

116TH CONGRESS
2D SESSION

H. R. 6203

To provide for certain waivers of program requirements under the Richard B. Russell National School Lunch Act to appropriately address safety measures with respect to COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2020

Ms. BONAMICI (for herself and Mr. COMER) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To provide for certain waivers of program requirements under the Richard B. Russell National School Lunch Act to appropriately address safety measures with respect to COVID–19, 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 “COVID–19 Child Nu-
5 trition Response Act”.

6 **SEC. 2. NATIONAL SCHOOL LUNCH PROGRAM REQUIRE-**
7 **MENT WAIVERS ADDRESSING COVID–19.**

8 (a) NATIONWIDE WAIVER.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, the Secretary may establish a waiver
3 for all States under section 12(l) of the Richard
4 B. Russell National School Lunch Act (42 U.S.C.
5 1760(l)), for purposes of—

6 (A) providing meals and meal supplements
7 under a qualified program; and

8 (B) carrying out subparagraph (A) with
9 appropriate safety measures with respect to
10 COVID–19, as determined by the Secretary.

11 (2) STATE ELECTION.—A waiver established
12 under paragraph (1) shall—

13 (A) notwithstanding paragraph (2) of sec-
14 tion 12(l) of the Richard B. Russell National
15 School Lunch Act (42 U.S.C. 1760(l)), apply
16 automatically to any State that elects to be sub-
17 ject to the waiver without further application;
18 and

19 (B) not be subject to the requirements
20 under paragraph (3) of such section.

21 (b) CHILD AND ADULT CARE FOOD PROGRAM WAIV-
22 ER.—Notwithstanding any other provision of law, the Sec-
23 retary may grant a waiver under section 12(l) of the Rich-
24 ard B. Russell National School Lunch Act (42 U.S.C.
25 1760(l)) to allow non-congregate feeding under a child and

1 adult care food program under section 17 of the Richard
2 B. Russell National School Lunch Act (42 U.S.C. 1766)
3 if such waiver is for the purposes of—

4 (1) providing meals and meal supplements
5 under such child and adult care food program; and

6 (2) carrying out paragraph (1) with appropriate
7 safety measures with respect to COVID–19, as de-
8 termined by the Secretary.

9 (c) MEAL PATTERN WAIVER.—Notwithstanding
10 paragraph (4)(A) of section 12(l) of the Richard B. Rus-
11 sell National School Lunch Act (42 U.S.C. 1760(l)) the
12 Secretary may grant a waiver under such section that re-
13 lates to the nutritional content of meals served if the Sec-
14 retary determines that—

15 (1) such waiver is necessary to provide meals
16 and meal supplements under a qualified program;
17 and

18 (2) there is a supply chain disruption with re-
19 spect to foods served under such a qualified program
20 and such disruption is due to COVID–19.

21 (d) REPORTS.—Each State that receives a waiver
22 under subsection (a), (b), or (c), shall, not later than 1
23 year after the date such State received such waiver, sub-
24 mit a report to the Secretary that includes the following:

1 (1) A summary of the use of such waiver by the
2 State and eligible service providers.

3 (2) A description of whether such waiver re-
4 sulted in improved services to children.

5 (e) SUNSET.—The authority of the Secretary to es-
6 tablish or grant a waiver under this section shall expire
7 on July 31, 2020.

8 (f) DEFINITIONS.—In this section:

9 (1) QUALIFIED PROGRAM.—The term “qualified
10 program” means the following:

11 (A) The school lunch program under the
12 Richard B. Russell National School Lunch Act
13 (42 U.S.C. 1751 et seq.).

14 (B) The school breakfast program under
15 section 4 of the Child Nutrition Act of 1966
16 (42 U.S.C. 1773).

17 (C) The child and adult care food program
18 under section 17 of the Richard B. Russell Na-
19 tional School Lunch Act (42 U.S.C. 1766).

20 (D) The summer food service program for
21 children under section 13 of the Richard B.
22 Russell National School Lunch Act (42 U.S.C.
23 1761).

- 1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture.

