

S. 2507 Child Nutrition and WIC Reauthorization Act of 2004

(Updated June 23, 2004)

Floor Situation

The House considered S. 2507 on Thursday, June 24, 2004; it was agreed to without objection.

Summary

S. 2507 will strengthen nutritional service programs, promote healthy choices among children, and address growing concerns that the Federal school lunch program does not do enough to ensure free and reduced-price lunch benefits go to children who qualify. The bill includes major provisions of H.R. 3873, the Child Nutrition Improvement & Integrity Act, legislation introduced by Education Reform Subcommittee Chairman Mike Castle (R-DE) earlier this year to strengthen and enhance Federal child nutrition programs and services.

National School Lunch and Breakfast Programs, After-School Snack Program, Summer Food Service Program, and Child and Adult Care Food Program

Promoting Healthy Diets, Nutrition Education, and Physical Activity While Preserving Local Control of Schools

The Child Nutrition and WIC Reauthorization Act would:

- Promote nutrition education and physical activity at the state and local level to prevent childhood obesity, as originally proposed by Rep. Castle in H.R. 2227, the Childhood Obesity Prevention Act;
- Require local wellness policies designed and implemented at the local level, and authorize the Department of Agriculture to provide technical assistance, if requested by the school or school district, in implementing healthy school environments. The content of local wellness policies would be decided by local parents, teachers, administrators, school food service, school boards, and the public. The Child Nutrition and WIC Reauthorization Act would not permit the Federal government to dictate to local school districts the content of wellness policies to encourage nutrition and physical activity;
- Continue current policy encouraging all children to consume cow's milk, yet give schools the option to offer a nutritionally equivalent non-dairy substitute to children who cannot drink cow's milk for medical or other special dietary reasons;
- Authorize the continuation and expansion of the Fruit and Vegetable Pilot Program, which provides free fresh and dried fruits and fresh vegetables, to 8 states and 3 Indian reservations;
- Ensure food safety by maintaining and strengthening quality and safety standards and improving meal quality; and
- Strengthen partnerships between local farms, school gardens, and child nutrition programs to ensure fresh, local produce can go from the farms to schools, an initiative proposed by Reps. Fred Upton (R-MI) and Ron Kind (D-WI).

Improving Access to Child Nutrition Programs for Military Families & Other Eligible Children

The Child Nutrition and WIC Reauthorization Act would:

- Allow children whose parents are in the Armed Forces and living in privatized military housing to continue receiving free- or reduced-price meals at school if they meet eligibility requirements;
- Permanently authorize for-profit child care centers to participate in the Child and Adult Care Food Program (CACFP) if at least 25 percent of the children meet the income eligibility criteria for free- or reduced-price meals; and
- Continue the authority for schools, churches, community organizations, and private non-profit groups to operate Summer Food Service Program sites, and continue operation of special pilot programs (Lugar pilots) that reduce paperwork requirements and thereby increase the number of low-income children who receive free meals and snacks during the summer months.

Ensuring Integrity, Efficiency, and Quality in the School Lunch Program

The Child Nutrition and WIC Reauthorization Act would:

- Help parents by allowing them to submit a single application for multiple children;
- Reduce paperwork by allowing school lunch certifications to be valid for one full year, preventing situations in which schools are forced to repeatedly certify children within a single school year;
- Improve accuracy and reduce costs for schools by allowing parents to electronically file school lunch applications (through the use of an e-signature) and automate the certification process;
- Improve accountability by clarifying that school districts, not school food personnel or school food authorities, are responsible for the certification process;
- Increase enrollment of eligible children by requiring direct certification of school lunch eligibility (i.e. students who receive food stamps are automatically eligible for program benefits);
- Authorize a demonstration program in 5 states or parts of states to evaluate the impact of expanding free school meal eligibility to children in households with incomes at 185 percent of poverty or below (i.e. eliminate the reduced-price meal category);
- Help to reduce the stigma among children receiving free and reduced-price lunches by helping schools make technological improvements – such as automated "meal card" systems that keep students' financial status confidential – to increase the efficiency of program operations, as proposed by Rep. Ric Keller (R-FL);
- Provide incentives for school districts to reduce administrative error in school lunch processing; and
- Require training and more frequent administrative reviews and oversight by Federal and state authorities.

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

Strengthening Program Integrity, Improving Nutrition, and Enhancing Infant Formula Benefits

The Child Nutrition and WIC Reauthorization Act would:

- Authorize funds for the WIC program, which includes grants to states, nutrition services and administration funds, and a farmers' market nutrition program;
- Ensure the supplemental foods available through WIC are consistent with current nutrition science;
- Require participating vendors to purchase infant formula from a list of state-licensed wholesalers and distributors approved to distribute infant formula;
- Require vendors to be notified of an initial violation in writing prior to documentation of another violation, unless the state agency determines that notifying the vendor would compromise an investigation;
- Improve fairness and integrity of the infant formula rebate process;
- Limit the size of state alliances developed for purposes of soliciting competitive bids for infant formula to a maximum of 100,000 infants. Current alliances of greater size may continue. States serving fewer than 5,000 infants, and tribal organizations may request to join any alliance; and
- Enact strong cost containment measures to ensure that WIC food costs and voucher payments are consistent with competitive retail prices for supplemental foods, ensuring efficient use of taxpayer dollars and the ability to serve the greatest number of eligible women, infants, and children.

Legislative History

S. 2507 was introduced by Sen. Cochran on June 7, 2004. It was reported from the Senate Agriculture, Nutrition, and Forestry Committee ([Senate Report 108-279](#)) on June 7, 2004. On June 23, 2004, the bill was agreed to in the Senate with amendment by unanimous consent. On June 30, 2004, the bill became *P.L. 108-265*.

Cost Estimate

CBO estimates that enacting the bill will increase direct spending by \$232 million over the 2004-2009 period, and by \$487 million over the 2004-2014 period. Enacting the bill will not affect revenues.

For additional information or questions, please contact the Education and the Workforce Committee at 5-4527.