

114TH CONGRESS  
1ST SESSION

# H. R. 1504

To prohibit regulations establishing certain limits for the school lunch program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2015

Mrs. NOEM (for herself, Mr. RODNEY DAVIS of Illinois, Mr. THOMPSON of Pennsylvania, Mr. BENISHEK, Mr. WOMACK, Ms. STEFANIK, Mr. COLLINS of New York, Mrs. HARTZLER, Mr. ADERHOLT, Mr. SHIMKUS, Mr. JONES, Mr. ZELDIN, Mr. ROE of Tennessee, Mr. CRAMER, Mr. CRAWFORD, Mr. BARR, Mr. GROTHMAN, Mr. TIPTON, Mr. BYRNE, and Mr. SALMON) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To prohibit regulations establishing certain limits for the school lunch program, 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 “Reducing Federal  
5 Mandates on School Lunch Act”.

1 **SEC. 2. PROHIBITION OF REGULATIONS ESTABLISHING**  
2 **CERTAIN LIMITS FOR THE SCHOOL LUNCH**  
3 **PROGRAM.**

4 Beginning on the date of enactment of this Act and  
5 until the date of enactment of a law that extends by not  
6 less than 5 fiscal years the authorization or duration of  
7 1 or more programs under the Richard B. Russell School  
8 Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition  
9 Act of 1966 (42 U.S.C. 1771 et seq.), the Secretary of  
10 Agriculture shall not—

11 (1) implement, administer, or enforce part 210  
12 of title 7, Code of Federal Regulations (as such part  
13 relates to the establishment of a maximum calorie  
14 limit and a maximum quantity of grains, meat, or  
15 meat alternatives for the school lunch program), as  
16 amended by the final regulations published by the  
17 Department of Agriculture in the Federal Register  
18 on January 26, 2012 (77 Fed. Reg. 4088 et seq.);  
19 or

20 (2) promulgate or enforce any new rule or regu-  
21 lation that establishes a maximum calorie limit or  
22 maximum quantity of grains, meat, or meat alter-  
23 natives for the school lunch program established  
24 under the Richard B. Russell School Lunch Act (42  
25 U.S.C. 1751 et seq.).

1 **SEC. 3. SODIUM TARGET LEVELS; WHOLE GRAIN REQUIRE-**  
2 **MENT.**

3 Section 9(f) of the Richard B. Russell National  
4 School Lunch Act (42 U.S.C. 1758(f)) is amended by add-  
5 ing at the end the following:

6 “(5) SODIUM TARGET LEVELS.—Notwith-  
7 standing any other provision of law, the Secretary  
8 shall not implement any regulation under this Act,  
9 the Child Nutrition Act of 1966 (42 U.S.C. 1771 et  
10 seq.), the Healthy, Hunger-Free Kids Act of 2010  
11 (Public Law 111–296), or any other law that would  
12 require a reduction in the quantity of sodium con-  
13 tained in federally reimbursed meals, foods, and  
14 snacks sold in schools below Target 1 (as described  
15 in section 220.8(f)(3) of title 7, Code of Federal  
16 Regulations (or successor regulations)).

17 “(6) WHOLE GRAIN REQUIREMENT.—Notwith-  
18 standing the final rule of the Secretary entitled ‘Nu-  
19 trition Standards in the National School Lunch and  
20 School Breakfast Programs’ (77 Fed. Reg. 4088  
21 (January 26, 2012)) or any other provision of law—

22 “(A) the Secretary shall only require that  
23 half of all grains in federally reimbursed meals,  
24 foods, and snacks sold in schools are whole  
25 grain-rich; and

1           “(B) school food authorities shall comply  
2           with the applicable grain component or stand-  
3           ard with respect to the school lunch or school  
4           breakfast program that was in effect prior to  
5           July 1, 2014.”.

6 **SEC. 4. PROHIBITION OF OTHER NUTRITION REGULATIONS**  
7                                   **FOR CERTAIN SCHOOL FOOD AUTHORITIES.**

8           (a) PROHIBITION.—

9           (1) IN GENERAL.—Beginning on the date of en-  
10          actment of this Act and until the date of enactment  
11          of a law that extends by not less than 5 fiscal years  
12          the authorization or duration of 1 or more programs  
13          under the Richard B. Russell School Lunch Act (42  
14          U.S.C. 1751 et seq.) or the Child Nutrition Act of  
15          1966 (42 U.S.C. 1771 et seq.), the Secretary of Ag-  
16          riculture shall not implement, administer, or enforce  
17          the rules or regulations described in subsection (b)  
18          with respect to any school food authority that cer-  
19          tifies to the State in which the school food authority  
20          is located that the school food authority—

21                           (A) has calculated the costs of complying  
22                           with such rules and regulations; and

23                           (B) has determined, in a manner con-  
24                           sistent with school district operational proce-  
25                           dures, that the school food authority is not ca-

1 pable of operating a food service program with-  
2 out increased costs as a result of complying  
3 with any or all of such rules and regulations.

4 (2) PROHIBITION ON DEFINING COSTS.—For  
5 purposes of this subsection, the Secretary of Agri-  
6 culture shall not—

7 (A) define the phrase “costs of com-  
8 plying”; or

9 (B) establish or suggest how a school food  
10 authority shall calculate the costs of complying  
11 under paragraph (1)(A) or increased costs  
12 under paragraph (1)(B).

13 (b) REGULATIONS.—The rules and regulations de-  
14 scribed in subsection (a)(1) are the following:

15 (1) The rule entitled “National School Lunch  
16 Program and School Breakfast Program: Nutrition  
17 Standards for All Foods Sold in School as Required  
18 by the Healthy, Hunger-Free Kids Act of 2010”  
19 published by the Department of Agriculture in the  
20 Federal Register on June 28, 2013 (78 Fed. Reg.  
21 39068 et seq.), or any new rule with respect to foods  
22 sold in schools other than those foods provided  
23 under the Richard B. Russell School Lunch Act (42  
24 U.S.C. 1751 et seq.) or the Child Nutrition Act of  
25 1966 (42 U.S.C. 1771 et seq.).

1           (2) Part 210 of title 7, Code of Federal Regula-  
2           tions (as amended by the interim regulations pub-  
3           lished by the Department of Agriculture in the Fed-  
4           eral Register on June 17, 2011 (76 Fed. Reg.  
5           35301 et seq.)), as such part relates to school lunch  
6           price increases, or any new rule or regulation with  
7           respect to increasing the price of school lunches  
8           under the Richard B. Russell School Lunch Act (42  
9           U.S.C. 1751 et seq.).

10           (3) Part 220 of title 7, Code of Federal Regula-  
11           tions (as amended by the final regulations published  
12           by the Department of Agriculture in the Federal  
13           Register on January 26, 2012 (77 Fed. Reg. 4088  
14           et seq.)), as such part relates to establishing new  
15           food-based meal patterns, nutrition standards, and  
16           meal planning approaches for the school breakfast  
17           program, or any new rule or regulation which estab-  
18           lishes new food-based meal patterns, nutrition stand-  
19           ards, or meal planning approaches for the school  
20           breakfast program established under the Child Nu-  
21           trition Act of 1966 (42 U.S.C. 1771 et seq.).

22 **SEC. 5. RULES OF CONSTRUCTION.**

23           Nothing in this Act prohibits the Secretary of Agri-  
24           culture from implementing, administering, or enforcing—

1           (1) any rules or regulations not described in  
2 this Act; or

3           (2) parts 210 and 220 of title 7, Code of Fed-  
4 eral Regulations, as such parts were in effect on the  
5 day before the effective dates of the amendments  
6 made to such parts described in paragraphs (2) and  
7 (3) of section 4(b), respectively.

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