

**Model template for commenting on proposed SNAP rule
From Food Research and Action Center**

[Date]

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

RE: Proposed Rule: Supplemental Nutrition Assistance Program (SNAP):
Requirements for Able-Bodied Adults without Dependents RIN 0584-AE57

Dear Certification Policy Branch:

[I/we] take this the opportunity to comment in opposition to USDA's Proposed Rulemaking on SNAP requirements and services for Able-Bodied Adults Without Dependents (ABAWDs). The proposed changes would cause serious harm to [fill in population group or sector], our community and the nation.

[FILL IN INFORMATION ABOUT YOU, your city or your organization's mission]. _____.

SNAP Matters

SNAP plays a critical role in addressing hunger and food insecurity in our community. It is the first line of defense against hunger for low-income residents.

[Insert information about food insecurity in the state and/or city. Insert information about the positive impacts that SNAP has for health and well-being and for economic activity for local communities—see, e.g., information contained in <http://frac.org/wp-content/uploads/frac-facts-snap-strengths.pdf>]

Based on USDA Economic Research Service analysis, it is estimated that each \$1 in federal SNAP benefits generates \$1.79 in economic activity. Those dollars help many food retailers operating on thin margins to remain in business; something that improves food access for all residents.

[Local farmers' markets receive revenue from SNAP purchases and many of those markets also participate in incentive programs that provide SNAP shoppers with bonuses for purchasing fruits and vegetables.]

Area Waivers and Individual Exemptions Provide Ways to Modestly Ameliorate the Harsh Impact of Arbitrary Time Limits

Federal law limits SNAP eligibility for childless unemployed and underemployed adults age 18-50 (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. This rule is harsh and unfair. It harms vulnerable people by denying them food benefits at a time when they most need it and it does not result in increased employment and earnings. By time-limiting food assistance to this group, federal law has shifted the burden of providing food to these unemployed individuals from SNAP 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.

[Insert any information about how area waivers and individual exemptions have helped your state and community]

Proposed Rule Undermining Law’s Safety Valves Should Be Rejected

[I/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.

The proposed rule would make it harder for areas with elevated unemployment rates to qualify for waivers of the time limit by adding a 7 percent unemployment rate floor as a condition. [This would have a negative impact in our state. Describe any areas in the state that might have unemployment rates under 7 percent but still have a lack of jobs for low-income adults; note any challenges – such as lack of transportation or a lack of education -- these individuals have in finding work.]

The proposed rule would make it harder for states to obtain and implement area waivers by dropping statewide waivers except when a state triggers extended benefits under Unemployment Insurance. It would unduly limit the economic factors considered in assessing an area’s eligibility for a waiver (e.g., by no longer allowing employment to population ratios that demonstrate economic weakness

to qualify areas for waivers). It would undermine efficient state implementation of area waivers by limiting their duration to 12 months and delaying their start dates until after USDA processes the request. In addition, the proposed rule would remove states' ability to use exemptions accumulated prior to the rule's implementation as well limit the time states' have to use exemptions they receive in the future. [Add any examples or details about how these proposals would affect your state, or a region in your state.]

The Department 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 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.

The Administration proposed rule seeks to end run Congress, which just concluded a review and reauthorization of SNAP in the 2018 Farm Bill and did not make the changes proposed. 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.

[I/We] strongly oppose the proposed rule that would expose even more people to the arbitrary SNAP food cutoff policy and harm our community.

Sincerely,

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