Andrea Farmer, USDA

Dear Ms. Farmer:

Thank you for this opportunity to provide comments on the proposed Child Nutrition Program Integrity rule. Maintaining integrity is best served by a balanced effective approach that employs mechanisms to preserve integrity and access to the programs. To ensure the continued success of the programs, I offer the following recommendations.

* **Remove the proposed system of damaging fines for CACFP and summer food program sponsors, centers, sites and programs.**
* **Ensure a fair and uniform serious deficiency process**:
* Restore the option to “fully and permanently” resolve a successfully corrected serious deficiency rather than only be allowed to “temporarily defer” it.
* Issue a clarifying memo explaining that sponsors should not automatically be declared seriously deficient when one of their centers has a finding of serious deficiency.
* Define standards to measure severity of problems and distinguish between human error versus serious noncompliance that is “severe and substantial.”
* Require State agencies to promptly and fully communicate the outcome of review findings and corrective actions within an establish timeframe.
* Establish an appeal/mediation process for review findings, as well as additional state requirements that conflict with USDA regulations or guidance.
* **Revise the proposed procedures for termination and disqualification in the summer food program and sponsored CACFP centers:**
* State agencies should retain responsibility for termination and disqualification of sponsored unaffiliated CACFP centers.
* Extend the proposed summer food program option allowing State agency discretion regarding automatic terminations to CACFP program operators.
* Allow enough time for summer sites to correct problems, 10 days is inadequate.
* Grant sponsors access to the SFSP National Disqualified List.
* **Encourage State agencies to maximize newly available audit funds by funding institutions to purchase technology solutions supporting integrity and nutrition quality, and independent audits.**
* **Give organizations and individuals denied approval based on the National Disqualified list the right to an appeal the accuracy of the State agency determination.**
* **Revise the proposed financial review by eliminating the required annual bank statement inspection and broad mandate to refer to authorities**.
* **Extend the appeals timeline from 60 days to 90 days and allow State agencies 120 days to complete the appeal before sanctions apply.**
* **Revise the proposed State agency sponsor review requirements to better define and target high risk institutions.**
* **Provide a full year for implementation: 90 days is not adequate.**

The serious deficiency process needs to be thoroughly evaluated and reformed prior to expanding it to SFSP and unaffiliated sponsored centers. Thank you for your consideration of these comments.