



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

November 1, 2019

VIA ELECTRONIC SUBMISSION

Office of Policy Support  
Food and Nutrition Service  
United States Department of Agriculture

Re: Notice of Proposed Rule Making -- Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP); Reopening of Comment Period RIN 0584-AE62, FNS-2018-0037

Dear Food and Nutrition Service:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) write in response to the re-opened notice of proposed rulemaking referenced above. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

As we said in our original comments on the proposed rule, we oppose these changes to the longstanding categorical eligibility rules for the Supplemental Nutrition Assistance Program (SNAP). The additional research provided by the Food and Nutrition Service (FNS) only proves the point in our prior comments that the proposal will negative impact food security and decrease self-sufficiency in complete contradiction with the fundamental purpose of the SNAP program. We urge the United States Department of Agriculture to withdraw this rule.

**The FNS study estimates that the proposed categorical eligibility rule will eliminate direct certification for free school meals for 982,000 children, jeopardizing the food security, health and well-being of these children without any justification.** Without SNAP certification, families will need to negotiate a new application process for free and reduced school meals and schools will have dramatically increased administrative costs. Neither of these new burdens are assessed by the FNS study. The analysis also fails to estimate how many of the 28,500 high-poverty schools who utilize community eligibility based on SNAP would lose that status due to the change, a question we raised in our original comments.

In addition, the new analysis and the notice in the federal register provides no additional justification for the change that the USDA proposes. As we said in our original comments on RIN 0584-AE62, the USDA estimates that 3.1 million people will lose access to food and states that “[t]he proposed rule may also negatively impact food security and reduce the savings rates among those individuals who do not meet the income and resource eligibility requirements for SNAP or the substantial and ongoing requirements for expanded categorical eligibility.”<sup>1</sup> The USDA clearly states that the purpose of SNAP is “providing nutrition benefits to supplement the food budget of needy families so they can purchase healthy food and move towards self-sufficiency.”<sup>2</sup> It is unclear how a proposal that will negative impact food security and decrease self-sufficiency meets the fundamental purpose of the SNAP program. This new analysis makes it clear that not just SNAP benefits, but also other food security programs will be impacted by the proposed rule.

The USDA’s attempt to remedy the flaws of the original proposal by releasing this study is completely insufficient. The concerns we raised in our original comments remain. **The USDA continues to lack the authority to make this change and this new FNS study simply confirms that the USDA has not done sufficient analysis of the proposal and has failed to consider the harms resulting from the proposal.** We again urge the USDA to withdraw the rule.

Sincerely,

American Association on Intellectual and Developmental Disabilities (AAIDD)  
American Council of the Blind  
American Dance Therapy Association  
American Diabetes Association  
ANCOR  
AUCD  
Autism Society of America  
Autistic Self Advocacy Network  
Center for Public Representation  
Children and Adults with Attention-Deficit/Hyperactivity Disorder  
Council for Learning Disabilities  
Council of Administrators of Special Education  
Council of State Administrators of Vocational Rehabilitation  
Disability Rights Education & Defense Fund  
Easterseals  
Epilepsy Foundation  
Institute for Educational Leadership (IEL)  
Justice in Aging  
Learning Disabilities Association of America

---

<sup>1</sup> *Supra* note 25.

<sup>2</sup> Department of Agriculture, *Supplemental Nutrition Assistance Program (SNAP)*, last accessed September 23, 2019, <https://www.fns.usda.gov/snap/supplemental-nutrition-assistance-program>.

Lutheran Services in America-Disability Network  
National Academy of Elder Law Attorneys  
National Alliance on Mental Illness  
National Association of Councils on Developmental Disabilities  
National Center for Learning Disabilities  
National Disability Rights Network  
National Down Syndrome Congress  
National Organization of Social Security Claimants' Representatives (NOSSCR)  
School Social Work Association of America  
SourceAmerica  
The Arc of the United States