

September 19, 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:

Partners for a Hunger-Free Oregon strongly opposes this proposed rule, which would take away food assistance from an estimated 50,000 Oregon households currently eligible for SNAP.

That's one in seven Oregonians who currently participate in food assistance through SNAP.

Partners for a Hunger-Free Oregon envisions an Oregon where everyone is healthy and thriving, with access to affordable, nutritious and culturally appropriate food. To bring that vision into reality, we raise awareness about hunger, connect people to nutrition programs, and advocate for systemic changes.

We oppose this proposed rule because it would increase hunger in Oregon. It would force more families into crisis, keep more families in poverty, and harm kids, seniors, and our schools.

This punishes working families for getting small raises. There's a long-held consensus in public policy that public benefit programs should be structured in a way so that working families are always better off when they earn more income.

Broad Based Categorical Eligibility has reduced hunger in Oregon for nearly two decades. Oregon's hunger rate dropped precipitously in the early 2000's after Oregon exercised state options for SNAP including categorical eligibility and removing asset tests. This was not a "loophole" as alleged by the administration, but in fact a highly effective and responsive policy option. Taking away state flexibility will increase hunger and food insecurity in Oregon. USDA even notes: "The proposed rule may also negatively impact food security and reduce the savings rates among those individuals who do not meet the income and resource eligibility requirements for SNAP or the substantial and ongoing requirements for expanded categorical eligibility."

This would take away food assistance from one in seven SNAP participants in Oregon. Oregon's Department of Human Services estimates that 58,922 Oregonians would lose food assistance *immediately* if this rule is adopted. An estimated 17,021 Oregon SNAP households

would lose food assistance when they are re-certified, as these families would be newly-subject to harsh asset limits. Furthermore, this would take away food assistance from people in every county in Oregon, whether rural, urban, or suburban.

This would harm seniors with high medical expenses. The rule would take away food assistance from seniors with incomes slightly above the poverty line but eligible for modest medical deductions. That's cruel. It's also unwise to deny food assistance to seniors who face high medical costs because good nutrition is essential for many of those medicines to work optimally. It is not in the public interest to take away food assistance from seniors who need it. Period.

This would harm renters and Oregonians facing high housing costs. Like many states, Oregon is facing an affordable housing crisis. Renters in Oregon are eleven times more likely to experience hunger than homeowners. Because the rule would effectively place an arbitrarily low cap on gross income, working families facing high housing costs that crowd out spending for food will be cut off food benefits. It is already hard enough for families to afford rent and food. This will make it harder.

This would restrict access to school meals and undercut Oregon's new state policy to create hunger-free schools. Mathematica estimates 15% of households with children in Oregon who receive SNAP would lose eligibility under this proposed policy. Because SNAP participation makes kids categorically eligible for free school meals through "direct certification," families who will lose SNAP because of this policy will also face barriers to school meals. This means increased needless paperwork for families and increased administrative cost for local schools to process additional applications. It means that fewer schools will be eligible to participate in the Community Eligibility Provision, a best practice which allows schools to serve meals to all students at no charge based on a school's rate of participation in SNAP and other programs. For Oregon in particular, this will harm a newly-enacted law passed in 2019 which builds on federal funding to make it financially viable for more schools to participate in the Community Eligibility Provision. If this rule change is implemented, it would mean fewer schools will be able to participate in CEP as our state law intended.

The rule would punish households that have a reliable car that's needed to get to work. The rule undercuts self-sufficiency by denying food assistance to people who own assets over a certain amount, including things like a reliable car to get to work. If the goal is to "encourage work," the proposed rule undercuts that goal. Limiting food assistance for households with minimal assets like used cars or an emergency savings account of only \$3,000 will mean that in order to receive SNAP, many families will face the uncertainty of whether they can get to work, or that one small car repair might mean losing a job. The proposed rule would gut states' options to eliminate SNAP asset tests. It is not good public policy to force families to become destitute before they are eligible for public assistance, yet that is what this rule would do.

It would hurt Oregon's economy. If made final, this rule will hurt Oregon's economy by reducing the dollars available for families to buy food, which means that money will not be spent at grocery stores, and food producers and farmers stand to lose. The average monthly benefit for households impacted is \$120.52, meaning Oregonians would lose \$85 million in grocery sales annually.

This is an attempt to subvert the bipartisan consensus that rejected this proposal. During the farm bill deliberations in 2018 and the budget reconciliation of 2005, a similar proposal to eliminate categorical eligibility was considered by Congress, but was not adopted. Congress passed and the President signed into law a farm bill that did not contain these changes. If the Administration wants to change the law, it is entitled to try and do so again when changes to SNAP are considered, but it is not entitled to make this unilateral decision to make an end run around Congress and the bipartisan consensus that was reached to reject these changes. This USDA rulemaking is an attempt to side step Congress and is outside USDA's authority, and goes against the agreement the President made when he signed the farm bill into law.

It would take away food assistance from 3.1 million Americans. The proposed rule would eliminate SNAP benefits for 3.1 million individuals, take free school meals away from the children in those families, and punish people with even meager savings. By USDA's own estimates, the proposed rule would cut SNAP benefits over five years by \$10.543 billion, while increasing SNAP administrative costs by \$2.314 billion.

We urge the Administration to withdraw this proposal that would increase hunger in Oregon and in every corner of America.

Sincerely,

Annie Kirschner
Executive Director
Partners for a Hunger-Free Oregon
712 SE Hawthorne St. Suite 202
Portland, OR 97214