



March 22, 2018

Ms. Sasha Gersten-Paal
SNAP Program Development Division
Food and Nutrition Service
3101 Park Center Drive
Room 812
Alexandria, VA 22302

Re: Advanced Notice of Proposed Rulemaking: Supplemental Nutrition Assistance Program: Requirements and Services for Able-Bodied Adults Without Dependents RIN 0584-AE57

Dear Ms. Gersten-Paal :

Thank you for the opportunity to comment on USDA's Advanced Notice on requirements and services for Able-Bodied Adults Without Dependents (ABAWDs).

California Food Policy Advocates (CFPA) is a statewide policy and advocacy organization dedicated to improving the health and well-being of low-income Californians by increasing their access to nutritious, affordable food. For over twenty-five years, we have advocated for improved access and participation in the federal nutrition programs, including CalFresh, the state's largest food assistance program, known federally as the Supplemental Nutrition Assistance Program (SNAP).

Our organization pays very close attention to SNAP/CalFresh because the program plays a critical role in addressing hunger and food insecurity in California, and is the first line of defense against hunger for the majority of our low-income residents. We feel particularly strongly about the three-month time limit because this policy will soon be re-implemented in our state and has the potential to cut off food assistance to tens of thousands of vulnerable people in our community who are in need just because they are unable to find and consistently maintain a reliable 20 hour per week job. When lost jobs, unstable hours, and low wages push Californians to teeter on the edge of stability, CalFresh remains one of the only federal assistance programs for which adults without minor children may qualify.

Since 1996, federal law has limited SNAP eligibility for childless unemployed and underemployed adults age 18-50 (except for those who are able to provide verification of an exemption) 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, unfair, and counterproductive. It doesn't measure an

individual's willingness to work, only whether they are fortunate enough to find and keep a job at over 20 hours per week, regardless of how little control they have over work hours and schedules. It harms vulnerable people by denying them essential food benefits at a time when they most need it and it does not result in increased employment and earnings. At least 500,000 low income individuals nationwide lost SNAP in 2016 due to the time limit, and there are tens of thousands of individuals in California whose food security will soon be at risk due to the upcoming expiration of waivers of the time limit rule. By time limiting food assistance to this group, federal law has shifted the burden of providing food to these unemployed individuals from SNAP to local charity. That is a burden that state and local groups cannot possibly meet, given that 19 out of every 20 emergency meals are provided by the federal nutrition programs.

While this request for comment appears to be open to suggestions on how to make the time limit less harsh via administrative action, CFPA is concerned that the Administration seeks only to make the rule even more draconian: to expand the scope of the cutoff and to eliminate the little flexibility states have to limit the damage of the rule. The Department's stance on the time limit is not one that our organization, or the State of California, shares. The Secretary of Agriculture has suggested the need to "[remove those waivers for able-bodied adults without dependents.](#)" because "it's become a lifestyle for some people." USDA's budget has proposed making the time limit harsher by repealing states' flexibility to exempt certain individuals and most high unemployment areas from the time limit and exposing more people to this punitive policy. As a result, we are deeply concerned that this request for comment is part of an administrative effort to make the time limit even more harsh.

We strongly oppose any administrative action by USDA that would expose more people to this cut-off policy. Under the law, states have the flexibility to waive areas within the state that have experienced elevated unemployment. The rules governing areas' eligibility for waivers have been in place for nearly 20 years and every state except Delaware has availed themselves of waivers at some point since the time limit became law. Use of waivers increased, as intended, during the Great Recession, and have now returned to their historic norms as the economy has improved in many areas of the country. However, California's economy is only now recovering from the severe economic downturn, and many areas of the state continue to have persistently high unemployment. Those jobs that do exist often offer low wages, irregular hours, and may require skills that are not an appropriate match for the population impacted by the time limit. The waiver rules are reasonable, transparent and manageable for states to operationalize. Any change that would restrict, impede or add uncertainty to California's current ability to waive areas with elevated unemployment must not be pursued.

The request for comment also seems to suggest that potential improvements to other aspects of the time limit policy, such as individual exemption policy, would justify weakening states' flexibility to waive the time limit in areas with elevated unemployment. This logic is unfounded and impractical. California's current ability to exempt certain vulnerable individuals from the rule is important but wholly insufficient. It is dependent on burdensome individual client assessments, and could never make up for having to apply the time limit in areas with elevated employment. And, despite some limited successes within specific grant-funded local programs, the underfunded workforce system and SNAP/CalFresh employment and training programs are not designed or well suited to meet the job training requirements under this rule. Put simply, there is no justification for weakening current waiver rules and exposing more vulnerable people to this SNAP/CalFresh eligibility cut-off.

The only action we encourage USDA to take with respect to this time limit rule that impacts Able-Bodied Adults Without Dependents is to propose its long overdue elimination. Restoring the ability of SNAP/CalFresh to provide food assistance to impoverished unemployed people would be a powerful policy improvement that would reduce food insecurity among those seeking work and support positive health and economic outcomes for SNAP/CalFresh beneficiaries.

Sincerely,

A handwritten signature in black ink that reads "Jared Call". The signature is written in a cursive, flowing style.

Jared Call, Managing Nutrition Policy Advocate
California Food Policy Advocates