

116TH CONGRESS
1ST SESSION

S. 2358

To amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2019

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

A BILL

To amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wise Investment in
5 Children Act of 2019” or the “WIC Act of 2019”.

1 **SEC. 2. AGE OF ELIGIBILITY FOR CHILDREN UNDER THE**
 2 **SPECIAL SUPPLEMENTAL NUTRITION PRO-**
 3 **GRAM.**

4 (a) DEFINITION OF CHILD.—Section 17 of the Child
 5 Nutrition Act of 1966 (42 U.S.C. 1786) is amended—

6 (1) in subsection (b), by striking paragraph (2)
 7 and inserting the following:

8 “(2) CHILD.—The term ‘child’ means—

9 “(A) a person who has attained their first
 10 birthday but has not yet attained their fifth
 11 birthday; and

12 “(B) for purposes of subsection
 13 (d)(3)(A)(iii)(II), a person who has attained
 14 their first birthday but has not yet attained
 15 their sixth birthday.”;

16 (2) in subsection (e)(4)(A), by striking “up to
 17 age 5”; and

18 (3) in subsection (f)(7)(D)(i), by striking
 19 “under the age of 5”.

20 (b) CERTIFICATION.—Section 17(d)(3)(A)(iii) of the
 21 Child Nutrition Act of 1966 (42 U.S.C.
 22 1786(d)(3)(A)(iii)) is amended—

23 (1) by striking “A State” and inserting the fol-
 24 lowing:

25 “(I) IN GENERAL.—A State”;

26 and

1 (2) by adding at the end the following:

2 “(II) 5-YEAR-OLD CHILDREN.—

3 “(aa) IN GENERAL.—A

4 State may elect to certify a par-

5 ticipant child who has had a fifth

6 birthday but has not yet attained

7 their sixth birthday, during the

8 period that ends on the earlier

9 of—

10 “(AA) the sixth birth-

11 day of the child; and

12 “(BB) the first date on

13 which the child attends full

14 day kindergarten.

15 “(bb) REQUIREMENTS.—

16 Each State that elects to certify

17 a child under item (aa) shall—

18 “(AA) ensure that the

19 participant child receives re-

20 quired health and nutrition

21 assessments; and

22 “(BB) establish a sys-

23 tem to determine the first

24 date on which a participant

1 child attends full day kin-
 2 dergarten.”.

3 (c) CONFORMING AMENDMENT.—Section
 4 1902(a)(53)(A) of the Social Security Act (42 U.S.C.
 5 1396a(a)(53)(A)) is amended by striking “below the age
 6 of 5” and inserting “(as defined in that section)”.

7 **SEC. 3. CERTIFICATION OF INFANTS.**

8 (a) DEFINITION OF INFANT.—Section 17(b) of the
 9 Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) is
 10 amended by striking paragraph (5) and inserting the fol-
 11 lowing:

12 “(5) INFANT.—The term ‘infant’ means—

13 “(A) a person under 1 year of age; and

14 “(B) for purposes of subsection (d), a per-
 15 son under 2 years of age.”.

16 (b) CERTIFICATION.—Section 17(d)(3)(A) of the
 17 Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(A))
 18 is amended by adding at the end the following:

19 “(iv) INFANTS.—

20 “(I) IN GENERAL.—A State may
 21 elect to certify an infant for a period
 22 of not more than 2 years.

23 “(II) ASSESSMENTS.—In certi-
 24 fying an infant under subclause (I), a
 25 State shall ensure that the infant re-

1 ceives required health and nutrition
2 assessments.”.

3 **SEC. 4. EXTENSION OF POSTPARTUM PERIOD.**

4 (a) BREASTFEEDING WOMEN.—

5 (1) DEFINITION OF BREASTFEEDING WOMAN.—

6 Section 17(b) of the Child Nutrition Act of 1966 (42
7 U.S.C. 1786(b)) is amended by striking paragraph
8 (1) and inserting the following:

9 “(1) BREASTFEEDING WOMAN.—The term
10 ‘breastfeeding woman’ means—

11 “(A) a woman who is not more than 1 year
12 postpartum and is breastfeeding the infant of
13 the woman; and

14 “(B) for purposes of subsection (d), a
15 woman who is not more than 2 years
16 postpartum and is breastfeeding the infant of
17 the woman.”.

18 (2) CERTIFICATION.—Section 17(d)(3)(A)(ii) of
19 the Child Nutrition Act of 1966 (42 U.S.C.
20 1786(d)(3)(A)(ii)) is amended by striking “1 year”
21 and all that follows through “earlier” and inserting
22 “not more than 2 years postpartum”.

23 (b) POSTPARTUM WOMEN.—

24 (1) DEFINITION OF POSTPARTUM WOMAN.—

25 Section 17(b) of the Child Nutrition Act of 1966 (42

1 U.S.C. 1786(b)) is amended by striking paragraph
 2 (10) and inserting the following:

3 “(10) POSTPARTUM WOMAN.—The term
 4 ‘postpartum woman’ means—

5 “(A) a woman up to 6 months after termi-
 6 nation of pregnancy; and

7 “(B) for purposes of subsection (d), a
 8 woman up to 2 years after termination of preg-
 9 nancy.”.

10 (2) CERTIFICATION.—Section 17(d)(3)(A) of
 11 the Child Nutrition Act of 1966 (42 U.S.C.
 12 1786(d)(3)(A)) (as amended by section 3(b)) is
 13 amended by adding at the end the following:

14 “(v) POSTPARTUM WOMEN.—A State
 15 may elect to certify a postpartum woman
 16 for a period of up to 2 years after the ter-
 17 mination of pregnancy of the postpartum
 18 woman.”.

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