



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

June 16, 2020

Submitted via: www.regulations.gov

Food and Nutrition Service
Office of Employment and Training
1320 Braddock Place
Alexandria, VA 22314

RE: Proposed Rule: Employment and Training Opportunities in the Supplemental Nutrition Assistance Program RIN 0584-AE68

To Whom It May Concern:

The Consortium for Citizens with Disabilities (CCD) Financial Security & Poverty Task Force appreciates the opportunity to comment in support of the U.S. Department of Agriculture's (USDA) proposed rule on the Supplemental Nutrition Assistance Program's (SNAP) Employment and Training (E&T). The rule implements provisions of the 2018 Farm Bill that modestly improves state SNAP E&T programs in several ways. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. This proposed rule may help some participants, including those with disabilities, find and keep jobs while addressing some of the problems that E&T programs face in engaging and supporting participants.

SNAP provides millions of people with disabilities and their families with crucial food assistance. Compared to people without disabilities, people with disabilities and their families are significantly more likely to experience hunger and food insecurity.¹ A growing body of research indicates that SNAP lifts millions of people out of poverty, helps families put food on the table, and can improve long-term health and economic outcomes.¹ While many people with disabilities who receive governmental or private benefits on the basis of a disability or are able to document that they are "physically or mentally unfit for employment" are exempt from SNAP work requirements, we know there also exist many instances where work requirements are imposed erroneously and

¹ Carlson, Steven, Keith-Jennings, Brynne, and Chaudhry, Raheem (2017). SNAP Provides Needed Food Assistance to Millions of People with Disabilities. Washington, DC: Center on Budget and Policy Priorities. <https://www.cbpp.org/research/food-assistance/snap-provides-needed-food-assistance-to-millions-of-people-with>

inappropriately thus endangering people's access to food.² For example, in a study of SNAP participants subject to time limits referred to participate in work activities in Franklin County, Ohio, one-third of individuals reported a "physical or mental limitation."³ In another example, when Georgia reinstated the SNAP work requirement and time limits for "able-bodied adults without dependents" in 2016, the State found that 62 percent of nearly 12,000 individuals subjected to the requirement lost benefits after only three months.⁴ State officials acknowledged that hundreds of enrollees who should have been exempt due to their disability had been wrongly classified. It may seem simple to assert that "people with disabilities will be exempt," but converting such a statement into an effective policy process is complicated, expensive, and fundamentally flawed. We believe these modest improvements made by the 2014 and 2018 Farm Bills will allow states to capture more improperly categorized people with disabilities, especially the addition of required case managers who can become more familiar with an individual over a longer period of time, but know that despite these changes, other individuals will lose access to food due to improperly applied work requirements. We strongly urge USDA overall to be cognizant and vigilant when promulgating this rule to ensure that work requirements are not imposed on people with disabilities who should otherwise be exempt.

SNAP E&T programs can help low-income individuals who often face barriers to work, access education, training and other supportive services that are often difficult to obtain. The rule includes several provisions that would enhance the crucial function of E&T programs and we support the following proposed changes that make several improvements for individuals participating in E&T and state agencies implementing E&T, including:

- Improving the work registration process by requiring states to inform individuals of their work-related requirements (7 CFR 273.7(c)(1)).
- Clarifying that "good cause" applies when there is not an appropriate work activity for a mandatory E&T participant, thus ensuring – if implemented correctly – that individuals not lose SNAP due to the lack of an opportunity to comply with E&T (7 CFR 273.7(c)(11)(iii)).
- Clarifying that a state agency must determine whether an individual who failed to meet the 20 hour work or training requirement (or failed to complete workfare) had

² Ohio Association of Foodbanks. (2015). *Work Experience Program, Franklin County Comprehensive Report: Able-Bodied Adults Without Dependents 2014-2015*
http://admin.ohiofoodbanks.org/uploads/news/ABAWD_Report_2014-2015-v3.pdf;
Correction: Benefits Dropped Story, U.S. News & World Report, May 26, 2017,
<https://www.usnews.com/news/best-states/georgia/articles/2017-05-25/work-requirements-drop-thousands-in-georgia-from-food-stamps>

³ Ohio Association of Foodbanks. (2015). *Work Experience Program, Franklin County Comprehensive Report: Able-Bodied Adults Without Dependents 2014-2015*.
http://admin.ohiofoodbanks.org/uploads/news/ABAWD_Report_2014-2015-v3.pdf.

⁴ *Correction: Benefits Dropped Story*, U.S. NEWS & WORLD REPORT, May 26, 2017,
<https://www.usnews.com/news/best-states/georgia/articles/2017-05-25/work-requirements-drop-thousands-in-georgia-from-food-stamps>.

“good cause” and, if so, must be considered to have fulfilled the requirement (7 CFR 273.24(b)(2)). This helps ensure that individuals are not terminated from SNAP when they are unable to meet the work requirement through no fault of their own.

- Implementing a 2018 Farm Bill provision to require a state to reassess and, if appropriate, re-refer an individual when an E&T provider determines the individual is ill-suited for the program (7 CFR 273.7(c)(18)).
- Require states to report the number of individuals who are required to participate in E&T and the number that begin to participate. This will generate useful information on the take-up rate of E&T activities and insight on the number of individuals who fail to participate and are thus likely sanctioned. High non-participation rates have concerned stakeholders for years as they indicate increased hardship among those losing SNAP and poorly designed or implemented programs that do not work for mandatory E&T participants.
- Replace “job search” with “supervised job search” which must be offered in state-approved locations with supervision. This may have a significant impact on many state programs that have relied on unsupervised or self-initiated job search as a primary activity. The proposed rule does not include a lot of detail about what “supervised” means, so states would have some discretion to comply.
- Require the state E&T program to provide case management services (such as intake assessments, individualized plans, monitoring and coordination of services) to all E&T participants. It also requires a case manager to inform the agency of any individual who should be exempt from mandatory E&T or for whom the manager cannot identify an appropriate E&T activity.
- Add apprenticeships and subsidized employment as allowable activities as well as activities from the E&T pilots that have the most demonstrable impact on finding and retaining employment.

Given these modest program improvements may help some participants find and keep jobs while addressing some of the problems that E&T programs face in engaging and supporting participants, we support these provisions of the rule.

Sincerely,

CCD Financial Security & Poverty Task Force Co-Chairs:

Bethany Lilly, The Arc, lilly@thearc.org

Aaron Kaufman, The Jewish Federations of North America,
Aaron.Kaufman@jewishfederations.org

Cyrus Huncharek, National Disability Rights Network, cyrus.huncharek@ndrn.org

Heather Sachs, National Down Syndrome Congress, heather@ndscenter.org