

May 5, 2010

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Blanche Lincoln
Chairman
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, D.C. 20510

The Honorable Saxby Chambliss
Ranking Member
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, D.C. 20510

Dear Majority Leader Reid, Senator McConnell, Chairman Lincoln, Ranking Member Chambliss:

On behalf of the nation's governors, we write regarding the Healthy and Hunger-Free Kids Act of 2010 recently passed by the Senate Agriculture, Nutrition and Forestry Committee.

Like you, governors are committed to ensuring the health and well-being of every child in America. Across the country, governors are leading innovative efforts to increase access to healthy meals and reduce childhood obesity.

Governors are encouraged by a number of provisions in the bill that align with NGA policy, including increased reimbursement rates for school meals; state grants to improve summer feeding programs; and extension of the afterschool meals program to all states. Governors offer several refinements to the Committee-approved language to improve the federal school meal programs for children.

- **Meal Reimbursements** – The bill would increase school districts' reimbursement rates by six cents to meet new federal meal nutrition standards. Governors support increasing reimbursement rates and encourage Congress to improve upon the rate provided for in the Senate bill. As nutrition standards increase under the bill, it is important that schools have adequate resources to support increased production costs. Additionally, governors appreciate that the bill provides additional funds to support state administrative costs.
- **Summer Food Service Program (SFSP) Support Grants** – The bill would provide competitive grants to states to provide technical assistance to SFSP sponsors, improve feeding sites, and support sponsor retention. These state grants are necessary to enhance, improve and expand the SFSP. Governors recommend increasing the flexibility of these funds to ensure that individual state SFSP needs can be addressed.

- **Extension of Afterschool Meals to All States** – The bill would extend the afterschool meal program to all states. States currently piloting this program are having great success. Governors welcome the opportunity to expand afterschool meals to students nation-wide.
- **State Incentives for Direct Certification** – The bill would provide incentive grants to states that excel in improving their direct certification rates. Governors are also encouraged by this provision and look to build on that state-federal partnership throughout the bill.

Unfortunately, governors are concerned with several provisions in the bill and would welcome the opportunity to address these matters with you.

- **Arbitrary Federal Benchmarks on Direct Certification** – The bill would set arbitrary federal benchmarks for state direct certification, ultimately requiring states to directly certify 95% of eligible students by 2013. Governors are deeply concerned with the arbitrary federal levels mandated in the bill. Across the country, governors and state leaders recognize the benefits of higher direct certification rates on school meals programs and are working to increase the number of children directly certified for school meals. Currently, however, no state meets the proposed 95% requirement. Admittedly, states are in different places with their direct certification and face different obstacles to affect that performance. For example, some states cannot use social security numbers to conduct data matches and other states allow parents to voluntarily exempt themselves from direct certification. Governors look forward to working with you to craft a policy that recognizes the differences among states, spurs state innovation, and maximizes state best practices.
- **School Performance Monitoring** – The bill would increase state inspections of school meal programs. While governors recognize the value in more frequent, tougher inspections, the federal government must provide states with the manpower, training and resources to meet these goals. Governors urge the Senate to provide these resources to states.
- **Federally Mandated Paid Meal Price** – The bill would establish a Federal mandate for every paid meal in every school in the country for the first time ever. Governors join with the school community to strongly oppose this federal mandate. The provision will dramatically destabilize fair market pricing of school meals. The provision would also act as a disincentive for school districts to hold down meal costs, price out some low-income families from paid school meals, and punish school districts that in good faith have worked to increase the quality of school meals, while simultaneously holding down their paid meal prices. We urge the Senate to eliminate the provision.

Governors appreciate your leadership to expand healthy meals to our

nation's children and look forward to working with Congress to improve and reauthorize this important legislation.

Sincerely,

Governor Bill Ritter, Jr.
Chair, Education, Early Childhood and
Workforce Committee

Governor M. Jodi Rell
Vice Chair, Education, Early Childhood
and
Workforce Committee

cc: Committee on Education and Labor, US House of Representatives