

**FOR  
IMMEDIATE  
RELEASE**

**For more information**

Elise Stokes, (916) 551-2118,  
[estokes@lsnc.net](mailto:estokes@lsnc.net)  
Legal Services of Northern California

Stephanie Haffner, (213) 235-2617,  
[shaffner@wclp.org](mailto:shaffner@wclp.org)  
Western Center on Law & Poverty

**COURT FINDS FEDERAL REGULATION DENYING FOOD STAMPS TO AGED, BLIND AND  
DISABLED PERSONS ILLEGAL**

*Invalidating the regulation patches 37-year-old unintended hole in the federal safety net*

**July 11, 2016** – U.S. District Judge Jon S. Tigar of the Northern District of California, invalidating a 37-year-old U.S. Department of Agriculture (USDA) regulation, ruled on July 1, 2016 that Californians with suspended SSI (Supplemental Security Income) benefits are entitled to receive SNAP (food stamp) assistance.

Hector Riojas, the plaintiff in *Riojas v. Vilsak*, was homeless and residing in Humboldt County. He received Supplemental Nutrition Assistance (SNAP) food benefits and subsequently applied for SSI disability benefits. SSI (Supplemental Security Income) provides support for aged, blind and disabled individuals who are poor. In California, SSI recipients also receive a small amount of money as a replacement for SNAP benefits and so are ineligible for SNAP.

Mr. Riojas was eventually granted SSI by the Social Security Administration but those payments were suspended when he began receiving additional income that made him ineligible for SSI. His income was still low-enough to qualify him for SNAP. Pursuant to the USDA regulation challenged in this lawsuit, Mr. Riojas was then terminated from food benefits and told to repay SNAP benefits he had received when the SSI was suspended – leaving him without food through either SSI or SNAP.

“Even though Mr. Riojas did not actually receive any money from SSI, the regulation required USDA and the State of California to act as if he still were being paid the SSI benefits, leaving him not only with no actual SSI income, but with no Food Stamp benefits either,” said lead counsel Elise Stokes, an attorney with Legal Services of Northern California. “It made no sense.”

According to the Court’s order, “The USDA’s economists have concluded that SNAP “significantly improves the welfare of low-income households.” Judge Tigar ruled that Congress unambiguously expressed its “intent that individuals be eligible to participation in [SNAP] unless they receive SSI/SSP funds.”

“This district court ruling shines a bright light on a regulation that unfairly denies food aid to untold numbers of California residents for months on end,” noted co-counsel Stephanie Haffner, a Western Center on Law & Poverty attorney. “We hope that USDA will immediately comply with the Court’s ruling that its regulation is invalid.”

The court’s decision can be viewed [here](#).

###