**ON LETTERHEAD**

**Instructions**: Comments must be submitted by December 2, 2019. You can submit your comments through the federal register or use the Food Research and Action Center’s [online comment portal](http://bit.ly/SNAP-utilities). We ask that you modify the language you use in your comments to reflect your own thoughts and experiences so that each submitted comment counts as a unique comment.

For help or to have WCLP review your comments before submission, please email Jessica Bartholow at [jbartholow@wclp.org](mailto:jbartholow@wclp.org) or Helen Tran at [htran@wclp.org](mailto:htran@wclp.org). Please also send us a copy of your letter.

[Date – Due on December 2, 2019 – But please aim to send 1 week prior]

SNAP Certification Policy Branch,

Program Development Division

Food and Nutrition Services

3101 Park Center Drive

U.S. Department of Agriculture

Alexandria, VA 22302

Re:  Notice of Proposed Rule Making Regarding Supplemental Nutrition Assistance Program Standardization of State Heating and Cooling Standard Utility Allowances -- RIN 0584-AE69

Dear SNAP Certification Policy Branch:

Thank you for the opportunity to comment on the United States Department of Agriculture’s (USDA) Notice of Proposed Rule Making (NPR), the “[Supplemental Nutrition Assistance Program (SNAP): Standardization of State Heating and Cooling Standard Utility Allowances](https://www.regulations.gov/document?D=FNS-2019-0009-0001) (SUA), published in the federal register on October 3, 2019. Specifically, we are asking that the NPRM be withdrawn.

[FILL IN INFORMATION ABOUT YOUR ORGANIZATION] organization is an \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ organization based in \_\_\_\_\_\_\_\_\_\_. Our mission is to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. As a legal services provider in California, home of one in twelve SNAP recipients,[[1]](#footnote-1) we know how important the program is to our clients who struggle every day to alieve hunger while living in poverty. Please write 1 page in total about who you serve, include stories and statistics.

SNAP is the first line of defense against hunger for over 3.8 million low-income Californians and 40 million Americans. [Insert information about SNAP participation in your county. See your county’s data at <https://www.cdss.ca.gov/inforesources/Data-Portal/Research-and-Data/CalFresh-Data-Dashboard> or on FRAC’s Website: <https://www.frac.org/research/mapping-tools>].

Benefit levels for SNAP are targeted, adjusting based on income and household expenses, which vary by state. Under current law, SNAP takes into account these expenses, including the costs of utilities for each SNAP household, to better reflect participant’s true cost of living and to more accurately assess their food assistance needs. For utilities, states adjust household benefits based on a state-specific SUA, calculated by the state and approved by USDA. The current policy allows variances in SUAs to accommodate for differences in utility costs and rates, and allows states necessary flexibility in how they calculate those costs.

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.

Our organization strongly opposes the changes proposed by USDA to alter the methodology for calculating standard utility allowances, because of the significant harm the change would inflict on California’s SNAP Program participants. According to the Department’s own estimates, the proposed rule would lower monthly SNAP benefits for 25 percent of participating California households; disproportionately harm seniors and people with disabilities; and cause a national net cut to SNAP benefits, amounting to $4.5 billion over five years. We do not believe that the Administration's estimates take into account the full range of harm caused by the proposed policy. While better and more recent data is needed to accurately estimate the rule’s impact on California, it is clear that USDA’s proposed cuts would have harmful impacts on the health and well-being of Californians and our economy while exacerbating the existing struggles many low-income Californians face in paying for food and utilities.

[Insert an explanation about why the proposed rule would make your work & work of your partners more difficult for you. Share the expertise you have on the issues raised within the proposed rule.]

This USDA rulemaking is yet another attempt for the Administration to side step Congress and make cuts to SNAP benefits. Although the President’s FY 2019 Budget included a request for a change similar to the proposed rule [https://www.obpa.usda.gov/32fns2019notes.pdf], Congress did not include such a change in the 2018 Farm Bill or in Appropriations Bills. In fact, evening out benefit amounts across states by lowering benefits for large numbers of participants does not promote and instead undermines SNAP’s statutory purpose.

USDA should be strengthening the hunger-prevention potential of SNAP, not underminingin the ability of the program to address high rates of hunger in our country. [Name of Organization] strongly opposes the proposed rule and requests the USDA withdraw the rule.

Sincerely,

Name, Title, Organization

1. Center on Budget and Policy Priority SNAP State Factsheet: <https://www.cbpp.org/sites/default/files/atoms/files/snap_factsheet_california.pdf> [↑](#footnote-ref-1)