



(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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.

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IN THE HOUSE OF REPRESENTATIVES

Mr. CASTRO of Texas introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**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”.