

April 1, 2019

Submitted via www.regulations.gov

Certification Policy Branch
SNAP Program Development Division
Food and Nutrition Service
United States Department of Agriculture
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:

United Way of Greater Portland appreciates the opportunity to comment on the proposed rule change for the Supplemental Nutrition Assistance Program (SNAP). For 90 years, United Way of Greater Portland's mission has been to improve people's lives by mobilizing the caring power of our community. Today, we are uniting individuals and organizations around our community's shared vision, Thrive2027, three 10-year goals to improve education, financial stability, and health for every person in Greater Portland. We know we are all better off when our neighbors have food on the table, a roof over their heads and gas in their cars to get to work. But unfortunately too many families — including children, seniors, veterans, working families and people with disabilities — struggle to make ends meet. **United Way of Greater Portland respectfully requests that the U.S. Department of Agriculture reject the proposed SNAP rule, which would limit state flexibility, reduce access to a critical work support, and put tens of thousands of Americans at risk for hunger across the State of Maine.**

Thrive2027 is our community's commitment to make Cumberland County, Maine stronger for everyone who calls it home. Led by United Way of Greater Portland, more than 225 business, non-profit, public, and community organizations have endorsed three 10-year goals that promise measurable and meaningful change in Greater Portland. These three goals ensure that:

- Goal 1: More children have a strong start in school so that they are reading at grade level by the end of third grade. By 2027, we aim to have 70% of children reading at grade level by the end of third grade; currently, only 56% of Cumberland County children read proficiently at the end of third grade.
- Goal 2: More people have the education and employment opportunities they need to be able to live and work in Greater Portland. By 2027, we aim to have 70% of households paying less than 30% of their income on housing; currently, only 15% of low-income households in Cumberland County pay less than 30% of their income on housing.
- Goal 3: More of our neighbors live longer, healthier lives. By 2027, we are aiming for a 10% reduction in preventable premature deaths.

Importance of SNAP Across Maine

Many Maine families are working, but still do not earn enough to put food on the table and pay for other necessities such as rent, transportation, child care or health care. According to the U.S. Department of Agriculture's *Profile in SNAP Households* datasheet, in Fiscal Year 2016, SNAP provided food benefits to a monthly average of more than 189,000 people in Maine. The Maine Department of Health and Human Services states that there are currently 25,468 individuals receiving SNAP benefits in Cumberland County with 9,541 of them under the age of 18. SNAP supplements the income of low-wage earners helping working families put food on the table and make ends meet.

Mainers receiving SNAP are the people who need it the most; in fact, the USDA finds that 80 percent of SNAP households include either children, seniors, or people with disabilitiesⁱ. SNAP makes food accessible to hungry people more cost-effectively and at a scale that no independent nonprofit can match. SNAP is a \$250 million program in Maine; United Way of Greater Portland raises a little more than \$8 million each year. A 5 percent cut in SNAP would be equivalent to eliminating United Way of Greater Portland's entire footprint across the state. If SNAP were cut, food banks that are already stretched thin would be overrun with demand. This includes four of our funded community partners serving 8,360 individuals. It is important to note that the introduction of the Nourishing Our Golden Years Act allowed one of our funded community partners to go from serving 340 seniors each month to serving 1,200. Even with all of the hard work and dedication of these mission-driven organizations, they still only reach about 1/3 of the people in need in Cumberland County.

SNAP Supports Work – The Proposed Rule is Counterproductive to Work

We believe that there is dignity in work, and with the goal of ensuring individuals can be self-sufficient and move themselves into the middle class—but in many communities, finding a job does not happen overnight and having enough work to get by is not always an option.

SNAP helps Mainers bounce back from hard times by ensuring they can feed their families while looking for work. We know that even in areas with low unemployment, there is a major mismatch between worker job skills and the needs of employers. There is such a need for seasonal workers that the Maine Tourism Association has devoted a full-time position to casting a wide net, inside and outside the state, to connect its members with prospective seasonal employeesⁱⁱ. The reality for most is that finding a job can take time. SNAP helps workers *temporarily* stay afloat while seeking work. The average participant receives SNAP for 12 monthsⁱⁱⁱ and more than 80 percent of those enrolled in SNAP work in the year before or after receiving SNAP^{iv}.

Additionally, SNAP supports Americans who work hard but still can't make ends meet. Even though Maine is experiencing relatively low unemployment rates, most of the work available is seasonal, part-time, and pays low-wages. In this low-wage work that fuels our economy, a large share of workers experience high levels of job displacement, spells of low hours and unemployment, and little growth in wages. Individuals in low-wage jobs often have lower education levels and may be working a substantial amount but their hours and employment remain volatile. Much of the volatility reflects characteristics of the types of jobs - such as service industry work - and is not necessarily due to decisions made by workers^v. With the

variability of hours and seasonal nature of some work, SNAP ensures workers can put food on the table while experiencing low-wage and often unpredictable employment.

SNAP Allows for State Flexibility in Addressing Time Limits for Those Seeking Work – The Proposed Rule Undermines this Intentional Design

SNAP has strict time limits for some individuals seeking work and states have the flexibility to assess local employment conditions and individual situations and seek solutions to ensure Americans can put food on the table while looking for work. The proposed rule would undermine this safeguard.

- Adults age 18-49 who do not have disabilities, children or other dependents are required to work or participate in a work program for at least 20 hours each week to receive SNAP. If individuals in this group do not report work for 20 hours a week (80 hours per month), they may only access SNAP for three months within a 36-month window. Of those subject to the time limit, 45% are women, and an estimated 48% are White, 35% are Black, and 13% are Hispanic^{vi}.
- In many communities, finding a job within three months or actively maintaining at least 20 hours of work per week does not reflect the reality on the ground with local labor market conditions and the seasonal and temporary nature of many low-wage jobs. It also does not take into account some of the individual challenges people face with regard to temporary medical conditions, transportation issues, chronic health issues that may not receive official disability status, and skills mismatches for employment.
- One of the hallmarks of the law is giving states the local control to determine where labor market conditions and individual considerations may make the time limit unrealistic. In 33 states and the District of Columbia^{vii}, SNAP administrators use waivers for areas with above average rates of unemployment or lack of sufficient jobs to facilitate access to SNAP and prevent hunger within their states. States are also given discretion to exempt a small percentage of individuals (12% of the individuals subject to the time limits) from the time limit for one month using a pool of exemptions. Any unused exemptions in a given year can be carried over for future use in challenging times.
- Even though Maine does not currently use an area waiver, the flexibility to maintain the option is critical for future needs of the state.
- This state flexibility is essential and was maintained by Congress in the bipartisan Agriculture Improvement Act of 2018.

Proposed Rule Would Override Intent of Congress, Limit State Flexibility, and Hurt Workers

The proposed rule would implement barriers for states to obtain waivers and provide individual exemptions with the consequence of cutting food assistance from the USDA's own estimates of 755,000 low-income Americans^{viii}. The major changes involve imposing new restrictive criteria for waivers to be accepted such as: limiting how geographic areas for waivers are defined, deeming insufficient the current criteria for an area with 20% above the national unemployment rate to receive a waiver and implementing an additional floor for unemployment, cutting the duration of waivers, and restricting the sources of data that states can use to demonstrate an area's lack of sufficient jobs. The proposed rule also cuts a state's availability of individual

exemptions by removing the ability to carryover unused exemptions for challenging times in the future. Maine is currently not using a waiver. However, states currently using waivers are likely to experience surges in food insecurity without net employment benefits and states without waivers will have limited options to respond to changing conditions in the future.

Millions of Americans make use of SNAP in any given year to get through hard times and to advance to a better life. SNAP is structured to support low-wage workers and job seekers. Taking away the ability for the state to respond to local conditions and make the best decisions closer to the ground, only makes it harder for Americans to move up the economic ladder and contribute to their fullest capacity to the American economy. Further, the proposed rule runs counter to recently passed bipartisan Farm Bill legislation during which Congress examined similar proposals but voted to reauthorize the SNAP program with the current use of waivers and exemptions presently being implemented by states.

The USDA Should Reject the Proposed Rule

United Way of Greater Portland believes that those who can work should, and we help equip people to be self-sufficient through workforce partnerships, education and job training, child care supports and more. The USDA attempts to justify the proposed rule in the name of promoting self-sufficiency but the proposed rule does nothing to support low-income job seekers in obtaining work – it does the opposite. Rather than shoring up job training and work supports, the rule simply takes food off the table for those searching for work or struggling to get by, making it more challenging to find and keep a job.

United Way of Greater Portland works to promote financial stability and independence and with this expertise, we know **that taking food away from people is not a pathway to work, stable employment, nor economic success. The USDA should reject the proposed rule that limits state flexibility, hurts job seekers, and increases food insecurity and hunger.**

Thank you for your time and consideration.

Liz Cotter Schlax
President & CEO
United Way of Greater Portland

ⁱ United States Department of Agriculture (2019). *Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2017*. <https://fns-prod.azureedge.net/sites/default/files/ops/Characteristics2017.pdf>

ⁱⁱ <https://www.pressherald.com/2018/10/24/trade-group-plans-staffing-service-to-fill-seasonal-tourism-jobs/?rel=related>

ⁱⁱⁱ Joshua Leftin, Nancy Wemmerus, James Mabli, Thomas Godfrey, and Stephen Tordella (2014). *Dynamics of Supplemental Nutrition Assistance Program Participation from 2008-2012*. United States Department of Agriculture. <https://fns-prod.azureedge.net/sites/default/files/ops/Dynamics2008-2012.pdf>

^{iv} Center on Budget and Policy Priorities (2018). *Policy Basics: The Supplemental Nutrition Assistance Program (SNAP)*. <https://www.cbpp.org/research/policy-basics-the-supplemental-nutrition-assistance-program-snap>

^v Kristin F. Butcher and Diane Whitmore Schanzenbach (2018). *Most Workers in Low-Wage Labor Market Work Substantial Hours, in Volatile Jobs*. Center on Budget and Policy Priorities. <https://www.cbpp.org/research/food-assistance/most-workers-in-low-wage-labor-market-substantial-hours-in-volatile-jobs>

^{vi} Steven Carlson, Dorothy Rosenbaum, and Brynne Keith-Jennings (2016). *Who Are the Low-Income Childless Adults Facing the Loss of SNAP in 2016?* Center on Budget and Policy Priorities <https://www.cbpp.org/research/food-assistance/who-are-the-low-income-childless-adults-facing-the-loss-of-snap-in-2016>.

^{vii} United States Department of Agriculture (2018). *Supplemental Nutrition Assistance Program (SNAP): Status of State Able-Bodied Adult without Dependents (ABAWD) Time Limit Waivers – Fiscal Year 2019 – First Quarter*. <https://fns-prod.azureedge.net/sites/default/files/snap/FY19-Quarter1-ABAWD-Waiver-Status.pdf>

^{viii} Department of Agriculture Food and Nutrition Service (2019). *Proposed Rule Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents*. Federal Register Vol. 84, No. 22. <https://www.govinfo.gov/content/pkg/FR-2019-02-01/pdf/2018-28059.pdf>