

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1147  
OFFERED BY MR. THOMPSON OF PENNSYLVANIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whole Milk for  
3 Healthy Kids Act of 2023”.

**4 SEC. 2. WHOLE MILK PERMISSIBLE.**

5 Section 9(a)(2) of the Richard B. Russell National  
6 School Lunch Act (42 U.S.C. 1758(a)(2)) is amended—

7 (1) by amending subparagraph (A) to read as  
8 follows:

9 “(A) IN GENERAL.—Lunches served by  
10 schools participating in the school lunch pro-  
11 gram under this Act—

12 “(i) shall offer students a variety of  
13 fluid milk;

14 “(ii) may offer students flavored and  
15 unflavored whole, reduced-fat, low-fat and  
16 fat-free fluid milk and lactose-free fluid  
17 milk; and

1                   “(iii) shall provide a substitute for  
2                   fluid milk for students whose disability re-  
3                   stricts their diet, on receipt of a written  
4                   statement from a licensed physician that  
5                   identifies the disability that restricts the  
6                   student’s diet and that specifies the sub-  
7                   stitute for fluid milk.”; and

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

9                   “(D) SATURATED FAT.—Milk fat included  
10                  in any fluid milk provided under subparagraph  
11                  (A) shall not be considered saturated fat for  
12                  purposes of measuring compliance with the al-  
13                  lowable average saturated fat content of a meal  
14                  under section 210.10 of title 7, Code of Federal  
15                  Regulations (or successor regulations).”.

