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March 12, 2020

The Honorable Sonny Perdue  
Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

Dear Secretary Perdue:

I am writing in regard to the Department of Agriculture's (the Department) response to the novel Coronavirus 2019 (COVID-19). I appreciate that the Department is taking steps to provide child nutrition program operators with needed flexibility to ensure continued nutrition services for children in the event schools are closed. However, I am concerned that the Department's response is insufficient to ensure that all children continue to receive the nutritious food they need during school closures.

Therefore, I urge you to immediately take the following additional actions pursuant to your waiver authority under Section 12(l) of the Richard B. Russell National School Lunch Act:<sup>1</sup>

- During school closures, allow local education agencies (LEAs) to operate the Summer Food Service Program (SFSP) or Seamless Summer Option (SSO) in areas that are not area eligible. This action should not result in additional federal costs as it is likely not all students who receive school meals will participate.
- During school closures, allow LEAs to provide children with multiple meals and meal supplements at a time, so that physical visits are limited, and social distancing is supported. This action should not result in additional federal costs as no additional services are being provided.
- Provide flexibility on the meal patterns if needed when multiple meals and supplements are being provided.
- Require all LEAs to develop a plan for continued nutrition services in the event of a school closure related to COVID-19.

<sup>1</sup> Richard B. Russell National School Lunch Act § 12(l), 42 U.S.C. § 1760(l) (2018).

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- Allow schools administrative flexibility in meal procurement if there is a disruption with existing contractors or vendors.
- Work with Child and Adult Care Food Program (CACFP) providers to answer questions, provide technical assistance and guidance, and issue waivers where appropriate.
- Provide updated guidance to state Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) agencies on what waiver authority the Department has and specifically on what WIC resources, including staff time, may be used to support the broader public health response.

As you know, with more than 11 million children living in food insecure households in the United States, many families will not be able to take on the additional burden of feeding their children at home during school closures. It is critical that we work together to ensure that families receive the support they need to put food on the table during this public health emergency.

Thank you for your attention to this urgent matter.

Sincerely,



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**ROBERT C. "BOBBY" SCOTT**  
Chairman



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**SUZANNE BONAMICI**  
Chair  
Subcommittee on Civil Rights and Human  
Services