

GAO Highlights

Highlights of [GAO-23-105884](#), a report to congressional requesters

Why GAO Did This Study

FNS administers the school meal programs that provide nutritious, low-cost meals to about 30 million children each day, according to USDA fiscal year 2019 data. School food authorities participating in the National School Lunch Program or the School Breakfast Program must comply with the Buy American provision, which requires them to buy domestic foods and food products to the maximum extent practicable.

GAO was asked to review implementation of the Buy American provision in school meal programs. This report examines how school food authorities used exceptions from the Buy American provision and the extent to which USDA supported states and school food authorities in implementing the Buy American provision.

GAO reviewed FNS documents; FNS's school year 2017-18 nationally representative survey of school food authorities; and relevant federal laws and regulations. GAO also interviewed officials from FNS and a non-generalizable sample of four states and eight school food authorities. GAO selected states for diversity of program size and geography and randomly selected school food authorities. GAO also reviewed five state exception forms identified through interviews with states and FNS staff.

What GAO Recommends

GAO recommends that FNS develop a standard form that school food authorities can use to document Buy American exceptions. FNS concurred with the recommendation.

View [GAO-23-105884](#). For more information, contact Kathryn A. Larin at (202) 512-7215 or larink@gao.gov.

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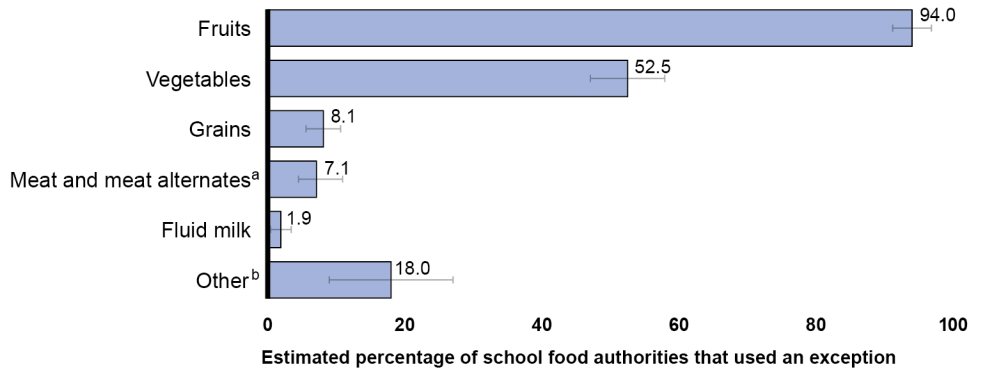
SCHOOL MEAL PROGRAMS

USDA Could Enhance Implementation of the Buy American Provision

What GAO Found

School food authorities primarily used exceptions from the Buy American provision to purchase fruits they could not obtain domestically in sufficient quantities. An estimated 94 percent of school food authorities that used exceptions from the Buy American provision did so to purchase fruit, according to the U.S. Department of Agriculture (USDA) Food and Nutrition Service's (FNS) survey from school year 2017-18—the most recent nationally representative data available. FNS's survey found that school food authorities used exceptions less frequently to purchase other foods, like grains or meats. Officials from seven of the eight school food authorities GAO interviewed said they used Buy American exceptions each school year primarily to buy fruits, such as bananas, pineapples, and mandarin oranges.

Non-domestic Foods Purchased Using a Buy American Provision Exception by School Food Authorities That Used Exceptions in School Year 2017-18



Source: U.S. Department of Agriculture, Food and Nutrition Service data. | GAO-23-105884

Notes: The thin lines display the 95 percent confidence interval for each estimate. Percentages do not add to 100 percent because school food authorities may use multiple exceptions from the Buy American provision in a given school year.

^aMeat and meat alternates included a variety of foods including beef, poultry, seafood, and nuts.

^bOther products included yeast, oils, and spices.

FNS has provided some tools and assistance to states and school food authorities to implement the Buy American provision, but has not done so with regard to documenting exceptions. For example, FNS provides standard Buy American provision language for solicitations and contracts that school food authorities can use at their discretion. GAO found that some states are providing forms for school authorities to use to document their reasons for using exceptions to the Buy American provision. However, states do not consistently do this, and the forms they provide contain varying levels of guidance and collect different information. Officials from half of the school food authorities that GAO interviewed said having standardized exception forms would be helpful. Without providing a standard Buy American exception form that school food authorities could use, FNS may be missing an opportunity to help school food authorities fully understand their responsibilities to implement the provision.