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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To provide for certain waivers of program requirements under the Richard B. Russell National School Lunch Act to appropriately address safety measures with respect to COVID–19, and for other purposes

IN THE HOUSE OF REPRESENTATIVES

Mr. COMER (for himself and Ms. BONAMICI) introduced the following bill;
which was referred to the Committee on _____

A BILL

To provide for certain waivers of program requirements under the Richard B. Russell National School Lunch Act to appropriately address safety measures with respect to COVID–19, 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 “COVID–19 Child Nu-
5 trition Response Act”.

1 **SEC. 2. NATIONAL SCHOOL LUNCH PROGRAM REQUIRE-**
2 **MENT WAIVERS ADDRESSING COVID-19.**

3 (a) **NATIONWIDE WAIVER.**—

4 (1) **IN GENERAL.**—Notwithstanding any other
5 provision of law, the Secretary may establish a waiv-
6 er for all States under section 12(l) of the Richard
7 B. Russell National School Lunch Act (42 U.S.C.
8 1760(l)), for purposes of—

9 (A) providing meals and meal supplements
10 under a qualified program; and

11 (B) carrying out subparagraph (A) with
12 appropriate safety measures with respect to
13 COVID-19, as determined by the Secretary.

14 (2) **STATE ELECTION.**—A waiver established
15 under paragraph (1) shall—

16 (A) notwithstanding paragraph (2) of sec-
17 tion 12(l) of the Richard B. Russell National
18 School Lunch Act (42 U.S.C. 1760(l)), apply
19 automatically to any State that elects to be sub-
20 ject to the waiver without further application;
21 and

22 (B) not be subject to the requirements
23 under paragraph (3) of such section.

24 (b) **CHILD AND ADULT CARE FOOD PROGRAM WAIV-**
25 **ER.**—Notwithstanding any other provision of law, the Sec-
26 retary may grant a waiver under section 12(l) of the Rich-

1 and B. Russell National School Lunch Act (42 U.S.C.
2 1760(l)) to allow non-congregate feeding under a child and
3 adult care food program under section 17 of the Richard
4 B. Russell National School Lunch Act (42 U.S.C. 1766)
5 if such waiver is for the purposes of—

6 (1) providing meals and meal supplements
7 under such child and adult care food program; and

8 (2) carrying out paragraph (1) with appropriate
9 safety measures with respect to COVID–19, as de-
10 termined by the Secretary.

11 (c) MEAL PATTERN WAIVER.—Notwithstanding
12 paragraph (4)(A) of section 12(l) of the Richard B. Rus-
13 sell National School Lunch Act (42 U.S.C. 1760(l)) the
14 Secretary may grant a waiver under such section that re-
15 lates to the nutritional content of meals served if the Sec-
16 retary determines that—

17 (1) such waiver is necessary to provide meals
18 and meal supplements under a qualified program;

19 and

20 (2) there is a supply chain disruption with re-
21 spect to foods served under such a qualified program
22 and such disruption is due to COVID–19.

23 (d) REPORTS.—Each State that receives a waiver
24 under subsection (a), (b), or (c), shall, not later than 1

1 year after the date such State received such waiver, sub-
2 mit a report to the Secretary that includes the following:

3 (1) A summary of the use of such waiver by the
4 State and eligible service providers.

5 (2) A description of whether such waiver re-
6 sulted in improved services to children.

7 (e) SUNSET.—The authority of the Secretary to es-
8 tablish or grant a waiver under this section shall expire
9 on July 31, 2020.

10 (f) DEFINITIONS.—In this section:

11 (1) QUALIFIED PROGRAM.—The term “qualified
12 program” means the following:

13 (A) The school lunch program under the
14 Richard B. Russell National School Lunch Act
15 (42 U.S.C. 1751 et seq.).

16 (B) The school breakfast program under
17 section 4 of the Child Nutrition Act of 1966
18 (42 U.S.C. 1773).

19 (C) The child and adult care food program
20 under section 17 of the Richard B. Russell Na-
21 tional School Lunch Act (42 U.S.C. 1766).

22 (D) The summer food service program for
23 children under section 13 of the Richard B.
24 Russell National School Lunch Act (42 U.S.C.
25 1761).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture.