

# Congress of the United States

## Washington, DC 20510

August 12, 2020

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

Dear Secretary Perdue:

We write today in support of several waiver requests made by the Commonwealth of Virginia that would assist in the delivery of food to Virginia children during the ongoing pandemic. We appreciate the steps taken by the United States Department of Agriculture (USDA) to grant flexibility to states and school districts to face this unprecedented crisis. However, school districts in Virginia continue to face significant obstacles to providing meals for children and require additional flexibility and assistance in order to keep students fed through the duration of this pandemic.

The COVID-19 pandemic has forced school districts across the country to adopt online and distance-learning models in order to continue educational instruction for students. This shift, while necessary, has disrupted the ability of many students to receive consistent access to healthy meals. For many children, the breakfasts and lunches they receive at school may be the only healthy and regular meals they receive during the week. Despite the challenges presented by COVID-19, Virginia's 132 school divisions continue to provide meals through a variety of meal service options. However, the unanticipated and immediate shift in meal service due to school closures has substantively increased costs and decreased revenue for school districts. Despite efforts to bolster usage, participation in Virginia's meal programs has dropped significantly compared to the previous year. Participation in the school breakfast program has decreased by 35 percent and the number of school lunches served has dropped by 60 percent. The decrease in service, and thus revenue, has been compounded by an increase in costs for additional packaging, shelf-stable foods, distribution, and personal protective equipment.

In light of the unprecedented challenges faced by school districts in Virginia and across the country, we request that USDA extend the following waivers to ensure school districts have the certainty they need to continue providing students with healthy and nutritious meals. First, we request that USDA extend the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO) waivers through at least June 30, 2021. Allowing school districts to offer free breakfast and lunch to all students is the best way to ensure meals are provided safely and efficiently during the current crisis. Further, we request an extension of the Area Eligibility waiver, which would allow school districts to provide nutritious meals to all students regardless of their ability to pay, increase critically needed reimbursements to school divisions, and

eliminate burdensome paperwork requirements that affect the ability of schools to provide meals to students.

As the Department strives to adapt our nation's nutrition programs for this school year, we would also urge you to approve outstanding waiver requests from the Virginia Office of School Nutrition Programs. Specifically, Virginia has requested the following waivers:

- A waiver to extend the cycle of administrative reviews for the Summer Food Service Program (SFSP) and the At Risk Portion of the Child and Adult Care Food Program (CACFP) for all school districts from once during a three-year period to once every five years to allow flexibility to plan during the pandemic.
- A waiver to eliminate the requirement that afterschool programs must have an educational or enrichment activity with the service of meals.
- A waiver to eliminate the requirement that potable water be available or accessible to children during meal service during breakfast in the cafeteria and lunch.

To ensure the uninterrupted and safe distribution of meals to Virginia's students, we urge USDA to extend the SFSP and SSO waivers, the Area Eligibility waiver, and work with the Virginia Department of Education to approve the Commonwealth's outstanding waiver requests as quickly as possible.

Thank you for your attention to this matter. We look forward to continuing to work with you to ensure every child has access to healthy and nutritious foods during this public health emergency.

Sincerely,

/s/ Mark R. Warner

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Mark R. Warner  
United States Senator

/s/ Tim Kaine

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Tim Kaine  
United States Senator

/s/ Robert J. Wittman

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Robert J. Wittman  
Member of Congress

/s/ Gerald E. Connolly

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Gerald E. Connolly  
Member of Congress

/s/ A. Donald McEachin

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A. Donald McEachin  
Member of Congress

/s/ Jennifer Wexton

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Jennifer Wexton  
Member of Congress

/s/ Elaine G. Luria

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Elaine G. Luria  
Member of Congress

/s/ Donald S. Beyer Jr.

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Donald S. Beyer Jr.  
Member of Congress