



ENDING POVERTY

April 9, 2018

Ms. Sasha Gersten-Paal
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Food and Nutrition Service
United States Department of Agriculture
3101 Park Center Drive, Rm 812
Alexandria, Virginia 22302

RE: Supplemental Nutrition Assistance Program Advance Notice of Proposed Rulemaking: Requirements and Services for Able-Bodied Adults Without Dependents (RIN: 0584-AE57)

Dear Ms. Gersten-Paal,

Thank you for the opportunity to comment on the Advance Notice of Proposed Rulemaking (ANPRM) regarding the Supplemental Nutrition Assistance Program (SNAP) Able-Bodied Adults Without Dependents (ABAWD) time limit. Heartland Alliance is deeply concerned by attempts to further restrict food assistance to the individuals whom we serve. SNAP is the country's most important anti-hunger program: it helps ensure that people who have lost their job or are experiencing extreme hardship do not go hungry. The primary purpose and intent of the program is ensure that Americans do not go hungry. We strongly support the goal of helping SNAP participants obtain and keep quality jobs that enable them to achieve economic security. However, we believe the restrictions suggested in the ANPRM would only result in more people losing their SNAP benefits, which will make it harder to achieve this goal. Furthermore, the questions posed in the ANPRM are problematic and appear to be based on the assumption that many SNAP participants simply do not want to work, which we know to be untrue. Finally, the questions raised in the ANPRM overlook the reality that many individuals receiving nutrition assistance face multiple barriers to work that reflect personal challenges such as education or skills gaps and more insidious structural labor market barriers such as discrimination in the labor market.

Headquartered in Chicago and serving over 100 communities nationwide, Heartland Alliance sees the difference the SNAP program makes in the lives of Heartland Alliance's participants every day – and especially in Illinois. Heartland Alliance is grounded in over 130 years of experience providing housing, healthcare, jobs and justice to individuals living in poverty and extreme poverty. We have a unique understanding of the policy barriers that can prevent people living in poverty from getting ahead. Our [Policy and Advocacy](#) team leverages this experience in combination with cutting edge research to identify and advance proven solutions to poverty. We lead by developing policy proposals, building strategic alliances, and pursuing legislative and budgetary action. Our work is advancing meaningful policy and systems change to strengthen communities and create a more just global society. Heartland Alliance's [National Initiatives](#) on Poverty & Economic Opportunity is dedicated to ending chronic unemployment and poverty. Our policy and advocacy work advances solutions to the systemic issues that drive chronic unemployment. Working at the intersection of practice, policy and research, we catalyze change that is practical, informed by evidence and grounded in experience.

SNAP serves as our nation's most important anti-hunger program, providing food assistance to low-wage working families, people with disabilities, low-income seniors, and many more. SNAP helps 42 million people in nearly 21 million households put food on the table, including childless adults who are often referred to as able-bodied adults without dependent children or ABAWDs.¹ These individuals are limited to just 3 months of SNAP in a 36-month period unless they engage in work or job training activities at least half time.² However, states aren't required to offer opportunities for engagement, and most do not, so even if an individual is willing to work they can still lose their benefits if a job is not available. Furthermore, states rarely provide childless adults with the supports needed to overcome the barriers they may face to employment, which ultimately perpetuates poverty and inequity by all but guaranteeing that individuals will lose eligibility for nutrition assistance and also not have the supports needed to obtain required employment. These barriers and lack of supports have been born out when several states re-instated the time limit in 2016, causing at least 500,000 ABAWDs to lose SNAP food assistance.³

ABAWDs are a demographically diverse population in terms of race, education, and geography.⁴ ABAWDs face particular employment challenges since many lack reliable transportation, have unstable housing arrangements, have criminal records and unstable work histories, or have significant health challenges. Access to SNAP for these individuals is crucial because many are extremely poor, and the program offers a lifeline to crucial food assistance.

In addition to fighting hunger, SNAP encourages work in several ways.⁵ First, SNAP's structure encourages work because as earnings rise, benefits phase out gradually. And, because of the earned income disregard, earnings are treated more favorably than other income when benefits are calculated. Second, SNAP promotes employment by ensuring people have their basic needs met first. Those working and seeking work on SNAP don't have to worry about when they'll get their next meal. Instead, they can focus their energy on finding and keeping a job.

Contrary to the underlying assumptions in the ANPRM, work rates among SNAP participants are high. Among SNAP participants who can work, most do. In households with at least one working-age, non-disabled adult, 58 percent were employed while on SNAP, and 82 percent were employed prior to or after receiving SNAP.⁶ Individuals are more likely to participate in SNAP when they are out of work and for many non-disabled adults, receipt of SNAP is short-term. Those with barriers to employment, including caretaking responsibilities, lack of education, a criminal history, and health issues are more likely to be consistently out of work.⁷

Among those working, many did not earn enough to make ends meet. The nature of today's low-wage labor market is characterized by unstable and low-quality jobs, meaning workers often need SNAP to help pay for food. In today's economy, many jobs that once provided workers with economic security have been replaced by temporary, part-time, and other contingent employment arrangements, which are often low-wage, low-quality jobs.⁸ Because of the variable and unpredictable schedules that are inherent in these jobs, many individuals who are in fact working are at risk of losing their SNAP benefits when they are subject to the ABAWD time limit.

In Illinois, as of July, 2017 64% of SNAP ABAWDs were working, however more than half were working less than 20 hours per week, putting them at risk of losing SNAP benefits. The majority of Illinoisans at risk of losing SNAP benefits are people of color, 64% have only a high school diploma or less, and over 2 in 5 are severely rent burdened, paying more than half of their household income on rent.

Although none of these childless adults have received a social security disability designation, many have physical or mental health problems that interfere with their ability to find and keep a job. For example, a snapshot of ABAWDs at risk of losing SNAP benefits who receive services from a food pantry on the North side of Chicago found that:

- 29% report that physical health problems (theirs or their family's) have interfered with their ability to find and keep work.
- Most frequently reported physical health problems include asthma (12%), high blood pressure (10%), HIV/AIDS (10%), obesity and other (18%).
- Most frequently reported mental health problems include depression (28%), anxiety (27%), bipolar disorder (23%) and OCD (11%).
- 10% reported they (or someone in the household) have drug/alcohol problems
- 11% report they (or someone in household) have experienced domestic violence in the last year

Childless adults receiving SNAP in Illinois, the majority of whom are people of color, are subject to significant racial inequities including subpar educational opportunities, concentrated poverty, and employment discrimination. Illinoisans of color experience poverty rates 2 to 3 times higher and unemployment rates 1.4 to 2.4 times higher than white Illinoisans. It is also likely that ABAWDs in Illinois have disproportionately high rates of justice system involvement and criminal records, which present lifelong barriers to employment and employer discrimination.⁹

Limiting ABAWD Waivers

We strongly support the current criteria by which states can suspend the ABAWD time limit, including the current measures that demonstrate “lack of sufficient jobs” and the flexibility to define the area requested in order to best respond to local needs. Many individuals subject to SNAP work requirements and the ABAWD time limit struggle to find employment even in normal economic times. States request waivers based on a variety of local economic conditions and needs ranging from acute unemployment in certain areas or long-term unemployment and recessions, to temporary circumstances such as natural disasters.¹⁰ Suspending the ABAWD time limit in times of economic crisis also helps bolster demand and economic activity. For every \$1 in SNAP \$1.70 is infused into local economies. States should retain current flexibility to decide what is in the best interest of their residents. Limiting the criteria by which a state can suspend the ABAWD time limit will hamper a state’s ability to respond to immediate economic conditions and ensure its residents do not go hungry.

Supporting ABAWDs Transition to Meaningful Work and Self-Sufficiency

A postsecondary credential is increasingly required for all but the lowest-paying jobs. A synthesis of the literature on what works in employment and training is unequivocal: “A post-secondary education, particularly a degree or industry-recognized credential related to jobs in demand, is the most important determinant of differences in workers’ lifetime earnings and incomes.”¹¹ The ever-changing domestic and global economics have raised the demand for highly productive workers trained in specific skills or credentials. As the demand for skilled workers continues to rise, supporting additional educational and training pathways must be a priority.

We acknowledge that our existing workforce systems, which are chronically underfunded, are not often designed or incentivized to serve the range of needs of all workers – particularly jobseekers facing barriers to employment. Many childless adults face considerable challenges in securing their basic needs such as safe housing, affordable health care, mental health and/or substance use treatment, and a stable and safe family and social support network. As people surmount those barriers and seek stability and employment, access to a need as basic as food is paramount. The Government Accountability Office (GAO) found that SNAP participants subject to the ABAWD time limit are more likely than other SNAP participants to lack basic job skills like reading, writing, and basic math.¹² People should not be punished for grappling with hardship.

Heartland Alliance, through its National Initiatives on Poverty and Economic Opportunity, has identified [best and promising practices](#) for connecting childless adults receiving SNAP to quality employment. Based

on our understanding of the significant barriers to employment faced by ABAWDs, including extreme poverty, chronic unemployment, academic and basic skills needs, criminal records, homelessness and housing instability, exposure to violence and other trauma, and employer discrimination, among others, we acknowledge that ABAWDs frequently need employment interventions that are more intensive, longer in duration, and customized to meet specific needs. These include evidence-based program models such as Transitional Jobs and Individualized Placement and Support, which focus on rapid attachment to earned income combined with comprehensive support services, highly individualized job development services, and robust retention follow-up. In addition, since entry-level work rarely offers family-sustaining wages, we recommend connecting ABAWDs to evidence-based skill development opportunities such as contextualized adult basic skills instruction, bridge programs, and employer-driven, credential-bearing sector training. Finally, it is important to acknowledge that many if not most childless adults receiving SNAP have experienced trauma that is likely to interfere with successfully finding and keeping a job, so employment interventions should be trauma-informed and delivered in the context of trusting relationships and supportive environments.¹³ It has been our experience that the kind of intensive, supportive programming that is most effective for people facing multiple barriers to employment is not compatible with punitive and exclusionary policies such as work requirements, mandatory programming, or time limits.

Instead of penalizing people for being poor and requiring assistance to put food on the table, USDA should consider ways to create a foundation for long-term economic success. Subsidized and transitional jobs stabilize individuals and families by enabling them to earn needed income, reestablish connections to the workforce, and gain the experience and work history needed to find future employment.¹⁴ Such jobs also stimulate local economies by putting money in consumers' pockets, while boosting productivity for employers participating in subsidy programs. These programs create much-needed supports but also require resources and capacity to make a difference. Successful work supports such as these are at odds with proposals to expand the ABAWD time limit and forcing people to go hungry. Furthermore, mandating participation in our programs requires us to spend our time tracking attendance and not serving clients with the programs they need to succeed.

Determination of 'Unfit for Employment' Exemption

We oppose restrictions on the conditions or indicators that cause a SNAP participant to be determined "unfit for employment" and exempted from the ABAWD time limit. Any additional burdens placed on state agencies or individuals to verify this status would only result in barriers to accessing much-needed food assistance. Local benefits offices are in no position to implement new documentation and oversight systems and the end result of any attempt to implement such systems will only lead to otherwise eligible SNAP recipients falling through the cracks. Here in Illinois, our Department of Human Service locations and electronic eligibility system is barely keeping up with basic processing of applications. Initial applications and redeterminations both routinely take months to process. Instituting new requirements of caseworkers and electronic systems will only further burden a system that already lacks the capacity needed to handle existing demands.

Indeed, the policy for exempting childless adults from the part-time work requirement in SNAP should take into account the significant barriers to employment this population faces. Many childless adults who face severe health challenges that limit their ability to work are not able to complete the stringent process of qualifying for federal disability yet their health problems should be taken into account when determining and exemption from the SNAP work requirement. In a study of ABAWDs referred to participate in activities in Franklin County, Ohio, one-third of individuals reported having a "physical or mental limitation."¹⁵ The Bureau of Labor Statistics (BLS) reports that workers with disabilities are nearly twice as likely as workers with no disability to be employed part-time.¹⁶

The term "unfit for employment" is outdated, as we know that people with disabilities can and do work. However, the employment landscape may be significantly more challenging to navigate for individuals with

disabilities. In a May 2012 report, BLS reported that half of working-age adults with a disability who were not working reported barriers to employment, including a lack of transportation and the need for accommodations in a workplace.¹⁷ Because of the historic unemployment and underemployment of people with disabilities, which current workforce and SNAP employment systems are not adequately structured or funded to solve, any change to restrict the ABAWD definition of “unfit for employment” would result in the loss of crucial nutrition assistance for millions of individuals with low-incomes.

Track and analyze outcomes for ABAWDs, including racial disparities

The 2014 SNAP reauthorization adopted new reporting measures that allowed states to track employment, earnings, and program completion rates for participants in SNAP E&T activities. Reporting employment, earnings, and credential attainment outcomes specifically for ABAWDs will provide valuable information on the ability of different SNAP E&T strategies to help lift participants out of poverty.

Where available, the Department should analyze program data disaggregated based on ABAWD status, and employment supports with SNAP E&T providers to determine the most successful strategies for helping strengthen economic security among childless adults receiving SNAP. We also strongly encourage the Department to disaggregate data by race to ensure that the system is right-sizing solutions to need and ensuring that individuals of color who have been disproportionately impacted by hunger and poverty receive access to nutrition assistance and appropriate employment supports focused on supporting pathways out of poverty. Instead of focusing on a time limit that has been unsuccessful in increasing economic security, the Department can promote data-driven strategies to achieve its ultimate goal of helping SNAP recipients move out of poverty.

Conclusion.

The changes suggested in the ANPRM would result in many SNAP participants losing critical food assistance, which would create a barrier to finding and maintaining meaningful employment.¹⁸ The ABAWD time limit does not strengthen opportunities for employment, and the questions posed by USDA greatly concern us since they suggest changes that would, if adopted, expand the harsh time limit to many more SNAP participants. Putting up barriers to food assistance will not incentivize or equip people with what they need to seek and maintain work. We strongly discourage USDA from implementing policies that will put many more individuals at risk of hunger and food insecurity.

Our team at Heartland Alliance is happy to answer any questions the Department has or discuss our comments in greater detail.

Sincerely,

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