



August 28, 2019

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

Dear Secretary Perdue:

We, the undersigned 17 governors — a coalition representing more than 149 million Americans — write to voice our opposition to the U.S. Department of Agriculture’s (USDA) proposal to essentially eliminate Broad-Based Categorical Eligibility (BBCE) from the Supplemental Nutrition Assistance Program (SNAP). Should this proposed rule take effect as written, hundreds of thousands of beneficiaries in our states would lose access to basic food assistance. As the Department’s own analysis reflects, many of those impacted would be among the most vulnerable in our states, including individuals with disabilities and the elderly.¹ USDA’s proposal also jeopardizes access to free and reduced price meals at school for an estimated 500,000 low-income children.² We shouldn’t be making it harder for struggling Americans to make ends meet and put food on the table — which is what this proposed regulation would do. As governors, we strongly urge you to rescind this proposed rule.

As you know, BBCE is a policy that requires states to enroll eligible applicant households in SNAP for food assistance if they’re already qualified for other benefits limited to low-income people, most notably benefits funded under the Temporary Assistance for Needy Families (TANF) block grant. States utilize BBCE to adopt less restrictive income and asset tests and to better coordinate SNAP with other state-operated programs. The result has been an increase in

¹ USDA Proposed Rule, “Revision of Categorical Eligibility in SNAP,” July 24, 2019.

² Letter to USDA from House Education and Labor Committee Chairman Bobby Scott, July 26, 2019.

low-income households getting access to the food assistance they need, while also making SNAP easier and less costly for states to administer. To restrict BBCE beyond what the law envisions, as this proposal calls for, would mean higher administrative costs for states and a reduction in access to essential food aid to over three million people across the country, according to your own estimates.³

We can all agree that no one should be forced to go hungry in the U.S, especially children. Yet, the Department's analysis acknowledges that its proposal may worsen hunger at a time when nearly 16 percent of households with children are experiencing food insecurity.⁴ We should be doing more to help these families, not less. Adding insult to injury, this proposed rule would eliminate automatic enrollment for kids in SNAP families in the free and reduced price lunch and breakfast programs.⁵ Everyone knows that a child can't learn when they're hungry, but these changes would make that a reality for thousands of kids in our states and across the country.

This misguided proposal also punishes people working hard to get ahead by reinstating the "benefit cliff" for families whose incomes come close to the eligibility threshold, meaning a small wage increase could result in a substantial loss of benefits.⁶ The change would similarly penalize families with children, the elderly, and individuals with disabilities for having modest savings by cutting off their food aid. This in turn traps low-income households – especially those on a fixed income – in a cycle of poverty, making it impossible to weather unexpected events like a job loss or car repair. Discouraging struggling Americans from seeking higher paying work and socking away for a rainy day runs counter to the goals of SNAP by suppressing opportunities for low-income households, rather than increasing them.

The USDA proposal erroneously claims too that states approve households for SNAP using BBCE without verifying incomes or thoroughly assessing the need for benefits. To qualify for SNAP, all households, including those eligible under BBCE, are subject to an interview and must provide thorough documentation to demonstrate that their monthly income and expenses, such as housing and child care costs, leave them with not enough income to afford access to adequate food.⁷ Notably, according to the most recent data from USDA, only 0.2 percent of SNAP benefits went to households with monthly disposable incomes above the poverty line in 2017.⁸ There is simply no evidence to support the proposal's claim that BBCE compromises SNAP's integrity or leads to an increase in assistance being directed to ineligible households.

As governors, we urge you to rescind this rule to preserve the flexibility needed to meet the food and nutrition needs of the low-income populations in our states. We should be working together,

³ Ibid.

⁴ USDA Economic Research Service. "Food Security Status of U.S. Households in 2017," Sept. 5, 2018.

⁵ Center for Budget Policy and Priorities, "Misguided Trump Administration Rule Would Take Basic Food Assistance From Working Families, Seniors, and People With Disabilities," Robert Greenstein, July 23, 2019.

⁶ Center for Budget Policy and Priorities, "SNAP's Broad-Based Categorical Eligibility Supports Working Families and Those Saving for the Future," Dottie Rosenbaum, July 30, 2019.

⁷ Center for Budget Policy and Priorities, Robert Greenstein; USDA, "Facts about SNAP."

⁸ Protecting Children's Access to School Meals by Maintaining Broad-Based Categorical Eligibility in SNAP; Testimony of Lisa Davis before the House Committee on Agriculture, Subcommittee on Nutrition, Oversight and Operations, U.S. House of Representatives. June 2019.

at the state and national levels, with the common goals of protecting and supporting the most vulnerable among us, ensuring all children have healthy food on their plates, and making every effort to ensure all families have the opportunity to transition out of poverty and achieve the American dream. BBCE has proven effective at moving us closer to achieving these goals and should therefore be protected, not restricted.

Thank you for your consideration of our concerns.

Sincerely,



Governor Gretchen Whitmer
State of Michigan



Governor Jay Inslee
State of Washington



Governor Gavin Newsom
State of California



Governor Jared Polis
State of Colorado



Governor Ned Lamont
State of Connecticut



Governor David Ige
State of Hawaii



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State of Illinois



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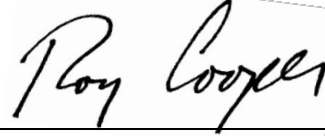
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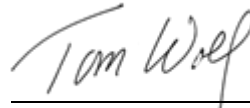
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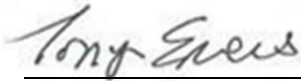
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Governor Kate Brown
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Governor Tom Wolf
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