

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