

April 2, 2019

Certification Policy Branch
SNAP Program Development Division
Food and Nutrition Service, USDA
3101 Park Center Drive
Alexandria, Virginia 22302

Submitted electronically

Re: RE: Proposed Rule: Supplemental Nutrition Assistance Program (SNAP):
Requirements for Able-Bodied Adults without Dependents RIN 0584-AE57

Dear Certification Policy Branch:

YWCA USA submits these comments on the proposed rule published at 84 FR 980 (February 01, 2019), RIN 0584-AE57, with the title “Supplemental Nutrition Assistance Program: Requirements and Services for Able-Bodied Adults Without Dependents; Advance Notice of Proposed Rulemaking”

As one of the oldest and largest women’s organizations in the nation, YWCA USA is dedicated to eliminating racism, empowering women and promoting peace, justice, freedom and dignity for all. Today, we serve over 2 million women, girls, and their families through a network of 209 local associations in 46 states and the District of Columbia, by combining programming and advocacy to generate institutional change in the areas of racial justice and civil rights, empowerment and economic advancement of women and girls, and health and safety of women and girls. YWCA has been at the forefront of the most pressing social movements for more than 160 years.

YWCA’s work with women and families across the country gives us practical insight regarding the impact the proposed rule will have on low-income women, women and families of color, and survivors of domestic and sexual violence:

- 62% of the people served by YWCAs live at or below the poverty line
- 157 YWCAs in 44 states provide services to more than 500,000 victims and survivors of sexual and domestic violence
- 77% of the people we serve are women, and 46% are people of color
- More than 82,000 women and girls each year enroll in economic advancement programming at YWCAs across the nation – the majority of whom live at or below the poverty level.

Because the Supplemental Nutrition Assistance Program (SNAP) is vital to the economic security of women and families served by YWCA, particularly women and families of color and survivors of domestic violence and sexual assault, we write in opposition to any change in policy or regulation that would reduce the receipt of SNAP benefits by low-income women.



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YWCA is concerned that potential changes to the time limit will further undermine the ability of low-income women – particularly women of color, LGBTQ women, survivors of sexual and domestic violence, and women from other marginalized communities – to obtain economic security. Specifically, this rule would make it more difficult for states to obtain waivers and exemptions from the time limit on obtaining SNAP benefits in areas with elevated unemployment, and further increase the already strict requirements federal law provides for able-bodied adults without dependents (ABAWDs) to receive SNAP. Additional regulations to restrict or eliminate states' waiver authority will increase food and economic insecurity.

SNAP is essential to the economic security of low-income women.

SNAP plays a critical role in reducing hunger, food insecurity, and poverty for millions of women and families. If counted in the official poverty measure, SNAP would have lifted the incomes of more than 2.7 million people above the poverty line in 2016, including more than 854,000 women between the ages of 18 and 64.ⁱ In Fiscal Year (FY) 2016, SNAP served more than 44.2 million people in nearly 21.8 million households on average each month, and women make up over half (63 percent) of adult SNAP recipients overall.ⁱⁱ Nearly half of the 3.8 million people who qualified as ABAWDs in 2016 were female, and, as a group, ABAWDs are in dire need of basic assistance, with an average household income of only \$367 per month.ⁱⁱⁱ

SNAP serves a diverse group of women, including elderly women and women with disabilities. White women make up 24 percent of nonelderly adult recipients, while 34 percent of nonelderly adult recipients are women of color.^{iv} Moreover, 34 percent of bisexual women, 32 percent of lesbians, and 24 percent of straight women between 18 and 44 report participating in SNAP.^v SNAP also serves a significant number of survivors of domestic and sexual violence. In a recent survey of service providers about victims' experiences accessing SNAP, 88 percent of respondents indicated that SNAP is a critical resource for a significant number of victims with whom they work, and nearly 80 percent of respondents reported that most domestic violence victims rely on SNAP to help address their basic needs and to establish safety and stability.^{vi}

Changes to SNAP work requirements or time limits for obtaining benefits will negatively impact the communities served by YWCA, particularly women of color and survivors of domestic and sexual violence.

The majority of adult SNAP recipients who can work, do work. But low-paying and low-quality jobs are often the only ones available to low-income individuals, meaning many workers need SNAP to help them cover basic needs. And the nature of these jobs can make it highly challenging for those who hold them to consistently meet SNAP's 20-hour weekly work requirements—especially for women.



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Of the more than 26 million people working in low-wage jobs (typically paying less than \$11 per hour), nearly six in ten are women—and women are close to seven in ten workers in the lowest-wage occupations that typically pay less than \$10 per hour.^{vii} Further, nearly half (48 percent) of women in the low-wage workforce are women of color: 17.6 percent are Black, 22.8 percent are Latinx, 6.7 percent are Asian or Pacific Islander, and 1.3 percent are American Indian/Alaska Native.^{viii} Many low-wage jobs that are primarily held by women—such as cashiers, maids and housekeepers, personal and home care aides, and restaurant servers—have work schedules that are often unpredictable, unstable, and inflexible.^{ix} Many offer only part-time work, despite many workers' need for full-time hours. And women in low-wage jobs are especially likely to face discrimination and harassment at work, which can result in lost hours or voluntary or involuntary job loss.^x

Further, victims of domestic violence and sexual assault often face particular barriers to work, including ongoing abuse or harassment by the perpetrator, needing to take time off work to attend court hearings, and otherwise recovering from the short- and long-term impacts of the violence. Victims also sometimes find themselves entangled in the criminal justice system as a direct result of the violence perpetrated against them. This can occur when, for example, a victim was forced or coerced into committing a crime by their abuser or assaulter, or a dual arrest was inappropriately made when the victim called the police for help.

All of these factors can make it difficult for low-wage workers, who are disproportionately women of color, to satisfy SNAP's 20-hour per week work requirement, and make women struggling with underemployment doubly vulnerable: if their employer schedules them for fewer hours, their wages decrease, and they are at risk of losing benefits. Many – including survivors of domestic violence and sexual assault – face considerable barriers to employment, including low educational attainment, and may lose their SNAP benefits due to the time limit despite their willingness to work, since most states do not help them find work or training opportunities. When several states that had previously employed waivers reinstated time limits for ABAWDS in 2016, at least 500,000 individuals lost access to SNAP.^{xi}

Additional limitations on states' waiver authority will similarly hurt women, many when they are most economically vulnerable.

Cutting off unemployed women's access to SNAP does not address any of the many barriers that prevent them from finding and keeping a job. Instead of helping these women find employment, SNAP's three-month time limit only deprives them of critical assistance in meeting basic needs at the moment when they are most economically vulnerable. This is why states' current waiver authority, which allows them to mitigate these time limits, should not be curtailed or eliminated.

Under the current rules, states have the flexibility to waive work requirements in areas within the state that have experienced elevated unemployment. The current waiver criteria allow states to be immediately responsive and ensure



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that economic conditions, like those that arose during the recession, do not create additional hardships. This waiver authority allows unemployed and underemployed women with very low incomes to continue to receive basic food assistance that helps them make ends meet during difficult times. The rules governing areas' eligibility for waivers have been in place for nearly 20 years and every state except Delaware has availed themselves of waivers at some point since the time limit became law. The waiver rules are reasonable, transparent, and manageable for states to operationalize. Any change that would restrict, impede, or add uncertainty to states' current ability to waive areas with elevated unemployment must not be pursued.

To address these and other concerns, YWCA strongly urges the Department to withdraw the proposed rule in its entirety and to reject any proposals that would cause more women and families to face an increased risk of food and economic insecurity.

YWCA appreciates the opportunity to share our views with you. If you have any questions, please contact YWCA USA Vice President of Public Policy and Advocacy Catherine Beane, at cbeane@ywca.org or 202-835-2354.

Sincerely,

Alejandra Y. Castillo, CEO YWCA USA

ⁱ Nat'l Women's Law Ctr. calculations based on U.S. Census Bureau, 2017 Current Population Survey using Table Creator, available at <https://www.census.gov/cps/data/cpstablecreator.html>.

ⁱⁱ Nat'l Women's Law Ctr. calculations based on U.S. Dep't of Agric., Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2016 – Table A.23 – Gender and SNAP Benefits of Participants by Selected Demographic Characteristics 62 (Nov. 2017), available at <https://fns-prod.azureedge.net/sites/default/files/ops/Characteristics2016.pdf>.

ⁱⁱⁱ U.S. Dep't of Agriculture, Food & Nutrition Services, Characteristics of Able-Bodied Adults without Dependents, available at <https://fns-prod.azureedge.net/sites/default/files/snap/nondisabled-adults.pdf>.

^{iv} Nat'l Women's Law Ctr. calculations based on U.S. CENSUS BUREAU, 2017 CURRENT POPULATION SURVEY using STEVEN RUGGLES ET AL., INTEGRATED PUBLIC USE MICRODATA SERIES (IPUMS): VERSION 6.0 [Machine-readable database] (Minneapolis: University of Minnesota, 2015).

^v Government data is not available on the percentage of SNAP recipients who are LGBT. The data provided measuring sexual orientation is based on the population-based National Survey of Family Growth, administered in 2011-2013. See TAYLOR N. T. BROWN ET. AL., FOOD INSECURITY AND SNAP PARTICIPATION IN THE LGBT COMMUNITY, THE WILLIAMS INSTITUTE 13 (July 2016), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Food-Insecurity-and-SNAP-Participation-in-the-LGBT-Community.pdf>.

^{vi} SHAINA GOODMAN, NRCDV, "THE DIFFERENCE BETWEEN SURVIVING AND NOT SURVIVING": PUBLIC BENEFITS PROGRAMS AND DOMESTIC AND SEXUAL VIOLENCE VICTIMS' ECONOMIC SECURITY, (Jan. 2018), available at https://vawnet.org/sites/default/files/assets/files/2018-01/TheDifferenceBetweenSurvivingandNotSurviving_Jan2018.pdf.

^{vii} JASMINE TUCKER & KAYLA PATRICK, NWLC, LOW-WAGE JOBS ARE WOMEN'S JOBS: THE OVERREPRESENTATION OF WOMEN IN LOW-WAGE WORK (Aug. 2017), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/08/Low-Wage-Jobs-are-Womens-Jobs.pdf>.



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^{viii} Nat'l Women's Law Ctr. Underpaid & Overloaded: Women in Low-Wage Jobs (2014), available at https://www.nwlc.org/sites/default/files/pdfs/final_nwlc_lowwagereport2014.pdf.

^{ix} See generally JULIE VOGTMAN & KAREN SCHULMAN, NWLC, SET UP TO FAIL: WHEN LOW-WAGE WORK JEOPARDIZES PARENTS' AND CHILDREN'S SUCCESS (Jan. 2016), available at <https://nwlc.org/wp-content/uploads/2016/01/Final-Set-Up-To-Fail-When-Low-Wage-Work-Jeopardizes-Parents%E2%80%99s-Success.pdf>.

^x NAT'L WOMEN'S LAW CTR., SEXUAL HARASSMENT IN THE WORKPLACE (Nov. 2016), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2016/11/Sexual-Harassment-Fact-Sheet.pdf>.

^{xi} ED BOLEN, DOTTIE ROSENBAUM, STACY DEAN & BRYNNE KEITH-JENNINGS, CTR. ON BUDGET & POL'Y PRIORITIES, MORE THAN 500,000 ADULTS WILL LOSE SNAP BENEFITS IN 2016 AS WAIVERS EXPIRE, (March 2016), available at <https://www.cbpp.org/research/food-assistance/more-than-500000-adults-will-lose-snap-benefits-in-2016-as-waivers-expire>.