**Coalition of California Welfare Rights Organizations, Inc. Organizations**



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Ms. Sasha Gersten-Paal

SNAP Program Development Division

Food and Nutrition Service

3101 Park Center Drive

Room 812

Alexandria, VA 22302

[Notice of Proposed Rulemaking:  Supplemental Nutrition Assistance Program:  Requirements and Services for Able-Bodied Adults Without Dependents RIN 0584–AE57](https://www.federalregister.gov/documents/2018/02/23/2018-03752/supplemental-nutrition-assistance-program-requirements-and-services-for-able-bodied-adults-without)

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).

CCWRO is a statewide organization founded in 1980. Our mission is to “make this a better place for all”. Our organization has always paid close attention to the food stamp program for decades.  SNAP is the only program in the United State of America that prevents widespread famine from happening in the USA.

Any rule that would result any human being to go to bed hungry is unconscionable.

Federal law limits SNAP eligibility for childless unemployed and underemployed adults age 18-50 (except for those who are exempt) 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 cruel and unusual punishment for being poor. At least 500,000 low-income individuals nationwide lost SNAP in 2016 due to the barbaric and unconscionable time limiting food rule.

While this request for comment appears to be open to suggestions on how to make the time limit less harsh via administrative action, we are concerned that the Administration seeks only to make the rule 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 shares and neither do most Americans. If you did a poll and ask “do you think the government should let people go hungry because they are not able to find a job after three months – most would say “hell no”.

The Secretary of Agriculture has suggested that they need to “[remove those waivers for able-bodied adults without dependents,”](http://www.209businessjournal.com/index.php/2018/01/09/u-s-agriculture-secretary-hears-valley-farmers/) because “it’s become a lifestyle for some people.” Going to sleep hungry is not a lifestyle that our forefathers envisioned. Sentencing humans to hunger for not being able to find a job is not humane. Moreover, there is no evidence that the starving person who has or has not refused to work is a violation of the plain language of the eight amendment of the U.S. constitution that says no unusual punishment shall be inflicted upon the People of the United States.

The Department of suggesting that people who do not work should not eat. That is exactly what Vladimir Lenin said in 1917. That is what USDA and the proponents of this inhumane are saying – becoming the 21st century “Leninists”?

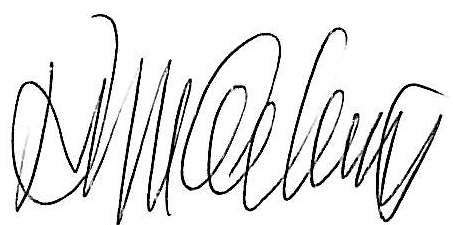
USDA’s budget has proposed making the time limit harsher by repealing states’ flexibility to exempt certain individuals and most high unemployment areas from the time limit and exposing more people to this punitive policy.  As a result, we are deeply concerned that this request for comment is part of 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 severe hunger and Leninist punishment for not being able to find a job and taking away state flexibility.  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.  The waiver rules are reasonable, transparent, and manageable for states to operationalize. Any change that would restrict, impede, or add uncertainty to our state’s current ability to waive areas with elevated unemployment must not be pursued.

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 elimination – the humane and Christian thing to do.  Restoring SNAP’s ability to provide food assistance to impoverished unemployed people would be a powerful policy improvement that would reduce food insecurity among those seeking work.

We have analyzed your notice of proposed rule and would like to specifically respond to the questions posed therein:

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| **FNS Question** | **Answer from the People** |
| Department is concerned that the number of areas waived has not decreased as much as would be expected during the continued decline in unemployment rates over this time period. For these reasons, the Department is seeking comments on how to ensure the waiver criteria best reflects economic conditions. | Not true. According to President Trump "*The unemployment rate number isn't reflective. I've seen numbers of 24 percent -- I actually saw a number of 42 percent unemployment. Forty-two percent." He continued, "5.3 percent unemployment -- that is the biggest joke there is in this country. … The unemployment rate is probably 20 percent, but I will tell you, you have some great economists that will tell you it's a 30, 32. And the highest I've heard so far is 42 percent*."  It appears that the Department of USDA is contradicting the statement of President Trump that the UI rates asserted by the government and USDA in this notice are incorrect and it is the biggest joke and not reflective of the real unemployment rate. USDA needs to get on board with the views of the person in the White House today. |
| The Department is reviewing how it could take action on limiting ABAWD waivers as proposed in the President’s budget proposals. In light of the Department’s interest in helping SNAP participants find and maintain meaningful employment, how could the process for requesting to waive the time limit, the information needed to support waiver approval, and the waiver eligibility parameters be changed in order to provide appropriate relief for areas of high unemployment and a clearly demonstrated lack of jobs?  How could the definition of “lack of sufficient jobs” be revised to better support these goals?  States currently have discretion to define the area they are requesting to waive. Should States maintain this flexibility? Should an “economic area” be limited in geographic scope, such as to a single county, metropolitan area, or labor market area? | This should be a local or state decision and the federal government should be ready to help the people in the State to make decisions and not to think that one size emanating from the Washington Ivory Tower fits all.  The idea that somebody should starve because there are some jobs out there is inhumane reflecting the views of the dark ages of this planet. |
| **FNS Question** | **Answer from the People** |
| Should FNS accept data from additional sources of information that are currently not considered? If so:  What data sources would that be?  What review process should FNS use to verify the validity of the data? | This is insulting to our partners at the local and state level operating the SNAP program implying that they are submitting bad data.  It appears that the Department is more interested in building a largess of bureaucracy by creating unnecessary work just to have more bureaucrats at the federal level |
| Waivers are typically approved for 1 year, although under certain criteria 2-year waivers are available. Should FNS consider waivers of different time periods? If so, what time period and under what conditions? | ABAWDS waivers should be permanent unless FNS has verifiable data to show that the conditions have changed, and a waiver is no longer necessary. To request waiver year after year is an abuse of taxpayer dollars and should be stopped. |
| What challenges and barriers do States face in helping ABAWDs find and maintain employment? What do States need to build or strengthen their capacity, investment, and expertise in working with this population? | The lack of jobs that ABAWDS can access is severely limited. The barrier is no jobs. Moreover, ABAWDS can barely eat and stay alive. Some do not have the resources that it takes to find and maintain a job. For that one needs reliable transportation, an address and a telephone, none of which is provided by the SNAP program. |
| What is the appropriate role of States in assessing ABAWDs for barriers to employment, job skills, and career interests in order identify appropriate opportunities for fulfilling the work requirements? At what point in the process is this most useful? During the interview? After certification. | At all times. These are human being and living creatures. We know that ABAWDS are not “the unborn” that many are concerned about, yet those same people so concerned about “the unborn” could care less about the ABAWDS suffering from hunger just because there are no jobs accessible to the ABAWDS. |
| **FNS Question** | **Answer from the People** |
| How can existing resources be leveraged by States to help ABAWDs find and maintain employment? Are there State/local/Federal or other stakeholders that can be leveraged to provide holistic services to ABAWDs? | The federal funding for SNAP E&T is not open ended and rightly so – SNAP E&T is a segregated racist employment program for food stamp recipients. If the government wants to help SNAP recipients with employment, they should look at the “workforce development agency” for employment services and not the food stamp agency. What do food stamp workers know about jobs?  According to Newsweek “Seven months into his presidency, job growth has slowed from the days under former President Barack Obama, when virtually all demographics of Americans were enjoying new job creation. Now, unemployment is ticking upward, as just 156,000 jobs were added to the American economy in August, the Labor Department reported Friday.” The leadership of creating jobs should come from the Trump administration and not from the state and local governments. We are still waiting at the local level for the Trump jobs to materialize.  Are there evidence-based activities that States could offer through their SNAP E&T programs that would help reduce barriers to employment among ABAWDs? What kinds of support services, job-retention services and other activities would increase success of ABAWDs moving into gainful employment? |
| Are there additional ways that States could incentivize employers to provide jobs to ABAWDs? | First make sure that the jobs are actually available before you tell people to look for jobs that do not exist. That is immoral. |
| What is the appropriate scope of conditions and indicators of physical or mental unfitness for employment under current statutory authority, particularly in State determinations of whether an individual is obviously physically or mentally unfit for employment? What level of State flexibility is appropriate in this area? Why? | It is very hard to come up with conditions and indicators that apply to every community. The federal government should allow local conditions to govern rather than this “top down” socialistic proposal by USDA, FNS. |
| How do current certification processes (use of technology, lack of face-to-face interaction) affect the ability to determine exceptions or exemptions to the ABAWD time limit? How can these processes be modified or enhanced to best support these determinations, while providing any needed reasonable accommodations for individuals? | Program efficiency and the wise use of our tax dollars is a primary concern for most Americans. The thought of going back to doing business in the 21st century like we did in the 20th century is appalling - wasting hard earned tax dollars. |
| **FNS Question** | **Answer from the People** |
| Who should determine whether a participant is fit to work? What technical and information resources, or other resources, would best support States to better screen for unfitness for employment and other exceptions to the ABAWD time limit? What performance and/or accountability measures would support this process? | Today SNAP workers make that determination. There is no evidence that the current process is not working. The federal government could come up with suggested screening tools from the Academy of Science rather than from the Heritage Foundation that could be helpful as a guide and not a mandate. |
| How can the Department/States better engage and serve individuals determined to be unfit for employment? How can State agencies provide these individuals with services or opportunities that may increase their fitness for work? | The federal government could fund a program to remove barriers that are the causes of being unfit for work. For example, people in need of dental work is one of the major barriers to some jobs because employers are not going to hire somebody with teeth looking like hell and with cavities that cause bad breath. There is a whole list of other barriers that ABAWDS have besides this simplistic Leninist illusion that ABAWDS need to be starved to get them to work. |
| What are best practices for the use of 15 percent exemptions in supporting the appropriate application of ABAWD requirements? | Let the States make that decision. |



Kevin Aslanian, Executive Director

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