

115TH CONGRESS
1ST SESSION

H. R. 3738

To amend the Richard B. Russell National School Lunch Act to remove certain limitations with respect to commodity assistance for school breakfast programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2017

Mr. MCGOVERN (for himself and Mr. RODNEY DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Richard B. Russell National School Lunch Act to remove certain limitations with respect to commodity assistance for school breakfast programs, and for other purposes.

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 “Healthy Breakfasts
5 Help Kids Learn Act of 2017”.

1 **SEC. 2. COMMODITY ASSISTANCE FOR SCHOOL BREAKFAST**
2 **PROGRAMS.**

3 (a) DELIVERY OF COMMODITIES.—Section 6(b) of
4 the Richard B. Russell National School Lunch Act (42
5 U.S.C. 1755(b)) is amended by inserting “and the school
6 breakfast program” after “school lunch program”.

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

10 (1) in subparagraph (A)—

11 (A) by inserting “for the school lunch pro-
12 gram” after “11 cents”; and

13 (B) by inserting “The national average
14 value of donated foods, or cash payments in lieu
15 thereof, shall be 6 cents for the school breakfast
16 program, adjusted on the first July 1 after the
17 date of enactment of the Healthy Breakfast
18 Help Kids Learn Act of 2017 and each July 1
19 thereafter to reflect the changes in the Price
20 Index for Food Used in Schools and Institu-
21 tions.” after “Institutions.”;

22 (2) in subparagraph (C)—

23 (A) by striking “For each school year” and
24 inserting “(i) For each school year”;

25 (B) by striking “State for” and inserting
26 the following: “State—

1 “(I) for”;

2 (C) by striking “subparagraph (B).” and
3 inserting the following: “subparagraph (B); and

4 “(II) for the school breakfast
5 program shall be calculated by multi-
6 plying the number of breakfasts
7 served in the preceding school year by
8 the rate established by subparagraph
9 (B).”;

10 (D) by striking “After the end” and insert-
11 ing the following:

12 “(ii) After the end”;

13 (E) by striking “shall reconcile the” and
14 inserting “shall reconcile—

15 “(I) the”; and

16 (F) by striking “such reconciliation.” and
17 inserting “such reconciliation; and

18 “(II) the number of breakfasts
19 served by schools in each State with
20 the number of breakfasts served by
21 schools in each State during the pre-
22 ceding school year and increase or re-
23 duce subsequent commodity assistance
24 or cash in lieu thereof provided to

1 each State based on such reconcili-
2 ation.”; and

3 (3) in subparagraph (E), by inserting “and
4 school breakfast program” after “school lunch pro-
5 gram”.

6 (c) REPEAL OF LIMITATION ON COMMODITY ASSIST-
7 ANCE FOR SCHOOL BREAKFAST.—Section 6 of the Rich-
8 ard B. Russell National School Lunch Act (42 U.S.C.
9 1755), as amended by subsection (a), is further amend-
10 ed—

11 (1) by striking subsection (d); and

12 (2) by redesignating subsections (e) and (f) as
13 subsections (d) and (e), respectively.

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