

## 116TH CONGRESS 1ST SESSION

## S. 2358

To amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, and for other purposes.

## IN THE SENATE OF THE UNITED STATES

July 31, 2019

Mr. Casey (for himself and Ms. Collins) 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 increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, 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.
- This Act may be cited as the "Wise Investment in
- 5 Children Act of 2019" or the "WIC Act of 2019".

1	SEC. 2. AGE OF ELIGIBILITY FOR CHILDREN UNDER THE
2	SPECIAL SUPPLEMENTAL NUTRITION PRO-
3	GRAM.
4	(a) Definition of Child.—Section 17 of the Child
5	Nutrition Act of 1966 (42 U.S.C. 1786) is amended—
6	(1) in subsection (b), by striking paragraph (2)
7	and inserting the following:
8	"(2) Child.—The term 'child' means—
9	"(A) a person who has attained their first
10	birthday but has not yet attained their fifth
11	birthday; and
12	"(B) for purposes of subsection
13	(d)(3)(A)(iii)(II), a person who has attained
14	their first birthday but has not yet attained
15	their sixth birthday.";
16	(2) in subsection $(e)(4)(A)$ , by striking "up to
17	age 5"; and
18	(3) in subsection $(f)(7)(D)(i)$ , by striking
19	"under the age of 5".
20	(b) CERTIFICATION.—Section 17(d)(3)(A)(iii) of the
21	Child Nutrition Act of 1966 (42 U.S.C.
22	1786(d)(3)(A)(iii)) is amended—
23	(1) by striking "A State" and inserting the fol-
24	lowing:
25	"(I) In general.—A State";
26	and

1	(2) by adding at the end the following:
2	"(II) 5-YEAR-OLD CHILDREN.—
3	"(aa) In GENERAL.—A
4	State may elect to certify a par-
5	ticipant child who has had a fifth
6	birthday but has not yet attained
7	their sixth birthday, during the
8	period that ends on the earlier
9	of—
10	"(AA) the sixth birth-
11	day of the child; and
12	"(BB) the first date on
13	which the child attends full
14	day kindergarten.
15	"(bb) Requirements.—
16	Each State that elects to certify
17	a child under item (aa) shall—
18	"(AA) ensure that the
19	participant child receives re-
20	quired health and nutrition
21	assessments; and
22	"(BB) establish a sys-
23	tem to determine the first
24	date on which a participant

1	child attends full day kin-
2	dergarten.".
3	(c) Conforming Amendment.—Section
4	1902(a)(53)(A) of the Social Security Act (42 U.S.C.
5	1396a(a)(53)(A)) is amended by striking "below the age
6	of 5" and inserting "(as defined in that section)".
7	SEC. 3. CERTIFICATION OF INFANTS.
8	(a) Definition of Infant.—Section 17(b) of the
9	Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) is
10	amended by striking paragraph (5) and inserting the fol-
11	lowing:
12	"(5) Infant.—The term 'infant' means—
13	"(A) a person under 1 year of age; and
14	"(B) for purposes of subsection (d), a per-
15	son under 2 years of age.".
16	(b) CERTIFICATION.—Section 17(d)(3)(A) of the
17	Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(A))
18	is amended by adding at the end the following:
19	"(iv) Infants.—
20	"(I) IN GENERAL.—A State may
21	elect to certify an infant for a period
22	of not more than 2 years.
23	"(II) Assessments.—In certi-
24	fying an infant under subclause (I), a
25	State shall ensure that the infant re-

1	ceives required health and nutrition
2	assessments.".
3	SEC. 4. EXTENSION OF POSTPARTUM PERIOD.
4	(a) Breastfeeding Women.—
5	(1) Definition of Breastfeeding woman.—
6	Section 17(b) of the Child Nutrition Act of 1966 (42
7	U.S.C. 1786(b)) is amended by striking paragraph
8	(1) and inserting the following:
9	"(1) Breastfeeding woman.—The term
10	'breastfeeding woman' means—
11	"(A) a woman who is not more than 1 year
12	postpartum and is breastfeeding the infant of
13	the woman; and
14	"(B) for purposes of subsection (d), a
15	woman who is not more than 2 years
16	postpartum and is breastfeeding the infant of
17	the woman.".
18	(2) Certification.—Section 17(d)(3)(A)(ii) of
19	the Child Nutrition Act of 1966 (42 U.S.C.
20	1786(d)(3)(A)(ii)) is amended by striking "1 year"
21	and all that follows through "earlier" and inserting
22	"not more than 2 years postpartum".
23	(b) Postpartum Women.—
24	(1) Definition of Postpartum woman.—
25	Section 17(b) of the Child Nutrition Act of 1966 (42

1	U.S.C. 1786(b)) is amended by striking paragraph
2	(10) and inserting the following:
3	"(10) Postpartum woman.—The term
4	'postpartum woman' means—
5	"(A) a woman up to 6 months after termi-
6	nation of pregnancy; and
7	"(B) for purposes of subsection (d), a
8	woman up to 2 years after termination of preg-
9	nancy.".
10	(2) Certification.—Section 17(d)(3)(A) of
11	the Child Nutrition Act of 1966 (42 U.S.C.
12	1786(d)(3)(A)) (as amended by section $3(b)$ ) is
13	amended by adding at the end the following:
14	"(v) Postpartum women.—A State
15	may elect to certify a postpartum woman
16	for a period of up to 2 years after the ter-
17	mination of pregnancy of the postpartum
18	woman.".