
THE CONGRESS PROJECT

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Date Updated: 4/11/2022

Act Title: National School Lunch Act of 1946

Congress: 79th Congress (January 3, 1945-January 3, 1947)
Session/Sessions: 1 and 2
Statute No: 60 Stat. 230-34
Public Law No: 79-396
Eid: 790396

Bill: HR 3370
Sponsor: Senator Richard Russell (D-GA)
House Committees: Committee on Agriculture
Senate Committees: Committee on Agriculture and Forestry

Companion Bill: S 962
Related Bills:
House Rules: Hres 495
Past Bills: S 1824, S 1721, HR 4260, HR 4742, HR 4777; all from 78th Congress, none made it past committee

Introduced Date- Law Date: June 4, 1945-June 4, 1946
House Floor Days: 3 (February 19, 20, 21)
Senate Floor Days: 1 (February 26)
Roll Call Votes: 5 (renums 114, 115, 116 in House and 115, 116 in Senate)
Tags: school lunch, war food, FDR, Roosevelt, Truman

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Summary

The National School Lunch Act created the National School Lunch Program, which provides low cost or free school lunch meals to qualified students through subsidies to schools. This was not a new idea, as the Department of Agriculture had provided funds and food to schools for many years prior to 1946. They began to distribute food to only a few schools in 1935 due to huge agricultural surpluses (Fite 1991, 158). Just a couple years prior, the 78th Congress amended the Agricultural Act of 1935 to specifically provide for funds for maintaining the school lunch program (Gunderson, 2016). By fiscal year 1943, over \$23 million was being spent on school lunches and milk. The program was taken over by the War Food Administration. In February 1943 during wartime, the program was changed so that schools could buy food locally and be reimbursed up to 50 percent of the cost, so that money would not have to be spent on trucks and gasoline (Fite 186, 1991). In July 1943, Congress passed legislation permitting up to \$50 million to be spent on the program and appropriated the same for 1944-1945. Some states were not taken with the idea of money being voted on annually for fear that Congress would eventually let the program die and were supportive of permanent funds.ⁱ



Above: Senator Richard Russell (D-GA), a strong proponent of the National School Lunch Act.

Immediately after the start of giving away food surpluses, Senator [Russell](#) (D-GA) became interested in expanding the program to both get rid of the surpluses depressing farm prices as well as provide food to his constituents and poor children throughout the country (Fite 1991, 158). The National School Lunch Act provided for permanent federal aid for the school lunch program (CQ Almanac). The proposal to make funds permanent came from a strong push from Russell, as well as the belief that it should either be made permanent or stopped altogether. Representative [Joseph Bates](#) (D-KY) stated it outright, saying “The Committee on Appropriations has been coming to the Committee on Rules for the past 10 years getting a rule making this appropriation in order. The members of the committee felt that it was time that the House should take action and decide whether or not it wants to make it permanent legislation” (*Congressional Record*, 79th Congress, Session 2, February 19, 1946). Additionally, because this occurred in a post-war Congress, another argument to make funds permanent came from the fact that men were rejected from Selective Service during the war because of poor nutrition when they were children.ⁱⁱ

In total, there were 23 amendments on HR 3370 and Senate companion S 962, which was inserted in place of the text of HR 3370. The most heated amendment was proposed by black Representative [Adam Powell](#) (D-NY). He called for “no funds would be available to any State or school” which in using such funds made “any discrimination because of race, creed, color, or national origin of children or between types of schools or, with respect to a State which

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maintains separate schools for the races, it discriminates between such schools on this account.” (CQ Almanac). This amendment was eventually accepted by a roll call of 258-109.ⁱⁱⁱ There was a belief that House members did not agree fully on the effects of this amendment, and that it could almost be interpreted as withholding money from states with separate school systems.^{iv} However, an amendment to specifically bar funds from states with separate systems was defeated easily.

HR 3370 originally passed the House by a roll call of 283-107. The bill that came out of conference passed the House and Senate by voice vote.

Background

The National School Lunch Act was enacted during the second session of the 79th Congress, which met from January 3, 1945- January 3, 1947. During this period, the Second World War ended. Democrat President Franklin Delano Roosevelt was elected for a fourth time, but died in April 1945, just months after his final inauguration. Following Roosevelt’s death, his vice president Harry Truman succeeded him. Following the end of World War II, the United States looked to reaffirm its position on the international stage. The Democrats controlled both chambers with a 244-189 advantage in the House^v and a 57-38 advantage in the Senate.^{vi}

The first session of the 79th Congress focused intensely on foreign policy due to the duration and ending of World War II. The period of isolation that the United States had enforced formally ended with the United States entrance into the United Nations in December 1945 (Editorial Research Report). Additionally, Congress reinforced the United States’ role through the International Monetary Fund and the World Bank.^{vii}

The following session in 1946 focused mostly on domestic issues, especially labor. The national railroad strike of 1946 followed months of negotiation, and Truman even addressed Congress to ask authority to draft strikers into the armed forces. Other issues included the Administrative Procedure Act of 1946 and Federal Employees Salary Raise Act. The National School Lunch Act of 1946 was not a priority for Truman; however, he was supportive of it, and even looked to expand it.^{viii}

Initial House Consideration

HR 3370 was introduced by Representative [John William Flannagan](#) (D-VA) and sent to the Committee on Agriculture on June 4, 1945. It was referred to the Committee of the Whole House on June 5, 1945, and then stricken from the Consent Calendar on October 2, 1945. It first came to the floor for debate and amending on February 19, 1946. On the 19th, there were 6 amendments offered and voted on. Representative [Edwin Hall](#) (R-NY) supported the bill, saying “Today, with food prices soaring and rapidly getting out of reach of the average person, a Nation-wide school-lunch program ought to be encouraged to make nourishing food available to American children.” (*Congressional Record*, 79th Congress, February 19, 1946, 1472). On the opposite side, Representative [Charles Bell](#) (D-MO) argued against this bill, saying,

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“It is a question which is facing the whole world today—the question as to whether or not we are going to follow the principle of private enterprise, the principle of the American form of government, the principle that has made America great, and the principle that sent our forefathers out to the fields and across this country as pioneers to develop it, or whether we are going to implant in the coming generation of children, a feeling that they cannot help themselves and that they must depend upon an all-wise White Father in Washington and whether we are going to rob them of those things that our forefathers handed down to us” (*Congressional Record*, 79th Congress, February 19, 1946, 1477).

Other arguments against the bill followed the idea that it would cost too much, while other supporters argued that families did not always know how to feed their children correctly.

HR 3370 had special rule Hres 495, which resolved the House into Committee of the Whole and limited debate to two hours which would be divided equally and controlled by the chairman and ranking minority member of the Committee on Agriculture. Following debate, the bill was to be read under the 5-minute rule and the previous question on the bill would be considered without intervening motion, except one motion to recommit.

The debate and amending were straightforward and lasted only three days. The only contention came from Powell’s amendment, which would not permit funds to schools that would spend them unequally on black and white children. When it came to the final passage of the bill, Representative [Cliff Clevenger](#) (R-OH) asked for a motion to recommit on February 21, 1946. Flannagan then moved the question and Representative [John Rankin](#) (D-MS) asked for the yeas and nays, and the motion to recommit was rejected 124-263. Flannagan then asked for the yeas and nays on the passage of the bill, with the bill passing 283-107. It was not a partisan bill, as Republicans split 113-60 and Democrats 167-47.

Outside of Congress, the bill was discussed in terms of the costs to the states. It was believed that the bill would fail, or at least large sections of it would be removed. ^{ix} Critics also questioned whether it gave Washington too much control over state school systems. ^x

Initial Senate Consideration

The Senate considered its own version of the School Lunch Act, S 962, introduced by Senator [Richard Russell](#) (D-GA) on behalf of himself and Senator [Allen Ellender](#) (D-LA) on May 7, 1945. It was sent to the Committee on Agriculture and Forestry. It was reported out of committee on July 28, 1945.

S 962 came to the floor only on February 26, 1946. It had seven amendments. Russell, the introducer as well as arguably the largest proponent in the Senate spoke about the prior school lunch program and why it was important to have a more permanent fix, stating, “I may say that, in my opinion, this program has been one of the most helpful ones which have been inaugurated and promises to contribute more to the cause of public education in these United States than has any other policy which has been adopted since the creation of free public schools” (*Congressional Record*, 79th Congress, February 26, 1946, 1610).

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A strong opponent of the bill was Senator [Robert Taft](#) (R-OH). He was opposed to the measure due to the cost as well as believing it would not solve the surplus problem, saying, “I suggest to the Senator that, so far as \$25,000,000 worth of food doing that job is concerned, it is merely a drop in the bucket, and it seems to me that feature of this program is wholly unimportant, so far as solving the agricultural problem is concerned” (*Congressional Record*, 79th Congress, February 26, 1946, 1612).

Taft offered two questionable amendments, both defeated by roll call votes, 21-58 and 25-54. Following the rejection of his second amendment, HR 3370 was amended to insert S 962 in its place. This matter was accepted by unanimous consent on February 26, 1946. Russell then moved to ask for a conference with the House, and the motion was agreed to.

Outside of Congress, the measure was supported by farmers as it decreased the surplus. There was little question that the Senate would pass the measure, but there was expected to be some outcry from economy advocates.^{xi}

Secondary House Consideration

HR 3370 went back to the House on February 27, 1946. Flannagan moved to disagree to the Senate’s amendment and agree to the conference committee. The motion was agreed to by unanimous consent and seven representatives were appointed to the committee.

Subsequent Congressional Actions

A conference committee was designated for the School Lunch Act. In committee, the conference report became essentially the Russell bill (Fite 187, 1991). The bill contains two major comprises. Originally, the House authorized no more than \$50 million to be spent on lunches, while the Senate authorized \$100 million. The conferees agreed to put no ceiling on the appropriation but instead to leave it up to the discretion of Congress to authorize whatever was necessary in order to carry out the act. The House had also originally cut \$15 million to be used by the US Office of Education on materials and equipment for the program. The conferees agreed to authorize \$10 million for this purpose, but the money would be administered by the Department of Agriculture.^{xii}

Flannagan reported from the committee to the House on May 23, 1946. The conference report was agreed to by voice vote. Similarly, Russell presented the conference report to the Senate on May 24, 1946. The report was agreed to by voice vote.

Aftermath

President Truman signed the National School Lunch Act into law on June 4, 1946. He is quoted as complimenting Congress on their “great wisdom” in enacting the law.^{xiii}

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The first amendment to the law occurred in 1952, which changed the appropriation amount to Hawaii, Alaska, Guam, Puerto Rico, and the Virgin Islands. It was amended again in 1962 concerning the appropriation of funds (Gunderson, 2015). There are two laws, S 1146 and S 2529 that were proposed and are in committee as of April 2015 and February 2016 respectively.

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ⁱ See “School Lunch Plan near Congress Test” *The New York Times*, February 18, 1946; “Lunches for U.S. Kids Slated for House Action” *The Atlanta Constitution*, February 18, 1946.

ⁱⁱ See “School Lunches” *The Washington Post*, February 23, 1946.

ⁱⁱⁱ See Voteview, 79th Congress, rnum 114 (Poole and Rosenthal).

^{iv} See “School Lunch ‘If’ Doesn’t Hit Georgia” *The Atlantic Constitution*, February 22, 1946.

^v See “Party Divisions of the House of Representatives,” *History, Art & Archives*, U.S. House of Representatives, <http://history.house.gov/Institution/Party-Divisions/Party-Divisions/>

^{vi} See “Party Division,” U.S. Senate, <http://www.senate.gov/history/partydiv.htm>

^{vii} <http://history.house.gov/Congressional-Overview/Profiles/79th/>

^{viii} See “Truman Hails Gain in School Lunch Act” *New York Times*, October 23, 1946.

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^{ix} See “School Lunch Cost Assailed in House”, *The New York Times*, February 20, 1946.

^x See “House Passes \$50,000,000 Bill to Aid Public School Lunches,” *The Washington Post*, February 22, 1946.

^{xi} See “Farm Bloc Would Hike Lunch Fund”, *The Atlanta Constitution*, February 26, 1946.

^{xii} See “Solons Reach Agreement on Russell Lunch Bill”, *The Atlanta Constitution*, May 20, 1946.

^{xiii} See “Truman Approves School Lunch Bill”, *The New York Times*, June 5, 1946, for full statement.