Amendment to the Amendment in the Nature of a Substitute to H.R. 8450
Offered by Ms. Stefanik of New York

At the end of title III, add the following:

SEC. 31. WIC INFANT FORMULA CONTRACTING.

Section 17 of the Child Nutrition Act of 1966 (7 U.S.C. 1431) is amended—

(1) in subsection (b)—

(A) by amending paragraph (17) to read as follows:

“(17) COMPETITIVE BIDDING.—

“(A) IN GENERAL.—The term ‘competitive bidding’ means a procurement process under which the Secretary or a State agency selects manufacturers offering the lowest price, as determined by the submission of sealed bids, for a product for which bids are sought for use in the program authorized by this section.

“(B) DESIGNATION.—Of the manufacturers described in subparagraph (A), 1 such manufacturer may be designated as the primary manufacturer and 1 such manufacturer may be
designated as the secondary manufacturer.”;

and

(B) in paragraph (22)—

(i) by striking “primary” in the heading and each place it appears and inserting “manufacturer”;

(ii) by striking “specific”; and

(iii) by striking “a contract is awarded” and inserting “contracts are awarded”;

and

(2) in subsection (h)(8)(A)—

(A) in clause (ii)(I), by striking “primary” and inserting “manufacturer”; and

(B) in clause (v)—

(i) by striking “first” in the heading and each place it appears; and

(ii) by striking “primary” in each place it appears and inserting “manufacturer”.

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