**Template Comment on Proposed Standard Utility Allowance (SUA) Rule**

UPLOAD COMMENT HERE: <https://www.regulations.gov/comment?D=FNS-2019-0009-0001>

After you submit your comments, please send a copy to [andrew@cafoodbanks.org](mailto:andrew@cafoodbanks.org)

Date DUE BY DEC 2ND

SNAP Certification Policy Branch,

Program Development Division

Food and Nutrition Services

3101 Park Center Drive

U.S. Department of Agriculture

Alexandria, VA 22302

RE:   Proposal – Supplemental Nutrition Assistance Program: Standardization of State Heating and Cooling Standard Utility Allowances (RIN 0584–AE69)

Dear SNAP Certification Policy Branch,

[A sentence or two about your organization, its mission and the geographic area you serve].

[I/we]We take the opportunity to comment in opposition to USDA’s Proposed Rulemaking on the SNAP standardization of state heating and cooling standard utility allowances. The proposed changes would cause serious harm to our organization and our clients, increasing hunger and hardship for thousands of Californians, particularly seniors and people with disabilities. We urge the Department to withdraw this proposed rule.

SNAP is California’s first line of defense against hunger reaching nearly [4 million low-income Californians](https://www.cbpp.org/sites/default/files/atoms/files/snap_factsheet_california.pdf). Statewide, households participating in SNAP comprise a diverse demographic with more than 73% of SNAP participants in families with children, nearly 11% in families with members who are elderly or have disabilities and over 48% in working families. Under current law, SNAP takes into account the utility expenses of each SNAP household. States adjust household benefits based on a state-specific Standard Utility Allowance (SUA) calculated by the state and approved by USDA. The current policy allows variances in SUAs to accommodate for differences in utility costs, and allows states flexibility in how they calculate those costs.

Add a whole page about seniors and people who are disabled in your service area or personal stories about seniors or people with disabilities who are low-income.

The proposed rule would standardize and cap SUA calculations across the country based on survey data. The proposed rule does not adequately explain USDA’s rationale for capping the largest of the SUA components by calibrating to utility expense survey data for those no higher than the 80th percentile of low-income people and then capping other SUA components as well. The proposed rule merely asserts that it calculated calibrating to the 50th percentile compared to the 80th percentile. The proposed rule does not adequately explain whether USDA analyzed impacts calibrated to the 85th or higher percentiles and what the results of those estimates were. The lack of such explanation is particularly concerning given research documented that 21 states had SUAs exceeding the 85th percentile estimates, possibly because in their efforts to mitigate benefit loss for households with very high utility costs. In addition, the rule would prohibit states to vary SUA calculations by household size and geographical area.

USDA estimates that the proposal would cut SNAP benefits by $4.5 billion over five years nationally, with 19% of SNAP households experiencing a cut to benefits and 8,000 households losing SNAP eligibility entirely. USDA’s Regulatory Impact Analysis estimates the rule to reduce SNAP benefits for 25.61% of California households. Because of how SNAP benefits are calculated, under the proposed rule a disproportionate number of older adults and people with disabilities will lose some or all of their SNAP benefits. These households can utilize the uncapped Excess Shelter Deduction, and given the high shelter costs in California, these households will suffer greater benefit loss, or the loss of SNAP eligibility, in greater rates than the overall caseload. If the rule were to go into effect, it could dampen interest among SSI consumers not yet enrolled in CalFresh, crippling the promise of this historic policy opportunity to fight hunger among this population.

[Older adults](https://www.sciencedirect.com/science/article/pii/S2214629618309629?via%3Dihub) and [people with disabilities](https://www.ncbi.nlm.nih.gov/pubmed/28501322) already face higher utility and living costs than the general populations, such as medical equipment needed to during an emergency like motorized wheelchairs, breathing apparatus or other life-saving devices. Maintenance on necessary transportation such as a wheel chair to modifying housing in order to be accessible, or to see a medial specialist range from $1,000 to $7,000 annually beyond the general population.

These disproportionate utility costs are most acute during disasters, when the proposed rule’s consequence would be the direst, a lesson learned by lawmakers when [a 67 year-old adult who relied on a continuous positive airway pressure machine died](https://www.latimes.com/california/story/2019-10-11/pge-power-outage-elderly-man-autopsy-heart-disease) just 12 minutes after their utility shutoff in response to dangerous weather. In fact, [the California Office of Emergency Services Access & Functional Needs Assessment](https://www.caloes.ca.gov/cal-oes-divisions/access-functional-needs) officially acknowledges that, “virtually all incidents disproportionately affect individuals with access and functional needs (AFN) (i.e. people with disabilities, seniors, children, limited English proficiency, and transportation disadvantaged)” who don’t have money to purchase a generator. For low-income older adults and people with disabilities, the cost of back-up power equipment will be even harder to afford and less likely to be considered in the state SUA if the proposed rule diverts precious resources to food.

Older adults and people with disabilities in rural communities will be particularly impacted, for a number of reasons at the nexus of harm this rule would cause. California’s rural areas have [disproportionately high utility costs](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/About_Us/Organization/Divisions/Policy_and_Planning/PPD_Work/PPD_Work_Products_(2014_forward)/California%20Regions%20Final.pdf), are home to [California’s largest households](https://www.indexmundi.com/facts/united-states/quick-facts/california/average-household-size#chart), and are also where some of the state’s deepest [food deserts](https://www.centerforhealthjournalism.org/2019/03/14/california-s-far-north-vast-food-desert-makes-hungry-kids) exist. Yet, rural communities are already some of the hardest for to serve, as we face the greatest transportation costs, limited local partners and volunteers, and other barriers.

Simply put, the rule will undermine [SNAP’s proven ability to reduce poverty in California](https://www.ppic.org/publication/the-calfresh-food-assistance-program/). We strongly oppose the arbitrary and capricious proposed rule that would take food assistance from more than a million low-income Californians, particularly older adults and individuals with disabilities. The proposed rule will fuel rates of hunger and hardship among our most vulnerable Californians, and we urge the administration to withdraw this harmful rule.

Sincerely,

YOUR SIGNATURE

YOUR NAME

YOUR TITLE