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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To amend the Agricultural Marketing Act of 1946 to direct the Secretary of Agriculture to establish the Local Foods for Healthy Schools Program.

IN THE HOUSE OF REPRESENTATIVES

Ms. McDONALD RIVET introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Agricultural Marketing Act of 1946 to direct the Secretary of Agriculture to establish the Local Foods for Healthy Schools Program.

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 Foods for
5 Healthy Schools Act of 2026”.

1 **SEC. 2. LOCAL FOODS FOR HEALTHY SCHOOLS PROGRAM.**

2 Subtitle A of the Agricultural Marketing Act of 1946
3 (7 U.S.C. 1621 et seq.) is amended by adding at the end
4 the following:

5 **“SEC. 210B. LOCAL FOODS FOR HEALTHY SCHOOLS PRO-**
6 **GRAM.**

7 “(a) ESTABLISHMENT.—The Secretary shall estab-
8 lish a program, to be known as the ‘Local Foods for
9 Healthy Schools Program’, (in this section referred to as
10 the ‘Program’) under which the Secretary shall enter into
11 noncompetitive cooperative agreements with eligible units
12 of government for the purpose of—

13 “(1) purchasing local foods from covered pro-
14 ducers; and

15 “(2) facilitating the distribution of such foods
16 to schools operating in the geographic boundaries of
17 each such eligible unit of government.

18 “(b) USE OF FUNDS.—Under a cooperative agree-
19 ment entered into under this section, an eligible unit of
20 government shall—

21 “(1) with respect to the use of any funds re-
22 ceived under the Program—

23 “(A) purchase only local foods from a cov-
24 ered producer and distribute such food to any
25 school food authority that is interested in re-
26 ceiving such food; or

1 “(B) disburse such funds to any such
2 school food authority to purchase only local
3 foods from a covered producer; and

4 “(2) reserve not more than 5 percent of any
5 funds received under the Program to—

6 “(A) provide training and technical assist-
7 ance to persons involved in carrying out the ac-
8 tivities described under this section;

9 “(B) with respect to purchasing local foods
10 from a covered producer, pay the cost such pro-
11 ducer incurs in obtaining any required food
12 safety certification;

13 “(C) conduct oversight and reporting in
14 the State of such eligible unit of government;
15 and

16 “(D) administer the activities described
17 under this section.

18 “(c) APPLICATION.—An eligible unit of government
19 seeking to enter into a cooperative agreement under the
20 Program shall submit to the Secretary an application at
21 such time, in such manner, and containing such informa-
22 tion as the Secretary may require, including—

23 “(1) a plan that—

24 “(A) identifies the lead agency responsible
25 for carrying out such plan;

1 “(B) identifies any community partner, in-
2 cluding an aggregator, that will contribute to
3 implementation of such plan;

4 “(C) describes the proposed use of any
5 funds received under the Program; and

6 “(D) demonstrates that, to the extent pos-
7 sible based on availability and local conditions,
8 a wide variety of local foods will be purchased
9 and distributed using funds received under the
10 Program; and

11 “(2) an assurance that—

12 “(A) the funds received under this section
13 will supplement, and not supplant, funds pro-
14 vided by the State in support of providing local
15 foods to school food authorities or for school
16 meals; and

17 “(B) the eligible unit of government has
18 sufficient mechanisms in place to ensure the ef-
19 ficient and reliable transfer of funds received
20 under the Program, or distribution of food, to
21 school food authorities, schools, covered pro-
22 ducers, and community partners in accordance
23 with the plan required under paragraph (1).

24 “(d) COORDINATION.—In carrying out any require-
25 ments of the Program, an eligible unit of government shall

1 coordinate with any other applicable eligible unit of gov-
2 ernment in the State in which such unit of government
3 operates.

4 “(e) NONCOMPETITIVE ALLOCATION.—

5 “(1) ALLOCATION FORMULA.—Of the amounts
6 available to carry out the Program for each fiscal
7 year, the Secretary shall develop an allocation for-
8 mula that provides—

9 “(A) a State-based allocation that is equal
10 for each State;

11 “(B) that any funds remaining after the
12 allocation under subparagraph (A) are distrib-
13 uted such that the amount a State receives
14 under this subparagraph bears the same pro-
15 portion to such remaining funds as the number
16 of students receiving meals under the programs
17 described in subparagraphs (A) and (B) of sub-
18 section (h)(4) in that State bears to the number
19 of such students in all States; and

20 “(C) in the case of funds allocated to an
21 eligible unit of government that are not obli-
22 gated by the end of the applicable performance
23 period, for the rescission and reallocation, in
24 the manner described in subparagraph (B), of

1 such funds for purposes of carrying out the
2 Program.

3 “(2) LIMITATION.—In developing the allocation
4 formula under paragraph (1), the Secretary shall
5 allot not more than 30 percent of the total funds
6 available to carry out this section under subsection
7 (g) to the State-based allocation under paragraph
8 (1)(A).

9 “(3) REALLOCATION.—From any funds that an
10 eligible unit of government has not obligated by the
11 end of the performance period for the cooperative
12 agreement of such eligible unit of government, the
13 Secretary may reallocate, in the manner described in
14 paragraph (1)(B), such funds to 1 or more States
15 in which an eligible unit of government has entered
16 into a cooperative agreement with the Secretary, if
17 such eligible unit of government in such a State has
18 the capacity to expend additional funds.

19 “(f) REPORTS.—

20 “(1) IN GENERAL.—Not later than 90 days
21 after the date on which the Secretary requires any
22 funds received under the Program to be expended,
23 each eligible unit of government that enters into a
24 cooperative agreement under the Program shall sub-
25 mit to the Secretary a report containing data relat-

1 ing to the purchase and distribution of local foods
2 described under subsection (b)(1), including the
3 amount of any funds expended, the name of the cov-
4 ered producer receiving any such funds, and the
5 local foods purchased from such producer.

6 “(2) DETERMINATION BY SECRETARY.—In es-
7 tablishing any additional requirement related to the
8 submission of a report under paragraph (1), the Sec-
9 retary shall minimize any administrative burden on
10 eligible units of government, school food authorities,
11 schools, and community partners involved in car-
12 rying out the activities described under this section.

13 “(3) PUBLICATION.—An eligible unit of govern-
14 ment that submits a report under paragraph (1)
15 shall make such report available to the public on the
16 website of the State educational agency (as defined
17 in section 8101 of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 7801)) of the ap-
19 plicable State at the time of such submission.

20 “(g) FUNDING.—

21 “(1) MANDATORY FUNDING.—For fiscal year
22 2026, and each fiscal year thereafter, the Secretary
23 shall use \$200,000,000 of the funds of the Com-
24 modity Credit Corporation to carry out this section.

1 “(2) AUTHORIZATION OF APPROPRIATIONS.—In
2 addition to other funds and authorities available to
3 the Secretary, there is authorized to be appropriated
4 to carry out this section \$200,000,000 for fiscal year
5 2026, and each fiscal year thereafter, to remain
6 available until expended.

7 “(3) ADMINISTRATION.—Notwithstanding any
8 other provision of law, the Secretary may reserve not
9 more than 0.50 percent of the total amount of funds
10 made available under this subsection each fiscal year
11 to support Federal administrative activities to carry
12 out this section.

13 “(h) DEFINITIONS.—In this section:

14 “(1) COVERED PRODUCER.—The term ‘covered
15 producer’ means a farmer, producer, rancher, proc-
16 essor, distributor, or other such business involved in
17 food production or distribution that—

18 “(A) is in the geographic boundaries of a
19 State in which an eligible unit of government
20 has entered into a cooperative agreement with
21 the Secretary under this section;

22 “(B) is in a 400-mile radius of the location
23 of the school food authority receiving a distribu-
24 tion under the Program; or

1 “(C) meets such other requirement pro-
2 posed by such eligible unit of government and
3 approved by the Secretary.

4 “(2) ELIGIBLE UNIT OF GOVERNMENT.—The
5 term ‘eligible unit of government’ means an agency,
6 commission, or department of a State responsible for
7 agriculture, child nutrition, procurement, food dis-
8 tribution, or such other similar activities, as deter-
9 mined appropriate by the Secretary, in such State.

10 “(3) LOCAL FOODS.—The term ‘local foods’
11 means agricultural products that—

12 “(A) are minimally processed, including
13 products that are whole, cut, pureed, fresh, fro-
14 zen, canned, or dried; and

15 “(B) are produced and distributed—

16 “(i) in the same State;

17 “(ii) in a 400-mile radius of the
18 school food authority receiving or pur-
19 chasing such products under the Program;
20 or

21 “(iii) in a manner that meets any
22 such other requirement proposed by such
23 eligible unit of government and approved
24 by the Secretary.

1 “(4) SCHOOL.—The term ‘school’ means a
2 school (as defined in section 12(d) of the Richard B.
3 Russell National School Lunch Act (42 U.S.C.
4 1760(d))) that participates in—

5 “(A) the school lunch program established
6 under the Richard B. Russell National School
7 Lunch Act (42 U.S.C. 1751 et seq.); or

8 “(B) the school breakfast program estab-
9 lished under section 4 of the Child Nutrition
10 Act of 1966 (42 U.S.C. 1773).

11 “(5) SCHOOL FOOD AUTHORITY.—The term
12 ‘school food authority’ means the governing body
13 that—

14 “(A) is responsible for the administration
15 of a program described in subparagraph (A) or
16 (B) of paragraph (4) in one or more schools;
17 and

18 “(B) has legal authority to receive from an
19 eligible unit of government a distribution of
20 local foods or disbursement of funds under the
21 Program.

22 “(6) SECRETARY.—The term ‘Secretary’ means
23 the Secretary of Agriculture.

24 “(7) STATE.—The term ‘State’ means any of
25 the fifty States, the District of Columbia, the Com-

1 monwealth of Puerto Rico, the Virgin Islands,
2 Guam, American Samoa, or the Commonwealth of
3 the Northern Mariana Islands.”.