



DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

Supplemental Nutrition Assistance Program: State of Nebraska SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Nebraska's proposed demonstration project under section 17(b) of the Food and Nutrition Act of 2008. The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments, including authorizing or refusing to authorize the proposed project.

DATES: Written comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Web Site: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the Internet via <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at SM.FN.RPMDHQ-WEB@usda.gov with subject line of “**NE SNAP Demonstration Project**”.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. If approved, this proposed demonstration project would be implemented by the State, and FNA would carefully review the results of the project based on the State’s evaluation data. All relevant documents, including the State’s demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central webpage on May 21, 2025, to post State agencies’ project requests and approvals and provide exact implementation timelines. That webpage is accessible at the following address: <https://www.fna.usda.gov/snap/waivers/foodrestriction>.

Discussion of Demonstration Project:

State of Nebraska Demonstration Project Request

Following the vacatur of Nebraska’s demonstration project and four others in *Aragon v. Rollins*, No. 26-0861 (D.D.C. June 22, 2026), the State of Nebraska submitted a new request to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude “soda, soft drinks, and energy drinks” with a proposed implementation date of December 1, 2026. In addition, the State requested to also exclude “candy” with a proposed implementation date of March 1, 2027. The State formally requested to conduct this project on September 1, 2026. The State’s project request can be found in the supporting document section and on the FNA website on the following page: <https://www.fna.usda.gov/snap/waivers/foodrestriction/nebraska>.

Request for Public Comments: FNA is considering whether to approve Nebraska’s proposed demonstration project. Although not required by statute, interested parties are invited to submit

written comments regarding the State of Nebraska's proposed demonstration project. FNA is particularly interested in comments regarding the state's proposed plan for implementation and operation of the demonstration project. FNA will consider any comments submitted by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] and take appropriate action, including authorizing or refusing to authorize the project. In light of the district court's decision in *Aragon*, FNA will issue a separate Federal Register notice authorizing or refusing to authorize the project; although Nebraska has requested a December 1st implementation date, any notice authorizing the project would issue at least ten days before the project's implementation date. Further information related to the implementation of the demonstration project is included on the FNA website (<https://www.fna.usda.gov/snap/waivers/foodrestriction>) and the State's website (<https://dhhs.ne.gov/Pages/Healthy-Choices-Waiver.aspx>).

Shiela Corley,
Acting Administrator,
Food and Nutrition Administration, USDA.
[FR Doc. 2026-20211 Filed: 10/1/2026 8:45 am; Publication Date: 10/2/2026]