

118TH CONGRESS
1ST SESSION

S. _____

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 SENATE OF THE UNITED STATES

Mr. SANDERS (for himself, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. PADILLA, Mr. MERKLEY, Mr. WELCH, Mr. BOOKER, Ms. WARREN, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. WARNOCK, Mr. FETTERMAN, Mr. WYDEN, Ms. SMITH, Ms. BALDWIN, and Mr. MARKEY) introduced the following bill; which was read twice and referred to the Committee on _____

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”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 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 Benefit 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.

3 **SEC. 2. EFFECTIVE DATE.**

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

1 **TITLE I—SCHOOL BREAKFAST**
2 **PROGRAM**

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

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

7 (1) by striking “is hereby” and inserting “are”;
8 and

9 (2) by inserting “to provide free breakfast to all
10 children enrolled at those schools” before “in accord-
11 ance”.

12 (b) APPORTIONMENT TO STATES.—Section 4(b) of
13 the Child Nutrition Act of 1966 (42 U.S.C. 1773(b)) is
14 amended—

15 (1) in paragraph (1)—

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

18 “(II) the national average pay-
19 ment for free breakfasts, as specified
20 in subparagraph (B).”;

21 (B) by striking subparagraph (B) and in-
22 serting the following:

23 “(B) PAYMENT AMOUNTS.—

24 “(i) IN GENERAL.—The national aver-
25 age payment for each free breakfast shall

1 be \$2.80, adjusted annually for inflation in
2 accordance with clause (ii) and rounded in
3 accordance with clause (iii).

4 “(ii) INFLATION ADJUSTMENT.—

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

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

19 “(iii) ROUNDING.—On July 1, 2023,
20 and annually thereafter, the national aver-
21 age payment rate for free breakfast shall
22 be—

23 “(I) adjusted to the nearest
24 lower-cent increment; and

1 “(II) based on the unrounded
2 amounts for the preceding 12-month
3 period.”;

4 (C) by striking subparagraphs (C) and
5 (E); and

6 (D) by redesignating subparagraph (D) as
7 subparagraph (C);

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

9 (3) by redesignating paragraphs (4) and (5) as
10 paragraphs (2) and (3), respectively; and

11 (4) in paragraph (3) (as so redesignated), by
12 striking “paragraph (3) or (4)” and inserting “para-
13 graph (2)”.

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

18 “(c) STATE DISBURSEMENT TO SCHOOLS.—Funds
19 apportioned and paid to any State for the purpose of this
20 section shall be disbursed by the State educational agency
21 to schools selected by the State educational agency to as-
22 sist those schools in operating a breakfast program.”.

23 (d) NO COLLECTION OF DEBT.—

24 (1) IN GENERAL.—Notwithstanding any other
25 provision of the Child Nutrition Act of 1966 (42

1 U.S.C. 1771 et seq.) or any other provision of law,
2 effective beginning on the date of enactment of this
3 Act, as a condition of participation in the breakfast
4 program under section 4 of that Act (42 U.S.C.
5 1773), a school—

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

8 (B) shall continue to accrue debt for un-
9 paid meal charges—

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

12 (ii) until the effective date specified in
13 section 2.

14 (2) CHILD NUTRITION ACT OF 1966.—

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

19 “(d) NO COLLECTION OF DEBT.—A school partici-
20 pating in the free breakfast program under this section
21 shall not collect any debt owed to the school for unpaid
22 meal charges.”.

23 (B) CONFORMING AMENDMENT.—Section
24 23(a) of the Child Nutrition Act of 1966 (42
25 U.S.C. 1793(a)) is amended by striking “school

1 in severe need, as described in section 4(d)(1)”
2 and inserting the following: “school—

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

6 “(2) of which not less than 40 percent of the
7 students are economically disadvantaged students
8 (as identified under a measure described in section
9 1113(a)(5) of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 6313(a)(5)))”.

11 (e) NUTRITIONAL AND OTHER PROGRAM REQUIRE-
12 MENTS.—Section 4(e) of the Child Nutrition Act of 1966
13 (42 U.S.C. 1773(e)) is amended—

14 (1) in paragraph (1)(A), in the second sentence,
15 by striking “free or” and all that follows through
16 the period at the end and inserting “free to all chil-
17 dren enrolled at a school participating in the school
18 breakfast program.”; and

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

22 (f) PROHIBITION ON BREAKFAST SHAMING, MEAL
23 DENIAL.—

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

4 (A) shall not—

5 (i) physically segregate for the pur-
6 pose of debt shaming or otherwise dis-
7 criminate against any child participating in
8 the breakfast program under section 4 of
9 the Child Nutrition Act of 1966 (42
10 U.S.C. 1773); or

11 (ii) overtly identify a child described
12 in clause (i) by a special token or ticket,
13 an announced or published list of names,
14 or any other means; and

15 (B) shall provide the program meal to any
16 child eligible under the program.

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

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

22 “(1) physically segregate for the purpose of
23 debt shaming or otherwise discriminate against any
24 child participating in the free breakfast program
25 under this section; or

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

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

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

11 (1) by striking “or reduced price” each place it
12 appears;

13 (2) by striking “and reduced price” each place
14 it appears; and

15 (3) by striking “a reduced price” each place it
16 appears.

17 **TITLE II—SCHOOL LUNCH**
18 **PROGRAM**

19 **SEC. 201. APPORTIONMENT TO STATES.**

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

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

24 “(2) PAYMENT AMOUNTS.—

1 “(A) IN GENERAL.—The national average
2 payment for each free lunch shall be \$4.63, ad-
3 justed annually for inflation in accordance with
4 subparagraph (C) and rounded in accordance
5 with subparagraph (D).

6 “(B) ADDITIONAL PAYMENT FOR LOCAL
7 FOOD.—

8 “(i) DEFINITION OF LOCALLY-
9 SOURCED FARM PRODUCT.—In this sub-
10 paragraph, the term ‘locally-sourced farm
11 product’ means a farm product that—

12 “(I) is marketed to consumers—

13 “(aa) directly; or

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

17 “(II) with respect to the school
18 food authority purchasing the farm
19 product, is produced and distrib-
20 uted—

21 “(aa) in the State in which
22 the school food authority is lo-
23 cated; or

1 “(bb) not more than 250
2 miles from the location of the
3 school food authority.

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

14 “(iii) PAYMENT AMOUNT.—

15 “(I) IN GENERAL.—The addi-
16 tional payment amount under this
17 subparagraph shall be—

18 “(aa) \$0.30 for each free
19 lunch and supper;

20 “(bb) \$0.21 for each free
21 breakfast; and

22 “(cc) \$0.08 for each free
23 supplement.

24 “(II) ADJUSTMENTS.—Each ad-
25 ditional payment amount under sub-

1 clause (I) shall be adjusted annually
2 in accordance with subparagraph (C)
3 and rounded in accordance with sub-
4 paragraph (D).

5 “(iv) DISBURSEMENT.—The State
6 agency shall disburse funds made available
7 under this clause to school food authorities
8 eligible to receive additional reimburse-
9 ment.

10 “(C) INFLATION ADJUSTMENT.—

11 “(i) IN GENERAL.—The annual infla-
12 tion adjustment under subparagraphs (A)
13 and (B)(iii) shall reflect changes in the
14 cost of operating the free lunch program
15 under this Act, as indicated by the change
16 in the Consumer Price Index for food away
17 from home for all urban consumers.

18 “(ii) BASIS.—Each annual inflation
19 adjustment under subparagraphs (A) and
20 (B)(iii) shall reflect the changes in the
21 Consumer Price Index for food away from
22 home for the most recent 12-month period
23 for which that data is available.

24 “(D) ROUNDING.—On July 1, 2023, and
25 annually thereafter, the national average pay-

1 ment rate for free lunch and the additional pay-
2 ment amount for free breakfast, lunch, supper,
3 and supplement under subparagraph (B) shall
4 be—

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

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

9 (2) by striking paragraph (3).

10 **SEC. 202. NUTRITIONAL AND OTHER PROGRAM REQUIRE-**
11 **MENTS.**

12 (a) **ELIMINATION OF FREE LUNCH ELIGIBILITY RE-**
13 **QUIREMENTS.—**

14 (1) **IN GENERAL.—**Section 9 of the Richard B.
15 Russell National School Lunch Act (42 U.S.C.
16 1758) is amended by striking subsection (b) and in-
17 serting the following:

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

21 (2) **CONFORMING AMENDMENTS.—**

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

1 (i) in subsection (e), in the third sen-
2 tence, by striking “or at a reduced cost”;
3 and

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

6 (B) Section 28 of the Richard B. Russell
7 National School Lunch Act (42 U.S.C. 1769i)
8 is amended—

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

10 (ii) by redesignating subsection (c) as
11 subsection (b).

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

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

16 (ii) by redesignating clauses (ii) and
17 (iii) as clauses (i) and (ii), respectively.

18 (D) Section 1902(a) of the Social Security
19 Act (42 U.S.C. 1396a(a)) is amended by strik-
20 ing paragraph (7) and inserting the following:

21 “(7) provide safeguards which restrict the use
22 or disclosure of information concerning applicants
23 and recipients to purposes directly connected with
24 the administration of the plan;”.

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

6 (F) Section 4301 of the Food, Conserva-
7 tion, and Energy Act of 2008 (42 U.S.C.
8 1758a) is repealed.

9 (b) NO COLLECTION OF DEBT.—

10 (1) IN GENERAL.—Notwithstanding any other
11 provision of the Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1751 et seq.) or any other
13 provision of law, effective beginning on the date of
14 enactment of this Act, as a condition of participation
15 in the school lunch program under that Act, a
16 school—

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

19 (B) shall continue to accrue debt for un-
20 paid meal charges—

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

23 (ii) until the effective date specified in
24 section 2.

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

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

9 **SEC. 203. SPECIAL ASSISTANCE PROGRAM.**

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

13 (b) CONFORMING AMENDMENTS.—

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

17 (A) in subsection (a)(2), by striking “sec-
18 tions 11 and 13” and inserting “section 13”;
19 and

20 (B) in subsection (e)(1), in the matter pre-
21 ceding subparagraph (A), by striking “section
22 4, this section, and section 11” and inserting
23 “this section and section 4”.

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

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

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

11 (5) Section 7(a) of the Child Nutrition Act of
12 1966 (42 U.S.C. 1766(a)) is amended—

13 (A) in paragraph (1)(A), by striking “4,
14 11, and 17” and inserting “4 and 17”; and

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

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

20 (A) by striking “or served under section
21 11(a)(1) of the Richard B. Russell National
22 School Lunch Act (42 U.S.C. 1760(d),
23 1759(a)(1))” and inserting “of the Richard B.
24 Russell National School Lunch Act (42 U.S.C.
25 1760(d))”; and

1 (B) by striking “or reduced price”.

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

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

5 (1) in subsection (l)(4)—

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

7 (B) by redesignating subparagraphs (E)
8 through (M) as subparagraphs (D) through
9 (L), respectively;

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

11 (3) by redesignating subsections (q) and (r) as
12 subsections (p) and (q), respectively.

13 **SEC. 205. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
14 **DREN.**

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

17 (1) in subsection (a)—

18 (A) in paragraph (1)(A)(i)—

19 (i) in subclause (I), by striking “have
20 been determined eligible for free or re-
21 duced price school meals under this Act
22 and the Child Nutrition Act of 1966 (42
23 U.S.C. 1771 et seq.)” and inserting “are
24 economically disadvantaged students (as
25 identified under a measure described in

1 section 1113(a)(5) of the Elementary and
2 Secondary Education Act of 1965 (20
3 U.S.C. 6313(a)(5)))”;

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

13 (iii) in subclause (III)(bb), by striking
14 “meet the income standards for free or re-
15 duced price school meals under this Act
16 and the Child Nutrition Act of 1966 (42
17 U.S.C. 1771 et seq.)” and inserting “are
18 economically disadvantaged students (as
19 identified under a measure described in
20 section 1113(a)(5) of the Elementary and
21 Secondary Education Act of 1965 (20
22 U.S.C. 6313(a)(5)))”;

23 (iv) in subclause (IV), by striking
24 “are eligible for free or reduced price
25 school meals under this Act and the Child

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

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

16 (B) in paragraph (2), by adding at the end
17 the following:

18 “(C) WAIVER.—If the Secretary deter-
19 mines that a program requirement under this
20 section limits the access of children to meals
21 served under this section, the Secretary may
22 waive that program requirement.

23 “(D) ELIGIBILITY.—All children shall be
24 eligible to participate in the program under this
25 section.”;

1 (C) in paragraph (5), by striking “only
2 for” and all that follows through the period at
3 the end and inserting “for meals served to all
4 children.”; and

5 (D) in paragraph (13)—

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

16 (ii) in subparagraph (D)(ii), by strik-
17 ing “eligible for free or reduced price lunch
18 under this Act or free or reduced price
19 breakfast under section 4 of the Child Nu-
20 trition Act of 1966 (42 U.S.C. 1773)” and
21 inserting “economically disadvantaged stu-
22 dents (as identified under a measure de-
23 scribed in section 1113(a)(5) of the Ele-
24 mentary and Secondary Education Act of
25 1965 (20 U.S.C. 6313(a)(5)))”;

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

4 (3) by striking subsection (c) and inserting the
5 following:

6 “(c) PAYMENTS.—

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

9 “(A) during the months of May through
10 September;

11 “(B) during school vacation at any time
12 during an academic school year;

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

14 “(D) on days that school is closed due to
15 a natural disaster, building repair, court order,
16 or similar cause, as determined by the Sec-
17 retary.

18 “(2) LIMITATION ON PAYMENTS.—A service in-
19 stitution shall receive payments under this section
20 for not more than 3 meals and 1 supplement per
21 child per day.”; and

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

1 **SEC. 206. SUMMER ELECTRONIC BENEFITS TRANSFER FOR**
2 **CHILDREN PROGRAM.**

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

5 (1) in subsection (b)(2)(A)(i), by striking
6 “\$40” and inserting “\$60”;

7 (2) in subsection (c)(1)—

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

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

16 (C) by redesignating subparagraphs (C)
17 through (E) as subparagraphs (B) through (D),
18 respectively;

19 (3) in subsection (f)—

20 (A) in paragraph (3), in the matter pre-
21 ceding subparagraph (A), by striking “proc-
22 esses—” and all that follows through “to reli-
23 ably” in subparagraph (B) and inserting “proc-
24 esses to reliably”; and

25 (B) in paragraph (4), in the matter pre-
26 ceding subparagraph (A), by striking “by—”

1 and all that follows through “establishing” in
2 subparagraph (B) and inserting “by estab-
3 lishing”; and

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

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

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

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

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

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

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

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

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

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

3 “(A) in the case of breakfast, at the rate
4 established for free breakfast under section
5 4(b)(1)(B)(i) of the Child Nutrition Act of
6 1966 (42 U.S.C. 1773(b)(1)(B)(i));

7 “(B) in the case of lunch, at the rate es-
8 tablished for free lunch under section
9 4(b)(2)(A); and

10 “(C) in the case of a supplemental meal,
11 \$1.20, adjusted for inflation in accordance with
12 section 4(b)(2)(C).”;

13 (3) in subsection (f)—

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

16 “(B) LIMITATION TO REIMBURSEMENTS.—
17 An institution may claim reimbursement under
18 this paragraph for not more than 3 meals and
19 1 supplement per day per child.”;

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

21 (C) by redesignating paragraph (4) as
22 paragraph (3);

23 (4) in subsection (o)—

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

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

4 (A) in the subsection heading, by striking
5 “PROGRAM FOR AT-RISK SCHOOL CHILDREN”
6 and inserting “AFTERSCHOOL MEAL AND
7 SNACK PROGRAM”;

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

10 (C) in paragraph (1)—

11 (i) in the paragraph heading, by strik-
12 ing “AT-RISK SCHOOL” and inserting “ELI-
13 GIBLE”; and

14 (ii) in subparagraph (B), by striking
15 “operated” and all that follows through
16 the period at the end and inserting a pe-
17 riod; and

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

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

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

4 **SEC. 208. MEALS AND SUPPLEMENTS FOR CHILDREN IN**
5 **AFTERSCHOOL CARE.**

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

8 (1) in the section heading, by striking “**MEAL**
9 **SUPPLEMENTS**” and inserting “**MEALS AND SUP-**
10 **PLEMENTS**”;

11 (2) in subsection (a)(1), by striking “meal sup-
12 plements” and inserting “free meals and supple-
13 ments”;

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

16 (4) by striking subsection (c) and inserting the
17 following:

18 “(c) REIMBURSEMENT.—

19 “(1) IN GENERAL.—

20 “(A) MEALS.—A free meal provided under
21 this section to a child shall be reimbursed at a
22 rate of \$4.63, adjusted annually for inflation in
23 accordance with paragraph (3)(A) and rounded
24 in accordance with paragraph (3)(B).

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

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

10 “(3) INFLATION; ROUNDING.—

11 “(A) INFLATION ADJUSTMENT.—

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

19 “(ii) BASIS.—Each inflation annual
20 adjustment under paragraph (1)(A) shall
21 reflect the changes in the Consumer Price
22 Index for food away from home for the
23 most recent 12-month period for which
24 that data is available.

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

4 “(i) adjusted to the nearest lower-cent
5 increment; and

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

8 **SEC. 209. PILOT PROJECTS.**

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

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

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

19 (2) in subsection (h)(1)(A)(ii), by striking “eli-
20 gible for free or reduced price meals under this Act”
21 and inserting “economically disadvantaged students
22 (as identified under a measure described in section
23 1113(a)(5) of the Elementary and Secondary Edu-
24 cation Act of 1965 (20 U.S.C. 6313(a)(5)))”;

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

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

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

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

6 (1) in paragraph (1)—

7 (A) in the matter preceding subparagraph
8 (A), by striking “paragraph (2) of this sub-
9 section and”;

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

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

20 (D) in subparagraph (D)—

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

22 (ii) by redesignating clauses (ii)
23 through (iv) as clauses (i) through (iii), re-
24 spectively; and

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

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

10 **SEC. 211. TRAINING, TECHNICAL ASSISTANCE, AND FOOD**
11 **SERVICE MANAGEMENT INSTITUTE.**

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

20 **SEC. 212. REIMBURSEMENT OF SCHOOL MEAL DELIN-**
21 **QUENT DEBT PROGRAM.**

22 (a) **DEFINITIONS.**—In this section:

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

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

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

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

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

11 (iii) both of the programs described in
12 clauses (i) and (ii).

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

15 (3) SECRETARY.—The term “Secretary” means
16 the Secretary of Agriculture.

17 (b) REIMBURSEMENT PROGRAM.—

18 (1) ESTABLISHMENT.—Not later than 60 days
19 after the effective date specified in section 2, the
20 Secretary shall establish a program under which the
21 Secretary shall reimburse each school participating
22 in a program described in clause (i) or (ii) of sub-
23 section (a)(1)(B) for all delinquent debt.

24 (2) FORM FOR REIMBURSEMENT.—To carry out
25 the program, the Secretary shall design and dis-

1 tribute a form to State agencies to collect data on
2 all delinquent debt in applicable schools in the State,
3 grouped by school food authority.

4 (3) COMPLETION DATE.—The Secretary shall
5 provide all reimbursements under the program not
6 later than 180 days after the effective date specified
7 in section 2.

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

13 **SEC. 213. CONFORMING AMENDMENTS.**

14 The Richard B. Russell National School Lunch Act
15 (42 U.S.C. 1751 et seq.) is amended—

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

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

20 (3) by striking “and reduced price” each place
21 it appears; and

22 (4) by striking “a reduced price” each place it
23 appears.

1 **TITLE III—ELEMENTARY AND**
 2 **SECONDARY EDUCATION DATA**

3 **SEC. 301. MEASURE OF POVERTY.**

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

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

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

14 “(D) IDENTIFICATION OF CHILDREN FROM
 15 LOW-INCOME BACKGROUNDS.—

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

22 “(I) maintain a record, with re-
 23 spect to each student for whom the
 24 local educational agency provides a
 25 free public education that contains the

1 information collected from the survey
2 described in clause (iii);

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

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

12 “(ii) PRIVACY.—

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

20 “(II) REPORTING DATA.—Only
21 aggregated data, which may include
22 data disaggregated at the school, local
23 educational agency, or State level,
24 shall be reported to the Secretary at

1 such time and in such manner as the
2 Secretary may reasonably require.

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

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

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

22 “(iv) TRANSITION AUTHORITY FROM
23 FRPL TO ESEA MEASURES.—The Sec-
24 retary, in coordination with the Secretary
25 of Agriculture, shall have the authority to

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

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

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

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

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

5 (a) AGREEMENT FOR DIRECT CERTIFICATION.—

6 (1) IN GENERAL.—Section 11 of the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2020) is amend-
8 ed—

9 (A) by striking subsection (u); and

10 (B) by redesignating subsections (v)
11 through (x) as subsections (u) through (w), re-
12 spectively.

13 (2) CONFORMING AMENDMENTS.—Section 11(e)
14 of the Food and Nutrition Act of 2008 (7 U.S.C.
15 2020(e)) is amended—

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

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

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

24 “(1) an individual eligible for benefits under
25 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
9 children described in subsection
10 (a)(1) that constitutes a percent-
11 age of the total student enroll-
12 ment of the agency that is not
13 less than 30 percent; and”.

14 **SEC. 404. AMERICA COMPETES ACT.**

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

19 **SEC. 405. WORKFORCE INNOVATION AND OPPORTUNITY**
20 **ACT.**

21 Section 3(36)(A) of the Workforce Innovation and
22 Opportunity Act (29 U.S.C. 3102(36)(A)) is amended—
23 (1) by striking clause (iv); and
24 (2) by redesignating clauses (v) and (vi) as
25 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 6580(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 taged 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 “(1) 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 “(2) 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 “(3) 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.”.