

116TH CONGRESS  
1ST SESSION

# H. R. 4265

To amend the Richard B. Russell National School Lunch Act to remove certain limitations with respect to commodity assistance for school breakfast programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2019

Mr. MCGOVERN (for himself and Mr. RODNEY DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Richard B. Russell National School Lunch Act to remove certain limitations with respect to commodity assistance for school breakfast programs, 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 “Healthy Breakfasts  
5       Help Kids Learn Act of 2019”.

1 **SEC. 2. COMMODITY ASSISTANCE FOR SCHOOL BREAKFAST**  
2 **PROGRAMS.**

3 (a) DELIVERY OF COMMODITIES.—Section 6(b) of  
4 the Richard B. Russell National School Lunch Act (42  
5 U.S.C. 1755(b)) is amended by inserting “and the school  
6 breakfast program” after “school lunch program”.

7 (b) COMMODITY ASSISTANCE FORMULA.—Section  
8 6(c)(1) of the Richard B. Russell National School Lunch  
9 Act (42 U.S.C. 1755(c)(1)) is amended—

10 (1) in subparagraph (A)—

11 (A) by inserting “for the school lunch pro-  
12 gram” after “11 cents”; and

13 (B) by inserting “The national average  
14 value of donated foods, or cash payments in lieu  
15 thereof, shall be 6 cents for the school breakfast  
16 program, adjusted on the first July 1 after the  
17 date of enactment of the Healthy Breakfast  
18 Help Kids Learn Act of 2019 and each July 1  
19 thereafter to reflect the changes in the Price  
20 Index for Food Used in Schools and Institu-  
21 tions.” after “Institutions.”;

22 (2) in subparagraph (C)—

23 (A) by striking “For each school year” and  
24 inserting “(i) For each school year”;

25 (B) by striking “State for” and inserting  
26 the following: “State—

1 “(I) for”;

2 (C) by striking “subparagraph (B).” and  
3 inserting the following: “subparagraph (B); and

4 “(II) for the school breakfast program  
5 shall be calculated by multiplying the number of  
6 breakfasts served in the preceding school year  
7 by the rate established by subparagraph (B).”;

8 (D) by striking “After the end” and insert-  
9 ing the following:

10 “(ii) After the end”;

11 (E) by striking “shall reconcile the” and  
12 inserting “shall reconcile—

13 “(I) the”; and

14 (F) by striking “such reconciliation.” and  
15 inserting “such reconciliation; and

16 “(II) the number of breakfasts served by  
17 schools in each State with the number of break-  
18 fasts served by schools in each State during the  
19 preceding school year and increase or reduce  
20 subsequent commodity assistance or cash in lieu  
21 thereof provided to each State based on such  
22 reconciliation.”; and

23 (3) in subparagraph (E), by inserting “and  
24 school breakfast program” after “school lunch pro-  
25 gram”.

1       (c) REPEAL OF LIMITATION ON COMMODITY ASSIST-  
2 ANCE FOR SCHOOL BREAKFAST.—Section 6 of the Rich-  
3 ard B. Russell National School Lunch Act (42 U.S.C.  
4 1755), as amended by subsection (a), is further amend-  
5 ed—

6               (1) by striking subsection (d); and

7               (2) by redesignating subsections (e) and (f) as  
8 subsections (d) and (e), respectively.

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