

112TH CONGRESS
2D SESSION

H. R. 6481

To direct the Secretary of Agriculture to issue loan guarantees for purposes of financing improvements to school lunch facilities, training school food service personnel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2012

Mr. LATHAM (for himself and Mr. MCINTYRE) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Agriculture, 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 direct the Secretary of Agriculture to issue loan guarantees for purposes of financing improvements to school lunch facilities, training school food service personnel, 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 Mod-
5 ernization Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) DURABLE EQUIPMENT.—The term “durable
2 equipment” means durable food preparation, han-
3 dling, cooking, and storage equipment.

4 (2) ELIGIBLE ENTITY.—The term “eligible enti-
5 ty” means—

6 (A) a local educational agency (as defined
7 in section 9101 of the Elementary and Sec-
8 ondary Education Act of 1965 (20 U.S.C.
9 7801));

10 (B) a tribal organization (as defined in
11 section 4 of the Indian Self-Determination and
12 Education Assistance Act (25 U.S.C. 450b)); or

13 (C) a consortium that includes a local edu-
14 cational agency referred to in subparagraph
15 (A), a tribal organization referred to in sub-
16 paragraph (B), or both.

17 (3) INFRASTRUCTURE.—The term “infrastruc-
18 ture” means a food storage facility, kitchen, food
19 service facility, dining room, or food preparation fa-
20 cility.

21 (4) SCHOOL FOOD PROGRAM.—The term
22 “school food programs” means—

23 (A) the school breakfast program estab-
24 lished under section 4 of the Child Nutrition
25 Act of 1966 (42 U.S.C. 1773); and

1 (B) the school lunch program established
2 under the Richard B. Russell National School
3 Lunch Act (42 U.S.C. 1751 et seq.).

4 (5) SECRETARY.—The term “Secretary” means
5 the Secretary of Agriculture.

6 **SEC. 3. LOAN GUARANTEE FOR ASSISTANCE TO SCHOOLS**
7 **FOR INFRASTRUCTURE IMPROVEMENTS AND**
8 **DURABLE EQUIPMENT NECESSARY TO PRO-**
9 **VIDE HEALTHY MEALS THROUGH SCHOOL**
10 **FOOD PROGRAM.**

11 (a) AUTHORITY TO GUARANTEE LOANS.—The Sec-
12 retary of Agriculture shall issue a loan guarantee to an
13 eligible entity for purposes of financing the construction,
14 remodeling, or expansion of infrastructure or the purchase
15 of durable equipment that the Secretary determines will
16 assist such entity in providing healthy meals through the
17 school food programs.

18 (b) COMPETITIVE BASIS.—Subject to subsection (c),
19 the Secretary shall select eligible entities to receive a loan
20 guarantee under this section on a competitive basis.

21 (c) PREFERENCES.—In issuing a loan guarantee
22 under this section, the Secretary shall give a preference
23 to an eligible entity that the Secretary determines dem-
24 onstrates substantial or disproportionate (as compared

1 with another eligible entity seeking a loan guarantee under
 2 this section)—

3 (1) infrastructure improvement need; or

4 (2) durable equipment need or impairment.

5 (d) OVERSIGHT.—The Secretary shall establish pro-
 6 cedures to enable the Secretary to oversee the construc-
 7 tion, remodeling, or expansion of infrastructure or the
 8 purchase of durable equipment for which a loan guarantee
 9 is issued under this section.

10 (e) GUARANTEE AMOUNT.—A loan guarantee issued
 11 under this section may not guarantee more than 90 per-
 12 cent of the principal amount of the loan.

13 (f) USE OF COMMODITY CREDIT CORPORATION.—
 14 The Secretary shall use the funds, facilities, and authori-
 15 ties of the Commodity Credit Corporation to carry out this
 16 section.

17 **SEC. 4. TRAINING AND TECHNICAL ASSISTANCE FOR**
 18 **SCHOOL FOOD SERVICE PERSONNEL.**

19 (a) IN GENERAL.—The Secretary shall carry out a
 20 grant program under which the Secretary shall award
 21 grants, on a competitive basis, to provide support to eligi-
 22 ble third-party training institutions described in sub-
 23 section (b) to develop and administer training and tech-
 24 nical assistance for school foodservice personnel to meet
 25 updated nutrition standards under section 4(b)(3) of the

1 Richard B. Russell National School Lunch Act (42 U.S.C.
2 1753(b)(3)) for the school food programs.

3 (b) CRITERIA FOR ELIGIBLE THIRD-PARTY INSTITU-
4 TIONS.—The Secretary shall establish specific criteria that
5 eligible third-party training institutions shall meet to re-
6 ceive grants under this section, which shall include—

7 (1) a demonstrated capacity to administer effec-
8 tive training and technical assistance programming
9 to school foodservice personnel;

10 (2) prior, successful experience in providing or
11 engaging in training and technical assistance pro-
12 gramming or applied research activities involving eli-
13 gible entities, school food service administrators, or
14 directors;

15 (3) prior, successful experience in developing
16 relevant educational training tools or course mate-
17 rials or curricula on topics addressing child and
18 school nutrition or the updated nutrition standards
19 under section 4(b)(3) of the Richard B. Russell Na-
20 tional School Lunch Act (42 U.S.C. 1753(b)(3));
21 and

22 (4) the ability to deliver effective and cost-effi-
23 cient training and technical assistance programming
24 to school foodservice personnel at training sites that

1 are located within a proximate geographic distance
2 to schools, central kitchens, or other worksites.

3 (c) PROGRAM ASSISTANCE.—The Secretary shall as-
4 sist the institutions receiving grants under this section in
5 publicizing and disseminating training and other project
6 materials and online tools wherever possible.

7 (d) FEDERAL SHARE.—

8 (1) IN GENERAL.—The Federal share of costs
9 for training and technical assistance funded through
10 a grant awarded under this section shall not exceed
11 90 percent of the total cost of such training and
12 technical assistance.

13 (2) MATCHING.—As a condition of receiving a
14 grant under this section, the eligible third-party
15 training institution shall provide matching support
16 in the form of cash or in-kind contributions.

17 (e) OVERSIGHT.—The Secretary shall establish pro-
18 cedures to enable the Secretary to—

19 (1) oversee the operation training and technical
20 assistance funded through grants awarded under
21 this section; and

22 (2) ensure that such training and assistance is
23 operated consistent with the goals and requirements
24 of this Act.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section,
3 \$10,000,000 for fiscal year 2014, and such sums as nec-
4 essary are authorized for each fiscal year thereafter.

5 **SEC. 5. REPORT TO CONGRESS.**

6 Not later than one year after funds are made avail-
7 able to carry out this Act, and annually thereafter, the
8 Secretary shall submit to Congress a report on the Sec-
9 retary's progress in implementing the provisions of this
10 Act.

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