

Congress of the United States

Washington, DC 20510

September 5, 2019

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

Secretary Perdue:

As members of the Washington state Congressional delegation, we write to express our strong opposition to the proposed rule published in the Federal Register on July 24, 2019 entitled, “*Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP)*” (84 Fed. Reg. 35570). This rule changes how states can opt to increase the Federal Poverty Limit (FPL) for SNAP eligibility using Broad-Based Categorical Eligibility (BBCE)—an option Washington state utilizes. If this proposed rule is implemented, the consequences for Washingtonians will be devastating and disproportionate. An estimated 175,600 Washingtonians, including children under five, seniors, and low-income families, will lose access to critical food security benefits.¹ The proposed rule will also place significant added financial and administrative burden on state agencies. We request that you rescind this proposed rule immediately.

BBCE allows states to make families and individuals eligible for services funded by Temporary Assistance for Needy Families (TANF) “categorically eligible” for SNAP benefits. These households must still undergo SNAP’s rigorous income and other eligibility verification requirements in order to determine if they qualify for a SNAP benefit. Claims that these families and individuals bypass SNAP’s screening process are unfounded. Washington state adopted BBCE to make families and individuals with incomes between 130 and 200 percent of the FPL categorically eligible for SNAP. As you know, SNAP is a critical tool to reduce food insecurity, improve nutrition, and reduce poverty for low-income people of all ages.² Washingtonians who fall within this income threshold do not have enough resources to be self-sufficient.³ SNAP benefits, made available through BBCE, help them meet basic needs.

¹ *Broad-Based Categorical Eligibility for SNAP: Comprehensive Impact Statement*, WASHINGTON STATE DEPARTMENT OF SOCIAL & HEALTH SERVICES ECONOMIC SERVICES ADMINISTRATION, August 15, 2019 at 1.

² L. Tiehen, D. Jolliffe, & C. Gundersen, “Alleviating Poverty in the United States: The Critical Role of SNAP Benefits.” U.S. DEPARTMENT OF AGRICULTURE, ECONOMIC RESEARCH SERVICE (Report Number 132), April 1, 2012.

³ *Reducing Poverty & Inequality in Washington State*, POVERTY REDUCTION WORKGROUP, May 10, 2019.

<https://www.governor.wa.gov/sites/default/files/documents/PRWG_workforce_development_conference_05.10.2019.pdf>

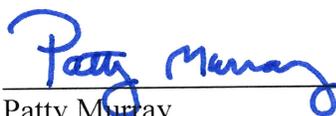
An August 2019 Washington State Department of Social and Health Services (DSHS) analysis found that the proposed rule would render an estimated 35,211 low-income households in Washington state ineligible for ongoing Basic Food assistance each month, which would negatively impact our state's economy.⁴ On an annual basis, this figure includes 19,263 children under 5 years old, 46,839 school-aged children, 15,838 elderly individuals, and people with disabilities. With an average monthly allotment per household of \$60.02, this equates to a loss of over \$25 million in spending from the local economy annually.

Beyond this significant impact, we are further concerned by the lack of consideration in USDA's Regulatory Impact Analysis (RIA) regarding the consequences to children under the proposed rule who receive services from the National School Lunch and Breakfast programs. Under these programs, children who reside in a household receiving SNAP benefits are made eligible for free school meals. Because this proposed rule would reduce household SNAP eligibility, these children will also lose free school meal eligibility. In Washington state, an estimated 15,663 students will no longer directly qualify for free school meals as a result of the proposed rule.⁵

Lastly, in addition to these impacts, the proposed rule will significantly increase administrative costs to Washington state. According to DSHS the state would incur significant operational, system, and quality assurance costs. The state would be required to terminate cases, as well as verify and recertify cases that will lengthen application processing times and require recalibration of IT systems. For example, DSHS estimates that they will require 55 additional full-time employees (FTEs) to terminate existing cases that become ineligible as a result of this change, 71 FTEs annually to review and verify resources for existing recipients, and 39 FTEs annually to account for increased administrative burden and processing times.⁶

We have heard from leaders of locally-based organizations and faith-based communities across our state that this rule change will only put a greater burden on food banks that are already struggling to meet existing food assistance needs. This rule will undermine low-income families' health, and jeopardize the food security and development of young and school-aged children. We urge you to consider the harmful impact of this proposed rule and to rescind it as soon as possible.

Sincerely,



Patty Murray
United States Senator



Kim Schrier, M.D.
Member of Congress

⁴ *Broad-Based Categorical Eligibility for SNAP: Comprehensive Impact Statement*, WASHINGTON STATE DEPARTMENT OF SOCIAL & HEALTH SERVICES ECONOMIC SERVICES ADMINISTRATION, August 15, 2019 at 2.

⁵ *Id.* at 3.

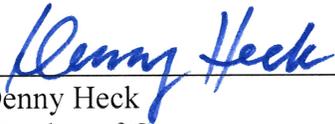
⁶ *Id.* at 3.



Maria Cantwell
United States Senator



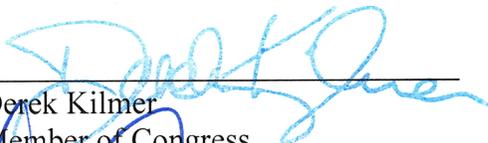
Suzan DelBene
Member of Congress



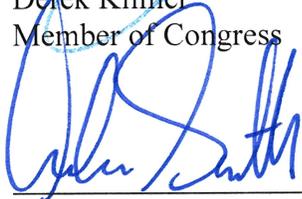
Denny Heck
Member of Congress



Pramila Jayapal
Member of Congress



Derek Kilmer
Member of Congress



Adam Smith
Member of Congress



Rick Larsen
Member of Congress