

April 2, 2019



Certification Policy Branch
SNAP Program Development Division
Food and Nutrition Service, USDA
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:

The Children's Defense Fund-New York would like to take this the opportunity to comment in opposition to USDA's Proposed Rulemaking on SNAP requirements and services for Able-Bodied Adults Without Dependents (ABAWDs). The proposed changes would cause serious harm to children, teens and young adults just leaving their childhood and starting their adult lives, our community and the nation.

CDF-NY submits comments on behalf of children and young people in the United States. For 45 years, CDF has been advocating for children and seeking strong support for families through passage of laws and implementation of rules, programs, and services in their best interest. CDF's Leave No Child Behind® mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start*, and a *Moral Start* in life and a successful passage to adulthood with the help of caring families and communities.

In New York, CDF-NY has a unique approach to improving conditions for children, combining research, public education, policy development, community organizing and advocacy. A recognized authority in the endeavor to protect children and strengthen families, CDF-NY serves as a resource and partner for children, families and organizations throughout New York City and State.

CDF-NY has worked with countless young people since its establishment. Many of the youth have shared stories about their use of public benefits including the Supplemental Nutrition Assistance Program (SNAP) and the support that these programs have provided in their lives. With these supports, many of our young people have gone on to beat the odds against them and become American success stories. Who is to say whether these young people won't go on to be the next great entrepreneur, scientist, or the next president?

CDF-NY is alarmed by the proposed rulemaking because, if applied as currently drafted, it will result in sicker, poorer, and hungrier young adults across New York and the US. It is an example

of yet another attack on the vulnerable in our society by this administration, following the inhumane treatment of immigrants to this country, the administrative sabotage and court challenges to the Affordable Care Act and the tax cuts for corporations and the wealthy which have raised the deficit without offering relief for the vulnerable. Children and society cannot tolerate these mean-spirited and un-American assaults on the most defenseless amongst us – our children and youth.

The existing SNAP three-month time limit for so-called Able-Bodied Adults Without Dependents (ABAWDs) purports to solely impact adults who do not have children. In practice, however, low income children and youth also experience harm as a result of this policy. The proposed rule, by making it more difficult for states to waive the time-limit for low-income individuals facing barriers to employment, will only exacerbate the spillover effect onto vulnerable children and young people.

SNAP Matters to children of all ages

SNAP plays a critical role in addressing hunger and food insecurity in our community. It is the first line of defense against hunger for low-income residents. Food insecurity has devastating consequences for children. Without access to healthy food, children suffer negative consequences to their health, education and development. For the children, young adults and families that we work with, the SNAP program has been an important lifeline to ensure that families don't go hungry, and helped ensure that limited resources could be used in other ways, like rent or heating.

Food insecurity remains a major threat to the health and wellbeing of 12.5 million children in America.¹ This means that in 2017, one in six children lived in a household that had uncertain access to enough healthy food. In New York, according to Feeding America, almost 18 percent of children are food insecure (about 750,000 children). This is significantly higher than the general prevalence of household food insecurity in New York which is about 11 percent. While the rate of household food insecurity is below the national average in New York, it is important to note that the rate of food insecurity for children is above the national average. Children suffer disproportionately because they tend to be in larger households with more dependents.

Food insecurity has devastating consequences for children. Without access to healthy food, children suffer negative consequences to their health, education, and development. SNAP offers a modest assurance that people are able to meet their most basic human need for food first. Studies have shown that lack of access to food and proper nutrition exacerbates stress, anxiety, and depression,² causes sleep disturbances and fatigue, and impairs cognitive functioning.³

¹ Alisha Coleman-Jensen, Matthew P. Rabbitt, Christian A. Gregory, and Anita Singh, "Household Food Insecurity in the United States in 2017," U.S. Department of Agriculture, September 2018, <https://www.ers.usda.gov/webdocs/publications/90023/err-256.pdf?v=0>

² Adrienne O'Neil, Shae E. Quirk, Siobhan Housden, et al., "Relationship Between Diet and Mental Health in Children and Adolescents: A Systematic Review," *American Journal of Public Health* vol. 104,10 (2014): e31-42, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4167107/>.

³ Michael W. Green, Peter J. Rogers, Nicola A. Elliman, and Susan J. Gatenby, "Impairment of Cognitive Performance Associated with Dieting and High Levels of Dietary Restraint," *Physiology & Behavior* 55:3 (1994):

Access to SNAP relieves stress, improves vitality, and allows students to focus their energy on improving their educational and employment outcomes.

SNAP is the nation's largest and most effective anti-hunger program. It currently helps approximately 38 million people put food on the table every month.⁴ Research consistently finds that SNAP reduces food insecurity, or the lack of consistent access to the food necessary to lead an active, healthy, life; one study found that SNAP reduces food insecurity by 30 percent.⁵ By reducing food insecurity, SNAP improves health and well-being.⁶ Studies have found, for example, that SNAP increases the probability of self-reporting "excellent" or "good health,"⁷ and lowers the risk of poor glucose control for people with diabetes.⁸ Research has also shown that SNAP helps to ensure that infants and toddlers meet developmental milestones and helps improve children's performance in elementary school and beyond.⁹

Additionally, SNAP has historically served as an automatic economic stabilizer in challenging times. It helps to shorten recessions and dampen the effects of an economic cycle in downturn. Without the mitigating effects of SNAP, the impact of recessions can escalate. The proposed rule inhibits SNAP from rapidly responding to changing economic conditions, and the resulting impact on the economy will affect all job seekers. In addition, the proposed rule projects a loss of at least \$15 billion in SNAP benefits over 10 years. This loss will impact the economy – the USDA's Economic Research Service estimates the multiplier effects from SNAP benefits to be 1.79, which is a significant economic boost that helps many food retailers operating on thin margins remain in business; something that improves food access for all residents. We strongly oppose any changes that dilute the impact of SNAP benefits as an automatic stabilizer.

447-452, <http://www.seven-health.com/wp-content/uploads/2018/08/Impairment-of-Cognitive-Performance-Associated-with-Dieting-and-High-Levels-of-Dietary-Restraint-.pdf>

⁴ For the latest monthly participation data, from November 2018, see "Supplemental Nutrition Assistance Program: Number of Persons Participating, Data as of February 22, 2019." Available at: <https://fns-prod.azureedge.net/sites/default/files/pd/29SNAPcurrPP.pdf>.

⁵ Mabli, J., & Worthington, J. (2014). Supplemental Nutrition Assistance Program participation and child food security. *Pediatrics*, 133(4), 1-10. Ratcliffe, C., McKernan, S. M., & Zhang, S. (2011). How much does the Supplemental Nutrition Assistance Program reduce food insecurity? *American Journal of Agricultural Economics*, 93(4), 1082-1098. Nord, M. (2012). How much does the Supplemental Nutrition Assistance Program alleviate food insecurity? Evidence from recent programme leavers. *Public Health Nutrition*, 15(5), 811-817.

⁶ Food insecurity is associated with serious and costly health problems—from asthma to diabetes to depression. Hartline-Grafton, H. (2017). The Role of the Supplemental Nutrition Assistance Program in Improving Health and Well-Being. Washington, DC: Food Research & Action Center. Available at: <http://frac.org/wp-content/uploads/hunger-health-impact-poverty-food-insecurity-health-well-being.pdf>.

⁷ Gregory, C. A., & Deb, P. (2015). Does SNAP improve your health? *Food Policy*, 50, 11-19.

⁸ Mayer, V. L., McDonough, K., Seligman, H., Mitra, N., & Long, J. A. (2016). Food insecurity, coping strategies and glucose control in low-income patients with diabetes. *Public Health Nutrition*, 19(6), 1103-1111. On the health impacts of SNAP, see generally Hartline-Grafton, H. (2017). *SNAP and Public Health: The Role of the Supplemental Nutrition Assistance Program in Improving the Health and Well-Being of Americans*. Washington, DC: Food Research & Action Center.

⁹ Carlson, Steven et al. "SNAP Works for America's Children." Center on Budget and Policy Priorities, September 29, 2016. Available at: <https://www.cbpp.org/research/food-assistance/snap-works-for-americas-children>.

Finally, because of the well-established benefits of access to adequate and nutritious food for health, well-being, and work, and the economic benefits, there is a long history of bipartisan support for SNAP.¹⁰

Children and Families:

SNAP is a critically important resource for children given the higher prevalence of food insecurity and high rates of participation. For many, the “traditional” concept of a nuclear family does not exist. Families and households are fluid concepts for many Americans. Because SNAP is so important for low-income and food-insecure children, children under the age of 18 and the adults who live with them are technically exempt from the three-month time limit for SNAP. However, though current rules around the SNAP time-limit explicitly exempt adults who have a dependent child under the age of 18 or live in a household with children under 18, this definition may not allow for the complex financial arrangements that low-income families utilize to put food on the table. As we know, it takes a village to raise a child and in many cases, although children may not be living directly with an adult, that adult may be assisting with the financial well-being of the child through free child care, purchasing clothes and school supplies or assisting with healthcare issues. For example, One study of “childless” adults receiving food assistance in Franklin County (Columbus) Ohio found that nearly one-quarter were actually non-custodial parents—the vast majority of whom owed child support, and many of whom spent time with their children on a regular basis while the custodial parent worked.¹¹ The young people that we work with have lived in many “non-traditional” households with various financial arrangements which may cause them to be impacted by these proposed rules. The financial well-being of many families in America today is built on a precarious house of cards and if one member of that network or village lose SNAP benefits because of this mean-spirited proposal, then there will be a direct impact on children.

Foster Care:

Some of the young people that we work with have spent time in the foster care system, and when they age out, they face greater chances of homelessness, joblessness and poverty than their peers who were not in foster care. Although not yet out of adolescence, these teens or young adults are considered Able Bodied Adults Without Dependents (ABAWD) and would be subject to the stricter work requirements and tightened waiver rules. Youth who exit foster care are likely to fall into the ABAWD category, and be subject to time limits in SNAP. This may be one reason why SNAP receipt is relatively low for this group, even as the need for food assistance is demonstrably high.¹² While 30 percent of former foster youth receive SNAP or another form of public assistance,

¹⁰ The bill that created food assistance as we currently know it, the Food and Agriculture Act of 1977, was championed by Republic Senators Jacob Javits and Bob Dole, and Democratic Senators George McGovern and Hubert Humphrey. For a historical timeline of food assistance, see “A Short History of SNAP.” United States Department of Agriculture, Food and Nutrition Assistance. Available at: <https://www.fns.usda.gov/snap/short-history-snap>.

¹¹ “Franklin County Work Experience Program: Comprehensive Report: Able-Bodied Adults Without Dependents.” Ohio Association of Food Banks, 2015. Available at: http://admin.ohiofoodbanks.org/uploads/news/ABAWD_Report_2014-2015-v3.pdf

¹² On the importance of SNAP for former foster youth, see Meisenheimer, Melanie. “Supporting Youth Aging Out of Foster Care through SNAP.” Center for the Study of Social Policy, 2016. Available at: <https://cssp.org/resource/supporting-youth-aging-out-of-foster-care-through-snap/>.

a much higher rate—77 percent—received health insurance through Medicaid.¹³ This gap suggests that former foster youth are experiencing barriers accessing SNAP and the other public benefits tracked in the NYTD.¹⁴ The SNAP time limit is one such barrier. Without SNAP and other important supports that many young people take for granted, we cannot expect these young people aging out of foster care to be healthy and fully participating adult members of society.

Overall, youth ages 16 to 24 are more likely to be economically insecure and in need of support and services to make ends meet than older adults. But this is especially true of former foster youth, who often lack the financial and emotional support from a parent or other adult as they transition to adulthood.¹⁵ According to a longitudinal study that followed 700 young people who aged out of the child welfare system in Illinois, Iowa, and Wisconsin, known as the Midwest Study, at age 23 or 24 nearly half of former foster youth surveyed have experienced one of a list of five material hardships in the past year, such as not having money to pay rent or having gas or electricity shut off.¹⁶ Notably, former foster youth experience high rates of food insecurity. Nearly 29 percent of former foster youth at age 23 or 24 would be categorized as having low or very low food security, for answering yes to questions such as “did not eat as much as you should because you did not have enough money for food.”¹⁷

Young Adults:

There is ample research that demonstrates that young people at the tail end of adolescence are not fully formed adults and their brains are continuing to develop. To require these young adults to be treated as adults does a huge disservice to this population. These proposed SNAP changes will have a disproportionate effect on these young people and potentially cause them to remain in poverty throughout their adult years if they do not get an opportunity to develop the skills that lead to a successful adulthood. Youth does not end at age 17. Indeed, much like infancy,

¹³ National Youth in Transition Database. “Comparing Outcomes Reported by Young People at Ages 17 and 19 in NYTD Cohort 2.” Data Brief #6, November 2017. Available at: https://www.acf.hhs.gov/sites/default/files/cb/nytd_data_brief_6.pdf.

¹⁴ See discussion in Meisenheimer, Melanie. “Supporting Youth Aging Out of Foster Care through SNAP.” Center for the Study of Social Policy, 2016. Available at: <https://cssp.org/resource/supporting-youth-aging-out-of-foster-care-through-snap/>.

¹⁵ Overall, 4.6 million youth ages 16 to 24 are out of school and out of work, and the youth unemployment rate is more than double that of the overall unemployment rate. *Alleviating Poverty for Opportunity Youth*, JFF, December 2018, <https://www.jff.org/resources/alleviating-poverty-opportunity-youth/>. Table 2. *Employment Status of the Civilian Noninstitutional Population 16 to 24 Years of Age by Sex, Race, and Hispanic or Latino Ethnicity, July 2015-2018*, U.S. Bureau of Labor Statistics, accessed March 2019, <https://www.bls.gov/news.release/youth.t02.htm>; *Household Data Annual Averages: 1. Employment Status of the Civilian Noninstitutional Population, 1948 to Date*, U.S. Bureau of Labor Statistics, accessed March 2019, <https://www.bls.gov/cps/cpsaat01.pdf>. Over the last 40 years, the United States has seen an economic shift that has led a third of young people ages 18-34 to live with their parents and rely on them for financial assistance. Vespa, Jonathan. “The Changing Economics and Demographics of Young Adulthood: 1975-2016.” U.S. Census Bureau, April 2017. Available at: <https://www.census.gov/library/publications/2017/demo/p20-579.html>.

¹⁶ Compared to 23 percent of their peers who were not in foster care. Courtney, Mark E. et al. “Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Ages 23 and 24.” Chapin Hall, 2010, p. 35. Available at: <https://www.chapinhall.org/wp-content/uploads/Midwest-Eval-Outcomes-at-Age-23-and-24.pdf>.

¹⁷ Courtney, Mark E. et al. “Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Ages 23 and 24.” Chapin Hall, 2010, p. 36. Available at: <https://www.chapinhall.org/wp-content/uploads/Midwest-Eval-Outcomes-at-Age-23-and-24.pdf>.

pathways established during adolescence and young adulthood are critically important to brain development. Experiences during this period shape young people's futures as adults.¹⁸ Adolescents do not become fully mature adults at the age of 18. Research in neuroscience and psychology demonstrates that human brain development continues into the mid-20s.¹⁹

Nearly half (47 percent) of the individuals subject to the time limit are ages 18-29.

Approximately 85 percent have at most a high school diploma or equivalent. The proposed rule would have a disparate impact on youth and youth of color. Nationally approximately 4.6 million young adults are out of school and unemployed.²⁰ In New York almost 11 percent of 16-24 year olds were unemployed in 2016. And they comprised almost 21 percent of the total unemployed in New York in 2017. Nationally, the youth unemployment rate is 9.2 percent (2018), more than double the overall unemployment rate of 3.9 percent.²¹ Black and Latino youth have even higher rates of unemployment. Young workers 16 to 24 years of age are more likely to be working part-time involuntarily among all age groups and account for approximately 28 percent of all involuntary part time workers, despite comprising 13 percent of those at work.²² These young people will be disproportionately impacted by these SNAP proposals.

College Students:

Our goal is to get all of our young people to graduate from high school and go on to higher education. We use workshops and various forms of resources and assistance to ensure that our young people succeed in school. Public benefits like SNAP are one of the many supports that are important to the young people we serve. SNAP provides basic food assistance for students in postsecondary education and supports employment stability and wage growth.²³ Students enrolled at least half-time are not subject to the time limit, and this will not change under the proposed rule. However, students enrolled less than half-time and not otherwise exempt will be at increased risk of losing benefits under the proposed rule if they are unable to meet SNAP time limit rules. Many low-income students must work part-time to support themselves and their families and therefore enroll in college less than half time. Additionally, many young adults, including college students, are more likely than older workers to have jobs with low wages, inconsistent schedules, and no benefits, such as paid leave. This rule will limit the ability of

¹⁸ Casey, Jim. Youth Opportunities Initiative. *The Adolescent Brain: New Research and its Implications for Young People Transitioning from Foster Care* 2011, p. 7-8.

¹⁹ Siringil, Selen and Lael Chester. *Emerging Adults: A distinct population that calls for an age-appropriate approach by the justice system*. 2017, p. 3.

²⁰ Sarah Burd-Sharps and Kristen Lewis, *More than a Million Reasons for Hope Youth Disconnection in America Today*, Measure of America, March 2018, <http://measureofamerica.org/youth-disconnection-2018/>.

²¹ Table 2. *Employment Status of the Civilian Noninstitutional Population 16 to 24 Years of Age by Sex, Race, and Hispanic or Latino Ethnicity, July 2015-2018*, U.S. Bureau of Labor Statistics, accessed March 2019, <https://www.bls.gov/news.release/youth.t02.htm>; *Household Data Annual Averages: 1. Employment Status of the Civilian Noninstitutional Population, 1948 to Date*, U.S. Bureau of Labor Statistics, accessed March 2019, <https://www.bls.gov/cps/cpsaat01.pdf>.

²² Lonnie Golden, *Still Falling Short on Hours and Pay*, Economic Policy Institute, December 2016, <http://www.epi.org/publication/still-falling-short-on-hours-and-pay-part-time-work-becoming-new-normal/>.

²³ Nune Phillips, *SNAP and Work*, Center for Law and Social Policy, January 2018, https://www.clasp.org/sites/default/files/publications/2018/01/2018_snapandwork.pdf.

people with low income to successfully maintain SNAP and complete a postsecondary education that can lead to employment with family-sustaining wages.²⁴

Conclusion

Already, the SNAP time-limit for Able Bodied Adults Without Dependents (ABAWD) adversely impacts children and vulnerable youth, even though they are not the intended targets of that policy. This proposed rule would exacerbate this problem. Furthermore, it flies in the face of Congressional intent, given the fact that Congress just concluded a review and reauthorization of SNAP in the Agriculture Improvement Act of 2018 and explicitly rejected the changes proposed.

Rather than increasing self-sufficiency, educational attainment and well-being among former foster youth, college students, children, young people and other SNAP recipients, the rule will more likely increase their material hardship by taking food assistance away from people who are looking for work or are in low-paid jobs with unpredictable hours, people who cannot work, and people who work the number of hours required—or more—but have difficulty reporting it.

We strongly oppose the proposed rule due to its disproportionate impact on children and youth in exposing even more people to the arbitrary SNAP food cutoff policy that will harm our community. The proposed rule could have a particularly negative impact on college students, young people transitioning out of foster care, and all young people in general, who have much higher unemployment rates than the general population.

Sincerely,

Naomi Post
Executive Director
The Children's Defense Fund-New York

²⁴ "Measuring the Value of Education," *U.S. Bureau of Labor Statistics*, April 2018, <https://www.bls.gov/careeroutlook/2018/data-on-display/education-pays.htm>.