

**(b) Nongovernmental organization**

The nongovernmental organization referred to in subsection (a) of this section shall be selected on a competitive basis and shall—

(1) be experienced in the gathering of first-hand information in all the States through on-site visits to grassroots organizations in each State that fight hunger and poverty or that assist individuals in becoming self-reliant;

(2) be experienced in the establishment of a clearinghouse similar to the clearinghouse described in subsection (a) of this section;

(3) agree to contribute in-kind resources towards the establishment and maintenance of the clearinghouse and agree to provide clearinghouse information, free of charge, to the Secretary, States, counties, cities, antihunger groups, and grassroots organizations that assist individuals in becoming self-sufficient and self-reliant;

(4) be sponsored by an organization, or be an organization, that—

(A) has helped combat hunger for at least 10 years;

(B) is committed to reinvesting in the United States; and

(C) is knowledgeable regarding Federal nutrition programs;

(5) be experienced in communicating the purpose of the clearinghouse through the media, including the radio and print media, and be able to provide access to the clearinghouse information through computer or telecommunications technology, as well as through the mails; and

(6) be able to provide examples, advice, and guidance to States, counties, cities, communities, antihunger groups, and local organizations regarding means of assisting individuals and communities to reduce reliance on government programs, reduce hunger, improve nutrition, and otherwise assist low-income individuals and communities become more self-sufficient.

**(c) Audits**

The Secretary shall establish fair and reasonable auditing procedures regarding the expenditures of funds to carry out this section.

**(d) Funding**

Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall pay to the Secretary to provide to the organization selected under this section, to establish and maintain the information clearinghouse, \$200,000 for each of fiscal years 1995 and 1996, \$150,000 for fiscal year 1997, \$100,000 for fiscal year 1998, \$166,000 for each of fiscal years 1999 through 2004, and \$250,000 for each of fiscal years 2010 through 2016. The Secretary shall be entitled to receive the funds and shall accept the funds, without further appropriation.

(June 4, 1946, ch. 281, §26, as added Pub. L. 103-448, title I, §123, Nov. 2, 1994, 108 Stat. 4731; amended Pub. L. 105-336, title I, §§103(c)(2), 112, Oct. 31, 1998, 112 Stat. 3147, 3157; Pub. L. 108-265, title I, §128, June 30, 2004, 118 Stat. 767; Pub. L. 111-80, title VII, §749(f), Oct. 21, 2009, 123 Stat. 2132; Pub. L. 111-296, title IV, §409, Dec. 13, 2010,

124 Stat. 3260; Pub. L. 114-113, div. A, title IV, Dec. 18, 2015, 129 Stat. 2266.)

## AMENDMENTS

2015—Subsec. (d). Pub. L. 114-113 substituted “2010 through 2016” for “2010 through 2015” in first sentence.

2010—Subsec. (d). Pub. L. 111-296 substituted “2010 through 2015” for “2005 through 2010” in first sentence.

2009—Subsec. (d). Pub. L. 111-80 substituted “2010” for “2009”.

2004—Subsec. (d). Pub. L. 108-265, in first sentence, substituted “1998,” for “1998, and” and “through 2004, and \$250,000 for each of fiscal years 2005 through 2009” for “through 2003”.

1998—Subsec. (d). Pub. L. 105-336 substituted “\$100,000 for fiscal year 1998, and \$166,000 for each of fiscal years 1999 through 2003” for “and \$100,000 for fiscal year 1998” in first sentence and inserted “, without further appropriation” before period at end of second sentence.

## EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-296 effective Oct. 1, 2010, except as otherwise specifically provided, see section 445 of Pub. L. 111-296, set out as a note under section 1751 of this title.

## EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-336 effective Oct. 1, 1998, see section 401 of Pub. L. 105-336, set out as a note under section 1755 of this title.

## EFFECTIVE DATE

Section effective Oct. 1, 1994, see section 401 of Pub. L. 103-448, set out as an Effective Date of 1994 Amendment note under section 1755 of this title.

**§ 1769h. Repealed. Pub. L. 111-296, title IV, § 441(a)(14), Dec. 13, 2010, 124 Stat. 3264**

Section, act June 4, 1946, ch. 281, §27, as added Pub. L. 103-448, title I, §124, Nov. 2, 1994, 108 Stat. 4732; amended Pub. L. 105-220, title IV, §414(d), Aug. 7, 1998, 112 Stat. 1242; Pub. L. 105-336, title I, §113, Oct. 31, 1998, 112 Stat. 3157, related to accommodation of the special dietary needs of individuals with disabilities.

## EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2010, except as otherwise specifically provided, see section 445 of Pub. L. 111-296, set out as an Effective Date of 2010 Amendment note under section 1751 of this title.

**§ 1769i. Program evaluation****(a) Performance assessments****(1) In general**

Subject to the availability of funds made available under paragraph (3), the Secretary, acting through the Administrator of the Food and Nutrition Service, may conduct annual national performance assessments of the meal programs under this chapter and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

**(2) Components**

In conducting an assessment, the Secretary may assess—

(A) the cost of producing meals and meal supplements under the programs described in paragraph (1); and

(B) the nutrient profile of meals, and status of menu planning practices, under the programs.

**(3) Authorization of appropriations**

There is authorized to be appropriated to carry out this subsection \$5,000,000 for fiscal year 2004 and each subsequent fiscal year.

**(b) Certification improvements****(1) In general**

Subject to the availability of funds made available under paragraph (5), the Secretary, acting through the Administrator of the Food and Nutrition Service, shall conduct a study of the feasibility of improving the certification process used for the school lunch program established under this chapter.

**(2) Pilot projects**

In carrying out this subsection, the Secretary may conduct pilot projects to improve the certification process used for the school lunch program.

**(3) Components**

In carrying out this subsection, the Secretary shall examine the use of—

- (A) other income reporting systems;
- (B) an integrated benefit eligibility determination process managed by a single agency;
- (C) income or program participation data gathered by State or local agencies; and
- (D) other options determined by the Secretary.

**(4) Waivers****(A) In general**

Subject to subparagraph (B), the Secretary may waive such provisions of this chapter and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) as are necessary to carry out this subsection.

**(B) Provisions**

The protections of section 1758(b)(6) of this title shall apply to any study or pilot project carried out under this subsection.

**(5) Authorization of appropriations**

There is authorized to be appropriated to carry out this subsection such sums as are necessary.

**(c) Cooperation with program research and evaluation**

States, State educational agencies, local educational agencies, schools, institutions, facilities, and contractors participating in programs authorized under this chapter and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) shall cooperate with officials and contractors acting on behalf of the Secretary, in the conduct of evaluations and studies under those Acts.

(June 4, 1946, ch. 281, §28, as added Pub. L. 108-265, title I, §129, June 30, 2004, 118 Stat. 767; amended Pub. L. 111-296, title III, §305, Dec. 13, 2010, 124 Stat. 3243.)

## REFERENCES IN TEXT

The Child Nutrition Act of 1966, referred to in subsecs. (a)(1), (b)(4)(A), and (c), is Pub. L. 89-642, Oct. 11, 1966, 80 Stat. 885, as amended, which is classified generally to chapter 13A (§1771 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1771 of this title and Tables.

Those Acts, referred to in subsec. (c), mean the Richard B. Russell National School Lunch Act, which was in the original “this Act” and was translated to read “this chapter”, and the Child Nutrition Act of 1966. See above.

## AMENDMENTS

2010—Subsec. (c). Pub. L. 111-296 added subsec. (c).

## EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-296 effective Oct. 1, 2010, except as otherwise specifically provided, see section 445 of Pub. L. 111-296, set out as a note under section 1751 of this title.

**§ 1769j. Ensuring safety of school meals****(a) Food and Nutrition Service**

Not later than 1 year after December 13, 2010, the Secretary, acting through the Administrator of the Food and Nutrition Service, shall—

(1) in consultation with the Administrator of the Agricultural Marketing Service and the Administrator of the Farm Service Agency, develop guidelines to determine the circumstances under which it is appropriate for the Secretary to institute an administrative hold on suspect foods purchased by the Secretary that are being used in school meal programs under this chapter and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.);

(2) work with States to explore ways for the States to increase the timeliness of notification of food recalls to schools and school food authorities;

(3) improve the timeliness and completeness of direct communication between the Food and Nutrition Service and States about holds and recalls, such as through the commodity alert system of the Food and Nutrition Service; and

(4) establish a timeframe to improve the commodity hold and recall procedures of the Department of Agriculture to address the role of processors and determine the involvement of distributors with processed products that may contain recalled ingredients, to facilitate the provision of more timely and complete information to schools.

**(b) Food Safety and Inspection Service**

Not later than 1 year after December 13, 2010, the Secretary, acting through the Administrator of the Food Safety and Inspection Service, shall revise the procedures of the Food Safety and Inspection Service to ensure that schools are included in effectiveness checks.

(June 4, 1946, ch. 281, §29, as added Pub. L. 111-296, title III, §308, Dec. 13, 2010, 124 Stat. 3246.)

## REFERENCES IN TEXT

The Child Nutrition Act of 1966, referred to in subsec. (a)(1), is Pub. L. 89-642, Oct. 11, 1966, 80 Stat. 885, which is classified generally to chapter 13A (§1771 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1771 of this title and Tables.

## EFFECTIVE DATE

Section effective Oct. 1, 2010, except as otherwise specifically provided, see section 445 of Pub. L. 111-296, set out as an Effective Date of 2010 Amendment note under section 1751 of this title.

**CHAPTER 13A—CHILD NUTRITION**

Sec.

1771. Congressional declaration of purpose.