

**TITLE 42 - THE PUBLIC HEALTH AND WELFARE**  
**CHAPTER 13 - SCHOOL LUNCH PROGRAMS**

**§ 1769b. Department of Defense overseas dependents' schools**

**(a) Purpose of program; availability of payments and commodities**

For the purpose of obtaining Federal payments and commodities in conjunction with the provision of lunches to students attending Department of Defense dependents' schools which are located outside the United States, its territories or possessions, the Secretary of Agriculture shall make available to the Department of Defense, from funds appropriated for such purpose, the same payments and commodities as are provided to States for schools participating in the National School Lunch Program in the United States.

**(b) Administration of program; eligibility determinations and regulations**

The Secretary of Defense shall administer lunch programs authorized by this section and shall determine eligibility for free and reduced price lunches under the criteria published by the Secretary of Agriculture, except that the Secretary of Defense shall prescribe regulations governing computation of income eligibility standards for families of students participating in the National School Lunch Program under this section.

**(c) Nutritional standards for meals; noncompliance with standards**

The Secretary of Defense shall be required to offer meals meeting nutritional standards prescribed by the Secretary of Agriculture; however, the Secretary of Defense may authorize deviations from Department of Agriculture prescribed meal patterns and fluid milk requirements when local conditions preclude strict compliance or when such compliance is impracticable.

**(d) Authorization of appropriations**

Funds are hereby authorized to be appropriated for any fiscal year in such amounts as may be necessary for the administrative expenses of the Department of Defense under this section.

**(e) Technical assistance for administration of program**

The Secretary of Agriculture shall provide the Secretary of Defense with the technical assistance in the administration of the school lunch programs authorized by this section.

(June 4, 1946, ch. 281, § 20, formerly § 22, as added Pub. L. 95-561, title XIV, § 1408(a), Nov. 1, 1978, 92 Stat. 2368; renumbered § 20 and amended Pub. L. 99-500, title III, §§ 328(a), 371 (c)(1), Oct. 18, 1986, 100 Stat. 1783-362, 1783-368, and Pub. L. 99-591, title III, §§ 328(a), 371 (c)(1), Oct. 30, 1986, 100 Stat. 3341-365, 3341-372; renumbered § 20 and amended Pub. L. 99-661, div. D, title II, § 4208(a), title V, § 4501(c)(1), Nov. 14, 1986, 100 Stat. 4073, 4080; Pub. L. 101-147, title III, § 312(2), Nov. 10, 1989, 103 Stat. 916.)

**Codification**

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

**Prior Provisions**

A prior section 20 of act June 4, 1946, was renumbered section 18 of act June 4, 1946, and is classified to section 1769 of this title.

**Amendments**

1989—Subsec. (b). Pub. L. 101-147 substituted “reduced price” for “reduced-price”.

1986—Subsec. (d). Pub. L. 99-500 and Pub. L. 99-591, § 328(a), and Pub. L. 99-661, § 4208(a), amended subsec. (d) identically, striking out “and for payment of the difference between the value of commodities and payments received from the Secretary of Agriculture and (1) the full cost of each lunch for each student eligible for a free lunch, and (2)

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

the full cost of each lunch, less any amounts required by law or regulation to be paid by each student eligible for a reduced-price lunch” after “this section”.

### **Effective Date**

Section effective Oct. 1, 1978 and no provision herein to be construed as impairing or preventing the taking effect of any other Act providing for the transfer of functions described herein to an executive department having responsibility for education, see section 1415 of Pub. L. 95-561, set out as a note under section 921 of Title 20, Education.

### **Transfer of Functions**

For transfer to Secretary of Education of functions of Secretary of Defense and Department of Defense relating to operation of overseas schools for dependents of Department of Defense and under Defense Dependents’ Education Act of 1978, 20 U.S.C. 921 et seq., see section 3442 (a) of Title 20, Education.