



United States
Department of
Agriculture

Food and
Nutrition
Service

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DATE: December 20, 2010

MEMO CODE: SP 12 - 2011

SUBJECT: Child Nutrition Reauthorization 2010: Fiscal Year 2010
National School Lunch Program Equipment Assistance
Grants - Legislative Revision

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, was signed into law by the President on December 13, 2010. The Act modified the requirements for the FY 2010 National School Lunch Program (NSLP) Equipment Assistance Grants. The purpose of this memorandum is to provide guidance on the implementation of this modification.

Section 749(j) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80) provided an appropriation of \$25,000,000 for equipment assistance to eligible School Food Authorities (SFAs) participating in the NSLP. Eligible SFAs were defined to include those SFAs that did not receive equipment assistance grants under the American Recovery and Reinvestment Act of 2009 (ARRA).

The legislation, as originally written, excluded a number of low-income schools because their SFA received funding for foodservice equipment under ARRA. Section 443 of the Act modified this requirement. SFAs that received a grant for equipment assistance under ARRA are now eligible for FY 2010 NSLP Equipment Assistance Grants. However, the Act limits the SFA's use of these funds to those schools that did not receive equipment assistance under ARRA.

State agencies that chose to delay acceptance of the funds in accordance with SP 32-2010 should now request their equipment grant funds allocation from their Regional Office Financial Management Division. Please refer to memoranda SP-14-2010, SP-19-2010 and SP-32-2010 for clarification on the specific requirements and timeframes for this one-time appropriation. The original addendum to the Federal-State Agreement for the FY 2010 NSLP Equipment Assistance Grants will continue to serve as the mechanism for State agencies to award and administer these grants.

Regional Directors
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State agencies with questions regarding this memo should contact their Regional Offices.
Regional Offices with questions should contact the Child Nutrition Division.

Original Signed

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