

103D CONGRESS  
1ST SESSION

# H. R. 11

To amend the National School Lunch Act to establish an optional universal school lunch and breakfast program.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. MILLER of California (for himself, Mr. OWENS, Ms. NORTON, Mrs. COLLINS of Illinois, Ms. PELOSI, Mr. RANGEL, Mr. TOWNS, and Mr. JOHNSON of South Dakota) introduced the following bill; which was referred to the Committee on Education and Labor

JUNE 30, 1993

Additional sponsors: Mr. DEFazio, Mr. MURPHY, Mr. ROMERO-BARCELÓ, Ms. BYRNE, Mr. EVANS, Mr. STOKES, Mr. RICHARDSON, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. BOUCHER, Mr. STARK, Mr. DARDEN, Mr. HASTINGS, Ms. WOOLSEY, Mr. TRAFICANT, Mr. KOPETSKI, Mr. LEHMAN, Mr. EDWARDS of California, Mr. SANDERS, Mr. ROSE, Mr. SCOTT, Mrs. SCHROEDER, Mr. CLYBURN, Mr. TORRICELLI, Mr. CARR, Mr. GEJDENSON, Mr. BROWN of California, Ms. DELAURO, Mr. BORSKI, Mr. VENTO, Mrs. MINK, Ms. ROYBAL-ALLARD, and Mr. STUPAK

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## A BILL

To amend the National School Lunch Act to establish an optional universal school lunch and breakfast program.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Universal Student  
3 Nutrition Act of 1993”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) the national school lunch and breakfast pro-  
7 grams are vital to protecting the health and well-  
8 being of the Nation’s children;

9 (2) these essential child nutrition programs help  
10 prepare children to learn and to combat childhood  
11 hunger;

12 (3) the national school lunch program serves  
13 approximately 25,000,000 per day, and the school  
14 breakfast program serves approximately 4,000,000  
15 children per day;

16 (4) there are approximately 4,000,000 eligible  
17 low-income students who are not participating in the  
18 free and reduced price school meal programs;

19 (5) in the last decade—

20 (A) Federal subsidies for school meal pro-  
21 grams have been reduced;

22 (B) bonus commodities from the Depart-  
23 ment of Agriculture for such programs have al-  
24 most vanished;

1 (C) the administrative complexity and cost  
2 of administering such programs have increased;  
3 and

4 (D) indirect cost assessments are draining  
5 the financial resources of such programs; and

6 (6) many schools, mostly high schools, are drop-  
7 ping out of the school lunch program as a result of  
8 the trends described in paragraph (5).

9 **SEC. 3. ESTABLISHMENT OF OPTIONAL UNIVERSAL**  
10 **SCHOOL LUNCH AND BREAKFAST PROGRAM.**

11 (a) IN GENERAL.—The National School Lunch Act  
12 (42 U.S.C. 1751 et seq.) is amended by inserting after  
13 section 11 the following new section:

14 **“SEC. 11A. OPTIONAL UNIVERSAL SCHOOL LUNCH AND**  
15 **BREAKFAST PROGRAM.**

16 “(a) IN GENERAL.—

17 “(1) ESTABLISHMENT.—The Secretary shall es-  
18 tablish an optional universal school lunch and break-  
19 fast program (in this section referred to as the “uni-  
20 versal program”).

21 “(2) DESCRIPTION.—The universal program  
22 shall consist of school lunch and breakfast service of-  
23 fered without cost at school to all students in at-  
24 tendance at the participating schools who wish to  
25 participate in a manner consistent with the require-

1       ments otherwise applicable to the school lunch pro-  
2       gram under this Act and to the school breakfast pro-  
3       gram under section 4 of the Child Nutrition Act of  
4       1966.

5           “(3) ELIGIBILITY.—Any school participating in  
6       the school lunch program under this Act or the  
7       school breakfast program under the Child Nutrition  
8       Act of 1966 may elect to participate in the universal  
9       program.

10       “(b) UNIVERSAL PAYMENT RATE.—

11           “(1) IN GENERAL.—Subject to paragraph (3),  
12       in lieu of receiving the national average payment per  
13       lunch determined under section 4 and section 11,  
14       and the national average payment per breakfast de-  
15       termined under section 4 of the Child Nutrition Act  
16       of 1966, each school participating in the universal  
17       program shall receive the universal payment rates  
18       determined under paragraph (2) for each lunch and  
19       breakfast served under the program.

20           “(2) ESTABLISHMENT.—Subject to paragraph  
21       (3), the Secretary shall establish the universal pay-  
22       ment rates for purposes of this section. Such rates  
23       shall be equal to the national average cost of produc-  
24       ing a school lunch, and the national average cost of  
25       producing a school breakfast, respectively, as deter-

1       mined by the Secretary. In making the determina-  
2       tion required by the preceding sentence, the Sec-  
3       retary shall establish a maximum amount that can  
4       be charged to a participating school food service au-  
5       thority for indirect expenses.

6           “(3) COMMODITIES.—Schools participating in  
7       the universal program shall receive the same level of  
8       commodities that they would receive under the  
9       school lunch program under this Act and under the  
10      school breakfast program under section 4 of the  
11      Child Nutrition Act of 1966.

12      “(c) COMPETITIVE FOODS POLICY.—Schools partici-  
13     pating in the universal program may sell competitive foods  
14     under regulations issued by the Secretary.”.

15      (b) EFFECTIVE DATE.—The Secretary of Agriculture  
16     shall issue regulations to carry out section 11A of the Na-  
17     tional School Lunch Act (as added by subsection (a) of  
18     this section) that provide for the implementation of such  
19     section not later than July 1, 2000.

20     **SEC. 4. DIETARY GUIDELINES.**

21      (a) SCHOOL LUNCH PROGRAM.—Section 9(a)(1) of  
22     the National School Lunch Act (42 U.S.C. 1758(a)(1))  
23     is amended by striking “on the basis of tested nutritional  
24     research” and inserting “in accordance with the Dietary

1 Guidelines for Americans developed by the Department of  
2 Agriculture”.

3 (b) SCHOOL BREAKFAST PROGRAM.—Section 4(e)(1)  
4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773(e)(1))  
5 is amended by striking “on the basis of tested nutritional  
6 research” and inserting “in accordance with the Dietary  
7 Guidelines for Americans developed by the Department of  
8 Agriculture”.

9 **SEC. 5. NUTRITION EDUCATION.**

10 Section 19(i)(1) of the Child Nutrition Act of 1966  
11 (42 U.S.C. 1788(i)(1)) is amended by inserting “and each  
12 fiscal year beginning on or after October 1, 1995,” after  
13 “October 1, 1978,”.

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