

September 23, 2019

Certification Policy Branch  
SNAP Program Development Division  
Food and Nutrition Service, USDA  
3101 Park Center Drive  
Alexandria, Virginia 22302

RE: Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program RIN 0584-AE62

Dear Certification Policy Branch:

We take this the opportunity to comment in opposition to the U.S. Department of Agriculture's (USDA) proposed Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP). By eliminating broad-based categorical eligibility (Cat-EL), the proposed changes would reduce states' flexibility in administering SNAP, making it more difficult for millions of hungry Americans to access the food through the program and leaving 3.1 million SNAP recipients, including an estimated 500,000 children, at risk of hunger.

The Jewish Federations of North America (JFNA) is the umbrella organization for 146 Jewish Federations and 300 independent communities across North America. Our network of thousands of hospitals, aging and assisted living facilities, group homes, family service and vocational training agencies, kosher food banks and supplemental meal programs, and community centers and camps provide a full continuum of care for our nation's most vulnerable citizens – older adults, persons with disabilities, children and at-risk youth, and immigrants and refugees. Through private philanthropy and with the assistance of government support in a true public-private partnership, we serve more than one million clients in every state of the country, in Israel and more than 60 countries around the world.

The Network of Jewish Human Service Agencies (NJHSA) represents 140 non-profit human service organizations in the United States, Canada and Israel. NJHSA's members provide a full range of human services for the Jewish community and beyond, regardless of faith, background, ethnicity, and ability to pay. Services include supplemental food assistance, healthcare, career, and employment and mental health services, as well as programs for youth, family and seniors, Holocaust survivors, immigrants and refugees, people with disabilities, and caregivers.

The Jewish Council for Public Affairs (JCPA) is the national hub of the Jewish community relations network. Made up of 125 local community relations councils and 17 national Jewish agencies, JCPA serves as the national representative of the network's public policy platform. JCPA's mandate is to advance the interests of the Jewish people; to promote a just and pluralistic America; support Israel's quest for peace and security; and advocate for human rights around the world in common cause with civic, racial, ethnic, and faith-based leaders. Key among JCPA's policy priorities are combating poverty, expanding access to health care, and fighting hunger.

The Jewish community is particularly focused on SNAP because it plays a critical role in addressing hunger and food insecurity in our networks of communities. It is the first line of defense against hunger for hundreds of thousands of our Jewish agencies' lowest income clients. Further, Jewish text and tradition compel us to honor the dignity of every person, especially those who are struggling. Leviticus commands us to leave the corners of our fields and the gleanings of our harvest and vineyards for the poor and the stranger. This commandment is a clear expression of our collective responsibility for each other and that as Jewish organizations, we believe that no matter a person's circumstance, no one deserves to be hungry.

### **SNAP Lifts Low-Income Americans Out of Poverty**

SNAP plays an integral role in fighting food insecurity in our community and among those we serve and is a critical step in lifting low-income Americans out of poverty. According to USDA, 73.2 million people struggled to put food on the table in 2018. The Jewish community's philanthropy and network of human service agencies is committed to serving people in need, but we cannot match the role of government in assisting and supporting the one in eight Americans who live at risk of hunger. In fact, federal nutrition programs provide more than 10 times more food assistance than private congregations and charities.

Further, limiting SNAP would have broader effects on the community. Based on USDA Economic Research Service analysis, it is estimated that each \$1 in federal SNAP benefits generates \$1.79 in economic activity. Those dollars help many food retailers operating on thin margins to remain in business; something that improves food access for all residents.

### **Broad-Based Categorical Eligibility Allows States Flexibility to Serve those Most in Need, Including Older Adults and Individuals with Disabilities**

Cat-El is an option for states to calculate SNAP eligibility based on a family or individual's net income rather than gross income by taking into account major required expenses. In 2017, 42 states and territories used Cat El to ensure people have access to the food they need by raising asset and income limits on SNAP.<sup>1</sup> The elimination of Cat-EL would result in fewer people in need eligible to benefit from this life-sustaining program.

Eliminating Cat-El as an option for states would disproportionately affect older adults, individuals with disabilities, and children, groups that comprise a significant portion of our community and client base. Seventy-eight percent of SNAP households include a child, an elderly person, or a person with disabilities, with 84 percent of all SNAP benefits going to such households. These populations are both at a higher risk of food insecurity than the general population and also more likely to be eligible for SNAP due to Cat-El, which allows states to take into account net income rather than gross income so that applicants with higher incomes but costs such as shelter, utilities, and child care would be eligible.

The Jewish community has proportionately more older adults than the general community, with more than 25% of American Jews already over the age of 65, with the fastest growing

---

<sup>1</sup> United States Department of Agriculture, Food and Nutrition Service, Supplemental Nutrition Assistance Program, State Options Report as of October 1, 2017, Fourteenth Edition (May 31, 2018).

demographic being those over the age of 85. Jewish Federations, family agencies, Jewish community centers, and synagogues help this population fight food insecurity through food pantries and providing congregated and home-delivered meals. Nearly 8% of older adults were food insecure in 2017, a number that has more than doubled since 2001 and is only expected to grow."<sup>2</sup> As this number grows, more and more of these older adults will rely on SNAP and the resources of their local communities to support them. Limiting SNAP eligibility will only leave greater numbers of older adults without the safety net they need to support them as they age.

Additionally, serving the disability community is a high priority for the Jewish community. Compared to people without disabilities, people with disabilities and their families are significantly more likely to experience hunger and food insecurity. Similarly, people experiencing food insecurity have increased likelihood of chronic illness and disability. According to the Center on Budget and Policy Priorities (CBPP), 11 million people with disabilities of all ages received SNAP in 2015, representing roughly one in four SNAP participants.<sup>3</sup>

Individuals with disabilities may have increased savings that would put them over the gross income levels for SNAP eligibility, but Cat-El takes their added expenses required for their care into account and helps them gain access to food assistance programs for which they would otherwise be ineligible. Eliminating this option would have severe consequences for low-income people with disabilities to access food.

### ***Proposed Rule Eliminating Broad-Based Categorical Eligibility Should Be Rejected***

We strongly oppose the proposed rule that would leave 3.1 million Americans hungry. A majority of states use Cat-El to assess which applicants are truly in need of food assistance by taking into account savings and expenses like housing and child care. Eliminating this option will penalize low-income individuals who have even meager savings but use them on daily required expenses. Specifically, the proposed rule will disproportionately affect working families, older adults, and individuals with disabilities, representing the most vulnerable in our community and among those whom we serve.

Further, the Farm Bill recently passed by strong bipartisan margins and signed into law by President Trump explicitly rejected attempts to restrict states' flexibility in adjusting SNAP income and asset tests to meet the specific needs of their low-income populations. Congress recognized that SNAP plays a critical role in addressing hunger and food insecurity and that states must have flexibility in administering the program.

USDA has also not done a proper analysis of the true impact of this proposal on children and does not have sufficient data to draw a proper conclusion. Reports in the media and

---

<sup>2</sup> Ziliak and Gunderson (2019). *The State of Senior Hunger in America*. Chicago, IL: Feeding America.  
<https://www.feedingamerica.org/research/senior-hunger-research/senior>

<sup>3</sup> Carlson, Steven, Keith-Jennings, Brynne, and Chaudhry, Raheem (2017). *SNAP Provides Needed Food Assistance to Millions of People with Disabilities*. Washington, DC: Center on Budget and Policy Priorities.  
<https://www.cbpp.org/research/food-assistance/snap-provides-needed-food-assistance-to-millions-of-people-with>.

Congressional communications suggest a technical estimate that 500,000 children will lose eligibility for free and reduced price meals as a result of this proposed change, but we cannot provide comment on that because USDA has not included this estimate in their analysis of the impact of the rule.

The current rules governing states' flexibility in administering SNAP have been in place for 20 years. In that time, this system has proven to be reasonable and transparent. Cat-EL simplifies SNAP administration and reduces the complexity of the SNAP application process for states and households. In addition to leaving millions of Americans hungry, eliminating this policy will increase administration costs for states and organizations that assist individuals with the application process.

We strongly oppose the proposed rule that would increase hunger for the 3.1 million SNAP recipients and the estimated 500,000 children who would be impacted. This proposal would circumvent congressional intent as laid out in the recently-passed bipartisan Farm Bill reauthorization. Instead of policies that limit food assistance programs, USDA should focus on implementing the 2018 Farm Bill provisions and other measures that will help support the vast numbers of needy Americans.

Sincerely,

William C. Daroff  
Senior Vice President for Public Policy &  
Director, Washington Office  
Jewish Federations of North America

Reuben D. Rotman  
President & CEO  
Network of Jewish Human Service Agencies

David Bernstein  
President & CEO  
Jewish Council for Public Affairs