

116TH CONGRESS
1ST SESSION

S. 2609

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to make breakfasts and lunches free for all children, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2019

Mr. SCHUMER (for Mr. SANDERS) 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 and the Richard B. Russell National School Lunch Act to make breakfasts and lunches free for all 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Universal School Meals Program Act of 2019”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Effective date.

TITLE I—SCHOOL BREAKFAST PROGRAM

Sec. 101. General elimination of reduced price breakfasts.

Sec. 102. Free school breakfast program.

TITLE II—SCHOOL LUNCH PROGRAM

Sec. 201. General repeal of reduced price lunches.

Sec. 202. Apportionment to States.

Sec. 203. Nutritional and other program requirements.

Sec. 204. Special assistance program.

Sec. 205. Price for a paid lunch.

Sec. 206. Summer food service program for children.

Sec. 207. Summer Electronic Benefit Transfer for Children Program.

Sec. 208. Child and adult care food program.

Sec. 209. Meals and supplements for children in afterschool care.

Sec. 210. Access to local foods: farm to school program.

Sec. 211. Fresh fruit and vegetable program.

Sec. 212. Training, Technical Assistance, and Food Service Management Institute.

Sec. 213. Reimbursement of school meal delinquent debt program.

TITLE III—ELEMENTARY AND SECONDARY EDUCATION DATA

Sec. 301. Measure of poverty.

TITLE IV—AMENDMENTS TO OTHER PROGRAMS AND LAWS

Sec. 401. Supplemental nutrition assistance program.

Sec. 402. Higher Education Act of 1965.

Sec. 403. Elementary and Secondary Education Act of 1965.

Sec. 404. America COMPETES Act.

Sec. 405. Workforce Innovation and Opportunity Act.

Sec. 406. National Science Foundation Authorization Act of 2002.

Sec. 407. Child care and development block grant.

Sec. 408. Children's Health Act of 2000.

Sec. 409. Juvenile justice and delinquency prevention.

1 **SEC. 2. EFFECTIVE DATE.**

2 Unless otherwise provided, this Act, and the amend-
 3 ments made by this Act, shall take effect 1 year after the
 4 date of enactment of this Act.

1 **TITLE I—SCHOOL BREAKFAST**
2 **PROGRAM**

3 **SEC. 101. GENERAL ELIMINATION OF REDUCED PRICE**
4 **BREAKFASTS.**

5 The Child Nutrition Act of 1966 (42 U.S.C. 1771
6 et seq.) is amended—

7 (1) by striking “or reduced price” each place it
8 appears;

9 (2) by striking “and reduced price” each place
10 it appears; and

11 (3) by striking “a reduced price” each place it
12 appears.

13 **SEC. 102. FREE SCHOOL BREAKFAST PROGRAM.**

14 (a) IN GENERAL.—Section 4(a) of the Child Nutri-
15 tion Act of 1966 (42 U.S.C. 1773(a)) is amended, in the
16 first sentence—

17 (1) by striking “is hereby” and inserting “are”;
18 and

19 (2) by inserting “to provide free breakfast to all
20 children enrolled at those schools” before “in accord-
21 ance”.

22 (b) APPORTIONMENT TO STATES.—Section 4(b) of
23 the Child Nutrition Act of 1966 (42 U.S.C. 1773(b)) is
24 amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (A)(i), by striking
 2 subclause (II) and inserting the following:

3 “(II) the national average pay-
 4 ment for free breakfasts, as specified
 5 in subparagraph (B).”;

6 (B) by striking subparagraph (B) and in-
 7 serting the following:

8 “(B) PAYMENT AMOUNTS.—

9 “(i) IN GENERAL.—The national aver-
 10 age payment for each free breakfast shall
 11 be \$2.72, adjusted annually for inflation in
 12 accordance with clause (ii) and rounded in
 13 accordance with clause (iii).

14 “(ii) INFLATION ADJUSTMENT.—

15 “(I) IN GENERAL.—The annual
 16 inflation adjustment under clause (i)
 17 shall reflect changes in the cost of op-
 18 erating the free breakfast program
 19 under this section, as indicated by the
 20 change in the Consumer Price Index
 21 for food away from home for all urban
 22 consumers.

23 “(II) BASIS.—Each inflation an-
 24 nual adjustment under clause (i) shall
 25 reflect the changes in the Consumer

1 Price Index for food away from home
 2 for the most recent 12-month period
 3 for which that data is available.

4 “(iii) ROUNDING.—On July 1, 2020,
 5 and annually thereafter, the national aver-
 6 age payment rate for free breakfast shall
 7 be—

8 “(I) adjusted to the nearest
 9 lower-cent increment; and

10 “(II) based on the unrounded
 11 amounts for the preceding 12-month
 12 period.”;

13 (C) by striking subparagraphs (C) and
 14 (E); and

15 (D) by redesignating subparagraph (D) as
 16 subparagraph (C);

17 (2) by striking paragraphs (2) and (3);

18 (3) by redesignating paragraphs (4) and (5) as
 19 paragraphs (2) and (3), respectively; and

20 (4) in paragraph (3) (as so redesignated), by
 21 striking “paragraph (3) or (4)” and inserting “para-
 22 graph (2)”.

23 (c) STATE DISBURSEMENT TO SCHOOLS.—Section 4
 24 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is

1 amended by striking subsection (c) and inserting the fol-
 2 lowing:

3 “(c) STATE DISBURSEMENT TO SCHOOLS.—Funds
 4 apportioned and paid to any State for the purpose of this
 5 section shall be disbursed by the State educational agency
 6 to schools selected by the State educational agency to as-
 7 sist those schools in operating a breakfast program.”.

8 (d) NO COLLECTION OF DEBT.—

9 (1) IN GENERAL.—Notwithstanding any other
 10 provision of the Child Nutrition Act of 1966 (42
 11 U.S.C. 1771 et seq.) or any other provision of law,
 12 effective beginning on the date of enactment of this
 13 Act, as a condition of participation in the breakfast
 14 program under section 4 of that Act (42 U.S.C.
 15 1773), a school—

16 (A) shall not collect any debt owed to the
 17 school for unpaid meal charges; and

18 (B) shall continue to accrue debt for un-
 19 paid meal charges—

20 (i) for the purpose of receiving reim-
 21 bursement under section 213; and

22 (ii) until the effective date specified in
 23 section 2.

24 (2) CHILD NUTRITION ACT OF 1966.—

1 (A) IN GENERAL.—Section 4 of the Child
 2 Nutrition Act of 1966 (42 U.S.C. 1773) is
 3 amended by striking subsection (d) and insert-
 4 ing the following:

5 “(d) NO COLLECTION OF DEBT.—A school partici-
 6 pating in the free breakfast program under this section
 7 shall not collect any debt owed to the school for unpaid
 8 meal charges.”.

9 (B) CONFORMING AMENDMENT.—Section
 10 23(a) of the Child Nutrition Act of 1966 (42
 11 U.S.C. 1793(a)) is amended by striking “school
 12 in severe need, as described in section 4(d)(1)”
 13 and inserting the following: “school—

14 “(1) that has a free breakfast program under
 15 section 4 or seeks to initiate a free breakfast pro-
 16 gram under that section; and

17 “(2) of which not less than 40 percent of the
 18 students are identified students (as defined in para-
 19 graph (8) of section 1113(a) of the Elementary and
 20 Secondary Education Act of 1965 (20 U.S.C.
 21 6313(a)))”.

22 (e) NUTRITIONAL AND OTHER PROGRAM REQUIRE-
 23 MENTS.—Section 4(e) of the Child Nutrition Act of 1966
 24 (42 U.S.C. 1773(e)) is amended—

1 (1) in paragraph (1)(A), in the second sentence,
 2 by striking “free or” and all that follows through
 3 the period at the end and inserting “free to all chil-
 4 dren enrolled at a school participating in the school
 5 breakfast program.”; and

6 (2) in paragraph (2), in the second sentence, by
 7 striking “the full charge to the student for a break-
 8 fast meeting the requirements of this section or”.

9 (f) PROHIBITION ON BREAKFAST SHAMING, MEAL
 10 DENIAL.—

11 (1) IN GENERAL.—Effective beginning on the
 12 date of enactment of this Act, a school or school
 13 food authority—

14 (A) shall not—

15 (i) physically segregate or otherwise
 16 discriminate against any child participating
 17 in the breakfast program under section 4
 18 of the Child Nutrition Act of 1966 (42
 19 U.S.C. 1773); or

20 (ii) overtly identify a child described
 21 in clause (i) by a special token or ticket,
 22 an announced or published list of names,
 23 or any other means; and

24 (B) shall provide the program meal to any
 25 child eligible under the program.

1 (2) CHILD NUTRITION ACT OF 1966.—Section 4
 2 of the Child Nutrition Act of 1966 (42 U.S.C. 1773)
 3 is amended by adding at the end the following:

4 “(f) PROHIBITION ON BREAKFAST SHAMING.—A
 5 school or school food authority shall not—

6 “(1) physically segregate or otherwise discrimi-
 7 nate against any child participating in the free
 8 breakfast program under this section; or

9 “(2) overtly identify a child described in para-
 10 graph (1) by a special token or ticket, an announced
 11 or published list of names, or any other means.”.

12 (g) DEPARTMENT OF DEFENSE OVERSEAS DEPEND-
 13 ENTS’ SCHOOLS.—Section 20(b) of the Child Nutrition
 14 Act of 1966 (42 U.S.C. 1789(b)) is amended—

15 (1) by striking “and reduced-price”; and

16 (2) by striking “and shall” and all that follows
 17 through “section”.

18 **TITLE II—SCHOOL LUNCH** 19 **PROGRAM**

20 **SEC. 201. GENERAL REPEAL OF REDUCED PRICE LUNCHES.**

21 The Richard B. Russell National School Lunch Act
 22 (42 U.S.C. 1751 et seq.) is amended—

23 (1) by striking “or reduced price” each place it
 24 appears;

1 (2) by striking “or a reduced price” each place
2 it appears;

3 (3) by striking “and reduced price” each place
4 it appears; and

5 (4) by striking “a reduced price” each place it
6 appears.

7 **SEC. 202. APPORTIONMENT TO STATES.**

8 Section 4(b) of the Richard B. Russell National
9 School Lunch Act (42 U.S.C. 1753(b)) is amended—

10 (1) by striking paragraph (2) and inserting the
11 following:

12 “(2) PAYMENT AMOUNTS.—

13 “(A) IN GENERAL.—The national average
14 payment for each free lunch shall be \$3.81, ad-
15 justed annually for inflation in accordance with
16 subparagraph (C) and rounded in accordance
17 with subparagraph (D).

18 “(B) ADDITIONAL PAYMENT FOR LOCAL
19 FOOD.—

20 “(i) DEFINITION OF LOCALLY-
21 SOURCED FARM PRODUCT.—In this sub-
22 paragraph, the term ‘locally-sourced farm
23 product’ means a farm product that—

24 “(I) is marketed to consumers—

25 “(aa) directly; or

1 “(bb) through intermediated
2 channels (such as food hubs and
3 cooperatives); and

4 “(II) with respect to the school
5 food authority purchasing the farm
6 product, is produced and distrib-
7 uted—

8 “(aa) in the State in which
9 the school food authority is lo-
10 cated; or

11 “(bb) not more than 250
12 miles from the location of the
13 school food authority.

14 “(ii) ADDITIONAL PAYMENT ELIGI-
15 BILITY.—During a school year, a school
16 food authority shall receive an additional
17 payment described in clause (iii) if the
18 State certifies that the school food author-
19 ity served meals (including breakfasts,
20 lunches, and supplements) during the last
21 school year of which not less than 30 per-
22 cent were made with locally-sourced farm
23 products.

24 “(iii) PAYMENT AMOUNT.—The addi-
25 tional payment amount for each free lunch

1 under this subparagraph shall be \$0.30,
2 adjusted annually in accordance with sub-
3 paragraph (C) and rounded in accordance
4 with subparagraph (D).

5 “(iv) DISBURSEMENT.—The State
6 agency shall disburse funds made available
7 under this clause to school food authorities
8 eligible to receive additional reimburse-
9 ment.

10 “(C) INFLATION ADJUSTMENT.—

11 “(i) IN GENERAL.—The annual infla-
12 tion adjustment under subparagraphs (A)
13 and (B)(iii) shall reflect changes in the
14 cost of operating the free lunch program
15 under this Act, as indicated by the change
16 in the Consumer Price Index for food away
17 from home for all urban consumers.

18 “(ii) BASIS.—Each annual inflation
19 adjustment under subparagraphs (A) and
20 (B)(iii) shall reflect the changes in the
21 Consumer Price Index for food away from
22 home for the most recent 12-month period
23 for which that data is available.

1 “(D) ROUNDING.—On July 1, 2020, and
 2 annually thereafter, the national average pay-
 3 ment rate for free lunch shall be—

4 “(i) adjusted to the nearest lower-cent
 5 increment; and

6 “(ii) based on the unrounded amounts
 7 for the preceding 12-month period.”; and

8 (2) by striking paragraph (3).

9 **SEC. 203. NUTRITIONAL AND OTHER PROGRAM REQUIRE-**
 10 **MENTS.**

11 (a) ELIMINATION OF FREE LUNCH ELIGIBILITY RE-
 12 QUIREMENTS.—

13 (1) IN GENERAL.—Section 9 of the Richard B.
 14 Russell National School Lunch Act (42 U.S.C.
 15 1758) is amended by striking subsection (b) and in-
 16 serting the following:

17 “(b) ELIGIBILITY.—All children enrolled in a school
 18 that participates in the school lunch program under this
 19 Act shall be eligible to receive free lunch under this Act.”.

20 (2) CONFORMING AMENDMENTS.—

21 (A) Section 9(c) of the Richard B. Russell
 22 National School Lunch Act (42 U.S.C. 1758(c))
 23 is amended in the second sentence by striking
 24 “or at a reduced cost”.

1 (B) Section 18 of the Richard B. Russell
 2 National School Lunch Act (42 U.S.C. 1769) is
 3 amended—

4 (i) by striking subsection (j); and

5 (ii) by redesignating subsection (k) as
 6 subsection (j).

7 (C) Section 28(b)(4) of the Richard B.
 8 Russell National School Lunch Act (42 U.S.C.
 9 1769i(b)(4)) is amended—

10 (i) in subparagraph (A), by striking
 11 the subparagraph designation and heading
 12 and all that follows through “the Sec-
 13 retary” and inserting “The Secretary”;
 14 and

15 (ii) by striking subparagraph (B).

16 (D) Section 17 of the Child Nutrition Act
 17 of 1966 (42 U.S.C. 1786) is amended—

18 (i) in subsection (d)(2)(A)—

19 (I) by striking clause (i); and

20 (II) by redesignating clauses (ii)
 21 and (iii) as clauses (i) and (ii), respec-
 22 tively; and

23 (ii) in subsection (f)(17), by striking
 24 “Notwithstanding subsection (d)(2)(A)(i),
 25 not later” and inserting “Not later”.

1 (E) Section 1902(a) of the Social Security
2 Act (42 U.S.C. 1396a(a)) is amended by strik-
3 ing paragraph (7) and inserting the following:
4 “(7) provide safeguards which restrict the use
5 or disclosure of information concerning applicants
6 and recipients to purposes directly connected with
7 the administration of the plan;”.

8 (F) Section 1154(a)(2)(A)(i) of title 10,
9 United States Code, is amended by striking “in
10 accordance with section 9(b)(1) of the Richard
11 B. Russell National School Lunch Act (42
12 U.S.C. 1758(b)(1))”.

13 (G) Section 4301 of the Food, Conserva-
14 tion, and Energy Act of 2008 (42 U.S.C.
15 1758a) is repealed.

16 (b) NO COLLECTION OF DEBT.—

17 (1) IN GENERAL.—Notwithstanding any other
18 provision of the Richard B. Russell National School
19 Lunch Act (42 U.S.C. 1751 et seq.) or any other
20 provision of law, effective beginning on the date of
21 enactment of this Act, as a condition of participation
22 in the school lunch program under that Act, a
23 school—

24 (A) shall not collect any debt owed to the
25 school for unpaid meal charges; and

1 (B) shall continue to accrue debt for un-
2 paid meal charges—

3 (i) for the purpose of receiving reim-
4 bursement under section 213; and
5 (ii) until the effective date specified in
6 section 2.

7 (2) NATIONAL SCHOOL LUNCH ACT.—

8 (A) IN GENERAL.—Section 9 of the Rich-
9 ard B. Russell National School Lunch Act (42
10 U.S.C. 1758) is amended by striking subsection
11 (d) and inserting the following:

12 “(d) NO COLLECTION OF DEBT.—A school partici-
13 pating in the school lunch program under this Act shall
14 not collect any debt owed to the school for unpaid meal
15 charges.”.

16 (B) CONFORMING AMENDMENTS.—Section
17 9(b)(8)(A) of the Richard B. Russell National
18 School Lunch Act (42 U.S.C. 1758(b)(8)(A)) is
19 amended by striking “or subsection (d)”.

20 **SEC. 204. SPECIAL ASSISTANCE PROGRAM.**

21 (a) IN GENERAL.—Section 11 of the Richard B. Rus-
22 sell National School Lunch Act (42 U.S.C. 1759a) is re-
23 pealed.

24 (b) CONFORMING AMENDMENTS.—

1 (1) Section 6 of the Richard B. Russell Na-
2 tional School Lunch Act (42 U.S.C. 1755) is amend-
3 ed—

4 (A) in subsection (a)(2), by striking “sec-
5 tions 11 and 13” and inserting “section 13”;
6 and

7 (B) in subsection (e)(1), in the matter pre-
8 ceding subparagraph (A), by striking “section
9 4, this section, and section 11” and inserting
10 “this section and section 4”.

11 (2) Section 7(d) of the Richard B. Russell Na-
12 tional School Lunch Act (42 U.S.C. 1756(d)) is
13 amended by striking “or 11”.

14 (3) Section 8(g) of the Richard B. Russell Na-
15 tional School Lunch Act (42 U.S.C. 1757(g)) is
16 amended by striking “and under section 11 of this
17 Act”.

18 (4) Section 12(f) of the Richard B. Russell Na-
19 tional School Lunch Act (42 U.S.C. 1760(f)) is
20 amended by striking “11,”.

21 (5) Section 7(a) of the Child Nutrition Act of
22 1966 (42 U.S.C. 1766(a)) is amended—

23 (A) in paragraph (1)(A), by striking “4,
24 11, and 17” and inserting “4 and 17”; and

1 (B) in paragraph (2)(A), by striking “sec-
 2 tions 4 and 11” and inserting “section 4”.

3 **SEC. 205. PRICE FOR A PAID LUNCH.**

4 Section 12 of the Richard B. Russell National School
 5 Lunch Act (42 U.S.C. 1760) is amended—

6 (1) by striking subsection (p); and

7 (2) by redesignating subsections (q) and (r) as
 8 subsections (p) and (q), respectively.

9 **SEC. 206. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
 10 **DREN.**

11 Section 13 of the Richard B. Russell National School
 12 Lunch Act (42 U.S.C. 1761) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2), by adding at the end
 15 the following:

16 “(C) **WAIVER.**—If the Secretary deter-
 17 mines that a program requirement under this
 18 section limits the access of children to meals
 19 served under this section, the Secretary may
 20 waive that program requirement.

21 “(D) **ELIGIBILITY.**—All children shall be
 22 eligible to participate in the program under this
 23 section.”; and

24 (B) in paragraph (5), by striking “only
 25 for” and all that follows through the period at

1 the end and inserting “for meals served to all
2 children.”;

3 (2) in subsection (b)(2), by striking “may only
4 serve” and all that follows through “migrant chil-
5 dren”;

6 (3) by striking subsection (c) and inserting the
7 following:

8 “(c) PAYMENTS.—

9 “(1) IN GENERAL.—Payments shall be made to
10 service institutions for meals served—

11 “(A) during the months of May through
12 September;

13 “(B) during school vacation at any time
14 during an academic school year;

15 “(C) during a teacher in-service day; and

16 “(D) on days that school is closed during
17 the months of October through April due to a
18 natural disaster, building repair, court order, or
19 similar cause, as determined by the Secretary.

20 “(2) LIMITATION ON PAYMENTS.—A service in-
21 stitution shall receive payments under this section
22 for not more than 3 meals and 1 supplement per
23 child per day.”; and

24 (4) in subsection (f)(3), by striking “, except
25 that” and all that follows through “section”.

1 **SEC. 207. SUMMER ELECTRONIC BENEFIT TRANSFER FOR**
 2 **CHILDREN PROGRAM.**

3 Section 13(a) of the Richard B. Russell National
 4 School Lunch Act (42 U.S.C. 1761(a)) is amended by add-
 5 ing at the end the following:

6 “(13) SUMMER ELECTRONIC BENEFIT TRANS-
 7 FER FOR CHILDREN PROGRAM.—

8 “(A) DEFINITIONS.—In this paragraph:

9 “(i) EBT CARD.—The term ‘EBT
 10 card’ means an electronic benefit transfer
 11 card.

12 “(ii) ELIGIBLE HOUSEHOLD.—The
 13 term ‘eligible household’ means a house-
 14 hold with—

15 “(I) an income that does not ex-
 16 ceed 200 percent of the poverty line
 17 (as defined in section 673 of the Com-
 18 munity Services Block Grant Act (42
 19 U.S.C. 9902)); and

20 “(II) one or more children.

21 “(iii) PROGRAM.—The term ‘Program’
 22 means the Summer Electronic Benefit
 23 Transfer for Children Program established
 24 under subparagraph (B).

25 “(B) ESTABLISHMENT.—The Secretary
 26 shall establish a national program, to be known

1 as the ‘Summer Electronic Benefit Transfer for
2 Children Program’, under which the Secretary
3 shall issue EBT cards to eligible households to
4 provide food assistance during the summer
5 months.

6 “(C) EBT AMOUNT.—

7 “(i) IN GENERAL.—The value of an
8 EBT card provided under the Program to
9 an eligible household shall be \$60 per
10 month per child (adjusted for inflation).

11 “(ii) ANNUAL LIMITATION.—No eligi-
12 ble household shall receive benefits under
13 the Program for more than 3 months in a
14 calendar year.

15 “(D) ADMINISTRATION.—

16 “(i) IN GENERAL.—Except as pro-
17 vided under this paragraph, the Program
18 shall be based on the summer electronic
19 benefit transfer for children demonstration
20 program carried out pursuant to section
21 749(g) of the Agriculture, Rural Develop-
22 ment, Food and Drug Administration, and
23 Related Agencies Appropriations Act, 2010
24 (Public Law 111–80; 123 Stat. 2132).

25 “(ii) SNAP OR WIC.—

1 “(I) IN GENERAL.—Subject to
2 subclause (II), a State shall admin-
3 ister the Program through the supple-
4 mental nutrition assistance program
5 established under the Food and Nutri-
6 tion Act of 2008 (7 U.S.C. 2011 et
7 seq.).

8 “(II) WIC OPTION.—If a State
9 has participated in the demonstration
10 program described in clause (i) before
11 the effective date specified in section
12 2 of the Universal School Meals Pro-
13 gram Act of 2019, the State may elect
14 to administer the Program through
15 the special supplemental nutrition
16 program for women, infants, and chil-
17 dren established by section 17 of the
18 Child Nutrition Act of 1966 (42
19 U.S.C. 1786).

20 “(E) AUTHORIZATION OF APPROPRIA-
21 TIONS.—There are authorized to be appro-
22 priated to the Secretary to carry out this para-
23 graph such sums as are necessary for fiscal
24 year 2020 and each fiscal year thereafter.”.

1 **SEC. 208. CHILD AND ADULT CARE FOOD PROGRAM.**

2 Section 17 of the Richard B. Russell National School
3 Lunch Act (42 U.S.C. 1766) is amended—

4 (1) in subsection (a)(2), by striking subpara-
5 graph (B) and inserting the following:

6 “(B) any other private organization pro-
7 viding nonresidential child care or day care out-
8 side school hours for school children;”;

9 (2) by striking subsection (c) and inserting the
10 following:

11 “(c) FREE MEALS.—Notwithstanding any other pro-
12 vision of law—

13 “(1) all meals and supplements served under
14 the program authorized under this section shall be
15 provided for free to participants of the program; and

16 “(2) an institution that serves those meals and
17 supplements shall be reimbursed—

18 “(A) in the case of breakfast, at the rate
19 established for free breakfast under section
20 4(b)(1)(B)(i) of the Child Nutrition Act of
21 1966 (42 U.S.C. 1773(b)(1)(B)(i));

22 “(B) in the case of lunch, at the rate es-
23 tablished for free lunch under section
24 4(b)(2)(A); and

1 “(C) in the case of a supplemental meal,
2 \$0.30, adjusted for inflation in accordance with
3 section 4(b)(2)(C).”;

4 (3) in subsection (f)—

5 (A) in paragraph (2), by striking subpara-
6 graph (B) and inserting the following:

7 “(B) LIMITATION TO REIMBURSEMENTS.—

8 An institution may claim reimbursement under
9 this paragraph for not more than 3 meals and
10 1 supplement per day per child.”; and

11 (B) by striking paragraph (3); and

12 (4) in subsection (r)—

13 (A) in the subsection heading, by striking
14 “PROGRAM FOR AT-RISK SCHOOL CHILDREN”
15 and inserting “AFTERSCHOOL MEAL AND
16 SNACK PROGRAM”;

17 (B) by striking “at-risk school” each place
18 it appears and inserting “eligible”;

19 (C) in paragraph (1)—

20 (i) in the paragraph heading, by strik-
21 ing “AT-RISK SCHOOL” and inserting “ELI-
22 GIBLE”; and

23 (ii) in subparagraph (B), by striking
24 “operated” and all that follows through

1 the period at the end and inserting a pe-
 2 riod; and

3 (D) in paragraph (4)(A), by striking “only
 4 for” and all that follows through the period at
 5 the end and inserting the following: “for—

6 “(i) not more than 1 meal and 1 sup-
 7 plement per child per day served on a reg-
 8 ular school day; and

9 “(ii) not more than 3 meals and 1
 10 supplement per child per day served on
 11 any day other than a regular school day.”.

12 **SEC. 209. MEALS AND SUPPLEMENTS FOR CHILDREN IN**
 13 **AFTERSCHOOL CARE.**

14 Section 17A of the Richard B. Russell National
 15 School Lunch Act (42 U.S.C. 1766a) is amended—

16 (1) in the section heading, by striking “**MEAL**
 17 **SUPPLEMENTS**” and inserting “**MEALS AND SUP-**
 18 **PLEMENTS**”;

19 (2) in subsection (a)(1), by striking “meal sup-
 20 plements” and inserting “free meals and supple-
 21 ments”;

22 (3) in subsection (b), by inserting “meals and”
 23 before “supplements”; and

24 (4) by striking subsection (c) and inserting the
 25 following:

1 “(c) REIMBURSEMENT.—

2 “(1) IN GENERAL.—

3 “(A) MEALS.—A free meal provided under
4 this section to a child shall be reimbursed at a
5 rate of \$3.81, adjusted annually for inflation in
6 accordance with paragraph (3)(A) and rounded
7 in accordance with paragraph (3)(B).

8 “(B) SUPPLEMENTS.—A free supplement
9 provided under this section to a child shall be
10 reimbursed at the rate at which free supple-
11 ments are reimbursed under section
12 17(c)(2)(C).

13 “(2) LIMITATION TO REIMBURSEMENTS.—An
14 institution may claim reimbursement under this sec-
15 tion for not more than 1 meal and 1 supplement per
16 day per child served on a regular school day.

17 “(3) INFLATION; ROUNDING.—

18 “(A) INFLATION ADJUSTMENT.—

19 “(i) IN GENERAL.—The annual infla-
20 tion adjustment under paragraph (1)(A)
21 shall reflect changes in the cost of oper-
22 ating the program under this section, as
23 indicated by the change in the Consumer
24 Price Index for food away from home for
25 all urban consumers.

1 “(ii) BASIS.—Each inflation annual
 2 adjustment under paragraph (1)(A) shall
 3 reflect the changes in the Consumer Price
 4 Index for food away from home for the
 5 most recent 12-month period for which
 6 that data is available.

7 “(B) ROUNDING.—On July 1, 2020, and
 8 annually thereafter, the reimbursement rate for
 9 a free meal under this section shall be—

10 “(i) adjusted to the nearest lower-cent
 11 increment; and

12 “(ii) based on the unrounded amounts
 13 for the preceding 12-month period.”.

14 **SEC. 210. ACCESS TO LOCAL FOODS: FARM TO SCHOOL**
 15 **PROGRAM.**

16 Section 18(g)(5) of the Richard B. Russell National
 17 School Lunch Act (42 U.S.C. 1769(g)(5)) is amended by
 18 striking subparagraph (B) and inserting the following:

19 “(B) serve a high proportion of identified
 20 students (as defined in paragraph (8) of section
 21 1113(a) of the Elementary and Secondary Edu-
 22 cation Act of 1965 (20 U.S.C. 6313(a)));”.

23 **SEC. 211. FRESH FRUIT AND VEGETABLE PROGRAM.**

24 Section 19(d) of the Richard B. Russell National
 25 School Lunch Act (42 U.S.C. 1769a(d)) is amended—

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph
3 (A), by striking “paragraph (2) of this sub-
4 section and”;

5 (B) in subparagraph (A), in the matter
6 preceding clause (i), by striking “school—” and
7 all that follows through “submits” in clause (ii)
8 and inserting “school that submits”;

9 (C) in subparagraph (B), by striking
10 “schools” and all that follows through “Act”
11 and inserting “high-need schools (as defined in
12 section 2211(b) of the Elementary and Sec-
13 ondary Education Act of 1965 (20 U.S.C.
14 6631(b)))”; and

15 (D) in subparagraph (D)—

16 (i) by striking clause (i); and

17 (ii) by redesignating clauses (ii)
18 through (iv) as clauses (i) through (iii), re-
19 spectively; and

20 (2) by striking paragraphs (2) and (3) and in-
21 serting the following:

22 “(3) OUTREACH TO HIGH-NEED SCHOOLS.—
23 Prior to making decisions regarding school participa-
24 tion in the program, a State agency shall inform
25 high-need schools (as defined in section 2211(b) of

1 the Elementary and Secondary Education Act of
 2 1965 (20 U.S.C. 6631(b))), including Tribal schools,
 3 of the eligibility of the schools for the program.”.

4 **SEC. 212. TRAINING, TECHNICAL ASSISTANCE, AND FOOD**
 5 **SERVICE MANAGEMENT INSTITUTE.**

6 Section 21(a)(1)(B) of the Richard B. Russell Na-
 7 tional School Lunch Act (42 U.S.C. 1769b–1(a)(1)(B)) is
 8 amended in the matter preceding clause (i) by striking
 9 “certified” and all that follows through “meals” and in-
 10 serting “who are identified students (as defined in para-
 11 graph (8) of section 1113(a) of the Elementary and Sec-
 12 ondary Education Act of 1965 (20 U.S.C. 6313(a))”.

13 **SEC. 213. REIMBURSEMENT OF SCHOOL MEAL DELIN-**
 14 **QUENT DEBT PROGRAM.**

15 (a) DEFINITIONS.—In this section:

16 (1) DELINQUENT DEBT.—The term “delinquent
 17 debt” means the debt owed by a parent or guardian
 18 of a child to a school—

19 (A) as of the effective date specified in sec-
 20 tion 2; and

21 (B) for meals served by the school under—
 22 (i) the school breakfast program
 23 under section 4 of the Child Nutrition Act
 24 of 1966 (42 U.S.C. 1773);

1 (ii) the school lunch program estab-
 2 lished under the Richard B. Russell Na-
 3 tional School Lunch Act (42 U.S.C. 1751
 4 et seq.); or

5 (iii) both of the programs described in
 6 clauses (i) and (ii).

7 (2) PROGRAM.—The term “program” means
 8 the program established under subsection (b)(1).

9 (3) SECRETARY.—The term “Secretary” means
 10 the Secretary of Agriculture.

11 (b) REIMBURSEMENT PROGRAM.—

12 (1) ESTABLISHMENT.—Not later than 60 days
 13 after the effective date specified in section 2, the
 14 Secretary shall establish a program under which the
 15 Secretary shall reimburse each school participating
 16 in a program described in clause (i) or (ii) of sub-
 17 section (a)(1)(B) for all delinquent debt.

18 (2) FORM FOR REIMBURSEMENT.—To carry out
 19 the program, the Secretary shall design and dis-
 20 tribute a form to State agencies to collect data on
 21 all delinquent debt in applicable schools in the State,
 22 grouped by school food authority.

23 (3) COMPLETION DATE.—The Secretary shall
 24 provide all reimbursements under the program not

1 later than 180 days after the effective date specified
 2 in section 2.

3 (c) REPORT.—Not later than 2 years after the effec-
 4 tive date specified in section 2, the Comptroller General
 5 of the United States shall submit to Congress and make
 6 publicly available a report that describes the successes and
 7 challenges of the program.

8 **TITLE III—ELEMENTARY AND** 9 **SECONDARY EDUCATION DATA**

10 **SEC. 301. MEASURE OF POVERTY.**

11 Section 1113(a) of the Elementary and Secondary
 12 Education Act of 1965 (20 U.S.C. 6313(a)) is amended—

13 (1) in paragraph (5)(A), by striking “the num-
 14 ber of children eligible for a free or reduced price
 15 lunch under the Richard B. Russell National School
 16 Lunch Act (42 U.S.C. 1751 et seq.)” and inserting
 17 “the number of identified students”; and

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

19 “(8) IDENTIFIED STUDENTS DEFINED.—

20 “(A) IN GENERAL.—In this subsection, the
 21 term ‘identified students’ means the number of
 22 students—

23 “(i) who are—

24 “(I) homeless children and
 25 youths, as defined under section

1 725(2) of the McKinney-Vento Home-
2 less Assistance Act (42 U.S.C.
3 11434a(2));

4 “(II) runaway and homeless
5 youth served by programs established
6 under the Runaway and Homeless
7 Youth Act (34 U.S.C. 11201 et seq.);

8 “(III) migratory children, as de-
9 fined under section 1309; or

10 “(IV) foster children;

11 “(ii) who are eligible for and receiving
12 medical assistance under the program of
13 medical assistance established under title
14 XIX of the Social Security Act (42 U.S.C.
15 1396 et seq.); or

16 “(iii) who participate (or who are part
17 of a household that participates) in at least
18 one of the following:

19 “(I) The supplemental nutrition
20 assistance program established under
21 the Food and Nutrition Act of 2008
22 (7 U.S.C. 2011 et seq.).

23 “(II) A State program funded
24 under the program of block grants to
25 States for temporary assistance for

1 needy families established under part
 2 A of title IV of the Social Security
 3 Act (42 U.S.C. 601 et seq.).

4 “(III) The food distribution pro-
 5 gram on Indian reservations estab-
 6 lished under section 4(b) of the Food
 7 and Nutrition Act of 2008 (7 U.S.C.
 8 2013(b)).

9 “(IV) A Head Start program au-
 10 thorized under the Head Start Act
 11 (42 U.S.C. 9831 et seq.) or a com-
 12 parable State-funded Head Start or
 13 pre-kindergarten program.

14 “(B) MULTIPLIER.—In determining the
 15 number of identified students under subpara-
 16 graph (A), the local educational agency shall
 17 multiply the number determined under such
 18 subparagraph by 1.6.”.

19 **TITLE IV—AMENDMENTS TO** 20 **OTHER PROGRAMS AND LAWS**

21 **SEC. 401. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-** 22 **GRAM.**

23 (a) AGREEMENT FOR DIRECT CERTIFICATION.—

1 (1) IN GENERAL.—Section 11 of the Food and
 2 Nutrition Act of 2008 (7 U.S.C. 2020) is amend-
 3 ed—

4 (A) by striking subsection (u); and

5 (B) by redesignating subsections (v)
 6 through (x) as subsections (u) through (w), re-
 7 spectively.

8 (2) CONFORMING AMENDMENTS.—Section 11(e)
 9 of the Food and Nutrition Act of 2008 (7 U.S.C.
 10 2020(e)) is amended—

11 (A) in paragraph (8)(F), by striking “or
 12 subsection (u)”;

13 (B) in paragraph (26)(B), by striking
 14 “(x)” and inserting “(w)”.

15 (b) NUTRITION EDUCATION AND OBESITY PREVEN-
 16 TION GRANT PROGRAM.—Section 28(a) of the Food and
 17 Nutrition Act of 2008 (7 U.S.C. 2036a(a)) is amended
 18 by striking paragraph (1) and inserting the following:

19 “(1) an individual eligible for benefits under
 20 this Act;”.

21 **SEC. 402. HIGHER EDUCATION ACT OF 1965.**

22 (a) TEACHER QUALITY ENHANCEMENT.—Subpara-
 23 graph (A) of section 200(11) of the Higher Education Act
 24 of 1965 (20 U.S.C. 1021(11)) is amended to read as fol-
 25 lows:

1 “(A) IN GENERAL.—The term ‘high-need
2 school’ means a school that is in the highest
3 quartile of schools in a ranking of all schools
4 served by a local educational agency, ranked in
5 descending order by percentage of students
6 from low-income families enrolled in such
7 schools, as determined by the local educational
8 agency based on one of the following measures
9 of poverty:

10 “(i) The percentage of students aged
11 5 through 17 in poverty counted in the
12 most recent census data approved by the
13 Secretary.

14 “(ii) The percentage of students in
15 families receiving assistance under the
16 State program funded under the program
17 of block grants to States for temporary as-
18 sistance for needy families established
19 under part A of title IV of the Social Secu-
20 rity Act (42 U.S.C. 601 et seq.).

21 “(iii) The percentage of students eligi-
22 ble to receive medical assistance under the
23 program of medical assistance established
24 under title XIX of the Social Security Act
25 (42 U.S.C. 1396 et seq.).

1 “(iv) A composite of two or more of
 2 the measures described in clauses (i)
 3 through (iii).”.

4 (b) GEAR UP.—Subparagraph (A) of section
 5 404B(d)(1) of the Higher Education Act of 1965 (20
 6 U.S.C. 1070a–22(d)(1)) is amended to read as follows:

7 “(A) provide services under this chapter to
 8 at least one grade level of students, beginning
 9 not later than 7th grade, in a participating
 10 school—

11 “(i) that has a 7th grade; and

12 “(ii) in which—

13 “(I) at least 50 percent of the
 14 students enrolled are identified stu-
 15 dents (as defined in section
 16 1113(a)(8) of the Elementary and
 17 Secondary Education Act of 1965); or

18 “(II) if an eligible entity deter-
 19 mines that it would promote the effec-
 20 tiveness of a program, an entire grade
 21 level of students, beginning not later
 22 than the 7th grade, reside in public
 23 housing, as defined in section 3(b)(1)
 24 of the United States Housing Act of
 25 1937 (42 U.S.C. 1437a(b)(1)).”.

1 (c) SIMPLIFIED NEEDS TEST.—Section 479(d)(2) of
 2 the Higher Education Act of 1965 (20 U.S.C.
 3 1087ss(d)(2)) is amended—

4 (1) by striking subparagraph (C); and
 5 (2) by redesignating subparagraphs (D)
 6 through (F) as subparagraphs (C) through (E), re-
 7 spectively.

8 (d) EARLY FEDERAL PELL GRANT COMMITMENT
 9 DEMONSTRATION PROGRAM.—Section 894(b) of the
 10 Higher Education Act of 1965 (20 U.S.C. 1161y(b)) is
 11 amended—

12 (1) in paragraph (1)(B), by striking “qualify
 13 for a free or reduced price school lunch under the
 14 Richard B. Russell National School Lunch Act (42
 15 U.S.C. 1751 et seq.) or the Child Nutrition Act of
 16 1966 (42 U.S.C. 1771 et seq.)” and inserting “are
 17 identified students (as defined in section 1113(a)(8)
 18 of the Elementary and Secondary Education Act of
 19 1965)”; and

20 (2) in paragraph (5), by striking “eligible for a
 21 free or reduced price school lunch under the Richard
 22 B. Russell National School Lunch Act (42 U.S.C.
 23 1751 et seq.) or the Child Nutrition Act of 1966 (42
 24 U.S.C. 1771 et seq.)” and inserting “identified stu-

1 dents (as defined in section 1113(a)(8) of the Ele-
 2 mentary and Secondary Education Act of 1965)”.
 3

4 **SEC. 403. ELEMENTARY AND SECONDARY EDUCATION ACT**
 5 **OF 1965.**

6 (a) LITERACY EDUCATION FOR ALL.—Section
 7 2221(b)(3)(B) of the Elementary and Secondary Edu-
 8 cation Act of 1965 (20 U.S.C. 6641(b)(3)(B)) is amend-
 9 ed—

10 (1) by striking clause (i); and

11 (2) by redesignating clauses (ii) and (iii) as
 12 clauses (i) and (ii), respectively.

13 (b) GRANTS FOR EDUCATION INNOVATION AND RE-
 14 SEARCH.—Section 4611(d)(2) of the Elementary and Sec-
 15 ondary Education Act of 1965 (20 U.S.C. 7261(d)(2)) is
 16 amended—

17 (1) by striking subparagraph (B); and

18 (2) by redesignating subparagraphs (C) and
 19 (D) as subparagraphs (B) and (C), respectively.

20 (c) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL
 21 EDUCATIONAL AGENCIES.—Item (bb) of section
 22 7003(b)(2)(B)(i)(III) of the Elementary and Secondary
 23 Education Act of 1965 (20 U.S.C. 7703(b)(2)(B)(i)(III))
 24 is amended to read as follows:

25 “(bb) has an enrollment of
 children described in subsection

1 (a)(1) that constitutes a percent-
 2 age of the total student enroll-
 3 ment of the agency that is not
 4 less than 30 percent; or”.

5 **SEC. 404. AMERICA COMPETES ACT.**

6 Section 6122(3) of the America COMPETES Act (20
 7 U.S.C. 9832(3)) is amended by striking “data on children
 8 eligible for free or reduced-price lunches under the Rich-
 9 ard B. Russell National School Lunch Act,”.

10 **SEC. 405. WORKFORCE INNOVATION AND OPPORTUNITY**
 11 **ACT.**

12 Section 3(36)(A) of the Workforce Innovation and
 13 Opportunity Act (29 U.S.C. 3102(36)(A)) is amended—

14 (1) by striking clause (iv); and

15 (2) by redesignating clauses (v) and (vi) as
 16 clauses (iv) and (v), respectively.

17 **SEC. 406. NATIONAL SCIENCE FOUNDATION AUTHORIZA-**
 18 **TION ACT OF 2002.**

19 Section 4(8) of the National Science Foundation Au-
 20 thorization Act of 2002 (42 U.S.C. 1862n note) is amend-
 21 ed—

22 (1) by striking subparagraph (A); and

23 (2) by redesignating subparagraphs (B) and
 24 (C) as subparagraphs (A) and (B), respectively.

1 **SEC. 407. CHILD CARE AND DEVELOPMENT BLOCK GRANT.**

2 Section 6580(b) of the Child Care and Development
3 Block Grant Act of 1990 (42 U.S.C. 9858m(b)) is amend-
4 ed—

5 (1) in paragraph (1)(B), by striking “school
6 lunch factor” and inserting “identified students fac-
7 tor”; and

8 (2) by striking paragraph (3) and inserting the
9 following:

10 “(3) IDENTIFIED STUDENTS FACTOR.—The
11 term ‘identified students factor’ means the ratio of
12 the number of children in the State who are identi-
13 fied students (as defined in paragraph (8) of section
14 1113(a) of the Elementary and Secondary Edu-
15 cation Act of 1965 (20 U.S.C. 6313(a)) to the num-
16 ber of such children in all the States as determined
17 annually by the Secretary of Education.”.

18 **SEC. 408. CHILDREN’S HEALTH ACT OF 2000.**

19 Section 1404(b) of the Children’s Health Act of 2000
20 (42 U.S.C. 9859c(b)) is amended—

21 (1) in paragraph (1)(B), by striking “school
22 lunch factor” and inserting “identified students fac-
23 tor”; and

24 (2) by amending paragraph (3) to read as fol-
25 lows:

1 “(3) IDENTIFIED STUDENTS FACTOR.—In this
 2 subsection, the term ‘identified students factor’
 3 means the ratio of the number of children in the
 4 State who are identified students (as defined in
 5 paragraph (8) of section 1113(a) of the Elementary
 6 and Secondary Education Act of 1965 (20 U.S.C.
 7 6313(a)) to the number of such children in all the
 8 States as determined annually by the Secretary of
 9 Education.”.

10 **SEC. 409. JUVENILE JUSTICE AND DELINQUENCY PREVEN-**
 11 **TION.**

12 Section 252(i) of the Juvenile Justice and Delin-
 13 quency Prevention Act of 1974 (34 U.S.C. 11162(i)) is
 14 amended to read as follows:

15 “(i) FREE SCHOOL LUNCHES FOR INCARCERATED
 16 JUVENILES.—

17 “(1) IN GENERAL.—A juvenile who is incarcer-
 18 ated in an eligible juvenile detention center is eligible
 19 to receive free lunch under the Richard B. Russell
 20 National School Lunch Act (42 U.S.C. 1751 et
 21 seq.).

22 “(2) GUIDANCE.—Not later than 1 year after
 23 the date of the enactment of the Universal School
 24 Meals Program Act of 2019, the Attorney General,
 25 in consultation with the Secretary of Agriculture,

1 shall provide guidance to States relating to the op-
2 tions for school food authorities in the States to
3 apply for reimbursement for free lunches under the
4 Richard B. Russell National School Lunch Act (42
5 U.S.C. 1751 et seq.) for juveniles who are incarcer-
6 ated.

7 “(3) ELIGIBLE JUVENILE DETENTION CENTER
8 DEFINED.—In this subsection, the term ‘eligible ju-
9 venile detention center’ does not include any private,
10 for-profit detention center.”.

○