



IN THE CONGRESS OF THE UNITED STATES

APR 30, 2020

Rep. KAMALA D. HARRIS (for herself) introduced the following bill

A BILL

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to make breakfasts free for all children in all public schools and non-profit private schools in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This act may be cited as the “Universal School Breakfasts Act”.

SECTION 2. ELIMINATION OF REDUCED PRICE BREAKFASTS

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

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

SECTION 3. FREE SCHOOL BREAKFAST PROGRAM

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

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

(2) by inserting “to provide free breakfast to all children enrolled at those schools” before “in accordance”.

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

(1) in paragraph (1)—

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

“(II) the national average payment for free breakfasts, as specified in subparagraph (B).”;

(B) by striking subparagraph (B) and inserting the following:

“(B) PAYMENT AMOUNTS.—

“(i) IN GENERAL.—The national average payment for each free breakfast shall be \$2.72, adjusted annually for inflation in accordance with clause

(ii) and rounded in accordance with clause (iii).

“(ii) INFLATION ADJUSTMENT.—

“(I) IN GENERAL.—The annual inflation adjustment under clause (i) shall reflect changes in the cost of operating the free breakfast program under this section, as indicated by the change in the Consumer Price Index for food away from home for all urban consumers.

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

“(iii) ROUNDING.—On July 1, 2020, and annually thereafter, the national average payment rate for free breakfast shall be—

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

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

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

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

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

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

(4) in paragraph (3) (as so redesignated), by striking “paragraph (3) or (4)” and inserting “paragraph (2)”.

(c) STATE DISBURSEMENT TO SCHOOLS.—Section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is amended by striking subsection (c) and inserting the following: ‘(c) STATE DISBURSEMENT TO SCHOOLS.—Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency to assist those schools in operating a breakfast program.’”.

(d) NO COLLECTION OF DEBT.—

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

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

(B) shall continue to accrue debt for unpaid meal charges—

(i) for the purpose of receiving reimbursement under section 213; and

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

(2) CHILD NUTRITION ACT OF 1966.— (A) IN GENERAL.—Section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is amended by striking subsection (d) and inserting the following:

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

SECTION 4. PROHIBITION ON BREAKFAST SHAMING, MEAL DENIAL

A school or school food authority shall not—

“(1) physically segregate or otherwise discriminate against any child participating in the free breakfast program under this section; or

“(2) overtly identify a child described in paragraph (1) by a special token or ticket, an announced or published list of names, or any other means; and

“(3) shall provide the program meal to any child eligible under the program.”

SECTION 5. FOOD AND NUTRITION EDUCATION IN SCHOOLS

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by adding at the end the following:

- “(1) **PURPOSE.**—The purpose of this subsection is to provide local educational agencies with human resources dedicated to implementing integrated, hands-on food and nutrition education in schools with the goal of increasing acceptance and consumption of healthy, high-quality meals and snacks by students.

“(2) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish a program, to be known as the ‘Food and Nutrition Education in Schools

Program’ (referred to in this subsection as the ‘pilot program’), under which the Secretary shall award grants to local educational agencies for—

“(A) projects that hire qualified, full-time food and nutrition educators to carry out programs in schools that have the goal of improving student health and nutrition; and

“(B) projects that fund school gardens or other evidence-based interventions relating to student health and nutrition to create hands-on learning opportunities for students.

“(3) JOINT PARTNERSHIPS.—The Secretary shall encourage, to the maximum extent practicable, joint partnership projects under the pilot program among—

“(A) agencies;

“(B) nonprofit organizations;

“(C) postsecondary institutions that offer programs on nutrition, food preparation, or agricultural science;

“(D) food-service businesses (such as local farms, restaurants, and food distributors);

“(E) beginning farmers and ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)));

“(F) veteran farmers and ranchers (as defined in that section);

“(G) socially disadvantaged farmers and ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))); and

“(H) State and local government agencies.

SECTION 6. EFFECTIVE DATE AND ENACTMENT

EFFECTIVE DATE.—The amendments made by this Act shall take effect on the date of the enactment of this Act.

Inspired by H.R.4684 Universal School Meals Program Act of 2019