

DATE: February 15, 2011

MEMO CODE: SP 19-2011, CACFP 09-2011, SFSP 06- 2011

SUBJECT: Child Nutrition Reauthorization 2010: Privacy Protection and the Use of Social Security Numbers in Child Nutrition Programs

TO: Child Nutrition Programs

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, amends statutory requirements for collection of Social Security Numbers (SSNs) in all Child Nutrition Programs. The purpose of this memorandum is to provide guidance on the implementation of this requirement.

Section 301 of the Act amends section 9(d)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(d) (1)) by removing the requirement that the adult household member who signs a household application for free and reduced-price meals also must provide his or her complete SSN, as a condition of eligibility. As amended by the Act, Section 9(d)(1) now requires that only the last four digits of the SSN must be provided on the application. The Act also removes the requirement that the SSN of each household member be collected to verify applications. The new requirements increase privacy protections.

Because Section 301 of the Act became effective on October 1, 2010, all household applications and supporting materials must be updated to reflect these requirements as soon as possible, but no later than July 1, 2011. It may be that State agencies, local educational agencies and institutions are not able to print all new materials for immediate use. However, State agencies must notify local educational agencies and institutions regarding the privacy protections and assist in developing mechanisms for implementation of the new statutory requirement.

FNS will provide updated prototype applications and supporting materials for all Child Nutrition Programs in the near future.