

National Skills Coalition

Comments on Supplemental Nutrition Assistance Program: Requirements and Services for Able-Bodied Adults Without Dependents

(RIN 0584-AE57)

April 2019

National Skills Coalition — a broad-based coalition working toward a vision of an America that grows its economy by investing in its people so that every worker and every industry has the skills to compete and prosper — is pleased to submit comments responding to the U.S. Department of Agriculture’s Notice of Proposed Rulemaking (RIN 0584-AE57) published in the Federal Register on February 1, 2019.

NSC has long supported expanded access to high-quality education and training opportunities for individuals receiving Supplemental Nutrition Assistance Program (SNAP) benefits, and in particular has worked with a range of national, state, and local partners to call for policies that modernize and strengthen the SNAP Employment and Training (SNAP E&T) program.¹ In an economy where the vast majority of jobs will require some form of postsecondary education, we believe that only through dedicated investments in job training and other work supports will we be able to move work-eligible SNAP participants into sustainable, family-supporting careers.

The Agriculture Improvement Act of 2018 (P.L. 115-334) rejected proposals for expanded work requirements and proposed a modest increase in funding for state SNAP Employment and Training (SNAP E&T) programs.

Since the prior Farm Bill reauthorization in 2014, USDA’s Food and Nutrition Service (FNS) has increased its technical assistance capacity to help states develop SNAP E&T programs that utilize partnerships with community colleges, employers, and others to help SNAP participants earn postsecondary credentials with value in the labor market. NSC believes that these critical improvements to federal and state administration of the SNAP E&T program represent an important turning point in our nation’s antipoverty strategy, reorienting away from an outdated “work-first” model that has done little to support long-term employment for low-income workers, and instead focusing on a skills-centered approach that more accurately reflects the demands of today’s labor market.

¹ <https://www.nationalskillscoalition.org/resources/publications/file/NSC-SNAP-ET-recommendations.pdf>

With that in mind, we are deeply concerned with the proposed rule, and the clear signals that FNS may be retreating from some of the valuable lessons learned about quality employment and training programs under SNAP E&T. We very concerned about the time limit for people deemed ABAWDs and any changes to waivers that allow flexibility in its implementation. This time limit can be counterproductive to our mission of connecting workers to the skills and credentials necessary to compete in today's economy because it can encourage workers to take low-wage jobs rather than building these skills and credentials. There's also no evidence that the rule helps meet employers' need for skilled workers. And it can create red tape for community colleges and training organizations that need flexibility to train people for jobs in our rapidly changing economy.

Simply being "able-bodied" is insufficient to secure a meaningful and sustainable career in today's economy. More than 80 percent of jobs nationally require some form of education and training beyond a high school diploma.² Yet, approximately 85 percent of non-disabled adult SNAP recipients in households without children have *no more* than a high school education.³ Most non-disabled, working-age SNAP recipients do work⁴ - albeit in jobs that often do not pay sufficient wages, or offer enough hours, to move off of SNAP - but for the minority of those who do not, educational attainment gaps are likely a significant barrier to careers that provide a pathway out of poverty. A focus on rapid labor market attachment without a corresponding emphasis on upskilling opportunities for individuals subject to tighter work requirements will almost certainly lead to reductions in the number of ABAWDs eligible for SNAP, but will do little to address the "skills gap" that U.S. businesses are facing or to increase economic opportunities for SNAP recipients.⁵

We Recommend FNS Focus on Skill-Building to Increase Self-Sufficiency

Rather than focusing on limiting ABAWD waivers to prematurely "push" people into the labor market (and by extension, off public assistance), we recommend that FNS continue to focus on expanding support to states for policies that "pull" people into the labor market who are ready to participate. FNS can use its existing authority and resources to support ABAWDs as they transition to meaningful work. Accordingly, we offer the following recommendations for strengthening these efforts:

² <https://www.nationalskillscoalition.org/resources/publications/2017-middle-skills-fact-sheets/file/United-States-MiddleSkills.pdf>

³ <https://snaptoskills.fns.usda.gov/why-snap-to-skills>

⁴ <https://www.cbpp.org/research/food-assistance/most-working-age-snap-participants-work-but-often-in-unstable-jobs>

⁵ We have seen this dynamic at work before. Following the Great Recession, waivers from the ABAWD time limits expired across several states, leading to as many as 500,000 people losing nutrition assistance in 2016. There is little evidence that the time limit led to increased employment for those individuals affected.

1. Focus on skills-based SNAP E&T efforts including SNAP to Skills and the pilot program to help ABAWDs qualify for meaningful employment.
2. Expand employment opportunities for ABAWDs through work-based learning.
3. Analyze reported outcome measures for the ABAWD subpopulation where available and promote effective SNAP E&T strategies for moving these participants out of poverty.

Concerns over the proposed approach

The Time Limit Appears to Contradict the Intention of the Recent Bipartisan Farm Bill

Applying the 3-month time limit to ABAWDs more broadly also seems to contradict the general intention of Farm Bill legislation recently passed in December 2018. The latest bipartisan reauthorization of the Farm Bill rejected expanded work requirements for SNAP recipients and maintained the criteria states could use to seek temporary waivers from time limit sanctions. Instead, the legislation provides a modest increase in funding for state SNAP Employment and Training (E&T) programs. An administrative rule that limits ABAWD waivers and thereby broadens the application of the time limit is at odds with Congressional intent in the Farm Bill that rejected the expansion of work requirements.

The Overall Unemployment Rate is a Deficient Measure of Job Opportunities for ABAWDs

Further, the proposed rule's justification for applying the limit – low overall unemployment levels – are imprecise measures of job opportunities for ABAWDs in a state.

Unemployment rates for people without any college education – a category that includes most ABAWDs – usually hover well above the general unemployment rate. Nationally, the unemployment rate for people with less than a high school diploma was 5.6 percent in 2018 while the unemployment rate for people with some college or an associate's degree was 3.7 percent.⁶

In individual states and areas, the differences can be even more stark. In Georgia for example, the unemployment rate for people without a high school diploma was 9.3 percent in 2017 – more than double the unemployment rate for people with some college or an associate's degree, and nearly equal to the unemployment rate at the height of the Great Recession cited in the Regulatory Impact Analysis.⁷

Today's Economy Requires Skilled Workers – More than Simply Being "Able-Bodied"

This proposed rule expresses concern that the flexibility of existing waivers does not strengthen the goal of helping SNAP recipients find and keep meaningful employment. However, we believe the justification for limiting ABAWD waivers is based on an erroneous set of

⁶ <https://www.bls.gov/emp/tables/unemployment-earnings-education.htm> (as of March 1, 2019)

⁷ <https://www.regulations.gov/document?D=FNS-2018-0004-6000>

assumptions about the barriers between “able-bodied” adults and employment leading to self-sufficiency.

Simply being “able-bodied” is insufficient to secure meaningful work in today’s economy. Approximately 84 percent of jobs nationally require some form of education and training beyond a high school diploma.⁸ Yet, when we focus on the population subject to the SNAP time limit, more than 80 percent of ABAWDs have *no more* than a high school education.⁹ Most non-disabled, working-age SNAP recipients do work,¹⁰ but for the minority of those who do not, obtaining a career that provides a path out of poverty is practically impossible because of insufficient education.

Expanding the Time Limit Puts People at Risk of Losing Food Assistance without Connecting them to Employment

Finally, due to decreased unemployment rates after the Great Recession, waivers from the time limits expired across the states and people have lost access to food assistance with virtually no evidence of increased self-sufficiency. One estimate suggests that as many as 500,000 people lost nutrition assistance in 2016.¹¹ There is little evidence that the time limit led to increased employment for these people.¹² Therefore, waiving fewer areas is not likely to lead to the intended purpose of helping ABAWDs find meaningful employment.

Proposed strategies to refocus on skill building and self-sufficiency

Skills-based SNAP E&T programs can support ABAWDs in making this transition by providing opportunities for them to enhance their skills, credentials and careers and are consistent with the Department’s stated commitment to greater “ABAWD engagement with respect to job training.”¹³

1. Focus on skills-based SNAP E&T efforts including SNAP to Skills and the pilot program to help ABAWDs qualify for meaningful employment.

The Department has already made significant strides in helping SNAP recipients move out of poverty in positive, sustainable ways. In 2015, the Secretaries of the Departments of Agriculture and Labor announced \$165 million in grants to 10 states as part of the SNAP E&T pilot program authorized by the 2014 Farm bill. The pilot intends to test a range of strategies for helping SNAP

⁸ <https://www.nationalskillscoalition.org/resources/publications/2017-middle-skills-fact-sheets/file/United-States-MiddleSkills.pdf>

⁹ <https://www.cbpp.org/research/food-assistance/waivers-add-key-state-flexibility-to-snaps-three-month-time-limit>

¹⁰ <https://www.cbpp.org/research/food-assistance/most-working-age-snap-participants-work-but-often-in-unstable-jobs>

¹¹ <https://www.cbpp.org/research/food-assistance/snap-caseload-and-spending-declines-accelerated-in-2016>

¹² <https://www.cbpp.org/research/food-assistance/snap-reports-present-misleading-findings-on-impact-of-three-month-time>

¹³ <https://www.regulations.gov/document?D=FNS-2018-0004-6000>, p. 3

participants find jobs, increase their earnings, and reduce their reliance on public assistance. The Department should analyze the independent evaluation of the pilot program's impact on employment and earnings to help determine the most effective strategies for helping ABAWDs progress along the pathway out of poverty.

Also, in 2016, FNS launched its SNAP to Skills project to provide technical assistance, tools, and resources to states looking to use their SNAP E&T programs to train participants for in-demand jobs. This technical assistance is critical to helping states develop the capacity to transition from a program focused on job search assistance to one focused on pathways to in-demand credentials and careers. SNAP to Skills efforts can leverage the modest increase in funding included in the 2018 Farm Bill for the administration of SNAP E&T programs.

FNS has particularly focused on assisting states transition to voluntary participation in SNAP E&T, which is an important tool for ensuring that E&T programs are engaging individuals at the right time and in the right way. Removing waiver flexibility and adopting stricter time limits on ABAWDs would run counter to this effort, likely undermining the success of voluntary programs by pushing large numbers of underprepared workers into training or other activities designed not to lead to work, but primarily to maintain benefit eligibility.

A recent report by the U.S. Government Accountability Office illustrates how mandating participation in state SNAP E&T programs would undermine efforts to foster self-sufficiency. The report states that only 19 states mandated participation in E&T programs in FY 2017, down from 36 states in FY 2010. States reported many reasons to FNS for this move away from forced participation. Among the reasons cited is "that offering employer-driven, skills-based, intensive employment and training services, such as vocational training or work experience, through voluntary programs yields more engaged participants with stronger outcomes." The report also cites FNS officials who "have been actively encouraging states to offer these types of services because they believe these types of services are more effective in moving SNAP recipients, who may be more likely to have barriers to employment, toward self-sufficiency."¹⁴

To achieve its goal of connecting ABAWDs to meaningful work, the Department should continue to focus its efforts on skills-based SNAP E&T initiatives. The Department should not abandon the integral work of building skills to help move people to the middle class by shifting its emphasis to geographically expand ABAWD restrictions. To reach our poverty-reduction goal, we must address people's actual barriers to obtaining family-supporting jobs.

2. Expand employment opportunities for ABAWDs through work-based learning.

Apprenticeship and other work-based learning strategies are one of the most effective models for equipping workers with in-demand skills that can help them progress along the sustainable path out of poverty. Work-based learning strategies combine paid on-the-job experiences with classroom instruction.

¹⁴ <https://www.gao.gov/assets/700/695632.pdf>

Congress has recognized the importance of these strategies in the Workforce Innovation and Opportunity Act (WIOA) by calling for the automatic designation of registered apprenticeships as eligible training providers, by requiring a minimum percentage of local youth training dollars be spent on paid work experience, and through appropriating nearly \$500 million to expand apprenticeship in recent years. The current administration also released an executive order in June 2017 requiring new efforts to make apprenticeship available for a range of industries and workers. The recently passed Farm Bill encourages more ABAWDs to participate in work-based learning by specifically designating apprenticeship and other work-based learning as eligible activities under SNAP E&T.

In the spirit of this recent bipartisan legislation, the Department could encourage more ABAWDs to participate in work-based learning by specifically designating apprenticeship and other work-based learning as qualifying activities for the participation requirements necessary to maintain SNAP eligibility for ABAWDs. The Department could issue guidance on how SNAP E&T funds can be used to support participation in apprenticeship and other work-based learning models, and could work with the Departments of Labor and Education to identify strategies that help SNAP agencies and service providers connect with apprenticeship programs more effectively, including through the development and implementation of pre-apprenticeship programs that allow low-skilled individuals to obtain the necessary basic skills instruction and barrier remediation that can support successful transitions into these proven workforce strategies.

3. Analyze reported outcome measures for the ABAWD subpopulation where available and promote effective SNAP E&T strategies for moving these participants out of poverty.

The 2014 SNAP reauthorization adopted new reporting measures that allowed states to track employment, earnings, and program completion rates for participants in SNAP E&T activities. Reporting employment, earnings, and credential attainment outcomes specifically for ABAWDs will provide valuable information on the ability of different SNAP E&T strategies to help lift participants out of poverty.

Where available, the Department should analyze program data disaggregated based on ABAWD status and work with SNAP E&T providers to determine the most successful strategies for helping strengthen economic security among the ABAWD population. Instead of focusing on a time limit that has been unsuccessful in increasing economic security, the Department can promote data-driven strategies to achieve its ultimate goal of helping SNAP recipients move out of poverty.

We thank you again for the opportunity to submit comments.