

August 22, 2024

Chairman G.T. Thompson
House Committee on Agriculture
1301 Longworth House Office Building
Washington, DC 20515

Ranking Member David Scott
House Committee on Agriculture
1301 Longworth House Office Building
Washington, DC 20515

Dear Chairman Thompson and Ranking Member Scott,

The American Public Human Services Association (APHSA) is the bipartisan, nonprofit membership association representing state, county, and city human services agencies, supporting both executive level staff and their subject matter experts leading human services programs including SNAP. Our members are experts in the day-to-day operational and administrative requirements of implementing SNAP and know what is required to implement policy and system changes to the program. We worked closely with two of our affinity groups, the American Association of SNAP Directors (AASD) and the National Association for Program Information and Performance Measurement (NAPIPM) to develop these positions, in addition to incorporating perspectives from leaders across human services in policy, technology, legal, workforce development and training, nutrition education, and outreach.

This document serves as APHSA's response to **H.R. 8467, the Farm, Food, and National Security Act of 2024**, the introduced House of Representatives' Farm Bill reauthorization. Over the past 18 months, APHSA has engaged extensively with our members to develop our priorities and recommendations for the next Farm Bill. We reviewed the House provisions in close coordination with our members to develop the positions outlined in this letter. There are diverse perspectives within our membership, and we support state flexibility in creating a SNAP program that works best for the unique needs of their state. Our response reflects general consensus across our members in moving SNAP toward becoming a more effective, resilient, and customer-centered program. These positions build upon our previously released priorities for the next Farm Bill, detailed in our [Roadmap](#), which provide a foundational perspective of what we believe are necessary changes to move toward a program that better supports families and communities in reducing food and nutrition security and promotes economic stability and mobility.

In this document, we present our positions in a structured format, divided into sections reflecting areas of support and opposition. We have focused on the provisions that hold the greatest potential impact for our members and the communities they serve and have organized the sections to start with those positions most impactful. We approached this analysis with a commitment to bipartisanship and a focus on practical solutions that enhance program efficiency and accessibility.

We look forward to continuing to partner with both the House and Senate Committees on Agriculture to support a bipartisan passage of the Farm Bill in the near future. For further information or discussion on APHSA's positions, please contact Matt Lyons, Senior Director of Policy & Practice at mlyons@aphsa.org, or Chloe Green, Manager of Food and Nutrition Services, at cgreen@aphsa.org.

Sincerely,



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Areas of Support

Provision	APHSA Rationale
<p>Exclusions from Income and Resources <i>Section 4103(b)</i> <i>This provision would disregard subsidized income from SNAP Employment & Training and similar state and federal programs from counting toward households SNAP eligibility and benefit level.</i></p>	<p>Disregarding income SNAP participants receive through participation in evidence-based work-based learning programs that satisfy SNAP work requirements as defined in 7 U.S.C. 2015(o)(1) helps promote E&T participation; it removes early benefit cliffs that would put their SNAP benefits at risk. E&T participation supports individuals in gaining new skills and accessing opportunities for meaningful employment, bolstering individuals' likelihood to earn family-sustaining wages. To learn more about APHSA's recommendations and support on this specific provision, read our policy brief, "Navigating the SNAP Cliff (Part 1): Building Bridges to Scale High Impact SNAP E&T Programming."</p>
<p>SNAP Employment and Training Provider Service Referrals <i>Section 4105</i> <i>This provision would allow for the use of non-merit staff to provide screening and referrals in SNAP E&T.</i></p>	<p>Currently, SNAP applicants/participants can only be formally referred to SNAP E&T programs by state-agency-employed SNAP caseworkers; this screening typically occurs during an initial SNAP interview. Currently, SNAP E&T providers are explicitly not allowed to make referrals or determine fitness for specific employment and training services, even though they are the ones best suited to understand the appropriateness of any given referral. This provision would allow state agency personnel and contracted organizations not involved in the certification process, such as E&T program specialists and SNAP E&T third-party partners, to determine the appropriateness of, and to make, SNAP E&T referrals; these staff are experts in understanding employment and training needs for SNAP recipients. This change will streamline service delivery to SNAP E&T participants and empower state agency personnel and contracted organizations to help connect SNAP participants to employment and training program components and opportunities where they will have the best opportunity to succeed.</p>
<p>SNAP Staffing Flexibility <i>Section 4111</i> <i>This provision would permit non-merit staff to provide any program certification function in SNAP.</i></p>	<p>APHSA continues to support offering states greater flexibility to use non-merit, contract staff to perform necessary eligibility and certification functions in SNAP. Across the country, state and local agencies continue to struggle to hire, train, and retain staff at a pace that is necessary to meet and sustain federal requirements around application processing timeliness and Quality Control reviews, while continuing to make investments in improving technology and program access. This flexibility for the use of non-merit staff will provide crucial capacity to states at critical times when support is needed.</p>

	<p>However, APHSA recommends amending the language of this provision to allow non-merit staff to support program certification functions up until, but not including, eligibility determination. We believe merit state employees should be required to make a final determination to maintain the integrity of the program. Furthermore, we support additional flexibility, beyond what is allowable for non-merit staff, for Robotic Processing Automation (RPA) that supports eligibility and certification functions, including certain tasks that may be considered eligibility determination.</p>
<p>Public Comment on Quality Control Guidance</p>	<p>The FNS 310 Quality Control (QC) Handbook outlines how QC reviews must be done across the country and has been acted upon with the same level of enforcement as federal regulation. However, the annual Handbook review process does not currently go through the regulatory process, and the process lacks transparency that would allow for meaningful feedback from multiple parties. APHSA strongly supports a more transparent process that this provision would create, while still allowing FNS the ability to make immediate changes in specific circumstances. To learn more about APHSA's recommendations to support payment accuracy, read our policy brief, "Payment Error Rates: Understanding What They Are and How to Support SNAP Agencies in Reducing Them."</p>
<p><i>Section 4115</i> <i>This provision would require that changes to the QC 310 Handbook go through a public comment period before incorporation.</i></p>	
<p>Elderly Simplified Application Program</p>	<p>The Elderly Simplified Application Project (ESAP) has proven to be a supportive tool for SNAP households with elderly and disabled members – supporting increased enrollment and decreased churn by reducing administrative hurdles for populations that experience minimal to no fluctuations in income. APHSA endorses moving ESAP to a permanent state option, which would allow more states to adopt and offer this flexibility to households, and would reduce the administrative burden that is required of states currently participating in the demonstration project. To learn more about APHSA's support and recommendations for ESAP, read our policy brief, "Supporting Elderly and Disabled Members of Our Communities by Simplifying SNAP."</p>
<p><i>Section 4125</i> <i>This provision would establish the Elderly Simplified Application Project (ESAP) as a permanent state option instead of its current demonstration project form.</i></p>	
<p>Modification of State Plan Requirement</p>	<p>The National Directory of New Hires (NDNH) has consistently been a concern for state agencies because they are required to use and pay for this data, yet the provided data is often 3 to 6 months old and is thus not recent enough to be truly helpful in determining SNAP eligibility. In turn, states are paying large contract fees and dedicating staff time to use this data with very little return on investment.</p>
<p><i>Section 4127</i> <i>This provision would remove the requirement of SNAP agencies to use the National Directory of New Hires (NDNH).</i></p>	

	<p>At the same time, states are making investments in other areas, such as using more reliable third-party income verification tools and onboarding the National Accuracy Clearinghouse (NAC) to improve their wage and eligibility data sources. By removing the requirement for NDNH, these additional resources can further go toward investment on promising tools.</p>
<p>Exclusions from Income and Resources <i>Section 4103(a)</i> <i>This provision would increase the oldest age, from 17 to 21, at which a household member's income who is also enrolled in secondary school is not countable toward household eligibility.</i></p>	<p>Currently, when an individual in a household turns 18, any income they earn becomes countable to their household's SNAP eligibility. This is challenging for young people who are pursuing secondary education to work toward their own economic mobility and forces them to make difficult decisions between working to support themselves and harming the ability for their family to receive needed support through SNAP. APHSA supports this provision to increase this age limit to support young people in continuing to pursue both secondary education and work, without threatening their family's benefits.</p>
<p>Repeal of Denial of Benefits for Certain Drug-Related Convictions <i>Section 4122</i> <i>This provision would remove the current option to deny SNAP benefits to those with a prior drug felony conviction.</i></p>	<p>Current statute allows states to create lifetime or modified bans on SNAP eligibility for people who have been convicted of a drug-related felony. APHSA supports removing this ban so that people who have already completed the requirements of their conviction can go on to receive SNAP benefits to support themselves and their families by putting food on the table. When basic needs such as groceries can be taken care of, people have more time to focus on other steps that are needed for successful re-entry after incarceration. SNAP enrollment also supports individuals in connecting to meaningful employment and training opportunities, which will further prevent recidivism.</p>
<p>Earned Income Deduction <i>Section 4104</i> <i>This provision would increase the earned income deduction in SNAP benefit calculations from 20 to 22%.</i></p>	<p>Many people who receive SNAP are also working and earning income. The earned income deduction reduces the amount of their income that is used to calculate their SNAP benefit level because it takes into consideration the additional costs that individuals take on when they are working. APHSA supports an increase in the deduction percentage because it further incentivizes individuals to continue working and earning income, while helping to mitigate steep benefit cliffs that households may experience.</p>
<p>Residents of Institutions <i>Section 4123</i> <i>This provision would allow state agencies to adopt a policy option to allow incarcerated individuals within 30</i></p>	<p>Several states currently have "Pre-Release" waivers to allow individuals who are incarcerated to submit SNAP applications up to 30 days before their scheduled release, in the hopes that it would result in individuals having their SNAP cards with benefits loaded upon their release. This provision would grant states a</p>

<p><i>days of release to be eligible for SNAP benefits.</i></p>	<p>permanent state option to allow any individual within 30 days of their scheduled release to be eligible for SNAP. APHSA is supportive of a state policy option that would assist in individuals receiving their benefits as soon as possible upon their release to contribute to easing the re-entry process for individuals.</p>
<p>National Academies of Sciences, Engineering, and Medicine Study and Report</p>	<p>APHSA is supportive of a study to further understand the potential of permitting SNAP benefits to be used to purchase hot and prepared foods, as is currently allowed in Disaster SNAP (D-SNAP) programs. There remain questions within our membership about the administrative logistics of allowing hot food purchases, and what new retailers this would bring into SNAP. We are also interested in learning more about what this does to support people in their food and nutrition security, and how it may impact their ability to feed their families.</p> <p>Given these questions, in addition to this proposed study we recommend that there be a qualitative component to the research that interviews SNAP participants themselves to adequately assess the efficacy of the program.</p>
<p><i>Section 4129</i> <i>This provision directs NASEM to carry out a study to assess efficacy of allowing SNAP benefits to purchase hot and prepared foods.</i></p>	
<p>Public Availability of State Plans</p>	<p>State SNAP agencies view their state plans as public information and are supportive of FNS sharing their full SNAP administrative plans, as well as their program plans such as for SNAP Education, Outreach, and Employment & Training, in a publicly accessible manner.</p>
<p><i>Section 4109</i> <i>This provision would require that FNS make all SNAP state agency plans publicly available.</i></p>	
<p>Nutrition Education</p>	<p>APHSA supports expanding the definition of allowable partners to contract with and adding to the list of groups that must be consulted with for SNAP-Ed guidance. These additional partners and collaborators will help increase the reach and impact of SNAP-Ed.</p> <p>APHSA further recommends that SNAP-Ed grantees and SNAP-Ed participants also be added as required groups to consult with on SNAP-Ed guidance. Both SNAP-Ed grantees and participants will be directly impacted by changes in guidance and can bring the lived experience perspective of both having to follow guidance and barriers or facilitators to participating in SNAP-Ed activities.</p>
<p><i>Section 4120(1)(A) and (1)(C)</i> <i>These provisions would expand who state agencies can contract with to deliver nutrition education by adding nonprofit organizations, schools, and Reserve Officers' Training Corps as allowable contractors; and expands who USDA must consult with on SNAP-Ed guidance by adding healthcare practitioners, community health workers, and educators and required consultation groups.</i></p>	

Areas of Opposition

Provision	APHSA Rationale
<p>Tolerance Level for Payment Errors <i>Section 4114</i> <i>This provision would establish a \$0 tolerance threshold for SNAP payment errors.</i></p>	<p>APHSA strongly opposes removing or lowering the tolerance threshold for SNAP Quality Control (QC) payment errors and believes such a policy reflects a significant misunderstanding of SNAP QC and policy rules. The current tolerance threshold exists because SNAP QC reviews follow different verification processes than when caseworkers perform eligibility and benefit determinations. These differences result in inevitable, small variations between the two calculations. By creating a \$0 tolerance threshold, every state agency will have excessively high payment error rates, creating undue financial hardship on states and distracting from the important work of resolving real payment errors that need to be addressed.</p> <p>At a time when states across the country are battling with high error rates, we need to be focusing on ways to support them in their efforts to improve program integrity – not adding more tasks to their plate that take more time with little return on investment. To learn more about APHSA’s recommendations to support payment accuracy, read our policy brief, “Payment Error Rates: Understanding What They Are and How to Support SNAP Agencies in Reducing Them.”</p>
<p>Thrifty Food Plan <i>Section 12401</i> <i>This provision would limit future changes to the Thrifty Food Plan by requiring cost neutral, preventing re-evaluation more than every 5 years, and requiring a public comment period on proposed changes. It would also add changes to include rural parts of Hawai’i in their TFP calculation, and require that Guam and the Virgin Islands have lower benefit levels than the 50 states and DC.</i></p>	<p>APHSA supports the need for increased transparency in the Thrifty Food Plan (TFP) calculation and is supportive of the requirement of a public comment. Furthermore, APHSA would support a requirement to create a bipartisan panel of experts to consult on any future re-evaluation of the TFP. However, APHSA opposes an arbitrary limit to the amount, and thus the accuracy, in which the TFP can change in future re-evaluations. The TFP is intended to reflect the cost of groceries for families with low income across the country, and APHSA believes that there should be flexibility to re-evaluate that benefit level to best reflect and adapt to food price changes and economic and social realities that contribute to the cost of purchasing and preparing food in the future. Using this same rationale, APHSA supports including rural parts of Hawai’i in the TFP calculation to more accurately reflect the experiences of people across the state, and opposes arbitrary limitations to benefit levels for any of the US territories.</p>

<p>Amendment to Consolidated Appropriations Act, 2023</p>	<p>APHSA recognizes the need for continued investment and dedication to improving EBT security measures to prevent skimming and stolen benefits. However, this provision would cause significant increased burden for state SNAP agencies, and we believe would have a minimal return on investment for protecting the integrity of the program. There are several reasons why someone may regularly purchase groceries in a state other than their state of residence, such as if they live close to the border of another state or spend significant parts of the year in another state, such as to visit or care for family members. Furthermore, online SNAP purchases frequently show up as being made in a different state than their state of residence. To implement this policy, states would likely have to make changes to their eligibility systems and dedicate significant staff time to monitor and evaluate for this provision, all of which are costly changes within their program and detract attention from other EBT modernization activities that would have a greater impact on combatting fraud.</p>
<p><i>Section 4126</i> <i>This provision would require states to suspend SNAP accounts that haven't been used in the state of residence for 90 days.</i></p>	
<p>Prohibition on Benefit Redemption by Owners of Retail Food Stores</p>	<p>Similarly to the rationale just above for Section 4126, this provision to prohibit households from using SNAP benefits at a store that they, or a household member, own would create more administrative burden and have a minimal return on protecting the integrity of the program. SNAP retailer approval and regulations are managed at the national level, and not by individual state SNAP agencies. There is no current record in SNAP cases whether someone in the household owns a SNAP-authorized retail store, and states are not able to turn off access to cards at specific retailers without special approval from the FNS national office. To implement this policy, states would likely need to change their application and interview process to add this question and develop new system requirements to monitor for this and block individual cards at individual stores on a case-by-case basis.</p>
<p><i>Section 4107</i> <i>This provision would prohibit someone who owns or is a member of a household that owns a SNAP-authorized retail store from using their SNAP benefits at that store.</i></p>	
<p>Office of Program Integrity</p>	<p>APHSA's Farm Bill recommendations support the creation of a national Technical Assistance Center housed at FNS National Office to support state agencies in root cause analysis and create unbiased feedback loops between states and FNS to understand where further guidance and support is needed to reduce payment error rates. While our proposed TA Center would focus on providing direct support to states and analyzing root causes of errors, this Bill's proposed Office of Program Integrity does not mention either of these as a focus area. Instead, the Office of Program Integrity would focus solely on waste, fraud, and abuse at the Federal level. These proposed focuses, as written, do not seem to provide any</p>
<p><i>Section 4116</i> <i>This provision would create an Office of Program Integrity within FNS and direct it to work closely with OIG on managing fraud, waste, and abuse in FNS programs.</i></p>	

	<p>direct support or technical assistance to states, which is what we most consistently hear from our members as what is needed to improve their payment accuracy. To learn more about APHSA’s recommendations to support payment accuracy, read our policy brief, “Payment Error Rates: Understanding What They Are and How to Support SNAP Agencies in Reducing Them.”</p>
<p>National Accuracy Clearinghouse <i>Section 4110</i> <i>This provision would make significant changes to the NAC by adding many new data pieces to be required in the collection, removing existing safeguards, and requiring a new Interim Final Rule to be released within 6 months of enactment and a new first match to be within 12 months of enactment.</i></p>	<p>While APHSA acknowledges that FNS has delayed the National Accuracy Clearinghouse (NAC) rollout far beyond its original intent, we have strong concerns about this provision and believe it would significantly reset the progress made thus far on the NAC. Although only five states have officially launched with NAC, every state has made a commitment to launch by the end of 2026 and are actively planning and putting together the system requirements for this current version of the NAC to be on track for their committed launch time. Enacting a new program in a way that is sustainable and effective in reducing burden for state agency staff and households takes years, and we need to support states in continuing to make progress rather than making them restart to go faster. Once all states have launched NAC and have a few years of implementation underway, Congress should re-evaluate if any changes are needed to the requirements of the program.</p>
<p>Nutrition Education <i>Section 4120(3)</i> <i>This provision would require that FNS release a report with recommendations to Congress on how to unify SNAP-Ed with EFNEP.</i></p>	<p>APHSA’s Farm Bill recommendations included recommending that FNS prepare a report for Congress about opportunities to better align federal nutrition programs, including across SNAP Nutrition Education (SNAP-Ed) and the Expanded Food and Nutrition Education Program (EFNEP). We believe there is great potential in stronger alignment of the programs to deepen impact in communities and better utilize resources, but we maintain that the programs have unique roles and should not be unified. SNAP-Ed has a broader role in supporting communities through Policy, Systems, and Environmental Change work, while EFNEP focuses on deep, but narrow nutrition education work. Both are important and critical to improve food and nutrition security.</p>
<p>Nutrition Education <i>Section 4120(1)(F)</i> <i>This provision would require that SNAP-Ed project recipients use at least 5% of their funds for process and impact evaluation.</i></p>	<p>State SNAP-Ed programs already allocate a significant percentage of their funding to evaluation, especially with recent implementation of the National Program Evaluation and Reporting System (N-PEARS). State agencies are deeply concerned about adding an additional requirement for their grantees to track exactly how much of their budget is going toward evaluation as it adds additional administrative burden. As the program becomes more burdensome to</p>

	<p>operate, states are concerned that smaller and less-resourced organizations may no longer be able to operate as grantees or will not want to apply in the future, and these smaller organizations are often those most embedded in communities and dedicated to serving harder to reach populations. We recommend that Congress allow FNS and state agencies to have a full 3-5 years of implementing N-PEARS to better understand how process and impact evaluation are already being tracked, and then re-evaluate if further requirements for evaluation are needed.</p>
<p>Nutrition Education <i>Section 4120(2)(C)</i> <i>This provision would obligate \$521 million for SNAP-Ed in FY2024, and would continue to adjust this each year based on the Consumer Price Index.</i></p>	<p>APHSA opposes limiting the SNAP-Ed national allocation to increases only based on the Consumer Price Index. Instead, APHSA suggests that the national calculation for SNAP-Ed funding include a factor for how many people are eligible for SNAP-Ed nationwide to allow for the program to expand with need in the same way that the SNAP program does overall.</p>