June 16, 2020

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

Re: Notice of Proposed Rule Making -- Employment and Training Opportunities in the Supplemental Nutrition Assistance Program (SNAP) RIN 0584-AE68

Dear Ms. Johnston:

On behalf of **MAZON: A Jewish Response to Hunger**, I am writing in response to the United States Department of Agriculture’s (USDA) request for comments regarding proposed changes to SNAP Employment and Training (E&T) regulations to implement provisions of the 2018 Farm Bill.

In sharp contrast to other recent proposed changes to SNAP regulations from this Administration, this proposed rule may actually provide some positive benefits to those who are struggling with food insecurity, including those left recently unemployed due to the COVID-19 pandemic.

If implemented correctly, these proposed changes could help some SNAP participants find and keep jobs while addressing some of the problems that E&T programs face in engaging and supporting participants. While MAZON supports this agency action to conform SNAP regulations to authorizing legislation, our enthusiasm for that support is tempered by the persistent attempts by this Administration to increase barriers to assistance for vulnerable people. In particular, we are opposed to the onerous requirement that those using the E&T program be allowed only “supervised” job searches. This must change.

Inspired by Jewish values and ideals, MAZON is a national advocacy organization working to end hunger among people of all faiths and backgrounds in the United States and Israel. For nearly 35 years, MAZON has been committed to ensuring that vulnerable people have access to the resources they need to be able to put food on the table. MAZON is a leading voice on anti-hunger issues, especially those that involve low-income populations or problems that have been previously overlooked or ignored — this includes food insecurity among currently-serving military families, veterans, single mothers, seniors, rural communities, Tribal Nations, and...
college students. It is with this experience and focus that we address USDA’s request for comments.

MAZON shares the bipartisan goal of promoting gainful employment that is both meaningful to the employee and beneficial to society. E&T programs can help achieve this noble goal only if they are thoughtfully planned and executed, and so long as they are not motivated by contempt for the populations they are intended to serve. MAZON is cautiously optimistic that this proposed rule change may help low-income individuals to overcome barriers in order to obtain work, access education and training, and gain supportive services that should be readily available to them.

Regulations are meant to clarify and guide implementation of the laws enacted by a democratically elected Congress. In this case, the authorizing legislation is the 2018 Farm Bill, which passed both chambers of Congress by unprecedented margins and with broad bipartisan support. While the Farm Bill process included efforts to increase punitive work requirements for SNAP recipients, Congress declined to include any increases, as SNAP is first and foremost a food security program and not a workforce development tool. Even with the most rudimentary understanding of Congressional intent, USDA must accept that it cannot propose nor enact regulations that place additional work requirements on those who struggle to find work. This was an intentional policy decision made by lawmakers, and implementation of the 2018 Farm Bill must work to track this intent. The purpose of SNAP is to feed the hungry, and this goal must be paramount in any implementing regulations. Thus, it is also evident that further burdening employment options or opportunities by circumscribing how SNAP recipients should find work would undermine Congressional intent.

We are therefore encouraged that several of the proposed changes to SNAP E&T programs reflect that intent and the underlying purpose of SNAP.

MAZON supports the following three proposed rule changes:

1. Improve the work registration process by requiring states to inform individuals of any work-related requirements;

2. Clarify that the “good cause” exemption applies for any individual when there is not an appropriate work activity for a mandatory E&T participant, thus ensuring — if implemented correctly — that individuals do not lose SNAP benefits due to the lack of an opportunity to comply with E&T; and
3. Clarify that a state agency must investigate and determine whether an individual who fails to meet the 20 hour work or training requirement (or failed to complete workfare) had “good cause,” and if such “good cause” is established, that individual must be considered to have fulfilled the requirement.

These measures will strengthen SNAP as they reduce the number of benefit recipients who would otherwise be terminated from the program simply because they are unable to meet the work requirement due to external circumstances beyond their control.

Additionally, the proposed changes to SNAP E&T programs have the potential to improve the operation of E&T programs by states.

MAZON supports the following proposed rule changes:

1. Require states to report the number of individuals who are required to participate in E&T and, subsequently, the number that begin to participate. This reporting will generate useful data 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, given they indicate increased hardship among those losing SNAP benefits. They also reveal that these programs are poorly designed or implemented and do not work for mandatory E&T participants;

2. Require the state E&T program to provide case management services (including intake assessments, individualized plans, monitoring, and coordination of services) to all E&T participants, and that a case manager 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;

3. Add apprenticeships and subsidized employment as allowable activities, including allowing activities from E&T pilots which have the most demonstrable impact on finding and retaining employment; and

4. Require the state agency to consult with the state workforce development board and add workforce partnerships as an additional option for meeting work requirements.

MAZON vehemently opposes the new and confusing requirement that job searches must now be “supervised.” We believe change would place
patronizing, infantilizing, and absurd restrictions on those seeking new employment.

This is particularly true as there is no guidance in the proposed rule change defining the contours of “supervision.” As a record number of Americans currently face unemployment, it is unconscionable for the proposed rule change to create any additional steps that make either job searching or receiving food assistance more difficult. This proposed new hurdle for job seekers is especially troubling given the USDA’s simultaneous appeal of a preliminary injunction and stay on an earlier rule change limiting state flexibility to waive ABAWD work requirements, which will leave vulnerable people without vital food assistance. The devastating effects of a successful appeal will fall disproportionately on veterans, college students, and Native Americans, groups that already face heightened barriers to SNAP access and meaningful employment.

A slightly improved E&T program is of no use to the nearly one million people who stand to be kicked off SNAP if USDA is successful in its appeal of the injunction.

The COVID-19 pandemic has exposed the gaping holes in our safety net. These holes are person-sized, and any further restrictions will have direct and devastating effects on vulnerable people who are trying to feed themselves and their families. Over 40 million people in the U.S. were struggling with hunger before the pandemic hit — and nearly that same number are now newly unemployed. It is imperative that the inability to find work in a struggling economy not be a barrier to receiving lifesaving nutrition assistance. MAZON will be watching closely to ensure that USDA upholds its responsibility to its constituents and this proposed rule change is a modest and partial step in the right direction.

Sincerely,

Abby J. Leibman
President and CEO
MAZON: A Jewish Response to Hunger