

countries, including the expenditure or use of funds appropriated pursuant to this Act, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for the cooperation authorized by this Act shall be made through and in consultation with the Secretary of State. The authority contained in this Act is in addition to and not in substitution for the authority of existing law."

SEC. 2. Section 2 of the Act of February 28, 1947, as amended (61 Stat. 7; 70 Stat. 1033; 21 U.S.C. 114c), is amended by striking out the words "of Mexico," and inserting in lieu thereof the words "of Mexico, Guatemala, El Salvador, Costa Rica, Honduras, Nicaragua, British Honduras, Panama, Colombia, and Canada."

SEC. 3. The Act of July 6, 1968 (82 Stat. 294; 21 U.S.C. 114d-2 through d-6) is hereby repealed.

Repeal.

Approved November 5, 1971.

Public Law 92-153

JOINT RESOLUTION

To assure that every needy schoolchild will receive a free or reduced price lunch as required by section 9 of the National School Lunch Act.

November 5, 1971
[H. J. Res. 923]

Whereas it appears that under the proposed apportionment of funds available for special assistance under section 11 of the National School Lunch Act for the fiscal year ending June 30, 1972 (including funds appropriated by section 32 of the Act of August 24, 1935, and made available for that purpose), only six States will receive more than 30 cents in such assistance per free or reduced price lunch; and

Whereas it appears that this amount per lunch is not adequate to enable States and schools to continue to participate in the school lunch program and to achieve the objectives of the National School Lunch Act, particularly that of providing a free or reduced price lunch to every needy child: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of Agriculture shall until such time as a supplemental appropriation may provide additional funds for such purpose use so much of the funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), as may be necessary, in addition to the funds now available therefor, to carry out the purposes of section 11 of the National School Lunch Act and provide a rate of reimbursement which will assure every needy child of free or reduced price lunches during the fiscal year ending June 30, 1972, and to carry out the purposes of section 4 of the National School Lunch Act and provide an average rate of reimbursement of 6 cents per meal within each State. In determining the amount of funds needed and the requirements of the various States therefor, the Secretary shall consult with the National Advisory Council on Child Nutrition and interested parties. Funds expended under the foregoing provisions of this resolution shall be reimbursed out of any supplemental appropriation hereafter enacted for the purpose of carrying out section 4 and section 11 of the National School Lunch Act, and such reimbursements shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the

Food service
programs for chil-
dren.

49 Stat. 774.

84 Stat. 211.
42 USC 1759a.

76 Stat. 944.
42 USC 1753.

Apportionment
to States.

76 Stat. 944.
42 USC 1753.

Report to Con-
gress.

80 Stat. 886;
84 Stat. 208.
42 USC 1773,
1774.

Reimbursement
rate.
42 USC 1759a.

purposes of said section 32.

SEC. 2. Funds made available by this joint resolution shall be apportioned to the States in such manner as will best enable schools to meet their obligations with respect to the service of free and reduced price lunches and to meet the objective of this joint resolution with respect to providing a minimum rate of reimbursement under section 4 of the National School Lunch Act, and such funds shall be apportioned and paid as expeditiously as may be practicable.

SEC. 3. The Secretary of Agriculture shall immediately upon enactment of this resolution determine and report to Congress the needs for additional funds to carry out the school breakfast and nonfood assistance programs authorized by sections 4 and 5 of the Child Nutrition Act of 1966 during the fiscal year ending June 30, 1972, at levels which will permit expansion of the school breakfast and school lunch programs to all schools desiring such programs as rapidly as practicable.

SEC. 4. Section 11(e) of the National School Lunch Act is amended by inserting the following immediately after "the full cost of such lunches": "but in no event shall such amounts be less than an amount determined by—

"(1) multiplying the number of meals served free in the school during such year by 40 cents or the cost per meal of providing such meals, whichever is less, and

"(2) multiplying the number of meals served at a reduced price in the school during such year by 40 cents or the cost per meal of providing such meals less the highest reduced price charged, whichever is less:

Provided, however, That any school which requires a greater amount of reimbursement per meal served free or at a reduced price in order to fulfill the requirements of section 9 of this Act shall receive such greater amount if it can establish to the satisfaction of the State agency that it would otherwise be financially unable to support the service of such meals. The maximum per meal amount established by the Secretary shall in no event be less than 40 cents; and the Secretary shall establish a higher maximum per meal amount for especially needy schools based on such schools' need for assistance in providing free and reduced price lunches for all needy children."

SEC. 5. Section 9 of the National School Lunch Act is amended by inserting after "July 1 of such year" the following: "": *Provided, however,* That during fiscal year 1972 such guidelines shall be considered only as a national minimum standard of eligibility and the Secretary shall reimburse during such fiscal year State agencies and local school authorities for free and reduced cost meals served pursuant to eligibility standards established by State agencies prior to October 1, 1971".

SEC. 6. The Secretary shall not lower minimum standards of eligibility for free and reduced price meals nor require a reduction in the number of children served in any school district during a fiscal year to be effective for that fiscal year. This section shall apply to fiscal year 1972.

SEC. 7. In addition to any other authority given to the Secretary he is hereby authorized to transfer funds from section 32 of the Act of August 24, 1935, for the purpose of assisting schools which demonstrate a need for additional funds in the school breakfast program.

Approved November 5, 1971.

Transfer of
funds.

49 Stat. 774.
7 USC 612c.

Eligibility
standards.
60 Stat. 233;
84 Stat. 210.
42 USC 1758.

Infra.