

S 3307

Healthy, Hunger-Free Kids Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Agriculture and Food

Introduced: May 5, 2010

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Law: 111-296 (Enacted Dec 13, 2010)

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Sponsor

Name: Sen. Lincoln, Blanche L. [D-AR]

Party: Democratic • **State:** AR • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Agriculture, Nutrition, and Forestry Committee	Senate	Reported Original Measure	May 5, 2010
Budget Committee	House	Referred To	Aug 10, 2010
Education and Workforce Committee	House	Referred To	Aug 10, 2010

Subjects & Policy Tags

Policy Area:

Agriculture and Food

Related Bills

Bill	Relationship	Last Action
111 HRES 1742	Procedurally related	Dec 1, 2010: Motion to reconsider laid on the table Agreed to without objection.
111 HR 5504	Related bill	Sep 13, 2010: Referred to the Subcommittee on Healthy Families and Communities.

(This measure has not been amended since it was passed by the Senate on August 5, 2010. The summary of that version is repeated here.)

Healthy, Hunger-Free Kids Act of 2010 - **Title I: A Path to End Childhood Hunger - Subtitle A: National School Lunch Program** - (Sec. 101) Amends the Richard B. Russell National School Lunch Act to: (1) require the Secretary of Agriculture to provide performance awards to states with outstanding performance or substantial improvement in directly certifying children who receive other public assistance as eligible for free meals under the school lunch and breakfast programs; (2) establish performance benchmarks and require states with direct certification rates below the benchmarks to implement continuous improvement plans; and (3) state that direct certification for free school meals must require no action on the part of a child's household.

(Sec. 102) Confers categorical eligibility for free school meals on foster children whose care and placement is the responsibility of a state foster care agency or a court.

(Sec. 103) Establishes a demonstration project to determine the effectiveness of directly certifying children for free school meals using household income data from Medicaid. Requires local educational agencies (LEAs) selected to participate in the project to certify directly for free school meals all children who are receiving Medicaid and whose household income does not exceed 133% of the federal poverty line. Phases-in the demonstration project during the three school years beginning in 2012. Requires that for the 2014 school year and each subsequent school year, selected LEAs collectively serve 10% of the students certified for free and reduced price meals nationwide.

Requires the Secretary to estimate the cost of direct certification with Medicaid for each of the two years of the demonstration project and to submit an interim report to Congress by October 1, 2014, and a final report by October 1, 2015, on project results.

(Sec. 104) Establishes new mechanisms by which schools or LEAs with very high proportions of low-income children can receive federal reimbursement for free or reduced price meals without collecting individual paper applications from households.

Allows certain schools and LEAs to receive reimbursements for free or reduced price meals pursuant to a formula that is based on their direct certification rates. Limits participation to schools and LEAs that directly certify at least 40% of their students, but allows the Secretary after July 1, 2014, to set a lower minimum threshold for participation.

Requires the Secretary to: (1) identify alternatives to the daily counting of meals served by category and the use of annual applications as the basis of reimbursements for free or reduced-price school meals; (2) consider, in identifying such alternatives, recommendations of the Committee on National Statistics of the National Academy of Sciences (NAS) regarding the use of census data or other data sources; and (3) consider the use of periodic socioeconomic surveys of households of children attending school in school food authority areas. Allows recommendations that provide accurate and effective means of providing meal reimbursement consistent with the eligibility status of students to be implemented by schools or school food authorities, or further tested through demonstration projects.

Requires schools and school food authorities reimbursed on the basis of such recommendations to provide free meals to all their students under the school lunch and breakfast programs and cover, from nonfederal sources, the costs of serving such meals that exceed the assistance received under such programs.

(Sec. 105) Amends the Child Nutrition Act of 1966 to require the Secretary, subject to the availability of appropriations, to award competitive grants to states and, through them, subgrants to LEAs for the creation, maintenance, or expansion of school breakfast programs at schools where at least 40% of the students are eligible for free or reduced-price school lunches under the school lunch program.

Requires such school breakfast programs to have a nutritional education component.

Authorizes such schools to extend the period during which breakfast is available, including during the school day.

Requires the Secretary to provide states with information regarding the most effective mechanisms by which to increase school breakfast participation at such schools.

Gives priority to LEAs that adopt such mechanisms or have schools in which at least 75% of the students are eligible for free or reduced-price school lunches.

Directs subgrantees, at least 180 days before the end of a grant term, to evaluate whether it would be cost-effective for such schools to provide universal free breakfasts under the school breakfast program.

Subtitle B: Summer Food Service Program - (Sec. 111) Eliminates the limitation on the number of sites private nonprofit summer food service program sponsors may operate. (Currently, private nonprofit sponsors may not operate more than 25 sites and each site is restricted to no more than 300 children.)

(Sec. 112) Requires states to ensure that school food authorities cooperate with participating service institutions to inform families of the availability and location of summer food service program meal sites and the availability of the school breakfast program.

(Sec. 113) Directs the Secretary to award competitive summer food service grants to states to provide summer program sponsors with technical assistance, assistance with site improvement costs, and other innovative activities that improve and encourage sponsor retention.

Gives priority to states with: (1) significant low-income child populations; and (2) plans that demonstrate innovative approaches to retaining and supporting programs after the grant funds expire.

Subtitle C: Child and Adult Care Food Program - (Sec. 121) Makes family or group day care homes in an area eligible for higher child and adult care food program (CACFP) reimbursement rates as tier I homes if they are located in an area served by a school enrolling students (currently, elementary students) at least 50% of whom are certified as eligible to receive free or reduced price meals under the school lunch or breakfast programs.

(Sec. 122) Expands to all states the Secretary's authority to reimburse child care providers participating in the CACFP at-risk afterschool program for meals served to children during afterschool hours. Requires the Secretary to issue annually both guidelines and a handbook for at-risk afterschool programs.

Subtitle D: Special Supplemental Nutrition Program for Women, Infants, and Children - (Sec. 131) Amends the Child Nutrition Act of 1966 to allow states to certify children participating in the special supplemental nutrition program for women, infants, and children (WIC program) for up to one year if they receive regular health and nutrition assessments.

Subtitle E: Miscellaneous - (Sec. 141) Amends the Richard B. Russell National School Lunch Act to direct the Secretary to study: (1) the causes and consequences of childhood hunger and food insecurity; and (2) characteristics of

households with childhood hunger and food insecurity.

Directs the Secretary to enter into agreements with, or provide grants to, public or private entities to conduct demonstration projects that test innovative strategies to end childhood hunger, including alternative models for service delivery and benefit levels that promote the reduction or elimination of childhood hunger and food insecurity.

Requires at least one demonstration project to be carried out on a rural Indian reservation that has a service population with a prevalence of diabetes exceeding 15%.

Directs the Secretary to provide for an independent evaluation of each demonstration project, and report to Congress on the status of each demonstration project and the evaluation results. Requires evaluation results to be shared broadly with policy makers, service providers, and the public.

(Sec. 142) Authorizes the Secretary to award grants to, or enter into agreements with, governors to carry out demonstration projects testing comprehensive and innovative strategies to end childhood hunger, including alternative models for service delivery and benefit levels that promote the reduction or elimination of childhood hunger by 2015.

Requires each project to provide for: (1) a baseline and annual assessments of the prevalence and severity of very low food security among children in the state; (2) a collaborative planning process involving key stakeholders in the state; (3) an annual budget; (4) specific performance goals; and (5) an independent outcome evaluation.

Directs the Secretary to report to Congress on the status of each demonstration project and the results of project evaluations. Requires evaluation results to be shared broadly with policy makers, service providers, and the public.

(Sec. 143) Requires the Secretary to examine the current policies and practices of states and LEAs regarding: (1) extending credit to children to cover their costs for reimbursable school lunches and breakfasts; and (2) providing nonreimbursable meals to children who are without funds.

Requires the Secretary, based on such review, to: (1) report on the feasibility of establishing national standards for meal charges and the provision of alternate meals; and (2) make recommendations for implementing those standards.

Authorizes the Secretary to implement national standards after considering: (1) the impact of overtly identifying low-income children; (2) how affected households will be provided assistance in establishing eligibility for free or reduced price meals; and (3) the potential financial impact on LEAs.

Title II: Reducing Childhood Obesity and Improving the Diets of Children - Subtitle A: National School Lunch Program - (Sec. 201) Directs the Secretary to promulgate regulations to update the meal patterns and nutrition standards for the school lunch and school breakfast programs based on recommendations made by the Food and Nutrition Board of the NAS National Research Council.

Increases the reimbursement for lunches served under the school lunch program by school food authorities that are in compliance with such interim or final regulations.

Requires the Secretary to provide funds to states for training, technical assistance, certification, and oversight activities relating to compliance with such regulations.

(Sec. 202) Requires meals served under the school lunch program to offer students a variety of fluid milk that is consistent with the Dietary Guidelines for Americans.

(Sec. 203) Requires schools participating in the school lunch program to offer free, potable water for consumption in the place where meals are served during meal service.

(Sec. 204) Requires LEAs participating in the school lunch or breakfast programs to establish local school wellness policies for their schools.

Directs the Secretary to promulgate regulations that require such LEAs to include: (1) goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness; (2) nutrition guidelines for all foods available on school campuses during the school day; (3) the local community in the development, implementation, and periodic review of such policies; (4) public notification regarding the content and implementation of such policies; and (5) periodic assessments of and reporting on policy implementation.

Requires the Secretary to provide information and technical assistance to LEAs, school food authorities, and states for use in establishing healthy school environments.

Directs the Secretary, subject to the availability of appropriations, to report by January 1, 2014, on the implementation, strength, and effectiveness of the local school wellness policies.

Repeals local wellness policy requirements under the Child Nutrition and WIC Reauthorization Act of 2004.

(Sec. 205) Establishes requirements regarding the nonfederal contribution required of school food authorities receiving federal reimbursement through the school lunch program.

Requires food authorities that have an average paid lunch price that is less than the difference between the free lunch reimbursement rate and the paid lunch reimbursement rate to set their average paid lunch price eventually so that the total per meal revenue received for those lunches is equal to the per meal revenue provided by the federal government for free lunches. Sets forth the formula for setting the average price for paid meals.

Requires school food authorities that have an average paid lunch price equal to or greater than the difference between the free lunch reimbursement rate and the paid lunch reimbursement rate to adjust their prices annually by the inflation adjustment factor used for federal reimbursement rates.

Allows a school food authority to reduce the average paid lunch price if the state ensures that nonfederal funding is added to the nonprofit school food service account of the food authority to satisfy the requirements of this section.

(Sec. 206) Requires all revenue from the sale in school of foods that are not reimbursable under the school lunch or breakfast programs to accrue to the nonprofit school food service account of a participating school food authority. Prohibits the costs of obtaining nonprogram foods from outstripping the revenue from selling such foods. Makes these requirements effective on July 1, 2011.

(Sec. 207) Extends the unified accountability system (which is to ensure that local food authorities are complying with school lunch program requirements) to the school breakfast program and specifically requires the system to review the compliance of the school lunch and breakfast programs with nutritional requirements.

Requires states to: (1) conduct compliance audits and reviews on a three-year cycle or other period prescribed by the Secretary; (2) select schools for review based on criteria established by the Secretary; and (3) report review findings to the Secretary and the public.

(Sec. 208) Amends the Child Nutrition Act of 1966 to require the Secretary to establish science-based nutrition standards consistent with the most recent Dietary Guidelines for Americans for foods served in schools outside the school lunch or breakfast programs.

Applies such standards to all food sold outside such programs anywhere on school campuses during the school day, with the possible limited exemption of food sold at school fundraisers.

(Sec. 209) Amends the Richard B. Russell National School Lunch Act to require the Secretary to: (1) require LEAs participating in the school lunch or breakfast programs to report information about the nutrition environment in their schools to the Secretary and to the public in their state on a periodic basis; and (2) provide training and technical assistance to states and LEAs on assessing and reporting the school nutrition environment.

Authorizes appropriations for such activities from FY2011-FY2015.

(Sec. 210) Directs the Secretary to establish a pilot program awarding competitive grants to school food authorities to increase the quantity of organic foods provided to children under the school lunch program.

Gives grant preference to school food authorities in districts where greater than 50% of the households are at or below the federal poverty line.

Authorizes appropriations for such program for FY2011-FY2015.

Subtitle B: Child and Adult Care Food Program - (Sec. 221) Amends the CACFP to: (1) require reimbursable meals provided under the CACFP to meet the most recent Dietary Guidelines for Americans and certain authoritative scientific recommendations; (2) prohibit the use of such food as a punishment or reward; (3) allow nondairy substitutes to be served to children who cannot consume milk, provided the substitutes are nutritionally equivalent to milk and meet certain nutritional standards; (4) require the use of foods, to the extent practicable, that are in abundance nationally or in the food service area, or are donated by the Secretary; (5) require the Secretary to encourage participants to provide children with daily opportunities for age-appropriate physical activity and limit children's use of electronic media; (6) require child care centers and day care homes to make potable water available to children throughout the day; and (7) require the Secretary to provide technical assistance and guidance to participants in complying with these requirements.

(Sec. 222) Directs the Secretary to: (1) coordinate with the Secretary of Health and Human Services (HHS) to encourage states to include nutrition and wellness within their licensing standards for child care centers and day care homes; and (2) conduct recurring, nationally representative assessments of facility nutrition and wellness programs and report the results of such assessments to Congress.

Subtitle C: Special Supplemental Nutrition Program for Women, Infants, and Children - (Sec. 231) Amends the Child Nutrition Act of 1966 to include breastfeeding support and promotion as goals of the WIC program.

Directs the Secretary to: (1) compile and publish annually breastfeeding performance measurements for each WIC state and local agency based on program participant data; (2) recognize exemplary breastfeeding support practices at local agencies or clinics participating in the WIC program; and (3) provide performance bonuses to up to 15 state WIC agencies that have the highest proportion of breast-fed infants or show the greatest improvement in the proportion of such infants.

Sets aside funds for FY2010-FY2015 for WIC infrastructure, special projects to promote breastfeeding and improve WIC services, management information systems, and special nutrition education.

(Sec. 232) Directs the Secretary to conduct a scientific review of the supplemental foods available under the WIC program at least once every 10 years.

Subtitle D: Miscellaneous - (Sec. 241) Amends the Food and Nutrition Act of 2008 to replace the current nutrition education program under such Act with a program providing grants to states for the implementation of a nutrition education and obesity prevention program that promotes healthy food choices consistent with the most recent Dietary Guidelines for Americans.

Makes eligible for program participation: (1) supplemental nutrition assistance program (formerly known as the food stamp program) participants, (2) participants in the school lunch or breakfast programs; and (3) individuals who reside in low-income communities or are low-income individuals.

Allows grantees to adopt individual and group-based nutrition education as well as community and public health approaches.

(Sec. 242) Amends the Richard B. Russell National School Lunch Act to direct the Secretary to: (1) provide states, school food authorities, LEAs, and local processing entities with model product specifications and practices for foods offered in the school lunch and breakfast programs so that such foods reflect the most recent Dietary Guidelines for Americans; (2) analyze and report to Congress on the quantity and quality of nutritional information available to school food authorities about food service products and commodities; and (3) purchase, to the maximum extent possible, the widest variety of healthful foods for the school lunch and breakfast programs that reflect the most recent Dietary Guidelines for Americans.

(Sec. 243) Replaces the farm-to-cafeteria program with a program providing schools, state and local agencies, Indian tribes, agricultural producers, and nonprofits with competitive matching grants and technical assistance to improve access to local foods by schools participating in the school lunch or breakfast programs.

Gives priority to projects that: (1) make local food products available on school menus; (2) serve a high proportion of children who are eligible for free or reduced price lunches; and (3) incorporate experiential nutrition education by involving school children in farm and garden-based agricultural education activities.

Authorizes appropriations for such program for FY2011-FY2015.

Authorizes appropriations for FY2011-FY2015 for the pilot program for high-poverty schools, which provides grants to nonprofit or public entities to develop and run community gardens at such schools to provide students with hands-on vegetable gardening and nutrition education.

(Sec. 244) Directs the Secretary to establish a research, demonstration, and technical assistance program to promote healthy eating and reduce the prevalence of obesity, among all population groups but especially among children, by applying the principles and insights of behavioral economics research in schools, child care programs, and other settings.

Requires the Secretary to report annually to Congress regarding such program and efforts undertaken to disseminate successful practices through outreach and technical assistance.

Authorizes appropriations for such program for FY2011-FY2015.

Title III: Improving the Management and Integrity of Child Nutrition Programs - Subtitle A: National School Lunch Program - (Sec. 301) Requires applications under the school lunch program to include only the last four digits of the child's primary wage earner.

(Sec. 302) Makes the school food safety programs under the school lunch and breakfast programs applicable to any facility or part of a facility in which foods are stored, prepared, or served.

(Sec. 303) Directs the Secretary to establish criteria by which the Secretary or a state may impose fines under the school lunch or breakfast programs against a school or school food authority, or the Secretary may impose fines against a state, for mismanaging such programs or violating program requirements.

Sets limits on such fines.

(Sec. 304) Requires LEAs that have been error-prone in making school lunch program eligibility determinations to subject their initial eligibility determinations to an additional review that is timely and independent before informing households regarding their eligibility.

Requires such LEAs to report the results of such reviews to their respective states, and their states to provide them to the Secretary for annual publication.

(Sec. 305) Require states, LEAs, schools, institutions, facilities, and contractors participating in the school lunch and breakfast programs to cooperate with the Secretary in the conduct of program evaluations and studies.

(Sec. 306) Directs the Secretary to establish: (1) a program of required education, training, and certification for all local school food service directors responsible for the management of a school food authority; and (2) criteria and standards for state use in selecting state agency directors responsible for the school lunch and breakfast programs.

Authorizes the Secretary to provide financial assistance to one or more professional food service management organizations to: (1) establish and manage the training and certification program; and (2) develop voluntary training and certification programs for other school food service workers.

Directs the Secretary to provide training to local food service personnel designed to improve: (1) the accuracy of approvals for free and reduced price meals; and (2) the identification of reimbursable meals at the point of service. Requires such personnel, under specifications established by the Secretary, to complete annual training and certification.

(Sec. 307) Directs the Secretary to issue guidance to school food authorities participating in the school lunch and breakfast programs covering program rules pertaining to the costs that may be charged to the nonprofit school food service accounts of such authorities, including allowable indirect costs.

Requires the Secretary to assess the extent to which school food authorities pay such indirect costs, and then issue additional guidance relating to the types of costs that are reasonable and necessary.

Authorizes the Secretary, after the completion of such assessment, to promulgate regulations addressing: (1) any identified deficiencies in the allocation of such indirect costs; and (2) the authority of school food authorities to reimburse only those costs identified by the Secretary as reasonable and necessary.

Directs the Secretary to report to Congress on the results of such assessment.

(Sec. 308) Requires the Secretary to: (1) develop guidelines to determine the circumstances under which it is appropriate for the Secretary to institute an administrative hold on suspect foods purchased by the Secretary for use in the school meal programs; (2) work with states to explore ways to increase the timeliness of food recall notifications to schools and school food authorities; (3) improve the timeliness and completeness of direct communication between the Food and

Nutrition Service and states about holds and recalls; (4) establish a timeframe to improve the commodity hold and recall procedures so that they address the role of processors and distributors; and (5) revise the procedures of the Food Safety and Inspection Service to ensure that schools are included in effectiveness checks.

Subtitle B: Summer Food Service Program - (Sec. 321) Requires service institutions participating in the summer food service program to enter into a permanent agreement with their state that may be terminated for convenience and shall be terminated for cause. Requires each participating service institution to submit an annual budget for administrative costs to their state for approval.

(Sec. 322) Directs the Secretary to establish procedures for terminating the participation of service institutions in the program. Requires the procedures to include a fair and prompt determination for a service institution when a state limits its participation in or reimbursement under the program. Requires the Secretary to maintain a list of institutions and individuals that have been disqualified from participation in the program and make the list available to states for use in approving or renewing program applications.

Subtitle C: Child and Adult Care Food Program - (Sec. 331) Modifies the CACFP to: (1) require institutions participating in the program to enter into permanent agreements with their state that may be terminated for convenience and shall be terminated for cause; and (2) child care institutions to submit an initial application to participate in the program to their state and provide such state with information annually to confirm their compliance with program requirements.

Directs states to conduct at least one scheduled site visit at three-year intervals to each participating institution, with more frequent reviews of institutions that: (1) sponsor a significant share of facilities participating in the program; (2) conduct activities other than those authorized under the program; (3) have or are in danger of having serious management problems.

Authorizes the Secretary to develop a policy to detect, deter, and recover erroneous payments to, and false claims submitted by, program participants.

Prohibits the Secretary from requiring states, sponsoring organizations, or other institutions to perform onsite reviews relating to the detection of block claims by any child care facility.

Directs the Secretary to require states to develop and provide for the use of a standard form of agreement between each sponsoring organization and their sponsored day care centers that specifies the rights and responsibilities of both parties.

(Sec. 332) Requires states to: (1) provide a fair hearing to any participating institution aggrieved by state actions which affect the institution's participation in or reimbursement under the program; and (2) if such hearing is not provided within time frames established by the Secretary, pay, out of nonfederal sources, valid reimbursement claims until a hearing is held.

(Sec. 333) Permits day care home providers to assist families in transmitting family income information to their day care home sponsoring organizations.

(Sec. 334) Reimburses day care home sponsoring organizations by multiplying the number of their day care homes submitting a reimbursement claim during the month by an administrative rate determined by the Secretary. Allows sponsoring organizations to carry over up to 10% of their administrative funding from one fiscal year to the next.

(Sec. 335) Authorizes the Secretary, beginning in FY2016, to increase program audit funding for states to 2% (currently,

1.5%) of a state's program funding for the second preceding fiscal year.

(Sec 336) Requires the Secretary to: (1) continue to examine the feasibility of reducing unnecessary or duplicative paperwork resulting from regulations and recordkeeping requirements for states, institutions, day care homes, and sponsored centers participating in the program; and (2) report to Congress within four years on the results.

Permits the Secretary to examine any other aspect of program administration.

(Sec. 337) Directs the Secretary to study and report to Congress on states participating in an afterschool supper program under the CACFP, including: (1) best practices in soliciting sponsors for the afterschool supper program; and (2) any laws or requirements that may block participation in the program.

Subtitle D: Special Supplemental Nutrition Program for Women, Infants, and Children - (Sec. 351) Amends the Child Nutrition Act of 1966 to authorize states to permit local WIC agencies or clinics to share nutrition educational materials with institutions participating in the CACFP at no cost to that program, if a written materials sharing agreement exists between the relevant agencies.

(Sec. 352) Increases the amount of funds available for WIC program evaluation.

Requires states to report WIC rebate payments from infant formula manufacturers in the month the payments are received, rather than when they are earned.

Requires states that institute cost containment measures for authorized WIC foods to: (1) verify that no additional states are added to the state cost containment alliance after the initial submission of a competitive bid; (2) have a system in place to ensure that rebate invoices under competitive bidding provide a reasonable estimate of the number of units sold to WIC program participants; (3) open and read aloud all bids at a public proceeding on the day the bids are due; and (4) provide a minimum of 30 days between the publication of the bid solicitation and the day on which the bids are due.

Requires each state to implement WIC electronic benefit transfer (EBT) systems by October 1, 2020, though the Secretary may grant an exemption to a state facing unusual barriers to such implementation. Prohibits the imposition of the costs of EBT systems on vendors if a vendor's equipment or system is used solely for the program. Imposes cost sharing requirements in other instances.

Directs the Secretary to develop: (1) WIC EBT technical standards and operating rules for states, contractors, and vendors; and (2) a national universal product code database to be used by all states for their WIC EBT systems.

Authorizes the Secretary to allow states, during FY2012-FY2013, to expend more than the amount they would otherwise be authorized to expend for the costs of supplemental foods during the preceding fiscal year if the Secretary determines there has been a significant reduction in reported infant formula cost containment savings for the preceding fiscal year due to this Act's rebate reporting change and such reduction would affect the state's ability to serve all participants.

Subtitle E: Miscellaneous - (Sec. 361) Amends the Richard B. Russell National School Lunch Act to require agreements between the Secretary and states regarding programs under that Act and the Child Nutrition Act of 1966 to: (1) support the full use of federal funds provided to states for the administration of such programs; and (2) exclude such funds from state budget restrictions or limitations including, at a minimum, hiring freezes, work furloughs, and travel restrictions.

(Sec. 362) Bars any school, institution, service institution, facility, or individual that has been terminated from any

program authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966 and is on a list of disqualified institutions or individuals under the summer food service program or the CACFP from being approved to participate in any program under those Acts.

Title IV: Miscellaneous - Subtitle A: Reauthorization of Expiring Provisions - Part I: Richard B. Russell National School Lunch Act - (Sec. 401) Extends through FY2020 the Secretary's authority to treat commodities the Secretary provides under any provision of law as support which meets the requirement that not less than 12% of the assistance provided to schools participating in the school lunch program be provided in the form of commodities.

(Sec. 402) Extends through FY2015 the requirement that: (1) states audit the food safety inspections which schools participating in the school lunch and breakfast programs are required to conduct; and (2) the Secretary annually audit the required state reports regarding such inspections.

(Sec. 403) Authorizes appropriations through FY2015 for the Secretary's procurement training program for states, schools, and school food authorities participating in the school lunch and breakfast programs.

(Sec. 404) Authorizes appropriations through FY2015 for the summer food service program.

(Sec. 405) Extends through FY2015 the Secretary's authority to provide California with necessary sums to reimburse service institutions and private nonprofit organizations for year-round meal services provided through the summer food service program.

(Sec. 406) Increases mandatory annual funding for the Food Service Management Institute.

(Sec. 407) Provides the Secretary with mandatory funding each year to improve the skills of those employed in the school lunch and breakfast programs and support states in administering such programs.

(Sec. 408) Authorizes appropriations for FY2011-FY2015 for carrying out the unified accountability system to ensure that local food service authorities are complying with school lunch and breakfast program requirements.

(Sec. 409) Provides mandatory funding to the Secretary for FY2010-FY2015 for the information clearinghouse for nongovernmental groups that empower low-income individuals or communities to improve the lives of low-income individuals and reduce reliance on governmental entities for food or other assistance.

Part II: Child Nutrition Act of 1966 - (Sec. 421) Amends the Child Nutrition Act of 1966 to authorize appropriations for FY2010-FY2015 for management information systems and technology infrastructure improvements related to the school lunch and breakfast programs.

(Sec. 422) Authorizes appropriations for FY2010-FY2015 for state expenses related to the administration of the special milk program, school lunch and breakfast programs, and the CACFP.

(Sec. 423) Authorizes appropriations for FY2010-FY2015 for the WIC program.

(Sec. 424) Authorizes appropriations for FY2010-FY2015 for the WIC farmers market nutrition program.

Subtitle B: Technical Amendments - (Sec. 441) Requires schools that participate in the school lunch or breakfast programs to consider the nutrient needs of children who may be at risk for inadequate food intake and food insecurity.

Makes technical amendments removing obsolete provisions of the Richard B. Russell National School Lunch Act and the

Child Nutrition Act of 1966.

(Sec. 442) Amends the American Recovery and Reinvestment Act of 2009 to extend through October 31, 2013, the application of a formula increasing the value of supplemental nutrition assistance program (formerly the food stamp program) benefits and consolidated block grants for Puerto Rico and American Samoa, provided such formula yields an increase in the value of such benefits and grants that is greater than their value calculated without such formula.

(Sec. 443) Allows school food authorities to receive grants for equipment purchases under both the American Recovery and Reinvestment Act of 2009 and the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, but prohibits them from using such funding to make equipment available to schools that already received equipment from a grant under the American Recovery and Reinvestment Act of 2009.

(Sec. 444) Requires the budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, to be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" submitted for this Act.

Actions Timeline

- **Dec 13, 2010:** Signed by President.
- **Dec 13, 2010:** Became Public Law No: 111-296.
- **Dec 6, 2010:** Presented to President.
- **Dec 2, 2010:** Considered as unfinished business. (consideration: CR H7888-7889)
- **Dec 2, 2010:** On motion to recommit with instructions Failed by the Yeas and Nays: 200 - 221 (Roll no. 602). (consideration: CR H7888)
- **Dec 2, 2010:** Passed/agreed to in House: On passage Passed by recorded vote: 264 - 157 (Roll no. 603).
- **Dec 2, 2010:** On passage Passed by recorded vote: 264 - 157 (Roll no. 603).
- **Dec 2, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 2, 2010:** Cleared for White House.
- **Dec 1, 2010:** Rule H. Res. 1742 passed House.
- **Dec 1, 2010:** Considered under the provisions of rule H. Res. 1742. (consideration: CR H7778-7813; text of measure as introduced: CR H7778-7800)
- **Dec 1, 2010:** Rule provides for consideration of S. 3307 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. The resolution waives all points of order against consideration of the bill except those arising under clause 9 of rule XXI.
- **Dec 1, 2010:** DEBATE - The House proceeded with one hour of debate on S. 3307.
- **Dec 1, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on S. 3307, the Chair postponed further proceedings until later in the legislative day.
- **Dec 1, 2010:** Considered as unfinished business. (consideration: CR H7814-7815)
- **Dec 1, 2010:** Mr. Kline (MN) moved to recommit with instructions to Education and Labor. (consideration: CR H7814-7815; text: CR H7814)
- **Dec 1, 2010:** DEBATE - The House proceeded with ten minutes of debate on the Kline motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment which requires that specified provisions be met in order for funds to be made available.
- **Dec 1, 2010:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H7815)
- **Dec 1, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the motion to recommit with instructions, the Chair announced that further proceedings on S. 3307 would be postponed.
- **Nov 30, 2010:** Rules Committee Resolution H. Res. 1742 Reported to House. Rule provides for consideration of S. 3307 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. The resolution waives all points of order against consideration of the bill except those arising under clause 9 of rule XXI.
- **Aug 9, 2010:** Received in the House.
- **Aug 9, 2010:** Referred to House Education and Labor
- **Aug 9, 2010:** Referred to the Committee on Education and Labor, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Aug 9, 2010:** Referred to House Budget
- **Aug 6, 2010:** Message on Senate action sent to the House.
- **Aug 5, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S6832-6835)
- **Aug 5, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Aug 5, 2010:** Passed Senate with an amendment by Unanimous Consent.
- **May 5, 2010:** Introduced in Senate
- **May 5, 2010:** Committee on Agriculture, Nutrition, and Forestry. Original measure reported to Senate by Senator Lincoln. With written report No. 111-178. Additional and Supplemental views filed.
- **May 5, 2010:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 363.