

## **NWA Template Comments Addressing SNAP Access**

**Comment Period Closes: April 2, 2019**

Thank you for taking the time to submit a comment to the U.S. Department of Agriculture (USDA) about the proposed rule on whether able-bodied adults without dependents (ABAWDs) will have continued access to the Supplemental Nutrition Assistance Program (SNAP). The proposed rule limits the ability of state agencies to request waivers of a harsh, three-month time limit on SNAP access, even when there is a high unemployment rate or lack of employment opportunity in the state or locality. These restrictions were contemplated in the 2018 farm bill process and rejected by Congress.

Remember: *regulatory commenting is not lobbying*. Lobbying restrictions are related to the legislative process, and this SNAP access proposed rule is an administrative action being undertaken by the executive branch. The federal government is specifically asking the public for comment on this proposed rule, and your input is helpful to the department's decision-making.

Below are resources to assist you in forming your own comments in opposition to USDA's ABAWD proposed rule. We encourage you to form a comment that reflects your own unique voice.

**Comments must be submitted [here](#) by April 2, 2019.**

If you are having difficulty in forming or submitting your comment, please contact Brian Dittmeier for assistance at [bdittmeier@nwica.org](mailto:bdittmeier@nwica.org).

As you prepare your comments, please:

- **Write comments in your own words.** USDA must review every unique comment; therefore, it is helpful if you modify the template language to include your own perspective and thoughts. The template **highlights in yellow** particular opportunities to add your own thoughts. You are encouraged to modify the template language to reflect your own voice.
- **Submit separate comments, rather than signing on to comments from someone else.** The Department only considers unique comments and does not afford a comment greater weight if it has more signatories. Even if you are echoing similar themes, it is important to share your own distinct comment with the Department.
- **Attach research, data, testimonials, or other supporting documents.** If you have research, data, or testimonials that are unique to your comment, you may wish to include these additional resources as an attachment to ensure that they are included in the Department's record.
- **If you have credibility in an issue area, say so.** It is important to provide context as to why you are weighing in on the Department's proposed rule. If you have specific expertise, please explain why you are uniquely qualified to offer your thoughts on this matter. As a WIC recipient or service provider, you have credibility to weigh in on this issue!

Once again, thank you for taking some time to speak up on this important issue that will affect many families seeking nutrition assistance. NWA stands with other anti-hunger and public health groups in preserving access to nutrition assistance programs like SNAP and WIC. NWA stands ready to assist if you have any difficulty with forming or submitting your comments!

March XX, 2019

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

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

Dear Certification Policy Branch:

[Agency Name] is a direct-service provider that administers the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in [your local community]. Our WIC services support the nutrition and public health needs of low-income pregnant women, new mothers, infants, and young children, specifically [discuss specifics of caseload and your local agency's imprint on the community – establish credibility to speak out!].

We appreciate this opportunity to share our views on potential changes to the Supplemental Nutrition Assistance Program (SNAP). As many WIC families turn to SNAP to round out a full basket of foods for their family, we are deeply concerned with the proposed rule's efforts to undermine state flexibility to serve participants during times of economic uncertainty. Congress expressly permitted state authority to waive the time limits on able-bodied adults without dependents (ABAWDs).<sup>1</sup> That state flexibility is critical to ensure that SNAP is able to fulfill its core mission of reducing hunger and lifting families out of poverty. We urge the Department to withdraw the proposed rule.

**State flexibility ensures SNAP can target nutrition assistance where it is most needed.**

Congress contemplated a waiver mechanism to the time limits on ABAWD participation in SNAP to ensure that states have flexibility during times of economic distress or extended joblessness. The statutory time limit – three months out of three years unless there is a verified average of 20 hours a week of employment – is a harsh restriction that is even more austere when applied in areas without sufficient employment opportunity. The discretion afforded to state waivers ensures that USDA can target nutrition assistance at localities where it is most needed to alleviate hunger.

The proposed rule narrows a state's ability to obtain relief from the harsh time limits, especially by adding a 7 percent unemployment rate floor as a condition. This places additional challenges on areas with systemic joblessness for low-income adults, particularly in rural areas that lack transportation systems. [Add additional detail from your locality about other challenges facing low-income families and perhaps serving as a barrier to long-term employment.] Other proposed changes – including the narrow circumstances permitting statewide waivers and the delay in a waiver's start date – likewise affect the ability of USDA and state agencies to be responsive to economic fluctuations and provide SNAP's nutrition assistance in a targeted manner.

---

<sup>1</sup> 7 U.S.C. § 2015(o)(4).

The waiver mechanism went untouched in the recent 2018 Farm Bill process, reflecting a two-decade consensus on USDA's broad discretion to work with states to target SNAP assistance to areas with inadequate work opportunity. The proposed rule does not adequately justify its proposed changes, and we urge continued state flexibility in waiving the time limits for ABAWD participants.

**Stricter limits on SNAP participation – including by ABAWDs – will have an effect on child health and nutrition outcomes.**

SNAP works in tandem with other nutrition assistance programs – including WIC – to ensure that children have access to adequate food and nutrition. In 2017, one in six children lived in a household that had uncertain access to enough healthy food. [Add child food insecurity data for your state/demographics of children you represent. For state data, see Feeding America's [Map the Meal Gap report on Child Food Insecurity in 2016](#). See the [Household Food Insecurity in the United States in 2017](#) report from USDA ERS for demographic characteristics of food insecure households with children]. When children lack access to healthy foods, they suffer negative consequences to their health, education, and development. SNAP is associated with reducing food insecurity in households with children by as much as 8.5 percentage points.<sup>2</sup>

Given the critical impact of nutrition on child development, Congress exempted pregnant women, children, and parents with dependents the time limits on SNAP participation.<sup>3</sup> Despite these precautions, the proposed rule would still have adverse impacts on pregnancy and birth outcomes. A woman's dietary intake in the preconception and periconception periods can determine the course of a pregnancy – influencing the likelihood of low birthweight or preterm birth.<sup>4</sup> While WIC addresses nutritional deficiencies during a pregnancy, a first-time mother's dietary intake may be determined by her access to SNAP.

Additionally, children may still be impacted by stricter rules on SNAP participation, as the proposed rule does not consider the variety of strategies that low-income families use to put food on the table. Children live in a variety of family and housing arrangements – relying on non-custodial parents or extended family members to supplement their household income and help make ends meet. In 2015, 1.5 million non-custodial parents relied on SNAP to supplement their resources to afford child support payments.<sup>5</sup> Children may also be reared in temporary kinship arrangements, especially in circumstances where a parent is seeking treatment for alcohol or substance abuse. While the statute does not contemplate a child's SNAP benefits being applied against the time limit, the proposed rule does not properly consider the nuanced makeup of American households and the adverse effect that stricter time limits would have on healthy pregnancies, births, and child development.

---

<sup>2</sup> James Mabli, et al., "Measuring the Effect of Supplemental Nutrition Assistance Program (SNAP) Participation on Food Security," USDA-Food and Nutrition Service (Aug. 2013), <https://fns-prod.azureedge.net/sites/default/files/Measuring2013.pdf>

<sup>3</sup> 7 U.S.C. § 2015(o)(3).

<sup>4</sup> Usha Ramakrishnan, et al., "Effects of Women's Nutrition before and during Early Pregnancy on Maternal and Infant Outcomes: A Systemic Review," 26:s1 *Paediatric and Perinatal Epidemiology* (June 2012), <https://onlinelibrary.wiley.com/doi/full/10.1111/j.1365-3016.2012.01281.x>.

<sup>5</sup> U.S. Census Bureau, "Custodial Mothers and Fathers and Their Child Support: 2015 Current Population Survey," (April 2016), <https://www2.census.gov/programs-surveys/demo/tables/families/2015/chlds15.pdf>

## **Conclusion**

SNAP's fundamental mission is to ensure that Americans do not go hungry. The proposed rule would undermine the ability of states to extend SNAP's vital nutrition assistance to those who are unable to obtain work, especially in times of bleak economic opportunity. This action is not only inconsistent with the core purpose of SNAP, but also could put first-time mothers and children at risk of nutritional deficiencies and long-term health issues. We urge the Department to withdraw the proposed rule.

Sincerely,

[name]

[title]

[agency]