

117TH CONGRESS  
1ST SESSION

# S. 3216

To amend the Child Nutrition Act of 1966 to require the Secretary of Agriculture to establish a publicly available database of bid solicitations for infant formula under the special supplemental nutrition program for women, infants, and children.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2021

Mr. MARSHALL (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Child Nutrition Act of 1966 to require the Secretary of Agriculture to establish a publicly available database of bid solicitations for infant formula under the special supplemental nutrition program for women, infants, and children.

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 “WIC Healthy Begin-  
5 nings Act of 2021”.

1 **SEC. 2. DATABASE OF BID SOLICITATIONS FOR INFANT**  
2 **FORMULA UNDER THE WIC PROGRAM.**

3 Section 17(h)(8)(A) of the Child Nutrition Act of  
4 1966 (42 U.S.C. 1786(h)(8)(A)) is amended by adding at  
5 the end the following:

6 “(xi) DATABASE OF BID SOLICITA-  
7 TIONS.—

8 “(I) IN GENERAL.—Not later  
9 than 180 days after the date of enact-  
10 ment of this clause, the Secretary  
11 shall make available to the public on  
12 a website of the Department of Agri-  
13 culture a fully searchable database  
14 that shall contain the information de-  
15 scribed in items (aa) through (dd) of  
16 subclause (II) relating to bid solicita-  
17 tions of State agencies for infant for-  
18 mula under the program.

19 “(II) STATE AGENCIES.—In so-  
20 liciting bids for infant formula under  
21 the program, a State agency shall  
22 submit to the Secretary, not later  
23 than 5 business days after the date of  
24 the bid solicitation, a description of  
25 the bid solicitation, including—

1                   “(aa) the title of the bid so-  
2                   licitation and the State agency  
3                   administering the bid solicitation;

4                   “(bb) the website hyperlink  
5                   and other information needed for  
6                   the purpose of submitting a bid  
7                   in response to the bid solicitation;

8                   “(cc) the contact informa-  
9                   tion and website hyperlink for  
10                  the State agency administering  
11                  the bid solicitation, for the pur-  
12                  pose of gathering additional in-  
13                  formation relating to the bid so-  
14                  licitation; and

15                  “(dd) the period during  
16                  which bids are accepted or the  
17                  due date for bids, as applicable,  
18                  under the bid solicitation.

19                  “(III) PUBLICATION.—Not later  
20                  than 5 days after receiving a descrip-  
21                  tion of a bid solicitation under sub-  
22                  clause (II), the Secretary shall publish  
23                  the information on the database es-  
24                  tablished under subclause (I).

1                   “(IV) GUIDANCE.—The Sec-  
2                   retary shall issue guidance to imple-  
3                   ment this clause.

4                   “(V) LIABILITY LIMITATION.—A  
5                   State, State agency, or the Federal  
6                   Government shall not be liable in a  
7                   civil suit or claim in a State or Fed-  
8                   eral court based on the performance  
9                   or failure to perform a duty, function,  
10                  or activity required by this clause.”.

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