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Office of the President and CEO



September 19, 2019

The Honorable Sonny Perdue
Secretary
United States Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Re: Notice of Proposed Rule Making—Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP) RIN 0584-AE62

Dear Secretary Perdue:

On behalf of the Robert Wood Johnson Foundation (RWJF), thank you for the opportunity to comment on the U.S. Department of Agriculture's (USDA) Notice of Proposed Rule Making on a Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP). RWJF believes strongly that the proposed rule should be withdrawn.

RWJF is the nation's largest philanthropy dedicated to improving health and health care in the United States. Since 1972, we have worked with public and private-sector partners to advance the science of disease prevention and health promotion; train the next generation of health leaders; and support the development and implementation of policies and programs to foster better health across the country, including high-quality health care coverage for all. We are working alongside others to build a national Culture of Health that provides everyone in America a fair and just opportunity to live the healthiest life possible. This means working to remove barriers to good health including poverty, discrimination, and powerlessness.

Each month, SNAP provides essential benefits to approximately [36 million people](#) in the United States, connecting the country's most vulnerable families and households to food that they would otherwise be unable to afford. Nearly half of SNAP participants are children who live in rural, urban, and suburban communities across the country. Ensuring that children have enough to eat and have access to nutritious food is essential to their growth, cognitive development, physical and mental health, and future.

SNAP has a long and successful history of providing temporary assistance in order to lower [food insecurity](#), help families achieve [self-sufficiency](#) and reduce [health disparities](#). SNAP's ability to address poverty is also well-documented—data released this month from [the U.S. Census Bureau](#) shows that SNAP cut the U.S. poverty rate from 14.3 percent to 13.2 percent between 2016 and 2018, lifting 3.1 million people out of poverty in 2018 alone.

Nearly ten percent of SNAP participants—more than three million people—qualify for the program under [Broad-Based Categorical Eligibility \(BBCE\)](#) policies. More than 40 states and U.S. territories have adopted BBCE policies, which enable households receiving a Temporary Assistance for Needy Families (TANF)-funded noncash benefit to qualify for SNAP by meeting the financial criteria of the TANF-funded program rather than federal SNAP criteria.

BBCE policies may allow households with higher gross incomes, more countable resources (such as money in a bank account), or both, to qualify for SNAP benefits. Of note, no state has raised the income eligibility threshold beyond 200 percent of the federal poverty level, and the asset limits remain modest. And to be clear, these low-income households must still meet SNAP’s nonfinancial eligibility criteria, such as adhering to work requirements, and their benefits are determined under the same rules as other eligible households. The upshot to BBCE policies is that they incentivize earnings and savings while ensuring that low-income families who may not otherwise receive critical nutrition assistance benefits can have access to them.

The proposed changes to SNAP would eliminate states’ ability to adopt or maintain BBCE policies. The department asserts that eliminating BBCE policies would streamline the program, close eligibility loopholes, and ensure SNAP benefits would be reserved only for families who truly need them. USDA’s internal analysis and independent assessments, however, show the reverse: that these changes would cause serious harm to millions of low-income families who would have an even harder time making ends meet and putting food on the table. Any reforms to SNAP should reflect and advance the program’s primary goal of reducing food insecurity, but this proposal would exacerbate it.

Impact of Proposed Changes

The USDA’s own [regulatory impact analysis](#) concluded the following:

- “The Department estimates that approximately 9 percent of currently-participating SNAP households will lose eligibility for SNAP.”
- “This rule may also impact food insecurity and savings rates of low-income Americans.”
- “The Department estimates that households that remain eligible for SNAP... and new SNAP applicants will face additional burden associated with the application process, at a cost of approximately \$5 million annually.”
- “The Department has ... an estimated reduction in Federal transfers of approximately \$10.543 billion over the five-year period as well as a \$1.157 billion increase in Federal administrative costs.”
- “The Department estimates an additional \$1.157 billion in administrative costs to State agencies (for a total of \$2.314 billion in additional administrative costs).”

The department's conclusions are unmistakable: the harm caused by this proposal—reductions in nutrition assistance benefits; potential increases in poverty and food insecurity rates; and increased administrative burdens on applicants as well as federal and state agencies—would be significant, with no positive impacts to limit or offset the damage.

New research following publication of the proposed rule sheds additional light on the pain it would cause. An RWJF-funded analysis from Mathematica, "[Impact of Proposed Policy Changes to SNAP Categorical Eligibility by State](#)," uses SNAP quality control data from fiscal year 2016 and microsimulation modeling to provide detailed information on the demographic characteristics of those at risk of losing benefits. The analysis finds that more than 1.9 million SNAP households would be slated to lose benefits, equal to nearly 3.6 million people.

In addition to assessing the total numbers of impacted households and individuals, the analysis also considers the characteristics of the affected population. According to the microsimulation, of the 1.9 million SNAP households slated to lose benefits:

- 789,469 households (41% of households slated to lose benefits) live in poverty.
- 686,192 households (36% of households slated to lose benefits) include children.
- 862,101 households (45% of households slated to lose benefits) have earnings.
- 619,057 households (32% of households slated to lose benefits) include an elderly adult.
- 193,541 households (10% of households slated to lose benefits) include a person with disabilities.

The analysis includes similar breakdowns for SNAP households and participants in 39 states, the District of Columbia, Guam, and the U.S. Virgin Islands that would lose program eligibility. More than 10 percent of SNAP households in 20 states would lose eligibility, including 18 percent of SNAP households in Wisconsin; 17 percent of SNAP households in North Dakota; 16 percent of SNAP households in Delaware, Iowa, Nevada, Oregon, and Washington; and 15 percent of SNAP households in Minnesota and Texas.

A series of RWJF-funded research briefs from the Urban Institute provide additional details on how the rule would impact the following types of families:

More than 2 million participants in households with children would lose SNAP benefits. In fiscal year 2016, the resulting benefit loss would have been approximately \$240 per month per household, or about \$165 million annually. USDA has also estimated that approximately 500,000 school-age children who lose SNAP benefits under the rule would also lose direct certification for free school meals, jeopardizing access to healthy meals during the school day and negatively impacting their ability to thrive academically.

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More than 2 million people in working families would lose SNAP benefits. In fiscal year 2016, the resulting benefit loss would have been approximately \$150 per month per household, or about \$130 million annually. Without BBCE, working families may lose benefits if their earnings increase slightly and may be discouraged from saving for future emergencies and investments.

More than 750,000 households with seniors and more than 300,000 households with people with disabilities would lose SNAP benefits. In fiscal year 2016, the resulting benefit loss would have been approximately \$68 per month per household, or about \$42 million annually, for households with seniors; and approximately \$53 per month per household, or about \$10 million annually, for households with people with disabilities. These households often live on fixed incomes and the resulting benefit loss could exacerbate a variety of health challenges.

Conclusion

When USDA issued the proposed rule two months ago, it justified the proposal on fairness and efficiency grounds. While fairness and efficiency are hallmarks of SNAP itself, the proposed rule represents the antithesis of those principles. It is unfair to take food away from low-income children and families and it is inefficient to unnecessarily increase the administrative burdens and financial hardships shouldered by these families and the state agencies that administer the program. Neither outcome helps SNAP participants; both will make their lives more difficult and compromise their well-being.

SNAP reduces food insecurity, improves participants' health, supports communities and strengthens the economy. The proposed rule would undermine the ability of the program to do its job and make it harder for families to reduce financial hardship and become food secure. Millions of individuals, families, children, people with disabilities and the elderly would suffer as a result. We respectfully request that USDA reconsider its approach.

Sincerely,



Richard E. Besser, MD
President and CEO
Robert Wood Johnson Foundation