

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 5459

To amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a grant program to make grants to eligible local educational agencies to carry out food waste reduction programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2021

Ms. PINGREE (for herself, Mr. NEWHOUSE, and Ms. BONAMICI) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a grant program to make grants to eligible local educational agencies to carry out food waste reduction programs, 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 “School Food Recovery  
5        Act of 2021”.

1 **SEC. 2. SCHOOL FOOD WASTE REDUCTION GRANT PRO-**  
2 **GRAM.**

3 Section 18 of the Richard B. Russell National School  
4 Lunch Act (42 U.S.C. 1769) is amended by inserting be-  
5 fore subsection (b) the following:

6 “(a) SCHOOL FOOD WASTE REDUCTION GRANT PRO-  
7 GRAM.—

8 “(1) GRANT PROGRAM ESTABLISHED.—

9 “(A) IN GENERAL.—The Secretary shall  
10 carry out a program to make grants, on a com-  
11 petitive basis, to eligible local educational agen-  
12 cies to carry out food waste measurement and  
13 reporting, prevention, education, and reduction  
14 projects.

15 “(B) REGIONAL BALANCE.—In awarding  
16 grants under this subsection, the Secretary  
17 shall, to the maximum extent practicable, en-  
18 sure that—

19 “(i) a grant is awarded to an eligible  
20 local educational agency in each region  
21 served by the Administrator of the Food  
22 and Nutrition Service; and

23 “(ii) equitable treatment of rural,  
24 urban, and tribal communities.

25 “(2) APPLICATION.—To be eligible to receive a  
26 grant under this subsection, an eligible local edu-

1 cational agency shall submit an application to the  
2 Secretary at such time, in such manner, and con-  
3 taining such information as the Secretary may re-  
4 quire.

5 “(3) PRIORITY.—In making grants under this  
6 subsection, the Secretary shall give priority to an eli-  
7 gible local educational agency that demonstrates in  
8 the application under paragraph (2) that such eligi-  
9 ble local educational agency will use the grant to—

10 “(A) carry out experiential education ac-  
11 tivities that encourage children enrolled in such  
12 eligible local educational agency to participate  
13 in food waste measurement and education;

14 “(B) prioritize the best use of food in ac-  
15 cordance with the Food Recovery Hierarchy  
16 published by the Administrator of the Environ-  
17 mental Protection Agency;

18 “(C) with respect to food waste prevention  
19 and reduction, collaborate with other eligible  
20 local educational agencies, tribes, nongovern-  
21 mental and community-based organizations,  
22 and other community partners;

23 “(D) evaluate the activities described in  
24 subparagraphs (A) through (C) and make eval-  
25 uation plans; and

1           “(E) establish a food waste measurement,  
2           prevention, and reduction project with long-  
3           term sustainability.

4           “(4) FEDERAL SHARE.—

5           “(A) IN GENERAL.—The Federal share of  
6           a food waste measurement, prevention, and re-  
7           duction project funded through a grant awarded  
8           under this subsection shall not exceed 75 per-  
9           cent of the total cost of such food waste reduc-  
10          tion project.

11          “(B) FEDERAL MATCHING.—As a condi-  
12          tion of receiving a grant under this subsection,  
13          an eligible local educational agency shall provide  
14          matching funds in the form of cash or in-kind  
15          contributions, including facilities, equipment, or  
16          services provided by State and local govern-  
17          ments, nonprofit organizations, and private  
18          sources.

19          “(5) USE OF FUNDS.—An eligible local edu-  
20          cational agency that receives a grant under this sec-  
21          tion shall use funds under such grant to carry out  
22          at least one of the following:

23                 “(A) Planning a food waste measurement,  
24                 prevention, and reduction project.

1           “(B) Carrying out activities under such a  
2 project.

3           “(C) Providing training to support such a  
4 project.

5           “(D) Purchasing equipment to support  
6 such a project.

7           “(E) Offering food waste education to stu-  
8 dents enrolled in such eligible local educational  
9 agency.

10          “(6) REQUIREMENT.—A food waste measure-  
11 ment and reporting, prevention, education, and re-  
12 duction project funded by a grant under this sub-  
13 section shall comply with the nutrition requirements  
14 of the school lunch program under this Act or the  
15 school breakfast program established under section 4  
16 of the Child Nutrition Act of 1966 (42 U.S.C.  
17 1773), as applicable, including by offering no less  
18 than the minimum quantities of required food com-  
19 ponents.

20          “(7) EVALUATION.—

21           “(A) AGREEMENT.—As a condition of re-  
22 ceiving a grant under this subsection, each eli-  
23 gible local educational agency shall agree to co-  
24 operate in an evaluation by the Secretary of the  
25 project carried out using grant funds.

1           “(B) PERIODIC EVALUATION.—Not later  
2 than 2 years after the date of the enactment of  
3 this paragraph and every 2 years thereafter, the  
4 Secretary shall carry out an evaluation of the  
5 grants made under this section that includes—

6                   “(i) the amount of Federal funds used  
7 to carry out such grants; and

8                   “(ii) an evaluation of the outcomes of  
9 the projects carried out pursuant to such  
10 grants.

11           “(8) DEFINITION OF ELIGIBLE LOCAL EDU-  
12 CATIONAL AGENCY.—In this subsection, the term ‘el-  
13 igible local educational agency’ means a local edu-  
14 cational agency that participates in the school lunch  
15 program under this Act or the school breakfast pro-  
16 gram established under section 4 of the Child Nutri-  
17 tion Act of 1966 (42 U.S.C. 1773).”.

18 **SEC. 3. TECHNICAL ASSISTANCE.**

19           Section 21(b) of the Richard B. Russell National  
20 School Lunch Act (42 U.S.C. 1769b–1(b)) is amended—

21                   (1) in paragraph (2), by striking “and” at the  
22 end;

23                   (2) in paragraph (3), by striking the period at  
24 the end and inserting “; and”; and

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

1           “(4) food waste measurement, prevention, and  
2           reduction.”.

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