

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

Mr. SANDERS (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on

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**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 2021”.

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. Free school breakfast program.

TITLE II—SCHOOL LUNCH PROGRAM

- Sec. 201. Apportionment to States.
- Sec. 202. Nutritional and other program requirements.
- Sec. 203. Special assistance program.
- Sec. 204. Price for a paid lunch.
- Sec. 205. Summer food service program for children.
- Sec. 206. Summer Electronic Benefit Transfer for Children Program.
- Sec. 207. Child and adult care food program.
- Sec. 208. Meals and supplements for children in afterschool care.
- Sec. 209. Access to local foods: farm to school program.
- Sec. 210. Fresh fruit and vegetable program.
- Sec. 211. Training, technical assistance, and Food Service Management Institute.
- Sec. 212. Reimbursement of school meal delinquent debt program.
- Sec. 213. Conforming amendments.

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. FREE SCHOOL BREAKFAST PROGRAM.**

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

7                     (1) by striking “is hereby” and inserting “are”;  
8     and

9                     (2) by inserting “to provide free breakfast to all  
10     children enrolled at those schools” before “in accord-  
11     ance”.

12             (b) APPORTIONMENT TO STATES.—Section 4(b) of  
13     the Child Nutrition Act of 1966 (42 U.S.C. 1773(b)) is  
14     amended—

15                     (1) in paragraph (1)—

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

18                                     “(II) the national average pay-  
19                                     ment for free breakfasts, as specified  
20                                     in subparagraph (B).”;

21                             (B) by striking subparagraph (B) and in-  
22     serting the following:

23                             “(B) PAYMENT AMOUNTS.—

24                                     “(i) IN GENERAL.—The national aver-  
25                                     age payment for each free breakfast shall

1 be \$2.72, adjusted annually for inflation in  
2 accordance with clause (ii) and rounded in  
3 accordance with clause (iii).

4 “(ii) INFLATION ADJUSTMENT.—

5 “(I) IN GENERAL.—The annual  
6 inflation adjustment under clause (i)  
7 shall reflect changes in the cost of op-  
8 erating the free breakfast program  
9 under this section, as indicated by the  
10 change in the Consumer Price Index  
11 for food away from home for all urban  
12 consumers.

13 “(II) BASIS.—Each inflation an-  
14 nual adjustment under clause (i) shall  
15 reflect the changes in the Consumer  
16 Price Index for food away from home  
17 for the most recent 12-month period  
18 for which that data is available.

19 “(iii) ROUNDING.—On July 1, 2021,  
20 and annually thereafter, the national aver-  
21 age payment rate for free breakfast shall  
22 be—

23 “(I) adjusted to the nearest  
24 lower-cent increment; and

1                                   “(II) based on the unrounded  
2                                   amounts for the preceding 12-month  
3                                   period.”;

4                                   (C) by striking subparagraphs (C) and  
5                                   (E); and

6                                   (D) by redesignating subparagraph (D) as  
7                                   subparagraph (C);

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

9                                   (3) by redesignating paragraphs (4) and (5) as  
10                                  paragraphs (2) and (3), respectively; and

11                                  (4) in paragraph (3) (as so redesignated), by  
12                                  striking “paragraph (3) or (4)” and inserting “para-  
13                                  graph (2)”.

14                                  (c) STATE DISBURSEMENT TO SCHOOLS.—Section 4  
15                                  of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is  
16                                  amended by striking subsection (c) and inserting the fol-  
17                                  lowing:

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

23                                  (d) NO COLLECTION OF DEBT.—

24                                  (1) IN GENERAL.—Notwithstanding any other  
25                                  provision of the Child Nutrition Act of 1966 (42

1 U.S.C. 1771 et seq.) or any other provision of law,  
2 effective beginning on the date of enactment of this  
3 Act, as a condition of participation in the breakfast  
4 program under section 4 of that Act (42 U.S.C.  
5 1773), a school—

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

8 (B) shall continue to accrue debt for un-  
9 paid meal charges—

10 (i) for the purpose of receiving reim-  
11 bursement under section 212; and

12 (ii) until the effective date specified in  
13 section 2.

14 (2) CHILD NUTRITION ACT OF 1966.—

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

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

23 (B) CONFORMING AMENDMENT.—Section  
24 23(a) of the Child Nutrition Act of 1966 (42  
25 U.S.C. 1793(a)) is amended by striking “school

1 in severe need, as described in section 4(d)(1)”

2 and inserting the following: “school—

3 “(1) that has a free breakfast program under

4 section 4 or seeks to initiate a free breakfast pro-

5 gram under that section; and

6 “(2) of which not less than 40 percent of the

7 students are identified students (as defined in para-

8 graph (8) of section 1113(a) of the Elementary and

9 Secondary Education Act of 1965 (20 U.S.C.

10 6313(a))”.

11 (e) NUTRITIONAL AND OTHER PROGRAM REQUIRE-

12 MENTS.—Section 4(e) of the Child Nutrition Act of 1966

13 (42 U.S.C. 1773(e)) is amended—

14 (1) in paragraph (1)(A), in the second sentence,

15 by striking “free or” and all that follows through

16 the period at the end and inserting “free to all chil-

17 dren enrolled at a school participating in the school

18 breakfast program.”; and

19 (2) in paragraph (2), in the second sentence, by

20 striking “the full charge to the student for a break-

21 fast meeting the requirements of this section or”.

22 (f) PROHIBITION ON BREAKFAST SHAMING, MEAL

23 DENIAL.—





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

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

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

8           (2) by striking “and shall” and all that follows  
9           through “section”.

10          (h) CONFORMING AMENDMENTS.—The Child Nutri-  
11          tion Act of 1966 (42 U.S.C. 1771 et seq.) is amended—

12          (1) by striking “or reduced price” each place it  
13          appears;

14          (2) by striking “and reduced price” each place  
15          it appears; and

16          (3) by striking “a reduced price” each place it  
17          appears.

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

### 20           **SEC. 201. APPORTIONMENT TO STATES.**

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

23          (1) by striking paragraph (2) and inserting the  
24          following:

25           “(2) PAYMENT AMOUNTS.—

1           “(A) IN GENERAL.—The national average  
2 payment for each free lunch shall be \$3.81, ad-  
3 justed annually for inflation in accordance with  
4 subparagraph (C) and rounded in accordance  
5 with subparagraph (D).

6           “(B) ADDITIONAL PAYMENT FOR LOCAL  
7 FOOD.—

8           “(i) DEFINITION OF LOCALLY-  
9 SOURCED FARM PRODUCT.—In this sub-  
10 paragraph, the term ‘locally-sourced farm  
11 product’ means a farm product that—

12                   “(I) is marketed to consumers—

13                           “(aa) directly; or

14                           “(bb) through intermediated  
15 channels (such as food hubs and  
16 cooperatives); and

17                   “(II) with respect to the school  
18 food authority purchasing the farm  
19 product, is produced and distrib-  
20 uted—

21                           “(aa) in the State in which  
22 the school food authority is lo-  
23 cated; or

1                   “(bb) not more than 250  
2                   miles from the location of the  
3                   school food authority.

4                   “(ii) ADDITIONAL PAYMENT ELIGI-  
5                   BILITY.—During a school year, a school  
6                   food authority shall receive an additional  
7                   payment described in clause (iii) if the  
8                   State certifies that the school food author-  
9                   ity served meals (including breakfasts,  
10                  lunches, suppers, and supplements) during  
11                  the last school year of which not less than  
12                  25 percent were made with locally-sourced  
13                  farm products.

14                  “(iii) PAYMENT AMOUNT.—

15                  “(I) IN GENERAL.—The addi-  
16                  tional payment amount under this  
17                  subparagraph shall be—

18                         “(aa) \$0.30 for each free  
19                         lunch and supper;

20                         “(bb) \$0.21 for each free  
21                         breakfast; and

22                         “(cc) \$0.08 for each free  
23                         supplement.

24                  “(II) ADJUSTMENTS.—Each ad-  
25                  ditional payment amount under sub-

1 clause (I) shall be adjusted annually  
2 in accordance with subparagraph (C)  
3 and rounded in accordance with sub-  
4 paragraph (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.

24 “(D) ROUNDING.—On July 1, 2021, and  
25 annually thereafter, the national average pay-

1           ment rate for free lunch and the additional pay-  
2           ment amount for free breakfast, lunch, supper,  
3           and supplement under subparagraph (B) shall  
4           be—

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

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

9           (2) by striking paragraph (3).

10 **SEC. 202. NUTRITIONAL AND OTHER PROGRAM REQUIRE-**  
11 **MENTS.**

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

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

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

21                   (2) **CONFORMING AMENDMENTS.—**

22                   (A) Section 9 of the Richard B. Russell  
23           National School Lunch Act (42 U.S.C. 1758) is  
24           amended—

1 (i) in subsection (e), in the third sen-  
2 tence, by striking “or at a reduced cost”;  
3 and

4 (ii) in subsection (e), by striking “, re-  
5 duced price,”.

6 (B) Section 18 of the Richard B. Russell  
7 National School Lunch Act (42 U.S.C. 1769) is  
8 amended—

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

10 (ii) by redesignating subsection (k) as  
11 subsection (j).

12 (C) Section 28(b)(4) of the Richard B.  
13 Russell National School Lunch Act (42 U.S.C.  
14 1769i(b)(4)) is amended—

15 (i) by striking subparagraph (B); and

16 (ii) in subparagraph (A), by striking  
17 the subparagraph designation and heading  
18 and all that follows through “the Sec-  
19 retary” and inserting “The Secretary”.

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

22 (i) in subsection (d)(2)(A)—

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

## 15

1 (II) by redesignating clauses (ii)  
2 and (iii) as clauses (i) and (ii), respec-  
3 tively; and

4 (ii) in subsection (f)(17), by striking  
5 “Notwithstanding subsection (d)(2)(A)(i),  
6 not later” and inserting “Not later”.

7 (E) Section 1902(a) of the Social Security  
8 Act (42 U.S.C. 1396a(a)) is amended by strik-  
9 ing paragraph (7) and inserting the following:

10 “(7) provide safeguards which restrict the use  
11 or disclosure of information concerning applicants  
12 and recipients to purposes directly connected with  
13 the administration of the plan;”.

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

19 (G) Section 4301 of the Food, Conserva-  
20 tion, and Energy Act of 2008 (42 U.S.C.  
21 1758a) is repealed.

22 (b) NO COLLECTION OF DEBT.—

23 (1) IN GENERAL.—Notwithstanding any other  
24 provision of the Richard B. Russell National School  
25 Lunch Act (42 U.S.C. 1751 et seq.) or any other

1 provision of law, effective beginning on the date of  
2 enactment of this Act, as a condition of participation  
3 in the school lunch program under that Act, a  
4 school—

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

7 (B) shall continue to accrue debt for un-  
8 paid meal charges—

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

11 (ii) until the effective date specified in  
12 section 2.

13 (2) NATIONAL SCHOOL LUNCH ACT.—

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

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

22 (B) CONFORMING AMENDMENTS.—Section  
23 9(b)(8)(A) of the Richard B. Russell National  
24 School Lunch Act (42 U.S.C. 1758(b)(8)(A)) is  
25 amended by striking “or subsection (d)”.



1 **SEC. 203. SPECIAL ASSISTANCE PROGRAM.**

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

5 (b) CONFORMING AMENDMENTS.—

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

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

12 (B) in subsection (e)(1), in the matter pre-  
13 ceeding subparagraph (A), by striking “section  
14 4, this section, and section 11” and inserting  
15 “this section and section 4”.

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

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

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



1           “(D) ELIGIBILITY.—All children shall be  
2 eligible to participate in the program under this  
3 section.”; and

4           (B) in paragraph (5), by striking “only  
5 for” and all that follows through the period at  
6 the end and inserting “for meals served to all  
7 children.”;

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

11           (3) by striking subsection (c) and inserting the  
12 following:

13           “(c) PAYMENTS.—

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

16           “(A) during the months of May through  
17 September;

18           “(B) during school vacation at any time  
19 during an academic school year;

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

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



1 “(II) 1 or more children.

2 “(iii) PROGRAM.—The term ‘Program’  
3 means the Summer Electronic Benefit  
4 Transfer for Children Program established  
5 under subparagraph (B).

6 “(B) ESTABLISHMENT.—The Secretary  
7 shall establish a national program, to be known  
8 as the ‘Summer Electronic Benefit Transfer for  
9 Children Program’, under which the Secretary  
10 shall issue EBT cards to eligible households to  
11 provide food assistance during the summer  
12 months.

13 “(C) EBT AMOUNT.—

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

18 “(ii) ANNUAL LIMITATION.—No eligi-  
19 ble household shall receive benefits under  
20 the Program for more than 3 months in a  
21 calendar year.

22 “(D) ADMINISTRATION.—

23 “(i) IN GENERAL.—Except as pro-  
24 vided under this paragraph, the Program  
25 shall be based on the summer electronic

1 benefit transfer for children demonstration  
2 program carried out pursuant to section  
3 749(g) of the Agriculture, Rural Develop-  
4 ment, Food and Drug Administration, and  
5 Related Agencies Appropriations Act, 2010  
6 (Public Law 111–80; 123 Stat. 2132).

7 “(ii) SNAP OR WIC.—

8 “(I) IN GENERAL.—Subject to  
9 subclause (II), a State shall admin-  
10 ister the Program through the supple-  
11 mental nutrition assistance program  
12 established under the Food and Nutri-  
13 tion Act of 2008 (7 U.S.C. 2011 et  
14 seq.).

15 “(II) WIC OPTION.—If a State  
16 has participated in the demonstration  
17 program described in clause (i) before  
18 the effective date specified in section  
19 2 of the Universal School Meals Pro-  
20 gram Act of 2021, the State may elect  
21 to administer the Program through  
22 the special supplemental nutrition  
23 program for women, infants, and chil-  
24 dren established by section 17 of the

1 Child Nutrition Act of 1966 (42  
2 U.S.C. 1786).

3 “(E) AUTHORIZATION OF APPROPRIA-  
4 TIONS.—There are authorized to be appro-  
5 priated to the Secretary to carry out this para-  
6 graph such sums as are necessary for fiscal  
7 year 2021 and each fiscal year thereafter.”.

8 **SEC. 207. CHILD AND ADULT CARE FOOD PROGRAM.**

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

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

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

16 (2) by striking subsection (c) and inserting the  
17 following:

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

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

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

1           “(A) in the case of breakfast, at the rate  
2 established for free breakfast under section  
3 4(b)(1)(B)(i) of the Child Nutrition Act of  
4 1966 (42 U.S.C. 1773(b)(1)(B)(i));

5           “(B) in the case of lunch, at the rate es-  
6 tablished for free lunch under section  
7 4(b)(2)(A); and

8           “(C) in the case of a supplemental meal,  
9 \$0.96, adjusted for inflation in accordance with  
10 section 4(b)(2)(C).”;

11 (3) in subsection (f)—

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

14           “(B) LIMITATION TO REIMBURSEMENTS.—  
15 An institution may claim reimbursement under  
16 this paragraph for not more than 3 meals and  
17 1 supplement per day per child.”; and

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

19 (4) in subsection (r)—

20           (A) in the subsection heading, by striking  
21 “PROGRAM FOR AT-RISK SCHOOL CHILDREN”  
22 and inserting “AFTERSCHOOL MEAL AND  
23 SNACK PROGRAM”;

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



1 (C) in paragraph (1)—

2 (i) in the paragraph heading, by strik-  
3 ing “AT-RISK SCHOOL” and inserting “ELI-  
4 GIBLE”; and

5 (ii) in subparagraph (B), by striking  
6 “operated” and all that follows through  
7 the period at the end and inserting a pe-  
8 riod; and

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

12 “(i) not more than 1 meal and 1 sup-  
13 plement per child per day served on a reg-  
14 ular school day; and

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

18 **SEC. 208. MEALS AND SUPPLEMENTS FOR CHILDREN IN**

19 **AFTERSCHOOL CARE.**

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

22 (1) in the section heading, by striking “**MEAL**  
23 **SUPPLEMENTS**” and inserting “**MEALS AND SUP-**  
24 **PLEMENTS**”;

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

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

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

8           “(c) REIMBURSEMENT.—

9           “(1) IN GENERAL.—

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

15           “(B) SUPPLEMENTS.—A free supplement  
16           provided under this section to a child shall be  
17           reimbursed at the rate at which free supple-  
18           ments are reimbursed under section  
19           17(c)(2)(C).

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

24           “(3) INFLATION; ROUNDING.—

25           “(A) INFLATION ADJUSTMENT.—

1                   “(i) IN GENERAL.—The annual infla-  
2                   tion adjustment under paragraph (1)(A)  
3                   shall reflect changes in the cost of oper-  
4                   ating the program under this section, as  
5                   indicated by the change in the Consumer  
6                   Price Index for food away from home for  
7                   all urban consumers.

8                   “(ii) BASIS.—Each inflation annual  
9                   adjustment under paragraph (1)(A) shall  
10                  reflect the changes in the Consumer Price  
11                  Index for food away from home for the  
12                  most recent 12-month period for which  
13                  that data is available.

14                  “(B) ROUNDING.—On July 1, 2021, and  
15                  annually thereafter, the reimbursement rate for  
16                  a free meal under this section shall be—

17                         “(i) adjusted to the nearest lower-cent  
18                         increment; and

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

21 **SEC. 209. ACCESS TO LOCAL FOODS: FARM TO SCHOOL**  
22 **PROGRAM.**

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

1           “(B) serve a high proportion of identified  
2           students (as defined in paragraph (8) of section  
3           1113(a) of the Elementary and Secondary Edu-  
4           cation Act of 1965 (20 U.S.C. 6313(a)));”.

5 **SEC. 210. FRESH FRUIT AND VEGETABLE PROGRAM.**

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

8           (1) in paragraph (1)—

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

12          (B) in subparagraph (A), in the matter  
13          preceding clause (i), by striking “school—” and  
14          all that follows through “submits” in clause (ii)  
15          and inserting “school that submits”;

16          (C) in subparagraph (B), by striking  
17          “schools” and all that follows through “Act”  
18          and inserting “high-need schools (as defined in  
19          section 2211(b) of the Elementary and Sec-  
20          ondary Education Act of 1965 (20 U.S.C.  
21          6631(b)))”; and

22          (D) in subparagraph (D)—

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

1 (ii) by redesignating clauses (ii)  
2 through (iv) as clauses (i) through (iii), re-  
3 spectively; and

4 (2) by striking paragraphs (2) and (3) and in-  
5 serting the following:

6 “(2) OUTREACH TO HIGH-NEED SCHOOLS.—  
7 Prior to making decisions regarding school participa-  
8 tion in the program, a State agency shall inform  
9 high-need schools (as defined in section 2211(b) of  
10 the Elementary and Secondary Education Act of  
11 1965 (20 U.S.C. 6631(b))), including Tribal schools,  
12 of the eligibility of the schools for the program.”

13 **SEC. 211. TRAINING, TECHNICAL ASSISTANCE, AND FOOD**  
14 **SERVICE MANAGEMENT INSTITUTE.**

15 Section 21(a)(1)(B) of the Richard B. Russell Na-  
16 tional School Lunch Act (42 U.S.C. 1769b–1(a)(1)(B)) is  
17 amended in the matter preceding clause (i) by striking  
18 “certified to receive free or reduced price meals” and in-  
19 serting “who are identified students (as defined in para-  
20 graph (8) of section 1113(a) of the Elementary and Sec-  
21 ondary Education Act of 1965 (20 U.S.C. 6313(a))”.

22 **SEC. 212. REIMBURSEMENT OF SCHOOL MEAL DELIN-**  
23 **QUENT DEBT PROGRAM.**

24 (a) DEFINITIONS.—In this section:

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

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

6           (B) for meals served by the school under—

7           (i) the school breakfast program  
8 under section 4 of the Child Nutrition Act  
9 of 1966 (42 U.S.C. 1773);

10           (ii) the school lunch program estab-  
11 lished under the Richard B. Russell Na-  
12 tional School Lunch Act (42 U.S.C. 1751  
13 et seq.); or

14           (iii) both of the programs described in  
15 clauses (i) and (ii).

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

18           (3) SECRETARY.—The term “Secretary” means  
19 the Secretary of Agriculture.

20           (b) REIMBURSEMENT PROGRAM.—

21           (1) ESTABLISHMENT.—Not later than 60 days  
22 after the effective date specified in section 2, the  
23 Secretary shall establish a program under which the  
24 Secretary shall reimburse each school participating

1 in a program described in clause (i) or (ii) of sub-  
2 section (a)(1)(B) for all delinquent debt.

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

8 (3) COMPLETION DATE.—The Secretary shall  
9 provide all reimbursements under the program not  
10 later than 180 days after the effective date specified  
11 in section 2.

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

17 **SEC. 213. CONFORMING AMENDMENTS.**

18 The Richard B. Russell National School Lunch Act  
19 (42 U.S.C. 1751 et seq.) is amended—

20 (1) by striking “or reduced price” each place it  
21 appears;

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

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





1 under the Runaway and Homeless  
2 Youth Act (34 U.S.C. 11201 et seq.);

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

5 “(IV) foster children;

6 “(ii) who are eligible for and receiving  
7 medical assistance under the program of  
8 medical assistance established under title  
9 XIX of the Social Security Act (42 U.S.C.  
10 1396 et seq.); or

11 “(iii) who participate (or who are part  
12 of a household that participates) in at least  
13 one of the following:

14 “(I) The supplemental nutrition  
15 assistance program established under  
16 the Food and Nutrition Act of 2008  
17 (7 U.S.C. 2011 et seq.).

18 “(II) A State program funded  
19 under the program of block grants to  
20 States for temporary assistance for  
21 needy families established under part  
22 A of title IV of the Social Security  
23 Act (42 U.S.C. 601 et seq.).

24 “(III) The food distribution pro-  
25 gram on Indian reservations estab-

1                   lished under section 4(b) of the Food  
 2                   and Nutrition Act of 2008 (7 U.S.C.  
 3                   2013(b)).

4                   “(IV) A Head Start program au-  
 5                   thorized under the Head Start Act  
 6                   (42 U.S.C. 9831 et seq.) or a com-  
 7                   parable State-funded Head Start or  
 8                   pre-kindergarten program.

9                   “(B) MULTIPLIER.—In determining the  
 10                  number of identified students under subpara-  
 11                  graph (A), the local educational agency shall  
 12                  multiply the number determined under such  
 13                  subparagraph by 1.6.”.

14                  **TITLE IV—AMENDMENTS TO**  
 15                  **OTHER PROGRAMS AND LAWS**

16                  **SEC. 401. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-**  
 17                  **GRAM.**

18                  (a) AGREEMENT FOR DIRECT CERTIFICATION.—

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

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

23                   (B) by redesignating subsections (v)  
 24                  through (x) as subsections (u) through (w), re-  
 25                  spectively.

1           (2) CONFORMING AMENDMENTS.—Section 11(e)  
2           of the Food and Nutrition Act of 2008 (7 U.S.C.  
3           2020(e)) is amended—

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

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

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

12                   “(1) an individual eligible for benefits under  
13                   this Act;”.

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

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

19                   “(A) IN GENERAL.—The term ‘high-need  
20                   school’ means a school that is in the highest  
21                   quartile of schools in a ranking of all schools  
22                   served by a local educational agency, ranked in  
23                   descending order by percentage of students  
24                   from low-income families enrolled in such  
25                   schools, as determined by the local educational

1 agency based on one of the following measures  
2 of poverty:

3 “(i) The percentage of students aged  
4 5 through 17 in poverty counted in the  
5 most recent census data approved by the  
6 Secretary.

7 “(ii) The percentage of students in  
8 families receiving assistance under the  
9 State program funded under the program  
10 of block grants to States for temporary as-  
11 sistance for needy families established  
12 under part A of title IV of the Social Secu-  
13 rity Act (42 U.S.C. 601 et seq.).

14 “(iii) The percentage of students eligi-  
15 ble to receive medical assistance under the  
16 program of medical assistance established  
17 under title XIX of the Social Security Act  
18 (42 U.S.C. 1396 et seq.).

19 “(iv) A composite of two or more of  
20 the measures described in clauses (i)  
21 through (iii).”.

22 (b) GEAR UP.—Subparagraph (A) of section  
23 404B(d)(1) of the Higher Education Act of 1965 (20  
24 U.S.C. 1070a–22(d)(1)) is amended to read as follows:



1           (2) by redesignating subparagraphs (D)  
2 through (F) as subparagraphs (C) through (E), re-  
3 spectively.

4           (d) EARLY FEDERAL PELL GRANT COMMITMENT  
5 DEMONSTRATION PROGRAM.—Section 894(b) of the  
6 Higher Education Act of 1965 (20 U.S.C. 1161y(b)) is  
7 amended—

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

16           (2) in paragraph (5), by striking “eligible for a  
17 free or reduced price school lunch under the Richard  
18 B. Russell National School Lunch Act (42 U.S.C.  
19 1751 et seq.) or the Child Nutrition Act of 1966 (42  
20 U.S.C. 1771 et seq.)” and inserting “identified stu-  
21 dents (as defined in section 1113(a)(8) of the Ele-  
22 mentary and Secondary Education Act of 1965)”.

1 **SEC. 403. ELEMENTARY AND SECONDARY EDUCATION ACT**  
2 **OF 1965.**

3 (a) LITERACY EDUCATION FOR ALL.—Section  
4 2221(b)(3)(B) of the Elementary and Secondary Edu-  
5 cation Act of 1965 (20 U.S.C. 6641(b)(3)(B)) is amend-  
6 ed—

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

8 (2) by redesignating clauses (ii) and (iii) as  
9 clauses (i) and (ii), respectively.

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

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

15 (2) by redesignating subparagraphs (C) and  
16 (D) as subparagraphs (B) and (C), respectively.

17 (c) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL  
18 EDUCATIONAL AGENCIES.—Item (bb) of section  
19 7003(b)(2)(B)(i)(III) of the Elementary and Secondary  
20 Education Act of 1965 (20 U.S.C. 7703(b)(2)(B)(i)(III))  
21 is amended to read as follows:

22 “(bb) has an enrollment of  
23 children described in subsection  
24 (a)(1) that constitutes a percent-  
25 age of the total student enroll-





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 2021, 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.”