Congress of the United States
Washington, DC 20515

July 26, 2019

The Honorable Sonny Perdue
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave.
Washington, D.C. 20250

Dear Secretary Perdue,

We are writing to express serious concerns about the Department of Agriculture's proposed rule to eliminate broad-based categorical eligibility for the Supplemental Nutrition Assistance Program (SNAP). This proposed rule would remove access to food assistance for approximately three million people, including working families with children, veterans, seniors, and individuals with disabilities. We are disappointed that, once again, this Administration is attempting to circumvent congressional intent in the 2018 Farm Bill, which was signed into law with strong bipartisan support.

As members of the California delegation, we understand the critical importance of broad-based categorical eligibility, which provides states the ability to streamline benefits and adjust the gross income eligibility requirement to make SNAP more responsive to the needs of households. In California, individuals whose gross income exceeds the SNAP limit of 130 percent of the federal poverty line (FPL) but remains below 200 percent of the FPL can still be eligible for benefits. This state-level flexibility takes into account the reality that many families have disposable incomes that fall below the poverty line after subtracting substantial costs related to childcare, employment, medical costs and excessive housing expenses, leaving insufficient money in their spending budgets for food.

Households that meet a higher gross income test of 200% of the FPL must still qualify for a SNAP benefit based on their disposable income; but the flexibility around the FPL ensures low-income working families do not face a "benefit cliff," which would strip them of food assistance if their incomes rise only slightly. Without categorical eligibility, families in California – and around the country – could lose substantial SNAP benefits from just a small increase in household earnings that raise their gross income above 130 percent of the FPL, but not enough to meet their basic food needs.

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Along with creating stress for families who are working hard to elevate their economic status, this proposal would remove important incentives for low-income households to save for the future by preventing states from increasing or eliminating asset limits for SNAP. California has relied on categorical eligibility to eliminate the asset test for CalFresh, the state's program that administers SNAP benefits. Without the asset test, low-income working families in California are able to save money and move towards self-sufficiency without worrying that they will lose their SNAP eligibility. These modest assets allow low-income households to avoid debt and be prepared should they face an unexpected financial disruption.

We are also deeply concerned about the impacts of this proposal on our nation's school meals program. Eliminating broad-based categorical eligibility, which also helps connect children in SNAP eligible households to school breakfasts and lunches, would put tens of thousands of children across the country at risk of losing free school meals. The proposed rule would therefore substantially threaten crucial and cost-effective programs that help students find success in school and in life.

Categorical eligibility for SNAP has been an option used successfully by states for 20 years, and in that time, more than 40 states have adopted it to make SNAP more responsive to the needs of households, particularly working families. Also, within that time, Congress has had the opportunity to review the policy and has rejected proposals to change or repeal it. As members of Congress committed to an effective federal nutrition assistance program, we worked hard to pass a bipartisan Farm Bill that maintained states' ability to opt into broad-based categorical eligibility. We urge you to take into consideration the harmful effects of this proposed rule and act quickly to rescind it.

Sincerely,

Jimmy Panetta
Member of Congress

Barbara Lee
Member of Congress

Jim Costa
Member of Congress

Gilbert R. Cisneros
Member of Congress

Juan Vargas
Member of Congress

Jared Huffman
Member of Congress

Salud Carbajal
Member of Congress

Grace F. Napolitano
Member of Congress

Jimmy Gomez
Member of Congress

Ro Khanna
M.C.
Member of Congress

Mike Thompson
Member of Congress

Katie Hill
Member of Congress

Linda T. Sánchez
Member of Congress

TJ Cox
Member of Congress

Alan Lowenthal
Member of Congress

J. Luis Correa
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Anna G. Eshoo
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Eric Swalwell
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Norma J. Torres
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Jackie Speier
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Adam Schiff
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Mark DeSaulnier
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Katie Porter
Member of Congress

Lucille Roybal-Allard
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John Garamendi
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Pete Aguilar
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Scott Peters
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Karen Bass
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Mark Takano
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Maxine Waters
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Nanette Barragán
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Julia Brownley
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Josh Harder
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Harley Rouda
Member of Congress

Tony Cárdenas
Member of Congress

Judy Chu
Member of Congress