

**Food Research & Action Center's Analysis
of the Final Farm Bill Conference Report
Agriculture Improvement Act of 2018
Title IV – Nutrition**

After months of negotiations, the [final Farm Bill conference report](#) was overwhelmingly passed by the Senate (87-13) on December 11, and the House (369-47) on December 12, before being signed into law by the President on December 20. The Agriculture Improvement Act of 2018 (Farm Bill) preserves Supplemental Nutrition Assistance Program (SNAP) benefits and eligibility, helping nearly 40 million people who struggle against hunger in this country put food on their tables.

The Farm Bill *rejects* the House bill's proposed cuts to SNAP benefits and eligibility, which would have hit millions of low-income people and cut nearly \$20 billion in SNAP benefits over 10 years.

- The bill preserves SNAP states' options to eliminate asset tests and screen working families with incomes up to 200 percent of the Federal Poverty Level (FPL) to determine if their expenses for other basics, such as shelter and child care, qualify them for a SNAP benefit (categorical eligibility). This mitigates the "cliff effect" for households with improved earnings, protects SNAP benefits, and preserves access to school meals for 265,000 children.
- The bill rejects expanding time limits on SNAP benefits to more adults who are unable to document sufficient weekly hours of work (i.e., time limits will not be extended to adults ages 50–60 and adults with dependents age 6 and older), and rejects redirecting SNAP dollars from food benefits to an unproven workforce bureaucracy.
- The bill preserves states' options to coordinate SNAP benefits with low-income energy payments, helping households of all ages better afford to heat and eat.
- The bill rejects allowing for-profit private contractors to make SNAP eligibility determinations.
- The bill rejects imposing a lifetime ban on individuals convicted of certain felonies who are making new starts after serving their sentences.
- The bill preserves the use of SNAP for food, not for purchases of non-food items such as multivitamins and other dietary supplements.
- The bill contains no new requirements for USDA to review or roll back the current school meal nutrition standards.

Key Provisions for Improving and Protecting Enhancing SNAP

- **Enhances SNAP Employment and Training (SNAP E&T) operations** by doing the following: requiring state agencies to consult with state workforce development boards, private employers, and organizations in developing their SNAP E&T plans; expanding the definition of SNAP E&T programs to encompass supervised job search and other activities; requiring SNAP E&T programs to meet state and local workforce needs; requiring case management and increasing other services to better meet participants' needs; allowing states to use workforce partnerships to supplement SNAP E&T programs; and encouraging increased collaboration among federal and state E&T programs such as Department of Labor, Department of Veterans Affairs, and State Workforce Innovation and Opportunity Act (WIOA) workforce boards. (Section 4005)

- **Slightly increases funding** for SNAP E&T, from \$90 million to \$103.9 million each fiscal year. The bill also requires the USDA Secretary to prioritize the reallocation of unused SNAP E&T funding to effective employment and training components under the SNAP E&T pilots that were authorized in the 2014 Farm Bill and to effective components targeted to individuals with substantial barriers to employment. (Section 4005)
- Makes mandatory the current SNAP state option to provide a **simplified homeless housing deduction**. (Section 4004)
- Requires the USDA Secretary to **re-evaluate and publish the Thrifty Food Plan every five years** based on dietary guidance, current food prices, food composition data, and consumption patterns. (Section 4002)
- Requires the USDA Secretary to issue guidance clarifying the process for retailers to seek waivers to offer SNAP consumers **incentives** for purchasing SNAP-eligible staple foods. (Section 4008)
- **Maintains SNAP Nutrition Education (SNAP-Ed)** with some modifications. **The bill rejected the House proposal to merge SNAP-Ed and the Expanded Food and Nutrition Education Program (EFNEP)**. The bill instead directs the Administrator of USDA's Food and Nutrition Service to consult with the Director of the National Institute of Food and Agriculture (NIFA) on SNAP-Ed and allows SNAP-Ed projects to be coordinated with EFNEP. The bill also requires SNAP-Ed programs to use an electronic reporting system to measure and evaluate projects as well as account for state administrative costs; establishes an online information clearinghouse to share best practices in planning, implementing, and evaluating SNAP-Ed programs; requires the USDA secretary to provide technical assistance to state agencies in developing and implementing SNAP-Ed plans; requires state agencies to submit annual SNAP-Ed reports to the USDA secretary; and requires an annual report to Congress that includes an evaluation of the level of coordination between SNAP-Ed, EFNEP, and other USDA nutrition education programs. (Section 4019)
- **Expands and provides permanent mandatory funding for the Gus Schumacher Nutrition Incentive Program** (formerly the Food Insecurity Nutrition Incentive Program – FINI), which provides grants to projects to increase the purchase of fruits and vegetables among SNAP participants by providing incentives at the point of purchase. The bill provides a total increase of \$417 million over 10 years for the Gus Schumacher Nutrition Incentive Program, with annual funding levels of \$45 million for fiscal year (FY) 2019, \$48 million for FY 2020–2021, \$53 million for FY 2022, and \$56 million for FY 2023 and each year thereafter. The bill also makes other changes to the program, including **establishing a produce prescription program** (funded at no more than 10 percent of the total FY 2019–2023 Gus Schumacher Nutrition Incentive Program funding for produce prescriptions and 8 percent for administration); expanding eligible benefit programs to include Nutrition Assistance Block Grants for Puerto Rico and American Samoa; specifying the type of entities governmental and nonprofit grantees can partner with or subgrant to, including SNAP-authorized retailers; allowing the USDA Secretary to permit tribal agencies to use certain types of federal funds for the non-federal match; requiring projects receiving more than \$100,000 a year to measure the purchase of fruits and vegetables by SNAP participants; and requiring the USDA Secretary to consult with the Director of NIFA to establish one or more Nutrition Incentive Program Training, Technical Assistance, Evaluation, and Information centers (funding for the centers is capped at \$17 million total for FY 2019–2020 and \$7 million for FY 2021–2023). (Section 4205)
- **Improve accuracy in the use of technology** by requiring states to contact SNAP households to clarify information received from data matches, and requiring that state

agencies test automatic data processing and information retrieval systems in a live production environment before implementation. (Section 4009, Section 4012)

- Directs the USDA Secretary, in consultation with the Secretary of Health and Human Services, to **evaluate current or formerly implemented state policies on child support enforcement cooperation requirements**, and submit a report to Congress no later than three years after the passage of the conference report. This is a rejection of the House provision that would have conditioned benefits on child support cooperation — 45 states and the District of Columbia have chosen not to mandate. (Section 4014)

Cost Savings and Other SNAP Operational Provisions

- **Weakens state agencies' ability to exempt certain vulnerable adults from harmful SNAP time limits** by reducing the state's Able-Bodied Adults Without Dependents (ABAWD) "15 percent exemption" to 12 percent of the state's caseload that is subject to the ABAWD time limits, starting in FY 2020. It also specifies that a state agency's request for an area waiver of the ABAWD time limit have the governor's support. (Section 4005)
- **Eliminates state performance bonuses.** The bill terminates the \$48 million in annual bonuses that recognize best or most-improved performance in SNAP operations, and that states reinvest to strengthen and support SNAP integrity and effectiveness. It also makes some modifications to quality control systems oversight, and directs the USDA Secretary to promulgate interim final regulations regarding such oversight within 180 days of enactment. (Section 4013)
- **Rolls out the National Accuracy Clearinghouse (NAC)**, a nationwide interstate data-matching system to prevent dual SNAP participation in multiple states. The bill includes safeguards to ensure client protections and privacy. The bill also authorizes \$20 million for FY 2019–FY 2021 and \$5 million for FY 2022 and each fiscal year thereafter to establish and maintain **longitudinal research databases** to assess household participation in SNAP and household demographic characteristics (for research purposes only, and in a manner that would protect participant privacy). The bill rejects the House bill's provision that would have required states to collect and submit data on each SNAP household member, including Social Security numbers, to the duplicative enrollment database. (Section 4011, Section 4015)
- **Makes modest adjustments to Electronic Benefit Transfer (EBT) system rules, including temporarily banning** the switching and routing of fees, and easing EBT authorization processes for farmers' markets serving multiple locations. The bill's managers expressed their direction to the USDA Secretary to ensure that EBT service is not disrupted at farmers' markets. (Section 4006). The bill directs the USDA Secretary to **authorize the use of mobile technologies for the purpose of accessing SNAP benefits, after conducting no more than five demonstration projects to pilot the use of such technologies.** (Section 4006) It **requires nationwide implementation of the online acceptance of SNAP benefits after the pilots required in the 2014 Farm Bill are implemented** and would no longer require a report to Congress on the matter. (Section 4001)
- **Reduces the amount of time before a state can opt to store a participant's unused SNAP benefits offline** (from six to three months); and **reduces the amount of time before a participant's benefits must be expunged if they are not spent** (from 12 months to 9 months). The bill added language requiring enhanced communication with households regarding unused benefits prior to being expunged. (Section 4006)

- Directs the USDA Secretary to review a sample of currently authorized **group-living facilities** to determine whether such facilities are using more than one source of federal or state funding to meet the food needs of residents. (Section 4007)
- Specifies the purposes for which USDA can use up to \$5 million for grants to states for establishing **enhanced technological methods** that improve the administrative infrastructure used in processing SNAP applications and determining eligibility. (Section 4010)

Provisions Regarding Additional Nutrition Programs

- **Reauthorizes The Emergency Food Assistance Program (TEFAP)** mandatory food purchases at \$250 million per year, indexed to the Thrifty Food Plan, through FY 2023, with the addition of the following for each year: \$23 million for 2019, and \$35 million for FY 2020–2023. It includes \$4 million for FY 2019–2023 to establish a Farm-to-Food Bank program. Overall, the report provides a \$206 million increase in TEFAP funding over 10 years. It also reauthorizes discretionary storage and distribution grants at \$100 million per year through FY 2023. (Section 4018)
- **Reauthorizes the Commodity Supplemental Food Program (CSFP)** that serves food-insecure seniors through FY 2023; sets minimum and maximum lengths for CSFP household certification periods of one and three years (subject to the approval of the USDA Secretary), respectively; and allows a temporary monthly certification of an eligible applicant to fill a caseload slot resulting from nonparticipation by certified participants. (Section 4102)
- **Strengthens the Food Distribution Program on Indian Reservations (FDPIR)** by requiring USDA to pay at least 80 percent of FDPIR administrative and distribution costs, and waiving the tribal organization’s share for those tribal organizations financially unable to provide it or for which it would be a substantial burden. The bill authorizes \$5 million for a demonstration project for one or more tribal organizations to enter into self-determination contracts to purchase agricultural commodities under FDPIR. The bill also would amend the Traditional and Locally Grown Food Fund to the Traditional and Locally and Regionally Grown Food Fund, and authorizes appropriations at \$5 million per year through FY 2023. (Section 4003)
- **Reauthorizes the Healthy Food Financing Initiative (HFFI)** and expands eligible projects beyond retail to include healthy food enterprises such as food hubs, mobile markets, direct to consumer markets, or food business incubators. (Section 4204)
- Provides \$5 million for FY 2019 and each FY thereafter for **Community Food Projects** — a decrease from the current funding level of \$9 million. (Section 4017)
- Authorizes an appropriation of **\$10 million in FY 2019 and each FY thereafter until expended for micro-grants for food security** to promote small-scale gardening, herding, and livestock operations, and to increase the quantity and quality of locally grown food for food-insecure individuals and communities in the following states and areas that have significant levels of food insecurity and import a significant amount of food: Alaska, Hawaii, and U.S. territories. (Section 4206)
- Directs the USDA Secretary to carry out **Healthy Fluid Milk Incentive Projects** to develop and test methods to increase the purchase and consumption of fluid cow’s milk among SNAP households by providing an incentive at the point of purchase. The report authorizes (subject to appropriations) **\$20 million** to remain available until expended, with up to 7 percent of the funding for an independent evaluation. (Section 4208)
- Authorizes **\$5 million** for USDA to conduct up to 10 **pilot projects to support public-private partnerships that address food insecurity and poverty**. (Section 4021)

- **Extends/reauthorizes additional programs** at current levels through FY 2023: Commodity Distribution Program; Senior Farmers' Market Nutrition Program; distribution of surplus commodities to special nutrition projects; purchase of fresh fruits and vegetables for distribution to schools and service institutions; Food for Peace; McGovern-Dole International Food for Education and Child Nutrition Program; and the Congressional Hunger Center's Leland/Emerson Fellows Program.

Sources:

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