



United States Department of Agriculture

## LEGISLATIVE HISTORY OF BREASTFEEDING PROMOTION REQUIREMENTS IN THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN

Year	Public Law	Event
1972	P.L. 92-443	<p>Congress authorized a two-year pilot project to serve pregnant and lactating women, infants, and children up to age four. In addition to meeting the income guidelines, participants were required to be at nutritional risk.</p> <p>Responsibility for administration at the Federal level was placed with the Department of Agriculture Food and Consumer Service (USDA/FCS). Federal funds were to be distributed to State health departments for allocation to agencies operating WIC Programs.</p>
1975	P.L. 94-105	<p>WIC officially became a permanent <i>national health and nutrition program</i>.</p> <p>Congress explicitly used the term “breastfeeding” in the legislation.</p> <p>Lactating women were defined as women who breastfeed their infants up to one year of age. Non-breastfeeding postpartum women could participate up to six months postpartum. Eligibility for children was extended to age five.</p>
1989	P.L. 101-147	<p>Further <i>increased emphasis on breastfeeding promotion</i> in the WIC Program by:</p> <ul style="list-style-type: none"><li>* establishing a <i>national definition</i> for the term, “breastfeeding”, as well as <i>standards</i> to ensure that adequate breastfeeding promotion</li></ul>

and support have been established at the State and local levels;

\* requiring WIC State agencies to spend annually , at a minimum, their share of **\$8 million specifically for breastfeeding** promotion and support;

\* mandating the authorization of **WIC administrative funds to purchase breastfeeding aids**, such as breast pumps, which directly support the initiation and continuation of breastfeeding;

\* mandating States to make a **yearly evaluation** of their breastfeeding promotion and support activities;

\* requiring State agencies to provide nutrition education and **breastfeeding materials in languages other than English** as appropriate;

\* requiring State agencies to provide nutrition education and promote breastfeeding;

\* requiring State agencies to include in their State plan **a plan to coordinate operations with local Agency programs for breastfeeding promotion**;

\* requiring State agencies to designate a **breastfeeding coordinator**;

\* mandating State agencies to provide **training on breastfeeding** promotion and support to local Agency staff responsible for breastfeeding; and

\* requiring the Secretary to add **an expert in breastfeeding promotion and support to the National Advisory Council on Maternal, Infant and Fetal Nutrition**.

establish a *national breastfeeding promotion program* to promote breastfeeding as the best method of infant nutrition, foster wider public acceptance of breastfeeding in the United States, and assist in the distribution of breastfeeding equipment to breastfeeding women. The Secretary may *develop or assist others to develop* appropriate materials. The law also provided authorization for the Department to enter into cooperative agreements with Federal, State, local or other entities to carry out a breastfeeding promotion program. The law further authorized the Department to *solicit and accept donations from outside sources* for the purpose of establishing a breastfeeding promotion program.

<b>1994</b>	<b>P.L. 103-448</b>	<p><i>Revised the formula for determining the amount of funds</i> to be expended for WIC Breastfeeding Promotion support. Required WIC State agencies to <i>spend \$21 dollars adjusted for inflation every October 1, multiplied by the average number of pregnant and breastfeeding woman participating in the Program in the last 3 months for which final data is available.</i></p> <p>The legislation also required each WIC State Agency to <i>collect data on the incidence and duration of breastfeeding</i> among participants. This data is required to be reported to Congress every two years.</p>
<b>1998</b>	<b>P.L. 105-336</b>	<b>Allows Program food funds</b> to be used for the purchase or rental of breast pumps.
<b>2002</b>	<b>P.L. 104-193</b>	Eliminated the provision for annual evaluation of breastfeeding promotion efforts.
	<b>P.L. 106-224</b>	Provided greater flexibility for State agencies in noncontiguous states containing a significant number of remote Indian or Native villages by

permitting conversion of food funds to cover allowable NSA costs incurred in providing services and breastfeeding support to these areas.

<b>2004</b>	<b>P.L. 108-265</b>	<p>Allowed WIC State agencies to elect to certify a breastfeeding woman for a period of 1 year postpartum or until a woman discontinues breastfeeding, whichever is earlier.</p> <p>Encouraged partnerships within the community to build a supportive breastfeeding environment for women in keeping with the breastfeeding goals of the Healthy People 2010 Initiative.</p> <p>Earmarked funding for special projects to promote breastfeeding, including projects to assess the effectiveness of particular breastfeeding promotion strategies.</p> <p>Earmarked funding for special nutrition education such as breast feeding peer counselors and other related activities.</p>
<b>2010</b>	<b>P.L.111-296</b>	<p>The Healthy, Hunger-Free Kids Act of 2010 further increased emphasis on breastfeeding promotion and support, including:</p> <ul style="list-style-type: none"> <li>• establishing awards for exemplary breastfeeding practices at the local level.</li> <li>• reinforcing the importance of the promotion and support of breastfeeding as an integral element of WIC services and benefits.</li> <li>• expanding WIC State and local agency staff training requirements to include breastfeeding support and education.</li> <li>• requiring USDA to implement a program to provide performance bonuses to not more than 15 State agencies that demonstrate (1) the highest proportion of</li> </ul>

breast-fed infants; or (2) the greatest improvement in proportion of breast-fed infants.

- requiring USDA to annually compile and publish breastfeeding performance measurements based on program participant data of the number of partially and fully breastfed infants for each WIC State and local agency.

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