



December 2010

House Passes Healthy, Hunger Free Kids Act!

Legislation Goes to the President for Signature!

Moments ago the US House of Representatives passed the Healthy, Hunger Free Kids Act of 2010 by a vote of 264 in favor (including 17 Republicans) and 157 opposed (including 4 Democrats). The legislation was passed without amendment and so will head to the White House for signature by the President!

NWA is grateful to all who walked the Congressional corridors, made telephone calls, sent e-mails, and participated in outreach to Congressional offices on behalf of WIC and Child Nutrition Programs. **NWA** is particularly grateful for the work of the Association's Legislative Committee and Board of Directors in crafting the Association's legislative agenda, for the members of our community who participated in Washington Leadership Conferences to promote **NWA**'s legislative priorities, and to our advocacy partners – all 1350 of them who signed a strong letter to the House leadership urging passage of the Act.

Significant NWA priorities included in the legislation:

1. Improves access for children by allowing states to elect to certify children up to 1 year, provided that participant children receive required health and nutrition assessments;
2. Strengthens support for breastfeeding by inserting "breastfeeding support and promotion" in parallel with references to "nutrition education" in the legislation;

3. Requires the Secretary to annually compile and publish performance measurements based on program participant data on the number of partially and fully breast-fed infants for each state and local agency;
4. Recognize exemplary breastfeeding support practices at local agencies or clinics and provides for performance bonuses (to be treated as program income transferable to local agencies) to not more than 15 State agencies demonstrating the highest proportion of breast-fed infants, or the greatest improvements in the proportion of breast-fed infants;
5. Provides \$90 million for special nutrition education such as breastfeeding peer counselors and other related activity, of which \$10 million of any funding in excess of \$50 million is set aside for breastfeeding performance bonuses;
6. Requires review of the WIC food packages as frequently as determined by the Secretary to reflect the most recent scientific knowledge, but not less than every 10 years;
7. Increases WIC evaluation funding from \$5 million to \$15 million;
8. Requires all States to implement EBT systems unless exempted, by October 1, 2020 and report annually on their progress towards this goal;
9. Holds vendors responsible for EBT transaction fees and processing costs;
10. Prevents States from incurring ongoing maintenance costs for Vendor EBT systems;
11. Requires that authorized stores demonstrate EBT capability;
12. Requires the Secretary within 2 years after enactment, to establish a Universal Product Codes Data-Base; and
13. Excludes the federal funds from State budget restrictions or limitations including hiring freezes, work furloughs, and travel restrictions.

The legislation also includes:

14. An **NWA** supported provision requiring USDA to coordinate with the FDA and EPA to determine safe levels of mercury in foods provided through WIC and the Child Nutrition Programs, issue guidance, and provide technical assistance to assure safe levels;
15. A provision preventing States from imposing system or equipment costs on vendors;
16. A provision directing the Secretary to establish criteria for cost-sharing by State agencies and vendors;
17. A provision requiring State agencies to identify in cost containment bid solicitations for any food, including infant formula, the composition of state alliances formed for the purposes of cost containment and verify that no additional States have joined the alliance between the solicitation and end of the contract, have a system to ensure that rebate invoices proved a reasonable estimate or an actual count of units sold to participants, and open and read aloud all bids at a public proceeding on

the day bids are due; and
18. Directs that current requirements relating to the size of State contracting alliances apply to any authorized food.

NWA is so proud of the work our WIC Community and allies have done to assure passage of this legislation. Job well done!