

SIDE-BY-SIDE COMPARISON OF HIGHLIGHTS OF 2010 CHILD NUTRITION REAUTHORIZATION LEGISLATION

Visit FRAC's Legislative Action Center for a more detailed analysis of the House and Senate bills.

Out-of-School Time Provisions			
	CURRENT LAW	Senate Bill (S. 3307)	House Bill (H.R. 5504)
Lowens area eligibility for Summer Food to 40 percent in rural areas	Area eligibility threshold is set at 50 percent for all areas	NO	YES
Expands the CACFP Afterschool Meal Program to all states	The Afterschool Meal Program currently operates in 13 states (CT, DE, IL, MD, MI, MO, NV, NY, OR, PA, VT, WV, and WI) and the District of Columbia	YES	YES
Allows schools to operate the Afterschool Meal Program through the National School Lunch Program in five states	No provision in current law	NO	YES
Extends the California Year-Round Summer Food pilot	The California Year-Round Pilot was created by the 2004 Child Nutrition Reauthorization	YES	NO
Creates a year-round program through the Summer Food Service Program (SFSP) in 10 states	No provision in current law	NO	YES
Eliminates the requirement that private nonprofit Summer Food sponsors serve no more than 25 sites (with no more than 300 children at any of the sites) unless the sponsor receives a waiver	Set limits for private nonprofit Summer Food sponsors on the number of sites and children served	YES	YES
Requires coordinated Summer Food program outreach	No provision in current law	YES	YES
Authorizes Summer Food Support grants (will require Congressional action for funding)	No provision in current law	YES (\$10 Million)	YES (\$20 Million)
Allows states to receive up to two percent of State Administrative Expense Funds for Summer Food Health and Safety Inspections	States can receive up to one percent of State Administrative Expenses to cover the cost of health and safety inspections.	NO	YES

School Nutrition Program Provisions			
	CURRENT LAW	Senate Bill (S. 3307)	House Bill (H.R. 5504)
Provides competitive grant funds for expansion of school breakfast programs	No provision in current law	Authorizes but does not fund	YES
Makes foster children automatically eligible for free meals	No provision in current law	YES	YES
Makes children of military families who receive supplemental subsistence allowance automatically eligible for free meals	No provision in current law	NO	YES
Eliminates the "letter method" whereby families must return a letter from the SNAP agency to the school for direct certification	Letter method has been allowed.	YES	YES
Sets performance benchmarks and provides incentive bonuses to improve states' direct certification processes	No provision in current law	YES	YES
Supports use of Medicaid to directly certify children for free school meals	No provision in current law	YES (Demonstration project in limited areas)	YES (Gradual phase-in nationwide over 10 years)

School Nutrition Program Provisions

	CURRENT LAW	Senate Bill (S. 3307)	House Bill (H.R. 5504)
Allows schools in high-poverty areas to offer free meals to all students based on the level of direct certification	No provision in current law	YES	YES
Establishes a demonstration project to use census data to determine eligibility	No provision in current law	YES	YES
Allows schools in high-poverty areas to offer free meals to all students based on community survey research	A pilot has been authorized for the last 20 years that allows the School District of Philadelphia to operate this type of program	YES	YES
Requires school districts to gradually increase their "paid" lunch charges until the revenue per lunch matches the federal free reimbursement level	No provision in current law	YES	NO
Requires school districts to gradually increase their school meal account revenues until the average revenue per lunch matches the federal free reimbursement level	No provision in current law	NO	YES
Adds a six cent performance-based increase in the federal reimbursement rate for school lunches	No provision in current law	YES	YES
Establishes national nutrition standards for all foods sold on the school campus	No provision in current law	YES (throughout the school day)	YES (throughout the school day and after school)
Provides \$50 million over five years for farm-to-school programs	Current law does not include a mandatory appropriation	YES	YES
Strengthens Local School Wellness Policies, building on current wellness policies	Current law directs local school districts to have in place school wellness policies	YES	YES
Allows only lower-fat milk options	Allows all milk options.	YES	YES
Ensures that water is available free of charge during the meal service	No provision in current law	YES	YES
Authorizes a study to examine Charter School participation in the school nutrition programs.	No provision in current law	NO	YES

Child and Adult Care Food Program (Child Care) Provisions

	CURRENT LAW	Senate Bill (S. 3307)	House Bill (H.R. 5504)
Adds the option of serving an additional meal or snack to children who are in child care for over eight hours in up to five states	Allows a maximum of three meal services per day (two meals and one snack or one meal and two snacks)	NO	YES
Enhances program reimbursements to sponsors by \$5 per home	No provision in current law	NO	YES
Revises nutrition standards to make them consistent with the most recent U.S. Dietary Guidelines	No provision in current law	YES	YES
Provides education and encouragement to child care centers and homes to provide healthy meals and snacks and daily opportunities for physical activity	No provision in current law	YES	YES
Increases USDA training, technical assistance and educational materials available to child care providers	No provision in current law	YES	YES

Child and Adult Care Food Program (Child Care) Provisions

CURRENT LAW		Senate Bill (S. 3307)	House Bill (H.R. 5504)
Launches an ongoing study of the nutrition and wellness practices in child care settings	No provision in current law	YES	YES
Provides \$10 million in funding to USDA for training, technical assistance and materials development	No provision in current law	YES	YES
Directs USDA, in consultation with the Secretary of HHS, to develop a program to recognize high performing states, sponsors, centers, and homes promoting nutrition and wellness	No provision in current law	NO	YES
Provides \$5 million/year/five years for USDA to award competitive health and wellness grants	Continuation of pre-reauthorization one-time grant of \$8 million	NO	YES
Eliminates the block claim requirement completely	Requires block claim	YES	YES
Allows providers to facilitate the return of income forms and allows permanent operating agreements and renewable applications	Providers cannot facilitate the return of income forms	YES	YES
Allows the use of high school and middle school free and reduced-priced school lunch participation levels to determine Tier 1 eligibility for homes	Only elementary school data can be used to determine Tier 1 eligibility	YES	YES
Establishes a simplified method of determining sponsor monthly administrative funding	No provision in current law	YES	YES
Allow sponsors more flexibility to use their funds effectively from one fiscal year to the next	No provision in current law	YES	YES
Allows local WIC agencies to share WIC nutrition education materials with CACFP at no cost	No specific provision in current law	YES	NO
Requires federal child nutrition funds to be used for child nutrition and excluded from state budget restrictions or limitations	No provision in current law	YES	YES
Allows USDA to increase the state audit funds to any state agency from 1.5 percent to up to two percent if the state agency demonstrates effective use of funds	Current funds are capped at 1.5 percent	YES	NO
Requires state agencies to review institutions at least once every three years and to conduct more frequent reviews of larger sponsors	No specific provision in current law	YES	NO
Sponsors must continue to vary the timing of unannounced reviews	No specific provision in current law	YES	NO
Placement on the national CACFP and SFSP disqualified list will lead to disqualification from other child nutrition programs	No specific provision in current law	YES	NO
Restores CACFP sponsors advance funds	Advance funds are a state option	NO	YES

WIC Provisions

CURRENT LAW		Senate Bill (S. 3307)	House Bill (H.R. 5504)
Allows state WIC agencies the option to certify children for up to one year	Children must be certified every 6 months	YES	YES
Promotes breastfeeding by expanding the collection of data and creating performance bonuses for state agencies	No provision in current law	YES	YES
Specifies the WIC food package should be updated based on scientific review at least every 10 years	No provision in current law	YES	NO
Mandates WIC electronic benefit transfer (EBT) implementation nationwide	No specific provision in current law	YES	YES
Provides \$14 million for WIC infrastructure and special projects	Funds existing provision	YES	YES
Provides \$30 million to support WIC management information systems	Funds existing provision	YES	YES (Provides \$35 million)
Provides \$90 million for breastfeeding counselors, performance bonuses and nutrition education	No specific provision in current law	YES	YES
Increases WIC research funding from \$5 million to \$15 million	Funds existing provision	YES	YES
Gives the Secretary authority to disallow foods based on a review functional food additives in WIC.	No provision in current law	NO	YES

Other Child Nutrition Provisions

CURRENT LAW		Senate Bill (S. 3307)	House Bill (H.R. 5504)
Provides \$40 million to conduct research into causes and consequences of hunger and to develop demonstration projects to end childhood hunger	No provision in current law	YES	YES (Provides \$10 million)
Provides \$50 million for State Childhood Hunger Challenge Grants	No provision in current law	NO	YES
Creates a commodity program to serve children on weekends and holidays	No provision in current law	NO	YES
Directs USDA, in consultation with HHS, to establish a research, demonstration, and technical assistance program to promote healthy eating and reduce obesity among children	No provision in current law	YES	NO