



United States Department of Agriculture

USDA Listening Session

The Supplemental Nutrition Assistance Program (SNAP) Provisions of the 2018 Farm Bill

March 19, 2019, 2:00 p.m. EDT

The Food and Nutrition Service (FNS) held a listening session regarding the Supplemental Nutrition Assistance Program (SNAP) Farm Bill provisions on March 19, 2019. 181 people registered for the call and 132 people called into the session.

After introductions by Brandon Lipps (Acting Deputy Under Secretary for Food, Nutrition, and Consumer Services at the USDA), Kate Fink (Director of External and Governmental Affairs, FNS), and Jessica Shahin (Associate Administrator for SNAP, FNS) provided brief comments on the provisions impacting this program, specifically provisions from Title 4 of the Farm Bill. The complete citation is given in the full transcript that follows.

There were six commenters during this listening session, seven comments were also submitted via email. Comments are summarized below, followed by the transcript and emails received.

Summary

The following is a summary of both the listening session transcript and comments submitted by email. Complete transcripts and emails can be found following this summary. Overlap between the two has been edited and the comments have been arranged by Farm Bill section.

Section 4001: Requirements for online acceptance of benefits.

Hannah Walker (Food Marketing Institute, FMI), commented via email that her organization supported authorizing online SNAP sales following the demonstration pilot and that the grocery industry is investing significant time and resources into online grocery sales. Furthermore, she wrote that, ensuring that SNAP customers will have access to these services is a forward-thinking approach to ensure that we do not leave any customers behind.

Section 4002: Re-evaluation of thrifty food plan.

Carrie Calvert (Feeding America) commented via email that Feeding America believes the re-evaluation of the Thrifty Food Plan is positive for those living with food insecurity. Furthermore, the current Thrift Food Plan assumes that all meals are consumed at home, but this dynamic does not reflect the changing food system. In particular, low-income individuals are often working long hours and may be less likely to have time to prepare meals.

Section 4005: Employment and training for supplemental nutrition assistance program.

Kevin Dospoy (Wisconsin Department of Human Services- WI DHS) offered comments at the listening session, saying WI DHS encourages FNS to provide additional guidance as soon as possible on the self-executing provisions.

They have significant concerns about the language on reallocating SNAP E&T funding based on components with demonstrable outcomes. WI DHS had previously expressed the number of components and other factors impacting participants make it challenging to isolate SNAP E&T program outcomes data. WI DHS encourages FNS to continue to work with states to understand the reporting data, such that it can be appropriately implemented given the limitations of the data.

WI DHS also expressed concerns about the challenges supervised job searches would create for SNAP E&T participants, especially ABAWDs, and particularly in rural areas where they may have to travel over 30 minutes to get to those supervised job search sites. WI DHS

encourages FNS to allow states to supervise job search via an electronic portal or other technologies, such that participants could continue to engage in job search from wherever they are able to access the internet.

In her email, **Michele Dickinson**, also from WI DHS, echoed Dospoy's comments regarding Section 4005, saying that DHS is seeking clarification regarding the job retention components in this section, including whether the 30-day minimum applies regardless of individual circumstances. She asks if the individual gets a new job, can Job Retention services for this individual "restart" or do they need to complete the 30-day minimum?

Aimee Chitayat (AC Strategic Solutions) commented during the Listening Session that, in reference to the referral of individuals who are ill-suited for an E&T program component, she supports the use of good cause for non-participation in any work requirement, whether it's general or for individuals subject to the time limits. Chitayat also encourages good cause to be extended indefinitely if a suitable placement is not available because there are very limited numbers of options in E&T in those states.

In her two emails, Chitayat comments that SNAP E&T programs and other available workforce programs are often narrow in focus and the limited number of slots that meet work requirements should be targeted to those who are able to benefit. She and her organization encourage FNS to require states to ensure that work processes are in place to trigger these good cause provisions and that SNAP recipients and SNAP E&T service providers are well-informed of these methods and provisions.

They also support the following:

- the inclusion of participant wages as an allowable SNAP E&T cost within subsidized employment and apprenticeship components;
- the inclusion of participant incentives as an allowable SNAP E&T cost as long as the incentives are not counted as income for purposes of SNAP benefit determinations;
- a restriction of additional 100% funds to states planning to expand third-party partnerships and/or programs to meet ABAWD work requirements; and
- comprehensive intake assessments as an allowable cost before the SNAP recipient is placed into SNAP E&T.

Finally, Chitayat comments that, while job club will no longer be allowed, it would be helpful to clarify that other aspects of the job skills training/job club component, such as job readiness training and job placement, would still be allowed.

In an email, **Hannah Walker** (Food Marketing Institute, FMI), stated that FMI supports language that authorizes workforce partnerships operated by private employers or non-profits that would provide participants with at least 20 hours per week of training, work, or experience, emphasizing that FMI and their members are very interested in this unique idea and stand ready to work with USDA and the states as they implement this program to ensure ease of compliance for their participating companies.

Richard Cesar (Los Angeles County Workforce Development, Aging and Community Services), encourages FNS via email to target 100% funds to states planning to expand third-party partnerships, given their effectiveness in improving employability.

With regard to referral of individuals ill-suited for a SNAP E&T program component, they encourage good cause to be extended indefinitely if a suitable placement is not available. They encourage FNS to require states to ensure that procedures are in place for these good cause provisions and support SNAP E&T payment of client wages for subsidized employment and apprenticeship components.

Carrie Calvert (Feeding America) addresses in her email the expansion of SNAP E&T activities, saying that Feeding America urges FNS to include in the evaluation such employment activities that may not be represented right now in state E&T plans but are a meaningful part of the support services SNAP participants rely on to be connected to work opportunities.

As for subsidized employment, Feeding America urges FNS to ensure there is guidance on the placement of individuals in jobs that meet skill sets and interests. FNS should encourage state E&T programs to have the resources to assist in developing the skill level of individuals in the subsidized employment programs. The agency providing subsidized employment should also have a plan in place to show they are developing the individual and building skill sets and a resume. Feeding America urges FNS to take this into consideration and ensure the regulations take into consideration best practices and lessons learned from successful subsidized employment programs.

As for workforce partnerships, Feeding America food banks are interested in knowing how they can partner with states and they urge USDA to provide clear guidance on the partnership between the state and non-profit agencies, what measurements to use, and how money is passed down to the partnering agency.

Calvert also commented on the referral of individuals ill-suited for an E&T program component, saying Feeding America recognizes that many SNAP participants experience challenges in finding employment, and some may not be ready for participation in an employment and training program. There should be a clear and simple option for SNAP participants to be identified as ill-suited that does not place undue burden on the participant or the E&T provider. Feeding America urges FNS to consider the available data and information on this population of individuals, and to ensure that the provision is implemented to work as seamlessly as possible with existing E&T programs in the states.

Finally, Calvert commented on ABAWD time limit percentage exemptions, expressing that Feeding America encourages FNS in their guidance to state agencies to encourage states to recognize the challenges that the ABAWD population experiences in finding employment. Since the ABAWD population is one that contains a variety of individuals such as veterans or those with documented and undocumented barriers to work that might not qualify under the federal definition of disabled, Feeding America urges FNS to encourage states to consider the challenges of specific populations like veterans when implementing this provision.

Tarren Bragdon (Opportunity Solutions Project), in an email, commented specifically on Section 4005(b)(2), saying that changes within Section 4005 require the “support of the chief executive officer of the state” for the purposes of receiving a waiver of work requirements for able-bodied adults in the Program, adding that it is imperative that the support of the chief executive officer be interpreted as to require a signature to show explicit official approval, adding that anything less would bypass the intent of the law.

Section 4006: Improvements to electronic benefit transfer system.

Section 4006 (b): Modernization of Electronic Benefit Transfer Regulations

In her email, **Hannah Walker** (Food Marketing Institute, FMI), addresses this section, saying that it includes language directing the Secretary to periodically review and modify the EBT regulations and standards to reflect evolving security technology. FMI supports this language as it is essential that SNAP keeps pace with other payment forms and even lead the market in strong user authentication and other fraud prevention solutions while ensuring consumers’ access to benefits and *affordability to SNAP retailers*.

Section 4006 (c): Benefit Recovery

In regards to this paragraph, **Tarran Bragdon** (Opportunity Solutions Project) mentions that the Farm Bill allows states to store SNAP benefits offline if benefits have not been accessed after 3 months and directs states to expunge SNAP benefits that have not been accessed after 9 months. However, current FNS policy allows an individual to withdraw all accrued benefits after reactivating their account within the allowed timeframe. He then comments that, to stay within the spirit of the Farm Bill and combat the accrual of large, fraud-susceptible balances of SNAP benefits, USDA should truly expunge unused benefits. Qualified individuals would still be able to regain access to dormant accounts, but would not be able to use large amounts of unused benefits that were intended to meet past nutritional needs.

In her email, **Carrie Calvert** (Feeding America) addressed benefit recovery, commenting that Feeding America has some concern that the change in this section could impact some populations that may go periods of time without SNAP benefit redemption, such as seniors. They encourage USDA to consider this in implementing this provision.

Section 4006(d): Prohibited Fees

During the Listening Session and in his email, **Chris Jones** (National Grocers Association, NGA) stated that they supported the permanent prohibition on EBT processing fees. They believe this will prevent State EBT processors from imposing excessive fees on retailers and strengthen the ban on interchange fees. Additionally, EBT outages damage retailers’ ability to sell food to low-income SNAP customers who are impacted the most during outage scenarios, and little evidence suggests that state EBT processors have taken the appropriate steps to resolve this problem; outages will only becoming more and more frequent. They hope that Section

4006(d) will also be a solution to restore competition to the contracting process so that more reliable firms have a shot at state EBT processing contracts.

Hannah Walker (Food Marketing Institute, FMI), stated that Section 4006(d) includes language championed by FMI to prohibit any state contractors from charging SNAP retailers an EBT processing fee. This language is crucial to ensure strong program integrity while fostering true competition in the EBT processing market. While FMI will pursue a permanent ban on such fees, they will also focus on finding solutions to the growing problem of EBT processor reliability and the disruptions frequent outages cause in the store for both SNAP customers and retailers. Additionally, FMI is interested in finding new ways to attract additional EBT processors into the market and doing so without subjecting SNAP retailers to additional costs and fees for accepting benefits.

Section 4006(e): Mobile Technologies

Hannah Walker (Food Marketing Institute, FMI), wrote that, FMI and their members are supportive of mobile payment pilots that do not place undue cost or administrative burden on the customer or retailer while offering new and innovative technological solutions and value to both parties. FMI would like to work with FNS as the pilot proposals are being considered to ensure SNAP retailers' concerns are addressed before approval.

Terran Bragdon (Opportunity Solutions Project, OSP), wrote that OSP has efficiency and transparency concerns related to allowing mobile technologies to access SNAP benefits. USDA should carefully consider whether "Apple Pay for Food Stamps" is the right mechanism for bringing the SNAP program into the 21st Century. Additionally, the allowance of mobile technologies to access SNAP benefits underscores the importance of visiting SNAP retailers prior to approval or re-approval as an accepted retailer. Any regulations should include regular reporting requirements and sufficient oversight.

Section 4006 (f): Approval of Retail Food Stores

Hannah Walker (Food Marketing Institute, FMI), wrote that FMI shares Congress' concerns with some contractors who offer services to retailers and supports this provision. FMI wants to ensure that the Secretary issues clear best practices for retailers to help and assist in selecting a contractor. Additionally, FMI is eager to work with FNS on promulgating regulations on what information retailers will be required to submit when applying for a SNAP license. FMI and their members see these provisions as helpful steps toward further ensuring program integrity, but they must be implemented to avoid having a chilling effect on good actors wanting to participate because the records requests are too costly or onerous with which to comply.

Section 4007: Review of supplemental nutrition assistance program operations.

Carrie Calvert (Feeding America), wrote concerning the review of a representative sample of facilities for elderly/disabled individuals that are authorized as SNAP retailers to determine if they are properly using SNAP benefits and whether such facilities are utilizing more than one source of Federal or State funding to meet the food needs of resident. She continued,

saying that Feeding America acknowledges that this is a vulnerable population, and urges FNS to ensure that the needs of seniors are considered during this review, and that programs providing access to at risk populations like seniors and the disabled are not unduly targeted by this provision.

Section 4008: Retail Incentives.

During the Listening Session, **Kevin Dospoy** (Wisconsin Department of Human Services -WI DHS) commented that for the retail incentive programs proposed under this section, WI DHS encourages FNS to also allow states to request to implement incentive programs on behalf of a group of retailers. This would allow states to handle the administrative costs of these programs, particularly for smaller retailers while also increasing uniformity of incentive programs and easing participant access. This model would most closely mimic existing FINI projects. Also under this Section, Kevin Dospoy notes that the language proposes tying the definition of nutritious foods to the dietary standards. While FNS could use dietary standards as a basis for developing a definition of nutritious foods, a tie between the two suggests that the definition of nutritious foods would regularly change with those dietary standards. WI DHS opposes such a tie because it would create challenges for retailers to continuously update incentive programs. Rather, WI DHS encourages FNS to use the dietary standards as the starting point to develop a definition of nutritious foods, and to include generally-accepted staple foods such as whole grains in this definition, but to also limit future updates to the definition. In her email, Michele Dickinson (WI DHS) reiterated these points.

Hannah Walker (Food Marketing Institute, FMI), commented via email that FMI is supportive of this provision and is interested in learning what projects their members develop under the new guidelines. FMI offers its expertise and services to work with FNS as guidelines are developed to ensure the greatest flexibility for SNAP retailers to encourage participation without excessive administrative burdens and reporting costs.

Section 4011: Interstate data matching to prevent multiple issuances.

Terran Bragdon (Opportunity Solutions Project, OSP) wrote that the National Accuracy Clearinghouse (NAC) offers an important opportunity for USDA and the states to combat SNAP fraud, however, it is critical that states be allowed to act upon information received through the NAC as “verified upon receipt.” For example, in the event a state receives information regarding duplicative applications for benefits across state lines, the state would be able to deny the individual’s application and alert them of their good cause rights. Subsection 3(A) specifically directs the agency to promulgate regulations that “incorporate best practices and lessons learned from the pilot program,” which should include a status of data “verified upon receipt.” Without such an assurance, states are likely to push back against the NAC, citing administrative burdens that put the effectiveness of the program at risk. Additionally, OSP encourages FNS and USDA to continue its search for sufficient funding of the NAC.

Carrie Calvert (Feeding America) wrote that, with careful implementation, this has the ability to improve program integrity while protecting participant access and privacy.

Section 4013: Quality control improvements.

Terran Bragdon (Opportunity Solutions Project, OSP) wrote, specifically concerning Section 4013(d)(3), that the Farm Bill directs USDA to establish quality control criteria relating to “other indicators of effective administration determined by the Secretary.” To truly improve quality control, OSP urges USDA to include such indicators that measure the effectiveness of SNAP in helping individuals break free from government dependency. Measures should include: (1) number of work registrants required to work, (2) number of individuals leaving welfare and gaining employment, (3) number of beneficiaries reporting zero income, and (4) the percentage change of zero income beneficiaries from the previous year.

Section 4014: Evaluation of child support enforcement cooperation requirements.

Terran Bragdon (Opportunity Solutions Project) mentions that last year the Foundation for Government Accountability published a report highlighting the important, cost-effective role child support can have in lifting single-parent families out of government dependency. The required evaluation of child support cooperation requirements should be done as soon as possible so that states have an opportunity to improve child support cooperation requirements. Additionally, to ensure an objective evaluation, a truly independent consultant, one free from public policy positions, ought to be contracted with to perform the evaluation.

Section 4019: Nutrition education.

Carrie Calvert (Feeding America), wrote that Feeding America is concerned that, due to the long term nature of qualitative data collection, providing evaluation reports each year on SNAP nutrition education could be onerous, depending on the rigor of the evaluation. Clear guidance should be provided to states and program participants on what is expected. Feeding America urges FNS to convey program metrics in a clear manner to states and participants.

Section 4205: The Gus Schumacher nutrition incentive program.

In the Listening Session and in his email, **Chris Jones** (National Grocers Association, NGA) commented that NGA is pleased that the Farm Bill recognizes the need to incentivize healthy eating behavior rather than imposing restrictive mandates on SNAP customers. The reauthorization and expansion of the FINI program in this Section is a major step in the right direction. He highlights that Subsection (b)(9) prioritizes the use of FINI funds at food retail locations and NGA recommends that the FINI RFA reinforce the need for grantees to fund more FINI projects in grocery stores. Also, Subsection (e) establishes a training and technical

assistance center to help project participants implement a FINI program. NGA believes this would go a long way in addressing many of the technical challenges that their members face, and they recommend that USDA direct most of the resources made available by this section to the establishment of a retail Training and Technical Assistance center. He also mentions that grocery stores are key to ensuring the long-term success of the FINI program.

During the Listening Session, **Carrie Calvert** (Feeding America) commented that, as for the expansion of the FINI program nationwide, Feeding America's food banks are very interested in this program as they serve many participants in the SNAP program and are very interested in increasing access to nutritious food for these individuals. She went on to say that ensuring that this program can be strengthened in rural areas that can also increase access to nutritious food would be something that Feeding America supports.

Hannah Walker (Food Marketing Institute, FMI), wrote that FMI and their members strongly support this program and are committed to its success. Additionally, the law includes a provision championed by FMI, which gives preferences to proposals that include retailers who are open more days of the year and longer hours, therefore offering greater access to all SNAP customers. FMI will continue working with FNS to ensure the success of this program.

Farm Bill: General comment

In the Listening Session, **Earline Middleton** (Food Bank of Central and Eastern NC) commented that they oppose any structural changes to SNAP or cuts to SNAP proposals to block grant. They have had a number of disasters and SNAP has functioned as it was designed, so they oppose making structural changes.

Additional Comments on TEFAP, [Section 4018], CSFP [Section 4102]

During this SNAP Listening Session **Earline Middleton** (Food Bank of Central and Eastern NC) also offered comments on The Emergency Food Assistance Program (TEFAP) and the Commodity Supplemental Food Program CSFP. In the area of TEFAP, she said they support appropriations that support strong funding for TEFAP, which includes the \$100 million for TEFAP storage and distribution. In regard to CSFP, they support appropriations that provide an increase in the Program's funding, noting that they have nearly 50,000 seniors in their service area, but currently they are only able to serve nearly 6,000 seniors in 24 counties.

These comments regarding TEFAP and CSFP have been added to the TEFAP and CSFP Listening Session Summary and Transcript found on this same website.

Full Transcript

SPEAKERS: Brandon Lipps, Kate Fink, Jessica Shahin

PRESENTATION

Moderator Ladies and gentlemen, thank you for standing by. Welcome to the SNAP listening session. At this time, all participants are in a listen-only mode. Later, we will have an opportunity for comment and instructions will be given at that time. [Operator instructions.] As a reminder, this conference is being recorded.

I would now like to turn the conference over to our host, Brandon Lipps. Please go ahead.

Brandon Lipps Thank you. Good afternoon, everyone. Welcome to the USDA Food and Nutrition Service Farm Bill listening session. My name is Brandon Lipps. I'm the Acting Deputy Under Secretary for Food, Nutrition and Consumer Services at USDA as well as the Administrator of the Food and Nutrition Service. I'm joined today by some of our wonderful staff at the agency from the Supplemental Nutrition Assistance Program, or as many of you

know, SNAP. Together we look forward to hearing from you about SNAP's Farm Bill provisions.

Secretary Perdue and I have made customer service a priority at USDA and FNS, and that includes listening to those who operate and participate in our programs as well as the various stakeholders who interact with these programs that the USDA oversees. We are happy that you have called in today so we can hear from you.

Our team has begun the process of writing policy guidance and regulations to implement the Farm Bill, and the timing of this call couldn't be better. We will take all of the information we hear from you today, all of the written comments, and use that information to inform our decision making as we move forward. To assist with that, the information we hear from today's call will be compiled and shared publicly on our website in a couple of weeks. Our Farm Bill website can be found at www.fns.usda.gov/farmbill. We intend to list all guidance and policy announcements on that page.

There are currently four SNAP memos on the website that generally describe when we will move forward with implementing the Nutrition

Title of the Farm Bill, whether a provision is to be implemented immediately for implementation in Fiscal Year 2020 through rule making or provisions that are already in effect. What I hope you will share with us today is how we can implement these provisions in a way that improves customer service, increases program integrity, and helps people receive the benefits for which they are eligible.

I would like to note that today's listening session is scheduled for an hour, but we will judge, based on the input, whether we need to hold additional sessions to hear from you. We're committed to an open and transparent process, and we want your feedback through this listening session or submitted through comments on our website. Again, thank you for calling in today and for being a part of this important process. Together we can do right and feed everyone.

With that, I will turn it over to another wonderful FNS staff, your moderator, Kate Fink.

Kate Fink

Thank you, Brandon. I'm Kate Fink. I'm the Director of External and Governmental Affairs. I'm going to turn it over to Jessica Shahin here in

just a moment, but I wanted to go over some of the logistics for the call today.

We have hundreds of callers on the phone, and so we won't be able to get to hear from each of you, but in order to provide as much time for as many of you who wish to speak as possible, we ask that you limit your comments to just comments. We will not be accepting any questions today. We're going to ask that you limit your remarks to two minutes each, and we'll gently nudge you if it gets a little long. Then we also ask that you limit your remarks to the 2018 Farm Bill provision that Brandon mentioned.

I want to say that this isn't the only opportunity you have to provide comments. You can email us written comments. Those can be as long as you like. You can do that via email which is SM.FN.farmbillSNAP@usda.gov, not super catchy. You'll notice it's the same email address that was used to send you the invite to this meeting, and it's also available on our website, www.fns.usda.gov/farmbill. Feel free to submit any written comments you have. The comment period will remain open for another week, and we will as Brandon said compile that

and the transcript of this call and put that up on the website when we have all that information together.

Again, please be brief, make statements only, and provide us more written comments after the call. With that, let me turn it over to Jessica Shahin, the Associate Administrator for SNAP.

Jessica Shahin

Hi. This is Jessica Shahin, Associate Administrator for SNAP. We really are looking forward to hearing from you folks interested in how FNS might implement the 2018 Farm Bill. We consider this an important opportunity to hear from you about provisions in Title 4 of the 2018 Farm Bill such as those related to work, issuance of benefits, improving nutrition, certification policy, modernizing the program, integrity, and access. There are many provisions in Title 4, and we look forward to hearing from you.

Hopefully you had the chance to review our information memo posted on the Farm Bill 2018 website, because we're not going to go one provision after another. We're just looking for you to provide us your comments on the provisions of interest to you. Let's not waste time with me talking. I'm a listener today, and I'm looking forward to your input.

With that, I'll turn it back to our facilitator, Kate Fink.

Kate Fink Great. Thank you so much. Operator, could you go ahead and open up for comments.

Moderator Thank you. [Operator instructions.] Our first comment is from Molly Pfaffenroth. Please go ahead.

Chris Jones Hi. This is actually Chris Jones, Vice President of Government Relations and Counsel at the National Grocers Association, or NGA. NGA represents the independent supermarket and wholesale industry. We appreciate the opportunity to provide comments to FNS today about the implementation of the 2018 Farm Bill. NGA supported passage of the 2018 Farm Bill as we believe that it preserves and strengthens the public-private partnership that is SNAP, and we stand ready to provide feedback to you all on Farm Bill implementation at any time, but given the time constraints on this call, I'm going to highlight two priority sections of the Nutrition Title and will follow up in written comments.

First, NGA supports the permanent prohibition on EBT processing fees in Section 4006(d). We believe this provision will prevent State EBT processors from imposing excessive fees on retailers and strengthen the ban on interchange fees. Additionally, EBT outages damage retailers' ability to sell food to low-income SNAP customers who are impacted the most during outage scenarios, and little evidence suggests that state EBT processors have taken the appropriate steps to resolve this problem and outages are only becoming more and more frequent. We hope that Section 4006(d) will also be a solution to restore competition to the contracting process so that more reliable firms have a shot at state EBT processing contracts.

Second, we're really pleased that the Farm Bill recognizes the need to incentivize healthy eating behavior rather than imposing restrictive mandates on SNAP customers. The reauthorization and expansion of the FINI program in Section 4205 is a major step in the right direction. I'd just like to highlight that Subsection (b)(9) prioritizes the use of FINI funds at food retail locations. We recommend that the FINI RFA reinforce the need for grantees to fund more FINI projects in grocery stores. Secondly, Subsection (e) establishes a training and technical assistance center to help project participants implement a FINI program.

We believe this would go a long way in addressing many of the technical challenges that our members are facing, and we recommend that USDA direct most of the resources made available by this section to the establishment of a retail Training and Technical Assistance center. Grocery stores are key to ensuring the long-term success of the FINI program.

Again, NGA appreciates this opportunity to provide comments today, and we appreciate our partnership with USDA and look forward to continuing to work with you as you implement the 2018 Farm Bill. Thank you.

Kate Fink Thank you very much.

Moderator Thank you. Next we'll go to Kevin Dospoy. Please go ahead.

Kevin Dospoy We have comments on Section 4005. We would encourage FNS to provide additional guidance as soon as possible on those self-executing provisions. We also have significant concerns about the language proposing to reallocate SNAP E&T funding based on components with demonstrable outcomes.

Wisconsin has previously expressed that the number of components and other factors impacting participants make it challenging to isolate Employment and Training program outcomes data. Wisconsin would encourage FNS to continue to work with states to understand the reporting data, such that it can be appropriately implemented given the limitations of the data.

Finally, Wisconsin has concerns about the challenges supervised job search will create for E&T participants, especially our ABAWDs, and particularly in rural areas where they may have to travel 30 plus minutes to get to those supervised job search sites. Wisconsin encourages FNS to allow states to supervise job search via an electronic portal or other technologies, such that participants could continue to engage in job search from wherever they are able to access the internet.

Comments on Section 4008. For the retail incentive programs proposed under this section, Wisconsin would encourage FNS to also allow states to request to implement incentive programs on behalf of a group of retailers. This would allow states to handle the administrative costs of these programs, particularly for smaller retailers while also increasing

uniformity of incentive programs and easing participant access. Finally, this model would most closely mimic existing FINI projects.

Also under that same section, the language proposes tying the definition of nutritious foods to the dietary standards. While FNS could use dietary standards as a basis for developing a definition of nutritious foods, a tie between the two suggests that the definition of nutritious foods would regularly change with those dietary standards. Wisconsin would oppose such a tie because it would create challenges for retailers to continuously update incentive programs. Rather, Wisconsin would encourage FNS to use the dietary standards as the starting point to develop a definition of nutritious foods, and to include generally-accepted staple foods such as whole grains in this definition, but to also limit future updates to the definition. Thank you.

Moderator Thank you. [Operator instructions.]

Kate Fink Is there anybody else who'd like to make any comments?

Moderator We will go to the line of Aimee Chitayat. Please go ahead.

Amy Chitayat Hi. I just wanted to say that in reference to the referral of individuals who are ill-suited for an E&T program component, this is Section 4005, I support the use of good cause for non-participation in any work requirement, whether it's general or for individuals subject to the time limits. And I encourage good cause to be extended indefinitely if a suitable placement is not available, because there are very limited numbers of options in E&T in those states. Thank you.

Moderator Thank you. Next we'll go to the line of Carrie Calvert. Please go ahead.

Carrie Calvert Hi. Thank you. This is Carrie Calvert with Feeding America. We will be submitting comments for the record, but very quickly we wanted to make a few today for emphasis. First, Feeding America strongly supported passage of the bipartisan Farm Bill and believe the legislation provides viable incentives and provisions that will help both strengthen Federal nutrition programs and expand resources and other opportunities for people that are facing food insecurity that need them.

We did have a few comments. First, in terms of the expansion of the Food Insecurity Nutrition Incentive program to be nationwide, our food banks are very interested in this program as they serve many participants in the

SNAP program and are very interested in increasing access to nutritious food for these individuals [audio disruption]. I'd like to say that ensuring that this program can be strengthened in rural areas that can also increase access to nutritious food would be something that Feeding America supports. Thank you.

Kate Fink Thank you very much.

Moderator Thank you. [Operator instructions.] We'll go to the line of Earline Middleton. Please go ahead.

Earline Middleton Hi. This is Earline Middleton with the Food Bank of Central and Eastern North Carolina based in Raleigh but serving Durham, Greenville, Seven Pines, and Wilmington, North Carolina. On areas of SNAP, we oppose any structural changes to SNAP or cuts to SNAP proposals to block grant. As we've seen it here as we have had a number of disasters, SNAP has functioned as it was designed, so we would certainly oppose any structural changes.

In the area of TEFAP, we support appropriations that will support strong funding for TEFAP, which includes the \$100 million for TEFAP storage

and distribution. TEFAP is so important to us and the people that we serve here.

Lastly, CSFP program, we certainly support appropriations that will provide an increase in CSFP's funding. We have nearly 50,000 seniors here in our service area, but currently we are only able to serve nearly 6,000 seniors in 24 counties. We thank you for this opportunity to comment.

Kate Fink Just a reminder, we're here today to talk about SNAP Farm Bill provisions. We appreciate your feedback, and we'll take that back to our TEFAP and CSFP colleagues, but that's just as a reminder going forward.

Moderator [Operator instructions.]

Kate Fink Are there any other comments? It doesn't sound like it. Oh, go ahead.

Moderator I was just going to remind them star one to make a comment.

Kate Fink While I'm giving some closing spiel, if somebody wants to speak up please do. I just want to let you know again that you can submit written comments via the email address that you received in the invite to this call from. If you can't remember that or if you've lost that email, it happens,

it's available on our Farm Bill website, www.fns.usda.gov/farmbill. We will accept comments for another week.

Are there any other comments?

Moderator I do have one from Christina Rasmussen. Please go ahead.

Christina

Rasmussen

Good afternoon. This is Christina Rasmussen with the Foundation for Government Accountability. Two things to note, first regarding Section 4005, regarding the change that required the support of the chief executive officer of the state when it comes to applying for the ABAWD waiver, we would strongly recommend that support in this case means signature or some other official kind of approval on the record to make sure that it's very explicit and on the record.

The second part regarding the National [Accuracy] Clearinghouse in Section 4011, states really do need to be allowed to act upon the information as being verified upon receipt. For some reason the system indicates that someone is registered for food stamps in another state that the state have the freedom to move quickly on this to make sure that we're

ensuring program integrity and that benefits are reserved for those who are truly eligible for them. Thank you so much for the opportunity to provide the feedback.

Kate Fink Thank you very much.

Moderator I have no further comments in queue at this time.

Kate Fink All right. Well, with that, again please submit your written comments.

We thank you very much for your participation.

Transcript has been minimally edited for clarity. Names of commenters were verified using registration data.

Comments received via email:

Tarren Bragdon (Opportunity Solutions Project), via Robin Walker email, dated March 26, 2019:

March 26, 2019

The Honorable Sonny Perdue
Secretary
United States Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Perdue:

I write in response to the United States Department of Agriculture's request for comment on the implementation of the 2018 Farm Bill (P.L. 115-334). The Opportunity Solutions Project (OSP) focuses on both empowering individuals to move from welfare to work and preserving the integrity of welfare programs for the truly needy. As such, OSP's comments focus on the implementation of Title IV of the 2018 Farm Bill.

Section 4005(b)(2)

Changes within Section 4005 require the "support of the chief executive officer of the state" for the purposes of receiving a waiver of work requirements for able-bodied adults enrolled in the Supplemental Nutrition Assistance Program (SNAP). It is imperative that the support of the chief executive officer be interpreted as to require a signature to show explicit official approval. Anything less would bypass the intent of the law.

Section 4006(c)

The Farm Bill allows states to store SNAP benefits offline if benefits have not been accessed after 3 months and directs states to expunge SNAP benefits that have not been accessed after 9 months. However, current Federal Nutrition Service (FNS) policy allows an individual to withdraw all accrued benefits after reactivating their account within the allowed timeframe. To stay within the spirit of the Farm Bill and combat the accrual of large, fraud-susceptible balances of SNAP benefits, USDA should truly expunge unused benefits. Qualified individuals would still be able to regain access to dormant accounts, but would not be able to use large amounts of unused benefits that were intended to meet past nutritional needs.

Section 4006(e)(1)

OSP has efficiency and transparency concerns related to allowing mobile technologies to access

SNAP benefits. USDA should carefully consider whether “Apple Pay for Food Stamps” is the right mechanism for bringing the SNAP program into the 21st Century. Additionally, the allowance of mobile technologies to access SNAP benefits underscores the importance of visiting SNAP retailers prior to approval or re-approval as an accepted retailer. Any regulations should include regular reporting requirements and sufficient oversight.

Section 4011

The NAC offers an important opportunity for USDA and the states to combat SNAP fraud, however, it is critical that states be allowed to act upon information received through the NAC as “verified upon receipt.”

For example, in the event a state receives information regarding duplicative applications for benefits across state lines, the state would be able to deny the individual’s application and alert them of their good cause rights.

Subsection 3(A) specifically directs the agency to promulgate regulations that “incorporate best practices and lessons learned from the pilot program,” which should include a status of data “verified upon receipt.” Without such an assurance, states are likely to push back against the NAC, citing administrative burdens that put the effectiveness of the program at risk.

Additionally, OSP encourages FNS and USDA to continue its search for sufficient funding of the NAC.

Section 4013(d)(3)

The Farm Bill directs USDA to establish quality control criteria relating to “other indicators of effective administration determined by the Secretary.” To truly improve quality control, OSP urges the Department to include such indicators that measure the effectiveness of SNAP in helping individuals break free from government dependency.

Measures should include: (1) number of work registrants required to work, (2) number of individuals leaving welfare and gaining employment, (3) number of beneficiaries reporting zero income, and (4) the percentage change of zero income beneficiaries from the previous year.

Section 4014

Last year, the Foundation for Government Accountability published a report highlighting the important, cost-effective role child support can have in lifting single-parent families out of government dependency. The required evaluation of child support cooperation requirements should be done as soon as possible so that states have an opportunity to improve child support cooperation requirements.

Additionally, to ensure an objective evaluation, a truly independent consultant, one free from public policy positions, ought to be contracted with to perform the evaluation.

Thank you for the opportunity to provide comment on the implementation of the 2018 Farm Bill. Should you have any questions or require additional information or comments, please do not hesitate to contact me. OSP stands by to serve as a resource. We look forward to working with you to ensure the SNAP program is an effective catalyst for able-bodied adults to regain their self-sufficiency and remains available to the truly needy.

Sincerely,

Tarren Bragdon
President and CEO
Opportunity Solutions Project

Hannah Walker (Food Marketing Institute) email, dated March 26, 2019:

Food Marketing Institute (FMI) is the trade association representing grocers of all sizes from single store third generation family run businesses up to large national and international corporations and everything in between, including wholesalers and suppliers. FMI proudly advocates on behalf of all our members regardless of size, we were pleased to participate in the crafting of legislation that encompasses so many of our members' priorities. The *Agriculture Improvement Act of 2018* (P.L. 115-334) reauthorized the Supplemental Nutrition Assistance Program (SNAP) and included several provisions of interest to SNAP-authorized retailers. As the private partner with the federal government, the grocery industry offers a unique and unparalleled experience and perspective on how the program is currently functioning and where there are needs for improvements. Ensuring the safe, efficient and most cost-effective delivery of food to all SNAP participants is one of our top priorities.

The 2018 farm bill provides a balanced approach of maintaining the underlying public-private partnership with some thoughtful reforms on which FMI is eager to work with the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) to implement. FMI worked closely with Congress to ensure the inclusion of the following provisions in the farm bill, and we look forward to working with the agency as implementation gets underway.

- 1.) Section 4001 authorized online SNAP sales, removes the demonstration project deadline and the requirement for the report to Congress that was previously requested in the 2014 Farm Bill. FMI is proud to have several of our retail members participating in the online pilot, which is expected to launch in the coming weeks, and we supported authorizing online SNAP sales following the demonstration pilot. The grocery industry is investing significant time and resources into online grocery sales. Ensuring that SNAP customers will have access to these services is a forward-thinking approach to ensure that we do not leave any customers behind. FMI is committed to continue working with USDA as the online pilot launches, and we move toward full nationwide deployment.

- 2.) Section 4005 includes the Senate language supported by FMI that authorizes workforce partnerships operated by private employers or non-profits that would provide participants with at least 20 hours per week of training, work, or experience. FMI and our members are very interested in this unique idea and stand ready to work with USDA and the states as they implement this program to ensure ease of compliance for our participating companies.

- 3.) Section 4006(b) includes language directing the Secretary to periodically review and modify the EBT regulations and standards to reflect evolving security technology.
FMI supports this language as it is essential that SNAP keeps pace with other payment forms and even lead the market in strong user authentication and other fraud prevention solutions while ensuring consumers' access to benefits and affordability to SNAP retailers. FMI is committed to working with the agency as new technologies and solutions are considered in this space.

- 4.) Section 4006(d) includes language championed by FMI to prohibit any state contractors from charging SNAP retailers an EBT processing fee. This language is crucial to ensure strong program integrity while fostering true competition in the EBT processing market. While FMI will pursue a permanent ban on such fees, we will also focus on finding solutions to the growing problem of EBT processor reliability and the disruptions frequent outages cause in the store for both SNAP customers and retailers.
Additionally, FMI is interested in finding new ways to attract additional EBT processors into the market and doing so without subjecting SNAP retailers to additional costs and fees for accepting benefits.

- 5.) Section 4006(e) authorizes mobile EBT payments and includes language directing the Secretary to authorize up to five state demonstration projects. As with other payment forms, mobile EBT SNAP payments offer an exciting new opportunity for both customers and retailers. FMI and our members are supportive of mobile payment pilots that do not place undue cost or administrative burden on the customer or retailer while offering new and innovative technological solutions and value to both parties. FMI would like to work with the agency as the pilot proposals are being considered to ensure SNAP retailers' concerns are addressed before approval.

- 6.) Section 4006(f) includes a provision directing the Secretary to issue guidance for retailers on how to select EBT equipment and service providers. The provision also allows the Secretary to request an applicant

- retailer to provide certain records relating to their EBT contractor and equipment purchasing. FMI shares Congress' concerns with some contractors who offer services to retailers and supports this provision. FMI wants to ensure that the Secretary issues clear best practices for retailers to help and assist in selecting a contractor, not further complicate the process. Additionally, FMI is eager to work with the agency on promulgating regulations on what information retailers will be required to submit when applying for a SNAP license. FMI and our members are committed to the integrity of SNAP and eliminating all fraud and abuse in the program. We see these provisions as helpful steps toward further ensuring program integrity, but they must be implemented to avoid having a chilling effect on good actors wanting to participate because the records requests are too costly or onerous with which to comply.
- 7.) Section 4008 authorizes an innovative retailer incentive project. The law directs the Secretary to issue guidance for retailers who would like to seek waivers to offer incentives to SNAP customers to purchase eligible food items. The bill defines "eligible incentive foods" as: a staple food that is identified for increased consumption, consistent with the most recent dietary recommendations and, fruit, dairy, and whole grains. FMI is supportive of this provision and is interested in learning what projects our members develop under the new guidelines. FMI offers its expertise and services to work with the agency as guidelines are developed to ensure the greatest flexibility for SNAP retailers to encourage participation without excessive administrative burdens and reporting costs.
- 8.) Section 4205 permanently authorizes the Gus Schumacher nutrition incentive program (FINI). FMI and our members strongly support this program and are committed to its success. Additionally, the law includes a provision championed by FMI, which gives preferences to proposals that include retailers who are open more days of the year and longer hours, therefore offering greater access to all SNAP customers. FMI will continue working with the agency to ensure the success of this program.

FMI thanks the agency and its staff for the opportunity to share our insights and perspective on the SNAP provisions in the 2018 farm bill. FMI worked closely with Congress on many of these provisions, and we are committed to working with the agency to ensure the successful implementation of the law.

Aimee Chitayat (AC Strategic Solutions), email, dated March 19, 2019:

Thank you for the opportunity to comment on Farm Bill Section 4005. My name is Aimee Chitayat, Principal of AC Strategic Solutions. I have been working to improve and expand SNAP E&T third-party partnerships and improve SNAP for the past 12 years on regional and national levels. Below are my comments:

1. With regard to referral of individuals ill-suited for a SNAP E&T program component, we support the use of good cause for non-participation in any work requirement, whether it be general or for individuals subject to time limits, and **encourage good cause to be extended indefinitely if a suitable placement is not available**. SNAP E&T programs and other available workforce programs are often narrow in focus and the limited number of slots that meet work requirements should be targeted to those who are able to benefit. We encourage FNS to require states to ensure that work processes are in place to trigger these good cause provisions and that SNAP recipients and SNAP E&T service providers are well-informed of these methods and provisions.
2. We support the inclusion of **participant wages** as an allowable SNAP E&T cost within subsidized employment and apprenticeship components.
3. We support the inclusion of **participant incentives** as an allowable SNAP E&T cost as long as the incentives are not counted as income for purposes of SNAP benefit determinations.
4. We support a **restriction of additional 100% funds** to states planning to expand third-party partnerships and/or programs to meet ABAWD work requirements.

Aimee Chitayat (AC Strategic Solutions), email, dated March 27, 2019:

- We support comprehensive intake assessments as an allowable cost **before** the SNAP recipient is placed into SNAP E&T. This would allow referrals and reverse referrals to be treated equally, and allow the cost of assessments to be claimed even if a SNAP recipient is not a good fit for SNAP E&T. Intake assessments are legitimate costs that are conducted specifically to comply with SNAP E&T rules.
- While job club will no longer be allowed, it would be helpful to clarify that other aspects of the job skills training/job club component, such as job readiness training and job placement, would still be allowed.

Thank you,
Aimee
Aimee Chitayat, Principal

Chris Jones (National Grocers Association) via email from Molly Pfaffenroth, dated March 26, 2019.

Brandon Lipps
Acting Deputy Under Secretary

Food, Nutrition and Consumer Services
Food and Nutrition Service
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Acting Deputy Under Secretary Lipps:

The National Grocers Association (NGA), the trade association representing the independent supermarket and wholesale industry, appreciates the opportunity to provide comments to the U.S.

Department of Agriculture's (USDA) Food and Nutrition Service (FNS) about the implementation of the Agriculture and Nutrition Act of 2018. Independent retail supermarkets and wholesalers represent nearly one-percent of the overall U.S. economy, employ approximately 944,200 workers, and account for roughly \$27.23 billion in annual tax revenue. Independent grocers are a proud public partner with the federal government in ensuring low-income Americans have access to a variety of healthy and affordable foods.

NGA supported passage of the 2018 Farm Bill, as we believe it preserves and strengthens the public- private partnership that is the Supplemental Nutrition Assistance Program (SNAP). NGA stands ready to collaborate with FNS on implementation of the 2018 Farm Bill at any time.

First, NGA supports the prohibition on Electronic Benefit Transfer (EBT) processing fees in Sec. 4006 (d). We believe this provision will prevent State EBT processors from imposing excessive fees on strengthen the ban on interchange fees. Additionally, EBT outages damage retailers' ability to sell food to low income SNAP customers, who are impacted the most during outage scenarios. Little evidence suggests that state EBT processors have taken the appropriate steps to resolve this problem and outages are only becoming more and more frequent. We hope that Section 4006 (d) will also be a solution to restore competition to the contracting process so that more reliable firms have a shot at state EBT processing contacts.

NGA is also very pleased that the Farm Bill recognizes the need for incentives, rather than restrictive mandates, to encourage healthy eating behavior of low-income customers. The reauthorization and expansion of the Food Insecurity Nutrition Incentive program (FINI) in Sec. 4205, is a major step in the right direction. Subsection (b) (9) prioritizes the use of FINI funds at

food retail locations, and NGA recommends that the FINI RFA reinforce the need for grantees to fund more FINI projects in grocery stores. Secondly, in subsection (e) the bill establishes a Training and Technical Assistance center to help project participants to implement a FINI program. NGA believes this will go a long way in addressing many of the technical challenges that our members are experiencing. We recommend that USDA direct most of the resources made available by this section to the establishment of a retail Training and Technical Assistance center. Grocery stores are key to ensuring the long-term success of the FINI program.

NGA appreciates the opportunity to provide verbal and written comments. We appreciate our partnership with USDA and we look forward to continuing to work with you as you implement the 2018 Farm Bill.

Sincerely, Chris Jones
National Grocers Association

Michele Dickinson (WI Department of Health Services), email dated March 26, 2019.

March 26, 2019

Brandon Lipps,
Administrator Food
and Nutrition Service
United States Department of
Agriculture Washington D.C.
20250

Mr. Brandon Lipps:

We have included in this letter the Wisconsin Department of Health Services' (DHS) feedback on the Supplemental Nutrition Assistance Program (SNAP) provisions of the Agriculture Improvement Act of 2018. DHS has comments and questions on Sections 4005 and 4008.

Section 4005

1. DHS requests that additional guidance on self-executing provisions be provided as soon as possible. According to the Informational Memorandum issued on March 6, 2019, certain changes, such as required modifications to the job search and job retention components, must be implemented through the federal fiscal year (FFY)

2020 State Plan. Wisconsin will begin working on its SNAP Employment and Training (E&T) plan in April 2019. Therefore, DHS urges the Food and Nutrition Service (FNS) to issue this guidance as soon as possible to allow appropriate time for planning and implementation of these changes.

2. Wisconsin has significant concerns about the language proposing to reallocate E&T funding based on components with demonstrable outcomes. As Wisconsin has previously expressed, the number of components and other factors impacting participants make it challenging to isolate “E&T program outcomes data.” Wisconsin encourages FNS to continue to work with states to understand their reporting data, such that it can appropriately implement these provisions given existing data limitations.
3. DHS is seeking additional information regarding the intention behind the “supervised job search” provisions under Section 4005. In particular, is the intention to entirely replace the job search component? If so, Wisconsin has concerns about the challenges this will create for E&T participants, particularly in rural areas where they may have to travel significant distances to get to an approved location. Wisconsin encourages FNS to allow states to supervise job search via an electronic portal, such that participants could continue to engage in job search from wherever they are able to access the internet.
4. DHS is seeking clarification regarding the job retention components in Section 4005, including whether the 30-day minimum applies regardless of individual circumstances. Under one example where this provision might not be relevant, an individual could lose their job while on Job Retention. In this instance, can it be ended prior to the 30 day minimum? Under another example, an individual could be enrolled in Job Retention and another qualifying activity. If the individual gets a new job, can Job Retention services for this individual “restart” or do they need to complete the 30-day minimum?

Section 4008

1. DHS encourages FNS to allow states to request to implement incentive programs on behalf of a group of retailers. This would allow states to handle the administrative burden of these programs, particularly on behalf of smaller retailers, while also increasing the uniformity of incentive programs and easing participant access. This model would also most closely mimic existing Food Insecurity Nutritious Incentive (FINI) projects.
2. Under Section 4008, the language proposes tying the definition of nutritious foods to the dietary standards. While FNS could use the dietary standards as the basis for developing a definition of nutritious foods, a tie between the two suggests that the definition of nutritious foods would regularly change with the dietary standards. Wisconsin opposes such a tie, which may create challenges for retailers to continuously update incentive programs. Rather, Wisconsin encourages FNS to use the dietary standards as a starting point to develop a definition of nutritious foods, but to also limit future updates to this definition.

If you have any questions regarding this feedback, please contact Michele Dickinson by email at Michele.Dickinson@dhs.wisconsin.gov.

Sincerely,



Michele Dickinson
FoodShare Policy Section Chief
Bureau of Enrollment Policy and
Systems Division of Medicaid Services

**Richard Cesar (LA County, Workforce Development, Aging and Community Services),
email dated March 26, 2019.**

Hello,

Thank you for the opportunity to comment on Farm Bill Section 4005. I represent the Los Angeles County Department of Workforce Development, Aging and Community Services (WDACS), which is implementing a SNAP E&T third-party partnership with social enterprises and American Jobs Centers of California. The mission of WDACS is to connect communities and improve the lives of all generations in Los Angeles County. We achieve our mission through effective, partnership driven services and initiatives that connect individuals to careers and employers to a skilled workforce, ensure the well-being of older and dependent adults in the community, and resolve conflict and improve human relations in our diverse County. The following are our comments.

1. We encourage FNS to target 100% funds to states planning to expand third-party partnerships, given their effectiveness in improving employability.
2. With regard to referral of individuals ill-suited for a SNAP E&T program component, we encourage good cause to be extended indefinitely if a suitable placement is not available. SNAP E&T programs and other available workforce programs should be focuses on those who are most able to benefit. We encourage FNS to require states to ensure that procedures are in place for these good cause provisions.
3. We support SNAP E&T payment of client wages for subsidized employment and apprenticeship components.

All the best,

Richard Cesar
Economic and Business Development
Workforce Development, Aging and Community Services
3175 W. Sixth St.
Los Angeles, CA 90020
(323) 719-8840
rcesar@wdacs.lacounty.gov

Carrie Calvert (Feeding America), email dated March 27, 2019.

Feeding America Comments to the
USDA Food and Nutrition Service
on Implementation of SNAP Provisions in H.R. 2, the Agriculture Improvement Act of
2018 March 26, 2019

On behalf of Feeding America, our 200 food banks nationwide, and the 60,000 food agencies we serve 46 million Americans through each year, we are submitting comments to USDA on the implementation of changes to the Supplemental Nutrition Assistance Program (SNAP) contained in H.R. 2, the Agriculture Improvement Act of 2018, known as the 2018 Farm Bill. The legislation makes several critical changes to the SNAP program, and successful implementation of these changes would have a positive impact on the work of our food bank network and the individuals facing food insecurity that Feeding America serves. Our brief comments today are focused on changes that will require rulemaking or action by FNS to implement.

Provisions Requiring Rulemaking

Expansion of SNAP Employment and Training Activities:

The legislation instructs FNS to incorporate activities that are determined to have the most demonstrable impact on an individual's ability to find and retain employment and that lead to increased household income and reduced reliance on public assistance. FNS will issue regulations after publication of the final report from the evaluation. Food banks are highly invested in workforce training, with over 40 food banks offering their own workforce training programs, and many others partnering locally to help connect food insecure individuals with employment training or job placement support. Feeding America urges FNS to include in the evaluation such employment activities that may not be represented right now in state Employment and Training plans but are a meaningful part of the support services SNAP participants rely on to be connected to work opportunities.

Subsidized Employment:

Feeding America urges FNS to ensure there is guidance on the placement of individuals in jobs that meet skill sets and interests. Food banks are eligible to operate subsidized employment programs, and we anticipate many will consider such programs as a way to serve SNAP participants that are looking for employment. FNS should encourage state E&T programs to have the resources to assist in developing the skill level of individuals in the subsidized employment programs. The agency providing subsidized employment should also have a plan in place to show they are developing the individual and building skill sets and a resume. Feeding America urges FNS to take this into consideration and ensure the regulations take into consideration best practices and lessons learned from successful subsidized employment programs.

Workforce Partnerships:

This provision allows States to certify workforce partnerships as a new way of meeting the ABAWD work reporting requirement or E&T requirements of SNAP households through cooperation with private employers, or other workforce development organizations. A State agency must certify the workforce partnerships and provide households with information about those partnerships. Many food banks provide culinary job training or other types of job training relevant to the work of the food bank. Partnership with E&T plans is a natural transition. Feeding America food banks are interested in knowing how they can partner with states. We urge USDA to provide clear guidance on the partnership between the state and non-profit agencies, what measurements to use, and how money is passed down to the partnering agency.

Referral of Individuals Ill-Suited for an E&T Program Component:

Feeding America recognizes that many SNAP participants experience challenges in finding employment, and some may not be ready for participation in an employment and training program. This provision requires that if an E&T provider determines an individual is ill-suited to participate in an E&T program component, the State must refer them to a more appropriate component or workforce partnership; reassess their physical or mental fitness; or coordinate with other workforce or assistance programs to find assistance. During this time, the participant will have good cause for non-participation. FNS will issue regulations implementing this provision. There should be a clear and simple option for SNAP participants to be identified as ill-suited that does not place undue burden on the participant or the E&T provider. Feeding America urges FNS to consider the available data and information on this population of individuals, and to ensure that the provision is implemented to work as seamlessly as possible with existing employment and training programs in the states.

Provisions requiring FNS action

ABAWD Time Limit Percentage Exemptions:

This provision changed current law regarding the amount of ABAWD time limit percentage

exemptions allocated to State agencies. Starting in FY 2020, the allocation of percentage exemptions will be reduced from the current 15 percent of covered individuals to 12 percent of covered individuals. Feeding America encourages FNS in their guidance to state agencies to encourage states to recognize the challenges that the ABAWD population experiences in finding employment. Since the ABAWD population is one that contains a variety of individuals such as veterans or those with documented and undocumented barriers to work that might not qualify under the federal definition of disabled, Feeding America urges FNS to encourage states to consider the challenges of specific populations like veterans when implementing this provision.

Section 4006: Improvements to electronic benefit transfer system

Benefit recovery: This provision changes the timelines for storing and expunging benefits that SNAP households have not used. Under these changes, State agencies may move benefits offline after they have not been accessed in 3 months and must expunge benefits that have not been accessed in 9 months, or upon verification that all members of the household are deceased. The section also outlines requirements for notifying households. This change is effective at the start of FY 2020 to allow States to implement this change with their contracted EBT Processors. FNS will codify this change in future rulemaking.

Feeding America has some concern that this change could impact some populations that may go periods of time without SNAP benefit redemption, such as seniors. We encourage USDA to consider this in implementing this provision.

Section 4019: Nutrition education

Feeding America food banks are active participants in SNAP nutrition education plans, and the program provides vital funding to support nutrition education programs and access to additional food for millions served by the Feeding America network. In addition, food banks are experienced in coordinating with multiple stakeholders on successful SNAP nutrition education programs, such as ag extension offices and EFNEP. Feeding America is concerned that due to the long term nature of qualitative data collection, providing evaluation reports each year on SNAP nutrition education could be onerous depending on the rigor of the evaluation. Clear guidance should be provided to states and program participants on what is expected. Feeding America urges FNS to convey program metrics in a clear manner to states and participants.

Provisions effective after rulemaking occurs - States must implement after rulemaking

Section 4011: Interstate data matching to prevent multiple issuance

This provision directs the Department to establish an interstate data system, known as the National Accuracy Clearinghouse (NAC), to prevent individuals from being issued SNAP benefits in more than one State simultaneously. With careful implementation, this has the ability to improve program integrity while protecting participant access and privacy.

Provisions requiring FNS action

Section 4002: Re-evaluation of the thrifty food plan

Feeding America believes the re-evaluation of the Thrifty Food Plan is positive for those living with food insecurity, as we see through our independent research the impact food prices and food price inflation has on food insecurity. Feeding America publishes a yearly report, Map the Meal Gap that examines food insecurity through the lens of food prices nationwide. Variable food prices can make it difficult for SNAP participants in high food cost areas to ensure that SNAP benefits last long enough. Furthermore, the current Thrift Food Plan assumes that all meals are consumed at home, but this dynamic does not reflect the changing food system. In particular, low-income individuals are often working long hours and may be less likely to have time to prepare meals.

Section 4007: Review of Supplemental Nutrition Assistance Program operations

FNS is instructed to review a representative sample of facilities for elderly/disabled individuals that are-authorized as SNAP retailers to determine if they are properly using SNAP benefits and whether such facilities are utilizing more than one source of Federal or State funding to meet the food needs of resident. Feeding America acknowledges that this is a vulnerable population, and urges FNS to ensure that the needs of seniors are considered during this review, and that programs providing access to at risk populations like seniors and the disabled are not unduly targeted by this provision.