

117TH CONGRESS
1ST SESSION

S. 3088

To ensure America’s children have the freedom to be healthy, to be economically secure, to learn, to not be hungry, and to be safe from harm.

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 2021

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To ensure America’s children have the freedom to be healthy, to be economically secure, to learn, to not be hungry, and to be safe from harm.

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 “Five Freedoms for
5 America’s Children Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—FREEDOM TO BE HEALTHY

Sec. 101. Medicaid for all children from birth to age 19.

TITLE II—FREEDOM TO BE ECONOMICALLY SECURE

Sec. 201. Establishment of child savings account program.

TITLE III—FREEDOM TO LEARN

Sec. 301. Increased mandatory funding for child care.

Sec. 302. Mandatory appropriations for Head Start Act.

Sec. 303. Enhancement of Child and Dependent Care Tax Credit.

TITLE IV—FREEDOM FROM HUNGER

Sec. 401. Mandatory direct certification.

Sec. 402. Direct certification for children receiving Social Security income.

Sec. 403. Retroactive reimbursement.

Sec. 404. Universal Medicaid direct certification.

Sec. 405. Universal meal service in high poverty areas.

Sec. 406. Statewide free universal school meals demonstration projects.

TITLE V—FREEDOM TO BE SAFE FROM HARM

Subtitle A—Funding for the Child Abuse Prevention and Treatment Act

Sec. 501. Additional CAPTA funding.

Subtitle B—Funding for Grants To Protect Children From Institutional and Systemic Abuse

Sec. 511. Purpose.

Sec. 512. Definitions.

Sec. 513. Grant program.

TITLE I—FREEDOM TO BE HEALTHY

SEC. 101. MEDICAID FOR ALL CHILDREN FROM BIRTH TO AGE 19.

(a) IN GENERAL.—Section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)) is amended—

(1) by striking “or” at the end of subclause (VIII);

(2) in subclause (IX)(dd), by inserting “or” at the end; and

1 (3) by adding at the end the following new sub-
2 clause:

3 “(X) beginning on the date that
4 is 2 years after the date of enactment
5 of the Five Freedoms for America’s
6 Children Act, who are individuals who
7 have not attained 19 years of age;”.

8 (b) AUTOMATIC ENROLLMENT.—Section 1902(e) of
9 the Social Security Act is amended by striking paragraph
10 (4) and inserting the following:

11 “(4) AUTOMATIC ENROLLMENT OF CHIL-
12 DREN.—

13 “(A) IN GENERAL.—Any child born in a
14 State on or after the date that is 2 years after
15 the date of enactment of the Five Freedoms for
16 America’s Children Act shall be considered to
17 have applied for medical assistance under the
18 State plan and shall be automatically enrolled
19 for such assistance on the date of their birth.

20 “(B) NOTIFICATION REQUIREMENT.—The
21 State shall inform the parent, guardian, or cus-
22 todial relative of a child who is automatically
23 enrolled in the State plan under subparagraph
24 (A) of the services that will be covered, appro-
25 priate methods for using such services, medical

support obligations (under section 1912(a)) created by enrollment (if applicable), the actions the parent, guardian, or relative must take (if any) to maintain enrollment, and the actions the parent, guardian, or relative may take to disenroll the child.

“(C) OPT-OUT IF OTHER COVERAGE IS AVAILABLE.—The State shall establish a process to allow the parent, guardian, or custodial relative of a child who is automatically enrolled in the State plan under subparagraph (A) to disenroll the child from the State plan through affirmation in writing if the child is enrolled in other health benefits coverage that—

“(i) at a minimum, provides the essential health benefits defined by the Secretary under section 1302(b) of the Patient Protection and Affordable Care Act; and

“(ii) meets such other requirements as the Secretary determines appropriate.”.

(c) EXCLUSION FROM DEFINITION OF MINIMUM ESSENTIAL COVERAGE.—Section 36B(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) TREATMENT OF CERTAIN COVERAGE
 UNDER THE MEDICAID PROGRAM.—For pur-
 poses of subparagraph (B), an individual shall
 not be treated as eligible for minimum essential
 coverage if—

“(i) such coverage consists of eligi-
 bility for medical assistance under a State
 Medicaid program under section
 1902(a)(10)(A)(i)(X) of the Social Secu-
 rity Act; and

“(ii) the individual is not enrolled in
 such a program for such medical assist-
 ance.”.

(d) COVERAGE OF CHILDREN WITHOUT REGARD TO
 IMMIGRATION STATUS.—Section 1903(v) of the Social Se-
 curity Act (42 U.S.C. 1396b(v)) is amended—

(1) in paragraph (1), by striking “and (4)” and
 inserting “, (4), and (5)”;

(2) in paragraph (4)(A)(ii)—

(A) in the clause header, by inserting
 “AGED 19 TO 20” after “CHILDREN”; and

(B) by inserting “who have attained 19
 years of age but are” before “under 21 years
 of age”; and

1 (3) by adding at the end the following para-
2 graph:

3 “(5)(A) Notwithstanding any other provision of law,
4 on and after the date that is 2 years after the date of
5 enactment of the Five Freedoms for America’s Children
6 Act, a State shall provide medical assistance under this
7 title to any individual residing in the United States who
8 is eligible for medical assistance under section
9 1902(a)(10)(A)(i)(X), without regard to whether the indi-
10 vidual is lawfully residing in the United States.

11 “(B) No debt shall accrue under an affidavit of sup-
12 port against any sponsor of an individual provided medical
13 assistance in accordance with subparagraph (A) and the
14 cost of such assistance shall not be considered as an unre-
15 imbursed cost.”.

16 (e) CONFORMING AMENDMENTS.—

17 (1) Section 1137(f) of the Social Security Act
18 (42 U.S.C. 1320b–7(f)) is amended by inserting “or
19 to individuals who are eligible for medical assistance
20 under section 1902(a)(10)(A)(i)(X) and are provided
21 such assistance in accordance with section
22 1903(v)(5)” before the period.

23 (2) Section 2107(e)(1)(N) of the Social Secu-
24 rity Act (42 U.S.C. 1397gg(e)(1)(N)) is amended by

1 inserting “who have attained age 19 or 20” after
 2 “immigrant children”.

3 (f) 100 PERCENT FEDERAL MATCHING PAYMENTS
 4 FOR MEDICAL ASSISTANCE FOR CHILDREN.—

5 (1) IN GENERAL.—Section 1905 of the Social
 6 Security Act (42 U.S.C. 1396d) is amended—

7 (A) in subsection (b), by striking “and
 8 (ii)” and inserting “(ii), and (jj)”; and

9 (B) by adding at the end the following new
 10 subsection:

11 “(jj) ENHANCED FMAP FOR CERTAIN CHILDREN.—
 12 Notwithstanding subsection (b), beginning on the date
 13 that is 2 years after the date of enactment of the Five
 14 Freedoms for America’s Children Act, the Federal medical
 15 assistance percentage shall be 100 percent with respect
 16 to amounts expended by a State for medical assistance for
 17 individuals—

18 “(1) who are eligible for medical assistance
 19 under section 1902(a)(10)(A)(i)(X); and

20 “(2) who would not have been eligible for med-
 21 ical assistance for full benefits (as defined in sub-
 22 section (y)(2)(B)) under the State plan under this
 23 title or a waiver of such plan as such plan or waiver
 24 was in effect on January 1, 2021.”.

1 (2) CONFORMING AMENDMENT.—Section
 2 9817(a)(1) of the American Rescue Plan Act of
 3 2021 (Public Law 117–2) is amended by striking
 4 “or (ii) of section 1905” and inserting “(ii), or (jj)
 5 of section 1905”.

6 **TITLE II—FREEDOM TO BE**
 7 **ECONOMICALLY SECURE**

8 **SEC. 201. ESTABLISHMENT OF CHILD SAVINGS ACCOUNT**
 9 **PROGRAM.**

10 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
 11 of the Treasury shall, not later than December 31, 2022,
 12 establish a permanent program, to be known as the “Fed-
 13 eral Child Savings Account Program”, which meets the
 14 requirements of this section to establish and maintain a
 15 savings account meeting the requirements of subsection
 16 (c) on behalf of eligible individuals.

17 (b) PROGRAM SPECIFICATIONS.—

18 (1) IN GENERAL.—

19 (A) SAVINGS ACCOUNTS.—The Federal
 20 Child Savings Account Program established
 21 under this section shall—

22 (i) permit the parent or guardian of
 23 an eligible individual to establish a savings
 24 account which meets the requirements of

1 this subsection and subsection (c) on be-
2 half of the individual;

3 (ii) establish a savings account which
4 meets the requirements of this subsection
5 and subsection (c) on behalf of—

6 (I) eligible individuals who are in
7 foster care, in coordination with the
8 Administration for Children and Fam-
9 ilies; and

10 (II) other eligible individuals on
11 whose behalf no account has been es-
12 tablished by a parent or guardian
13 under clause (i) as of the time the
14 first deposit under paragraph (4)(A)
15 is due to be made on behalf of such
16 individuals,

17 and notify such individuals of the estab-
18 lishment of such accounts;

19 (iii) require the assets of each savings
20 account established under the program to
21 be held by the designated custodian;

22 (iv) within the limitations of para-
23 graph (3), permit contributions to be made
24 periodically to such savings accounts by di-
25 rect deposit through payroll deduction or

1 by electronic means, and by methods that
2 provide access for the unbanked;

3 (v) provide for the annual deposit
4 under paragraph (4) and the matching
5 contributions under paragraph (5) to be
6 made to such savings accounts, if applica-
7 ble;

8 (vi) as provided in subsection (c), per-
9 mit distributions and rollovers from such
10 savings accounts upon request of the par-
11 ent or guardian of the individual on whose
12 behalf the account is established before the
13 individual has attained age 18, or upon re-
14 quest of such individual after such indi-
15 vidual has attained age 18;

16 (vii) include procedures to consolidate
17 multiple accounts established for the same
18 individual and return excess contributions
19 on an annual basis, with notice provided to
20 the parent or guardian of the individual
21 (or, if appropriate, to the individual) and a
22 procedure for resolution of disputes; and

23 (viii) ensure that such savings ac-
24 counts are invested solely in United States
25 Treasury bonds.

1 (B) REGULATIONS, ETC.—The Secretary
2 of the Treasury shall have authority to promul-
3 gate such regulations, rules, and other guidance
4 as are necessary to implement the Federal
5 Child Savings Account Program, and are con-
6 sistent with this section and section 529B of
7 the Internal Revenue Code of 1986, including—

8 (i) rules regarding the provision of
9 periodic notices to individuals and parents
10 or guardians of individuals, as appropriate,
11 on whose behalf accounts are established
12 under the program, including information
13 on account balances and activity;

14 (ii) rules regarding beneficiary des-
15 ignation in the case of the death of the in-
16 dividual on whose behalf an account was
17 established; and

18 (iii) coordination rules permitting sav-
19 ings accounts to be established under the
20 Federal Child Savings Account Program in
21 connection with State and local laws that
22 provide contributions to savings accounts
23 for residents.

24 (C) PILOT PROGRAM FOR DEPOSITS MADE
25 WITH FEDERAL PARTNERS.—The Secretary of

1 the Treasury may, in fulfillment of subpara-
2 graph (A)(iv), establish a pilot program which
3 would allow grocery stores, pharmacies, banks,
4 and other similar businesses to partner with the
5 Federal Government to accept cash deposits
6 from customers and to remit such deposits to
7 the Treasury for payment into savings accounts
8 under the Federal Child Savings Account Pro-
9 gram.

10 (2) NO FEES.—No fees shall be assessed on
11 participants in the Federal Child Savings Account
12 Program.

13 (3) LIMITATIONS.—

14 (A) CONTRIBUTION MINIMUM.—The Sec-
15 retary of the Treasury may establish minimum
16 amounts for initial and additional contributions
17 to a savings account under the Federal Child
18 Savings Account Program, not to exceed \$5.

19 (B) CONTRIBUTION LIMITATION.—

20 (i) IN GENERAL.—Contributions to a
21 savings account under the Federal Child
22 Savings Account Program during any tax-
23 able year (other than the contribution
24 made under paragraph (4)) shall not be

1 accepted to the extent such contributions
2 exceed \$2,500.

3 (ii) PHASEOUT.—The \$2,500 amount
4 under clause (i) shall be reduced (but not
5 below zero) by \$125 for each \$2,000 (or
6 fraction thereof) by which the taxpayer's
7 modified adjusted gross income for the tax-
8 able year exceeds \$200,000.

9 (C) LIMITATION ON PARTICIPATION.—

10 Within a reasonable amount of time before the
11 date an eligible individual attains age 17, the
12 designated custodian shall provide notice to the
13 eligible individual and the parent or guardian of
14 the eligible individual that—

15 (i) no deposits under paragraph (4) or
16 (5) will be made for calendar years after
17 the year in which the individual attains age
18 17;

19 (ii) no further contributions made by
20 any person will be accepted after the date
21 the individual attains age 26; and

22 (iii) the individual (or, as provided,
23 the individual's parent or guardian) may
24 elect to have the account balance rolled

1 over or distributed as provided, and at the
2 time specified, in subsection (c).

3 (4) ANNUAL DEPOSIT.—

4 (A) IN GENERAL.—Within a reasonable
5 amount of time (not to exceed 60 days) after
6 the filing of the return of tax for each taxable
7 year by a taxpayer claiming an eligible indi-
8 vidual as a dependent, the Secretary of the
9 Treasury shall deposit \$500 into the savings ac-
10 count established for such individual under the
11 Federal Child Savings Account Program.

12 (B) PHASEOUT.—The \$500 amount under
13 subparagraph (A) shall be reduced (but not
14 below zero) by \$25 for each \$1,000 (or fraction
15 thereof) by which the taxpayer's modified ad-
16 justed gross income for the taxable year exceeds
17 \$100,000.

18 (C) DEPOSIT ON BEHALF OF CHILDREN IN
19 FOSTER CARE.—At an appropriate time each
20 year as determined by the Secretary of the
21 Treasury in coordination with the Administra-
22 tion for Children and Families, such Secretary
23 shall deposit \$500 into the savings account es-
24 tablished under such Program for any eligible
25 individual in foster care in any State with re-

1 spect to whom no deposit was made for such
2 year under subparagraph (A).

3 (5) MATCHING CONTRIBUTIONS.—If a credit is
4 allowed under section 32 of the Internal Revenue
5 Code of 1986 to the parent or guardian or an eligi-
6 ble individual for a taxable year, with respect to con-
7 tributions made by such parent or guardian to the
8 savings account of such eligible individual under the
9 Federal Child Savings Account Program during the
10 succeeding taxable year, the Secretary of the Treas-
11 ury shall deposit into such savings account an
12 amount equal to so much of such contributions as
13 does not exceed \$250. Such deposit shall be made in
14 addition to the deposit under paragraph (4).

15 (6) DESIGNATED CUSTODIAN.—For purposes of
16 this section, the designated custodian is the person
17 designated by the Secretary of the Treasury to act
18 as custodian of the savings accounts established on
19 behalf of participants in the Federal Child Savings
20 Account Program.

21 (7) STATE.—For purposes of this section, the
22 term “State” includes the District of Columbia, any
23 possession of the United States, and any Indian
24 tribe (as defined in section 45A(c)(6) of the Internal
25 Revenue Code of 1986).

1 (8) DEPOSIT OF MATCHING CONTRIBUTIONS
2 INTO ROTH IRA.—If a parent or guardian of an eli-
3 gible individual is eligible to receive any matching
4 contribution under paragraph (5), such parent or
5 guardian may elect either to have such matching
6 contribution paid to the savings account of such eli-
7 gible individual under the Federal Child Savings Ac-
8 count Program or to a Roth IRA of such parent or
9 guardian. The Secretary of the Treasury shall estab-
10 lish a permanent program that creates and main-
11 tains a Roth IRA (within the meaning of section
12 408A of the Internal Revenue Code) on behalf of a
13 parent or guardian who elects for the matching con-
14 tribution to be made to his or her Roth IRA and
15 who either affirmatively chooses to participate in the
16 program or does not identify a Roth IRA for receipt
17 of the matching contribution. The permanent pro-
18 gram shall provide for investment of account bal-
19 ances solely within United States Treasury bonds
20 and shall not charge any fees to account owners.

21 (9) INFLATION ADJUSTMENTS.—

22 (A) IN GENERAL.—In the case of any cal-
23 endar year after 2023, the \$2,500 amount in
24 paragraph (3)(B), the \$500 amount in para-
25 graphs (4)(A), (4)(B), and (4)(C), and the

1 \$250 amount in paragraph (5) shall each be in-
2 creased by an amount equal to—

3 (i) such dollar amount; multiplied by

4 (ii) the cost-of-living adjustment de-
5 termined under section 1(f)(3) of the In-
6 ternal Revenue Code of 1986 for the cal-
7 endar year, determined by substituting
8 “calendar year 2022” for “calendar year
9 2016” in subparagraph (A)(ii) thereof.

10 (B) ROUNDING.—If any dollar amount in-
11 creased under subparagraph (A) is not a mul-
12 tiple of \$5, such dollar amount shall be rounded
13 to the nearest multiple of \$5.

14 (10) ACCOUNTS MAY NOT BE ASSIGNED.—An
15 account established on behalf of an individual under
16 the Federal Child Savings Account Program may
17 not be pledged or assigned to any other person.

18 (11) MODIFIED ADJUSTED GROSS INCOME.—
19 For purposes of this subsection, the term “modified
20 adjusted gross income” means adjusted gross income
21 (as defined in section 62 of the Internal Revenue
22 Code of 1986) increased by—

23 (A) any amount excluded from gross in-
24 come under section 911 of such Code;

(B) any amount of interest received or accrued by the taxpayer during the taxable year which is exempt from tax; and

(C) an amount equal to the portion of the taxpayer's social security benefits (as defined in section 86(d) of such Code) which is not included in gross income under such section 86 for the taxable year.

(c) DISTRIBUTIONS FROM SAVINGS ACCOUNT.—

(1) IN GENERAL.—After the earlier of—

(A) the date the individual on whose behalf the savings account under the Federal Child Savings Account Program was established attains age 26; or

(B) the date such individual receives a bachelor's degree or associate's degree, or enlists in active duty military service of the United States,

amounts in such account may be contributed in a direct transfer to a Roth IRA (as defined in section 408A(b) of the Internal Revenue Code of 1986) or a designated Roth account (within the meaning of section 402A of such Code) according to the rules of the Internal Revenue Code of 1986, or distributed to the individual in cash.

1 (2) DISTRIBUTIONS FOR HIGHER EDUCATION
2 EXPENSES.—Without regard to the date require-
3 ments of paragraph (1), a portion of the amount in
4 a savings account established under the Federal
5 Child Savings Account Program may be distributed
6 in cash to the individual or to the parent or guard-
7 ian of the individual for the payment of qualified
8 higher education expenses of the individual at an eli-
9 gible educational institution. The aggregate amount
10 so distributed shall not exceed 50 percent of the
11 amount in such account as of the due date for the
12 first payment of tuition for the enrollment of the in-
13 dividual on whose behalf the account is established
14 as an eligible student at such eligible educational in-
15 stitution.

16 (3) CONTRIBUTION TO ABLE ACCOUNT.—With-
17 out regard to the date requirements of paragraph
18 (1), all or a portion of the amount in a savings ac-
19 count established under the Federal Child Savings
20 Account Program may be contributed in a direct
21 transfer to an ABLE account established for the
22 benefit of the individual under section 529A of the
23 Internal Revenue Code of 1986 (if the individual is
24 eligible for purposes of section 529A(e)(1) of such
25 Code).

1 (4) DEFINITIONS.—Any term used in this sub-
2 section which is also used in section 529 of the In-
3 ternal Revenue Code of 1986 has the same meaning
4 as when used in such section.

5 (d) ELIGIBLE INDIVIDUAL.—For purposes of this
6 section, the term “eligible individual” means a child who
7 has not attained age 18 and is a resident of the United
8 States.

9 (e) TREATMENT OF ACCOUNTS UNDER CERTAIN
10 FEDERAL PROGRAMS.—

11 (1) ACCOUNT FUNDS DISREGARDED FOR PUR-
12 POSES OF CERTAIN OTHER MEANS-TESTED FEDERAL
13 PROGRAMS.—Notwithstanding any other provision of
14 Federal law that requires consideration of one or
15 more financial circumstances of an individual, for
16 the purpose of determining eligibility to receive, or
17 the amount of, any assistance or benefit authorized
18 by such provision to be provided to or for the benefit
19 of such individual, any amount (including earnings
20 thereon) in an individual’s account established under
21 the Federal Child Savings Account Program, any
22 contributions to such account, and any distribution
23 (or portion thereof) which is exempt from the tax
24 under section 529B(d)(3) of the Internal Revenue
25 Code of 1986 shall be disregarded for such purpose

1 with respect to any period during which such indi-
 2 vidual maintains, makes contributions to, or receives
 3 distributions from such account, except that—

4 (A) a distribution for qualified acquisition
 5 costs (within the meaning of section
 6 529B(d)(3)(C)(ii) of such Code) shall not be so
 7 disregarded; and

8 (B) any amount (including such earnings)
 9 in such account shall be considered a resource
 10 of the individual to the extent that such amount
 11 exceeds \$100,000.

12 (2) SUSPENSION OF SSI BENEFITS DURING PE-
 13 RIODS OF EXCESSIVE ACCOUNT FUNDS.—

14 (A) IN GENERAL.—The benefits of an indi-
 15 vidual under the supplemental security income
 16 program under title XVI of the Social Security
 17 Act shall not be terminated, but shall be sus-
 18 pended, by reason of excess resources of the in-
 19 dividual attributable to an amount in the ac-
 20 count of the individual established under the
 21 Federal Child Savings Account Program not
 22 disregarded under paragraph (1).

23 (B) NO IMPACT ON MEDICAID ELIGI-
 24 BILITY.—An individual who would be receiving
 25 payment of such supplemental security income

benefits but for the application of subparagraph (A) shall be treated for purposes of title XIX of the Social Security Act as if the individual continued to be receiving payment of such benefits.

(f) DISCLOSURE OF TAXPAYER INFORMATION.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION FOR PURPOSES OF ADMINISTRATION OF THE FEDERAL CHILD SAVINGS ACCOUNT PROGRAM.—The Secretary shall disclose to any officer or employee of the Department of the Treasury, as necessary for the administration of the Federal Child Savings Account Program established under section 201(a) of the Five Freedoms for America’s Children Act, return information relating to taxpayer identity, dependents, adjusted gross income, and whether the taxpayer has claimed the earned income credit under section 32 for the taxable year.”.

(2) PROHIBITION OF REDISCLOSURE.—Paragraph (3) of section 6103(a) of the Internal Revenue

1 Code of 1986 is amended by striking “or (21)” and
 2 inserting “(21), or (23)”.

3 (g) CHILD SAVINGS ACCOUNT PROGRAM.—Part VIII
 4 of subchapter F of chapter 1 of the Internal Revenue Code
 5 of 1986 is amended by inserting after section 529A the
 6 following new section:

7 **“SEC. 529B. CHILD SAVINGS ACCOUNT PROGRAM.**

8 “(a) GENERAL RULE.—The Federal Child Savings
 9 Account Program shall be exempt from taxation under
 10 this subtitle.

11 “(b) FEDERAL CHILD SAVINGS ACCOUNT PRO-
 12 GRAM.—For purposes of this title, the term ‘Federal Child
 13 Savings Account Program’ means the program established
 14 under section 201(a) of the Five Freedoms for America’s
 15 Children Act.

16 “(c) TREATMENT OF CONTRIBUTIONS AND EARN-
 17 INGS.—

18 “(1) IN GENERAL.—No amount shall be includ-
 19 ible in gross income of an individual on whose behalf
 20 an account is established under the Federal Child
 21 Savings Account Program, or of any taxpayer claim-
 22 ing such individual as a dependent, with respect to
 23 any earnings under the program.

24 “(2) GOVERNMENTAL AND MATCHING CON-
 25 TRIBUTIONS.—Gross income of an individual on

1 whose behalf an account is established under the
 2 Federal Child Savings Account Program, or of any
 3 taxpayer claiming such individual as a dependent,
 4 shall not include the amount of any deposit made to
 5 the individual's account under the program pursuant
 6 to section 201(b)(4)(A), 201(b)(4)(C), or 201(b)(5)
 7 of the Five Freedoms for America's Children Act.

8 “(d) TREATMENT OF DISTRIBUTIONS.—

9 “(1) IN GENERAL.—Gross income shall not in-
 10 clude any cash distribution from an account under
 11 the Federal Child Savings Account Program per-
 12 mitted under section 201(c) of the Five Freedoms
 13 for America's Children Act.

14 “(2) TREATMENT OF ROLLOVERS.—

15 “(A) ROTH IRAS.—Any contribution from
 16 the Federal Child Savings Account Program to
 17 a Roth IRA permitted under section 201(c)(1)
 18 of the Five Freedoms for America's Children
 19 Act shall be treated—

20 “(i) as a contribution from another
 21 Roth IRA as described in section
 22 408A(e)(1)(A), and

23 “(ii) as having been contributed to
 24 such Roth IRA in a direct trustee-to-trust-

1 ee transfer within 60 days of the distribu-
2 tion for purposes of section 408(d)(3).

3 “(B) DESIGNATED ROTH ACCOUNTS.—Any
4 contribution from the Federal Child Savings
5 Account Program to a designated Roth account
6 permitted under section 201(c)(1) of the Five
7 Freedoms for America’s Children Act shall be
8 treated—

9 “(i) as a contribution from another
10 designated Roth account for purposes of
11 section 402A(c)(3), and

12 “(ii) as having been contributed to
13 such designated Roth account in a direct
14 trustee-to-trustee transfer within 60 days
15 of the distribution for purposes of section
16 402(c).

17 “(C) ABLE ACCOUNTS.—Any contribution
18 from the Federal Child Savings Account Pro-
19 gram to an ABLE account permitted under sec-
20 tion 201(c)(3) of the Five Freedoms for Amer-
21 ica’s Children Act shall be treated—

22 “(i) as a contribution from another
23 ABLE account as described in section
24 529A(c)(1)(C)(i), and

1 “(ii) as having been contributed to
2 such ABLE account within 60 days of the
3 distribution for purposes of such section.

4 “(3) TAX ON NONQUALIFIED USE.—

5 “(A) IN GENERAL.—The tax imposed by
6 this title for the taxable year shall be increased
7 by an amount equal to 20 percent of the
8 amount of any distribution other than a rollover
9 described in paragraph (2) from an account
10 under the Federal Child Savings Account Pro-
11 gram during the taxable year, unless the quali-
12 fied expenses of the individual on whose behalf
13 the account was established paid or incurred
14 during the taxable year of the distribution are
15 equal to or exceed the amount of such distribu-
16 tion.

17 “(B) DISTRIBUTIONS FROM ROTH IRA.—If
18 any amount is contributed to a Roth IRA in a
19 rollover distribution from an account under the
20 Federal Child Savings Program as provided in
21 section 201(c)(1) of the Five Freedoms for
22 America’s Children Act, the tax imposed by this
23 title for any taxable year shall be increased by
24 an amount equal to 20 percent of the amount
25 of any distribution from such Roth IRA within

1 the 5-year period beginning on the date of the
2 rollover, to the extent that such distribution
3 from the Roth IRA, when aggregated with all
4 other distributions from such Roth IRA during
5 such 5-year period, does not exceed the amount
6 contributed in such rollover distribution. The
7 preceding sentence shall not apply to the extent
8 the qualified expenses of the individual on
9 whose behalf the account under the Federal
10 Child Savings Account Program was established
11 which are paid or incurred during the taxable
12 year of the distribution from the Roth IRA are
13 equal to or exceed the amount of such distribu-
14 tion.

15 “(C) QUALIFIED EXPENSES.—For pur-
16 poses of subparagraphs (A) and (B), the term
17 ‘qualified expenses’ means amounts paid or in-
18 curred by an individual—

19 “(i) as collateral required for a loan
20 provided by the Small Business Adminis-
21 tration,

22 “(ii) as qualified acquisition costs (as
23 defined in section 72(t)(8)(C)) with respect
24 to a residence intended to be the primary
25 residence of the individual, or

1 “(iii) for qualified higher education
 2 expenses of the individual at an eligible
 3 educational institution.

4 “(4) DEFINITIONS.—Any term used in this sub-
 5 section which is also used in section 529 of the In-
 6 ternal Revenue Code of 1986 has the same meaning
 7 as when used in such section.”.

8 (h) CLERICAL AMENDMENT.—The table of sections
 9 for part VIII of subchapter F of chapter 1 of the Internal
 10 Revenue Code of 1986 is amended by inserting after the
 11 item relating to section 529A the following new item:

“Sec. 529B. Child Savings Account Program.”.

12 (i) APPROPRIATION.—There is hereby appropriated
 13 to the Secretary of the Treasury, to remain available until
 14 spent without fiscal year limitation—

15 (1) \$100,000,000 for technology and technology
 16 systems necessary for the implementation and ad-
 17 ministration of the Federal Child Savings Account
 18 Program;

19 (2) \$25,000,000 for each fiscal year beginning
 20 with fiscal year 2022 for the administration of the
 21 Federal Child Savings Account Program; and

22 (3) such sums as are necessary to make con-
 23 tributions to Federal Child Savings Accounts as re-
 24 quired under paragraphs (4)(A), (4)(C), and (5) of
 25 subsection (c).

1 **TITLE III—FREEDOM TO LEARN**

2 **SEC. 301. INCREASED MANDATORY FUNDING FOR CHILD**
3 **CARE.**

4 (a) IN GENERAL.—Section 418(a)(3) of the Social
5 Security Act (42 U.S.C. 618(a)(3)) is amended to read
6 as follows:

7 “(3) APPROPRIATION.—

8 “(A) IN GENERAL.—For grants under this
9 section, there are appropriated
10 \$10,000,000,000 for each fiscal year.

11 “(B) INDIAN TRIBES AND TRIBAL ORGANI-
12 ZATIONS.—The Secretary shall reserve not less
13 than 3 percent, and not more than 5 percent,
14 of the aggregate amount appropriated to carry
15 out this section in each fiscal year for grants to
16 Indian tribes and tribal organizations.

17 “(C) TERRITORIES.—The Secretary shall
18 reserve not less than 2 percent, and not more
19 than 4 percent, of the aggregate amount appro-
20 priated to carry out this section in each fiscal
21 year for grants to territories.

22 “(D) STATES.—The Secretary shall use
23 the remainder of the aggregate amount appro-
24 priated to carry out this section in each fiscal

1 year, after the application of subparagraphs (B)
2 and (C), for grants to States.”.

3 (b) USES FOR INCREASED FUNDING.—Section 418
4 of such Act (42 U.S.C. 618) is amended—

5 (1) by redesignating subsection (d) as sub-
6 section (e); and

7 (2) by inserting after subsection (c), the fol-
8 lowing:

9 “(d) SPECIAL RULES FOR INCREASED FUNDING FOR
10 STATES.—With respect to fiscal year 2022 and each fiscal
11 year thereafter—

12 “(1) a State shall give priority to using the ad-
13 ditional funds received by the State under this sec-
14 tion for a fiscal year as a result of the amendment
15 made by section 301(a) of the Five Freedoms for
16 America’s Children Act for the provision of financial
17 assistance for eligible children (which may include
18 increased payment rates under section 658(e)(4)) of
19 the Child Care and Development Block Grant Act of
20 1990, rather than for activities under section 658G
21 of that Act or administrative activities; and

22 “(2) a State may only use such additional funds
23 to supplement, and not supplant, funds for child
24 care assistance or for other child-related initiatives
25 that would, in the absence of such additional Fed-

1 eral funds, be made available from other Federal,
 2 State, and local sources for such assistance or initia-
 3 tives.”.

4 (c) CONFORMING AMENDMENTS.—Section 418(a) of
 5 such Act (42 U.S.C. 618(a)) is amended—

6 (1) in paragraph (2)(A), by striking “after”
 7 and inserting “after the application of subpara-
 8 graphs (B) and (C) of paragraph (3) and”; and

9 (2) in paragraph (4)(E), by striking “para-
 10 graph” and inserting “subsection”.

11 (d) EFFECTIVE DATE.—The amendments made by
 12 this section take effect on October 1, 2021.

13 **SEC. 302. MANDATORY APPROPRIATIONS FOR HEAD START**
 14 **ACT.**

15 Section 639 of the Head Start Act (42 U.S.C. 9834)
 16 is amended to read as follows:

17 **“SEC. 639. MANDATORY APPROPRIATIONS.**

18 “(a) IN GENERAL.—There are authorized to be ap-
 19 propriated, and there are appropriated, to carry out this
 20 subchapter (other than section 657B)—

21 “(1) for fiscal year 2022, \$18,000,000,000; and

22 “(2) for each subsequent fiscal year, the
 23 amount that was applicable for the previous fiscal
 24 year, adjusted by the total percentage change that
 25 occurred in the Consumer Price Index for all Urban

1 Consumers, as published by the Bureau of Labor
 2 Statistics of the Department of Labor, for the 12-
 3 month period ending June 30 preceding the fiscal
 4 year.

5 “(b) SUPPLEMENT, NOT SUPPLANT.—Funds avail-
 6 able under subsection (a) to carry out this subchapter
 7 shall be used to supplement, and not supplant, other Fed-
 8 eral, State, and local funds available to carry out the ac-
 9 tivities supported under this subchapter.”.

10 **SEC. 303. ENHANCEMENT OF CHILD AND DEPENDENT CARE**

11 **TAX CREDIT.**

12 (a) IN GENERAL.—Paragraph (2) of section 21(a) of
 13 the Internal Revenue Code of 1986 is amended to read
 14 as follows:

15 “(2) APPLICABLE PERCENTAGE.—

16 “(A) IN GENERAL.—For purposes of para-
 17 graph (1), the term ‘applicable percentage’
 18 means 50 percent reduced (but not below the
 19 phaseout percentage) by 1 percentage point for
 20 each \$2,000 (or fraction thereof) by which the
 21 taxpayer’s adjusted gross income for the taxable
 22 year exceeds \$125,000.

23 “(B) PHASEOUT PERCENTAGE.—For pur-
 24 poses of subparagraph (A), the term ‘phaseout
 25 percentage’ means 20 percent reduced (but not

1 below zero) by 1 percentage point for each
 2 \$2,000 (or fraction thereof) by which the tax-
 3 payer's adjusted gross income for the taxable
 4 year exceeds \$400,000.”.

5 (b) INCREASE IN DOLLAR LIMIT ON AMOUNT CRED-
 6 ITABLE.—Subsection (c) of section 21 of the Internal Rev-
 7 enue Code of 1986 is amended—

8 (1) in paragraph (1), by striking “\$3,000” and
 9 inserting “\$8,000”; and

10 (2) in paragraph (2), by striking “\$6,000” and
 11 inserting “\$16,000”.

12 (c) SPECIAL RULE FOR MARRIED COUPLES FILING
 13 SEPARATE RETURNS.—Paragraph (2) of section 21(e) of
 14 the Internal Revenue Code of 1986 is amended to read
 15 as follows:

16 “(2) MARRIED COUPLES FILING SEPARATE RE-
 17 TURNS.—

18 “(A) IN GENERAL.—In the case of married
 19 individuals who do not file a joint return for the
 20 taxable year—

21 “(i) the applicable percentage under
 22 subsection (a)(2) and the number of quali-
 23 fying individuals and aggregate amount ex-
 24 cludable under section 129 for purposes of
 25 subsection (c) shall be determined with re-

1 spect to each such individual as if the indi-
 2 vidual had filed a joint return with the in-
 3 dividual’s spouse, and

4 “(ii) the aggregate amount of the
 5 credits allowed under this section for such
 6 taxable year with respect to both spouses
 7 shall not exceed the amount which would
 8 have been allowed under this section if the
 9 individuals had filed a joint return.

10 “(B) REGULATIONS.—The Secretary shall
 11 prescribe such regulations or other guidance as
 12 is necessary to carry out the purposes of this
 13 subsection.”.

14 (d) ADJUSTMENT FOR INFLATION.—Section 21 of
 15 the Internal Revenue Code of 1986 is amended—

16 (1) by striking subsections (g) and (h);

17 (2) by redesignating subsection (f) as sub-
 18 section (g); and

19 (3) by inserting after subsection (e) the fol-
 20 lowing new subsection:

21 “(f) INFLATION ADJUSTMENT.—

22 “(1) IN GENERAL.—In the case of a calendar
 23 year beginning after 2022, the \$125,000 amount in
 24 paragraph (2) of subsection (a) and the dollar

1 amounts in subsection (c) shall each be increased by
 2 an amount equal to—

3 “(A) such dollar amount, multiplied by

4 “(B) the cost-of-living adjustment deter-
 5 mined under section 1(f)(3) for the calendar
 6 year in which the taxable year begins, deter-
 7 mined by substituting ‘calendar year 2021’ for
 8 ‘calendar year 2016’ in subparagraph (A)(ii)
 9 thereof.

10 “(2) ROUNDING.—If any dollar amount, after
 11 being increased under paragraph (1), is not a mul-
 12 tiple of \$100, such dollar amount shall be rounded
 13 to the next lowest multiple of \$100.”.

14 (e) CREDIT TO BE REFUNDABLE.—

15 (1) IN GENERAL.—The Internal Revenue Code
 16 of 1986 is amended—

17 (A) by redesignating section 21 as section
 18 36C; and

19 (B) by moving section 36C, as so redesign-
 20 ated, from subpart A of part IV of subchapter
 21 A of chapter 1 to the location immediately be-
 22 fore section 37 in subpart C of part IV of sub-
 23 chapter A of chapter 1.

24 (2) TECHNICAL AMENDMENTS.—

1 (A) Paragraph (1) of section 23(f) of the
2 Internal Revenue Code of 1986 is amended by
3 striking “21(e)” and inserting “36C(e)”.

4 (B) Paragraph (6) of section 35(g) of such
5 Code is amended by striking “21(e)” and in-
6 serting “36C(e)”.

7 (C) Paragraph (1) of section 36C(a) of
8 such Code (as redesignated by paragraph (1))
9 is amended by striking “this chapter” and in-
10 serting “this subtitle”.

11 (D) Subparagraph (C) of section 129(a)(2)
12 of such Code is amended by striking “section
13 21(e)” and inserting “section 36C(e)”.

14 (E) Paragraph (2) of section 129(b) of
15 such Code is amended by striking “section
16 21(d)(2)” and inserting “section 36C(d)(2)”.

17 (F) Paragraph (1) of section 129(e) of
18 such Code is amended by striking “section
19 21(b)(2)” and inserting “section 36C(b)(2)”.

20 (G) Subsection (e) of section 213 of such
21 Code is amended by striking “section 21” and
22 inserting “section 36C”.

23 (H) Subparagraph (H) of section
24 6213(g)(2) of such Code is amended by striking
25 “section 21” and inserting “section 36C”.

1 (I) Subparagraph (L) of section
 2 6213(g)(2) of such Code is amended by striking
 3 “section 21, 24, or 32,” and inserting “section
 4 24, 32, or 36C.”.

5 (J) Paragraph (2) of section 1324(b) of
 6 title 31, United States Code, is amended by in-
 7 serting “36C,” after “36B.”.

8 (K) The table of sections for subpart C of
 9 part IV of subchapter A of chapter 1 of the In-
 10 ternal Revenue Code of 1986 is amended by in-
 11 serting after the item relating to section 36B
 12 the following:

“Sec. 36C. Expenses for household and dependent care services necessary for
 gainful employment.”.

13 (L) The table of sections for subpart A of
 14 such part IV is amended by striking the item
 15 relating to section 21.

16 (f) EFFECTIVE DATE.—The amendments made by
 17 this section shall apply to taxable years beginning after
 18 December 31, 2021.

19 **TITLE IV—FREEDOM FROM** 20 **HUNGER**

21 **SEC. 401. MANDATORY DIRECT CERTIFICATION.**

22 Section 9(b)(5) of the Richard B. Russell National
 23 School Lunch Act (42 U.S.C. 1758(b)(5)) is amended—

1 (1) in the paragraph heading, by striking “DIS-
 2 CRETIONARY CERTIFICATION” and inserting “DI-
 3 RECT CERTIFICATION OF ADDITIONAL LOW-INCOME
 4 CHILDREN”; and

5 (2) in the matter preceding subparagraph (A),
 6 by striking “may” and inserting “shall”.

7 **SEC. 402. DIRECT CERTIFICATION FOR CHILDREN RECEIV-**
 8 **ING SOCIAL SECURITY INCOME.**

9 (a) IN GENERAL.—Section 9(b)(5) of the Richard B.
 10 Russell National School Lunch Act (42 U.S.C.
 11 1758(b)(5)) is amended—

12 (1) in subparagraph (D), by striking “or” at
 13 the end;

14 (2) in subparagraph (E)(ii), by striking the pe-
 15 riod at the end and inserting “; or”; and

16 (3) by adding at the end the following:

17 “(F) a child who receives supplemental se-
 18 curity income payments under title XVI of the
 19 Social Security Act (42 U.S.C. 1381 et seq.).”.

20 (b) DATA FROM SOCIAL SECURITY ADMINISTRA-
 21 TION.—Section 9(b) of the Richard B. Russell National
 22 School Lunch Act (42 U.S.C. 1758(b)) is amended by add-
 23 ing at the end the following:

24 “(16) DATA FROM SOCIAL SECURITY ADMINIS-
 25 TRATION.—In the case of direct certification under

1 paragraph (5) or (12)(A) of a child who receives
 2 supplemental security income payments under title
 3 XVI of the Social Security Act (42 U.S.C. 1381 et
 4 seq.), the Commissioner of Social Security shall pro-
 5 vide a local educational agency with the data nec-
 6 essary to certify the child in accordance with a data-
 7 sharing agreement between the Commissioner and
 8 the State in which the local educational agency is lo-
 9 cated.”.

10 **SEC. 403. RETROACTIVE REIMBURSEMENT.**

11 Section 9(b)(9) of the Richard B. Russell National
 12 School Lunch Act (42 U.S.C. 1758(b)(9)) is amended by
 13 adding at the end the following:

14 “(D) RETROACTIVE REIMBURSEMENT.—

15 “(i) DEFINITIONS.—In this subpara-
 16 graph:

17 “(I) CHANGE IN ELIGIBILITY.—

18 The term ‘change in eligibility’ means,
 19 with respect to eligibility for the
 20 school lunch program under this
 21 Act—

22 “(aa) a change from eligi-
 23 bility for reduced price meals to
 24 eligibility for free meals; and

1 “(bb) a change from non-
 2 eligibility to eligibility for free or
 3 reduced price meals.

4 “(II) MEAL CLAIM.—The term
 5 ‘meal claim’ means any documenta-
 6 tion provided by a school food author-
 7 ity to a State agency in order to re-
 8 ceive reimbursement under this Act
 9 for the cost of a meal served to a
 10 child by the school food authority.

11 “(III) PREVIOUSLY SUB-
 12 MITTED.—The term ‘previously sub-
 13 mitted’, with respect to a meal claim,
 14 means a meal claim submitted on or
 15 after the retroactive date.

16 “(IV) RETROACTIVE DATE.—The
 17 term ‘retroactive date’ means the first
 18 day of the current school year.

19 “(ii) RETROACTIVITY.—

20 “(I) SUBMISSION OF MEAL
 21 CLAIMS.—A local educational agency
 22 shall—

23 “(aa) revise and resubmit a
 24 previously submitted meal claim
 25 to reflect a change in eligibility

1 described in subclause (i)(I)(aa)
 2 of a child; and

3 “(bb) submit a meal claim
 4 for any meal provided on or after
 5 the retroactive date for a child
 6 that has a change of eligibility
 7 described in subclause (i)(I)(bb).

8 “(II) REIMBURSEMENT BY SEC-
 9 RETARY.—The Secretary shall reim-
 10 burse each meal claim submitted by a
 11 local educational agency under sub-
 12 clause (I).

13 “(iii) REIMBURSEMENT TO FAMI-
 14 LIES.—A local educational agency that re-
 15 ceives a reimbursement under clause
 16 (ii)(II) shall reimburse the household of a
 17 child for any fees paid by the household on
 18 or after the retroactive date and prior to
 19 the change in eligibility of the child.”.

20 **SEC. 404. UNIVERSAL MEDICAID DIRECT CERTIFICATION.**

21 Section 9(b)(15) of the Richard B. Russell National
 22 School Lunch Act (42 U.S.C. 1758(b)(15)) is amended—

23 (1) in subparagraph (A)—

24 (A) by striking clause (i) and inserting the
 25 following:

1 “(i) ELIGIBLE CHILD.—

2 “(I) IN GENERAL.—The term ‘el-
3 ible child’ means a child who—

4 “(aa)(AA) is eligible for and
5 receiving medical assistance
6 under the Medicaid program; and

7 “(BB) is a member of a
8 family with an income as meas-
9 ured by the Medicaid program
10 that does not exceed, in the case
11 of eligibility for free meals, 133
12 percent of the poverty line (as
13 defined in section 673(2) of the
14 Community Services Block Grant
15 Act (42 U.S.C. 9902(2)), includ-
16 ing any revision required by such
17 section) applicable to a family of
18 the size used for purposes of de-
19 termining eligibility for the Med-
20 icaid program, or, in the case of
21 eligibility for reduced price meals,
22 the applicable family size income
23 level under the income eligibility
24 guidelines for reduced price
25 meals; or

1 “(bb) is a member of a
 2 household (as that term is de-
 3 fined in section 245.2 of title 7,
 4 Code of Federal Regulations (or
 5 successor regulations)) with a
 6 child described in item (aa).

7 “(II) OTHER CHILDREN.—The
 8 term ‘eligible child’ includes a child
 9 who is eligible for and receiving med-
 10 ical assistance under the Medicaid
 11 program under subclause (I) of sec-
 12 tion 1902(a)(10)(A)(i) of the Social
 13 Security Act (42 U.S.C.
 14 1396a(a)(10)(A)(i))—

15 “(aa) on the basis of receiv-
 16 ing aid or assistance under the
 17 State plan approved under part
 18 E of title IV of that Act (42
 19 U.S.C. 670 et seq.);

20 “(bb) by reason of section
 21 473(b) of that Act (42 U.S.C.
 22 673(b)); or

23 “(cc) under subclause (II) of
 24 section 1902(a)(10)(A)(i) of that

1 Act (42 U.S.C.

2 1396a(a)(10)(A)(i)).”; and

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

4 “(iii) WITHOUT FURTHER APPLICA-
5 TION.—The term ‘without further applica-
6 tion’ has the meaning given the term in
7 paragraph (4)(G).”; and

8 (2) by striking subparagraphs (B) through (H)
9 and inserting the following:

10 “(B) AGREEMENT.—For the school year
11 beginning on July 1, 2022, and each school
12 year thereafter, each State shall enter into an
13 agreement described in subparagraph (C) with
14 the 1 or more State agencies conducting eligi-
15 bility determinations for the Medicaid program.

16 “(C) PROCEDURES.—

17 “(i) IN GENERAL.—Subject to sub-
18 paragraph (D) and paragraph (6), an
19 agreement entered into under subpara-
20 graph (B) shall establish procedures under
21 which an eligible child shall be certified as
22 eligible, without further application, for—

23 “(I) free or reduced price lunch
24 under this Act; and

1 “(II) free or reduced price break-
2 fast under section 4 of the Child Nu-
3 trition Act of 1966 (42 U.S.C. 1773).

4 “(ii) FREE MEALS.—Each agreement
5 entered into under subparagraph (B) shall
6 ensure that a child who is simultaneously
7 eligible for reduced price meals under this
8 paragraph or based on an income eligibility
9 determination, and for free meals based on
10 documentation provided under subsection
11 (d)(2), shall be certified for free meals.

12 “(D) CERTIFICATION.—Subject to para-
13 graph (6), and according to an agreement en-
14 tered into under subparagraph (B), the local
15 educational agency conducting eligibility deter-
16 minations under that agreement shall certify an
17 eligible child as eligible, without further applica-
18 tion, for—

19 “(i) free or reduced price lunch under
20 this Act; and

21 “(ii) free or reduced price breakfast
22 under section 4 of the Child Nutrition Act
23 of 1966 (42 U.S.C. 1773).”.

1 **SEC. 405. UNIVERSAL MEAL SERVICE IN HIGH POVERTY**
 2 **AREAS.**

3 Section 11(a)(1)(F) of the Richard B. Russell Na-
 4 tional School Lunch Act (42 U.S.C. 1759a(a)(1)(F)) is
 5 amended by striking clause (vii) and inserting the fol-
 6 lowing:

7 “(vii) MULTIPLIER.—For each school
 8 year beginning on or before July 1, 2022,
 9 the multiplier shall be 2.5.”.

10 **SEC. 406. STATEWIDE FREE UNIVERSAL SCHOOL MEALS**
 11 **DEMONSTRATION PROJECTS.**

12 Section 11(a)(1) of the Richard B. Russell National
 13 School Lunch Act (42 U.S.C. 1759a(a)(1)) is amended by
 14 adding at the end the following:

15 “(G) STATEWIDE FREE UNIVERSAL
 16 SCHOOL MEALS DEMONSTRATION PROJECTS.—

17 “(i) DEFINITIONS.—In this subpara-
 18 graph:

19 “(I) DEMONSTRATION
 20 PROJECT.—The term ‘demonstration
 21 project’ means a demonstration
 22 project carried out under clause (ii).

23 “(II) ELIGIBLE SCHOOL.—

24 “(aa) IN GENERAL.—The
 25 term ‘eligible school’ means a
 26 school that participates in the

1 school lunch program under this
2 Act and the school breakfast pro-
3 gram under section 4 of the
4 Child Nutrition Act of 1966 (42
5 U.S.C. 1773).

6 “(bb) EXCLUSION.—The
7 term ‘eligible school’ does not in-
8 clude a residential child care in-
9 stitution (as defined in section
10 210.2 of title 7, Code of Federal
11 Regulations (or successor regula-
12 tions)).

13 “(III) IDENTIFIED STUDENT.—
14 The term ‘identified student’ has the
15 meaning given the term in subpara-
16 graph (F)(i).

17 “(IV) SELECTED STATE.—The
18 term ‘selected State’ means a State
19 selected to carry out a demonstration
20 project under clause (iii)(I).

21 “(ii) ESTABLISHMENT.—Not later
22 than July 1, 2023, the Secretary shall
23 carry out demonstration projects in se-
24 lected States under which school meals are

1 provided at no charge to every student at
2 an eligible school in the selected State.

3 “(iii) STATE SELECTION.—

4 “(I) IN GENERAL.—The Sec-
5 retary shall select not more than 5
6 States to each carry out a demonstra-
7 tion project.

8 “(II) APPLICATIONS.—A State
9 seeking to carry out a demonstration
10 project shall submit to the Secretary
11 an application at such time, in such
12 manner, and containing such informa-
13 tion as the Secretary may require.

14 “(III) PRIORITY.—In carrying
15 out subclause (I), the Secretary shall
16 give priority to a State based on—

17 “(aa) the level of childhood
18 poverty in the State;

19 “(bb) the extent to which
20 the State has implemented sub-
21 paragraph (F);

22 “(cc) the extent to which the
23 direct certification rate of the
24 State meets the required percent-

1 age (as defined in section
2 9(b)(4)(F)(i));

3 “(dd) the extent to which
4 the State demonstrates a com-
5 mitment to providing technical
6 assistance to local educational
7 agencies that will implement the
8 demonstration project in the
9 State; and

10 “(ee) the extent to which the
11 State demonstrates a commit-
12 ment to providing non-Federal
13 funding under clause (vi)(III).

14 “(iv) START DATE.—A demonstration
15 project shall begin in a selected State on
16 the first day of the school year in that
17 State.

18 “(v) SPECIAL ASSISTANCE PAY-
19 MENTS.—

20 “(I) FIRST YEAR.—For each
21 month of the first school year during
22 which a demonstration project is car-
23 ried out, a selected State shall receive
24 special assistance payments at the
25 rate for free meals for a percentage of

1 all reimbursable meals served in eligi-
 2 ble schools in the State in an amount
 3 equal to the product obtained by mul-
 4 tiplying—

5 “(aa) 1.9; and

6 “(bb) the percentage of
 7 identified students in eligible
 8 schools in the State as of the last
 9 day of the prior school year, up
 10 to a maximum of 100 percent.

11 “(II) SUBSEQUENT YEARS.—For
 12 each month of the second school year
 13 and each subsequent school year dur-
 14 ing which a demonstration project is
 15 carried out, a selected State shall re-
 16 ceive special assistance payments at
 17 the rate for free meals for a percent-
 18 age of all reimbursable meals served
 19 in eligible schools in the State in an
 20 amount equal to the product obtained
 21 by multiplying—

22 “(aa) 1.9; and

23 “(bb) the higher of—

24 “(AA) the percentage
 25 of identified students in eli-

1 gible schools as of the last
2 day of the prior school year;
3 and

4 “(BB) the percentage
5 of identified students in eli-
6 gible schools as of the last
7 day of the school year prior
8 to the first school year dur-
9 ing which a demonstration
10 project is carried out, up to
11 a maximum of 100 percent.

12 “(III) PAYMENT FOR OTHER
13 MEALS.—With respect to the reim-
14 bursable meals described in subclauses
15 (I) and (II) for which a selected State
16 is not receiving special assistance pay-
17 ments under this clause, the reim-
18 bursement rate shall be the rate pro-
19 vided under section 4.

20 “(IV) PAYMENTS IN LIEU OF.—A
21 special assistance payment made
22 under this clause shall be in lieu of
23 any other special assistance payment
24 made under this paragraph.

25 “(vi) STATE IMPLEMENTATION.—

1 “(I) PRELIMINARY ACTIVITIES.—

2 Each selected State shall, in the
3 school year preceding the first school
4 year during which the demonstration
5 project shall be carried out in the
6 State—

7 “(aa) identify each eligible
8 school in the State;

9 “(bb) in consultation with
10 the Secretary, combine the per-
11 centage of identified students
12 across eligible schools for the
13 purpose of calculating the max-
14 imum reimbursement rate to en-
15 sure that the special assistance
16 payments received under clause
17 (v) are for the maximum amount;

18 “(cc) inform local edu-
19 cational agencies of the dem-
20 onstration project; and

21 “(dd) coordinate with local
22 educational agencies to provide
23 information about the demonstra-
24 tion project to parents or guard-

1 ians of students attending eligible
2 schools.

3 “(II) MEAL SERVICE.—As part
4 of a demonstration project, an eligible
5 school in a selected State—

6 “(aa) shall not collect appli-
7 cations for free and reduced price
8 lunches under this Act; and

9 “(bb) shall make school
10 meals available to all children at
11 the school at no charge.

12 “(III) NON-FEDERAL FUND-
13 ING.—

14 “(aa) IN GENERAL.—Each
15 selected State may support the
16 demonstration project using—

17 “(AA) funds from State
18 and local sources that are
19 used for the maintenance of
20 the free lunch program
21 under this Act and the free
22 breakfast program under
23 section 4 of the Child Nutri-
24 tion Act of 1966 (42 U.S.C.
25 1773); and

1 “(BB) State revenues
2 appropriated or used for
3 program purposes under sec-
4 tion 7 of this Act.

5 “(bb) NON-FEDERAL CON-
6 TRIBUTIONS.—In addition to the
7 funding received under this Act
8 and the Child Nutrition Act of
9 1966 (42 U.S.C. 1771 et seq.),
10 each selected State shall provide
11 funding from non-Federal
12 sources to ensure that local edu-
13 cational agencies in the State re-
14 ceive the free reimbursement rate
15 for not less than 90 percent of
16 the meals served at eligible
17 schools.

18 “(cc) CONTINUATION OF
19 FREE RATE.—

20 “(AA) DEFINITION OF
21 COVERED SCHOOL YEAR.—

22 In this item, the term ‘cov-
23 ered school year’ means the
24 school year preceding the
25 first school year during

1 which a demonstration
2 project is carried out.

3 “(BB) FREE RATE.—A
4 selected State that receives
5 special assistance payments
6 at the free reimbursement
7 rate under subparagraph
8 (F) for more than 90 per-
9 cent of the meals served at
10 eligible schools in the cov-
11 ered school year shall con-
12 tinue to receive the free re-
13 imbursement rate for not
14 less than the same percent-
15 age of meals in each school
16 year during which a dem-
17 onstration project is carried
18 out.

19 “(vii) REPORT.—

20 “(I) IN GENERAL.—Not later
21 than September 30, 2027, the Sec-
22 retary, acting through the Adminis-
23 trator of the Food and Nutrition
24 Service, shall submit to the Com-
25 mittee on Agriculture, Nutrition, and

1 Forestry of the Senate and the Com-
2 mittees on Agriculture and Education
3 and Labor of the House of Represent-
4 atives a report that evaluates the im-
5 pact of each demonstration project in
6 a selected State with respect to—

7 “(aa) academic achievement,
8 absenteeism, tardiness, the school
9 environment, child food insecu-
10 rity in the selected State, and
11 other key factors identified in
12 consultation with the Secretary
13 of Education;

14 “(bb) the rate of participa-
15 tion in the free lunch program
16 under this Act and the free
17 breakfast program under section
18 4 of the Child Nutrition Act of
19 1966 (42 U.S.C. 1773) among
20 identified students and other stu-
21 dents;

22 “(cc) school meal services,
23 finances, and operations in the
24 selected State;

1 “(dd) administrative costs to
2 the selected State and the school
3 food authorities participating in
4 the demonstration project; and

5 “(ee) the integrity of the op-
6 eration of the free lunch program
7 under this Act in the selected
8 State.

9 “(II) FUNDING.—

10 “(aa) IN GENERAL.—On Oc-
11 tober 1, 2023, out of any funds
12 in the Treasury not otherwise ap-
13 propriated, the Secretary of the
14 Treasury shall transfer to the
15 Secretary to carry out this clause
16 \$3,000,000, to remain available
17 until September 30, 2027.

18 “(bb) RECEIPT AND AC-
19 CEPTANCE.—The Secretary shall
20 be entitled to receive, shall ac-
21 cept, and shall use to carry out
22 this clause the funds transferred
23 under item (aa), without further
24 appropriation.”.

1 **TITLE V—FREEDOM TO BE SAFE**
2 **FROM HARM**
3 **Subtitle A—Funding for the Child**
4 **Abuse Prevention and Treat-**
5 **ment Act**

6 **SEC. 501. ADDITIONAL CAPTA FUNDING.**

7 (a) ADDITIONAL AMOUNTS FOR STATE GRANTS TO
8 IMPROVE CHILD PROTECTIVE SERVICES.—Section 106 of
9 the Child Abuse Prevention and Treatment Act (42 U.S.C.
10 5106a) is amended by adding at the end the following:

11 “(g) ADDITIONAL FUNDING.—

12 “(1) IN GENERAL.—To carry out this section,
13 in addition to amounts made available under section
14 112 for such purposes, there are authorized to be
15 appropriated, and there are appropriated, out of
16 amounts in the Treasury not otherwise appropriated,
17 \$250,000,000 for each of fiscal years 2022 through
18 2031, to remain available until expended.

19 “(2) ALLOTMENTS.—Except as otherwise pro-
20 vided in this section, out of the amounts appro-
21 priated under paragraph (1), the Secretary shall
22 make allotments to each eligible State and territory
23 in an amount equal to the sum of—

24 “(A) \$50,000; and

1 “(B) an amount that bears the same rela-
2 tionship to any amounts appropriated under
3 paragraph (1) that remain after all such States
4 and territories have received \$50,000, as the
5 number of children under the age of 18 in the
6 State or territory bears to the number of such
7 children in all States and territories that apply
8 for such a grant.

9 “(3) ELIGIBLE STATE.—To be eligible to re-
10 ceive an allotment under paragraph (2), a State or
11 territory shall demonstrate in its application for a
12 grant under this section that such State or territory,
13 for purposes of carrying out the programs supported
14 by such grant, will expend the same amount, or
15 more, of State or territory funds in the fiscal year
16 for which the grant is awarded as such State or ter-
17 ritory expended for such purposes in the previous
18 fiscal year.

19 “(4) DEFINITIONS.—In this subsection, the
20 terms ‘State’ and ‘territory’ have the meanings given
21 such terms in subsection (f)(1).”.

22 (b) ADDITIONAL AMOUNTS FOR COMMUNITY-BASED
23 GRANTS FOR THE PREVENTION OF CHILD ABUSE AND
24 NEGLECT.—

1 (1) IN GENERAL.—Section 203 of the Child
2 Abuse Prevention and Treatment Act (42 U.S.C.
3 5116b) is amended—

4 (A) in subsection (a), by striking “amount
5 appropriated under section 210” and inserting
6 “amounts appropriated under section 209 and
7 subsection (d)(1)”; and

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

9 “(d) ADDITIONAL FUNDING.—

10 “(1) ADDITIONAL APPROPRIATION.—To carry
11 out this title, in addition to amounts made available
12 under section 209 for such purposes, there are au-
13 thorized to be appropriated, and there are appro-
14 priated, out of amounts in the Treasury not other-
15 wise appropriated, \$250,000,000 for each of fiscal
16 years 2022 through 2031, to remain available until
17 expended.

18 “(2) ALLOTMENTS.—

19 “(A) IN GENERAL.—The Secretary shall
20 allot the amount appropriated under paragraph
21 (1) for a fiscal year and remaining after the
22 reservation under subsection (a) among eligible
23 States in the same manner the Secretary allots
24 amounts appropriated under section 209 pursu-
25 ant to subsection (b). For purposes of this

1 paragraph, the allotment formula described in
2 subsection (b) shall be applied substituting ‘eli-
3 gible State’ for ‘State’ each place such term ap-
4 pears in such subsection, and substituting ‘eligi-
5 ble States’ for ‘States’ each place such term ap-
6 pears in such subsection.

7 “(B) ELIGIBLE STATE.—For purposes of
8 this paragraph, the term ‘eligible State’ means
9 a State that demonstrates in its application for
10 a grant under section 204 that such State, for
11 purposes of carrying out the programs sup-
12 ported by a grant under this title, will expend
13 the same amount, or more, of State funds in
14 the fiscal year for which the grant is awarded
15 as such State expended for such purposes in the
16 previous fiscal year.”.

17 (2) CLARIFICATION.—Section 204(4) of the
18 Child Abuse Prevention and Treatment Act (42
19 U.S.C. 5116d(4)) is amended by inserting “(exclud-
20 ing any amount received under section 203(d))”
21 after “received under this title”.

1 **Subtitle B—Funding for Grants To**
2 **Protect Children From Institu-**
3 **tional and Systemic Abuse**

4 **SEC. 511. PURPOSE.**

5 The purpose of this subtitle is to support and assist
6 States in investigating, recognizing, reporting and pre-
7 venting institutional and systemic child abuse.

8 **SEC. 512. DEFINITIONS.**

9 In this subtitle:

10 (1) INSTITUTIONAL AND SYSTEMIC CHILD
11 ABUSE.—The term “institutional and systemic child
12 abuse” means a pattern of any form of abuse or ne-
13 glect of a child when occurring while the child is in
14 the care of a public or private facility in the State,
15 including a correctional facility, detention facility,
16 treatment facility, childcare center, educational or
17 religious institution, and hospital.

18 (2) STATE.—The term “State” means any
19 State of the United States, the District of Columbia,
20 the Commonwealth of Puerto Rico, the Virgin Is-
21 lands, Guam, American Samoa, and the Common-
22 wealth of the Northern Mariana Islands.

23 (3) UNIT OF LOCAL GOVERNMENT.—The term
24 “unit of local government” means—

1 (A) any city, county, township, town, bor-
2 ough, parish, village, or other general purpose
3 political subdivision of a State;

4 (B) any law enforcement district or judicial
5 enforcement district that—

6 (i) is established under applicable
7 State law; and

8 (ii) has the authority to, in a manner
9 independent of other State entities, estab-
10 lish a budget and raise revenues; or

11 (C) an Indian Tribe that performs law en-
12 forcement functions, as determined by the Sec-
13 retary of the Interior.

14 **SEC. 513. GRANT PROGRAM.**

15 (a) GRANTS REQUIRED.—The Attorney General shall
16 make grants to States to assist States in investigating,
17 recognizing, reporting, and preventing institutional and
18 systemic child abuse.

19 (b) ALLOCATION OF FUNDS.—Funds shall be allo-
20 cated annually among eligible States on the basis of rel-
21 ative population of individuals under the age of 18, but
22 the amount allocated to any State in a fiscal year shall
23 not be less than \$500,000.

24 (c) REQUIREMENTS.—

25 (1) PLAN.—

1 (A) IN GENERAL.—To be eligible for a
2 grant under this subtitle, a State shall submit
3 to the Attorney General a plan for carrying out
4 programs, projects, and activities using the
5 funds made available through the grant during
6 a 5-year period.

7 (B) UPDATE.—A State shall annually up-
8 date a plan submitted under subparagraph (A)
9 to include new programs, projects, and activi-
10 ties dedicated to recognizing, reporting, inves-
11 tigating, and preventing institutional and sys-
12 temic child abuse.

13 (C) REGULATIONS.—The Attorney General
14 shall promulgate regulations that require that
15 any plan submitted under this paragraph—

16 (i) provide that not less than 70 per-
17 cent of funds allocated to the State shall
18 be distributed to the attorney general of
19 the State or other chief law enforcement
20 officer for—

21 (I) conducting investigations into
22 institutional and systemic child abuse;
23 and

24 (II) planning, establishing, oper-
25 ating, coordinating, and evaluating

1 evidence-based and trauma-informed
2 projects to develop more effective edu-
3 cation, training, and research into
4 preventing institutional and systemic
5 child abuse;

6 (ii) provide that not less than 20 per-
7 cent of funds allocated to the State shall
8 be distributed equitably to units of local
9 government for planning, establishing, op-
10 erating, coordinating, and evaluating evi-
11 dence-based and trauma-informed projects
12 to develop more effective education, train-
13 ing, and research into preventing institu-
14 tional and systemic child abuse;

15 (iii) designate a senior official report-
16 ing to the attorney general of the State or
17 other chief law enforcement officer as re-
18 sponsible for—

19 (I) supervising the preparation
20 and administration of the plan sub-
21 mitted under subparagraph (A); and

22 (II) overseeing all investigations,
23 education, training, and research in
24 the office of the attorney general of
25 the State or other chief law enforce-

1 ment officer related to institutional
2 and systemic child abuse; and
3 (iv) contain satisfactory evidence that
4 the official designated in accordance with
5 clause (iii) has or will have authority, by
6 legislation if necessary, to implement the
7 plan in accordance with this subtitle.

8 (2) ANNUAL PERFORMANCE REPORTS.—Each
9 State awarded a grant under this subtitle shall sub-
10 mit to the Attorney General an annual performance
11 report that—

12 (A) describes the progress of the State in
13 implementing the original plan submitted under
14 paragraph (1)(A); and

15 (B) describes the status of compliance with
16 the requirements of the plan.

17 (3) RULE OF CONSTRUCTION.—Nothing in this
18 subsection may be construed to require the dissemi-
19 nation of any information that the Attorney General
20 determines—

21 (A) is law enforcement sensitive and
22 should only be disclosed within the law enforce-
23 ment community; or

24 (B) poses a threat to a child.

25 (d) NONCOMPLIANCE.—

1 (1) FAILURE TO COMPLY WITH REQUIRE-
2 MENTS.—If a State fails to comply with any of the
3 applicable requirements in subsection (c), in any fis-
4 cal year beginning after September 30, 2021—

5 (A) subject to subparagraph (B), the
6 amount allocated to the State under subsection
7 (b) for the subsequent fiscal year shall be re-
8 duced by not less than 20 percent for each such
9 requirement with respect to which the failure
10 occurs; and

11 (B) the State shall be ineligible to receive
12 any allocation under such section for such fiscal
13 year unless—

14 (i) the State agrees to expend 50 per-
15 cent of the amount allocated to the State
16 for such fiscal year to achieve compliance
17 with any requirement with respect to which
18 the State is in noncompliance; or

19 (ii) the Attorney General determines
20 that the State—

21 (I) has achieved substantial com-
22 pliance with the requirements with re-
23 spect to which the State was not in
24 compliance; and

1 (II) has made, through appro-
2 priate executive or legislative action,
3 an unequivocal commitment to achiev-
4 ing full compliance with such require-
5 ments within a reasonable time.

6 (2) NONSUBMISSION OR NONQUALIFICATION OF
7 PLAN.—

8 (A) IN GENERAL.—If a State does not sub-
9 mit a plan, fails to submit a plan, or submits
10 a plan or any modification thereof, that the At-
11 torney General, after reasonable notice and op-
12 portunity for hearing, determines does not meet
13 the requirements of this subtitle, the Attorney
14 General shall endeavor to make the allocation to
15 the State under subsection (b) available to local
16 public and private nonprofit agencies within the
17 State for use in carrying out activities described
18 in subsection (c)(1)(C)(i)(II).

19 (B) OTHER FUNDS.—The Attorney Gen-
20 eral shall make funds that remain available
21 after disbursements under subparagraph (A),
22 and any other unobligated funds, available on
23 an equitable basis to those States that have
24 achieved full compliance with the requirements
25 under this subtitle.

1 (e) REGULATIONS.—The Attorney General shall pro-
2 mulgate regulations to carry out this subtitle.

3 (f) ADMINISTRATIVE EXPENSES.—The Attorney
4 General may use not more than 5 percent of the funds
5 appropriated for a fiscal year to carry out this subtitle
6 for the Federal administrative costs of carrying out this
7 subtitle for that fiscal year.

8 (g) DIRECT APPROPRIATION.—To carry out this sub-
9 title, there are authorized to be appropriated, and there
10 are appropriated, out of amounts in the Treasury not oth-
11 erwise appropriated, \$250,000,000 for each of fiscal years
12 2022 through 2031, to remain available until expended.

○