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February 22, 2018

Certification Policy Branch  
Program Development Division  
Food and Nutrition Service  
3101 Park Center Drive  
Alexandria, VA 22302

**Re: Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults without Dependents RIN 0584-AE57**

To Whom it May Concern:

Thank you for the opportunity to comment on USDA's proposed rule on the Requirements for Able-Bodied Adults without Dependents (ABAWDs) participating in the Supplemental Nutrition Assistance Program (SNAP). We oppose these proposed changes to SNAP because the result would increase both the barriers to assistance and the risk of hunger for ABWADs, a population that is already incredibly tough to reach with services. The proposed rule would also limit a state's ability to fine tune and tailor the program to meet the needs in local communities.

Feeding Wisconsin is the statewide association of the six Feeding America food banks that provide access to emergency food resources to a network of over 1,000 local food pantries and meal programs in every corner of our state. Our mission is to help our food banks, partners, and stakeholders fight hunger, improve health, and strengthen communities. Annually, our network of food banks provides over 55 million meals every year to over 550,000 people.

Feeding Wisconsin also operates and supports a statewide FoodShare Outreach program, providing potentially eligible individuals throughout our state with the information they need to make an informed choice about applying for the program. If they choose to apply, we can provide high-quality, in-person application assistance in 29 counties or assistance over the telephone statewide. Our application assistance has helped our state partners reduce churn and increase programmatic efficiencies. Since the beginning of Federal Fiscal 2016, our network of specialists has assisted nearly 16,000 individuals and our Helpline has answered over 17,000 Helpline calls.

The proposed rule change has resonance in our state because in 2015, Wisconsin withdrew our state's waiver to exempt childless adults of working age, more commonly known as ABAWDs, from time-limited SNAP benefits. As a result, over 100,000 Wisconsinites lost access to SNAP benefits between July 2015 and December 2018, while only about 31,000 were connected to jobs over that same time frame.

Our opposition to the proposed rule change is informed by the results in our state and our well-reasoned belief that what happened in Wisconsin is not an outlier but rather the norm and that



imposing harsh, arbitrary time-limits for nutrition assistance make for bad, inflexible policy that hurts people.

Federal law limits SNAP eligibility for ABAWDs aged 18-49 (except for those who are exempt) to just three months out of every three years unless they are able to obtain and maintain an average of 20 hours a week of employment. Three months of benefits every three years is an arbitrary time limit that has no correlation with encouraging employment or training. This time limit denies people food benefits at a time when they need access to nutritious food the most. By time-limiting food assistance to this group, federal law has shifted the burden of providing food to these unemployed individuals from the SNAP program to states, cities, and local charities.

Under the law, states have some flexibility to ameliorate the impact of the cutoff. They can request a waiver of the time limit for areas within the state that have 10 percent or higher unemployment rates or, based on other economic indicators, have “insufficient jobs.” Moreover, states have discretion to exempt individuals from the time limit by utilizing a pool of exemptions (referred to as “15 percent exemptions”). While the 2018 Farm Bill modified the number of exemptions that states can receive each year from 15 percent to 12 percent, it did not change their ability to carry over unused exemptions forward. This is an important tool for states because local conditions are never static.

Furthermore, we strongly oppose the proposed rule that would expose even more people to the arbitrary food cutoff policy by limiting state flexibility regarding area waivers and individual exemptions. By the Administration’s own calculations, the proposed rule would take food away from 755,000 low-income Americans, cutting food benefits by \$15 billion over ten years. The Administration does not estimate any improvements in health or employment among the affected population.

Similarly, the USDA provides little analysis to explain its conclusions about the impacts the changes would have on individuals and population groups nor of realistic plans to avert harm from those changes. USDA merely asserts its expectation that two-thirds of those individuals made newly subject to the time limit “would not meet the requirements for failure to engage meaningfully in work or work training.” Moreover, while the Department concedes that the proposed changes “have the potential for disparately impacting certain protected groups due to factors affecting rates of employment of these groups, [it] find[s] that implementation of mitigation strategies and monitoring by the Civil Rights Division of FNS will lessen these impacts.” But there is no explanation of the mitigation strategies and monitoring is provided, so there is no opportunity for us to comment on whether the acknowledged disparate impact will in fact be mitigated.

SNAP is a nutrition program and while it can serve as a bridge to work and a better life, it is not a jobs program. The proposed rule undermines the safety valves in the existing law, making it less effective at its core mission to provide nutrition assistance and these proposals should be rejected.

The problem with persistent increased SNAP participation is not that ABAWDs refuse to work. To be clear, ABAWDs make up a small percentage of the people receiving SNAP and many of them are dealing with life circumstances that make consistent, stable employment a challenge. Rather, the problem with persistent, elevated SNAP participation is due to the fact that far too many people have

countable income at or below 100% of the federal poverty line. The solution to this problem is not to punish people for being unemployed or who are not working enough hours but rather to create incentives and eliminate barriers to work and training.

The 2018 Farm Bill included funding for work training pilots designed to help SNAP recipients develop skills and find jobs. This is a better approach to equipping SNAP recipients with the tools they need to get out of poverty than limiting states' ability to tailor the program to the needs of its citizens with low-incomes.

The proposed rule mirrors changes to SNAP that were rejected in the final Farm Bill that was passed and signed into law in late 2018. Congress made the decision to ensure that states would continue to have the flexibility to implement waivers to fine tune the program to meet the needs in local areas. The rules governing areas' eligibility for waivers and individual exemptions have been in place for nearly 20 years. In that time, the waiver rules have proven to be reasonable, transparent, and manageable for states to operationalize.

We strongly oppose the proposed rule that would expose even more people to the arbitrary SNAP food cutoff policy and harm our community. Our state has seen firsthand the negative impacts of an unnecessary withdrawal from the time-limit waiver for ABAWDs. Forcing other states to limit their flexibility will increase the risk for hunger and food insecurity among the most vulnerable adults in our nation. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David Lee", written over a light gray rectangular background.

David Lee  
Executive Director