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Hawaii Attorney General Joins Coalition Opposing Rule that Would Take Away Food Assistance from Millions of People

HONOLULU – Hawaii Attorney General Clare E. Connors today joined a coalition of 24 Attorneys General opposing the Trump administration’s proposed changes to the Supplemental Nutrition Assistance Program (SNAP). The proposed changes would take basic food assistance away from more than three million people, disqualify hundreds of thousands of children from free school meals, and punish working families with modest savings. The coalition filed a comment letter against a proposed United States Department of Agriculture (USDA) rule that would end states’ ability to set rules for SNAP eligibility based on the unique needs of their communities. The letter argues that the proposed rule would violate federal law and harm the states, their residents, their local economies, and public health.

“The proposed rule is being implemented in violation of federal law,” said Attorney General Connors. “It takes away the ability of states to determine who in their communities need basic food assistance.”

Based on federal guidelines, each state designs its own process for how low-income people can apply for SNAP benefits. The states must track whether participants meet the income and asset requirements for the program on a monthly basis. The Trump administration’s proposed rule would eliminate a long-standing policy known as “broad based categorical eligibility” (BBCE). BBCE allows states to consider local economic factors like high costs of living or costs of childcare when determining eligibility for SNAP. It also lets states adopt less restrictive asset limits so that families, seniors, and people with disabilities can have some savings without losing food aid. BBCE is used by 39 states, the District of Columbia, Guam, and the U.S. Virgin Islands.

This proposed rule is the latest in a series of unlawful attempts by the Trump administration to cut important safety-net programs. The AGs argue in the comment letter that the proposed rule harms the states by:

- **Taking food assistance away from 3.1 million vulnerable people:** If finalized, the proposed rule would cause 3.1 million low-income people, including working poor families with children, seniors, and people with disabilities, to lose critical nutrition assistance. According to the administration's own calculations, the rule would cause low-income Americans to lose at least \$10.5 billion in SNAP benefits over four years.
- **Causing 265,000 children to lose free school meals:** Children in households that receive SNAP are eligible for free meals at school. This rule change would mean an estimated 265,000 children would lose access to free school meals, leading to food insecurity and malnourishment. According to studies, food-insecure children are more likely to have learning difficulties and reduced academic performance, stomachaches, frequent headaches and colds, iron deficiency anemia, asthma, and mental health problems.
- **Disproportionately taking SNAP benefits from seniors:** According to estimates, this rule change would have a disproportionate impact on seniors. More than 13 percent of all SNAP households with elderly members would lose food assistance, which could potentially force low-income seniors to choose between paying for necessary medication and food.
- **Harming public health and increasing healthcare costs:** States' medical, disability, and other systems will be burdened when people who lose SNAP benefits become food insecure or malnourished. Food insecurity is linked to some of the most potentially costly health conditions such as diabetes, obesity, and complications in pregnancy. Studies have shown that SNAP is associated with better health and, correspondingly, reduced health care costs.
- **Harming state economies:** SNAP benefits are provided to low-income individuals with immediate spending needs, and SNAP boosts local economies by increasing consumer demand, injecting money directly into the economy, creating jobs, and supporting national and local retailers and the food industry generally. If 3.1 million people lose SNAP benefits, these cuts will have negative ripple effects across the nation's economy.
- **Increasing administrative burdens on states:** The Government Accountability Office has consistently found that polices like BBCE can save state and federal resources and improve productivity. The proposed rule will eliminate these efficiency gains and increase administrative costs—and every dollar that states spend on administrative costs is money taken away from needy families.

The Attorneys General also argue that the proposed rule violates the federal Administrative Procedure Act (APA), which governs how federal agencies implement rule changes. Among other violations of the APA, the proposed rule fails to provide a legitimate justification for changing longstanding USDA policy, conflicts with the clear intent of Congress, and exceeds USDA's authority.

The multistate letter to the USDA on its proposed SNAP rule is available at:

<https://oag.dc.gov/sites/default/files/2019-09/SNAP-Eligibility-Comment-Letter.pdf>

The coalition of states and territories opposing this rule was led by District of Columbia AG Karl Racine and New York AG Letitia James, and joined by Attorneys General from California, Colorado, Connecticut, Delaware, Illinois, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Vermont, Virginia, Washington, and Wisconsin.

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