

May 25, 2021

The Honorable Debbie Stabenow
Chairwoman, U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
328A Russell Senate Office Building
Washington, D.C. 20510

The Honorable John Boozman
Ranking Member, U.S. Senate
Committee on Agriculture, Nutrition,
and Forestry
141 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Robert C. Scott
Chairman, U.S. House Committee on Education
and Labor
2328 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Virginia Foxx
Ranking Member, U.S. House Committee on
Education and Labor
2462 Rayburn House Office Building
Washington, D.C. 20515



Dear Chairwoman Stabenow, Ranking Member Boozman, Chairman Scott, and Ranking Member Foxx:

On behalf of America's children and youth, the board, staff, partners, and constituents of the Children's Defense Fund, I write to urge you to advance a robust Child Nutrition Reauthorization (CNR) bill this year and strengthen child nutrition programs to reach and feed all children, all year, in all communities.

The Children's Defense Fund (CDF) envisions a nation where marginalized children flourish, leaders prioritize their well-being, and communities wield the power to ensure they thrive. For nearly 50 years, we have fought to end child hunger and ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and successful passage to adulthood. Working with our six state and territorial offices and CDF Freedom Schools partners in 25 states and the District of Columbia, we have advanced policies to improve access to nutrition and administered programs to meet children's nutritional, educational and socio-emotional needs. Our 181 CDF Freedom Schools sites work on the ground, sponsoring summer and afterschool meal programs across the country, while advancing literacy and educational enrichment in the hardest to reach communities of color.

We have seen firsthand the positive impacts of healthy, free meals on child well-being, and we urge Congress to extend them to all children—regardless of income, age, or zip code—to build equity in community. The COVID-19 pandemic has reinforced the importance of child nutrition programs and spurred implementation of several promising strategies to expand access and eligibility, from lifting restrictive requirements under existing programs to creating new ones like Pandemic Electronic Benefits Transfer (EBT).

As Congress works to pass a strong CNR bill and additional recovery packages this year, we must build and expand upon the successes, flexibilities, and progress seen during the pandemic and do everything in our power to keep children fed, always—not just during times of crisis. We are encouraged to see improvements and investments for child nutrition programs included in President Biden's American Families Plan, but much more is needed to fully eliminate barriers to healthy food and well-being for our children. As Congress works to improve our child nutrition programs, we encourage you to include the children, families, and communities most affected by the systemic problems in the decision-making. Community voices are critical to re-envisioning our nation's child nutrition programs which have the potential to ensure equitable access to health and wholeness for children.

Specifically, CDF asks that you include the following priorities in upcoming recovery packages, CNR, and other legislative vehicles this year:

K-12 School Meals

National School Lunch and School Breakfast Programs (NSLP and SBP): The National School Lunch and School Breakfast Programs help our nation’s children get the food they need to learn, grow, and thrive inside and outside of the classroom. Before the pandemic, more than half of all public-school students—22 million children—relied on free or reduced-price school meals to meet their daily nutritional needs.¹ Due to strict eligibility requirements, however, millions more went hungry. In response to the pandemic, Congress and the United States Department of Agriculture (USDA) have significantly—but only temporarily—expanded access and extended free school meals to all children in need, improving child health and nutrition and reducing barriers, stigma and administrative burdens. To make free school meals permanently available to all students, Congress must:

- **Provide Free School Meals for All Children:** Expand the School Breakfast Program and National School Lunch Program to provide free meals to all children regardless of income, as outlined in the *Universal School Meals Program Act*.
- **Increase Reimbursements for School Meals:** Increase reimbursement rates under SBP and NSLP, as outlined in the 2019 USDA *School Nutrition and Meal Cost Study*² to better reflect and align with the actual cost of preparing meals and the labor, delivery, and equipment that is utilized in meal service and preparation.
- **Erase School Meal Debt and Protect Students against Lunch Shaming:** Provide a one-time reimbursement to wipe out all unpaid school meal debt and stop the lunch shaming of students. This must be paired with strong legislative language to prohibit participating schools from denying any child a hot, prepared meal for any reason.
- **Fully Authorize Emergency Funds for School Meal Programs:** Create a new, emergency funding stream to help school meal programs cover unexpected costs and continue serving meals during and following national emergencies, disasters, and economic downturns. Funding must be unrestricted and tied to automatic triggers to ensure school meal programs can qualify for, access, and use emergency funds quickly.
- **Reduce Administrative Burdens:** Allow schools to use income data from other programs to qualify for Title I funding without requiring individual families to report their income.
- **Improve Nutrition Standards to Align with Diversity in Food Culture:** Revise nutrition standards to ensure school meals and nutrition are culturally diverse and responsive to the communities they serve and provide science-based nutrition standards that improve the quality, consistency, and range of meal options available to children.

Out-of-School Time and Summer Meals

Summer Food Service Program (SFSP) and Seamless Summer Option (SSO): The Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) administered through the NSLP help children stay nourished when school is closed, traditionally providing free meals and snacks to nearly three million children each day.³ Due to policy and administrative barriers limiting where and when summer meals can be served, however, these programs reach only one in seven eligible children.⁴ Many children find it difficult, if not impossible, to access summer meals because local sites, funds, and transportation options are limited. To ensure greater access to traditional summer meal programs, Congress must:

- **Expand Eligibility to All Communities, Organizations and Children:** Eliminate area eligibility thresholds to ensure any community can participate in SFSP and serve any child where they are and allow more community organizations to serve as sponsors.
- **Maximize Flexibility for Sites:** Permanently eliminate congregate feeding and meal pattern requirements so SFSP sites can continue serving meals off-campus at more convenient locations and times even after the pandemic ends.
- **Reimburse Sites for Transportation:** Provide funding for transportation to and from SFSP sites that serve children and families with low and moderate incomes. Transportation grants will help children who have additional barriers, particularly in rural communities, from getting to and from the program sites. Transportation should be reimbursed for the providers with clear guidelines and application processes to ensure full program participation.
- **Expand Off-Campus Access:** Expand off-campus options for children with limited access to traditional meal sites, including meal delivery services, mobile food trucks, and backpack programs.

¹ U.S. Department of Agriculture. 2021. Child Nutrition Tables. “National Level Annual Summary Tables: FY 1969-2020, NSLP - Participation and Meals Served.” <https://fns-prod.azureedge.net/sites/default/files/resource-files/slsummar-4.pdf>.

² U.S. Department of Education. 2019. “School Nutrition and Meal Cost Study: Summary of Findings,” p. 29. https://fns-prod.azureedge.net/sites/default/files/resource-files/SNMCS_Summary-Findings.pdf.

³ U.S. Department of Agriculture. 2021. Child Nutrition Data Tables. “State Level Tables: FY 2015-2020, SFSP - Participation.” <https://fns-prod.azureedge.net/sites/default/files/resource-files/04sffypart-4.pdf>.

⁴ Hayes, Clarissa and Crystal FitzSimons. 2020. “Hunger Doesn’t Take a Vacation: Summer Nutrition Status Report,” p. 5. FRAC. <https://frac.org/wp-content/uploads/FRAC-Summer-Nutrition-Report-2020.pdf>.

Out of School Time and Summer Electronic Benefits Transfer (EBT): Out-of-school time nutrition assistance delivered through Summer EBT and Pandemic EBT helps families purchase groceries. Through pilot demonstrations and the pandemic, out-of-school time EBT benefits have proven remarkably effective at reducing hunger and improving nutrition outcomes among children. Research shows Summer EBT demonstrations reduced child food insecurity by one-fifth⁵ and P-EBT reduced food hardship by nearly one-third for low-income households with children.⁶ To build on the success of these pilots and ensure no child goes hungry when school is closed, Congress must:

- **Permanently Authorize Out-of-School and Summer EBT Benefits:** Build off of the success of Pandemic EBT and establish a permanent out-of-school EBT option to provide continued nutrition assistance when school is closed during summer months, weekends, holidays, and emergencies.
- **Make Benefits Available to Children of All Ages and Incomes:** Provide out-of-school EBT benefits to all children enrolled in school or child care—regardless of income.
- **Increase Daily Benefit Rates:** Offer daily benefits at a rate equal to or exceeding the value of two free meals and a snack under NSLP and SBP.

Early Childhood and Afterschool Meals

Child and Adult Care Food Program (CACFP) and CACFP At-Risk Afterschool Meals: The Child and Adult Care Food Program (CACFP) provides nutritious meals and snacks to 4.2 million children in child care centers, family child care homes and afterschool programs across the country.⁷ About half of child care centers nationwide do not participate in CACFP,⁸ however, because reimbursements are low, requirements are burdensome, and eligibility standards are strict. As a result, millions of eligible infants and toddlers are left without access to reliable, affordable meals during their years of greatest brain development. To rectify this and ensure every young child has the building blocks they need to succeed, Congress must:

- **Reimburse More Meals at Higher Rates:** Allow child care and afterschool programs to serve an additional snack or meal. CDF and leading experts recommend up to three meals and one snack for full-day child care programs and up to two meals and one snack for afterschool programs with full reimbursements.
- **Extend Eligibility to All Children and Communities:** Eliminate area eligibility thresholds to ensure all communities and children can participate in CACFP and encourage and incentivize nonprofit organizations to serve as CACFP administrative agencies for clusters of multiple child care centers to increase program participation.
- **Raise Age Limits for Youth in Homeless Shelters:** Extend eligibility for youth in homeless shelters up to age 24 to ensure that they are connected to healthy meals before and beyond school ages.
- **Streamline and Increase Meal Reimbursements:** Eliminate the two-tiered reimbursement structure under CACFP, increase reimbursement rates, and adjust rates annually using the Consumer Price Index for All Urban Consumers: Food Away from Home to ensure all providers can cover the full cost of participation and food.
- **Expand Out-of-School Time Flexibility and Reach:** Reimburse programs for serving up to three meals and snacks when childcare and school is not in session—after hours, on weekends, and during partial school days and holidays.
- **Make it Easier for Private Providers to Participate:** Allow private childcare providers to verify their CACFP eligibility annually like public providers.
- **Provide Robust Technical Assistance for Small Programs:** Additional resources are desperately needed for smaller CACFP programs that need additional technical and administrative support as they are scaling up in the first several months.

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): The Special Supplemental Nutrition Program for Women, Infants, and Children program (WIC) provides critical nutrition assistance and support to pregnant, breastfeeding, and postpartum women with low-incomes as well as infants and children under five. In FY 2021,

⁵ Abt Associates and Mathematica Policy Research. 2016. “Summer Electronic Benefit Transfer for Children (SEBTC) Demonstration: Summary Report,” pp. 43-44. <https://fns-prod.azureedge.net/sites/default/files/ops/sebtfinalreport.pdf>.

⁶ Bauer, Lauren, Abigail Pitts, Krista Ruffini, and Diane Whitmore Schanzenbach. 2020. “The Effect of Pandemic EBT on Measures of Food Hardship,” p. 5. Washington, DC: Brookings. https://www.hamiltonproject.org/assets/files/P-EBT_LO_7.30.pdf.

⁷ U.S. Department of Agriculture. 2021. Child Nutrition Data Tables. “State Level Tables: FY 2015-2020, CACFP - Participation.” <https://fns-prod.azureedge.net/sites/default/files/resource-files/ccssummary-4.pdf>.

⁸ Zaltz, Daniel A et al. 2020. “Participation in the Child and Adult Care Food Program is associated with fewer barriers to serving healthier foods in early care and education.” *BMC Public Health*, 20 (856). <https://bmcpubhealth.biomedcentral.com/articles/10.1186/s12889-020-08712-7>.

WIC served 6.3 million individuals, including 3.4 million young children.⁹ Many children “age out” and prematurely lose benefits, however, because age limits are too low and certification requirements are too burdensome. What’s worse, half of eligible children do not participate in the program¹⁰ because sites and services are inaccessible, and requirements are paternalistic and inflexible to families. To ensure more consistent and equitable access to WIC and its life saving benefits, Congress must:

- **Close Nutrition Gaps:** Expand eligibility to cover children up to age six and extend infant and maternal postpartum certification periods from one to two years, as proposed in the *Wise Investment in Children Act*.
- **Improve Meal Quality Through Culturally Diverse Foods:** Update WIC food packages in accordance with 2017 NASEM recommendations to increase the diversity and quality of food available to young children and mothers and provide local and cultural food flexibility.
- **Modernize the Program for the 21st Century:** Allow WIC participants to complete applications, certifications, and appointments virtually—either online or over the phone—to reduce participation barriers and disparities. Additionally, provide all diverse cultural markets that take WIC with clear and accurate information. While the *American Rescue Plan Act* (ARPA) allows these flexibilities temporarily, they must be included permanently in a reauthorization bill.
- **Provide Automatic Enrollment through Public Awareness Campaigns:** To expand program eligibility and reach, the WIC program should have automatic enrollments for all other federal and state public benefits with a strong public and educational awareness campaign to increase participation.

Children and families need ongoing support and access to healthy, nutritious meals during the pandemic and beyond. It is critical that Congress take up a Child Nutrition Reauthorization (CNR) bill this year to increase access to ensure greater flexibility, eligibility, and access are given to students and communities and schools on the ground. We look forward to working with you to ensure our priorities are included in the CNR bill or any other legislative package. If we can expand on any of these recommendations or if you have questions, feel free to contact me or CDF’s Director of Poverty Policy, Emma Mehrabi (emehrabi@childrensdefense.org). Thank you for your leadership.

For our children,



Rev. Dr. Starsky Wilson
President & CEO

⁹ U.S. Department of Agriculture. 2021. WIC Program Data. “Monthly Data-State Level Participation by Category and Program Costs – FY 2021 (Preliminary).” <https://www.fns.usda.gov/pd/wic-program>.

¹⁰ U.S. Department of Agriculture. 2020. “WIC 2017 Eligibility and Coverage Rates.” Calculations made by the Children’s Defense Fund based on raw data on WIC participation versus eligibility for infants and children 1-4. [https://www.fns.usda.gov/wic-2017-eligibility-and-coverage-rates#:~:text=In%202017%2C%20an%20estimated%2014.1.WIC\)%20in%20a%20given%20month.](https://www.fns.usda.gov/wic-2017-eligibility-and-coverage-rates#:~:text=In%202017%2C%20an%20estimated%2014.1.WIC)%20in%20a%20given%20month.)