



April 29, 2024

The Honorable G.T. Thompson, Chair  
House Committee on Agriculture  
1301 Longworth House Office Building  
Washington, DC 20515-6143

The Honorable David Scott, Ranking Member  
House Committee on Agriculture  
1301 Longworth House Office Building  
Washington, DC 20515-6143

**Brian Patrick Kennedy**  
Speaker Pro Tempore  
Rhode Island General  
Assembly  
President, NCSL

**Sabrina N. Lewellen**  
Deputy Director - Senate  
Assistant Secretary of the  
Senate  
Arkansas General Assembly  
Staff Chair, NCSL

**Tim Storey**  
Chief Executive Officer  
NCSL

Dear Chair Thompson and Ranking Member Scott,

On behalf of the National Conference of State Legislatures, the bipartisan organization representing the legislatures of our nation's states, commonwealths and territories, we write to inform you and your committee of NCSL's [position](#) on SNAP program flexibility, particularly as it applies to the use of contractors.

NCSL supports the authority for states to use, at their option, contractors to support administrative and eligibility functions in SNAP. NCSL asks the federal government to remove barriers to this option so states can meet surges in demand, address workforce shortages, align SNAP flexibility with other programs and ensure the right benefits go to the right people at the right time. NCSL's position was adopted by its members in August 2022 as the nation faced critical workforce shortages as a result of the pandemic, retirements and resignations. The position was an acknowledgement of the need for greater state flexibility in meeting the needs of vulnerable communities when pressing circumstances require.

As such, NCSL supports the language of the [SNAP Staffing Flexibility Act of 2023](#) (H.R. 5094), which, among other things, provides states with a permanent option to use contractors rather than relying on the uncertainty of the waiver process which is currently required by USDA [guidance](#) if a state wishes to use non-merit employees. The act makes clear that such an option may only be invoked to supplement, not supplant, the state's workforce and only when a state is unable to timely process SNAP applications which may occur as a result of a pandemic, other health emergencies, seasonal workforce cycles, temporary staffing shortages and weather or other natural disasters.

NCSL urges you to incorporate this important flexibility as you continue deliberations on the Farm Bill. There is urgency in the timing of this request in light of USDA's [letter](#) to 44 states and three territories on Feb. 8, 2024 citing concerns about backlogs and other administrative issues.

We stand ready to work with you to further strengthen the state-federal partnership that provides nutrition assistance to 42 million people in need.

Sincerely,

Tim Storey  
Chief Executive Officer  
National Conference of State Legislatures