

108TH CONGRESS  
2D SESSION

# H. R. 3930

To amend the Richard B. Russell National School Lunch Act to improve  
the summer food service program for children.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2004

Ms. HOOLEY of Oregon introduced the following bill; which was referred to  
the Committee on Education and the Workforce

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## A BILL

To amend the Richard B. Russell National School Lunch  
Act to improve the summer food service program for  
children.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Summer Food Service  
5       Program Improvement Act of 2004”.

6       **SEC. 2. DEFINITION OF AREAS IN WHICH POOR ECONOMIC**  
7       **CONDITIONS EXIST.**

8       Section 13(a)(1)(C) of the Richard B. Russell Na-  
9       tional School Lunch Act (42 U.S.C. 1761(a)(1)(C)) is

1 amended by striking “50 percent” and inserting “40 per-  
2 cent”.

3 **SEC. 3. PAYMENTS.**

4 (a) OPERATING EXPENSES.—Section 13(b)(1) of the  
5 Richard B. Russell National School Lunch Act (42 U.S.C.  
6 1761(b)(1)) is amended by striking subparagraph (A) and  
7 inserting the following:

8 “(A) IN GENERAL.—A payment to a serv-  
9 ice institution shall be equal to the maximum  
10 amount for food service under subparagraphs  
11 (B) and (C).”.

12 (b) ADMINISTRATIVE COSTS.—Section 13(b) of the  
13 Richard B. Russell National School Lunch Act (42 U.S.C.  
14 1761(b)) is amended by striking paragraph (3) and insert-  
15 ing the following:

16 “(3) ADMINISTRATIVE COSTS.—Payment to a  
17 service institution for administrative costs shall be  
18 equal to the maximum allowable levels determined  
19 by the Secretary under the study required under  
20 paragraph (4).”.

21 (c) CONFORMING AMENDMENT.—Section 18 of the  
22 Richard B. Russell National School Lunch Act (42 U.S.C.  
23 1769) is amended by striking subsection (f).

1 **SEC. 4. STARTUP GRANTS FOR SUMMER FOOD SERVICE**  
2 **PROGRAMS.**

3 Section 13 of the Richard B. Russell National School  
4 Lunch Act (42 U.S.C. 1761) is amended by inserting after  
5 subsection (h) the following:

6 “(i) STARTUP GRANTS FOR SUMMER FOOD SERVICE  
7 PROGRAMS.—

8 “(1) DEFINITION OF ELIGIBLE SERVICE INSTI-  
9 TUTION.—In this subsection, the term ‘eligible serv-  
10 ice institution’ means a service institution that  
11 agrees to operate the summer food service program  
12 established with the assistance provided under this  
13 subsection.

14 “(2) GRANTS.—The Secretary shall make  
15 grants, on a competitive basis, to 10 States, in a  
16 total amount of not more than \$5,000,000 for each  
17 fiscal year from funds made available to the Sec-  
18 retary, to assist eligible service institutions in initi-  
19 ating summer food service program sites.

20 “(3) USES.—A State shall use a grant made  
21 available under this subsection to assist eligible serv-  
22 ice institutions with expenses incurred in initiating  
23 summer food service programs during the first year  
24 of the sites.

1           “(4) SUPPLEMENTARY FUNDS.—A grant under  
2           this subsection shall supplement any payment to  
3           which a State is entitled under this section.

4           “(5) PLAN.—To be eligible to receive a grant  
5           under this subsection, a State shall submit to the  
6           Secretary a plan to initiate summer food service pro-  
7           gram sites conducted in the State, including a de-  
8           scription of the manner in which the State shall pro-  
9           vide technical assistance and funding to eligible serv-  
10          ice institutions in the State to initiate the sites.

11          “(6) STATE PREFERENCES.—In making a grant  
12          under this subsection for a fiscal year to initiate  
13          summer food service programs sites, the Secretary  
14          shall give preference to a State in which not more  
15          than 10 lunches under summer food service pro-  
16          grams are served on an average day in June and  
17          July for each 100 free and reduced price lunches  
18          served on an average day from September through  
19          May of the previous school year, as determined by  
20          the Secretary.

21          “(7) REALLOCATION.—The Secretary shall act  
22          in a timely manner to recover and reallocate to other  
23          States any amount made available to a State under  
24          this subsection that is not used by the agency or

1 State within a reasonable period (as determined by  
2 the Secretary).

3 “(8) APPLICATION.—The Secretary shall allow  
4 application by States on an annual basis for grants  
5 under this subsection.

6 “(9) PREFERENCES BY STATES.—In allocating  
7 funds within the State, each State shall give pref-  
8 erence for assistance under this subsection to an eli-  
9 gible service institution that demonstrates the great-  
10 est need for assistance for a summer food service  
11 program, as determined by the State.

12 “(10) MAINTENANCE OF EFFORT.—The ex-  
13 penditure of funds from State and local sources for  
14 the maintenance of the summer food service pro-  
15 gram shall not be diminished as a result of grants  
16 made available under this subsection.”.

17 **SEC. 5. EFFECTIVE DATE.**

18 Except as otherwise provided in this Act, this Act and  
19 the amendments made by this Act take effect on October  
20 1, 2004.

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