



SENT VIA ELECTRONIC SUBMISSION

April 2, 2019

Certification Policy Branch  
Program Development Division  
U.S. Department of Agriculture, Food & Nutrition Service  
3101 Park Center Drive  
Alexandria, Virginia 22302

Re: *Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents*  
[RIN 0584-AE57]

Dear Secretary Perdue and Administrator Lipps:

Advocates for Ohio's Future (AOF) is writing to ask you to withdraw the US. Department of Agriculture's (USDA) proposed rule, *Supplemental Nutrition Assistance Program: Requirements for Able Bodied Adults Without Dependents* (RIN 0584-AE57). This rule would limit the ability of states to waive the three-month time limit that applies to childless, able-bodied adults who receive benefits through the Supplemental Nutrition Assistance Program (SNAP) and are unemployed.

AOF is a nonpartisan coalition of nearly 500 Ohio organizations that promotes health and human service budget and policy solutions so that all Ohioans live better lives. The coalition believes in investing in our state's most valuable resource—our people—to ensure that they are safe, healthy, and can afford life's basics.

Good health, including adequate access to healthy food, is critical for maintaining a job, earning an education, parenting, and participating in community life. In Ohio, nearly 1.4 million, or one in six people across the state rely on SNAP to help buy groceries each month.<sup>1</sup> SNAP serves as a vital safety net to ensure low-wage workers do not go hungry when their hours are reduced or they become unemployed, and is widely regarded as one of the most effective programs in the country for alleviating poverty.

Though the average SNAP benefit in Ohio is only about \$4 per day per recipient, this assistance significantly reduces food insecurity and frees up recipients' limited incomes to address other hardships like paying bills and rent.<sup>2</sup> Once a family or an individual achieves stability and their basic needs are met, SNAP becomes an important work support to maintain stability as individuals expand their education or look for a job.

Dozens of organizations, including many of our coalition members, have submitted comments in opposition to the proposed rule. As a coalition, we present the many concerns our member organizations have expressed. A list of AOF leadership is included in this submission. Our chief concerns are described briefly below.

In 2014, Ohio requested and received authorization to waive federally-mandated work requirements for able-bodied adults (ages 18-49) without dependent children (ABAWDs) after three months of benefits in a 36-

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<sup>1</sup> Ohio Department of Job and Family Services. (2018). Caseload summary statistics report, December 2018. [http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-\(002\).stm](http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-(002).stm)

<sup>2</sup> Ohio Department of Job and Family Services. (2018). Caseload summary statistics report, December 2018. [http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-\(002\).stm](http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-(002).stm)

month period, for individuals living in counties that met USDA’s criteria for “areas of high unemployment.” These county waivers are reassessed by the Ohio Department of Job and Family Services (ODJFS) every federal fiscal year (FFY), using the most recent BLS data to determine which counties are waiver-eligible. For FFY 2019, there are currently 38 counties in Ohio where the time limit was waived due to high unemployment.<sup>3</sup>

As of December 2018, 48 percent of Ohio’s SNAP recipients live in one of the 38 counties where the three month time limit has been waived for the ABAWD population.<sup>4</sup> This is due to the current waiver structure that generally allows the state to target its waivers to jurisdictions that are most vulnerable to poverty and food insecurity. This ensures those who are struggling to find employment in these areas can maintain access to basic nutrition as they search for work.

However, if the proposed rule took effect today with the new 7 percent unemployment threshold for waiver eligibility, only three Ohio counties would qualify for a time limit waiver (according to BLS unemployment data over the most recent 24-month period available).<sup>5</sup> These three counties—Adams, Meigs and Monroe—account for less than one percent of the Ohio’s SNAP population.<sup>6</sup> If the geographic distribution of ABAWDs matches that of the broader SNAP population, more than 99 percent of Ohio’s ABAWDs would now be subject to the SNAP time limit (up from 52 percent under current policy). In effect, this proposed criteria would drastically reduce the number of counties in Ohio that are waiver-eligible and restrict the state’s ability to provide assistance to targeted areas that need it most, threatening access to basic nutrition in some of the poorest and most food-insecure parts of the state.

While the proposed rule would eliminate the time limit waiver in nearly every Ohio county under current economic conditions, it would be virtually impossible for Ohio’s urban counties to be eligible for a time limit waiver again, except in an economic recession. Minority communities are concentrated in urban areas. Among the three counties that would maintain their time limit waiver under current conditions, the population is 98 percent white. Barring such a large proportion of Ohio’s black population from the time limit waiver would create a clear racial disparity given that black Americans consistently experience worse employment outcomes than white Americans, in large part due to employment discrimination and systemic barriers to work.<sup>7</sup> Though counties with high-levels of unemployment and difficult access to transportation should remain exempt, AOF believes cities and other smaller units of government should also be exempt to ensure equal application of the exemption and to protect struggling communities in urban areas from losing basic nutrition assistance.

The Administration has stated the intention behind modifying the waiver standards aligns with their overall focus on fostering self-sufficiency; improving employment outcomes and economic independence. The Department is confident that these changes will encourage more ABAWDs to engage in work or work activities if they wish to continue to receive SNAP benefits.<sup>8</sup> However, most SNAP recipients who are able to work already do so. Recent research from the Brookings Institution found that among SNAP recipients aged 18-49 with no dependents, more than 73 percent were either working or in a period of transition.<sup>9</sup>

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<sup>3</sup> Ohio Department of Job and Family Services. (2018). Family assistance letter #171. <http://jfs.ohio.gov/ofam/FAL-171-FFY2019-ABAWD-090718.stm>

<sup>4</sup> Ohio Department of Job and Family Services. (2018). Caseload summary statistics report, December 2018. [http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-\(002\).stm](http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-(002).stm)

<sup>5</sup> Bureau of Labor Statistics. (2018). Local Area Unemployment Statistics, January 2017-December 2018.

<sup>6</sup> Ohio Department of Job and Family Services. (2018). Caseload summary statistics report, December 2018. [http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-\(002\).stm](http://jfs.ohio.gov/pams/Case-Load-Summary-Report--December-(002).stm)

<sup>7</sup> Doede, M.S. (2015). Black jobs matter: racial inequalities in conditions of employment and subsequent health outcomes. *Public Health Nursing*. Vol. 33 No. 2, pp. 151-158.

<sup>8</sup> Brandon Lipps, Acting Deputy Under Secretary, Food, Nutrition, and Consumer Services. December 20, 2018. <https://www.regulations.gov/document?D=FNS-2018-0004-5999>

<sup>9</sup> Bauer, L., Whitmore Schanzenbach, D., & Shambaugh, J. (2018). Work requirements and safety net programs. The Hamilton Project. [http://www.hamiltonproject.org/assets/files/WorkRequirements\\_EA\\_web\\_1010\\_2.pdf](http://www.hamiltonproject.org/assets/files/WorkRequirements_EA_web_1010_2.pdf)

One of the most significant barriers inhibiting SNAP recipients from meeting work requirements is a lack of long-term employment opportunities that provide stable hours above the 80-hour-per-month threshold. Research from the Economic Policy Institute has found that the most common occupations held by SNAP recipients are in food service, retail, housekeeping, sanitation and health aide jobs.<sup>10</sup> Volatile hours and unstable employment are especially common in these jobs, meaning it is common for SNAP recipients to experience periods of unemployment or insufficient hours to comply with work requirements. Significant investments from both the federal and state governments would be required to ensure sustainable and accessible education, job training and job placement opportunities exist in every corner of every state to allow ABAWD SNAP recipients could reasonably fulfil their work requirement.

In conclusion, the US. Department of Agriculture's (USDA) proposed rule, *Supplemental Nutrition Assistance Program: Requirements for Able Bodied Adults Without Dependents*, would reduce access to basic nutrition assistance in the poorest areas in the state, restrict Ohio's ability to help its most disadvantaged workers, and discriminate on the basis of race. Advocates for Ohio's Future recommends that the federal government withdraw the USDA's proposed rule and maintain the authorization of state waivers for "areas of high unemployment" under the current criteria, which has proven to provide vital nutrition assistance for Ohio's most vulnerable citizens.

Sincerely,

Leadership of Advocates for Ohio's Future

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<sup>10</sup> Bivens, J. & Fremstad, S. (2018). Why punitive work-hours tests in SNAP and Medicaid would harm workers and do nothing to raise employment. Economic Policy Institute. <https://www.epi.org/publication/why-punitive-work-hours-tests-in-snap-and-medicare-would-harm-workers-and-do-nothing-to-raise-employment/>