116TH CONGRESS 1ST SESSION H.R. 1352

AUTHENTICATED U.S. GOVERNMENT INFORMATION

GPO

To provide for parity for Guam and the United States Virgin Islands under the Richard B. Russell National School Lunch Act and the Child Nutrition Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 25, 2019

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

A BILL

- To provide for parity for Guam and the United States Virgin Islands under the Richard B. Russell National School Lunch Act and the Child Nutrition Act, 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 "Federal School Meals
- 5 Parity Act".

3 (a) IN GENERAL.—Notwithstanding section 12(f) of
4 the Richard B. Russell National School Lunch Act (42
5 U.S.C. 1760(f)), in providing meals and supplements
6 under the Richard B. Russell National School Lunch Act
7 (42 U.S.C. 1751 et seq.) and section 4 of the Child Nutri8 tion Act of 1966 (42 U.S.C. 1773), the Secretary shall
9 apply to—

(1) Guam the average of the reimbursement
rates applied to Alaska and Hawaii during each fiscal year under such provisions of law, respectively;
and

14 (2) the United States Virgin Islands the same
15 reimbursement rates applied to Puerto Rico during
16 each fiscal year under such provisions of law, respec17 tively.

18 (b) SEVERABILITY.—Notwithstanding section 12(f) 19 of the Richard B. Russell National School Lunch Act (42) 20 U.S.C. 1760(f)), in the case of a fiscal year in which the Secretary applies the national average reimbursement rate 21 for meals and supplements under the Richard B. Russell 22 National School Lunch Act (42 U.S.C. 1751 et seq.) and 23 24 section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) to— 25

1	(1) Alaska or Hawaii, the Secretary shall apply
2	to Guam the greatest reimbursement rate applied to
3	any other State or territory—
4	(A) with respect to meals and supplements
5	provided under the school lunch program, under
6	the Richard B. Russell National School Lunch
7	Act (42 U.S.C. 1751 et seq.); and
8	(B) with respect to the meals and supple-
9	ments provided under the school breakfast pro-
10	gram, under section 4 of the Child Nutrition
11	Act of 1966 (42 U.S.C. 1773); or
12	(2) Puerto Rico, the Secretary shall apply to
13	the United States Virgin Islands the greatest reim-
14	bursement rate applied to any other State or terri-
15	tory—
16	(A) with respect to meals and supplements
17	provided under the school lunch program, under
18	the Richard B. Russell National School Lunch
19	Act (42 U.S.C. 1751 et seq.); and
20	(B) with respect to meals and supplements
21	provided under the school breakfast program,
22	under section 4 of the Child Nutrition Act of
23	1966 (42 U.S.C. 1773).
24	(c) RATE ADJUSTMENT.—Notwithstanding section
25	12(f) of the Richard B. Russell National School Lunch

3

1	As (42×122) (-1720) (-1) (-1)
1	Act (42 U.S.C. 1760(f)), the Secretary may apply the na-
2	tional average reimbursement rate prescribed under the
3	Richard B. Russell National School Lunch Act (42 U.S.C.
4	1751 et seq.) and section 4 of the Child Nutrition Act
5	of 1966 (42 U.S.C. 1773) to Guam or the United States
6	Virgin Islands, or both, if—
7	(1) the Secretary—
8	(A) determines such application is appro-
9	priate in a report published pursuant to section
10	3; and
11	(B) the Secretary publishes such a deter-
12	mination in the Federal Register with an oppor-
13	tunity for a public comment period of at least
14	60 days; and
15	(2) on a date that is after the termination of
16	the public comment period required under paragraph
17	(1)(B) and at least 30 days before applying such re-
18	imbursement rate Guam or the United States Virgin
19	Islands, the Secretary provides notice—
20	(A) to the Congressional committees speci-
21	fied in section $3(b)(2)(A)$;
22	(B) to each of the delegates to the House
23	of Representatives from Guam and the United
24	States Virgin Islands, as applicable; and

	0
1	(C) to the Governors of Guam and the
2	United States Virgin Islands, as applicable.
3	SEC. 3. USDA REPORT ON SCHOOL MEALS REIMBURSE-
4	MENT RATES IN U.S. TERRITORIES.
5	(a) USDA REPORT.—Not later than 5 years after the
6	date of enactment of this Act, and once every 10 years
7	thereafter, the Secretary of Agriculture shall prepare and
8	publish a report on—
9	(1) the cost differences between—
10	(A) providing meals and supplements
11	under the Richard B. Russell National School
12	Act (42 U.S.C. 1751 et seq.) and section 4 of
13	the Child Nutrition Act of 1966 (42 U.S.C.
14	1773) in American Samoa, Guam, the Northern
15	Mariana Islands, Puerto Rico, and the United
16	States Virgin Islands, respectively;
17	(B) the average cost of providing meals
18	and supplements under such provisions of law
19	in the contiguous 48 States and the District of
20	Columbia; and
21	(C) the cost of providing meals and supple-
22	ments under such provisions of law in Alaska
23	and Hawaii;
24	(2) the relationship between the cost differences
25	under paragraph (1) and the national average pay-

1	ment rates for meals and supplements under the
2	Richard B. Russell National School Lunch Act (42
3	U.S.C. 1751 et seq.) and section 4 of the Child Nu-
4	trition Act of 1966 (42 U.S.C. 1773); and
5	(3) the number and percentage of students who
6	are eligible for—
7	(A) a free or reduced price lunch under the
8	Richard B. Russell National School Lunch Act
9	(42 U.S.C. 1751 et seq.); and
10	(B) the breakfast program under section 4
11	of the Child Nutrition Act of 1966 (42 U.S.C.
12	1773).
13	(b) PUBLIC AVAILABILITY.—The report required
14	under subsection (a) shall be—
15	(1) published on the Internet website of the
16	Federal Register for public comment for no fewer
17	than 60 days; and
18	(2) finalized within 180 days after the end of
19	the public comment period and—
20	(A) submitted to the Committee on Edu-
21	cation and Labor and the Committee on Agri-
22	culture of the House of Representatives, the
23	Committee on Agriculture, Nutrition, and For-
24	estry of the Senate, and each of the delegates
25	or resident commissioner to the House of Rep-

resentatives from American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands, respectively; and

5 (B) made readily available on a public6 Government Internet website.

1

2

3

4