Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Sullivan
Tancredo
Tanner
Tauscher
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Upton
Van Hollen
Velázquez
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—35

Baldwin
Brady (PA)
Capuano
Crane
English
Filner
Fossella
Hart
Hastings (FL)
Hefley
Larsen (WA)
Latham
Lewis (GA)
LoBiondo
McDermott
McNulty
Miller, George
Moran (KS)
Oberstar
Olver
Otter
Peterson (MN)
Ramstad
Sabo
Schakowsky
Strickland
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Weller

ANSWERED ''PRESENT''—1

Majette

NOT VOTING—20

Blackburn
Bono
Brady (TX)
Brown-Waite, Ginny
Cannon
Clyburn
DeMint
Feeney
Gibbons
Gillmor
Goss
Houghton
Neugebauer
Norwood
Radanovich
Shimkus
Simmons
Tauzin
Taylor (NC)
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1244

Mr. LOBIONDO changed his vote from ''aye'' to ''no.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GIBBONS. Mr. Speaker, on rollcall Vote Nos. 76, 77, and 78, I was unavoidably detained in the Senate. Had I been present, I would have voted "yes."

MULTIDISTRICT LITIGATION RESTORATION ACT OF 2004

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1768, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1678, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No. 79]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gephardt
Gerlach
Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Barrett (SC)
Blackburn
Brown-Waite, Ginny
Cannon
Clyburn
DeMint
Diaz-Balart, M.
Gillmor
Houghton
Miller (FL)
Norwood
Simmons
Smith (MI)
Tauzin
Taylor (NC)

□ 1252

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, this afternoon I was called away from the floor to conduct official business. As a result, I was not able to be present for rollcall votes 78 and 79. Had I been present, I would have voted "yea" on both.

PERSONAL EXPLANATION

Mr. DEMINT. Mr. Speaker, I was absent during rollcall votes 76, 77, 78, and 79. Had I been present, I would have voted "yea" on each of those votes.

CHILD NUTRITION IMPROVEMENT AND INTEGRITY ACT

Mr. BOEHNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3873) to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with access to food and nutrition assistance, to simplify program operations, to improve children's nutritional health, and to restore the integrity of child nutrition programs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3873

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Nutrition Improvement and Integrity Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—ENSURING ACCESS TO CHILD NUTRITION PROGRAMS

Sec. 101. Exclusion of military housing allowances.
Sec. 102. Homeless children and runaway youth eligibility.
Sec. 103. Eligibility for severe need assistance.
Sec. 104. Reauthorization of summer food programs.
Sec. 105. Child and adult care food program.
Sec. 106. Review of best practices in the breakfast program.
Sec. 107. Area eligibility demonstration.
Sec. 108. Seamless Summer administration.
Sec. 109. Year round services for eligible entities.

TITLE II—IMPROVING PROGRAM QUALITY AND INTEGRITY

Sec. 201. Eligibility and certification for free and reduced price lunches.
Sec. 202. Duration of eligibility for free and reduced price lunches.
Sec. 203. Certification by local educational agencies.
Sec. 204. Compliance and accountability.
Sec. 205. Technology Improvement.
Sec. 206. Minimum State administrative expense grants.
Sec. 207. District-wide eligibility for special assistance.
Sec. 208. Administrative error reduction.

TITLE III—PROMOTING NUTRITION QUALITY AND PREVENTING CHILDHOOD OBESITY

Sec. 301. Local school wellness policy.
Sec. 302. Supporting nutrition education, improving meal quality, and access to local foods.
Sec. 303. Fruits and vegetable commodities.
Sec. 304. Fluid milk.
Sec. 305. Waiver of requirements for weighted averages for nutrient analysis.
Sec. 306. Whole grains.
Sec. 307. Fruit and vegetable pilot programs.

TITLE IV—IMPROVING THE WOMEN, INFANTS, AND CHILDREN PROGRAM

Sec. 401. Definition of nutrition education.
Sec. 402. Definition of supplemental foods.
Sec. 403. Improving certification.
Sec. 404. Reviews of available supplemental foods.
Sec. 405. Notification of violations and infant formula benefits.
Sec. 406. Healthy People 2010 initiative.
Sec. 407. Competitive bidding.
Sec. 408. Fruit and vegetable projects.
Sec. 409. Price levels of retail stores.
Sec. 410. Management information systems.
Sec. 411. Infant formula fraud prevention.
Sec. 412. State alliances.
Sec. 413. Limits on expenditures.
Sec. 414. Migrant and community health centers initiative.
Sec. 415. Demonstration projects.
Sec. 416. Authorization of appropriations.

TITLE V—REAUTHORIZATION, MISCELLANEOUS PROVISIONS, AND EFFECTIVE DATE

Sec. 501. Training, technical, and other assistance.
Sec. 502. Notice of irradiated food.
Sec. 503. Sense of Congress.
Sec. 504. Reauthorization of programs.
Sec. 505. Effective dates.

TITLE I—ENSURING ACCESS TO CHILD NUTRITION PROGRAMS

SEC. 101. EXCLUSION OF MILITARY HOUSING ALLOWANCES.

Section 9(b)(7) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)) is amended by striking ''For each of fiscal years 2002'' and all that follows through ''the amount'' and inserting ''The amount''.

SEC. 102. HOMELESS CHILDREN, RUNAWAY YOUTH, AND MIGRATORY CHILD ELIGIBILITY.

(a) IN GENERAL.—Section 9(b)(6)(A) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(6)(A)) is amended—

(1) in clause (ii), by striking ''or'';

(2) in clause (iii), by striking the period and inserting a semicolon; and

(3) by inserting after clause (iii) the following:

''(iv) a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a));

''(v) a youth served by programs under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); or

''(vi) a migratory child, as such term is defined in section 1309(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399(2)).''.

(b) DOCUMENTATION.—Section 9(d)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(d)(2)) is amended—

(1) in subparagraph (B), by striking ''or'';

(2) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(3) by inserting after subparagraph (C) the following:

''(D) documentation has been provided to the appropriate local educational agency showing that the child meets the criteria specified in clauses (iv) or (v) of subsection (b)(6)(A); or

''(E) documentation has been provided to the appropriate local educational agency showing the child's status as a migratory child, as such term is defined in section 1309(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399(2)).''.

SEC. 103. ELIGIBILITY FOR SEVERE NEED ASSISTANCE.

Section 4(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(d)) is amended—

(1) by striking the heading and all that follows through paragraph (1), and inserting:

''(d) SEVERE NEED ASSISTANCE.—

''(1) IN GENERAL.—Each State educational agency shall provide additional assistance to schools in severe need, which shall include only those schools (having a breakfast program or desiring to initiate a breakfast program) in which, during the most recent second preceding school year for which lunches were served, 40 percent or more of the lunches served to students at the school were served free or at a reduced price (or those new schools drawing the majority of their attendance from schools receiving severe need assistance).''; and

(2) in paragraph (2)—

(A) by striking ''100 percent'' and all that follows through ''food, or''; and

(B) by striking '', whichever is less''.

SEC. 104. REAUTHORIZATION OF SUMMER FOOD PROGRAMS.

(a) SUMMER FOOD PILOT PROJECTS.—Section 18(f) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(f)) is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(2) by inserting after paragraph (1) the following:

''(2) ADDITIONAL STATES ELIGIBLE.—In addition to the States meeting the criteria set forth in paragraph (1), the term 'eligible State' means a State in which (based on data available in June 2003)—

''(A) the percentage obtained by dividing—

''(i) the sum of—

''(I) the average daily number of children attending the summer food service program in the State in July 2002; and

''(II) the average daily number of children receiving free or reduced price meals under the school lunch program in the State in July 2002; by

''(ii) the average daily number of children receiving free or reduced price meals under the school lunch program in the State during the 2001–2002 school year; is less than 57 percent of

''(B) the percentage obtained by dividing—

''(i) the sum of—

''(I) the average daily number of children attending the summer food service program in all States in July 2002; and

''(II) the average daily number of children receiving free or reduced price meals under the school lunch program in all States in July 2002; by

''(ii) the average daily number of children receiving free or reduced price meals under the school lunch program in all States during the 2001–2002 school year.'';

(3) in paragraph (3) (as so redesignated), by striking ''March 31, 2004'' and inserting ''September 30, 2008'';

(4) in paragraph (4) (as so redesignated), by striking ''(other than a service institution described in section 13(a)(7))'' both places it appears; and

(5) in paragraph (7)(B)(i) (as redesignated by this section), by striking ''paragraph (5)'' and inserting ''paragraph (6)''.

(b) SUMMER FOOD SERVICE PROGRAM FOR CHILDREN.—Section 13(q) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(q)) is amended by striking ''March 31, 2004'' and inserting ''September 30, 2008''.

SEC. 105. CHILD AND ADULT CARE FOOD PROGRAM.

(a) ELIGIBILITY OF PRIVATE CHILD CARE CENTERS.—Section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) is amended—

(1) in subsection (a)(2)(B)(i), by striking ''during the period'' and all that follows through ''March 31, 2004''; and

(2) by striking subsection (p).

(b) DURATION OF DETERMINATION AS TIER 1 FAMILY OR GROUP DAY CARE HOME.—Section 17(f)(3)(E)(iii) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(f)(3)(E)(iii)) is amended by striking ''3 years'' and inserting ''5 years''.

(c) DURATION OF AGREEMENTS.—Section 17(j) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(j)) is amended to read as follows:

''(j) AGREEMENTS.—

''(1) IN GENERAL.—The Secretary may issue regulations directing States to develop and provide for the use of a standard form of agreement between each family or group day care sponsoring organization and the family or group day care homes participating in the program under such organization, for the purpose of specifying the rights and responsibilities of each party.

''(2) DURATION.—An agreement under paragraph (1) shall remain in effect until terminated by either party to the agreement.''.

(d) MANAGEMENT IMPROVEMENT INITIATIVE.—Section 17(q)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(q)(3)) is amended by striking ''1999 through 2003'' and inserting ''2005 and 2006''.

(e) AUDITS.—Section 17(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(i)) is amended to read as follows:

''(i) AUDITS.—

''(1) FUNDS FOR AUDITS.—The Secretary shall make available for each fiscal year to a State administering the child and adult care food program, for the purpose of conducting audits of participating institutions, an amount up to 1.5 percent (except in the case of fiscal years 2005 through 2007, 1 percent) of the funds used by the State in the program under this section during the second preceding fiscal year.

''(2) AUDIT PROCEDURES.—

''(A) IN GENERAL.—Subject to subparagraph (B), in conducting management evaluations, reviews, or audits of the program under this subsection, the Secretary or a State agency may disregard any overpayment to an institution if the total overpayment for any fiscal year does not exceed an amount, consistent with the disregards allowed in other programs under this Act, which recognizes the cost of collecting small claims.

''(B) CRIMINAL OR FRAUD VIOLATIONS.—In carrying out this subsection, the Secretary and a State agency shall not disregard any overpayment for which there is evidence of a violation of a criminal law or civil fraud law.''.

(f) EMERGENCY SHELTERS.—Section 17(t)(5)(A)(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(t)(5)(A)(i) is amended—

(1) in subclause (I)—

(A) by striking ''12'' and inserting ''18''; and

(B) by inserting ''or'' after the semicolon; and

(2) by striking subclause (II) and redesignating subclause (III) as subclause (II).

(g) PAPERWORK REDUCTION.—The Secretary of Agriculture, in conjunction with States and participating institutions, shall examine the feasibility of reducing paper work resulting from regulations and record-keeping requirements for State agencies, family child care homes, child care centers, and sponsoring organizations participating in the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

SEC. 106. REVIEW OF BEST PRACTICES IN THE BREAKFAST PROGRAM.

(a) REVIEW.—Subject to the availability of funds, the Secretary of Agriculture shall enter into an agreement with a research organization to collect and disseminate a review of best practices to assist schools in addressing existing impediments at the State and local level that hinder the growth of the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773). The review shall describe model breakfast programs and offer recommendations for schools to overcome obstacles, such as:

(1) the length of the school day;

(2) bus schedules; and

(3) potential increases in costs at the State and local level.

(b) DISSEMINATION.—Not later than 12 months after the date of enactment of this Act, the Secretary shall make the review required under subsection (a) available to local educational agencies via the Internet, including recommendations to improve participation in the school breakfast program. Not later than 12 months after the date of enactment of this Act, the review shall also be transmitted to the Committee on Education of the House of Representatives and the Committee on Agriculture of the Senate.

SEC. 107. AREA ELIGIBILITY DEMONSTRATION.

Section 13 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761) is amended by adding at the end the following:

''(r) DEMONSTRATION.—For fiscal years 2004 through 2008, in rural areas of the State of Pennsylvania, the threshold for determining 'areas in which poor economic conditions exist' under subsection (a)(1)(C) for the program authorized by this section shall be 40 percent of children enrolled are eligible for free or reduced price school meals and the State agency shall report to the Secretary on the effect of the demonstration on program participation in rural areas.''.

SEC. 108. SEAMLESS SUMMER ADMINISTRATION.

(a) SEAMLESS SUMMER WAIVER.—Section 13(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)) is amended by inserting after paragraph (7) the following:

''(8) Service institutions that are public or private nonprofit school food authorities may administer summer or school vacation food service under the provisions of the school lunch program established under this Act and the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except as determined by the Secretary.''.

(b) PAYMENTS.—Section 13(b)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(b)(1)) is amended by inserting after subparagraph (C) the following:

''(D) Service institutions described in paragraph (a)(8) of this section shall be reimbursed for meals and meal supplements in accordance with the applicable provisions under this Act (other than subparagraphs (A), (B), and (C) of this paragraph) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), as determined by the Secretary.''.

SEC. 109. YEAR ROUND SERVICES FOR ELIGIBLE ENTITIES.

Section 18 of the Richard B. Russell National School Lunch Act is amended by adding at the end the following:

''(h) YEAR ROUND SERVICES FOR ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—A service institution (as defined in section 13(a)(6) or 13(a)(7) of this Act) located in California may be reimbursed for up to 3 meals and 2 supplements for any day for which services are being offered at such institution. Such service institution shall be reimbursed for costs consistent with section 13(b)(1) of this Act.

''(2) EXEMPTIONS.—A service institution that receives assistance under this subsection shall comply with all provisions of section 13 of this Act other than subsections 13(b)(2) and 13(c)(1).

''(3) FUNDING.—The Secretary shall provide to the State of California an amount not to exceed $1,000,000 for fiscal years 2004 through 2008, for the additional reimbursement costs for meals and supplements authorized by this subsection.''.

TITLE II—IMPROVING PROGRAM QUALITY AND INTEGRITY

SEC. 201. ELIGIBILITY AND CERTIFICATION FOR FREE AND REDUCED PRICE LUNCHES.

(a) IN GENERAL.—Section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758) is amended by striking ''(b)(1)(A) Not later'' and all that follows through paragraph (2) and inserting the following:

''(b) ELIGIBILITY FOR FREE AND REDUCED PRICE LUNCHES.—

''(1) INCOME GUIDELINES.—

''(A) IN GENERAL.—Not later than June 1 of each fiscal year, the Secretary shall prescribe income guidelines for determining eligibility for free and reduced price lunches during the 12-month period beginning July 1 of such fiscal year and ending June 30 of the following fiscal year. The income guidelines for determining eligibility for free lunches shall be 130 percent of the applicable family size income levels contained in the nonfarm income poverty guidelines issued by the Secretary of Health and Human Services, as adjusted annually in accordance with subparagraph (B). The income guidelines for determining eligibility for reduced price lunches for any school year shall be 185 percent of the applicable family size income levels contained in the nonfarm income poverty guidelines issued by the Secretary of Health and Human Services, as adjusted annually in accordance with subparagraph (B). Such guidelines shall be revised at annual intervals, or at any shorter interval deemed feasible and desirable.

''(B) FORMULA FOR REVISION.—The revision required by subparagraph (A) of this paragraph shall be made by multiplying—

''(i) the official poverty line (as defined by the Secretary of Health and Human Services); by

''(ii) the percentage change in the Consumer Price Index during the annual or other interval immediately preceding the time at which the adjustment is made.

Revisions under this subparagraph shall be made not more than 30 days after the date on which the Consumer Price Index data required to compute the adjustment becomes available.

''(2) CERTIFICATION OF ELIGIBILITY.—

''(A) ANNOUNCEMENT BY STATE EDUCATIONAL AGENCY.—Following the determination by the Secretary under paragraph (1) of this subsection of the income eligibility guidelines for each school year, each State educational agency shall announce the income eligibility guidelines, by family size, to be used by schools in the State in making determinations of eligibility for free and reduced price lunches. Local educational agencies shall, each year, publicly announce the income eligibility guidelines for free and reduced price lunches on or before the opening of school.

''(B) APPLICATIONS.—

''(i) IN GENERAL.—Applications for free and reduced price lunches, in such form as the Secretary may prescribe or approve, and any descriptive material, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand, shall be distributed at least annually to the parents or guardians of children in attendance at the school.

''(ii) INCOME LEVELS.—Applications and descriptive material shall contain only the family size income eligibility guidelines for reduced price meal eligibility, with the explanation that households with incomes less than or equal to these values would be eligible for free or reduced price lunches. Such applications and descriptive material may not contain the income eligibility guidelines for free lunches.

''(iii) NOTIFICATION.—Descriptive materials shall contain a notification that participants in the Special Supplemental Nutrition Program for Women, Infants, and Children authorized under Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Food Distribution Program on Indian Reservations (FDPIR) authorized under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), or a State program funded under part A of title IV of the Social Security Act (if the Secretary determines the State program complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995) may be eligible for free or reduced price lunches. Such descriptive materials shall also contain a notice to parents that documentation may be requested for verification.

''(iv) ELECTRONIC AVAILABILITY.—In addition to the distribution of such applications and descriptive material in paper form as provided for in this paragraph, such applications and material may be made available electronically via the Internet.

''(C) ELIGIBILITY.—

''(i) HOUSEHOLD APPLICATIONS.—

''(I) IN GENERAL.—If an eligibility determination for a child is not made under clause (ii) or (iii), an eligibility determination shall be made on the basis of a complete household application executed by an adult member of the household, or in accordance with other guidance issued by the Secretary.

''(II) ADDITIONAL BASES.—Eligibility may be determined by the local educational agency on the basis of a complete application executed by an adult member of the household, or in accordance with other guidance issued by the Secretary, including an electronic signature when the application is submitted electronically, and if the application filing system meets confidentiality standards established by the Secretary.

''(III) CHILDREN IN HOUSEHOLD.—

''(aa) IN GENERAL.—The application shall identify the names of each child in the household for whom meal benefits are requested, as well as the total number of members of the household.

''(bb) SEPARATE APPLICATIONS.—A State educational agency or local educational agency may not request a separate application for each child in the household, if the children in the household attend schools in the same local educational agency.

''(IV) VERIFICATION.—The Secretary, State, or local educational agency may verify any data contained in such application. In accordance with guidance issued by the Secretary, each local educational agency shall verify a sample of approved free and reduced price applications and shall make appropriate changes in the eligibility determination with respect to such applications on the basis of such verification. The sample selected for verification shall be as follows:

''(aa) For local educational agencies unable to obtain verification information for no more than 25 percent of all applications selected for verification in the prior year, or local educational agencies receiving more than 20,000 applications and that in the prior year had a verification non-response rate that was 10 percent below the verification non-response rate of the second prior year, the sample selected shall be either—

''(AA) the lesser of 3,000 or 3 percent of approved applications selected at random by the local educational agencies from all approved applications; or

''(BB) the lesser of 1,000 or 1 percent of all approved applications selected from applications that indicate monthly income that is within $100, or annual income that is within $1,200, of the income eligibility limits for free or reduced price meals, plus the lesser of 500 or ½ of 1 percent of approved applications that provided a case number in lieu of income information showing participation in the food stamp program, the Temporary Assistance for Needy Families program, or the Food Distribution Program on Indian Reservations (FDPIR) selected from those approved applications that provided a case number in lieu of income information verifying such participation. If, for any local educational agency, the total number of applications that indicate monthly income that is within $100, or annual income that is within $1,200, of the income eligibility limits for free or reduced price meals is less than 1,500 or 1 and ½ percent of all approved applications, the local educational agency shall select additional applications at random from all approved applications in order to obtain a total sample for verification of 1,500 or 1 and ½ percent of all approved applications.

''(bb) For all other local educational agencies, the sample selected shall be the lesser of 3,000 or 3 percent of all approved applications selected from applications that indicate monthly income that is within $100, or annual income that is within $1,200, of the income eligibility limits for free or reduced price meals. If, for any local educational agency, the total number of such applications is less than 3,000 or 3 percent of all approved applications, the local educational agency shall select additional applications at random from all approved applications in order to obtain a total sample for verification of 3,000 or 3 percent of all approved applications.

''(V) SUBSTITUTIONS.—

''(aa) IN GENERAL.—In accordance with the regulations prescribed by the Secretary, the local educational agency may, upon individual review, decline to verify any application selected under subclause (IV) and replace it with another application to be verified. Such agency may decline to verify no more than 2 percent of the applications selected for verification under this subclause.

''(bb) SUBSTITUTE CRITERIA IN CASES OF EMERGENCIES.—The Secretary may substitute alternative criteria for the sample size and sample selection criteria in subclause (IV) to address a natural disaster, civil disorder, strike, or other local condition.

''(VI) DIRECT VERIFICATION.—

''(aa) IN GENERAL.—In accordance with regulations promulgated by the Secretary, in verifying the sample selected in accordance with subclause (IV), the local educational agency may first obtain from certain public agencies administering the programs identified in item (bb) of this subclause, and similar income-tested programs, information to verify eligibility for free or reduced price meals.

''(bb) PUBLIC AGENCY RECORDS.—Public agency records that may be used to verify eligibility for free meals shall include income information relied upon within 12 months prior to verification under subclause (IV) in the administration of the following programs: the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.); the State program funded under part A of title IV of the Social Security Act; the Food Distribution Program on Indian Reservations (FDPIR) authorized under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)); and the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) in a State in which the income eligibility limit described in section 1902(*l*)(2)(C) of the Social Security Act is no higher than 133 percent of the income official poverty line as specified in section 1902(*l*)(2)(A) of such Act, in the case of eligibility for free meals, and 185 percent of the income official poverty line as specified in such section in the case of reduced price meals.

''(VII) PLAIN, UNDERSTANDABLE LANGUAGE.—Any and all communications to parents regarding verification under subclause (IV) shall be in an understandable and uniform format, and, to the extent practicable, in a language that parents can understand.

''(ii) DIRECT CERTIFICATION FOR CHILDREN IN FOOD STAMP HOUSEHOLDS.—

''(I) IN GENERAL.—Each State agency shall, to the extent practicable, enter into an agreement with the State agency conducting eligibility determinations for the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

''(II) PROCEDURES.—Subject to clause (iv), the agreement shall establish procedures under which a child who is a member of a household receiving assistance under the program referred to in subclause (I) shall be certified as eligible for free meals under this Act, without further application.

''(III) DIRECT CERTIFICATION.—Subject to clause (iv), under the agreement, the local educational agency conducting eligibility determinations for a school meal program conducted under this Act shall certify a child who is a member of a household receiving assistance under the program referred to in subclause (I) as eligible for free meals under this Act without further application.

''(IV) NOTICE.—The appropriate local educational agency shall provide annually to the parents or guardians of all students who are members of a household receiving assistance under the program referred to in subclause (I), notification, in an understandable and uniform format, and, to the extent practicable, in a language that parents can understand, that any school-aged child in that household is eligible for free lunches or breakfasts.

''(iii) DIRECT CERTIFICATION OF CHILDREN IN OTHER HOUSEHOLDS.—Subject to clause (iv), any local educational agency may certify any child as eligible for free lunches or breakfasts, without further application, by directly communicating with the appropriate State or local agency to obtain documentation of such child's status as a migratory child, as such term is defined in section 1309(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399(2)), or a member of a family that is receiving assistance under a State program funded under part A of title IV of the Social Security Act if the Secretary determines the State program complies with standards established by the Secretary that ensure that the standards under the State program are comparable to or more restrictive than those in effect on June 1, 1995.

''(iv) DISCLOSURE OF INFORMATION.—The use or disclosure of any information obtained from an application for free or reduced price meals, or from a State or local agency referred to in clauses (ii) and (iii), shall be limited to—

''(I) a person directly connected with the administration or enforcement of this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), or a regulation issued pursuant to either Act;

''(II) a person directly connected with the administration or enforcement of—

''(aa) a Federal education program;

''(bb) a State health or education program administered by the State or local educational agency (other than a program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); or

''(cc) a Federal, State, or local means-tested nutrition program with eligibility standards comparable to the program under this section;

''(III)(aa) the Comptroller General of the United States for audit and examination authorized by any other provision of law; and

''(bb) notwithstanding any other provision of law, a Federal, State, or local law enforcement official for the purpose of investigating an alleged violation of any program requirements under paragraph (1) or this paragraph; and

''(IV) a person directly connected with the administration of the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or the State children's health insurance program under title XXI of that Act (42 U.S.C. 1397aa et seq.) solely for the purpose of identifying children eligible for benefits under, and enrolling children in, such programs, except that this subclause shall apply only to the extent that

the State and the local educational agency so elect.

''(v) LIMITATION.—Information provided under clause (iv)(II) shall be limited to the income eligibility status of the child for whom application for free or reduced price meal benefits was made or for whom eligibility information was provided under clause (ii) or (iii), unless the consent of the parent or guardian of the child for whom application for benefits was made is obtained.

''(vi) PENALTY FOR UNAUTHORIZED DISCLOSURE.—A person described in clause (iv) who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (including a regulation), any information obtained under this subsection shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

''(vii) REQUIREMENTS FOR WAIVER OF CONFIDENTIALITY.—A State that elects to exercise the option described in clause (iv)(IV) shall ensure that any local educational agency acting in accordance with that option—

''(I) has a written agreement with the State or local agency or agencies administering health insurance programs for children under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.) that requires the health agencies to use the information obtained under clause (iv) to seek to enroll children in those health insurance programs; and

''(II)(aa) notifies each household, the information of which shall be disclosed under clause (iv), that the information disclosed will be used only to enroll children in health programs referred to in clause (iv)(IV); and

''(bb) provides each parent or guardian of a child in the household with an opportunity to elect not to have the information disclosed.

''(viii) USE OF DISCLOSED INFORMATION.—A person to which information is disclosed under clause (iv)(IV) shall use or disclose the information only as necessary for the purpose of enrolling children in health programs referred to in clause (iv)(IV).

''(D) FREE AND REDUCED PRICE POLICY STATEMENT.—After the initial submission, a local educational agency shall not be required to submit a free and reduced price policy statement to a State educational agency under this Act unless there is a substantive change in the free and reduced price policy of the local educational agency. A routine change in the policy of a local educational agency, such as an annual adjustment of the income eligibility guidelines for free and reduced price meals, shall not be sufficient cause for requiring the local educational agency to submit a policy statement.''.

(b) CONFORMING AMENDMENT.—Section 9(b)(6)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(6)(B) is amended by inserting '', or documentation showing the child's status as a migratory child, as such term is defined in section 1309(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399(2))'' after ''subparagraph (A)(iii)''.

SEC. 202. DURATION OF ELIGIBILITY FOR FREE AND REDUCED PRICE LUNCHES.

Section 9(b)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(3)) is amended to read as follows:

''(3) ELIGIBILITY FOR FREE AND REDUCED PRICE LUNCHES.—

''(A) FREE LUNCHES.—Any child who is a member of a household whose income, at the time the application is submitted, is at an annual rate which does not exceed the applicable family size income level of the income eligibility guidelines for free lunches, as determined under paragraph (1), shall be served a free lunch.

''(B) REDUCED PRICE LUNCHES.—

''(i) IN GENERAL.—Any child who is a member of a household whose income, at the time the application is submitted, is at an annual rate greater than the applicable family size income level of the income eligibility guidelines for free lunches, as determined under paragraph (1), but less than or equal to the applicable family size income level of the income eligibility guidelines for reduced price lunches, as determined under paragraph (1), shall be served a reduced price lunch.

''(ii) MAXIMUM PRICE.—The price charged for a reduced price lunch shall not exceed 40 cents.

''(C) DURATION.—Except as otherwise specified in section 11(a) or section 9(b)(2)(C)(i)(IV), eligibility for free or reduced price meals for any school year shall remain in effect—

''(i) beginning on the date of eligibility approval for the current school year; and

''(ii) ending on the date of the beginning of school in the subsequent school year or as otherwise specified by the Secretary.''.

SEC. 203. CERTIFICATION BY LOCAL EDUCATIONAL AGENCIES.

(a) CERTIFICATION BY LOCAL EDUCATIONAL AGENCY.—Section 9 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758) is further amended—

(1) in subsection (b)(5), by striking ''Local school authorities'' and inserting ''Local educational agencies''; and

(2) in subsection (d)(2)—

(A) by striking ''local school food authority'' each place it appears and inserting ''local educational agency''; and

(B) in subparagraph (A), by striking ''such authority'' and inserting ''the local educational agency''.

(b) DEFINITION OF LOCAL EDUCATIONAL AGENCY.—Section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)) is amended—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) LOCAL EDUCATIONAL AGENCY.—

''(A) IN GENERAL.—The term 'local educational agency' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(B) INCLUSION.—The term 'local educational agency' includes, in the case of a private nonprofit school food authority, an appropriate entity determined by the Secretary.''.

(c) SCHOOL BREAKFAST PROGRAM.—Section 4(b)(1)(E)) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(b)(1)(E)) is amended by striking ''school food authority'' each place it appears and inserting ''local educational agency''.

SEC. 204. COMPLIANCE AND ACCOUNTABILITY.

Section 22 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769c) is amended by inserting ''and local educational agencies'' after ''food service authorities'' each place it appears.

SEC. 205. TECHNOLOGY IMPROVEMENT.

(a) PRIORITY FOR REALLOCATED FUNDS.—Section 7(a)(5)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1776(a)(5)(B)(ii)) is amended by inserting the following new sentence at the end: ''The Secretary shall give special consideration to States that will use the funds for improvements in technology and information management systems described in subsection (e)(2).''.

(b) CONFORMING AMENDMENT.—Section 7(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1776(b)) is amended by striking ''and for staff development'' and inserting ''for staff development; and technology and information management systems''.

SEC. 206. MINIMUM STATE ADMINISTRATIVE EXPENSE GRANTS.

Section 7(a) of the Child Nutrition Act (42 U.S.C. 1776(a)(1)) is further amended—

(1) by striking the heading and all that follows through paragraph (1), and inserting the following:

''SEC. 7. STATE ADMINISTRATIVE EXPENSES.

''(a) AMOUNT AND ALLOCATION OF FUNDS.—

''(1) AMOUNT AVAILABLE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each fiscal year the Secretary shall make available to the States for their Administrative costs an amount equal to not less than 1½ percent of the Federal funds expended under sections 4, 11, 17, and 17A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753, 1759*a*) 1766, and 1766*a*)) and sections 3 and 4 of this Act during the second preceding fiscal year.

''(B) MINIMUM AMOUNT.—In the case of each of fiscal years 2005 through 2007, the Secretary shall make available to each State for their administrative costs not less than the initial allocation made to the State under this subsection for fiscal year 2004.

''(C) ALLOCATION.—The Secretary shall allocate the funds so provided in accordance with paragraphs (2), (3), and (4) of this subsection.

''(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.''; and

(2) in paragraph (2), by striking ''$100,000'' and inserting ''$200,000''.

SEC. 207. DISTRICT-WIDE ELIGIBILITY FOR SPECIAL ASSISTANCE.

Section 11(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a(a)(1)) is amended—

(1) in subparagraph (C)—

(A) in clause (i)—

(i) by inserting ''or school district'' after ''in the case of any school'';

(ii) by inserting ''or school district'' after ''in the school'' both times it appears;

(iii) by inserting ''or school district'' after ''in the case of a school''; and

(iv) by inserting ''or school district'' after ''with respect to the school'';

(B) in clause (ii)—

(i) by inserting ''or school district'' after ''served by a school''; and

(ii) by inserting ''or school district'' after ''served by the school''; and

(C) in clause (iii) by inserting ''or school district'' after ''a school'';

(2) in subparagraph (D)—

(A) in clause (i)—

(i) by inserting ''or school district'' after ''any school''; and

(ii) by inserting ''or school district'' after ''the school'';

(B) in clause (ii)—

(i) by inserting ''or school district'' after ''A school''; and

(ii) by inserting ''or school district'' after ''the school'';

(C) in clause (iii)—

(i) by inserting ''or school district'' after ''a school''; and

(ii) by inserting ''or school district'' after ''the school''; and

(D) in clause (iv) by inserting ''or school district'' after ''levels, a school''; and

(3) in subparagraph (E)—

(A) in clause (i)—

(i) by inserting ''or school district'' after ''In the case of any school'';

(ii) by inserting ''or school district'' after ''in the school'' both times it appears;

(iii) by inserting ''or school district'' after ''in the case of a school'';

(iv) by inserting ''or school district'' after ''with respect to the school'';

(v) by inserting ''or school district'' after ''received by the school''; and

(vi) by inserting ''or school district'' after ''for which the school''; and

(B) in clause (ii)—

(i) by inserting ''or school district'' after ''A school'';

(ii) by inserting ''or school district'' after ''for which the school'' both times it appears; and

(iii) by inserting ''or school district'' after ''population of the school'' both times it appears.

SEC. 208. ADMINISTRATIVE ERROR REDUCTION.

(a) FEDERAL SUPPORT FOR TRAINING AND TECHNICAL ASSISTANCE.—Section 21 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b-1) is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) ADMINISTRATIVE TRAINING AND TECHNICAL ASSISTANCE MATERIALS.—In collaboration with State educational agencies, school food authorities, and local educational agencies of varying sizes, the Secretary shall develop and distribute training and technical assistance materials relating to the administration of school meal programs that are—

''(1) prepared by the Secretary (based on research or other sources), a State educational agency, a school food authority, or a local educational agency; and

''(2) representative of the best management and administrative practices of State agencies, school food authorities, and local educational agencies as determined by the Secretary.

''(f) FEDERAL ADMINISTRATIVE SUPPORT.—

''(1) FUNDING.—

''(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection—

''(i) on October 1, 2004 and October 1, 2005, $3,000,000; and

''(ii) on October 1, 2006, and October 1, 2007, $2,000,000.

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds transferred under subparagraph (A), without further appropriation.

''(C) AVAILABILITY OF FUNDS.—Funds transferred under subparagraph (A) shall remain available until expended.

''(2) USE OF FUNDS.—The Secretary may use funds provided under this subsection—

''(A) to provide training and technical assistance related to administrative practices designed to improve program integrity and administrative accuracy in school meals programs (including administrative requirements established by the Child Nutrition Improvement and Integrity Act and amendments made by that Act) to State educational agencies and, to the extent determined by the Secretary, to school food authorities and local educational agencies;

''(B) to assist State educational agencies in reviewing the administrative practices of school food authorities, to the extent determined by the Secretary; and

''(C) to carry out the activities described in subsection (e).''.

(b) SELECTED ADMINISTRATIVE REVIEWS.—Section 22(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769c(b)) is amended by adding at the end the following:

''(3) ADDITIONAL REVIEW REQUIREMENT FOR SELECTED LOCAL EDUCATIONAL AGENCIES.—

''(A) DEFINITION OF SELECTED LOCAL EDUCATIONAL AGENCY.—In this paragraph, the term 'selected local educational agency' means a local educational agency that has a demonstrated a high level of, or a high risk for, administrative error, as determined by the Secretary.

''(B) ADDITIONAL ADMINISTRATIVE REVIEW.—In addition to any review required by subsection (a) or paragraph (1), each State educational agency shall conduct an administrative review of each selected local educational agency during the review cycle established under subsection (a).

''(C) SCOPE OF REVIEW.—In carrying out a review under subparagraph (B), a State educational agency shall only review the administrative processes of a selected local educational agency, including application, certification, verification, meal counting, and meal claiming procedures.

''(D) RESULTS OF REVIEW.—If the State educational agency determines (on the basis of a review conducted under subparagraph (B)) that a selected local educational agency fails to meet performance criteria established by the Secretary, the State educational agency shall—

''(i) require the selected local educational agency to develop and carry out an approved plan of corrective action;

''(ii) except to the extent technical assistance is provided directly by the Secretary, provide technical assistance to assist the selected local educational agency in carrying out the corrective action plan; and

''(iii) conduct a follow-up review of the selected local educational agency under standards established by the Secretary.

''(4) RECOVERING FUNDS AFTER ADMINISTRATIVE REVIEWS.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), if the local educational agency fails to meet administrative performance criteria established by the Secretary in both an initial review and a follow-up review under paragraph (1) or (3) or subsection (a), the Secretary may require the State educational agency to recover funds from the local educational agency that would otherwise be paid to the school food authority or local educational agency for school meals programs under procedures prescribed by the Secretary.

''(B) AMOUNT.—The amount of funds recovered under subparagraph (A) shall equal the value of any overpayments made to the school food authority or local educational agency as a result of an erroneous claim during the time period described in subparagraph (C).

''(C) TIME PERIOD.—The period for determining the value of any such overpayments under subparagraph (B) shall be the period—

''(i) beginning on the date the erroneous claim was made; and

''(ii) ending on the earlier of the date the erroneous claim is corrected or—

''(I) in the case of the first review conducted by the State educational agency of the local educational agency under this section after July 1, 2005, the date that is 60 days after the beginning of the period under clause (i); or

''(II) in the case of any subsequent review conducted by the State educational agency of the local educational agency under this section, the date that is 90 days after the beginning of the period under clause (i).

''(5) USE OF RECOVERED FUNDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), funds recovered under paragraph (4) shall—

''(i) be returned to the Secretary under procedures established by the Secretary, and may be used—

''(I) to provide training and technical assistance related to administrative practices designed to improve program integrity and administrative accuracy in school meals programs (including administrative requirements established by the Child Nutrition Improvement and Integrity Act and amendments made by that Act) to State educational agencies and, to the extent determined by the Secretary, to school food authorities and local educational agencies;

''(II) to assist State educational agencies in reviewing the administrative practices of school food authorities, to the extent determined by the Secretary; and

''(III) to carry out section 21(e); or

''(ii) be credited to the child nutrition programs appropriation account.

''(B) STATE SHARE.—Subject to subparagraph (C), a State educational agency may retain not more than 25 percent of an amount recovered under paragraph (4), to carry out school meals program integrity initiatives to assist school food authorities and local educational agencies that have repeatedly failed (as determined by the Secretary) to meet administrative performance criteria.

''(C) REQUIREMENT.—To be eligible to retain funds under subparagraph (B), a State educational agency shall—

''(i) submit to the Secretary a plan describing how the State educational agency will use the funds to improve school meals program integrity, including measures to give priority to school food authorities and local educational agencies from which funds were retained under paragraph (4); and

''(ii) obtain the approval of the Secretary for the plan.''.

(c) TRAINING AND TECHNICAL ASSISTANCE.—Section 7 of the Child Nutrition Act of 1966 (42 U.S.C. 1776) is amended—

(1) in subsection (e)—

(A) by striking ''(e) Each'' and inserting the following:

''(e) PLANS FOR USE OF ADMINISTRATIVE EXPENSE FUNDS.—

''(1) IN GENERAL.—Each''; and

(B) by striking ''After submitting'' and all that follows through ''change in the plan.'', and inserting the following:

''(2) UPDATES AND INFORMATION MANAGEMENT SYSTEMS.—After submitting the initial plan, a State shall be required to submit to the Secretary for approval only a substantive change in the plan. Each State plan shall at a minimum include a description of how technology and information management systems will be used to improve program integrity by—

''(A) monitoring the nutrient content of meals served;

''(B) training schools and school food authorities how to utilize technology and information management systems for activities such as menu planning, collecting point of sale data, processing applications for free and reduced price meals and verifying eligibility for free and reduced price meals using existing databases to access program participation or income data collected by State or local educational agencies; and

''(C) using electronic data to establish benchmarks to compare and monitor program integrity, program participation, and financial data across schools and school food authorities.

''(3) TRAINING AND TECHNICAL ASSISTANCE.—Each State shall submit to the Secretary for approval a plan describing the manner in which the State intends to implement subsection (g) and section 22(b)(3) of the Richard B. Russell National School Lunch Act (as added by section 208 of the Child Nutrition Improvement and Integrity Act).'';

(2) by redesignating subsection (g) as subsection (i); and

(3) by inserting after subsection (f) the following:

''(g) STATE TRAINING.—

''(1) IN GENERAL.—At least annually, each State shall provide training in administrative practices (including training in application, certification, verification, meal counting, and meal claiming procedures) to school food authority administrative personnel and other appropriate personnel, with emphasis on the requirements established by the Child Nutrition Improvement and Integrity Act and the amendments made by that Act.

''(2) FEDERAL ROLE.—The Secretary shall—

''(A) provide training and technical assistance (including training materials and information developed under subsections (e) and (f) of section 21 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b-1)) to a State to assist the State in carrying out paragraph (1); or

''(B) at the option of the Secretary, directly provide training and technical assistance described in paragraph (1).

''(3) THIRD-PARTY CONTRACTING.—In carrying out this subsection, the Secretary or a State may contract with a third party under procedures established by the Secretary.

''(4) REQUIRED PARTICIPATION.—Under procedures established by the Secretary that consider the various needs and circumstances of school food authorities, each school food authority or local educational agency shall ensure that an individual conducting or overseeing administrative procedures described in paragraph (1) receives training at least annually, unless determined otherwise by the Secretary.

''(h) FUNDING FOR TRAINING AND ADMINISTRATIVE REVIEWS.—

''(1) FUNDING.—

''(A) IN GENERAL.—On October 1, 2004, and on each October 1 thereafter, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection $4,000,000, to remain available until expended.

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds transferred under subparagraph (A), without further appropriation.

''(2) USE OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall use funds provided under this subsection to assist States in carrying out subsection (g) and administrative reviews of selected school food authorities and local educational agencies under section 22(b)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769c(b)(3)).

''(B) EXCEPTION.—The Secretary may retain a portion of the amount provided to cover costs of activities carried out by the Secretary in lieu of the State.

''(3) ALLOCATION.—The Secretary shall allocate funds provided in this subsection to States based on the number of local educational agencies that have demonstrated a high level of or a high risk for administrative error, as determined by the Secretary, taking into account the requirements established by the Child Nutrition Improvement and Integrity Act and the amendments made by that Act.

''(4) REALLOCATION.—The Secretary may reallocate, to carry out this section, any amounts made available to carry out this subsection that are not obligated or expended, as determined by the Secretary.''.

TITLE III—PROMOTING NUTRITION QUALITY AND PREVENTING CHILDHOOD OBESITY

SEC. 301. LOCAL SCHOOL WELLNESS POLICY.

Not later than the first day of the school year beginning after June 30, 2006, local educational agencies participating in the programs authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) shall establish a local school wellness policy for such local agency that at a minimum—

(1) includes goals for nutrition education, physical activity and other school-based activities designed to promote student wellness that the local educational agency determines are appropriate;

(2) includes nutrition guidelines selected by the local educational agencies for all foods available on school campus during the school day with the objective of promoting student health and reducing childhood obesity;

(3) provides an assurance that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary pursuant to section 10(a) and (b) of the Child Nutrition Act (42 U.S.C. 1779(a) and (b)) and section 9(f)(1) and section 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1) and 1766(a)), as those regulations and guidance apply to schools;

(4) establishes a plan for ensuring implementation of the local wellness policy, including designation of a person or persons within the local educational agency, or at each school as appropriate, charged with operational responsibility for ensuring that such school meets the local wellness policy; and

(5) involves parents, students, representatives of the school food authority, the school board, school administrators, and public in the development of the school wellness policy.

SEC. 302. SUPPORTING NUTRITION EDUCATION, IMPROVING MEAL QUALITY, AND ACCESS TO LOCAL FOODS.

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

(1) by amending subsection (b) to read as follows:

''(b) PURPOSE.—It is the purpose of this section to support effective nutrition education through assistance to State agencies, schools, and nonprofit entities for Team Nutrition and other nutrition education projects that improve student understanding of healthful eating patterns, including an awareness and understanding of the Dietary Guidelines for Americans, the quality of school meals and access to local foods in schools and institutions operating programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and section 4 of this Act.'';

(2) by striking subsections (c) through (h) and inserting after subsection (b) the following:

''(c) TEAM NUTRITION NETWORK.—

''(1) PURPOSE.—The purpose of the Team Nutrition Network is to—

''(A) promote the nutritional health of the Nation's school children through nutrition education, physical activity and other activities that support healthy lifestyles for children based on the Dietary Guidelines for Americans, issued jointly by the Secretary of Agriculture and the Secretary of Health and Human Services, and the physical fitness guidelines issued by the Secretary of Health and Human Services;

''(B) provide assistance to States for the development of State-wide, comprehensive, and integrated nutrition education and physical fitness programs; and

''(C) provide training and technical assistance to States, school and community nutrition programs, and child nutrition food service professionals.

''(2) STATE COORDINATOR.—The State Team Nutrition Network Coordinator shall—

''(A) administer and coordinate a comprehensive integrated statewide nutrition education program; and

''(B) coordinate efforts with the Food and Nutrition Service and State agencies responsible for children's health programs.

''(3) TEAM NUTRITION NETWORK.—Subject to the availability or appropriations to carry out this subsection, the Secretary, in consultation with the Secretary of Education, shall, on a competitive basis, provide assistance to States for the purpose of creating model nutrition education and physical activity programs, consistent with current dietary and fitness guidelines, for students in elementary schools and secondary schools.

''(4) REQUIREMENTS FOR STATE PARTICIPATION.—To be eligible to receive assistance under this subsection, a State Coordinator shall submit an application to the Secretary at such time, an in such manner, and containing such information as the Secretary may require, including—

''(A) a description of how the proposed nutrition and physical activity program will promote healthy eating and physical activity and fitness and address the health and social consequences of children who are at risk of becoming overweight or obese;

''(B) information describing how nutrition activities are to be coordinated at the State level with other health activities conducted by education, health and agriculture agencies;

''(C) information describing how initiatives to promote physical activity are to be coordinated at the State level with other initiatives to promote physical activity conducted by education, health, and parks and recreation agencies;

''(D) a description of the consultative process that the State Coordinator employed in the development of the model nutrition and physical activity programs, including consultations with individuals and organizations with expertise in promoting public health, nutrition, or physical activity, and organizations representing the agriculture, food and beverage, fitness, and sports and recreation industries;

''(E) a description of how the State Coordinator will evaluate the effectiveness of its program; and

''(F) a description of how any and all communications to parents and guardians of all students who are members of a household receiving or applying for assistance under the program shall be in an understandable and uniform format, and, to the extent practicable, in a language that parents can understand.

''(5) DURATION.—Subject to the availability of funds made available to carry out this subsection, a State Coordinator shall conduct the project for a period of 3 successive school years.

''(6) AUTHORIZED ACTIVITIES.—An eligible applicant that receives assistance under this subsection may use funds to carry out one or more of the following activities—

''(A) collecting, analyzing, and disseminating data regarding the extent to which children and youth in the State are overweight or physically inactive and the programs and services available to meet those needs;

''(B) developing and implementing model elementary and secondary education curricula to create a comprehensive, coordinated nutrition and physical fitness awareness and obesity prevention program;

''(C) developing and implementing pilot programs in schools to increase physical activity and to enhance the nutritional status of students, including through the increased consumption of fruits and vegetables, whole grains, and lowfat dairy products;

''(D) developing and implementing State guidelines in health, which include nutrition education, and physical education and emphasize regular physical activity during school hours;

''(E) collaborating with community based organizations, volunteer organizations, State medical associations, and public health groups to develop and implement nutrition and physical education programs targeting lower income children, ethnic minorities, and youth at a greater risk for obesity;

''(F) collaborating with public or private organizations that have as a mission the raising of public awareness of the importance of a balanced diet and an active lifestyle; and

''(G) providing training and technical assistance to teachers and school food service professionals consistent with the purpose of this section.

''(7) LIMITATION.—Materials prepared under this subsection regarding agricultural commodities, food, or beverages must be factual and without bias.

''(8) REPORT.—Within 18 months of completion of the projects and the evaluations, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Agriculture, Nutrition and Forestry of the Senate a report describing the results of the evaluation of the demonstration programs and shall make such reports available to the public, including through the Internet.

''(9) INDEPENDENT EVALUATION.—

''(A) IN GENERAL.—The Secretary shall enter into an agreement with an independent, non-partisan science-based research organization to conduct a comprehensive independent evaluation of the effectiveness of the Team Nutrition initiative and the Team Nutrition Network authorized by this subsection and to identify best practices in—

''(i) improving student understanding of healthful eating patterns;

''(ii) engaging students in regular physical activity and improving physical fitness;

''(iii) reducing diabetes and obesity rates in school children;

''(iv) improving student nutrition behaviors on the school campus including healthier meal choices evidenced by greater inclusion of fruits, vegetables, whole grains, and lean dairy and protein in meal and snack selections;

''(v) providing training and technical assistance for food service professionals resulting in the availability of healthy meals that appeal to ethnic and cultural taste preferences;

''(vi) linking meals programs to nutrition education activities; and

''(vii) successfully involving school administrators, the private sector, public health agencies, non-profit organizations, and other community partners.

''(B) REPORT.—Not later than October 1, 2007, the Secretary shall transmit the findings of the independent evaluation to the Committee on Education and the Workforce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

''(d) LOCAL NUTRITION AND PHYSICAL ACTIVITY PROJECT.—

''(1) IN GENERAL.—Subject to the availability of appropriations to carry out this subsection, the Secretary, in consultation with the Secretary of Education, shall provide assistance to not more than 100 local educational agencies, at least one per State, for the establishment of pilot projects for purposes of promoting healthy eating habits and increasing physical activity, consistent with the Dietary Guidelines for Americans issued jointly by the Secretary of Agriculture and the Secretary of Health and Human Services, among elementary and secondary education students.

''(2) REQUIREMENT FOR PARTICIPATION IN PILOT PROJECT.—To be eligible to receive assistance under this subsection, a local educational agency shall, in consultation with individuals who possess education or experience appropriate for representing the general field of public health, including nutrition and fitness professionals, submit to the Secretary an application that shall include—

''(A) a description of the local educational agency's need for nutrition and physical activity programs;

''(B) a description of how the proposed project will improve health and nutrition through education and increased access to physical activity;

''(C) a description of how funds under this subsection will be coordinated with other programs under this Act, the Richard B. Russell National School Lunch Act, or other Acts, as appropriate, to improve student health and nutrition;

''(D) a statement of the local educational agency's measurable goals for nutrition and physical education programs and promotion;

''(E) a description of how the proposed project will be aligned with the local wellness policy required under the Act;

''(F) a description of the procedures the agency will use for assessing and publicly reporting progress toward meeting those goals; and

''(G) a description of how communications to parents and guardians of participating students regarding the activities under this subsection shall be in an understandable and uniform format, and, to the extent practicable, in a language that parents can understand.

''(3) DURATION.—Subject to the availability of funds made available to carry out this subsection, a local educational agency receiving assistance under this subsection shall conduct the project during a period of 3 successive school years.

''(4) AUTHORIZED ACTIVITIES.—An eligible applicant that receives assistance under this subsection—

''(A) shall use funds provided to—

''(i) promote healthy eating through the development and implementation of nutrition education programs and curricula based on the Dietary Guidelines for Americans; and

''(ii) increase opportunities for physical activity through after school programs, athletics, intramural activities, and recess; and

''(B) may use funds provided to—

''(i) educate parents and students about the relationship of a poor diet and inactivity to obesity and other health problems;

''(ii) develop and implement physical education programs that promote fitness and lifelong activity;

''(iii) provide training and technical assistance to food service professionals to develop nutritious, more appealing menus and recipes;

''(iv) incorporate nutrition education into physical education, health education, and after school programs, including athletics;

''(v) involve parents, nutrition professionals, food service staff, educators, community leaders, and other interested parties in assessing the food options in the school environment and developing and implementing an action plan to promote a balanced and healthy diet;

''(vi) provide nutrient content or nutrition information on meals served through the school lunch or school breakfast programs and items sold a la carte during meal times;

''(vii) encourage the increased consumption of a variety of healthy foods through new initiatives such as salad bars and fruit bars; and

''(viii) provide nutrition education, including sports nutrition education, for teachers, coaches, food service staff, athletic trainers, and school nurses.

''(5) LIMITATION.—Materials prepared under this subsection regarding agricultural commodities, food, or beverages must be factual and without bias.

''(6) REPORT.—Within 18 months of completion of the projects and evaluations, the Secretary shall transmit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Agriculture, Nutrition and Forestry of the Senate a report describing the results of the evaluation of the pilot projects and shall make such reports available to the public, including through the Internet.

''(e) NUTRITION EDUCATION SUPPORT.—

''(1) IN GENERAL.—In carrying out the purpose of this section to support nutrition education, the Secretary may provide for technical assistance and grants to improve the quality of school meals and access to local foods in schools and institutions.

''(2) SCHOOL MEALS INITIATIVE.—The Secretary may provide assistance to enable State educational agencies to—

''(A) implement the recommendations of the Secretary's School Meals Initiative for Healthy Children;

''(B) increase the consumption of fruits, vegetables, low-fat dairy products, and whole grains;

''(C) reduce saturated fat and sodium in school meals;

''(D) improve school nutritional environments; and

''(E) conduct other activities that aid schools in carrying out the Secretary's School Meals Initiative for Healthy Children.

''(3) ACCESS TO LOCAL FOODS.—The Secretary may provide assistance, through competitive matching grants and technical assistance, to schools and nonprofit entities for projects that—

''(A) improve access to local foods in schools and institutions participating in programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and Section 4 of this Act through farm-to-cafeteria activities that may include the acquisition of food and appropriate equipment and the provision of training and education;

''(B) are, at a minimum, designed to procure local foods from small- and medium-sized farms for school meals;

''(C) support nutrition education activities or curriculum planning that incorporates the participation of schoolchildren in farm and agriculture education activities;

''(D) develop a sustained commitment to farm-to-cafeteria projects in the community by linking schools, agricultural producers, parents, and other community stakeholders;

''(E) require $100,000 or less in Federal contributions;

''(F) require a Federal share of costs not to exceed 75 percent;

''(G) provide matching support in the form of cash or in kind contributions (including facilities, equipment, or services provided by State and local governments and private sources); and

''(H) cooperate in an evaluation to be carried out by the Secretary.''; and

(3) by redesignating subsection (i) as subsection (f), and amending paragraph (1) of such subsection to read as follows:

''(1) IN GENERAL.—There is authorized to be appropriated such sums as may be necessary

for carrying out this section for fiscal years 2004 through 2008.''.

SEC. 303. FRUITS AND VEGETABLE COMMODITIES.

Section 6(c)(1)(D) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(c)(1)(D)) is amended by inserting '', and fruits and vegetables'' before the period.

SEC. 304. FLUID MILK.

Section 9(a)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(a)(2)) is amended to read as follows:

''(2) FLUID MILK.—

''(A) IN GENERAL.—Lunches served by schools participating in the school lunch program under this Act—

''(i) shall offer students fluid milk in a variety of fat contents;

''(ii) may offer students flavored and unflavored fluid milk and lactose-free fluid milk; and

''(iii) shall provide a substitute for fluid milk for students whose disability restricts their diet, upon receipt of a written statement from a licensed physician that identifies the disability that restricts the student's diet and that specifies the substitute for fluid milk.

''(B) SUBSTITUTES.—

''(i) STANDARDS FOR SUBSTITUTION.—Schools may substitute for the fluid milk provided under subparagraph (A), a nondairy beverage that is nutritionally equivalent to fluid milk and meets nutritional standards as established by the Secretary (which shall, among other requirements to be determined by the Secretary, include fortification of calcium, protein, vitamin A, and vitamin D to levels found in cow's milk) for students who cannot consume fluid milk because of a medical or other special dietary need other than a disability described in subparagraph (A)(iii).

''(ii) NOTICE.—Such substitutions may be made if the school notifies the State agency that it is implementing a variation allowed under this subparagraph, and if such substitution is requested by written statement of a medical authority or by a student's parent or legal guardian that identifies the medical or other special dietary need that restricts the student's diet, provided that the school shall not be required to provide beverages other than those it has identified as acceptable substitutes.

''(iii) EXCESS EXPENSES BORNE BY THE SCHOOL DISTRICT.—Expenses incurred in providing substitutions pursuant to this subparagraph that are in excess of those covered by reimbursements under this Act shall be paid by the school district.

''(C) RESTRICTIONS ON SALE OF MILK PROHIBITED.—A school or institution that participates in the school lunch program under this Act shall not directly or indirectly restrict the sale or marketing of fluid milk products by the school (or by a person approved by the school) at any time or any place—

''(i) on the school premises; or

''(ii) at any school-sponsored event.''.

SEC. 305. WAIVER OF REQUIREMENTS FOR WEIGHTED AVERAGES FOR NUTRIENT ANALYSIS.

Section 9(f)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C 1758(f)(5)) is amended to read as follows:

''(5) WAIVER OF REQUIREMENTS FOR WEIGHTED AVERAGES FOR NUTRIENT ANALYSIS.—State educational agencies may grant waivers to school food authorities to the requirement for weighted averages for nutrient analysis of menu items and foods offered or served as part of a meal offered or served under the school lunch program under this Act or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) if—

''(A) the school food authority has an equivalent system for conducting a nutrient analysis, subject to State agency approval; and

''(B) the equivalent system adequately documents the extent to which the school food authority is meeting the Dietary Guidelines for Americans and other nutrition standards. In addition, the Secretary may waive, on a case by case basis, the requirement for a State agency to use weighted averages when conducting a nutrient analysis as part of a review (of compliance with the Dietary Guidelines and other nutrition standards) of a school food authority not using nutrient standard menu planning, when, in the Secretary's determination, an alternative analysis would yield results that would adequately measure a school food authority's compliance with current nutrition standards for school meals.''.

SEC. 306. WHOLE GRAINS.

Not later than 18 months after the date of enactment of this Act, the Secretary shall promulgate rules, based on Federal nutrition guidelines, to increase the presence of whole grains in foods offered in school nutrition programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 307. FRUIT AND VEGETABLE PILOT PROGRAM.

Section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended—

(1) in paragraph (1), by striking ''In the school year beginning'' and inserting ''Beginning'';

(2) by striking paragraph (3) and redesignating paragraphs (2) and (4) as paragraphs (5) and (6), respectively, and inserting after paragraph (1) the following:

''(2) ADDITIONAL STATES.—In addition to the States participating under subsection (1), the Secretary shall make available free fresh and dried fruits and fresh vegetables to students in 25 elementary or secondary schools in each State or Indian reservation selected for participation.

''(3) SELECTION OF SCHOOLS.—In selecting additional schools to participate in the pilot program under paragraph (2) of this subsection, the Secretary shall—

''(A) to the maximum extent practicable, ensure that the majority of schools selected are those in which not less than 50 percent of students are eligible for free or reduced price meals under this Act;

''(B) solicit applications from interested schools that include—

''(i) information pertaining to the percentage of students enrolled in the school submitting the application who are eligible for free or reduced price school lunches under this Act;

''(ii) a certification of support for participation in the pilot program signed by the school food manager, the school principal, and the district superintendent (or their equivalent positions, as determined by the school); and

''(iii) a plan for implementation of the pilot program that includes a partnership with an entity or entities of the fruit and vegetable industry, which shall contribute not less than 15 percent, in cash or in kind, for the acquisition, handling, promotion, and distribution of fresh and dried fruits and fresh vegetables provided under this program; and

''(iv) such other information as may be requested by the Secretary; and

''(C) for each application received, determine whether the application is from a school in which not less than 50 percent of students are eligible for free or reduced price meals under this Act.

''(4) SPECIAL RULE.—Schools participating in the program described in paragraph (1) shall receive a priority in the receipt of assistance under this subsection and shall not be subject to the requirements of paragraph (3).''; and

(3) by amending paragraph (6) (as redesignated by this section) to read as follows:

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $11,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008, to carry out this subsection.''.

TITLE IV—IMPROVING THE WOMEN, INFANTS, AND CHILDREN PROGRAM

SEC. 401. DEFINITION OF NUTRITION EDUCATION.

Section 17(b)(7) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(7)) is amended—

(1) by inserting ''and physical activity'' after ''dietary habits''; and

(2) by striking ''nutrition and health'' and inserting ''nutrition, health, and child development''.

SEC. 402. DEFINITION OF SUPPLEMENTAL FOODS.

Section 17(b)(14) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(14)) is amended by inserting after ''children'' the following: ''and foods that promote the health of the population served by the program authorized by this section, as indicated by relevant nutrition science, public health concerns, and cultural eating patterns''.

SEC. 403. IMPROVING CERTIFICATION.

(a) CERTIFICATION OF WOMEN WHO ARE BREASTFEEDING.—Section 17(d)(3)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(A)) is amended by adding at the end the following: ''A State may certify breast-feeding women for up to 1 year, or until women stop breast-feeding, whichever is earlier.''

(b) PHYSICAL PRESENCE REQUIREMENT.—Section 17(d)(3)(C)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(C)(ii)) is amended—

(1) in subclause (I)(bb), by striking ''from a provider other than the local agency; or'' and inserting a semicolon;

(2) in subclause (II)(cc), by striking the period at the end and inserting ''; and''; and

(3) by inserting after subclause (II) the following:

''(III) an infant under 8 weeks of age—

''(aa) who cannot be present at certification for a reason determined appropriate by the local agency; and

''(bb) for whom all necessary certification information is provided.''.

(c) PROCESSING APPLICATIONS UNDER SPECIAL CIRCUMSTANCES.—Section 17(f)(1)(C) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(1)(C)) is amended by—

(1) redesignating clauses (ix) and (x) as clauses (x) and (xi), respectively; and

(2) inserting after clause (viii) the following:

''(ix) procedures whereby a State agency may accept and process vendor applications outside of the established time-frames, such as in situations in which a previously authorized vendor changes ownership under circumstances that do not permit timely notification to the State agency of such change in ownership;''.

(d) RESCHEDULING POLICIES.—Section 17(f)(19) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(19)) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(C) require local agencies that schedule certification appointments to permit an applicant or participant to reschedule an appointment to apply or be recertified for the program.''.

SEC. 404. REVIEWS OF AVAILABLE SUPPLEMENTAL FOODS.

(a) SCIENTIFIC REVIEW.—Section 17(f)(11) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(11)) is amended to read as follows:

''(11)(A) The Secretary shall prescribe by regulations the supplemental foods to be made available in the program under this section. To the degree possible the Secretary shall assure that the fat, sugar, and salt content of the prescribed foods is appropriate.

''(B) Beginning in 2013 and every 10 years thereafter, or more frequently if determined by the Secretary to be necessary to reflect current scientific knowledge, the Secretary shall conduct a scientific review of the supplemental foods available in the program and recommend, as necessary, changes to reflect nutrition science, current public health concerns, and cultural eating patterns.''.

(b) RULEMAKING.—The Secretary shall promulgate a final rule updating the prescribed supplemental foods available through the program authorized under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) within 18 months of receiving the review of the food package for such program undertaken by the National Academy of Sciences, Institute of Medicine in September 2003.

SEC. 405. NOTIFICATION OF VIOLATIONS AND INFANT FORMULA BENEFITS.

Section 17(f) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)) is amended by adding at the end the following:

''(25) NOTIFICATION OF VIOLATIONS.—If a State agency finds that a vendor has committed a violation that requires a pattern of occurrences in order to impose a sanction, the State agency shall notify the vendor of the initial violation in writing prior to documentation of another violation, unless the State agency determines that notifying the vendor would compromise an investigation.

''(26) INFANT FORMULA BENEFITS.—

''(A) IN GENERAL.—The State agency may round up to the next whole can of formula to ensure that all participants receive the full-authorized nutritional benefit specified by regulation.

''(B) LIMITATION.—For formula covered by infant formula contracts, subparagraph (A) shall take effect as contracts are awarded under bid solicitations made on or after October 1, 2004.''.

SEC. 406. HEALTHY PEOPLE 2010 INITIATIVE.

Section 17(h)(4) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(4)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (E) the following:

''(F) partner with communities, State and local agencies, employers, health care professionals, and the private sector to build a supportive breastfeeding environment for women participating in the program under this section to support the breastfeeding goals of the Healthy People 2010 initiative.''.

SEC. 407. COMPETITIVE BIDDING.

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

''(iv) REBATE INVOICES.—Each State agency shall have a system to ensure that infant formula rebate invoices, under competitive bidding, provide a reasonable estimate or an actual count of the number of units sold to participants in the program under this section.

''(v) CENT-FOR-CENT ADJUSTMENTS.—A bid solicitation for infant formula under the program made on or after October 1, 2004 shall require the manufacturer to adjust for price changes subsequent to the opening of the bidding process in a manner that requires—

''(I) a cent-for-cent increase in the rebate amounts if there is an increase in the lowest national wholesale price for a full truckload of the particular infant formula; or

''(II) a cent-for-cent decrease in the rebate amounts if there is a decrease in the lowest national wholesale price for a full truckload of the particular infant formula.''.

SEC. 408. FRUIT AND VEGETABLE PROJECTS.

Section 17(h)(10)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)(B)(ii)) is amended by inserting after ''under this section'' the following: '', which may include demonstration projects in up to 10 local sites, determined to be geographically and culturally representative of local States and Indian agencies, to evaluate the inclusion of fresh, frozen, or canned fruits and vegetables (to be made available through private funds) as an addition to the supplemental food provided under this section''.

SEC. 409. PRICE LEVELS OF RETAIL STORES.

Section 17(h)(11) of the Child Nutrition Act of 1966 is amended by adding at the end the following:

''(C) ADDITIONAL REQUIREMENTS.—

''(i) The State agency shall evaluate a vendor applicant based on its shelf prices or on the prices it bids for supplemental foods, which may not exceed its shelf prices.

''(ii) The State agency shall establish price limitations on the amount that it will pay vendors for supplemental foods. The State agency shall ensure that price limitations do not result in inadequate participant access by geographic area.

''(iii) In establishing competitive price and price limitation requirements, the State agency may exclude pharmacy vendors that supply only exempt infant formula or medical foods that are eligible under the program.

''(iv) The State agency shall establish competitive price requirements and price limitations for vendor peer groups, as necessary to ensure that prices paid to vendors are competitive. Vendor peer group competitive price requirements and price limitations may reflect reasonable estimates of varying costs of acquisition of supplemental foods.

''(D) INCENTIVE ITEMS.—The State agency shall not authorize a retail food store that provides incentive items or other free merchandise to program participants if funds available under this program were used to purchase such items or merchandise.

''(E) RULES OF CONSTRUCTION.—Nothing in this section may be construed to authorize violation of the Sherman Antitrust Act (15 U.S.C. 1 et seq.) or the Robinson-Patman Act (15 U.S.C. 13 et seq.).''.

SEC. 410. MANAGEMENT INFORMATION SYSTEMS.

Section 17(h)(12) of the Child Nutrition Act of 1996 (42 U.S.C. 1786(h)(12)) is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) ELECTRONIC BENEFIT TRANSFER SYSTEMS.—

''(i) IN GENERAL.—All States that receive Federal funds for design or implementation of electronic benefit transfer (EBT) systems for the program under this section shall use technical specifications or standards, as applicable, as determined by the Secretary, except as provided in clause (ii).

''(ii) EXISTING SYSTEMS.—EBT systems for the program under this section that are in development or are issuing benefits as of the date of enactment shall be required to submit within 6 months after the date of enactment of this subparagraph a plan for compliance.

''(iii) WAIVER.—The Secretary may waive compliance with this subparagraph for State EBT systems for the program under this section that are issuing benefits as of the date of enactment of this subparagraph until such time that compliance is feasible.''; and

(2) by amended subparagraph (C) to read as follows:

''(C) UNIVERSAL PRODUCT CODES DATABASE.—The Secretary shall implement a national Universal Product Code Database for use by all State agencies in carrying out the program and shall make available from appropriated funds such sums as may be required for hosting, hardware, and software configuration, and support.''.

SEC. 411. INFANT FORMULA FRAUD PREVENTION.

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

''(13) APPROVED PROVIDERS OF INFANT FORMULA.—

''(A) IN GENERAL.—The State agency shall maintain a list of infant formula manufacturers, wholesalers, distributors, and retailers approved to provide infant formula to vendors.

''(B) LIST.—The list required under subparagraph (A) shall include food manufacturers, wholesalers, distributors, and retailers licensed in the State in accordance with State law and regulations to distribute infant formula and food manufacturers registered with the U.S. Food and Drug Administration that provide infant formula.

''(C) PURCHASE REQUIREMENT.—Vendors authorized to participate in the program under this section shall purchase infant formula from the list required under subparagraph (A).''.

SEC. 412. STATE ALLIANCES.

Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) is further amended—

(1) in subsection (b) by adding at the end the following:

''(22) 'State alliance' means 2 or more State agencies that join together for the purpose of procuring infant formula by soliciting competitive bids.''; and

(2) in subsection (h)(8)(A) by adding at the end the following:

''(vi) SIZE OF STATE ALLIANCES.—No State alliance may form among States whose infant participation exceeds 200,000 based on program participation as of October 2003, except that—

''(I) an alliance among States with a combined 200,000 infant participants as of October 2003 may continue, and may expand to include more than 200,000 infants, but may not expand to include any additional State agencies that were not included in the alliance as of October 1, 2003, other than as provided in subclause (II); and

''(II) any State agency serving fewer than 5,000 infant participants as of October 2003, or any Indian Tribal Organization, may request to join any State alliance.''.

SEC. 413. LIMITS ON EXPENDITURES.

Section 17(i)(3)(A)(ii)(I) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(i)(3)(A)(ii)(I)) is amended by striking ''1 percent'' and inserting ''3 percent''.

SEC. 414. MIGRANT AND COMMUNITY HEALTH CENTERS INITIATIVE.

Section 17(j) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(j)) is amended by striking paragraph (4) and redesignating paragraph (5) as paragraph (4).

SEC. 415. DEMONSTRATION PROJECTS.

(a) CHILD NUTRITION ACT OF 1966.—Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) is amended by striking subsection (r).

(b) NATIONAL SCHOOL LUNCH ACT.—Section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) is amended by striking subsection (p).

SEC. 416. AUTHORIZATION OF APPROPRIATIONS.

(a) REAUTHORIZATION OF PROGRAM.—Section 17(g) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(g)) is amended by striking

''(g)(1) There are authorized'' and all that follows through ''through 2003.'' in paragraph (1) and inserting the following:

''(g) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2004 through 2008.''.

(b) NUTRITION SERVICES AND ADMINISTRATION FUNDS.—Section 17(h) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)) is amended—

(1) in paragraph (2)(A), by striking ''1995 through 2003'' and inserting ''2004 through 2008''; and

(2) in paragraph (10)(A), by striking ''1995 through 2003'' and inserting ''2004 through 2008''.

(c) FARMERS' MARKET NUTRITION PROGRAM.—Section 17(m)(9)(A)(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(m)(9)) is amended to read as follows:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2004 through 2008.''.

TITLE V—REAUTHORIZATION, MISCELLANEOUS PROVISIONS, AND EFFECTIVE DATE

SEC. 501. TRAINING, TECHNICAL, AND OTHER ASSISTANCE.

Section 21(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b–1(a)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) subject to the availability of and from amounts appropriated pursuant to subsection (g)(1), shall provide—

''(A) training and technical assistance to improve the skills of individuals employed in food service programs carried out under this Act, section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), and, as appropriate, other federally assisted feeding programs;

''(B) training and technical assistance to States, State agencies, schools, and school food authorities in the procurement of goods and services for programs under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), including training and technical assistance to ensure compliance with section 12(n) of this Act (42 U.S.C. 1760(n));

''(C) assistance, on a competitive basis, to State agencies for the purpose of aiding schools and school food authorities with at least 50 percent of enrolled children certified to receive free or reduced price meals, and, if there are any remaining funds, other schools and school food authorities in meeting the cost of acquiring or upgrading technology and information management systems for use in food service programs carried out under this Act and section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) if the school or school food authority submits to the State agency an infrastructure development plan that addresses the cost savings and improvements in program integrity and operations that would result from the use of new or upgraded technology in—

''(i) methods to ensure that there shall not be any overt identification of any such child by special tokens or tickets, announced or published list of names, or by any other means;

''(ii) processing and verifying applications for free and reduced price school meals;

''(iii) integrating menu planning, production, and serving data to monitor compliance with section 9(f)(1); and

''(iv) establishing compatibility with statewide reporting systems;

''(D) assistance, on a competitive basis, to State agencies with low proportions of schools or students that participate in the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) and that demonstrate the greatest need, for the purpose of aiding schools in meeting costs associated with initiating or expanding a school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), including outreach and informational activities; and''; and

(2) in paragraph (2), by striking ''subsection (e)(2)'' and inserting ''subsection (g)(2).''

SEC. 502. NOTICE OF IRRADIATED FOOD.

Section 14 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1762*a*) is amended by adding at the end the following:

''(h) NOTICE OF IRRADIATED FOOD.—The Secretary shall develop policy and establish procedures for the purchase and distribution of irradiated food products in Federal school meals programs. The policies and procedures shall ensure at a minimum that—

''(1) irradiated food products are made available only at the request of States and school food authorities;

''(2) reimbursements to schools for irradiated food products are equal to reimbursements to schools for non-irradiated products;

''(3) States and school food service authorities are provided factual information on the science and evidence regarding irradiation technology, including notice that irradiation is not a substitute for safe food handling techniques and any such other information necessary to promote food safety in school meal programs;

''(4) States and school food service authorities are provided model procedures for providing factual information on the science and evidence regarding irradiation technology and any such other information necessary to promote food safety in school meals to school food service authorities, parents, and students regarding irradiation technology;

''(5) irradiated food products distributed to the Federal school meals program are labeled with a symbol or other printed notice indicating that the product was treated with irradiation and is prominently displayed in a clear and understandable format on the container;

''(6) irradiated products are not commingled with non-irradiated products in containers; and

''(7) encourages schools that offer irradiated foods to offer alternatives to irradiated food products as part of the meal plan used by schools.''.

SEC. 503. SENSE OF CONGRESS.

Section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) is further amended by adding at the end the following:

''(p) SENSE OF CONGRESS.—It is the sense of Congress that Federal resources provided under this Act and the Child Nutrition Act of 1966 dedicated to child nutrition should support the most effective programs within the Federal agency that is most capable of assisting children in nutritional need. Congress encourages the elimination of initiatives that are duplicative of other Federal efforts, particularly those that are duplicative of programs conducted under this Act and the Child Nutrition Act of 1966.''.

SEC. 504. REAUTHORIZATION OF PROGRAMS.

(a) STATE ADMINISTRATIVE EXPENSES.—Section 7(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1776(g)) (as amended by this Act) is amended by striking ''2003'' and inserting ''2008''.

(b) COMMODITY DISTRIBUTION PROGRAM.—

(1) Section 14(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1762a(a)) is amended by striking ''March 31, 2004'' and inserting ''September 30, 2008''.

(2) Section 15(e) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237) is amended by striking ''April 1, 2004'' and inserting ''October 1, 2008''.

(c) PURCHASES OF LOCALLY PRODUCED FOODS.—Section 9(j)(2)(A) of the Richard B. Russell National School Lunch Act (42 U.S.C. 758(j)(2)(A)) is amended by striking ''2007'' and inserting ''2008''.

(d) TRAINING, TECHNICAL ASSISTANCE, AND FOOD SERVICE MANAGEMENT INSTITUTE.—Section 21(g)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b-1(e)(1)) (as amended by this Act) is further amended by striking ''for each of fiscal years 1992 through 2003'' and inserting ''for fiscal year 2004, and such sums as may be necessary for fiscal years 2005 through 2008''.

(e) COMPLIANCE AND ACCOUNTABILITY.—Section 22(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769c(d)) is amended by striking ''2003'' and inserting ''2008''.

SEC. 505. EFFECTIVE DATES.

The amendments made by sections 101, 104, 105(a), 202, 410, 416, and 504 shall take effect on the date of enactment of this Act. The amendments made by sections 201 and 208(c) shall take effect on July 1, 2005. All other amendments made by this Act shall take effect October 1, 2004.

The SPEAKER pro tempore (Mr. FOSSELLA). Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3873.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOEHNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this measure, which represents months of hard work and commitment to bipartisan cooperation. In that spirit, we have before us a bill that will extend the life of the Federal child nutrition programs while strengthening program integrity, ensuring effective use of Federal resources, and providing continued nutrition services for millions of American children.

First and foremost, I would like to thank the author of this bill and those who have worked closely with him to reach our shared goal of strengthening Federal child nutrition programs. The chairman and ranking member of the Subcommittee on Education Reform, the gentleman from Delaware (Mr. CASTLE) and the gentlewoman from California (Ms. WOOLSEY), deserve a great deal of credit for their hard work and cooperation that have brought this bill before us today. I would also like to thank the gentleman from California (Mr. GEORGE MILLER), the ranking member of the committee, for his continued commitment to a bipartisan, cooperative process.

The Federal child nutrition programs ensure millions of needy children have access to healthy and nutritious meals. The investment in these programs is considerable, and so is our obligation to ensure our Federal resources are being used effectively and efficiently. Children and families depend on the Federal child nutrition programs, and they depend on us to ensure that these programs are being administered with integrity.

The Child Nutrition Improvement and Integrity Act reauthorizes the National School Lunch and Breakfast programs, Child and Adult Care Food program, After-School Snack program, the Summer Food Service program, the Special Supplemental Nutrition Program for Women, Infants and Children. Taken together, the reforms in this bill will help ensure we are making the most of Federal child nutrition resources, while being mindful of program quality and integrity.

The bill before us strikes, I think, an important balance between our desire to promote healthy nutritional choices and physical activity among children, and the need to preserve local control for schools, communities, and States. The gentleman from Delaware (Mr. CASTLE), the author of this bill, has been a leader in our efforts to reduce the epidemic of child obesity by promoting a comprehensive approach that includes nutrition education and physical activity. In particular, the establishment of local wellness policies, written at the local level to reflect local needs, marks significant progress that will promote nutrition education and increase physical activity in schools while maintaining local control.

To improve program integrity within the Federal child nutrition programs and ensure access for eligible children, the legislation makes a number of positive reforms. The bill allows children whose parents are in the Armed Forces and living in privatized military housing to continue to receive free or reduced-price meals in school if they meet the eligibility requirements. It also helps the parents by allowing them to submit a single application for multiple children and ensures enrollment of eligible children through the use of direct certification of school lunch eligibility for those children in families receiving food stamps.

Importantly, the Child Nutrition Improvement and Integrity Act also takes steps to reduce paperwork by allowing school lunch certifications to be valid for one full year, preventing situations in which schools are forced to repeatedly certify children within a single school year. The bill also includes a provision originally proposed by the gentleman from Florida (Mr. KELLER) to help reduce the stigma amongst children receiving free and reduced-price lunches by helping schools make technological improvements such as automated meal card systems that keep students' financial status confidential. That, in fact, will also increase the efficiency of program operations.

These are just a few of the numerous reforms that will ensure eligible children and families access to services and Federal resources that are being effectively leveraged to serve children in need.

I would also like to recognize the gentleman from Michigan (Mr. UPTON) and the gentleman from Wisconsin (Mr. KIND) for their commitment to encouraging partnerships that allow fresh and local produce to go from farms to schools. In recognizing the success and popularity of the fruit and vegetable pilot program, which provides free fresh and dried fruits and fresh vegetables to children in 25 schools in each of four States and on one Indian reservation, I am pleased that the bill before us authorizes the continuation and expansion of this valuable program.

The act before us will prevent important nutritional programs from expiring, while ensuring that they continue to operate effectively and efficiently. I am pleased to support this measure and encourage my colleagues to join me in voting ''yes'' and ensuring the availability of nutritional services for millions of vulnerable children and their families.

Mr. Speaker, I reserve the balance of my time.

Ms. WOOLSEY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding me such time as I may consume, as long as I do not go on and on.

Mr. Speaker, I want to thank the majority for working with us and for bringing this bill to the floor today. I want to thank the chairman, the gentleman from Ohio (Mr. BOEHNER), and the gentleman from Delaware (Mr. CASTLE), the chairman of the subcommittee, for their efforts, as well as the ranking member of the subcommittee, the gentlewoman from California (Ms. WOOLSEY), for her participation and effort in arriving at this compromise, which I think is a very good bill on child nutrition. I also want to thank the American School Food Service Association for all of their years of effort to improve the quality of this program, to expand its coverage of this program, and for continuously looking after the nutritional state of our schoolchildren, especially since we now so clearly understand the link between nutrition and school performance among children.

Over 27 million schoolchildren take advantage of the school meals program every day. More than 2 million children receive meals during the summer, and the Child and Adult Care Food program provides over 1.5 million meals to children in child care programs. The Women, Infants and Children program provides information on healthy eating and nutritious foods for nearly 7.5 million poor women and their children. Clearly, families still struggle to provide their children with healthy meals, and the need for quality nutrition continues to exist in this country.

Mr. Speaker, H.R. 3873 acknowledges these needs, and it contains significant program improvements to allow more and more low-income children to access these programs in schools, after-school programs, child care centers, and through the Women, Infants and Children program. These policies reflect common sense in these programs. If a child is deemed to be eligible for both the Federal assistance programs, they should be eligible for free and reduced-price meals. The bill removes barriers for migrant children and homeless and runaway youth by making them automatically eligible for school meal programs. It continues a provision to allow children in low-income and military families to participate in these programs.

While many of us would have liked to go further to eliminate the reduced-price category of meals so that more children could eat for free, this bill makes headway in assuring that children who are eligible for these programs are, in fact, receiving the meals. These program improvements are laudable, and I support the bill for all of these reasons.

I am, however, disappointed that at a time when the trends in childhood obesity rates reveal a disturbing health crisis, we did not take the opportunity presented to us to improve the quality of foods available to children in the school meals program.

□ 1300

Obesity rates have doubled for children and tripled for adolescents in just for over the last two decades. More children are experiencing adults' health problems such as high blood cholesterol, high blood pressure, Type II diabetes, all of which is contributed to the threefold increase in annual hospital costs for obesity-related diseases in children over the past 20 years. This Nation can no longer ignore the cost of this problem to our children and to the health care system in this country.

We can all agree that there are no simple solutions to the issue of childhood obesity. The local wellness policy that will now be required of schools is a good start, as is a new emphasis on physical activity. However, this is not an adequate response to the health problems facing millions of children and youth.

The Federal Government can and should address the nutritional quality of food available in schools. Without Federal guidelines on this issue, the overall quality of the school meal programs is significantly undermined and children will continue to be surrounded by unhealthy food choices in schools. I will continue to press for action on this area, and I hope that the chairman will

join me, as will the members of the committee.

This is a significant reauthorization. It is a substantial improvement in the existing programs and I urge all of my colleagues to support this legislation.

Mr. BOEHNER. Mr. Speaker, I yield 4 minutes to the gentleman from Delaware (Mr. CASTLE), the author of the bill and the chairman of the Subcommittee on Education Reform.

Mr. CASTLE. Mr. Speaker, I thank the gentleman for yielding me time.

The bill before us today represents several months of hard work, cooperation and dedication to strengthening nutritional services for vulnerable children. I am pleased to have this bill before us and to have the support of so many members of committee, including the gentleman from California (Mr. GEORGE MILLER) and gentlewoman of California (Ms. WOOLSEY) and obviously the great help of the gentleman from Ohio (Mr. BOEHNER) and all the work that he did.

The fact that this is on a 40-minute calendar situation does not show the kind of work that went into getting it ready for the floor here today. I thank all those people.

The Child Nutrition Improvement and Integrity Act makes a number of positive reforms focusing on reaching three main goals: ensuring eligible children have access to services, promoting comprehensive solutions to the health and nutrition of children, and strengthening program integrity to ensure Federal resources are being effectively leveraged to serve children who qualify.

The bill reauthorizes the National School Lunch and Breakfast programs, Child and Adult Care Food program, After-School Snack program, Summer Food Service program, and the Special Supplemental Nutrition Program For Women, Infants and Children, which we know as WIC, and I think it goes a long way in strengthening these programs on behalf of disadvantaged children and their families.

While the bill includes a variety of important reforms, there are a few I would like to mention specifically. With little money to work with, we were able to increase access to child nutrition programs for eligible children. For example, the bill extends participation for eligible children whose parents are in the Armed Forces and living in privatized military housing so these children may continue receiving free or reduced-price meals. This provision alone would benefit 250 children in my home State of Delaware and up to 100,000 children nationwide.

The Federal Government invests roughly $16 billion annually in child nutrition programs. Ensuring the effective use of these resources by enhancing program integrity has been a top priority for me during the reauthorization process to ensure that children who deserve these services are receiving them and those who do not are not. To this end, we have taken steps to reduce administrative error, improve accuracy, and enhance accountability for program administration.

Finally, I would like to highlight an issue of particular concern to me, childhood obesity. During visits to schools over the past several years, I have noticed a growing number of obese children. We all recognize the fact that obesity has reached epidemic proportions in our Nation. Defeating this crisis will require the work of many, including schools, parents, government, the health community, and industry.

The bill before us today also includes important steps to promote comprehensive solutions to child health and nutrition, including provisions to promote nutritional education and physical activity at the State and local level.

H.R. 3873 also asks that local educational agencies have a local wellness policy. The policy will include goals for nutrition education and physical activity and include nutrition guidelines for foods sold in schools. Developed in consultation with parents, students, school food service professionals, school boards and administrators, and the public, the wellness policies will serve as a catalyst for encouraging a larger dialogue on how to combat obesity.

The Child Nutrition Improvement and Integrity Act is the result of cooperative efforts to strengthen nutritional services provided to needy children and families through the various child nutrition programs. I would like to thank my colleagues for their cooperation in bringing this bill forward, and I urge its passage.

Ms. WOOLSEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3873, the Child Nutrition Improvement and Integrity Act, which reauthorizes the Federal Child Nutrition programs. This is a bipartisan bill. It was unanimously reported out of the Committee on Education and the Workforce, and I thank the chairman of the full committee and the gentleman from Delaware (Mr. CASTLE), chairman of the Subcommittee on Education Reform, for working in good faith with the ranking member, the gentleman from California (Mr. GEORGE MILLER) and myself in getting to this point.

But I want to say that we would not be here without the great staffs on both sides of the aisle. I thank the staffs so much.

While there is more that I would have liked to do in this reauthorization such as a full expansion of the free breakfast program for all kids, no matter their economic status, and tighter restrictions on the junk food that is sold in schools, the Child Nutrition and Improvement and Integrity Act does improve the Federal Child Nutrition programs in many important ways.

H.R. 3873 improves accuracy in school meals programs without dropping eligible children; makes it easier for eligible students to get free and reduced-price meals by making the application process easier; makes homeless and migrant youth and children, whose families receive food stamps, automatically eligible for free meals; allows youth up to age 18 to participate in meal programs if they are living in domestic violence or homeless shelters; increases start-up and expansion grants for school breakfast programs; and includes a study for the best ways to overcome common barriers to offering breakfast at schools; helps students make better food choices, and fight obesity with Team Nutrition which provides nutrition education to students and training and support to improve the nutrition of foods sold in school; requires school districts to develop a local ''wellness policy'' which addresses both what students eat at school and the role that physical activity plays in good health.

This bill creates greater opportunities for schools to include fresh and dried fruits and fresh vegetables in school meals, gets our very youngest children off to a healthy start with the new WIC Fruit and Vegetable pilot program that will study the benefits of including fruits and vegetables in the WIC food package.

In conclusion, Mr. Speaker, the Child Nutrition Improvement and Integrity Act improves the nutritional well-being of low-income children by improving the Federal child nutrition programs. H.R. 3873 proves that child nutrition truly is bipartisan and it is a priority of this Congress. I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CARTER).

(Mr. CARTER asked and was given permission to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, I rise in support of H.R. 3873, the Child Nutrition Improvement and Integrity Act, which includes language which I offered to stop infant formula theft.

Stolen infant formula is a major problem throughout the country, including Texas. In 2003, an international crime ring stole and sold as much as $2.5 million worth of baby formula a month in Texas. Testimony before the Congress revealed that some of the proceeds may go to terrorism. Undercover work also shows that this extends across the United States.

After being stolen, the formula is stored and sometimes repackaged with phony expiration dates and then it is sold to small convenience stores in the United States. The stolen formula is often resold to customers using vouchers from federally funded Women, Infants and Children programs. Undercover agents say WIC is unwittingly the number one fence for this operation in the country.

Section 409 of this legislation requires the State agencies to license and

maintain a list of infant formula manufacturers, wholesalers, distributors and retailers approved to provide infant formula to the vendors. This section closes the loopholes that would allow crime rings to steal infant formula and resell this formula to the retailer, who often is unaware that the formula is stolen.

I want to thank the gentleman from Ohio (Mr. BOEHNER), along with his staff, including Kate Howston and Stephanie Milburn for the important work they have done on this legislation.

Ms. WOOLSEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE), who has very effectively added the irradiation part of this bill.

Ms. LEE. Mr. Speaker, let me thank the chairman of the committee and subcommittee and the gentlewoman from California (Ms. WOOLSEY) and the gentleman from California (Mr. GEORGE MILLER) for their incredibly hard work on this very important program.

Let me talk about the provision of the bill dealing with irradiated food in the National School Lunch program. Today, over 27 million low-income children throughout the Nation have come to rely on the National School Lunch program and also the breakfast program for a healthy and nutritious meal. In many cases, these programs provide the only source of information and nutrition that these children receive all day. So really it is very important that we provide healthy, nutritious meals to these students and information to their parents so that they know what they are eating.

Basically when it comes to irradiated food, food of course that is really bombarded with gamma rays or electrons, there is no requirement in law that schools must notify parents or students about what they are eating or even that irradiated food is being served in schools. So that is why I introduced the Right To Know School Nutrition Act, which was intended to do just that.

I want to thank the gentlewoman from California (Ms. WOOLSEY) and the gentleman from California (Mr. GEORGE MILLER) for making sure that the provisions of that bill are included in this bill.

Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today to support H.R. 3873, the Child Nutrition Improvement and Integrity Act. I support this legislation not only because it strengthens the current school lunch program, but more specifically, it included language in the bill that I introduced called the Pride in the Lunch Line Act, H.R. 3869. The Pride in the Lunch Line Act amends the National School Lunch Act to allow schools access to existing Federal funds to purchase technology. This technology would allow low-income children to go through the lunch line without being identified as recipients of the free or reduced-price lunch program.

I support this legislation because it addresses an issue many low-income children face every day as they go through the lunch line, and that is embarrassment, embarrassed that their parents cannot afford to pay for daily meals so they are singled out in the lunch line in front of their peers as participants in the free or reduced lunch program.

I have modeled my legislation after a program in one of my local school districts, Lake County, Florida, that uses technology to enable every child to go through the school lunch line without being identified as a free or reduced lunch recipient. Regardless of family income, every child has the exact same debit card which either their parents deposit money into or is funded by the program.

This legislation will expand existing Federal funds to allow more schools across the Nation to implement similar technology programs. It will reduce the stigma for students and reduce the paperwork for schools. For these reasons, I encourage my colleagues to vote ''yes'' on the Child Nutrition Improvement and Integrity Act.

Ms. WOOLSEY. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentlewoman from California (Ms. WOOLSEY) has 12 minutes remaining. The gentleman from Delaware (Mr. CASTLE) has 8 minutes remaining.

Ms. WOOLSEY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. RYAN), a member of the committee.

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentlewoman for yielding me time.

Obesity will soon take over smoking as the number one cause of death in America; and in 2020, one of every five health care dollars will be spent fighting obesity. This is a good bill, but we can do much more.

We teach our kids in our schools to eat healthy, but then we have vending machines full of junk food all over the schools. And I think one of the issues we need to address is to give the Secretary of the Agriculture the ability to regulate food in the food service areas and outside.

If we tell our kids that they have to eat at a certain standard, a certain level in the food service area, we should also be able to regulate that outside. We feed our kids, basically, garbage.

□ 1315

We wonder why they misbehave in class and we wonder why they cannot sit still, and then we put them on Ritalin to get them back under control.

This is a fiscally responsible way to go about it. It will save us money in the long run. It will save our health care system money, and quite frankly, our kids deserve better. We cannot be sending them mixed signals saying, Eat well, but only during lunchtime, and after lunchtime they can drink as much Coke and eat as much junk food as they possibly want.

Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Speaker, I would like to thank the gentleman from Ohio (Chairman BOEHNER), the gentleman from Delaware (Chairman CASTLE), the gentleman from California (Mr. GEORGE MILLER), the gentlewoman from California (Ms. WOOLSEY) and, of course, their staffs.

I think this is a good bill. I am certainly in full support of it. It is a bipartisan bill and makes several needed changes to child nutrition. I would like to mention two of those that have particularly caught my attention.

Number one, it creates a grant program to educate students about wellness through a teen nutrition program. I guess it has been my experience that so few young people really understand what a balanced diet looks like, and so I think the educational component is very important.

Number two, it requires nutrition and physical education programs to be based on dietary and physical fitness guidelines issued by the Secretary of Health and Human Services. So we need some science-based standards because there are so many fad diets, fad exercises out there. Unless we have some uniform system, some uniform science-based standard, we are not going to do very well, and that bill does address that issue.

As has been mentioned over and over again, childhood obesity has doubled over the last 2 decades. This is due to two factors, one, poor nutrition, and number two, lack of exercise. The average child spends 6 hours a day watching television, playing with the computer or doing video games. So we see arteriosclerosis, we see diabetes occurring at earlier and earlier ages.

Obesity currently costs the United States $117 billion annually, and this figure is only going to continue to escalate, as has been pointed out previously, unless we curb childhood obesity. The best way to combat child obesity, the epidemic, is through education at an early age and promotion of physical activity. This bill takes steps to do that.

I certainly support it. I urge support of H.R. 3873.

Ms. WOOLSEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, while I support the passage of H.R. 3873 today, I cannot support the budget that constrained, limited and ultimately stunted its final form.

In the Committee on Education and the Workforce, we were told that funding was not available to eliminate the

reduced-price category to allow more low-income children to receive school meals, often their only meals, for free. We were also told that the budget resolution did not allow for any expansion of school breakfasts and other programs.

H.R. 3873 now comes before this House on a suspension calendar, perhaps to ensure that Members cannot offer amendments that might add additional costs to this bill. I had planned to offer an amendment that would have allowed schools to offer free breakfasts to students on the mornings they are scheduled to take a No Child Left Behind assessment.

The NEA, the Ohio PTA, the National Farm Organization, the National Family Farm Coalition, the Community Food Security Coalition and others supported this amendment. Millions of parents, teachers, students and school administrators would have also supported it, along with other positive changes, but all further improvements and expansions are blocked in this bill.

In contrast, later today we will debate a budget bill that allocates $10.2 billion, a 13 percent increase from last year, on a missile defense system that does not work, while this morning we restrict to $16 billion a nutrition bill we all know does work but could work even better.

There is money to improve and expand education and nutrition, but situations like this force us to recognize lost opportunities that come about from tax cuts for the wealthiest and from unacccountable defense spending

I urge my colleagues to vote for H.R. 3873, but I also urge them to remember those left behind and left hungry by the administration's misguided agenda.

Mr. BOEHNER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, today we are talking about a bill that requires schools to develop nutritional guidelines for all foods sold in schools. I support this bill, and I believe it is very important for schools to have specific nutritional guidelines in place so healthy food is served in our school cafeterias, but I also want to make sure that everyone realizes that nutritional guidelines are only one piece of the childhood obesity puzzle.

What we could overlook in this debate is that government-imposed guidelines can only do so much to prevent childhood obesity. If we really want to make a difference, we must focus on educating youth and their parents about the need to eat right and be physically active. Parents and their children must be acutely aware of the dangers of being overweight or obese.

We now know that being overweight can lead to diabetes, heart disease, stroke, hypertension, uterine cancer, breast cancer, kidney cancer, gall bladder cancer, pregnancy complications, psychological disorders, and that is not the entire list.

I say to parents and the Members today, do they know that people who are obese have a three times greater chance of dying in surgery due to complications? Did my colleagues know that obesity is costing this Nation almost as much as cigarette smoking? Did my colleagues know that over 40 million workdays are being lost each year to obesity?

Do I have all the answers to the problem? No, but I do know that educating our youth and their parents is the necessary first step. Education is knowledge and knowledge is empowerment.

This pamphlet, Healthy Habits for Healthy Kids, developed by experts from the American Dietetic Association is being passed out to 500,000 elementary age children in Texas, free of charge, in the coming weeks. It gives easy-to-understand hints and suggestions that help youth and their parents make better choices in their diets, like one appropriate serving of meat is about the size of a deck of cards and one appropriate serving of pasta or rice looks like a tennis ball. It also lays out a physical activity game plan that an entire plan can adhere to.

Efforts like these are going to make a dint in childhood obesity, one child and one parent at a time. As Members of Congress, we owe it to our constituents to educate them about the dangers of obesity.

School nutritional guidelines are only one piece of this puzzle. Americans have to make the right choices.

Ms. WOOLSEY. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS), a very important member of the committee.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I thank my good friend for yielding me the time.

I want to thank the gentleman from Ohio (Mr. BOEHNER), the gentleman from Delaware (Mr. CASTLE), the gentleman from California (Mr. GEORGE MILLER) and the gentlewoman from California (Ms. WOOLSEY) for their terrific leadership on this very important bill that helps a lot of children. I am honored to have had the chance to work with the committee on this bill and on four areas in particular that I think are a great step forward.

The first is children who are in WIC-eligible families that are eligible for the Women, Infants and Children Program. Some of these children were not enrolled in the school lunch program, even though they were legally entitled to, because the right forms were not filed. This bill gives States the option of automatically enrolling children who are in the WIC program in the school lunch program, which is an excellent idea.

The second thing we had the chance to work on was to make sure that children who attend for-profit schools and preschool centers will have a fair opportunity on a continuing basis to receive the benefits of this program. We think that every child, irrespective of the educational setting, ought to have that opportunity.

The third group of children that this helps are children in summer schools. We are learning through our research in education that many children benefit from year-round schooling, summer school in particular. This bill extends more school nutrition to more summer school students, and I was proud to help make that a reality.

Finally, there are a lot of children who for health or cultural or religious reasons prefer soy milk. The chairman deserves great credit for brokering a very good compromise on this issue, a very contentious issue, where under this bill if a parent sends a note to school with the child, expressing the desire that the child wishes to have soy milk, then the child gets it. That is a significant improvement over present law which requires a doctor's note, and I thank the chairman and the ranking member and the leaders of the subcommittee for making that very fine compromise a reality.

A lot of children will be helped by this bill. I am proud to support it. I congratulate its authors.

Ms. WOOLSEY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 3873, the Child Nutrition Improvement and Integrity Act.

I would like to compliment the chairman and ranking member of the committee. They have brought a good bill to this House, and I urge my colleagues to vote for it.

Among its many important provisions, this legislation will promote the consumption of milk in our Nation's schools. I, along with a few other colleagues, introduced H.R. 3250, a bipartisan bill to promote school milk. The Child Nutrition Improvement and Integrity Act before us includes several provisions of H.R. 3250, and I appreciate the committee's efforts.

Under the child nutrition bill before us, milk will continue to be offered with every school meal. Schools will be able to offer a variety of fat levels. Schools will also be encouraged to offer a variety of flavors, as well as lactose-free milk for children who may be lactose intolerant, and regardless of any so-called exclusive sales contracts, schools will be able to sell milk anytime, anywhere on school property or at school events.

This bill is a fair, reasonable compromise on substitutes for milk. Schools will be able to offer substitute beverages at their option where a child has a medical or a special dietary need. Parents will be able to certify their special dietary need. They will not have to obtain a physician's statement.

Mr. Speaker, child nutrition programs are vital to all Americans. Our schools, our WIC clinics need the support of everyone in Congress. This bill renews and strengthens nutrition assistance and education and should pass unanimously. Please vote for this bill.

Ms. WOOLSEY. Mr. Speaker, I yield myself as much time as I may consume.

Again, I thank the staff for a bipartisan bill that was unanimously reported out of the Committee on Education and the Workforce.

I also thank ASFSA, FRAC, NEA, AFT, the Hispanic Education Coalition, the Food Policy Working Group, the National Association of State WIC Directors, who all played a major role. And to name the staff, Kate Houston, Stephanie Milburn, Krisann Pearce, Julian Baer and Sara Rittling on our side of the aisle; Lynda Theil, Denise Forte and Joe Novotny, on the other side of the aisle. They worked really hard to represent us well, and I thank them so very much.

There is something missing in this bill. We all know that if a child enters the classroom having had a nourishing breakfast, that child learns better, has better attendance and better discipline and tests better. But we have not ensured in this bill that every child will enter the classroom having had a nutritious breakfast. We have expanded the breakfast program by making it easier for those who are eligible or who want to participate in the program, making it easier for them to do that.

But, Mr. Speaker, some day this country's going to have to step up to the plate, understand children are 25 percent of our population. They are 100 percent of the future of this country, and unless they learn to the best of their ability, we are not going to have the country we want in the future.

So, in the future, and my colleagues can count on me, I am going to continue to talk about a universal school breakfast program for every single child in this Nation.

Mr. Speaker, I yield back my time.

Mr. BOEHNER. Mr. Speaker, I yield myself the balance of our time.

As we have seen during the debate today, this has been a very cooperative process, very bipartisan process, both sides of the aisle coming together to do what we can do to improve the nutrition services and nutrition programs that the Federal Government operates for millions of American children.

There is a lot more that a lot of people would want to do in the bill that we have before us, many things, unfortunately, that we cannot afford under the current budget to do, but I think it has been demonstrated that there is broad bipartisan support for this bill, and I would encourage Members to not let the perfect become the enemy of the good.

We have a good, sound bill before us that will, in fact, ensure that millions of needy children are served either through the school lunch program, the WIC program or the breakfast program. For many of these children, it may be the only meal that they get all day.

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Mr. Speaker, I would ask Members to support the bill. I also thank all of the staff, including Kate Houston on my staff, Stephanie Milburn, Krisann Pearce, Cindy Herrle, Julian Baer, Tyson Redpath who works in my personal office, and Sarah Rittling who works with the gentleman from Delaware (Mr. CASTLE), and all of our staff, Denise and others on the Democrat side for all of their hard work because they went through months and months of discussions and negotiations.

I also thank all of the groups, the outside groups from the food service administrators to all of those involved in helping us forge this bipartisan agreement. This was not a very easy bill, but it did become easy because there was good cooperation between both sides of the aisle, good understanding of the issues of what we could and could not do. And in the end, bipartisanship does work when Members put their minds together and try to come up with a product that is in the best interest of American children. I would encourage Members to vote for the bill.

Mr. RENZI. Mr. Speaker, I would like to thank Chairman JOHN BOEHNER of the Education and Workforce Committee for his leadership in the effort to reauthorize and improve Federal nutrition programs. Since our Nation's youth are facing increased problems of obesity, high cholesterol, diabetes, and malnutrition, these programs are vital. H.R. 3783, the Child Nutrition Improvement and Integrity Act, includes provisions to promote healthy choices among children, strengthen nutrition service programs, and ensure eligible children have access to services.

Of particular interest to my State of Arizona are the important provisions that will increase the availability of fruits and vegetables in Federal child nutrition programs. Most notably, section 307 expands the Fruit and Vegetable Pilot Program to additional States and Native American reservations. I strongly favor efforts to expand this program. In just a short span of time, the results of the original pilot program appear overwhelmingly positive, as reports from the original participating schools indicate increased consumption and demand for healthy fruits and vegetables.

I urge Secretary of Agriculture Ann M. Veneman to strongly consider expanding the Fruit and Vegetable Pilot Program to Arizona and its Native American reservations.

Arizona, and Indian reservations within the State, are perfect candidates for the program's expansion for a number of reasons. Arizona has great diversity in its student profile, both in race and national origin, that span from the rural areas to its inner city sections, to its Native American reservations. Having the State of Arizona as a participant would enable the United States Department of Agriculture to better determine how such a program would perform on a national basis.

Also, the need for fresh fruits and vegetables, and better overall nutrition, is especially acute in rural areas of Arizona, including Native American reservations. In general, these areas suffer from an aging transportation system, making it difficult and costly for distributors to deliver fruits and vegetables. If these items are available, they are often too expensive for many low income residents.

I have seen how a lack of proper nutrition impacts children in these areas, most notably on tribal lands. It is not uncommon for children in these areas to suffer from dysentery and other illnesses either complicated or caused by poor diets.

In addition, including Arizona and Native American reservations as participants would be money well spent. I have met with child nutrition advocates from Arizona and they are dedicated to providing school age children nutritious meals and are enthusiastic about the possibility of participating in this most important program. I will work to foster cooperation among school administrators, food service directors, and private sector participants to ensure that this program would be administered efficiently.

Arizona and its tribal lands are also prime candidates because the State boasts a thriving produce industry that specializes in a wide range of specialty crops. Because of strong agricultural industry within the state, Arizona schools will be able to secure private/public partnerships with the produce industry. This is a key factor in that section 307 of H.R. 3873 requires participating schools to secure at least 15 percent of operation funding from private industry, either through in-kind donations or monies. Arizona growers and farmers are willing participants and economically viable partners who are eager to form a partnership with Arizona's schools to provide the benefits of healthy fruits and vegetables to school age children.

Again, I thank you, as well as the bill's sponsor, Representative CASTLE, for your efforts in writing this legislation and promoting expansion of the Fresh Fruit and Vegetable Pilot Program. I hope that Arizona and its Native American reservations will be selected by the USDA as a participant under this most important program.

Mr. KIND. Mr. Speaker, I rise today in strong support of H.R. 3873, the Child Nutritional Improvement and Integrity Act. As a member of the Education and the Workforce Committee, I am pleased with the process in which this bill moved through the Committee; it is a critical bill that will greatly benefit our nation's children as well as family farmers.

Specifically, I am pleased that several provisions were included in the base bill, which I coauthored in previous legislation, H.R. 3250, the Child Nutrition Improvement Act of 2003, with Representatives BENNIE THOMPSON, GIL GUTKNECHT, and TOM PETRI, that will combat the increasing problem of child obesity through increased child milk consumption by preventing commercial beverage companies from pressuring schools to remove milk vending machines.

With 90 percent of teenage girls and 70 percent of teenage boys currently not getting enough calcium, it is imperative to provide increased availability of milk products in schools. This provision is necessary in light of recent stories about school districts being pressured to remove milk vending machines at a time when kids need milk more than ever. This amendment will ensure milk vending has a chance and that machines are not ripped out of schools; yet at the same time it does not force soda companies to sell milk. Wise choices can only be made when choice is provided and real milk vending is a logical part of a healthy school environment.

Another provision included in the base bill, from H.R. 3250, will improve child nutrition by making it easier for schools to offer milk in a

variety of flavors and fat contents to better meet students' varying tastes and needs, thereby increasing milk consumption by children. It is important to maintain milk's unique role in the reimbursable school milk programs. Since 1946, schools have offered milk with each school meal. The natural calcium found in milk plays a vital role in minimizing the risk of students developing calcium deficiency—which is already a serious problem, especially for our teenage girls, as I mentioned earlier.

During Committee consideration, I also offered an amendment that would have augmented the reimbursement rate for school meals in schools implementing a plan to increase milk consumption. Under this amendment schools would have been allowed to use various measures to enhance milk products sold in schools. The National Dairy Council and the American School Food Service Association conducted a school milk pilot test to specifically measure the impact of an enhanced milk product on milk consumption and student attitudes towards milk in schools.

The milk enhancements included: Plastic packaging and various sizes; a third flavor; improved storage and refrigeration; and better milk product merchandising.

The results of this pilot were significant in that they showed milk sales increased 18 percent in all participating schools and milk consumption increased 28 percent in elementary schools. I withdrew this amendment, however, with the Chairman's agreement to continue working on it between now and conference. I hope we will be able to work out a compromise and include it in reauthorization.

Numerous studies have proven how important milk is in young people's diets. A study published in 2002 in the Journal of the American Dietetic Association showed that teens who drink flavored milk drink fewer soft drinks and juice drinks, and have an overall better nutritional profile. Another study released recently found that children with the lowest intakes of dairy products gained much more body fat over an 8-year period and that a diet low in calcium may increase the levels of certain circulating hormones that in turn promote the storage of energy in fat cells.

Additionally, H.R. 3873 includes legislation that I sponsored with Representative UPTON, H.R. 2626, the Farm-to-Cafeteria Projects Act of 2003. This provision focuses on connecting local agriculture to schools in every State, through a competitive, one-time matching grant directly to local communities. This allows each locality to design a farm-to-cafeteria project tailored to specific farm and school community needs. Experience has shown that kids' food choices can be improved by connecting farms to the lunchroom. This program directly benefits the food and health needs of our Nation's children. At the same time, the program will help family farms, and provide markets and community support for agriculture.

A final amendment I offered in Committee authorized a 3-year pilot project in elementary schools that links the school breakfast program with morning educational activities, similar to those authorized in the 21st Century Community Learning Centers. The goal is to increase participation by removing the stigma that accompanies the current school breakfast program. If the school breakfast program is perceived as an enrichment program that will benefit all students, it is suggested that more students will participate.

Mr. Speaker, again, I am pleased to support this bill on the floor today and I look forward to continuing to working on it as we move towards conference. Our goal in the 21st century should be to ensure that every child receives proper nutrition needed to succeed in school. It is a simple fact: good nutrition is an educational tool that improves children's performances in school.

Mr. CARDOZA. Mr. Speaker, I rise today as Congress considers the H.R. 3873 Child Nutrition Improvement and Integrity Act to continue to advocate for achieving greater nutritional benefits for the children and needy of the United States.

However, first I must commend the Committee on Education and the Workforce for making important structural improvements in federal child nutrition programs in the bill we are considering on the floor today. H.R. 3873 will eliminate barriers to participation for low-income children and families in Federal feeding programs and will ensure greater access to critical nutrition programs. This bill also provides for an important pilot program to be implemented within the Women, Infant, and Children's (WIC) program to allow participants greater access to nutritionally valuable fruits and vegetables.

Unfortunately, I believe that the Committee has missed an important opportunity to address a national health epidemic facing our nation's children: the dramatic rise in childhood obesity. Obesity has recently become the leading cause of death among Americans. Furthermore, commitment to a healthy lifestyle begins at a young age and particularly among disadvantaged Americans. School feeding and other nutrition programs, often provide the only opportunities for the consumption of healthy foods. Quite simply, our Federal feeding programs have failed to keep pace with modern nutritional standards and have not provided full access to healthy choices critical to combating chronic diseases and obesity.

The are many bills currently pending before Congress, including one authored by myself and my colleague Representative ADAM PUTNAM from Florida, which mandates the use of scientifically proven nutritional guidelines such as the 5-A-Day program in school breakfast and lunch programs. As only 15 percent of elementary school students are currently consuming the required 5 servings a day of fruits and vegetables, stronger language in H.R. 3873 could have ensured that the foods available to children are nutritious, healthy and provide children with choices necessary to achieve a healthy lifestyle.

Additionally I believe that all WIC participants, not just those participating in the pilot program outlined in H.R. 3873, should have complete access to fruits and vegetables. It is unfortunate that since its inception almost 30 years ago, the WIC program has changed little in its dietary science. Consuming nutritionally rich foods has been proven time and again to combat disease and obesity we should be encouraging not discouraging WIC mothers to purchase these items for their families.

Again, I commend the legislation under consideration today for reducing barriers to accessing Federal nutrition programs, but I also strongly urge my Colleagues and the U.S. Department of Agriculture to remain vigilant in the challenge we face in providing America's children and needy individuals healthy nutritional choices.

Mr. GRIJALVA. Mr. Speaker, I would like to thank Mr. BOEHNER, Mr. CASTLE, Mr. MILLER, and Ms. WOOLSEY for working on this reauthorization in a bipartisan fashion. I am very pleased to see a number of provisions in this bill that will help the Hispanic community, and specifically the migrant and seasonal farm working community to access the services they are entitled to.

The average farm worker earns just $7,500 a year—leaving most of their families well below poverty level. The hardships that the children in these families face are only amplified by their migratory lifestyle. Their parents, who are poor, uneducated, and often with limited literacy in their native language, face many barriers in helping their children apply for services every time they move. These are the families that put food on our tables and these barriers are leaving their own children hungry. It is our responsibility to help them overcome these barriers because all children suffering from poverty deserve a nutritious lunch through this program.

This bill includes a number of provisions that will help these eligible children gain access to free or reduced price lunches. It requires that materials sent to the parents be in an understandable and uniform format, and to the extent practicable, in a language that the parents can understand. By dismantling literacy and language barriers many more eligible families will be able to access information and be empowered to better make sound choices regarding healthful diet and lifestyle.

Significant improvements have been made to the certification and verification process. Children will now be certified for one full year—helping migrant children in maintaining access through the school year, wherever they are. It will extend automatic eligibility to children who qualify for migrant educational services under the Elementary and Secondary Education Act. It allows for the direct certification of such children if they are identified by the district's migrant education coordinator. Schools will have the option to verify income data through Medicaid and the Food Distribution Program on Indian Reservations, FDPIR, in addition to TNF and Food Stamps. Schools will have the option of substituting applications under criteria established by the Secretary when they have independent knowledge that the household selected for verification is eligible, and they know that certain barriers will prevent them from responding.

In addition to improvements to the certification and verification process, the bill encourages schools to consider the needs of ethnic minorities, who are at higher risk for obesity and diabetes, in the development of their nutrition education programs.

These program improvements are significant, and as indicated in the bill title, they will certainly improve the program as well as increase the program's integrity. I recently decided to become a cosponsor of this bill, and I urge my colleagues to support its passage.

Again, I would like to thank the leaders of the Committee on Education and the Workforce for considering these provisions a priority and for moving forward in a cooperative and bipartisan fashion during this reauthorization. Additionally, I would like to thank Mr. EHLERS for his commitment to migrant children during this reauthorization. I would also like to thank the staff on both sides of the aisle for their

persistence and dedication to working cooperatively during this reauthorization. I urge my colleagues to support this reauthorization bill.

Mr. HOLT. Mr. Speaker, I rise in support of this Child Nutrition Act and I ask permission to revise and extend my remarks. This bill is a step in the right direction of important reforms in federal child nutrition programs. I would like to thank Chairman BOEHNER, MR. CASTLE and Ranking Member Mr. MILLER and Ms. WOOLSEY for their hard work on the bill. I would also like to take this opportunity to thank the Chairman for taking my amendment eliminating the cost-accounting requirement for severe need breakfast programs in the manager amendment in the committee markup.

This paperwork problem was brought to my attention by the director of the New Jersey Child Nutrition Programs, Kathy Kuser. Many States, including New Jersey as well as Wisconsin and Illinois, are making significant efforts to improve their school breakfast participation rate, and reducing the paperwork requirements would help these efforts.

Under current law, schools in which at least 40 percent of the lunches served during the second preceding school year were free or reduced price qualify for severe need breakfast assistance. They have to calculate their costs per breakfast by prorating their labor costs, and figuring out their food, supplies and other costs associated with the school breakfast program. They have to save their receipts and calculations and submit them in order to get the severe need reimbursement. Removing the cost-accounting requirement would be a significant paperwork reduction for the schools without significantly increasing cost for the government.

I also want to commend the committee for including direct certification for children from food stamp households for free school meals. Many schools are not aware of this method to determine eligibility for free meals. Direct certification improves access to eligible children for free school lunch meals and improves program integrity according to a study done by Mathematica.

I am also pleased to see the bill authorizes grants for ''farm-to-cafeteria'' projects that include nutrition education activities that incorporate the participation of school children in farm and agricultural education projects and that procure local foods from small- and medium-sized farms for school meals.

Finally, the expansion of eligibility for Child and Adult Care Food Program (CACFP) for children in shelters from age 13 to 18 who live in domestic violence shelters and homeless shelters is a wonderful improvement to the previous child nutrition legislation. My constituents who participate in Mercer Street Friends, Anchor House, Triad House, Family Preservation Center (Homefront) and the Family Preservation House would benefit from this change to CACFP eligibility. These organizations depend on food donations to feed their clients who are nutritionally at risk and should be eligible for this important nutrition support program.

I do want to point out two provisions of the bill I wish had been improved. While there are federal dietary guidelines for meals served that are reimbursed through the Federal meals program, Federal nutrition standards for foods that are not offered through the Federal meals program are lacking. As a result, children are faced with numerous food choices during the school day with little nutritional value. Our colleague, Representative TIM RYAN (D–OH) offered an amendment in Committee that would have resulted in enormous improvements in the school nutrition environment for children for foods sold on campus.

We also should have eliminated the reduced price school meals category. Such action would make the school meal programs more accessible to low-income families; better prepare students to learn; and make the programs easier to administer.

Mr. Speaker, once again I want to thank my colleagues and their staffs for their hard work and I ask my colleague to support this bill that will eliminate barriers to participation for low-income children and families and ensure greater access to these critical nutrition programs.

Mr. EHLERS. Mr. Speaker, I rise today in support of H.R. 3873. I thank Chairman BOEHNER and Mr. CASTLE for their work on this legislation. I particularly thank them for their willingness to include direct certification of migrant children under the Richard B. Russell National School Lunch Act. I also commend Mr. HINOJOSA and Mr. GRIJALVA for their persistent efforts to assist migrant children.

Migrant families are among the poorest of the working poor, and are largely eligible for the child nutrition programs. Unfortunately, the mobility of migrant children often complicates their access to the child nutrition programs. Migrant families face significant barriers in accessing federal, state, and local resources due to issues associated with mobility, language and literacy. Currently, migrant children are forced to reapply each time they enroll in a new school district. In addition, literacy and language are a problem at the application phase of the child nutrition program.

I am pleased that this legislation provides direct certification for migrant children. This legislation works to protect eligible children's access to the child nutrition programs by extending automatic eligibility to children who qualify for migrant educational services under Title 1, part C of the No Child Left Behind Act. It allows for direct certification of migrant children if they are identified by the district's migrant education coordinator. Such a change makes it easier for migrant children to receive school meals as soon as they enter a new school.

In addition to migrant provisions, I support promoting nutritional education and physical activity. I am very pleased that this legislation promotes such education and physical activity at the state and local levels to prevent childhood obesity. I am hopeful that local school wellness policies will be established by schools participating in the school nutrition programs will promote health and prevent childhood obesity throughout schools in Michigan.

Finally, I support strengthening partnerships between local agriculture and schools. I cosponsored Representative UPTON and Representative KIND's Farm-To-Cafeteria Projects Act, and I am pleased to see these provisions included. This legislation will promote partnerships between local Michigan farms and the child nutrition programs to ensure that children receive fresh and local produce.

In closing, I urge my colleagues to vote in favor of the Child Nutrition Improvement and Integrity Act.

Mr. HINOJOSA. Mr. Speaker, I rise today in strong support of the Child Nutrition Improvement and Integrity Act. I would like to commend the committee and subcommittee chairs, Mr. BOEHNER and Mr. CASTLE and our ranking members, Mr. MILLER and Ms. WOOLSEY, for bringing this bipartisan bill forward. It is a bill that strengthens the child nutrition programs for our most vulnerable families.

Measures to allow for the direct certification of migrant students and the direct verification of eligibility will protect our most at risk students from being dropped from the program, not for lack of eligibility but for lack of understanding or fear. The provisions to ensure that school lunch information—throughout the entire process—is in a language and form that the parents can understand will go a long way to building understanding and trust. These are significant improvements to the program.

Additionally, the bill strengthens nutrition education. Childhood obesity and diabetes are reaching epidemic proportions in South Texas and across the nation. We must do more to help young people develop healthy lifestyles. This legislation is a step in the right direction.

In conclusion, I would like to concur with my colleagues that we should make a commitment to replace the reduced lunch program with free lunches for all low-income children.

America is the wealthiest nation in the world. We can afford to feed our children. This investment is the right thing to do.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am pleased to be here today to talk about the Child Nutrition Improvement and Integrity Act, as passed by the Committee on Education and the Workforce. Periodically in Congress, we are able to see true bipartisan legislation that addressed the needs of our constituents. While it is disappointing that we were not able to amend the bill to more fully support the school breakfast program, I am pleased that its overall intent to help children and families is apparent and effective.

The Child Nutrition Improvement and Integrity Act streamlines the application and verification process. It allows schools to certify children for participation for one full school year. It also eliminates individual applications and allows a household to use one application, rather than one for each child. Children in families who are recipients of Food Stamps and migrant children will be directly certified for eligibility in the school meals programs.

This bill also addresses the growing issue of childhood obesity. Childhood obesity rates have tripled over the past twenty years resulting in children suffering from early onset of traditionally adult diseases such as hypertension, diabetes, and heart disease. Meal programs offered in schools, childcare settings, after-school and summer programs, and through WIC offer an ideal way to address these child health issues head-on.

This bill includes ''Nutrition Quality Promotion.'' It requires Local Education Authorities to establish a school nutrition policy by July 31, 2006 that provides nutrition guidelines for all foods sold on campus. It must include goals for nutrition education, physical activity and other school based efforts to promote student wellness.

This bill provides grants to states and schools to develop and implement a coordinated nutrition education and physical fitness program, as well as to improve nutritional quality and school nutritional environment.

As Chair of the Congressional Children's Caucus, I know how important it is to invest in

our children. I have met with Houston representatives from the American School Food Service Association, all of who stress the importance and value of well fed, healthy children and the positive effects it has in the classroom. Unfortunately, there are children in America who go hungry during the school day as well as children with illnesses caused by poor nutrition. Healthy children are an investment in the future of our country's economic well being. I am pleased to support this legislation, and encourage all my colleagues to do so.

Mr. BOEHNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and pass the bill, H.R. 3873, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BOEHNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CELEBRATING 50TH ANNIVERSARY OF INTERNATIONAL GEOPHYSICAL YEAR (IGY) AND SUPPORTING AN INTERNATIONAL GEOPHYSICAL YEAR–2 (IGY–2) IN 2007–08

Mr. BONNER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 189) celebrating the 50th anniversary of the International Geophysical Year (IGY) and supporting an International Geophysical Year-2 (IGY–2) in 2007–08, as amended.

The Clerk read as follows:

H. CON. RES. 189

Whereas the year 2007 is the 50th anniversary of the IGY of 1957–58;

Whereas the IGY, conceived in and promoted by the United States, was the largest cooperative international scientific endeavor undertaken to that date, involving more than 60,000 scientists from 66 nations;

Whereas the IGY legacy includes the dedication of an entire continent to cooperative scientific study through the Antarctica Treaty and the inauguration of the global space age through the launching of Sputnik and Vanguard;

Whereas IGY cooperation continues as the model and inspiration for contemporary world science and also, in this strife-torn era, for the human species as a whole;

Whereas the IGY was conceived as a follow-on to the International Polar Year of 1932 that would reflect new and more globally comprehensive research and measurement techniques in geophysics; and whereas in like-minded spirit it would be appropriate for an IGY–2 to reflect global developments in biology, genetics, the neurosciences, and other areas of scientific research;

Whereas it also would be appropriate for an IGY–2 to recognize interdisciplinary research that incorporates the physical and social sciences and the humanities in enriching understanding of diverse life on Earth;

Whereas the 35th anniversary of the IGY was commemorated by the International Space Year, a globally implemented congressional initiative conceived by the late Senator Spark Matsunaga of Hawaii, that was highlighted by globally coordinated environmental monitoring and research whose ongoing legacy continues to benefit humanity; and

Whereas it is entirely fitting that Congress takes the lead again, in the same spirit, in promoting global cooperation through worldwide commemoration of the IGY with activities reflecting the unity and diversity of life on Earth: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

That it is the sense of Congress that the President should—

(1) endorse the concept of a worldwide IGY–2 for the 2007–2008 timeframe;

(2) direct the Director of the National Science Foundation and the Administrator of the National Aeronautics and Space Administration, in association with the National Academy of Sciences and other relevant governmental and nongovernmental organizations, to initiate interagency and international inquiries and discussions that explore the opportunities for a worldwide IGY–2 in the 2007–2008 timeframe, emphasizing activities dedicated to global environmental research, education, and protection; and

(3) submit to Congress at the earliest practical date, but no later than 6 months after the date of adoption of this resolution, a report detailing the steps taken in carrying out paragraphs (1) and (2), including descriptions of possible activities and organizational structures for an IGY–2 in 2007–2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BONNER) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BONNER).

GENERAL LEAVE

Mr. BONNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 189, the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BONNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering H. Con. Res. 189 which recognizes the 50th anniversary of the International Geophysical Year (IGY). I thank the gentleman from Colorado (Mr. UDALL) as well as the gentleman from Michigan (Mr. EHLERS) for leading Congress in the celebration of this important anniversary and milestone.

The IGY, spanning 1957 through 1958, was an internationally coordinated effort to observe and collect data about Earth science. More than 60,000 scientists from 67 countries participated in IGY. Their efforts had a far-reaching effect on a variety of scientific disciplines. IGY scientists paid particular attention to Antarctica, representing the first and only time an entire continent was set aside for cooperative research. That designation continues to this day and was formalized with the Antarctic Treaty in 1959, which currently has 45 signatory countries.

Also, research to develop rockets and satellites for IGY, atmospheric studies laid the technical foundations for the U.S. space program. Modern-day weather and natural-disaster forecasting, including El Niño forecasting and volcanic eruption predictions, are a direct result of IGY research.

Yet many questions remain about the complex interactions of the ocean, land and atmosphere; and today there are more advanced tools scientists can use as they search for answers to these questions. H. Con. Res. 189 calls on the National Science Foundation and the National Aeronautics and Space Administration to pursue plans for a second International Geophysical Year in 2007 and 2008. This will provide an opportunity for today's Earth scientists to focus their efforts and to inspire the next generation of scientists.

This resolution does not authorize any new money. It simply expresses the sense of Congress about celebrating the anniversary of the first IGY and endorsing the idea of a second IGY. I urge my colleagues to support this timely and important resolution and thank my colleagues on the Committee on Science for bringing this matter before us today.

Mr. Speaker, I reserve the balance of my time.

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as its author, I obviously support passage of this concurrent resolution. I am pleased to be here today with the gentleman from Alabama (Mr. BONNER) to discuss what the gentleman has just acknowledged is an important resolution. I also want to extend my thanks to the gentleman from New York (Chairman BOEHLERT) and the ranking member, the gentleman from Tennessee (Mr. GORDON), for making it possible for the House to consider H. Con. Res. 189 today. I am also grateful to the gentleman from Michigan (Mr. EHLERS), the chairman of the Subcommittee on Environment, Technology, and Standards, for his support of the resolution.

Last year, I introduced this resolution calling for a worldwide program of activities to commemorate the 50th anniversary for the most successful global scientific endeavor in human history, the International Geophysical Year of 1957 and 1958. It is hard to imagine not commemorating the historic global undertaking that was the historic International Geophysical Year, popularly remembered as the IGY.

The 60 nations and 60,000 scientists who participated in the IGY left an ongoing legacy that is beyond measure. Satellite communications, modern weather forecasting, modern natural-disaster prediction and management,