



December 2, 2019

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

Re: Notice of Proposed Rule Making Regarding Supplemental Nutrition Assistance Program (SNAP) Standardization of State Heating and Cooling Standard Utility Allowances -- RIN 0584-AE69

Dear SNAP Certification Policy Branch:

On behalf of the National Center for Children in Poverty (NCCP), we appreciate the opportunity to comment on the USDA's Notice of Proposed Rule regarding Supplemental Assistance Nutrition Program (SNAP) Standardization of State Heating and Cooling Standard Utility Allowances (SUAs). NCCP has a long history of producing reports and managing tools analyzing the impacts of a wide range on public benefit policies on low-income families,¹ and over the past few years has focused increasingly on how these policies impact people with disabilities.² Our work includes the management of an online tool, the Family Resource Simulator,³ which models eligibility and receipt for a comprehensive set of public benefits, including SNAP, as well as another tool, the 50-State Policy Tracker,⁴ which tracks state variations in public benefit policies, including state variations within the SNAP program.

Based on our expert knowledge of SNAP program rules and our understanding of the proposed rule and its impacts, **this rule would disproportionately and inequitably affect large families, families living in regions that necessitate high utility costs, the elderly, and families affected by disabilities and complex medical conditions.** Beyond any concern for these families, **one additional impact that omitted from the USDA's Regulatory Impact Analysis is an analysis of increased administrative costs for state governments that, in seeking a remedy for the families unduly impacted by this rule, may forgo mandatory SUAs and allow families to submit their own utility bills for SNAP administrators during the SNAP application process.**

SNAP plays a critical role in addressing hunger and food insecurity in our communities. It is the first line of defense against hunger for low-income residents. Moreover, SNAP receipt is associated with a number of health and well-being benefits: along with decreases in food insecurity,^{5, 6} SNAP receipt is associated with improvements in dietary intake^{7, 8} and reductions in poverty.⁹ Standardizing SUAs would cause many participant families to have reduced SNAP benefit amounts, or lose SNAP altogether, and thereby miss out on the benefits of SNAP receipt. According to the Department's own estimates, the proposed rule would cut SNAP benefits by \$4.5 billion over five years.¹⁰

Nearly two-thirds of SNAP participants are children, elderly persons, or individuals with disabilities.¹¹ Families that include people with disabilities often experience unique financial challenges that make meeting their child's needs and making ends meet difficult. Some studies have shown that families that include a child with a disability have costs related to the disability exceeding between 5 and 12 percent of the family income, and net costs of up to \$8,000 a year.¹² Often, caregivers must decrease their working hours to provide care for the disabled member of their household, all while facing increased medical and specialized equipment costs.¹³ These families rely on SNAP to supplement their net incomes.



The department's concern that SUAs may be overvalued compared to actual utility costs that low-income families face is understandable. However, the states that chosen to provide high mandatory SUAs to SNAP applicants do so for a number of understandable reasons. First and foremost, it allows for quicker application and processing times, as families are not burdened for locating the most recent collection of utility bills, and administrators are not burdened with checking those bills for accuracy. But in setting SUAs that are universally applicable throughout the state, state governments have also increased SUAs so that they better approximate the utility costs of the most vulnerable families – families that include people with disabilities, families that include elderly family members, and large families, including families that include grandparents or other extended family in the family unit. Given the choice between (1) a relatively high mandatory SUA, (2) a relatively low mandatory SUA that does not account for utility needs of a state's most vulnerable families, or (3) forgoing SUAs or providing an optional SUA, wherein families can produce their own utility bills, and incurring higher administrative costs to check and process those bills, the choice to implement relatively high mandatory SUAs seems justifiable. This is one possible explanation why the use of mandatory SUAs have increased drastically over the past 17 years: in 2002 only 11 states implemented mandatory SUAs,¹⁴ and now, as indicated in the Regulatory Impact Analysis, 48 states implement them.

Because relatively high mandatory SUAs specifically support the most vulnerable SNAP recipients, it is not surprising that the USDA's Regulatory Impact Analysis of the proposed rule determines that the rule would disproportionately impact families with disabilities, families that include elderly members, and families that include children. In an effort to continue supporting vulnerable families through the SNAP program to the extent that the law allows, one likely result of the proposed rule is that many states will start using optional SUAs, allowing families to submit their own utility bills when they reflect costs higher than the SUA. While this is allowed by the proposed rule and would help address the needs of vulnerable families should the proposed rule be implemented, requiring these families to gather and submit utility bills – and work with SNAP administrators to address any issues with these bills – places a further, unnecessary burden on these families, increasing stress and anxiety for many families who are already living in highly stressful situations. Moving to a policy of optional SUAs will also increase the paper and administrative burden of SNAP administrators, who often deal with high caseloads, potentially leading to the need for additional staff and also an increased likelihood of administrative errors among overburdened staff. Again, as mentioned above, this increased administrative burden seems omitted from the Regulatory Impact Analysis. Without a thorough analysis providing estimated costs for states to shift their policies back to optional SUAs as a result of this rule, we believe the Regulatory Impact Analysis is incomplete.

USDA should be strengthening SNAP to continue the positive impacts of SNAP for health, well-being and economic activity, not making cuts to SNAP benefits and overburden public employees responsible for SNAP administration. We strongly oppose the proposed rule and request the USDA either withdraw it or conduct a more thorough analysis and provide the public with another opportunity to respond to the proposed rule after being provided with a more adequate analysis.

Sincerely,

Heather Koball, Co-Director

Suma Setty, Senior Research Associate/Project Director

Seth Hartig, Senior Research Associate/Project Director

National Center for Children in Poverty, New York, NY

¹ Recent examples include: (1) Hartig, S., & Skinner, C. (2016). The Florida Minimum Wage: How Much Can It Really Buy, and How High Should It Be? National Center for Children in Poverty, Columbia University Mailman School of Public Health. (2) Skinner, C., Hartig, S., & Setty, S. (2015). Three Policy Reforms to Help Low-Income Children in Ohio. National Center for Children in Poverty, Columbia University Mailman School of Public Health. (3) Skinner, C., Hartig, S., & Setty, S. (2015). Three Policy Reforms to Help Low-Income Children in Colorado. National Center for Children in Poverty, Columbia University Mailman School of Public Health.

² One recent product of this research includes Setty, S., Koball, H., Hartig, S., Sutcliffe, T.J. 2019. Disability Perspectives on Paid Leave: A Qualitative Analysis of Leave-taking among Workers Affected by Disabilities or Serious Health Conditions. Washington, DC: The Arc of United States.

³ National Center for Children in Poverty (2018). The Family Resource Simulator [online tool]. Retrieved from <http://nccp.org/tools/frs>.

⁴ National Center for Children in Poverty (2018). The 50-State Policy Tracker [online tool]. Retrieved from <http://nccp.org/tools/policy>.

⁵ Hunger & Health: Federal Child Nutrition Programs. (2017) Food Research and Action Center. Retrieved from <https://frac.org/wp-content/uploads/hunger-health-role-federal-child-nutrition-programs-improving-health-well-being.pdf>.

⁶ Gundersen, C., Kreider, B., & Pepper, J. (2012). The impact of the National School Lunch Program on child health: a nonparametric bounds analysis. *Journal of Econometrics*, 166, 79–91. Retrieved from <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.717.9053&rep=rep1&type=pdf>.

⁷ Newman, C. (2013). Fruit and vegetable consumption by school lunch participants: Implications for the success of new nutrition standards. United States Department of Agriculture, Economic Research Service. Economic Research Report No. 154. Retrieved from https://www.ers.usda.gov/webdocs/publications/45122/39888_err154.pdf?v=0.

⁸ Cohen, J.F., Richardson, S., Parker, E., Catalano, P.J., & Rimm, E.B. (2014). Impact of the new U.S. Department of Agriculture school meal standards on food selection, consumption, and waste. *Am J Prev Med* 46(4):388-394. Retrieved from <https://www.ncbi.nlm.nih.gov/pubmed/24650841>.

⁹ The Role of the Supplemental Nutrition Assistance Program in Improving Health and Well-Being. (2017).

¹⁰ The Supplemental Nutrition Assistance Program (SNAP) and the Economy: New Estimates of the SNAP Multiplier, USDA Economic Research Service, July 2019, available at <https://www.ers.usda.gov/webdocs/publications/93529/err-265.pdf?v=8010.7> pages 6-8 and Table 1 (regarding research by Blinder and Zandi)

¹¹ The Role of the Supplemental Nutrition Assistance Program in Improving Health and Well-Being. (2017). Food Research and Action Center. Retrieved from <https://frac.org/wp-content/uploads/hunger-health-role-snap-improving-health-well-being.pdf>.

¹² Anderson, D., Dumont, S., Jacobs, P., & Azzaria, L. (2007). The Personal Costs of caring for a child with a disability: A Review of the Literature. *Public Health Rep*, 122(1): 3-16. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1802121/>.

¹³ Setty, s., Koball, H., Hartig, S., & Sutcliffe, T.J. (2019). Disability Perspectives on Leave: A Qualitative Analysis of Leave-taking among Workers Affected by Disabilities or Serious Health Conditions. New York, NY: National Center for Children in Poverty. Retrieved from http://www.nccp.org/publications/pub_1217.html.

¹⁴ USDA FNS (2002). Food Stamp Program: State Options Report. First Edition, April 4, 2002. Retrieved from https://fns-prod.azureedge.net/sites/default/files/snap/1-State_Options.pdf