

118TH CONGRESS
1ST SESSION

H. R. 3204

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to make breakfasts and lunches free for all children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

Ms. OMAR (for herself, Mrs. WATSON COLEMAN, Ms. JACOBS, Mr. LARSON of Connecticut, Mr. KHANNA, Ms. BUSH, Mr. MCGOVERN, Ms. MOORE of Wisconsin, Ms. GARCIA of Texas, Mr. NEGUSE, Mr. BOWMAN, Ms. JAYAPAL, Mrs. BEATTY, Ms. TLAIB, Ms. MCCOLLUM, Mr. GARCÍA of Illinois, Mr. TONKO, Mr. MOULTON, Mr. PANETTA, Mr. TORRES of New York, Ms. LEE of California, Ms. PRESSLEY, Mr. GALLEGU, Mr. AUCHINCLOSS, Mr. CÁRDENAS, Mrs. RAMIREZ, Mr. CASTEN, Ms. SCHAKOWSKY, Mr. MAGAZINER, Ms. JACKSON LEE, Ms. BALINT, Mr. MULLIN, Ms. KUSTER, Mr. NADLER, Mr. POCAN, Mr. CARSON, Mr. DESAULNIER, Mr. MCGARVEY, Ms. CROCKETT, Ms. SÁNCHEZ, Ms. BROWNLEY, Mr. HUFFMAN, Ms. BARRAGÁN, Mr. CASAR, Mr. GOMEZ, Ms. WILLIAMS of Georgia, Ms. LEE of Pennsylvania, Mr. LEVIN, Ms. ADAMS, Mr. CLEAVER, Mr. SCHIFF, Mr. ESPAILLAT, Mrs. HAYES, Mr. FROST, Ms. NORTON, Ms. CHU, Mr. HIGGINS of New York, Ms. TOKUDA, Mrs. NAPOLITANO, Mr. TAKANO, Ms. OCASIO-CORTEZ, Mr. EVANS, Ms. LOFGREN, Ms. MENG, Ms. STEVENS, Mr. GRIJALVA, Mr. MORELLE, Mr. JACKSON of Illinois, Mr. RASKIN, Mr. COHEN, Ms. PINGREE, Mr. BLUMENAUER, and Ms. CASTOR of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Child Nutrition Act of 1966 and the Richard

B. Russell National School Lunch Act to make breakfasts and lunches free for all children, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Universal School Meals Program Act of 2023”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title; table of contents.
 Sec. 2. Effective date.

TITLE I—SCHOOL BREAKFAST PROGRAM

Sec. 101. Free school breakfast program.

TITLE II—SCHOOL LUNCH PROGRAM

Sec. 201. Apportionment to States.
 Sec. 202. Nutritional and other program requirements.
 Sec. 203. Special assistance program.
 Sec. 204. Price for a paid lunch.
 Sec. 205. Summer food service program for children.
 Sec. 206. Summer Electronic Benefits Transfer for Children Program.
 Sec. 207. Child and adult care food program.
 Sec. 208. Meals and supplements for children in afterschool care.
 Sec. 209. Pilot projects.
 Sec. 210. Fresh fruit and vegetable program.
 Sec. 211. Training, technical assistance, and Food Service Management Institute.
 Sec. 212. Reimbursement of school meal delinquent debt program.
 Sec. 213. Conforming amendments.

TITLE III—ELEMENTARY AND SECONDARY EDUCATION DATA

Sec. 301. Measure of poverty.

TITLE IV—AMENDMENTS TO OTHER PROGRAMS AND LAWS

Sec. 401. Supplemental nutrition assistance program.
 Sec. 402. Higher Education Act of 1965.
 Sec. 403. Elementary and Secondary Education Act of 1965.
 Sec. 404. America COMPETES Act.
 Sec. 405. Workforce Innovation and Opportunity Act.
 Sec. 406. National Science Foundation Authorization Act of 2002.

Sec. 407. Child care and development block grant.
 Sec. 408. Children’s Health Act of 2000.
 Sec. 409. Juvenile justice and delinquency prevention.

1 **SEC. 2. EFFECTIVE DATE.**

2 Unless otherwise provided, this Act, and the amend-
 3 ments made by this Act, shall take effect 1 year after the
 4 date of enactment of this Act.

5 **TITLE I—SCHOOL BREAKFAST**
 6 **PROGRAM**

7 **SEC. 101. FREE SCHOOL BREAKFAST PROGRAM.**

8 (a) IN GENERAL.—Section 4(a) of the Child Nutri-
 9 tion Act of 1966 (42 U.S.C. 1773(a)) is amended, in the
 10 first sentence—

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

13 (2) by inserting “to provide free breakfast to all
 14 children enrolled at those schools” before “in accord-
 15 ance”.

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

19 (1) in paragraph (1)—

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

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

1 (B) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) PAYMENT AMOUNTS.—

4 “(i) IN GENERAL.—The national aver-
5 age payment for each free breakfast shall
6 be \$2.80, adjusted annually for inflation in
7 accordance with clause (ii) and rounded in
8 accordance with clause (iii).

9 “(ii) INFLATION ADJUSTMENT.—

10 “(I) IN GENERAL.—The annual
11 inflation adjustment under clause (i)
12 shall reflect changes in the cost of op-
13 erating the free breakfast program
14 under this section, as indicated by the
15 change in the Consumer Price Index
16 for food away from home for all urban
17 consumers.

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

24 “(iii) ROUNDING.—On July 1, 2023,
25 and annually thereafter, the national aver-

1 age payment rate for free breakfast shall
2 be—

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

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

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

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

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

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

15 (4) in paragraph (3) (as so redesignated), by
16 striking “paragraph (3) or (4)” and inserting “para-
17 graph (2)”.

18 (c) STATE DISBURSEMENT TO SCHOOLS.—Section 4
19 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) is
20 amended by striking subsection (c) and inserting the fol-
21 lowing:

22 “(c) STATE DISBURSEMENT TO SCHOOLS.—Funds
23 apportioned and paid to any State for the purpose of this
24 section shall be disbursed by the State educational agency

1 to schools selected by the State educational agency to as-
2 sist those schools in operating a breakfast program.”.

3 (d) NO COLLECTION OF DEBT.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of the Child Nutrition Act of 1966 (42
6 U.S.C. 1771 et seq.) or any other provision of law,
7 effective beginning on the date of enactment of this
8 Act, as a condition of participation in the breakfast
9 program under section 4 of that Act (42 U.S.C.
10 1773), a school—

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

13 (B) shall continue to accrue debt for un-
14 paid meal charges—

15 (i) for the purpose of receiving reim-
16 bursement under section 212; and

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

19 (2) CHILD NUTRITION ACT OF 1966.—

20 (A) IN GENERAL.—Section 4 of the Child
21 Nutrition Act of 1966 (42 U.S.C. 1773) is
22 amended by striking subsection (d) and insert-
23 ing the following:

24 “(d) NO COLLECTION OF DEBT.—A school partici-
25 pating in the free breakfast program under this section

1 shall not collect any debt owed to the school for unpaid
2 meal charges.”.

3 (B) CONFORMING AMENDMENT.—Section
4 23(a) of the Child Nutrition Act of 1966 (42
5 U.S.C. 1793(a)) is amended by striking “school
6 in severe need, as described in section 4(d)(1)”
7 and inserting the following: “school—

8 “(1) that has a free breakfast program under
9 section 4 or seeks to initiate a free breakfast pro-
10 gram under that section; and

11 “(2) of which not less than 40 percent of the
12 students are economically disadvantaged students
13 (as identified under a measure described in section
14 1113(a)(5) of the Elementary and Secondary Edu-
15 cation Act of 1965 (20 U.S.C. 6313(a)(5))).”.

16 (e) NUTRITIONAL AND OTHER PROGRAM REQUIRE-
17 MENTS.—Section 4(e) of the Child Nutrition Act of 1966
18 (42 U.S.C. 1773(e)) is amended—

19 (1) in paragraph (1)(A), in the second sentence,
20 by striking “free or” and all that follows through
21 the period at the end and inserting “free to all chil-
22 dren enrolled at a school participating in the school
23 breakfast program.”; and

1 (2) in paragraph (2), in the second sentence, by
2 striking “the full charge to the student for a break-
3 fast meeting the requirements of this section or”.

4 (f) PROHIBITION ON BREAKFAST SHAMING, MEAL
5 DENIAL.—

6 (1) IN GENERAL.—Effective beginning on the
7 date of enactment of this Act, a school or school
8 food authority—

9 (A) shall not—

10 (i) physically segregate for the pur-
11 pose of debt shaming or otherwise dis-
12 criminate against any child participating in
13 the breakfast program under section 4 of
14 the Child Nutrition Act of 1966 (42
15 U.S.C. 1773); or

16 (ii) overtly identify a child described
17 in clause (i) by a special token or ticket,
18 an announced or published list of names,
19 or any other means; and

20 (B) shall provide the program meal to any
21 child eligible under the program.

22 (2) CHILD NUTRITION ACT OF 1966.—Section 4
23 of the Child Nutrition Act of 1966 (42 U.S.C. 1773)
24 is amended by adding at the end the following:

1 “(f) PROHIBITION ON BREAKFAST SHAMING.—A
2 school or school food authority shall not—

3 “(1) physically segregate for the purpose of
4 debt shaming or otherwise discriminate against any
5 child participating in the free breakfast program
6 under this section; or

7 “(2) overtly identify a child described in para-
8 graph (1) by a special token or ticket, an announced
9 or published list of names, or any other means.”.

10 (g) DEPARTMENT OF DEFENSE OVERSEAS DEPEND-
11 ENTS’ SCHOOLS.—Section 20(b) of the Child Nutrition
12 Act of 1966 (42 U.S.C. 1789(b)) is amended by striking
13 “by this section” and all that follows through the period
14 at the end and inserting “by this section.”.

15 (h) CONFORMING AMENDMENTS.—The Child Nutri-
16 tion Act of 1966 (42 U.S.C. 1771 et seq.) is amended—

17 (1) by striking “or reduced price” each place it
18 appears;

19 (2) by striking “and reduced price” each place
20 it appears; and

21 (3) by striking “a reduced price” each place it
22 appears.

TITLE II—SCHOOL LUNCH PROGRAM

SEC. 201. APPORTIONMENT TO STATES.

Section 4(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) PAYMENT AMOUNTS.—

“(A) IN GENERAL.—The national average payment for each free lunch shall be \$4.63, adjusted annually for inflation in accordance with subparagraph (C) and rounded in accordance with subparagraph (D).

“(B) ADDITIONAL PAYMENT FOR LOCAL FOOD.—

“(i) DEFINITION OF LOCALLY-SOURCED FARM PRODUCT.—In this subparagraph, the term ‘locally-sourced farm product’ means a farm product that—

“(I) is marketed to consumers—

“(aa) directly; or

“(bb) through intermediated channels (such as food hubs and cooperatives); and

1 “(II) with respect to the school
2 food authority purchasing the farm
3 product, is produced and distrib-
4 uted—

5 “(aa) in the State in which
6 the school food authority is lo-
7 cated; or

8 “(bb) not more than 250
9 miles from the location of the
10 school food authority.

11 “(ii) ADDITIONAL PAYMENT ELIGI-
12 BILITY.—During a school year, a school
13 food authority shall receive an additional
14 payment described in clause (iii) if the
15 State certifies that the school food author-
16 ity served meals (including breakfasts,
17 lunches, suppers, and supplements) during
18 the last school year of which not less than
19 25 percent were made with locally-sourced
20 farm products.

21 “(iii) PAYMENT AMOUNT.—

22 “(I) IN GENERAL.—The addi-
23 tional payment amount under this
24 subparagraph shall be—

1 “(aa) \$0.30 for each free
2 lunch and supper;

3 “(bb) \$0.21 for each free
4 breakfast; and

5 “(cc) \$0.08 for each free
6 supplement.

7 “(II) ADJUSTMENTS.—Each ad-
8 ditional payment amount under sub-
9 clause (I) shall be adjusted annually
10 in accordance with subparagraph (C)
11 and rounded in accordance with sub-
12 paragraph (D).

13 “(iv) DISBURSEMENT.—The State
14 agency shall disburse funds made available
15 under this clause to school food authorities
16 eligible to receive additional reimburse-
17 ment.

18 “(C) INFLATION ADJUSTMENT.—

19 “(i) IN GENERAL.—The annual infla-
20 tion adjustment under subparagraphs (A)
21 and (B)(iii) shall reflect changes in the
22 cost of operating the free lunch program
23 under this Act, as indicated by the change
24 in the Consumer Price Index for food away
25 from home for all urban consumers.

1 “(ii) BASIS.—Each annual inflation
 2 adjustment under subparagraphs (A) and
 3 (B)(iii) shall reflect the changes in the
 4 Consumer Price Index for food away from
 5 home for the most recent 12-month period
 6 for which that data is available.

7 “(D) ROUNDING.—On July 1, 2023, and
 8 annually thereafter, the national average pay-
 9 ment rate for free lunch and the additional pay-
 10 ment amount for free breakfast, lunch, supper,
 11 and supplement under subparagraph (B) shall
 12 be—

13 “(i) adjusted to the nearest lower-cent
 14 increment; and

15 “(ii) based on the unrounded amounts
 16 for the preceding 12-month period.”; and

17 (2) by striking paragraph (3).

18 **SEC. 202. NUTRITIONAL AND OTHER PROGRAM REQUIRE-**
 19 **MENTS.**

20 (a) ELIMINATION OF FREE LUNCH ELIGIBILITY RE-
 21 QUIREMENTS.—

22 (1) IN GENERAL.—Section 9 of the Richard B.
 23 Russell National School Lunch Act (42 U.S.C.
 24 1758) is amended by striking subsection (b) and in-
 25 serting the following:

1 “(b) ELIGIBILITY.—All children enrolled in a school
2 that participates in the school lunch program under this
3 Act shall be eligible to receive free lunch under this Act.”.

4 (2) CONFORMING AMENDMENTS.—

5 (A) Section 9 of the Richard B. Russell
6 National School Lunch Act (42 U.S.C. 1758) is
7 amended—

8 (i) in subsection (c), in the third sen-
9 tence, by striking “or at a reduced cost”;
10 and

11 (ii) in subsection (e), by striking “, re-
12 duced price,”.

13 (B) Section 28 of the Richard B. Russell
14 National School Lunch Act (42 U.S.C. 1769i)
15 is amended—

16 (i) by striking subsection (b); and

17 (ii) by redesignating subsection (c) as
18 subsection (b).

19 (C) Section 17(d)(2)(A) of the Child Nu-
20 trition Act of 1966 (42 U.S.C. 1786(d)(2)(A))
21 is amended—

22 (i) by striking clause (i); and

23 (ii) by redesignating clauses (ii) and
24 (iii) as clauses (i) and (ii), respectively.

1 (D) Section 1902(a) of the Social Security
2 Act (42 U.S.C. 1396a(a)) is amended by strik-
3 ing paragraph (7) and inserting the following:
4 “(7) provide safeguards which restrict the use
5 or disclosure of information concerning applicants
6 and recipients to purposes directly connected with
7 the administration of the plan;”.

8 (E) Section 1154(a)(2)(A)(i) of title 10,
9 United States Code, is amended by striking “in
10 accordance with section 9(b)(1) of the Richard
11 B. Russell National School Lunch Act (42
12 U.S.C. 1758(b)(1))”.

13 (F) Section 4301 of the Food, Conserva-
14 tion, and Energy Act of 2008 (42 U.S.C.
15 1758a) is repealed.

16 (b) NO COLLECTION OF DEBT.—

17 (1) IN GENERAL.—Notwithstanding any other
18 provision of the Richard B. Russell National School
19 Lunch Act (42 U.S.C. 1751 et seq.) or any other
20 provision of law, effective beginning on the date of
21 enactment of this Act, as a condition of participation
22 in the school lunch program under that Act, a
23 school—

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

1 (B) shall continue to accrue debt for un-
2 paid meal charges—

3 (i) for the purpose of receiving reim-
4 bursement under section 212; and

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

7 (2) NATIONAL SCHOOL LUNCH ACT.—Section 9
8 of the Richard B. Russell National School Lunch
9 Act (42 U.S.C. 1758) is amended by striking sub-
10 section (d) and inserting the following:

11 “(d) NO COLLECTION OF DEBT.—A school partici-
12 pating in the school lunch program under this Act shall
13 not collect any debt owed to the school for unpaid meal
14 charges.”.

15 **SEC. 203. SPECIAL ASSISTANCE PROGRAM.**

16 (a) IN GENERAL.—Section 11 of the Richard B. Rus-
17 sell National School Lunch Act (42 U.S.C. 1759a) is re-
18 pealed.

19 (b) CONFORMING AMENDMENTS.—

20 (1) Section 6 of the Richard B. Russell Na-
21 tional School Lunch Act (42 U.S.C. 1755) is amend-
22 ed—

23 (A) in subsection (a)(2), by striking “sec-
24 tions 11 and 13” and inserting “section 13”;
25 and

1 (B) in subsection (e)(1), in the matter pre-
2 ceding subparagraph (A), by striking “section
3 4, this section, and section 11” and inserting
4 “this section and section 4”.

5 (2) Section 7(d) of the Richard B. Russell Na-
6 tional School Lunch Act (42 U.S.C. 1756(d)) is
7 amended by striking “or 11”.

8 (3) Section 8(g) of the Richard B. Russell Na-
9 tional School Lunch Act (42 U.S.C. 1757(g)) is
10 amended by striking “and under section 11 of this
11 Act”.

12 (4) Section 12(f) of the Richard B. Russell Na-
13 tional School Lunch Act (42 U.S.C. 1760(f)) is
14 amended by striking “11,”.

15 (5) Section 7(a) of the Child Nutrition Act of
16 1966 (42 U.S.C. 1766(a)) is amended—

17 (A) in paragraph (1)(A), by striking “4,
18 11, and 17” and inserting “4 and 17”; and

19 (B) in paragraph (2)(A), by striking “sec-
20 tions 4 and 11” and inserting “section 4”.

21 (6) Section 1101(j)(3) of the Families First
22 Coronavirus Response Act (7 U.S.C. 2011 note;
23 Public Law 116–127) is amended—

24 (A) by striking “or served under section
25 11(a)(1) of the Richard B. Russell National

1 School Lunch Act (42 U.S.C. 1760(d),
2 1759(a)(1))” and inserting “of the Richard B.
3 Russell National School Lunch Act (42 U.S.C.
4 1760(d))”; and
5 (B) by striking “or reduced price”.

6 **SEC. 204. PRICE FOR A PAID LUNCH.**

7 Section 12 of the Richard B. Russell National School
8 Lunch Act (42 U.S.C. 1760) is amended—

9 (1) in subsection (l)(4)—

10 (A) by striking subparagraph (D); and

11 (B) by redesignating subparagraphs (E)
12 through (M) as subparagraphs (D) through
13 (L), respectively;

14 (2) by striking subsection (p); and

15 (3) by redesignating subsections (q) and (r) as
16 subsections (p) and (q), respectively.

17 **SEC. 205. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
18 **DREN.**

19 Section 13 of the Richard B. Russell National School
20 Lunch Act (42 U.S.C. 1761) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1)(A)(i)—

23 (i) in subclause (I), by striking “have
24 been determined eligible for free or re-
25 duced price school meals under this Act

1 and the Child Nutrition Act of 1966 (42
2 U.S.C. 1771 et seq.)” and inserting “are
3 economically disadvantaged students (as
4 identified under a measure described in
5 section 1113(a)(5) of the Elementary and
6 Secondary Education Act of 1965 (20
7 U.S.C. 6313(a)(5)))”;

8 (ii) in subclause (II), by striking “are
9 eligible for free or reduced price school
10 meals under this Act and the Child Nutri-
11 tion Act of 1966 (42 U.S.C. 1771 et seq.)”
12 and inserting “are economically disadvan-
13 tagged students (as identified under a meas-
14 ure described in section 1113(a)(5) of the
15 Elementary and Secondary Education Act
16 of 1965 (20 U.S.C. 6313(a)(5)))”;

17 (iii) in subclause (III)(bb), by striking
18 “meet the income standards for free or re-
19 duced price school meals under this Act
20 and the Child Nutrition Act of 1966 (42
21 U.S.C. 1771 et seq.)” and inserting “are
22 economically disadvantaged students (as
23 identified under a measure described in
24 section 1113(a)(5) of the Elementary and

1 Secondary Education Act of 1965 (20
2 U.S.C. 6313(a)(5)))”;

3 (iv) in subclause (IV), by striking
4 “are eligible for free or reduced price
5 school meals under this Act and the Child
6 Nutrition Act of 1966 (42 U.S.C. 1771 et
7 seq.)” and inserting “are economically dis-
8 advantaged students (as identified under a
9 measure described in section 1113(a)(5) of
10 the Elementary and Secondary Education
11 Act of 1965 (20 U.S.C. 6313(a)(5)))”; and

12 (v) in subclause (V), by striking “are
13 eligible for free or reduced price school
14 meals under this Act and the Child Nutri-
15 tion Act of 1966 (42 U.S.C. 1771 et seq.)”
16 and inserting “are economically disadvan-
17 tagged students (as identified under a meas-
18 ure described in section 1113(a)(5) of the
19 Elementary and Secondary Education Act
20 of 1965 (20 U.S.C. 6313(a)(5)))”;

21 (B) in paragraph (2), by adding at the end
22 the following:

23 “(C) WAIVER.—If the Secretary deter-
24 mines that a program requirement under this
25 section limits the access of children to meals

1 served under this section, the Secretary may
2 waive that program requirement.

3 “(D) ELIGIBILITY.—All children shall be
4 eligible to participate in the program under this
5 section.”;

6 (C) in paragraph (5), by striking “only
7 for” and all that follows through the period at
8 the end and inserting “for meals served to all
9 children.”; and

10 (D) in paragraph (13)—

11 (i) in subparagraph (C)(ii), by strik-
12 ing “eligible for a free or reduced price
13 lunch under this Act or a free or reduced
14 price breakfast under section 4 of the
15 Child Nutrition Act of 1966 (42 U.S.C.
16 1773)” and inserting “an economically dis-
17 advantaged student (as identified under a
18 measure described in section 1113(a)(5) of
19 the Elementary and Secondary Education
20 Act of 1965 (20 U.S.C. 6313(a)(5)))”; and

21 (ii) in subparagraph (D)(ii), by strik-
22 ing “eligible for free or reduced price lunch
23 under this Act or free or reduced price
24 breakfast under section 4 of the Child Nu-
25 trition Act of 1966 (42 U.S.C. 1773)” and

1 inserting “economically disadvantaged stu-
2 dents (as identified under a measure de-
3 scribed in section 1113(a)(5) of the Ele-
4 mentary and Secondary Education Act of
5 1965 (20 U.S.C. 6313(a)(5)))”;

6 (2) in subsection (b)(2), by striking “may only
7 serve” and all that follows through “migrant chil-
8 dren”;

9 (3) by striking subsection (c) and inserting the
10 following:

11 “(c) PAYMENTS.—

12 “(1) IN GENERAL.—Payments shall be made to
13 service institutions for meals served—

14 “(A) during the months of May through
15 September;

16 “(B) during school vacation at any time
17 during an academic school year;

18 “(C) during a teacher in-service day; and

19 “(D) on days that school is closed due to
20 a natural disaster, building repair, court order,
21 or similar cause, as determined by the Sec-
22 retary.

23 “(2) LIMITATION ON PAYMENTS.—A service in-
24 stitution shall receive payments under this section

1 for not more than 3 meals and 1 supplement per
 2 child per day.”; and

3 (4) in subsection (f)(3), by striking “, except
 4 that” and all that follows through “section”.

5 **SEC. 206. SUMMER ELECTRONIC BENEFITS TRANSFER FOR**
 6 **CHILDREN PROGRAM.**

7 Section 13A of the Richard B. Russell National
 8 School Lunch Act (42 U.S.C. 1762) is amended—

9 (1) in subsection (b)(2)(A)(i), by striking
 10 “\$40” and inserting “\$60”;

11 (2) in subsection (c)(1)—

12 (A) in subparagraph (A), by striking “di-
 13 rectly certified” and all that follows through
 14 “this section” and inserting “an economically
 15 disadvantaged student (as identified under a
 16 measure described in section 1113(a)(5) of the
 17 Elementary and Secondary Education Act of
 18 1965 (20 U.S.C. 6313(a)(5)))”;

19 (B) by striking subparagraph (B); and

20 (C) by redesignating subparagraphs (C)
 21 through (E) as subparagraphs (B) through (D),
 22 respectively;

23 (3) in subsection (f)—

24 (A) in paragraph (3), in the matter pre-
 25 ceding subparagraph (A), by striking “proc-

1 esses—” and all that follows through “to reli-
 2 ably” in subparagraph (B) and inserting “proc-
 3 esses to reliably”; and

4 (B) in paragraph (4), in the matter pre-
 5 ceding subparagraph (A), by striking “by—”
 6 and all that follows through “establishing” in
 7 subparagraph (B) and inserting “by estab-
 8 lishing”; and

9 (4) in subsection (h), by striking paragraph (2)
 10 and inserting the following:

11 “(2) ELIGIBLE CHILD.—The term ‘eligible
 12 child’ means any child residing in a State or on land
 13 under the jurisdiction of a covered Indian Tribal or-
 14 ganization that participates in the program estab-
 15 lished under this section.”.

16 **SEC. 207. CHILD AND ADULT CARE FOOD PROGRAM.**

17 Section 17 of the Richard B. Russell National School
 18 Lunch Act (42 U.S.C. 1766) is amended—

19 (1) in subsection (a)(2), by striking subpara-
 20 graph (B) and inserting the following:

21 “(B) any other private organization pro-
 22 viding nonresidential child care or day care out-
 23 side school hours for school children;”;

24 (2) by striking subsection (c) and inserting the
 25 following:

1 “(c) FREE MEALS.—Notwithstanding any other pro-
2 vision of law—

3 “(1) all meals and supplements served under
4 the program authorized under this section shall be
5 provided for free to participants of the program; and

6 “(2) an institution that serves those meals and
7 supplements shall be reimbursed—

8 “(A) in the case of breakfast, at the rate
9 established for free breakfast under section
10 4(b)(1)(B)(i) of the Child Nutrition Act of
11 1966 (42 U.S.C. 1773(b)(1)(B)(i));

12 “(B) in the case of lunch, at the rate es-
13 tablished for free lunch under section
14 4(b)(2)(A); and

15 “(C) in the case of a supplemental meal,
16 \$1.20, adjusted for inflation in accordance with
17 section 4(b)(2)(C).”;

18 (3) in subsection (f)—

19 (A) in paragraph (2), by striking subpara-
20 graph (B) and inserting the following:

21 “(B) LIMITATION TO REIMBURSEMENTS.—
22 An institution may claim reimbursement under
23 this paragraph for not more than 3 meals and
24 1 supplement per day per child.”;

25 (B) by striking paragraph (3); and

1 (C) by redesignating paragraph (4) as
2 paragraph (3);

3 (4) in subsection (o)—

4 (A) by striking paragraph (4); and

5 (B) by redesignating paragraphs (5) and
6 (6) as paragraphs (4) and (5), respectively; and
7 (5) in subsection (r)—

8 (A) in the subsection heading, by striking
9 “Program for At-risk School Children” and in-
10 serting “Afterschool Meal and Snack Pro-
11 gram”;

12 (B) by striking “at-risk school” each place
13 it appears and inserting “eligible”;

14 (C) in paragraph (1)—

15 (i) in the paragraph heading, by strik-
16 ing “AT-RISK SCHOOL” and inserting
17 “ELIGIBLE”; and

18 (ii) in subparagraph (B), by striking
19 “operated” and all that follows through
20 the period at the end and inserting a pe-
21 riod; and

22 (D) in paragraph (4)(A), by striking “only
23 for” and all that follows through the period at
24 the end and inserting the following: “for—

1 “(i) not more than 1 meal and 1 sup-
 2 plement per child per day served on a reg-
 3 ular school day; and

4 “(ii) not more than 3 meals and 1
 5 supplement per child per day served on
 6 any day other than a regular school day.”.

7 **SEC. 208. MEALS AND SUPPLEMENTS FOR CHILDREN IN**
 8 **AFTERSCHOOL CARE.**

9 Section 17A of the Richard B. Russell National
 10 School Lunch Act (42 U.S.C. 1766a) is amended—

11 (1) in the section heading, by striking “meal
 12 supplements” and inserting “meals and supple-
 13 ments”;

14 (2) in subsection (a)(1), by striking “meal sup-
 15 plements” and inserting “free meals and supple-
 16 ments”;

17 (3) in subsection (b), by inserting “meals and”
 18 before “supplements”; and

19 (4) by striking subsection (c) and inserting the
 20 following:

21 “(c) REIMBURSEMENT.—

22 “(1) IN GENERAL.—

23 “(A) MEALS.—A free meal provided under
 24 this section to a child shall be reimbursed at a
 25 rate of \$4.63, adjusted annually for inflation in

1 accordance with paragraph (3)(A) and rounded
2 in accordance with paragraph (3)(B).

3 “(B) SUPPLEMENTS.—A free supplement
4 provided under this section to a child shall be
5 reimbursed at the rate at which free supple-
6 ments are reimbursed under section
7 17(c)(2)(C).

8 “(2) LIMITATION TO REIMBURSEMENTS.—An
9 institution may claim reimbursement under this sec-
10 tion for not more than 1 meal and 1 supplement per
11 day per child served on a regular school day.

12 “(3) INFLATION; ROUNDING.—

13 “(A) INFLATION ADJUSTMENT.—

14 “(i) IN GENERAL.—The annual infla-
15 tion adjustment under paragraph (1)(A)
16 shall reflect changes in the cost of oper-
17 ating the program under this section, as
18 indicated by the change in the Consumer
19 Price Index for food away from home for
20 all urban consumers.

21 “(ii) BASIS.—Each inflation annual
22 adjustment under paragraph (1)(A) shall
23 reflect the changes in the Consumer Price
24 Index for food away from home for the

1 most recent 12-month period for which
2 that data is available.

3 “(B) ROUNDING.—On July 1, 2023, and
4 annually thereafter, the reimbursement rate for
5 a free meal under this section shall be—

6 “(i) adjusted to the nearest lower-cent
7 increment; and

8 “(ii) based on the unrounded amounts
9 for the preceding 12-month period.”.

10 **SEC. 209. PILOT PROJECTS.**

11 Section 18 of the Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1769) is amended—

13 (1) in subsection (g)(5), by striking subpara-
14 graph (B) and inserting the following:

15 “(B) serve a high proportion of economi-
16 cally disadvantaged students (as identified
17 under a measure described in section
18 1113(a)(5) of the Elementary and Secondary
19 Education Act of 1965 (20 U.S.C.
20 6313(a)(5)));”;

21 (2) in subsection (h)(1)(A)(ii), by striking “eli-
22 gible for free or reduced price meals under this Act”
23 and inserting “economically disadvantaged students
24 (as identified under a measure described in section

1 1113(a)(5) of the Elementary and Secondary Edu-
 2 cation Act of 1965 (20 U.S.C. 6313(a)(5)))”;

3 (3) by striking subsection (j); and

4 (4) by redesignating subsection (k) as sub-
 5 section (j).

6 **SEC. 210. FRESH FRUIT AND VEGETABLE PROGRAM.**

7 Section 19(d) of the Richard B. Russell National
 8 School Lunch Act (42 U.S.C. 1769a(d)) is amended—

9 (1) in paragraph (1)—

10 (A) in the matter preceding subparagraph
 11 (A), by striking “paragraph (2) of this sub-
 12 section and”;

13 (B) in subparagraph (A), in the matter
 14 preceding clause (i), by striking “school—” and
 15 all that follows through “submits” in clause (ii)
 16 and inserting “school that submits”;

17 (C) in subparagraph (B), by striking
 18 “schools” and all that follows through “Act”
 19 and inserting “high-need schools (as defined in
 20 section 2211(b) of the Elementary and Sec-
 21 ondary Education Act of 1965 (20 U.S.C.
 22 6631(b)))”; and

23 (D) in subparagraph (D)—

24 (i) by striking clause (i); and

1 (ii) by redesignating clauses (ii)
 2 through (iv) as clauses (i) through (iii), re-
 3 spectively; and

4 (2) by striking paragraphs (2) and (3) and in-
 5 serting the following:

6 “(2) OUTREACH TO HIGH-NEED SCHOOLS.—
 7 Prior to making decisions regarding school participa-
 8 tion in the program, a State agency shall inform
 9 high-need schools (as defined in section 2211(b) of
 10 the Elementary and Secondary Education Act of
 11 1965 (20 U.S.C. 6631(b))), including Tribal schools,
 12 of the eligibility of the schools for the program.”.

13 **SEC. 211. TRAINING, TECHNICAL ASSISTANCE, AND FOOD**
 14 **SERVICE MANAGEMENT INSTITUTE.**

15 Section 21(a)(1)(B) of the Richard B. Russell Na-
 16 tional School Lunch Act (42 U.S.C. 1769b–1(a)(1)(B)) is
 17 amended in the matter preceding clause (i) by striking
 18 “certified to receive free or reduced price meals” and in-
 19 serting “who are economically disadvantaged students (as
 20 identified under a measure described in section 1113(a)(5)
 21 of the Elementary and Secondary Education Act of 1965
 22 (20 U.S.C. 6313(a)(5)))”.

23 **SEC. 212. REIMBURSEMENT OF SCHOOL MEAL DELIN-**
 24 **QUENT DEBT PROGRAM.**

25 (a) DEFINITIONS.—In this section:

1 (1) DELINQUENT DEBT.—The term “delinquent
2 debt” means the debt owed by a parent or guardian
3 of a child to a school—

4 (A) as of the effective date specified in sec-
5 tion 2; and

6 (B) for meals served by the school under—

7 (i) the school breakfast program
8 under section 4 of the Child Nutrition Act
9 of 1966 (42 U.S.C. 1773);

10 (ii) the school lunch program estab-
11 lished under the Richard B. Russell Na-
12 tional School Lunch Act (42 U.S.C. 1751
13 et seq.); or

14 (iii) both of the programs described in
15 clauses (i) and (ii).

16 (2) PROGRAM.—The term “program” means
17 the program established under subsection (b)(1).

18 (3) SECRETARY.—The term “Secretary” means
19 the Secretary of Agriculture.

20 (b) REIMBURSEMENT PROGRAM.—

21 (1) ESTABLISHMENT.—Not later than 60 days
22 after the effective date specified in section 2, the
23 Secretary shall establish a program under which the
24 Secretary shall reimburse each school participating

1 in a program described in clause (i) or (ii) of sub-
 2 section (a)(1)(B) for all delinquent debt.

3 (2) FORM FOR REIMBURSEMENT.—To carry out
 4 the program, the Secretary shall design and dis-
 5 tribute a form to State agencies to collect data on
 6 all delinquent debt in applicable schools in the State,
 7 grouped by school food authority.

8 (3) COMPLETION DATE.—The Secretary shall
 9 provide all reimbursements under the program not
 10 later than 180 days after the effective date specified
 11 in section 2.

12 (c) REPORT.—Not later than 2 years after the effec-
 13 tive date specified in section 2, the Comptroller General
 14 of the United States shall submit to Congress and make
 15 publicly available a report that describes the successes and
 16 challenges of the program.

17 **SEC. 213. CONFORMING AMENDMENTS.**

18 The Richard B. Russell National School Lunch Act
 19 (42 U.S.C. 1751 et seq.) is amended—

20 (1) by striking “or reduced price” each place it
 21 appears;

22 (2) by striking “or a reduced price” each place
 23 it appears;

24 (3) by striking “and reduced price” each place
 25 it appears; and

1 (4) by striking “a reduced price” each place it
2 appears.

3 **TITLE III—ELEMENTARY AND**
4 **SECONDARY EDUCATION DATA**

5 **SEC. 301. MEASURE OF POVERTY.**

6 Section 1113(a)(5) of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 6313(a)(5)) is amend-
8 ed—

9 (1) in subparagraph (A), by striking “the num-
10 ber of children eligible for a free or reduced price
11 lunch under the Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1751 et seq.)” and inserting
13 “the number of children from low-income back-
14 grounds, identified under subparagraph (D)”;

15 (2) by adding at the end the following:

16 “(D) IDENTIFICATION OF CHILDREN FROM
17 LOW-INCOME BACKGROUNDS.—

18 “(i) IN GENERAL.—A local edu-
19 cational agency or State agency, for the
20 purpose of identifying children from low-in-
21 come backgrounds enrolled in a school
22 served by a local educational agency,
23 may—

24 “(I) maintain a record, with re-
25 spect to each student for whom the

1 local educational agency provides a
2 free public education that contains the
3 information collected from the survey
4 described in clause (iii);

5 “(II) distribute and collect a stu-
6 dent survey based on the template de-
7 veloped under clause (iii) to identify
8 children from low-income back-
9 grounds; and

10 “(III) utilize direct certification
11 data described in clause (iv)(I) to
12 identify children from low-income
13 backgrounds.

14 “(ii) PRIVACY.—

15 “(I) IN GENERAL.—All individual
16 data collected under this subpara-
17 graph shall be protected by the local
18 educational agency or State agency in
19 a manner consistent with all applica-
20 ble local, State, and Federal privacy
21 laws.

22 “(II) REPORTING DATA.—Only
23 aggregated data, which may include
24 data disaggregated at the school, local
25 educational agency, or State level,

1 shall be reported to the Secretary at
2 such time and in such manner as the
3 Secretary may reasonably require.

4 “(iii) SURVEY.—Not later than 180
5 days after the date of enactment of the
6 Universal School Meals Program Act of
7 2023, the Secretary, in consultation with
8 the Secretary of Agriculture, shall develop
9 a template survey—

10 “(I) to identify children from
11 low-income backgrounds that contains
12 only the information necessary to
13 identify a child as a child from a low-
14 income background by using the cri-
15 teria of eligibility for a free or reduced
16 priced lunch under the Richard B.
17 Russell National School Lunch Act, as
18 such criteria were in effect on Sep-
19 tember 30, 2022; and

20 “(II) that shall be designed to be
21 easily accessible and in a user-friendly
22 manner.

23 “(iv) TRANSITION AUTHORITY FROM
24 FRPL TO ESEA MEASURES.—The Sec-
25 retary, in coordination with the Secretary

1 of Agriculture, shall have the authority to
2 take such steps as are necessary to provide
3 for the orderly transition to, and imple-
4 mentation of—

5 “(I) activities that are necessary
6 for the continuity of direct certifi-
7 cation carried out by local educational
8 agencies and State agencies specified
9 in paragraphs (4), (5), and (15) sec-
10 tion 9(b) of the Richard B. Russell
11 National School Lunch Act, as in ef-
12 fect on September 30, 2022, for the
13 purposes of identifying any child eligi-
14 ble for free or reduced priced lunch
15 under such Act, as in effect on such
16 date, as a child from a low-income
17 background;

18 “(II) procedures for verification
19 of information collected under this
20 subparagraph, which may include pro-
21 cedures modeled on the requirement
22 specified in section 9(b)(3) of the
23 Richard B. Russell National School
24 Lunch Act, as in effect on September
25 30, 2022; and

1 “(III) data privacy provisions for
2 information collected under this sub-
3 paragraph, in accordance with the re-
4 quirements specified in section 9(b)(6)
5 of the Richard B. Russell National
6 School Lunch Act, as in effect on Sep-
7 tember 30, 2022.

8 “(v) SPECIAL RULE.—For the pur-
9 poses of subparagraph (A), a local edu-
10 cational agency may determine the number
11 of children from low-income backgrounds
12 enrolled in a school served by such agency
13 using one or more of the following meth-
14 ods:

15 “(I) Results from surveys speci-
16 fied in clause (i)(II).

17 “(II) Direct certification data
18 specified in clause (i)(III).

19 “(III) Utilization of both meth-
20 ods described in subclauses (I) and
21 (II).”.

**TITLE IV—AMENDMENTS TO
OTHER PROGRAMS AND LAWS**

**SEC. 401. SUPPLEMENTAL NUTRITION ASSISTANCE PRO-
GRAM.**

(a) AGREEMENT FOR DIRECT CERTIFICATION.—

(1) IN GENERAL.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended—

(A) by striking subsection (u); and

(B) by redesignating subsections (v) through (x) as subsections (u) through (w), respectively.

(2) CONFORMING AMENDMENTS.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(A) in paragraph (8)(F), by striking “or subsection (u)”;

(B) in paragraph (26)(B), by striking “(x)” and inserting “(w)”.

(b) NUTRITION EDUCATION AND OBESITY PREVENTION GRANT PROGRAM.—Section 28(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(a)) is amended by striking paragraph (1) and inserting the following:

“(1) an individual eligible for benefits under this Act;”.

1 **SEC. 402. HIGHER EDUCATION ACT OF 1965.**

2 (a) **TEACHER QUALITY ENHANCEMENT.**—Subpara-
3 graph (A) of section 200(11) of the Higher Education Act
4 of 1965 (20 U.S.C. 1021(11)) is amended to read as fol-
5 lows:

6 “(A) **IN GENERAL.**—The term ‘high-need
7 school’ means a school that is in the highest
8 quartile of schools in a ranking of all schools
9 served by a local educational agency, ranked in
10 descending order by percentage of students
11 from low-income families enrolled in such
12 schools, as determined by the local educational
13 agency based on one of the following measures
14 of poverty:

15 “(i) The percentage of students aged
16 5 through 17 in poverty counted in the
17 most recent census data approved by the
18 Secretary.

19 “(ii) The percentage of students in
20 families receiving assistance under the
21 State program funded under the program
22 of block grants to States for temporary as-
23 sistance for needy families established
24 under part A of title IV of the Social Secu-
25 rity Act (42 U.S.C. 601 et seq.).

1 “(iii) The percentage of students eligi-
2 ble to receive medical assistance under the
3 program of medical assistance established
4 under title XIX of the Social Security Act
5 (42 U.S.C. 1396 et seq.).

6 “(iv) A composite of two or more of
7 the measures described in clauses (i)
8 through (iii).”.

9 (b) GEAR UP.—Subparagraph (A) of section
10 404B(d)(1) of the Higher Education Act of 1965 (20
11 U.S.C. 1070a–22(d)(1)) is amended to read as follows:

12 “(A) provide services under this chapter to
13 at least one grade level of students, beginning
14 not later than 7th grade, in a participating
15 school—

16 “(i) that has a 7th grade; and

17 “(ii) in which—

18 “(I) at least 50 percent of the
19 students enrolled are economically dis-
20 advantaged students (as identified
21 under a measure described in section
22 1113(a)(5) of the Elementary and
23 Secondary Education Act of 1965); or

24 “(II) if an eligible entity deter-
25 mines that it would promote the effec-

1 tiveness of a program, an entire grade
2 level of students, beginning not later
3 than the 7th grade, reside in public
4 housing, as defined in section 3(b)(1)
5 of the United States Housing Act of
6 1937 (42 U.S.C. 1437a(b)(1)).”.

7 (c) SIMPLIFIED NEEDS TEST.—Section 479(d)(2) of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1087ss(d)(2)) is amended—

10 (1) by striking subparagraph (C); and
11 (2) by redesignating subparagraphs (D)
12 through (F) as subparagraphs (C) through (E), re-
13 spectively.

14 (d) EARLY FEDERAL PELL GRANT COMMITMENT
15 DEMONSTRATION PROGRAM.—Section 894(b) of the
16 Higher Education Act of 1965 (20 U.S.C. 1161y(b)) is
17 amended—

18 (1) in paragraph (1)(B), by striking “qualify
19 for a free or reduced price school lunch under the
20 Richard B. Russell National School Lunch Act (42
21 U.S.C. 1751 et seq.) or the Child Nutrition Act of
22 1966 (42 U.S.C. 1771 et seq.)” and inserting “are
23 economically disadvantaged students (as identified
24 under a measure described in section 1113(a)(5) of

1 the Elementary and Secondary Education Act of
2 1965”); and

3 (2) in paragraph (5), by striking “eligible for a
4 free or reduced price school lunch under the Richard
5 B. Russell National School Lunch Act (42 U.S.C.
6 1751 et seq.) or the Child Nutrition Act of 1966 (42
7 U.S.C. 1771 et seq.)” and inserting “economically
8 disadvantaged students (as identified under a meas-
9 ure described in section 1113(a)(5) of the Elemen-
10 tary and Secondary Education Act of 1965)”.

11 **SEC. 403. ELEMENTARY AND SECONDARY EDUCATION ACT**
12 **OF 1965.**

13 (a) LITERACY EDUCATION FOR ALL.—Section
14 2221(b)(3)(B) of the Elementary and Secondary Edu-
15 cation Act of 1965 (20 U.S.C. 6641(b)(3)(B)) is amend-
16 ed—

17 (1) by striking clause (i); and

18 (2) by redesignating clauses (ii) and (iii) as
19 clauses (i) and (ii), respectively.

20 (b) GRANTS FOR EDUCATION INNOVATION AND RE-
21 SEARCH.—Section 4611(d)(2) of the Elementary and Sec-
22 ondary Education Act of 1965 (20 U.S.C. 7261(d)(2)) is
23 amended—

24 (1) by striking subparagraph (B); and

1 (2) by redesignating subparagraphs (C) and
2 (D) as subparagraphs (B) and (C), respectively.

3 (c) **ELIGIBILITY FOR HEAVILY IMPACTED LOCAL**
4 **EDUCATIONAL AGENCIES.**—Item (bb) of section
5 7003(b)(2)(B)(i)(III) of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 7703(b)(2)(B)(i)(III))
7 is amended to read as follows:

8 “(bb) has an enrollment of children described in sub-
9 section (a)(1) that constitutes a percentage of the total
10 student enrollment of the agency that is not less than 30
11 percent; and”.

12 **SEC. 404. AMERICA COMPETES ACT.**

13 Section 6122(3) of the America COMPETES Act (20
14 U.S.C. 9832(3)) is amended by striking “data on children
15 eligible for free or reduced-price lunches under the Rich-
16 ard B. Russell National School Lunch Act,”.

17 **SEC. 405. WORKFORCE INNOVATION AND OPPORTUNITY**
18 **ACT.**

19 Section 3(36)(A) of the Workforce Innovation and
20 Opportunity Act (29 U.S.C. 3102(36)(A)) is amended—

21 (1) by striking clause (iv); and

22 (2) by redesignating clauses (v) and (vi) as
23 clauses (iv) and (v), respectively.

1 **SEC. 406. NATIONAL SCIENCE FOUNDATION AUTHORIZA-**
2 **TION ACT OF 2002.**

3 Section 4(8) of the National Science Foundation Au-
4 thorization Act of 2002 (42 U.S.C. 1862n note; Public
5 Law 107–368) is amended—

- 6 (1) by striking subparagraph (A); and
7 (2) by redesignating subparagraphs (B) and
8 (C) as subparagraphs (A) and (B), respectively.

9 **SEC. 407. CHILD CARE AND DEVELOPMENT BLOCK GRANT.**

10 Section 658O(b) of the Child Care and Development
11 Block Grant Act of 1990 (42 U.S.C. 9858m(b)) is amend-
12 ed—

- 13 (1) in paragraph (1)(B), by striking “school
14 lunch factor” and inserting “economically disadvan-
15 tagged students factor”; and

- 16 (2) by amending paragraph (3) to read as fol-
17 lows:

18 “(3) **ECONOMICALLY DISADVANTAGED STU-**
19 **DENTS FACTOR.**—In this subsection, the term ‘eco-
20 nomically disadvantaged students factor’ means the
21 ratio of the number of children in the State who are
22 economically disadvantaged students (as identified
23 under a measure described in section 1113(a)(5) of
24 the Elementary and Secondary Education Act of
25 1965 (20 U.S.C. 6313(a)(5))) to the number of such

1 children in all the States as determined annually by
2 the Secretary of Education.”.

3 **SEC. 408. CHILDREN’S HEALTH ACT OF 2000.**

4 Section 1404(b) of the Children’s Health Act of 2000
5 (42 U.S.C. 9859c(b)) is amended—

6 (1) in paragraph (1)(B), by striking “school
7 lunch factor” and inserting “economically disadvan-
8 tagged students factor”; and

9 (2) by amending paragraph (3) to read as fol-
10 lows:

11 “(3) ECONOMICALLY DISADVANTAGED STU-
12 DENTS FACTOR.—In this subsection, the term ‘eco-
13 nomically disadvantaged students factor’ means the
14 ratio of the number of children in the State who are
15 economically disadvantaged students (as identified
16 under a measure described in section 1113(a)(5) of
17 the Elementary and Secondary Education Act of
18 1965 (20 U.S.C. 6313(a)(5))) to the number of such
19 children in all the States as determined annually by
20 the Secretary of Education.”.

21 **SEC. 409. JUVENILE JUSTICE AND DELINQUENCY PREVEN-**
22 **TION.**

23 Section 252(i) of the Juvenile Justice and Delin-
24 quency Prevention Act of 1974 (34 U.S.C. 11162(i)) is
25 amended to read as follows:

1 “(i) FREE SCHOOL LUNCHES FOR INCARCERATED
2 JUVENILES.—

3 “(2) IN GENERAL.—A juvenile who is incarcer-
4 ated in an eligible juvenile detention center is eligible
5 to receive free lunch under the Richard B. Russell
6 National School Lunch Act (42 U.S.C. 1751 et
7 seq.).

8 “(3) GUIDANCE.—Not later than 1 year after
9 the date of the enactment of the Universal School
10 Meals Program Act of 2023, the Attorney General,
11 in consultation with the Secretary of Agriculture,
12 shall provide guidance to States relating to the op-
13 tions for school food authorities in the States to
14 apply for reimbursement for free lunches under the
15 Richard B. Russell National School Lunch Act (42
16 U.S.C. 1751 et seq.) for juveniles who are incarcer-
17 ated.

18 “(4) ELIGIBLE JUVENILE DETENTION CENTER
19 DEFINED.—In this subsection, the term ‘eligible ju-
20 venile detention center’ does not include any private,
21 for-profit detention center.”.

○