

117TH CONGRESS
1ST SESSION

S. 3216

To amend the Child Nutrition Act of 1966 to require the Secretary of Agriculture to establish a publicly available database of bid solicitations for infant formula under the special supplemental nutrition program for women, infants, and children.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2021

Mr. MARSHALL (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Child Nutrition Act of 1966 to require the Secretary of Agriculture to establish a publicly available database of bid solicitations for infant formula under the special supplemental nutrition program for women, infants, and children.

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 “WIC Healthy Begin-
5 nings Act of 2021”.

1 **SEC. 2. DATABASE OF BID SOLICITATIONS FOR INFANT**
 2 **FORMULA UNDER THE WIC PROGRAM.**

3 Section 17(h)(8)(A) of the Child Nutrition Act of
 4 1966 (42 U.S.C. 1786(h)(8)(A)) is amended by adding at
 5 the end the following:

6 “(xi) DATABASE OF BID SOLICITA-
 7 TIONS.—

8 “(I) IN GENERAL.—Not later
 9 than 180 days after the date of enact-
 10 ment of this clause, the Secretary
 11 shall make available to the public on
 12 a website of the Department of Agri-
 13 culture a fully searchable database
 14 that shall contain the information de-
 15 scribed in items (aa) through (dd) of
 16 subclause (II) relating to bid solicita-
 17 tions of State agencies for infant for-
 18 mula under the program.

19 “(II) STATE AGENCIES.—In so-
 20 liciting bids for infant formula under
 21 the program, a State agency shall
 22 submit to the Secretary, not later
 23 than 5 business days after the date of
 24 the bid solicitation, a description of
 25 the bid solicitation, including—

1 “(aa) the title of the bid so-
2 licitation and the State agency
3 administering the bid solicitation;

4 “(bb) the website hyperlink
5 and other information needed for
6 the purpose of submitting a bid
7 in response to the bid solicitation;

8 “(cc) the contact informa-
9 tion and website hyperlink for
10 the State agency administering
11 the bid solicitation, for the pur-
12 pose of gathering additional in-
13 formation relating to the bid so-
14 licitation; and

15 “(dd) the period during
16 which bids are accepted or the
17 due date for bids, as applicable,
18 under the bid solicitation.

19 “(III) PUBLICATION.—Not later
20 than 5 days after receiving a descrip-
21 tion of a bid solicitation under sub-
22 clause (II), the Secretary shall publish
23 the information on the database es-
24 tablished under subclause (I).

1 “(IV) GUIDANCE.—The Sec-
2 retary shall issue guidance to imple-
3 ment this clause.

4 “(V) LIABILITY LIMITATION.—A
5 State, State agency, or the Federal
6 Government shall not be liable in a
7 civil suit or claim in a State or Fed-
8 eral court based on the performance
9 or failure to perform a duty, function,
10 or activity required by this clause.”.

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