

**A RESOLUTION SUBMITTED BY  
LEGISLATORS MEYERS, JOHNSON, BASKIN, BRUSO AND CHIMERA**

**Re: Opposition to Trump Administration Cuts to the Supplemental Nutrition Assistance Program**

**WHEREAS**, on July 24, 2019 the US Department of Agriculture proposed rules changes that would end access to the Supplemental Nutrition Assistance Program (SNAP, formerly known as Food Stamps) for approximately 3.1 million people across the country, including at least 14,679 recipients in this area; and

**WHEREAS**, the proposed change, called "Revision of Categorical Eligibility in the SNAP", would end the New York State Office of Temporary and Disability's existing ability, as administered through county social services districts, to give SNAP benefits to families with income of more than 130% of the federal poverty level (\$33,000), and rather, make SNAP recipients prove they are receiving other federal welfare benefits that show they are poor in order to continue receiving SNAP; and

**WHEREAS**, currently, states use a process called "broad-based categorical eligibility" to allow families getting other assistance to receive some SNAP benefits even if their incomes are as high as 200% of the poverty level, as long as they have other expenses that cut their net incomes below a certain level. States prefer that option because it gives them flexibility to help families that have fluctuating incomes and still have trouble buying food; and

**WHEREAS**, while the Trump Administration has called their rule change ending broad-based categorical eligibility a way to stop waste and abuse in the system, local food advocates such as FeedMore WNY, which runs the Buffalo area food bank and Meals on Wheels program, said the rule change would make it very hard for working families, seniors and persons with disabilities to access the nutrition and food that they need; and

**WHEREAS**, advocates for the poor and needy have stated that the people losing SNAP benefits under the rule change are the working poor, most of them families with young children who work at one or more low-wage jobs, and who earn just above the already-low federal poverty level of \$25,750 for a household of four persons; and

**WHEREAS**, the current program also automatically qualifies 265,000 schoolchildren for free lunches but under the administration's proposal, those children would have to apply separately to continue to get those meals, and many families will either not be aware of the change and not apply or may not be granted eligibility; and

**WHEREAS**, the negative effects of the rule change would also extend to senior citizens by re-imposing an asset limit test for the program in which families with any members over the age of 60 would be disqualified from the program if they had more than \$3,500 in cash assets, while all other families would lose their benefits if their cash assets exceed \$2,250 – meaning that any seniors or families with a modest amount of money in the bank for emergencies, for

saving to buy a vehicle to get to work, or, for instance, for funeral planning, would also be disqualified from receiving SNAP; and

**WHEREAS**, these rule changes could lead to 14,679 persons in Erie and Niagara counties losing their SNAP benefits; and

**WHEREAS**, the rule change appears to deliberately circumvent legislative approval by the Congress, which established and appropriates funding for SNAP based on the existing rules and expectations on eligibility and income and which rejected in 2018 a similar attempt to reduce benefits; and

**WHEREAS**, the Department of Agriculture is holding a public comment period through September 23, 2019 before implementing the rule change and it is important for this Honorable Body to go on record on this matter.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature expresses its concern and opposition to the US Department of Agriculture's (USDA) proposed rule "Revision of Categorical Eligibility in the SNAP" and urges USDA and the Trump Administration to reconsider and withdraw this proposal which will hurt working families, the working poor, and senior citizens who rely on and utilize federal food assistance; and be it further

**RESOLVED**, that certified copies of this resolution be transmitted to the President, to the Secretary of the US Department of Agriculture, to the Federal Register (via [regulations.gov](https://www.regulations.gov) - <https://www.regulations.gov/document?D=FNS-2018-0037-0001>) the Governor, the Commissioner of the New York Office of Temporary and Disability Assistance, the County Executive, the Commissioner of Social Services, and FeedMore WNY.

**Fiscal Impact:** None for this resolution.