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ATTORNEY GENERAL RAOUL URGES USDA TO REMOVE BARRIERS THREATENING SNAP BENEFITS DURING PANDEMIC

Chicago — Attorney General Kwame Raoul today joined a coalition of 21 states and New York City in urging the federal government to permit states to expedite the distribution of Supplemental Nutrition Assistance Program (SNAP) benefits to residents during the COVID-19 pandemic.

[In a letter](#) to the Food and Nutrition Service (FNS) of the U.S. Department of Agriculture (USDA), Raoul and the coalition make clear that adjustments to administering SNAP – like allowing virtual interviews with SNAP recipients and extensions on reporting deadlines – help tens of thousands of SNAP recipients receive food assistance by allowing states to safely and efficiently recertify eligibility and process applications. While the FNS approved these waivers at the beginning of the pandemic, the agency has recently started denying some requests without sufficient explanation. Raoul and the coalition urge the federal government to provide guidance on what is required for approvable waivers, to expand the flexibility of waiver options, and to continue granting waivers during the COVID-19 pandemic.

“The SNAP program helps to ensure that families in need have access to nutritious meals, which is particularly critical during the COVID-19 pandemic,” Raoul said. “As a result of the pandemic, hunger is affecting more Americans – some who have not previously experienced food insecurity – and I urge the federal government to take steps to ease burdensome requirements to allow states to expedite the delivery of this vital service to residents.”

SNAP, commonly known as “food stamps,” is the country’s most important anti-hunger program and a critical part of federal and state efforts to help lift people out of poverty. The program provides people with limited incomes the opportunity to buy nutritious food that they otherwise could not afford.

In March 2020, as states began declaring public health emergencies, the FNS approved waiver requests that helped ease regulatory burdens on state SNAP agencies so they could focus their resources on issuing SNAP benefits even as caseloads drastically increased and state budget constraints prevented the agencies from hiring additional personnel. These waivers included allowing virtual interviews with SNAP recipients instead of requiring in-person meetings and providing extensions on reporting deadlines.

However, in a move to return to pre-pandemic operations, the FNS recently told states that waivers would be approved only on more limited bases. The criteria for obtaining waiver approvals appears to have become increasingly strict, and it is unclear how the FNS is evaluating these criteria for states applying for a waiver. A lack of clear, public guidance on the criteria and the FNS’ lack of explanation for denials have left some states scrambling to formulate requests. Without waivers, states cannot process large backlogs of applications and eligibility recertifications in time to prevent families from temporarily losing benefits.

Raoul and the coalition urge the FNS to help states secure longer-term waivers by:

- **Posting clear guidance and criteria for how waivers are approved:** The FNS has not posted guidance on its website about what information states should include in waiver requests despite being required to do so by the Families First Coronavirus Recovery Act, enacted in March 2020. Without this guidance, states cannot easily determine why some states’ requests have been approved while others have been denied. Posting this guidance publicly will allow states to see what

data must be supplied to request adjustments and whether the FNS is fairly assessing the economic and public health conditions in those states.

- **Increasing duration and flexibility of waiver options:** The FNS is currently requiring states to apply for most of the available waivers on a monthly basis even though all states and the federal government continue operating under public health emergency declarations, and the pandemic is likely to continue for many more months. This requirement for monthly applications has placed a significant regulatory burden on the states at a time when most state SNAP agencies are overwhelmed with increased caseloads. The coalition urges the FNS to allow states to liberally apply for multiple multi-month waivers of all commonly requested adjustments.

Joining Raoul in the letter are the attorneys general of California, Colorado, Connecticut, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington and Wisconsin, as well as the corporation counsel of the city of New York.