

118TH CONGRESS
1ST SESSION

S. 2320

To amend the Richard B. Russell National School Lunch Act to establish a program for the procurement of domestically grown unprocessed fruits and vegetables to provide healthier school meals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2023

Mr. WYDEN (for himself, Mr. BROWN, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Richard B. Russell National School Lunch Act to establish a program for the procurement of domestically grown unprocessed fruits and vegetables to provide healthier school meals, 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 “Local School Foods
5 Expansion Act of 2023”.

1 **SEC. 2. PROGRAM FOR PROCUREMENT OF DOMESTICALLY**
2 **GROWN UNPROCESSED FRUITS AND VEGETA-**
3 **BLES.**

4 Section 6(f) of the Richard B. Russell National
5 School Lunch Act (42 U.S.C. 1755(f)) is amended—

6 (1) in the subsection heading, by striking
7 “PILOT PROJECT FOR PROCUREMENT OF” and in-
8 serting “PROGRAM FOR PROCUREMENT OF DOMES-
9 TICALLY GROWN”;

10 (2) in paragraph (1)—

11 (A) by striking “conduct a pilot project”
12 and inserting “carry out a program (referred to
13 in this subsection as the ‘program’)”;

14 (B) by inserting “domestically grown” be-
15 fore “unprocessed”; and

16 (C) by striking “8” and inserting “14”;

17 (3) by striking “pilot project” each place it ap-
18 pears and inserting “program”;

19 (4) in paragraph (2), in the matter preceding
20 subparagraph (A), by inserting “domestically
21 grown” before “unprocessed”;

22 (5) in paragraph (4)—

23 (A) by redesignating subparagraphs (B)
24 and (C) as subparagraphs (E) and (F), respec-
25 tively; and

1 (B) by inserting after subparagraph (A)
2 the following:

3 “(B) the demonstrated commitment of the
4 State to support small, local, and socially dis-
5 advantaged farmers;

6 “(C) the demonstrated commitment of the
7 State to support Tribal agricultural producers
8 and communities utilizing traditional foods;

9 “(D) whether the State will serve a high
10 proportion of children from socially disadvan-
11 taged backgrounds in carrying out the pro-
12 gram;”;

13 (6) in paragraph (5)—

14 (A) in the paragraph heading, by striking
15 “RECORDKEEPING AND REPORTING” and in-
16 serting “RECORDKEEPING, REPORTING, AND
17 EVALUATION”;

18 (B) in subparagraph (B)—

19 (i) in clause (i), by striking “and” at
20 the end;

21 (ii) in clause (ii), by striking the pe-
22 riod at the end and inserting “; and”; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(iii) the challenges and opportunities
2 presented by the program in the State.”;
3 and

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

5 “(C) PROGRAM EVALUATION.—

6 “(i) IN GENERAL.—Not later than 2
7 years after the date of enactment of this
8 subparagraph, the Secretary shall evaluate
9 the impact of the program, including with
10 respect to—

11 “(I) the quantity and cost of
12 each type of unprocessed fruit and
13 vegetable procured by each State
14 under the program;

15 “(II) the benefit of the procured
16 unprocessed fruits and vegetables to
17 school food service in each State, in-
18 cluding the benefit to meeting school
19 meal requirements;

20 “(III) the economic impact of the
21 program on agricultural producers in
22 the State;

23 “(IV) the economic, geographic,
24 social, and administrative barriers to
25 participation, including the reimburse-

1 ment process, experienced by agricul-
2 tural producers and school food au-
3 thorities; and

4 “(V) eligibility requirements for
5 agricultural producers, including any
6 barriers to becoming approved ven-
7 dors.

8 “(ii) REPORT.—Not later than 4
9 years after the date of enactment of this
10 subparagraph, the Secretary shall submit
11 to the Committee on Agriculture of the
12 House of Representatives and the Com-
13 mittee on Agriculture, Nutrition, and For-
14 estry of the Senate a report that describes
15 the results of the evaluation conducted
16 under clause (i) and an analysis of that
17 evaluation.”; and

18 (7) by adding at the end the following:

19 “(6) FUNDING.—

20 “(A) MANDATORY FUNDING.—There is ap-
21 propriated to carry out this subsection
22 \$15,000,000 for each of fiscal years 2024
23 through 2028.

24 “(B) RESERVATION FOR ADMINISTRATIVE
25 COSTS; TECHNICAL ASSISTANCE.—

1 “(i) IN GENERAL.—Of the funds ap-
2 propriated under subparagraph (A) for
3 each fiscal year, \$10,000,000 shall be re-
4 served for States selected under the pro-
5 gram under paragraph (1) to carry out the
6 activities described in clause (ii)(I).

7 “(ii) ADMINISTRATIVE COSTS; TECH-
8 NICAL ASSISTANCE.—

9 “(I) IN GENERAL.—The funds
10 reserved under clause (i) shall be
11 used—

12 “(aa) for the administrative
13 costs of carrying out the pro-
14 gram, including costs of satis-
15 fying record keeping and report-
16 ing requirements;

17 “(bb) to coordinate among
18 or share with agencies and de-
19 partments involved in carrying
20 out the program in the State;
21 and

22 “(cc) to provide technical as-
23 sistance and outreach to—

1 “(AA) vendors to be-
2 come certified to participate
3 in the program; and

4 “(BB) school food au-
5 thorities, regional food hubs,
6 State and local agencies, In-
7 dian Tribal organizations,
8 agricultural producers, so-
9 cially disadvantaged farm-
10 ers, and other entities to
11 participate in the program.

12 “(II) MINIMUM ALLOTMENT.—Of
13 the funds reserved under clause (i),
14 each State selected under paragraph
15 (3)(A) shall receive not less than
16 \$300,000 for each fiscal year during
17 which the State participates in the
18 program.

19 “(C) RESERVATION FOR TECHNICAL AS-
20 SISTANCE TO NONPARTICIPATING STATES.—Of
21 the funds appropriated under subparagraph (A)
22 for each fiscal year, \$1,000,000 shall be re-
23 served—

1 “(i) only if there are fewer than 14
2 States participating in the program that
3 fiscal year; and

4 “(ii) to provide technical assistance
5 with eligibility requirements for States
6 seeking to participate in the program.”.

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