

116TH CONGRESS  
1ST SESSION

# H. R. 3562

To amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2019

Ms. FUDGE (for herself and Mr. FORTENBERRY) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school 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 “Farm to School Act  
5 of 2019”.

6 **SEC. 2. ACCESS TO LOCAL FOODS: FARM TO SCHOOL PRO-**  
7 **GRAM.**

8 Section 18(g) of the Richard B. Russell National  
9 School Lunch Act (42 U.S.C. 1769(g)) is amended—

10 (1) in paragraph (1)—

1 (A) by striking the paragraph designation  
2 and heading and all that follows through  
3 “means” and inserting the following:

4 “(1) DEFINITIONS.—In this subsection:

5 “(A) AGRICULTURAL PRODUCER.—The  
6 term ‘agricultural producer’ means a farmer,  
7 rancher, or fisher (including of farm-raised  
8 fish).

9 “(B) ELIGIBLE INSTITUTION.—The term  
10 ‘eligible institution’ means”; and

11 (B) by adding at the end the following:

12 “(C) FARM TO SCHOOL PROGRAM.—The  
13 term ‘farm to school program’ means a pro-  
14 gram that—

15 “(i) benefits an eligible institution, as  
16 determined by the Secretary; and

17 “(ii) carries out—

18 “(I) planting and maintenance of  
19 farms or gardens;

20 “(II) procurement from local ag-  
21 ricultural producers; or

22 “(III) educational activities relat-  
23 ing to agriculture, nutrition, or food.”;

24 (2) in paragraph (2)—

1 (A) by striking “schools” each place it ap-  
2 pears and inserting “institutions”;

3 (B) by inserting “land-grant colleges and  
4 universities,” before “and nonprofit”; and

5 (C) by striking “grants and technical as-  
6 sistance” and inserting “grants, technical as-  
7 sistance, research, and evaluation”;

8 (3) in paragraph (3)—

9 (A) in subparagraph (A)—

10 (i) in clause (i), by inserting “and  
11 technical assistance” after “training”;

12 (ii) by redesignating clauses (vi) and  
13 (vii) as clauses (vii) and (viii), respectively;  
14 and

15 (iii) by inserting after clause (v) the  
16 following:

17 “(vi) implementing educational activi-  
18 ties relating to agriculture, nutrition, or  
19 food;”; and

20 (B) by striking subparagraph (C) and in-  
21 serting the following:

22 “(C) IMPROVED PROCUREMENT AND DIS-  
23 TRIBUTION.—

24 “(i) IN GENERAL.—In awarding  
25 grants under this subsection, the Secretary

1 shall seek to improve local food procure-  
2 ment and distribution options for agricul-  
3 tural producers and eligible institutions.

4 “(ii) AGGREGATION, PROCESSING,  
5 TRANSPORTATION, AND DISTRIBUTION.—

6 In advancing local food procurement op-  
7 tions and other farm to school program ob-  
8 jectives, the Secretary may provide funding  
9 for projects that include innovative ap-  
10 proaches to aggregation, processing, trans-  
11 portation, and distribution.

12 “(D) AWARDS.—

13 “(i) MAXIMUM AMOUNT.—The total  
14 amount provided to a grant recipient under  
15 this subsection shall not exceed \$250,000.

16 “(ii) TERM.—The term of an award  
17 shall not exceed 3 years.

18 “(iii) PURPOSE AND SCOPE.—In mak-  
19 ing awards under this subsection, the Sec-  
20 retary shall seek to make awards of diverse  
21 amounts and duration in order to best  
22 match the award to the purpose and scope  
23 of the project to be funded.

24 “(E) LIMITATION.—The Secretary may  
25 not award a grant under this subsection if the

1 grant funds would be used solely for the pur-  
2 pose of carrying out a conference.”;

3 (4) in paragraph (4)—

4 (A) in subparagraph (B), by inserting “,  
5 Tribal,” after “State”; and

6 (B) by adding at the end the following:

7 “(C) TRIBAL AGENCIES.—The Secretary  
8 may allow a Tribal agency to use funds pro-  
9 vided to the Indian Tribe of the Tribal agency  
10 through a Federal agency (including the Indian  
11 Health Service) or any other Federal benefit to  
12 satisfy all or part of the non-Federal share de-  
13 scribed in subparagraph (A) if that use is con-  
14 sistent with the purpose of the funds or other  
15 Federal benefit provided.”;

16 (5) in paragraph (5)—

17 (A) by redesignating subparagraphs (A)  
18 through (F) and (G) as clauses (i) through (vi)  
19 and (ix), respectively, and indenting the clauses  
20 appropriately;

21 (B) in the matter preceding clause (i) (as  
22 so redesignated), by striking “To the maximum  
23 extent practicable” and inserting the following:

24 “(A) IN GENERAL.—To the maximum ex-  
25 tent practicable”;

1 (C) in clause (i) (as so redesignated), by  
2 striking “school” and inserting “institution”;

3 (D) in clause (ii) (as so redesignated), by  
4 striking “lunches” and inserting “meals”;

5 (E) by striking clause (iii) (as so redesignated) and inserting the following:

6 “(iii)(I) incorporate experiential and  
7 traditional and culturally appropriate food,  
8 nutrition, or agricultural education activities  
9 in curriculum planning; and  
10

11 “(II) serve a high proportion of children  
12 from socially disadvantaged backgrounds;”  
13

14 (F) in clause (iv) (as so redesignated), by  
15 striking “eligible schools” and all that follows  
16 through “partners” and inserting “eligible institutions,  
17 State and local agencies, Tribal organizations and agencies,  
18 agricultural producers or groups of agricultural producers,  
19 land-grant colleges and universities, and nonprofit entities”;  
20

21 (G) in clause (vi) (as so redesignated), by  
22 striking “and” at the end;

23 (H) by inserting after clause (vi) (as so redesignated) the following:  
24

1           “(vii) expand the selection of local  
2           commodities for eligible institutions;

3           “(viii) identify and address chronic  
4           diet-related health issues of the children  
5           served by eligible institutions; and”;

6           (I) by adding at the end the following:

7           “(B) TRIBAL COMMUNITY PROJECTS.—In  
8           the case of projects serving Tribal communities,  
9           the Secretary shall, to the maximum extent  
10          practicable, give highest priority to projects  
11          that best utilize products, including traditional  
12          foods, from Tribal agricultural producers, as  
13          determined by the Secretary.”;

14          (6) in paragraph (7)—

15                 (A) by redesignating subparagraphs (A)  
16                 through (C) as clauses (i) through (iii), respec-  
17                 tively, and indenting appropriately;

18                 (B) by striking the paragraph designation  
19                 and heading and all that follows through “non-  
20                 profit entities—” and inserting the following:

21                 “(7) TECHNICAL ASSISTANCE AND RE-  
22          SEARCH.—

23                         “(A) IN GENERAL.—The Secretary shall  
24                         provide technical assistance, research, and in-  
25                         formation to assist eligible institutions, State

1 and local agencies, Indian Tribal organizations,  
2 agricultural producers or agricultural producer  
3 groups, and nonprofit entities—”;

4 (C) in subparagraph (A) (as so des-  
5 ignated)—

6 (i) in clause (ii) (as so redesignated),  
7 by striking “and” at the end;

8 (ii) in clause (iii) (as so redesignated),  
9 by striking the period at the end and in-  
10 sserting “; and”; and

11 (iii) by adding at the end the fol-  
12 lowing:

13 “(iv) to increase awareness of, and  
14 participation in, farm to school programs  
15 among agricultural and aquaculture pro-  
16 ducers or agricultural producer groups, in-  
17 cluding—

18 “(I) beginning farmers and  
19 ranchers (as defined in section  
20 2501(a) of the Food, Agriculture,  
21 Conservation, and Trade Act of 1990  
22 (7 U.S.C. 2279(a)));

23 “(II) veteran farmers and ranch-  
24 ers (as defined in section 2501(a) of  
25 the Food, Agriculture, Conservation,



1 and Trade Act of 1990 (7 U.S.C.  
2 2279(a)); and

3 “(III) socially disadvantaged  
4 farmers and ranchers (as defined in  
5 section 355(e) of the Consolidated  
6 Farm and Rural Development Act (7  
7 U.S.C. 2003(e)).”; and

8 (D) by adding at the end the following:

9 “(B) REVIEW.—

10 “(i) IN GENERAL.—Not later than 1  
11 year after the date of enactment of the  
12 Farm to School Act of 2019 and every 3  
13 years thereafter, the Secretary shall review  
14 and submit to the Committees on Agri-  
15 culture and Education and Labor of the  
16 House of Representatives and the Com-  
17 mittee on Agriculture, Nutrition, and For-  
18 estry of the Senate a report that describes  
19 the progress that has been made in identi-  
20 fying and eliminating regulatory and other  
21 barriers related to developing farm to  
22 school programs.

23 “(ii) REQUIREMENTS.—In preparing  
24 the report, the Secretary shall examine—

1 “(I) the direct and indirect regu-  
2 latory compliance costs affecting the  
3 production and marketing of locally or  
4 regionally produced agricultural food  
5 products to school and early childhood  
6 food programs;

7 “(II) barriers to local and re-  
8 gional market access for small-scale  
9 production;

10 “(III) barriers to funding  
11 projects that meet the criteria de-  
12 scribed in paragraph (5)(A);

13 “(IV) barriers to local and re-  
14 gional market access for Tribal farm-  
15 ers and ranchers; and

16 “(V) barriers to funding Tribal  
17 projects under farm to school pro-  
18 grams.”;

19 (7) in paragraph (8)—

20 (A) in subparagraph (A), by striking  
21 “\$5,000,000” and inserting “\$15,000,000”;  
22 and

23 (B) by adding at the end the following:

24 “(C) ADMINISTRATION.—Of the funds pro-  
25 vided to the Secretary under subparagraph (A),

1 not more than 5 percent may be used to pay  
2 administrative costs incurred by the Secretary  
3 in carrying out this subsection.”; and

4 (8) in paragraph (9), by striking “2011  
5 through 2015” and inserting “2020 through 2025”.

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