



## Analysis of Select School Nutrition Legislation in the 111th Congress

The Child Nutrition Act is due for reauthorization by September 2010. Several bills are passed or pending in the 111<sup>th</sup> Congress pertaining to school nutrition issues and could potentially become part of the law. If you have any questions, please contact Lucy Gettman, director, federal programs, at 703-838-6763 or [lgettman@nsba.org](mailto:lgettman@nsba.org).

Bill Number/ Title	Sponsor(s)	Co-Sponsors	Description	Status
<b>H.R. 3288</b>  FY 2010 Appropriations			Funding for the Department of Agriculture includes \$25 million for National School Lunch Equipment funding, similar to that provided under the American Recovery and Reinvestment Act (ARRA), to prioritize grants to schools serving a high percentage of free and reduced price meals. It also includes \$25 million for direct certification grants to states to increase the number of children certified eligible for free school meals without a separate application based on other poverty data.	Public law
<b>S. 1737/H.R. 3705</b>  <i>Expand School Meals Act of 2009</i>	Sen. Al Franken (D-MN) <i>Introduced Oct. 1, 2009</i>  Rep. Keith Ellison (D-MN-5) <i>Introduced Oct. 1, 2009</i>	3  35	Expands eligibility for free lunches and breakfast from 130 percent to 185 percent of the federal poverty line, eliminating the reduced-price meal category.	Referred to Senate Committee on Agriculture, Nutrition and Forestry/House Committee on Education and Labor
<b>S. 1480/H.R. 3277</b>  <i>Student Breakfast and Education Improvement Act of 2009</i>	Sen. Herb Kohl (D-WI) <i>Introduced July 21, 2009</i>  Rep. Gwen Moore (D-WI-4) <i>Introduced July 21, 2009</i>	7  15	Amends the Child Nutrition Act of 1966 to provide competitive grants to LEAs (local educational agencies) or SEAs (state educational agencies) to expand and improve the school breakfast programs for schools with at least 65 percent of students eligible for free or reduced-price meals.  Grants can be used to: --establish, promote or expand a school breakfast program; --increase the quantity of local or fresh food; --provide nutritional education to students; --extend school breakfast period; --increase participation, etc.	Referred to Senate Committee on Agriculture, Nutrition and Forestry/House Committee on Education and Labor

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<b>H.R. 3047</b>  <i>Balancing Act of 2009</i>	Rep. Lynn Woolsey (D-CA-6) <i>Introduced June 25, 2009</i>	39	Authorizes the secretary to help states to provide free breakfast to all school children without regard to family income. Free breakfast programs must consist of a combination of foods which meet the minimum nutritional requirements prescribed by the secretary.  Allows schools to serve free lunch to students who are eligible for reduced-price lunch, eliminating the reduced-price category.	Referred to House Committee on House Administration
<b>S. 1343/H.R. 4148</b>  <i>Hunger Free Schools Act</i>	Sen. Sherrod Brown (D-OH) <i>Introduced June 24, 2009</i>  Rep. Dave Loebsack (D-IA-2) <i>Introduced June 24, 2009</i>	5  14	Amends the Richard B. Russell National School Lunch Act to improve and expand direct certification procedures for the national school lunch and school breakfast programs, including:  --Requires school districts to directly certify eligible students for free lunches and breakfast using Medicaid and SCHIP (State Children's Health Insurance Program) data if their family income does not exceed 133 percent of the federal poverty line;  --Requires states that directly certify less than 95 percent of the total number of children who are eligible for direct eligible to implement a corrective action plan to improve direct certification;  --Allows school districts that elect to serve all children in the school or LEA free lunches and breakfast for five consecutive school years to receive reimbursement based on local socioeconomic data rather than applications.	Referred to Senate Committee on Agriculture, Nutrition and Forestry/House Committee on Education and Labor

Bill Number/ Title	Sponsor(s)	Co-Sponsors	Description	Status
<b>S. 1293</b>  <i>Enhancing Child Health with Automatic School Meal Enrollment Act of 2009</i> (rolled into S. 1343)	Sen. Michael Bennet (D-CO) <i>Introduced June 18, 2009</i>	2	Requires that states directly certify students less than 95 percent of eligible children to implement a corrective action plan, outlining the specific measures that the state will use to identify more eligible children and a timeline for implementation.  Requires education secretary to report to congress how statewide data bases developed by states for compliance with the Elementary and Secondary Education Act can be used for purposes of direct certification of the school lunch program.	Referred to Senate Committee on Agriculture, Nutrition and Forestry
<b>S. 1226/H.R. 2803</b>  <i>Paperless Enrollment for School Meals Act of 2009</i> (rolled into Hunger Free Schools Act, S. 1343)	Sen. Robert Casey (D-PA) <i>Introduced June 10, 2009</i>  Rep. Chaka Fattah (D-PA-2) <i>Introduced June 10, 2009</i>	2  2	Allows school districts that elect to serve all children in the school or LEA free lunches and breakfast for five consecutive school years to receive reimbursement based on local socioeconomic data rather than applications.  Allows school districts that directly certified at least 50 percent of the enrolled students by June 30 of the current school year to receive reimbursement based on local socioeconomic data rather than applications.	Referred to Senate Committee on Agriculture, Nutrition and Forestry/House Committee on Education and Labor
<b>S. 990/H.R. 3221</b>  <i>Afterschool Flexibility to Expand Reimbursement for School Meals Act of 2009</i>	Sen. Debbie Stabenow (D-MI) <i>Introduced May 6, 2009</i>  Rep. Gwen Moore (D-WI-4) <i>Introduced July 23, 2009</i>	11  22	Amends the Richard B. Russell National School Lunch Act to expand access to healthy afterschool meals and to provide funding to states to support efforts to expand participation	Referred to Senate Committee on Agriculture, Nutrition, and Forestry/House Committee on Education and Labor
<b>S. 934/H.R. 1324</b>  <i>Child Nutrition Promotion and School Lunch Protection Act of 2009</i>	Sen. Tom Harkin (D-IA) Lisa Murkowski (R-AK) <i>Introduced April 30, 2009</i>  Rep. Lynn Woolsey (D-CA-6) <i>Introduced March 5, 2009</i>	31  160	Amends the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren and protect the federal investment in the national school lunch and breakfast programs, including requiring the Secretary of Agriculture to establish science-based nutrition standards for foods served on school campus outside the school meals programs at anytime during the school day.	Referred to Senate Committee on Agriculture, Nutrition, and Forestry/House Committee on Education and Labor

