

111TH CONGRESS  
1ST SESSION

# S. 2749

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 SENATE OF THE UNITED STATES

NOVEMBER 6, 2009

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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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           (1) LUNCHES AND SUPPERS.—Section 17(e) of  
2 the Richard B. Russell National School Lunch Act  
3 (42 U.S.C. 1766(e)) is amended—

4           (A) in paragraph (1), by striking “the  
5 same as the national average payment rates for  
6 free lunches, reduced price lunches, and paid  
7 lunches, respectively, under sections 4 and 11  
8 of this Act as appropriate” and inserting  
9 “\$2.88 for free lunches and suppers, \$2.48 for  
10 reduced price lunches and suppers, and 45  
11 cents for paid lunches and suppers”;

12           (B) in paragraph (2), by striking “the  
13 same as the national average payment rates for  
14 free breakfasts, reduced price breakfasts, and  
15 paid breakfasts, respectively, under section 4(b)  
16 of the Child Nutrition Act of 1966” and insert-  
17 ing “\$1.66 for free breakfasts, \$1.36 for re-  
18 duced price breakfasts, and 46 cents for paid  
19 breakfasts”; and

20           (C) in paragraph (3)—

21           (i) by striking “30 cents” and insert-  
22 ing “84 cents”;

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

1 (iii) by striking “2.75 cents” cents  
2 and inserting “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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