

111TH CONGRESS
2D SESSION

S. 3093

To require semiannual indexing of certain Federal child nutrition programs.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2010

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

A BILL

To require semiannual indexing of certain Federal child nutrition programs.

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 “National Child Hunger
5 Relief Act”.

6 **SEC. 2. SCHOOL MEALS.**

7 (a) COMMODITIES.—Section 6(c)(1) of the Richard
8 B. Russell National School Lunch Act (42 U.S.C.
9 1755(c)(1)) is amended—

1 (1) in subparagraph (A), by striking “on July
2 1, 1982, and each July 1 thereafter” and inserting
3 “in accordance with subparagraph (B)”;

4 (2) by striking subparagraph (B) and inserting
5 the following:

6 “(B) ADJUSTMENT.—The Secretary shall—

7 “(i) on each January 1, increase the value of
8 food assistance for each meal by the annual percent-
9 age change in a 3-month average value of the Price
10 Index for Foods Used in Schools and Institutions for
11 September, October, and November each year;

12 “(ii) on each July 1, increase the value of food
13 assistance for each meal by the annual percentage
14 change in a 3-month average value of the Price
15 Index for Foods Used in Schools and Institutions for
16 March, April, and May each year; and

17 “(iii) round the result of each increase to the
18 nearest higher $\frac{1}{4}$ cent.”.

19 (b) OVERALL ADJUSTMENT.—Section 11(a) of the
20 Richard B. Russell National School Lunch Act (42 U.S.C.
21 1759a(a)) is amended—

22 (1) in paragraph (2), by striking “98.75 cents”
23 and inserting “the amount computed under para-
24 graph (3)”;

25 (2) in paragraph (3)—

1 (A) in subparagraph (A)—

2 (i) in the matter before clause (i), by
3 striking “July 1, 1982, and on each subse-
4 quent July 1, an annual adjustment” and
5 inserting “each January 1 and July 1, a
6 semiannual increase”; and

7 (ii) in clause (ii), by striking “(as es-
8 tablished under paragraph (2) of this sub-
9 section)”;

10 (B) in subparagraph (B)—

11 (i) in clause (i), by striking “annual
12 adjustment” and inserting “semiannual in-
13 crease”;

14 (ii) in clause (ii)—

15 (I) by striking “annual adjust-
16 ment” and inserting “semiannual in-
17 crease”; and

18 (II) by striking “12-month pe-
19 riod” and inserting “6-month period”;
20 and

21 (iii) by striking clause (iii) and insert-
22 ing the following:

23 “(iii) ROUNDING.—On each January
24 1 and July 1, the national average pay-

1 ment rates for meals and supplements
2 shall be—

3 “(I) increased to the nearest
4 higher cent; and

5 “(II) based on the unrounded
6 amount previously in effect.”.

7 (c) PAYMENTS TO SERVICE INSTITUTIONS.—Section
8 13(b)(1) of the Richard B. Russell National School Lunch
9 Act (42 U.S.C. 1761(b)(1)) is amended by striking sub-
10 paragraph (B) and inserting the following:

11 “(B) ADJUSTMENTS.—The Secretary
12 shall—

13 “(i) on each January 1, increase each
14 amount specified in subparagraph (A) as
15 adjusted through the preceding July 1 to
16 reflect changes for the 6-month period end-
17 ing the preceding November 30 in the se-
18 ries for food away from home of the Con-
19 sumer Price Index for All Urban Con-
20 sumers published by the Bureau of Labor
21 Statistics of the Department of Labor;

22 “(ii) on each July 1, increase each
23 amount specified in subparagraph (A) as
24 adjusted through the preceding January 1
25 to reflect changes for the 6-month period

1 ending the preceding May 31 in the series
2 for food away from home of the Consumer
3 Price Index for All Urban Consumers pub-
4 lished by the Bureau of Labor Statistics of
5 the Department of Labor;

6 “(iii) base each increase on the
7 unrounded amount previously in effect;
8 and

9 “(iv) round each increase described in
10 clauses (i) and (ii) to the nearest higher
11 cent increment.”.

12 (d) REIMBURSEMENT OF FAMILY OR GROUP DAY
13 CARE HOME SPONSORING ORGANIZATIONS.—

14 (1) TIER I.—Section 17(f)(3)(A)(ii)(IV) of the
15 Richard B. Russell National School Lunch Act (42
16 U.S.C. 1766(f)(3)(A)(ii)(IV)) is amended by striking
17 subclause (IV) and inserting the following:

18 “(IV) ADJUSTMENTS.—On each
19 July 1 and January 1, the Secretary
20 shall—

21 “(aa) increase each reim-
22 bursement factor under this sub-
23 paragraph to reflect the changes
24 in the Consumer Price Index for
25 food at home for the most recent

1 6-month period for which the
2 data are available;

3 “(bb) base each increase on
4 the unrounded amount previously
5 in effect; and

6 “(cc) round each increase
7 described in item (aa) to the
8 nearest higher cent increment.”.

9 (2) TIER II.—Section 17(f)(3)(A)(iii)(I) of the
10 Richard B. Russell National School Lunch Act (42
11 U.S.C. 1766(f)(3)(A)(iii)(I)) is amended by striking
12 item (bb) and inserting the following:

13 “(bb) ADJUSTMENTS.—On
14 each July 1 and January 1, the
15 Secretary shall increase the reim-
16 bursement factors to reflect the
17 changes in the Consumer Price
18 Index for food at home for the
19 most recent 6-month period for
20 which the data are available, base
21 the increases on the unrounded
22 amount previously in effect, and
23 round the increases to the near-
24 est higher cent increment.”.

1 (e) SPECIAL MILK PROGRAM.—Section 3(a) of the
2 Child Nutrition Act of 1966 (42 U.S.C. 1772(a)) is
3 amended—

4 (1) by striking paragraph (7) and inserting the
5 following:

6 “(7) MINIMUM RATE OF REIMBURSEMENT.—
7 For each school year, the minimum rate of reim-
8 bursement for a ½ pint of milk served in schools
9 and other eligible institutions shall be not less than
10 minimum rate of reimbursement in effect on Sep-
11 tember 30, 2008, as increased on a semiannual basis
12 each school year to reflect changes in the Producer
13 Price Index for Fresh Processed Milk published by
14 the Bureau of Labor Statistics of the Department of
15 Labor.”; and

16 (2) in paragraph (8), by inserting “higher”
17 after “nearest”.

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