

117TH CONGRESS
1ST SESSION

H. R. 5177

To amend the Richard B. Russell National School Lunch Act to provide categorical eligibility for free lunch and breakfast for certain children in kinship care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 3, 2021

Ms. WILD (for herself, Mr. BACON, Mr. TRONE, Mr. FITZPATRICK, Mr. BLUMENAUER, Mrs. DINGELL, Mrs. HAYES, Mr. LANGEVIN, Ms. MOORE of Wisconsin, Ms. NORTON, Ms. PINGREE, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Richard B. Russell National School Lunch Act to provide categorical eligibility for free lunch and breakfast for certain children in kinship care, 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.**

4 This Act may be cited as the “Schools Preventing
5 Hunger in At-Risk Kids Act” or the “SPARK Act”.

1 **SEC. 2. SCHOOL MEALS FOR FOSTER CHILDREN IN KIN-**
2 **SHIP CARE.**

3 Section 9 of the Richard B. Russell National School
4 Lunch Act (42 U.S.C. 1758)—

5 (1) in subsection (b)—

6 (A) paragraph (5)(E)—

7 (i) in clause (i), by striking “or” at
8 the end;

9 (ii) in clause (ii), by striking the pe-
10 riod at the end and inserting “; or”; and

11 (iii) by adding at the end the fol-
12 lowing:

13 “(iii) a child whose placement with a rel-
14 ative or family friend was carried out with the
15 involvement of an agency that administers a
16 State plan under part B or E of title IV of the
17 Social Security Act (42 U.S.C. 621 et seq.), re-
18 gardless of whether such agency is responsible
19 for the care and placement of such child.”; and

20 (B) in paragraph (12)(A)(vii)—

21 (i) in subclause (I), by striking “or”
22 at the end;

23 (ii) in subclause (II), by striking the
24 period and inserting “; or”; and

25 (iii) by adding at the end the fol-
26 lowing:

1 “(III) a child whose placement with a
2 relative or family friend was carried out
3 with the involvement of an agency that ad-
4 ministers a State plan under part B or E
5 of title IV of the Social Security Act (42
6 U.S.C. 621 et seq.), regardless of whether
7 such agency is responsible for the care and
8 placement of such child.”; and

9 (2) in subsection (d)(2)(F)—

10 (A) in clause (i), by striking “or” at the
11 end; and

12 (B) by adding at the end the following:

13 “(iii) documentation has been provided to
14 the appropriate local educational agency show-
15 ing the status of the child as a child whose
16 placement with a relative or family friend was
17 carried out with the involvement of an agency
18 that administers a State plan under part B or
19 E of title IV of the Social Security Act (42
20 U.S.C. 621 et seq.), regardless of whether such
21 agency is responsible for the care and place-
22 ment of such child; or”.

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