

111TH CONGRESS  
1ST SESSION

# H. R. 4402

To amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2009

Mr. TONKO introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

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 “Access to Nutritious  
5 Meals for Young Children Act of 2009”.

6 **TITLE I—INCREASING ACCESS**  
7 **TO NUTRITIOUS MEALS**

8 **SEC. 101. CHILD AND ADULT CARE FOOD PROGRAM.**

9 (a) NATIONAL AVERAGE PAYMENT.—

(1) LUNCHES AND SUPPERS.—Section 17(c) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(c)) is amended—

(A) in paragraph (1), by striking “the same as the national average payment rates for free lunches, reduced price lunches, and paid lunches, respectively, under sections 4 and 11 of this Act as appropriate” and inserting “\$2.88 for free lunches and suppers, \$2.48 for reduced price lunches and suppers, and 45 cents for paid lunches and suppers”;

(B) in paragraph (2), by striking “the same as the national average payment rates for free breakfasts, reduced price breakfasts, and paid breakfasts, respectively, under section 4(b) of the Child Nutrition Act of 1966” and inserting “\$1.66 for free breakfasts, \$1.36 for reduced price breakfasts, and 46 cents for paid breakfasts”; and

(C) in paragraph (3)—

(i) by striking “30 cents” and inserting “84 cents”;

(ii) by striking “one-half the rate for free supplements” and inserting “47 cents”; and

1 (iii) by striking “2.75 cents” and in-  
2 serting “16 cents”.

3 (b) A THIRD MEAL OPTION.—Section 17(f)(2)(B) of  
4 the Richard B. Russell School Lunch Act (42 U.S.C.  
5 1766(f)(2)(B)) is amended—

6 (1) by striking “two meals” and inserting “3  
7 meals”;

8 (2) by striking “2 meals” and inserting “3  
9 meals”; and

10 (3) by striking “, for children that are main-  
11 tained in a child care setting for eight or more hours  
12 per day”.

13 (c) REIMBURSEMENT OF FAMILY OR GROUP DAY  
14 CARE HOME SPONSORING ORGANIZATIONS.—Section  
15 17(f)(3) of the Richard B. Russell School Lunch Act (42  
16 U.S.C. 1766(f)(3)) is amended—

17 (1) in subparagraph (A)—

18 (A) in clause (ii)—

19 (i) in subclause (I), by striking “50  
20 percent” each place it appears in items  
21 (aa) and (bb) and inserting “40 percent”;  
22 and

23 (ii) in subclause (III), by striking “the  
24 factors in effect on July 1, 1996” and in-  
25 serting “\$2.41 for lunches and suppers,

1           \$1.39 for breakfasts, and 76 cents for sup-  
 2           plements”; and

3           (B) in clause (iii)(I)—

4                 (i) in item (aa), by striking “95 cents  
 5                 for lunches and suppers, 27 cents for  
 6                 breakfasts, and 13 cents for supplements”  
 7                 and inserting “\$1.53 for lunches and sup-  
 8                 pers, 64 cents for breakfasts, and 28 cents  
 9                 for supplements”; and

10                (ii) in item (bb), by striking “July 1,  
 11                1997” and inserting “July 1, 2010”; and

12           (2) by striking subparagraph (B) and inserting  
 13           the following:

14                 “(B) NUTRITION SERVICES AND ADMINIS-  
 15                 TRATIVE FUNDS.—

16                 “(i) IN GENERAL.—Effective July 1,  
 17                 2010 and in addition to the annual cost of  
 18                 living adjustment described in clause (iii),  
 19                 the Secretary shall raise the maximum al-  
 20                 lowable levels of the family or group day  
 21                 care home sponsoring organization monthly  
 22                 administrative reimbursement by \$5 per  
 23                 home.

24                 “(ii) ADMINISTRATION EXPENSES.—

25                 In addition to the reimbursement described

1 in clause (i), family or group day care  
2 home sponsoring organizations shall re-  
3 ceive reimbursement for the administrative  
4 expenses of the family or group day care  
5 home sponsoring organizations in amounts  
6 not exceeding the maximum allowable lev-  
7 els prescribed by the Secretary.

8 “(iii) ADJUSTMENT.—The maximum  
9 allowable levels described in this subpara-  
10 graph shall be adjusted on July 1 of each  
11 year to reflect changes in the Consumer  
12 Price Index for all items for the most re-  
13 cent 12-month period for which such data  
14 are available with the exception of any year  
15 for which application of the Consumer  
16 Price Index would result in a decrease in  
17 reimbursement rates.”.

1 **TITLE II—STREAMLINING AND**  
2 **SIMPLIFICATION OF PRO-**  
3 **GRAM AND PAPERWORK RE-**  
4 **QUIREMENTS**

5 **SEC. 201. STREAMLINING AND SIMPLIFICATION OF PRO-**  
6 **GRAM AND PAPERWORK REQUIREMENTS.**

7 Section 17 of the Richard B. Russell National School  
8 Lunch Act (42 U.S.C. 1766) is amended by adding at the  
9 end the following:

10 “(u) STREAMLINING AND SIMPLIFICATION OF PRO-  
11 GRAM AND PAPERWORK REQUIREMENTS.—The Secretary  
12 shall improve the ability of the child and adult care food  
13 program to reach low-income families by streamlining pro-  
14 gram and paperwork requirements, including require-  
15 ments for States, sponsoring organizations, child care pro-  
16 viders, and parents.”.

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