

Boozman 4

1 Purpose: To eliminate the LIHEAP loophole and use the savings to provide increased funding for  
2 the school breakfast and lunch programs.

3  
4  
5 (no.) \_\_\_\_\_

6  
7 To reauthorize agricultural programs through 2017, and for  
8 other purposes.

9  
10 Referred to the Committee on \_\_\_\_\_ and ordered to be  
11 printed

12 Ordered to lie on the table and to be printed

13 AMENDMENT INTENDED TO BE PROPOSED BY \_\_\_\_\_

14 Viz:

15 At the appropriate place in title IV, insert the following:

16 **SEC. \_\_. ELIMINATION OF LIHEAP LOOPHOLE.**

17 (a) Low-income Home Energy Assistance.—

18 (1) IN GENERAL.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is  
19 amended—

20 (1) in subsection (d)(11)(A), by striking the provision and inserting inserting “any  
21 payments or allowances made for the purpose of providing energy assistance under any  
22 Federal law (other than part A of title IV of the Social Security Act (42 U.S.C. 601 et  
23 seq.) or any payments under any other State program funded with qualified State  
24 expenditures (as defined in section 409(a)(7)(B)(i) of that Act (42 U.S.C.  
25 609(a)(7)(B)(1)))”

26 (B) in subsection (e)(6)(C), by striking clause (iv); and

27 (C) in subsection (k)—

28 (i) in paragraph (2)—

29 (I) by striking subparagraph (C); and

30 (II) by redesignating subparagraphs (D) through (G) as subparagraphs (C)  
31 through (F), respectively; and

32 (ii) by striking paragraph (4).

33 (2) CONFORMING AMENDMENTS.—Section 2605(f) of the Low-Income Home Energy  
34 Assistance Act of 1981 (42 U.S.C. 8624(f)) is amended—

- 1 (A) in paragraph (1), by striking “(1)”; and  
2 (B) by striking paragraph (2).
- 3 (b) Use of Savings to Increase Funding for School Breakfast and Lunch Programs.—  
4 (1) IN GENERAL.—The Secretary shall—  
5 (i) (A) use \$4,000,000,000 of the savings to provide a temporary increase (in equal  
6 amounts) in—  
7 (i) the national average payment established under section 4(b)(1)(B) of the  
8 Child Nutrition Act of 1966 (42 U.S.C. 1773(b)(1)(B)); and  
9 (ii) the national average lunch payment established under section 4(b)(2) of the  
10 Richard B. Russell National School Lunch Act (42 U.S.C. 1753(b)(2)).  
11 (2) ADMINISTRATION.—In carrying out paragraph (1), the Secretary shall ensure that the  
12 national average payments that are temporarily increased under paragraph (1)—  
13 (A) do not otherwise affect payments, rates, or benefits that are provided—  
14 (i) using funds other than the savings described in paragraph (1)(A); or  
15 (ii) under—  
16 (I) the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.); or  
17 (II) the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et  
18 seq.), including section 17 of that Act (42 U.S.C. 1766);  
19 (B) are not adjusted under section 11(a) of the Richard B. Russell National School  
20 Lunch Act (42 U.S.C. 1759a(a)); and  
21 (C) applies to all schools that are participating in the school breakfast and lunch  
22 programs, including schools that are in severe need.