

AMENDMENT TO
RULES COMMITTEE PRINT 119-22
OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle D of title XII, add the following:

1 **SEC. 12414. FOOD WASTE REDUCTION GRANTS.**

2 (a) IN GENERAL.—

3 (1) ESTABLISHMENT.—The Administrator shall
4 establish and carry out a program to award competi-
5 tive grants as provided in paragraph (3).

6 (2) PURPOSE.—The purpose of the program es-
7 tablished under paragraph (1) is to help reduce the
8 amount of food waste by 50 percent by 2035, rel-
9 ative to such amount in 2015.

10 (3) GRANTS.—

11 (A) STUDY ON FOOD WASTE GENERATION
12 AND FOOD WASTE MANAGEMENT PLANNING.—

13 Under the program established under para-
14 graph (1), the Administrator may award a
15 grant to an eligible entity, excluding any eligible
16 entity that is a nonprofit organization, to—

17 (i) study—

1 (I) the generation of food waste
2 in the State or area in which the eligi-
3 ble entity is located or otherwise
4 serves; and

5 (II) policies and programs that
6 significantly reduce the amount of
7 food waste, including policies and pro-
8 grams to carry out food waste reduc-
9 tion activities; and

10 (ii) develop a plan under which such
11 eligible entity will carry out at least one
12 food waste reduction activity, prioritizing
13 prevention to the extent practicable.

14 (B) FOOD WASTE DATA AND REPORTS.—
15 Under the program established under para-
16 graph (1), the Administrator may award a
17 grant to an eligible entity, excluding any eligible
18 entity that is a nonprofit organization, to—

19 (i) collect data on the amount of food
20 waste generated in the State or area in
21 which the eligible entity is located or other-
22 wise serves; and

23 (ii) publish, on any publicly available
24 website (which may include the website of
25 a nongovernmental organization), a month-

1 ly or quarterly report on the data collected
2 under clause (i).

3 (C) FOOD WASTE REDUCTION
4 PROJECTS.—Under the program established
5 under paragraph (1), the Administrator may
6 award a grant to an eligible entity to—

7 (i)(I) carry out or otherwise support a
8 food waste reduction activity;

9 (II) implement a differential pricing
10 policy on the disposal of food waste to—

11 (aa) disincentivize disposing of
12 food waste by incineration or deposit
13 in a landfill; and

14 (bb) incentivize carrying out food
15 waste reduction activities;

16 (III) pay for or provide technical as-
17 sistance to carry out a food waste reduc-
18 tion activity;

19 (IV) implement restrictions on dis-
20 posing of food waste by incineration or de-
21 posit in a landfill;

22 (V) implement food waste reduction
23 activity requirements;

24 (VI) implement demand-stimulating
25 policies for recycling end-markets; or

1 (VII) carry out any other activity the
2 Administrator determines will reduce the
3 amount of food waste in the applicable
4 area; and

5 (ii) collect data and publish reports as
6 described in subparagraph (B).

7 (b) APPLICATIONS.—

8 (1) IN GENERAL.—To apply for a grant under
9 this section, an eligible entity shall submit to the
10 Administrator an application at such time and in
11 such form as the Administrator may require, which
12 such application shall demonstrate how the eligible
13 entity will use the grant in accordance with sub-
14 section (a)(3).

15 (2) NONPROFIT ORGANIZATIONS.—In the case
16 of an application from an eligible entity that is a
17 nonprofit organization, the application shall in-
18 clude—

19 (A) a letter of support for the proposed
20 use of the grant from—

21 (i) the relevant local government, ter-
22 ritorial government, Tribal government, or
23 State; or

24 (ii) another nonprofit organization
25 that—

1 (I) has a demonstrated history of
2 undertaking work in the geographic
3 region where the proposed use of the
4 grant is to take place, as determined
5 by the Administrator; and

6 (II) would not be involved in the
7 proposed use of the grant; and

8 (B) any other information the Adminis-
9 trator may require.

10 (3) PRIORITIZATION.—In awarding grants
11 under this section, the Administrator shall—

12 (A) seek to award grants for use in diverse
13 locations and for diverse uses; and

14 (B) prioritize awarding grants to—

15 (i) any eligible entity, excluding any
16 eligible entity that is a nonprofit organiza-
17 tion, that—

18 (I) implements a program to
19 carry out food waste reduction activi-
20 ties; or

21 (II) has a demonstrated need, as
22 determined by the Administrator, for
23 additional investment in infrastruc-
24 ture or other resources to be able to

1 implement a program to carry out
2 food waste reduction activities; or

3 (ii) an eligible entity that will use
4 such grant as provided in subsection
5 (a)(3)(C)(i) in a community of color, low-
6 income community, or Tribal community
7 that has been disproportionately affected
8 by adverse human health or environmental
9 effects.

10 (4) ANAEROBIC DIGESTION PROJECTS.—With
11 respect to any grant awarded under subsection
12 (a)(3)(C) to carry out an anaerobic digestion
13 project, the Administrator shall—

14 (A) require that the applicant submit a
15 plan for end-product recycling that, in accord-
16 ance with guidelines the Administrator shall es-
17 tablish—

18 (i) provides for the use of the material
19 resulting from the project as a soil amend-
20 ment; and

21 (ii) ensures that the use of the mate-
22 rial resulting from the project does not cre-
23 ate an environmental hazard; and

24 (B) require the eligible entity that is car-
25 rying out the project—

1 (i) to limit its use of animal waste to
2 not more than 20 percent of the total feed-
3 stock of the project; and

4 (ii) to only use source separated
5 organics as the portion of the total feed-
6 stock that is not animal waste.

7 (c) REPORTING.—

8 (1) EFFECT OF USE OF GRANT.—Each eligible
9 entity that receives a grant under this section shall
10 submit to the Administrator a report, at such time
11 and in such form as the Administrator may require,
12 on the results of the use of the grant, which such
13 report shall include any relevant data requested by
14 the Administrator for purposes of tracking the effec-
15 tiveness of the program established under subsection
16 (a)(1).

17 (2) ANNUAL REPORT.—The Administrator shall
18 submit to Congress and make publicly available on
19 the website of the Environmental Protection Agency
20 an annual report describing—

21 (A) the effectiveness of the program estab-
22 lished under subsection (a)(1) at reducing the
23 amount of food waste by 50 percent by 2035,
24 relative to such amount in 2015, including in-

1 formation on the progress of such reduction;
2 and

3 (B) how the Administrator is promoting
4 learning among grantees and other stakeholders
5 to better achieve results.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this section
8 \$650,000,000 for each of fiscal years 2026 through 2035,
9 to remain available until expended.

10 (e) DEFINITIONS.—In this Act:

11 (1) ADMINISTRATOR.—The term “Adminis-
12 trator” means the Administrator of the Environ-
13 mental Protection Agency.

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

16 (A) a State, a local government, a terri-
17 torial government, or a Tribal government;

18 (B) a nonprofit organization; or

19 (C) a partnership of two or more of any of
20 the entities described in subparagraphs (A) and
21 (B).

22 (3) FOOD WASTE.—The term “food waste”
23 means any uneaten food and inedible parts of food.

24 (4) FOOD WASTE REDUCTION ACTIVITY.—The
25 term “food waste reduction activity” means any

1 method or activity that reduces the amount of food
2 waste disposed of in landfills or incinerated, includ-
3 ing through prevention, rescue, upcycling, and recy-
4 cling.

5 (5) NONPROFIT ORGANIZATION.—The term
6 “nonprofit organization” means an organization that
7 is described in section 501(c)(3) of the Internal Rev-
8 enue Code of 1986 (26 U.S.C. 501(c)(3)) and is ex-
9 empt from taxation under section 501(a) of such
10 Code.

11 (6) PREVENT.—The term “prevent” means to
12 forestall the generation of food waste.

13 (7) RECYCLE.—The term “recycle” means to
14 reuse food waste as a feedstock for a non-food prod-
15 uct.

16 (8) RESCUE.—The term “rescue” means to re-
17 direct surplus food for consumption.

18 (9) SOURCE SEPARATED ORGANICS.—

19 (A) IN GENERAL.—The term “source sepa-
20 rated organics” means organic waste that is
21 separated from other waste by the waste gener-
22 ator.

23 (B) INCLUSION.—The term “source sepa-
24 rated organics” includes materials that are cer-

1 tified to meet ASTM standard D6400 or
2 D6868.

3 (C) EXCLUSION.—The term “source sepa-
4 rated organics” excludes mixed solid waste.

5 (10) UPCYCLE.—The term “upcycle” means to
6 make new food from ingredients that otherwise
7 would become food waste.

