

117TH CONGRESS
1ST SESSION

H. R. 4802

To amend the Richard B. Russell National School Lunch Act to clarify that charitable organization officials may receive food donations from schools under the food donation program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2021

Mr. CASTRO of Texas (for himself and Mr. TAYLOR) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Richard B. Russell National School Lunch Act to clarify that charitable organization officials may receive food donations from schools under the food donation program, 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.**

4 This Act may be cited as the “Feeding Hungry Stu-
5 dents in Schools Act of 2021”.

1 **SEC. 2. FOOD DONATION BY SCHOOLS THROUGH CHARITABLE ORGANIZATION OFFICIALS.**

2
3 Section 9(l) of the Richard B. Russell National
4 School Lunch Act (42 U.S.C. 1758(l)) is amended—

5 (1) in paragraph (1)—

6 (A) by striking “school and local edu-
7 cational agency” and inserting “school food au-
8 thority”;

9 (B) by inserting “, including from a fund-
10 raiser or charitable food drive, or” after “any
11 food”;

12 (C) by striking “or charitable organiza-
13 tions” and inserting “, charitable organizations,
14 or individuals in need, as determined by such
15 school food authority”;

16 (D) by striking “GENERAL.—Each” and
17 inserting the following: “GENERAL.—

18 “(A) FOOD DONATIONS PERMISSIBLE.—
19 Each”; and

20 (E) by adding at the end the following:

21 “(B) DONATIONS THROUGH CHARITABLE
22 ORGANIZATION OFFICIALS.—

23 “(i) IN GENERAL.—Each school par-
24 ticipating in the school lunch program
25 under this Act may donate the food de-
26 scribed in subparagraph (A) to a charitable

1 organization through a charitable organiza-
2 tion official who is directly affiliated with
3 the school food authority serving such
4 school.

5 “(ii) ANNUAL FOOD SAFETY TRAIN-
6 ING.—A charitable organization official
7 may not receive donated food pursuant to
8 this subparagraph unless such charitable
9 organization official has received a food
10 safety certification, or other applicable cer-
11 tification, from the State health depart-
12 ment or other responsible authority in the
13 State such food is donated in.

14 “(C) USE OF SCHOOL CAMPUS.—The food
15 donated by a school pursuant to this paragraph
16 may be received, stored, and distributed on the
17 campus of such school.

18 “(D) CHARITABLE ORGANIZATION OFFI-
19 CIAL DEFINED.—In this paragraph, the term
20 ‘charitable organization official’ means a person
21 who has a memorandum of understanding with
22 a charitable organization to receive food dona-
23 tions on behalf of such organization.”;

24 (2) in paragraph (2)—

25 (A) in subparagraph (A)—

1 (i) by striking “to schools and local
2 educational agencies” and inserting “to
3 school food authorities”; and

4 (ii) by striking “such schools and local
5 educational agencies” and inserting “such
6 school food authorities”; and

7 (B) in subparagraph (B), by inserting “,
8 including guidance with respect to donations
9 through charitable organization officials under
10 paragraph (1)(B).” after “necessary”; and

11 (3) in paragraph (3), by striking “school and
12 local educational agency” and inserting “school food
13 authority”.

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