



*Submitted Electronically*

April 9, 2018

Sasha Gersten-Paal  
Chief, Certification Policy Branch  
SNAP Program Development Division  
Food and Nutrition Service, USDA  
3101 Park Center Drive Room 812  
Alexandria, VA 22302

RE: Supplemental Nutrition Assistance Program: Requirements and Services for Able-Bodied Adults Without Dependents (ABAWDs) Advance Notice of Proposed Rulemaking RIN 0584-AE57 Docket No. 2018-03752 7 CFR Part 273 Citation 83 FR 8013

Catholic Charities USA (CCUSA) and the United States Conference of Catholic Bishops (USCCB), appreciate the opportunity to provide public comment to the United States Department of Agriculture Food and Nutrition Service above-referenced advance notice of proposed rulemaking.

CCUSA is a national membership organization representing more than 170 diocesan Catholic Charities member and affiliate agencies. These member agencies operate more than 2,600 service locations across 49 states, the District of Columbia, and five U.S. territories. The diverse array of social services offered by agencies reached more than 8.2 million individuals in need last year. These services include partnering with government agencies to deliver key safety net and community support programs. Catholic Charities focuses on reducing poverty in America and seeks to address symptoms of poverty including hunger.

The U.S. Conference of Catholic Bishops (USCCB) is a nonprofit corporation whose members are the active Catholic Bishops of the United States. USCCB advocates and promotes the pastoral teachings of the U.S. Catholic Bishops in diverse areas of the nation's life. USCCB's Committee on Domestic Justice and Human Development assists the bishops in advancing the social mission of the Church, including its policy advocacy, education, and outreach in support of the Church's anti-poverty efforts.

As informed by Catholic Social Teaching, we are committed to advancing policies that support the integral development of individuals. We believe that access to food is a fundamental right and

support identifying the most effective policies to ensure adequate food, nutrition and economic stability for all individuals and families. Therefore, we respectfully submit the following in response to the USDA's questions:

**1. 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 tie 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.<sup>1</sup>**

CCUSA and USCCB appreciate the USDA solicitation for feedback on how to improve the Able-Bodied Adults without Dependents (ABAWDs) waiver request. The State's ability to request SNAP waivers is critical to areas of high unemployment and lack of jobs. Efforts to limit waivers for ABAWDs should include careful consideration of individuals who have fallen on hard times and are struggling to find a way out of poverty and should give due priority to ensuring all people have access to necessary food and nutrition.

**(a) How could the definition of "lack of sufficient jobs" be revised to better support these goals?**

- Currently, States are eligible to waive the SNAP ABAWD three month time limit in areas with an unemployment rate above 10 percent or where they can demonstrate a "lack of sufficient jobs." To support a claim of "lack of sufficient jobs, a State may submit evidence that an area: is designated as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration (ETA); is determined by the Department of Labor's Unemployment Insurance Service as qualifying for extended unemployment benefits; has a low and declining employment-to-population ratio; has a lack of jobs in declining occupations or industries; is described in an academic study or other publications as an area where there are lack of jobs; has a 24-month average unemployment rate 20 percent above the national average for the same 24-month period. This 24-month period may not be any earlier than the same 24-month period the ETA uses to designate LSAs for the current fiscal year."<sup>2</sup>
- Communities that have been designated as having a "lack of sufficient jobs" should automatically be prioritized for inclusion in other federal and state economic improvement and business development zone designations. This coordination in programs, such as the newly designated Opportunity Zone program, would provide a clear policy linkage to encourage gainful employment among ABAWDs through leveraging private investment in order to develop new jobs and economic opportunities in underserved and high unemployment communities. Furthermore, procurement

---

<sup>1</sup> Headings reflect questions set out in "Supplemental Nutrition Assistance Program: Requirements and Services for Able-Bodied Adults Without Dependents; Advanced Notice of Proposed Rulemaking," 83 FR 8013.

<sup>2</sup> 7 C.F.R. § 273.24(f)2(ii).

policies could be improved to give preferential status to employers in low employment communities.

- The current “lack of sufficient” jobs definition should go beyond a geographic designation to take into account the specific challenges of significant populations of individuals with barriers to employment that may reside in a particular labor market or municipality. Although jobs may exist in a given regional labor market, they may be impossible to attain or retain for many ABAWDs because ABAWDs often lack the education and skills needed to be competitive for available jobs in their local community, or they may lack basic support systems such as reliable transportation to and from work. ABAWDs often also face additional unique barriers to reentering the labor market such as a history of incarceration or homelessness, current or former substance abuse, or mental illness. Rather than a definition based on a static metric of regional unemployment, special consideration should be given to these barriers that keep specific populations from attaining existing jobs in communities that have opportunities for employment. In addition, States should be allowed to consider accessibility of regional public transportation, the specific types of industries experiencing employment growth, and whether local educational attainment would give the local population access to those opportunities.

**2. (a) 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?**

- States face enormous challenges in coordinating the various public expenditures that may benefit (or discourage) ABAWDs to return to gainful employment. Far beyond traditional social service expenditures, states should be encouraged to coordinate economic and community development in such a way to prioritize employment access and training for low-income communities. This includes labor investments such as through WIOA, postsecondary educational expenditures, and public transportation investments. States should work to develop policies that link social services and private employers hiring practices through entities like social enterprises, transitional hiring partnerships, and case management in order to encourage employment and job retention for ABAWDs as they work to overcome barriers to employment.
- States should also be encouraged to support SNAP case management specifically for ABAWDs as they are engaged in a job training program, supportive social enterprise employment, or as they transition back into the workforce with a private employer.
- The USDA and States should also place greater priority in providing access to transportation and continued use of flexible waivers in places where employment and education and training initiatives require long-distance transportation. Similarly, the USDA and States should continue to reevaluate asset limits which make owning a car – often necessities for employment – a barrier to receiving benefits and provide a reverse incentive to seeking and maintaining employment.

**2. (d) 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?**

- Currently, ABAWDs are subject to a three month time limit for SNAP unless they are working 20 hours per week or are participating in a State approved workforce training program.<sup>3</sup> As a result, individuals who cannot find a job that provides 20 hours a week of steady employment or lack access to an effective education and training program are cut-off from SNAP after three months.. While we support maintaining each State’s waiver flexibilities in areas suffering from high-unemployment or difficult-to-place populations, the USDA should provide greater incentives and support to States, so that they are able to offer meaningful SNAP employment and training support to ABAWDs subject to the time limit.
- As a result of the last reauthorization of the Farm Bill, ten states are participating in a comprehensive pilot of expanded E&T services. We encourage the USDA to build on the results of that pilot, and not to pre-empt it. Some states continue to expand their employment and training programs to include training credentials for high demand jobs in the local economy. These types of investments are necessary to build job training infrastructure to meet the needs of SNAP participants as well as local employers.
- SNAP case management should be encouraged to assist ABAWDs with barriers to employment to be successful in a transition back into the workforce. These supportive transitional employment programs operate as partnerships between service providers, social enterprises and/or traditional private employers to increase chances of ABAWD employment stability and retention. Case management can improve state and regional employment outcomes and reduce demand for long term public subsidies by addressing obstacles to stable employment success such as adequate housing, healthcare, transportation, financial stability, and others through individual counseling.
- To identify new program designs that yield verifiable results of employment and increased income for ABAWDs with barriers to employment, states should be encouraged to use discretionary funding to support both program innovation and evaluation.
- States should also be encouraged to support employment focused social enterprises, nonprofits or for-profits, with the explicit mission to provide employment pathways for ABAWDs with barriers to employment. A 2015 report by Mathematica entitled “Economic Self-Sufficiency and Life Stability One Year after Starting a Social Enterprise Job” shows that ABAWD employees of social enterprises are more likely to retain a job over a one-year period versus individuals who only received traditional workforce services. These ABAWDs also had higher levels of non-governmental income and greater housing stability.

---

<sup>3</sup> 7 C.F.R. § 273.24(a)1.

- To support expansion of these efforts, policymakers should encourage multi-year “pay for performance” investments at the federal, state, and municipal levels targeting employment, transitional job placement and job retention for ABAWDs in social enterprises and other nonprofit or for-profit employers with targeted support interventions for ABAWDs with barriers to employment.

## 2. (e) Are there additional ways that States could incentivize employers to provide jobs to ABAWDs?

- To improve access to stable employment for ABAWDs, states should be encouraged to support the development of social enterprises and other for-profit or non-profit corporations that have a specifically established program structure or mission to provide employment and on-the-job training to a direct labor force who face barriers to employment.
- Federal, state, and municipal governments should be encouraged to use their purchasing power to support these employment social enterprises and other private employers who specifically establish a mission to provide this type of transitional employment. Procurement incentives, economic development assistance, and small business development resources can be better utilized to enable social enterprises and other private transitional employers to expand revenue, allowing them to hire and train more individuals overcoming barriers to employment and giving those individuals a pathway back into the broader workforce.
- With the recent reauthorization of Workforce Innovation and Opportunity Act (WIOA), which encourages state and regional workforce agencies to serve low-income adults and at-risk youth, employers should be encouraged to partner with existing nonprofits that serve ABAWDs to develop hiring and training partnerships. In many cases, ABAWDs may have complex barriers to stable employment, but social service agencies may be better able to support ABAWDs’ employment success in transitioning back into the workforce with supportive case management and other transitional wrap-around services.
- States should replicate service delivery models that empower individuals to move from poverty to sustainability. Programs such as the Catholic Charities Opportunity Center in Minneapolis offer students the culinary and interpersonal skills they need to succeed in the restaurant industry. Another example is the Employment Opportunities, Personalized Services, and Individualized Training, and Career Planning Program (EPIC), also known as the JTED-SNAP Pilot Project, which is a partnership between the Illinois Department of Commerce and Economic Opportunity (DCEO), Illinois Department of Human Services (IDHS), and Catholic Charities. EPIC provides employment and training services to SNAP recipients referred by IDHS, with career pathways opportunities aligned to local employer and sector demand. EPIC works to identify participants’ barriers to employment and to create opportunities for life and employment skills growth.
- States also can encourage ABAWD hiring through modifying both existing public procurement rules to incentivize participation by employment-focused social enterprises

and other private employers who establish clear ABAWD hiring policies or achieve certain ABAWD hiring targets.

**2. (g) What approaches have States found effective in communicating with ABAWDs to educate them on the program's work requirements, tools and resources that can help them find or keep employment, and crucial administrative actions or deadlines they must adhere to?**

- States should work with existing service providers, community-based nonprofits, social enterprises, faith-based organizations and religious congregations to educate them on SNAP's work requirements, tools and resources that can help ABAWDs find or keep employment, and address administrative actions and deadlines.
- When a state or county has no viable E&T training that allows SNAP recipients to maintain their benefits, the state or county should be required to provide a process for community-based organizations to identify volunteer opportunities where ABAWDs could meet their work requirements while learning skills to improve work readiness.

Given the breadth and scope of the services of Catholic Charities agencies across the country, and given the leadership of the U.S. Conference of Catholic Bishops in encouraging and providing aid to the poor and others in need, we hope that you will give due consideration to our feedback, and work to strengthen the SNAP program so that it continues to support and meet the needs of vulnerable individuals and families struggling to move out of poverty.

Respectfully submitted,



Anthony Picarello  
Associate General Secretary and General Counsel  
U.S. Conference of Catholic Bishops



Brian Corbin  
Executive V.P. for Member Services  
Catholic Charities USA