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Child Nutrition Reauthorization (CNR): An Overview

Introduction

Child nutrition reauthorization (CNR) refers to Congress's process of making changes to the permanent statutes that authorize the child nutrition programs, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and related activities:

- the Richard B. Russell National School Lunch Act,
- the Child Nutrition Act of 1966, and
- (less often) Section 32 of the Act of August 24, 1935, which transfers funds to the child nutrition programs annually.

The most recent CNR was the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296). Some of the authorities created or extended in that law expired on September 30, 2015. However, the vast majority of program operations have continued with funding provided by appropriations acts.

Programs Typically Included in CNR

CNR typically includes **WIC**, the **WIC Farmers' Market Nutrition Program (FMNP)**, and the following child nutrition programs:

- National School Lunch Program (NSLP);
- School Breakfast Program (SBP);
- Child and Adult Care Food Program (CACFP);
- Summer Food Service Program (SFSP); and
- Special Milk Program (SMP).

CNR also covers a number of smaller grant programs and support activities, such as the Farm to School Grant Program and funding for states' administrative expenses associated with operating certain programs.

Table 1 provides a short description of each of the major programs typically included in CNR.

Related Policies in the Farm Bill

The **Fresh Fruit and Vegetable Program (FFVP)**, authorized in the Richard B. Russell National School Lunch Act, has been amended by both CNR and farm bills, including the 2004 CNR and farm bills in 2008 and 2014. The 2010 CNR and the 2018 farm bill did not amend FFVP.

In addition, farm bills sometimes include provisions related to food purchasing and distribution in child nutrition programs. The 2018 farm bill (P.L. 115-334), the most recent farm bill, extended funding for USDA's purchase of fresh fruits and vegetables for child nutrition programs and required USDA to enforce "Buy American" (domestic purchasing) rules for schools participating in NSLP/SBP.

Last Reauthorization

The Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) included a number of new and revised policies. For example, the law created the Community Eligibility

Provision, an option within NSLP/SBP that allows eligible schools to provide free meals to all students. The law also required USDA to update the nutrition standards for school meals and establish nutrition standards for other foods sold in schools during the school day. For WIC, the law included the requirement that states transition, by October 1, 2020, from their primarily paper voucher-based WIC benefits to Electronic Benefits Transfer (EBT). In some cases, the new policies were described within the statute; in other cases, the details were laid out in USDA-promulgated regulations.

Recent Reauthorization Efforts

During the 114th Congress, the committees of jurisdiction (the House Education and Labor committee and Senate Agriculture, Nutrition and Forestry committee) marked up CNR bills but reauthorization was not completed (see CRS Report R44373, *Tracking Child Nutrition Reauthorization in the 114th Congress: An Overview*). In 2019, leadership of both committees announced plans to work on CNR in the 116th Congress.

Categorization of Programs' Funding

Most of the WIC and child nutrition programs' funding requires annual appropriations:

- Most child nutrition program funding is appropriated mandatory spending based on formulas and criteria in the authorizing laws (e.g., the programs' per-meal reimbursements).
- Some smaller child nutrition grants and activities (e.g., Team Nutrition) are funded with discretionary appropriations.
- WIC and WIC FMNP funds are discretionary.

Have the Programs Expired?

Many child nutrition programs are permanently authorized and have permanent authorizations of appropriations (they have no expiration date). This is the case for the main functions of NSLP, SBP, CACFP, and SMP.

In other cases—such as SFSP, WIC, WIC FMNP, and funding for states' administrative expenses—the authority for the programs themselves is permanent, but their authorizations of appropriations expired on September 30, 2015. In such cases, the programs and activities may still operate if funding is provided in appropriations acts, which has been the case in each of FY2016 through FY2020.

A few pilot programs and temporary activities expired on September 30, 2015, and were not always extended. A California program to provide SFSP snacks year-round was not extended. USDA's authority to conduct food safety audits and funding for a National Hunger Clearinghouse was not extended in FY2016 but was subsequently extended by appropriations acts in each of FY2017 through FY2020.

Table I. Child Nutrition and WIC Programs at a Glance

Program	Authorizing Statute (Year First Authorized)	Description	FY2019 Expenditures (exceptions noted)	FY2019 Average Daily Participation (exceptions noted)
National School Lunch Program (NSLP)	Richard B. Russell National School Lunch Act (1946)	Provides federal reimbursements for lunches served in participating pre-K-12 schools. Options for schools to provide afterschool snacks and summer lunches through NSLP.	\$14.2 billion	29.5 million children
School Breakfast Program (SBP)	Child Nutrition Act (1966)	Provides reimbursements for breakfasts served in participating schools (also pre-K-12). Option for schools to provide summer breakfasts.	\$4.5 billion	14.8 million children
Child and Adult Care Food Program (CACFP)	Richard B. Russell National School Lunch Act (1968)	Provides reimbursements for meals and snacks in child care centers, day care homes, and adult day care centers. Rules and funding differ based on type of institution.	\$3.7 billion	4.7 million children; 136,500 adults
CACFP At-risk Afterschool component ^a	Richard B. Russell National School Lunch Act (1994)	Provides reimbursements for after-school meals and snacks served at afterschool programs located in low-income areas.	Included in CACFP total	2.2 million children (included in CACFP total)
Summer Food Service Program (SFSP)	Richard B. Russell National School Lunch Act (1968)	Provides reimbursements for meals and snacks served by nonprofit organizations and schools during the summer months. Eligibility rules vary by type of meal site.	\$476.5 million	2.7 million children ^b
Special Milk Program (SMP)	Child Nutrition Act (1954)	Provides reimbursements for milk in schools and institutions that do not participate in other child nutrition programs.	\$7.4 million	2.2 million half-pints served on average daily ^c
Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	Child Nutrition Act (1974)	Provides benefits redeemable for supplemental foods as well as nutrition counseling and breastfeeding support to pregnant/breastfeeding/postpartum women, infants, and children (under five years old).	\$6.0 billion (FY2020 appropriations) ^d	6.9 million recipients average monthly
WIC Farmers' Market Nutrition Program (WIC FMNP)	Child Nutrition Act (1992)	Provides vouchers for WIC participants to redeem at farmers' markets.	\$18.5 million (FY2020 appropriations)	1.7 million recipients total in FY2018
Fresh Fruit and Vegetable Program (FFVP)	Richard B. Russell National School Lunch Act (2002)	Provides funding for fresh fruit and vegetable snacks in elementary schools, with priority for low-income schools.	\$175.5 million (FY2020 transfer from Section 32) ^e	Not available

Source: Except as noted, preliminary FY2019 participation and funding data from USDA-FNS Keydata Report, February 2020, based on data through November 2019. WIC, WIC FMNP FY2020 appropriations from P.L. 116-94.

- At-risk after-school snacks and meals are part of CACFP law and funding, but differ in their rules and the age of children served.
- According to a May 2018 U.S. Government Accountability Office (GAO) report, estimates of participation in SFSP may be unreliable because they have been calculated inconsistently across states and years. GAO, *Actions Needed to Improve Participation Estimates and Address Program Challenges*, GAO-18-369, May 2018.
- Number of half pints served per month divided by the average school days in a month.
- Section 723 of P.L. 116-94 also rescinded \$1 billion in prior-year carryover funding.
- USDA-FNS, "FFVP: Allocation of FY2020 Funds," SP 29-2019, May 2019.

CRS Reports for Further Information

CRS Report R42353, *Domestic Food Assistance: Summary of Programs*

CRS Report R46234, *School Meals and Other Child Nutrition Programs: Background and Funding*

CRS Report R44115, *A Primer on WIC: The Special Supplemental Nutrition Program for Women, Infants, and Children*

CRS Report R45486, *Child Nutrition Programs: Current Issues*

CRS Report R44373, *Tracking Child Nutrition Reauthorization in the 114th Congress: An Overview*

CRS Report R41354, *Child Nutrition and WIC Reauthorization: P.L. 111-296*

CRS Report RL34081, *Farm and Food Support Under USDA's Section 32 Program*

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