April 2, 2019

The Honorable Sonny Perdue
Secretary
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250

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

Dear Secretary Perdue:

The Robert Wood Johnson Foundation (RWJF) appreciates the opportunity to submit comments in response to the United States Department of Agriculture’s (USDA) proposed rule on Supplemental Nutrition Assistance Program (SNAP) requirements for Able-Bodied Adults Without Dependents (ABAWDs).

RWJF is the nation’s largest philanthropy dedicated to improving health and well-being in the United States. Since 1972, we have worked with public and private sector partners to advance the science of disease prevention and health promotion, train the next generation of health leaders, and support the development and implementation of programs and policies to foster better health across the country, including high-quality health care coverage for all. We are working alongside others to build a Culture of Health that provides everyone in America a fair and just opportunity to live the healthiest life possible.

A key to this vision is ensuring that every family in every community has access to healthy and affordable food. This principle is at the core of SNAP, which plays a critical role in addressing hunger and food insecurity in communities across the country. Each month, approximately 38 million participants—two-thirds of whom are children, older adults, and people with disabilities—rely on SNAP’s temporary but crucial help to put food on the table. Forty-seven percent of SNAP participants receive benefits for 24 months or fewer.¹ Forty-four percent live in households with earnings; those households comprise 31 percent of the full SNAP caseload.²

SNAP is not only the nation’s largest nutrition assistance program but also one of its most effective. It has a well-established history of reducing food insecurity, lifting people out of poverty, boosting local and regional economies, helping families achieve self-sufficiency and reducing health disparities.³ In addition to lifting 3.4 million people out of poverty in 2017,⁴ SNAP is also a positive economic force in many communities as well: every $5 in new SNAP benefits generates as much as $9 in economic activity,⁵ helping farmers, grocers, truckers, and other parts of local and regional workforces.
USDA’s proposed changes to limit the ability of low-income populations to benefit from SNAP is at odds with the program’s mission and purpose.

Let us be clear from the outset: We support the dignity of work for everyone who is able and recognize the value of secure, long-term, sustainable employment. However, we do not believe this proposal will help achieve that goal.

By USDA’s own estimates, some 755,000 participants will lose their SNAP benefits entirely. With health care costs due to hunger and food insecurity already at an estimated $160 billion annually, cutting off SNAP benefits from these already vulnerable participants could exacerbate those costs further.

As described below, the rule will: 1) disproportionately affect some of SNAP’s most vulnerable participants, making it harder for them to get back on their feet, particularly in states facing continued challenges with higher unemployment and tighter labor markets, and 2) possibly affect children through benefits lost by noncustodial parents or extended family members that provide material and caregiving supports.

By any objective measure, this proposal would be detrimental to those personally affected and a step backward for the program writ large. It would deny benefits to hundreds of thousands of Americans who live in deep poverty. It would make it more difficult for them to achieve economic self-sufficiency. It would deepen already entrenched health disparities. Perhaps most importantly, it could hurt children, young adults, and families.

SNAP participants depend on benefits during difficult times to help make ends meet, particularly those who are working low-wage jobs or are between jobs. For those already facing difficult life circumstances, this rule would exacerbate rather than alleviate those circumstances. In short, it will do significant harm to those already hurting.

For these reasons, RWJF strongly opposes the proposed changes and urges USDA to not move forward with this rule.

Current SNAP Policy and Proposed Changes

There are significant work requirements for adult participants. Currently, SNAP participants without a disability who are ages 18 to 49 and live in childless SNAP households must work an average of at least 20 hours per week or face a time limit on their SNAP benefits of no more than three months of benefits in a three-year period. However, states can exempt some SNAP participants from the time limit by requesting a federal waiver for a geographic area that meets USDA’s criteria for a high unemployment or a weak labor market.
The proposed rule would, by intent and design, make it more difficult for states or regions to qualify for a waiver. For example, areas with an overall unemployment rate at least 20 percent above the national average can currently qualify for a waiver (which today would be 4.6 percent); yet, under the proposed rule, the area’s unemployment rate would also need to be at least 7 percent to qualify.

Denying people food benefits at a time when they most need it, without any corresponding increase in employment or earnings, would aggravate problems the proposed rule purports to solve. Moreover, by time-limiting food assistance to this group, the burden of providing food to these unemployed individuals would be shifted to states, cities, and local charities that are already struggling to meet the demands of food-insecure individuals and families.

New Analysis Reveals Disproportionate Impact

The Department concedes that the proposed changes “have the potential for disparately impacting certain protected groups.” A recent RWJF-funded analysis of the proposed rule conducted by Mathematica sheds new light on the point. The analysis finds that the vast majority of the 1.2 million SNAP participants living in waiver areas who do not have a disability, do not live with children, and are not working the required average of 20 hours per week are in deep poverty and live alone. Specifically, the analysis reveals that:

- A greater share of these SNAP participants lived in poverty (97 percent) compared to other SNAP participants (80 percent); 88 percent also had household incomes at or below 50 percent of the poverty level.
- About 81 percent lived alone.
- About one-third of these participants lived in SNAP households that reported income. Among those with reported income, the average monthly household income was $557—$6,784 annually—or 43 percent of the poverty level ($20,160 for a family of three in fiscal year 2017).
- About 11 percent were working (but less than the required average of 20 hours per week), and another 5 percent lived with someone else who was working.

The analysis also documents the potential impact of the proposed rule on young adult SNAP participants, who do not have extensive work experience and therefore have a potentially harder time finding meaningful employment. In 2017, about 498,000 SNAP participants were age 18 to 21, did not have a disability, and were in a childless SNAP household. Some of these young adults would newly face time limits under the proposed rule changes.

- One-third lived in a waiver area and did not work an average of at least 20 hours per week; these are the young adults who might lose their SNAP benefit because of the proposed changes.
- Slightly less than half lived with a parent and 10 percent lived with another relative, a spouse, or a peer; the remainder—about 40 percent—did not share food resources with another person.
- Twenty-three percent worked an average of 20 hours per week or more (enough to avoid time limits on their benefits), 6 percent were working fewer hours, and 17 percent were not working but lived with someone who was.
- The average monthly benefit was $142 per person.

Finally, the analysis also finds that some states are more likely than others to be affected by the proposed changes—in particular, states where a substantial share of nondisabled childless SNAP participants ages 18 to 49 do not work the required average of 20 hours per week and currently live in waiver areas. In the District of Columbia and 11 states—Alaska, California, Connecticut, Georgia, Illinois, Kentucky, Louisiana, New Mexico, Rhode Island, Tennessee, and Washington—between 53 percent and 77 percent of nondisabled childless SNAP participants between the ages of 18 to 49 fall into that category.

### Which states are more likely to be affected by the proposed changes?

*Source: Fiscal year 2017 SNAP QC data*

*Note: States with a white background did not have waiver areas in fiscal year 2017*
With respect to states, we have already seen the real-world impact of similar policies taking effect. Kentucky reinstated work-related time limits in SNAP for ABAWDs living in most counties in the state (after having reinstated these limits in seven more economically prosperous counties during 2016). A recent analysis from the Urban Institute finds that:

- After Kentucky reinstated stricter work requirements on ABAWDs on SNAP, the number of those individuals receiving SNAP benefits declined by 30 percent between January 2017 and September 2018, far outstripping the decline of 12 percent in the overall SNAP caseload.
- Between January 2017 and September 2018, 13,122 able-bodied adults without dependents that had been participating in SNAP have been disenrolled from the program because they reached the three-month time limit, which comprised approximately 20 to 22 percent of the state’s overall number of participants during that timeframe.
- Comparing disenrollment from SNAP between economically similar counties with and without work-related time limits in Kentucky, the analysis finds that the size of ABAWD SNAP caseload declined much more in counties where the stricter work-related time limits were reinstated, even though they had nearly identical caseload trends prior to the policy change. The differences were dramatic with a 44 percent decline between January 2017 and September 2018 in the counties after reinstated time limits versus only a 2 percent decline in the eight counties that continue to have waivers in place.

SNAP helps people meet their nutritional needs and mitigates financial hardships, enabling people to seek work, education, and/or training. However, as the Kentucky examples illustrates, stricter work requirements for programs such as SNAP can have the opposite of the intended effect to promote more and better employment among participants.

To put it simply, stricter work requirements do not create jobs; given the irregularities typically associated with low-wage work, even those working may not always be able to meet these requirements. Moreover, SNAP already promotes work by not reducing benefits for each dollar earned, allowing participants to own cars for commuting purposes, and providing existing employment and training programs.

The participants affected by this rule face substantial barriers to work, including limited education and skills, significant health issues that don't qualify as disabilities, or care responsibilities for which they aren't granted exemptions. Moreover, people of color in these groups face discrimination in the labor market. SNAP’s current Employment and Training programs may not be able to meet the greater needs if the rule is implemented with no corresponding increase in education, training or certification.

Finally, even those who are able to comply with more burdensome work requirements may have significant difficulties documenting that compliance. Particularly for participants with temporary jobs or irregular work schedules, regularly tracking work hours can be difficult and time-consuming, with
even minor errors having the potential to imperil receipt of benefits. These challenges can be compounded when participants lack access to technology or the Internet. Similar administrative burdens would fall on state agency staff who are required to document or certify that compliance, which in turn can lessen their available time to ensure receipt of proper benefits for participants.

The Proposed Rule’s Impact on Children

Nearly half of all SNAP participants are children, who need nutritious food to grow, learn, and thrive. Research shows that access to nutritious food helps children’s brain development, improves their school performance, has long-term health benefits, and establishes healthy eating habits that can last a lifetime. In households with children, participation in SNAP for six months has been linked to a reduction in food insecurity. In 2017, SNAP benefits helped 1.5 million children out of poverty.

While the rule would exempt adults who have dependent children under the age of 18, it does not consider the complex and inter-dependent financial arrangements that low-income families often employ to make ends meet. Following are several examples of how the proposed rule could negatively impact children.

**Non-Custodial Adults:** Parents who do not have custody of their children (non-custodial parents) often still pay child support and other expenses related to the care of their children, and depend on SNAP and other forms of assistance. Under tightened waiver rules this population would be at risk for losing benefits, compromising their ability to provide for their children.

**Extended Family Members:** Depending on the family support structure, some children rely on extended family members to provide food, financial and childcare support. Low income families often make ends meet through the accommodation of resources from other family members, and would be the first to suffer should family members in these networks lose SNAP benefits.

**Opioid Crisis:** The growing opioid epidemic has resulted, in part, in more than 2.5 million children being raised by grandparents or other relatives. Adults caring for children whose parents are struggling may find it difficult to receive an exemption from strict time limits and may lose their SNAP benefits, putting children at risk for food insecurity and poverty.

Should these types of examples come to fruition, the consequences for affected children could be severe.

Even with the important safety net SNAP provides, nearly 13 million children suffer from food insecurity across the country. In 2017, one in six children lived in a household that had uncertain access to enough healthy food. The negative consequences of experiencing food insecurity, especially for children, are significant. Food insecure children are:
● Almost twice as likely to have fair or poor health and about one-third more likely to be hospitalized since birth;\textsuperscript{24}
● Four percent more likely to show symptoms of anxiety and depression,\textsuperscript{25} and;
● Nearly 10 percent more likely to display hyperactivity.\textsuperscript{26}

In addition, food insecurity is linked to environments that promote obesity\textsuperscript{27} and adverse educational outcomes like lower math and reading skills and higher rates of absenteeism and tardiness.\textsuperscript{28}

Conclusion

Any reforms to SNAP should be driven by analysis of impacts on access, equity, cost and program outcomes including food security, financial security and diet quality.

In applying this standard of review to the proposed rule, we see no compelling health, economic, or equity rationale for moving forward. Again, we believe wholeheartedly in the dignity of work and the value—both economic and personal—of meaningful employment. However, the proposed rule would push the affected participants further away from that goal. As such, we urge the Department to discontinue this approach and find a better path forward.

Again, we appreciate the opportunity to comment on the proposed rule. We look forward to working with the Administration and other partners to effectively and efficiently address hunger and food insecurity in the United States and ensure that everyone in America have the opportunity to live the healthiest life possible.

Sincerely,

Richard E. Besser, MD
President and CEO
Robert Wood Johnson Foundation

\texttt{https://www.census.gov/content/dam/Census/library/publications/2015/demo/p70-141.pdf}