



Docket ID: FNS-2018-0037

September 23, 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:

The National Association of Counties (NACo) appreciates the opportunity to comment on the U.S. Department of Agriculture (USDA) proposal titled, "Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP)" published on July 24, 2019. NACo is the only national organization representing America's 3,069 county governments; collectively, counties play a pivotal role in providing our residents with critical health and human services, including nutrition assistance. As administrators of SNAP in ten states, counties are key stakeholders in federal policies and practices that would revise program requirements.

In every county, SNAP is an important aspect for healthy eating, school nutrition and senior nutrition, especially for areas lacking access to sustainable and fresh food supplies. Counties in every state are concerned with the nutritional wellness of their constituents, but there are 10 states that delegate SNAP administration to county agencies, including California, Colorado, Minnesota, New Jersey, New York, North Carolina, North Dakota, Ohio, Virginia and Wisconsin. Although SNAP is primarily a partnership between the federal government and states, counties in these 10 states contribute significant local funds to the administrative and supplemental costs of running the program. In fact, in 2016, \$63 billion in SNAP funding was administered by these counties, covering services for 32 percent of all SNAP recipients.

As partners in administering SNAP and delivering program benefits to residents, NACo appreciates USDA's goals of providing access to healthy food for residents and commends the agency on its outreach to our staff and county officials on the proposal since its publication. Moving forward, we encourage the agency to continue to fully involve state and local government partners throughout the decision-making process.

However, while we understand the goal of USDA's proposal, counties are concerned the proposed rule to revise Broad-Based Categorical Eligibility (BBCE) in SNAP may have unintended consequences for our residents and communities. After careful consideration and numerous discussions with local elected officials, county health and human services directors, and with other local and state organizations, we urge USDA to consider the following:

- Counties are concerned that revising BBCE in SNAP would create new financial and administrative burdens without providing additional federal resources, thereby creating a new unfunded mandate for local governments.
- Revisions to BBCE in SNAP may result in fewer residents accessing nutritional supports, and as a result,

counties could face increased reliance on county agencies and costs associated with assisting individuals and their families, effectively resulting in a cost-shift from the federal government to local governments.

Counties are concerned that revising BBCE in SNAP would create new financial and administrative burdens without providing additional federal resources, thereby creating a new unfunded mandate for local governments.

As mentioned earlier, counties fund and administer SNAP in nearly a dozen states across the country. In these states, counties contribute significant local funds to administrative and supplemental costs of running the program.

Since passage of the *Personal Responsibility and Work Opportunity Reconciliation Act* (P.L. 104-193) in 1996 created the BBCE option, county-administered states have used BBCE to ensure eligible individuals and families receive nutritional support through SNAP. By using this option, counties are able to reduce our administrative costs and reduce program “churn” by streamlining eligibility determinations for federal programs. County-administered states are among the more-than 40 states and territories employing this option in order to streamline benefits delivery and save money.

In order to reduce mandates and administrative burdens on local governments, counties support the streamlining of federal programs. This includes supporting processes such as BBCE, which allows counties to easily consider applicants for federal assistance programs we administer. Rather than increasing barriers to accessing programs, counties support using the least restrictive qualifications for program approval to ensure streamlining eases burdens on both administrators and individuals.

By limiting counties’ ability to streamline these programs and extend SNAP eligibility to individuals and families, local governments may face an increase time spent in processing additional caseloads. Reduced program eligibility for federal benefits programs administered by counties could create an additional financial burden for county agencies, who may have to increase administrative capacity in the form of new personnel or data systems to respond to these requests.

Finally, this proposal comes at a time when counties are already facing increased demands as well as a growing number of restraints on revenue generation from states. In fact, nearly every state places some type of cap on property taxes, the main source of revenue for counties in most states. Additional financial strain from this proposal could hinder our ability to provide crucial services to our residents and communities.

Revisions to BCCE in SNAP may result in fewer residents accessing nutritional supports, and counties will likely see increased reliance on local agencies and services due to gaps created by less access to federal benefits.

Collectively, counties invest over \$140 billion annually in health and human services, playing a major role in providing public assistance to our residents. As providers of these social safety-net services, if the proposed changes to BCCE result in fewer individuals accessing SNAP benefits, counties will likely face increased demands for assistance from these individuals and their families.

Under the proposed rule, USDA estimates that more than three million individuals would lose SNAP benefits, the majority of whom include working families, seniors and individuals with disabilities. As a result, these individuals may turn to local food banks and county programs for assistance.

Finally, we are concerned with estimates that the proposed rule could result in an additional 500,000 children

losing eligibility for free school meals, given how BBCE interacts with other safety-net programs that relieves families from having to complete a separate application process. Losing access to free school meals could negatively impact the physical and mental development of children from low-income families.

Conclusion

In sum, counties are concerned that, if implemented, the BBCE proposal could create unintended consequences for local governments as we work to serve our communities. We remain committed to engaging with our federal partners toward a common goal of improving federal programs while also protecting the health and well-being of our residents.

We look forward to further substantive discussions with USDA leadership and staff regarding this proposal's suitability for advancing our shared goal.

Thank you for this opportunity to present the local perspective on USDA's proposal.

Sincerely,



Matt Chase
Executive Director
National Association of Counties

