

113TH CONGRESS
1ST SESSION

H. R. 1783

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

APRIL 26, 2013

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, serving, and storage equipment.

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

6 (A) a local educational agency operating a
7 school lunch program;

8 (B) a tribal organization; or

9 (C) a consortium that includes a local edu-
10 cational agency described in subparagraph (A),
11 a tribal organization, or both.

12 (3) INFRASTRUCTURE.—The term “infrastruc-
13 ture” means a food storage facility, kitchen, food
14 service facility, cafeteria, dining room, or food prepa-
15 ration facility.

16 (4) LOCAL EDUCATIONAL AGENCY.—The term
17 “local educational agency” has the meaning given
18 such term in section 9101 of the Elementary and
19 Secondary Education Act of 1965 (20 U.S.C. 7801).

20 (5) SCHOOL LUNCH PROGRAM.—The term
21 “school lunch program” means the school lunch pro-
22 gram established under the Richard B. Russell Na-
23 tional School Lunch Act (42 U.S.C. 1751 et seq.).

24 (6) TRIBAL ORGANIZATION.—The term “tribal
25 organization” has the meaning given the term in

1 section 4 of the Indian Self-Determination and Edu-
2 cation Assistance Act (25 U.S.C. 450b).

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

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

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

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

20 (c) PREFERENCES.—In issuing a loan guarantee
21 under this section, the Secretary shall give a preference
22 to an eligible entity that, compared with other eligible enti-
23 ties seeking a loan guarantee under this section, the Sec-
24 retary determines demonstrates substantial or dispropor-
25 tionate need for—

1 (1) infrastructure improvement; or

2 (2) durable equipment need or impairment.

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

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

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

15 **SEC. 4. EQUIPMENT GRANT PROGRAM.**

16 Section 7 of the Child Nutrition Act of 1966 (42
17 U.S.C. 1776) is amended—

18 (1) by redesignating subsection (j) as sub-
19 section (k); and

20 (2) by inserting after subsection (i), the fol-
21 lowing:

22 “(j) EQUIPMENT GRANTS.—

23 “(1) IN GENERAL.—Beginning fiscal year 2015
24 and subject to the availability of appropriations, the
25 Secretary shall make grants, on a competitive basis,

1 to eligible entities to assist such entities in pur-
2 chasing the durable equipment and infrastructure
3 needed to serve healthier meals and improve food
4 safety.

5 “(2) PRIORITY.—In awarding grants under this
6 subsection, the Secretary shall give priority to eligi-
7 ble entities serving a high percentage of students eli-
8 gible for free or reduced price under the Richard B.
9 Russell National School Lunch Act.

10 “(3) DEFINITIONS.—For purposes of this sub-
11 section:

12 “(A) DURABLE EQUIPMENT.—The term
13 ‘durable equipment’ means durable food prepa-
14 ration, handling, cooking, serving, and storage
15 equipment.

16 “(B) ELIGIBLE ENTITY.—The term ‘eligi-
17 ble entity’ means—

18 “(i) a local educational agency oper-
19 ating a school lunch program;

20 “(ii) a tribal organization; or

21 “(iii) a consortium that includes a
22 local educational agency described in
23 clause (i), a tribal organization, or both.

24 “(C) INFRASTRUCTURE.—The term ‘infra-
25 structure’ means a food storage facility, kitch-

1 en, food service facility, cafeteria, dining room,
2 or food preparation facility.”.

3 **SEC. 5. TRAINING AND TECHNICAL ASSISTANCE FOR**
4 **SCHOOL FOOD SERVICE PERSONNEL.**

5 (a) IN GENERAL.—The Secretary shall carry out a
6 grant program under which the Secretary shall award
7 grants, on a competitive basis, to provide support to eligi-
8 ble third-party training institutions described in sub-
9 section (b) to develop and administer training and tech-
10 nical assistance for school foodservice personnel to meet
11 updated nutrition standards under section 4(b)(3) of the
12 Richard B. Russell National School Lunch Act (42 U.S.C.
13 1753(b)(3)) for the school food programs.

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

18 (1) a demonstrated capacity to administer effec-
19 tive training and technical assistance programming
20 to school foodservice personnel;

21 (2) prior, successful experience in providing or
22 engaging in training and technical assistance pro-
23 gramming or applied research activities involving eli-
24 gible entities, school food service administrators, or
25 directors;

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

8 (4) the ability to deliver effective and cost-effi-
9 cient training and technical assistance programming
10 to school foodservice personnel at training sites that
11 are located within a proximate geographic distance
12 to schools, central kitchens, or other worksites.

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

17 (d) FEDERAL SHARE.—

18 (1) IN GENERAL.—The Federal share of costs
19 for training and technical assistance funded through
20 a grant awarded under this section shall not exceed
21 90 percent of the total cost of such training and
22 technical assistance.

23 (2) MATCHING.—As a condition of receiving a
24 grant under this section, the eligible third-party

1 training institution shall provide matching support
2 in the form of cash or in-kind contributions.

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

5 (1) oversee the administration and operation of
6 training and technical assistance funded through
7 grants awarded under this section; and

8 (2) ensure that such training and assistance is
9 operated consistent with the goals and requirements
10 of this Act.

11 **SEC. 6. REPORT TO CONGRESS.**

12 Not later than one year after funds are made avail-
13 able to carry out this Act, and annually thereafter, the
14 Secretary shall submit to Congress a report on the Sec-
15 retary's progress in implementing the provisions of this
16 Act.

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums
19 as may be necessary to carry out this Act for fiscal year
20 2014 and each succeeding fiscal year.

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