

November 10, 2021

Honorable Rosa L. DeLauro
Chairwoman
House Committee on Appropriations

Honorable Patrick Leahy
Chairman
Senate Committee on Appropriations

Honorable Sanford Bishop, Jr.
Chairman
House Subcommittee on Agriculture, Rural
Development, Food and Drug
Administration, and Related Agencies

Honorable Tammy Baldwin
Chairwoman
Senate Subcommittee on Agriculture, Rural
Development, Food and Drug
Administration, and Related Agencies

Honorable Kay Granger
Ranking Member
House Committee on Appropriations

Honorable Richard Shelby
Vice Chairman
Senate Committee on Appropriations

Honorable Andy Harris
Ranking Member
House Subcommittee on Agriculture, Rural
Development, Food and Drug
Administration, and Related Agencies

Honorable John Hoeven
Ranking Member
Senate Subcommittee on Agriculture, Rural
Development, Food and Drug
Administration, and Related Agencies

Dear Chairwoman DeLauro, Ranking Member Granger, Chairman Leahy, Vice Chairman Shelby, Chairman Bishop, Ranking Member Harris, Chairwoman Baldwin, Ranking Member Hoeven,

At the start of the COVID-19 pandemic, Congress gave the U.S. Department of Agriculture (USDA) the authority to issue nationwide child nutrition waivers to address access and operational challenges created by the pandemic, allowing school nutrition programs, local government agencies, and nonprofit organizations to adapt as necessary to changes such as school closures and virtual learning. This authority was established through the [Families First Coronavirus Response Act](#) (Public Law 116-127), extended for Fiscal Year 2021 through the [Continuing Appropriations Act, 2021 and Other Extensions Act](#) (Public Law 116-159) and again extended to June 30, 2022 through the [Extending Government Funding and Delivering Emergency Assistance Act](#) (Public Law 117-43). Without these waivers, the child nutrition programs would not have been able to adequately respond to the fallout from COVID-19. The meals provided through the child nutrition programs have been critical to our nation's pandemic response to childhood hunger.

Unfortunately, the COVID-19 pandemic is far from over. Families continue to need support, and school nutrition departments and community sponsors still struggle to operate under the unique circumstances created by the pandemic. Contrary to where many people thought and hoped we would be at this point in the pandemic, COVID-19 continues to be a threat causing school closures and requiring students to stay home in quarantine. It is unclear when schools and

community organizations will be able to fully return to normal operations, particularly in light of future variants of COVID-19 that may develop.

When the Public Health Emergency does finally end, it will take time for nutrition operations to recover from the challenges created during the pandemic: to rebuild their programs and overcome the significant financial impact. USDA will need waiver authority to support schools and program operators through the summer and as the school year begins.

The authority to provide a nationwide waiver in response to the pandemic, even if it increases program costs, has only been extended to June 30, 2022 and waivers cannot be provided beyond the 2021-2022 school year (which the statute defines as ending each year on June 30). This arbitrary deadline means that summer meal programs will not be able to operate under the same program rules through the entire summer. It also takes away USDA's ability to respond to the operational and access challenges that are likely at the start of the new school year in what will hopefully be the first year back to normal school nutrition operations.

We, the undersigned organizations, ask Congress to further extend USDA's nationwide waiver authority to September 30, 2022 to give USDA the flexibility needed to respond to the pandemic as well as its aftermath, and to ensure that the federal child nutrition programs continue to operate and provide healthy snacks and meals to students.

Sincerely,

AASA, The School Superintendents Association
Academy of Nutrition and Dietetics
Afterschool Alliance
American Commodity Distribution Association
American Heart Association
Boys & Girls Clubs of America
Bread for the World
Center for Biological Diversity
Children's Defense Fund
Feeding America
First Focus Campaign for Children
FoodCorps
Food Research & Action Center
MomsRising
National Education Association
National Farm to School Network
National PTA
National Recreation and Park Association
School Nutrition Association
Share Our Strength
Urban School Food Alliance
YMCA of the USA

CC:

Honorable Debbie Stabenow
Chairwoman
Senate Committee on Agriculture, Nutrition,
and Forestry

Honorable John Boozman
Ranking Member
Senate Committee on Agriculture, Nutrition,
and Forestry

Honorable Robert “Bobby” Scott
Chairman
House Committee on Education and Labor

Honorable Virginia Foxx
Ranking Member
House Committee on Education and Labor