



September 20, 2019

Program Design Branch, Program Development Division
Food and Nutrition Service, USDA
3101 Park Center Drive
Alexandria, Virginia 22302

RE: Proposed Rule: Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (RIN 0584-AE62)

To Whom It May Concern:

As a non-profit, non-partisan organization that promotes optimal health for every person and community, Trust for America's Health (TFAH) strongly supports the critical assistance that the Supplemental Nutrition Assistance Program (SNAP) provides to combat hunger and improve nutrition among Americans. We appreciate this opportunity to provide comments on USDA's Proposed Rulemaking regarding the proposed revision of Categorical Eligibility in SNAP. Healthy food is essential to good health and wellbeing. We strongly oppose any changes to the program that would limit access to benefits or deny individuals anti-hunger assistance.

Background

SNAP supports approximately 39 million low-income and food-insecure Americans by providing cash assistance for the purchase of food. Those who struggle to afford food are at greater risk of a variety of health problems and economic insecurity. SNAP helped lift 3.4 million Americans out of poverty in 2017 and reduced food insecurity by as much as 17 percent nationwide.¹

Children are among those who benefit substantially from SNAP. The program has protected 1.5 million children from living in poverty by helping their families afford food; and through the "direct certification" link between SNAP and the school lunch program, over 500,000 SNAP-eligible children have gained access to free school lunches.^{2,3} Accordingly, a recent National Academies of Sciences, Engineering, and Medicine study confirms that SNAP is "of central importance for reducing child poverty."⁴

Under SNAP, benefits are conferred to those who earn less than 130 percent of the federal poverty level (FPL). In 1996, broad-based categorical eligibility (BBCE) was introduced as a

¹ Fox, Liana and Laryssa Mykta. Supplemental Poverty Measure Shows Who Benefits From Government Programs. *U.S. Census Bureau*. September 2018.

² Fox, Liana. The Supplemental Poverty Measure: 2017. *U.S. Census Bureau*. September 2018; Appendix Table A-6.

³ Representative Bobby Scott. 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*. July 2019

⁴ National Academies of Sciences. A Roadmap to Reducing Child Poverty. *National Academies Press*. February 2018.



mechanism to extend SNAP eligibility to people with slightly higher incomes who may be at risk of experiencing food insecurity and preserve limited benefits for recipients as they build savings.

Through BBCE, states may choose to extend SNAP eligibility to individuals and families earning a gross income of up to 200 percent FPL who qualify for other means-tested social services, such as Temporary Assistance for Needy Families (TANF). Forty-two states have implemented BBCE since 1996. BBCE prevents a “benefits cliff” because as earnings rise, families gradually see reduced benefits while still maintaining an overall net benefit from participating in SNAP.⁵

The vast majority of SNAP recipients have substantial financial need. Although eight percent of SNAP recipients are eligible through BBCE, only 4.2 percent earn a gross income greater than 130 percent FPL.^{6,7} Due to the relatively small amount of funding for which their higher income qualifies them, recipients who qualify through BBCE account for only approximately four percent of total SNAP spending.⁸ Overall, after deducting certain expenses such as rent, health insurance, and other necessary household costs, families with monthly disposable incomes over the poverty line received only about 0.2 percent of SNAP benefits in 2017.⁹

The proposed rule would limit eligibility based on receipt of TANF benefits, reducing SNAP enrollment by 3.1 million. It calls for limiting BBCE to those who receive the equivalent of \$50 per month over six months in support related to subsidized employment, childcare, or work.¹⁰

SNAP Improves Health

We are concerned that the loss of SNAP benefits for 3.1 million people would negatively impact their health in a variety of ways:

- Food insecurity is closely correlated with obesity. In fact, researchers have stated that the “coexistence of food insecurity and obesity is expected given that both are consequences of economic and social disadvantage.”¹¹ The most recent edition of TFAH’s annual report, *State of Obesity 2019: Better Policies for a Healthier America*, outlines the

⁵ Rosenbaum, Dottie. SNAP’s “Broad-Based Categorical Eligibility” Supports Working Families and Those Saving for the Future. *Center for Budget and Policy Priorities*. July 30, 2019. Available at: <https://www.cbpp.org/research/food-assistance/snaps-broad-based-categorical-eligibility-supports-working-families-and>

⁶ *Supra n. 1* (United States Department of Agriculture Food and Nutrition Service)

⁷ Supplemental Nutrition Assistance Program—CBO’s Estimate of the President’s Fiscal Year 2020 Budget. *Congressional Budget Office*. May 2019. Available at <https://www.cbo.gov/system/files/2019-05/55215-snap.pdf>

⁸ Rosenbaum, Dottie. SNAP’s “Broad-Based Categorical Eligibility” Supports Working Families and Those Saving for the Future. *Center for Budget and Policy Priorities*. July 30, 2019. Available at: <https://www.cbpp.org/research/food-assistance/snaps-broad-based-categorical-eligibility-supports-working-families-and>

⁹ *Id.*

¹⁰ Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (RIN 0584-AE62). United States Department of Agriculture Food and Nutrition Service. July 24, 2019. Available at: <https://www.federalregister.gov/documents/2019/07/24/2019-15670/revision-of-categorical-eligibility-in-the-supplemental-nutrition-assistance-program-snap>

¹¹ Frongillo, E. A. & Bernal, J. (2014). Understanding the coexistence of food insecurity and obesity. *Current Pediatrics Reports*, 2(4), a284-290

severity of the obesity epidemic.¹² Obesity rates are alarmingly high – affecting 18.5 percent of children and 39.6 percent of adults in 2015-2016. Low-income communities, in which many individuals rely on SNAP, continue to bear a disproportionate burden of obesity, due in part to higher rates of food insecurity.

- Being unable to afford food is one of the most common and substantial sources of stress among American families. Being food insecure has been linked to chronic stress, which compounds the deleterious effects of hunger and malnutrition with high levels of anxiety, depression, and other mental health conditions.¹³
- Food insecurity limits individuals' abilities to afford medical care and related factors of health. To stretch their budgets, individuals may forego buying foods needed for special medical diets, make trade-offs between food and housing and/or transportation, and delay medical visits.¹⁴ For people with diet-related diseases such as obesity, diabetes, or heart disease, food insecurity significantly impacts their ability to adequately care for themselves.¹⁵ By inhibiting both disease prevention and management, household food insecurity also contributes to higher healthcare costs for patients. It is estimated that medical costs for food-insecure adults are on average \$1,834 higher each year, accounting for over \$52 billion dollars in annual healthcare spending overall.¹⁶

By helping people avoid hunger, SNAP has proven to have a positive impact on health. A study of the long-term effects of SNAP assistance found that individuals whose households had access to food stamps (SNAP's predecessor) during early childhood had better health outcomes than those without access to the program, including significantly lower rates of obesity, high blood pressure, and diabetes.¹⁷ SNAP participants also often have lower healthcare costs – nearly 25 percent less – compared to low-income adults who are not enrolled.¹⁸

¹² *State of Obesity 2019: Better Policies for a Healthier America*, Trust for America's Health, 2019, available at: <https://www.tfah.org/report-details/the-state-of-obesity-2019/>

¹³ Andrew D. Jones. Food Insecurity and Mental Health Status: A Global Analysis of 149 Countries. *American Journal of Preventive Medicine*, 2017; DOI: 10.1016/j.amepre.2017.04.008

¹⁴ Food Research & Action Center. The Impact of Poverty, Food Insecurity, and Poor Nutrition on Health and Well-Being. December 2017. Available at: <http://frac.org/wp-content/uploads/hunger-health-impact-poverty-food-insecurity-health-well-being.pdf>

¹⁵ Gregory, C., A., & Coleman-Jensen, A. Food insecurity, chronic disease, and health among working-age adults. Economic Research Report, 235. *Washington, DC: U.S. Department of Agriculture, Economic Research Service.*

¹⁶ S.A. Berkowitz, et al., *State-Level and County-Level Estimates of Health Care Costs Associated with Food Insecurity*, Preventing Chronic Disease, 2019;16:180549. DOI: <http://dx.doi.org/10.5888/pcd16.180549>

¹⁷ Hoynes, H., Schanzenbach, D.W., and D. Almond. Long-run impacts of childhood access to the safety net. *American Economic Review*. 2016; 106(4): 903–934.

¹⁸ Berkowitz, S.A., Seligman, H.K., Ridgdon, J., Meigs, J.B., & Basu, S., "Supplemental Nutrition Assistance Program (SNAP) participation and health care expenditures among low-income adults." *JAMA Internal Medicine*, 177(11), 1642-1649. 2017.

SNAP Links Children to Nutritious School Lunches

We are also very concerned about the potential unintended consequences of the proposed rule on the health of children. Children of families who are eligible for SNAP become “directly certified” to receive federally subsidized free school meals as well.¹⁹ By limiting BBCE, USDA would limit the number of children who receive free school meals: although families with gross incomes between 130 and 185 percent FPL could qualify for reduced-cost meals, those earning 185-200 percent FPL could not qualify at all.²⁰ As a result, an estimated 265,000 children would lose access to free school lunches,²¹ putting further economic burdens on households already grappling with the loss of SNAP benefits.

The proposed rule could also have ramifications for students who are not directly affected by a loss of SNAP eligibility. If the proposed rule takes effect, schools could lose their “community eligibility” status. Community eligibility allows schools, in which a large proportion of students are directly certified for free meals to provide all students free meals regardless of income.²² This approach ensures that all students have access to breakfast and/or lunch, which has been shown to benefit students’ academic performance and improve their nutritional intake.²³ It also greatly reduces the administrative burden of processing free lunch applications, and reduces the stigma of free lunch or of some families being unable to afford lunch fees.²⁴

Childhood hunger has serious implications for health and wellbeing. Hungry students are at an increased risk of struggling academically, suffering from poor mental health, and developing problematic health behaviors such as smoking and alcohol use.²⁵ Accordingly, they are more likely to fail to complete their education and be less healthy in adulthood. In contrast, children who eat nutritious breakfasts and lunches are more likely to succeed academically and socially, and to remain healthier in adulthood.²⁶ As such, this proposed rule could have effects that conflict directly with USDA’s stated goal of promoting economic self-sufficiency.

¹⁹ Direct Certification in the National School Lunch Program. *USDA*. October 2018. Available at <https://fns-prod.azureedge.net/sites/default/files/resource-files/NSLPDirectCertification2016.pdf>

²⁰ FitzSimon, Crystal and Ellen Vollinger. Broad-based Categorical Eligibility and School Meals. *Food Research & Action Center*. 2019. Available at <https://frac.org/blog/broad-based-categorical-eligibility-and-school-meals>

²¹ Davis, Lisa. Protecting Children’s Access to School Meals by Maintaining Broad-Based Categorical Eligibility in SNAP. *Share Our Strength*. June 2019. Available at <https://agriculture.house.gov/uploadedfiles/hhrg-116-ag03-wstate-lisadavisl-20190620.pdf>

²² Community Eligibility. *Food Research & Action Center*. Available at <https://frac.org/community-eligibility>.

²³ CDC Healthy Schools, *School Meals—Benefits of School Meals*, School Nutrition webpage, available at: <https://www.cdc.gov/healthyschools/npao/schoolmeals.htm>

²⁴ Nittle, Nadra. Why Are Schools Still ‘Lunch Shaming’ Kids With Meal Debt? *Eater*. May 2019. Available at <https://www.eater.com/2019/5/22/18634237/lunch-shaming-students-meal-debt-american-schools>.

²⁵ Breakfast Brief: Breakfast For Health. *Food Research & Action Center*. Available at <https://frac.org/wp-content/uploads/breakfastforhealth-1.pdf>

²⁶ *Id.*

The Proposed Rule Would Threaten Food Security for Families and Seniors

SNAP also aligns with the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to provide nutrition support for a targeted population at a critical time of growth and development. Because they participate in SNAP, Medicaid, and/or TANF, nearly 75 percent of WIC participants are able to waive burdensome certification requirements through “adjunctive eligibility.”²⁷ Women who gain access to WIC adjunctive eligibility through SNAP could lose or see interruptions in access under the proposed rule, resulting in a loss of WIC benefits among some of the nation’s most vulnerable women, infants, and children.

Additionally, because BBCE allows states to adopt less restrictive asset tests, seniors and people living with disabilities are allowed to benefit from SNAP without sacrificing hard earned savings. These individuals are most likely to have limited or fixed income, and high costs associated with retirement or healthcare make being able to save and afford these expenses critical. In addition to reducing administrative burden for state agencies, BBCE also prevents elderly and disabled individuals from excessive application and recertification processes. In 2015, only 42 percent of elderly Americans who were eligible for SNAP actually received benefits.²⁸ TFAH is concerned that removing BBCE would stymie previous efforts by the federal government over the past four years to encourage elderly individuals to apply for benefits for which they are entitled. In fact, by USDA’s own estimates, the rule would remove SNAP coverage from 13.2 percent of all SNAP households with seniors.

Conclusion

Though the proposed revisions purport to “create a clearer and more consistent nationwide policy,” they in fact would punish recipients and take food away from families and children. We strongly urge you to rescind the proposal and focus on policy solutions that address food insecurity to support the health of individuals and communities.

Thank you for your consideration of these comments. If you have any questions, please do not hesitate to contact Dara Lieberman, TFAH’s Director of Government Relations, dliberman@tfah.org.

Sincerely,



John Auerbach
President & CEO
Trust for America’s Health

²⁷Congressional Research Service, “A Primer on WIC: The Special Supplemental Nutrition Program for Women, Infants, and Children” (2015). Available at <https://fas.org/sgp/crs/misc/R44115.pdf>.

²⁸ Fact Sheet: USDA Support for Older Americans. *USDA*. 2015. <https://www.fns.usda.gov/pressrelease/2015/020215>