United States Department of Agriculture
Food and Consumer Service
Mountain Plains Region
1244 Speer Boulevard
Denver, CO
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Reply to Attn of: CACFP-717
SFSP-489
SP-04-01

Subject: Continuing Resolution/Public Law 108-84

To: STATE AGENCY DIRECTORS - (Special Nutrition Programs) Colorado ED, Colorado DPHE, Iowa, Kansas, Missouri ED, Missouri DPHE, Montana OPI, Montana DPHHS, Nebraska, North Dakota, South Dakota, Utah and Wyoming

This memorandum follows up the email sent by Mary Nielsen, on October 2, 2003. On September 30, 2003, the President signed HJ Resolution 69, which is now Public Law 108-84, which continues appropriations for Child Nutrition Programs (CNP) and extends several provisions that were to expire on September 30, 2003. The resolution extends the following provisions of the Richard B. Russell National School Lunch Act (NSLA) until October 31, 2003:

- Section 9(b)(7) – For purposes of determining eligibility for the CNPs, continues to allow the housing allowance received by military families in privatized housing (housing under the Military Housing Privatization Initiative) to be excluded from consideration as income;

- Section 14(a) – Allows the Secretary to use additional Section 32 and Commodity Credit Corporation funds if the amount of Section32 and Section 6 funds originally appropriated to purchase commodities for the lunch program is insufficient;

- Section 17(a)(2)(b)(i) – Private organizations (for profit centers) providing nonresidential child care or day care outside school hours may continue to be eligible to participate in the Child and Adult Care Food Program, if at least 25 percent of the children served by the organization meet the income eligibility criteria for free and reduced price meals; and

- Section 18(f)(2) – Continues the summer pilot projects (Lugar pilots) to increase the number of children in the Summer Food Service Program in the 14 States currently participating in the pilot.

Public Law 108-84 also extends:

- Section 15 of the Commodity Distribution Reform Act and WIC Amendments of 1987 – Allows the Secretary to use Section 32 funds to reimburse States for costs of removal of commodities if commodities pose a health or safety risk.

Continuation of these provisions beyond October 31, 2003, is dependent on inclusion of extensions in the 2004 appropriations act, a reauthorization act, or additional continuing resolutions.

If you have any questions regarding this memorandum please contact our office at 303-844-0359.

Darlene Sanchez

DARLENE SANCHEZ
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