PUBLIC LAW 96–499—DEC. 5, 1980

Public Law 96-499
96th Congress

An Act

To provide for reconciliation pursuant to section 3 of the First Concurrent Resolution on the Budget for the fiscal year 1981.

Dec. 5, 1980
[H.R. 7765]


TITLE I—SHORT TITLE AND DECLARATION OF PURPOSE

SHORT TITLE

SECTION 101. This Act may be cited as the "Omnibus Reconciliation Act of 1980".

PURPOSE

Sec. 102. It is the purpose of this Act to implement the recommendations which were made by specified committees of the House of Representatives and the Senate pursuant to directions contained in section 8 of the First Concurrent Resolution on the Budget for the fiscal year 1981 (H. Con. Res. 307, 96th Congress), and pursuant to the reconciliation requirements which were imposed by such concurrent resolution as provided in section 310 of the Congressional Budget Act of 1974.

TITLE II—SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS

Subtitle A—Savings Under the School Lunch and Child Nutrition Programs

REDUCTION IN GENERAL REIMBURSEMENT

Sec. 201. (a) Notwithstanding section 4 of the National School Lunch Act, for the fiscal year ending September 30, 1981, the national average payment per lunch under such Act for such fiscal year, after being adjusted under section 11(a) of such Act, shall be reduced by 2 1/2 cents for any school food authority under which less than 60 percent of the lunches served in the school lunch program were served free or at reduced price during the second preceding school year. The amount of State administrative expense funds to be made available to the States by the Secretary of Agriculture under section 7 of the Child Nutrition Act of 1966 for the fiscal year ending September 30, 1983, and the amount of State revenues appropriated or used for meeting the requirements under section 7 of the National School Lunch Act for the school year ending June 30, 1982, shall not be reduced because of a reduction in the amount of Federal funds expended as a result of
the preceding sentence. For the purpose of this section, the term "school food authority" means the governing body that is responsible for the administration of one or more schools and has the legal authority to operate a school lunch or school breakfast program.

(b) Section 7 of the Child Nutrition Act of 1966 is amended by—

(1) in subsection (e), striking out "and the succeeding fiscal year" and inserting in lieu thereof "and for the five succeeding fiscal years"; and

(2) in subsection (i), striking out "September 30, 1980" and inserting in lieu thereof "September 30, 1984".

REDUCTION IN COMMODITY ASSISTANCE

SEC. 202. (a) For the fiscal year ending September 30, 1981, the national average value of donated foods, or cash payments in lieu thereof, as determined under section 6(e) of the National School Lunch Act, shall be reduced by 2 cents.

(b) Section 6 of the National School Lunch Act is amended by adding at the end thereof a new subsection (f) as follows:

"(f) Beginning with the school year ending June 30, 1981, the Secretary shall not offer commodity assistance based upon the number of breakfasts served to children under section 4 of the Child Nutrition Act of 1966.".

(c) Section 14(a) of the National School Lunch Act is amended by striking out "September 30, 1982" and inserting in lieu thereof "September 30, 1984".

INCOME ELIGIBILITY GUIDELINES

SEC. 203. (a) During the fiscal year ending September 30, 1981, the income poverty guidelines for the purposes of section 9 of the National School Lunch Act shall be the nonfarm income poverty guidelines prescribed by the Office of Management and Budget adjusted annually pursuant to section 625 of the Economic Opportunity Act of 1964 (42 U.S.C. 2971d) for the forty-eight States.

(b) In computing household income under section 9(b) of the National School Lunch Act for the fiscal year ending September 30, 1981—

(1) in States other than Alaska, Hawaii, and Guam, the Secretary shall allow a standard deduction of $60 each month for each household, which shall be adjusted to the nearest $5 on July 1, 1980, to reflect changes in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics, Department of Labor; for items other than food for the period beginning September 1977 and ending March 1980;

(2) the monthly standard deduction allowed in Alaska shall bear the same ratio to the standard deduction allowed in the contiguous States as the applicable income poverty guidelines for Alaska bear to the applicable income poverty guidelines for such States; and

(3) the monthly standard deduction allowed in Hawaii and Guam shall bear the same ratio to the standard deduction allowed in the contiguous States as the applicable income poverty guidelines for Hawaii bear to the applicable income poverty guidelines for such States.

(c) For the school year ending June 30, 1981, the Secretary may prescribe procedures for implementing the revisions in the income poverty guidelines for free and reduced price lunches contained in
this section that may allow school food authorities to (1) use applications distributed at the beginning of the school year when making eligibility determinations based on the revised income poverty guidelines or (2) distribute new applications containing the revised income poverty guidelines and make eligibility determinations using the new applications.

(d) Section 17 of the Child Nutrition Act of 1966 is amended by—

(1) in subsection (c)(2), striking out “for the fiscal years ending September 30, 1981, and September 30, 1982” and inserting in lieu thereof “for the fiscal year ending September 30, 1981, and for each succeeding fiscal year ending on or before September 30, 1984”;

(2) in the first sentence of subsection (g), striking out “$950,000,000 for the fiscal year ending September 30, 1982” and inserting in lieu thereof “such sums as may be necessary for the three subsequent fiscal years”;

(3) in subsection (h)(2), striking out “1982” and inserting in lieu thereof “1984”.

SPECIAL ASSISTANCE

Sec. 204. (a) Section 11(a) of the National School Lunch Act is amended by striking out in the fifth sentence “Provided, That if in any State all schools charge students a uniform price for reduced-price lunches, and such price is less than 20 cents, the special assistance factor prescribed for reduced-price lunches in such State shall equal to the special assistance factor for free lunches reduced by either 10 cents or the price charged for reduced-price lunches in such State, whichever is greater”.

(b) During the fiscal year ending September 30, 1981—

(1) no semiannual adjustment required under the sixth sentence of section 11(a) of the National School Lunch Act shall be made on January 1 of such fiscal year; and

(2) the adjustment required under the second proviso in the sixth sentence of section 11(a) of the National School Lunch Act which is to be made on July 1 of such fiscal year shall reflect the changes in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics, Department of Labor, for lunches served during the preceding 12-month period.

MISCELLANEOUS PROVISIONS AND DEFINITIONS, NATIONAL SCHOOL LUNCH ACT

Sec. 205. Section 12(d) of the National School Lunch Act is amended by inserting in paragraph (6) “, but excluding Job Corps Centers funded by the Department of Labor” after “retarded”.

SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

Sec. 206. Section 13 of the National School Lunch Act is amended by—

(1) amending subsection (b)(2) to read as follows:

“(2) Any service institution may only serve lunch and either breakfast or a meal supplement during each day of operation, except that any service institution that is a camp or that serves meals primarily to migrant children may serve up to four meals during each day of operation, if (A) the service institution has the administrative capability and the food preparation and food holding capabilities (where applicable) to serve more than one meal per day, and (B) the
service period of different meals does not coincide or overlap. The meals that camps and migrant programs may serve shall include a breakfast, a lunch, a supper, and meal supplements.

(2) in subsection (p), striking out "September 30, 1980" and inserting in lieu thereof "September 30, 1984".

AMENDMENT TO THE CHILD CARE FOOD PROGRAM

42 USC 1766

Sec. 207. (a) Section 17(a) of the National School Lunch Act is amended in the second sentence by inserting before the period at the end thereof the following: "; and such term shall also mean any other private organization providing nonresidential day care services for which it receives compensation from amounts granted to the States under title XX of the Social Security Act".

(b) The amendment made by subsection (a) of this section shall apply with respect to all fiscal years beginning on or after October 1, 1980.

ADJUSTMENTS

42 USC 1766

Sec. 208. (a) During the fiscal year ending September 30, 1981, in determining the national average payment rate for supplements served in institutions (other than family or group day care home sponsoring organizations) participating in the child care food program under paragraphs (1) through (3) of section 17(c) of the National School Lunch Act—

(1) no adjustment under such paragraphs shall be made on January 1 of such fiscal year; and

(2) the adjustment under such paragraphs required to be made on July 1 of such fiscal year shall be computed to the nearest one-fourth cent based on changes, measured over the preceding twelve-month period for which data are available, in the series for food away from home of the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics, Department of Labor.

(b) Section 17(c) of the National School Lunch Act is amended by inserting the following at the end of paragraphs (1), (2), and (3): "The average payment rate for supplements served in such institutions shall be 3 cents lower than the adjusted rate prescribed by the Secretary in accordance with the adjustment formula contained in this paragraph."

(c) Section 17(n)(1) of the National School Lunch Act is amended by striking out "$6,000,000" and inserting in lieu thereof "$4,000,000".

SPECIAL MILK PROGRAM

42 USC 1772.

Sec. 209. Section 3 of the Child Nutrition Act of 1966 is amended by inserting the following after the seventh sentence: "Notwithstanding the preceding two sentences, the rate of reimbursement per half-pint of milk, which is served to children who are not eligible for free milk in schools, child care institutions, and summer camps participating in meal service programs under the National School Lunch Act and this Act, shall be 5 cents."

PAYMENTS FOR FREE BREAKFASTS

42 USC 1773

FOOD PROGRAM

The School Lunch Act is extended to include any other food for which various foods are available, in the series of Consumer Price Index for All \( \text{USD} \) Bureau of Labor Statistics, or group day care home food for which average food is by the \( \text{USD} \) Bureau of Labor Statistics, or

(f) the Child Nutrition Act of 1966 is amended by inserting "for fiscal year ending September 30, 1978, September 30, 1979, and September 30, 1980" and inserting in lieu thereof "fiscal year ending September 30, 1978, and for each succeeding fiscal year ending on or before September 30, 1980".

MISCELLANEOUS PROVISIONS AND DEFINITIONS, CHILD NUTRITION ACT OF 1966

SEC. 212. Section 19(j)(2) of the Child Nutrition Act of 1966 is amended by—

(1) striking out "For the fiscal year beginning October 1, 1979" and inserting in lieu thereof "For the fiscal year ending September 30, 1980, and for each succeeding fiscal year ending on or before September 30, 1984";

(2) inserting after the first sentence the following: "For the fiscal year beginning October 1, 1980, and subsequent fiscal years, there is authorized to be appropriated for the grants referred to in the preceding sentence not more than \$15,000,000"; and

(3) striking out "preceding sentence" and inserting in lieu thereof "second preceding sentence".

NUTRITION EDUCATION AND TRAINING

SEC. 213. Section 19(j)(2) of the Child Nutrition Act of 1966 is amended by—

(1) striking out "For the fiscal year beginning October 1, 1979" and inserting in lieu thereof "For the fiscal year ending September 30, 1980, and for each succeeding fiscal year ending on or before September 30, 1984";
TITLE III—STUDENT LOAN PROGRAMS

SAVINGS ACHIEVED

Sec. 301. For other provisions of law which reduce spending for fiscal year 1981 in satisfaction of the reconciliation requirements imposed by sections 3(a)(2) and 3(a)(18) of H. Con. Res. 307 (96th Congress), see the Education Amendments of 1980 (Public Law 96–574).

Ante, p. 1397.

DISCLOSURE OF LOCATION OF BORROWERS WHO HAVE DEFAULTED ON STUDENT LOANS

Sec. 302. (a) Paragraph (4) of section 6103(m) of the Internal Revenue Code of 1954 (relating to individuals who have defaulted on student loans) is amended to read as follows:

“(4) INDIVIDUALS WHO HAVE DEFAULTED ON STUDENT LOANS.—
“(A) IN GENERAL.—Upon written request by the Secretary of Education, the Secretary may disclose the mailing address of any taxpayer who has defaulted on a loan—
““(i) made under part B or E of title IV of the Higher Education Act of 1965, or
““(ii) made pursuant to section 3(a)(1) of the Migration and Refugee Assistance Act of 1962 to a student at an institution of higher education,

for use only by officers, employees, or agents of the Department of Education for purposes of locating such taxpayer for purposes of collecting such loan.

“(B) DISCLOSURE TO EDUCATIONAL INSTITUTIONS, ETC.—Any mailing address disclosed under subparagraph (A)(i) may be disclosed by the Secretary of Education to—
““(i) any lender, or any State or nonprofit guarantee agency, which is participating under part B of title IV of the Higher Education Act of 1965, or
““(ii) any educational institution with which the Secretary of Education has an agreement under part E of title IV of such Act,

for use only by officers, employees, or agents of such lender, guarantee agency, or institution whose duties relate to the collection of student loans for purposes of locating individuals who have defaulted on student loans made under such loan programs for purposes of collecting such loans.”.

(b) The first sentence of section 7218(a)(2) of such Code (relating to unauthorized disclosure of information by State and other employees) is amended to read as follows: “It shall be unlawful for any person (not described in paragraph (1)) willfully to disclose to any person, except as authorized in this title, any return or return information (as defined in section 6103(b)) acquired by him or another person under subsection (d), (e)(6) or (7), or (m)(4) of section 6103.”.

(c) The amendments made by subsections (a) and (b) of this section shall take effect on the date of the enactment of this Act.