

Union Calendar No. 354

105TH CONGRESS
2^D SESSION

H. R. 3874

[Report No. 105-633]

A BILL

To amend the Child Nutrition Act of 1966 to make improvements to the special supplemental nutrition program for women, infants, and children and to extend the authority of that program through fiscal year 2003.

JULY 20, 1998

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1998

Mr. CASTLE (for himself and Mr. RIGGS) introduced the following bill; which was referred to the Committee on Education and the Workforce

JULY 20, 1998

Additional sponsor: Mr. GREENWOOD

JULY 20, 1998

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 14, 1998]

A BILL

To amend the Child Nutrition Act of 1966 to make improvements to the special supplemental nutrition program for women, infants, and children and to extend the authority of that program through fiscal year 2003.

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; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
 5 *“Child Nutrition and WIC Reauthorization Amendments of*
 6 *1998”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents is as*
 8 *follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Effective date.

TITLE I—AMENDMENTS TO THE NATIONAL SCHOOL LUNCH ACT

Sec. 101. Provision of commodities.

Sec. 102. Nutritional and other program requirements.

Sec. 103. Special assistance.

Sec. 104. Miscellaneous provisions and definitions.

Sec. 105. Summer food service program for children.

Sec. 106. Commodity distribution program.

Sec. 107. Child and adult care food program.

Sec. 108. Meal supplements for children in afterschool care.

Sec. 109. Universal free breakfast pilot projects.

Sec. 110. Training and technical assistance.

Sec. 111. Compliance and accountability.

Sec. 112. Information clearinghouse.

Sec. 113. Accommodation of the special dietary needs of individuals with disabili-
ties.

TITLE II—AMENDMENTS TO THE CHILD NUTRITION ACT OF 1966

Sec. 201. State administrative expenses.

Sec. 202. Special supplemental nutrition program for women, infants, and chil-
dren.

Sec. 203. Nutrition education and training program.

9 **SEC. 2. EFFECTIVE DATE.**

10 *This Act, and the amendments made by this Act, shall*
 11 *take effect on October 1, 1998, or the date of the enactment*
 12 *of this Act, whichever occurs later.*

1 **TITLE I—AMENDMENTS TO THE**
2 **NATIONAL SCHOOL LUNCH ACT**

3 **SEC. 101. PROVISION OF COMMODITIES.**

4 *Section 6 of the National School Lunch Act (42 U.S.C.*
5 *1755) is amended—*

6 *(1) in subsection (b), by striking “authorized*
7 *under subsection (c)” and inserting “required under*
8 *subsections (c) and (e)”;*

9 *(2) by striking subsections (c) and (d); and*

10 *(3) by redesignating subsections (e), (f), and (g)*
11 *as subsections (c), (d), and (e), respectively.*

12 **SEC. 102. NUTRITIONAL AND OTHER PROGRAM REQUIRE-**
13 **MENTS.**

14 *(a) STATE OR LOCAL HEALTH AND SAFETY INSPEC-*
15 *TIONS.—Section 9 of the National School Lunch Act (42*
16 *U.S.C. 1758) is amended by adding at the end the following:*

17 *“(h) If the food service operations of a school partici-*
18 *pating in the school lunch program under this Act or the*
19 *school breakfast program under section 4 of the Child Nutri-*
20 *tion Act of 1966 (42 U.S.C. 1773) are not required by State*
21 *or local law to undergo health and safety inspections, then*
22 *the school shall twice during each school year obtain State*
23 *or local health and safety inspections to ensure that meals*
24 *provided under such programs are prepared and served in*
25 *a healthful and safe environment.”.*

1 **(b) SINGLE PERMANENT AGREEMENTS BETWEEN**
 2 **STATE AGENCIES AND SCHOOL FOOD AUTHORITIES; COM-**
 3 **MON CLAIMING PROCEDURES.**—Section 9 of such Act (42
 4 U.S.C. 1758), as amended by this Act, is further amended
 5 by adding at the end the following:

6 “(i)(1) If a single State agency administers the school
 7 lunch program under this Act, the school breakfast program
 8 under section 4 of the Child Nutrition Act of 1966 (42
 9 U.S.C. 1773), the summer food service program for children
 10 under section 13 of this Act, or the child and adult care
 11 food program under section 17 of this Act, then such agen-
 12 cy—

13 “(A) shall require each school food authority to
 14 submit a single agreement with respect to the oper-
 15 ation of such programs by such authority; and

16 “(B) shall require a common claiming procedure
 17 with respect to meals and supplements served under
 18 such programs.

19 “(2) The agreement described in paragraph (1)(A)
 20 shall be a permanent agreement that may be amended as
 21 necessary.”.

22 **SEC. 103. SPECIAL ASSISTANCE.**

23 Section 11(a)(3)(B) of the National School Lunch Act
 24 (42 U.S.C. 1759a(a)(3)(B)) is amended in the third sen-

1 tence by striking “to the nearest one-fourth cent” and all
2 that follows through “shall be computed”.

3 **SEC. 104. MISCELLANEOUS PROVISIONS AND DEFINITIONS.**

4 (a) *ADJUSTMENTS TO REIMBURSEMENT RATES FOR*
5 *CERTAIN STATES AND TERRITORIES.*—Section 12(f) of the
6 *National School Lunch Act (42 U.S.C. 1760(f))* is amend-
7 ed—

8 (1) by striking “school breakfasts and lunches”
9 and inserting “breakfasts, lunches, suppers, and sup-
10 plements”;

11 (2) by striking “sections 4 and 11” and inserting
12 “sections 4, 11, 13, and 17”; and

13 (3) by striking “lunches and breakfasts” each
14 place it appears and inserting “meals”.

15 (b) *BUY AMERICAN REQUIREMENT.*—Section 12 of the
16 *National School Lunch Act (42 U.S.C. 1760)* is amended
17 by adding at the end the following:

18 “(n) *BUY AMERICAN REQUIREMENT.*—

19 “(1) *IN GENERAL.*—For purposes of providing
20 meals under the school lunch program under this Act
21 or the school breakfast program under section 4 of the
22 *Child Nutrition Act of 1966 (42 U.S.C. 1773)*, the
23 Secretary shall require schools located in the contig-
24 uous United States to purchase, to the extent prac-

1 *licable, only food products that are produced in the*
2 *United States.*

3 “(2) *ADDITIONAL REQUIREMENT.*—*The require-*
4 *ment of paragraph (1) shall also apply to recipient*
5 *agencies in Hawaii only with respect to food products*
6 *that are grown in Hawaii in sufficient quantities to*
7 *meet the needs of meals provided under the school*
8 *lunch program under this Act or the school breakfast*
9 *program under section 4 of the Child Nutrition Act*
10 *of 1966 (42 U.S.C. 1773).*

11 “(3) *DEFINITION.*—*As used in this subsection,*
12 *the term ‘food products that are produced in the*
13 *United States’ means—*

14 “(A) *unmanufactured food products that*
15 *are grown or produced in the United States; and*

16 “(B) *manufactured food products that are*
17 *manufactured in the United States substantially*
18 *from agricultural products grown or produced in*
19 *the United States.”.*

20 **SEC. 105. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
21 **DREN.**

22 (a) *DEFINITION OF PRIVATE NONPROFIT ORGANIZA-*
23 *TIONS.*—*Section 13(a)(7)(B) of the National School Lunch*
24 *Act (42 U.S.C. 1761(a)(7)(B)) is amended—*

25 (1) *in clause (i), to read as follows:*

1 “(i) operate not more than 25 sites, with not
2 more than 300 children being served at any one site
3 (or, with a waiver granted by the State agency under
4 standards developed by the Secretary, not more than
5 500 children being served at any one site);”;

6 (2) by striking clauses (ii) and (iii); and

7 (3) by redesignating clauses (iv), (v), (vi), and
8 (vii) as clauses (ii), (iii), (iv), and (v), respectively.

9 (b) *OFFER VERSUS SERVE*.—Section 13(f)(7) of such
10 Act (42 U.S.C. 1761(f)(7)) is amended in the first sentence
11 by striking “attending a site on school premises operated
12 directly by the authority”.

13 (c) *FOOD SERVICE MANAGEMENT COMPANIES*.—

14 (1) *CONTRACTING FOR PROVISION OF MEALS OR*
15 *MANAGEMENT OF PROGRAM*.—Section 13(l)(1) of such
16 Act (42 U.S.C. 1761(l)(1)) is amended—

17 (A) in the first sentence—

18 (i) by striking “(other than private
19 nonprofit organizations eligible under sub-
20 section (a)(7))”; and

21 (ii) by striking “only with food service
22 management companies registered with the
23 State in which they operate” and inserting
24 “with food service management companies”;
25 and

1 (B) by striking the last sentence.

2 (2) *REGISTRATION.*—Section 13(l)(2) of such Act
3 (42 U.S.C. 1761(l)(2)) is amended—

4 (A) in the first sentence of the matter pre-
5 ceding subparagraph (A), by striking “shall”
6 and inserting “may”; and

7 (B) by striking all after the first sentence.

8 (3) *OTHER PROVISIONS.*—Section 13(l) of such
9 Act (42 U.S.C. 1761(l)) is amended—

10 (A) by striking paragraph (3); and

11 (B) by redesignating paragraphs (4) and
12 (5) as paragraphs (3) and (4), respectively.

13 (d) *REAUTHORIZATION OF PROGRAM.*—Section 13(q)
14 of such Act (42 U.S.C. 1761(q)) is amended by striking
15 “1998” and inserting “2003”.

16 **SEC. 106. COMMODITY DISTRIBUTION PROGRAM.**

17 Section 14(a) of the National School Lunch Act (42
18 U.S.C. 1762a(a)) is amended in the matter preceding para-
19 graph (1) by striking “1998” and inserting “2003”.

20 **SEC. 107. CHILD AND ADULT CARE FOOD PROGRAM.**

21 (a) *ELIGIBILITY OF INSTITUTIONS.*—Section 17(a)(1)
22 of the National School Lunch Act (42 U.S.C. 1766(a)(1))
23 is amended to read as follows:

1 “(1) an institution (except a school or family or
2 group day care home sponsoring organization) or
3 family or group day care home—

4 “(A)(i) shall be licensed, or otherwise have
5 approval, by the appropriate Federal, State, or
6 local licensing authority; or

7 “(ii) shall be in compliance with appro-
8 priate procedures for renewing participation in
9 the program, as prescribed by the Secretary, un-
10 less the State has information indicating that
11 the institution or family or group day care
12 home’s license will not be renewed;

13 “(B) if Federal, State, or local licensing or
14 approval is not available—

15 “(i) shall meet any alternate approval
16 standards established by the appropriate
17 State or local governmental agency; or

18 “(ii) shall meet any alternate approval
19 standards established by the Secretary after
20 consultation with the Secretary of Health
21 and Human Services; or

22 “(C) if the institution provides care to
23 school children outside of school hours and Fed-
24 eral, State, or local licensing or approval is not

1 *required for such institution, shall meet State or*
2 *local health and safety standards; and”.*

3 **(b) CATEGORICAL ELIGIBILITY FOR EVEN START PRO-**
4 **GRAM PARTICIPANTS.**—*Section 17(c)(6)(B) of such Act (42*
5 *U.S.C. 1766(c)(6)(B)) is amended by striking “1997” and*
6 *inserting “2003”.*

7 **(c) TAX EXEMPT STATUS OF ELIGIBLE INSTITUTIONS;**
8 **REMOVAL OF NOTIFICATION REQUIREMENT FOR INCOM-**
9 **plete Applications.**—*Section 17(d)(1) of such Act (42*
10 *U.S.C. 1766(d)(1)) is amended—*

11 *(1) by inserting after the third sentence the fol-*
12 *lowing: “An institution moving toward compliance*
13 *with the requirement for tax exempt status shall be*
14 *allowed to participate in the program for a period of*
15 *not more than 6 months unless it can demonstrate to*
16 *the satisfaction of the State agency that its inability*
17 *to obtain tax exempt status within the 6-month pe-*
18 *riod is beyond the control of the institution in which*
19 *case the State agency may grant a single extension*
20 *not to exceed 90 days.”; and*

21 *(2) by striking the last sentence.*

22 **(d) USE OF FUNDS FOR AUDITS OF PARTICIPATING**
23 **INSTITUTIONS.**—*Section 17(i) of such Act (42 U.S.C.*
24 *1766(i)) is amended by striking “2 percent” and inserting*
25 *“1 percent”.*

1 (e) *PERMANENT AUTHORIZATION OF DEMONSTRATION*
2 *PROJECT.*—Section 17(p) of such Act (42 U.S.C. 1766(p))
3 is amended by striking paragraphs (4) and (5).

4 (f) *TRANSFER OF HOMELESS PROGRAMS.*—

5 (1) *IN GENERAL.*—Section 17 of such Act (42
6 U.S.C. 1766) is amended by adding at the end the fol-
7 lowing:

8 “(g) *PARTICIPATION BY EMERGENCY SHELTERS.*—

9 “(1) *IN GENERAL.*—Except as otherwise provided
10 in this subsection, an emergency shelter shall be eligi-
11 ble to participate in the program authorized under
12 this section in accordance with the terms and condi-
13 tions applicable to eligible institutions described in
14 subsection (a).

15 “(2) *LICENSING REQUIREMENTS.*—The licensing
16 requirements contained in subsection (a)(1) shall not
17 apply to emergency shelters or sites operated by such
18 shelters under the program.

19 “(3) *ADDITIONAL REQUIREMENTS.*—

20 “(A) *HEALTH AND SAFETY STANDARDS.*—
21 An emergency shelter and each site operated by
22 such shelter shall comply with State or local
23 health and safety standards.

24 “(B) *MEAL REIMBURSEMENT.*—

1 “(i) *LIMITATION.*—*An emergency shel-*
2 *ter may claim reimbursement—*

3 “(I) *only for meals and supple-*
4 *ments served to children who have not*
5 *attained the age of 13 and who are re-*
6 *siding at an emergency shelter; and*

7 “(II) *for not more than 3 meals,*
8 *or 2 meals and a supplement, per child*
9 *per day.*

10 “(ii) *RATE.*—*A meal or supplement el-*
11 *igible for reimbursement shall be reimbursed*
12 *at the rate at which free meals and supple-*
13 *ments are reimbursed under subsection (c).*

14 “(iii) *NO CHARGE.*—*A meal or supple-*
15 *ment claimed for reimbursement shall be*
16 *served without charge.*

17 “(4) *DEFINITION OF EMERGENCY SHELTER.*—*As*
18 *used in this subsection, the term ‘emergency shelter’*
19 *has the meaning given such term in section 321(2) of*
20 *the Stewart B. McKinney Homeless Assistance Act*
21 *(42 U.S.C. 11351(2)).”.*

22 “(2) *CONFORMING AMENDMENTS.*—(A) *Section*
23 *13(a)(3)(C) of such Act (42 U.S.C. 1761(a)(3)(C)) is*
24 *amended—*

25 *(i) in clause (i), by adding “or” at the end;*

1 (ii) by striking clause (ii); and
2 (iii) by redesignating clause (iii) as clause
3 (ii).

4 (B) Section 17B of such Act (42 U.S.C. 1766b)
5 is hereby repealed.

6 (g) PARTICIPATION BY “AT RISK” CHILD CARE PRO-
7 GRAMS.—Section 17 of such Act (42 U.S.C. 1766), as
8 amended by this Act, is further amended by adding at the
9 end the following:

10 “(r) ‘AT RISK’ CHILD CARE.—

11 “(1) IN GENERAL.—Subject to the conditions in
12 this subsection, institutions that provide care to at
13 risk school children during after-school hours, week-
14 ends, or holidays during the regular school year may
15 participate in the program authorized under this sec-
16 tion. Unless otherwise specified in this subsection, all
17 other provisions of this section shall apply to these in-
18 stitutions.

19 “(2) AT RISK SCHOOL CHILDREN.—Children ages
20 12 through 18 who live in a geographical area served
21 by a school enrolling elementary students in which at
22 least 50 percent of the total number of children en-
23 rolled are certified eligible to receive free or reduced
24 price school meals under this Act or the Child Nutri-
25 tion Act of 1966 shall be considered at risk.

1 “(3) *SUPPLEMENT REIMBURSEMENT.*—

2 “(A) *LIMITATION.*—*Only supplements*
3 *served to at risk school children during after-*
4 *school hours, weekends, or holidays during the*
5 *regular school year may be claimed for reim-*
6 *bursement. Institutions may claim reimburse-*
7 *ment for only one supplement per child per day.*

8 “(B) *RATE.*—*Eligible supplements shall be*
9 *reimbursed at the rate for free supplements*
10 *under subsection (c)(3).*

11 “(C) *NO CHARGE.*—*All supplements claimed*
12 *for reimbursement shall be served without*
13 *charge.”.*

14 **SEC. 108. MEAL SUPPLEMENTS FOR CHILDREN IN AFTER-**
15 **SCHOOL CARE.**

16 *Section 17A of the National School Lunch Act (42*
17 *U.S.C. 1766a) is amended—*

18 (1) *in subsection (a)(2)(C) to read as follows:*

19 “(C) *operate afterschool programs with an*
20 *educational or enrichment purpose.”; and*

21 (2) *in subsection (b), by striking “served to chil-*
22 *dren” and all that follows and inserting “served to*
23 *children who are not more than 18 years of age.”.*

1 **SEC. 109. UNIVERSAL FREE BREAKFAST PILOT PROJECTS.**

2 *Section 18(i) of the National School Lunch Act (42*
3 *U.S.C. 1769(i)) is amended to read as follows:*

4 “(i) *UNIVERSAL FREE BREAKFAST PILOT*
5 *PROJECTS.—*

6 “(1) *IN GENERAL.—*

7 “(A) *GRANTS TO STATES.—(i) Subject to*
8 *the availability of advance appropriations under*
9 *paragraph (8), the Secretary shall make grants*
10 *to not more than 5 States to conduct pilot*
11 *projects in elementary schools under school food*
12 *authorities located in each such State—*

13 “(I) *to reduce paperwork;*

14 “(II) *to simplify meal counting re-*
15 *quirements; and*

16 “(III) *to make changes that will in-*
17 *crease participation in the school breakfast*
18 *program.*

19 “(ii) *The Secretary shall select States to re-*
20 *ceive grants under clause (i), and make grants to*
21 *such States, in the first fiscal year for which ap-*
22 *propriations are made to carry out this sub-*
23 *section.*

24 “(B) *GRANTS TO SCHOOL FOOD AUTHORI-*
25 *TIES; DURATION OF PILOT PROJECTS.—(i)(I) A*
26 *State receiving a grant under subparagraph (A)*

1 *shall make grants to school food authorities to*
2 *carry out the pilot projects described in such sub-*
3 *paragraph.*

4 “(II) *The State shall select school food au-*
5 *thorities to receive grants under clause (i), and*
6 *make grants to such authorities, in the first fis-*
7 *cal year for which the State receives amounts*
8 *under a grant.*

9 “(i) *A school food authority receiving*
10 *amounts under a grant to conduct a pilot project*
11 *described in subparagraph (A) shall conduct*
12 *such project for the 3-year period beginning in*
13 *the first fiscal year in which the authority re-*
14 *ceives amounts under a grant from the State.*

15 “(C) *PARTICIPATION LIMITATION.—A school*
16 *food authority conducting a pilot project under*
17 *this paragraph shall ensure that some elemen-*
18 *tary schools under such authority do not partici-*
19 *pate in the pilot project.*

20 “(2) *WAIVER AUTHORITY.—*

21 “(A) *IN GENERAL.—Except as provided in*
22 *subparagraph (B), the Secretary may waive the*
23 *requirements of this Act and the Child Nutrition*
24 *Act of 1966 (42 U.S.C. 1771 et seq.) relating to*
25 *counting of meals, applications for eligibility,*

1 *and related requirements that would preclude the*
2 *Secretary from making a grant to conduct a*
3 *pilot project under paragraph (1).*

4 “(B) *NON-WAIVABLE REQUIREMENTS.—The*
5 *Secretary may not waive a requirement under*
6 *subparagraph (A) if the waiver would prevent a*
7 *program participant, a potential recipient, or a*
8 *school from receiving all of the benefits and pro-*
9 *tections of this Act, the Child Nutrition Act of*
10 *1966, or a Federal statute or regulation that*
11 *protects an individual constitutional right or a*
12 *statutory civil right.*

13 “(3) *REQUIREMENTS FOR PARTICIPATION IN*
14 *PILOT.—To be eligible to participate in a pilot project*
15 *under this subsection—*

16 “(A) *a State—*

17 “(i) *shall submit an application to the*
18 *Secretary at such time and in such manner*
19 *as the Secretary shall establish; and*

20 “(ii) *shall provide such information*
21 *relative to the operation and results of the*
22 *pilot as the Secretary may reasonably re-*
23 *quire; and*

24 “(B) *a school food authority—*

1 “(i) shall agree to serve all breakfasts
2 at no charge to all children in participating
3 elementary schools;

4 “(ii) shall not have a history of viola-
5 tions of this Act or the Child Nutrition Act
6 of 1966 (42 U.S.C. 1771 et seq.); and

7 “(iii) shall meet any other requirement
8 that the Secretary may reasonably require.

9 “(4) SELECTION OF PILOT ELEMENTARY
10 SCHOOLS.—To the extent practicable, a State shall se-
11 lect school food authorities to participate in the pilot
12 program under this subsection in a manner that will
13 provide for an equitable distribution among the fol-
14 lowing types of elementary schools:

15 “(A) Urban and rural elementary schools.

16 “(B) Elementary schools of varying family
17 income levels.

18 “(5) REIMBURSEMENT RATES.—A school food
19 authority conducting a pilot project under this sub-
20 section shall receive reimbursement for each breakfast
21 served under the pilot in an amount equal to the rate
22 for free breakfasts established under section 4(b)(1)(B)
23 of the Child Nutrition Act of 1966 (42 U.S.C.
24 1773(b)(1)(B)).

1 “(6) *COMMODITY ENTITLEMENT.*—*A school food*
2 *authority conducting a pilot project under this sub-*
3 *section shall receive commodities in the amount of at*
4 *least 5 cents per breakfast served under the pilot. The*
5 *value of such commodities shall be deducted from the*
6 *amount of cash reimbursement described in para-*
7 *graph (5).*

8 “(7) *EVALUATION OF PILOT PROJECT.*—

9 “(A) *IN GENERAL.*—*The Secretary, acting*
10 *through the Administrator of the Food and Nu-*
11 *trition Service, shall conduct an evaluation of*
12 *the pilot projects in each of the school food au-*
13 *thorities selected for participation. Such evalua-*
14 *tion shall include—*

15 “(i) *a determination of the effect of*
16 *participation in the pilot project on the*
17 *academic achievement, tardiness and at-*
18 *tendance, and dietary intake of participat-*
19 *ing children that is not attributable to*
20 *changes in educational policies and prac-*
21 *tices; and*

22 “(ii) *a determination of the effect that*
23 *participation by elementary schools in the*
24 *pilot projects has on the proportion of stu-*
25 *dents who eat breakfast.*

1 “(B) *REPORT.*—Upon completion of the
2 *pilot projects and the evaluation, the Secretary*
3 *shall submit to the Committee on Education and*
4 *the Workforce of the House of Representatives*
5 *and the Committee on Agriculture, Nutrition,*
6 *and Forestry of the Senate a report containing*
7 *the evaluation of the pilot required under sub-*
8 *paragraph (A).*

9 “(8) *AUTHORIZATION OF APPROPRIATIONS.*—
10 *There are authorized to be appropriated such sums as*
11 *may be necessary to carry out this subsection.”.*

12 **SEC. 110. TRAINING AND TECHNICAL ASSISTANCE.**

13 *Section 21(e)(1) of the National School Lunch Act (42*
14 *U.S.C. 1769b–1(e)(1)) is amended by striking “1998” and*
15 *inserting “2003”.*

16 **SEC. 111. COMPLIANCE AND ACCOUNTABILITY.**

17 *Section 22(d) of the National School Lunch Act (42*
18 *U.S.C. 1769c(d)) is amended by striking “1996” and insert-*
19 *ing “2003”.*

20 **SEC. 112. INFORMATION CLEARINGHOUSE.**

21 *(a) AUTHORITY TO ESTABLISH AND MAINTAIN CLEAR-*
22 *INGHOUSE.*—*Section 26(a) of the National School Lunch*
23 *Act (42 U.S.C. 1769g(a)) is amended by striking “shall”*
24 *and inserting “may”.*

1 (b) *NONGOVERNMENTAL ORGANIZATION.*—Section
2 26(b) of such Act (42 U.S.C. 1769g(b)) is amended in the
3 matter preceding paragraph (1) by inserting after “shall
4 be selected on a competitive basis” the following: “, except
5 that, notwithstanding any other provision of law, the Sec-
6 retary may enter into a contract for the services of any or-
7 ganization with which the Secretary has previously entered
8 into a contract under this section without such organization
9 competing for such new contract, if such organization has
10 performed satisfactorily under such prior contract and oth-
11 erwise meets the criteria established in this subsection.”.

12 (c) *LIMITATION ON AMOUNT PROVIDED UNDER THE*
13 *CONTRACT.*—Section 26 of such Act (42 U.S.C. 1769g) is
14 amended—

15 (1) by redesignating subsections (c) and (d) as
16 subsections (d) and (e), respectively; and

17 (2) by inserting after subsection (b) the follow-
18 ing:

19 “(c) *LIMITATION ON AMOUNT PROVIDED UNDER THE*
20 *CONTRACT.*—The Secretary may provide to the organiza-
21 tion described in subsection (b) an amount not to exceed
22 \$150,000 in each of fiscal years 1999 through 2003.”.

23 (d) *FUNDING.*—Section 26(e) of such Act (42 U.S.C.
24 1769g(e)) (as so redesignated) is amended to read as follows:

25 “(e) *FUNDING.*—

1 “(1) *IN GENERAL.*—*There are authorized to be*
 2 *appropriated \$150,000 for each of the fiscal years*
 3 *1999 through 2003 to carry out this section.*

4 “(2) *REQUIREMENT.*—*No amounts may be pro-*
 5 *vided for the clearinghouse under this section unless*
 6 *specifically provided in appropriations Acts.”.*

7 **SEC. 113. ACCOMMODATION OF THE SPECIAL DIETARY**
 8 **NEEDS OF INDIVIDUALS WITH DISABILITIES.**

9 *Section 27 of the National School Lunch Act (42*
 10 *U.S.C. 1769h) is amended to read as follows:*

11 **“SEC. 27. ACCOMMODATION OF THE SPECIAL DIETARY**
 12 **NEEDS OF INDIVIDUALS WITH DISABILITIES.**

13 “(a) *IN GENERAL.*—*The Secretary may carry out ac-*
 14 *tivities to help accommodate the special dietary needs of*
 15 *individuals with disabilities who are participating in a*
 16 *covered program. Such activities may include—*

17 “(1) *developing and disseminating to State agen-*
 18 *cies guidance and technical assistance materials;*

19 “(2) *conducting training of State agencies and*
 20 *eligible entities; and*

21 “(3) *providing grants to State agencies and eli-*
 22 *gible entities.*

23 “(b) *DEFINITIONS.*—*As used in this section:*

24 “(1) *INDIVIDUALS WITH DISABILITIES.*—*The*
 25 *term ‘individuals with disabilities’ has the meaning*

1 *given the term ‘individual with a disability’ as de-*
2 *finied in section 7(8) of the Rehabilitation Act of 1973*
3 *(29 U.S.C. 706(8)).*

4 “(2) *COVERED PROGRAM.*—*The term ‘covered*
5 *program’ means—*

6 “(A) *the school lunch program authorized*
7 *under this Act;*

8 “(B) *the school breakfast program author-*
9 *ized under section 4 of the Child Nutrition Act*
10 *of 1966 (42 U.S.C. 1773); and*

11 “(C) *any other program authorized under*
12 *this Act or the Child Nutrition Act of 1966 (ex-*
13 *cept for section 17) that the Secretary determines*
14 *is appropriate.*

15 “(3) *ELIGIBLE ENTITY.*—*The term ‘eligible en-*
16 *tity’ means a school food authority, institution, or*
17 *service institution that participates in a covered pro-*
18 *gram.*

19 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
20 *authorized to be appropriated such sums as may be nec-*
21 *essary for each of the fiscal years 1999 through 2003 to*
22 *carry out this section.”.*

1 **TITLE II—AMENDMENTS TO THE**
2 **CHILD NUTRITION ACT OF 1966**

3 **SEC. 201. STATE ADMINISTRATIVE EXPENSES.**

4 (a) *REALLOCATION OF AMOUNTS.*—Section 7(a)(5)(B)
5 of the Child Nutrition Act of 1966 (42 U.S.C.
6 1776(a)(5)(B)) is amended—

7 (1) by striking “(i)”;

8 (2) by striking the second sentence and all that
9 follows; and

10 (3) by adding at the end the following: “The Sec-
11 retary shall then allocate, for purposes of administra-
12 tion costs, any remaining amounts among States that
13 demonstrate a need for such amounts.”.

14 (b) *ELIMINATION OF 10 PERCENT TRANSFER LIMITA-*
15 *TION.*—Section 7(a)(6) of such Act (42 U.S.C. 1776(a)(6))
16 is amended to read as follows:

17 “(6) Funds available to States under this subsection
18 and under section 13(k)(1) of the National School Lunch
19 Act may be used by State agencies for the costs of adminis-
20 tration of the programs authorized under this Act (except
21 for the programs authorized under sections 17 and 21) and
22 the National School Lunch Act without regard to the basis
23 on which such funds were earned and allocated.”.

1 (c) *REAUTHORIZATION OF PROGRAM.*—Section 7(g) of
2 such Act (42 U.S.C. 1776(g)) is amended by striking
3 “1998” and inserting “2003”.

4 **SEC. 202. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM**
5 **FOR WOMEN, INFANTS, AND CHILDREN.**

6 (a) *ADDITIONAL REQUIREMENTS FOR APPLICANTS.*—

7 (1) *PHYSICAL PRESENCE REQUIREMENT.*—Sec-
8 tion 17(d)(3) of the Child Nutrition Act of 1966 (42
9 U.S.C. 1786(d)(3)) is amended by adding at the end
10 the following:

11 “(C)(i) Except as provided in clause (ii), each appli-
12 cant to the program shall be physically present at each cer-
13 tification determination in order to determine eligibility
14 under the program.

15 “(ii) A local agency may waive the requirement of
16 clause (i)—

17 “(I) if required to do so by requirements under
18 the Americans with Disabilities Act;

19 “(II) with respect to a child who was present at
20 the initial certification visit and who is receiving on-
21 going health care from a provider other than such
22 local agency, if the agency determines that the re-
23 quirement of clause (i) would present a barrier to
24 participation; or

1 “(III) with respect to a child (aa) who was
2 present at the initial certification visit, (bb) who was
3 present at a certification determination within the 1-
4 year period ending on the date of the certification de-
5 termination described in clause (i), and (cc) who has
6 one or more parents who work, if the agency deter-
7 mines that the requirement of clause (i) would cause
8 a barrier to participation.”.

9 (2) *INCOME DOCUMENTATION REQUIREMENT.*—
10 Section 17(d)(3) of the Child Nutrition Act of 1966
11 (42 U.S.C. 1786(d)(3)), as amended by paragraph
12 (1), is further amended by adding at the end the fol-
13 lowing:

14 “(D)(i) Except as provided in clause (ii), in order to
15 be eligible for the program, each applicant to the program
16 shall provide—

17 “(I) documentation of household income; or

18 “(II) documentation of participation in a pro-
19 gram described in clauses (ii) and (iii) of paragraph
20 (2)(A).

21 “(ii)(I) A State agency may waive the requirement of
22 clause (i)—

23 “(aa) with respect to an applicant for whom the
24 necessary documentation is not available; or

1 “(bb) with respect to an applicant, such as
2 homeless women or children, for whom the agency de-
3 termines the requirement of clause (i) would present
4 a barrier to participation.

5 “(II) The Secretary shall prescribe regulations to carry
6 out division (aa).”.

7 (b) *EDUCATION AND EDUCATIONAL MATERIALS RE-*
8 *LATING TO EFFECTS OF DRUG AND ALCOHOL USE.*—Sec-
9 tion 17(e)(1) of such Act (42 U.S.C. 1786(e)(1)) is amended
10 by adding at the end the following: “A local agency partici-
11 pating in the program shall provide education or edu-
12 cational materials relating to the effects of drug and alcohol
13 use by a pregnant, postpartum, or breastfeeding woman on
14 the developing child of the woman.”.

15 (c) *DISTRIBUTION OF NUTRITION EDUCATION MATE-*
16 *RIALS TO STATE AGENCIES ADMINISTERING THE COMMOD-*
17 *ITY SUPPLEMENTAL FOOD PROGRAM.*—Section 17(e) of
18 such Act (42 U.S.C. 1786(e)) is amended—

19 (1) by redesignating paragraphs (4) and (5) as
20 paragraphs (5) and (6), respectively; and

21 (2) by inserting after paragraph (3) the follow-
22 ing:

23 “(4) The Secretary may provide nutrition education
24 materials, including breastfeeding promotion materials, de-
25 veloped with funds appropriated to carry out the program

1 *under this section in bulk quantity to State agencies admin-*
2 *istering the commodity supplemental food program author-*
3 *ized under sections 4(a) and 5 of the Agriculture and Con-*
4 *sumer Protection Act of 1973 at no cost to that program.”.*

5 *(d) IDENTIFICATION OF RECIPIENTS PARTICIPATING*
6 *AT MORE THAN 1 SITE.—Section 17(f) of such Act (42*
7 *U.S.C. 1786(f)) is amended by adding at the end the follow-*
8 *ing:*

9 *“(23) Each State agency shall implement a system de-*
10 *signed to identify recipients who are participating at more*
11 *than 1 site under the program.”.*

12 *(e) IDENTIFICATION OF HIGH RISK VENDORS; COM-*
13 *PLIANCE INVESTIGATIONS.—*

14 *(1) IN GENERAL.—Section 17(f) of such Act (42*
15 *U.S.C. 1786(f)), as amended by this Act, is further*
16 *amended by adding at the end the following:*

17 *“(24) Each State agency—*

18 *“(A) shall identify vendors that have a high*
19 *probability of program abuse; and*

20 *“(B) shall conduct compliance investigations of*
21 *such vendors.”.*

22 *(2) REGULATIONS.—Not later than March 1,*
23 *1999, the Secretary of Agriculture shall promulgate*
24 *final regulations to carry out section 17(f)(24) of such*

1 *Act (42 U.S.C. 1786(f)(24)), as added by paragraph*
2 *(1).*

3 *(f) REAUTHORIZATION OF PROGRAM.—Section*
4 *17(g)(1) of such Act (42 U.S.C. 1786(g)(1)) is amended in*
5 *the first sentence by striking “1995 through 1998” and in-*
6 *serting “1999 through 2003”.*

7 *(g) PURCHASE OF BREAST PUMPS.—Section*
8 *17(h)(1)(C) of such Act (42 U.S.C. 1786(h)(1)(C)) is*
9 *amended—*

10 *(1) by striking “(C)” and inserting “(C)(i)”; and*

11 *(2) by adding at the end the following:*

12 *“(ii)(I) Notwithstanding any other provision of this*
13 *section, with respect to fiscal year 2000 and subsequent fis-*
14 *cal years, a State agency may use amounts made available*
15 *under clause (i) for the purchase of breast pumps.*

16 *“(II) A State agency that exercises the authority of*
17 *subclause (I) shall expend from amounts allocated for nutri-*
18 *tion services and administration an amount for the pur-*
19 *chase of breast pumps that is not less than the amount ex-*
20 *pended for the purchase of breast pumps from amounts*
21 *available for nutrition services and administration for the*
22 *prior fiscal year.”.*

23 *(h) NUTRITION SERVICES AND ADMINISTRATION.—*

24 *(1) ALLOCATION OF AMOUNTS.—Section*
25 *17(h)(2)(A) of such Act (42 U.S.C. 1786(h)(2)(A)) is*

1 *amended in the first sentence by striking “1995*
2 *through 1998” and inserting “1999 through 2003”.*

3 (2) *LEVEL OF PER PARTICIPANT EXPENDI-*
4 *TURE.—Section 17(h)(2)(B)(ii) of such Act (42*
5 *U.S.C. 1786(h)(2)(B)(ii)) is amended by striking “15*
6 *percent” and inserting “10 percent (except that the*
7 *Secretary may establish a higher percentage for small*
8 *State agencies)”.*

9 (i) *CONVERSION OF AMOUNTS FOR FOOD BENEFITS TO*
10 *AMOUNTS FOR NUTRITION SERVICES AND ADMINISTRA-*
11 *TION.—Section 17(h)(5)(A) of such Act (42 U.S.C.*
12 *1786(h)(5)(A)) is amended in the matter preceding clause*
13 *(i) by striking “achieves” and all that follows through “such*
14 *State agency may” and inserting “submits a plan to reduce*
15 *average food costs per participant and to increase partici-*
16 *pation above the level estimated for such State agency, such*
17 *State agency may, with the approval of the Secretary,”.*

18 (j) *INFANT FORMULA PROCUREMENT.—Section*
19 *17(h)(8)(A) of such Act (42 U.S.C. 1786(h)(8)(A)) is*
20 *amended by adding at the end the following:*

21 *“(iii) A State agency using a competitive bidding sys-*
22 *tem for infant formula shall award contracts to the bidder*
23 *offering the lowest net price unless the State agency dem-*
24 *onstrates to the satisfaction of the Secretary that the weight-*

1 *ed average retail price for different brands of infant for-*
2 *mula in the State does not vary by more than five percent.”.*

3 (k) *INFRASTRUCTURE AND BREASTFEEDING PRO-*
4 *MOTION/SUPPORT ACTIVITIES.*—Section 17(h)(10)(A) of
5 *such Act (42 U.S.C. 1786(h)(10)(A)) is amended by striking*
6 *“For each of fiscal years 1995 through 1998,” and inserting*
7 *“For each fiscal year through 2003,”.*

8 (l) *CONSIDERATION OF PRICE LEVELS OF RETAIL*
9 *STORES FOR PARTICIPATION IN THE PROGRAM.*—

10 (1) *IN GENERAL.*—Section 17(h) of such Act (42
11 *U.S.C. 1786(h)) is amended by adding at the end the*
12 *following:*

13 *“(11)(A) For the purpose of promoting efficiency and*
14 *to contain costs under the program, a State agency shall,*
15 *in selecting a retail store for participation in the program,*
16 *take into consideration the prices that the store charges for*
17 *foods under the program as compared to the prices that*
18 *other stores charge for such foods.*

19 *“(B) The State agency shall establish procedures to in-*
20 *sure that a retail store selected for participation in the pro-*
21 *gram does not subsequently raise prices to levels that would*
22 *otherwise make the store ineligible for selection in the pro-*
23 *gram.”.*

24 (2) *REGULATIONS.*—Not later than March 1,
25 *1999, the Secretary of Agriculture shall promulgate*

1 *final regulations to carry out section 17(h)(11)(A) of*
2 *the Child Nutrition Act of 1966 (42 U.S.C.*
3 *1786(h)(11)(A)), as added by paragraph (1).*

4 *(m) USE OF FUNDS IN PRECEDING AND SUBSEQUENT*
5 *FISCAL YEARS.—*

6 *(1) IN GENERAL.—Clauses (i) and (ii) of section*
7 *17(i)(3)(A) of such Act (42 U.S.C. 1786(i)(3)(A)(i)*
8 *and (ii)) are amended to read as follows:*

9 *“(i) not more than 1 percent (except as provided*
10 *in subparagraph (C)) of the amount of funds allo-*
11 *cated to a State agency under this section for supple-*
12 *mental foods for a fiscal year, and not more than 1*
13 *percent of the amount of funds allocated to a State*
14 *agency under this section for nutrition services and*
15 *administration for a fiscal year, may be expended by*
16 *the State agency for allowable expenses incurred*
17 *under this section for supplemental foods and nutri-*
18 *tion services and administration, respectively, during*
19 *the preceding fiscal year; and*

20 *“(ii)(I) a State agency may expend, from*
21 *amounts allocated to the agency for nutrition services*
22 *and administration, an amount equal to not more*
23 *than 1 percent of the total amount of funds allocated*
24 *to the agency under this section for a fiscal year for*
25 *allowable expenses incurred under this section for nu-*

1 *trition services and administration during the subse-*
 2 *quent fiscal year; and*

3 *“(II) with the prior approval of the Secretary, a*
 4 *State agency may expend, from amounts allocated to*
 5 *the agency for nutrition services and administration,*
 6 *an amount equal to not more than one-half of 1 per-*
 7 *cent of the total amount of funds allocated to the*
 8 *agency under this section for a fiscal year for the de-*
 9 *velopment of a management information system, in-*
 10 *cluding an electronic benefit transfer system, during*
 11 *the subsequent fiscal year.”.*

12 (2) *CONFORMING AMENDMENTS.*—*Section 17 of*
 13 *such Act (42 U.S.C. 1786) is amended—*

14 (A) *in subsection (h)(10)(A) (as amended by*
 15 *this Act), by inserting after “nutrition services*
 16 *and administration funds” the following: “and*
 17 *food benefit funds”;* *and*

18 (B) *in subsection (i)(3)—*

19 (i) *by striking subparagraphs (C)*
 20 *through (G); and*

21 (ii) *by redesignating subparagraph*
 22 *(H) as subparagraph (C).*

23 (n) *FARMERS MARKET NUTRITION PROGRAM.*—

24 (1) *MATCHING FUND REQUIREMENT.*—*Section*
 25 *17(m)(3) of such Act (42 U.S.C. 1786(m)(3)) is*

1 amended in both the first and second sentences by
2 striking “total” each place it appears and inserting
3 “administrative”.

4 (2) *RANKING CRITERIA FOR STATE PLANS.*—Section
5 17(m)(6) of such Act (42 U.S.C. 1786(m)(6)) is
6 amended—

7 (A) by striking subparagraph (F); and

8 (B) by redesignating subparagraph (G) as
9 subparagraph (F).

10 (3) *REAUTHORIZATION OF PROGRAM.*—Section
11 17(m)(9)(A) of such Act (42 U.S.C. 1786(m)(9)(A)) is
12 amended by striking “1996 through 1998” and insert-
13 ing “1999 through 2003”.

14 (o) *DISQUALIFICATION OF CERTAIN VENDORS.*—

15 (1) *IN GENERAL.*—Section 17 of such Act (42
16 U.S.C. 1786) is amended by adding at the end the fol-
17 lowing:

18 “*(o) DISQUALIFICATION OF VENDORS CONVICTED OF*
19 *TRAFFICKING OR ILLEGAL SALES.*—

20 “(1) *IN GENERAL.*—Except as provided in para-
21 graph (5), the State agency shall permanently dis-
22 qualify a vendor convicted of trafficking in food in-
23 struments (including any voucher, draft, check, or ac-
24 cess device, including an electronic benefit transfer
25 card or personal identification number, issued in lieu

1 of a food instrument pursuant to the provisions of
2 this section), or selling firearms, ammunition, explo-
3 sives, or controlled substances (as defined in section
4 102 of the Controlled Substances Act) in exchange for
5 food instruments.

6 “(2) NOTICE OF DISQUALIFICATION.—The State
7 agency shall provide the vendor with notification of
8 the disqualification and shall make such disqualifica-
9 tion effective on the date of receipt of the notice of dis-
10 qualification.

11 “(3) PROHIBITION ON RECEIPT OF LOST REVE-
12 NUES.—A vendor shall not be entitled to receive any
13 compensation for revenues lost as a result of the dis-
14 qualification under this subsection.

15 “(4) HARDSHIP EXCEPTION IN LIEU OF DIS-
16 QUALIFICATION.—

17 “(A) IN GENERAL.— A State agency may
18 permit a vendor that would otherwise be dis-
19 qualified under paragraph (1) to continue to re-
20 deem food instruments or otherwise provide sup-
21 plemental foods to participants if the State agen-
22 cy determines, in its sole discretion according to
23 criteria established by the Secretary, disquali-
24 fication of the vendor would cause hardship to

1 *participants in the program authorized under*
2 *this section.*

3 “(B) *CIVIL MONEY PENALTY.*—*Whenever a*
4 *State agency authorizes a vendor that would oth-*
5 *erwise be disqualified to redeem food instruments*
6 *or provide supplemental foods in accordance*
7 *with subparagraph (A), the State agency shall*
8 *assess the vendor a civil money penalty in lieu*
9 *of a disqualification.*

10 “(C) *AMOUNT.*—*The State agency shall de-*
11 *termine the amount of the civil penalty accord-*
12 *ing to criteria established by the Secretary.”.*

13 (2) *REGULATIONS.*—

14 (A) *IN GENERAL.*—*Not later than March 1,*
15 *1999, the Secretary of Agriculture shall promul-*
16 *gate final regulations to carry out section 17(o)*
17 *of such Act (42 U.S.C. 1786(o)), as added by*
18 *paragraph (1).*

19 (B) *ADDITIONAL REQUIREMENT.*—*The final*
20 *regulations described in subparagraph (A) shall*
21 *include criteria for determining the amount of*
22 *civil money penalties in lieu of disqualification*
23 *and for making hardship determinations under*
24 *such section.*

1 (p) *STUDY AND REPORT BY ECONOMIC RESEARCH*
2 *SERVICE.*—*Section 17 of such Act (42 U.S.C. 1786), as*
3 *amended by this Act, is further amended by adding at the*
4 *end the following:*

5 “(p) *STUDY AND REPORT BY ECONOMIC RESEARCH*
6 *SERVICE.*—

7 “(1) *STUDY.*—*The Secretary, acting through the*
8 *Administrator of the Economic Research Service,*
9 *shall conduct a study on the effect of cost containment*
10 *practices established by States under the program for*
11 *the selection of vendors and approved food items*
12 *(other than infant formula) on the following:*

13 “(A) *Program participation.*

14 “(B) *Access and availability of prescribed*
15 *foods.*

16 “(C) *Voucher redemption rates and actual*
17 *food selections by participants.*

18 “(D) *Participants on special diets or with*
19 *specific food allergies.*

20 “(E) *Participant use and satisfaction of*
21 *prescribed foods.*

22 “(F) *Achievement of positive health out-*
23 *comes.*

24 “(G) *Program costs.*

1 “(2) *REPORT.*—Not later than 3 years after the
2 *date of the enactment of the Child Nutrition and WIC*
3 *Reauthorization Amendments of 1998, the Adminis-*
4 *trator shall submit to the Secretary of Agriculture, the*
5 *Committee on Education and the Workforce of the*
6 *House of Representatives, and the Committee on Agri-*
7 *culture, Nutrition, and Forestry of the Senate a re-*
8 *port containing the results of the study conducted*
9 *under paragraph (1).”.*

10 *(q) COLLECTION AND USE OF PENALTIES FROM VEN-*
11 *DOR AND RECIPIENT FRAUD AND ABUSE.*—Section 17 of
12 *such Act (42 U.S.C. 1786), as amended by this Act, is fur-*
13 *ther amended by adding at the end the following:*

14 *“(q) USE OF PENALTIES FROM VENDOR AND RECIPI-*
15 *ENT FRAUD AND ABUSE.*—Amounts collected from penalties
16 *from vendors and recipients relating to violations of any*
17 *provision of this section (including any regulation estab-*
18 *lished to carry out this section) for fraud and abuse under*
19 *the program may be used for nutrition services and admin-*
20 *istration and food benefits only for the 1-year period begin-*
21 *ning on the date on which amounts under the penalty are*
22 *received.”.*

23 *(r) MAXIMUM AMOUNT OF FINE FOR CERTAIN VIOLA-*
24 *TIONS UNDER THE PROGRAM.*—Section 17 of such Act (42

1 *U.S.C. 1786), as amended by this Act, is further amended*
2 *by adding at the end the following:*

3 “(r) *MAXIMUM AMOUNT OF FINE FOR CERTAIN VIOLA-*
4 *TIONS UNDER THE PROGRAM.—The maximum amount of*
5 *a fine with respect to the embezzlement, willful*
6 *misapplication, stealing, obtaining by fraud, or trafficking*
7 *in food instruments of funds, assets, or property that are*
8 *of a value of \$100 or more under the program shall be*
9 *\$25,000.”.*

10 “(s) *CRIMINAL FORFEITURE.—Section 17 of such Act*
11 *(42 U.S.C. 1786), as amended by this Act, is further amend-*
12 *ed by adding at the end the following:*

13 “(s) *CRIMINAL FORFEITURE.—*

14 “(1) *IN GENERAL.—In imposing a sentence on a*
15 *person convicted of an offense in violation of any pro-*
16 *vision of this section (or any regulation promulgated*
17 *under this section), a court shall order, in addition*
18 *to any other sentence imposed under this section, that*
19 *the person forfeit to the United States all property de-*
20 *scribed in paragraph (2).*

21 “(2) *PROPERTY SUBJECT TO FORFEITURE.—All*
22 *property, real and personal, used in a transaction or*
23 *attempted transaction, to commit, or to facilitate the*
24 *commission of, a violation (other than a mis-*
25 *demeanor) of any provision of this section (or any*

1 regulation promulgated under this section), or pro-
2 ceeds traceable to a violation of any provision of this
3 section (or any regulation promulgated under this
4 section), shall be subject to forfeiture to the United
5 States under paragraph (1).

6 “(3) *INTEREST OF OWNER.*—No interest in prop-
7 erty shall be forfeited under this subsection as the re-
8 sult of any act or omission established by the owner
9 of the interest to have been committed or omitted
10 without the knowledge or consent of the owner.

11 “(4) *PROCEEDS.*—The proceeds from any sale of
12 forfeited property and any monies forfeited under this
13 subsection shall be used—

14 “(A) first, to reimburse the Department of
15 Justice for the costs incurred by the Department
16 to initiate and complete the forfeiture proceed-
17 ing;

18 “(B) second, to reimburse the Department of
19 Agriculture Office of Inspector General for any
20 costs the Office incurred in the law enforcement
21 effort resulting in the forfeiture;

22 “(C) third, to reimburse any Federal or
23 State law enforcement agency for any costs in-
24 curred in the law enforcement effort resulting in
25 the forfeiture; and

1 “(D) fourth, by the State agency to carry
2 out the approval, reauthorization, and compli-
3 ance investigations of vendors.”.

4 **SEC. 203. NUTRITION EDUCATION AND TRAINING PRO-**
5 **GRAM.**

6 Section 19(i) of the Child Nutrition Act of 1966 (42
7 U.S.C. 1788(i)) is amended—

8 (1) by striking paragraphs (1) and (2);

9 (2) by redesignating paragraphs (3), (4), and (5)
10 as paragraphs (1), (2), and (3), respectively; and

11 (3) in paragraph (1) (as redesignated)—

12 (A) in the paragraph heading, by striking
13 “1997 THROUGH 2002 ” and inserting “1999
14 THROUGH 2003”; and

15 (B) by amending subparagraph (A) to read
16 as follows:

17 “(A) *IN GENERAL.*—There are authorized to
18 be appropriated to carry out this section such
19 sums as are necessary for fiscal years 1999
20 through 2003.”.

Amend the title so as to read: “A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to extend certain authorities contained in those Acts through fiscal year 2003, and for other purposes.”.