

May 18, 2026

Re: H.R. 7723 and Its Impact on CACFP Participation

Dear Members of the House of Representatives:

We, the undersigned organizations, write to oppose H.R. 7723, *Safeguarding Taxpayer Dollars in Child Care Act*, which could bar child care providers from participating in the Child and Adult Care Food Program (CACFP) and the Child Care and Development Block Grant (CCDBG) for unintentional or inadvertent errors.

CACFP is a federal program that provides reimbursements for nutritious meals and snacks to eligible providers in rural, suburban, and urban areas in communities across the country, and is proven to improve children's health, family economic stability, and child care quality. This program ensures that children in every state have access to healthy meals and snacks at participating child care centers, family child care homes, Head Start programs, afterschool programs, and emergency shelters.

H.R. 7723 seeks to bar providers from receiving federal funds if they commit fraud, but states are already administering CACFP with strong oversight systems specifically designed to detect and prevent integrity concerns. These systems are built from U.S. Department of Agriculture (USDA) guidance and technical assistance. **H.R. 7723 would use the existing Serious Deficiency (SD) process to trigger disbarment, which is problematic because it is a tool that is inconsistently applied and is often triggered by minor errors rather than fraud or misconduct.**

In May 2024, USDA began the rulemaking process to update and improve the SD process, with hundreds of stakeholders urging USDA to clearly define fraud and provide more technical assistance. These identified improvements must be included in a Final Rule to ensure due process and that children and families do not lose access to quality and community-based child care due to minor or inadvertent errors.

We are also concerned about the chilling effect this bill may have on child care providers. Fear of losing CCDBG funding over inadvertent CACFP errors could push providers to withdraw from CACFP entirely, reducing children's access to healthy meals at a critical time for their health and development.

We strongly support holding providers who commit fraud accountable. However, inaccurate or exaggerated claims about alleged fraud should not be the basis for jeopardizing children's access to nutritious food and access to quality and locally-based child care. We urge you to oppose this bill.

Thank you for your consideration to ensuring access to high quality and community-based child nutrition and child care. We welcome the opportunity to discuss these concerns further.

Sincerely,

National Organizations

American Federation of State, County and Municipal Employees (AFSCME)
CACFP Roundtable
Center for Law and Social Policy (CLASP)
Common Threads
Food Research & Action Center (FRAC)
First Focus Campaign for Children
National Association for Family Child Care
National CACFP Association
National CACFP Forum
National Farm to School Network
ZERO TO THREE

State and Local Organizations

Alpha & Omega Nutrition Program, Inc. (Tennessee)
Child Nutrition Services (Nebraska)
Children's Hunger Alliance (Ohio)
CocoKids Inc (California)
Genesee County Interagency Council (New York)
Giving Youth A Chance (Tennessee)
Hawaii Children's Action Network Speaks!
Indy Hunger Network (Indiana)
Lucia Mar USD (California)
Marathon County Child Development Agency (Wisconsin)
Marshmallow Home Daycare LLC (California)
Missouri State Center for Ozarks Poverty Research
Northwest Harvest (Washington)
Oppenheim Consulting, LLC
San Francisco - Marin Food Bank (California)
Second Harvest Food Bank of Orange County (California)
Tiny Tots and Little Tykes, Inc. (Minnesota)