

.....  
(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

# H. R.

---

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

---

## IN THE HOUSE OF REPRESENTATIVES

Ms. FUDGE introduced the following bill; which was referred to the Committee on \_\_\_\_\_

---

# 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”.

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

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

5 (1) in paragraph (1)—

6 (A) by striking the paragraph designation  
7 and heading and all that follows through  
8 “means” and inserting the following:

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

10 “(A) AGRICULTURAL PRODUCER.—The  
11 term ‘agricultural producer’ means a farmer,  
12 rancher, or fisher (including of farm-raised  
13 fish).

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

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

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

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

22 “(ii) carries out—

23 “(I) planting and maintenance of  
24 farms or gardens;

25 “(II) procurement from local ag-  
26 ricultural producers; or

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

3 (2) in paragraph (2)—

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

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

8 (C) by striking “grants and technical as-  
9 sistance” and inserting “grants, technical as-  
10 sistance, research, and evaluation”;

11 (3) in paragraph (3)—

12 (A) in subparagraph (A)—

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

15 (ii) by redesignating clauses (vi) and  
16 (vii) as clauses (vii) and (viii), respectively;  
17 and

18 (iii) by inserting after clause (v) the  
19 following:

20 “(vi) implementing educational activi-  
21 ties relating to agriculture, nutrition, or  
22 food;”; and

23 (B) by striking subparagraph (C) and in-  
24 serting the following:

1           “(C) IMPROVED PROCUREMENT AND DIS-  
2           TRIBUTION.—

3           “(i) IN GENERAL.—In awarding  
4           grants under this subsection, the Secretary  
5           shall seek to improve local food procure-  
6           ment and distribution options for agricul-  
7           tural producers and eligible institutions.

8           “(ii) AGGREGATION, PROCESSING,  
9           TRANSPORTATION, AND DISTRIBUTION.—  
10          In advancing local food procurement op-  
11          tions and other farm to school program ob-  
12          jectives, the Secretary may provide funding  
13          for projects that include innovative ap-  
14          proaches to aggregation, processing, trans-  
15          portation, and distribution.

16          “(D) AWARDS.—

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

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

22          “(iii) PURPOSE AND SCOPE.—In mak-  
23          ing awards under this subsection, the Sec-  
24          retary shall seek to make awards of diverse  
25          amounts and duration in order to best

1 match the award to the purpose and scope  
2 of the project to be funded.

3 “(E) LIMITATION.—The Secretary may  
4 not award a grant under this subsection if the  
5 grant funds would be used solely for the pur-  
6 pose of carrying out a conference.”;

7 (4) in paragraph (4)—

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

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

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

20 (5) in paragraph (5)—

21 (A) by redesignating subparagraphs (A)  
22 through (F) and (G) as clauses (i) through (vi)  
23 and (ix), respectively, and indenting the clauses  
24 appropriately;

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

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

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

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

10 (E) by striking clause (iii) (as so redesi-  
11 gnated) and inserting the following:

12 “(iii)(I) incorporate experiential and  
13 traditional and culturally appropriate food,  
14 nutrition, or agricultural education activi-  
15 ties in curriculum planning; and

16 “(II) serve a high proportion of chil-  
17 dren from socially disadvantaged back-  
18 grounds;”;

19 (F) in clause (iv) (as so redesignated), by  
20 striking “eligible schools” and all that follows  
21 through “partners” and inserting “eligible insti-  
22 tutions, State and local agencies, Tribal organi-  
23 zations and agencies, agricultural producers or  
24 groups of agricultural producers, land-grant col-  
25 leges and universities, and nonprofit entities”;

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

3 (H) by inserting after clause (vi) (as so re-  
4 designated) the following:

5 “(vii) expand the selection of local  
6 commodities for eligible institutions;

7 “(viii) identify and address chronic  
8 diet-related health issues of the children  
9 served by eligible institutions; and”;

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

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

18 (6) in paragraph (7)—

19 (A) by redesignating subparagraphs (A)  
20 through (C) as clauses (i) through (iii), respec-  
21 tively, and indenting appropriately;

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

1           “(7) TECHNICAL ASSISTANCE AND RE-  
2 SEARCH.—

3           “(A) IN GENERAL.—The Secretary shall  
4 provide technical assistance, research, and in-  
5 formation to assist eligible institutions, State  
6 and local agencies, Indian Tribal organizations,  
7 agricultural producers or agricultural producer  
8 groups, and nonprofit entities—”;

9           (C) in subparagraph (A) (as so des-  
10 ignated)—

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

13           (ii) in clause (iii) (as so redesignated),  
14 by striking the period at the end and in-  
15 sserting “; and”; and

16           (iii) by adding at the end the fol-  
17 lowing:

18           “(iv) to increase awareness of, and  
19 participation in, farm to school programs  
20 among agricultural and aquaculture pro-  
21 ducers or agricultural producer groups, in-  
22 cluding—

23           “(I) beginning farmers and  
24 ranchers (as defined in section  
25 2501(a) of the Food, Agriculture,



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

3 “(II) veteran farmers and ranch-  
4 ers (as defined in section 2501(a) of  
5 the Food, Agriculture, Conservation,  
6 and Trade Act of 1990 (7 U.S.C.  
7 2279(a)); and

8 “(III) socially disadvantaged  
9 farmers and ranchers (as defined in  
10 section 355(e) of the Consolidated  
11 Farm and Rural Development Act (7  
12 U.S.C. 2003(e)).”; and

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

14 “(B) REVIEW.—

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

1 barriers related to developing farm to  
2 school programs.

3 “(ii) REQUIREMENTS.—In preparing  
4 the report, the Secretary shall examine—

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

11 “(II) barriers to local and re-  
12 gional market access for small-scale  
13 production;

14 “(III) barriers to funding  
15 projects that meet the criteria de-  
16 scribed in paragraph (5)(A);

17 “(IV) barriers to local and re-  
18 gional market access for Tribal farm-  
19 ers and ranchers; and

20 “(V) barriers to funding Tribal  
21 projects under farm to school pro-  
22 grams.”;

23 (7) in paragraph (8)—

1 (A) in subparagraph (A), by striking  
2 “\$5,000,000” and inserting “\$15,000,000”;  
3 and

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

5 “(C) ADMINISTRATION.—Of the funds pro-  
6 vided to the Secretary under subparagraph (A),  
7 not more than 5 percent may be used to pay  
8 administrative costs incurred by the Secretary  
9 in carrying out this subsection.”; and

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