

Public Law 102-342
102d Congress

An Act

To amend the National School Lunch Act and the Child Nutrition Act of 1966 to improve certain nutrition programs, to improve the nutritional health of children, and for other purposes.

Aug. 14, 1992
[S. 2759]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Nutrition Amendments of 1992".

Child Nutrition
Amendments
of 1992.
42 USC 1751
note.

**TITLE I—NUTRITION IMPROVEMENT
FOR HOMELESS CHILDREN**

SEC. 101. HOMELESS CHILDREN'S FEEDING PROJECTS.

(a) **IN GENERAL.**—Section 18(c) of the National School Lunch Act (42 U.S.C. 1769(c)) is amended—

(1) by inserting before "private nonprofit" each place it appears in paragraphs (2)(A), (2)(B), and (5)(A) the following: "State, city, local, or county governments, other public entities, or";

(2) in paragraph (3)(A), by adding at the end the following new sentences: "The projects shall receive reimbursement payments for meals and supplements served on Saturdays, Sundays, and holidays, at the request of the sponsor of any such project. The meal pattern requirements of this subparagraph may be modified as necessary by the Secretary to take into account the needs of infants.";

(3) in paragraph (5)(A), by striking "and not less than \$350,000 in each of the fiscal years 1991, 1992, 1993, and 1994," and inserting "not less than \$350,000 in each of fiscal years 1991 and 1992, not less than \$650,000 in fiscal year 1993, and not less than \$800,000 in fiscal year 1994,"; and

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

"(7) The Secretary shall advise each State of the availability of the projects established under this subsection for States, cities, counties, local governments and other public entities, and shall advise each State of the procedures for applying to participate in the project."

(b) **OTHER MEANS.**—(1) The Secretary of Agriculture may conduct demonstration projects other than those required under section 18(c) of the National School Lunch Act (42 U.S.C. 1769(c)) to identify other effective means of providing food assistance to homeless children residing in temporary shelters.

(2) None of the funds provided under section 18(c)(5)(A) of the National School Lunch Act may be used by the Secretary of Agriculture to conduct a demonstration project under paragraph (1) of this subsection.

42 USC 1769
note.

Women.

TITLE II—BREASTFEEDING PROMOTION AND IMPROVEMENT OF OTHER CHILD NUTRITION PROGRAMS

SEC. 201. BREASTFEEDING PROMOTION PROGRAM.

The Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) is amended by adding at the end the following new section:

42 USC 1790.

“SEC. 21. BREASTFEEDING PROMOTION PROGRAM.

“(a) **IN GENERAL.**—The Secretary, from amounts received under subsection (d), shall establish a breastfeeding promotion program to promote breastfeeding as the best method of infant nutrition, foster wider public acceptance of breastfeeding in the United States, and assist in the distribution of breastfeeding equipment to breastfeeding women.

“(b) **CONDUCT OF PROGRAM.**—In carrying out the program described in subsection (a), the Secretary may—

“(1) develop or assist others to develop appropriate educational materials, including public service announcements, promotional publications, and press kits for the purpose of promoting breastfeeding;

“(2) distribute or assist others to distribute such materials to appropriate public and private individuals and entities; and

“(3) provide funds to public and private individuals and entities, including physicians, health professional organizations, hospitals, community based health organizations, and employers, for the purpose of assisting such entities in the distribution of breastpumps and similar equipment to breastfeeding women.

“(c) **COOPERATIVE AGREEMENTS.**—The Secretary is authorized to enter into cooperative agreements with Federal agencies, State and local governments, and other entities to carry out the program described in subsection (a).

“(d) **GIFTS, BEQUESTS, AND DEVISES.**—

“(1) **IN GENERAL.**—The Secretary is authorized to solicit, accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of establishing and carrying out the program described in subsection (a). Gifts, bequests, or devises of money and proceeds from the sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Secretary.

“(2) **CRITERIA FOR ACCEPTANCE.**—The Secretary shall establish criteria for determining whether to solicit and accept gifts, bequests, or devises under paragraph (1), including criteria that ensure that the acceptance of any gifts, bequests, or devises would not—

“(A) reflect unfavorably on the ability of the Secretary to carry out the Secretary’s responsibilities in a fair and objective manner; or

“(B) compromise, or appear to compromise, the integrity of any governmental program or any officer or employee involved in the program.”.

SEC. 202. CHILD CARE CLARIFICATION.

The second sentence of section 17(a) of the National School Lunch Act (42 U.S.C. 1766(a)) is amended by striking "of the children" and all that follows through "services" and inserting the following: "of its enrolled children or 25 percent of its licensed capacity, whichever is less".

SEC. 203. EXTENSION OF DEMONSTRATION PROJECTS.

Section 17(p) of the National School Lunch Act (42 U.S.C. 1766(p)) is amended by adding at the end the following new paragraph: "(5) Notwithstanding paragraph (4)(B), the Secretary shall continue until September 30, 1994, the two pilot projects established under this subsection to the extent, and in such amounts, as are provided for in advance in appropriations Acts."

SEC. 204. INCLUSION OF HOMELESSNESS AND MIGRANCY AS NUTRITIONAL RISK CONDITIONS.

Section 17(b)(8)(D) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(8)(D)) is amended by inserting before the period the following: ", homelessness, and migrancy".

TITLE III—REAUTHORIZATION OF PILOT PROGRAM

SEC. 301. REAUTHORIZATION OF PILOT PROGRAM.

Paragraph (1) of section 18(b) of the National School Lunch Act (42 U.S.C. 1769(b)) is amended by striking "September 30, 1992" and inserting "September 30, 1994".

TITLE IV—REAUTHORIZATION OF THE ADVISORY COUNCIL ON THE DIS- TRIBUTION OF DONATED COMMOD- ITIES

SEC. 401. REAUTHORIZATION OF THE ADVISORY COUNCIL ON THE DISTRIBUTION OF DONATED COMMODITIES.

Section 3(a)(3)(E) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by striking "1992" and inserting "1996".

Approved August 14, 1992.

LEGISLATIVE HISTORY—S. 2759:

HOUSE REPORTS: No. 102-645 (Comm. on Education and Labor).
CONGRESSIONAL RECORD, Vol. 138 (1992):

May 20, considered and passed Senate.
July 28, considered and passed House, amended.
July 30, Senate concurred in House amendments.