

106TH CONGRESS  
2D SESSION

# H. R. 5383

To amend the child and adult care food program under the Richard B. Russell National School Lunch Act to provide alternative reimbursement rates under that program for family or group day care homes located in less populous areas.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2000

Mr. BARRETT of Nebraska introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the child and adult care food program under the Richard B. Russell National School Lunch Act to provide alternative reimbursement rates under that program for family or group day care homes located in less populous areas.

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. AMENDMENT TO CHILD AND ADULT CARE**  
4 **FOOD PROGRAM UNDER THE RICHARD B.**  
5 **RUSSELL NATIONAL SCHOOL LUNCH ACT.**

6 (a) IN GENERAL.—Section 17(f)(3)(A) of the Rich-  
7 ard B. Russell National School Lunch Act (42 U.S.C.

1 1766(f)(3)(A)) is amended by adding at the end the fol-  
2 lowing:

3 “(iv) ALTERNATIVE REIMBURSEMENT  
4 FOR FAMILY OR GROUP DAY CARE HOMES  
5 LOCATED IN LESS POPULOUS AREAS.—

6 “(I) IN GENERAL.—In the case  
7 of a geographic area described in sub-  
8 clause (II) that is served by at least  
9 1 tier I family or group day care  
10 home (as defined in clause (ii)(I)) and  
11 at least 1 family or group day care  
12 home that participates in the program  
13 under this section but does not meet  
14 the criteria set forth in clause (ii)(I)  
15 (commonly known as a ‘tier II family  
16 or group day care home’), upon re-  
17 quest to the State agency in a single  
18 application by the sponsoring organi-  
19 zation of each family or group day  
20 care home located in such geographic  
21 area and approval of such application  
22 in accordance with this clause, each  
23 such family or group day care home  
24 in the area shall be provided reim-  
25 bursement factors for the costs de-

1 scribed in clause (i) in accordance  
2 with this clause, and not in accord-  
3 ance with clause (ii) or (iii), as the  
4 case may be.

5 “(II) GEOGRAPHIC AREA.—A ge-  
6 ographic area described in this sub-  
7 clause is an area—

8 “(aa) that is a concentration  
9 of population of fewer than  
10 25,000 individuals either legally  
11 bounded as an incorporated place  
12 or identified by the Bureau of the  
13 Census as a Census Designated  
14 Place (CDP);

15 “(bb) in which not less than  
16 50 percent of the total number of  
17 children enrolled in elementary  
18 schools located in the area are  
19 certified eligible to receive free or  
20 reduced price school meals under  
21 this Act of the Child Nutrition  
22 Act of 1966 (42 U.S.C. 1771 et  
23 seq.); and

24 “(cc) in which not more  
25 than 50 percent of the total num-

1           ber of children participating in  
2           the program under this section  
3           are being served by tier I family  
4           or group day care homes (as de-  
5           fined in clause (ii)(I)).

6           “(III) APPROVAL.—The State  
7           agency shall approve a request for a  
8           geographic area under subclause (I) if  
9           (aa) the State agency determines that  
10          the estimated aggregate amount of re-  
11          imbursement factors provided to all  
12          family or group day care homes in the  
13          geographic area under this clause will  
14          be equal to or greater than the esti-  
15          mated aggregate amount of reim-  
16          bursement factors provided to all such  
17          homes under clauses (ii) and (iii), and  
18          (bb) the requirements of this clause  
19          are otherwise met.

20          “(IV) REIMBURSEMENT FAC-  
21          TORS.—

22                 “(aa) IN GENERAL.—Sub-  
23                 ject to item (bb), a family or  
24                 group day care home shall be  
25                 provided reimbursement factors

1 under this clause that are equal  
2 to the average of the unrounded  
3 reimbursement factors for  
4 lunches and suppers, breakfasts,  
5 and supplements under clauses  
6 (ii) and (iii), respectively.

7 “(bb) ADDITIONAL RE-  
8 QUIREMENT.—A family or group  
9 day care home that participates  
10 in the program under this section  
11 and is located in a geographic  
12 area for which a State agency  
13 has approved a request for reim-  
14 bursement factors in accordance  
15 with this clause may, at the op-  
16 tion of the home, elect to be pro-  
17 vided reimbursement factors de-  
18 termined in accordance with the  
19 requirements contained in items  
20 (aa) and (bb) of clause (iii)(II)  
21 with respect to children described  
22 in such items.

23 “(V) ADJUSTMENTS.—The reim-  
24 bursement factors under subclause  
25 (IV) shall be rounded to the nearest

1 lower cent increment and based on the  
2 unrounded adjustment in effect on  
3 June 30 of the preceding school  
4 year.”.

5 (b) EFFECTIVE DATE.—Section 17(f)(3)(A)(iv) of  
6 the Richard B. Russell National School Lunch Act, as  
7 added by subsection (a), shall take effect on July 1, 2001.

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