September 23, 2019

SNAP Program Design Branch,
Program Development Division
Food and Nutrition Service
3101 Park Center Drive
U.S. Department of Agriculture
Alexandria, VA 22302

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

Dear SNAP Program Design Branch:

The Children's Defense Fund (CDF) appreciates the opportunity to comment on USDA's Notice of Proposed Rulemaking: Supplemental Nutrition Assistance Program: Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP). CDF's Leave No Child Behind® mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and successful passage to adulthood with the help of caring families and communities. CDF provides a strong, effective and independent voice for *all* the children of America who cannot vote, lobby or speak for themselves. We pay particular attention to the needs of poor and minority children and those with disabilities. CDF educates the nation about the needs of children, including child and family hunger and encourages preventive investments before they get sick, drop out of school, get into trouble or suffer family breakdown.

CDF has worked for many years, in collaboration with other organizations, to end child hunger in America. Hunger and malnutrition jeopardize children's health, development, education and career readiness. Government programs, including the Supplemental Nutrition Assistance Program (SNAP), have long helped to reduce child hunger and lift families out of poverty. Child poverty hurts the nation's economic stability and costs nearly $700 billion a year in lost productivity and extra health and crime costs.[1] Today, SNAP helps feed over 18 million children – nearly 1 in 4 – and prevents children and families from going hungry. In 2018, SNAP lifted more than 1.3 million children out of poverty, more than any other government program.[2] In addition to reducing child food insecurity,[3] SNAP provides other long-term benefits and improvements in children's health, nutrition, education and future earnings.[4]

Given the critical role SNAP plays for children, families and communities across the country, we have serious concerns about the proposed rule to limit state options for Broad Based Categorical Eligibility

[1] 2019. "Ending Child Poverty Now." Children's Defense Fund. https://www.childrensdefense.org/ending-child-poverty-now/.
[2] 2019. "New Census Data Reveals Continued Child Poverty Crisis in America." Children's Defense Fund, September 10. https://www.childrensdefense.org/2019/new-census-data-reveals-continued-child-poverty-crisis-in-america/.
[3] Food and Nutrition Service. 2014. "Measuring the Effect of SNAP Participation on Food Security." US Department of Agriculture. https://www.fns.usda.gov/measuring-effect-snap-participation-food-security-0
[4] 2015. "Long-Term Benefits of the Supplemental Nutrition Assistance Program." Executive Office of the President of the United States. https://obamawhitehouse.archives.gov/sites/obamawhitehouse.archives.gov/files/documents/SNAP_report_final_nonembargo.pdf

(BBCE) as it would cause many hungry children and families across the country to loss their access to food assistance, jeopardizing their health and economic security. In its own Regulatory Impact Analysis (RIA) of the proposed rule, USDA acknowledges that the proposed changes to BBCE will result in 7.4 percent of SNAP households with children losing access to SNAP because they no longer meet its narrow income or asset requirements. This means that an estimated 1.9 million children and the adults they live with will no longer have access to SNAP benefits, representing 61 percent of the projected 3.1 million people who USDA determined will lose their SNAP benefits.[5] Unsurprisingly, the agency admits that the proposed rule's cuts to SNAP will harm food security. **Given the disproportionate impact this rule will have on children and families, we strongly urge you to withdraw this harmful proposal.**

In addition, the proposed rule will do further harm to families with children by:

1. **Impeding access to other critical child nutrition programs.** Children who qualify for SNAP as a result of BBCE also receive direct certification for free school meals, saving their families the cost of full-price or even reduced-price meals at a time when school meals remain unaffordable for many families. Eliminating BBCE will jeopardize more than 500,000 children's access to free school meals—a data point USDA fails to include in its RIA.[6] As does SNAP, free and reduced-price school meals decrease food insecurity and improve children's behavior and performance in school as a result. Hungry children are more likely to be absent, be tardy and have trouble behaving in class but research shows that a nourished child is not only more likely to attend school, arrive on time and behave but also be more attentive in class and perform better on tests.[7]

   Additionally, 33 percent of the participants in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) are automatically eligible for the program thanks to their participation in SNAP.[8] USDA does not provide an estimate for how the loss of SNAP under the proposed rule might also impact participation in WIC, which serves as an important complement to SNAP benefits. In addition to providing important nutritional benefits for mothers and young children, WIC lifted 160,000 children out of poverty in 2018.[9]

2. **Imposing unnecessary bureaucracy.** States and families save time and administrative burden thanks to BBCE, as they do not have to perform duplicative application processes. USDA acknowledges that the majority of SNAP households will remain income and asset eligible for the program, meaning they will simply face a new, unnecessary obstacle in accessing the program. By creating additional, unnecessary steps in the application processes, the proposed rule will create further barriers for children and families to access these critical food assistance resources for which they are eligible.

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[5] Estimate based on Regulatory Impact Analysis supplement to Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program. Administration estimates assume 2020 caseload will represent roughly 87 percent of 2016 caseload. https://www.federalregister.gov/documents/2019/07/24/2019-15670/revision-of-categorical-eligibility-in-the-supplemental-nutrition-assistance-program-snap

[6] Representative Bobby Scott. 2019. "Chairman Scott to Secretary Perdue: Release Internal Estimates Showing Impact of Proposed SNAP Changes on Free School Meals." United States House of Representatives Committee on Education and Labor. https://edlabor.house.gov/media/press-releases/chairman-scott-to-secretary-perdue-release-internal-estimates-showing-impact-of-proposed-snap-changes-on-free-school-meals.

[7] Levin, Madeleine and Jessie Hewins. 2014. "Universal Free School Meals: Ensuring that All Children are Able to Learn." Shriver Center on Poverty Law Clearinghouse Community. https://www.povertylaw.org/clearinghouse/articles/meals.

[8] Thorn, Betsy et al. 2018. "WIC Participant and Program Characteristics 2016." U.S. Department of Agriculture Food and Nutrition Service. Table 3.1. https://fns-prod.azureedge.net/sites/default/files/ops/WICPC2016.pdf.

[9] 2019. "Ending Child Poverty Now." Children's Defense Fund.

3. **Punishing working families for earnings gains.** In 2018, nearly 70 percent of families with children with a gross income of less than 200 percent of the poverty line experienced a range of material hardship, including an inability to provide food for their families, missed rent or mortgage payments, loss of housing, inability to pay medical bills or unmet medical needs due to costs.[10] Allowing states to raise the income thresholds under BBCE helps working families and encourages work by phasing out benefits more gradually and eliminating the "benefit cliff." Without BBCE, a family can lose substantial SNAP benefits from a small earnings increase which can be harmful for working families, especially those who live in high-cost areas or experience material hardships.[11]

4. **Penalizing families for building savings.** Today, 63 percent of US children live in asset poverty— their families cannot afford to stay afloat after three months without income.[12] BBCE helps families with children build savings by giving states the option to waive burdensome and counterproductive asset testing, which penalizes low-income families for trying to build up the resources they need for economic self-sufficiency. USDA admits that "the proposed rule may also…reduce the savings rates among those individuals who do not meet the income and resource eligibility requirements for SNAP." Removing the option for states to relax SNAP asset limits would be counterproductive, discouraging and preventing families from saving for the future or improving their financial well-being.[13]

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Thank you for the opportunity to comment on USDA's proposed rule to limit state options for Broad Based Categorical Eligibility (BBCE). Given the severe impact the rule would have on hungry children and families across the country who would lose access to food assistance, we strongly oppose this proposed rule and urge the administration to withdraw it. SNAP has a proven track record of reducing food insecurity, lifting people out of poverty and generating economic activity. We must continue to *improve* upon access to this critical safety net program and reduce barriers for children and families to access these necessary benefits, not make it more difficult to assist those it is intended to benefit. We appreciate your consideration of our comments and would be pleased to discuss them with you further.

Sincerely yours,

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Interim Policy Director
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[10] Karpman, Michael et al. 2018. "What Explains the Widespread Material Hardship among Low-Income Families with Children?" The Urban Institute, December 20. https://www.urban.org/research/publication/what-explains-widespread-material-hardship-among-low-income-families-children.
[11] Rosenbaum, Dottie. 2019. "SNAP's 'Broad-Based Categorical Eligibility' Supports Working Families and Those Saving for the Future." Center on Budget and Policy Priorities, July 30. https://www.cbpp.org/research/food-assistance/snaps-broad-based-categorical-eligibility-supports-working-families-and.
[12] Rothwell, David, Timothy Ottusch and Jennifer Finders. 2019. "Asset Poverty Among Children: A Cross-National Study of Poverty Risk." *Children and Youth Sciences Review* 96 (January 2019): 409-419.
[13] Ratcliffe, Caroline et al. 2016. "The Unintended Consequences of SNAP Asset Limits." Urban Institute Opportunity and Ownership Initiative. https://www.urban.org/research/publication/unintended-consequences-snap-asset-limits.