



September 17, 2019

Dear Secretary Perdue,

The Society for Nutrition Education and Behavior (SNEB) submits this public comment to express our opposition to the elimination of broad based categorical eligibility (BBCE) in the Supplemental Nutrition Assistance Program (SNAP) as proposed in [RIN 0584-AE62](#).

Congress had intense deliberations leading up to the [2018 Farm Bill](#) regarding BBCE and ultimately rejected such a controversial change by a historic vote of 87-13 in the Senate and by 369-47 in the House of Representatives. Therefore, any final rule affecting BBCE could invoke a legislative response.

Actively involved in nutrition education and health promotion in school and community settings, our members have seen first-hand the tremendous administrative, food security, and health benefits of BBCE. [Since 2000](#), states have been permitted to use BBCE to align with the SNAP asset test or gross income eligibility thresholds with certain other non-cash means-tested programs. As explained by our Board member [Dr. Sheila Fleischhacker](#) in her forthcoming law review focused on SNAP in the *Journal of Food Law and Policy*, this flexibility allows states to grant automatic eligibility for families that receive TANF assistance and meet state-determined income limits. In fact, the [USDA Economic Research Service](#) found BBCE simplifies the application process for potential SNAP participants and reduces administrative costs, without significant increases in eligibility. Without question, SNEB knows this type of flexibility strengthens efficiencies at the state administrative level of USDA federal food and nutrition assistance programs; school level; and the customer level.

BBCE also provides households—particularly children and adolescents—with vital access to nutritious foods and beverages at home and school. A [2018 analysis](#) of these proposed participant eligibility changes estimated almost two million households would no longer be eligible for SNAP benefits or eight percent of those who participated in SNAP in fiscal year 2015. [Others](#) estimate more than three million Americans would be impacted and speculate more than 500,000 children's access to free USDA school breakfast and lunch would be jeopardized since children who live in households that receive SNAP benefits would no longer be directly certified or automatically eligible to participate in the USDA school meal programs.

Besides households, eliminating BBCE impacts a school's use of the [Community Eligibility Provision](#), which allows a school to offer free meals to all students without collecting meal applications based on the school area's SNAP eligibility numbers. The [USDA Economic Research Service](#) found high-poverty schools are most likely to adopt this provision – associated with significantly less administrative burdens on what are usually under-resourced schools.

Any issues with BBCE implementation should be fixed – not eliminated. We recognize the [US Government Accountability Office](#) stressed improved oversight of state implementation of BBCE is needed. We recommend the Department work with Congress, state agencies, schools, program participants, among other stakeholders to better address how best to implement BBCE.

Thank you for your consideration of our comments. Please contact me at president@sneb.org and 317-328-4627 if you would like to discuss our concerns further and alternative ways to strengthen the ability of federal food and nutrition assistance programs to address food security and strengthen its public health impacts.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer L. Wilkins".

Jennifer Wilkins, PhD, RD
President, Society for Nutrition Education and Behavior