

Congress of the United States
Washington, DC 20510

November 11, 2020

The Honorable Sonny Perdue
Secretary
United States Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

Dear Secretary Perdue:

Thank you for your commitment to child nutrition programs. The U.S. Department of Agriculture's (USDA) recent decision to extend waivers for the Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) program through June 30, 2021, is critical and will allow school districts and nonprofit organizations to continue to feed students while we are still in the midst of a pandemic. As we continue to find ways to support our children through these difficult times, we urge USDA to take further steps to support local communities by maximizing assistance for schools and nonprofits.

Child nutrition waivers made available through the Families First Coronavirus Response Act (P.L. 116-117) provided much needed flexibility to help school districts and nonprofit organizations feed students earlier this year, and their recent extension through the Continuing Appropriations Act of 2021 (P.L. 116-159) will provide more flexibility going forward. In Hawaii, these waivers have helped the Hawaii Department of Education (HIDOE) provide tens of thousands of meals per day at certain times during the pandemic. It was important for Congress and USDA to extend these waivers, and school districts like HIDOE have already indicated that they plan to continue using them.

Now that these waivers have been extended, it is also important for USDA to work with school districts and nonprofits to make sure they have the resources to fully realize their benefits—particularly at a time when many school districts are still working to address the challenges associated with distance and hybrid learning, and districts and nonprofits are facing steep budget cuts. Recent estimates from the Center for Budget and Policy Priorities indicate that 30 states and the District of Columbia could potentially experience revenue declines of 10 percent or more during fiscal year 2021—threatening severe budget cuts that could impact health care providers, emergency responders, and schools. Given the potential for budget cuts, the federal government should be working with state and local governments during this time—especially to make sure they can feed students.

USDA has a responsibility to make sure local communities can effectively use the child nutrition waivers provided, and the Department can take steps to support communities in need. First, USDA should provide state agencies, school districts, and other program operators with technical assistance and guidance so those with limited resources and capacity can effectively implement the waivers. USDA has already issued some guidance, but additional support for these entities would be helpful.

Second, USDA should provide state agencies and others with resources to cover administrative costs necessary to implement the waivers. Recently, for example, Congress expanded Pandemic EBT (P-EBT) eligibility to children enrolled in the Child and Adult Care Food Program (CACFP). However, state agencies may have limited resources and capacity to identify CACFP children eligible for P-EBT. Grants or cost sharing arrangements to help state agencies hire more employees or cover other administrative costs would improve their capacity to implement the waivers, making sure more students are fed.

Third, USDA should reimburse all SSO meals during the 2020-2021 school year at SFSP rates, which are higher than SSO rates. FFCRA expanded USDA's child nutrition waiver authority to allow the Secretary to issue waivers that increase federal costs, which could be used to provide higher reimbursement rates for SSO meals. At a time when school districts are facing steep budget cuts, these higher reimbursements would provide much needed relief and allow schools to serve more meals.

These requests provide some initial steps USDA can take to support state and local governments as they continue to navigate the impacts of COVID-19. We urge your prompt consideration, and look forward to your response.

Sincerely,



MAZIE K. HIRONO
United States Senator



BRIAN SCHATZ
United States Senator



TULSI GABBARD
Member of Congress



ED CASE
Member of Congress