

103D CONGRESS
1ST SESSION

H. R. 11

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Universal Student
5 Nutrition Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) the national school lunch and breakfast pro-
2 grams are vital to protecting the health and well-
3 being of the Nation's children;

4 (2) these essential child nutrition programs help
5 prepare children to learn and to combat childhood
6 hunger;

7 (3) the national school lunch program serves
8 approximately 25,000,000 per day, and the school
9 breakfast program serves approximately 4,000,000
10 children per day;

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

14 (5) in the last decade—

15 (A) Federal subsidies for school meal pro-
16 grams have been reduced;

17 (B) bonus commodities from the Depart-
18 ment of Agriculture for such programs have al-
19 most vanished;

20 (C) the administrative complexity and cost
21 of administering such programs have increased;
22 and

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

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

4 **SEC. 3. ESTABLISHMENT OF OPTIONAL UNIVERSAL**
5 **SCHOOL LUNCH AND BREAKFAST PROGRAM.**

6 (a) IN GENERAL.—The National School Lunch Act
7 (42 U.S.C. 1751 et seq.) is amended by inserting after
8 section 11 the following new section:

9 **“SEC. 11A. OPTIONAL UNIVERSAL SCHOOL LUNCH AND**
10 **BREAKFAST PROGRAM.**

11 “(a) IN GENERAL.—

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

16 “(2) DESCRIPTION.—The universal program
17 shall consist of school lunch and breakfast service of-
18 fered without cost at school to all students in at-
19 tendance at the participating schools who wish to
20 participate in a manner consistent with the require-
21 ments otherwise applicable to the school lunch pro-
22 gram under this Act and to the school breakfast pro-
23 gram under section 4 of the Child Nutrition Act of
24 1966.

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

6 “(b) UNIVERSAL PAYMENT RATE.—

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

16 “(2) ESTABLISHMENT.—Subject to paragraph
17 (3), the Secretary shall establish the universal pay-
18 ment rates for purposes of this section. Such rates
19 shall be equal to the national average cost of produc-
20 ing a school lunch, and the national average cost of
21 producing a school breakfast, respectively, as deter-
22 mined by the Secretary. In making the determina-
23 tion required by the preceding sentence, the Sec-
24 retary shall establish a maximum amount that can

1 be charged to a participating school food service au-
2 thority for indirect expenses.

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

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

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

17 **SEC. 4. DIETARY GUIDELINES.**

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

24 (b) SCHOOL BREAKFAST PROGRAM.—Section 4(e)(1)
25 of the Child Nutrition Act of 1966 (42 U.S.C. 1773(e)(1))

1 is amended by striking “on the basis of tested nutritional
2 research” and inserting “in accordance with the Dietary
3 Guidelines for Americans developed by the Department of
4 Agriculture”.

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

6 Section 19(i)(1) of the Child Nutrition Act of 1966
7 (42 U.S.C. 1788(i)(1)) is amended by inserting “and each
8 fiscal year beginning on or after October 1, 1995,” after
9 “October 1, 1978,”.

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