

United States Senate

WASHINGTON, DC 20510

March 3, 2022

Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

Dear Leader Schumer and Leader McConnell:

Since the onset of the pandemic, Congress has taken action to address the exceptional circumstances of the COVID-19 public health emergency, including by granting USDA authority in the *Families First Coronavirus Response Act* (FFCRA) to issue several nationwide waivers and flexibilities for schools and program operators. We write to ask that the omnibus continue to provide USDA authority to issue all necessary waivers, including an extension of all authority provided by FFCRA for state and nationwide waivers from June 30, 2022 to September 30, 2023, in order to provide the flexibility needed to respond to the ongoing pandemic and to ensure that the federal child nutrition programs continue to operate and provide healthy snacks and meals to students.

Going forward, schools across the country will continue to need flexibility in providing school nutrition programs. That's because school districts that continue to operate in-person face a slew of challenges that impact meal service such as workforce shortages, unpredictable and cancelled food deliveries, increased food prices, and the inability to source standard food items or products like trays and cutlery. It will take time for nutrition operations at schools to recover from the challenges created during the pandemic, to rebuild their programs, and overcome the significant financial impact.

We recognize schools will continue to have the option to serve free meals to all students through June 2022 via the Seamless Summer Option (SSO). However, it is clear that schools and suppliers are continuing to face ongoing operational and supply challenges as they work to transition back to normal operations. Given that over 29 million children receive low cost or free meals at school every day, extending the SSO and other waivers are critical to keeping our nation's children fed¹ this summer and during the 2022-2023 school year. This is especially true for states with high rates of poverty, where large portions of students are eligible for free and reduced lunch.

The June deadline means that summer meal programs will not be able to operate under the same program rules through the entire summer. This deadline also restricts the ability to respond to the operational and access challenges that schools may face into 2023. For schools that continue to face fluctuations in participation and staffing shortages, returning to normal National School Lunch Program (NSLP) rules on meal counting and eligibility would shortchange schools of adequate commodities and make both school and summer programs virtually impossible to run effectively. Further, schools will need support when they ultimately transition back to normal school meal operations under the National School Lunch Program. USDA will need waiver authority to support schools and program operators through this process and be able to effectively respond to unexpected challenges that may arise.

¹ <https://www.ers.usda.gov/topics/food-nutrition-assistance/child-nutrition-programs/national-school-lunch-program/>

We believe extending the authority to issue state and nationwide waivers through September 30, 2023 will provide much needed assistance to school administrators, staff, and industry partners that supply food to child nutrition programs. Without these waivers, federal child nutrition programs will not be able to adequately meet the needs of children as we work to transition beyond COVID-19. The meals provided through the child nutrition programs are critical to our nation's pandemic response to childhood hunger.

Thank you for your consideration of this request.

Sincerely,



Martin Heinrich
United States Senator



Debbie Stabenow
United States Senator



Ben Ray Luján
United States Senator



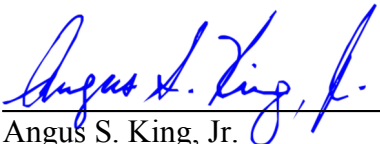
Joe Manchin III
United States Senator



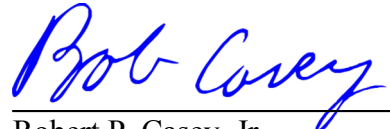
Benjamin L. Cardin
United States Senator



Cory A. Booker
United States Senator



Angus S. King, Jr.
United States Senator



Robert P. Casey, Jr.
United States Senator



Kirsten Gillibrand
United States Senator



Dianne Feinstein
United States Senator



Jeanne Shaheen
United States Senator



Bernard Sanders
United States Senator



Sheldon Whitehouse
United States Senator



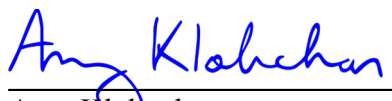
Thomas R. Carper
United States Senator



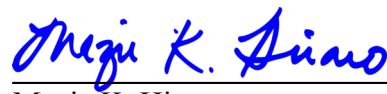
Tina Smith
United States Senator



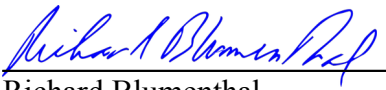
Tim Kaine
United States Senator



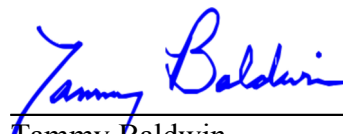
Amy Klobuchar
United States Senator



Mazie K. Hirono
United States Senator



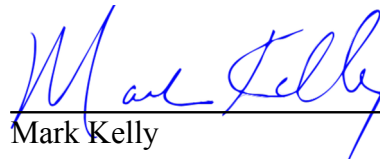
Richard Blumenthal
United States Senator



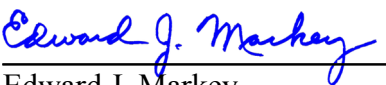
Tammy Baldwin
United States Senator



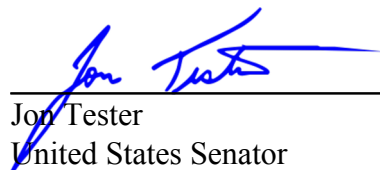
Christopher S. Murphy
United States Senator



Mark Kelly
United States Senator



Edward J. Markey
United States Senator



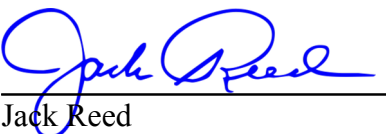
Jon Tester
United States Senator



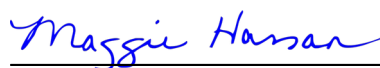
Gary C. Peters
United States Senator



Alex Padilla
United States Senator



Jack Reed
United States Senator



Margaret Wood Hassan
United States Senator

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Michael F. Bennet
United States Senator

Handwritten signature of Sherrod Brown in blue ink, written in a cursive style.

Sherrod Brown
United States Senator