

# **Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits**

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## Summary

The Supplemental Nutrition Assistance Program (SNAP), formerly called the Food Stamp Program, is designed primarily to increase the food purchasing power of eligible low-income households to help them buy a nutritionally adequate low-cost diet. This report describes the rules related to eligibility for SNAP benefits as well as the rules for benefits and their redemption. SNAP is administered by the U.S. Department of Agriculture's Food and Nutrition Service (USDA-FNS). SNAP is authorized by the Food and Nutrition Act of 2008. This law, formerly the Food Stamp Act of 1977, has since 1973 been reauthorized by the farm bill—omnibus legislation that also typically includes the authorization of other federal agricultural policies and programs. The program was most recently reauthorized by the 2018 farm bill (P.L. 115-334), enacted December 20, 2018. Many farm bill provisions expire in 2023, and the 118<sup>th</sup> Congress may undertake the next reauthorization of SNAP.

SNAP eligibility and benefits are calculated on a household basis. Financial eligibility is determined through a traditional or a categorical eligibility path. Under *traditional* eligibility, applicant households must meet gross income, net income, and asset tests. Specifically, household gross monthly income (all income as defined by SNAP law) must be at or below 130% of the federal poverty level, and household net (SNAP-specified deductions are subtracted) monthly income must be at 100% of the federal poverty level. The traditional asset limit is set for FY2022 at \$2,500 per household (it is inflation-adjusted). Households that contain an elderly or disabled member have a higher asset limit and also do not have to meet the gross income test. Under *categorical* eligibility, SNAP eligibility is automatically conveyed based upon the applicant's participation in other means-tested programs, namely Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), or General Assistance (GA). Because TANF is a broad-purpose block grant, the state option to extend SNAP eligibility to applicants that receive a TANF-funded benefit allows states to offer program eligibility under rules that vary from those discussed in this paragraph, including an elimination of the asset test and with a state-set gross income limit of up to 200% of the federal poverty level. Applicants and beneficiaries are also subject to nonfinancial rules, which include work-related requirements such as a time limit for Able-bodied Adults without Dependents (ABAWDs).

If eligible for SNAP, an applicant household also undergoes a calculation of its monthly benefit amount (or allotment). This calculation utilizes the household's net income as well as the maximum allotment, a figure that equals the current value of the "Thrifty Food Plan" (TFP). The thrifty food plan was substantially revised in August 2021, resulting in an increase in maximum allotments (from what they otherwise would have been) of approximately 21% for FY2022.

Benefits are issued on an electronic benefits transfer (EBT) card, which operates with a declining balance like a debit card. Benefits are not cash, may not be accessed at an automatic teller machine, and are redeemable only for foods. Benefits may be redeemed for foods at licensed retailers, which may include a wide variety of retailers so long as retailers meet licensing requirements.

This report focuses on SNAP eligibility and the form and function of benefits. For an overview of SNAP along with the other USDA-FNS programs, such as the Emergency Food Assistance Program (TEFAP), Commodity Supplemental Food Program (CSFP), and National School Lunch Program (NSLP), see CRS Report R42353, *Domestic Food Assistance: Summary of Programs*. For issues related to SNAP and other nutrition programs in the 2018 farm bill, see CRS In Focus IF11087, *2018 Farm Bill Primer: SNAP and Nutrition Title Programs*

## Contents

Introduction .....	1
Eligibility.....	2
The SNAP Household .....	3
Financial Eligibility.....	4
The Traditional Path to Eligibility .....	4
Categorical Eligibility .....	8
Work-Related Eligibility Requirements .....	9
In All States: Overview of Work-Related Requirements in SNAP .....	10
Variations by State: SNAP Employment and Training (E&T) Required Participation, Services Available .....	11
ABAWD Time Limit.....	12
Individuals <i>Ineligible</i> for SNAP.....	13
SNAP Benefits under Special Eligibility Rules .....	14
Transitional Benefits .....	14
Disaster Benefits (D-SNAP) .....	15
Benefits.....	15
Benefit Amounts (Allotments) .....	15
Maximum Monthly Allotments.....	15
Calculation of a Household's Monthly Benefit .....	16
Minimum Benefit.....	17
Issuance of Benefits .....	17
Redemption of Benefits.....	18
Items That May Be Purchased With SNAP Benefits .....	18
SNAP-Authorized Retailers .....	18
Trafficking .....	20

## Figures

Figure 1. Calculating the Monthly Benefit for a Hypothetical Household in FY2022 .....	17
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## Tables

Table 1. SNAP Standard Deductions for FY2022 (per month) .....	6
Table 2. Counted (Net) and Basic (Gross) Monthly Income Eligibility Limits for SNAP, FY2022.....	7
Table 3. Maximum Possible Monthly SNAP Allotments, FY2022 .....	16
Table 4. Retailers Authorized and Benefits Redeemed by Retailer Type, FY2021 .....	21
Table A-1. SNAP (formerly the Food Stamp Program) Participation and Spending, FY1989-FY2021 .....	23

## **Appendixes**

Appendix. Historical SNAP Data .....	23
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## **Contacts**

Author Information.....	24
Acknowledgments .....	24

## Introduction

The Supplemental Nutrition Assistance Program (SNAP), formerly called the Food Stamp Program, is designed primarily to increase the food purchasing power of eligible low-income households to a point where they can buy a nutritionally adequate low-cost diet. This report describes the rules related to eligibility for SNAP benefits and the rules related to the issuance and use of benefits.

SNAP is authorized by the Food and Nutrition Act of 2008. This law, formerly the Food Stamp Act of 1977, has since 1973 been reauthorized by the farm bill—omnibus legislation that also typically includes the reauthorization of other federal agricultural policies and programs. SNAP was most recently authorized by the 2018 farm bill (Agriculture Improvement Act of 2018; P.L. 115-334 ). See CRS In Focus IF11087, *2018 Farm Bill Primer: SNAP and Nutrition Title Programs* for further discussion of the nutrition program policy changes.

The Food, Conservation, and Energy Act of 2008 (2008 farm bill; P.L. 110-246) changed the name of the program from the Food Stamp Program to SNAP and revised the name of the governing law from the Food Stamp Act to the Food and Nutrition Act. State names for the program may vary; some states continue to name their programs “food stamps,” while others have switched to SNAP or maintain another name.<sup>2</sup>

The U.S. Department of Agriculture’s Food and Nutrition Service (USDA-FNS) administers SNAP, and benefits are 100% federally funded. States are responsible for certifying household eligibility and issuing benefits. SNAP operates in the 50 states, the District of Columbia, Guam, and the U.S. Virgin Islands. In lieu of SNAP, Nutrition Assistance Program (NAP) block grant funding is provided to Puerto Rico, the Commonwealth of the Northern Marianas and American Samoa.<sup>3</sup> Additionally, the Food Distribution Program on Indian Reservations provides, in lieu of SNAP benefits, food commodities to low-income households on Indian reservations and to Native American families residing in Oklahoma or in designated areas near Oklahoma.

### SNAP in FY2021

In FY2021, an average of 41.6 million individuals in 21.6 million households participated in SNAP each month.<sup>1</sup> This was an increase of 4.2% from the previous year and an increase of 16.4% from FY2019 (the year before the COVID-19 pandemic). SNAP participation in FY2021 was still below the historical peak of 47.6 million individuals who participated in FY2013.

Historical USDA-FNS SNAP participation and cost data are displayed in the **Appendix**.

**Source:** U.S. Department of Agriculture-Food and Nutrition Assistance data as of June 17, 2022.

Although a detailed framework of federal law and regulation exists, a robust framework of state options and waivers exists as well. In this way, while universal concepts of benefit eligibility and administration exist among the states, there also are many policies that vary among the states.<sup>4</sup>

<sup>1</sup> Unless otherwise noted, administrative data in this report are from USDA-FNS, available at <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>. FY2021 numbers are as of August 1, 2022.

<sup>2</sup> References to “states” in this report include all entities that operate SNAP (i.e., 50 states, the District of Columbia, the U.S. Virgin Islands, and Guam).

<sup>3</sup> See USDA-FNS, <https://www.fns.usda.gov/nap/nutrition-assistance-program-block-grants>.

<sup>4</sup> See, for example, USDA-FNS, *Supplemental Nutrition Assistance Program: State Options Report 14<sup>th</sup> Edition, Options as of October 1, 2017*, May 31, 2018, <https://fns-prod.azureedge.us/sites/default/files/snap/14-State-Options.pdf>.

This report will focus on the federal framework but will at times discuss state options that may cause state and local programs to vary.

SNAP benefits are available for households that meet financial eligibility tests for limited monthly income and (in some states) liquid assets. To be eligible for SNAP, a household must fulfill requirements related to work effort and must meet citizenship and legal permanent residence tests.

In general, the maximum SNAP benefit is based upon the level of the U.S. Department of Agriculture's lowest cost food plan (the Thrifty Food Plan or TFP) and varies by household size. In 2021, USDA revised the TFP, which resulted in an increase in the maximum SNAP allotment of 21% for FY2022.<sup>5</sup>

Monthly SNAP benefit amounts are calculated as the difference between the household's expected contribution to its food costs and the maximum benefit. (Participating households are expected to devote 30% of their "net" monthly cash income to food purchases.) Thus, a recipient household with no "net" cash income receives the maximum monthly SNAP allotment for its size while a household with some counted income receives a lesser allotment, the maximum benefit minus 30% of the net income. Net income is the gross income with certain specified deductions subtracted.

Throughout the body of this report, current participation, benefit amount, and spending figures are provided. For a historical table of such information (dating back to 1989), see **Table A-1**.

### SNAP and the COVID-19 Pandemic

This report focuses on the permanent features of the SNAP program. However, Congress and both the Trump and Biden Administrations took action to temporarily alter some SNAP rules in response to the COVID-19 pandemic. For a discussion of these temporary provisions, see CRS Report R46681, *USDA Nutrition Assistance Programs: Response to the COVID-19 Pandemic*.

## Eligibility

SNAP has financial, work-related, and categorical tests for eligibility. Its financial tests require that those eligible have monthly income and, in some states, liquid assets, below limits set by law and adjusted for inflation. Under the work-related tests, certain household members must register for work, accept suitable job offers, and fulfill work or training requirements (such as looking or training for a job) established by their state public assistance agency. SNAP's authorizing law has long included work-related eligibility requirements, the strictest being a time limit for able-bodied (individual without disabilities) adults (ages 18 to 49) without dependents (ABAWDs) who work less than 80 hours per month. Categorical eligibility rules make some automatically eligible for SNAP assistance (most who receive public assistance benefits from the Temporary Assistance for Needy Families [TANF] block grant or receive Supplemental Security Income [SSI] or state [GA] cash benefits). States may also make eligible for SNAP households with a member who receives or is authorized to receive any benefit from TANF (in addition to public assistance), an option called *broad-based categorical eligibility*.

In addition to eligibility rules, there are also disqualifications of eligibility to specific groups (e.g., strikers, many noncitizens and postsecondary students, people living in institutional settings, many drug felons). However, applications cannot be denied because of the length of a household's residence in a SNAP agency's jurisdiction, because the household has no fixed

<sup>5</sup> USDA, *Thrifty Food Plan 2021*, FNS-916, August 2021.

mailing address or does not reside in a permanent dwelling, or because the applicant does not provide a driver's license or photograph identification.

## **The SNAP Household**

The basic SNAP beneficiary unit is the household. A household can be either a person living alone or a group of individuals living together; there is no requirement for cooking facilities. Generally speaking, individuals living together constitute a single household if they customarily purchase food and prepare meals together. Members of the same household must apply together, and their income, expenses, and assets normally are aggregated in determining SNAP eligibility and benefits. However, persons who live together can sometimes be considered separate households for program purposes.

Persons who live together, but purchase food and prepare meals separately, may apply for SNAP benefits separately, except for (1) spouses; (2) parents and their children (21 years or younger); and (3) minors 18 years or younger who live under the parental control of a caretaker (excluding foster children and, in some cases, certain citizen children, who may be treated separately). In addition, persons 60 years or older who live with others and cannot purchase food and prepare meals separately because of a substantial disability may apply separately from their co-residents as long as their co-residents' income is below prescribed limits (165% of the federal poverty guidelines).<sup>6</sup>

Although those living in institutional settings generally are barred from SNAP, individuals in certain types of group living arrangements may be eligible and are automatically treated as separate households, regardless of how food is purchased and meals are prepared. These arrangements must be approved by state or local agencies and include residential drug addiction or alcoholic treatment programs, small group homes for the disabled, shelters for battered women and children, and shelters for the homeless.

If a household includes an elderly or disabled member, the household is entitled to different SNAP deduction rules as well as some different financial eligibility rules (discussed in the next section). Financially eligible one- and two-person households (in the 48 contiguous states and the District of Columbia) are also ensured (for FY2022) a minimum monthly benefit of \$20.<sup>7</sup> Without the minimum benefit it may be possible that these smaller households would be eligible for SNAP, but for an arguably negligible amount. It is possible that different SNAP households can live together, and recipients can reside with nonrecipients. In the case of recipients residing with nonrecipients, the eligibility and benefit level of the household is based on a household size that excludes the nonrecipient. Whether the nonrecipient's income or assets are included depends upon the specific circumstances.

The SNAP household definition is different than that used in other means-tested programs (e.g., TANF families with dependent children, elderly [65 years or older] or disabled individuals or couples in the SSI Program). However, it is close to those used by some other programs such as the National School Lunch Program (NSLP); the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and the Low-Income Home Energy Assistance Program (LIHEAP).

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<sup>6</sup> Monthly income limits at 165% of poverty are not listed in this report but are available on the USDA-FNS website at <https://www.fns.usda.gov/snap/allotment/COLA>.

<sup>7</sup> The minimum benefit is greater in Alaska, Hawaii, Guam, and the U.S. Virgin Islands. See USDA-FNS website at <https://fns-prod.azureedge.us/sites/default/files/resource-files/FY22MinimumAllotmentsReviewed.pdf>.



## Financial Eligibility

There are two pathways to eligibility for SNAP. The first is the traditional pathway to eligibility with financial eligibility thresholds stated in the Food and Nutrition Act (7 U.S.C. §2011 et seq.). Federal law sets income and asset eligibility thresholds as well as the rules for what types of income and assets are counted or disregarded. Also, the act lists what types of expenses can be deducted in determining income eligibility and, if eligible, determining the benefit amount.

The second pathway is known as *categorical eligibility*. The basis of categorical eligibility is a rule that makes households composed entirely of recipients of benefits funded from the Temporary Assistance for Needy Families (TANF) block grant, Supplemental Security Income cash assistance, or state General Assistance (GA) automatically eligible for SNAP. Recipients of benefits from these programs bypass financial eligibility rules and automatically go to the next step, determining SNAP benefits. However, states have the option of interpreting categorical eligibility broadly. Below is a discussion of the traditional pathway to SNAP eligibility, followed by a discussion of categorical eligibility.

### The Traditional Path to Eligibility

For households without an elderly or disabled member, SNAP uses both the household's basic (or gross) monthly income and its counted (or net) monthly income. Eligible households' gross income must be at or below gross income standards and their counted income must meet net income eligibility thresholds. When judging eligibility for households with elderly or disabled members, only the household's counted net monthly income is considered; in effect, this procedure applies a somewhat more liberal income test to the elderly and disabled.

### Income and SNAP Deductions

In general, gross monthly income includes all of a household's cash income. When a type of income is not explicitly excluded by law, it is counted or included; this is the case with, for example, the military basic allowance for housing, which is counted because it is not excluded in current law. The Food and Nutrition Act and regulation specifically excludes (disregards) from gross income<sup>8</sup> (1) most payments made to third parties (rather than directly to the household); (2) unanticipated, irregular, or infrequent income, up to \$30 a quarter; (3) loans (student loans are treated as student aid, see (10)); (4) income received for the care of someone outside the household; (5) nonrecurring lump sum payments such as income tax refunds, retroactive lump sum Social Security payments, and certain charitable donations (in many cases, these may instead be counted as liquid assets); (6) federal energy assistance (e.g., LIHEAP); (7) reimbursement for expenses;<sup>9</sup> (8) income earned by schoolchildren 17 or younger; (9) the cost of producing self-employment income; (10) federal postsecondary student aid (e.g., Pell grants, student loans); (11) "on the job" training earnings of dependent children under 19 in the Workforce Investment and Opportunity Act (WIOA) programs; (12) income set aside by disabled SSI recipients under an approved "plan for achieving self-support"; and (13) combat-related military pay. Gross income also excludes types of income disregarded by other federal laws. For example, the federal income tax code bars income tax refunded, including those resulting from refundable tax credits such as the Earned Income Tax Credit (EITC) and the Child Tax Credit (CTC), from being counted in

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<sup>8</sup> These income exclusions are found in Section 5(d) of the Food and Nutrition Act, codified at 7 U.S.C. §2014(d). See regulation at 7 C.F.R. §283.9(b).

<sup>9</sup> So long as those reimbursements do not constitute a "gain or benefit" to the household.



need-tested programs, including SNAP.<sup>10</sup> The federal income tax code also bars counting advance payments of refundable tax credits. These refunds are also excluded from being counted as a liquid asset for a period of 12 months. Other examples of payments disregarded by federal law other than the Food and Nutrition Act include training allowances under the Workforce Innovation and Opportunity Act, various payments under laws relating to Indians, payments under Older Americans Act employment programs for the elderly, and federal financial aid assistance such as Pell Grants and work-study employment.

States have the option to exclude from gross income child support payments made by a nonresident parent for a child living outside the household. In addition, states may, within certain limits, choose to exclude other types of income that they disregard in their TANF or Medicaid programs.

Net monthly income is computed by subtracting certain deductions from a household's basic (or gross) monthly income. This calculation is based on the recognition that not all of a household's income is available for food purchases. Thus, a standard portion of income, plus amounts representing costs such as work expenses or high nonfood living expenses, is deducted from the gross income.

For households *without an elderly or disabled member*, net monthly income equals gross monthly income minus the following deductions, if applicable:

- **Standard deduction:** A monthly deduction that varies by household size and is indexed for inflation (see below for details). Every applicant household gets this deduction.
- **Earned income deduction:** 20% of any earned income, in recognition of taxes and work expenses.
- **Child support deduction:** Any amounts paid out as legally obligated child support, unless already excluded (at the option of the state) from gross income.
- **Dependent care deduction:** Out-of-pocket dependent care expenses, when related to work or training.<sup>11</sup>
- **Excess shelter deduction:** Shelter expenses that exceed 50% of net income after all other deductions, typically expenses that exceed about one-third of gross monthly income (see below for limits). Shelter expenses include utility costs, which states may standardize with a *standard utility allowance* calculation.

The amount of the standard deduction depends upon household size and statutorily set parameters (amounts shown in **Table 1** for FY2022). Per statute, the standard deduction is either 8.31% of the annually indexed federal poverty income guidelines for each household size (these are based on the poverty guidelines which are indexed for inflation) or specific minimum numbers in statute that are also indexed for inflation.<sup>12</sup> In the 48 contiguous states and the District of Columbia, the FY2022 minimum standard deduction is \$177 a month. Recognizing different living costs, different standard deductions apply in Alaska, Hawaii, Guam, and the U.S. Virgin Islands.

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<sup>10</sup> This is found in Section 6409 of the Internal Revenue Code of 1986.

<sup>11</sup> Limits on SNAP deductions for dependent care were lifted under the 2008 farm bill (P.L. 110-246).

<sup>12</sup> Inflation adjustment of the minimum was added by the 2008 farm bill (P.L. 110-246).

**Table 1. SNAP Standard Deductions for FY2022 (per month)**

Geographic Area	Household Size				
	1-2	3	4	5	6+
48 states and District of Columbia	\$177	\$177	\$184	\$215	\$246
Alaska	303	303	303	303	308
Hawaii	250	250	250	250	283
Guam	356	356	367	430	493
U.S. Virgin Islands	156	156	184	215	246

**Source:** U.S. Department of Agriculture, Food and Nutrition Service, <https://fns-prod.azureedge.us/sites/default/files/media/file/FY22-Maximum-Allotments-Deductions.pdf>

The *excess shelter deduction* is restricted to annually indexed monthly limits. For FY2022, these are \$597 for the 48 states and the District of Columbia, \$954 for Alaska, \$805 for Hawaii, \$701 for Guam, and \$471 for the U.S. Virgin Islands. (This deduction is a way to further account for the variability of shelter costs across the country.)

For *households with an elderly or disabled member*, counted monthly income equals gross monthly income minus

- the same standard, child support, earned income, and dependent care deductions noted above;
- an uncapped excess shelter deduction, to the extent such expenses exceed 50% of counted income after all other deductions, with no limit; and
- any out-of-pocket medical expenses (other than those for special diets) that are incurred by an elderly or disabled household member, to the extent they exceed a threshold of \$35 a month.

Under the traditional path to SNAP eligibility, households must have net monthly income that does not exceed the inflation-adjusted federal poverty guidelines (100% FPL). Households without an elderly or disabled member also must have gross/basic monthly income that does not exceed 130% of the inflation-adjusted federal poverty guidelines (130% FPL). Both these income eligibility limits are uniform for the 48 contiguous states, the District of Columbia, Guam, and the U.S. Virgin Islands; somewhat higher income eligibility limits (because of higher poverty guidelines) are applied in Alaska and Hawaii. Net and gross income eligibility limits (which are adjusted for inflation each October) are summarized in **Table 2**.

The calculation of net income discussed in this section is pertinent not just for determining eligibility but also for calculating the SNAP benefit amount to which the household is entitled (discussed below in the “Benefit Amounts (Allotments)” section).

**Table 2. Counted (Net) and Basic (Gross) Monthly Income Eligibility Limits for SNAP, FY2022**

Eligibility Limits in Effect October 1, 2021, to September 30, 2022

Household size	48 States, DC, and the Territories	Alaska	Hawaii
<b>Counted (net) monthly income eligibility limits (100% of poverty):</b>			
1 person	\$1,074	\$1,341	\$1,235
2 persons	1,452	1,815	1,670
3 persons	1,830	2,288	2,105
4 persons	2,209	2,761	2,540
5 persons	2,587	3,235	2,975
6 persons	2,965	3,708	3,410
7 persons	3,344	4,181	3,845
8 persons	3,722	4,655	4,280
Each additional person	379	474	435
<b>Basic (gross) monthly income eligibility limits (130% of poverty):</b>			
1 person	\$1,396	\$1,744	\$1,606
2 persons	1,888	2,359	2,171
3 persons	2,379	2,974	2,737
4 persons	2,871	3,590	3,302
5 persons	3,363	4,205	3,868
6 persons	3,855	4,820	4,433
7 persons	4,347	5,436	4,999
8 persons	4,839	6,051	5,564
Each additional person	492	616	566

**Source:** U.S. Department of Agriculture, Food and Nutrition Service, <https://www.fns.usda.gov/snap/allotment/COLA>.

## Assets

Under the traditional pathway to eligibility, households cannot have counted liquid assets that exceed federally prescribed limits. In FY2022, households *without* an elderly or disabled member cannot have counted liquid assets above \$2,500. In that year, households *with* an elderly or disabled member cannot have counted liquid assets above \$3,750. These dollar limits are to be annually indexed for overall inflation (and rounded down to the nearest \$250).<sup>13</sup>

Counted liquid assets include cash on hand, checking and savings accounts, savings certificates, stocks and bonds, and nonrecurring lump sum payments such as insurance settlements and lump-sum payments that have been disregarded as income (e.g., some tax refunds) but have not been spent. Certain assets also are counted: a portion of the value of vehicles (in some cases) and the

<sup>13</sup> This indexing was added by the Food, Conservation, and Energy Act of 2008 (2008 farm bill; P.L. 110-246).

equity value of property not producing income consistent with its value (e.g., recreational property).

Counted assets do not include the value of the household's primary residence (home and surrounding property); business assets; personal property (household goods and personal effects); lump sum earned income tax credit and other nonrecurring payments; burial plots; the cash value of life insurance policies; the value of all tax-recognized pension savings/plans and education savings; and certain other resources whose value is not accessible to the household, would not yield more than \$1,000 if sold (e.g., a car with a small equity value), or are required to be disregarded by other federal laws.

Some special rules apply when counting allowable assets. Although the general rule is that the fair market value of a vehicle in excess of \$4,650 is to be counted as an asset, states may (and most often do) count vehicles as assets only to the extent they do under their TANF programs or disregard them entirely. Moreover, states generally may exclude additional assets to the extent they do so under their TANF or Medicaid programs.

### **Categorical Eligibility**

SNAP also conveys eligibility to households that already participate in specific means-tested programs. Households composed entirely of recipients of public assistance funded from the Temporary Assistance for Needy Families (TANF) block grant, Supplemental Security Income, or state General Assistance (GA) programs are automatically, or categorically, eligible for SNAP. These applicants bypass the income eligibility and the asset eligibility rules of the traditional pathway to SNAP eligibility discussed above.

In addition, states have the option to grant SNAP eligibility to those who receive, or are authorized to receive, any *TANF-funded* benefit. TANF is a broad-purpose block grant that funds a wide range of allowable expenditures in addition to traditional public assistance for families with children. Some such TANF-funded benefits are not restricted to families with children and may serve any individual. States may extend this broad-based categorical eligibility to any type of household (with or without children) in the state and may determine the gross income limit for SNAP that applies in the state, though they cannot set a gross income limit above 200% of the federal poverty guidelines. Broad-based categorical eligibility also permits states to opt not to use an asset test for SNAP in the state.<sup>14</sup>

Categorical eligibility does not automatically mean that a household is entitled to a SNAP benefit. Households must still have net income below a level that results in a nonzero SNAP benefit.

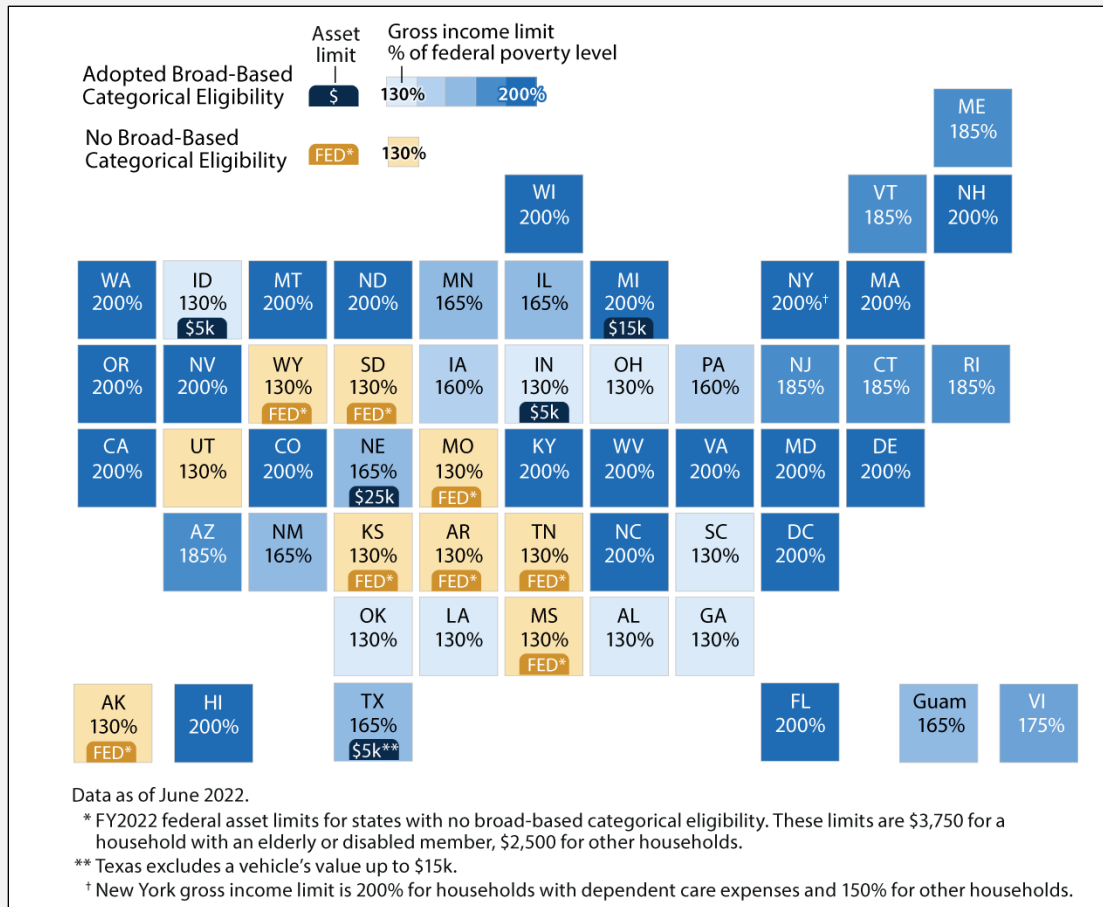
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<sup>14</sup> For more detail on the history of categorical eligibility and broad-based categorical eligibility, see CRS Report R42054, *The Supplemental Nutrition Assistance Program (SNAP): Categorical Eligibility*.

### Broad-Based Categorical Eligibility and Gross Income Limits by State, as of June 2022

The figure below shows states by whether they adopted broad-based categorical eligibility and by their chosen gross income limit.

As of June 2022, 41 states, the District of Columbia, Guam, and the U.S. Virgin Islands opted to use broad-based categorical eligibility. Of these jurisdictions, 21 set their gross income limits at the maximum 200% of the federal poverty level and 8 chose to remain at 130% of the federal poverty level as a gross income limit. All but five states adopting broad-based categorical eligibility eliminated their asset test.



**Source:** Figure created by CRS based on data from USDA-FNS as of June 2022, <https://www.fns.usda.gov/snap/broad-based-categorical-eligibility>.

## Work-Related Eligibility Requirements

Current SNAP law has rules on employment or work-related activities for able-bodied, nonelderly adult participants. Some rules apply in all states that operate SNAP. However, because each state designs its own SNAP Employment and Training Program (E&T), certain requirements can vary by state.

## In All States: Overview of Work-Related Requirements in SNAP

To gain or retain eligibility, *most adults who are not elderly or disabled must*

- register for work (typically with the SNAP state agency or a state employment service office);
- accept a suitable job if offered one;
- fulfill any work, job search, or training requirements established by administering state SNAP agencies;
- provide the administering public assistance agency with sufficient information to allow a determination with respect to their job availability; and
- not voluntarily quit a job without good cause or reduce work effort below 30 hours a week.

Individuals are disqualified from SNAP for failure to comply with work requirements for periods of time that differ based upon whether the violation is the first, second, or third. Minimum periods of disqualification, which may be increased by the state SNAP agency, range from one to six months. In addition, states have the option to disqualify the entire household for up to 180 days, if the household head fails to comply with work requirements.

The law exempts certain individuals from the above requirements.<sup>15</sup>

### Characteristics of SNAP Households and Work Requirements

Exempt from work requirements are most children (individuals under the age of 18), individuals with disabilities, and the elderly (age 60 and older). In FY2019, these groups accounted for two-thirds (25.3 million out of 37.2 million) of all FY2019 SNAP participants. Of the participants aged 18 to 59 without disabilities, an estimated 7.7 million were in households with children and 4.2 million were in households without children.

	<b>FY2019 Average Monthly Number of Participants</b>	<b>Percentage of All Participants</b>
Children (under 18)	15.871 million	42.7%
Elderly (60 and older)	5.800 million	15.6%
Disabled	3.619 million	9.7%
Age 18 to 59 without disabilities		
<i>In household with children</i>	<i>7.750 million</i>	<i>20.8%</i>
<i>In household without children</i>	<i>4.162 million</i>	<i>11.2%</i>
<b>Total Number of Participants</b>	<b>37.202 million</b>	<b>100%</b>

Additionally, among those age 18 to 59 without disabilities, participants in households with children were likely to be either working themselves or in a household with earnings (i.e., someone in the household working if not themselves). Work and earnings were less prevalent among those in households without children. These

<sup>15</sup> Exempt from the all-states work requirements are: SNAP participants who are physically or mentally unfit for work; under age 16 or over age 59; between ages 16 and 18 if they are not a head of household or are attending school or a training program; persons working at least 30 hours a week or earning the minimum wage equivalent; persons caring for dependents who are disabled or under age 6; individuals already subject to and complying with another assistance program's work, training, or job search requirements (for example, Temporary Assistance for Needy Families (TANF) or unemployment compensation); eligible postsecondary students; and residents of substance abuse treatment programs.

households tended to be smaller. The gross income limits are lower for smaller households, as are maximum allotments, making it less likely that they would be eligible for benefits.<sup>16</sup> Note that many participants aged 18 to 59 without disabilities and in households without children—those aged 18 to 49, an estimated 2.6 million participants per month in FY2019—were potentially subject to the ABAWD rules (discussed in the “ABAWD Time Limit” section).

	Percentage Employed	Percentage in Households with Earnings
Age 18 to 59 without disabilities, in households with children	46.0%	59.9%
Age 18 to 59 without disabilities, in households without children	26.4%	29.1%

**Source:** CRS tabulation of USDA FY2019 SNAP Quality Control Data. For access to these data, see <https://snapqcdata.net/index.php/home#:~:text=The%20SNAP%20Quality%20Control%20data%20are%20an%20edited,for%20a%20nationally%20representative%20sample%20of%20SNAP%20participants>.

## Variations by State: SNAP Employment and Training (E&T) Required Participation, Services Available

As noted above, those not exempted must register for work and accept suitable job offers; in addition, state SNAP agencies may require work registrants to fulfill some type of work, job search, or training obligation.

SNAP agencies must operate an Employment and Training (E&T) program of their own design for work registrants. SNAP agencies may require all work registrants to participate in one or more components of their program, or limit participation by further exempting additional categories and individuals for whom participation is judged impracticable or not cost effective.<sup>17</sup> States may also make E&T activities open only to those who volunteer to participate.

Program components can include any or all of the following: supervised job search or training for job search; workfare (work-for-benefits); work experience or training programs; education programs to improve basic skills; or any other employment or training activity approved by USDA-FNS.<sup>18</sup>

<sup>16</sup> For example, a worker earning \$9 per hour, working 40 hours per week, has a monthly income of \$1,560 per month. That worker, if living alone (one-person household), would be ineligible for SNAP in a state with a 130% of the FPL gross income limit. However, if that worker lived with a child (two-person household), monthly earnings would be below 130% of the FPL and pass the gross income test.

<sup>17</sup> Recipients who participate in an E&T activity beyond work registration cannot be required to work more than the minimum wage equivalent of their household’s benefit. Total hours of required participation (including both work and any other required activity) cannot exceed 120 hours a month. SNAP agencies also must reimburse participants’ costs directly related to participation (e.g., transportation and child care). The federal government shares in half the cost of this support, and state agencies may limit support to local market rates for necessary dependent care.

<sup>18</sup> Further resources on the SNAP Employment and Training program: USDA-FNS, <https://www.fns.usda.gov/snap-ethttp://www.fns.usda.gov/employment-and-training-et-resource-center>.



### SNAP Employment and Training Funding and Participation

In FY2020, total federal funding for SNAP E&T programs was \$540 million and in FY2019 an estimated 406,000 individuals were served in these programs.

**Source:** 2022 USDA Explanatory Notes – Food and Nutrition Service. Available at <https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf>.

### ABAWD Time Limit

In addition to SNAP’s work registration and E&T program requirements, there is a special time limit for *able-bodied adults, aged 18 to 49 who are without dependents* (ABAWDs).<sup>19</sup> This requirement—often referred to as the *ABAWD rule*—was added by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, P.L. 104-193).

SNAP law limits benefits to ABAWDs to 3 months out of a 36-month period, unless the participant

- works at least 20 hours per week;
- participates in an employment and training program for at least 20 hours per week; or
- participates in a state’s *workfare* program.<sup>20</sup>

States have the option, but are not required, to offer ABAWDs a slot in an employment and training program or a workfare program. Some states pledge to serve all ABAWDs in such programs; others do not. States that pledge to serve all ABAWDs in these programs receive extra federal funding for that purpose. If a state does not offer an ABAWD a slot in an employment and training or workfare program, benefits can be terminated for those without at least a half-time job once the three-month limit is reached, unless the individual is covered by an exemption or a waiver of the ABAWD requirement.

Those who lose benefits under this rule are able to reenter the program if, during a 30-day period, they work or participate in a work/training activity for at least 20 hours per week.<sup>21</sup>

The Food and Nutrition Act has the availability of waivers and exemptions from the ABAWD rule. States may exempt a specified number of individuals from the rule based on a formula set in the law. Additionally, a state may request a waiver for a group of individuals in the state (1) for areas with an unemployment rate of over 10% or (2) if an area “does not have a sufficient number of jobs to provide employment for the individuals.”<sup>22</sup> The USDA-FNS regulation (7 C.F.R.

<sup>19</sup> This section of the report describes the provisions of SNAP authorizing law prior to the enactment of P.L. 116-127, although it should be noted that, as of the cover date of this report, the time limit is largely suspended during the COVID-19 public health emergency. The policy is summarized at the end of the section.

<sup>20</sup> Hours of workfare required will vary by state, but participant’s monthly allotment divided by hours worked must be greater than or equal to minimum wage. 7 U.S.C. §2029(a)(1).

<sup>21</sup> ABAWDs who become employed but then lose their jobs again can, under some circumstances, earn an additional three months of eligibility, bringing their maximum months of SNAP receipt without working to at least 20 hours per week or being in an approved work or training program to 6 months in a 36-month period. USDA-FNS provides guidance on this and other aspects of the time limit in its 2015 “Guide to Serving ABAWDs Subject to Time-limited Participation,” [https://www.fns.usda.gov/sites/default/files/Guide\\_to\\_Serving\\_ABAWDs\\_Subject\\_to\\_Time\\_Limit.pdf](https://www.fns.usda.gov/sites/default/files/Guide_to_Serving_ABAWDs_Subject_to_Time_Limit.pdf). See also USDA-FNS, *Clarification on Work Requirements, ABAWDs, and E&T*, May 25, 2018, <https://www.fns.usda.gov/snap/clarifications-work-requirements-abawds-and-et>.

<sup>22</sup> Authority for these waivers is located in Section 6(o)(4) of the Food and Nutrition Act of 2008, codified at 7 U.S.C. §2015(o)(4).

§273.24(f)) specifies the criteria that can qualify a state or portion of a state for a waiver of the ABAWD rule.<sup>23</sup>

In addition to exemptions and waivers, legislation twice suspended the ABAWD rule nationwide. The American Recovery and Reinvestment Act (ARRA) suspended the ABAWD rule from April 2009 through September 2010. The Families First Coronavirus Response Act (P.L. 116-127) generally suspended the rule from April 1, 2020, until the end of the month following the month in which the COVID-19 public health emergency is ended. Under the later suspension, states could still disqualify an individual under the rule if he or she were offered a slot in a work or workfare program but refuses to participate in that activity.<sup>24</sup>

## Individuals *Ineligible* for SNAP

Eligibility is sometimes denied for reasons other than financial need or compliance with work-related requirements.

Many *non-citizens* are barred—eligibility is extended only to permanent residents legally present in the United States for at least five years, legal immigrant children (under 18), the elderly and disabled who were legally resident before August 1996, refugees and asylees, veterans and others with a military connection, those with a substantial history of work covered under the Social Security system, and certain other limited groups of aliens.<sup>25</sup>

SNAP benefits are denied to those who intentionally violate program rules, for specific time periods ranging from one year (on a first violation) to permanently (on a third violation or other serious infraction); and states may impose SNAP disqualification when an individual is disqualified from another public assistance program. Those who transfer assets for the purpose of qualifying for benefits are also barred.

For the most part, *college students* (attending higher education courses half-time or more) between ages 18 and 50 are ineligible for SNAP. A student enrolled in an institution of higher education more than half-time is only eligible for SNAP benefits if the individual is (1) under age 18, or age 50 or older; (2) disabled; (3) enrolled in school because of participation in certain programs;<sup>26</sup> (4) employed at least 20 hours per week or participating in a work-study program

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<sup>23</sup> For a waiver based on 10% unemployment, states may request a waiver with evidence that an area has “a recent 12 month average unemployment rate over 10 percent; recent three month average unemployment rate over 10 percent; or an historical seasonal unemployment rate over 10 percent.” (7 C.F.R. §273.24(f)(2)(i)) For a waiver based on a “lack of sufficient jobs,” 7 C.F.R. §273.24(f)(2)(ii) permits a state to submit any of the following as evidence: (1) if an area “is designated as a Labor Surplus Area (LSA) by the Department of Labor’s Employment and Training Administration (ETA),” (2) “is determined by the Department of Labor’s Unemployment Insurance Services as qualifying for extended unemployment benefits,” (3) “has a low and declining employment-to-population ratio,” (4) “has a lack of jobs in declining occupations or industries,” (4) “is described in an academic study or other publications as an area where there are lack of jobs,” or (5) “has a 24-month average unemployment rate 20 percent above the national average for the same 24-month period.”

<sup>24</sup> See USDA-FNS, *SNAP—Preparing for the Reinstatement of Time Limit for ABAWDS*, September 20, 2021, <https://www.fns.usda.gov/snap/snap-preparing-reinstatement-time-limit-abawds>.

<sup>25</sup> Non-citizen rules are many, intersecting, and tied to a number of state options. USDA-FNS has published a comprehensive guide to noncitizen rules in SNAP: USDA-FNS, *Supplemental Nutrition Assistance Program: Guidance on Non-citizen Eligibility*, April 2011, [https://fns-prod.azureedge.us/sites/default/files/resource-files/Non-Citizen%20Guidance\\_6-30-2011.pdf](https://fns-prod.azureedge.us/sites/default/files/resource-files/Non-Citizen%20Guidance_6-30-2011.pdf). See also CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*.

<sup>26</sup> A program under Title I of the Workforce Investment and Opportunity Act, a SNAP Employment and Training program, a program under Section 236 of the Trade Act of 1974, a work incentive program under title IV of the Social Security Act, or “another program for the purpose of employment and training operated by a state or local government,

during the school year; (5) a parent (in some circumstances);<sup>27</sup> or (6) receiving TANF cash assistance benefits. For a discussion of SNAP and college students, see CRS Report R46817, *Food Insecurity Among College Students: Background and Policy Options*.

Other *ineligibility* rules include the following:

- Households with members on strike are denied benefits unless eligible prior to the strike.
- Individuals living in institutional settings are denied eligibility, except those in special SSI-approved small group homes for the disabled, persons living in drug addiction or alcohol treatment programs, and persons in shelters for battered women and children or shelters for the homeless.
- Boarders cannot receive SNAP benefits unless they apply together with the household in which they are boarding.
- Persons who fail to provide Social Security numbers or cooperate in providing information needed to verify eligibility or benefit determinations are ineligible.
- Automatic disqualification is required for those applying in multiple jurisdictions, fleeing arrest, or convicted of a drug-related felony.<sup>28</sup> The 2014 farm bill requires additional felons to comply with the terms of their sentence in order to receive SNAP benefits—the implementation of this policy will depend on federal rulemaking.<sup>29</sup>
- States may disqualify individuals not cooperating with child support enforcement authorities or in arrears on their child support obligations.

## SNAP Benefits under Special Eligibility Rules

There are circumstances where SNAP benefits are offered separately and distinctly from the standard SNAP application and eligibility process. These situations include the issuance of *transitional* and *disaster* benefits.

### Transitional Benefits

States are allowed to provide transitional benefits. States have the option to offer up to five months' transitional SNAP benefits to those leaving TANF or a similar state-financed program (for reasons other than a sanction)—without requiring that the household apply for SNAP. The transitional benefit is the amount received prior to leaving TANF (or a similar state program), adjusted to account for the loss of TANF/state cash income. Transitional benefit households may reapply during the five-month period to have their benefits adjusted based on changed circumstances, and states may opt to adjust benefits based on information received from another

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as determined to be appropriate by the Secretary.” The 2014 farm bill added an additional specification for college students engaged in SNAP E&T.

<sup>27</sup> An otherwise ineligible student is eligible for SNAP if the student is (1) a single parent enrolled in school full-time caring for a dependent under the age of 12 years old, (2) a parent caring for a dependent under age 6, or (3) a parent caring for a child between the ages of 5 and 12 years old for whom child care is not available to enable the parent to both attend class and work 20 or more hours per week.

<sup>28</sup> This is discussed further, along with other programs' related rules, in R42394.

<sup>29</sup> See Jessica Shahin, *Supplemental Nutrition Assistance Program Provisions of the Agricultural Act of 2014 - Implementing Memorandum*, USDA-FNS, March 21, 2014, <https://fns-prod.azureedge.us/sites/default/files/snap/Farm%20Bill%20Implementation%20Memo.pdf#page=2>.

program (like Medicaid) in which the household participates. At the end of the transitional period, households may reapply for continued benefits under regular SNAP rules. According to the most recent SNAP State Options Report, as of October 1, 2017, 22 states and the District of Columbia provide transitional benefits.<sup>30</sup>

## Disaster Benefits (D-SNAP)

For areas affected by a natural or other disaster, states may request that USDA operate the Disaster Supplemental Nutrition Assistance Program (D-SNAP).<sup>31</sup> SNAP benefits are provided to already participating SNAP households who qualify for replacement or additional benefits as well as to non-SNAP households who become temporarily eligible under D-SNAP rules. If the disaster results in households' ongoing loss of income, households may be eligible to apply for SNAP under regular program rules after the D-SNAP benefit period has ended.

## Benefits

SNAP benefits are 100% federally financed and constitute the vast majority of federal spending for the SNAP program. This section discusses how SNAP benefit amounts are determined, how the benefits are issued, what benefits may and may not be used for, and the redemption of benefits.

### SNAP Federal Spending on Benefits<sup>32</sup>

In FY2021, of the \$114 billion in federal spending for the SNAP program, about 95% (\$109 billion) was spent on benefits themselves.

## Benefit Amounts (Allotments)

The eligibility rules of SNAP, discussed above, create a framework by which individuals (constituting a household) are eligible or ineligible for benefits, but once eligible, the household is also subject to a benefit calculation process, which determines the household's monthly benefit amount or allotment. The calculation of SNAP benefits takes into account the size of the household, the maximum benefit for the fiscal year, and the household's net income. For one- and two-person households, the minimum benefit may also play a role.

## Maximum Monthly Allotments

Maximum monthly benefit allotments are tied to the cost of purchasing a nutritionally adequate low-cost diet, as measured by the USDA-created and -calculated Thrifty Food Plan (TFP). The TFP is the cheapest of four diet plans meeting minimal nutrition requirements devised by USDA, specifically USDA's Center for Nutrition Policy and Promotion (CNPP). Maximum allotments are set at the monthly cost of the TFP for a four-person family consisting of a couple between ages 20 and 50 and two school-age children, adjusted for family size (using a formula reflecting economies of scale developed by the Human Nutrition Information Service), and rounded down to the nearest whole dollar.

Allotments are adjusted for food price inflation annually, each October, to reflect the cost of the TFP in the immediately previous June. Although USDA calculates the *cost* of the TFP each year to account for food price inflation, the *contents* of the TFP—often thought of as its own market

<sup>30</sup> USDA-FNS, *Supplemental Nutrition Assistance Program: State Options Report, Fourteenth Edition*, May 31, 2018, <https://fns-prod.azureedge.us/sites/default/files/snap/14-State-Options.pdf>

<sup>31</sup> See the USDA-FNS website for further details on D-SNAP and the provision of other food assistance during emergencies in recent years at <http://www.fns.usda.gov/disasters/disaster.htm>.

<sup>32</sup> Historical spending and participation data displayed in **Table A-1**. Additional data, including state-level, on USDA-FNS website.

basket of goods—was revised in 2021, as discussed above. Under a provision of the 2018 farm bill, the TFP is scheduled to be revised every five years. Maximum allotments are standard across the 48 contiguous states and the District of Columbia, but they are higher, reflecting substantially different food costs, in Alaska, Hawaii, Guam, and the U.S. Virgin Islands.

**Table 3. Maximum Possible Monthly SNAP Allotments, FY2022**

Effective October 1, 2021, through September 30, 2022

Household size	48 States and DC	Alaska <sup>a</sup>	Hawaii	Guam	U.S. Virgin Islands
1 person	\$250	\$322	\$472	\$369	\$322
2 people	459	591	865	677	590
3 people	658	846	1,239	969	845
4 people	835	1,074	1,573	1,231	1,074
5 people	992	1,276	1,868	1,462	1,275
6 people	1,190	1,531	2,242	1,754	1,530
7 people	1,316	1,692	2,478	1,939	1,691
8 people	1,504	1,934	2,832	2,216	1,933
Each additional person	188	242	354	277	242

**Source:** USDA-FNS.

- a. Maximum allotment levels in rural Alaska are 27% to 55% higher than the urban Alaska allotments noted in this table. Rural Alaska's maximum allotments can be found at <https://fns-prod.azureedge.us/sites/default/files/media/file/FY22-Maximum-Allotments-Deductions.pdf>

### What share of SNAP households received the maximum allotment?

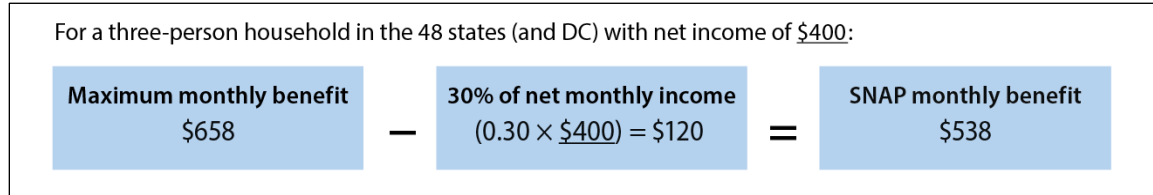
In FY2019, 36.4% of SNAP households received the maximum possible benefit.<sup>33</sup> From FY2020 until the end of the COVID-19 public health emergency—either as declared under federal law or at the end of a state emergency (whichever ends sooner)—SNAP benefits are increased to address temporary food needs.

## Calculation of a Household's Monthly Benefit

SNAP benefits are a function of a household's size, its net (counted) monthly income, and inflation-indexed maximum monthly benefit levels (in some cases, adjusted for geographic location). An eligible household's net income is determined (i.e., the deductions noted earlier for judging eligibility are subtracted from gross income), its maximum benefit level is established, and a benefit is calculated by subtracting its expected contribution (by law, 30% of its net income) from its maximum allotment. This equation is illustrated in the first row of **Figure 1**. Thus, as shown in the figure, a three-person household in one of the 48 states with \$400 in counted net income (after deductions) would receive a monthly allotment of \$538 in FY2022.<sup>34</sup> A three-person household with no counted income would receive the maximum monthly benefit.

<sup>33</sup> See USDA-FNS, SNAP household characteristics report, <https://fns-prod.azureedge.us/sites/default/files/resource-files/Characteristics2019.pdf>.

<sup>34</sup> The FY2022 maximum three-person benefit in the 48 states (plus the District of Columbia) is \$658; then subtract 30% of the household's net income, which equals \$120.

**Figure 1. Calculating the Monthly Benefit for a Hypothetical Household in FY2022**

**Source:** Figure created by CRS, based on benefit calculation rules.

Benefits are not taxable and purchases made with SNAP benefits may not be charged sales taxes. Receipt of SNAP benefits does not affect eligibility for, or benefits provided by, other public assistance programs, although some programs use SNAP participation as a trigger for eligibility, and others take into account the general availability of SNAP benefits in deciding what level of benefits to provide.

#### Average Allotments<sup>35</sup>

In FY2021, monthly benefits averaged approximately \$217.83 per person, \$418.35 per household. See <https://fns-prod.azureedge.us/sites/default/files/resource-files/34SNAPmonthly-6.pdf>

### Minimum Benefit

Eligible one- or two-person households are guaranteed a minimum monthly benefit allotment equal to 8% of the maximum benefit for a one-person household. This 2008 change replaced an older rule stipulating a minimum benefit of \$10 a month only for one- and two-person households.<sup>36</sup> For FY2022, the minimum benefit is \$20 a month for a household in the 48 states and the District of Columbia. This means that if the benefit calculation for a one- or two-person household yields a result of *less than* \$20, that household is guaranteed to receive \$20 a month. In FY2019, 10% of SNAP households received the minimum benefit.<sup>37</sup>

### Issuance of Benefits

Benefit issuance is a state agency responsibility, and states contract with private vendors to carry out most of their issuance activities. Benefits are provided through electronic benefits transfer (EBT) systems under which recipients are issued a debit card that they use to make food purchases. At the point of sale, retailers automatically debit the recipient's SNAP account and credit their own account. EBT cards can include both SNAP benefits (usable only to buy food items) and cash benefits (e.g., TANF payments, unemployment payments, child support payments); only cash benefits can be accessed using the card at ATMs.<sup>38</sup>

SNAP benefits normally are issued monthly. The state SNAP agency must either deny eligibility or make benefits available within 30 days of initial application and must provide allotments without interruption if an eligible household reapplies and fulfills recertification requirements in a timely manner. Households in immediate need because of little or no income and very limited

<sup>35</sup> Historical spending and participation data displayed in **Table A-1**. Additional data, including state-level data, are available on the USDA-FNS website.

<sup>36</sup> Calculating the minimum benefit based on a percentage of the maximum was added by the Food, Conservation, and Energy Act of 2008 (2008 farm bill; P.L. 110-246).

<sup>37</sup> See USDA-FNS SNAP household characteristics report, <https://fns-prod.azureedge.us/sites/default/files/resource-files/Characteristics2019.pdf>.

<sup>38</sup> For a state-by-state EBT status report, see the USDA-FNS website, <https://www.fns.usda.gov/snap/ebt/state-status-report>.



cash assets, as well as the homeless and those with extraordinarily high shelter expenses, must be given expedited service (provision of benefits within seven days of initial application). A household's calculated monthly allotment can be prorated (reduced) for one month. On application, a household's first month's benefit is reduced to reflect the date of application. If a previously participating household does not meet eligibility recertification requirements in a timely fashion, but does become certified for eligibility subsequently, benefits for the first month of its new certification period normally are prorated to reflect the date when recertification requirements were met.

## Redemption of Benefits

SNAP benefits are not the same as cash. Although SNAP benefits have a dollar value, they may only be spent on eligible food at authorized stores equipped with EBT point-of-sale systems.<sup>39</sup>

## Items That May Be Purchased With SNAP Benefits

Typically, participating households use their benefits in approved stores to buy food items for home preparation and consumption. In general, SNAP benefits may be redeemed for any foods for home preparation and consumption.<sup>40</sup> SNAP benefits may not be redeemed for alcohol, tobacco, or hot foods intended for immediate consumption.

According to the Food and Nutrition Act, SNAP may also be redeemed for seeds and plants to produce food for personal consumption. Elderly and disabled recipients and their spouses may redeem SNAP benefits for meals prepared and served through approved communal dining programs or home-delivered meal providers. SNAP may also be redeemed for meals prepared and served to residents of drug addiction and alcoholic treatment programs, small group homes for the disabled, shelters for battered women and children, and shelters or other establishments serving the homeless. In the case of certain remote areas of Alaska, benefits may be redeemed for procuring food by hunting and fishing (e.g., nets, hooks, fishing rods, and knives).

According to annual benefit redemption data collected by USDA-FNS, in FY2021 nearly 100% of SNAP benefits were redeemed in markets and stores, and the remaining share, approximately 0.3%, were redeemed at meal services and delivery routes.<sup>41</sup> Superstores and supermarkets made up 15% of stores authorized, but approximately 80% of SNAP benefits were redeemed at these stores. Convenience stores made up 44% of stores authorized, but 5% of benefits were redeemed at them (see **Table 4** for this FY2021 redemption data by retailer type).<sup>42</sup>

## SNAP-Authorized Retailers

SNAP benefits may be redeemed only at authorized retailers. The list of retailers that are authorized is varied—from supermarkets, to farmers markets, to convenience stores. **Table 4** displays the prevalence of each retailer type and the share of benefits redeemed at each type.

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<sup>39</sup> Stores authorized to participate in SNAP are required to ensure that SNAP benefits are accepted as payment only for eligible food. Many, but not all, stores ensure compliance by programming their point of sale systems to recognize the SNAP eligibility of products at the checkout counter, thereby preventing the use of SNAP benefits to pay for ineligible products.

<sup>40</sup> Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. §2012(k)).

<sup>41</sup> USDA-FNS, SNAP Retailer Data, 2021 Year End Summary, available at <https://fns-prod.azureedge.us/sites/default/files/resource-files/2021-snap-retailer-management-year-end-summary.pdf>.

<sup>42</sup> Ibid.; and P.L. 113-79



In addition to business integrity requirements, authorization is based on the retailers' meeting inventory requirements in SNAP law and regulation. Whether a retailer is authorized requires two general steps: (1) an application for authorization<sup>43</sup> and (2) passing a USDA-FNS administered inspection.

The inventory requirements are based on the Food and Nutrition Act's definition of staple foods and related inventory or sales requirements.<sup>44</sup> The four categories of staple foods are meat, poultry, or fish; bread or cereal; vegetables or fruits; and dairy products. Regarding inventory and sales requirements, an eligible retailer must either

- offer (1) three varieties of qualifying foods in each of the four staple food categories, and (2) one perishable variety in at least two of the staple food categories; or
- have more than 50% of total sales from the sale of eligible staple foods (this option is often used for specialty stores that may specialize in certain of the staple food categories, e.g., a bakery, produce store, or butcher).<sup>45</sup>

USDA also takes other factors into account; for example, if store does not meet the criteria listed above, USDA may approve the store in an area where SNAP participants have significantly limited access to food.

### ***Restaurants***

For the most part, SNAP benefits are not redeemable at restaurants, recalling that the benefits are not redeemable for hot, prepared foods. However, there does exist a state restaurant option. Under this option, states can choose to authorize restaurants to accept SNAP benefits for homeless, elderly, and disabled individuals—populations that may have difficulty *preparing* food, in addition to purchasing food. As of June 3, 2022, Arizona, California, Illinois (Cook and Franklin Counties only), Maryland, Michigan, Rhode Island (Providence and Washington Counties only), and Virginia currently operate state-administered restaurant programs serving their elderly, homeless, and disabled populations.<sup>46</sup> FY2021 redemption data indicate that approximately \$159.3 million (or 0.1% of SNAP benefits) were redeemed at “Private Restaurant/M Meal Delivery.”<sup>47</sup>

### ***Farmers' Markets***

Farmers' markets may become SNAP-licensed retailers.<sup>48</sup> USDA reported that 5,345 farmers' markets or individual farmers were authorized to accept SNAP benefits in FY2021, and they redeemed a total of over \$58.7 million in SNAP benefits (significantly less than 0.1% of SNAP

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<sup>43</sup> USDA-FNS website, <https://www.fns.usda.gov/snap/retailer-apply>.

<sup>44</sup> See 7 U.S.C. §2012(o), (q).

<sup>45</sup> See USDA-FNS, “Is My Store Eligible?” <https://www.fns.usda.gov/snap/my-store-eligible> for further detail.

<sup>46</sup> See USDA-FNS, <https://www.fns.usda.gov/snap/retailer/restaurant-meals-program>.

<sup>47</sup> USDA-FNS, SNAP Retailer Data, 2021 Year End Summary, available at <https://fns-prod.azureedge.us/sites/default/files/resource-files/2021-snap-retailer-management-year-end-summary.pdf>.

<sup>48</sup> See USDA-FNS, “Supplemental Nutrition Assistance Program (SNAP): Farmer Producer” <https://www.fns.usda.gov/snap/farmer-producer>.

benefits).<sup>49</sup> Compared to FY2020, this is an increase of over 15% in authorizations and an increase of nearly 79% in benefits redeemed.

### ***Bonus Incentive Projects***

States, localities, and farmers' market networks have created SNAP bonus incentive programs to encourage fruit and vegetable purchases at farmers' markets as well as grocery stores. These allow SNAP participants to redeem their benefits for more than *money on the dollar*. For example, a participant might exchange \$3 of benefits for a \$6 voucher to redeem at the market; some projects use an electronic currency for the incentives. Prior to the enactment of federal funding for these bonuses, USDA required that the bonus funds be nonfederal dollars.

The Gus Schumacher Nutrition Incentive Program (GusNIP) was enacted in the 2018 farm bill as a renaming and expansion the Food Insecurity Nutrition Incentive (FINI) grant program enacted in the 2014 farm bill. GusNIP awards competitive grants for projects focused on incentives for SNAP participants to purchase fruits and vegetables. It includes dedicated funding for produce prescription projects, which provide a fruit and vegetable benefit for participants with health needs. All grants except those for produce prescription projects require grantees to match federal funds.<sup>50</sup>

### **Trafficking**

*Trafficking* usually refers to the direct exchange of SNAP benefits (formerly known as food stamps) for cash, which is illegal, and both retailers and recipients might engage in this form of fraud.<sup>51</sup> Retailer trafficking of SNAP benefits usually occurs when a SNAP recipient sells their benefits for cash, often at a loss, to an owner or employee of a store participating in SNAP.<sup>52</sup> The Food and Nutrition Act mandates penalties for retailers and participants engaged in trafficking, including fines and imprisonment.

USDA-FNS detects stores suspected of trafficking SNAP benefits through data analysis and undercover investigations and penalizes stores found to be engaged in retailer trafficking. An FNS analysis of retailer trafficking during 2015-2017 estimated that the retailer trafficking rate was 2.0%, up from 1.5% in a 2012-2014 study.<sup>53</sup> States are responsible for detecting and penalizing recipients who engage in trafficking,<sup>54</sup> though FNS provides states with grants and technical assistance in this effort.<sup>55</sup> For more information, see CRS Report R45147, *Errors and Fraud in the Supplemental Nutrition Assistance Program (SNAP)*.

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<sup>49</sup> USDA-FNS, SNAP Retailer Data, 2021 Year End Summary, available at <https://fns-prod.azureedge.us/sites/default/files/resource-files/2021-snap-retailer-management-year-end-summary.pdf>.

<sup>50</sup> For more information, see CRS Report R46538, *Local and Urban Food Systems: Selected Farm Bill and Other Federal Programs*.

<sup>51</sup> For the full definition of *trafficking*, see 7 C.F.R. §271.2. Trafficking can also include the exchange of SNAP benefits for controlled substances, firearms, ammunition, or explosives. Additionally, trafficking includes indirect exchanges, such as obtaining cash refunds for products purchased with SNAP benefits or reselling products purchased with SNAP benefits.

<sup>52</sup> For example, a recipient swipes their SNAP EBT card for a \$20 purchase transaction, but rather than receiving \$20 of eligible food, the recipient obtains \$10 in cash from the store owner. The total amount of the transaction (\$20) is deposited into the store owner's bank account. In this example, both the recipient and retailer are engaged in trafficking SNAP benefits.

<sup>53</sup> USDA-FNS, *The Extent of Trafficking in the Supplemental Nutrition Assistance Programs: 2015-2017 (Report Summary)*, September 2021, <https://www.fns.usda.gov/snap/extent-trafficking-2015-2017>.

<sup>54</sup> Section 11(e)(20) of the Food and Nutrition Act (7 U.S.C. §2020(e)(20)).

<sup>55</sup> See examples of recent FNS grants for state initiatives at <https://www.fns.usda.gov/news-item/maro-dc-081122>.

**Table 4. Retailers Authorized and Benefits Redeemed by Retailer Type, FY2021**

(retailer types are displayed in order of each type's share)

Retailers Authorized by Retailer Type			Share of Benefits Redeemed by Retailer Type		
Type of Retailer	Number Authorized	Percentage of All Retailers Authorized	Type of Retailer	Dollars Redeemed (in billions)	Percentage of All SNAP Redemptions
Convenience Store	112,529	44.2%	Super Store	\$66.419	52.9%
Combination Grocery/Other	62,526	24.6%	Supermarket	\$33.899	27.0%
Super Store	19,364	7.6%	Combination Grocery/Other	\$6.693	5.3%
Supermarket	18,842	7.4%	Convenience Store	\$6.382	5.1%
Medium Grocery Store	10,547	4.1%	Internet Retailer	\$4.964	4.0%
Small Grocery Store	8,273	3.3%	Medium Grocery Store	\$2.615	2.1%
Meal services	5,593	2.2%	Large Grocery Store	\$1.984	1.6%
Large Grocery Store	3,750	1.5%	Small Grocery Store	\$0.841	0.7%
Farmers Market	2,984	1.2%	Meat/Poultry Specialty	\$0.513	0.4%
Meat/Poultry Specialty	2,424	1.0%	Seafood Specialty	\$0.401	0.3%
Direct Marketing Farmer	2,361	0.9%	Meal services	\$0.344	0.3%
Bakery Specialty	2,171	0.9%	Bakery Specialty	\$0.174	0.1%
Seafood Specialty	1,149	0.5%	Delivery Route	\$0.094	0.1%
Fruits/Veg Specialty	757	0.3%	Fruits/Veg Specialty	\$0.069	0.1%
Delivery Route	646	0.3%	Military Commissary	\$0.065	0.1%
Military Commissary	184	0.1%	Farmers Market	\$0.034	0.0%
Non-profit Food Buying Co-op	161	0.1%	Direct Marketing Farmer	\$0.025	0.0%
Internet Retailer	89	0.0%	Non-profit Food Buying Co-op	\$0.010	0.0%
Total Retailers	254,350	100.0%	Total Benefits	\$125.525	100.0%

**Source:** Data from USDA-FNS, SNAP Retailer Data, 2021 Year End Summary, available at <https://fns-prod.azureedge.us/sites/default/files/resource-files/2021-snap-retailer-management-year-end-summary.pdf>.

**Notes:** The retailer classifications listed here are based upon USDA-FNS's internal guidance. "0.0%" indicates less than 0.05%.

- a. Dollar amounts and total may differ from the USDA-FNS source data due to rounding.
- b. "Meal Services" consolidates the USDA-FNS retailer types of Communal Dining Facility, Drug Alcohol Treatment Program, Group Living Arrangement, Homeless Meal Provider, Meal Delivery Service, Private Restaurant/Meal Delivery, Senior Citizens' Center/Residential Building, and Shelter for Battered Women and Children.

## Appendix. Historical SNAP Data

**Table A-1. SNAP (formerly the Food Stamp Program) Participation and Spending, FY1989-FY2021**

Fiscal Year	Average Monthly Participation (in thousands)		Average Monthly Benefit (in dollars)	Federal Spending (in millions of dollars)		
	Individuals	Households	Per Person <sup>a</sup>	Benefits	All Other Costs <sup>b</sup>	Total
1989	18,806	7,231	\$51.71	\$11,670	\$1,232	\$12,902
1990	20,049	7,796	\$58.78	\$14,143	\$1,304	\$15,447
1991	22,625	8,877	\$63.78	\$17,316	\$1,432	\$18,747
1992	25,407	10,060	\$68.57	\$20,906	\$1,557	\$22,462
1993	26,987	10,790	\$67.95	\$22,006	\$1,647	\$23,653
1994	27,474	11,091	\$69.00	\$22,749	\$1,745	\$24,493
1995	26,619	10,879	\$71.27	\$22,764	\$1,856	\$24,620
1996	25,543	10,549	\$73.21	\$22,440	\$1,891	\$24,331
1997	22,858	9,455	\$71.27	\$19,549	\$1,959	\$21,508
1998	19,791	8,250	\$71.12	\$16,890	\$2,098	\$18,988
1999	18,183	7,668	\$72.27	\$15,769	\$2,052	\$17,821
2000	17,194	7,351	\$72.62	\$14,983	\$2,071	\$17,054
2001	17,318	7,449	\$74.81	\$15,547	\$2,242	\$17,789
2002	19,096	8,195	\$79.67	\$18,256	\$2,381	\$20,637
2003	21,250	9,153	\$83.94	\$21,404	\$2,412	\$23,816
2004	23,811	10,277	\$86.16	\$24,619	\$2,480	\$27,099
2005	25,628	11,196	\$92.89	\$28,568	\$2,504	\$31,072
2006	26,549	11,733	\$94.75	\$30,187	\$2,716	\$32,903
2007	26,316	11,788	\$96.18	\$30,373	\$2,800	\$33,174
2008	28,223	12,727	\$102.19	\$34,608	\$3,031	\$37,640
2009	33,490	15,232	\$125.31	\$50,360	\$3,260	\$53,620
2010	40,302	18,618	\$133.79	\$64,702	\$3,581	\$68,283
2011	44,709	21,072	\$133.85	\$71,811	\$3,876	\$75,686
2012	46,609	22,330	\$133.41	\$74,619	\$3,790	\$78,409
2013	47,636	23,052	\$133.07	\$76,066	\$3,870	\$79,936
2014	46,536	22,700	\$125.37	\$69,999	\$4,163	\$74,162
2015	45,767	22,522	\$126.81	\$69,645	\$4,302	\$73,947
2016	44,220	21,778	\$125.40	\$66,539	\$4,373	\$70,912
2017	42,317	20,898	\$125.47	\$63,711	\$4,464	\$68,175

2018	40,776	20,209	\$124.50	\$60,917	\$4,532	\$65,449
2019	35,702	17,964	\$129.83	\$55,622	\$4,765	\$60,387
2020	39,875	20,487	\$155.14	\$74,233	\$5,026	\$79,529
2021	41,563	21,643	\$217.83	\$108,647	\$5,180	\$113,827

**Source:** USDA-FNS data, as of June 17, 2021.

**Notes:** Dollar amounts displayed are provided in nominal terms. That is, the amounts displayed here have not been adjusted to reflect 2021 dollars.

- a. Based on monthly average data.
- b. Includes the federal share of state administrative expenses, Nutrition Education and Obesity Prevention Grant Program (SNAP-Ed), SNAP Employment & Training, and other federal costs.

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