

117TH CONGRESS  
1ST SESSION

# H. R. 4108

To amend the Richard B. Russell National School Lunch Act to establish a pilot grant program to make grants to school food authorities to provide 100 percent plant-based food and milk options, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2021

Ms. VELÁZQUEZ (for herself, Mr. BOWMAN, Ms. NORTON, Mr. TAKANO, Ms. CLARKE of New York, Mr. BLUMENAUER, Ms. BARRAGÁN, and Ms. PRESSLEY) 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 establish a pilot grant program to make grants to school food authorities to provide 100 percent plant-based food and milk options, 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 “Healthy Future Stu-  
5 dents and Earth Pilot Program Act of 2021”.

1 **SEC. 2. PILOT GRANT PROGRAM FOR 100 PERCENT PLANT-**  
2 **BASED FOOD AND MILK OPTIONS.**

3 Section 18 of the Richard B. Russell National School  
4 Lunch Act (42 U.S.C. 1769) is amended by inserting be-  
5 fore subsection (b) the following:

6 “(a) PILOT GRANT PROGRAM FOR 100 PERCENT  
7 PLANT-BASED FOOD AND MILK OPTIONS.—

8 “(1) PROGRAM AUTHORIZED.—Not later than  
9 90 days after the date of the enactment of this sub-  
10 section, the Secretary shall establish and carry out  
11 a pilot grant program to make grants to eligible  
12 school food authorities to carry out the activities de-  
13 scribed in paragraph (4).

14 “(2) GRANT TERMS.—

15 “(A) NUMBER OF GRANTS AWARDED.—  
16 The Secretary shall award at least 50 grants  
17 under the pilot grant program established  
18 under paragraph (1).

19 “(B) TERM.—The term of a grant award-  
20 ed under this subsection shall be 3 years.

21 “(C) PURPOSE AND SCOPE.—The Sec-  
22 retary shall, to the maximum extent practicable,  
23 award grants under this subsection in diverse  
24 amounts in order to best match—

25 “(i) the need of the school food au-  
26 thority awarded the grant; and

1 “(ii) the award to the purpose and  
2 scope of the project to be funded.

3 “(3) APPLICATION.—

4 “(A) IN GENERAL.—To be eligible to re-  
5 ceive a grant under this subsection, an eligible  
6 school food authority shall submit to the Sec-  
7 retary an application at such time, in such  
8 manner, and containing such information as the  
9 Secretary may require.

10 “(B) PRIORITY.—To the maximum extent  
11 practicable, the Secretary shall give priority to  
12 awarding grants to an eligible school food au-  
13 thority that—

14 “(i) will use the grant funds to—

15 “(I) serve a high proportion of  
16 children who are eligible for free or  
17 reduced price lunches;

18 “(II) demonstrate collaboration  
19 with nongovernmental and commu-  
20 nity-based organizations, agricultural  
21 producer groups, and other commu-  
22 nity partners;

23 “(III) serve a high proportion of  
24 children from socially disadvantaged  
25 backgrounds; and

1 “(IV) incorporate experiential  
2 and traditional and culturally appro-  
3 priate food, nutrition, or agricultural  
4 education activities in curriculum  
5 planning;

6 “(ii) in the application of such eligible  
7 school food authority under subparagraph  
8 (A)—

9 “(I) includes an adequate and  
10 participatory evaluation plan; and

11 “(II) includes a plan for pro-  
12 viding culturally appropriate meals;  
13 and

14 “(iii) meets any other criteria that the  
15 Secretary determines appropriate.

16 “(4) USE OF FUNDS.—A grant under this sub-  
17 section may be used for any of the following:

18 “(A) To contract with third parties for  
19 professional development training for food serv-  
20 ice personnel on serving (including preparing,  
21 procuring, marketing, and creating menus) 100  
22 percent plant-based food options or 100 percent  
23 plant-based milk options, except that any em-  
24 ployee who participates in such a training shall

1 be compensated for such training at the regular  
2 rate of pay of such employee.

3 “(B) To provide technical assistance and  
4 pupil engagement and education on 100 percent  
5 plant-based food and 100 percent plant-based  
6 milk options, including providing taste tests,  
7 recipe development, and culinary education.

8 “(C) To provide additional compensation  
9 for additional work relating to serving meals  
10 that include a 100 percent plant-based food op-  
11 tion or a 100 percent plant-based milk option.

12 “(D) To conduct outreach to and cover  
13 costs of procurement of foods from agricultural  
14 producers of meat alternates including—

15 “(i) beginning farmers (as defined in  
16 section 2501(a) of the Food, Agriculture,  
17 Conservation, and Trade Act of 1990 (7  
18 U.S.C. 2279(a)));

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

23 “(iii) socially disadvantaged farmers  
24 (as defined in section 355(e) of the Con-

1           solidated Farm and Rural Development  
2           Act (7 U.S.C. 2003(e)); and

3           “(iv) local farmers.

4           “(5) REPORTS.—

5           “(A) RECORDKEEPING REQUIRED.—Each  
6           eligible school food authority awarded a grant  
7           under this subsection shall keep such records of  
8           meat alternative and fluid milk alternative  
9           items served pursuant to this subsection as the  
10          Secretary determines appropriate.

11          “(B) REPORT REQUIRED BY SCHOOL FOOD  
12          AUTHORITIES.—Not later than 1 year after re-  
13          ceiving a grant under this subsection, and an-  
14          nually for the duration of the pilot grant pro-  
15          gram thereafter, a school food authority shall  
16          submit to the Secretary a report on the success  
17          of the pilot grant program, including informa-  
18          tion on—

19                  “(i) the number of 100 percent plant-  
20                  based food options and 100 percent plant-  
21                  based milk options that the school food au-  
22                  thority served during the grant period  
23                  compared with the preceding school year;

1 “(ii) the number of schools served by  
2 the school food authority pursuant to the  
3 grant;

4 “(iii) the number of students served  
5 by the school food authority pursuant to  
6 the grant; and

7 “(iv) how the school food authority  
8 used the grant funds.

9 “(C) REPORT BY SECRETARY.—Not later  
10 than 60 days after the date described in para-  
11 graph (7), the Secretary shall submit to Con-  
12 gress a report that includes a summary of the  
13 reports received under subparagraph (B) and  
14 such information with respect to the pilot pro-  
15 gram the Secretary determines relevant.

16 “(6) TECHNICAL ASSISTANCE.—The Secretary  
17 shall provide technical assistance and information to  
18 assist school food authorities—

19 “(A) to facilitate the coordination and  
20 sharing of information and resources in the De-  
21 partment that may be applicable to the activi-  
22 ties described in paragraph (4);

23 “(B) to collect and share information on  
24 best practices; and

1           “(C) to disseminate research and data on  
2           existing farm to school programs and the poten-  
3           tial for programs in underserved areas.

4           “(7) SUNSET.—The authority to carry out this  
5           subsection shall terminate on the date that is 5  
6           years after the date of the enactment of this sub-  
7           section.

8           “(8) AUTHORIZATION OF APPROPRIATIONS.—  
9           There is authorized to be appropriated to carry out  
10          this subsection \$10,000,000 for fiscal year 2022, to  
11          remain available until the date described in para-  
12          graph (7).

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

14               “(A) 100 PERCENT PLANT-BASED FOOD  
15               OPTION.—The term ‘100 percent plant-based  
16               food option’ means a breakfast or lunch meal  
17               option or component that—

18                       “(i) includes a meat alternate as de-  
19                       scribed in—

20                               “(I) section 210.10 of title 7,  
21                               Code of Federal Regulations (or suc-  
22                               cessor regulations); or

23                               “(II) appendix A to part 210 of  
24                               7, Code of Federal Regulations (or  
25                               successor regulations); and



1 “(ii) does not contain any animal  
2 products or byproducts, such as meat,  
3 poultry, fish, dairy, or eggs.

4 “(B) 100 PERCENT PLANT-BASED MILK  
5 OPTION.—The term ‘100 percent plant-based  
6 milk option’ means a beverage, including a 100  
7 percent plant-based dairy alternative, that—

8 “(i) does not contain any animal prod-  
9 ucts or byproducts; and

10 “(ii) meets the standards for a substi-  
11 tution for fluid milk in accordance with  
12 section 9(a)(2)(B)(i).

13 “(C) ELIGIBLE SCHOOL FOOD AUTHOR-  
14 ITY.—The term ‘eligible school food authority’  
15 means a school food authority for which 50 per-  
16 cent or more of the students served by such  
17 school food authority are eligible for free or re-  
18 duced price lunch under this Act or free or re-  
19 duced price breakfast under section 4 of the  
20 Child Nutrition Act of 1966 (42 U.S.C. 1773).

21 “(D) SOCIALLY DISADVANTAGED.—The  
22 term ‘socially disadvantaged’ has the meaning  
23 given the term in section 124.103 of title 13,

1 Code of Federal Regulations (or successor regu-  
2 lations).”.

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