Nutrition Act of 1966 (42 U.S.C.
7 1786(b)(8)) is amended—

8 (1) by redesignating subparagraph (D) as sub-
9 paragraph (E);

10 (2) by inserting after “health,” at the end of sub-
11 paragraph (C) the following new subparagraph: “(D)
12 conditions that directly affect the nutritional health of
13 a person, such as alcoholism or drug abuse,”; and

14 (3) in subparagraph (E) (as so redesignated), by
15 striking “alcoholism and drug addiction, homeless-
16 ness, and” and inserting “homelessness and”.

17 (b) *PRESUMPTIVE ELIGIBILITY.*—Section 17(d)(3) of
18 such Act (42 U.S.C. 1786(d)(3)) is amended—

19 (1) by inserting “(A)” after “(3)”; and

20 (2) by adding at the end the following new sub-
21 paragraph:

22 “(B) Under the procedures, a pregnant woman who
23 meets the income eligibility standards shall be considered
24 presumptively eligible to participate in the program and
25 shall be certified for participation immediately, without de-

1 *laying certification until an evaluation is made concerning*
 2 *nutritional risk. A nutritional risk evaluation of the woman*
 3 *shall be completed not later than 60 days after the woman*
 4 *is certified for participation. If it is subsequently deter-*
 5 *mined that the woman does not meet nutritional risk cri-*
 6 *teria, the certification of the woman shall terminate on the*
 7 *date of the determination.”.*

8 (c) *TECHNICAL CORRECTIONS.—Section 17(e) of such*
 9 *Act (42 U.S.C. 1786(e)) is amended by redesignating para-*
 10 *graph (3) (as added by section 123(a)(3)(D) of the Child*
 11 *Nutrition and WIC Reauthorization Act of 1989 (Public*
 12 *Law 101–147; 103 Stat. 895)) and paragraphs (4) and (5)*
 13 *as paragraphs (4), (5), and (6), respectively.*

14 (d) *COORDINATION OF WIC AND MEDICAID PROGRAMS*
 15 *USING MANAGED CARE PROVIDERS.—Section*
 16 *17(f)(1)(C)(iii) is amended by inserting before the semi-*
 17 *colon at the end the following: “, including medicaid pro-*
 18 *grams that use managed care providers under section*
 19 *1903(m) or 1915(b) of the Social Security Act (42 U.S.C.*
 20 *1396b(m) or 1396n(b)) (including coordination through the*
 21 *referral of potentially eligible women, infants, and children*
 22 *between the program authorized under this section and the*
 23 *medicaid program)”.*

24 (e) *PRIORITY CONSIDERATION FOR CERTAIN MIGRANT*
 25 *POPULATIONS.—The first sentence of section 17(f)(3) of*

1 *such Act (42 U.S.C. 1786(f)(3)) is amended by inserting*
 2 *before the period at the end the following: “and shall ensure*
 3 *that local programs provide priority consideration to serv-*
 4 *ing migrant participants who are residing in the State for*
 5 *a limited period of time”.*

6 (f) *INCOME ELIGIBILITY GUIDELINES.—Paragraph*
 7 *(18) of section 17(f) of such Act (42 U.S.C. 1786(f)(18))*
 8 *is amended to read as follows:*

9 “(18) *Not later than July 1 of each year, a State agen-*
 10 *cy may implement income eligibility guidelines under this*
 11 *section concurrently with the implementation of income eli-*
 12 *gibility guidelines under the medicaid program established*
 13 *under title XIX of the Social Security Act (42 U.S.C. 1396*
 14 *et seq.).”.*

15 (g) *USE OF RECOVERED PROGRAM FUNDS IN YEAR*
 16 *COLLECTED.—Section 17(f) of such Act (42 U.S.C. 1786(f))*
 17 *is amended by adding at the end the following new para-*
 18 *graph:*

19 “(23) *A State agency may use funds recovered as a*
 20 *result of violations in the food delivery system of the pro-*
 21 *gram in the year in which the funds are collected for the*
 22 *purpose of carrying out the program.”.*

23 (h) *EXTENSION OF PROGRAM.—Section 17 of such Act*
 24 *(42 U.S.C. 1786) is amended—*

1 (1) *in the first sentence of subsection (g)(1), by*
 2 *striking “1991, 1992, 1993, and 1994” and inserting*
 3 *“1991 through 1998”; and*

4 (2) *in the first sentence of subsection (h)(2)(A),*
 5 *by striking “1990, 1991, 1992, 1993 and 1994” and*
 6 *inserting “1990 through 1998”.*

7 (i) *USE OF FUNDS FOR TECHNICAL ASSISTANCE AND*
 8 *RESEARCH EVALUATION PROJECTS.—Section 17(g)(5) of*
 9 *such Act (42 U.S.C. 1786(g)(5)) is amended—*

10 (1) *by striking “and administration of pilot*
 11 *projects” and inserting “administration of pilot*
 12 *projects”;*

13 (2) *by inserting before the period at the end the*
 14 *following: “, and carrying out technical assistance*
 15 *and research evaluation projects of the programs es-*
 16 *tablished under this section”; and*

17 (3) *by adding at the end the following new sen-*
 18 *tence: “The Secretary may allow the interagency*
 19 *transfer of funds made available to carry out this*
 20 *paragraph to Federal and other agencies to carry out*
 21 *projects and initiatives that are consistent with pro-*
 22 *gram goals.”.*

23 (j) *BREASTFEEDING PROMOTION AND SUPPORT AC-*
 24 *TIVITIES.—*

1 (1) *IN GENERAL.*—Section 17(h)(3) of such Act
2 (42 U.S.C. 1786(h)(3)) is amended—

3 (A) in subparagraph (A)(i)(II), by striking
4 “\$8,000,000,” and inserting “the national mini-
5 mum breastfeeding promotion expenditure, as de-
6 scribed in subparagraph (E),”; and

7 (B) by adding at the end the following new
8 subparagraph:

9 “(E) The national minimum breastfeeding promotion
10 expenditure shall be—

11 “(i) with respect to fiscal year 1995, the amount
12 that is equal to \$21 multiplied by the number of preg-
13 nant women and breastfeeding women participating
14 in the program, based on the average number of preg-
15 nant women and breastfeeding women during the last
16 3 months for which the Secretary has final data; and

17 “(ii) with respect to each of fiscal years 1996
18 through 1998, the amount described in clause (i) ad-
19 justed for inflation in accordance with paragraph
20 (1)(B)(ii).”.

21 (2) *IMPLEMENTATION.*—The Secretary of Agri-
22 culture may permit a State agency a period of not
23 more than 2 years after the effective date of this sub-
24 section to comply with the expenditure required by
25 reason of the amendments made by paragraph (1).

1 (k) *DEVELOPMENT OF STANDARDS FOR THE COLLEC-*
 2 *TION OF BREASTFEEDING DATA.*—Section 17(h)(4) of such
 3 Act (42 U.S.C. 1786(h)(4)) is amended—

4 (1) by striking “and” at the end of subpara-
 5 graph (C);

6 (2) by striking the period at the end of subpara-
 7 graph (D) and inserting “; and”; and

8 (3) by adding at the end the following new sub-
 9 paragraph:

10 “(E)(i) not later than 1 year after the effective
 11 date of this subparagraph, develop uniform require-
 12 ments for the collection of data regarding the inci-
 13 dence and duration of breastfeeding among partici-
 14 pants in the program; and

15 “(ii) effective beginning on the date of the estab-
 16 lishment of the uniform requirements, require each
 17 State agency to report the data for inclusion in the
 18 report to Congress described in subsection (d)(4).”.

19 (l) *SUBMISSION OF INFORMATION TO CONGRESS ON*
 20 *WAIVERS WITH RESPECT TO PROCUREMENT OF INFANT*
 21 *FORMULA.*—Section 17(h)(8)(D)(iii) of such Act (42 U.S.C.
 22 1786(h)(8)(D)(iii)) is amended by striking “at 6-month in-
 23 tervals” and inserting “on a timely basis”.

24 (m) *COST CONTAINMENT.*—

1 (1) *IN GENERAL.*—Section 17(h)(8)(G) (42
2 *U.S.C. 1786(h)(8)(G)) is amended—*

3 *(A) in clause (i)—*

4 *(i) in the first sentence, by striking*
5 *“The” and inserting “During each of fiscal*
6 *years 1995 and 1996, the”; and*

7 *(ii) by striking the second sentence and*
8 *inserting the following new sentence: “If an*
9 *offer made under the preceding sentence re-*
10 *sults in the implementation of contracts by*
11 *2 or more State agencies, the Secretary*
12 *shall also make offers in accordance with*
13 *the preceding sentence during each of fiscal*
14 *years 1997 and 1998.”;*

15 *(B) in clause (viii), by inserting after the*
16 *first sentence the following new sentence: “In*
17 *conducting an offer under this clause, the Sec-*
18 *retary shall attempt to develop and use procure-*
19 *ment procedures that are likely to be broadly ac-*
20 *ceptable among State agencies.”; and*

21 *(C) by adding at the end the following new*
22 *clause:*

23 *“(ix) If an offer made under clause (i) results in the*
24 *implementation of contracts by 2 or more State agencies,*
25 *the Secretary shall promptly offer to solicit bids on behalf*

1 of State agencies regarding cost containment contracts to
 2 be entered into by infant cereal or infant juice manufactur-
 3 ers, or both, and State agencies. In carrying out this clause,
 4 the Secretary shall, to the maximum extent feasible, follow
 5 the procedures prescribed in this subparagraph regarding
 6 offers made by the Secretary with regard to soliciting bids
 7 regarding infant formula cost containment contracts. If the
 8 offer of the Secretary to solicit bids regarding cost contain-
 9 ment contracts for infant cereal or infant juice, or both,
 10 results in the implementation of contracts by 2 or more
 11 State agencies, the Secretary shall renew the offer at appro-
 12 priate intervals.”.

13 (2) REPEAL OF TERMINATION OF AUTHORITY.—
 14 Section 209 of the WIC Infant Formula Procurement
 15 Act of 1992 (Public Law 102–512; 42 U.S.C. 1786
 16 note) is repealed.

17 (n) PROHIBITION ON INTEREST LIABILITY TO FED-
 18 ERAL GOVERNMENT ON REBATE FUNDS.—Section 17(h)(8)
 19 of such Act (42 U.S.C. 1786(h)(8)) is amended by adding
 20 at the end the following new subparagraph:

21 “(L) A State shall not incur an interest liability to
 22 the Federal Government on rebate funds for infant formula
 23 and other foods if all interest earned by the State on the
 24 funds is used to carry out the program.”.

1 (o) *USE OF UNSPENT NUTRITION SERVICES AND AD-*
 2 *MINISTRATION FUNDS.*—Section 17(h) of such Act (42
 3 *U.S.C. 1786(h)) is amended by adding at the end the follow-*
 4 *ing new paragraph:*

5 “(10)(A) *For each of fiscal years 1995 through 1998,*
 6 *the Secretary shall use, for the purposes specified in sub-*
 7 *paragraph (B), the lesser of \$10,000,000 or the amount of*
 8 *unspent funds for nutrition services and administration*
 9 *from the previous fiscal year.*

10 “(B) *Funds under subparagraph (A) shall be used*
 11 *for—*

12 “(i) *the development of infrastructure for the*
 13 *program under this section, including management*
 14 *information systems;*

15 “(ii) *special State projects of regional or na-*
 16 *tional significance directed toward improving the*
 17 *services of the program under this section; and*

18 “(iii) *special breastfeeding support and pro-*
 19 *motion projects, including projects to assess the effec-*
 20 *tiveness of particular breastfeeding promotion strate-*
 21 *gies and to develop State or local agency capacity or*
 22 *facilities to provide quality breastfeeding services.”.*

23 (p) *SPENDBACK FUNDS.*—Section 17(i)(3) of such Act
 24 *(42 U.S.C. 1786(i)(3)) is amended—*

1 (1) in subparagraph (A)(i), by inserting “(except
2 as provided in subparagraph (H))” after “1 percent”;
3 and

4 (2) by adding at the end the following new sub-
5 paragraph:

6 “(H) The Secretary may authorize a State agency to
7 expend not more than 3 percent of the amount of funds allo-
8 cated to a State under this section for supplemental foods
9 for a fiscal year for expenses incurred under this section
10 for supplemental foods during the preceding fiscal year, if
11 the Secretary determines that there has been a significant
12 reduction in rebates provided to the State agency that
13 would affect the ability of the State agency to at least main-
14 tain the level of participation by eligible participants
15 served by the State agency.”.

16 (q) *ELIMINATION OF DUPLICATIVE MIGRANT RE-*
17 *PORTS.*—Section 17 of such Act (42 U.S.C. 1786) is amend-
18 ed—

19 (1) in subsection (d)(4), by inserting after “Con-
20 gress” the following: “and the National Advisory
21 Council on Maternal, Infant, and Fetal Nutrition es-
22 tablished under subsection (k)”;

23 (2) by striking subsection (j).

24 (r) *INITIATIVE TO PROVIDE PROGRAM SERVICES AT*
25 *COMMUNITY AND MIGRANT HEALTH CENTERS.*—Section 17

1 *of such Act (42 U.S.C. 1786) (as amended by subsection*
2 *(q)(2)) is further amended by inserting after subsection (i)*
3 *the following new subsection:*

4 “(j)(1) *The Secretary and the Secretary of Health and*
5 *Human Services (referred to in this subsection as the ‘Sec-*
6 *retaries’) shall jointly establish and carry out an initiative*
7 *for the purpose of providing both supplemental foods and*
8 *nutrition education under the special supplemental nutri-*
9 *tion program and health care services to low-income preg-*
10 *nant, postpartum, and breastfeeding women, infants, and*
11 *children at substantially more community health centers*
12 *and migrant health centers than are served on the date of*
13 *enactment of the Better Nutrition and Health for Children*
14 *Act of 1994.*

15 “(2) *The initiative shall also include—*

16 “(A) *activities to improve the coordination of the*
17 *provision of supplemental foods and nutrition edu-*
18 *cation under the special supplemental nutrition pro-*
19 *gram and health care services at facilities funded by*
20 *the Indian Health Service; and*

21 “(B) *the development and implementation of*
22 *strategies to ensure that, to the maximum extent fea-*
23 *sible, new community health centers, migrant health*
24 *centers, and other federally supported health care fa-*
25 *cilities established in medically underserved areas*

1 *provide supplemental foods and nutrition education*
 2 *under the special supplemental nutrition program.*

3 “(3) *The initiative may include—*

4 “(A) *outreach and technical assistance for State*
 5 *and local agencies and the health centers referred to*
 6 *in subparagraphs (A) and (B) of paragraph (2);*

7 “(B) *demonstration projects in selected States or*
 8 *local areas; and*

9 “(C) *such other activities as the Secretaries con-*
 10 *sider appropriate.*

11 “(4) *As used in this subsection:*

12 “(A) *The term ‘community health center’ has the*
 13 *meaning provided in section 330(a) of the Public*
 14 *Health Service Act (42 U.S.C. 254c(a)).*

15 “(B) *The term ‘migrant health center’ has the*
 16 *meaning provided in section 329(a)(1) of such Act*
 17 *(42 U.S.C. 254b(a)(1)).”.*

18 *(s) FARMERS’ MARKET NUTRITION PROGRAM.—*

19 *(1) MATCHING REQUIREMENT FOR INDIAN STATE*
 20 *AGENCIES.—Section 17(m)(3) of such Act (42 U.S.C.*
 21 *1786(m)(3)) is amended by adding at the end the fol-*
 22 *lowing new sentence: “The Secretary may negotiate*
 23 *with an Indian State agency a lower percentage of*
 24 *matching funds than is required under the preceding*
 25 *sentence, but not lower than 10 percent of the total*

1 *cost of the program, if the Indian State agency dem-*
 2 *onstrates to the Secretary financial hardship for the*
 3 *affected Indian tribe, band, group, or council.”.*

4 (2) *EXPANSION.—Section 17(m)(5)(F) of such*
 5 *Act (42 U.S.C. 1786(m)(5)(F)) is amended—*

6 (A) *in clause (i), by striking “15 percent”*
 7 *and inserting “17 percent”; and*

8 (B) *by striking clause (ii) and inserting the*
 9 *following new clause:*

10 “(ii) *During any fiscal year for which a State receives*
 11 *assistance under this subsection, the Secretary shall permit*
 12 *the State to use up to 1 percent of total program funds*
 13 *for market development or technical assistance to farmers’*
 14 *markets if the Secretary determines that the State intends*
 15 *to promote the development of farmers’ markets in socially*
 16 *or economically disadvantaged areas, or remote rural areas,*
 17 *where individuals eligible for participation in the program*
 18 *have limited access to locally grown fruits and vegetables.”.*

19 (3) *NOTIFICATION OF AWARD OF FUNDS.—Sec-*
 20 *tion 17(m)(6)(A) of such Act (42 U.S.C.*
 21 *1786(m)(6)(A)) is amended by adding at the end the*
 22 *following new sentence: “The Secretary shall inform*
 23 *each State of the award of funds as prescribed by sub-*
 24 *paragraph (G) by February 15 of each year.”.*

1 (4) *MINIMUM AMOUNT OF GRANTS.*—Section
 2 17(m)(6)(B)(ii) of such Act (42 U.S.C.
 3 1786(m)(6)(B)(ii)) is amended by striking “\$50,000”
 4 each place it appears and inserting “\$75,000”.

5 (5) *STATE PLAN SUBMISSION DATE.*—Section
 6 17(m)(6)(D)(i) of such Act (42 U.S.C.
 7 1786(m)(6)(D)(i)) is amended by striking “at such
 8 time and in such manner as the Secretary may rea-
 9 sonably require” and inserting “by November 15 of
 10 each year”.

11 (6) *MAINTENANCE OF EFFORT.*—Section
 12 17(m)(6)(F)(iii) of such Act (42 U.S.C.
 13 1786(m)(6)(F)(iii)) is amended by striking “reduce
 14 in any fiscal year” and inserting “reduce, in the first
 15 full fiscal year of the Federal grant,”.

16 (7) *ALLOCATION OF ADDITIONAL FUNDS.*—Sec-
 17 tion 17(m)(6)(G) of such Act (42 U.S.C.
 18 1786(m)(6)(G)) is amended—

19 (A) in the first sentence of clause (i), by
 20 striking “45 to 55 percent” and inserting “60
 21 percent”; and

22 (B) in the first sentence of clause (ii), by
 23 striking “45 to 55 percent” and inserting “40
 24 percent”.

1 (8) *DATA COLLECTION REQUIREMENTS.*—Section
 2 17(m)(8) of such Act (42 U.S.C. 1786(m)(8)) is
 3 amended by striking subparagraphs (D) and (E) and
 4 inserting the following new subparagraphs:

5 “(D) if available, information on the change in
 6 consumption of fresh fruits and vegetables by recipi-
 7 ents;

8 “(E) if available, information on the effects of
 9 the program on farmers’ markets; and”.

10 (9) *AUTHORIZATION OF APPROPRIATIONS.*—Sec-
 11 tion 17(m)(10)(A) of such Act (42 U.S.C.
 12 1786(m)(10)(A)) is amended by striking “and
 13 \$8,000,000 for fiscal year 1994” and inserting
 14 “\$8,000,000 for fiscal year 1994, \$10,500,000 for fis-
 15 cal year 1995, \$12,500,000 for fiscal year 1996,
 16 \$15,000,000 for fiscal year 1997, and \$18,000,000 for
 17 fiscal year 1998”.

18 (10) *ELIMINATION OF REALLOCATION OF UNEX-*
 19 *PENDED FUNDS OF DEMONSTRATION PROJECTS.*—Sec-
 20 tion 17(m)(10)(B)(ii) of such Act (42 U.S.C.
 21 1786(m)(10)(B)(ii)) is amended by striking the sec-
 22 ond sentence.

23 (11) *DEFINITION OF STATE AGENCY.*—Section
 24 17(m)(11)(D) of such Act (42 U.S.C. 1786(m)(11)(D))
 25 is amended by inserting before the period at the end

1 the following: “or any other agency approved by the
2 chief executive officer of the State”.

3 (12) *PROMOTION BY THE SECRETARY.*—The Sec-
4 retary of Agriculture shall promote the use of farmers’
5 markets by recipients of Federal nutrition programs
6 administered by the Secretary.

7 (t) *CHANGE IN NAME OF PROGRAM.*—

8 (1) *IN GENERAL.*—Section 17 of such Act (42
9 U.S.C. 1786) is amended—

10 (A) by striking the section heading and in-
11 serting the following new section heading:

12 “SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
13 WOMEN, INFANTS, AND CHILDREN”;

14 (B) in the first sentence of subsection (c)(1),
15 by striking “special supplemental food program”
16 and inserting “special supplemental nutrition
17 program”;

18 (C) in the second sentence of subsection
19 (k)(1), by striking “special supplemental food
20 program” each place it appears and inserting
21 “special supplemental nutrition program”; and

22 (D) in subsection (o)(1)(B), by striking
23 “special supplemental food program” and insert-
24 ing “special supplemental nutrition program”.

25 (2) *CONFORMING AMENDMENTS.*—

1 (A) *The second sentence of section 9(c) of*
2 *the Food Stamp Act of 1977 (7 U.S.C. 2018(c))*
3 *is amended by striking “special supplemental*
4 *food program” and inserting “special supple-*
5 *mental nutrition program”.*

6 (B) *Section 685(b)(8) of the Individuals*
7 *with Disabilities Education Act (20 U.S.C.*
8 *1484a(b)(8)) is amended by striking “Special*
9 *Supplemental Food Program for Women, Infants*
10 *and Children” and inserting “special supple-*
11 *mental nutrition program for women, infants,*
12 *and children”.*

13 (C) *Section 3803(c)(2)(C)(x) of title 31,*
14 *United States Code, is amended by striking “spe-*
15 *cial supplemental food program” and inserting*
16 *“special supplemental nutrition program”.*

17 (D) *Section 399(b)(6) of the Public Health*
18 *Service Act (42 U.S.C. 280c–6(b)(6)) is amended*
19 *by striking “special supplemental food program”*
20 *and inserting “special supplemental nutrition*
21 *program”.*

22 (E) *Paragraphs (11)(C) and (53)(A) of sec-*
23 *tion 1902(a) of the Social Security Act (42*
24 *U.S.C. 1396a(a)) are each amended by striking*

1 *“special supplemental food program” and insert-*
 2 *ing “special supplemental nutrition program”.*

3 (F) Section 202(b) of the WIC Infant For-
 4 mula Procurement Act of 1992 (Public Law
 5 102–512; 42 U.S.C. 1786 note) is amended by
 6 striking *“special supplemental food program”*
 7 and inserting *“special supplemental nutrition*
 8 *program”.*

9 (3) REFERENCES.—Any reference to the special
 10 supplemental food program established under section
 11 17 of the Child Nutrition Act of 1966 (42 U.S.C.
 12 1786) in any law, regulation, document, record, or
 13 other paper of the United States shall be considered
 14 to be a reference to the special supplemental nutrition
 15 program established under such section.

16 **SEC. 205. NUTRITION EDUCATION AND TRAINING PRO-**
 17 **GRAM.**

18 (a) NAME OF PROGRAM.—Section 19 of the Child Nu-
 19 trition Act of 1966 (42 U.S.C. 1788) is amended by striking
 20 *“information and education”* each place it appears in sub-
 21 sections (b), (c), (d)(1), and (j)(1) and inserting *“education*
 22 *and training”.*

23 (b) NUTRITION EDUCATION PROGRAMS.—The second
 24 sentence of section 19(c) of such Act (42 U.S.C. 1788(c))
 25 is amended—

1 (1) in subparagraph (B), by striking “school
2 food service” and inserting “child nutrition pro-
3 gram”;

4 (2) by striking “and” at the end of subpara-
5 graph (C); and

6 (3) by inserting before the period at the end the
7 following: “; and (E) providing information to par-
8 ents and caregivers regarding the nutritional value of
9 food and the relationship between food and health”.

10 (c) *NUTRITION EDUCATION AND TRAINING*.—Section
11 19(d) of such Act (42 U.S.C. 1788(d)) is amended—

12 (1) in paragraph (1)(C), by inserting before the
13 period at the end the following: “, and the provision
14 of nutrition education to parents and caregivers”;

15 (2) in the first sentence of paragraph (4), by
16 striking “educational and school food service person-
17 nel” and inserting “educational, school food service,
18 child care, and summer food service personnel”; and

19 (3) in the first sentence of paragraph (5), by in-
20 serting after “schools” the following: “, and in child
21 care institutions and summer food service institu-
22 tions,”.

23 (d) *USE OF FUNDS*.—Section 19(f) of such Act (42
24 U.S.C. 1788(f)) is amended—

1 (1) by striking paragraph (1) and inserting the
2 following new paragraph:

3 “(1) The funds made available under this section may,
4 under guidelines established by the Secretary, be used by
5 a State educational agency for—

6 “(A) employing a nutrition education specialist
7 to coordinate the program, including travel and relat-
8 ed personnel costs;

9 “(B) undertaking an assessment of the nutrition
10 education needs of the State;

11 “(C) developing and carrying out a State plan
12 of operation and management for nutrition edu-
13 cation;

14 “(D) coordinating and promoting nutrition edu-
15 cation and training activities in local school districts
16 (incorporating, to the maximum extent practicable, as
17 a learning laboratory, the child nutrition programs);

18 “(E) contracting with public and private non-
19 profit educational institutions for the conduct of nu-
20 trition education instruction and programs relating
21 to the purpose of this section;

22 “(F) providing funding for a nutrition compo-
23 nent in the health education curriculum offered to
24 children in kindergarten through grade 12;

1 “(G) instructing teachers, school administrators,
2 or other school staff on how to promote better nutri-
3 tional health and to motivate children to practice
4 sound eating habits;

5 “(H) developing means of providing nutrition
6 education to children, and families of children,
7 through after-school programs;

8 “(I) creating instructional programming for
9 teachers, food service personnel, and parents on the
10 relationships between nutrition and health and the
11 role of the Food Guide Pyramid established by the
12 Secretary;

13 “(J) encouraging public service advertisements to
14 promote healthy eating habits for children; and

15 “(K) achieving related nutrition education pur-
16 poses, including the preparation, testing, distribution,
17 and evaluation of visual aids and other informational
18 and educational materials.”; and

19 (2) by striking paragraph (3) and inserting the
20 following new paragraph:

21 “(3) A State agency may use an amount equal to not
22 more than 15 percent of the funds made available through
23 a grant under this section for expenditures for overall ad-
24 ministrative and supervisory or program purposes in con-
25 nection with the program authorized under this section if

1 *the State makes available at least an equal amount for the*
2 *expenditures.”.*

3 (e) *STATE COORDINATORS FOR NUTRITION; STATE*
4 *PLAN.—Section 19(h) of such Act (42 U.S.C. 1788(h)) is*
5 *amended—*

6 (1) *in the first sentence of paragraph (2), by in-*
7 *serting “and training” after “education”; and*

8 (2) *in the third sentence of paragraph (3)—*

9 (A) *by striking “and” at the end of sub-*
10 *paragraph (D); and*

11 (B) *by inserting before the period at the end*
12 *the following: “; and (F) a comprehensive plan*
13 *for providing nutrition education during the*
14 *first fiscal year beginning after the submission of*
15 *the plan and the succeeding 4 fiscal years”.*

16 (f) *AUTHORIZATION OF APPROPRIATIONS.—Section*
17 *19(i)(2)(A) of such Act (42 U.S.C. 1788(i)(2)(A)) is amend-*
18 *ed by striking “nutrition education and information pro-*
19 *grams” and all that follows through the period at the end*
20 *and inserting “nutrition education and training programs*
21 *\$10,000,000 for fiscal year 1995 and each subsequent fiscal*
22 *year.”.*

23 (g) *AVAILABILITY OF FUNDS.—Section 19(i) of such*
24 *Act (42 U.S.C. 1788(i)) is amended—*

1 (1) by redesignating paragraph (3) as para-
2 graph (4); and

3 (2) by inserting after paragraph (2) the follow-
4 ing new paragraph:

5 “(3) Funds made available to any State under this
6 section shall remain available to the State for obligation
7 in the fiscal year succeeding the fiscal year in which the
8 funds were received by the State.”.

9 ***TITLE III—EFFECTIVE DATES***

10 ***SEC. 301. EFFECTIVE DATES.***

11 *Except as otherwise provided in this Act, this Act and*
12 *the amendments made by this Act shall become effective on*
13 *October 1, 1994.*

S 1614 RS——2

S 1614 RS——3

S 1614 RS——4

S 1614 RS——5

S 1614 RS——6

S 1614 RS——7

S 1614 RS——8

S 1614 RS——9

S 1614 RS——10

S 1614 RS——11

S 1614 RS——12