

Congress of the United States
Washington, DC 20515

May 11, 2022

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Charles E. Schumer
U.S. Senate Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Kevin McCarthy
House Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Mitch McConnell
U.S. Senate Minority Leader
U.S. Senate
Washington, D.C. 20510

Dear Speaker Pelosi, Majority Leader Schumer, Minority Leader McCarthy and Minority Leader McConnell,

We write to express our support for and the urgent need to extend the United States Department of Agriculture (USDA) child nutrition waiver authority, which is set to expire on June 30, and must be included in any upcoming COVID relief package or forthcoming must pass legislation. In addition, we urge Congress to expand community eligibility and establish a nationwide summer EBT program to ensure that school-age children have access to vital nutrition as the nation moves forward.

While we have made significant strides in combatting the pandemic, families across our districts and across the nation are continuing to struggle with lingering impacts of the pandemic that contribute to food insecurity. From pervasive staffing shortages at school lunch programs, to ongoing supply chain disruptions, to rising costs of food and other supplies, the barriers to food security for many families are unrelenting.¹ It is clear, the circumstances facing school lunch programs across the country are dire. Additionally, other child nutrition programs that often fill in the gap and provide much needed support have also been limited in their capacity because of the pandemic.

At the pandemic's start, through the Families First Coronavirus Response Act (Public Law 116-127), the USDA was given the authority to extend school nutrition waivers to address pandemic related challenges such as school closures and virtual learning. The authority was extended through Fiscal Year 2021 by way of 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). Using this authority, the USDA has issued waivers to ensure that children can access free

¹ *Pandemic expansion of school lunch program appears slated to end suddenly.* THE WASHINGTON POST (MAR 2022). <https://www.washingtonpost.com/business/2022/03/07/school-nutrition-program-covid-waivers/>

school meals, which has helped millions of families during a period of unprecedented uncertainty. In fact, ten million additional children, many of whom are students of color who might otherwise lack access to healthy food, have benefited from these waivers. These waivers also have supported child nutrition program operations as schools and community-based organizations have faced unprecedented supply chain and staffing shortages.

Looking forward, community eligibility offers an important approach to support access to school meals for many communities where people are impacted by food insecurity. However, many schools and communities lack access to community eligibility when it has become more urgent to expand free food access than ever. Other schools are reluctant to implement community eligibility programs because of reimbursement concerns. To remedy these problems and ensure that all children in need can access adequate nutrition, Congress should lower the eligibility threshold to make more schools eligible to implement community eligibility and increase the funding available for schools that meet the threshold (raising the multiplier from 1.6 to 2.5). Finally, school lunches alone cannot solve the problem of child hunger our country faces. When children are not in school, the reach of the free lunch and breakfast programs is limited. An EBT card that would enable families to buy food using EBT would ensure that children facing food insecurity do not go hungry during school breaks.

These issues are both important and urgent. At present, school lunch waivers are set to expire in June, leaving millions of children hungry from the summer through the foreseeable future. The lack of access to community eligibility for communities in need and the gaps in summer food provision will contribute to a crisis of child hunger. A nationwide coalition of more than 2,000 national, state, and local organizations urged Congressional action to extend these waivers through the end of the 2022-23 academic school year.² Organizations such as the Food Research and Action Center (FRAC) also have emphasized the importance of community eligibility and summer EBT as the nation moves forward.³ News reports point to concerns over cost as the reason for Republican opposition to these critical programs that will keep our most vulnerable children fed.⁴ This is simply unconscionable. In one of the richest nations in the world, it is an absolute disgrace that millions of children are left to struggle with food insecurity every day.

The health and wellness of our children is one of our nation's most important investments and is critical to our pandemic response and recovery efforts. We respectfully urge you to extend the U.S. Department of Agriculture's critical waiver authority in the next must-pass legislation being considered this spring. We urge you to consider prioritizing the creation of summer EBT and expansion of community eligibility in either a budget reconciliation or child nutrition reauthorization.

² Letter to House Committee Leadership from Coalitions, (FEB 2022). https://frac.org/wp-content/uploads/CN_Waiver_SignOnFeb2022.pdf

³ *Urgent Child Nutrition Investments Needed in the Next Legislation Passed by Congress*, (MAR 2022). <https://frac.org/wp-content/uploads/2022-Child-Nutrition-Investments-Leave-behind.pdf>

⁴ *Pandemic expansion of school lunch program appears slated to end suddenly*. THE WASHINGTON POST (MAR 2022). <https://www.washingtonpost.com/business/2022/03/07/school-nutrition-program-covid-waivers/>

Sincerely,



Ayanna Pressley
Member of Congress



James P. McGovern
Member of Congress



Barbara Lee
Member of Congress