

January 25, 2022

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,

We, the undersigned national, state, and local organizations, ask you to further extend USDA's nationwide waiver authority through School Year 2022-2023 in recognition of the ongoing pandemic, the continuing school closures, and the need for flexibility to meet the needs of students.

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. Throughout the pandemic schools and community meal sponsors have relied on these waivers to keep children fed during short- and long-term closures, alleviate child hunger, and advance racial equity and child well-being.

Unfortunately, the COVID-19 pandemic is far from over. Families continue to need support, particularly Black, Hispanic, and Indigenous families who disproportionately lack reliable access to healthy meals, 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 frequent school closures and requiring students to stay home in quarantine and miss meals. Currently short and long-term school closures are occurring constantly across the country. They are due not only to COVID exposures and the need to quarantine but to staffing shortages and teacher burnout. It is unclear when schools and community organizations will be able to fully return to normal operations, particularly in light of omicron and future variants of COVID-19 that may develop.

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, forcing many providers to stop serving meals or shut down altogether and leaving millions of children without access to healthy meals. The June 30th expiration also takes away USDA's ability to respond to the supply chain, operational, and access challenges that are likely despite what will hopefully be the first year back to normal school operations. Moreover, it denies schools and other sponsors the tools and flexibilities they need to recover from the impacts of the pandemic and resume normal operations.

We, the undersigned national, state and local organizations, ask Congress to further extend USDA's nationwide waiver authority through School Year 2022-2023 to ensure USDA has continued flexibility to respond to the ongoing and evolving impacts of 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
Center for Science in the Public Interest
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

Shalanda Young
Acting OMB Director
Office of Management and Budget