

Advocacy Publishes Supplemental Comment Letter to USDA on the Food and Nutrition Services' NPRM on Providing Regulatory Flexibility for Retailers in the Supplemental Nutrition Assistance Program (SNAP)

- On May 28, 2019, the Office of Advocacy's (Advocacy) filed comments on the proposed rule. Advocacy noted that the transparency of the rule would be greatly increased if FNS provided the public with its RIA and RFA analyses which were supposed to be included in the proposed rule's docket but were unintentionally omitted by FNS. Because of this oversight FNS subsequently published the RIA and RFA analyses on June 14, 2019 and reopened the comment period to June 20, 2019.
- After reviewing the RIA and RFA documents, Advocacy published a supplemental comment letter providing FNS with its thoughts on the regulatory analyses. Advocacy commented that there were two concerns with the RIA and RFA analyses. First, most of the assumptions in the analyses were based on data taken from the 2016 final rule. As a result, Advocacy encouraged FNS to recalculate its regulatory baseline by using 2019 data. This would provide the public with a more current snapshot of any costs (or cost savings) inherent in the proposed rule. Second, FNS did not entertain significant alternatives. Stakeholders told Advocacy that they met with FNS and offered the agency a reasonable alternative that would simplify the breadth of stock provisions contained in the rule. Advocacy commented that FNS should have discussed this alternative.
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