

109TH CONGRESS  
2D SESSION

# H. R. 5344

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

MAY 10, 2006

Ms. HOOLEY 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 2006”.

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) GRANTS.—The Secretary shall make  
9 grants, on a competitive basis, to 10 States, in a  
10 total amount of not more than \$5,000,000 for each  
11 fiscal year from funds made available to the Sec-  
12 retary, to assist eligible service institutions in initi-  
13 ating summer food service program sites.

14 “(2) USES.—A State shall use a grant made  
15 available under this subsection to assist eligible serv-  
16 ice institutions with expenses incurred in initiating  
17 summer food service programs during the first year  
18 of the sites.

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

22 “(4) PLAN.—To be eligible to receive a grant  
23 under this subsection, a State shall submit to the  
24 Secretary a plan to initiate summer food service pro-  
25 gram sites conducted in the State, including a de-  
26 scription of the manner in which the State shall pro-

1       vide technical assistance and funding to eligible serv-  
2       ice institutions in the State to initiate the sites.

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

13              “(6) REALLOCATION.—The Secretary shall act  
14      in a timely manner to recover and reallocate to other  
15      States any amount made available to a State under  
16      this subsection that is not used by the agency or  
17      State within a reasonable period (as determined by  
18      the Secretary).

19              “(7) APPLICATION.—The Secretary shall allow  
20      application by States on an annual basis for grants  
21      under this subsection.

22              “(8) PREFERENCES BY STATES.—In allocating  
23      funds within the State, each State shall give pref-  
24      erence for assistance under this subsection to an eli-  
25      gible service institution that demonstrates the great-

1 est need for assistance for a summer food service  
2 program, as determined by the State.

3 “(9) MAINTENANCE OF EFFORT.—The expendi-  
4 ture of funds from State and local sources for the  
5 maintenance of the summer food service program  
6 shall not be diminished as a result of grants made  
7 available under this subsection.

8 “(10) 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 **SEC. 5. EFFECTIVE DATE.**

15 Except as otherwise provided in this Act, this Act and  
16 the amendments made by this Act take effect on October  
17 1, 2006.

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