

Congress of the United States

Washington, DC 20510

March 13, 2020

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Ave., S.W.
Washington, D.C. 20201

Dear Secretary Perdue and Secretary Azar:

Cooperation among all levels of government is critical for our state's ability to properly address the spread of COVID-19. We write to urge the U.S. Department of Agriculture (USDA) and the Department of Health and Human Services (HHS) to engage in proactive response efforts to support children and families during the COVID-19 outbreak.

After consulting with state officials about outstanding needs, we urge you to grant the below requests. In granting these requests, the federal government can help ensure Washington state's Office of Superintendent of Public Instruction (OSPI) and Department of Social and Health Services (DSHS) are able to meet the needs of our constituents. For example, USDA's recent approval of a waiver request from Washington state to allow meal service during school closures will help ensure that children across our state can receive nutritious meals while minimizing potential exposure to COVID-19.

- **Remove Federal Barriers to TANF Assistance.** We ask the Administration to temporarily waive the Temporary Assistance for Needy Families (TANF) work participation requirements and related sanctions or termination of benefits, either on a local or statewide basis, to ensure sufficient access to cash assistance for families and communities in states that are affected by COVID-19, like Washington.
- **Provide Needed Flexibility in the Women, Infant, and Children (WIC) Nutrition Program.** We ask the Administration to waive, for jurisdictions impacted by COVID-19, federal requirements that retailers stock specific food products and a specific amount of those products in order to be certified for the Women, Infant, and Children (WIC) Nutrition Program. With uncertainty in how food supply chains may be affected by COVID-19, a waiver would ensure retailers can continue to serve low-income families without fear of losing WIC certification.

- We also request the federal government allow WIC providers to make menu or food substitutions if certain foods are unavailable. For example, USDA could lift the requirement for nonfat milk if that is no longer available.
- **Help School Districts Provide Continued Access to Meals.** For school districts closed due to COVID-19, we ask the Administration to waive current requirements to enable schools to distribute commodity food to local food banks. This is an important tool to ensure that low-income students and their families who qualify for Free or Reduced-Price Meals do not go hungry when schools close.
 - We also request that states are allowed to operate Summer Food Service Program activities by non-area-eligible school food authorities during unanticipated school closures as a result of COVID-19.
- **Remove Barriers to Basic Food Assistance.** We ask the Food and Nutrition Service (FNS) to waive requirements for face-to-face interviews in certain circumstances to ensure the continued provision of basic food assistance to needy families during the COVID-19 outbreak while also observing existing public guidance in impacted jurisdictions.
- **Provide Flexibility to Students Enrolled in Higher Education.** We ask that USDA provide additional flexibility and support for students in higher education who are receiving SNAP benefits. Due to colleges closing and changing their course schedules in response to the outbreak, and many employers where students work also reducing or changing their hours and operations, students may risk losing access to SNAP benefits. The Administration should consider additional flexibility to ensure that students maintain access to SNAP, such as (but not limited to) waiving work hour requirements, applying the “adequate child care” exclusion to all impacted student parents, and ensuring students on Federal Work-Study and SNAP Employment & Training can maintain their benefits during an approved leave of absence.
- **Provide Flexibility to States Delivering Basic Food Assistance.** We ask USDA to give states impacted by COVID-19 the flexibility to provide an additional month’s worth of food benefits for SNAP households, so that they can afford to stock basic food staples during a state of emergency. With food supply chains in a state of uncertainty and the already limited ability for low-income households to put food on the table, this added flexibility to allow these families to prepare is essential.
- **Help Child and Adult Care Food Program (CACFP) and WIC Providers Adapt to Family Needs.** When there are school closures due to COVID-19, we ask the Administration to allow child care programs to accommodate school-aged children for an entire day; typically, these children would attend only before or after school hours. Should child care programs also need to close, we ask the Administration to allow programs to take necessary steps to ensure children continue to receive essential meals.
 - Allow child care programs to move locations of meal service off-site or send food home with children.

- Allow CACFP providers to offer menu or food substitutions if certain foods are unavailable.
- Create an expedited process for child nutrition providers to transfer to a new food service company in the event their current food service provider shuts down.
- **Increase Flexibility for Senior Nutrition Programs.** We ask HHS ensure service providers have the flexibility to temporarily replace congregate meal service for seniors with delivery programs, protecting older Americans from COVID-19 and preventing hunger in vulnerable populations. These programs are essential for seniors—51 percent of congregate meal participants reported at least half of their daily nutrition came from these meals. Going without these meals is not a viable option and we are concerned that seniors will forgo basic nutrition in order to avoid the risk of contracting COVID-19 in congregate settings.

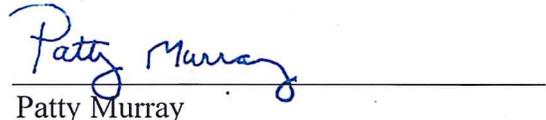
It is critically important for the federal government to continue supporting states and localities addressing the spread of COVID-19. We believe the above requests will provide critical flexibility for federal child and family nutrition programs and will help families stay healthy. As the situation on the ground evolves, we anticipate working in close coordination with USDA and HHS on continued requests to meet the needs of Washingtonians and people across the country impacted by COVID-19.

We request a written response outlining the Departments' plans to provide greater flexibility and assistance to impacted states by March 20, 2020 and look forward to working with the federal government to address this crisis.

Sincerely,



Kim Schrier, M.D.
Member of Congress



Patty Murray
United States Senator



Maria Cantwell
United States Senator



Adam Smith
Member of Congress



Rick Larsen
Member of Congress



Jaime Herrera Beutler
Member of Congress



Suzan DelBene
Member of Congress



Derek Kilmer
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Denny Heck
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Pramila Jayapal
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