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POLICY UPDATE



6.10.2020 USDA Announces Nationwide Nutrition Waiver Extensions

U.S. Secretary of Agriculture (USDA) Sonny Perdue announced the extension of 3 nationwide waivers for child nutrition programs.

- [Nationwide Area Eligibility Waiver](#) allows program operators to locate Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) open sites in areas that do not meet area eligibility requirements (effective until August 31st, 2020).
- [Meal Pattern Flexibility Waiver](#) (effective until July 31st, 2020) allows for state level waiving of the meal pattern requirements across all child nutrition programs in a targeted and justified approach.
- Waivers allowing State agencies to [waive onsite monitoring and oversight requirements](#) for the school meals programs, the Child and Adult Care Food Program and the Summer Food Service Program have been extended through July 31.

SNA continues to [advocate](#) for the immediate extension of emergency feeding waivers through the end of School Year 2020/2021 and urges Congress to provide much needed [funding](#) to cover costs associated with COVID-19.

6.12.2020 USDA Issues Correction to Coronavirus Food Assistance Program Notice

USDA issued a correction to the Federal Register [notice Funding Availability; Coronavirus Food Assistance Program \(CFAP\) Additional Commodities Request for Information](#). The CFAP is a program to assist agricultural producers that have been impacted by the COVID-19 outbreak, and this correction clarifies specific rules regarding specialty crops. In addition, the program establishes provisions for direct payments to producers of eligible commodities to help offset sales losses and increased marketing costs. All comments must be received by June 22, 2020.

6.19.2020 USDA Issues Waiver on Food Entitlement Calculations for SY 2020-2021

The U.S. Department of Agriculture (USDA) has issued an opt-in waiver under the Families First Coronavirus Response Act (FFCRA) that would allow state agencies participating in the National School Lunch Program (NSLP) to use data from the 2018-2019 SY when calculating their 2020-2021 SY Food Entitlement. Entitlement levels are based on the previous year's lunch counts, which state agencies were assigned in January 2020. The waiver would give states the option to minimize the impact of COVID-19 related lunch participation declines on USDA Foods entitlements [See full waiver](#) for details. Check out [SNA's Action Network page](#) on USDA FNS Waivers and Guidance for full details on waivers and extensions.

6.25.2020 New and Extended SY 2020-21 COVID-19 Waivers

The U.S Department of Agriculture (USDA) has announced the extension of multiple COVID-19 emergency feeding waivers to last through the end of 2020-2021 School Year. The extension of these waivers will allow school meal programs to continue grab-and-go meal pick up for distance learners, serve meals to students in the classroom or adjust meal service in the event of sudden COVID-19 school closures. The waivers that have been extended include:

- [Nationwide Meal Times Waiver](#)

Questions or comments?

Send them to SNA's Government Affairs and Media Relations Coordinator, Hailey Frye, at hfrye@schoolnutrition.org

- [Nationwide Non-congregate Feeding Waiver](#)
- [Nationwide Meal Pattern Waiver](#)
- [Nationwide Parent/Guardian Meal Pick-Up Waiver](#)

Additionally, USDA announced a [new waiver](#) to address offer versus serve requirements at the high school level. Read more in SNA's [press release](#).

6.23.2020 U.S. Representatives Perlmutter and Neguse Request Waiver Extensions

U.S. Representatives Ed Perlmutter (D-CO) and Joe Neguse (D-CO) sent a letter to Secretary Sonny Perdue requesting the extension of several waivers through the end of SY2020-21. In their letter, the congressmen stress that school districts need certainty and flexibility as they continue to navigate this crisis and prepare for changes to school programming. [Read the letter](#).

6.29.2020 Federal Register Comment Request: Professional Standards Training Tracker Tool

The U.S. Department of Agriculture (USDA) issued a [Comment Request](#) regarding the Food and Nutrition Service's (FNS) new Professional Standards Training Tracker Tool (PSTTT). FNS has developed the PSTTT as a web-based application for state and school nutrition professionals to track training courses, learning objectives and training hours. USDA is requesting comments regarding the utility of this tool and whether the collection of information is necessary for the functions of the agency. Comments for this collection are due by July 29, 2020.

6.30.2020 Senate HELP Committee to Hold Hearing to Examine School Reopening

The Senate Health, Education, Labor, and Pensions Committee (HELP) will hold a hearing on returning to school and work during COVID-19. Witnesses include the National Institute of Allergy and Infectious Diseases Director Anthony Fauci, Assistant HHS Secretary for Health Brett Giroir, FDA Commissioner Stephen Hahn, and CDC Director Robert Redfield. Watch the full hearing [here](#).

7.02.2020 USDA Issues State Guidance and Nationwide Waiver to Allow Offer Versus Serve Flexibilities

The U.S. Department of Agriculture (USDA) issued a nationwide [waiver to allow Offer Versus Serve \(OVS\) Flexibilities](#) for the Summer Food Service Program (SFSP). FNS recognizes that continuing to waive restrictions on the use of OVS in SFSP would reduce the administrative burden on State agencies and sponsors in this public health emergency. This waiver helps support access to nutritious meals while minimizing potential exposure to COVID-19. This waiver is currently in effect and expires on September 30, 2020.

7.9.2020 USDA Announces Additional Commodities for Coronavirus Food Assistance Program

The U.S. Department of Agriculture (USDA) published a [list of additional commodities](#) for the Coronavirus Food Assistance Program (CFAP). USDA announced other adjustments to the program based on the comments received through the [Federal Register](#) from agricultural producers and related organizations. These adjustments include new commodities, correcting payment rates, and expanding types of currently eligible commodities. Producers may submit applications that include these commodities starting July 13, 2020.

7.9.2020 House Appropriations Committee Pushes for USDA to Issue Nationwide Waivers

The full House Appropriations Committee met to markup the 2021 Appropriations bill. During this meeting, the committee included a Manager's Amendment that urges the Secretary of Agriculture to issue a nationwide waiver as soon as possible to extend the current Area Eligibility and Non-Congregate Feeding waivers. Also, this amendment calls for USDA to allow school districts to use the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO) regulations for the duration of the 2020-2021 school year.

7.10.2020 SNA Urges USDA to Keep School Meals Safe and Accessible for ALL Students

Questions or comments?

Send them to SNA's Government Affairs and Media Relations Coordinator, Hailey Frye, at hfraye@schoolnutrition.org

SNA sent a [letter](#) to U.S. Department of Agriculture Secretary Sonny Perdue to request that USDA take swift action to guarantee safe and reliable access to healthy school meals and ensure school meal programs can remain fiscally sustainable. SNA urges USDA to allow school meal programs to continue serving students through the Summer Food Service Program (SFSP) or Seamless Summer Option (SSO) and to immediately extend all SFSP/SSO COVID-19 waivers, including Area Eligibility waivers, through the end of SY 2020/2021. Due to current obstacles and the enormous financial impacts of the pandemic on families and school meal programs, SNA is requesting that all schools be allowed to serve meals to all students at no charge. This change will significantly speed up service, reduce the risk of disease exposure and ensure eligible students have consistent access to free meals without being overtly identified as needy in front of their peers. Read the [full press release](#).

7.14.2020 FNS Publishes Final Rule for Administrative Revisions to FDPIR

The Food and Nutrition Service (FNS) published its [Final Rule](#) *“Food Distribution Program on Indian Reservations (FDPIR): Two-Year Administrative Funding Availability and Substantial Burden Waiver Signatory Requirement.”* According to this notice, FDPIR administrative grants now have a performance period of two fiscal years instead of one and provide information on other FDPIR related reporting and financial procedures. Additionally, this Final Rule permits supplemental federal funds if the purpose of these funds is consistent with additional Federal and FDPIR administrative costs. This rule is currently in effect.

7.15.2020 USDA Publishes Final Report from the 2020 Dietary Guideline Advisory Committee

USDA posted the 2020 Dietary Guidelines Advisory Committee’s [final report](#). This report is an overview of the latest scientific information on specific topics such as infant and child nutrition, and dietary habits to promote health and the prevention of chronic diseases. This report’s findings will provide recommendations and serve to inform USDA and the U.S. Department of Health and Human Services (HHS) officials as they develop the 2020-25 Dietary Guidelines.

7.20.2020 U.S. Representative Brindisi Letter to USDA Urging the Extension of SFSP and SSO Waivers

U.S. Representative Anthony Brindisi (NY-22) sent a letter to U.S. Department of Agriculture (USDA) Secretary Sonny Perdue urging USDA to consider SNA’s previous proposals to allow schools to serve meals to all students at no charge through the Summer Food Service Program (SFSP) and Seamless Summer Option (SSO). In addition, this letter calls for the extension SFSP/SSO waivers for the 2020-21 school year. Representative Brindisi’s letter included the entirety of SNA’s letter sent to USDA on July 10, that illustrates these requests. [Read the full letter](#).

7.20.2020 USDA Responds to SNA’s July 10 Waivers Letter

U.S. Department of Agriculture responded to [SNA’s July 10 letter](#) which raised serious concerns about serving students during the pandemic. SNA asked USDA to immediately extend all Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) COVID-19 waivers, including Area Eligibility, through the end of SY2020-21. USDA’s letter states, “The issues you identified in your letter are the ones we are working to understand and find a path forward in the best interest of students and schools.”

7.20.2020 SNA Joins Allied Groups on Letter to FNS Requesting Waiver Extensions

SNA, along with 65 other organizations, signed onto an allied letter by the Food Research and Action Center (FRAC) to USDA’s Food and Nutrition Service (FNS) requesting the extension of vital school nutrition waivers. This letter illustrates that the extension of the non-congregate, meal service time, meal pattern flexibility and parent pick-up waivers will be critical to supporting stakeholders as they plan for providing meals through the federal nutrition programs when school starts in the fall. [Read the full letter](#).

7.22.2020 Federal Register: USDA Publishes New Reimbursement Rates

Questions or comments?

Send them to SNA’s Government Affairs and Media Relations Coordinator, Hailey Frye, at hfrye@schoolnutrition.org

The U.S. Department Agriculture announced the annual adjustments to School Year (SY) 2020-21 reimbursement rates for the [National School Lunch Program \(NSLP\)](#), [Special Milk, School Breakfast Program \(SBP\)](#), and the [Child and Adult Care Food Program \(CACFP\)](#). USDA also announced the [average value of donated foods](#). The per meal rate for NSLP and CACFP in SY 2021 is .2450 cents, which is an increase of three quarters of a cent per meal from SY 2020.

7.24.2020 U.S. House Passes FY 21 Agriculture Funding Bill

The U.S. House of Representatives passed a minibus for the fiscal year 2021 appropriations bills. This minibus combines four bills that include funding for the Agriculture Department, Food and Drug Administration, Interior Department and Environmental Protection Agency, among other departments and agencies. The bill provides \$25.131 billion in mandatory funding for child nutrition programs, an increase of \$1.516 billion from the Fiscal year 2020 enacted level. This funding will provide free or reduced-price school lunches and snacks for children who qualify for the program. The bill also provides \$552 million for the Summer Food Service Program to ensure low-income children continue to receive nutritious meals while school is not in session. It also provides \$50 million for the Summer EBT program, \$35 million in school kitchen equipment grants, and \$15 million in grants for the expansion of school breakfast. The final report includes language that urges the Secretary of Agriculture to extend critical nationwide waivers to ensure it is as easy as possible to feed students through the 2020-2021 school year. The Senate has not acted on appropriations bills yet, and it is unclear whether the House and Senate will finish the appropriations process or pass a continuing resolution to fund the government until after the election or next year.

7.29.2020 Senators Send Letter to USDA Regarding the Extension of School Meal Waivers

U.S. Senators Maggie Hassan (D-NH), Susan Collins (R-ME), and 34 other senators signed onto a [letter](#) sent to the U. S. Department of Agriculture (USDA) expressing support for the extension of critical COVID-19 school feeding waivers. This letter prominently highlights [SNA's letter](#) sent to USDA on July 10th and calls for continued flexibilities that have allowed students to access much-needed meals throughout the COVID-19 pandemic. [Read the full press release](#).

8.4.2020 USDA Announces Nationwide Nutrition Waiver Extensions

U.S. Secretary of Agriculture (USDA) Sonny Perdue announced the extension of 6 nationwide waivers for child nutrition programs. See individual waiver for full details on extension expiration dates.

- [Nationwide Waiver to Allow Meal Pattern Flexibility in the Summer Food Service Program - EXTENSION 5](#)
- [Nationwide Waiver of Onsite Monitoring Requirements for Sponsoring Organizations in the Summer Food Service Program – EXTENSION 2](#)
- [Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Summer Food Service Program – EXTENSION 2](#)
- [Nationwide Waiver of Onsite Monitoring Requirements in the School Meals Programs – Revised – EXTENSION 2](#)
- [Nationwide Waiver of Onsite Monitoring Requirements for Sponsors in the Child and Adult Care Food Program](#)
- [Nationwide Waiver of Onsite Monitoring Requirements for State Agencies in the Child and Adult Care Food Program – EXTENSION 2](#)

8.6.2020 Federal Register: Turnip the Beet! Comment Request

The USDA submitted an [information collection](#) for OMB review regarding the Turnip the Beet! summer meals program. Written comments and recommendations for the proposed information collection are due by September 5, 2020, and can be submitted through www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Questions or comments?

Send them to SNA's Government Affairs and Media Relations Coordinator, Hailey Frye, at hfrye@schoolnutrition.org

8.7.2020 Congress Sends Bipartisan Letter to USDA Requesting the Extension of Waivers

25 members of the U.S. House of Representatives sent a bipartisan letter authored by Representative Susan Davis (CA-53) to US Secretary of Agriculture Sonny Perdue asking for the extension of all waivers available to schools to provide meals to children during this pandemic. This letter urges the extension of waivers that allow for the implementation of the Summer Food Service Program (SFS) and Seamless Summer Option (SSO), including area eligibility waivers, through the 2020-2021 school year. [Read the full letter.](#)

8.11.2020 SNA Joins Allied Groups on Letter to FNS on Waivers Extensions

SNA, along with 1,315 other organizations, including the Academy of Nutrition and Dietetics and Feeding America, signed on to an allied letter by the Food Research & Action Center (FRAC) to the U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) requesting the extension of vital school nutrition waivers. This letter contains requests concerning program operations and illustrates the need to extend all nationwide waivers for the Summer Food Service Program (SFSP) and Seamless Summer Option (SSO), including the non-congregate and area eligibility waiver, through the school year. [Read the full letter.](#)

8.14.2020 USDA Announces Fresh Fruit and Vegetable Program Parent Pick Up Waiver

The U.S Department of Agriculture's FNS announced that individual states may apply for the [Fresh Fruit and Vegetable Program \(FFVP\) Parent Pick Up Waiver](#). This waiver allows parents or guardians to pick up commodities as part of the FFVP for those students that qualify. So far, five states have been approved for this waiver, which expires June 30, 2021.

8.14.2020 Senator Stabenow and Congressmen Scott Sends Letter to USDA

Senator Debbie Stabenow (D-MI) and House Education and Labor Committee Chairman Robert C. "Bobby" Scott (VA-03) sent a [letter](#) to the USDA Secretary Sonny Perdue. This letter urges USDA to immediately extend all school meal flexibilities so that schools and state agencies are equipped to provide school meals for students during the COVID-19 pandemic. [Read the full press release.](#)

8.14.2020 Reps. David Trone and MD Delegation Send Letter to USDA Requesting Extension of Waivers

U.S. Representative David Trone (MD-06), along with a majority of the congressional delegation from Maryland, sent a letter to USDA Secretary Sonny Perdue. This letter requests the extension of the following USDA waiver programs for the 2020-21 school year: Area Eligibility Waiver, Summer Food Service Program (SFSP), and Seamless Summer Option (SSO) Waivers, After school Activity Waiver, Unexpected School Closures Waiver, and the Fresh Fruit and Vegetable Program Parent Pick-Up Waiver. [Read the full letter.](#)

8.14.2020 Federal Register: Notification of CFAP Funding Availability for CFAP and Additional Commodities

The USDA issued the [Federal Register notice](#), "Notification of Funding Availability; Coronavirus Food Assistance Program (CFAP) Additional Eligible Commodities." The CFAP helps agricultural producers impacted by the effects of the COVID-19 outbreak. This notice announces that commodities that have been determined eligible for CFAP assistance and funding are now available.

8.14.2020 Federal Register: USDA Issues Correction to Final Rule for CFAP

The U.S. Department of Agriculture (USDA) issued the [Federal Register notice](#), "Coronavirus Food Assistance Program; Correction." The Coronavirus Food Assistance Program (CFAP) aids agricultural producers impacted by the effects of the COVID-19 outbreak. This correction is related to the final rule issued on May 21, 2020 and specifies the eligibility requirements and payment calculations for the CFAP.

8.17.2020 Senator Pat Roberts Sends Letter to USDA Requesting the Extension of Waivers

Questions or comments?

Send them to SNA's Government Affairs and Media Relations Coordinator, Hailey Frye, at hfyre@schoolnutrition.org

Senate Agriculture Committee Chairman Pat Roberts (R-KS) sent a letter signed by 19 other Republican Senators, including Senate Majority Leader Mitch McConnell (R-KY), to the U.S. Department of Agriculture Secretary Sonny Perdue. This letter calls for USDA to utilize program flexibilities and extend the waivers that allow for summer feeding models to continue for the 2020-21 school year. [Read the full letter.](#)

8.18.2020 Reps. Salud Carbajal and Don Bacon Send Letter to USDA on the Extension of SFSP/SSO Waivers
U.S. Representatives Salud Carbajal (CA-24) and Don Bacon (NE-2), along with 14 other military veterans in Congress, sent a bipartisan letter to USDA Secretary Sonny Perdue. This letter requests that USDA renew waivers enabling the continued implementation of the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO), while also waiving the Area Eligibility Requirement in those programs, throughout the national emergency declaration during the entirety of the COVID-19 pandemic. [Read the full letter.](#)

8.20.2020 USDA Unwilling to Extend SFSP/SSO Waivers Beyond September 30th

The U.S. Department of Agriculture (USDA) announced the extension of four nationwide waivers through September 30, 2020. Then, in a [letter to Congressional leaders](#), US Agriculture Secretary Sonny Perdue asserted that extending Summer Food Service Program and Seamless Summer Option waivers through the 2020-21 school year is "beyond what USDA currently has the authority to implement and would be closer to a universal school meals program which Congress has not authorized and funded."

Below are the waivers USDA extended through September 30th:

- [Nationwide Waiver to Allow Non-congregate Feeding in the Summer Food Service Program – EXTENSION 3](#)
- [Nationwide Waiver to Allow Meal Pattern Flexibility in the Summer Food Service Program – EXTENSION 6](#)
- [Nationwide Waiver to Extend Area Eligibility Waivers – EXTENSION](#)
- [Nationwide Waiver to Allow Parents and Guardians to Pick Up Meals for Children – EXTENSION 3](#)

8.21.2020 Q&A on Child Nutrition Programs for the 2020-21 School Year

The U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) released "[Questions and Answers for the Child Nutrition Program During School Year 2020-2021.](#)" This resource includes questions and answers intended to provide clarification on inquiries related to Child Nutrition Programs operations for SY 2020-21. This memorandum applies to state agencies and school districts that operate the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program and Summer Food Service Program (SFSP).

8.26.2020 Ranking Member Stabenow and Chairman Scott Send Letter to USDA

Senate Agriculture, Nutrition and Forestry Committee Ranking Member Debbie Stabenow (D-MI) and House Education and Labor Committee Chairman Robert C. "Bobby" Scott (VA-03) [sent a letter](#) to U.S. Agriculture Secretary Sonny Perdue. This letter requests that USDA reverse its decision not to extend all school meal waivers and urges USDA to take action and use its full authority to provide healthy meals to students for the duration of the school year. The letter states, "USDA's refusal to extend all school meal waivers is inconsistent and baffling during this national crisis, especially considering that as many as 17 million children did not get enough to eat this summer and there are no signs of the situation improving once the summer is over." [Read the full press release.](#)

8.26.2020 Rep. Foxx Sent Bipartisan Letter to USDA to Extend all School Meal Waivers

House Education and Labor Committee ranking member Virginia Foxx (NC-5), along with two dozen other Republicans on the House Agriculture Committee, sent a letter to U.S. Agriculture Secretary Sonny Perdue. This letter asks USDA to reconsider its decision not to allow broad access to free meals to all families this school year. [Read the full letter.](#)

Questions or comments?

Send them to SNA's Government Affairs and Media Relations Coordinator, Hailey Frye, at hfrye@schoolnutrition.org

8.27.2020 Federal Register: FNS Information Collection Needs Due to COVID-19

The USDA FNS issued the [Federal Register notice](#), "Agency Information Collection Activities: FNS Information Collection Needs due to COVID-19." Since the start of COVID-19, FNS has been implementing several waivers, and program adjustments to ensure Americans can access nutrition assistance. This notice invites the general public and other public agencies to comment on this proposed information collection. Comments on this notice are due October 26, 2020.

8.28.2020 Federal Register: Information Collection on Use of PEBT During COVID-19

The USDA's Food and Nutrition Service (FNS) published the [Federal Register notice](#) "Agency Information Collection Activities: National Study of State Adoption and Use of Pandemic-Electronic Benefit Transfer (PEBT) During Covid-19." This collection seeks to gather information on operational challenges encountered by Child Nutrition (CN) and the Supplemental Nutrition Assistance Program (SNAP) State agencies while implementing the PEBT program. The study will collect information on State systems, including student information and direct certification systems and the records contained in those systems, school meal application data, information on the efficacy of the PEBT program, costs of operating the program, and organizational and operational challenges. Comments are due October 27, 2020.

8.31.2020 USDA Extends SFSP/SSO Waivers

The U.S. Department of Agriculture (USDA) [extended](#) all Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) waivers through as late as December 31, 2020, dependent on available funding. The move allows schools to offer meals to all children at no charge this fall to minimize the challenges of meal service during a pandemic. The waivers that have been extended include: [Offer Versus Serve Flexibilities for SFSP](#), [First Week Site Visits for SFSP](#), [Area Eligibility for Closed Enrolled Sites for SFSP and NSLP](#), [Time Restrictions in the SFSP and NSLP](#), [Parents and Guardians to Pick Up Meals](#), [Non-congregate Feeding in the SFSP and NSLP](#), [Meal Pattern Flexibility in the SFSP](#), [Extend Area Eligibility Waivers](#), and [Allow SFSP and SSO Operations through December 2020](#). This announcement came less than one week after SNA's Board of Directors [hosted a call with USDA](#) officials to share urgent feedback from schools that have seen dramatic declines in student lunch participation in the opening weeks of school, leaving meal programs in dire financial circumstances. [Read more in SNA's press release](#).

9.1.2020 Senators Send Letter to USDA Urging Extension of Waivers through SY 2020-21

U.S. Senator Maggie Hassan (D-NH), along with 28 additional Senators, sent a letter to the USDA requesting the full extension of school meal waivers through the end of the 2020-21 school year. The letter states that these extensions would allow schools the flexibility to fully serve students whether they are attending school in person or virtually. [Read the full letter](#).

Questions or comments?

Send them to SNA's Government Affairs and Media Relations Coordinator, Hailey Frye, at hfrye@schoolnutrition.org