

**INNOVATION, EMPLOYMENT, INTEGRITY,
AND HEALTH: OPPORTUNITIES FOR
MODERNIZATION IN TITLE IV**

HEARING

BEFORE THE

**COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES**

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

JUNE 7, 2023

Serial No. 118-14



Printed for the use of the Committee on Agriculture
agriculture.house.gov

U.S. GOVERNMENT PUBLISHING OFFICE

53-146 PDF

WASHINGTON : 2023

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**INNOVATION, EMPLOYMENT, INTEGRITY,
AND HEALTH: OPPORTUNITIES FOR
MODERNIZATION IN TITLE IV**

WEDNESDAY, JUNE 7, 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The Committee met, pursuant to call, at 10:03 a.m., in Room 1300 of the Longworth House Office Building, Hon. Glenn Thompson [Chairman of the Committee] presiding.

Members present: Representatives Thompson, Austin Scott of Georgia, DesJarlais, LaMalfa, Rouzer, Bacon, Bost, Johnson, Baird, Mann, Feenstra, Miller of Illinois, Moore, Finstad, Rose, Jackson of Texas, Molinaro, De La Cruz, Langworthy, Duarte, Nunn, Alford, Van Orden, Chavez-DeRemer, Miller of Ohio, David Scott of Georgia, Costa, McGovern, Adams, Spanberger, Hayes, Brown, Davids of Kansas, Slotkin, Caraveo, Salinas, Perez, Davis of North Carolina, Tokuda, Budzinski, Sorensen, Vasquez, Crockett, Jackson of Illinois, Casar, Pingree, Carbajal, Soto, and Bishop.

Staff present: Caleb Crosswhite, Halee Fisher, Jennifer Tiller, Erin Wilson, John Konya, Kate Fink, Amar Nair, Ashley Smith, Michael Stein, Katherine Stewart, Elaine Zhang, and Dana Sandman.

**OPENING STATEMENT OF HON. GLENN THOMPSON, A
REPRESENTATIVE IN CONGRESS FROM PENNSYLVANIA**

The CHAIRMAN. Okay, good morning, everyone. Good morning, and welcome to this hearing. Before I gavel in, I ask a good friend and colleague from North Carolina, if he would just offer a blessing over our proceedings today, and then we will gavel in after that. Mr. Davis?

Mr. DAVIS of North Carolina. Thank you so much, Mr. Chairman. Let us pray. O Holy One, we come before you now, and we are just so thankful for this opportunity for this day. We are thankful for the opportunity to talk about agriculture. As we prepare to proceed today, be with our Chairman, our Ranking Member, all of the Committee Members, our witnesses, and all those gathered today. Allow us insight into your wisdom. It is these things we pray, amen.

The CHAIRMAN. Amen. Thank you, sir. The Committee will come to order. Welcome, and thank you for joining today's hearing entitled, *Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV*. After brief opening remarks, Mem-

bers will receive testimony from our witnesses today, and then the hearing will be open to questions.

Good morning once again, and welcome to this morning's hearing on the nutrition title of the farm bill, and thank you to our witnesses for sharing their time, their expertise, and their vision.

Last week the Supplemental Nutrition Assistance Program, or SNAP, became a significant focus of the debt ceiling negotiations, which laid bare the strong emotions and opinions across the political spectrum. But, when one in four Americans participate in at least one of the U.S. Department of Agriculture's 15 food and nutrition assistance programs over the course of a typical year, it is time to redefine *success*.

Now, I believe we can all agree, albeit through different lenses, there exists an opportunity to advance meaningful legislation that moves people forward while meeting their dietary and their financial needs. However, I am firm in my belief that smart policies do not equal indiscriminate expansion of these programs. I have also been involved in shaping Federal domestic nutrition policy through my work on the House Committee on Agriculture and the Committee on Education and the Workforce. Now, I value these programs, advocate for them, and understand there is room for improvement. My goal is preservation for those truly in need, and recognize that sometimes our neighbors in need require a helping hand. With the farm bill set to expire, we as policymakers can build on the success of the 2018 Farm Bill, and find opportunities to foster self-sufficiency, promote health, explore innovation, and ensure taxpayer resources are used most effectively.

First, we must continuously explore how to serve eligible recipients through innovation and flexibility. If the pandemic has taught us one thing, it is there is no one way to serve families in need. Midwest Food Bank has found a way to immerse itself deep into Appalachia, and I look forward to hearing more about how they, and we, can meet people more efficiently where they are, whether in urban or rural communities.

Second, we must think about the best ways to guide recipients to independence through employment, and the role that career and technical education plays in that transition. Let us move from states going out of their way to keep employable individuals idle and disengaged, and spend more time fostering connections with employers and education providers. Dr. Rachidi has studied this extensively for decades, and her testimony is integral to how we should think about an expectation of productivity, and its outcomes on health and communities.

As an aside, in talking to organizations that provide case management, placement, and retention services, I am encouraged to hear clients over the age of 50 report more employment than those under 50, report incomes on an average of \$500 more per month than their younger peers, and hold employment longer, as "older Americans" can still contribute to the labor force and our communities, and should not be thought of as "incapacible", or incapable, or hopeless.

Third, we cannot deny program integrity has been compromised. As policymakers at the Federal level, we must ensure USDA returns and—to and maintains the virtues of our domestic nutrition

safety net, but our constituents also have a role here. From maintaining vigilance at checkout to lessen the chances of skimming, to small businesses taking a chance on a recipient, we can all come together to restore and sustain accountability to the taxpayers footing the 10 year, \$1.2 trillion cost of these programs. The United Council on Welfare Fraud provides compelling reasons for these reforms, and more.

And last, and perhaps most importantly, the promotion of healthy eating. Employment, healthcare costs, military readiness, education, and general longevity highly depend on the foods that we consume. With the right resources, research, modernized programming, and technology, and appropriate and effective Federal dietary policy, USDA, states, and local communities are uniquely positioned to improve the nutrition of millions of households. Dr. Stover will share his experiences, but most importantly, his vision to bring about a healthier America.

The nutrition program in the farm bill shows the world how we as a nation take care of one another. And if we can put politics aside to have honest dialogue, promote pragmatic policymaking, and commit to good governance, we can move mountains for those in need.

[The prepared statement of Mr. Thompson follows:]

PREPARED STATEMENT OF HON. GLENN THOMPSON, A REPRESENTATIVE IN CONGRESS
FROM PENNSYLVANIA

Good morning, and welcome to this morning's hearing on the nutrition title of the farm bill.

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With the farm bill set to expire, we as policymakers can build on the success of the 2018 Farm Bill, and find opportunities to foster self-sufficiency, promote health, explore innovation, and ensure taxpayer resources are used most effectively.

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port more employment than those under 50, report incomes on average of \$500 more per month than their younger peers, and hold employment longer. Us 'older Americans' can still contribute to the labor force and our communities and should not be thought of as incapable or hopeless.

Third, we cannot deny program integrity has been compromised. As policymakers at the Federal level, we must ensure USDA returns to and maintains the virtues of our domestic nutrition safety net. But our constituents also have a role here. From maintaining vigilance at the checkout to lessen the chances of skimming to a small business taking a chance on a recipient, we can all come together to restore and sustain accountability to the taxpayers footing the 10 year, \$1.2 trillion cost of these programs. The United Council on Welfare Fraud provides compelling reasons for these reforms, and more.

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The nutrition programs in the farm bill show the world how we as a nation take care of one another. And if we can put politics aside to have honest dialogue, promote pragmatic policymaking, and commit to good governance, we can move mountains for those in need.

With that, I welcome the esteemed Ranking Member from Georgia for any opening remarks he would like to make.

The CHAIRMAN. And with that, I am pleased to recognize and welcome the esteemed Ranking Member from Georgia for any opening remarks that he would like to make.

**OPENING STATEMENT OF HON. DAVID SCOTT, A
REPRESENTATIVE IN CONGRESS FROM GEORGIA**

Mr. DAVID SCOTT of Georgia. Thank you very much, Mr. Chairman. Let me say this at the outset. My Democratic colleagues and I have said, and we will continue to say, we stand united against any efforts to take food away from children, families, or any vulnerable American in this farm bill, or any legislation. We stand united. Because we can also surely find areas that we can work together, and in a bipartisan way. I know, Chairman Thompson, your priorities are innovation, employment, integrity, and health opportunities. Well, we Democrats—excuse me. We Democrats care about these issues too, and we can work with you in a bipartisan way.

Innovation, for example. We can use innovation to improve program access, improve application and processing time. On employment, we can provide additional support to help participants get and retain jobs. And we also need to take the time to look at the impact of artificial intelligence. Let me tell you that artificial intelligence is moving rapidly, and replacing many jobs that lower income people once had an opportunity to do. I was eating at a restaurant in Atlanta, and it was a robot that brought my menu, and a robot that brought the food. Now, those were jobs that once were had.

We need to look at AI. We need to also examine the rapid move in technology that are making many jobs beginning—that lower-income people once had no longer are there. We have to provide support, like transportation—that is one of your initiatives—childcare assistance, which research has shown time and time again does more to encourage employment than any punitive time limits. And we can now assure that education, something critical to job readi-

ness—and as I said, with the movement in technology, education becomes even more an environment.

One of your goals is on integrity. We can combat EBT skimming so no one can lose their benefits because of a fraudulent action. You mentioned on health. We can incentivize healthy eating and improve SNAP nutrition education. Incentives work. Look at GusNIP, the program's great impact on fruit and vegetable incentives. And also, I want to say a big thank you to President Biden's leadership, because the recent debt limit agreement included a new exemption from the time limits for our precious military veterans, for homeless people, and for children of the foster care movement. And I, unfortunately, remain deeply disappointed that the debt limit agreement included a harmful SNAP provision that puts food assistance at risk for 700,000 of our older senior citizens. We need to work on that.

And I just want to reiterate that we Democrats stand united against any efforts to take food away from veterans, from children, or any families that are vulnerable in America. We are too big of a country, we are too great a country, to let anybody go hungry who needs help. We need to provide proper and humane food assistance to our precious American citizens who are in need. Thank you.

The CHAIRMAN. I thank the gentleman. The chair would request that other Members submit their opening statements for the record so witnesses may begin testimony, to ensure that there is ample time for questions.

Our first witness today is Ms. Tikki Brown, who is the Assistant Commissioner for Children and Family Services at the Minnesota Department of Human Services. Our next witness is Dr. Patrick Stover, who is the Director of the Institute for Advancing Health Through Agriculture. To introduce our third witness today, I am pleased to yield to the gentleman from Illinois, Mr. Sorensen.

Mr. SORENSEN. Thank you, Mr. Chairman. I am very happy today to be able to introduce a guest from my state, Mr. Eric Hodel. Mr. Hodel is the CEO of the Midwest Food Bank, which operates in my home district, and serves as a lifeline for constituents in Peoria, Morton, and Bloomington-Normal. Midwest Food Bank currently distributes \$34 million worth of food to over 2,200 non-profit organizations each month, with 12 locations in Illinois, Arizona, Florida, Georgia, Indiana, Texas, Pennsylvania, New England, East Africa, and Haiti. Mr. Hodel, I am proud of your work in Illinois 17. Thank you for your testimony, your time, and, Mr. Chairman, for the ability to introduce him. Thank you.

The CHAIRMAN. Well, I thank the gentleman from Illinois. Our fourth witness today is Ms. Dawn Royal, who is the Director and past President of the United Council on Welfare Fraud. And our fifth, and final, witness today is Dr. Angela Rachidi, who is a Senior Fellow and Rowe Scholar at the American Enterprise Institute. Thank you to all of our impressive witnesses for joining us today. We are now going to proceed to your testimony. You will each have 5 minutes. The timer in front of you will count down to zero, at which point your time has expired. Ms. Brown, please begin when you are ready.

**STATEMENT OF TIKKI BROWN, ASSISTANT COMMISSIONER,
CHILDREN AND FAMILY SERVICES ADMINISTRATION,
MINNESOTA DEPARTMENT OF HUMAN SERVICES,
MINNEAPOLIS, MN**

Ms. BROWN. All right. Thank you, Chairman Thompson, Ranking Member Scott, and Members of the Committee for the invitation to testify before the House Agriculture Committee. I am Tikki Brown, Assistant Commissioner of Children and Family Services at the Minnesota Department of Human Services. With more than 20 years of state government experience, including serving as Minnesota State's SNAP Director for 4 years, I am pleased to share Minnesota's perspective with all of you today.

First, I would like to thank the Committee for its work to provide states with SNAP emergency allotments, quality control flexibility and waivers, and additional flexible administrative dollars to manage the pandemic response activities. Combined with the careful use of waivers, these resources allowed Minnesota to seamlessly deliver critical services, while ensuring a payment error rate below the national average.

We took many lessons from our pandemic efforts, including the need to improve program access. Those improvements include MN Benefits, an online application for public assistant benefits which moves from the paper-based application to a mobile-friendly online version, reducing completion time from 1 hour down to 13 minutes. Seventeen stores now participate in online grocery shopping, which has been an important option for rural residents, seniors, and participants with disabilities.

Contacting SNAP recipients via text messages ensures that they are aware of important changes in their SNAP benefits. It improves communications with workers, and we are able to collect recipient feedback. Minnesota is rapidly expanding texting capacity and has found texting to be a reliable and impactful tool for communication with participants.

The last several years have emphasized both the strength and the fragility of people. We understand many of our program participants hope they never have to rely on SNAP. However, a personal crisis, a job loss, or a global pandemic shakes the very foundation, which results in a need to ask for help.

We know SNAP is paramount in the health and well-being of program participants. Referenced in my written testimony is a recent study conducted by the Minnesota Department of Human Services and John Hopkins University, which found healthcare costs decreased by an average of \$99 per day when people have access to SNAP. And as you know, the majority of SNAP participants are children, so it will come as no surprise to hear additional studies conducted by my department found parents describe the toll a lack of food takes on mental health. These parents also sadly share their own stories of choices they made to go without food for the sake of their children.

In our social safety net, many fibers are required to support the most vulnerable. Transportation, housing, healthcare, childcare, livable wages. Our participants' lives are complex, and they have complex needs. Alignment across programs is critical, and our SNAP policies require attention to the barriers participants face.

This is most evident when we look at inequities in Minnesota's labor market. Our unemployment rate is less than three percent, and yet unemployment rates for our populations of color and American Indians are significantly higher, and many struggle to enter the workforce. Policies around time limits must consider the unequal impact on race and ethnicities in different communities.

As we look to the future of SNAP, Minnesota is excited to continue its efforts with Tribal Nations by expanding their ability to provide benefit eligibility to their members. We will continue to increase the number of diverse organizations providing employment and training services and continue to improve our technological capacity through pilot projects like our upcoming, FNS funded, Rapid Cycle Evaluation Texting Project to boost participation in SNAP employment and training.

We also have challenges to overcome. As an 87 county and three Tribe administered state, our county and Tribal partners are burdened by staff turnover, workforce shortages, and an increased caseload, and high number of applications. Some counties have a turnover rate in the 50 percent range. In order to compensate, experienced staff worked an unprecedented number of overtime hours, doubling expenses in 2021.

System complexity creates an additional challenge. Intricate and interrelated programs result in public assistance systems with complex and rigid timelines. These systems require a careful allocation of staff resources and expertise to avoid case closure and unnecessary churn. And flexibility remains key. Minnesota's recently approved SNAP interview waivers which gives counties and Tribes flexibility to work with participants on the information needed to reduce burden, rather than follow a more rigid interview process.

In closing, we are committed to the critical role of SNAP. It has been a privilege to meet the needs of participants during such a challenging time in our nation's history. We must continue to do so in this time of recovery. Thank you.

[The prepared statement of Ms. Brown follows:]

PREPARED STATEMENT OF TIKKI BROWN, ASSISTANT COMMISSIONER, CHILDREN AND FAMILY SERVICES ADMINISTRATION, MINNESOTA DEPARTMENT OF HUMAN SERVICES, MINNEAPOLIS, MN

Thank you, Chairman Thompson, Ranking Member Scott, and Committee Members for the invitation to join you today before the House Agriculture Committee on "*Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV.*" I am Tikki Brown, Assistant Commissioner for Children and Family Services at the Minnesota Department of Human Services. With more than 20 years of state government experience, including serving as Minnesota's state SNAP Director for several years, I am pleased to share the state perspective with all of you.

The purpose of the Supplemental Nutrition Assistance Program (SNAP) is to "promote the general welfare and to safeguard the health and well-being of the nation's population by raising the levels of nutrition among low-income households. Congress finds that the limited food purchasing power of low-income households contributes to hunger and malnutrition among members of such households. Congress further finds that increased utilization of food in establishing and maintaining adequate national levels of nutrition will promote the distribution in a beneficial manner of the nation's agricultural abundance and will strengthen the nation's agricultural economy, as well as result in more orderly marketing and distribution of foods. To alleviate such hunger and malnutrition, a supplemental nutrition assistance program is herein authorized which will permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation."

SNAP has a long and successful history of providing temporary help to reduce food insecurity, lift people out of poverty, help families achieve self-sufficiency and reduce health disparities.¹ For nearly 60 years, the Federal Government and states have worked together to make these goals a reality by focusing on four primary areas:

1. Ensuring people have reliable access to food, reducing deprivation and improving health.
2. Incentivizing people to work to meet national and local labor needs and support opportunities for financial stability and growth.
3. Serving people well by being good stewards of public funds.
4. Prioritizing and balancing the portion of program funds required to administer these programs by responding to evolving needs through human and technological innovation.

I hope to offer insight into how SNAP operates in Minnesota under the framework of these four goals and provide information as current and future legislation is considered.

Ensuring people have reliable access to food reduces deprivation and improves health

SNAP is a critical lifeline for approximately 440,000 people in Minnesota. The program supports families with children, seniors, and people with disabilities—these groups make up $\frac{2}{3}$ of all SNAP recipients in Minnesota.

- More than $\frac{1}{3}$ of SNAP recipients are children (another 30% are parents or adults caring for children in their homes.)
- Another $\frac{1}{4}$ are either seniors or adults with a disability.
- Seniors make up 14% of recipients.
- People with disabilities represent 11% of recipients.²

While many people work hard directing resources and efforts to address hunger and nutrition challenges, more than $\frac{1}{3}$ of Minnesotans report not having consistent, reliable access to enough food. There is compelling evidence that shows systems struggle to ensure everyone has enough to eat in Minnesota and across the country, especially for people of color and Native people. In 2020, Black, Hispanic and Latino Minnesotans reported food insecurity at more than double the rate of white residents (85% of Black residents, and 70% of Hispanic residents, compared to 32% of white residents.) Fifty-two percent of Asian American residents and 55% of people of other races also reported some degree of food insecurity.³

Minnesota had a record number of food shelf visits in 2022—more than 5.5 million visits. That is 1.7 million more visits than the previous record set in 2020. The increase was largely due to the rise in food prices.⁴ In 2022, food-at-home (grocery store or supermarket food purchases) prices increased by 11.4%.⁵ Food shelf use continued to rise, even with the distribution of Emergency SNAP supplements and the SNAP benefit increase in the Thrifty Food Plan.

In 2020, the Minnesota Department of Human Services published a report uplifting the voices and experiences of those living in deep poverty that provided groundbreaking insight on the importance of economic stability. During interviews conducted with parents living in poverty, many shared they had received SNAP at some point in their lives. They reported that it was very valuable in helping them access food, especially healthy food, and worry less about whether they would be able to feed their family. A recipient named Alison shared how making sure children have enough to eat is their main concern.

“It helps me from worrying or trying to figure out how to feed my kids. It doesn’t matter the situation, my kids come first. I will give them the last of whatever it is

¹Robert Wood Johnson Foundation. *SNAP Supports Children and Families* (<https://www.rwjf.org/en/insights/our-research/2018/09/snap-supports-children-and-families.html>), September 2018.

²Minnesota Department of Human Services SNAP data, 2021.

³Wilder Foundation, *New Food Insecurity Data Highlight Minnesota’s Continuing Disparities and the Need for Multi-Sector Solutions* (<https://www.wilder.org/articles/new-food-insecurity-data-highlight-minnesotas-continuing-disparities-and-need-multi-sector>), 2020.

⁴Hunger Solutions Minnesota (<https://www.hungersolutions.org/data-posts/2022-food-shelf-visits-hit-record-high-up-almost-2-million-visits-over-previous-year/>), 2022.

⁵Economic Research Service, U.S. Department of Agriculture. *Food Price Outlook* (<https://www.ers.usda.gov/data-products/food-price-outlook/summary-findings/>), 2023.

so that they're satisfied. You're not fighting and worrying about, 'how am I gonna support my kids?'"⁶

SNAP helps to offset health care costs for vulnerable adults.

- A study conducted by our agency and published in a Johns Hopkins University public health journal found that health care costs were lower for adults without a disability or dependents when they had access to SNAP benefits.⁷
- Annual health care costs decreased by an average of \$99 for every month someone otherwise subject to time limits continued to receive SNAP benefits.

The study highlights an alarmingly high burden of various chronic diseases in people who are subject to time limits. Among the people subject to time limits:

- At least one in three have significant chronic health problems that are likely to interfere with stable employment. These conditions include chronic obstructive pulmonary disorder (COPD), chronic renal failure, or heart disease that included a heart attack or required hospitalization.
- 40 percent have a severe mental illness.
- Although these conditions should exempt these individuals from the time limit, the complexity of the work rules and requirements for verification frequently result in the loss of SNAP benefits.

For every month someone is denied food benefits because of time limits, they have fewer resources for food and public expenditures on their health care increase. After losing food assistance, people are hospitalized, end up in emergency rooms and need more outpatient care. Denying unhealthy people access to food makes them sicker. As might be expected, there is an even greater reduction in monthly health care expenditures for people who were homeless (\$152.40), had a chronic mental health condition (\$206.10) or had a chronic physical disease (\$193.20) when they are able to receive food benefits.

Incentivizing people to work to meet the national and local labor needs and support opportunities for financial stability and growth

SNAP supports working families—more than ½ of parents with children receiving SNAP in Minnesota are working.⁸ Most adult Minnesotans who receive SNAP work but earn wages too low for their household to afford adequate food. The people turning to SNAP are low-wage workers in retail, hospitality, food service, health care and temporary agencies. These jobs are subject to inconsistent work schedules, high turnover, and few benefits. Though, in Minnesota, jobs are plentiful, significant skills gaps continue to limit employment for many workers, particularly in rural areas.

According to an independent study featured on the U.S. Department of Agriculture website, there is no evidence that SNAP time limits increase employment or annual earnings.⁹ A more effective way to increase employment among SNAP recipients is to raise the earned income disregard that is applied to wages and earnings for a household. SNAP currently disregards 20% of earnings. This is out of step with other Federal programs, like Supplemental Security Income, which disregards the first \$65 of earnings and then the remaining 50% in a month. Increasing the earned income disregard would help to incentivize work among SNAP recipients by reducing the effects of the benefits cliff, allowing recipients to maintain SNAP benefits as they earn more income. In Minnesota, about 60,000 households receiving SNAP could benefit from this policy change. Families with children and households composed solely of working-aged adults without a documented disability or children in the home would be the most likely to benefit. Minnesota's unemployment rate currently stands at 2.8% and the state ranks seventh in seasonally adjusted labor force participation. Those individuals still on the sidelines in Minnesota's labor force typically face significant barriers to work that are not easily addressed.

⁶Minnesota Department of Human Services. *Improving the Health of People Living in Deep Poverty* (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-8061-ENG>), December 2020.

⁷*Journal of Health Care for the Poor and Underserved. Supplemental Nutrition Assistance Program Participation is Associated with Lower Health Care Spending among Working Age Adults without Dependents* (<https://muse.jhu.edu/article/854362>), May 2022.

⁸Minnesota Department of Human Services. *Characteristics of People and Cases on the Supplemental Nutrition Assistance Program* (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-5182N-ENG>), August 2022.

⁹Urban Institute. *The Impact of SNAP Able-Bodied Adults without Dependents Time Limit Reinstatement in Nine States* (<https://www.fns.usda.gov/snap/impact-snap-able-bodied-adults-without-dependents-abawd-time-limit-reinstatement-nine>), June 2021.

- Significant racial inequities exist, and the economic strain caused by the COVID-19 pandemic impacted populations of color and American Indians more significantly. The number of workers who have applied for Unemployment Insurance benefits as a share of the labor force varies widely by race and ethnicity: Blacks (42.2%) and American Indians (35.9%) have the highest number of Unemployment Insurance applications as a share of total labor force size, which is at least in part because of the industries in which they are employed. A large number of American Indians are employed in accommodation and food services, many of which were temporarily closed. Likewise, a high share of Black or African Americans in Minnesota work in the health care industry and other customer-facing industries like retail trade and personal services, which have all been severely impacted by pandemic containment measures.¹⁰
- As the economy moves into recovery, employment trends indicate certain demographic groups were slower to return to work or didn't return at all. Individuals aged 55 and above were among the groups most likely to leave the workforce, suggesting that the pandemic has pushed more of them to retire. Other categories who are struggling to reenter are Black workers, workers with a disability and workers with lower levels of educational attainment.¹¹

Time limits for SNAP are burdensome to implement, racially inequitable and ineffective in helping people move into employment or out of poverty. Time limits also apply to individuals who live in rural areas and do not have reliable access to transportation. These individuals want to work, but their circumstances make finding and keeping steady work challenging. SNAP time limits increase these challenges. When Minnesota lost a statewide waiver from the time limit in 2013, 45,000 time-limited adults without dependents lost SNAP benefits; we ask for support from USDA to prevent a similar outcome in 2023.¹²

Even though for most low-wage workers who participate in SNAP it is a critical work support, for some people, including college students and participants in work experience programs, SNAP's rigid rules can interfere with their advancement.

For college students, working to better their education and training prevents access to food even when their income qualifies for SNAP. College students, many of whom are working as much as they are able while also trying to complete training as quickly as possible, face antiquated and complex additional eligibility rules. Take for example, Alex, a nursing student, who was required to complete the program in one academic year per the program requirements. This means Alex was taking 18 credits a semester as well as the additional clinical hour, which are a rotating schedule of shifts. Alex was unable to work outside of the rigorous academic requirements as well as the unpredictable clinic schedule. Alex was 24, therefore required to use her parent's income for her FAFSA, which placed her over income for additional grants. Despite having no additional resources, Alex was also ineligible for SNAP because she didn't meet student exemption criteria. Unable to access the resources she needed to stay healthy and focused on her degree, Alex dropped out of the LPN program.

In addition, the student eligibility rules prevent students from applying for SNAP even when it is desperately needed and make it more difficult for eligibility workers to accurately assess eligibility.

This jeopardizes their ability to complete these trainings. As a result, in 2018 37% of Minnesota state college students working hard to increase their earnings in the long-term reported feeling food-insecure. This can create a vicious cycle, with food insecurity discouraging the student from earning a degree.

Supports exist within the program to help SNAP recipients increase their income. Minnesota's SNAP Employment and Training program has expanded significantly over the past 5 years and is working to improve outcomes and service quality. But SNAP Employment and Training is under-funded and administratively burdensome to both providers and SNAP recipients. For example, very limited direct allocation funds for the program cannot be used for one of the most evidence-backed program components—support services—and the 50% funding model is limited by SNAP Employment and Training program rules that discourage braided funding (effectively paying for 50% of services while expecting adherence to extensive Federal program guidelines). Most critically, SNAP's rigid income calculations make the best-evidenced activities within SNAP Employment and Training largely ineffective.

¹⁰ https://mn.gov/deed/assets/061020_MN_disparities_final_tcm1045-435939.pdf.

¹¹ <https://mn.gov/deed/newscenter/publications/trends/march-2023/reemployment.jsp>.

¹² Kollannoor-Samuel, Grace, et al. "Supplemental Nutrition Assistance Program Participation is Associated with Lower Health Care Spending Among Working Age Adults Without Dependents." *Journal of Healthcare for the Poor and Underserved*. 33.2. May 2022. 738.

Research shows that paid and structured work experience is among the most effective approaches to lifting SNAP recipients out of poverty [*Best Practices in SNAP E&T Programs 2016–2020: Final Report*, USDA, p. 25]. But for many, particularly single adults without dependents, the income they earn in these programs makes them immediately ineligible for the very program they need for sustainable wage gain. Once they fall out of the training program, they often end up income eligible for SNAP again. Excluding income earned through a training or education program from SNAP income calculations would have a minimal impact on SNAP benefit receipt in the short term and has the potential to make a hugely positive impact on these individuals' benefit receipt in the long-term.

Time limited SNAP recipients

In Minnesota, American Indian and Black or African American recipients are significantly over-represented in the time limited group of recipients for many of the reasons, including those shared above. This over-representation means that the Federal mandates and policy decisions disproportionately affect these recipients, limiting their food benefits and further exacerbating health disparities due to food insecurity.

Federal regulations allow states to seek waivers of time limits for areas within the state with an unemployment rate over 10% or a lack of sufficient jobs. Prior to the statewide waiver of time limits initiated by the public health emergency, Minnesota sought and received time-limit waivers for certain counties and most Tribal Nations. However, a 2017 analysis found that although African American, Asian American and Hispanic/Latino adults experienced high unemployment in Minnesota's labor market, very few SNAP enrollees from these racial and ethnic groups were served in counties that received a waiver. American Indian SNAP recipients have historically made up a significant portion of the population in waived areas because the time limit waiver has covered Tribal Nations in Minnesota due to continuous high unemployment rates in these communities. Minnesota is exploring options to seek waivers for areas that lack sufficient jobs, even in the context of historically low statewide unemployment rates.

- June 2022 administrative data shows that of 27,594 time-limited recipients, 24% showed significant challenges in accessing housing and were homeless. Having an address, a reliable phone and means of transportation are basic requirements for employment.
- Many SNAP recipients subject to time limits face serious health issues and housing barriers not related to the unemployment rate. However, Federal SNAP policies rely on individual SNAP recipients to identify whether they have conditions that might exempt them from the time limits. There are not adequate resources or systems to ensure that people with serious health conditions are not subject to time limits.

Serve people well by being good stewards of public funds

We must maintain public trust, be aware of and responsive to threats to the program, and ensure we review and adjust our policy and practices accordingly.

As administrators of the program, there is a critical need to maintain and update our systems, policies and practices, especially with regard to technology. External criminal forces are nimble and target vulnerable populations. Elderly SNAP recipients are a target, with fewer technology resources and knowledge to detect phishing and other scams. Without adequate funding to implement changes, such as adding chip technology to EBT cards, or, moving to tap-to-pay options, to better protect public dollars, we will continue to be at a disadvantage and coming from behind, rather than proactively addressing needs per the evolving marketplace.

Program Integrity

Program integrity is a critical component of maintaining public confidence. States, counties and Tribes all have a role to ensure benefits are provided accurately. Program integrity tools, like The Work Number, help avoid errors related to household wages. We look forward to the outcome of USDA's work to expand access to wage data through third-party verification.

Minnesota used ARPA funds to build a tool for counties and Tribes to use to conduct case audits. Ongoing, systematic case audits are a fundamental tool to ensure integrity in the SNAP program and reduce errors. In addition, our weekly virtual policy and procedural update meetings during the pandemic contributed to an error rate under the national average.

Innovations

We thank Congress for support of funding for pandemic EBT to ensure children had enough to eat during summer breaks, emergency SNAP benefits to boost basic SNAP benefits, and additional flexible administrative dollars for states to manage pandemic response activities.

With additional administrative funding, Minnesota was able to hire temporary SNAP staff to communicate program and policy changes efficiently and effectively to counties and Tribes during the chaotic, uncertain and ever-changing pandemic landscape. We created better learning tools for the virtual environment, stood up pandemic EBT and emergency SNAP programs, and piloted a contact center with interactive voice technology to allow people to receive answers to basic questions without the need for human intervention. This funding, coupled with the careful use of waivers, allowed Minnesota to seamlessly deliver critical service while ensuring a payment error rate below the national average.

We are proud of the work that states undertook to provide necessary benefits to people in need. And, given the heroic efforts of state, county and Tribal staff to provide excellent customer service who are now managing to the workforce shortage, staff are dealing with the aftereffects. While change is a given in human services, the speed of change and the ongoing adjustments is wearing on staff at all levels. Local public sector employment in Minnesota has not recovered since the initial pandemic decline and is currently experiencing the fifth steepest percent decline in public sector employment compared to pre-pandemic levels.¹³ Eligibility workers are essential and highly skilled. They navigate multiple complex systems and timelines with applicants whose lives and needs are equally complex.

Simplification is key

SNAP policies and procedures are complex and eligibility workers are typically responsible for learning and applying rules for multiple assistance programs. The more complex the policies and procedures, the more it costs to administer the program—including training staff, writing training, technical and informational materials, updating systems, conducting quality audits and reviews and correcting benefit calculation errors.

Simplifying the benefit administration system with more automation offers the potential for great savings. Given the current labor issues in this field all states are facing, a simpler policy will go a long way to ensure SNAP households receive the right amount of benefits at the right time.

While we are grateful for the grant opportunities currently provided by USDA, the flexible administrative ARPA dollars provided during the pandemic taught us how valuable it is for all states to have access to funds to test new technologies.

Prioritizing and balancing the portion of program funds that are required to administer these programs by responding to evolving needs through human and technological innovation

Over the last several years, Minnesota has prioritized partnerships with 11 federally recognized Tribal Nations to administer SNAP and other health and human service programs. Working closely with Tribal officials and providing support through state legislatively directed resources, the planning and implementation of human service delivery programs by Tribal Nations has resulted in three Tribal Nations determining SNAP eligibility and one administering a SNAP Employment and Training program. These three Tribes work in partnership with local units of government and successfully provide services to their members, both on and off reservation.

Supporting these efforts is Minnesota Executive Order 19–24; and now state law 10–65; affirming the Government-to-Government Relationship between the State of Minnesota and Minnesota Tribal Nations: Providing for Consultation, Coordination, and Cooperation. This Executive Order states in part: The State of Minnesota and the Minnesota Tribal Nations significantly benefit from working together, learning from one another, and partnering when possible. Meaningful and timely consultation between the State of Minnesota and the Minnesota Tribal Nations will facilitate better understanding and informed decision making by allowing for collaboration on matters of mutual interest and help to establish mutually respectful and beneficial relationships between the state and Minnesota Tribal Nations.

¹³Minnesota already ranked ninth lowest public sector employment among states pre-pandemic. Senf, Dave. *Minnesota Public Sector Employment Recovery from the Pandemic Recession*. MINNESOTA ECONOMIC TRENDS, March 2023, DEED.

Good government programs require both an adequacy of resources to provide a structure of support and the flexibility to adjust and address state-specific needs and trends.

MN benefits

We are grateful for the ability to partner with nonprofits such as Code for America to create better access points for SNAP participants through a new MNbenefits portal. Before MNbenefits was implemented, it took applicants over an hour on average to complete a paper application. Using the portal, the average time to complete an application online has held steady at around 13 minutes.

As one recent applicant described it, the new portal makes it “very easy to complete the application. Major improvement from how it used to be.”

On the opposite end of the spectrum, “David’s” experience was quite different. Facing homelessness during the winter months and unable to secure transportation to the post office to retrieve his mail, he missed a notice with instructions on how to renew his SNAP benefits. When his cell phone was disconnected for non-payment, county workers could not reach him by phone, resulting in the closure of his SNAP benefits.

Minnesota, like most states, struggles to balance easy access to the program with our ability to keep up with the demand given existing labor issues and the need for further automation and quicker verification tools and methods. Additional funds similar to the “Process and Innovation Technology Grant—PTIG” would go a long way to streamline and automate resulting in better service and cost savings.

In conclusion

The nation’s support of SNAP is more critical now than ever before. Fresh from a devastating pandemic, recipients need the program now, more than ever. By maintaining supports, the farm bill provides an opportunity for lawmakers to support an individual’s trajectory out of poverty. Acknowledging and responding to the correlation between long-term access to food and healthcare costs can mitigate detrimental policy impacts.

SNAP has served the American people well, and exactly as it was designed to do. Reaching more recipients in times of need, and less when the economic realities of the population served are improved. State agencies and eligibility workers have completed an immense amount of work, through incredibly difficult times. They too need recovery and support as they move to address new challenges.

Employment is critical, and lawmakers’ acknowledgment of the volatile nature and realities of low wage workers will ensure that SNAP policies take into consideration the real barriers people face while maintaining the most basic of all human needs, access to food.

Minnesota and national research highlight the disproportionate impact of time limits, barriers to employment, of poverty and hunger on American Indian and Black populations. An equity lens should be considered for any policy adjustments in the farm bill to minimize unintended impacts.

And finally, lawmakers should consider focusing on improving technological supports, supporting state flexibilities and smoothing the benefit cliff through adjustments to the earned income disregard.

Thank you again for the opportunity to join you today to share this important information about SNAP and the experiences of those who rely on this critical program.

The CHAIRMAN. Thank you, Ms. Brown. Now pleased to recognize Dr. Stover. Dr. Stover, please begin when you are ready.

**STATEMENT OF PATRICK J. STOVER, PH.D., DIRECTOR,
INSTITUTE FOR ADVANCING HEALTH THROUGH
AGRICULTURE, TEXAS A&M UNIVERSITY, COLLEGE
STATION, TX**

Dr. STOVER. Chairman Thompson, Ranking Member Scott, and Members of the Committee, thank you for the opportunity to testify before you today. My name is Dr. Patrick Stover, and I serve as Director of the Institute for Advancing Health Through Agriculture at Texas A&M. I oversee a unique research institute that aligns agriculture as to the solution to skyrocketing rates of diet-related chronic diseases that are driving unsustainable healthcare costs

and making both young and adult Americans sick. Today I will provide my perspective on the state of agriculture and food, and its connection to hunger and human health, as well as the enormous challenges we face. But more importantly, I will emphasize the opportunities to reimagine the role of agriculture in transforming our lives.

First, for some context, Norman Borlaug won the Nobel Peace Prize for sparking the Green Revolution by transforming global food systems to be abundant and affordable, which dramatically reduced hunger. Today we face a growing crisis of diet-related chronic disease, which costs the U.S. economy over \$1 trillion annually, and affects half of adults. We need to build upon Borlaug's legacy by expanding our mission, from using food to eliminate hunger, to using food to become healthier. This can only be achieved by innovating throughout the entire food supply chain, not by merely focusing on agenda-driven preferences and opinions, and around what some proclaim to be healthy foods.

Today hunger and food insecurity still exist, but not because of insufficient food production. On the other hand, American diets are responsible for billions of dollars in healthcare costs. We must expand the goal of agriculture to include both hunger and health. We know that chronic diseases are disproportionate in rural, and other underserved, underrepresented, and low-resource populations, while the associated healthcare costs are shared by everyone. We all have a stake in finding solutions. We need to work together, and everyone needs a seat at the table.

I am grateful for the new investments from Congress and the State of Texas that has enabled us to launch the Institute for Advancing Health Through Agriculture, which is focused on advancing research that connects production agriculture and human health. Our focus is on bridging the gap between precision nutrition and the land-grant university agriculture research complex that is the envy of the world. We are addressing the most pressing problems facing our nation and the world. I would like to highlight three initiatives that we are undertaking to make agriculture the solution to human health.

First, we are now collaborating with the Chicago Council on Global Affairs, with experts nationally, to identify priorities and related barriers to make agriculture the solution to human health. We will make recommendations on actions we can take now, and what actions are aspirational, and require more study.

Second, we have launched the Agriculture Food and Nutrition Scientific Evidence Center. We must have confidence in the quality of scientific evidence that serves as the foundation for our policies, practices, guidance, and programs in the agriculture and food space. We must ensure we have science-informed policy, and not policy-informed science. The newly created evidence center, located in downtown Fort Worth, is conducting state of the art scientific evidence synthesis to provide decision-makers with objective analysis on what the current science says regarding any proposed change in policy, practice, or guidance.

Third, we have launched a major maternal diet and child health study. Science has revealed that the risk for diet-related chronic disease begins very early in fetal development and is influenced by

diet. We are launching a major study to understand the role and contribution of maternal diet during pregnancy to lifelong risk of chronic disease in both mothers and their children.

In conclusion, we must align agriculture with human health. Diet-related chronic disease places a huge financial burden on individuals, the healthcare system, the American economy, and are crippling the quality of life for many Americans. While historic efforts to eliminate hunger and food insecurity continue to be important, hunger cannot be considered in the absence of health. To put it bluntly, this disconnect between food and health threatens agriculture, the food supply, the health of our society. Fortunately, agriculture is uniquely positioned to be the solution.

With that, thank you again for this opportunity to testify, and I look forward to your questions.

[The prepared statement of Dr. Stover follows:]

PREPARED STATEMENT OF PATRICK J. STOVER, PH.D., DIRECTOR, INSTITUTE FOR ADVANCING HEALTH THROUGH AGRICULTURE, TEXAS A&M UNIVERSITY, COLLEGE STATION, TX

Introduction

Chairman Thompson, Ranking Member Scott, and Members of the Committee, thank you for the opportunity to testify before you today and elaborate on the crucial intersection of agriculture, food, nutrition, and human health. My name is Dr. Patrick Stover, and I serve as Director of the Institute for Advancing Health Through Agriculture in The Texas A&M University System. I oversee a unique research institute that conducts research and rigorous scientific evidence synthesis seeking to better align Agriculture, Food and Nutrition as the solution to the skyrocketing rates of diet-related chronic diseases that are driving unsustainable health care costs and making both young and adult Americans sick. Medical costs associated with diet-related diabetes alone are more than \$180 billion annually, more than the budgets of most Federal agencies.

I previously served as Vice Chancellor and Dean of Texas A&M AgriLife, where I oversaw the agricultural and life sciences academic and research programs across the Texas A&M System, one of the largest, top ranked and most comprehensive agriculture programs in the country, encompassing 5,000 people and a \$400 million budget. Texas A&M research programs span the entire agriculture value chain, from food production and farm inputs all the way to consumer behavior and human nutrition. Prior to that role, I served as director of the Division of Nutritional Sciences at Cornell University, one of the largest and top ranked academic nutrition programs in the United States. In this position, I worked with the World Health Organization (WHO) to establish a successful summer training program to train experts in evidence-based nutrition policy. Additionally, I have consulted for the Centers for Disease Control and Prevention, WHO, and the U.S. Food and Drug Administration on a variety of nutritional topics such as food fortification, nutrition policy and related research gaps. I have been an expert member, organizer and/or a report reviewer for several National Academies of Sciences, Engineering and Medicine (NASEM) initiatives including but not limited to: “Guiding Principles for Developing Dietary Reference Intakes Based on Chronic Disease”;¹ “A Framework for Assessing the Effects of the Food System”;² “Redesigning the Process for Establishing the Dietary Guidelines for Americans”;³ and “Examining Special Nutritional Requirements in Disease States: Proceedings of a Workshop”.⁴ I am an elected member of the National Academy of Sciences (NAS) and currently serve in a leadership position as NAS Agriculture Section Chair.

My research program specializes in deciphering the connections among human genetics, dietary folic acid, and birth defect prevention, notably spina bifida. I was part of a global team who advanced the fortification of folic acid into the food sup-

¹ <https://www.nap.edu/catalog/24828/guiding-principles-for-developing-dietary-reference-intakes-based-on-chronic-disease>.

² <https://www.nap.edu/catalog/18846/a-framework-for-assessing-effects-of-the-food-system>.

³ <https://www.nap.edu/catalog/24883/redesigning-the-process-for-establishing-the-dietary-guidelines-for-americans>.

⁴ <https://www.nap.edu/read/25164/chapter/1>.

ply, which has been one of the greatest public health successes in using food as medicine, based on rigorous clinical trial data, and saving health care costs. Spina bifida, a debilitating birth defect, is now rare thanks to changes in food policy. My research in this area led to the Presidential Early Career Award for Scientists and Engineers awarded by President Bill Clinton, the highest honor bestowed by the U.S. Government on outstanding scientists and engineers beginning their independent careers. I have served two terms on the NASEM Food and Nutrition Board, which oversees the academies' nutrition portfolio including the establishment of the Dietary Reference Intakes. I am a Fellow of the American Association for the Advancement of Science (AAAS) and former President of the American Society for Nutrition (ASN). As ASN President, I led a major initiative to understand and address public trust in nutrition science. Last month, I was selected by the U.S. Department of Agriculture (USDA) Agricultural Research Service (ARS) as the 2023 W.O. Atwater Lecturer, which recognizes "scientists who have made unique contributions toward improving the diet and nutrition of people around the world."

Today, I want to provide my perspective on the state of agriculture, the food system, and its connection to hunger, nutrition, and human health. I will give some context and urgency related to the enormous challenges and barriers we face, but more importantly, emphasize the opportunities to reimagine the role of food and agriculture as the solution in transforming our lives, the economy, and our health. Finally, I will update you on efforts we are leading to position agriculture and our nation's food supply as the solution to the diet-related chronic disease epidemic.

Chronic Diseases Manifest at the Interface Between the Consumer and the Food Environment They Experience

As we are all aware, the food we eat is in large part responsible for billions in healthcare costs attributable to diet-related diseases. The burden of chronic disease and associated costs are disproportionate in minority, rural, and other underserved, low resource populations,⁵ while the associated health care costs are shared by everyone—we all have a stake in finding solutions. The overall obesity prevalence among U.S. adults is 42.4%, driven by a disproportionate prevalence in African American (49.6%), Hispanic (44.8%), and Native American (48.1%) adults.⁶ Food insecurity follows a similar pattern.⁷ There are two primary and interacting drivers that underpin diet-related chronic disease: (1) the food environment that consumers experience and (2) individual consumer choices and health behaviors. The rising and unprecedented health care costs directly due to diets can only be addressed through a focused national effort that advances the spectrum of research, policy and practice that better aligns the food environment and individual consumer choices with human health outcomes. Both the food environment and consumer behavior need to be addressed together through sound policy grounded in high quality scientific evidence, which is largely lacking at this time.

The Food Environment That Consumers Experience

The agricultural system and food environment we all experience today has its origins in the post WWII era, where there was a consensus that food was a human right, and that hunger was unacceptable in the United States and globally. A food system and economic model was developed to ensure that hunger (lack of calories), and hidden hunger (lack of essential nutrients) would be rare and not due to insufficient food production to prevent nutritional deficiencies. Technology was brought to bear to achieve this goal. In 1970, Norman Borlaug won a Nobel Peace Prize for developing disease-resistant wheat plants, which sparked the Green Revolution. Borlaug leveraged science and technology to increase agricultural efficiency, generating more food production from the land. His legacy is the race to feed the world and eliminate hunger. A long-time Distinguished Professor of International Agriculture at Texas A&M University, his scientific and humanitarian achievements are legendary.

⁵RAND Health Care. *Landscape of Area-Level Deprivation Measures and Other Approaches to Account for Social Risk and Social Determinants of Health in Health Care Payments*. September 2022.

⁶National Center for Health Statistics. *Summary Health Statistics: National Health Interview Survey, 2018*. (https://ftp.cdc.gov/pub/Health_Statistics/NCHS/NHIS/SHS/2018_SHS_Table_A-15.pdf).

⁷Coleman-Jensen A., Rabbitt M., Gregory C., Anita Singh A. *Household Food Security in the United States in 2021*, ERR-309. U.S. Department of Agriculture, Economic Research Service; September 2022; Jernigan V.B.B., Huyser K.R., Valdes J., Simonds V.W. *Food insecurity among American Indians and Alaska Natives: a national profile using the Current Population Survey—Food Security Supplement*. JOURNAL OF HUNGER AND ENVIRONMENTAL NUTRITION 2017; 12(1): 1–10. (In eng.). DOI: 10.1080/19320248.2016.1227750.

These efforts led to the creation of a national food system that is abundant, affordable, nutrient fortified and high in caloric density, as hunger results from a deficit in calories. While this system has proved successful in achieving its intended mission, one of the biggest challenges we face today is the unintended consequence of obesity and other chronic health conditions. Diet-related chronic diseases cost the U.S. economy well over \$1 trillion annually and affect 50% of adults. In Texas alone, obesity costs businesses \$11 billion per year, and that is expected to reach \$30 billion by 2030. We need to build upon Borlaug's legacy in a revolutionary new way, expanding our mission from simply using food to eliminate hunger and under-nutrition to also using food to become healthier. This necessarily involves innovating throughout the food supply chain and not merely focusing on what some deem to be "healthy foods."

But, urbanization, underinvestment in agricultural research, gaps in knowledge, the shifting landscape of dietary guidance leading to a deficit in public trust all contribute to the growing disconnect between people and their knowledge of food production and the role of agriculture in human, environmental and economic health. This disconnect threatens the very system that puts food on their plate—agriculture.

Consumer Choice, Agency and Health Behaviors

The role of the consumer is equally important to achieving chronic disease reduction through food. When the purpose of food and diets is to avoid nutritional deficiencies, population-based approaches to agriculture, food and nutrition programs, policies and guidance are possible because most healthy individuals respond the same in the food-deficiency relationship. When chronic disease reduction is the expectation of the food environment, people respond differently to dietary exposures. I served as chair of an invited expert workshop to advise the National Institutes of Health on a major initiative in "Precision Nutrition". As former NIH Director Francis Collins has stated, one-size does not fit all in the diet-chronic disease relationship. This awareness resulted in the National Institutes of Health focusing on understanding the complex role that dietary exposures play in chronic disease, and its variability among individuals, primarily through the *Nutrition for Precision Health* (NPH) initiative which is expected to facilitate actionable dietary advice to reduce chronic diseases.

Hence, as a nation we must focus on addressing both the food environment that consumers experience as well as increasing the individual consumer's ability to support informed and positive food choices, which is fundamental to achieving chronic disease reduction through food. The ability to make healthy food choices includes a person's knowledge, ability, skills, and resources to make decisions about the consumption of healthy foods based on their goals, preferences, culture, and values. While advancing the precision nutrition research agenda and related technologies is key to informing Americans of the dietary practices and foods that best support their health, there are also actionable steps we can take now. For example, there is unacceptable variability in the delivery, rigor, effectiveness, and impact evaluation of our nutrition education programs that support national food assistance programs, including EFNEP and SNAP-Ed. Immediate attention should be paid to understanding and maximizing the best practices that lead to positive health behaviors and disease reduction across these education programs, including common standards for effectiveness evaluation.

Building Public Trust in Nutrition

A 2019 report from the Pew Research Center, and a publication from the American Society for Nutrition, which I co-authored, indicated trust gaps between the public and nutrition research scientists. The science of nutrition is still in its infancy and today is rife with misunderstanding that leaves consumers confused. Inconclusive, emerging research on the nutrition needs of individual persons, which has led to flip-flopping dietary recommendations over time, has bred distrust in the science around the food we eat and the way that food is made. That's why another piece to this puzzle is public trust. That is, everyone engaged in research, practice and policy must work even harder to ensure scientific rigor is our highest priority, especially research that underpins our food intake recommendations. We can only earn that trust by not fearing where the science takes us, by being transparent about the state of knowledge and the certainty of our recommendations, and by respecting the tight linkages between cultures and their food systems.

The Texas A&M Institute for Advancing Health Through Agriculture (IHA) and the Agriculture, Food and Nutrition Evidence Center (AFNEC)

The divide between agricultural production and the contemporary expectations of agricultural systems—transitioning from hunger to human health—amounts to one

of the greatest challenges facing our society. However, agriculture is positioned uniquely to be the solution—to lead the world in bridging this divide, supporting human health in a way that is both environmentally and economically sustainable. As a research accelerator, the new Texas A&M Institute for Advancing Health Through Agriculture (IHA) is the world’s first research institute to bring together precision nutrition and responsive agriculture research, linking food production to human consumption, to improve public health and lower health care costs. The IHA will also advance research to help agricultural producers and consumers harness big data, artificial intelligence and machine learning to produce food that improves public health.

The IHA includes a USDA–ARS program called “A Systems Approach to Responsive Agriculture.” We define “responsive agriculture” as approaches that increase both the quantity of food produced (to eliminate hunger) and the quality of food produced in that it supports human health in a way that is both environmentally and economically sustainable. The program will work with other land-grant universities and USDA–ARS centers to bring big data, state-of-the-art sensors and computational systems approaches to responsive agriculture and precision nutrition. IHA has a strong emphasis on minority food systems and health and respects the importance of all cultures and their connection to food. We have entered a full collaboration with The Texas A&M University System member Prairie View A&M University, an 1890 institution, which includes three post-docs for collaborative projects.

Below, I highlight three example research and convening initiatives that the IHA is undertaking to make agriculture and food the solution to human health:

(1) *Task Force on Developing a National Roadmap for Responsive Agriculture Solutions*

Over the course of the next 18 months, the IHA is collaborating with the Chicago Council on Global Affairs’ Center on Global Food and Agriculture (the Council) by convening committees to set priorities for supporting human health through food and agriculture. These priorities will focus on the concept of *responsive agriculture*, which is an agriculture-system and food environment that consumers experience that supports human health through nutrition while ensuring the system is environmentally and economically sustainable for future generations. The three domains of responsive agriculture are: chronic disease reduction, agricultural ecosystems and agriculture-food value chain, and nutrition equity. To catalyze a system of responsive agriculture, the IHA, with project management support from the Council, has convened a Task Force on Developing a National Roadmap for Responsive Agriculture Solutions and three committees. The task force will oversee the work of the committees and provide an initial framework to help guide the work of the committees. The composition of the committees includes leading experts in human health, agriculture, food, and economics with knowledge of biological and/or social/behavioral research, scientific evidence, policy, applied health and agricultural technologies as well as food and agriculture related industry representatives. This is an inclusive initiative that involves stakeholders throughout the entire food and agriculture value chain—everyone must have a seat at the table and be engaged in conversations to address these grand challenges at the nexus of agriculture, food systems, nutrition, and health.

Achieving human health through food will require greater precision in dietary guidance as “one size does not fit all” in the diet-disease relationship. Hence it is essential that we maintain a highly diversified agriculture production system to meet the different dietary needs of our diverse population. Agriculture is vital to these efforts. We cannot solve these problems without working collaboratively with production agriculture.

(2) *Agriculture, Food and Nutrition Scientific Evidence Center*

To have confidence that our investments and interventions in the food system and human nutrition, whether a new policy action or recommendation, achieves the intended outcome, we must have confidence in the quality of the scientific evidence that serves as the foundation. There are major efforts underway to improve the rigor and reproducibility of agriculture and nutrition research. Furthermore, over the past 2 decades, nutrition has been moving from an approach of convening a group of experts to advise on policies and practices, to a two-tiered “evidence-informed” approach that considers and evaluates the totality of the scientific literature and data by agnostic methodologists or data experts, followed by the convening of experts. These advances are focused on removing the many biases we all have based on individual preferences and values around food choice when evaluating scientific data, but there is still much work to be done as discussed in more detail below.

The Texas A&M Agriculture, Food and Nutrition Scientific Evidence Center located in downtown Fort Worth is conducting state-of-the-art scientific evidence synthesis studies to address pressing public issues where agriculture, food and health intersect. This one-of-a-kind evidence center is a place where policymakers can ask questions related to connections among food, agriculture, the environment and the economy, and research specialists will gather and combine existing data on any topic pertaining to diet and health or economic and environmental policy by performing rigorous systematic reviews. And then, they will interpret the data for a non-science audience. The center is an objective source of comprehensive scientific information for decision-makers, akin to evidence centers in the medical science domain.

(3) Maternal Diet and Child Health

Studies of the Dutch Famine of World War II revealed that maternal diet during pregnancy has strong and persistent effects on offspring health that persist through the lifespan, including risk for cardiovascular disease, diabetes, and obesity. In Texas, health and nutrition for mothers and their children is in a state of crisis, which ultimately negatively impacts all Americans. The 2021 March of Dimes Report Card, which provides a comprehensive overview of the health of moms and babies across the U.S. and grades states' performance on mother and infant health, gave Texas a "D" grade. We believe it doesn't have to be this way. Texas has one of the nation's highest rates of poor birth outcomes (pre-term birth rate of 10.8% statewide, 14.6% for African American Women in Texas), and one in nine babies are born too soon in Texas. The maternal mortality rate in Texas is 34.5 deaths per 100,000 births, which is higher than the U.S. rate at 17.4 deaths per 100,000 births (highest among developed nations) and higher than Cuba, Mexico, and Uzbekistan. Texas ranks highest among the U.S. states and territories in childhood obesity with 20.3% of children ages 10–17 considered obese.

To address these challenges of maternal and child health, and high rates of chronic disease, the IHA is launching a major study to understand the role and contribution of maternal diet during pregnancy to chronic disease. There are three popular and distinct food traditions in Texas: African American, Hispanic and European. Our food preferences are one of the many things that make our state one of the most culturally diverse. The United States is a melting pot of people with various ethnicities and heritages, and the current menu landscape at all types of restaurants and food-service operations certainly reflects that. Food is not just a part of culture; it can define culture. However, it is important to note that food traditions such as those we have in Texas and in many parts of the country provide different nutritional benefits, as well as challenges to consumers. We must work within the cultural contexts of these food traditions to improve maternal and child health, starting at pregnancy. We must use certain science to work within these cultural contexts to improve lives through food systems and avoid the temptation to simply "tell people what to eat."

The IHA is deploying mobile health units to perform this community-based scientific research that seeks to understand the connection between food systems and maternal health (*i.e.*, precision nutrition) and improve health habits in urban and underserved communities, populations that are not normally accessible to university-based research. These "labs on wheels" will house tools like body composition scanners, biometric recorders and blood pressure monitors and may partner with local farmers markets to deliver healthy food to residents. Equipped with information about healthy living, the mobile health units will also generate research data by surveying citizens about their current food habits. For many Texans, they will be the IHA's first touchpoint to connect food and health in underserved communities.

Conclusion

While historic efforts to eliminate hunger and food insecurity were important and well-intentioned, hunger cannot be considered in the absence of agriculture and health. We need to develop a systems approach to connecting agriculture, food, environment, economic and human health.

The costs of the current situation are hard to overstate. Diet-related chronic diseases place a huge financial burden on individuals, the health care system, and the American economy as a whole—as well as a heavy toll on life expectancy and quality of life. Our society needs help improving health outcomes and re-establishing trust in the science of nutrition and all of agriculture. Again, in achieving this goal, we must ensure our practices across the entire food and agriculture value chain are environmentally and economically sustainable for future generations.

Fortunately, there are solutions on the horizon. Achieving those improvements requires that the bridge between producers and consumers be rebuilt and no longer fragmented. It also requires that policies and practices must be informed by the best available science, and that nutrition and food needs must be based on people's specific biology and physiology, cultural preferences, transparency regarding scientific certainty and current health needs as they change over a lifetime. And, finally, it requires us to bolster citizen education to bring consumers along with the evolving field to earn their trust, ultimately allowing them to make the best decisions for themselves—benefitting the whole population in the aggregate.

It is also critical to restore trust across the entire food value chain, from producers to consumers. To meet these critical expectations of the food system, all actors and players in the food system must have a seat at the table to ensure collaboration and cooperation, while keeping rigorous and transparent science and the goals of eliminating hunger while advancing human, environmental and economic health, as paramount.

The White House recently proposed an \$8 billion Federal and private partnership to implement program and policy initiatives referred to as "Food is Medicine" (FIM), to reduce the prevalence of chronic diseases. At this time, reducing hunger and chronic disease through food policies and programs that are evidence-based and therefore achievable will require first filling fundamental knowledge gaps through a nutrition research agenda that builds a deeper understanding of the diet-disease relationship. In the case of folic acid fortification for birth defect prevention, there was a strong evidence base to ensure the likelihood of success. For other FIM initiatives, our policies, programs and practices cannot get ahead of the science if they are to be successful.

Thank you for the opportunity to testify. I look forward to your questions.

The CHAIRMAN. Dr. Stover, thank you so much. I am now pleased to recognize Mr. Hodel, please begin your testimony whenever you are ready.

**STATEMENT OF ERIC E. HODEL, CHIEF EXECUTIVE OFFICER,
MIDWEST FOOD BANK, NORMAL, IL**

Mr. HODEL. Chairman Thompson, Ranking Member Scott, and Members of the Committee, good morning, and thank you for the invitation to participate in today's hearing. My name is Eric Hodel, and I serve Midwest Food Bank as the Chief Executive Officer. I am honored to have a seat at the table today. Midwest Food Bank was founded by a farmer 20 years ago. I too was raised on a farm, and continue to manage a 1,400 acre grain and livestock farm, in addition to my responsibilities at Midwest Food Bank. I come today understanding the impacts of agriculture policy as both a producer and servant to the food-insecure. Thanks in advance for the important work and policies the Agriculture Committee supports through the USDA.

Food insecurity is real. It is besieging our urban and rural poor, grandparents on Social Security caring for grandchildren, struggling single parents, and the underemployed. Every day Midwest Food Bank rescues food that would otherwise be discarded and effectively distributes it to our nonprofit agencies and food recipients. My ask today for the Committee on Agriculture is simple, continue providing programs and support that are open and inclusive for all food banks to help put food on the table for the nearly 35 million Americans who live in food-insecure households. I am prayerful today's testimonies and discussion from all of us will provide innovative ideas needed to change the trend line of food insecurity.

After 2 decades of sustainable growth, our values and missions remain steadfast. In 2022 Midwest Food Bank distributed \$415 million of food, including family disaster relief boxes. We have ten locations across the U.S., 55 full time employees, and 99.5¢ of every

dollar is spent on program services. Our business model is simple. We receive donations of food, financial support, and volunteer efforts. With these three inputs, we deliver four programs, distributing food to nonprofit agencies, disaster relief, Tender Mercy Nutritional Meal, and weekend feeding program for school-age children. We serve small- to very-large-agencies, knowing that each have a role to play in providing food access. We do not collect payment from our agencies for food provided to them. This allows our agencies' operational costs to not be burdened, and their local impact to go further.

Some of our agencies will partner with their local grocery store, and team together to purchase or receive donated food items to help supplement the MFB donated food. It is a collaborative and community team effort to fight hunger and serve food to individuals and families. We believe change occurs in the community, and our hope is to serve our food recipients for a season, not for a lifetime.

We celebrated the downward trend in food rates of food insecurity across our nation in the decade leading up to 2022, and then unexpectedly the pandemic catapulted more families into a state of food insecurity. Our combination of food distribution and disaster relief equipped us for this challenging season. The USDA Farmers to Families Food Box was a valuable resource for Midwest Food Bank. We distributed over two million USDA Farmers to Families Food Boxes, and we appreciate and applaud the USDA for the quick program execution. The program injected nutrition directly into the emergency food system.

"Never waste a crisis" is a leadership motto I firmly believe and follow, and so at Midwest Food Bank we have taken the learnings from the Farmers to Families Food Boxes and improved our availability in our disaster relief boxes. We now provide our boxes for humanitarian agencies to deliver. We have also teamed with corporations to study data on the high poverty countries and counties in the United States. And thanks to their financial support to purchase food items, our volunteers assemble the Family Food Boxes, and an agency in location provides delivery service of these food boxes to homes. Nearly 1,000 food boxes, representing 15,000 meals, are delivered each week into eastern Kentucky. Future projects and plannings for expansion in Mississippi and Louisiana are underway, based on data.

Additionally, we have started a pilot program with a logistics company to keep Family Food Boxes in inventory to help support the super rural communities. Their drivers will have access to shelf stable food boxes to take out with them on delivery routes, and they can determine and share appropriately with those people battling food insecurity. As I mentioned, Midwest Food Bank has ten main warehouses distributing food into 23 states. As we continue to grow, USDA's TEFAP is an option we would explore, and look for an opportunity to provide staple food options in addition to the industry rescued food. We request an open bid process for all food banks to have an opportunity to apply.

Moving forward, we will continue to pursue four opportunities, mission focus, nutrition, collaboration, and community partnerships. In closing, we ask the Committee on Agriculture to commit

to an equitable policy that channel government resources to independent food banks to meet program requirements. Relieving hunger and malnutrition is a complex challenge requiring a multifaceted solution. We ask for your continued effort to bring community-centric programs to the table. Together we will provide food to families in need as we serve and support the communities across America with innovation and nimble execution.

[The prepared statement of Mr. Hodel follows:]

PREPARED STATEMENT OF ERIC E. HODEL, CHIEF EXECUTIVE OFFICER, MIDWEST FOOD BANK, NORMAL, IL

Good morning and thank you for the invitation to participate in today's hearing. My name is Eric Hodel, and I serve Midwest Food Bank as the Chief Executive Officer. I am honored to have a seat at the table today.

Midwest Food Bank was founded by a farmer 20 years ago. I too was raised on a farm and continue to manage a 1,400 acre grain and livestock farm in addition to my responsibilities at Midwest Food Bank. I come today understanding the impacts of agriculture policy as both a producer and a servant to the food-insecure. Thanks in advance for the important work and policies the Agriculture Committee supports through the USDA.

Food insecurity is real. It is besieging our urban and rural poor, grandparents on social security caring for grandchildren, struggling single parents, and the underemployed. Everyday Midwest Food Bank rescues food that would otherwise be discarded and efficiently distributes it to nonprofit agencies and food recipients. My ask today for the Committee on Agriculture is simple: Continue providing programs and support that are open and inclusive for all food banks to help put food on the table for the nearly 35 million Americans who live in food-insecure households. I am prayerful today's testimonies and discussion from all of us will provide the innovative ideas needed to change the trend line of food insecurity.

After 2 decades of sustainable growth, our values and mission remain steadfast. In 2022, Midwest Food Bank distributed \$415M in food, including family food disaster relief boxes. We have ten locations across the U.S. spanning from Connecticut to Arizona. We have 55 full-time employees, and 99.5¢ of every dollar spent is for program services.

Our business model is simple: We receive donations of food, financial support, and volunteer efforts. With these three inputs, we deliver four programs: (1) Distributing food to nonprofit agencies, (2) providing Disaster Relief support, (3) producing Tender Mercies nutritional rice & beans meal and (4) weekend feeding program for school aged children.

We serve small- to very-large-agencies knowing they each have a role to play in providing food access. We do not collect payment from our agencies for food provided to them. This allows our agency's operational cost to not be burdened and their local impact to go further. Some of our agencies will partner with their local grocery store and team together to purchase or receive donated food items to help supplement the MFB donated food. It's a collaborative and community team effort to fight hunger and serve food to individuals and families. We believe change occurs in the community. Our hope is to serve our food recipients for a season, not for a lifetime.

We celebrated the downward trend in rates of food insecurity across our nation in the decade leading up to 2020. And then, unexpectedly, the pandemic catapulted more families into a state of food insecurity. Our combination of food distribution to nonprofits and Disaster Relief equipped us to promptly serve during this challenging season. The USDA Farmers to Families Food Box Program was a valuable resource for Midwest Food Bank. We distributed over two million USDA Farmers to Families Food boxes. We appreciate and applaud the USDA for the quick program execution from concept to delivered boxes. The program injected nutrition directly into the emergency food system—while supporting farmers and producers.

"Never waste a crisis" is a leadership motto I firmly believe and follow. And so, at Midwest Food Bank we have taken the learning from the [Farmers] to Families Food boxes and improved the availability of our Disaster Relief boxes. We now provide our boxes for humanitarian and agencies to deliver. We have also teamed with corporations to study data on the high poverty counties and pockets in the U.S. And thanks to their financial support to purchased food items, our volunteers assemble the family food boxes and an agency in location provides delivery service of these food boxes to homes. Nearly 1,000 food boxes representing 15,000 meals are delivered each week into eastern Kentucky. And future projects are in the planning

stages for Mississippi and Louisiana. Additionally, we have started a pilot program with a logistics company to keep family food boxes in inventory to support the super rural communities. Their drivers will have access to shelf stable food boxes to take out with them on delivery routes and they can determine and share appropriately with those people battling food insecurity.

As mentioned earlier, Midwest Food Bank has ten main warehouses distributing food into 23 states. As we continue to sustainably grow, USDA's The Emergency Food Assistance Program, commonly known as TEFAP, is an option we are exploring and looking for as an opportunity to provide staple food options, in addition to the industry rescued food. We request an open bid process for all food banks to have an opportunity to apply.

Moving forward, Midwest Food Bank will continue to pursue four opportunities:

- Mission Focus—Serving our agencies with a focus on efficiency and excellence.
- Nutrition—Increasing the nutrition of food distributed, procured through multiple channels.
- Collaboration and sponsorship—Build relationships with industry (food and other) to provide financial support, volunteers, in-kind services, and rescue food for re-use in the food bank network.
- Community Partnerships—Strengthening our partnerships with community leaders and agencies to advance holistic programing for those we serve.

In closing, we ask the Committee on Agriculture to commit to equitable policies that channel government resources to independent food banks able to meet program requirements. Alleviating hunger and malnutrition is a complex challenge requiring a multi-faceted solution. We ask that you continue to bring efficient, community-centric programs to the table for collaboration. Together we will provide food to families in need as we serve and support communities across America with innovation and nimble execution.

The CHAIRMAN. Mr. Hodel, thank you very much. Ms. Royal, please begin when you are ready.

STATEMENT OF DAWN ROYAL, MEMBER, BOARD OF DIRECTORS AND PAST PRESIDENT, UNITED COUNCIL ON WELFARE FRAUD, GREYBULL, WY

Ms. ROYAL. Chairman Thompson, Ranking Member Scott, Members of the Committee, thank you for the opportunity to address you today. My name is Dawn Royal. I am a current Director and two-term past President of the United Council on Welfare Fraud, commonly referred to by its acronym, UCOWF. The United Council on Welfare Fraud is a national professional organization dedicated to protecting the integrity of our nation's public assistance programs. We are the only national organization singularly focused on the detection, prevention, and prosecution of welfare fraud. UCOWF has over 1,000 members throughout the country, who will proudly celebrate UCOWF's 50 year history this year at its annual training conference.

While I have always been aware of SNAP and its predecessor the Food Stamp Program, I didn't learn the importance of the program until I became an investigator 15 years ago. I think we all agree that the United States cannot claim to be the most powerful country in the world if our citizens are hungry. On this point, there can be no debate. The importance of a strong nutrition assistance program cannot be overstated. I volunteer my time to promote UCOWF's mission, and I am intensely proud of my job as a Certified Welfare Fraud Investigator. My day-to-day duties are investigating allegations of fraud. I am on the front line. And I am here to talk today about current real-world fraud in SNAP that happens every day.

My days are seldom dull, not only because of the volume of cases I work through, but also because I don't work with hunch or suspicion. I have to find facts and evidence to prove, or disprove, fraud in—allegations of fraud and misuse. As an example, I worked a case where a man submitted several applications over several years where he repeatedly claimed his only source of income was a nominal amount from Social Security Disability, and yet he reported in a rented home in an area with one of the highest costs of living in the country.

After my extensive investigation I was able to prove multiple false statements, including the applicant was not a resident of my state, and that he and his family lived in a bordering state in a home he owned, as well as his nine cars, motorcycles, and a sailboat. The Defendant pleaded guilty to a felony, and paid over \$28,000 of restitution, and a single payment he presented at his sentencing hearing.

Members of this Committee, it is investigators through this country who diligently work every day to detect, prevent, and prosecute fraud that keep SNAP strong. We identify and bring those who take unlawful advantage of the program into the light and hold them accountable for their actions.

There are simple measures that we can discuss today that can be included in the farm bill that will give immediate and substantial assistance to the fight of the ever-increasing occurrences of fraud that have become rampant in the program. First, additional funding, such as increasing retention amounts and mandating retention money be used for the prevention, detection, and prosecution of fraud. Second, access to technology, including immediately implementing the National Accuracy Clearinghouse. And third, updates to antiquated policies, including geographical controls on EBT purchases.

Thank you for giving me the opportunity to provide you with our views, and what we in UCOWF see as simple measures that will make significant strides in reducing fraud and abuse in this vital safety net program. We also sincerely appreciate the opportunity to further discuss the outstanding work investigators do every day, and what you can do to help their efforts to promote and protect the integrity of the Supplemental Nutrition Assistance Program, so when America's vulnerable citizens need help, there is a strong and fair program standing ready.

[The prepared statement of Ms. Royal follows:]

PREPARED STATEMENT OF DAWN ROYAL, MEMBER, BOARD OF DIRECTORS AND PAST PRESIDENT, UNITED COUNCIL ON WELFARE FRAUD, GREYBULL, WY

Program Integrity for the Supplemental Nutrition Assistance Program

Chairman Thompson, Ranking Member Scott, Members of the Committee, thank you for the opportunity to address you today. My name is Dawn Royal, I am a member of the United Council on Welfare Fraud, commonly referred to by its acronym, UCOWF. I am honored by the invitation to discuss the devastating problem of fraud that plagues the Supplemental Nutrition Assistance Program (SNAP) and advocate for simple changes in the farm bill that would substantially strengthen integrity.

The United Council on Welfare Fraud (UCOWF) is a non-partisan national professional organization dedicated to defending against the erosion of integrity in our nation's public assistance programs. We are the only national organization singularly focused on the detection, prevention, and prosecution of welfare fraud. We provide annual training on program integrity best practices, fraud trends, and the only pro-

essional certification in our field. Our membership spans state, county, and Territory SNAP agencies and is comprised of over 1,000 program administrators, analysts, Inspectors General, investigators—both sworn and non-sworn—claims overpayment specialists, and quality control auditors.

I have served two terms as UCOWF's President, and currently co-Chair our Inter-governmental Committee which collaborates and educates the public, agency, and government leadership on welfare fraud. While I volunteer my time to promote UCOWF's vision, I work full-time as a state Certified Welfare Fraud Investigator. My day-to-day duties are investigating allegations of fraud, I am on the front line, and I am here today to talk about current, real-world fraud impacting SNAP every day. My subject matter expertise is the product of personal experience conducting numerous investigations, face to face discussions with other investigators and the analysis of data from the unique perspective of protecting the SNAP program feeding our most needy members of society while safeguarding our nation's taxpayer resources.

The United Council on Welfare Fraud has the steadfast belief that the United States cannot claim to be most powerful country in the world if its citizens are hungry. On this point, there can be no debate; the importance of a strong nutrition assistance program cannot be overstated.

Members of this Committee, it is the investigators throughout this country, who diligently work every day to detect, prevent and prosecute fraud that keeps SNAP strong. We identify and bring those who take unlawful advantage of the program into the light and hold them accountable for their actions. Unfortunately, we are overrun by those who leverage the compassion of the American taxpayers and steal the dollars allocated to this program with impunity.

Our nation's public assistance fraud investigators are roundly under-funded and insufficiently staffed to address the volume of suspected fraud; and most days, we know we are fighting an unwinnable battle. Not only do we face ever changing fraud schemes, but we often are crippled by antiquated regulations and agency bureaucracy.

Fraud in SNAP

SNAP fraud occurs in three ways:

- **Eligibility Fraud**—Eligibility fraud is when an applicant provides false or incomplete information to obtain SNAP benefits for which they are ineligible. This occurs in both recipients and retailers. In SNAP, recipient eligibility fraud is the responsibility of the state and county program integrity staff, and violations result in disqualifications—one year for the first offender.¹ When someone does receive SNAP in two or more states in the same month or in two or more households within the same state, it is referred to as dual participation.²

The Burden of Proof in administrative disqualification hearings is set a Clear and Convincing, a higher threshold than any other government assistance program.³ In fact, it's easier to arrest a suspected violator with Probable Cause than it is to administratively prosecute. Retailer program eligibility is the responsibility of the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) national office. Retailer violations exceeding \$250,000 fall under the jurisdiction of the USDA Inspector General.

- **Identity Fraud**—The food assistance program, much like tax-refund fraud and unemployment insurance fraud exposed during the Pandemic Health Emergency, is targeted by both domestic and international fraudsters. With data breaches and the growing global modernization of foreign states and the proliferation of stolen Personal Identification Information (PII), SNAP now stands alone as the largest Federal program with antiquated or non-existent anti-fraud measures. Unfortunately, these identity theft attacks occur in both recipient and retailers. This includes synthetic identity fraud, skimming of Electronic Benefit Transaction (EBT), and account takeover—which results in the loss of benefits for real legitimate SNAP recipients.
- **Trafficking**—The exchange of SNAP benefits for anything other than eligible food items is referred to as trafficking. The most common example of this is when a recipient exchanges SNAP benefits for cash at a dishonest retailer.

¹ <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16>.

² [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.4#p-272.4\(e\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.4#p-272.4(e)).

³ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16\(e\)\(6\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16(e)(6)).

UCOWF members have also seen benefits trafficked for rent, firearms, narcotics, and human trafficking—and while those incidents may be uncommon, no instances are acceptable. Despite this form of fraud resulting from a *quid-pro-quo* transaction, retailers can be removed with a Preponderance of the Evidence. Even though it is the same incident, antiquated rules require the much higher Clear and Convincing evidential burden for recipients.⁴

Common Sense Modernization of Regulations Are Needed

There are simple measures that can be included in the farm bill that will give immediate and substantial assistance to fight the ever-increasing occurrences of fraud that have become epidemic in the program. Specifically, some measures or provisions include:

Increased Retention Amounts with Mandated Use

No incentives currently exist for SNAP agencies to detect and prevent fraud at the front-end.⁵ Current incentives only exist in the inefficient recovery of overpayments, also known as “pay and chase.” States retain either 20% (Inadvertent Household Errors/Unproven Fraud) or 35% (Intentional Program Violation/fraud proven at administrative or criminal proceedings). Prior farm bills reduced this amount from 50% retained share of recoveries.⁶ Unfortunately, there are no mandates that require agencies reinvest their state share of recoveries into program integrity; and few do.

The August 2014 GAO report suggested that increasing this retention rate and restricting the use of retained funds to state agency anti-fraud activities could significantly enhance efforts to combat recipient trafficking, noting that the strategy “*may result in a net savings for SNAP if increased collections in payment recoveries outweigh the increased amount states receive in retentions.*”⁷ A decade later, nothing has changed.

Grant Opportunities

FNS spends 0.005% of appropriations on anti-fraud efforts. One twentieth of one percent. States are forced to carry the burden of protecting Federal assets/taxpayer monies with a 50% administration reimbursement rate. SNAP-Ed receives more money, half a billion dollars, at 100% Federal funding; yet state program integrity efforts receive no earmarks and require 50/50 state matching. While states can qualify for any number of annual performance bonuses totaling \$48 million, no such in-

⁴ <https://crsreports.congress.gov/product/pdf/R/R45147> 2018 Congressional Research Service report: “Errors and Fraud in the Supplemental Nutrition Assistance Program”, pp. 37–38:

“Retailer and recipient trafficking proceedings have different burdens of proof; therefore, governments will not necessarily prevail in both cases with the same evidence. Accepting SNAP benefits as a form of payment is not an entitlement for retailers. To disqualify a SNAP retailer for a violation of SNAP rules, USDA–FNS must only meet a lower-level burden of proof—the ‘preponderance of the evidence’ standard. Receiving SNAP benefits is an entitlement for eligible individuals. To disqualify a SNAP recipient for fraud, a state agency must meet a higher-level burden of proof—the ‘clear and convincing evidence’ standard. This means that evidence deemed sufficient to prove retailer trafficking may not be sufficient to prove recipient trafficking. Indeed, over 84% of the USDA–FNS retailer trafficking cases that resulted in a permanent disqualification in FY 2016 relied primarily on an analysis of suspicious transaction patterns based on Anti-fraud Locator using EBT Retailer Transactions (ALERT) system data. These EBT transaction data, on their own, are not generally considered sufficient grounds for the disqualification of SNAP recipients. For this reason, state agencies often have difficulty disqualifying recipients whose EBT cards were used in transactions flagged as trafficking by ALERT transaction data analysis, absent other evidence of recipient trafficking.”

UCOWF contends that recipient trafficking fraud should **not** be an entitlement and should use the preponderance standard as other entitlement programs.

⁵ 2014 GAO report: Despite the U.S. Government Accountability Office recommendations for FNS to explore ways that Federal incentives can better support cost effective state anti-fraud activities nearly a decade ago, nothing has changed. See <https://www.gao.gov/products/gao-14-641>.

⁶ Historically, the state retention rates have changed several times. Prior to October 1, 1990, IPV retention was 50%. Afterwards and until September 30, 1995, the rate was reduced to 25%. The rate was changed back to 50% until January 1, 2001, when the 35% rate was established. Some states reinvest the retained percentage of collections into their integrity programs; however, FNS does not provide guidance or mandates for states to do so. This results in the recoveries (state revenue) being diverted to pay for competing priorities and not reinvested back into program integrity initiatives, similar to guidance on the use of SNAP QC performance bonuses (Section 4021).

⁷ <https://www.gao.gov/assets/gao-14-641.pdf> p. 15.

centive award is issued for stopping or preventing fraud, waste, and abuse.⁸ States, reluctant to invest their limited resources to protect Federal taxpayer resources, are put at a significant disadvantage when compared to other assistance programs.

The only grant program providing funds to states to combat fraud is the SNAP Fraud Framework Grant, established by Section 4029 of the 2014 Farm Bill—which awards up to \$750,000 to a single state out of the total \$5M appropriated.⁹ However, not all appropriations are distributed, and no grants were published or awarded in 2016 and 2017.¹⁰ This grant expires at the end of this Federal fiscal year.¹¹

Fraud Data and Rates

The question of how much fraud is a topic of much discussion and debate. FNS contends fraud rates of less than 1% and holds the program as a model of Federal excellence. Anyone, including the public, can clearly see the numbers don't add up. It is a matter of debate even amongst UCOWF members across the nation with rates ranging from 8% to 40% of all households currently enrolled. One thing is clear—the fraud rate varies from County to County, state to state . . . but the numbers being bantered about by USDA FNS amount to nothing short of gaslighting.

A simple internet search for 'SNAP fraud' will reveal dozens of news stories with real examples. Last week in Michigan, three individuals were arrested in connection with stealing EBT benefits from 8,000 SNAP households from across the nation, mostly in California, and spending the benefits in Detroit Sam's Club stores. While FNS monitors EBT transactions for fraud, they do not monitor large supermarkets, such as Sam's Club. The number of stolen benefits was said to be \$4 million—but the actual amount is reportedly much higher.¹²

The issue is compounded by the mandatory quarterly reporting by state SNAP agencies in the FNS 366b (fraud reporting) and FNS 209 (claims recovery) reports. Simply put, the numbers are wrong. I am reticent to say this is intentional as USDA FNS does not publicly post this information online, and it takes months to get a FOIA response. This Committee can observe this issue for themselves by comparing the county and state submitted data to the FNS State Activity reports, which are grossly inaccurate as a simple review can attest.

According to the fiscal year 2020 FNS State Activity Report, California established almost 269,000 overpayment claims, but only 52 for fraud (note: California has a reported 5,245,040 persons on SNAP).¹³ However, contrast this with the 366b report submitted to FNS showing 28,407 cases of eligibility fraud that resulted in reduced or denied benefits.¹⁴ 2,279 were submitted for criminal prosecution or administrative disqualification equal to \$2.55 million in eligibility fraud claims. Yet California only established 52 fraud claims? That does not add up, and there is a clear disconnect between the data collected by states and reported by FNS. Using flawed data results in flawed statistics—such as claims of only .01%. This alone demands Congressional oversight inquiries and USDA OIG investigations.

The states themselves know the numbers are much higher. Commonwealth of Pennsylvania's Inspector General *"told lawmakers during a recent budget hearing that the agency uncovered a 40% fraud rate among public assistance beneficiaries—primarily in the Supplemental Nutritional Assistance Program."*¹⁵

Florida Medicaid and Public Assistance Fraud Task Force commissioned an independent study in 2012 on SNAP eligibility fraud in the state—omitting identity theft and trafficking—and found **7.5%** of SNAP households were fraudulent. At today's enrollment, this translates to 129,243 investigations. At current staffing levels, this amounts to 2,585 cases per investigator—a workload that would take Florida 51 years to complete.

More Investigative Oversight Staffing

Nearly all state and county SNAP agencies are facing a shortage of eligibility workers currently focused on Unwinding and a backlog of certifications since the

⁸ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-275/subpart-G/section-275.24#p-275.24\(a\)\(1\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-275/subpart-G/section-275.24#p-275.24(a)(1)).

⁹ The SNAP Fraud Framework contains FNS guidance on best practices for states to follow for program integrity activities. The Framework was released in 2018. Despite intentions it would exist as a living document, it has never been updated.

¹⁰ <https://crsreports.congress.gov/product/pdf/R/R45147>.

¹¹ <https://www.fns.usda.gov/grant/snap-fraud-framework-implementation>.

¹² <https://www.msn.com/en-us/news/us/michigan-catches-4m-of-food-stamp-fraud-mum-on-fraud-scope/ar-AA1c4rX7>.

¹³ <https://fns-prod.azureedge.us/sites/default/files/resource-files/FY20-state-activity-report.pdf>.

¹⁴ UCOWF Freedom of Information Act request to FNS for FFY2020.

¹⁵ https://www.bradfordera.com/news/key-pa-budget-negotiator-hopes-for-welfare-fraud-commitment/article_560351bf-6e3e-5beb-8177-18282b864774.html.

PHE ended. However, the worker shortage has hit the hardest in program integrity. Current antiquated regulations only require fraud detection units when an “area” exceeds 5,000 households—no standard in the amount of Program Integrity staff is defined—and the “area” can include the entire state.¹⁶

Staffing varies at the state level and is grossly deficient—some states only have a single fraud investigator. Fraud rates may appear low—but only because states lack staff and resources to address fraud prior to issuance. GAO has reported on this in a 2016 report—and while recipient rolls and program expenditures have drastically increased over the past 20 years, there have been few increases to staff dedicated in protecting SNAP.¹⁷ FNS must mandate a minimum ratio of Investigators to SNAP households.

National Accuracy Clearinghouse

Several southern states tested the concept of data sharing through the “buddy state” model as early as 2008 as a result of lessons learned operating D–SNAP programs following Hurricane Katrina. The establishment of the Partnership Fund for Program Integrity Innovation by the Office of Management and Budget (OMB) in 2010 created the opportunity for funding a more comprehensive solution.

The following year, OMB awarded the USDA FNS \$2.5 million with the goal of reducing improper payments that occur due to dual participation in SNAP. This grant funded the development of a searchable database—the National Accuracy Clearinghouse (NAC)—to support near real-time sharing of eligibility information. Subsequently, Mississippi was awarded the funding to lead the project on behalf of a consortium of contiguous states (also including Alabama, Florida, Georgia, and Louisiana, and most recently, Missouri).

A 2015 independent evaluation of NAC was provided to Congress showing success and the return on investment and cost savings to the program.¹⁸ The NAC found that dual participation across the five states was quite rare affecting roughly 0.1 percent of SNAP participants. However, the establishment of NAC did prevent dual participation, and the evaluation provided insights into best practices for states to use the data match most effectively. The CBO estimated that this provision will reduce SNAP spending by \$576 million from 2019 to 2028.¹⁹

In a 2018 press release, USDA wrote about the NAC stating, “*The NAC Strengthens SNAP integrity through the nationwide expansion of an interstate data match to prevent household receipt of benefits from more than one state and by requiring states to provide USDA with greater access to SNAP records for inspection and audit.*” Subsequently, the 2018 Farm Bill required FNS to expand the NAC nationally to prevent duplicate simultaneous benefit issuance to the same individual in more than one state.

The 2018 Farm Bill mandated all states be actively participating in the NAC by December 31, 2021. Unfortunately, in 2021, FNS unilaterally decided to ignore Congress’ directive by directing the Government Services Administration (GSA) 18F unit to construct a new and unproven pilot. This decision has delayed the implementation of this essential tool until 2027, a delay of more than 6 years costing the taxpayers an estimated \$2.5 billion when adjusted for inflation and increases due to the Thrifty Food Plan.²⁰

We find this delay irresponsible, and the reasoning provided is ludicrous. This invaluable tool to end duplicate participation, established by Congress and signed into law, was ignored without adequate reasoning or replacement. We find the timeline created by FNS to deliver the version of the NAC they requested to be developed by GSA 18F to be a wholly unacceptable waste of resources.

¹⁶ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.4#p-272.4\(g\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.4#p-272.4(g)).

¹⁷ <https://www.gao.gov/assets/gao-16-719t.pdf>.

¹⁸ <https://fns-prod.azureedge.us/sites/default/files/resource-files/nac-pilot-evaluation.pdf>.

¹⁹ <https://www.ers.usda.gov/agriculture-improvement-act-of-2018-highlights-and-implications/nutrition/>.

²⁰ The 2015 NAC Pilot report to Congress estimated up to \$193.4 million in annual savings. The Interim Final Rule cites a lower figure, the average of \$114 million. The savings in the 2015 NAC Pilot report to Congress range from \$53.8m to \$193.4m, averaging \$114m. Adjusted for inflation, the figures are then \$67.8m, \$243.7m, and \$143.6m, respectively.

Adjusted for inflation and increases to SNAP allotments through the Thrifty Food Plan, anticipated annual savings are currently up to \$309.5 million per year. It can therefore be concluded that the decision to delay the roll-out of the farm bill mandate for the new and unproven NAC Pilot has cost the SNAP program approximately \$1.85 billion (or ~\$2.5b adjusted for inflation at current rates). The Congressional Budget Office reported an estimated 10 year cost estimate savings (outlays) of \$588 million; however, CBO did not factor in the decision to create a second NAC pilot or FNS’ benefit increases via the Thrifty Food Plan.

FNS issued an Interim Final Rule (IFR) on the newly commissioned NAC on October 3, 2022.²¹ The IFR references to technology do not take into considerations the improvements in technology, matching, and security implemented in the original NAC pilot since 2015. The original NAC pilot resolved matching data models currently impeding the 18F technology as described in Department updates to Congress (such as special characters, hyphens, *etc.*) and omits any referential data checks to ensure proper matching to identifiable individuals.

The Congressional inclusion of the NAC expansion and mandate was based entirely on the successful NAC Pilot and impressive return on investment savings. The “new” NAC ignores lessons learned, and contradicts best practices realized by states administering disaster (D–SNAP) programs. In fact, the lead state (Mississippi) in the NAC pilot was not even consulted. Further, the current 5 year roll-out of the proposed 18F NAC ignores the intent and establishment of the Partnership Fund for Program Integrity Innovation by the Obama Administration’s Office of Management and Budget in 2010.

A copy of the United Council on Welfare Fraud’s response to the NAC Interim Final Rule is attached to the end of this testimony.

Identity Verification

Identity fraud, synthetic identity fraud, and account takeover are impacting all states. Our UCOWF conversations with states confirm the issue not being a one-off individual state or county SNAP agency problem. The issue has been demonstrated across all public assistance programs and exposed more broadly during the pandemic. SNAP is one of the last government assistance programs that does not conduct remote identity verifications.

One State Unemployment Insurance agency found up to 500,000 bot attacks originating from transnational fraud rings in just 1 month. Why would identity thieves target SNAP? Well, there are several reasons.

First, there are no controls in place. Despite Federal law requiring state agencies to verify an applicant’s identity and other critical information prior to certifying the household to participate in SNAP, FNS issued a memorandum in 2019 giving states the option to use identity authentication tools. However, FNS provided over-burdensome conditions and mandated that applicants can opt-out of online identity checks.²² The justification is due to an interpretation that regulations only require a name, address, and signature—regulations that go back to the creation of the food stamp program.²³

So [**John Doe, homeless, and an ‘X’**] is all that is required to apply for SNAP. No date of birth. No Social Security Number (SSN). No identification or driver’s license number. This creates an administrative burden to states, creates churn and delays issuance of benefits, and as we know firsthand, provides fraudsters an open door to access the system.

Yet eligibility requirements are clear.

“The state agency shall require that a household participating or applying for participation in SNAP provide the state agency with the social security number (SSN) of each household member or apply for one before certification. If individuals have more than one number, all numbers shall be required. The state agency shall explain to applicants and participants that refusal or failure without good cause to provide an SSN will result in disqualification of the individual for whom an SSN is not obtained.”²⁴

FNS publicly provides this information to the public on their website.²⁵

Requiring the SSN on the application is commonsense and does not impose an additional condition of eligibility. Modernization of the regulations demand that this be addressed. Failing to include the SSN has a broader impact to program integrity and introduces waste, fraud, and abuse into the program. For example, anyone receiving Social Security Income in California is ineligible for SNAP—SSI payments have been specifically increased to include the value of SNAP.²⁶ However, California

²¹ <https://www.fns.usda.gov/snap/nac>.

²² <https://www.fns.usda.gov/snap/identity-authentication-pilot-projects>.

²³ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273#p-273.2\(b\)\(1\)\(v\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273#p-273.2(b)(1)(v)).

²⁴ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-C/section-273.6#p-273.6\(a\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-C/section-273.6#p-273.6(a)).

²⁵ <https://www.fns.usda.gov/snap/facts>.

²⁶ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-G#p-273.20\(a\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-G#p-273.20(a)).

does not require SSNs to apply or be certified for SNAP, making cross-program data checks extremely difficult—if they are done at all.

But that single, mandatory eligibility requirement does not just impact California. Without SSNs, you cannot efficiently conduct mandatory data matches against the Electronic Disqualified Recipient System (eDRS, to check for disqualified and ineligible recipients),²⁷ the Social Security Administration Death Master File (DMF), or the Income Eligibility and Verification System (IEVS).²⁸

Further, states cannot do duplicate participation checks under current regulations, which state:

*“Each state agency shall establish a system to assure that no individual participates more than once in a month, in more than one jurisdiction, or in more than one household within the state in SNAP. To identify such individuals, the system shall use names and social security numbers at a minimum, and other identifiers such as birth dates or addresses as appropriate. [emphasis added]”*²⁹

Without addressing these shortcomings, UCOWF fears that fraud will become the face of this program—not the assistance it provides for the overwhelming majority of law-abiding eligible recipients. Mandating identity verification that does not require opt-out, can be done in a way that aligns with best industry standards and provides benefits to eligible recipients more quickly, ensures program integrity, and increases access to the program with reduced administrative burden in identification requirements. We eagerly await modernization in application requirements.

Second, the lack of identity verification tools is impacted by antiquated eligibility systems—state systems that lack modular human-centered design. The Urban Institute researched state modernization projects and the use of the \$1.15 billion in additional SNAP administrative funding to help state agencies address these antiquated systems. Program Integrity was one of the authorized use cases to access these funds. 7 States listed Program Integrity initiatives in their use of funds (CT, MI, NE, NM, PA, UT, WA).³⁰

FNS defines Program Integrity as, *“Improving stewardship of Federal money by reducing recipient fraud, reducing retailer fraud, ensuring accurate eligibility determinations, and reducing improper payments.”* UCOWF believes accurate eligibility determinations is primarily an administrative function—doing your job correctly. Reviewing the use of ARPA funds, only two states had legitimate anti-fraud initiatives—Pennsylvania (resources for the Inspector General) and Utah (asset testing/verification).

Third, SNAP is a target for identity thieves due to the siloing and restrictions on recipient data sharing. Regulations, which still exist in a pre-9/11 condition, spell out the strict sharing of information of SNAP household information.³¹ You cannot share information with law enforcement for exigent circumstances, including the preservation of life. Nor can you conduct data matches with the National Center for Missing and Exploited Children to locate kids currently in the system. And we’ve all heard about the stories of SNAP funds going to terrorists, who refer to the program as the *“Jihadist’s Allowance.”*³²

There are no prohibitions against anyone on the terrorist watch list or no-fly list receiving SNAP—and Homeland Security is prohibited from accessing recipient information. Had this not been the case, the government would have been able to obtain information on the 9/11 hijackers—but that never happened. Addressing data sharing in today’s world climate provides a safer nation, and efforts to combat this can only be viewed as anti-American. Common sense reform can balance the protection of personal information against any shortcomings.

Physical and digital identity verifications that go beyond knowledge-based authentication questions are private sector best practices. While we strongly encourage and endorse stronger program integrity guidelines, we are reticent as it relates to facial recognition technology and the potential bias that currently exists in the technology.

²⁷ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-A/section-273.2#p-273.2\(f\)\(11\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-A/section-273.2#p-273.2(f)(11)).

²⁸ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.8#p-272.8\(a\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.8#p-272.8(a)).

²⁹ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.4#p-272.4\(e\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.4#p-272.4(e)).

³⁰ <https://www.urban.org/projects/exploring-states-snap-modernization-projects>.

³¹ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.1#p-272.1\(c\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-272/section-272.1#p-272.1(c)).

³² “EBTerrorism: How Fraud Ridden SNAP Funds Terror, Fails at Enforcement and Wastes Taxpayer Money” (https://thedrilldown.com/wp-content/uploads/2018/10/2018_GAI_SNAP_FRAUD_TERROR.pdf).

Asset verifications, wage and employment verifications, and incarceration checks are readily available. Many states are introducing state legislation to fill the lack of Federal efforts.³³

Use of both digital and physical identity referential data allows state agencies to quickly identify risky applications (such as originating from foreign countries) as well as quickly identifying known-GOOD applicants. Effective identity authentication *reduces* the time to get benefits to eligible applicants, resulting in lower administrative costs.

“EBT Skimming”

Recent news articles related to fraud within public assistance programs (SNAP, TANF, WIC) have focused on “EBT Skimming.” Both FNS/ACF and individual SNAP/TANF agencies have issued numerous client education materials aimed at informing genuine needy clients as to how to spot a card skimmer. Yet the epidemic continues, and it goes much farther than fake devices placed on a credit card point-of-sale device to capture EBT card numbers and PINs. Skimmers have historically and predominately been found on ATM and gas pumps targeting credit and debit cards. Recently, this trend has expanded to large supermarkets and big box stores; unfortunately, FNS does not monitor transactions for fraud at these retailers. And while guidance has been issued on replacing stolen benefits, *nothing* is being done to prevent it.³⁴

SNAP recipients are having their benefits stolen and drained by fraudsters who gain access to the account in what is commonly referred to as “Account Take-Over” Account Take-Over (ATO) has been an issue for decades; anyone who has had funds suddenly drained from a debit card knows this. Credit card companies notify clients of suspicious transactions and monitor oversea purchases. Card skimming devices are but one tool in the arsenal of fraudsters looking to make an easy buck. But now it’s hitting the most vulnerable in society. Texas recently has directed recipients to change their PIN regularly and to freeze/unfreeze their card to prevent ATOs.³⁵ California, long struggling with the issue, even provided numbers related to the depth of this problem: \$84 million in anticipated 2023 losses just for TANF in CalWorks.³⁶

Call Centers remain the number one target of opportunity for identity thieves as they can hide behind the anonymity of (spoofed) phone numbers to social engineer and scam call takers. Due to high call volumes, staff shortfalls, and the expense it takes to identify callers, operators continue to fall back on Name, DOB, SSN, and a validating question (address, name of a child on account, *etc.*). Unfortunately, every identity fraudster has this information on hand. Call centers remain a major vulnerability where clients (and fraudsters) can change account information, change addresses, order new cards, or offset PINs. Improving call center identity solutions and a federally mandated standard for states and EBT vendors is sorely needed.

Customer Service Portals have been critical to providing enhanced access to recipients to check balances, reset PINs, get balance inquiries, or confirm when benefits will be loaded onto a card. Online portals lack sufficient safeguards that can confirm the person accessing the portal is the client. Interactive Voice Response phone systems (IVRs) commonly only require the last four digits of an SSN, a DOB, and sometimes a case number to access client accounts or to determine benefit balances. Few states check the phone number in the IVR, but no (known) state agencies check for spoofed numbers, Voice Over Internet Protocols (VOIPs), or SIM swaps.

Online identity verification still presents the best opportunity to prevent synthetic identities in the U.S. banking system (estimated at five million) and to verify legitimate recipients accessing or applying for benefits. It remains the best method to stop EBT skimming/ATO.

Additional methods of ATO impacting the SNAP program include card tumbling, third party apps that claim to provide additional coupons or assistance, common PIN numbers, cloned point-of-sale (POS) devices, and bot attacks. Bot Attacks are on the rise as the unemployment insurance industry discovered during the PHE. International fraud rings, criminal groups and state sponsored terror groups were responsible for massive bot attacks, whether it is only several hundred a day, or millions as some states discovered.

³³ <https://legiscan.com/IA/bill/SF494/2023>.

³⁴ <https://www.fns.usda.gov/snap/replacement-snap-benefits-consolidated-appropriations-act-2023>.

³⁵ <https://www.kxan.com/news/texas/hhsc-warns-of-increased-reports-of-snap-tanf-recipients-being-targets-of-fraud/>.

³⁶ <https://calmaters.org/california-divide/2023/01/calfresh-calworks-thefts/>.

Without safeguards, automated bot scripts slamming states and county application sites are creating massive backlogs in requests for information, referrals to call centers, and delays in receiving benefits. And worse, the bot attacks are combining the tactics above and create a fail-proof way of ATOs. Every state with an online customer service portal or application must have bot-detection tools. To our knowledge, none do—all must rely upon EBT vendors for assistance.

Instead of relying upon a hungry, marginalized SNAP recipient being responsible to change their PINS monthly, freezing their PIN, or opting to prohibit out of state transactions,³⁷ Congress must demand FNS enact measures to *stop* ATO. A common-sense start would be for states to turn off Out of State (OOS) transactions and allow recipients to change it if circumstances require it. Two free refills only encourage otherwise legitimate households to traffic (or empty) their accounts and then falsely claim they were victimized.

This crime of opportunity is made even more attractive to fraudsters when you consider SNAP High Balances. UCOWF is aware of EBT balances exceeding \$15,000 in every state.

Retailer Fraud

Retailer integrity is a known issue, and UCOWF is not here to criticize FNS for its handling of the retailer process, nor on the USDA Office of Inspector General's gross understaffing issues. However, modernization of SNAP requires an overhaul of the retailer integrity processes currently in place. This isn't new—a 2019 GAO report found as much as \$4.7 billion in retailer trafficking fraud (back when SNAP expenditures were \$64 billion per year).³⁸

FNS lacks the authority to do any effective business integrity/oversight of SNAP retailers. The most recent retailer trafficking data showed 18–20% of all small businesses trafficked SNAP. Some of these businesses are represented by lobbying firms pushing for hot food allowances. Effective oversight of the 250,000 SNAP approved retailers is sorely needed, particularly as they expand approved businesses to sell benefits online.

While we addressed the lack of SSN mandates in recipients, the problem is far worse with retailers. In a January 2017 USDA OIG report, 3,394 stores were found to have deceased owners and 193 retailers approved using PII for minors (under 18 years old). FNS addressed this barrier, stating, "*FNS recognizes the value in conducting a DMF match on an on-going basis. As such, should FNS be granted future authority to use SSN for matching purposes, FNS will match to the SSA DMF using SSN on an on-going basis.*"³⁹ To date, FNS does not verify retailer submitted SSNs nor match against the SSA DMF due to this statutory restriction. Fixing this would require modification to the Social Security Act.⁴⁰

States are given no input on retailers operating in their own state. FNS does not check to see if a business is even licensed (and paying taxes), if they have been debarred from other programs (such as state lottery), or if the business owner has criminal background and/or active arrest warrants at the local/state level. One of my UCOWF colleagues refers to FNS retailer oversight as "*dumping their trash on our lawns and then complaining about the smell.*" But he's correct in that the failure to provide effective and efficient Federal oversight on retailers shifts the burden on states to chase after every person who committed fraud and abuse against SNAP rules.

Either allow states input on who can operate as a SNAP retailer in their jurisdiction or give FNS the authority to do what is required. Conversely, if modifications of the Social Security Act prove too cumbersome to give FNS the needed authority, at least require advance notice and time for the states to conduct appropriate reviews. This is not a new issue—a July 2013 USDA OIG report repeated an earlier recommendation to perform background checks, and FNS agreed to initiate rule-making to require applicants to provide a "self-initiated" background check. This never occurred—however, if it did, it would only be another self-attested verification by the retailer applicant. Today, retailers can submit forged/Photoshopped information to meet requirements, yet FNS lacks authority to conduct any meaningful oversight.⁴¹

Better retailer controls would *reduce* recipient fraud. Failure to address retailer integrity has a massive impact on states. An independent survey of 76 state and

³⁷ <https://fns-prod.azureedge.us/sites/default/files/resource-files/ebt-card-skimming-prevention.pdf>.

³⁸ <https://www.gao.gov/products/gao-19-167>.

³⁹ <https://usdaoig.oversight.gov/sites/default/files/reports/2023-06/27901-0002-13.pdf>.

⁴⁰ Section 205(c)(2)(C)(iii)(I) of the Social Security Act (codified at 42 U.S.C. § 405(c)(2)(C)(iii)(I) and implemented at 7 CFR § 278.1(q)(3)).

⁴¹ <https://crsreports.congress.gov/product/pdf/R/R45147/6>, page 54.

county SNAP agencies found that it costs up to \$4.40 for every dollar of SNAP fraud.⁴² It's time FNS cleaned up this mess.

Conflicting Regulation Language

There are specific regulations that continue to frustrate investigators' efforts and have required FNS to issue clarification memos. Unfortunately, the clarification memos create confusion between states and FNS Regional Offices, and UCOWF has been asked by members to address several of these here.

Regulations state, "*Except as provided under paragraph (B)(1)(iii) of this section, an individual found to have made a fraudulent statement or representation with respect to the identity or place of residence of the individual in order to receive multiple SNAP benefits simultaneously shall be ineligible to participate in the Program for a period of 10 years.*"⁴³

FNS guidance in *Attachment 13* to Policy Letter 13-02 states, "*The real issue is whether or not the client fraudulently represented their situation or if they made an innocent mistake. If it is a mistake with no intent to commit fraud and they thought their case file in the first state was closed, then there is no penalty. If they fraudulently represented their circumstances by claiming two addresses in order to get benefits in two places, then it is duplicate participation, and the penalty is 10 years. It does not matter that the names and addresses are not correct when the **intent** is to collect two benefit payments (duplicate participation). The 1 year penalty is not a factor in this situation.*"

The clarification is not uniformly used; and in fact, as part of an integrity audit, one regional office demanded a state reduce the 10 year penalty issued in the Administrative Disqualification Hearing decision to a 1 year penalty.

Regulations define claims against households and state; "*A recipient claim is an amount owed because benefits that are overpaid,*" and, "*This claim is a Federal debt subject to this and other regulations governing Federal debts . . . The state agency must establish and collect any claim by following these regulations.*"⁴⁴

In conflict with these two regulations, FNS issued *Attachment 4* to Policy Letter 89-03 that dictates, "*Categorical eligibility is based on a household receiving or being authorized to receive AFDC or Supplemental Security Income payments. The household's eligibility for these payments is not relevant for food stamp purposes. Therefore, since the household was correctly determined to be categorically eligible based on receipt of AFDC, there is no over issuance for food stamp purposes and no claim is established.*"

The FNS policy guidance directly conflicts with regulations and has contributed to confusion and weakened program integrity.

In Summary

Investigators detect, prevent, and prosecute fraud so taxpayers do not lose faith in this critical program. It is an ugly truth, that if there is a source of money or benefits, people will try to steal it. It is the dedication of every welfare fraud investigator, working on behalf of the taxpayers, that provides the backbone of SNAP and continually upholds program integrity.

The United Council on Welfare Fraud can only do so much. SNAP integrity is under-funded, understaffed, and widely ignored. We adamantly disagree with USDA FNS' unbending 15 year assertion that the fraud rate in SNAP is less than 1%. The above information references the wide-ranging attacks that continue to hit SNAP at all flanks; and yet, with all the different fraud schemes that continue to erode SNAP, USDA FNS perpetuates the message that SNAP is the only Federal program with a negligible fraud rate.

States need funding for additional personnel to adequately staff fraud units at all levels. States need funding to access and leverage technology to confront the sophisticated fraudsters who victimize recipients. We need common sense regulations that prevent fraud and work towards its elimination instead of continually frustrating investigations with antiquated rules and incongruent application. Deficiencies in program integrity have been a long-standing issue not addressed in past farm bills and largely ignored by the USDA. We cannot afford to continue to kick the can 4 more years down the road. On behalf of the front-line workers across the nation and on behalf of the United Council on Welfare Fraud, I implore you to fix these issues now.

⁴² <https://risk.lexisnexis.com/insights-resources/research/true-cost-of-fraud-study-for-snap>.

⁴³ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16\(b\)\(5\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16(b)(5)).

⁴⁴ [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.18#p-273.18\(a\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.18#p-273.18(a)).

We appreciate the opportunity to address these issues and the invitation to appear before Congress today.

Thank you.

Additional Antiquated Regulations Requiring Farm Bill Modernization

UCOWF members from across the nation have shared concerns about outdated regulations. We are sharing these issues and suggested remedies:

- Recipients are permitted to refuse to cooperate with an administrative fraud investigation. Yet, failure to cooperate with a Quality Control review will result in recipients being removed from the SNAP program. Subjects refusing to participate in administrative fraud investigations or respond to questions should be removed from the program. [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-275/subpart-C/#p-275.12\(g\)\(1\)\(ii\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-275/subpart-C/#p-275.12(g)(1)(ii)). The same issue extends to administrative hearings. [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16\(e\)\(2\)\(iii\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16(e)(2)(iii))
- Recipients are given Miranda Rights, even in non-custodial administrative investigations. Miranda, as the Supreme Court has ruled, is for criminal interviews and interrogations of persons in law enforcement custody or control. [https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16\(f\)\(1\)\(ii\)\(B\)](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273/subpart-F/section-273.16#p-273.16(f)(1)(ii)(B))
- Third Party Processors are enabling fraudulent activity. Collusion between dishonest retailers and TPPs have been documented by the USDA OIG. Due to past farm bills, FNS no longer bears any responsibility for oversight of the TPPs and Point of Sale (POS) devices. That responsibility is given to the retailer. As such, TPP POS devices do not transmit geolocation data. FNS cannot reliably determine the physical location of devices involved in SNAP transactions and balance inquiries—they are anywhere in the world. Congress is encouraged to address this as states can no longer say benefits are being used in the location FNS has approved, including globally.

“SNAP-authorized retailers need to conduct their own research and due diligence when selecting a TPP and should review the cost of leasing or purchasing equipment and services to make the best choice for their business.”
<https://fns-prod.azureedge.us/sites/default/files/resource-files/SNAP-EBT-TPP-Information.pdf>

- Fraudulent Retailers are not added to the Federal System for Award Management website by FNS for debarment despite Presidential Executive Order 12549 and 7 U.S. Code 2209(j). See 2 CFR 180, 2 CFR 417, and <https://www.fns.usda.gov/snap/retailer-sanctions-debarment-disqualified-firms>.
- Retailers removed from the program are not added to the electronic disqualified recipient system (eDRS). Business owners should be disqualified from being a recipient for a period for violating SNAP rules, same as a recipient.
- There are no regulations prohibiting a retail owner from receiving personal SNAP benefits and spending them in their own stores.
- Retailers should be immediately suspended when administrative or criminal activity is alleged, like the Medicaid program. Fraud is not an entitlement for businesses.
- Disaster SNAP guidelines have not been updated in nearly a decade (2014), are woefully outdated in policy and practice, and should be codified in Federal regulations.
- Self-attestation is the general rule when it comes to verifying eligibility criteria and should be reviewed for consistency and relevance in a modernized SNAP program.
- FNS currently prohibits states to automatically deny an applicant when they self-declare information that makes them ineligible. For example, if an applicant declares their monthly income is higher than the limit, states must contact the applicant to verify/ double-check that the information provided by the applicant is in fact true before denying the application. This is an unnecessary workload for state eligibility staff and is expensive to notice applicants who have already self-declared themselves ineligible.
- FNS must mandate that states protect online application and public portals are safeguarded from bot-attacks.
- FNS has information on all individuals who have been disqualified from the food assistance program in the Electronic Disqualified Recipient System (eDRS),

and they share this data with all states; however, FNS does not allow states to act on the information. States are required to double check with the state where the disqualification originated and verify the data to determine that all processes were completed correctly in the originating state. As states are required to upload accurate disqualification data, this is an unnecessary administrative burden for eligibility staff who spend time researching and attempting to communicate with other state staff to reverify the data—yet FNS accepts this data without question. FNS places a huge burden on states to scrub this data, but they accept it at face value from states. eDRS data should be considered Verified Upon Receipt, and any clients who feel it is not accurate still have Due Process procedures in Fair Hearing requests.

- FNS does not allow states to close a SNAP case or application when they receive undeliverable returned mail unless the state chooses to act on all changes reported to the state. It's an all or nothing policy. Once approved, clients no longer must report most household circumstances unless it adversely affected their benefit eligibility—they were approved and frozen for a 6 month certification at a set benefit amount. Not having to report an address change, even to another state, is included in that policy but should be addressed as a stand-alone regulation. Failure to report an address change does not adversely affect a benefit amount; recipients should be required to report their residency since states are seriously challenged in their ability to remain in contact with its recipients/clients. The policy also leads to fraud and over-payments when recipients receive benefits in more than one state at a time. Additionally, FNS does not allow the state to use Post Office information to determine (in)valid addresses. FNS requires the state to send correspondence to applicants/recipients to known bad addresses that ultimately get returned—a waste of postage and state administrative resources.
- Eligibility staff receive numerous data exchanges on a daily, weekly, and monthly frequency. Many data exchanges are not verified upon receipt and many times contain outdated information, *i.e.*, Prisoner Information exchanges. The 2014 Farm Bill requires states to check the National Directory of New Hires (NDNH) before approval which also has a cost; states must pay \$30,000 per year or more for this marginally beneficial data. The information received from the NDNH is often no longer relevant to the recipient's current circumstances and/or is discovered in the interview. The requirement for staff to process these data exchange does not have a beneficial impact on the recipient/applicant's case, has a direct cost to the state by invoice, and costs the state's precious staff time to research without any realization of return.

United Council on Welfare Fraud Comments on NAC Interim Final Rule

December 2, 2022

Chief MARIBELLE BALBES,
State Administration Branch,
Program Accountability and Administration Division,
Food & Nutrition Service, USDA,
Alexandria, VA

Dear Chief Maribelle Balbes:

The United Council on Welfare Fraud (UCOWF) appreciates the opportunity to comment on the USDA Food and Nutrition Service (Department) second's posted Interim Final Rule (IFR) on the National Accuracy Clearinghouse (NAC) (*Federal Register* Vol. 87, No. 190, dated October 3, 2022).

UCOWF is a national professional organization of investigators, administrators and claims and recovery specialists who are on the frontlines combating welfare fraud in our public assistance programs. Our members come from across the country at the local, county and state agency level who work every day to protect the integrity of these critical programs and safeguard taxpayer resources. In addition to reinforcing public confidence and ensuring benefits are not diverted from our society's neediest citizens, we strive to bring a cohesive voice to these efforts and share best practices in the prevention, detection and prosecution of welfare fraud.

It is with a clear goal of enhanced program integrity that UCOWF shares the following comments and concerns on the 28-page IFR.

1. The intent of the Agriculture Act of 2018 ("farm bill") creation of the NAC has been ignored. The delays in implementing the NAC, as directed by the farm bill, result in significant waste by the Department.

2. The proposed IFR limits administrative flexibility granted to state agencies, fails to consider best practices currently in place, and conflicts with existing laws and regulations.

First, the intent of the 2018 Farm Bill duplicate participation mandate to the Department to implement the original NAC pilot program has been ignored and position the elimination of duplicate participation as a new initiative. Instead, the Department created justifications that codify legal interpretations of existing regulations into this IFR.

The “new” NAC currently under production amounts to “recreating the wheel” and delays the mandate of full nationwide implementation by 6 years (from 2021 to 2027). These delays by the Department will result in unacceptable waste, considering:

- The savings in the original NAC Pilot report to Congress range from \$53.8m to \$193.4m, averaging \$114m.¹
- Adjusted for inflation and increases to SNAP allotments through the Thrifty Food Plan, anticipated annual savings are currently up to \$309.5 million per year.

It can therefore be concluded that the decision to delay the roll-out of the farm bill mandate for this new and unproven NAC totals approximately \$1.85 billion. Adjusting for compounding inflation at current rates brings the total outlay waste from this decision and IFR to an approximately forecasted \$2.5 billion by FY 2028.

The 2018 Farm Bill did not intend for the Department to introduce waste or to “start over.”²

Section 4011 of the 2018 Farm Bill require the IFR “incorporate best practices and lessons learned from the pilot program.” The IFR fails at this requirement. The IFR references to the original NAC pilot do not take into considerations improvements in technology made to security, workflows, or matching that have been implemented since the 2015 report to Congress.³ Further, recommendations from the original pilot were ignored and neither the lead state (Mississippi) nor technological experts involved in the original NAC pilot were utilized or consulted as recommended to Congress.⁴

“The five NAC pilot states have implemented the tool in significantly differently ways and have realized different levels of success. Those that have achieved superior outcomes provide a set of best practices that should be considered as use of the NAC continues in the current states and as expansion beyond the pilot is explored. Furthermore, the pilot states have learned lessons that should be heeded by any state—current or future—intending to use the NAC.”

The IFR conflicts with current regulations and codifies legal interpretation more appropriate in Department guidance memorandums.

- The language and justifications for rule modifications and creation in this IFR apply to Simplified Reporting (SR) and assume all states will choose SR as a state administrative option.
- The original waiver used by the original NAC pilot was only necessary due to FNS legal interpretation that the state-to-state dual participation checks are

¹<https://www.fns.usda.gov/snap/nac-evaluation-final-report> *National Accuracy Clearinghouse Evaluation, Final Report* (Oct. 2015). See also the Congressional Budget Office 10 year cost estimate savings (outlays) of \$588 million referenced by the Center on Budget and Policy Priorities, <https://www.cbpp.org/sites/default/files/atoms/files/6-11-18fa.pdf>. Adjusted for inflation using the savings based on 2014 data, \$1 in 2014 costs \$1.26 in 2022. Numbers are then \$67.8, \$243.7m, and \$143.6m, respectfully. <https://www.usinflationcalculator.com/>.

²<https://www.congress.gov/congressional-report/117th-congress/senate-report/34/1> S. Rept. 117–3421 November 2022, p. 106, states:

“The Committee continues to support the implementation of the National Accuracy Clearinghouse (NAC). The Committee directs the Department to move forward with the NAC to prevent duplicative issuance of SNAP benefits and improve program integrity. When the USDA implements and expands the NAC, the Committee urges the Department to allow states to use a blended workforce including contractors and subcontractors that have the capability to use complex match technology with multiple data elements and administer a robust appeals process to ensure individuals are not automatically removed from receiving benefits.”

³*National Accuracy Clearinghouse Evaluation, Final Report* (Oct. 2015).

⁴*Ibid.*, page 6.

not Verified Upon Receipt.⁵ The proposed IFR and workflows attempt to consider a duplicate application “unclear information.” Instead, this IFR would best be constructed to address deficiencies in the SR flexibilities.

- Current regulations § 272.4(e) already address state monitoring of duplicate participation, which data can be used, and that monitoring can be done at times determined by the state agency. Proposed modifications to Rule that further reduce state flexibility and best practices are improper. This IFR also ignores questions on nearly all state agency SNAP applications that specifically asks the applicant if they are currently receiving SNAP benefits.
- Identity information is provided by the household. Legal interpretation that considers state to state duplicate participation checks as verified information (verified upon receipt) should be considered, making the majority of this IFR unnecessary.
- The IFR concerns with technical security in sharing or sending applicant provided SSN information can be resolved without the creation of this IFR and conflict with other FNS practices (such as sending and storing PII in eDRS, information transmitted to EBT vendors, matches with Treasury Offset Program, the CMS Federally Facilitated Marketplace (Medicaid Hub), SSA Prisoner and Death Master File exchanges, as well as other public assistance program best practices (ex. Unemployment Insurance Integrity Data Hub).
- This IFR contains references to a current regulation that does not exist; see § 273.12(c)(9).

Finally, the administrative burden to state agencies do not address the “Big Bang” or address state agencies currently implementing duplicate participation checks under the NAC pilot.

For the above referenced concerns, the UCOWF feels these proposed regulations should be withdrawn and the Department reconsider their decision on rolling out what can only be viewed as another (unproven) pilot.

Sincerely,



ANDREW PETTITT, *President*,
United Council on Welfare Fraud.

The CHAIRMAN. Ms. Royal, thank you so much. And now we will proceed, and—Dr. Rachidi, please begin when you are ready.

STATEMENT OF ANGELA K. RACHIDI, PH.D., RESEARCH FELLOW IN POVERTY STUDIES, AMERICAN ENTERPRISE INSTITUTE, WASHINGTON, D.C.

Dr. RACHIDI. Thank you. Chairman Thompson, Ranking Member Scott, and Members of the Committee, thank you for the opportunity to testify today on this important issue. My name is Angela Rachidi, and I am a Senior Fellow on Poverty and Opportunity at the American Enterprise Institute. I am also a former Deputy Commissioner for the New York City Department of Social Services, where, for over a decade, I oversaw the agency’s policy research and evaluation, including of SNAP. As this Committee considers a farm bill for 2023, I wanted to highlight two key issues as it relates to SNAP, employment and health.

In the course of my research, three key themes have emerged. First, consistent and sustained employment is one of the most crucial ingredients for reducing poverty and increasing upward mobility. Second, poor health is one of the largest barriers to employment for low-income Americans. And third, SNAP’s lack of dietary

⁵The IFR states, “The existing regulations prevent states from contact with the acting on NAC data matches before their next scheduled household, so states participating in the NAC pilot operate under an administrative waiver (§ 272.3(c); 17(b)(1) of the Food and Nutrition Act of 2008).”

guidelines often leaves its recipients in poor health, limiting their ability to work and escape poverty.

Let me begin by first acknowledging the ways in which the recently enacted Fiscal Responsibility Act of 2023 (Pub. L. 118-5) has improved the employment prospects of SNAP recipients. The Act strengthened SNAP's work requirements by extending them to more working-age adults. It also added, as a new stated purpose to the program, to help SNAP recipients find employment. But Congress can do more.

SNAP should be helping people find employment, not discouraging it. Employment offers financial and non-financial benefits to individuals and the broader economy. As last month's jobs report showed, the U.S. continues to see strong job growth and low unemployment rates, but businesses continue to struggle to find workers. Safety net programs such as SNAP should support the broader economy by encouraging, not discouraging, work.

Yet, SNAP participants have very low employment rates. In a recent report my AEI colleague, Thomas O'Rourke, and I found that the employment to population ratio among non-disabled SNAP participants without children, what we typically think of as ABAWDs, has hovered between 15 and 30 percent since at least 1996. Our research also found that the composition of SNAP has shifted toward the childless. For example, in 1996, the share of prime age SNAP household heads with children outnumbered those without children three to one, but today the ratio is 1.8 to 1. During this same time, SNAP expenditures have increased five-fold in real dollars.

A longitudinal look at employment rates among ABAWDs paints an equally concerning picture. Based on my research, using longitudinal data from the State of Wisconsin, I found that quarterly employment rates among ABAWDs were consistently below 40 percent, even though $\frac{2}{3}$ of them had employment at some point in the year. This raises concerns about the ability of SNAP to support consistent and stable employment. Congress can help fix this problem by further strengthening SNAP's work requirements, including tightening the rules for waivers of ABAWD work rules and evaluating work requirements in other populations.

The second point I want to make relates to nutrition and health. SNAP participants display very concerning health outcomes. In a recent analysis of national health data, I found that, in 2018, 65 percent of older SNAP adults had ever been diagnosed with diet-related disease, and 42 percent were obese, rates much higher than other groups of Americans not receiving SNAP. SNAP contributes to these problems because it contains no nutritional standards, and the data show that SNAP participants spend a large amount of their benefits on non-nutritious foods, such as sugary beverages and prepared desserts, which obviously contribute to poor health.

There is bipartisan support to strengthen the nutrition aspects of SNAP. Congress can do this in the farm bill. They should make improving diet quality a core SNAP objective, require the USDA to measure diet quality among SNAP households, and track and publish the foods purchased with SNAP benefits. Congress should also establish nutrition standards in SNAP, similar to those in other Federal nutrition assistance programs. Congress should also im-

pose common sense restrictions on SNAP purchases, disallowing purchases of sugary beverages, as the National Commission on Hunger recommended doing in 2015.

To close, part of SNAP's stated purpose reads: "The intention to raise levels of nutrition among low-income households." The new added purpose is to assist low-income adults in obtaining employment and increasing their earnings. My testimony today clearly shows that SNAP is falling short in meeting its purpose as it relates to nutrition and employment. However, Congress has an opportunity to fix its shortcomings through the farm bill. Thank you, and I look forward to answering your questions.

[The prepared statement of Dr. Rachidi follows:]

PREPARED STATEMENT OF ANGELA K. RACHIDI, PH.D., RESEARCH FELLOW IN
POVERTY STUDIES, AMERICAN ENTERPRISE INSTITUTE, WASHINGTON, D.C.

The Supplemental Nutrition Assistance Program: Toward Better Employment and Health Outcomes

Chairman Thompson, Ranking Member Scott, and Members of the Agriculture Committee. Thank you for the opportunity to testify on this important issue. My name is Angela Rachidi and I am a Senior Fellow on poverty and opportunity at the American Enterprise Institute, where I have spent the past several years researching policies aimed at reducing poverty and increasing employment for low-income families. Before I joined AEI, I was a Deputy Commissioner for the New York City Department of Social Services, where for more than a decade I oversaw the agency's policy research, including evaluating the Supplemental Nutrition Assistance Program, or SNAP.

As this Committee considers a farm bill for 2023, I wanted to highlight two key issues as it relates to SNAP: employment and health. I have spent much of my career researching the Federal Government's safety net programs and identifying policies aimed at helping low-income families achieve the type of opportunity and social mobility that every American deserves. In the course of my research, three key themes have emerged. **First**, consistent and sustained employment is one of the most crucial ingredients for reducing poverty and increasing upward mobility, along with family structure. **Second**, poor health is one of the largest barriers to employment for low-income Americans. **Third**, SNAP's lack of dietary guidelines often leaves its recipients in poor health, preventing them from working and escaping poverty.

Let me begin by acknowledging the ways in which the recently enacted Fiscal Responsibility Act of 2023 has improved the employment prospects of SNAP recipients. The Act strengthened SNAP's work requirements by extending the work expectation to more working-age adults. It also added as a new stated purpose the program: "To assist low-income adults in obtaining employment and increasing their earnings." If SNAP is to accomplish its core goal of supporting Americans in their path out of poverty, emphasizing the importance of employment is an integral first step.

Employment must be a clear goal of SNAP for two reasons. First, employment provides the only realistic path for low-income households to escape poverty and move up the income ladder. As we learned from welfare reform in 1996, when government assistance programs add an employment expectation, benefit recipients respond by going to work and improving their well-being. Second, low levels of labor force participation and high numbers of job openings suggest that there are ample jobs for all Americans. The latest jobs report showed strong job growth and the national unemployment rate remains below four percent. However, it also showed a labor force participation rate far below levels from a decade ago as older Americans have exited the labor force and prime-age workers have failed to pick up the slack.¹ The implication is that the U.S. labor market needs more workers; and safety net programs such as SNAP must encourage, not discourage, labor force participation.

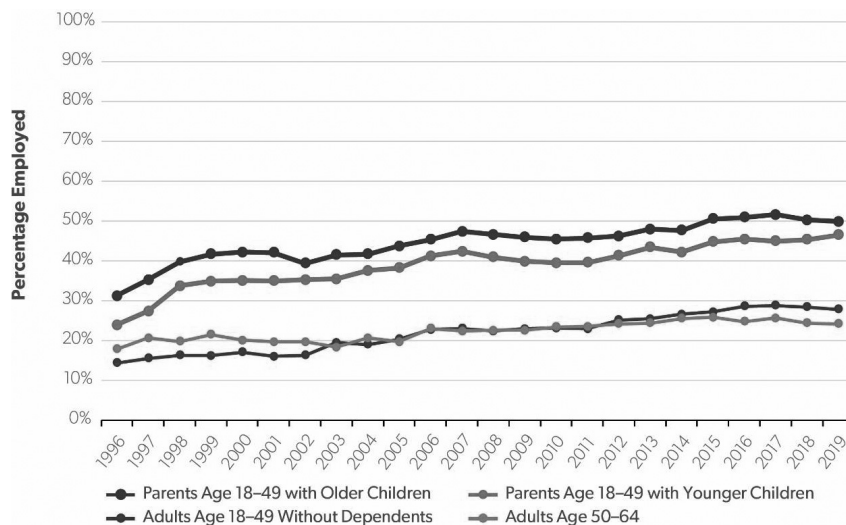
Despite the benefits of employment to individuals and the broader economy, work-capable SNAP participants have very low employment rates, partly because SNAP

¹Jeffrey Sparshott, "Behind Rise in Unemployment, Job Market Is Really Strong," *Wall Street Journal*, June 2, 2023, https://www.wsj.com/articles/mixed-signals-in-u-s-jobs-report-a57b18fd?mod=economy_more_pos1.

disincentivizes work, as research has shown.² In a recent report, Thomas O'Rourke and I analyzed SNAP Quality Control data to document the employment rate among different groups of adult SNAP participants. We found that the employment-to-population ratio among non-disabled SNAP participants without dependents—often called ABAWDs—has hovered between 15 and 30 percent over time.

In the very strong labor market of 2019 (the most recent year of data), 30 percent of non-disabled SNAP participants without dependents between age 18–49—the ABAWD population—worked while receiving SNAP; among non-disabled, childless 50–64 year olds receiving SNAP, only 24 percent worked.³ A 2018 report by the Council of Economic Advisors analyzed household survey data and found that a slightly higher share of SNAP participants worked while receiving SNAP, but even their analysis suggested that 50 percent or fewer worked. The discrepancies between administrative data and survey data can either be due to misreporting on surveys or a failure on the part of participants to disclose earnings to SNAP agencies.⁴ Either way, employment levels remain very low among non-disabled SNAP participants without children.

Figure 1. Percentage of Non-disabled SNAP Recipients Employed by Group, 1996–2019



Source: “Promoting Mobility Through SNAP: Toward Better Health and Employment Outcomes,” American Enterprise Institute, May 1, 2023.

We might be less concerned about very low employment rates among prime-age, work-capable SNAP recipients if their share of SNAP expenditures were shrinking over time. But our research also found that the share of SNAP adults who are capable of work—meaning childless, non-disabled recipients—has *grown* over time. For example, in 1996, the share of SNAP household heads age 18–49 with children outnumbered those without children three to one, but by 2019, the ratio was 1.8 adults with children to every one household head without children. During this same time,

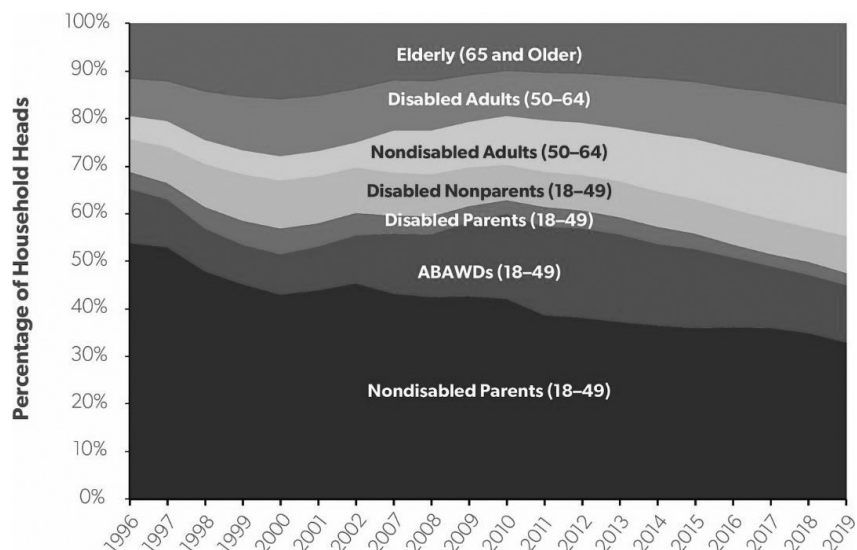
²Hilary Williamson Hoynes and Diane Whitmore Schazzenbach, “Work Incentives and the Food Stamp Program,” (working paper, National Bureau of Economic Research, Cambridge, MA, July 2010), <https://www.nber.org/papers/w16198>.

³Angela Rachidi and Thomas O'Rourke, “Promoting Mobility Through SNAP: Toward Better Health and Employment Outcomes,” American Enterprise Institute, May 1, 2023, <https://www.aei.org/research-products/report/promoting-mobility-through-snap-toward-better-health-and-employment-outcomes/>.

⁴The Council of Economic Advisors, “Expanding Work Requirements in Non-cash welfare Programs,” July 2018, <https://trumpwhitehouse.archives.gov/wp-content/uploads/2018/07/Expanding-Work-Requirements-in-Non-Cash-Welfare-Programs.pdf>.

SNAP expenditures have increased five-fold in real dollars due to higher participation and larger per-person benefits.⁵

Figure 2. SNAP Composition by Age, Disability, and Parental Status Among Household Heads, 1996–2019

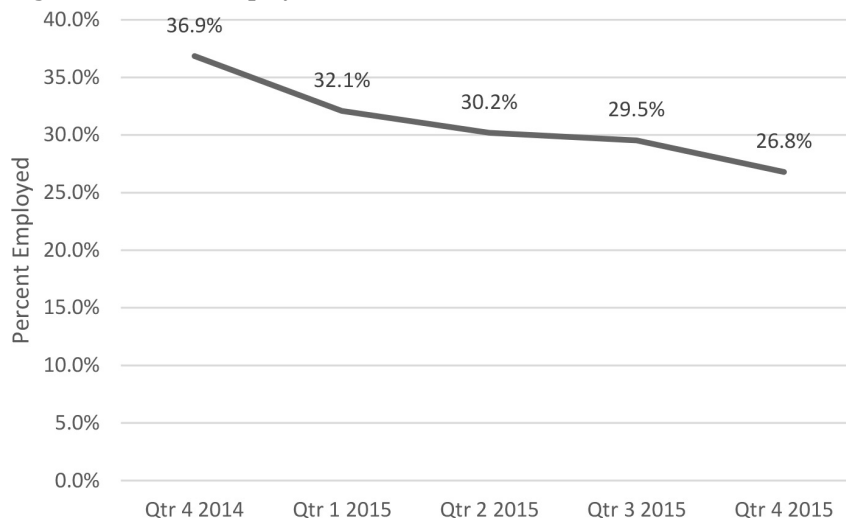


Source: “Promoting Mobility Through SNAP: Toward Better Health and Employment Outcomes,” American Enterprise Institute, May 1, 2023.

Granted, limited employment is part of the reason participants receive SNAP in the first place, but a longitudinal look at employment rates among non-disabled SNAP participants paints an equally concerning picture. While it is true that most non-disabled SNAP participants move in and out of employment, at any given point in time, their employment rates are very low relative to the general population. In years when unemployment rates are at historical lows (such as now) and employers cannot find enough workers, such low employment rates are difficult to explain.

Based on my own research using longitudinal SNAP administrative data from Wisconsin, I found that quarterly employment rates among ABAWDs were low across time. I explored a cohort of ABAWDs receiving SNAP during a 6 month period in 2014 and 2015, and found that the quarterly employment rate was consistently below 40 percent and declined over the course of the next year (*Figure 3*). Although 70 percent of this cohort had employment in at least one quarter in 2015, their employment was inconsistent and not sustained, raising concerns about their ability to escape poverty and achieve upward mobility over the long-term. To the extent that SNAP contributed to these low average work rates, policymakers should enact reforms that strengthen recipients’ attachment to the labor force.

⁵ United States Department of Agriculture, Food and Nutrition Service, SNAP Monthly and Annual Participation and Costs historical data, <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>.

Figure 3. ABAWD Employment Rate in Wisconsin, 2014–2015

Source: Authors calculations using Wisconsin administrative data on ABAWD SNAP receipt and employment using wage reporting data.

SNAP could be doing more to help these participants seek and find stable employment. Establishing employment as a program purpose in the recent debt limit bill is a positive development. But work requirements can also play a role, as long as states implement them properly. This approach has proven to work in other contexts, such as TANF, and Federal policy should ensure that states encourage SNAP participants to work insofar as they are able, rather than providing unconditional transfer payments. For these reasons, Congress should further strengthen existing work requirements by tightening the criteria by which states can waive work requirements, and by conducting evaluations to test the effectiveness of work requirements on new populations.

The second point I want to make relates to nutrition and health. Through my research, I have documented extremely concerning health outcomes among SNAP participants, which regrettably are worse for SNAP participants than income-eligible non-participants and higher income adults. For example, I found that in 2018 (the most recent year of data), 65 percent of SNAP adults age 50–64 had ever been diagnosed with diet-related disease, and 42 percent were obese. Compared to other groups of Americans not receiving SNAP—both high- and low-income—SNAP recipients exhibited much worse health outcomes.

Research shows that diet-related disease, such as diabetes and heart disease, can have severely negative outcomes for individuals, such as limited mobility, limited work productivity, mental health problems, and reduced quality of life. A stated goal of SNAP is to help low-income households afford a nutritious diet, to promote good health. Yet, SNAP has no nutritional standards and the data show that SNAP participants spend a large share of benefits on non-nutritious foods, such as sugary beverages and prepared desserts.⁶ Our nation's largest nutrition assistance program, which transfers over \$100 billion per year to low-income households, is well positioned to encourage healthier eating among low-income populations, laying the foundation for upward mobility.⁷

There is bipartisan, bicameral support to improve SNAP's approach to nutrition and diet quality, and there are incremental steps that Congress can take as part of a farm bill. Congress should make improving diet quality a core SNAP objective, while requiring the USDA to measure diet quality among SNAP households as an accountability metric. Congress should also require the USDA to regularly track and

⁶United States Department of Agriculture, Food and Nutrition Service, "Foods Typically Purchased by Supplemental Nutrition Assistance Program (SNAP) Households," Nov 2016, <https://www.fns.usda.gov/snap/foods-typically-purchased-supplemental-nutrition-assistance-program-snap-households>.

⁷Jerold Mande and Grace Flaherty. 2023. "Supplemental Nutrition Assistance Program as a health intervention," *Current Opinion in Pediatrics* 35, no. 1 (February), 33–38.

publish the dietary quality of foods purchased with SNAP benefits. Finally, Congress should establish nutrition standards in SNAP, similar to those in other Federal nutrition programs such as the National School Lunch Program and WIC.⁸ As a part of these standards, Congress should impose common sense restrictions on SNAP purchases, disallowing recipients from using benefits to purchase sugary beverages, as the National Commission on Hunger recommended in 2015,⁹ as well as other foods with limited nutritional value.

Conclusion

In closing, I want to restate the purpose of SNAP as legislated in the 2008 Farm Bill and the recent Fiscal Responsibility Act of 2023. The first purpose states: “It is declared to be the policy of Congress, in order to promote the general welfare, to safeguard the health and well-being of the nation’s population by raising levels of nutrition among low-income households.” The Fiscal Responsibility Act of 2023 added at the end of the paragraph: “That program includes as a purpose to assist low-income adults in obtaining employment and increasing their earnings.”

The data I have presented today clearly shows that SNAP is falling short in meeting the stated purpose of SNAP by Congress. However, Congress has an opportunity through the farm bill to enact reforms.

Thank you and I look forward to answering your questions.

The CHAIRMAN. Dr. Rachidi, thank you so much for your testimony, and thank you all for your important testimony today. At this time Members will be recognized for questions in order of seniority, alternating between Majority and Minority Members, and in order of arrival for those who joined after the hearing convened. You will be recognized for 5 minutes each in order to allow us to get to as many questions as possible.

And before I recognize myself, I would ask unanimous consent to submit for the record a June 6 FORBES article about a job placement company that has been successfully connecting recipients of public assistance to employment for nearly 4 decades entitled, *Work Requirements? The Ongoing Lessons Of ‘America Works’*.¹ Without objection, that will be considered submitted for the record, and I will recognize myself for 5 minutes of questions.

As I mentioned in my opening statement, the four principles that guide me as we look to address the nutrition title include innovation and technology, employment and education, integrity and accountability, and health and well-being. There are multiple programs within the Title IV, including SNAP, TEFAP, and the Commodity Supplemental Food Program, each of which can benefit from some level of refinement. Mr. Hodel and Dr. Stover, can each of you provide one or two examples of where some fine tuning can change our overall trajectory across spending impact and outcomes?

Mr. HODEL. Thank you. In terms of fine tuning, I like the concept of innovation, and I like the idea of starting—thinking big, starting small, and so that is what we have done at Midwest Food Bank, is looking at areas and pockets that are underserved, even through our agencies. And so, I think providing support through food purchase options, and also providing support just through the support of the food banks to allow them to work with the agencies that are

⁸Angela Rachidi, “A 21st-Century SNAP: Considerations for the 2023 Farm Bill,” American Enterprise Institute, February 23, 2023, <https://www.aei.org/research-products/report/a-21st-century-snap-considerations-for-the-2023-farm-bill/>.

⁹National Commission on Hunger, “Freedom From Hunger: An Achievable Goal for the United States of America,” 2015, <https://cybercemetery.unt.edu/archive/hungercommission/20151217000051/http://hungercommission.rti.org/>.

¹Editor’s note: the article referred to is located on p. 121.

on the ground that know the food recipients the best, partner with corporations, and partner with the food banks.

The example I would use is what we are doing in the Appalachians and eastern Kentucky. We are working with corporations to purchase food, we are utilizing our volunteers as the workforce to package that food, and then an agency that is in location to distribute the food.

Dr. STOVER. Mr. Chairman, if you look at the food system we have today, it was engineered to address the endpoint of hunger and food security. So, all of the policies that we have, all of the programs that we have, all of the economic incentives we have are focused on that goal of limiting hunger and food insecurity. Now, because of the unintended consequence of rising healthcare costs due to the diets that we consume, there is a movement to shift to include health with hunger. To do that, I am not sure that incremental changes will achieve that goal. If we are going to change the goal to include health, we need to re-think back across the entire agriculture value chain, look at our incentives, look at our policies, look at our programs, look at innovations to achieve that goal. I think it may be time to rip the Band-Aid off.

The CHAIRMAN. Well, thanks to both of you. Ms. Royal and Dr. Rachidi, your testimonies speak to issues plaguing SNAP from skimming and burdensome regulations to labor force participation, and where nutrition programs lack accountability to the taxpayer. How do you break the logjam when talking about nutrition programs, and how do we create lasting change that results in more substantive outcomes?

Dr. RACHIDI. Thank you for the question. I mean, I agree with Dr. Stover that when the food stamp program was first established, there was a problem of malnutrition and hunger to the extent that we do not see anymore today, fortunately, and that is a testament to SNAP. But what we have seen is this very large shift in diet quality among Americans, and I believe that SNAP has contributed to the declining diet quality.

So, if we think about SNAP as a program that has effectively addressed food insecurity in this country, it certainly has contributed to other problems, the main one being poor diet quality and poor health among low-income Americans, and the other being limited employment due to the disincentives that are built into the program. So, I would somewhat agree that we do kind of need to shift our thinking of what the program's purpose is, and it needs to be both around addressing food insecurity, but also ensuring that families have the employment and have the health that they need to live thriving lives.

The CHAIRMAN. Thank you. Ms. Royal?

Ms. ROYAL. While I also agree the program needs to be re-examined, I think we also need to stop ignoring the fact that fraud exists in the program. So, for the 15 years that I have been aware of it, FNS continues to hold to the statistic that fraud occurs in less than one percent of SNAP, and I just find that statistic unreasonable. We do need to address integrity. We do need to make sure that the program does stay strong so it can be utilized by the families that need it.

If we take a—I think a more reasonable look at the fraud rate, it is still a small percentage, and I agree with that. The majority of applications that we receive contain honest information and are submitted by people who need access to the program. And by all means, we should make sure that they receive it. But we also, again, cannot ignore the false applications that come in with the false statements, with the intentional acts to take benefits from the program that someone is not eligible to receive.

The CHAIRMAN. Thank you, Ms. Royal. My time has expired. I now recognize the Ranking Member for 5 minutes.

Mr. DAVID SCOTT of Georgia. Ms. Brown, we have some startling information and statistics that I want to express to you and see if you can help us with. More than 80 percent of SNAP households included a child, an elderly adult, or a person with a disability; 42 percent of all SNAP participants were children; ten percent—I am sorry, 16 percent—of SNAP participants were elderly.

And then USDA also found that veterans had a 7.4 percent greater risk of food insecurity than the general population. And veterans are characterized as having a 7.4 percent higher rate of living in food-insecure households. So those three groups, our veterans, our children, and seniors—and, I might add, our seniors, basically lower-income seniors, are now our most threatened group.

Ms. BROWN. Yes.

Mr. DAVID SCOTT of Georgia. What are we doing to try to get our hands underneath these three groups to help them become food-secure? Sixty percent, for example, of our veterans who are eligible for food assistance don't get it. What can we do to improve this situation with our children, our seniors, and our veterans?

Ms. BROWN. Thank you, and I agree with the statistics that you shared. I will start with the children. When we look, indeed, children are the majority of the majority of the population that are receiving SNAP and parents in poverty.

Mr. DAVID SCOTT of Georgia. Yes.

Ms. BROWN. When they speak about the difficulties that they have, speak to a number of concerns about the difficulties that they face, and, as I spoke about earlier, often go without food so that their children can go with food. And having SNAP Outreach, for example, really focus in on these populations makes a really big difference in—and creating understanding about the availability of the program ensuring that folks understand this is a program that is here for help when people need it. People do not—again, people do not want to be on SNAP, but it is here and available for people when they need it.

When we think about our senior population, we know that seniors, when they receive food benefits, can stay in their homes longer. It is so beneficial for them to receive a stable source of food. Their medication works much better. Students do better in school. We know all of the benefits that food requires in order for the health of our population to do so much better.

Mr. DAVID SCOTT of Georgia. And let me ask you this, if I may. I mentioned in my opening remarks about the impact of artificial intelligence, and our rapidly increasing technology, and I am concerned that we are not addressing that in a proper way, because many of these job opportunities are disappearing. Artificial intel-

ligence are doing many of these jobs, and they are being pictured to do even more of the types of jobs that lower-income people, people who really need SNAP—what more can we do? I am trying to get an interest here in Congress to explore this. And not only that, jobs now require being able to handle technology, in terms of how they address their work. And if we are not careful, we are going to become servants of the machine that was created to serve us.

Ms. BROWN. Yes. Absolutely. There are a number of ways we can work with that. Our employment and training programs, for instance, really need to address the capacity for our populations in poverty to be able to go to school and learn these skills and technologies for this new growing technology force. Additionally, we need to address the student policies to ensure that students can go to school to learn this new way of working so that they then can receive a job and move their way out of poverty. So those two areas, SNAP employment and training, strengthening, and then also reform our student policies, would both be beneficial.

Mr. DAVID SCOTT of Georgia. Thank you for your courtesy, Mr. Chairman.

The CHAIRMAN. Sure.

I thank the gentleman. Before I introduce—or recognize our next Member, I do ask unanimous consent to submit for the record a June 2 WALL STREET JOURNAL piece that shows how, by ignoring work, we are not serving low-income communities well entitled, *Work Requirements and Lost Lessons of 1996*.²

Mr. DAVID SCOTT of Georgia. Yes.

The CHAIRMAN. So, without objection, I now recognize the other gentleman from Georgia, Mr. Austin Scott, for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Thank you, Mr. Chairman, and I absolutely support the work requirements that we have sought to add. I do want to make it clear, just so everybody understands, the change is from 49 to 54. We are not talking about senior citizens. We are talking about 49 to 54. I don't know anybody who thinks that age 54 is a senior citizen. It is not only important for them to go to work for their health, but I would remind everybody that what you earn over the course of your time, over the course of your lifetime, gets calculated into your Social Security benefits. So, if you go from 49 to 54 without working, you are going to have reduced Social Security benefits the rest of your life. Certainly, less than you would have if you had worked.

But I want to focus on what Dr. Rachidi and Dr. Stover—both of you mentioned health. And I will tell you, it bothers me—as a parent, I walk in the grocery store, I see things that I buy for my family that can't be bought with SNAP benefits, and I think if we could have an honest discussion about the food that we are eating and allowing to be purchased, that maybe we could accomplish a couple of things together, instead of simply criticizing each other.

But if you look at the list of things that can be purchased, fruits and vegetables, that is good. Expensive, but good. Meat, poultry, and fish, that is good. Breads and cereals, that is good. Other foods, such as snack foods. I am not sure that is good. I am not saying people shouldn't be able to buy a pack of crackers, but if we are

² **Editor's note:** the article referred to is located on p. 146.

honest, some of the stuff that is being bought with SNAP benefits is leading to the health challenges that you are talking about.

If you go to what households cannot buy, and I am reading from the USDA website, foods that are hot at the point of sale. So, my family literally purchases a rotisserie chicken probably every week. Probably every week. It is good, it is simple, it is nutritious, and yet people can't use SNAP benefits to purchase a rotisserie chicken. I mean, can you explain to me why we won't allow people to buy a rotisserie chicken with their SNAP benefits, either of you? Why it makes any logical sense?

Dr. RACHIDI. Well, I will just say—I mean, the original purpose of the food stamp program was for people to purchase groceries for preparation at home. And so, if you think about—at the time the food stamp program started, the idea of rotisserie chicken—

Mr. AUSTIN SCOTT of Georgia. I am talking about today. Look, I am sorry, ma'am, respectfully, I have 5 minutes.

Dr. RACHIDI. Okay.

Mr. AUSTIN SCOTT of Georgia. It just defies logic that we won't allow a rotisserie chicken to be—

Dr. RACHIDI. The cost to prepare the rotisserie chickens are baked into the cost of that product, which is not the intention of SNAP, which is to purchase groceries for preparation at home.

Mr. AUSTIN SCOTT of Georgia. It doesn't cost much more than an uncooked chicken.

Dr. STOVER. I am not going to offer an opinion, but what I will say is that we should—

Mr. AUSTIN SCOTT of Georgia. Okay. All right.

Dr. STOVER.—if we are going to have health as an outcome, we need to look at all opportunities to achieve health, and balance that individual liberty *versus* the outcome we are interested in.

Mr. AUSTIN SCOTT of Georgia. What baffles me with the whole system—my school nutrition people—we micromanage everything that our school nutrition people can serve our kids, as if that is the problem with their health. Whether it be the type of milk they can drink, or putting salt on asparagus or broccoli that they serve them at lunch. We micromanage everything that is done in the school cafeteria in the name of health, and yet we do nothing with regard to what we allow people to buy SNAP benefits with.

So, Dr. Stover, I am going to come to you real quick. You said production agriculture is the key to human health. I think that the titles of the farm bill are inherently tied together. The more production ag we have, the cheaper our food supply is in this country. But I would like for you just to walk the Committee through, real quick, the types of innovations you reference, and how they are tangible to human health.

Dr. STOVER. Certainly. There are many opportunities. If you look at the Green Revolution, and the technologies that were brought to bear in breeding, and in processing, *et cetera*, to create an abundant food supply to reduce hunger, they were incredibly successful. We need to use the same sorts of technologies. We have CRISPR, we have other innovations across the food system where we can increase both the quantity and the quality of the food that we produce that will promote health. We just need the will to do it. We need to look at barriers like regulation, like will, *et cetera*. But

we have the tools and technology to make the food system anything we want it to be. We just have to decide what we want.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, my time has expired. I do think, if we did this right, we would certainly into account health with regard to hunger, and the amount of money, and where we spend it. With that, I yield back.

The CHAIRMAN. I thank the gentleman. I am now pleased to recognize the gentleman from Massachusetts, Mr. McGovern, for 5 minutes.

Mr. MCGOVERN. Thank you.

Well, thank you, Mr. Chairman. I want to thank everybody here for their testimony, which, by the way, I read, as well as listened to you here today. Some of it has been helpful. Quite frankly, some of it has not been so helpful. Ms. Royal and Dr. Rachidi, I have some strong disagreements with some of the things you have said. By the way, I would say to those who are saying we should require SNAP recipients to have healthier diets, maybe one of the things we can do is expand the benefit. You try having a healthy diet on an average about \$6 per person per day. It is awfully hard. So, the benefit is inadequate, and maybe we ought to be talking about expanding GusNIP as a way to deal with that.

The Speaker of the House the other day said, and I quote, he “wants to get more cuts to SNAP.” He wants to continue his crusade to impose more work requirements, and more hurdles for people to jump through. We have people on this Committee who have bills that would actually increase the age of work requirements and expand who would have to comply with them. And the Republican cuts that were in the debt ceiling bill, in my opinion, were nothing more than throwing literally hundreds of thousands of people off the benefit.

And they didn’t get all they wanted, because President Biden stopped them from passing the worst version of their bill—so now they want to use the farm bill as an excuse to kick even more people off the benefit. So, the Freedom Caucus has all kinds of red lines that they are drawing that we all have to supposedly adhere to. Well, I have a red line too. You cut SNAP, you make more people in this country hungry, then we are against this farm bill. We will fight against this farm bill, plain and simple.

And, Ms. Royal, I actually read your testimony, and your presentation here was much toned down from the testimony that you provided here today, and I would like to go through line by line to rebut some of the points that you were trying to make, but I don’t have all day, I only have 5 minutes. But one of the things that you say—in your written testimony—you imply that the overall fraud rate—and you use Pennsylvania as an example—it sounded like 40 percent. That is just not true. You are cherry picking numbers to make it sound like fraud is rampant when it only represents a fraction of cases.

Your testimony says that FNS only monitors EBT transactions for fraud, not for large retailers. Again, wrong. FNS monitors all retailers in a variety of ways, including undercover investigations, and monitoring online transactions for suspicious activity. So, I kind of went through that. I did my research. I have a document here that refutes a lot of what you have said, but we don’t have

but we don't have all day, so let me just formally correct the record on one thing in your written testimony.

Ms. Royal, your testimony also gives the impression that people can apply and gets lots of benefits, including SNAP, with just their name, address, and a signature. Ms. Brown, help me correct the record on this. I mean, can you walk through everything people have to submit, in addition to the interview, verification, and intensive quality control checks at the back-end?

Ms. BROWN. Thank you, Representative. Indeed, the process for application and review through our eligibility workers is quite extensive, so I will begin to list some of the verifications. So first a client must meet and talk to an eligibility worker, and they share information that is then verified. And that includes first, the identity of the applicant, and that can be through a driver's license, that can be through a birth certificate, and then it is a Social Security Number. All applicants must provide a Social Security Number. We have an automated interface in our system that matches against the Social Security Administration to verify that number. If that number is not verified, the case is closed.

We also ask non-citizen applicants about—if they don't have a Social Security Number, proof that they have applied for one, so there is a process for that. Applicants must share their proof of income, both earned and unearned, they must submit pay stubs. They share their wage detail printout from their employers. If they have been terminated, they share documents that show their termination, the last day paid, any documents that show any type of income requirement.

They also share immigration status. We match against the Systematic Alien Verification for Entitlements Program to ensure that immigration status is verified. We verify residents of the state. We verify shelter, what are the shelter costs? We verify, if they are a student, what are the costs of financial aid information? If they are working, we verify the number of hours that they are working, the number of counted months used in other states. And then we go through some of the deductions that they may have, whether that is medical expenses, shelter expenses, child support payments. And then once application is proved, then we go through the quality control process, which is a detailed interview with the household.

Mr. MCGOVERN. Boy, that sounds like more than a name, address, and a signature. Thank you very much. I just want to say, we are going to fight like hell against any cuts to this program that will increase hunger in this country. This is the wrong way for us to proceed. Thank you. I yield back.

The CHAIRMAN. The gentleman yields back. Before I recognize our next speaker, Mr. DesJarlais, I am seeking unanimous consent to submit for the record a 2022 LexisNexis Risk Solutions *True Cost of Fraud™ Study*.³ Without objection, that is submitted, and I am now pleased to recognize Mr. DesJarlais from Tennessee for 5 minutes.

Mr. DESJARLAIS. I thank the Chairman. And I find it interesting, when we have SNAP hearings or nutrition hearings, they always seem to devolve into a partisan exercise when all of us on this

³ **Editor's note:** the report referred to is located on p. 186.

Committee want to prevent food insecurity, and we just have to find responsible ways to manage it, and that is what a lot of this is about.

Ms. ROYAL, your testimony opines on the rates of fraud in SNAP, an estimate which can range from eight percent to 40 percent. As you know, the Department is set to release their error rate accommodation of overpayments and underpayments on June 30. What error rate is the Council anticipating?

Ms. ROYAL. There is a significant distinguishing factor between the error rate and a fraud rate. They are independent. Again, I am a fraud investigator. But I will say that—I mean, certainly we keep track of—I am aware of the error rate, and I do keep track of that. And I also—I am very concerned that it is going to exceed the numbers in 2019, which were in excess of seven percent.

Mr. DESJARLAIS. Okay.

Ms. ROYAL. Again, fraud rate has to do with false statements, the number of false statements that are encountered in the program. The error rate has to do with the accuracy that states issue benefits.

Mr. DESJARLAIS. Okay. You speak in your testimony about the importance of integrity in our nation's public assistance programs. One concern of mine has the number of non-citizens who are receiving benefits. You may be aware that there are 13 categories outlining eligibility requirements for benefits with no waiting period, and this includes qualified alien children under 18 years of age, and asylees under Section 8 of the Immigration and Nationality Act.

I firmly believe SNAP was intended to temporarily serve American families, giving them the leg up they need to be self-sufficient, and SNAP is already projected to cost more than \$1.2 trillion over the next 2 years. And with the crisis we have seen at the southern border, with literally millions of undocumented citizens coming in, I don't think the program can continue to keep up, considering that there are literally millions of children that qualify for SNAP based on these standards, and also the fact that almost everyone coming across the border is seeking asylum. Do you have any ideas about how do we maintain the program integrity when it comes to non-citizens?

Ms. ROYAL. Critical element that we need is identity verification at the front-end, so when somebody submits an application we have the ability, again, to verify that the person is who they say that they are. Certainly, benefits can be issued with a name, address, and signature. Verification is required to continue benefits, but the name, address, signature is the requirement on the initial benefit. Having technology available at the beginning to leverage that verification process, to leverage all of the facets of eligibility, would be a game-changing opportunity for the fight for integrity.

Mr. DESJARLAIS. Ms. Royal, I am certain you are aware the National Accuracy Clearinghouse, as written in the 2018 Farm Bill, has yet to be implemented due to a variety of Executive Branch antics. At this point we are looking at another 5 years before the NAC is fully implemented, and I am not convinced it will resemble anything like the policymakers' design. Do you have any thoughts on this?

Ms. ROYAL. That was a devastating blow to SNAP integrity. The National Accuracy Clearinghouse just provided an opportunity for states to discover where there is an individual receiving benefits in more than one state at one time. That isn't always an intentional error. Somebody can cross state lines and inadvertently forget to close their previous case, submit an application. That does happen. And the NAC would have been able to give us—would have given us the tool to identify that. Unfortunately, it is also an opportunity for people to steal from the program. People do submit applications across state lines with the intentional act to receive dual benefits. That also—the NAC would have been able to help us identify those intentional acts as well.

The delay, again, was devastating to integrity. Having the new NAC, if you will, developed, and able to roll out in the next 5 years, at the end of 2027, can cost the taxpayers billions of dollars.

Mr. DESJARLAIS. Okay. Well, thank you all for being here today. My time is about to expire. Mr. Chairman, I yield back.

Mr. AUSTIN SCOTT of Georgia [presiding.] The chair now recognizes Ms. Adams of North Carolina for 5 minutes.

Ms. ADAMS. Thank you, Mr. Chairman, and thank you all for your testimony. I just keep hearing all this fearmongering. It is just wrong. Undocumented individuals are not eligible for SNAP, and no American citizen is being denied SNAP because a permanent resident received benefits. And no one in this country should go hungry because they can't afford food, period. I strongly believe that, and that is why I am still furious that Speaker McCarthy and House Republicans held the American economy hostage to make our lowest-income Americans pay the price by taking food off their tables for their tax breaks for the richest one percent. It is kind of like Robin Hood in reverse. We are taking food from the poorest of the poor, we are blaming them for the debt, and we are asking nothing of the richest of the rich.

Now, poor folk are not responsible for our debt, and you shouldn't be punished because you are poor. So, when I heard that my colleagues, including the Speaker, are going to push to take food assistance away from more vulnerable Americans in the upcoming farm bill, we are just not going to have that. No more. No more PPP, punishing poor people. There are more than 2,000 references in the Bible that speak to how we treat the poor, and so what is being proposed, that is not the way. That is not what it says.

Our Ranking Member has previously stated taking food away from people is un-Christian. Well, so is all the misinformation and the conspiracy about SNAP. *Leviticus* 19 and 11 reminds us "Do not steal, do not lie," and so I am not going to support any farm bill or any other legislation that will take food away from low-income households, which are really underpaid households. And we continue to talk about getting to work for \$7.25 an hour? You can't survive on \$7.25.

Cuts to SNAP harm our nation's most vulnerable, including children, and families, and older Americans, and disabled people. In 2020 almost 31,000 households in my district depended on SNAP to put food on their tables every month. We have a food insecurity issue in North Carolina, and in other places, so soon many low-income Americans will lose out on critical food assistance, because of

the reinstatement of SNAP's punitive, insensitive, 3 month time limit on benefits for people who can't find work, but who need to eat, so where is the compassion, folks?

Taking away SNAP doesn't help anyone find work. It just makes them go hungry. Our SNAP recipients who can work do work, and some people, like elderly people, are being forced to work in our economy. I have heard stories about people in my district taking low wage jobs when they should be enjoying retirement, for example, and some of them can't even stand up at work. Greeting people coming into the store. Many of these folks that we are trying to punish here get SNAP benefits because they don't earn enough. The money runs out, the food runs out, before the month runs out. Working hard is not enough if you don't make enough: \$7.25, you can't survive, and all of my colleagues here know it.

And then when we talk about what you are getting, \$6 a day, \$2.41? I mean, come on. Are you going to be able to eat a decent meal for \$2.41 a meal? That is absolutely ridiculous. Ms. Brown, how is Minnesota preparing to reinstate the time limit and the expansion from 50 to 54 years old? And by the way, I got my AARP card at 50, so some people do consider you to be a senior then. So what burden does the time limit place on program administrators and recipients, and what do you think the ultimate impact will be?

Ms. BROWN. Thank you, Representative. The time limit—so as we are thinking about reinstating the time limits, we are working through a number of processes. We are ensuring that our trainers, our workers, are fully trained and are aware of the rules and regulations they need to apply on people. We are working with recipients to ensure that they are aware of what they need to do to keep up to speed with the changing regulation. We are ensuring that our websites have information about other resources that they can access. So, we know this will be an additional burden on our food banks and our food shelf system, which is already seeing record numbers. So, we are preparing in a lot of ways, with our emergency food system, to ensure that folks are ready to respond to the number of folks that will no longer be available.

We also are working to ensure that we can apply for a waiver that will allow us to take into consideration the unemployment rates. So, we know, and as I shared earlier, that our unemployment rate in Minnesota is very low. But when we start to look at the racial divides, we see that African American and American Indian populations are disproportionately impacted, and so this time limit will disproportionately impact those populations—

Ms. ADAMS. Thank you very much, ma'am. My time is up. We are not going to allow this. I want my colleagues to know that. Let us keep SNAP, let us keep people eating. We must feed folks. Working hard is not enough if you don't make enough.

Mr. AUSTIN SCOTT of Georgia. Thank you. The chair asks unanimous consent to submit for the record May 31 FOXBUSINESS article referencing April surge in job openings, *Job Openings Unexpectedly Surge in April to the Highest Level in 3 Months*.⁴ Hearing no objections, it is submitted. I now recognize Mr. LaMalfa for 5 minutes.

⁴ Editor's note: the article referred to is located on p. 124.

Mr. LAMALFA. Thank you, Mr. Chairman. We keep hearing we are not going to allow this or that. Well, all we are looking for here is a program that is being run with accuracy and integrity for the folks that have the real need that are receiving it, and that's also appropriate to have course corrections with any Federal program during its time of existence. So, I'm tired of these accusations.

So, Ms. Royals—Ms. Royal, I wanted to clarify something that was said earlier as well, is that—are not asylum seekers and any person under 18 years old able to receive SNAP benefits in this country? The—as non-citizens? Anybody else on the panel that want to weigh in on that? Ms. Royal, is that something you are aware of?

Ms. ROYAL. It is not something I am comfortable in responding to. Again, I am an—or a—an integrity investigator, and I don't issue benefits.

Mr. LAMALFA. Okay. How about Ms. Rachidi? Dr. Rachidi?

Dr. RACHIDI. I do not believe the 5 year ban on non-citizen applies to asylees—asylums.

Mr. LAMALFA. Sorry?

Dr. RACHIDI. So, there is a 5 year ban on non-citizens, that they can't receive SNAP benefits. I do not believe that applies to those that are seeking asylum.

Mr. LAMALFA. It does not apply to asylum? How about under 18 years old?

Dr. RACHIDI. And children as well, right.

Mr. LAMALFA. Yes. So, we do have people that are not here legally that are receiving SNAP benefits, or they are not citizens receiving SNAP benefits?

Dr. RACHIDI. Well, I—right. I mean, I think they are here legally if they are seeking asylum, but, yes.

Mr. LAMALFA. Well, asylum is one thing, but my—people under 18 that have gotten here are receiving SNAP benefits, right?

Dr. RACHIDI. To your point, yes.

Mr. LAMALFA. Okay. Thank you. So, Dr. Stover, we are hearing about the gap in income, and how far that goes on receiving nutritious food, healthier food, healthier choices. So, would increasing the dollar amount of the benefits, would that lead to healthier choices, do you believe, and do you have any data that would support that?

Dr. STOVER. There are data in this area. What I would say to that is if one is interested in increasing the SNAP benefit for health outcome, one would look at the available data to do an impact analysis, and look over time what has increasing SNAP done to affect hunger and food insecurity, what could increasing the SNAP benefit do to then improve health outcomes and lower healthcare costs? But that is the type of data that we need so we can have science-informed and data-driven policies.

While I am not answering that question directly because I am not familiar with the totality of the literature, this is the value of having an evidence-based approach to setting policy, so that one can be certain about outcomes, or more certain about outcomes.

Mr. LAMALFA. So, in all the existence of the SNAP Program, we don't really have data that has been gathered yet that the in-

creased dollar amount per user of the program would lead to healthier food choices in their diet?

Dr. STOVER. Some of those data are available, and we can make those available to you, but I don't have those in my fingertips.

[The information referred to is located on p. 232.]

Mr. LAMALFA. Do you have a conclusion, from what you know of that data, that would say, yes, it is—seems true, or inconclusive? What do you think about the data you have seen?

Dr. STOVER. I am not aware of any meta analyses, or any type of research synthesis that has been done to look at the totality of the literature. There are some studies that show effects, there are some studies that show other effects, but I am not aware of someone who has systematically combined all of the data to answer your specific question. But I agree with you that that is what is needed in the entire food and agriculture space.

Mr. LAMALFA. More data, or higher benefits?

Dr. STOVER. More data, and combination of the data. Taken—looking at the existing data and combining it in a way that is statistically appropriate so that you can get the answer you are seeking so you can make an informed decision.

Mr. LAMALFA. So, in all these years we don't have this kind of data that is being gathered, so we—I got—got more to do on data gathering, so—all right. The—so the concept that has been advanced today is that more money would mean healthier choices. We don't really have proof of that?

Dr. STOVER. Literature that would—

Mr. LAMALFA. Okay. All right. All right. Do you have an idea of what we could do to incentivize healthier choices, whether it is more dollars, or any other method? And we have just a little time, please.

Dr. STOVER. Again, the food system we have is focused on lowering rates of hunger and food insecurity. If you change the endpoint to health, then all of your incentives should be around health, not around the food itself.

Mr. LAMALFA. Okay. Thank you.

Mr. AUSTIN SCOTT of Georgia. The gentleman's time has expired. I ask to submit for the record a February 2023 article on how SNAP can be strengthened to be a health intervention.⁵ Without objection, so ordered. Mrs. Hayes, from Connecticut, you are recognized for 5 minutes.

Mrs. HAYES. Thank you, and thank you for holding this hearing. Much of our work this year is going to be around the farm bill, and we have heard a lot about how the farm bill impacts farmers and rural communities. While every Member of Congress may not represent a rural community, I remind you that every single one of us represents people who eat. And with the farm bill being our biggest undertaking, I will once again express my disappointment that 80 percent of the farm bill falls under the Nutrition Title, and this is the first and only hearing we are having on this topic.

You are all right, hunger should not be a political issue. But when we came to the table to negotiate on the debt ceiling, what

⁵ **Editor's note:** the CURRENT OPINION PEDIATRICS article referred to entitled, *Supplemental Nutrition Assistance Program as a health intervention*, is located on p. 115.

my Republican colleagues asked for was increases to our military budget, which has been increased year after year, even though the DOD has failed five consecutive waste, fraud, and abuse audits, and they are unable to account of over 60 percent of their \$3.5 trillion in assets.

But SNAP is where we want to look to make cuts. Their obsession with cutting food assistance is just jarring. I remind you one more time, \$6 per person per day. That is not the cause of our enormous budget deficits. And highlighting one-off instances of fraud as indicative of the larger program is just wrong. Ms. Royal, I hope that you arrest every single person who is committing fraud in the SNAP Program because they too are stealing from the people who need it most. Every one of us supports investigating those cases of fraud, which are few and far between, and not what is being reported today.

SNAP is one of the largest anti-hunger, anti-poverty initiatives in this nation. More than 42 million Americans depend on SNAP each month, including 15.3 million children; 108,000 of those children live in my state. And when we want to talk about data—I listened very carefully to some of the data that Dr. Rachidi introduced—Federal data shows that four out of five households in the program have at least one family member working, so the majority of people who are collecting benefits are working.

As an educator, I saw poverty firsthand. Hungry kids don't learn, and hunger and poverty are a significant driver to poor learning outcomes, and many families are unable to purchase or access the food their children need to reach their full potential. I am going to go through all of this, and then I am going to give you some time, Ms. Tikki Brown, to respond. I want you to talk about the effects hunger has on learning, and how these can be lifelong and cyclical, and what barriers children have to accessing SNAP. And then my other question—I just want you to have enough time to speak—is about incentive programs like GusNIP, and how they help SNAP recipients purchase fruits and vegetables, and support local farmers.

We heard a lot about people's choices. Their choices are not because they don't have restrictions or guidelines in SNAP. Many low-income, urban, and rural communities frequently have low access to healthy food or retail options. If there is no grocery store around you, and you are buying your meals from a bodega, and you are homeless, and don't have access to hot foods, you buy what is available. So, it is flawed to think that people are just making the choice, from everything there, to only buy snacks.

So, my second question that I would like for you to address, Ms. Brown, is how programs like GusNIP can help connect people in low access communities to farmers, farmers' markets, and healthy food options. So those two things. Thank you.

Ms. BROWN. Thank you, Representative. So, to your first question, absolutely, children who go to school hungry, who live in households with a lack of access to food, often suffer with an inability to concentrate at school. They fall behind academically. They are more likely to miss school because of illnesses. It impacts health, right? And we see those impacts throughout a person's life often, as well. So, prevention is key here, and ensuring that chil-

dren have enough food from an early age, and throughout their growth cycle.

To your second question around incentives, it is incredibly important. In Minnesota we have been able to pay with state dollars, through our legislature, a Market Bucks Program, and that incentivizes SNAP recipients by doubling their SNAP dollars at the farmers' market. It creates more access to fruits and vegetables. It helps rural farmers' markets and agriculture producers. It is a—it is an absolutely wonderful program, and people enjoy it.

So, we have to think about, when we are talking about SNAP participants, it is a supplemental program. It is \$110 per month in our state, and it does not cover every single expense. And so when we look at what people are buying, we have to consider all of the options. Thank you.

Mrs. HAYES. Thank you. With that, I yield back.

Mr. AUSTIN SCOTT of Georgia. Thank you. The chair now recognizes Mr. Bost for 5 minutes.

Mr. BOST. Thank you, Mr. Chairman. My colleagues from the other side of the aisle did a couple things here. First off, one said that we only had one hearing, but while they were in the Majority, they only had two on this. You know that? But since 2015 we have had 39 on this particular subject. One of my colleagues, also on the other side of the aisle, gave testimony that one of our witnesses has failed to—blew apart, and complained about her testimony, and—but failed allow—to allow her to respond, and I would like to give Ms. Royal, if she can, to respond about her testimony and why it is accurate.

Ms. ROYAL. The accusation was that it requires more than name, address, and signature to submit an application. And, to make the clarification, that is what is required to receive an application. Now, verification is required of the different things that—among the different things that Ms. Brown described, and that verification—the burden of that falls on the agency to do that.

So, somebody comes in, essentially John Doe, homeless, and puts an X on the application, it needs to be processed, and benefits are likely going to be issued for that first month. I will clarify again, we will need to get clarifying information, according to the regulations, including Social Security Number, and additional eligibility requirements. But I will hold fast to that statement as true and accurate.

Mr. BOST. Thank you very much. Mr. Hodel, we are spending more taxpayer dollars on nutrition support than ever before, yet the rate of food insecurity still hovers around ten percent. Where is innovation lacking, and where do you see opportunities—where do they lie for new ways to invest—these programs so they show results, and decrease the rates of food insecurity? If any other witnesses would like to add, to do that, I would like that as well.

Mr. HODEL. Thank you representative. Yes, *innovation*, you go to any corporation—that is the buzzword, but it is elusive. Innovation starts with ideas, and ideas start with people. And the secret sauce in the Midwest Food Bank is our volunteers. We have 30,000 volunteers that come in and out of our facilities every year, and we highly leverage our volunteers in a variety of roles, and so that is where—that is what sparks our ideas for innovation. So, we are

blessed at Midwest Food Bank to have a variety of talents—they are coming—they are retirees, they are still employed, they are mothers that are looking to kind of fill their day, but they all bring different life experiences, they all bring different education to Midwest Food Bank, and that sparks ideas.

And so, from those ideas, then we move quickly. We experiment, we determine what works, and we just grow from there. And so, I would say that that innovation of how do we use companies that have logistics companies, and we utilize their freight lanes? How are they distributing family food boxes for us? Where are we working with the retail market and the grocery industry has changed rapidly, and so we have to pivot quickly to rescue food. And so, all of those ideas and connections, to make sure that we are casting a broad net, we are rescuing food across the country, we are bringing it in, and a lot of times using other resources. Companies that have trucking companies that are willing to give back, and support philanthropically to what Midwest Food Bank does.

One other example of innovation is we have a local junior college that they train their CDL drivers at our facility. We have a large parking lot, and so we get food moved around by that junior college while they are achieving their CDL certification.

Mr. BOST. Wonderful. Anyone else?

Dr. RACHIDI. Can I just add real quickly that there is a disconnect between food insecurity rates and SNAP expenditures? And we have seen that even more so in recent years. Since 2019 over \$40 billion more dollars in SNAP has gone out to households in real dollars. Benefits were increased in 2021 by 25 percent, and we have not really seen food insecurity rates move very much.

Mr. BOST. All right.

Dr. STOVER. I would just like to add that I really appreciate the innovation that we have seen here with the Midwest Food Bank. As was said, rates of hunger and food insecurity, other than the pandemic, have been pretty much stagnant. And the issue is not food production, it is access, and dealing with the access issue was absolutely critical. At the same time, we have also seen, amongst that population, rapid increases in obesity and diet-related chronic disease. And so, it is access, but we also need to have a think about the issue of the chronic diseases in that population.

Mr. BOST. Thank you very much to all of you for your answers. Let me be very, very clear here. No Republican wants to see people go hungry. We want to make sure a program works. But the difference is we want to make sure that it works wisely, that it works wisely, and we are spending the money accurately. And my time has expired, but I think, if you want me to, I can go on a long time explaining why it is that the program itself has a lot of problems. With that, Mr. Chairman, I yield back.

Mr. AUSTIN SCOTT of Georgia. To clarify, in the first 6 months of the 117th what—that—this Committee had two meetings on production agriculture, and so far we have had one on production agriculture—so that is—I know there is some accusations going back and forth, but it is—anyway. And—

Mr. MCGOVERN. Yes, Mr. Chair? Chairman?

Mr. AUSTIN SCOTT of Georgia. Yes, sir?

Mr. MCGOVERN. I want to ask unanimous consent to insert in the record an article entitled, '*City slickers' receiving federal farm subsidies soared under Trump*,⁶ and it basically is about a GAO study that found that roughly ¼ of farm subsidy recipients do not contribute personal labor to farms. They live in urban areas like New York City and Chicago. So, we want to hear about integrity of programs cracking under fraud, maybe we ought to do a hearing on this, rather than rather than beating up on poor people.

Mr. AUSTIN SCOTT of Georgia. That is so ordered. We can't make a speech on it. We are going to allow you to submit it for the record. All right. Ms. Brown from Ohio, 5 minutes.

Ms. BROWN of Ohio. Thank you so much. As we open with prayer, I am reminded of *Proverbs* 14:31, "Whoever oppresses a poor man insults his maker, but he who is generous to the needy honors him." Last Congress we held seven hearings on nutrition, so I want to set the record straight on that. I also want to set the record straight as it relates to *illegals*, or *aliens*, that are getting SNAP. This is, again, pure fearmongering, and wrong on many levels.

One, undocumented individuals are not eligible for SNAP. Two, SNAP benefits are available to all who qualify, and no American citizen is being denied SNAP because a permanent resident received benefits. More than 96 percent of SNAP participants are U.S. citizens. Of the four percent who are not, less than one percent are refugees, and three percent are lawful permanent residents, and other eligible non-citizens, like asylees. And they are only eligible once they have been granted asylum, not while their applications are pending. The only exception is for Cuban and Haitian nationals. So, I just, again, want to set the record straight.

As it relates to incentivizing nutrition, nutrition incentives are definitely a benefit, and we can talk about programs like GusNIP, which are far more effective and productive, and I am happy to discuss how we can work together to expand that program. Because in my district, almost 25 percent of households, which—nearly one in four depend on SNAP to put food on their tables. Statewide, in my state, 1.3 million Ohioans receive food assistance through SNAP. In an average month this number includes 530,000 children, 200,000 individuals with disabilities, and 163,000 seniors, however you want to define them.

One of the most vulnerable food-insecure populations in my district, and indeed across the nation, are people facing homelessness. Even though most, if not all, of these people are SNAP eligible, our homeless population has lower SNAP enrollment rates than any other groups due to administrative and logistical barriers like inconsistent transportation, and lack of access to food storage and preparation, Ms. Royal. They also face obstacles to employment, such as a consistent address, and access to a phone, e-mail, or traditional mail.

That is why I remain outraged that the Republicans demanded more older Americans be subject to SNAP's harsh time limits on benefits as part of the debt limit agreement. I was pleased, though, that President Biden was able to negotiate a new exemption for individuals experiencing homelessness through 2030. Leaving people

⁶Editor's note: the Environmental Working Group's news release is located on p. 199.

hungry will not help our economy, it will not create jobs, or balance the budget. But despite these claims, this is what my Republican colleagues seem to believe.

So, Ms. Brown—no relation, I don't think—as things currently stand, pre-implementation of the new exemption, how do work requirements impact homeless individuals, and what are some of the barriers unhoused populations face to achieve steady work?

Ms. BROWN. Thank you, Representative. So currently in our state, we do use an exemption with our homeless population. We call it a Homeless Plus. So, if somebody is lacking in a fixed or regular nighttime residence, plus they are lacking access to a shower or laundry facilities, they can achieve some exemption. So, we have made some progress on that front. What we have found, in speaking to the population, is that they find it very difficult to interview for jobs, and people, in fact, will not interview with them if they do not have access to a shower, or have access to laundry facilities.

I also want to just make the comment that some homeless individuals do work, and they also face many, many barriers. When people are homeless, they often have to check into a homeless shelter at a certain time of the night, or even during the day, and that does impede their ability to work, and to go to interviews. And so there are a number of barriers that homeless individuals face that prevent them from achieving long lasting work, and that is why SNAP is so important, to ensure that they have the ability to have food so that they then can stabilize.

Ms. BROWN of Ohio. Two questions. Do you think the exemption will help more unhoused individuals qualify, and stay qualified, for SNAP, and if so, should we consider making this a permanent exemption?

Ms. BROWN. I think it is a great opportunity for folks. I believe that it will allow folks to stay on the program longer, to stabilize.

Ms. BROWN of Ohio. Thank you. So, I want to be clear, as we begin serious consideration of the upcoming farm bill, I will not support taking food assistance away from low-income households, period. And with that, Mr. Chairman, I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Moore for 5 minutes.

Mr. MOORE. Thank you, Mr. Chairman. I appreciate the witnesses being here today. Four out of every \$5 in the farm bill goes to nutrition, as it stands today, and that worries me. I would like to take this opportunity to remind my friends across the aisle that this farm bill is not a nutrition bill, and that there is more to be discussed than just SNAP programming.

Do I think hungry people should go no—a—I mean do I think people should go hungry? No, absolutely not. But I do think we need to make sure the program that is consuming more than 85 percent of the farm bill's budget needs to ensure—and needs to be administered in a way that serves the taxpayers, and for those receiving those benefits. I want to make sure that we are—we talk about integrity and innovation in this hearing session, and so—one of the things I want to ask, Ms. Royal—I don't know if you have been tracking the Federal welfare program reforms in the new debt ceiling negotiations. How do you expect other provisions in the debt ceiling package to increase program transparency and integrity?

Ms. ROYAL. I am not aware of elements in the new debt ceiling package that are going to affect integrity. Again, integrity has to do with intentional false statements that people make in order to become eligible, and the focus, again, on pursuing fraud in that program, I would say, is confined to that area.

Mr. MOORE. I grew up on a farm and worked in industry before I actually came to Congress, and I could certainly appreciate the value of a hard day's work. The SNAP Program has education and training requirements included in its eligibility standards. Dr. Rachidi, can you speak to the value of incorporating education and training opportunities into SNAP eligibility standards, and have these requirements shown a return to the workforce and self-sufficiency?

Dr. RACHIDI. Well, the SNAP Employment and Training Program is largely voluntary in most states. There are a few that have mandatory for ABAWDs, but for the most part, it is voluntary. The funding is also fairly limited. There is a state match that is required, so really this program is pretty small. And the evidence that we have on the programs, again, that is people already motivated to participate. Because it is voluntary, they participate.

The evidence that we have is that these programs are actually not very effective at increasing employment on average. And so, I think there is a lot of work that could be done, because in employment and training is a key component, and the program could be stronger in that area.

Mr. MOORE. Dr. Rachidi, I don't think there is a government program in the world as good as a job, and I think people earning and working in any—I think that was shown even with the Clinton work requirements, when they came out with those under Bill Clinton, that once people got in the workforce, they stayed in the workforce, and it actually improved their standard of living.

And so, I think that is something we should all encourage and want to see. I don't think that programs should be—they are safety net programs, but they should not be spiderwebs. I don't think people should get trapped in those programs. I think our job is to lift people out of poverty, and then create opportunity for those folks. And so, Dr. Brown—I mean, Ms. Brown—I am not trying to promote you to Ph.D. here—quick question. You said something a while ago about people applying, maybe, for benefits that maybe are non-citizens. And do you know if asylee seekers—or—if they are—the people who are seeking asylum instantly are approved for benefits?

Ms. BROWN. Thank you, Representative. Asylee seekers do not receive benefits. Once they receive asylum, then they would be eligible.

Mr. MOORE. Do you know how quickly that process happens normally, when they apply for asylum?

Ms. BROWN. I unfortunately do not.

Mr. MOORE. Okay. I went—in Yuma, Arizona—I went to a hearing down there a few weeks ago, and we were actually interviewing some law enforcement officers and people down along the border in Yuma, and one of the things that concerned me was—the Sheriff told me they—instantly, when those people cross the border, they

are granted a Notice to Appear in court, and they are given benefits, taxpayer benefits.

And so, my concern was—we know of five million people now that have had encounters on the southern borders, but one of the things is they are throwing their IDs down before they get there. So, we have tons south of the U.S. border, and people are claiming to be unaccompanied minors, but they are above the age of 18. And so, my concern, for the American people, that we want the people that are most vulnerable, that we talk about the vulnerable populations in this country. My concern is if we continue to just process five million people every 24 months at the U.S. southern border, that at some point the people on our assistance programs will push out the most needy Americans.

And that is a concern for me, because when they told me instantly they got a cell phone, and then they got a Notice to Appear in court, and many cases they got benefits of up to \$800 a month, and that is concerning for me, because I am afraid some of that might be SNAP benefits that we could be using for Americans. So, I just wondered if you might have any access or idea of how quickly they are approved, and how are we verifying, because you said something I felt was interesting, a proof of application for a Social Security Number. Could you elaborate on—never mind, I am—

Mr. AUSTIN SCOTT of Georgia. Ms. Brown, could you be very fast with that? We are out of time.

Mr. MOORE. Real quick, Ms. Brown, please?

Ms. BROWN. We do have a number of verifications that ensure that Social Security Number, you cannot receive benefits without a Social Security Number.

Mr. AUSTIN SCOTT of Georgia. Okay. All right. Time has expired. Before we go to Ms. Davids for 5 minutes, Mr. Finstad, we are coming to you next. Ms. Davids, 5 minutes.

Ms. DAVIDS of Kansas. Good morning. Being in Congress can be hard sometimes, because it is kind of heartbreaking to spend so much time trying to get here, to have arguments that include sometimes—while focusing on trying to make sure that we have integrity in a system, or that we are taking care of American citizens, that we sometimes end up seeing the dehumanization of people.

And, as someone who, like, grew up poor, and has managed to—through education, through help from a lot of different people and organizations, to have conversations taking place that essentially start with a premise of laziness, or a lack of desire to do something like get an education, or get a job—because people who aren't able to feed their kids are not sitting at home trying to figure out how to avoid getting a job.

And I just really hope that we can, like, have conversations where we are not acting like people who want to feed their kids, or even bring their kids here so they can work, and have access to better lives, are trying to do something negative.

I have notes. So as our Committee engages in serious discussions about the upcoming farm bill—no, I am having an on-the-fly moment. Good, that was the break I needed.

As we begin to engage in serious discussions about the upcoming farm bill, I do want to emphasize that I am—I am personally committed to ensure that we pass a farm bill that both supports our

farmers and producers, and also protects food security for America's households: low-income households, rural communities, our veterans, children, families, seniors. And beyond its immediate impacts on food security, SNAP is a critical economic driver, especially in rural communities. In Kansas, where I live, an average of \$21 million in SNAP assistance was issued each month in the Fiscal Year 2020.

The utilization of SNAP is an investment in our communities. By helping low-income families afford food, and ensuring that farmers, processors, distributors, and retailers are also able to be supported. As of 2020, we had about 2,000 food retailers accepting SNAP in Kansas. And a nationwide study by the National Grocers' Association found that in 2020 SNAP was responsible for more than 200,000 U.S. grocery jobs, earning wages totaling more than \$6.7 billion. I know that USDA's Economic Research Service has also found that during economic downturns, \$1 utilized in SNAP generates more than \$1.50 in economic activity.

And I had questions that I wanted to ask, but the last thing I want to say, just speaking to this, is I have lived in a rural community where it took 35 minutes to get to a grocery store that often couldn't sell meat because they kept getting cited by regulators. And the next closest place was a Dollar General, and that was 48 minutes. And the next closest place was a Super Walmart that was 90 minutes from the town I lived in.

And I just know that, like, when we are making these policies, none of us knows every single person's experience, but all of us should be trying to figure out how we make sure that people can eat, have jobs, feel secure, and not be dehumanized. And I think we can do all of that together. I will yield back.

Mr. AUSTIN SCOTT of Georgia. The chair now recognizes Mr. Finstad for 5 minutes.

Mr. FINSTAD. Thank you, Mr. Chairman, and thank you, Ranking Member Scott for holding this important hearing today, and thank you to all of our witnesses for being here. And I will just start my comments out by maybe acknowledging what I have heard a little bit from the folks on the other side of the aisle here, and I will just simply say I hear you. And one party in this country doesn't own compassion, and one party in this country doesn't own the willingness to give the shirt off your back for your neighbors that are in need. I think that that is something that we all can agree that we can work together on, and that we can hold as a common value.

And I will just say that we can also—we can do that, but we can also talk about serious things like program integrity, and making sure that we are getting the best bang for the buck, that the taxpayers' dollars are going to those most vulnerable people. That should be something, again, that we, on both sides of the aisle, could agree on. So, I think there is some common ground here, and it is so important that we keep this conversation going, and we keep the bipartisan nature of a farm bill coalition intact, because it is going to take that to get this done.

In 2001 we spent \$17 billion on SNAP. This year SNAP is projected to cost taxpayers \$124 billion, an increase of over 700 percent. Meanwhile, food insecurity in this country has remained largely unchanged. So, I think that is some data that is important

for us to know, that it is not because of a lack of investment. We have definitely put our money where our mouth is in this country.

So, as we explore the conversation in regards to program integrity, and trying to make sure that we understand, are we getting the dollars to those that are in the most need, couple things that come into mind that I need to—maybe just to better understand. So, I will start with Ms. Royal. Americans in rural communities I represent, again, like I have said, would clearly give the shirt off their back to help a neighbor in need. And, really, our southern Minnesota philosophy is, we are all about giving folks and hand up, not just a handout. How do we help people get to that next level of life, and we are willing to do it.

So, in your testimony today you referenced the rates of fraud in SNAP, but you also mentioned a little bit about the error rate. And I just want to maybe have you give us a quick view of what is error rate *versus* fraud. If you could do that, Ms. Royal?

Ms. ROYAL. Error rate comes from quality control reviews that are mandated and done by each state, and it checks the accuracy of benefits that are issued by the state. The fraud rate is the amount of fraud that occurs in the program. The error rate is calculated and reported, but the fraud rate is really difficult to put your finger on, because there are so many different elements that make up that rate.

So, states do report quarterly on our fraud, but they use a form—it is the 366B form. It is antiquated, it is inaccurate. It provides just a—not even a snapshot, but an excerpt of information that states have to deal with in regards to fraud.

Mr. FINSTAD. Thank you for that. And, I am a simple farmer from southern Minnesota. Error rate, fraud rate, to me, it all is dollars that aren't going to where we said we want them to go, and that is to help the most vulnerable people in this country, whether it is error rate or fraud rate. And I think it is something that we have to—again, this is bipartisan, it should be a bipartisan concern, and an issue, and if we are focused on getting dollars to the most vulnerable, this is a way to make sure we can get more money to the most vulnerable. So, I appreciate you helping me understand that a little bit better.

Dr. Rachidi, in your testimony you reflected on waivers, something that has long seen strong support from one side, and intense opposition from the other side. While I am sure there will be further debate on this, I would like to take a step back and talk about the role of the states. This is an administered program by the states, and it is such an important part of this.

So this Administration reissued an Obama era guidance that reiterated the importance of states screening recipients for the able-bodied adult work requirements. When a state is waived, recipients lose a touchpoint, one that could have connected them to other services or other supports well beyond work. Would you share your thoughts on this issue, Dr. Rachidi?

Dr. RACHIDI. Yes. Thank you for the question. And I think this is an important point, because the problem with SNAP related to employment is not related to the individuals. The problem is related to the program, and the way the program is set up. I interacted with hundreds of SNAP participants throughout my ten-

ure as Deputy Commissioner in New York City. The vast majority of them want to work, but they are frustrated that this program holds them back. And so, by waiving work requirements, it is exactly what you said. They are—you are removing a touchpoint.

I don't think it is at all compassionate to send government checks to households that leaves them jobless, and in poor health, and not have a touchpoint with a government worker who is trying to help them. And I think that the approach of ignoring the issues in the households, and just sending them checks in the name of reducing hunger is not the right approach.

Mr. AUSTIN SCOTT of Georgia. The gentleman's time has expired. I seek unanimous consent to enter into the record 7 CFR 1400, a regulation promulgated by Secretary Vilsack in 2015⁷ regarding—actively engaged in farming requirements. This regulation requires that any producer receiving farm program payments to make a significant contribution of active personal labor and management and have a share of the risk on the farm operation. This regulation ensures that no one gets assistance unless they have significant involvement in the operation of the farm. That said, I now recognize Ms. Caraveo of Colorado for 5 minutes.

Ms. CARAVEO. Thank you, Mr. Chairman, and I would like to thank Chairman Thompson and Ranking Member Scott for hosting today's incredibly important hearing on nutrition and thank you for—the panel for being here and sharing your testimony. I am a pediatrician, and as a pediatrician, I am very passionate, passionate about the health—

Mr. AUSTIN SCOTT of Georgia. Keep that then you.

Ms. CARAVEO.—and well-being of our nation's children. When we talk about the front lines, I have been on the front lines of taking care of children's medical needs for the last 15 years, while dealing with their food insecurity, and being able to do little as a pediatrician, other than tell them that there is a supplemental program to help them with their hunger needs. That is why I will not support any changes in the farm bill that will take food away from low-income households which would harm our nation's children and families, including the ones that I saw in clinic every single day. I am deeply concerned about the proposals being pushed by Republicans that would put food assistance for more than four million children, and three million parents, grandparents, and other caretakers at risk.

Let us take a step back and talk about why this is so important. Many people do not know that 42 percent of SNAP participants are children. That is 15.3 million children in the country, and in my home State of Colorado alone, nearly 180,000 kids who participate in SNAP each month. Now, I understand that my colleagues on the other side of the aisle have said that they don't want to put anybody at risk at—hunger, in particular children, but when we make cuts to programs, they affect the kids that I see in clinic every single day.

Now, about 80 children a week is what I saw in clinic every single week. About $\frac{2}{3}$ of those kids were on Medicaid, and therefore

⁷ **Editor's note:** the FEDERAL REGISTER final rule entitled, *Payment Limitation and Payment Eligibility; Actively Engaged in Farming*, is located on p. 149.

a good portion of them were on SNAP. So let us round that out, and say about 50 kids a week, every single week, who I saw who relied on this benefit to make sure that they did not go into hunger. When we talk about cuts, we are talking about pediatricians having serious conversations with families about hunger. I stop and think, which of those 50 kids, which of those 50 families, would I have to stop and say, “Sorry, you don’t get these benefits anymore”?

Should it be the family of four kids who are now being raised by their grandparents because their parents have been victims of the opioid crisis, and now these parents, instead of thinking of retirement, are focusing on how am I going to feed these kids? Thank God for SNAP. Should it be the single parent who is trying to balance childcare, having a job or two, and still not making ends meet, and therefore says, thank God for SNAP. At least my kids are going to be fed every single day. Should it be the nuclear family that we think is doing everything right, yet is still living below the poverty line, and says, thank God for SNAP. At least I have \$6 extra per kid per day to put something on the table.

Now, people don’t always think of pediatricians having to have these difficult conversations, but they do think of us talking about the science, so let us talk about science. Research shows that not having enough resources to meet children’s basic needs leads to a host of negative outcomes throughout a child’s life, including poor health and lower educational achievement.

There are tons of issues, really, around children’s health, whether it is including the risk of obesity, high blood pressure, heart disease and diabetes in adulthood that come from hunger and food instability, but is addressed by SNAP. But, Ms. Brown, what I would like to hear from you is—and I talk about the families that I have seen in clinic, and how SNAP impacts them. Can you tell me more about the families that you have seen with children? How would additional investments in SNAP make this program even more effective and impactful on the health of kids in your state and mine?

Ms. BROWN. Thank you very much for the question. We hear from families who talk about the mental health toll on themselves and on their children. We know that it—with research that we have from Chapin Hall out of Chicago—they talk about the connection between family stability and food security helping mitigate child protection cases. So, we know there are connections to other programs and other negative impacts on children, on families. We hear from families that are very excited to have a little bit of food, to buy bananas and milk. That is the number—those are the top two things that our retailers tell us that families on SNAP buy. So those small things make a really big difference in people’s lives.

I also just want to make a quick note that we have heard a little bit about food insecurity rates have not decreased, despite all of the extra funding being brought into the program. That is exactly what it is supposed to do. With all the extra funding being put in, food insecurity rates did not decrease, they stayed the same. That is exactly what SNAP is supposed to do.

Ms. CARAVEO. I thank you so much for those comments, and I just urge my colleagues to think about, when you make cuts, which

of those 50 children would you choose to cut benefits from? Thank you.

Mr. AUSTIN SCOTT of Georgia. The chair now recognize Mr. Bacon for 5 minutes.

Mr. BACON. Thank you, Mr. Austin. Thanks for all of our panelists being here today. The evidence is very clear. The majority of Americans think able-bodied adults without children should have to work, or seek work, or get the training to get a job. And it is not even close. I mean, we had a poll just a month ago from Axios saying $\frac{2}{3}$ of American support work requirements, to include half of all Democrats. A poll a month before that from the Center of Excellence poll showed 74 percent of Americans support work requirements, to include the majority of Democrats.

So, again, we are talking about able-bodied adults without children. And we have record low unemployment, we have a record of number people trying to hire, and we have lots of opportunities for folks to get the skills and the training they need to get these jobs. This is very important to America's economy and our economic growth.

My first question is to Dr. Rachidi. We hear from those—and this is in the previous Congress—that those that have been on SNAP, there is a point where they earn one more dollar, that they could lose hundreds of dollars of benefits. We call it the Cliff Effect. And sometimes this is a disincentive for full time work or promotions. I would like to get your opinion on this, as—I mean, we have heard experts in this Committee say this, but I am curious to get your perception and your feedback.

Dr. RACHIDI. Yes, it is a great question. Benefit cliffs, or we also call it marginal effective tax rates, because it actually kind of phases out over time, is an issue, and if you talk to state administrators, or state groups who work with SNAP participants, it really is one of the number one issues, because it does disincentivize employment because people feel that they can't increase their work effort or increase hours because they will lose some of their benefits.

One way to counteract that is to phase out the benefits more slowly. SNAP currently is phased out, but there are some additional things that could be done to try to smooth that benefit decrease as earnings increase.

Mr. BACON. We would sure like to have your expertise so we could do this better, because we want to incentivize promotions, full time work, but to ask someone that is in a lower-income area to say, okay, if I get this promotion, am I actually going backwards, it is not advantageous, and I know we could do better. And I think with that I will just—I will yield back the balance of my time. I appreciate you all being here today.

Mr. AUSTIN SCOTT of Georgia. The chair now recognizes Ms. Gluesenkamp Perez for 5 minutes.

Ms. PEREZ. Good luck with that one. Thank you. Thank you, Mr. Chairman.

Mr. AUSTIN SCOTT of Georgia. That is about as good as a Georgia boy could do.

Ms. PEREZ. I would just like to contextualize my perspective today. I was raised in the church, I am a proud Christian, and *Matthew* 25:35 says, "For I was poor"—"For I was hungry, and you

gave me food. I was thirsty, and you gave me something to drink. Brothers and sisters, whoever”—“whatever you did for the least of these, you did for me.” And I believe that Christians have a mandate to feed the poor, and this is a mandate that is not just for the benefit of the hungry, but is also a benefit to our own—it is a reflection of our own morality. And it is a reflection of us submitting to God’s will to eschew greed and take care of people.

So, reducing hunger is a mandate of Christian scripture. It has also been a goal of the Federal Government for decades. And, I am not a legislator by training, I fix cars, so I had to do some research on SNAP, and I think it actually is a really elegant bill. The original 1964 SNAP bill (Pub. L. 88–525, The Food Stamp Act of 1964) has three parts to it, reducing hunger, supporting agricultural markets, and increasing the nutritional quality of the American diet. And SNAP is certainly one of the best tools we have for reducing poverty.

But rural communities like mine are actually 23 percent more likely to be enrolled in SNAP than their urban counterparts: 45,000 families in my district in southwest Washington rely on SNAP. And let me tell you something that is very deeply concerning to me. Right now, every dollar that Americans spend on food, only 14.5¢ make it back to the farm: 14.5¢ of every dollar spent on food makes it back to the farm. And I don’t think it is a coincidence by any stretch of the imagination that we are seeing more rural dependence on SNAP benefits at the same time that we are seeing a lowering of the dollars that make it back to the farms, these rural agricultural producers.

So, my question is how do we circle this economy? How do we use SNAP to feed back in to supporting rural agriculture as we are supporting these families who are experiencing hunger? So, Ms. Brown, my question is to you. How can we get more of these dollars back into our agricultural producers?

Ms. BROWN. Thank you for the question. Certainly, incentive programs, such as the Market Bucks Program, or other similar farmers’ market programs are a really good option for that. I think any way that we can help incentivize both health and nutrition, but encourage folks to use SNAP and, whether it is—in our state it is state legislative dollars that help match that, that is a great benefit to our rural farmers’ markets. I speak about that all the time.

I also just wanted to thank you for your work on cars. Transportation is a big issue in rural communities as well, and I just wanted to acknowledge that as well, that—the comments about the distance to grocery stores are—is absolutely critically important.

Ms. PEREZ. Thank you so much. And could you elaborate on your testimony about the support SNAP provides to workers in rural areas in Minnesota?

Ms. BROWN. Certainly. So especially—I—well, it was mentioned a little bit earlier about retailers, and the jobs that help with the grocers, but we have heard directly from grocers that say, without SNAP benefits coming into the community, the local grocery store would close. And so all of that spreads into the community. Every single dollar that SNAP utilizes frees up extra dollars. So, if you are in a household, and you, for instance, need to pay for your chil-

dren's shoes, school supplies, if you have SNAP benefits, that frees up extra dollars, which then goes into your local economy.

Ms. PEREZ. Thank you so much. Thank you to all of our witnesses.

Ms. BROWN. Thank you.

Ms. PEREZ. I yield back.

The CHAIRMAN [presiding.] I thank the gentlelady from yielding back. And, before I recognize Mr. Baird for 5 minutes of questioning, I just request unanimous consent to submit for the record a recent Department of Justice release that is related to SNAP fraud.⁸ And, it is from March 2, 2023. And, without objection, the article will be submitted. And now recognize Mr. Baird for 5 minutes.

Mr. BAIRD. Thank you, Mr. Chairman, and Ranking Member, and for all you witnesses to be here, got a research background. I have been in production agriculture all my life. The interesting thing to me that I want to get your comments on here in a minute is the—our ability—the technology that is advancing agriculture—production agriculture—I mean, the kind of crops that we can raise today, and the quality, and the ability to use CRISPR techniques, and really define the genetics of what we produce.

So, my question is, and I am going to start with Dr. Stover, you indicated that production agriculture could really contribute to human health, and I really want to emphasize that, because I think we could do things in production agriculture that really would contribute to human health, and I would just like your thoughts on that.

Dr. STOVER. There is absolutely no question about that, and I just want to go back to a point that was made about the amount of food income that actually—or food purchasing that goes back—the dollars that go back to the farmer is really small. And, again, that is because we have an agriculture system that is built around reducing hunger to make food in abundance so that it is as affordable as possible.

We have the—in that model we have this externality, if you will, of really high healthcare costs, so that is where the money is in agriculture. It is in the healthcare sector, because of diet quality. And so how do we reimagine a food supply that both addresses hunger and addresses health? And as you mentioned, we have so many tools today that we can make the food supply whatever we want it to be. We can use CRISPR, we can use genetics, genomics to change micronutrient composition. We can play with caloric density. There are so many things we can do, but we have to incentivize that in a way that production agriculture will adopt these because the model they are in now, margins are very low because of that endpoint of keeping hunger as low as possible.

And so, this can be done. We need a different economic model, and we have to somehow bring together healthcare economics and ag economics to make this work, because otherwise we are going to continue to lose a lot of our precious farmland to more profitable purposes, like solar panels.

⁸**Editor's note:** the U.S. Attorney's Office, Central District of California press release entitled, *15 Arrested in Law Enforcement Operation Targeting Fraudulent Withdrawal of Benefits Designated for Low-Income Families*, is located on p. 166.

Mr. BAIRD. I couldn't agree with you more, so I would like to continue on with—conversation with you, but do any of the other witnesses have thoughts about—in that area? I am talking about the nutrition that we can create in production agriculture. And I am not sure very many people are aware of that, but we can alter the kinds of grains, as he just mentioned, so I would like for us to put some emphasis in that area, because it is important to production agriculture, and, as he mentioned, it is important to save the farmers and ranchers. So if anyone else has a comment, I would appreciate it.

Mr. HODEL. Yes, I will just comment a little bit, and maybe just from the data standpoint of what we found in eastern Kentucky. So, we have sent Family Food boxes there with chicken, potatoes, mini oranges, milk, butter, apples, and juice boxes. And I guess the comment would be is—food recipients, they absolutely desire and seek nutrition. Like, they are not avoiding it, they are not trying to use their dollars elsewhere. If they have a choice, nutrition is absolutely high on their list.

We surveyed them, and they said 81 percent were very satisfied, and 84—with what they received in the boxes. And then we also asked them about health, and 84 percent responded and—saying it was very healthy. And so we gave—we got confirmation that those that are in rural, remote areas that are receiving nutritious food boxes with produce, and dairy, and meat are extremely grateful, and thankful to have that nutrition brought to their doorstep.

Mr. BAIRD. Absolutely. Any other? I have one more question. Midwest Food Bank, I am really impressed with your—

The CHAIRMAN. Your microphone, I think your microphone is off.

Mr. BAIRD. Thanks, Mr. Chairman. I need all the help I can get in this day and age. Anyway, I don't know how much time I am getting into, but, Mr. Hodel, I am impressed with the Midwest Food Bank. You are doing that without any government help and assistance, so my question really is how are you able to do that? I mean—and how does that work? Quickly. We have 22 seconds.

Mr. HODEL. Yes.

So our model, again, built around volunteers, and so we keep a very low staff, a very low period cost structure. We seek private donations. We work with corporations, small businesses, large businesses, churches. So, we are very thankful for the donated dollars that come help support our operation. It costs about \$2 million to run one of our locations, and we distribute about \$60 million of food back into that community.

Mr. BAIRD. Fantastic. I thank you very much, and I yield back, Mr. Chairman.

The CHAIRMAN. The gentleman yields back. I now recognize the gentleman from North Carolina, Mr. Davis, for 5 minutes.

Mr. DAVIS of North Carolina. Thank you so much, Mr. Chairman, and to the Ranking Member for having us together today. There is an issue that remains close to my heart, and that is veterans—our veterans. Those soldiers, sailors, Marines, airmen, who have worn the uniform in service to our country. Research shows that food insecurity particularly impacts veterans who have recently left military service with lower final salaries, and those who had lived in rural or low-income areas with limited access to food. USDA re-

cently found that working age veterans face 7.4 times more significant risk of food insecurity than the general population, and about $\frac{1}{3}$ of all working age disabled veterans are food-insecure.

Food insecurity is a critical issue in eastern North Carolina, rural America, and across the country. North Carolina's First Congressional District alone is the home of over 46,000 veterans, and in North Carolina veterans are nearly twice as likely to have a disability than non-veterans, with 30 percent of the state's veterans reporting a disability in 2019.

The Supplemental Nutrition Assistance Program serves as a safety net for many veterans. On average, about 1.2 million veteran households participate annually. Unfortunately, far too many eligible veterans do not participate in the program. A recent CDC survey (National Health Interview Survey) found that nearly 60 percent of eligible veterans do not participate. The recent debt limit agreement had a critical new exemption from SNAP's time limit on benefits for veterans, which should help ensure more veterans can access SNAP's essential food assistance.

I would like to be clear that my support for legislation that helps Americans, and those in particular: children, families, seniors, and, yes indeed, our veterans. So, I would like to direct just a couple questions to Ms. Brown. How do you think the new time limit exemption will help veterans?

Ms. BROWN. Thank you, Representative. I am excited about this prioritization towards veterans. In our state right now, we actually do not know how many veterans are currently on the SNAP Program. It is not a code that we have in our system. So, with this prioritization, this will encourage additional partnerships with Veterans' Affairs, and other like-minded groups, and will allow us to track and prioritize this population.

We do know that many veterans have high unemployment rates for their spouses. There is some stigma associated with applying for the SNAP Program, so, again, this partnership, and I think coordinated with SNAP outreach, will really focus in on this population.

Mr. DAVIS of North Carolina. Okay. And then my follow-up question here, what other policies should Congress consider to reach and address the needs of America's heroes, our veterans?

Ms. BROWN. Thank you. In addition to increasing SNAP outreach, I wonder about categorical eligibility, identifying veterans, and making some type of policy impact so that they are eligible for the program, depending on their status. I think that would reach the population that we are trying to reach and will encourage more participants to apply for the program.

I will say, in Minnesota, while we haven't tracked it on the SNAP side of things, it has been a big focus effort on the homeless side, and they, in fact, are eliminating veteran homelessness, so we have a lot of good lessons to learn there.

Mr. DAVIS of North Carolina. Okay. Thank you so much. And, Mr. Chairman, I would conclude today by saying to those who are present, and have served, thank you for your service to our country. And as we continue to do our work here, let us continue to fight for those who fought for us. I yield back.

The CHAIRMAN. Thank you. Mr. Davis, would you yield?

Mr. DAVIS of North Carolina. Yes.

The CHAIRMAN. A little bit of follow-up on the question he asked. What President Biden insisted we put into the debt ceiling with regard to the three groups are there, homeless, veterans and, quite frankly, those children, they are aging out of foster care. Is it helpful, the fact that under—the provisions that the President insists to be in there? These folks are not going to be eligible for SNAP education and career and technical education benefits that other individuals up to age 54 would be.

Ms. BROWN. So, I think your question is: they won't be eligible for SNAP education with this, and career—

The CHAIRMAN. That is correct.

Ms. BROWN. Right.

The CHAIRMAN. Because they are automatically going to be waived from those work—job opportunities.

Ms. BROWN. Right.

The CHAIRMAN. And we will talk offline.

Ms. BROWN. Sure.

The CHAIRMAN. His time has expired, and I try to be a good example, so—thank you. I am pleased to recognize, for 5 minutes, the gentleman from Iowa, Mr. Feenstra.

Mr. FEENSTRA. Thank you, Chairman Thompson, and Ranking Member Scott, and thank you for our panel today. I greatly appreciate what you are doing. I have read your testimonies, and they are very impressive. With more than 80 percent of the expected cost of the farm bill going toward nutrition programs, Title IV is very important to us. It is—and I am glad we are holding this hearing just to discuss it.

I heard Jerome Powell, the Head of the Federal Reserve, talk probably about 6 weeks ago, and he said the reason we have pretty significant inflation right now is because of employment, meaning that we have ten million jobs available, and we only have two million people unemployed. And the cause for the inflation is that, obviously, work—the workforce is in demand, high demand. So, you have businesses looking for workers, then they have to pay more, and—which is causing inflation. So, this is my concern.

Dr. Rachidi, sorry, I didn't mean to mess up your name there—you outlined that, in 2019, 30 percent of the able-bodied adults without dependents between the ages of 18 to 49 worked while receiving SNAP, meaning about 70 percent of the recipients did not work at the time. Now, I really don't want to go into that, but what I do want to go into is how can we use SNAP, right? How can we use—and work together collaboratively to connect those unemployed workers with employers begging for workers, and causing this inflation? Can you reflect on that, or have any ideas on that?

Dr. RACHIDI. Sure. So, my experience working within SNAP in New York City, I certainly found that work requirements can be useful in the sense that they introduce the conversation about employment with SNAP participants. And I think that that crucial touchpoint, with individuals who obviously are experiencing temporary financial insecurity, coming in—employment should be one of the main parts of the conversation, and how to help that individual achieve, escape poverty and achieve upward mobility.

So, I think it is crucial to bring in employment. And then, having that discussion about employment, combined with the work requirement, will ensure that those individuals are looking for work, and can meet the needs of the broader labor market.

Mr. FEENSTRA. Yes, I appreciate that. And I just think—and I am trying to—this is a positive moment, I think that we have this stress on our economy right now, and how do we work collaboratively to incentivize, and we want to bring people out of poverty. That has got to be our number one goal. How do we do that, how do we create that? And I think we have a wonderful opportunity to do that here.

Dr. Rachidi, I have another question. According to the National Skills Coalition, in 2018, 52 percent of jobs require education that falls between high school diploma and a 4 year degree, but only 43 percent of workers have the skills. So, what we are saying here is that 43 percent of society do not have the skills or ability for the jobs that are required. Again—and you sort of noted this—is there a way that we can create training programs within SNAP to encourage apprenticeships or trade schools? Can we—again, I am not looking for partnerships here. I am looking for anything to help bring people to the next level, and get them jobs, and get them out of poverty.

Dr. RACHIDI. I think there definitely are opportunities to do that through SNAP education and training. Part of the problem, though, is there is a lot of SNAP education and training dollars that are spent on programs that are not effective.

Mr. FEENSTRA. Yes.

Dr. RACHIDI. And so, if we could discontinue funding for programs that are not effective, and move it to programs that are effective, like partnerships with community college, that actually ensure SNAP participants get a credential, and can get a sustainable job, that would be a positive—in the positive direction, and discontinue programs that are really proven to be ineffective.

Mr. FEENSTRA. Yes. Thank you. Thank you for those comments. Ms. Royal, in your testimony you mentioned that the Food and Nutrition Service reports fraud rates within SNAP are less than one percent, which is wonderful, but your organization has estimated fraud rates range from eight to 40 percent of households currently enrolled. That is quite an extreme change. I am just wondering, could FNS be addressing these issues of fraud today, and why are they not currently prioritizing this? To me, this is sort of a moment that we need to look at and say, okay, we need to be effective with our dollars, and are we truly doing that?

Ms. ROYAL. I would love FNS to take more of a look at fraud. I think that would be fantastic. Asking why they don't, I mean, that has been a topic of discussions that I have had for a very long time. The SNAP budget spends $\frac{1}{20}$ of 1 percent on fraud detection, prevention, and prosecution.

Mr. FEENSTRA. Yes.

Ms. ROYAL. Again, they hold to that one percent fraud rate, but even with the one percent fraud rate, $\frac{1}{20}$ of 1 percent doesn't seem to even address that.

Mr. FEENSTRA. I think you answered my question for me. Absolutely. Thank you, Ms. Royal. And I yield back, Mr. Chairman.

Mr. FINSTAD [presiding.] Thank you. All right. We will go over to Ms. Tokuda for 5 minutes.

Ms. TOKUDA. Thank you, Mr. Chairman, Ranking Member. Upon coming to Congress, I wanted to join the Agriculture Committee because I saw a great opportunity and hope in the 2023 Farm Bill. It was a chance to support our agricultural producers, increase our food security, strengthen our economy, feed our people.

So, you can imagine my anger and disgust as I have watched the farm bill become weaponized by House Republicans, including Speaker McCarthy, as a way to literally take food out of the mouths of our older Americans. In fact, Members of this Committee have put out proposals that would cut SNAP benefits and put at risk many of the adults that we have in our communities. As many as two million older adults would be at risk of losing their SNAP benefits.

I want to focus on something that is close to my heart as well, senior hunger. Older Americans are among our country's most food-insecure populations. We should be making it easier, not harder, for them to access food assistance. Rates of food insecurity among older Americans remains higher than pre-Great Recession levels. A study by Feeding America found that in 2021, and you know it has only gotten worse, approximately 5.5 million seniors were food-insecure, with 2.1 million seniors having very-low-food security.

Let me put it in simpler terms. Our seniors, our grandparents, our elderly neighbors, our retirees, they go to sleep hungry. They wake up hungry. On a fixed income, they are forced to choose between food and medicine, a roof over their head. One of my constituents on the big island, over in Hawaii, he was kicked off of SNAP because of a \$7 increase in his Social Security benefit as a result of this year's COLA increase: \$7. That can't even buy you a dozen eggs in Hawaii. That left this senior with zero SNAP support.

Significantly cutting funding for SNAP will result in millions of low-income adults losing their food assistance, including seniors, children, families, people with disabilities. Penny wise, pound foolish. The consequences of these cuts are far more devastating than any proposed budgetary savings. I will not support legislation that takes food away from low-income households.

In my home State of Hawaii, 30,000 older adults participate in SNAP each month, and this is just half of the total number of seniors in Hawaii who are eligible to participate in the program. Last month, while I was visiting many of our SNAP processing centers throughout our islands, I heard countless stories from family members and SNAP workers of seniors who are not on SNAP, but they could be, and they should be.

Too many seniors in Hawaii, and across our country, are not accessing SNAP benefits because they have difficulties navigating the application system, we heard a little bit about it today, or don't want to apply because they feel that they would be taking limited funding away from other families in need. And while that is admirable, it is a false choice. Let us be clear, that is a false choice. Seniors should not be in put in a position to either choose between feeding themselves or their communities.

This issue isn't unique in my state. In 2020 it is estimated five million older Americans who qualified to receive SNAP were not enrolled in the program. This means close to three out of every five seniors eligible for SNAP is missing out on critical nutrition assistance that can provide them not only with food, but the means, the greater means, to lift themselves and their loved ones out of poverty. So, again, let me put it in very simple terms. Millions of elderly Americans, our seniors, our grandparents, our retirees, our neighbors, they are going to bed hungry. They wake up hungry.

Ms. BROWN, why is SNAP participation among eligible older Americans so low, and how can we improve access to SNAP to ensure the program reaches those Americans in greatest need? How about demonstration projects, like the Elderly Simplified Application Project, that helps increase SNAP participation, or ease the application process for older adults? And are we taking into consideration access issues in our rural and remote communities? We heard about it today, language barriers, something that is an issue with my constituents, and broadband access, and our seniors' ability to navigate even simple online or telephonic platforms. I would love your thoughts on that.

Ms. BROWN. Sure. Thank you. Certainly, we support any simplified application process for seniors. We recognize and hear some of the same stories that you have heard from seniors that are reluctant to apply for SNAP because they are worried about taking away from somebody else. I will say that in Minnesota, when we lifted our asset tests—so I think asset flexibilities are incredibly important that was the number one reason why seniors were not applying for SNAP.

Ms. TOKUDA. Yes.

Ms. BROWN. And when we lifted that asset test, we were able to see a SNAP increase from a rate of 25 percent to 58 percent for our senior population. So that is a significant option. I think also looking at medical deductions. Expanding some of the medical deductions that could be utilized would also benefit our senior population.

Ms. TOKUDA. Thank you very much. I know I am out of time. Those are all things we really need to take into consideration. Senior hunger is real, my colleagues, and we have to do more to make sure they can access SNAP. I yield back.

Mr. FINSTAD. Thank you. I now recognize the gentlewoman from Texas, Ms. De La Cruz, for 5 minutes.

Ms. DE LA CRUZ. Thank you so much, Mr. Chairman. I think we can all agree that integrity and accountability are important when it comes to SNAP and other benefits, whether it is fraud, criminal activity, or state activity, or state issues that cause this type of fraud or criminal activity, we all want to understand why and how we can do better. We want to make sure that it is mitigated.

Ms. ROYAL, I am going to address this question to you. Can you flesh out some of your ideas to help mitigate some of these issues?

Ms. ROYAL. Sure. Identity verification on the front-end of an application would be very, very important. I discussed, very briefly—

Ms. DE LA CRUZ. And, can you please expand on that? Because we heard that they do have to show their Social Security card. What do you mean by identity verification specifically?

Ms. ROYAL. The ability to leverage technology to verify that when somebody presents themselves, that they are actually who they say they are. That their Social Security Number belongs to them. That they are eligible to receive benefits, meeting all of the different criteria. That they are not receiving benefits in duplicate states at one time. To verify that members that they have listed in their household exist. To verify, perhaps, people who are not listed on the application do live in the household. So having—being able to leverage technology to help that verification process would be very significant.

I mentioned increasing the retention amount. It seems to be a really simple way to do that. So, in previous years, the retention amount from the dollars that states recovered from overpaid benefits was 50 percent. That has been reduced down to 30 percent in fraud—or 35 percent in fraud claims. But increasing that back up to 50 percent would provide the funding that would allow states to purchase and be able to access that type of technology.

Tying that money—making sure that those retention dollars are mandated to be used for the prevention, detection, and prosecution of fraud. In many states that retention money goes into the General Fund, and is used elsewhere, so the benefits—or the fraud units don't have the benefit of that money.

Ms. DE LA CRUZ. So let me ask you something. Right now, as it stands, can we—does the system allow for you to check with multiple states to see if there are benefits, or is it just at the word of the beneficiary of these programs?

Ms. ROYAL. We don't have a way to check. So, there are states that still utilize or still have access to the original NAC project. I believe there are six. So, the rest of the states, we have to rely on that self-declaration in an application that a recipient has received benefits in another state. And when they provide that information, then the issuing state can contact the previous state and make sure that, again—isn't a problem.

But it is also a problem when people intentionally omit the answer to that because they want to receive benefits in multiple states. And then our hands are tied. We don't have a mechanism to find that type of false statement.

Ms. DE LA CRUZ. So, as I am hearing, it is really just a self-declaration? That is the only way to find out if someone is receiving benefits in multiple states?

Ms. ROYAL. For the most part, yes, that is correct.

Ms. DE LA CRUZ. Typically, people who are intentionally trying to take advantage of the situation won't self-declare that I imagine. Moving forward, these retention dollars, you said that it was reduced from 50 percent to 30 percent. When was that reduced?

Ms. ROYAL. 35 percent—

Ms. DE LA CRUZ. Or 35 percent.

Ms. ROYAL. It is in footnotes in our written testimony. I don't recall the specific year.

Ms. DE LA CRUZ. Yes.

Ms. ROYAL. But, again, not only was it reduced, but there are no mandates of how the money is used.

Ms. DE LA CRUZ. Okay. So, what I am hearing is increase it back up to the 50 percent, but also giving mandates as to where that money is used once it is recovered?

Ms. ROYAL. Right. And I think it is really important to say that 50 percent has to do with fraud claims. So, the state does the fraud investigation, they prove that fraud has occurred, a false statement has occurred. They establish the claim, they collect that claim, and then the money that they collect, they split with USDA. So, again, we are recommending that we have a 50/50 split, and that there is a mandate that the \$50—or the 50 percent that we recover be used for the prevention, detection, and prosecution of fraud.

Ms. DE LA CRUZ. Thank you very much. With that, I yield back.

Mr. FINSTAD. Thank you. I now recognize the gentlewoman from Illinois, Ms. Budzinski, for 5 minutes.

Ms. BUDZINSKI. Thank you, Mr. Chairman, and thank you, Ranking Member, and thank you to the panelists for being here today. Before I start with some questions, I thought it would be important for my colleagues and the panelists to hear a few stories from my constituents who rely on the support that SNAP provides. And, really, I think you will hear I am amplifying what my colleague, Congresswoman Tokuda, really eloquently stated around the importance for seniors and older Americans to SNAP benefits. And so, I am going to highlight a few of my constituents that are older Americans, and their stories, and that importance of the SNAP benefit.

Kathy, a 66 year old from Decatur, Illinois, lives on a fixed income of only \$1,088 a month. She gets \$98 a month from SNAP and pays around \$100 on food each month. As someone living with diabetes, Kathy shared with me that a lot of the high-carb foods offered at local food banks send her blood sugar through the roof. She uses her SNAP benefits to buy fresh fruits and vegetables that help her to stay healthy, and that SNAP benefits, she said, are a matter of life and death for her.

James, a 66 year old from Urbana, Illinois, shared that the \$55 a month that he receives in SNAP benefits barely help him get by. He told my office that: "If I didn't have SNAP, I would starve." And Don, a 56 year old from east St. Louis, told us that he doesn't know what he would do without the \$100 he receives each month through SNAP. It is the only way that he can put food on his table. These are the stories of my constituents, as I mentioned, who depend on SNAP, each of them over the age of 50 years old.

Nationally, SNAP serves about 5.3 million households with elderly individuals each month. That is nearly 30 percent of all SNAP households. In my home State of Illinois, about 240,000 older adults receive food assistance each month from SNAP. Far too many of our nation's seniors struggle with food insecurity each month, and this crisis is even more dire for older adults living with disabilities.

In 2021, older adults with disabilities had food insecurity rates more than three times as high as those without disabilities. Even among those who are food-insecure, seniors with disabilities are more than two times as likely to be food-insecure, and are three

times as likely to be very-food-insecure than seniors without disabilities.

SNAP is a lifeline for seniors and older adults, helping to address food insecurity, and improve the quality of life for its participants. SNAP participation has been linked to lower healthcare costs, including lower Medicaid and Medicare costs. A study of 60,000 low-income seniors recently found that SNAP participants are 23 percent less likely to enter a nursing home, and four percent less likely to be hospitalized in the year after receiving SNAP than non-participants. And that is why I will not support any policies that result in food being taken away from Kathy, James, Don, and the many other older adults in my district who depend on SNAP to put food on their tables for their families.

And so, in the remaining moments—time that I have, I did want to ask Ms. Brown—you elaborated a little bit—Congresswoman Tokuda, my colleague, had asked you about specifically what we can be doing to break down barriers for seniors to access, and I know you mentioned simplifying the application process. I was actually also going to highlight the medical deduction. But are there any other ideas that you might offer to us to help us make sure that seniors, some of our most vulnerable population, get access to SNAP benefits?

Ms. BROWN. I think the important thing in this conversation—and I appreciate all the stories, because they are exactly, like I said, what we hear from participants every single day—is that participants have an extremely complex life. Now, one participant, when you speak to one, right, it doesn't explain all the SNAP participation across the board, and so, as we think about all of the flexibilities that are important for families, and for seniors, and for disabled individuals, it is important to think about the barriers that they face, and ensure that we have policies that allow for flexibilities to really serve those that need it.

Ms. BUDZINSKI. Great. I will yield back my time. Thank you.

Mr. FINSTAD. Thank you. I now recognize the gentleman from California, Mr. Duarte, for 5 minutes.

Mr. DUARTE. Thank you, Mr. Chairman. I would like to talk more broadly about abundance and access implications of our farm policy. We have a lot biofuels, a lot of acres of farming, a lot of farming resource, a lot of food resources going into biofuels, a lot of restrictions on animal protein systems. We can see Europe we are shutting down whole industries of dairy and swine. I am from California. I represent a district that is—we looked at it—the 18th highest poverty level in America. It is a rural farm district. I am a farmer by background.

And so, I am very interested, particularly if—Dr. Stover and Dr. Rachidi, what do you see as the broader implications of our farm policy in general? We had the EPA Director, Mr. Regan, in here a few weeks ago, mentioned biofuels 32 times. We counted them. And I just think the implications for that, in terms of typing up our food production resources to produce biofuels, because of what I believe are sentimental reasons, is really going to come down hard on working families and their food access, especially when it comes to producing protein that diversifies their diets.

And I am very concerned that this might be the first generation in America that is actually moving our diet away from additional produce, and protein, and diverse nutrition on the dinner plate, towards a higher starch-based diet, which we all share concerns of—health concerns with. I don't think we can bioengineer our way around that. So, I will start with you, Dr. Stover, and then I would like to go to Angela Rachidi.

Dr. STOVER. When we use food to promote health and prevent chronic disease, which is a major initiative that was started at NIH by former NIH Director Francis Collins, what we recognize is that in the diet/health relationship, one size does not fit all. So, when hunger is the outcome, everyone responds the same. When you have a health outcome, and you want to use food as the solution to healthcare costs, people respond differently to foods. This relates to our past history as humans, where human populations emerged all over the world. Those that survived and thrived adapted to local food systems. This is why you see hemochromatosis in Scandinavia, *et cetera*.

We need a highly diversified food system to meet the nutrient needs of all individuals. If we want to use food and agriculture to promote health, we have to understand that better. But in the meantime, we need a highly diversified food system, and we need to put health first.

Mr. DUARTE. Are we displacing our highly diversified food system with commodity crops, farm policy, and biofuels?

Dr. STOVER. And I would agree with that statement. I think that that is driven by the incentives. We have to look at the incentives that we have that farmers and ranchers are businesspeople. They are going to make decisions based on the business. If we want to use agriculture for health, we have to get the incentives right?

Mr. DUARTE. Dr. Rachidi? Thank you.

Dr. RACHIDI. Yes, I would also agree with that, and I will just say—I mean, you mentioned that you worry that we are moving towards this diet of highly starch—I mean, we are already there, right? Like, we—we have seen that happen, and it is having devastating consequences on health for individuals, but it is also hurting farmers because it is changing production, it is changing how they farm, and it is also hurting the Earth, to your point.

So, I completely agree with Dr. Stover that we need just kind of a wholesale look at our food system, and certainly incentives and disincentives that are put into the farm bill play a big role in that.

Mr. DUARTE. Thank you. I am also concerned that our green energy, our movement towards biofuels, our movement away from carbon energy, is limiting opportunity for the American working family, that lower-income working families are having their opportunities greatly limited because we can't power the grid.

We know that other economies that are growing faster than ours have emerging middle and upper classes that are competing with our working families for the produce, and protein, and dietary diversity that we produce. I mean, not in California. This is a global food system. In a global food system, the most desired foods will go to who—those who can pay the most for them. And do you share any concern that our—disadvantaging our economic growth

through certain green energy policies, primarily, is hurting our working families, and indirectly hurting their diet options?

Dr. STOVER. So, my comment to that is we need to support agriculture in all of its forms for reasons of innovation, and to meet the needs of local communities. And so, in my mind, this is more of a local governance, local economy effect, where—what type of an agriculture system do you need for a given nation, for a given state, that is going to best support the goals of that individual state?

Mr. DUARTE. Thank you. I think it is time for me to yield back.

Mr. FINSTAD. Thank you. I now recognize the gentleman from Illinois, Mr. Sorensen, for 5 minutes.

Mr. SORENSEN. Thank you, Mr. Chairman. Like many other Members up here, SNAP has served as an essential safety net for my constituents, and boosts income for the agriculture industry. That is why I do not support changes to SNAP that will take away food from older Americans, children, families, veterans, people with disabilities, in the farm bill or otherwise. Cutting benefits would also harm our nation's farmers, who are supported by programs like SNAP and incentives within it.

More than 21 percent of households in my district in western Illinois participate in SNAP. These are neighbors of mine. They are children, they are veterans, senior citizens. They are disabled, folks who are struggling, or just folks who are down on their luck. It is our responsibility in Congress to help people, not take the help away. And, unfortunately, many eligible Americans don't even enroll in SNAP. And the U.S. Census Bureau has found that one in six eligible Americans did not participate in the program, and I believe that that is an area where SNAP needs innovation, it needs modernization.

And so my question, I will start with you, Ms. Brown. Based on your experience in Minnesota, what are some of the obstacles that people face when they sign up for SNAP, and how have these barriers affected your team's ability to be efficient with the program?

Ms. BROWN. Thank you for the question. Certainly, technology has been a big conversation today, and I think technology has not—we have not had a modern system across all of our nation, and we have not been able to keep up, right, with other technologies. And so certainly access is a barrier, as folks try to apply for the program. Understanding that SNAP is available to them is also a problem. And we face stigma across the nation as well, and so, depending how the conversation goes, right, folks may feel shame, and feel that this isn't a program that they should be applying for when, in fact, we do want folks to apply, and to be on the program to stabilize, and move their way to economic self-sufficiency.

Mr. SORENSEN. Do you believe that the need is greater today than it was yesterday?

Ms. BROWN. Absolutely. We are in a recovery period from the pandemic, and folks that have experienced poverty and have been through the pandemic need a longer on-ramp to reach self-sufficiency and stability.

Mr. SORENSEN. Thank you for that. Mr. Hodel, thank you for your testimony, and for your commitment to our home State of Illinois, and we share the same Congressional district. Your testimony

notes that your business model relies on donations for food, financial support, volunteer efforts. Are we meeting the need of our kids, of our seniors, disabled, and veterans in need?

Mr. HODEL. Yes, I believe so, and the reason is we distribute our food without discrimination, and we are very inclusive, and very broad with our agencies. So, we are in the wholesale space. We are not providing food to the food recipient. That is why we work with our agencies. In Illinois we have 550 agencies that are distributing food. I think that is key.

As you talk about food access, those soup kitchens, those churches, those local pantries in every town, they know their community best. And so, what we do at Midwest Food Bank is we make it very easy for them to come and receive food from us at no cost, and then they go back and serve their communities. And so, I believe they know their community the best, and they are well positioned to serve and reach those outlying areas, as well as—you mentioned the students, as well as the seniors and veterans.

Mr. SORENSEN. What do I say to the single mother in East Moline, Illinois that works 25 to 30 hours of her day just to be able to afford the childcare, and then she can't afford to go to the Jewel—the grocery store at the end of the day—or at the end of the week to be able to feed her kids?

Mr. HODEL. Yes, so for—I mean, she has a lot on her plate. Like, I have done a poverty simulation, and she is getting kids to childcare, she is trying to get to her job, she is trying to get to different health appointments, and a lot of time she is maybe using public transportation. I think your message to her would be reach out in your community. Look for support. The government has some programs that will help you, such as SNAP, but it is an *and*. It is not an *or*.

So, to that single mother, you have SNAP, and you have food pantries, and you have local organizations that want to help support the community. I would encourage her to reach out and look for support in her community.

Mr. SORENSEN. I will ask the same question that I asked of Ms. Brown. Do you feel that the need is greater today than it was before? Do you agree with her on that?

Mr. HODEL. Yes. What we are seeing is the food insecurity need is greater. You have reduced subsidies from the government, and you have inflation. And it is really inflationary driven, the—what dollars it takes now to fill a gas a tank, or to pay your rent. It—we are definitely seeing kind of an increase.

At the same time, our goal is to serve them for a season, so we have definitely tried to increase our resources to be able to serve this increased kind of spike, or inflection. But our hope is that, through policies, and just through general economics, that it will cycle out.

Mr. SORENSEN. I agree with you, the need is increasing today, which makes me question why anyone would want to make cuts. I yield back.

Mr. FINSTAD. I now recognize the gentlewoman from Illinois, Ms. Miller, for 5 minutes.

Mrs. MILLER of Illinois. Thank you. Ms. Royal, I know you have already talked about the National Accuracy Clearinghouse, but can

you speak on some of the differences, and how the Clearinghouse was supposed to be implemented, and what the USDA has done instead?

Ms. ROYAL. Thank you. The 2018 Farm Bill mandated the NAC—the National Accuracy Clearinghouse to be utilized by all states by December 31, 2021. In late 2021, as I said before, that rug was ripped out from under us. So, there was a determination made that personal identifiable information was not being securely maintained in the current working NAC project, and so a project—a new NAC was offered to be created using GSA-18F to create this—the new NAC.

Several problems along with that, one being they didn't even talk to the states that were currently using the original NAC pilot, to use their best practices, the lessons that they had learned while the pilot was being active.

Mrs. MILLER of Illinois. Yes.

Ms. ROYAL. The other thing, too, is the new rollout is 2027. We have delayed it for a substantial amount of time. So now we don't have anything to use until 2027.

Mrs. MILLER of Illinois. So, since a clearinghouse has yet to be implemented, then what do—how do states know if an individual or a household is receiving multiple benefits in multiple states?

Ms. ROYAL. We don't know. We don't have a database to make that connection.

Mrs. MILLER of Illinois. Do you believe this process is effective for preventing duplication of SNAP benefits from multiple states?

Ms. ROYAL. Yes, and there have been many reports indicating that it has been very successful.

Mrs. MILLER of Illinois. Well, thank you. I hope we get this implemented ASAP, and I yield the remainder of my time to Congressman DesJarlais.

Mr. DESJARLAIS. I thank the gentlelady. I ask the Chairman to enter into the record a document from USDA Food and Nutrition Services on SNAP policy for non-citizen eligibility. And what it will do is clarify some of the questioning from myself and Representative LaMalfa to Dr. Rachidi and Ms. Royal. We had asked about eligibility for non-citizens under 18 and asylees under Section 8208 of the Immigration and Nationality Act. From USDA, it states, "Non-citizens eligible with no waiting period," and I think you said there was a 5 year waiting period.

There are several in this category, but the two we focused on were qualified alien children under 18 years old, and asylees under Section 208 of the Immigration and Nationality Act. So, I would ask unanimous consent to introduce this into the record.⁹

Mr. FINSTAD. So moved.

Mr. DESJARLAIS. And so, I am not doing this to be argumentative, but we are really trying to understand, with the large number of immigrants that are coming into this country, as we prepare to write the farm bill that already has 42 million participants, we could literally be looking at several million new SNAP recipients, and we need to be prepared for that. So that is why we bring up

⁹ **Editor's note:** the website snapshot of the USDA FNS page entitled, *SNAP Policy on Non-Citizen Eligibility*, is located on p. 196.

this question, and then—just looking for clarification. And would either of you like to comment?

Dr. RACHIDI. No. Just I think what—my statement was that that 5 year time limit did not apply to them.

Mr. DESJARLAIS. Well, I am sorry. I thought you said that there was a 5 year waiting period.

Dr. RACHIDI. Yes. No, sorry. Sorry if that was misunderstood.

Mr. DESJARLAIS. I did misunderstand. Anyone else? Okay. I yield back the remainder of my time.

Mr. FINSTAD. All right. I now recognize the gentleman from New Mexico, Mr. Vasquez, for 5 minutes.

Mr. VASQUEZ. Thank you, Mr. Chairman, and I appreciate our witnesses being here to discuss the nutrition title, and the critical importance of SNAP. In today's hearing, I have heard SNAP being talked about from different perspectives. We have heard the words *fraud, criminal activity, waste, identity theft, prosecution*. We have also heard *compassion, our American duty, health and opportunity, strengthening the middle class, and our Christian duty, and our Christian values*. Think that says a lot about the value, and the different approaches that we, as legislators, take to this very important program that, in many cases, is the way to improve the lives of Americans.

Now, SNAP is not just a program that protects families from hunger. In my district, I know that it is one of the most important stepping stones to help lift families out of poverty. This program helps people get ahead by helping to cover critical food costs so that they can focus on the things that many of my colleagues have talked about today, like vocational training, finding a job, education, and eventually reaching the middle class. I know one thing for sure, hungry people can't work. Hungry kids can't learn. Hungry families can't raise their children. And a hungry nation cannot prosper.

In New Mexico I served on the board of Casa De Peregrinos, an emergency food bank in the City of Las Cruces, and I saw firsthand the many reasons why kids and families need food assistance. Losing a job, getting sick, divorce, and family separation, situations that many Americans are going through today. And I specifically chose to serve on the Agriculture Committee to defend SNAP because it is that vital lifeline for my constituents.

Now, last week myself, and many others who voted for the debt limit bill, made it clear that we wouldn't accept changes to this critical program, and we were proud to have this be a bipartisan vote to expand SNAP benefits to veterans and to the unhoused. But some of my colleagues are also aiming to cut the program, and making a conscious decision that would directly hurt the poor and working families, and I don't think we should let that happen.

Mr. HODEL, as the CEO of a large food bank, what kind of anti-poverty impact have you seen emergency food assistance have on individuals who are served by both yourself and the clients that you serve?

Mr. HODEL. Yes, thank you very much for the question. The anti-poverty impact—I guess I would just go back to what we hear from our agencies, when we visit our agencies, when we are there for a loadout with their food recipients. We hear stories, and we hear

testimonies of individuals that went through a hard patch in life, and they were blessed by receiving food from their local soup kitchen, or their food pantry. And they are super kind, to be able to translate that back, and also thank Midwest Food Bank for providing that food during that season.

And so, we get examples of individuals that are in New York City, and they receive food after a difficult breakup, and they are raising two children, and it is that food that has kind of gotten them through a season to then get their education and get jobs. And so, sometimes we take our groups out, and we are able to bring those food recipients from the past in to share their story to the people that we are trying to encourage to support the work that Midwest Food Bank is doing. So, I would say it is through kind of testimony and feedback that we get through our agencies.

Mr. VASQUEZ. Thank you, Mr. Hodel, I appreciate that, and I have heard many of those stories personally, serving in an emergency food bank in the past, and how important these oftentimes short-term solutions for families that are down on their luck, how important having that food in their household is for their kids, and also for their mental well-being.

In New Mexico, 12 percent of households are already food-insecure, more than the national average. And Casa Del Peregrinos, the CEO, who I just talked to recently, told me that they are continuing to see an influx of new clients at the rural pantries that have all echoed the problems my rural constituents are facing, the cost of inflation, the cost of gas, the cost of groceries that are much too high, and this disproportionately impact people in underserved rural areas harder than cities.

Now, one of the reasons that I think we are seeing an increase in recipients of SNAP and other benefits is because of the growing wealth inequality in this country. The less money that people have in their pockets, although they may be employed, although they may be working those minimum wage jobs that we want Americans to take, it still doesn't stretch far enough to pay utilities, to pay insurance, God forbid somebody gets sick.

And so, I think some of the solutions behind why folks need food assistance, and need to enroll in a program like SNAP, has to do with the power of reducing wealth inequality in this country, which is a discussion we can, and will, continue to have, I am sure, in other committees, and in Congress. I yield back.

Mr. ALFORD [presiding.] The gentleman's time has expired.

The chair now recognizes the gentleman from Texas, Mr. Jackson.

Mr. JACKSON of Texas. Thank you, Mr. Chairman. Thank you to the witnesses for coming today. I appreciate you being here. These nutrition programs are meant to be a hand up for the neediest Americans, yet time and time again we see cases of criminal organizations skimming and then trafficking SNAP benefits from the true individuals that these programs are intended to help. Just last week three people in Michigan were arrested for stealing more than \$4 million from people more than 2,000 miles away, in California. Mr. Chairman, could I please submit for the record the article from the WASHINGTON EXAMINER entitled, *Michigan Catches \$4 Million of Food Stamp Fraud; Mum on the Fraud Scope?*

[The article referred to is located on p. 137.]

Mr. ALFORD. Without objection.

Mr. JACKSON of Texas. Thank you. Ms. Royal, in your testimony you mentioned how SNAP benefits are a target for identity thieves due to siloing and restriction on recipient data sharing. Could you please share with us how we could address these data sharing deficiencies to help combat these criminal organizations?

Ms. ROYAL. Sure. We just need a readjustment of the regulation, or a reevaluation of the regulation. SNAP is one of the few Federal programs left that has the limitations and restrictions in it to share information, so a reevaluation of that, reconsidering the opportunities that states would have to provide that critical information to law enforcement and other agencies.

Mr. JACKSON of Texas. Thank you. Recently USDA released a request for applications for their Supplemental Nutrition Assistance Program Fraud Frame Implementation Grant Program. This program is expected to award nine different applicants with up to \$750,000 to proactively detect fraud beginning in—at the application process and continuing throughout the recipient's time in SNAP. Projects eligible for this grant include efforts to detect potential fraud at the time of application.

Ms. Royal, in your testimony you mention that no date of birth, no Social Security Number, identification, or driver's license is needed to access the system. Without these identification requirements, I am not sure how any of these grant award winners will be able to detect potential fraud at the time of application. Ms. Royal, could you explain how requiring a Social Security Number on SNAP applications would help to limit fraud and abuse, while not imposing an additional condition of eligibility?

Ms. ROYAL. We use the Social Security in many different mandated ways. If somebody is disqualified in the program, states are required to enter that information into a national database, and we do that with name, date of birth, and Social Security Number. And that is important. When somebody is disqualified, depending on whether it is the first, second, or third offense, or specific types of trafficking, depends on what the penalty is. And so, for instance, if somebody is disqualified in Missouri, they come later, commit an intentional program violation in Wyoming, it would be important for me to have that information to make sure that I request the specific—or the accurate penalty. So, we use it for eDRS.

We use it for death match certification. Again, the Social Security Number is such a critical element to the different types. Asset verification. I mean, there is certainly a long list, as was provided in our written testimony.

Mr. JACKSON of Texas. Thank you, ma'am. That helps a lot. Dr. Stover, change of subject just a little bit. In your testimony you state that the new Texas A&M Institute for Advancing Health Through Agriculture in the world's—is the first research institute to bring together precision nutrition and responsive agriculture research. I know you mentioned this also in your opening statement a little bit. This links food production to human consumption, thereby improving public health, and lowering healthcare cost. This is just the latest example of some of the impressive work being done at Texas A&M, and at the Texas A&M University system.

Dr. Stover, I know you mentioned this briefly, but could you please expand on how the work you are doing at IHA could be used to develop a more realistic and usable dietary guideline?

Dr. STOVER. Certainly. We have established, in Fort Worth, the world's first agriculture food and nutrition evidence center. In the medical field, there is no controversy whether aspirin is good for you or bad for you. There are accepted methodologies to look at the totality of the data, to combine that data, and then to say what the answer is, whether it is, where there is a question about a policy, a practice, a guideline, and to say how strong the data is, how confident you can be in the science to make a decision that you know will be effective. Policy, or program, what have you.

We do not have that in food, agriculture, and nutrition, so we have partnered with international consortia, the World Health Organization, FAO to begin to get set standards of evidence and methodological rigor into how we combine data, how we analyze data, how we present that data to decisionmakers like yourself so that you have the ability to consider what the scientific evidence is, and how strong it is, so you can be more certain in the decisions you make.

Mr. JACKSON of Texas. Thank you, sir, I appreciate it. My time is up. I yield back. Thank you.

Mr. ALFORD. Thank you. And we go from Jackson of Texas to Jackson of Illinois.

Mr. JACKSON of Illinois. Hey, hey. Thank you, Mr. Chairman. Thank you, Ranking Member Scott. It was 59 years ago the Reverend Martin Luther King said that he had the audacity to believe that people everywhere can have three meals a day for their bodies, education and culture for their minds, and dignity, equality, and freedom for their spirits. Such a belief shouldn't be an audacious thought. Ensuring no American goes hungry should not be controversial. That is why I will not support any bill that further tries to reduce food assistance and benefits to low-income households.

Cuts to SNAP harms our nation's most vulnerable, including children, families, older Americans, and those with disabilities. Just 59 years ago those powerful quotes were shared, and here we are, 59 years later, looking at 42 million Americans, including 15 million children, five million seniors, and a million two of veterans, that are needing this Supplemental Nutrition Assistance Program.

I am deeply concerned that, instead of addressing our nation's persistent food insecurity, some people would like to suggest we should police the purchase of SNAP recipients. And it was in that same season in 1968 when Reverend Martin Luther King had the same thought, and his last moral mission was to declare a war on poverty. And now it seems as if we are engaging in a war on the poor.

Restriction schemes that stigmatize program participants who are equally as capable of picking what foods they want to eat as each and every one of us, and would result in massive administrative burdens for USDA and retailers, ultimately increasing program costs, and making SNAP incredibly difficult to operate. When we start policing these food programs unnecessarily, it will run up the administrative costs. Right now, SNAP is an incredible exam-

ple of a partnership that operates within the free market, allowing recipients to purchase the foods that they determine will serve their families best.

I would like to direct my comment, or if you will, my question. To Ms. Brown. Ms. Brown, in light of—if there were increased restrictions placed on the policing of this food, how will that affect the retailers and families?

Ms. BROWN. Thank you for the question. Retailers would need to completely overhaul their system. They are not equipped right now to separate out different types of food to meet any type of restrictions, so it would be a massive load for our retailers to manage. I also want to point out, as we think about restrictions on food for SNAP participants, USDA has a program, SNAP-Education, that provides education, focuses on families with a limited budget, and focuses on physical activity. This program exactly meets the needs of folks worried about the health choices that SNAP recipients are making.

Mr. JACKSON of Illinois. Let me ask you, if there were more benefits, if we raised the eligibility and increased the benefit lowered the eligibility and raised the benefit, how would that improve health in our nation?

Ms. BROWN. So anytime, so, again, supplemental. The program is Supplemental Nutrition Assistance Program, so \$110 in benefits are received per person per month. That is not enough to meet anybody's food needs. And so, by raising the SNAP benefit, it will decrease health costs. All of our studies in our state, as we have looked at the costs on health, and the ongoing impacts of poverty on all of our systems, indicate that more benefits will decrease health costs.

Mr. JACKSON of Illinois. My last question, these numbers move around. People are saying *food insecurity*. I take it that means *hunger*?

Ms. BROWN. That is true.

Mr. JACKSON of Illinois. Okay. *Hunger*. I would prefer to use that term.

Ms. BROWN. That is right.

Mr. JACKSON of Illinois. And then you are talking about \$110 a month in benefits. We have heard of \$2 per meal per participant, \$6 a day. Can you explain the discrepancy?

Ms. BROWN. So, it would depend per state. So the \$110 per month is specific for my state, and so it really depends on the variety of folks that you have that are participating in the program. So, you may see some variance in the dollar amounts, but bottom line is it is not enough to—in any way, the per month or the per day isn't enough to feed people.

Mr. JACKSON of Illinois. So, it can go from \$3 per day in your state to as high as \$6 a day for a participant in another state, correct?

Ms. BROWN. It could, correct.

Mr. JACKSON of Illinois. Thank you very much. I thank each of the panelists for your participation, and willingness to come forward. I yield back my time, Mr. Chairman.

Mr. ALFORD. Thank you, Mr. Jackson. The chair now recognizes himself for 5 minutes.

The relationship between the farm bill titles is symbiotic. It all works together to accomplish these goals that I think my fellow Committee Members and I can all agree on. Number one, to make sure our farmers and ranchers have reliable access to risk management programs to ensure that they can feed, fuel, and clothe the world. Number two, to make sure our nation is fed. And number three, to make sure we are good stewards of God's creation.

These goals are all dependent on each other. Without our hard-working farmers and ranchers we can't feed our nation, and SNAP recipients are part of the market. If we can't feed our nation, we cannot be productive citizens. We don't have the healthy workforce we need, and our economy and society will suffer. And if we are not good stewards of God's creation through conservation and good farming and ranching policies, we will not be able to efficiently grow the food needed to feed our nation and the world.

Twelve percent of this year's farm bill will go to agricultural production programs. Five percent will go to conservation programs; 81 percent this year will go to SNAP. Since 2015, this Committee has had 39 hearings on Supplemental Nutritional Programs. We care. We all care in this room. This should not be a Republican issue, this is should not be a Democratic issue. This is an American issue. And using harmful, and misleading, and inflammatory rhetoric is neither productive nor helpful in us all doing the right thing.

There is no reason that an able-bodied American with no dependents should not be either looking for a job, working, volunteering, or being part of a job training or search program. There is no reason that farmers and ranchers should not have the risk management programs they need to succeed. But there is also no reason that a nation as great as ours should let citizens who are truly struggling to find their next meal and feed their family go hungry.

I believe firmly that we must return nutrition to SNAP. We must make sure we limit the fraud and abuse in the system. We must ensure that we are not enabling able-bodied citizens and making them dependent on the government, but instead bolstering them for success and self-worth. SNAP should be a life vest, not a lifestyle. But most importantly, we must all tell the truth, and cut the harmful rhetoric designed to stoke fear, anger, and divisiveness in America.

With that, I want to get to our questions. This one is for the panel. How long is the average recipient on SNAP? Does anyone know? Yes, ma'am?

Ms. BROWN. In our state, depending on the population, we see it range from 24 months to 72 months on average.

Mr. ALFORD. How do we make sure that this does not become a lifestyle, Doctor? How do we make sure that SNAP does not become a lifestyle, and it is a life vest for Americans?

Dr. RACHIDI. Is that question to me?

Mr. ALFORD. Yes.

Dr. RACHIDI. Well, I think having an employment component in SNAP, making employment a big part of SNAP, that is intended to be a temporary program, and employment really is the path out of poverty. I think sending that message is a crucial one.

Mr. ALFORD. In your testimony you talk about the positive outcomes consistent and sustained employment has on families. What

does that do for the psyche, having a job, even volunteering? What does that do for a recipient to help move them in the direction forward?

Dr. RACHIDI. Well, there is a very large literature on the nine financial benefits of work. It improves mental health, improves physical health, it builds social capital, it builds connection to the community, it has positive effects on children. So, yes, there is a very large literature that employment not only helps the financial security of a household, but it helps all sorts of other things as well.

Mr. ALFORD. Mr. Hodel, we are spending more taxpayer dollars on nutrition support than ever before, yet the rate of food insecurity still hovers about ten percent. Where is innovation lacking, and where do opportunities lie for new ways to invest in these programs?

Mr. HODEL. You—great question, thank you. I think, again, across the supply chain. In the food bank business we are in the supply chain business, and so I think innovation, all the way from working with retailers, food manufacturers, distributors, transportation, warehousing—and so, again, that is where we have tried to be creative in getting multiple sources, and then multiple channels to get the food moved to our different food banks. And then, also, on the—

Mr. ALFORD. Thank you, sir. To be fair, my time has expired. I appreciate everyone on the panel. Next let us go to Congresswoman Pingree.

Ms. PINGREE. Sorry. Equipment. Thank you very much, Mr. Chairman, and thank you to the panel. I appreciate all the time you have put in today, and I feel very privileged to have had a chance to listen to so much of the testimony. I just want to emphasize the thing that always strikes me, having worked on this issue for many years. We are in the wealthiest country in the nation. We spend hours arguing whether or not people deserve food. That is why we are here again today. This was the argument that held up the debt limit. We are now talking about doing even more in the farm bill, and I am fully opposed to doing any more in this farm bill that would restrict people's access to healthy foods.

I represent a very small rural state, one of the most rural states in the nation of only 1.3 million people, yet 23,000 people—23,000 households are on SNAP in my district every month. Statewide we have 145,000 members, including more than 46,000 children who need access from SNAP. It is critical, given the fact that Maine has the highest rate of childhood food insecurity in New England.

We are talking about ways to cut SNAP, but it is becoming even more of a lifeline as families feel the impact of inflation and higher food costs, which disproportionately affect those people with lower incomes. The share of American adults who reported being in a worse financial position in 2022 than during the previous year rose to 35 percent, with inflation being the financial burden cited by most respondents, according to the Federal Reserve.

Now, again, we are talking about constraining this program. We are talking about trying to require more people to be working, and acting as if it is the constraint of the program. The fact is, there are not enough childcare slots for people. There isn't adequate housing. There isn't always adequate transportation in rural areas.

Those are all constraints on working, and we treat it as if it is somehow the product of SNAP.

I hear my constituents talk about these concerns every day, food, gas, housing, and how that contributes to their inability to buy food. And we also talk as if we have forgotten that the situation that was, I grant you, getting better, it has been getting worse since we had the pandemic. Supply chain shortages, the war with Russian and Ukraine, all things that have driven up food prices and made it that much more difficult to provide a healthy meal for \$2 a meal, \$6 a day, as we have been talking about.

And I appreciate the testimony. Dr. Rachidi, you talked a lot about the constraints of SNAP for people's ability to get a job, but I disagree. I believe it is outside factors that makes it very difficult. It is also not people's bad choices, necessarily, on what they put in front of their food. I agree people need more healthy food, but it is very hard to provide food on \$6 a day per person. A gallon of milk is nearly \$5.

We want to see people eating more fresh fruits, fresh vegetables, healthy proteins, which is why we should be talking more today about the GusNIP program, about produce prescriptions, about all things that we could do to get more healthy food on the table.

The other thing that I find really distressing about today is we are talking about making more cuts, more restrictions. Well, when 170,000 Mainers lost SNAP emergency allotments in March, \$17 million a month was drained from our state's economy, and taken away from hungry families. We have already made severe cuts. People are already reeling from what we have done, and now we want to talk about doing more?

We also are going to talk about the impact that it has on our rural economies. During economic downturns, every \$1 in new SNAP benefits generates \$1.50 in economic activity. And we have heard people talking about how difficult it is, in a rural community, to get access to healthy food, and how important that return is to our community.

I recently met with Good Shepherd, one of our state's largest food bank—our state's largest food bank. They are sending me photos of empty pantry shelves. USDA trucks carrying 900 cases of milk to Good Shepherd pantry partners used to take 48 hours to distribute. That is what they told me. Now the demand is so high that offloading cases takes under 3 hours. Preble Street Food Security Hub in south Portland is seeing 100 percent increase in demand from March 2023 back to 2022. They are providing 800 boxes a month, compared to 400 in March of 2022 and previous months.

Clearly, I am going to use up all of my time ranting about this, but the fact is we are here today to talk about making more cuts, to making it more restrictive, to making it more difficult, and I can't say it enough, this is the wealthiest country in the world. We have plenty of policy to worry about. We have plenty to debate. But it should not be whether or not people can put food on the table. I yield back.

Mr. ALFORD. Thank you. The gentlelady's time has expired. We now go to Mr. Nunn of Iowa.

Mr. NUNN. Thank you, Chairman Alford, and the gentleman from Missouri. I am privileged to be here with so many Mid-

westerners. And, Mr. Hodel, I would like to begin with you, because you have really been feeding and caring for so many in the heartland, which we are incredibly grateful, in my home State of Iowa, to see what you do both in our urban areas, our suburban areas, but particularly across my 21 rural counties that are in desperate need of just the leadership that you are providing in this space.

One of the things I want to highlight here is that I think we all agree, we very much want to be able to care for folks. This is one of the reasons the farm bill is so important. I want to focus in here on The Emergency Food Assistance Program, TEFAP. In FY 2022 \$1.17 billion were allocated to this, and a majority of it goes to Feeding America, a government-backed organization. They do some really great work.

But for your organization, you operate with a very small budget, and distribute more than \$400 million in food without any of this help. I would like to hear some of the really incredible efficiencies you have led, and some of the innovation you talked about, and maybe we on the Federal side here need to replicate what the food bank is doing.

Mr. HODEL. Well, thank you for the question, and the compliment. It is an honor to serve Iowa, as well as our other states. Again, I go back to, our founder started this 20 years ago with really the mission of—we need to serve our communities. And there have been some Bible references today, which I appreciate, but the Bible does call us and reminds us that the poor will always be with us.

Mr. NUNN. That is right.

Mr. HODEL. And so, one of the things is—I stepped into this job 6 years ago that I had to kind of think about and learn is, like, we are probably not going to eliminate this, but we need to figure out how do we best solve. And, again, it is for a season. The poor will always be with us, and I don't think there ever will be a—not a need for food banks, or not a need for programs.

The innovation side of it, again, I go—I point back to our model. We have really focused on a business model of high efficiency. A period cost walks in on two feet every day, and so we are very cognizant about the leadership and the staff that we have at each location. Each one of our food banks I talked about runs about a \$2 million operational budget. There are five staff members. And any—I love going and walking somebody through our warehouse, and I will give a tour of what we are doing, and we will run into 50, 60, 70 people, and I remind that group that we are with that five of these people that you just saw are staff members, the rest are volunteers.

So part of that model is core volunteers. We are blessed with people that retire at 50, 55, 60, and they are still capable mind. And some choose to go to the gym to work out, other choose to come to Midwest Food Bank and to give of their time, and to lift boxes.

Mr. NUNN. Also work out.

Mr. HODEL. And so that core volunteer is a key model for us, and I think that helps our efficiency, kind of helps our leverage. And what we have been able to do is build a model that works, and then scale it as we have gone to different locations. So, we very

much know that Illinois is Illinois, and Texas is Texas, and Arizona is Arizona.

People ask us why we are called Midwest Food Bank. It is because our founder, again, 20 years ago, was trying to think big, and didn't call it McLean County, or didn't call it the Central Illinois Food Bank. He says, we will call it Midwest, because we surely won't outgrow that. And so, God had different plans for the organization, but I think our core volunteers, our volunteer model, as well as just—again, the culture of—we—we will say yes, and then we will figure it out.

Mr. NUNN. Mr. Hodel—well, compliments, and I think—please continue to share those best practices with us not only across the country, for the volunteers who do it, but for the Federal agencies that could really use you, as a template on how to do this right.

Very quickly, Dr. Rachidi, I want to talk about our nation experiencing an alarming increase in diet-related diseases among children. I have six kiddos, two of them are foster kids. They went through a long process of really needing that hand up that was just talked about, but also the ability to survive on this in a healthy way. How can we in Congress remain focused on enhancing the nutritional and educational aspects of healthier eating habits in the upcoming farm bill?

Dr. RACHIDI. I think that is a good question, and you are correct that the diet-related disease among children, diabetes, obesity, is actually a larger problem than hunger. Less than one percent of children have very-low-food insecurity; 20 percent have obesity. So, I think that that should be the priority in the farm bill, is how do we get healthier food into the mouths of children?

Federal Government does that through the National School Lunch Program, places very restrictive restrictions on what can be served in schools. I think they should take—maybe not quite to that extreme, but a similar approach with SNAP in ensuring that the program actually supports nutrition, and does not allow unhealthy products to be purchased through the program.

Mr. NUNN. Dr. Rachidi, thank you so much. Thanks to the panel today, and I yield back my time.

Mr. ALFORD. Thank you. The chair now recognizes Mr. Casar of Texas.

Mr. CASAR. Thank you. Today we are discussing SNAP, otherwise known as food stamps. I had some remarks planned, but now I feel like I have to change what I was going to say, because I just have to disagree with the gentleman chairing the meeting who said he wanted SNAP to be a life vest, not a lifestyle, implying that people could be living large on their food stamp benefits. To be clear, SNAP provides people \$2 a meal, overwhelmingly to kids, working people, and seniors. You aren't living some kind of extravagant lifestyle on the few bucks you get to buy groceries.

If my Republican colleagues want to talk about wasteful government welfare that lets people live large, then we should be talking about tax breaks for yachts. We should be talking about the multi-trillion dollar Trump tax scam that overwhelmingly benefits the richest .1 percent of 1 percent, and the biggest corporations.

We have been told that folks on my side of the aisle have been using potentially inflammatory rhetoric, but this is personal. We

are talking about families that are working really hard, and just need a few extra bucks to eat. We are talking about families in my district in San Antonio that are working part time. They are also taking care of aging parents and their kids. Maybe they can't get to that 20 hours a week worth of work, and they could lose the little benefit that they get, that they pay for in their taxes.

Speaking of things being inflammatory, I still think it is inexcusable that the entire nation's debt ceiling, a threat of default, part of those negotiations that we never should have been having over whether America should default or not, were about some 53 and 54 year olds having a harder time getting those \$2 a meal. I personally believe that that is what is inflammatory.

But we don't have to be in that divisive place. Instead, we should listen to our food banks, and to our social service providers that help every single day, who are asking us to make it easier for folks to get this benefit, be able to get a meal, and be able to get to work and provide for themselves and for their families.

In my own district I am hearing from small farmers who are struggling in drought conditions to get by, but these Federal food assistance programs help them make sure they get their food to market, make sure they get their food to folks who need it the most, and help keep them afloat. I hear even from big retailers, like, H.E.B., one of this company's biggest private company—one of this country's biggest private companies, asking and pushing to protect these basic nutrition benefits that we know help farmers, help retailers, and help those families.

And so, Ms. Brown, if you could talk just a little bit about what it is that we can do to reduce the governmental paperwork that folks have to get through when they truly do qualify for the program, how we can find savings on our end, but ultimately benefit those folks that the SNAP Program intended to benefit in the first place?

Ms. BROWN. Thank you for the question. I am a big fan of simplification, right? We have a lot of bureaucracy that we deal with, policies and procedures, and so any ways that we can simplify some of the requirements, make it easier for participants, make it easier for states to administer the program, I think overall is a win.

I will give you an example of a time-limited SNAP recipient who didn't have access to reliable transportation, lived in a rural community, and wasn't able to get to the employment and training provider, and there weren't enough jobs in his community. And so, he was unable to meet the work requirement because of circumstances outside of his control, and will only receive 3 months of benefit. I don't think that is the intent of the program. We need to be able to feed people, and meet their nutritional requirements, while taking into consideration some of the barriers that they face.

And so, one example that would be really beneficial is to exempt training income. We have a lot of folks that want to provide training, and build up people, and if they give them income as an incentive, that counts against them, and it reduces their SNAP benefit, or eliminates it altogether. So, there are a number of ways we can simplify the program, and make it easier for it all to work.

Mr. CASAR. Thank you so much. As we begin moving forward on the farm bill, I look forward to supporting a bill that feeds more

families, that supports more of our farmers, and I won't support legislation that takes food away from those low-income households. Thank you.

Ms. BROWN. Thank you.

Mr. CASAR. I yield back.

Mr. ALFORD. Thank you, sir. The chair now recognizes the Cheese King from Wisconsin, Mr. Derrick Van Orden.

Mr. VAN ORDEN. Thank you very much, Mr. Chairman. I was raised in abject rural poverty by a single mother, and we were on food stamps. To answer the question that you are thinking about right now, they were not written on papyrus. I am not quite that old. I had subsidized lunches. I had government cheese. I was being shot at, literally, as a Navy SEAL in combat, and my wife and I used WIC to help feed our children. Mr. Molinaro from New York shares a similar story.

So, I will not sit here and be lectured by people who have not walked the walk that I have. I will not. I volunteered to be on the SNAP Committee because I think these programs are incredibly important, and to say that Republicans are trying to snatch bread out of people's mouths is inflammatory, it is disingenuous, and it is not helpful. And I am going to call a truce after I do this.

It took less than a second for me to find a job in Sparta, Wisconsin, an entry level position that paid \$14.07 an hour. The \$7.25 is ridiculous. So, I am going to ask my colleagues to stop it, and I will also, okay? Enough. Let us work for the American people and not try to legislate by sound bites. Inappropriate.

Ma'am, Dr. Rachidi, I am not sure that I agree with you dictating what people should be eating. I just don't. I think it is inappropriate. We are trying to get whole food, or whole milk back into schools, and the reason it is not there is because it was removed by a previous Administration, so I am not a fan of the government dictating to people what they can and cannot eat.

They say that we already provide microwavable foods to folks. Well, guess what? When I was growing up, we were too poor to have a microwave. I could take you to places in Baltimore right now, or within a mile and a half of this room, and they don't have a microwave because they can't afford it. Or they are latchkey kids, and they don't know how to prepare food. So, I don't want to mandate what people can and cannot eat. I think that is inappropriate. I do agree with the rest of the stuff you are saying, but—just so you know.

Ms. Brown, are you aware that last September it was revealed that Feeding Our Future, a Minnesota-based nonprofit, allegedly exploited USDA child nutrition programs to defraud the American taxpayers of over \$250 million intended to feed hungry children during COVID-19.

Ms. BROWN. I am aware. That was with the Department of Education, not the Department of Human—

Mr. VAN ORDEN. Yes. I understand. Similar program. So can you admit that fraud does exist in these programs?

Ms. BROWN. Well, absolutely.

Mr. VAN ORDEN. Okay.

Ms. BROWN. I think there are bad actors—

Mr. VAN ORDEN. Right on. Everywhere, right. So, we can't legislate by exception, correct?

Ms. BROWN. Say that again?

Mr. VAN ORDEN. We can't legislate by exception.

Ms. BROWN. Well, absolutely.

Mr. VAN ORDEN. All right. And G.T. Thompson says that he really wants these programs to be a hand up, not a handout. Do you agree with that?

Ms. BROWN. A hand up, not a handout?

Mr. VAN ORDEN. Yes.

Ms. BROWN. I believe that the SNAP benefit is incredibly beneficial to people.

Mr. VAN ORDEN. Yes. I am 100 percent with you. So, with that in mind, how many people have been raised out of poverty that have used your programs?

Ms. BROWN. I don't have any of the stats in front of me, but we can certainly send that to you afterward. I know that there are numerous studies that indicate childhood poverty has been reduced by the receipt of SNAP.

Mr. VAN ORDEN. Okay. Well, I would like to see those numbers, because I am a Member of Congress now because of these programs. I take this very, very seriously. Mr. Hodel, I would posit the reason that your programs are so incredibly successful is specifically because you do not receive any government funding. Do you concur?

Mr. HODEL. That has been our business model, and it has been part of our success.

Mr. VAN ORDEN. Okay. So out of all the things we have talked about, all these incredibly important programs, we have one example here where your ROI is—blows it out of the water. So, you are involving the community in a Godly fashion to help our fellow citizens, our neighbors, in a way that is incredibly productive, and it has zero involvement with the Federal Government?

Mr. HODEL. Yes sir, and I will just—we do have some involvement with the government.

Mr. VAN ORDEN. Is that correct?

Mr. HODEL. When you say zero—for example, we received Farmers to Families Food Boxes. So I just want to acknowledge that that was a government program benefit to us.

Mr. VAN ORDEN. Okay. Right on.

So you have minimal involvement with the Federal Government?

Mr. HODEL. Very, very minimal.

Mr. VAN ORDEN. Okay. Well, I am very proud of you. And I do appreciate the Christian sentiment by my brothers and sisters here on the Committee. I too am a Christian, and, you are right, the poor will always be with us, but that doesn't mean we don't try helping them on a daily basis, so thank you very much for your work, everybody. With that, I yield back.

Mr. HODEL. Thank you, sir.

Mr. ALFORD. Thank you. I now recognize the gentleman out of California, Mr. Carbajal, for 5 minutes of questions.

Mr. CARBAJAL. Thank you, Mr. Chairman. Last week's debt ceiling vote saved our country from a catastrophic default. As a result of that negotiated deal, additional work requirements were placed

on SNAP. I want to make it clear I am not inclined to support any farm bill that will take food away from low-income households. I will not support a farm bill that does that.

Cuts to SNAP harm our nation's most vulnerable, including children, families, older Americans, and people with disabilities. As someone whose family depended on SNAP when I was young, it is disconcerting to hear the over-obsession by some who have—about the specifics about what low-income Americans buy and eat. Wanting to monitor the specific nutrition intake choice of families who are food-insecure is demeaning, demoralizing, and unfounded.

Studies have shown that SNAP recipients purchase essentially the same foods at the same rates as other Americans. It is always those with the least who we are most obsessed with, taking their autonomy away, and wanting the most government intrusion into their lives. Nutrition and healthy eating are challenges that we are all struggling with. Regardless of class and income, we should all eat more nutritiously.

But those with the least are also the least able to afford fresh produce, and other times intensive healthy foods that take a lot of energy and know-how to cook. I, for one, am a terrible cook. Again, we all share the goal to promote good nutrition and nutrition education.

While we already do that, there is definitely room to do even more. So let us focus on ensuring we are accomplishing that goal, and work together to support expanding and improving GusNIP, which helps low-income families afford nutritious food, and SNAP-Education, which teaches families about nutrition, and how to cook nutritious foods they might be intimidated by because they have never bought them before.

Ms. Brown, as someone involved in the administration of SNAP, can you speak to the incredible burden restricting SNAP purchases would have on states and recipients?

Ms. BROWN. Thank you for the question. Absolutely. Restricting any benefit, and any of the food choices that folks are able to make, would be incredibly burdensome not only for retailers, but also for recipients themselves. We have worked really hard over the years to reduce stigma in the program. The EBT card actually helps with that. We don't have the paper coupon, the stamps, that make it really visible. The EBT card looks exactly like a credit card, and so folks don't feel ashamed to utilize the benefit when they need it the most. Restricting foods would require separation on the grocery cart. It would very much signal to folks around them that this is a SNAP recipient and can only buy certain foods.

Mr. CARBAJAL. Thank you. Studies that track the impact of SNAP on the physical health of recipients find that participation in the program is linked with positive improved nutritious outcomes, lower healthcare costs, and improved current and long-term health. However, prior to 2021 Thrifty Food Plan re-evaluation, the Urban Institute found that SNAP did not cover the cost of low-income meal in 96 percent of U.S. counties, with both urban and rural counties seeing the highest disparities, and USDA's Economic Research Service estimated that 49.7 percent of SNAP households were food-insecure in 2019. Ms. Brown, do you think that the 2021 Thrifty Food Plan re-evaluation, and the resulting benefit in-

creases, are furthering SNAP's positive impact on the health and well-being of its beneficiaries?

Ms. BROWN. I absolutely do. It was long overdue, and we are really excited to see some of those increased benefits show up with our participants. I also will note that inflation has greatly increased, and we need to balance benefits, and continue to work on the Thrifty Food Plan to keep up with the market prices.

Mr. CARBAJAL. Thank you. Mr. Chairman, I yield back.

Mr. MILLER of Ohio [presiding.] Thank you. The chair now recognizes himself for 5 minutes of questions. Thank you for holding this important hearing as we seek to provide long-term economic and nutritional security to those challenged in our nation. It is my fundamental belief that everyone deserves the chance to shape a stronger future for themselves and their families. At the same time, we must provide access to the long-term tools to address food insecurity, and ultimately build a better life for those in need.

First, I would like to call attention to the important work of the Ohio Association of Food Banks, including the Greater Cleveland Food Bank, and Feeding Medina County, through public partnerships with 3,600 hunger relief organizations across my state. Last year the Greater Cleveland Food Bank provided 10.8 million pounds of food to families in need, including 94,000 children. Similarly, the Feeding Medina County Food Bank, among other efforts, must—helped must—needs of underserved older citizens across the region.

The agricultural community also plays a key role in addressing hunger, including in my state, through the Agricultural Clearance Program, providing wholesome food to families struggling with food insecurity, while enabling a meaningful outlet for farm goods. As a nation, we owe it to these individuals to identify policies aimed at helping low-income families achieve the type of opportunity that every American deserves.

By providing greater access to workforce training, education, employment placement, and job retention services, we can empower individuals to build a foundation for a stable, productive life for themselves, and a road map to achieve a long-term goal of self-sufficiency. That is why I was proud to co-lead Training and Nutrition Stability Act, H.R. 3087, with Committee Members Alma Adams and Mark Molinaro, along with Adriano Espaillat, to ensure those in workforce training programs are able to maintain access to nutrition benefits while completing employment training programs to bolster economic security.

Our bipartisan bill would ensure job seekers and programs authorized under the Workforce Innovation and Opportunity Act, and the Supplemental Nutrition Assistance Employment and Training and Vocational Rehabilitation Programs, may leverage job-driven training programs' dollars and maintain them nutrition benefits, leading to long-term employment and economic stability.

Toward this end, I would like to recognize the work of training facilities across the country, including the Center for Employment Opportunities, operating in the State of Ohio, as well as Pennsylvania, Georgia, and many other regions through bold innovation, helping underserved access employment opportunities through on-

site workplace training, jobs placement retention, enabling pathways to long-term sustainable career opportunities.

Participants, like Mr. Rice in my district, demonstrate that SNAP E&T can work. After gaining work-based learning on a transitional job through local partnerships with employers to provide work experience and training to challenge participants, he learned skills, was hired full time, and he is now building a foundation for the future.

Dr. Rachidi, you note in your testimony SNAP must accomplish its core goal of supporting Americans in their path out of poverty. Can you please share your perspective on the critical nature of providing access to job training, including the importance of provisions within the Training and Nutrition Stability Act, to allow those in critical Federal workforce training programs to maintain food security and engage in employment training to assist individuals toward long-term security?

Dr. RACHIDI. Thank you for the question. I do think employment training is a crucial component of SNAP. In New York City, when I was there, we ran a very robust employment and training program. Part of the problem, though, is there are many employment training programs in SNAP that are not very robust and not very effective. So, I think that while there is a role, the Federal Government could do a better job in holding those programs accountable for achieving results that actually do help people get employment and put them on a path towards upward mobility.

Mr. MILLER of Ohio. Thank you. Mr. Hodel, in your testimony you stated alleviating hunger and malnutrition is a complex challenge requiring a multifaceted solution. How can Congress best enable and leverage public-private partnerships to meet the needs of underserved citizens, and what is the most effective role for the agricultural community to play in getting wholesome goods from the farm to those in need, and what barriers do you see in meeting these challenges ahead?

Mr. HODEL. Yes, thank you. Great question. Again, I think about it as a mathematical equation. It is an and, right? We have individuals that are purchasing food, and they get food from the food banks, and they have SNAP. And I think what are the best programs to figure out the total equation?

I would strongly endorse Farmers to Families Food Boxes. The exception, or the difference, I would say, is utilize the food bank to do the packaging. When you think about the Agriculture Committee, to be able to support farmers, and have a market, an additional channel for them to have to sell their goods, get that to a food bank that has a cooler and the freezer capacity. We can package it with our volunteers, and then get it out to our agencies. I think that would be a tremendous solution to add to the portfolio of solutions that you offer.

Mr. MILLER of Ohio. Thank you, sir, and I yield back. I now would like to recognize Mr. Costa out of California for 5 minutes of questions.

Mr. COSTA. Thank you very much, and Members of the Committee, I know it has been a long hearing, but I think it has been an important one. I want to concur with the Ranking Member, Mr. Scott, and his opening comments. I think that we do have a con-

sensus among Members here on our side about the—I don't know if it is the oath that physicians take, that—thou shall do no harm.

Clearly—my district has the largest percentage of SNAP recipients in California, and Congressman Valadao has a similar high number. There are a lot of contrasts between significant wealth and significant poverty, and a lot of our folks are among the working poor. They are seasonal, working not only in the fields, some of the hardest working people you ever meet in your life, but also—and we—I think the highest minimum wage law in the country.

But yet, with seasonal employment, family of four or five, oftentimes that is not enough nutrition to feed a family. And so I think that we need to be very careful when we make generalizations, in terms of what changes or reforms. And this is my fourth farm bill reauthorization, this issue comes up every reauthorization, in terms of how do we best provide food to the safety net. Because the farm bill is a safety net. It is a safety net for American agriculture, and it is a safety net for those who are socially and economically challenged in our country. and that is the way I look at the farm bill.

So, under the category of thou shall do no harm, Ms. Royal, you talked about issues of experience in New York. How would you describe your view of the application of food stamps and—or SNAP benefits, Women, and Infants, and Children in California, and the distribution, and how we have done that, with the state's own efforts?

Ms. ROYAL. As it applies to integrity? Could you repeat the question? I am not sure. I am not sure how—

Mr. COSTA. How would you rate the program in our application and distribution of SNAP in California?

Ms. ROYAL. I can't answer the question.

Mr. COSTA. Okay. Well, that is fine. Ms. Brown, do you have any perspective on the California efforts?

Ms. BROWN. Unfortunately, my only familiarity with California, in terms of their recent efforts, are around their success with on-line benefit applications, since we modeled something similar. And so, in terms of their ability to access, and create access to benefits, that is more of what I am familiar with.

Mr. COSTA. And how would you describe that? As being successful?

Ms. BROWN. Very successful. I think using technology, with some strong support, and having the ability to increase our access points for folks that are disabled, rural communities unable to reach transportation, is incredibly beneficial.

Mr. COSTA. I mean, this is a subset of that point you just made, but I have learned that convenience stores—a lot of our poor communities, that convenience store, it is not really a grocery store, is where they can pick up groceries. I am told that you can use a SNAP card or check for food that is in the freezer as you take it out, but if you take items that are heated, that you can't use that. is that correct?

Ms. BROWN. That is correct.

Mr. COSTA. Don't you think that is something we should change? I mean, that makes no sense. You are in a convenience store, you are hungry, you are coming—lunch, or working, and you can't buy

the chicken, or the other kinds of food that is heated there? I mean, if you are lucky, they even have a microwave, and you can buy it in the cold freezer, the burrito or something, and then you pay for it with your SNAP credit, and then you heat it in the microwave. But that is something we could change here in the farm bill, don't you think?

Ms. BROWN. That is something you can change. I will also say it impacts our homeless population, who often doesn't have opportunity to cook in a hotel room or in a shelter, and so greater opportunities are—

Mr. COSTA. Well, I would hope that is something we get bipartisan support. It doesn't seem to me that—having left—I mean, we are already agreeing that they can use the SNAP benefit in a convenience store, but we are saying if it is heated, you can't use it, and if it is not, you can. Makes no sense.

My time has expired. There are going to be other things we need to work on. But I think that, as the Ranking Member said, we ought to find bipartisanship, as we have in the past, to produce a farm bill this year, and I will continue to work with everyone. Thank you.

Mr. MILLER of Ohio. Thank you. I now would like to recognize Mr. Molinaro out of New York for 5 minutes of questions.

Mr. MOLINARO. Thank you, Mr. Chairman, and thank you all for spending the day with us. Obviously, this title is not only significant, many times it causes a bit of controversy and contention. I have been here for much of today's testimony. I want to frame my questions—although I do want to acknowledge, Ms. Brown, Minnesota's work to broaden access to SNAP, and those touchpoints that you referred to. Also, by the way, use of technology to reach to communities that are often untouched.

And it is—I only offer that in this—as a way of framing what I hope will be a question at some point in my comments. I spent the last 12 years as a county executive in the State of New York. We are responsible for the delivery of food stamps, TANF, Medicaid services. That is—while the Federal Government says this is a state responsibility, which it is—and I would remind my colleagues, Republican and Democratic, that we empower states to administer these programs, and there is no prohibition from the Federal Government to use other state supports or Federal supports to create the connection necessary to provide access, for instance, to those dealing with housing insecurity.

There is no prohibition a state can't provide laundry care. There is no prohibition a state can't provide wraparound mental health supports. There is no prohibition that the states can't engage in the kind of extra supports necessary as a supplement to SNAP. In fact, that is what we empower states to do. And states like Minnesota, and to some degree, I would acknowledge, New York have attempted to do this.

However, I can tell you, over the 12 years I administered SNAP and social services in my county, I saw a culture change. Historically, Dr. Rachidi, as you know, and you testify, historically, states were encouraged by the Federal Government with a very firm mission statement. Use SNAP as a tool to help people get to their own degree of independence.

I am going to pause here and say what my colleagues from New York have often heard me say, I grew up on food stamps. My mother was undiagnosed with depression. I thought every mom slept until eleven o'clock, and I thought every kid got a free lunch at school. But my mom worked hard—don't tell the unhired IRS agent, she probably worked off the books a bit—and we got back on our feet. I am grateful for the support structure. But when we moved—when we started to move into self-sufficiency, the agency was encouraged to help people find work. And it wasn't—it—we wouldn't—didn't leave people to simply navigate a massive labyrinth of bureaucracy.

But quite frankly, what the Federal Government has done, and this very dialogue has devolved to is how much more money should we or should we not spend? Or let us demonize or not demonize a particular group or individuals. The truth of the matter is we have a robust system. We just don't effectively use it. And we haven't empowered states, and encouraged states, and incentivized states to truly engage in the kind of support necessary to help people find their way to their defined independence.

My mother is independent now, diagnosed with depression, gets the services and support she deserves. My daughter receives Medicaid services, is an individual with disabilities. I understand the challenges. But allowing this debate to simply devolve into how much more or how much less we are going to spend is just foolhardy, because ultimately, the mission statement, to use the term I think Mr. Doar used some time ago—a week ago, the mission statement of agencies administering SNAP has changed from helping people to processing people, and states like New York have taken enormous amounts of Federal taxpayer money to simply support bureaucracy, and instead leave people to feel worthless as they are dehumanized in a system that doesn't care too much about them. You might, Ms. Brown, our staff might, I am certain. My social service agents did, but the system didn't.

Dr. Rachidi, I just want to return to this concept of the mission statement. I was very grateful, authored the one sentence, I think it is a paragraph in the Fiscal Responsibility Act of 2023 (Pub. L. 118-5), that talks to changing, or re-establishing that commitment to finding work for people. My question is simply, can you speak to the value of pointing state agencies in that direction? And that likely will be my only question.

Dr. RACHIDI. Yes, I think there is tremendous value in it, because, as you mentioned, over the past at least 15, 20 years of my career, I have also seen the shift away from employment. And part of that is because states are very good at processing checks, but they are less good at engaging participants, and helping them find a path into employment.

So, I think by the Federal Government making it a clear purpose of SNAP to help people find employment, I think it not only sends a message, but it also allows the Federal Government to hold states accountable for achieving that goal.

Mr. MOLINARO. I am—I have 10 seconds for one last question. What state spends more than New York on social service, Medicaid, and SNAP? Which state is that?

Dr. RACHIDI. Maybe California, but I don't think there are many. I think it is probably New York.

Mr. MOLINARO. It is New York. Spends the most on Medicaid, TANF, and SNAP combined, and yet we still trap people in a bureaucracy that is dehumanizing.

Mr. MILLER of Ohio. Thank you. I would now like to recognize Ms. Crockett out of Texas for 5 minutes of questions.

Ms. CROCKETT. Thank you, Mr. Chairman, and thank you to all the witnesses today for your time. Let me be clear, my colleagues and I stand united against efforts to take food away from veterans, children, families, or any vulnerable American in the farm bill, or in any other legislation. Any cuts to these lifesaving benefits would disproportionately affect the folks who make up the majority of my district, which is Black and Latino Americans. Any cuts would be borne most severely by these same communities, which are significantly more likely to go hungry due to years of systemic disinvestment.

In 2021 Black seniors were nearly four times as likely, and Latino seniors were three times as likely, to experience food insecurity. That is why SNAP is so important to the 100,000 seniors in my district, which is over 40 percent African American, and over $\frac{1}{3}$ Latino.

Statewide, SNAP is critical to more than 3.2 million Texans who depend on it to put food on their tables each month. And let me pause here. I haven't been here for the entire hearing, but we do know we are talking about \$6 a day. I just want to make sure that those at home recognize that we are not talking about a lot of money. I know that there was a lot of talk about how much money.

And as we recently had our conversations as it relates to the debt ceiling, there was an increase in defense, and so we decided that we were going to cut \$6 a day. I don't know how you balance any budget whatsoever off of that, but I did need to interject that we felt like that was really where all the fat was, with trying to feed hungry people in this country to the tune of \$6 a day, and I can't buy a sandwich for \$6, but nevertheless—this includes close to 400,000 elderly adults, and over 1.8 million children.

In my district, over 45,000 households used SNAP in 2021. That is 16 percent of the households in my district. But what is most concerning is that only 36 percent of SNAP eligible seniors actually participate in the program, far below the national average of about 50 percent. So instead of talking about kicking people off the program, we should be focused on improving SNAP accessibility.

In my home State of Texas, seniors are losing access to, or sometimes never even receiving, these crucial benefits due to difficulties they face in accessing the internet, navigating complicated applications, and dealing with onerous recertifications, even though their income hasn't changed. But we aren't doing anything about that. Instead of pursuing made-up problems with policies we know don't work, like time limiting benefits, we should be working on how to modernize SNAP to solve the problems of our constituents that they are actually facing. In fact, I have another plug right here.

I had an opportunity to visit with a number of the food banks in my district that have talked about how we have modernized in this country. I use Uber Eats all the time. People use DoorDash,

they use all of these different things, and so there are—I know DoorDash was actually one of those companies who had agreed to deliver boxes of food to seniors, but, because of the bureaucracy and the paperwork, if they weren't there to physically sign for the food, then the DoorDash delivery could not leave the food for them, because they can't go about kind of just doing it on an app, like many of us in this country do. So, it is time for us to catch up with the times.

Ms. Brown, I was incredibly interested to read your testimony about Minnesota's benefits application portal, which has improved application times from over an hour on the previous paper version to about 13 minutes on average. Can you tell us more about the process for developing and launching MN Benefits?

Ms. BROWN. Yes, I can. Thank you for the question. So, we partnered with Code for America, who was able to provide resources to us free of charge, and they worked with our IT systems to really look at what are the necessary questions we were asking, and how could we utilize technology to really streamline the process behind the scenes, and not on the backs of the individuals who are applying for the program.

And so, with that, we have had incredible success. People are incredibly happy with the length of time that they can go through the application. And, furthermore, they can do it at all hours of the day. In the traditional model, if you are open from 8:00 to 5:00, if you work different hours, it was really difficult for people to get to the social service office, so—

Ms. CROCKETT. And speaking of working, just to be clear, currently SNAP does have work requirements, isn't that correct?

Ms. BROWN. That is correct.

Ms. CROCKETT. Thank you so much.

Mr. MILLER of Ohio. Thank you. I would now like to recognize the gentleman out of New York, Mr. Langworthy, for 5 minutes of questions.

Mr. LANGWORTHY. Thank you, Mr. Chairman, and Ranking Member Scott. Dr. Stover, as you know, farmers and ranchers have the opportunity to work alongside the retail community through programs such as GusNIP. These programs are a win for local businesses and farmers. In New York State alone more than 100,000 families have utilized the program. Over 5.2 million pounds of produce have been sold, and the economic impact on farmers in our communities has totaled more than \$8.3 million. Constituents receiving benefits in my district are able to increase the number of fruits and vegetables being consumed through these incentives at certain retailers. What role do you believe incentive programs play in supporting the health of SNAP participants?

Dr. STOVER. I believe both education and incentive programs are absolutely essential. The intersection of health—if you want food to promote health in the population, it is an intersection of the food environment, the food that is available, and then the ability of the consumer to make the healthful choice. And we need to work on both of those. And that is a very innovative program, and we have to make sure that we get the food environment right, and that we have agency within individuals, the ability, the knowledge to make the right choices.

Mr. LANGWORTHY. Dr. Rachidi, I would like to open this question up to you as well.

Dr. RACHIDI. I do think incentives play a role, but I do think we have to be clear about the evidence around GusNIP. It did marginally include vegetable purchases, but it was fairly small. So, if we are thinking about the problem of diet quality, an incentive program like GusNIP, while useful, is not really going to be a game changer.

I will add there were some comments about restrictions. I agree. I don't necessarily like telling people what they should eat or what they should not eat. I just believe that a taxpayer funded program like SNAP, billions of dollars of Federal dollars, taxpayers should not be subsidizing poor diet and poor health. So, I think there is a role for incentives, and I think there is a role for restrictions.

Mr. LANGWORTHY. Thank you. Ms. Royal, no one has been immune to skimming, but it is particularly bothersome when a household in need falls victim to criminal activity. Now, while some Congressional action has been taken in the Consolidated Appropriations Act of 2023 (Pub. L. 117-328), it may have simply provided a roadmap for bad actors. Ms. Royal, from a national perspective, can you tell me more about skimming, and how we as policymakers can stop it?

Ms. ROYAL. Skimming is an attack on benefits. It is a way to use technology to recover information, and then use that information to drain SNAP accounts. Waste prevented—a lot of the skimming instances also arise from recipients using the simple password, the 1234, the 111, again those sequential passwords. Making sure, putting in mandates that we can't use 1234. And I realize that that comes with complications, but when we are talking about draining an EBT card *versus* complications in requirements on PIN numbers, it seems to be an easy trade.

Mr. LANGWORTHY. Very good. Thank you. Switching over to food waste, Mr. Hodel, across the U.S., almost 40 percent of our food is wasted. That is 130 billion meals, worth almost \$408 billion. I, and a lot of my colleagues, are concerned about the costs of addressing hunger. Can you talk a little bit more about how food banks like yours work with grocery stores and other sources to capture food that might otherwise go to waste, and where can we work to do more of that?

Mr. HODEL. Yes. So thank you for the question. Again, we have a procurement director, we have logistics folks that—they are very tied in. And we know when a grocery store especially, or a supermarket, or a distribution center has food that is in excess, they need to get it out of there. So that is one of our driving forces, is—we have a fleet of trucks, we have drivers, we have access to trucking companies across the country so that we can quickly remove that from their business. They are trying to run a business, and we are able to quickly capture, and rescue that, and bring it in to our facilities.

We have invested heavily in our facilities with freezers and coolers so that we can bring that in. And then we have a variety of distribution models. So not all agencies are created equal. We have small to large, we have local *versus* more distant. So, again, we have different distribution models so that when we get something

in, that we can quickly turn it out to those agencies, that they can get it to their food recipients.

I think an incentive, or a promotion, is carbon credits, because we think about how much are we rescuing that is not going to a landfill. And then how do we reward and incentivize those companies, and give them credit for the reduction in carbon.

Mr. LANGWORTHY. Thank you very much for the testimony from all the witnesses, and, Mr. Chairman, I yield back.

The CHAIRMAN [presiding.] I thank the gentleman. Before I recognize our next Member, I just want to ask unanimous consent to submit for the record an article, May 31 *Reuters* article¹⁰ on the number of job openings, including industries like healthcare, transportation, logistics, and utilities. Without objection, we will enter that into the record.

Now I am pleased to recognize the gentlelady from Oregon, the mother of a recent high school graduate on Friday, congratulations to you and Amelia.

Ms. SALINAS. Thank you.

The CHAIRMAN. I now recognize Ms. Salinas for 5 minutes.

Ms. SALINAS. Well, thank you, Mr. Chairman. Thank you for your kind words. I want to start by saying, I actually agree with my colleagues in the Majority. I think we need to encourage opportunity, and I think we need to do that with all of our government programs. Sadly, that is where it ends.

So nearly 17 percent of households in my district depend on SNAP to put food on their tables, each month, and that is about one in six families in Oregon's Sixth District. But I am particularly concerned about a certain population, and that is those who attend community college, so our community college students.

I want to again thank the Chairman Thompson and Congresswoman Lori Chavez-DeRemer, who both serve on this Committee. We were down in Albany, and out in the State of Oregon this past Friday, and we were at Linn-Benton Community College, were we heard that the average student is 27 years old, and about $\frac{1}{3}$ of all those are parents.

And so, we are talking about non-traditional students, many with dependents, trying to piece together work, caring for kids, going to school, and yes, putting food on the table. And a recent study from Johns Hopkins found that food-insecure students were more than 40 percent less likely to graduate from college, and more than 60 percent less likely to earn a graduate or professional degree.

Despite the importance of nutrition to student success, and what I would consider increased opportunity, recent surveys estimate that as many as 30 to 40 percent of college students are impacted by food insecurity. And, unfortunately, SNAP's strict eligibility rules for students enrolled at least half time make it difficult for many to get the help that they need. And supporting food assistance for college students is an investment in opportunity, and in human potential.

¹⁰ **Editor's note:** the article entitled, *US labor market remains resilient as job openings climb, layoffs drop*, is located on p. 133.

And I have my own personal story around this. It was really difficult. My parents could not pay for college. I worked so many jobs. I think I worked 70 hours a week. Sometimes I was full time, sometimes I was part time, but they were able to help me put food on my table. And I know a lot of kids these days, and non-traditional students, just cannot. So, I believe strongly that we need to make it possible for the millions of students that want to follow in a similar path to mine who—we need to enable them to make those ends meet while pursuing that education.

So, Ms. Brown, how accessible is SNAP to students enrolled half time or more, and what barriers do people who are already participating in SNAP face when they try to enroll in higher education to further their work prospects?

Ms. BROWN. Thank you for raising this important issue. One in five college students are parents. And, adding onto some of those stats that you shared, we believe that student policies need to be modernized. When the program policies were put in place, the traditional college student looked much different than what it looks like today.

So, during the pandemic, the COVID provisions that were passed were incredibly helpful. We heard from college students all across the state how grateful they were for that. So, what that did is it loosened the student eligibility criteria, which allowed for work study placement to occur. And what we have in Minnesota is that some college students that are eligible for work study are unable to get a work study placement simply because there aren't enough.

Ms. SALINAS. Right.

Ms. BROWN. And so that is a particular barrier that is incredibly important to really solve. We also are interested in seeing a blanket exemption for all income-eligible students if they are enrolled in a 2 year community college or a technical college program, again, with the idea of boosting up and removing barriers for student populations.

Ms. SALINAS. Thank you. And then, also, just in my last minute, I would like to ask about the mechanism SNAP has in place to address the benefits cliff families might face if they are able to increase their earnings to the point where they are no longer eligible for SNAP. So, Ms. Brown, can you speak to how utilizing broad-based categorical eligibility, or BBCE, impacts SNAP recipients in your state, and then what kind of benefit cliff, if any, do they face when they become ineligible for SNAP?

Ms. BROWN. Yes. Thank you so much. So, the broad-based categorical eligibility does allow households to save for the future. That is the number one piece, and it really does soften that benefit cliff. So, we want people, in order to be successful, and not turn on and off the program, to really be stable when they leave the program. And so, if we can soften the benefit cliff, and utilize all the exceptions and the flexibilities states can employ, then we will have a much more stable population, and people more successful.

Ms. SALINAS. Thank you. And more opportunities ahead. I mean, it really does go to show that we do need some safety nets there, so thank you. Thank you again to you, Mr. Chairman, to coming to our great State of Oregon to hear the needs of our state, and I yield back.

The CHAIRMAN. It was a pleasure. Thank you for the hospitality. Before I recognize the gentleman from Tennessee, I do want to make a unanimous consent request to submit for the record a May 23 *Wall Street Journal* opinion,¹¹ where the author lays bare how public policy has made unemployment too attractive for some healthy adults. Without objection, so submitted. I am now pleased to recognize the gentleman from Tennessee, Mr. Rose, for 5 minutes.

Mr. ROSE. Thank you, Chairman Thompson and Ranking Member Scott, for holding the hearing, and thank you to our witnesses for your time today. I know you have lots of things you could be doing, and we appreciate you being here with us. I want to begin with Ms. Royal. As a member of the United Council on Welfare Fraud, do you believe that welfare fraud is a victimless crime?

Ms. ROYAL. Absolutely not. The victims are the taxpayers, and the victim is the program itself.

Mr. ROSE. And thank you for that. You anticipated my follow-up question, so I will move on, then, and thanks for that clarity. Mr. Hodel, your testimony mentions weekly deliveries to eastern Kentucky, with future projects for Mississippi and Louisiana, and a mention of a pilot program to support the *super rural communities*. Knowing these are high poverty areas, how do you succeed in getting food to these communities in need?

Mr. HODEL. It is teamwork. We are using data analytics to look at the high poverty countries—or counties, sorry, and districts, and then teaming with corporations that have a philanthropic element. Obviously more and more I would say companies are looking for their proof to be able to show their employees that they are giving back, and they are caring about communities across the country.

Two different programs, but one is procuring food, packaging basically family food boxes. One is shelf stable, and one is perishable. And then utilizing logistics companies, and they truck the food from our location down to eastern Tennessee, and then utilizing a local agency to do the distribution.

And actually, of the 944,000 households that we dropped off, or the agency dropped off and delivered, only seven missed the delivery. So we have had really good response to be able to take a family food box to a house. Many times they don't have a door, or don't have windows, and they are clearly in need. So that is teamwork, kind of across the supply chain, with corporations, and companies, and agencies.

Mr. ROSE. Thank you. And to serve these areas for a season, and not a lifetime, are there—and I think I just said that backwards, for a lifetime, and not just a season, are there opportunities for collaboration with employers, career and technical education providers, and other service providers to give these families the support that they need to move from poverty to true independence?

Mr. HODEL. Absolutely. Yes, we talked about junior colleges, and the one thing I would add is we actually have a lot of food pantries in junior colleges. And they are able to put those food pantries in place because we don't charge for our food, so it is an opportunity

¹¹**Editor's note:** the article entitled, *Make Welfare Reform Part of the Debt-Ceiling Deal*, is located on p. 140.

for a college student to come get food. But I do think companies, employers—we will see where manufacturing companies, trucking companies, they will reach out to Midwest Food Bank, and they will have an activity. They will do a food packaging drive at their facility to drive awareness about Midwest Food Bank, but they also know, then, that it is a support system for the community. And there are probably some employees at those locations that, based on their situation, maybe have to use the food pantry at times.

So, again, I think it is community collaboration, but primary, secondary, post-secondary education, and training, and connections with the local employers in the area I think is really, really key.

Mr. ROSE. Thank you. I completely agree, and would just stress the old adage of give a man a fish, you feed him for a day, teach a man to fish, you have fed him for a lifetime. And—came up through the FFA Program, and appreciated the important lessons there of teaching people how to feed themselves, and grow the food to feed themselves, so I embrace everything you just said.

Mr. Hodel, one photo from a once a month distribution was used repeatedly throughout the pandemic to demonstrate need. While it suggested demand, it also suggested logistical failure. What has your experience been? Have you seen dramatic lines? If not, how have you supplied your demand with efficiency?

Mr. HODEL. Yes. We actually saw the opposite. So during the pandemic—and I am familiar with the photo, but we actually more fine tuned our supply chain and our planning of our agencies to pick up, because we needed—we had to kind of space people out. And so we were, again, with integrity, trying to make sure we were respectful of their time, so we kind of dialed in our schedule to make it really clear that—we need you to come at this time to pick up your food, and we had it kind of pre-packaged and ready for our volunteers to load their vehicles.

So, our experience was just, again, making sure that we dialed in our planning and our logistics to be respectful of our agency so they did not have to wait.

Mr. ROSE. Thank you. Mr. Chairman, I yield back.

The CHAIRMAN. Thank the gentleman. Before I recognize the young lady from Virginia for 5 minutes, I just would request unanimous consent to submit for the record a May 24 *Wall Street Journal*¹² article that articulates how desperate states are to keep people idle through waivers. Without objection, I am now pleased to recognize the gentlelady from Virginia, Ms. Spanberger, for 5 minutes.

Ms. SPANBERGER. Thank you very much, Mr. Chairman, and thank you to our witnesses for being with us. There have been a number of conversations and questions posed throughout this hearing, some directly related to the topic, and some not. There was a question posed of Ms. Brown about the time it takes for an asylum process to go through, an application. The answer to the question—though, Ms. Brown, given your specialty and expertise was probably misdirected at you—is 4.3 years. And so, individuals who may eventually become eligible for SNAP benefits, once they are ap-

¹² **Editor' note:** the article entitled, *Fixing the Food-Stamp Work Requirement Loopholes*, is located on p. 143.

proved, it is an average of 4.3 years, with some taking more than a decade. And, Mr. Chairman, I ask unanimous consent to put this document into the record substantiating that.¹³

The CHAIRMAN. Without objection.

Ms. SPANBERGER. Thank you. There were also questions related to work requirements, and in the question was a little bit of an implication, that, in fact, work requirements are not in place, and that they are not currently supported. Work requirements are in place, and so I submit for the record—or I ask unanimous consent to submit for the record the statute related to existing work requirements, which do indeed already exist for many SNAP requirements.¹⁴

The CHAIRMAN. Without objection.

Ms. SPANBERGER. Thank you. There was a question related to veterans, and how removing some of the requirements related to hurdles that might be in place for veterans to get SNAP benefits, whether that would hurt veterans, because they wouldn't be required to take education and training programs. So, Ms. Brown, directed at you, while those requirements are not in place, thanks to the Fiscal Responsibility Act, for veterans who choose to participate, that option is still on the table, is it not?

Ms. BROWN. That is correct.

Ms. SPANBERGER. So, we are not disadvantaging veterans by removing a hurdle for them to have access to affordable food, is that correct?

Ms. BROWN. Correct.

Ms. SPANBERGER. There are, though, substantial challenges with some of the state-run program for education and training, that that is another matter. Is that also correct?

Ms. BROWN. That is correct.

Ms. SPANBERGER. Thank you. There was a comment about the fact that an individual on the Committee went out and just found a \$14 paying job. I would just like to state for the record that the Federal minimum wage continues to be \$7.25, and a tip wage worker, it is \$2.13. If any of my colleagues want to join some of us in raising that to a \$14 level, I welcome them to do so.

Related to the Farmers to Families Food Box Program, notably I think there was—in the immediacy of the pandemic, this program showed some strength, though notably a \$39 million contract went to an event planning company out of Texas. There is story after story of abuses of the program.

And so, when we are moving forward trying to find programs, and ways to leverage Federal dollars to help people and help communities, my attention is drawn to my state, the Commonwealth of Virginia, where agriculture is our number one private industry, and what I see in my district is the fact that local farmers are able to participate in programs such as community food projects. The GusNIP Program is incredibly helpful in helping leverage SNAP dollars. And, in fact, the Regional Food Business Centers are something that I do hope this Committee will codify when we move for-

¹³ **Editor note:** the TRAC Immigration report entitled, *A Sober Assessment of the Growing U.S. Asylum Backlog*, is located on p. 203.

¹⁴ **Editor note:** the excerpt from 7 U.S.C., § 2015. **Eligibility disqualifications**, is located on p. 219.

ward with this farm bill, because they have been so incredibly helpful to the people that I serve.

And, with that, I want to just speak to another population that continues to face food insecurity, and those are active-duty servicemembers. In the Commonwealth of Virginia, we have the second highest population of active-duty servicemembers, second to California, and in Virginia's Seventh District, I am proud to represent so many of them. My colleagues have spoken about veterans who also face food security challenges.

A 2020 survey found that nearly $\frac{1}{5}$ of active-duty military families in Virginia say they can't reliably afford food. The survey also found that lower ranked servicemembers, those who considered suicide, and those who were experiencing loneliness were more likely to experience food insecurity. These stories, these experiences, are not rare or unique to Virginia.

According to the U.S. Department of Defense, 24 percent of active-duty servicemembers experience food insecurity at some point over the course of 1 year. That is almost one in four, and even our colleagues here today have spoken of availing themselves of food security programs while they were active-duty servicemembers.

During my career I spent many years working to keep our country safe from a wide variety of threats, and I can tell you hunger among our military families is a national security issue. It is unacceptable that military families struggle to put food on the table in the richest, most powerful country in the world. Those who defend our nation do not deserve to go hungry.

And while the conversation today has included some programmatic improvements that we could make to our food security program, some improvements to education and training, to the administration of the program, encouraging access to healthy foods, simplifying programs, and, of course, eliminating fraud, I also want to join my colleagues in saying that I refuse to accept senseless changes to SNAP that would harm our nation's servicemembers, veterans, and any other vulnerable Americans by taking food away from them in the 2023 Farm Bill or any other way. Thank you, I yield back.

The CHAIRMAN. The gentlelady did that very nicely, getting it in under the wire. I didn't think you lived that far north to be able to speak that fast. That was really good. Before I recognize Mr. Johnson, want to ask unanimous consent to submit for the record a May 17, 2023 *Wall Street Journal*¹⁵ article regarding the sensible reforms in the Fiscal Responsibility Act. Without objection, so submitted. And now recognize the gentleman from South Dakota, Mr. Johnson, for 5 minutes.

Mr. JOHNSON. Dr. Rachidi, your testimony references the relative lower health outcomes for SNAP recipients, which I think is, of course, concerning to all of us. I assume that health is highly correlated to employment, and so then I wonder if SNAP recipients would have correlatingly lower work outcomes. Is my assumption right, and then, if so, what do we do about that to make sure that

¹⁵ **Editor's note:** the article entitled, *The GOP Can Win on Work Requirements and Welfare*, is located on p. 138.

people are healthier, more productive, happier? We have talked about some programmatic improvements, but what are we missing?

Dr. RACHIDI. Yes, thank you for the question. This is actually one of my main concerns about SNAP, because SNAP obviously draws to the program just an unhealthier population, because that is likely why they can't work, which is why they are low-income, which is why they need SNAP. So, it does draw an unhealthy population somewhat by design.

But the problem with SNAP is that once that unhealthy population comes to SNAP for help, SNAP actually contributes to poor health by reducing diet quality, and also disincentivizes work, which we know leads to further deterioration of health. So, in the reverse, really SNAP should be looking at those with poor health as an opportunity to improve their health and make them more employable, so that they can, in the end, escape poverty.

Mr. JOHNSON. So, I do not have it in front of me, but there was a Federal Reserve report a number of years ago that I reviewed that indicated—that talked—that did time studies on work capable individuals who were not working. And you—not surprising that there was a big difference between the way that unemployed women spent their time *versus* unemployed men. Unemployed women are so often the custodial parent. They were spending huge chunks of their day on care for dependents. With the young work capable men, that was less the case.

And the time study result, as I remember, was early on they were spending a fair amount of time trying to be work ready and look for work. If they didn't get a job relatively quickly, how they spent their time changed dramatically. And they began to spend more time on television, on a smartphone, on other entertainment devices, and that there was a corresponding precipitous drop in their mental health.

Does that sound about right? Is that consistent with other research you have analyzed, and any other observations you would have about what sounds like, frankly, a serious problem for the behavioral health of Americans generally?

Dr. RACHIDI. It is, and it is exactly correct. So, Nick Eberstadt, who is a scholar at AEI, has done work on time use surveys, and documented that—especially among men, those were prime age and not working, they spend their time mostly in front of screens. And then we have the literature to suggest the longer people are out of the labor market, their health deteriorates even more, and even mental health issues.

So, you can imagine a population that is becoming further depressed because they are not working, spending a lot of time on screens it is just contributing to the problem rather than trying to help them.

Mr. JOHNSON. And I would—I think both sides of the dais—and by the way, I think we all know this Committee is generally far more common ground seeking than many of the food fight committees in Washington, and that is one of the reasons that I am so proud to serve here. I do think sometimes the rhetoric many of us can use about this issue can be a barrier.

I do think everybody in here ultimately shares the same desire, which is how do we allow people to live happier, more productive,

healthier lives. We may have tactical disagreements about the best way to do that, but I do observe that we all accept that, to get stronger in athletics, you can't just jog at a comfortable pace, that growth comes outside of one's comfort zone. And, of course, that is true for a high school cross-country runner, but it is also true for each of us, in our personal relationships, in our professional relationships.

And I know that every human being I have met is more—is better positioned to grow outside of that comfort zone if there is some—if there is accountability. If there are—not just accountability, but some supports, right? And ultimately, looking forward, we do know that work requirements can play a role there. We know that job training programs can play a role there. We know that job seeking supports, including childcare, plays a role as well.

And so, I would just thank you for the research that you and your colleagues have done, because ultimately, we cannot afford to have the kind of precipitous decline in physical health and mental health that the research you are discussing describes. Thanks so much. I yield back.

The CHAIRMAN. The gentleman yields back. Before I recognize—good friend from Florida, I would just unanimous consent to submit for the record Dr. Rachidi's May 2023 report, *Perspective on Opportunity: Promoting Mobility Through SNAP: Toward Better Health and Employment Outcomes*. Without objection, the article is submitted, and now pleased to recognize the gentleman from Florida, Congressman Soto, for 5 minutes.

[The report referred to is located on p. 168.]

Mr. SOTO. Thank you, Mr. Chairman, and thanks for coming to Florida for the listening tour just a few weeks ago. It has been said often on this Committee, by both sides of the aisle, that we live in the most powerful, most prosperous nation in the history of the world, and that no American family should go hungry. We also have incredible farmers. The American farmer is the most productive in the world as well, which helps give us this blessed bounty.

I want to go through some of the facts about SNAP. First, SNAP is effective. It serves over 42 million Americans. SNAP is also a critical program for our local agriculture. I have spoken to many ranchers, and growers, and farmers in my district who work with our state, and with the Federal Government to help provide the food for the SNAP program. SNAP has modest benefits. The average benefits are \$2 per person per meal, \$6 per day. As I have mentioned that to some of my constituents, a lot of folks have been shocked about that number. And, last, SNAP also helps our most vulnerable Americans: 80 percent of the program are children, the disabled, seniors. We also have a lot of veterans who are able to get SNAP benefits, as my colleague, Representative Spanberger, mentioned so well.

I talked to some of our local nonprofits, like Osceola Council on Aging in my district about persons with disabilities in my district who are receiving SNAP, and they talked about a gentleman named Herman who is a constituent of mine in central Florida. He is a senior who lives alone with diabetes, suffers from heart problems, uses a walker. His food stamps have already been cut from \$150 to \$50. If there were further cuts, he will be in an increas-

ingly worse situation. Right now, he tries to make things work by working with other charities, and churches, and the like, and we applaud the work they do, but the funding and the food there is not consistent.

We know that a household containing an adult with disability is estimated to require 28 percent more income to maintain the same standard of living as a similar household. SNAP can serve as a vital lifeline for Americans in this situation. In Florida, more than 288,000 non-senior adults with disabilities participate in SNAP each month. Nationally, in 2020, 22 percent of SNAP households, over four million households, included non-elderly adults and children with disabilities. That is why I feel strongly about these programs, and I hear it from my constituents every day.

Ms. Brown, how can we improve SNAP benefits to ensure Americans living with disabilities like Herman can afford healthy, nutritious food? Because \$50 doesn't seem like a lot of money each week. And are there ways we can adjust—excuse me, monthly, forgive me. And are there ways we can adjust things like SNAP work requirements and medical deductions to ensure low-income disabled individuals have better food assistance?

Ms. BROWN. Yes. Thank you for the question, and thank you for the example of the constituent. I think that is an important example, because it shows the conditions that your constituent has as a result of SNAP, but they are utilizing SNAP to help, despite all the of the conditions that they are dealing with. And I think there have been a few statements made that are really ignoring the conditions that folks have as they are entering into SNAP, and SNAP is not causing those conditions, so I want to make that point. I also just have to make another point that when we look at a point in time, a data point, that does not—that—it does not serve as well to make broad characterizations of a population.

So, to your point about folks that we can improve access, and encourage disabled folks, absolutely. Increased review of the medical deductions will absolutely benefit that population, and encourage more to apply, and to receive benefits, and hopefully stabilize. We have to really be understanding of the myriad of conditions and problems that our folks have, and that is exactly why SNAP is here.

Mr. SOTO. Well, thank you so much, Ms. Brown. Constituents like Herman, a disabled senior, who already had his benefits cut from \$150 to \$50 a month—I can't imagine any family, let alone a constituent suffering from disabilities to be able to really live on that, so—think these are types of stories we have to keep in mind as we are looking at protecting SNAP here in the farm bill. And I yield back.

The CHAIRMAN. Thank the gentleman. Before I recognize the Ranking Member here for closing comments, I just would like to submit for the record a May 30 *Wall Street Journal*¹⁶ article on restoring a culture of work and safety net programs. Without objection, consider the article submitted. And now pleased to recognize,

¹⁶ **Editor's note:** the article entitled, *The GOP's Progress on Work and Welfare*, is located on p. 144.

for any closing comments that he would like to make, the gentleman from Georgia.

Mr. DAVID SCOTT of Georgia. Well, thank you, Mr. Chairman. And I want to thank our panelists for a very engaging, informative, and heartfelt presentation. We are dealing here with fine points. What has been missed here is that—this issue of work, as if Democrats don't have work requirements. We do, up to 49 years of age. Under the bill that President Biden has just signed, the work requirements are 5 more years. So it is minor.

But why do we feel—we have an opportunity here to really get to the heart of the matter. Let me just share with you why I oppose moving from the 49 years of age that we have the work requirements. You would hear from our Republican friends as if Democrats don't support work requirements. We do. But we have a reason for putting it at the age where it is least hurtful for the very people we are trying to help.

Let me share with you these astounding figures so that I think you will agree that 49 years is sufficient, and once you get beyond that, you create an amazing amount of hurt to the very people that you are trying to help: 82 percent of SNAP households include a child, an elderly adult, a person with disability. That is in 82 percent of every household. And 42 percent of all of the SNAP participants are children. It is the children in the households. It is the grandparents, it is the parents, that have to provide food from their qualifications for the food stamps.

That age is so important, and that is why we Democrats feel strongly in holding this age at this pattern. We are not against people going out—able-bodied going to work. Work is not just there when you have this type of constituency in each household. Who is going to take care of those children, the disability, the people who are in these homes that SNAP is giving the attention to? That is what is at issue here. And I am hoping that our Republican friends will see the justification to don't add more difficulties onto our SNAP recipients than what we have now.

And y'all's testimony proves this very point, that we are set, and with—the SNAP requirements of work where they are, are there for a purpose. It is not these additional 5 years we have to be concerned about. We are there to help these children. We are here to help the disabled. And when you throw in our veterans, who are living in food-insecure households at a rate of 7.4 percent greater than the general population, that is why we have the work requirements where they are.

That is the only difference we have. And you have heard similar commentaries from each side. There is a compassion here. Now we all just hope, and we pray, that our Republican friends will want this to be a bipartisan bill. But there is no way that we Democrats can turn our backs on where we are right now. All we are asking for is to keep it where it is. And you all have testified as to why. Thank you, Mr. Chairman.

The CHAIRMAN. Well, I thank the gentleman. I want to thank our witnesses. This panel has been unmatched, in terms of your expertise, and your dedication to basically what we are talking about under the nutrition title, and I just greatly appreciate it. Thank you to our Members. We had tremendous participation and turn-

out. And thank you to our staff, all of our staff, for helping to make this hearing so successful.

There are a couple truisms out there in this space. Farmers feed, and nutrition matters. And so that is why I am very proud to have Title IV, the nutrition title, in the farm bill. I think it is an essential part of the farm bill. And under the SNAP Program, the fact that the national average is \$248 a month, the national average is a little over \$8 a day.

Now, that is the national average. There are some differences based on the states' administrations. I want to compare that over \$8 a month for SNAP recipients to the fact that the national average for expenditure for non-SNAP on a daily basis is \$12 a day. And that is why we call it Supplemental Nutritional Assistance Program. It is not the full amount, supplemental, but it is—the differences is pretty close.

Now, as we continue our work for the 2023 Farm Bill, I hope it will keep a principled approach. Those principles were in the title of this hearing, and, quite frankly, has been in any discussion that I have led, or have been a part of, not just in this hearing room, but, quite frankly, all across the country, and probably about 40 states over the past 2 years and 5 months, as we have done a listening—farm listening session to take input on all 12 titles of the farm bill, including Title IV, the nutrition title. That is innovation and flexibility, food and financial security—or independence, food and financial independence, program integrity, and healthy eating. By focusing on principle, we can mute the politics that can be so divisive. I think we have an obligation to do that.

As we look at SNAP, and I know that it can be very controversial, but it is important for people to understand that, in terms of—I don't use the word work requirements. I use the word *job opportunities*: almost $\frac{1}{4}$ of all SNAP recipients today are working. They are the working poor. They are working one and two jobs or more, minimum wage, no benefits, and they are not getting any further ahead, and they are struggling.

And they qualify financially for SNAP, and they don't—I mean, they fulfill that 20 hours a week work requirements, but it is important people—to clarify that that requirement, as has been in law for a very long time, is 20 hours of work, or 20 hours of volunteer time. Or, quite frankly, I think one of the best ways is engagement in SNAP employment and career and technical education. Helping people reach a new rung on the ladder of opportunity. So I look forward to our continued discussion on where areas for improvement exist.

And so, with that, under the Rules of the Committee, the record of today's hearing will remain open for 10 calendar days to receive additional material and supplementary written responses from witnesses to any question posed by a Member. This hearing of the Committee on Agriculture is adjourned.

[Whereupon, at 2:43 p.m., the Committee was adjourned.]

[Material submitted for inclusion in the record follows:]

SUBMITTED ARTICLES BY HON. GLENN THOMPSON, A REPRESENTATIVE IN CONGRESS
FROM PENNSYLVANIA

ARTICLE 1

[https://journals.lww.com/co-pediatrics/Fulltext/2023/02000/Supplemental_Nutrition_Assistance_Program_as_a.8.aspx]

Supplemental Nutrition Assistance Program as a health intervention

CURRENT OPINION IN PEDIATRICS

JEROLD MANDE^a and GRACE FLAHERTY^b**Purpose of review**

In 2020, obesity prevalence among U.S. children reached 19.7%, impacting about 14.7 million children and adolescents. Food insecurity among children is also a public health concern but has largely decreased or remained stable over the past decade, reaching 6.2% of U.S. households with children in 2021. Given food insecurity and obesity's interconnected nature and their negative consequences on children's health, it is of interest to assess the Supplemental Nutrition Assistance Program's (SNAP's) impact on childhood food security, dietary quality, disease risk, and health outcomes.

Recent findings

Evidence suggests that SNAP participants, including children, struggle to meet key dietary guidelines and perform poorly on key health indicators when compared with income-eligible and higher income non-participants. Children participating in SNAP were more likely to have elevated disease risk and consume more sugar-sweetened beverages (SSBs), more high-fat dairy, and more processed meats than income-eligible non-participants. However, research suggests that Federal food assistance programs with more stringent nutrition standards—the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the National School Lunch Program (NSLP) and School Breakfast Program (SBP)—improve dietary quality, increase birth weight and gestation periods, and reduce childhood obesity, infant mortality and healthcare costs.

Summary

After reviewing the evidence on SNAP's impacts on food insecurity, dietary quality, and health as well as research on the health impacts of other more successful Federal food assistance programs, we provide three policy recommendations to strengthen SNAP's effectiveness as a health intervention for children and families.

Keywords

diet quality, food insecurity, health intervention, nutrition assistance, Supplemental Nutrition Assistance Program

Introduction

Obesity and diet-related disease are a growing public health crisis for both adults and children, with significant disparities by race and ethnicity. Childhood food insecurity is also a public health concern and is closely tied to diet-related disease and overall child health. The Supplemental Nutrition Assistance Program (SNAP) is the

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Curr. Opin. Pediatr. 2023, 35: 33–38, DOI:10.1097/MOP.0000000000001192.

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largest Federal food assistance program and is of interest for its potential to further alleviate food insecurity among children while also improving health outcomes.

Burden Of Obesity, Diet-Related Disease, and Food Insecurity

From 2017 to 2020, for children aged 2 to 19 years, the prevalence of obesity in the United States was 19.7% and impacted about 14.7 million children and adolescents.^[1A] Obesity prevalence was 26.2% among Hispanic children, 24.8% among non-Hispanic black children, 16.6% among non-Hispanic white children, and 9% among non-Hispanic Asian children.^[2] Obesity increases a child's risk for adverse diet-related health conditions, including type 2 diabetes, cardiovascular disease, and certain cancers.^[3] Among adults, from 2017 to 2020, obesity prevalence was 41.9%, a record high.^[3] Obesity prevalence was 49.9% among non-Hispanic black adults, 45.6% among Hispanic adults, 41.4% among non-Hispanic white adults and 16.1% among non-Hispanic Asian adults.^[3] In 2017–2018, 93.2% of adults had less-than-optimal metabolic health.^[4A] Diet-related chronic diseases are among the leading causes of death in the United States, and research during the coronavirus 19 (COVID–19) pandemic showed that diet-related chronic diseases were associated with higher risk of COVID–19 infection and $\frac{2}{3}$ of COVID–19 hospitalizations.^[2, 5A]

Key Points

- Childhood obesity and diet-related disease are growing public health concerns. Childhood food insecurity is also an important public health concern but has been decreasing over the past decade, thanks in large part to Federal policy efforts.
- Research suggests that the Supplemental Nutrition Assistance Program (SNAP) has positive impacts on child health by reducing food insecurity and providing economic benefits to families, but SNAP participants are still struggling more than income-eligible and higher income non-participants to meet key dietary guidelines.
- Research on other Federal food assistance programs suggests that making diet quality a SNAP core objective, applying more stringent nutrition standards to SNAP authorized retailers, and pairing incentives for purchasing fruits and vegetables with restrictions on unhealthy foods and beverages would improve participants dietary patterns and metabolic health.

Food insecurity and very-low-food insecurity among households with children decreased from 2020 to 2021. Food-insecure households, as defined by USDA, are those that had difficulty at some time during the year providing enough food for all members because of a lack of resources.^[6] Very-low-food insecurity is a more severe range of food insecurity, wherein the food intake of some household-members was reduced, and normal eating patterns was disrupted at times during the year because of limited resources.^[6] In 2021, 6.2% of households with children were food-insecure (compared with 7.5% in 2020) and 0.7% had very-low-food security (compared with 0.8% in 2020).^[7A, 8A] Food insecurity is associated with a host of short-term and long-term health consequences for children, including infant mortality, fetal epigenetic changes, suboptimal development and function, increased hospitalizations and healthcare use, disrupted or under use of prescribed medications, poorer-management of chronic diseases and poor diet quality.^[9–19]

Supplemental Nutrition Assistance Program Background

SNAP is a Federal program with the potential to impact childhood food insecurity, obesity, and diet-related disease simultaneously. SNAP provides food-purchasing assistance to low-income Americans. SNAP is the largest Federal food assistance program, serving 41.5 million people in fiscal year (FY) 2022 at an expenditure of \$140 billion.^[20] The most recent data on SNAP household characteristics found that in FY 2019, 41% of participating SNAP households included children.^[21] The United States Department of Agriculture (USDA) pays the full cost of SNAP benefits and shares half of the administration costs with states, which operate SNAP. To be eligible to receive SNAP benefits, an individual or household must have a gross income of less than 130% of the Federal poverty standard, net income less than 100% of the Federal poverty standard, and assets must fall below certain limits.^[22] Households deemed eligible for SNAP benefits receive an electronic benefit card (EBT), which is loaded with benefits monthly. Households may use EBT cards at an authorized retailer, of which there are more than 247,000.^[23] SNAP participants may

use EBT benefits to purchase food and allowable beverages but may not be used to purchase alcoholic beverages, tobacco, paper goods, and other non-food items.^[24] Heated and hot prepared foods are not considered staple foods and are also not eligible for purchase, except in some areas under certain circumstances.^[25] On average, SNAP participants received an estimated \$217.88 per month per person in regular SNAP benefits in FY 2021.^[26] Each household's monthly benefit amount is based on the household's net income, so that if a household's net income after deductions is zero, the household receives the maximum SNAP benefit, and the benefit reduction rate is 30% (meaning the monthly benefit is reduced by 30¢ for each dollar of net income).^[27] During the COVID-19 pandemic, Congress provided all SNAP recipients the maximum benefit. The maximum SNAP benefit is tied to the cost of the USDA's Thrifty Food Plan (TFP), a diet plan intended to provide adequate nutrition consistent with the *Dietary Guidelines for Americans*, and which was updated in 2021 as directed by Congress, increasing SNAP benefits by 21%.^[28, 29]

Supplemental Nutrition Assistance Program's Impact on Child Health

Research suggests that SNAP has positive impacts on health by reducing food insecurity and lifting individuals out of poverty. Research has shown that SNAP meets its goal of reducing hunger and food insecurity among participants, including children.^[30, 31ΔΔ] Participation in SNAP has been shown to reduce the incidence of low-birth weight among newborns by 7% for whites and 5–11% for blacks.^[32] Research on the relationship between SNAP purchasing power and children's health and health care utilization found that a 10% increase in SNAP purchasing power increases the likelihood a child had a preventive check-in in the past year by 8.1%, increases the likelihood that children had any doctor's visit in the past 12 months by 3.4%, and is associated with a 22% reduction in the number of school days missed because of illness.^[33] Research has shown that children receiving SNAP are less likely than low-income non-participants to be in fair or poor health or underweight, and their families are less likely to make tradeoffs between paying for health care and paying for other basic health needs, like food, housing, heating, and electricity.^[34, 35] Reductions and cut offs in SNAP benefits because of increased income have also been associated with poorer child health.^[36]

Supplemental Nutrition Assistance and Diet Quality

Although SNAP effectively alleviates food insecurity for children in terms of caloric, macronutrient, and micronutrient intake, SNAP participants are still struggling more than income-eligible and higher income nonparticipants to meet key dietary guidelines.

The average USDA Healthy Eating Index (HEI) score among Americans is 58 (out of a possible 100), suggesting that the majority of Americans have suboptimal diets.^[37] However, while other USDA food assistance programs, such as the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the National School Lunch Program (NSLP) and School Breakfast Program (SBP), significantly improve diet quality, research suggests that SNAP does not.

The National Health and Nutrition Examination Survey (NHANES) has frequently been used to assess Americans' dietary quality and health, including by income and SNAP participation status. A study using 2011–2016 NHANES data found that, on average, SNAP participants had lower total HEI scores than income-eligible and higher income nonparticipants (55, 57, and 60 points, respectively).^[38ΔΔ] SNAP participants scored lower for total fruits, whole fruits, total vegetables, and added sugar components.^[38ΔΔ] Adults participating in SNAP had a higher prevalence of obesity than matched income-eligible nonparticipants (44 *versus* 38%).^[38ΔΔ] Children participating in SNAP had a higher prevalence of elevated blood pressure compared with higher income non-participant children (9 *versus* 7%).^[38ΔΔ] In terms of disease risk, a higher percentage of SNAP participants than either income-eligible or higher income nonparticipants had very high or extremely high-disease risk (31 *versus* 27%, and 26 and 11% *versus* 8 and 7%, respectively).^[38ΔΔ]

A study of 1999–2008 NHANES data found that children who received SNAP benefits had substandard diets, consuming 43% more SSBs, 47% more high-fat dairy, and 44% more processed meats than income-eligible nonparticipants.^[39]

A study of 1999–2014 NHANES data found that between 2003 and 2014, SNAP participants had less improvements in diet quality using American Heart Association (AHA) diet scores than both income-eligible nonparticipants and higher income individuals.^[40] Disparities in diet quality persisted for most foods and nutrients and worsened for processed meats, added sugars and nuts and seeds.^[40]

In addition to NHANES, sales data have also been used to assess foods purchased using SNAP benefits. Sales data obtained from a large supermarket chain in the northeastern United States from April 2012 to April 2014 revealed that customer

transactions paid at least partially with SNAP benefits included lower spending on fruits, vegetables, and poultry, and higher spending on SSBs, red meat, and convenience foods than transactions that did not involve SNAP.^[441] A USDA study assessed the content of SNAP purchases in 2011 from a leading retailer and found that soft drinks were the number one purchase in terms of share of expenditures by SNAP households and the number two purchase by non-SNAP households.^[42]

Lessons Learned From Other Federal Feeding Programs

In contrast to SNAP, other USDA feeding programs targeting children perform better with respect to diet quality. The NSLP, SBP, the Child and Adult Care Food Program, and the WIC Program all apply nutrition standards based on the *Dietary Guidelines for Americans*.

The Healthy Hunger-Free Kids Act (HHFKA) in 2010 established stronger nutrition standards for the NSLP and SBP, which significantly improved dietary quality. Specifically, the HHFKA regulations required schools to increase the amount of fruits and vegetables served and limit starchy vegetables; serve only low-fat or fat-free milk; and serve more whole grains.^[43] The HHFKA also established standards for food and beverage products sold in schools outside of the breakfast and lunch programs, which eliminated most sugary beverages and reduced the sugar and calorie content of food products for sale.^[44] Following the changes, the USDA found that the nutritional quality of NSLP lunches increased significantly between school year 2009–2010 and school year 2014–2015.^[45ΔΔ] Evaluations found that students consumed more fruit, vegetables, whole grains, and fewer starch vegetables than before the HHFKA, without contributing to increases in food waste or reductions in program participation.^[45ΔΔ, 46] The mean total HEI–2010 score for NSLP lunches increased 41%—from 57.9 to 81.5 out of a possible 100.^[45ΔΔ]

Unlike SNAP, which does not limit food or nonalcoholic beverage purchases, WIC purchases are limited to different food packages for different groups of participants. Research has shown that WIC lowers Medicaid costs for participating women, and WIC participation is associated with longer gestation periods, higher birth weight, and lower infant mortality.^[47, 48] The WIC food packages were revised in 2009 to align with the *Dietary Guidelines for Americans* more closely and to introduce incentives for the purchase of fruits and vegetables, which research showed was associated with a 17.5 and 27.8% increase in fresh and frozen vegetable purchases (respectively) and a 28.6% increase in fresh fruit purchases.^[49] The Centers for Disease Control and Prevention (CDC) and the USDA analyzed WIC data from 56 states and territories from 2010 and 2018 and found that 31 WIC agencies reported significant declines in obesity among children aged 2–4 years.^[50] Between 2010 and 2018, overall obesity prevalence among WIC participants aged 2–4 years decreased from 15.9 to 14.4%.^[50]

Policy Interventions To Improve Health Outcomes for Supplemental Nutrition Assistance Program Participants

There are three evidence-based policy changes that lawmakers should consider, and that pediatricians could support, to strengthen SNAP's effectiveness as a health intervention for children and families, build on the successes of WIC, CACFP and the NSLP and SBP, and help ensure that every child reaches the age of 18 at a healthy weight. First, policymakers should make diet quality a core SNAP objective and define and report on nutrition security. SNAP's current core objectives (food security and fiscal integrity) should be continued and supplemented with an additional, Congressionally mandated focus on diet quality and healthy nutrition. Adding a diet quality component to SNAP's current core objectives could be accomplished through the next farm bill (the omnibus, multiyear law that governs U.S. agricultural and food programs), an Executive Order, or a voluntary internal policy change at USDA. Once this core objective is in place, the USDA Economic Research Service (ERS) should include nutrition security in its annual reporting of U.S. food security. Nutrition security should be defined using an evidence-based metric such as USDA's HEI (*e.g.*, nutrition-security defined as HEI of 80 or higher, nutrition-insecurity at HEI between 80 and 60, and very-low-nutrition security defined as HEI below 60). In addition, the USDA should report on any policy changes that have been made to improve diet quality and nutrition, the impact of USDA policies on diet quality and healthy eating, and any additional authorities that the USDA has identified it needs in order to improve diet quality, nutrition, and healthy eating.

Second, policymakers should strengthen requirements for SNAP-authorized retailers to promote healthier retail food environments, especially for large retailers such as Walmart, Kroger, and Amazon. SNAP-authorized retailers are currently required to either stock three units of three different varieties for each staple food category

(vegetables or fruits; dairy products; meat, poultry, or fish; breads or cereals) on a continuous basis or a store must have more than 50% of its total gross retail sales from the sale of staple foods.¹⁴⁴ Despite these requirements, research shows that SNAP authorized retailers offer comparatively fewer fresh fruits and vegetables, whole-grain foods and low-fat dairy products in lower income communities than retailers in higher income communities.^{151–55} SNAP retailers should be prohibited from in-store (brick and mortar and on-line) marketing of unhealthy foods such as sugar-sweetened beverages (SSBs) (*e.g.*, endcap displays and favored placement, including for online purchases).

Third, policymakers should support healthy purchases in SNAP by pairing incentives for purchasing fruits, vegetables, and other healthy foods with restrictions on unhealthy foods and sweetened beverages. Today, soft drinks are top commodity typically purchased by SNAP households.¹⁴² Evidence suggests that restricting SSB purchases in SNAP could reduce the calories consumed from SSBs by 15% and reduce negative health consequences including obesity prevalence and diabetes.¹⁵⁶ A separate study of the impact of restricting SSBs on children's health found that if SSBs were substituted with fruit juice and milk, the restriction would be expected to reduce obesity prevalence among SNAP participants by 6.2 percentage points.¹⁵⁷ A randomized controlled trial found that pairing incentives for purchasing more fruits and vegetables with restrictions on the purchase of less nutritious foods (*e.g.*, SSBs, sweet baked goods, candies) improved diet quality, reduced consumptions of SSBs and sweets, and increased fruit intake compared with individuals who made purchases with no restrictions or incentives.¹⁵⁸

A survey of public attitudes towards policies to improve the nutritional impact of SNAP, including SNAP participants, found that 82% of respondents supported providing additional benefits to SNAP participants that can only be used on healthful foods, 69% of respondents supported removing SNAP benefits for SSBs, and of the 46% of respondents who initially opposed removing SSBs, 45% supported removing SNAP benefits for SSBs if the policy also included additional benefits to purchase healthful foods.¹⁵⁹

Multiple-expert, nonpartisan bodies have supported one or more of these recommendations, including the National Commission on Hunger; the Bipartisan Policy Center; Healthy Eating Research; and the Report of the 50th Anniversary of the White House Conference on Food, Nutrition, and Health.^{160–63} They also build on the recommendations of the *Dietary Guidelines for Americans*; the CDC; the National Academy of Medicine; and the WHO.^{164–67}

How Pediatricians Can Leverage These Learnings

Pediatricians can act to improve SNAP's efficacy as a health intervention by urging the American Academy of Pediatrics (AAP) to advocate for the three aforementioned policy recommendations in its legislative priorities. They can also advocate individually and with their local colleagues to their Senator & Representative to make these changes in the 2023 Farm Bill. Pediatricians can become involved with their state SNAP-Education (SNAP-Ed) program (SNAP-Ed is USDA's largest nutrition-education and obesity-prevention program) and seek to have our three recommendations implemented at the state level using SNAP-Ed funds.

Conclusion

SNAP has demonstrated its benefit as an economic support for children and families to reduce food insecurity and allow for greater spending on other vital expenditures, such as healthcare. However, research suggests that there is an opportunity to improve its efficacy as a health intervention for children and families, in line with other Federal food assistance programs.

Acknowledgements

Nourish Science (<https://nourishscience.org/>) for funding writing and open access.

Financial support and sponsorship

None.

Conflicts of interest

There are no conflicts of interest.

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Papers of particular interest, published within the annual period of review, have been highlighted as: ^Δ of special interest, ^{ΔΔ} of outstanding interest.

ARTICLE 2



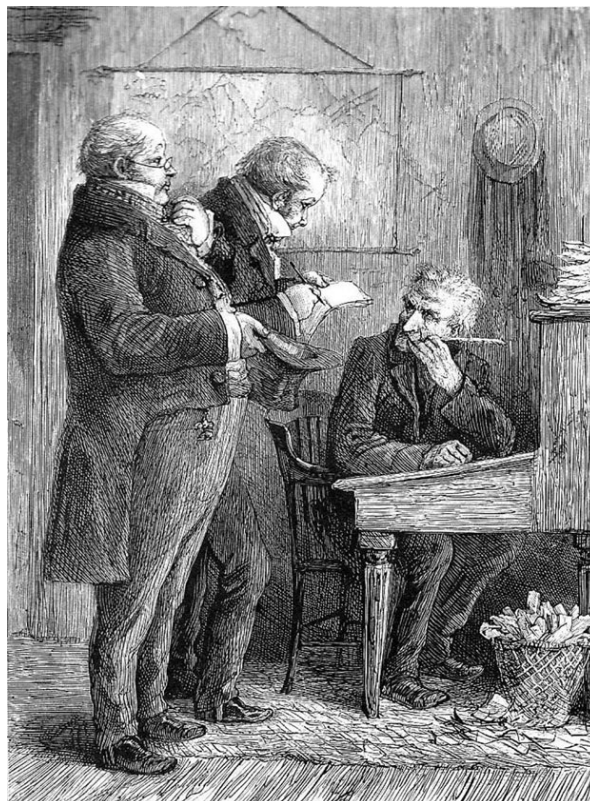
[<https://www.forbes.com/sites/michaelbernick/2023/06/06/work-requirements-the-ongoing-lessons-of-america-works/?sh=1ba5b7bb5765>]

Work Requirements? The Ongoing Lessons Of ‘America Works’

MICHAEL BERNICK,¹ Contributor

¹<https://www.forbes.com/sites/michaelbernick/>.

Jun. 6, 2023, 09:40 a.m. EDT



“Are there no workhouses?”, Scrooge asks the two men soliciting donations for the poor. Today, critics of work requirements compare these requirements to the workhouses of the past. But the truth is much different.
Merchant’s House Museum

(Work requirements for government benefit recipients emerged as a major issue in the debt ceiling negotiations, and will be a major issue going forward. It’s time to listen to those who know best the impact of these requirements: former benefit recipients and the community groups that have assisted them.)

In the recent debt ceiling negotiations, work requirements for TANF (welfare) recipients and SNAP (food stamp) recipients became one of the most contentious items. Democratic legislators denounced these requirements as “cruel”, “heartless”, and “senseless”, and vowed to continue to oppose them.

One need not romanticize or oversell the 1996 Federal welfare reforms and current work requirements to recognize the value that work requirements have come to play over the past twenty-five years. These work requirements have changed the culture and practice of welfare offices in better assisting welfare recipients into employment. This point is made repeatedly by those who should know best: former welfare recipients and the workforce groups that have assisted them. Let’s listen to one of the major nationwide workforce groups involved today in implementing work requirements.

Since its founding in 1984 by Peter Cove and Lee Bowes, America Works has provided job preparation, placement and retention for unemployed welfare recipients, ex-offenders, workers with disabilities, the homeless and veterans. Over the years, it has grown to one of the largest such agencies in the nation, with offices in 27 cities, serving nearly 40,000 clients per year.

“What we do in job placement is not rocket science,” notes America Works Chief Operating Officer David Aguado. That’s true. America Works has always been about

doing the basics most effectively. It has fine-tuned training, placement and retention processes over the years, and its growth has been driven by results. It provides individualized services of assessment, placement, on-going support following placement, and on-going skills upgrading for mobility. It has a library of over 1,000 in-person and virtual training curricula, and ties with both major national employers and local employers in each of its service areas.

In the early years of America Works, Cove and Bowles helped spread the “strengths-based” model for employment. Whereas others in the welfare and social work systems looked at welfare recipients and saw mainly weaknesses and dysfunction, America Works emphasized the strengths that these persons brought to the job market. Whereas others talked of why welfare recipients were not ready for employment, America Works embraced direct job placement, and an advancement process of “a job, a better job, a career.”

As Bowes recalls, work requirements significantly improved the employment prospects of welfare recipients, especially after the Federal welfare reform of 1996. They did so in two important ways. First, work requirements changed the culture of welfare offices. After welfare reform, welfare offices developed from a culture of benefit-distribution, suspicion, and paperwork to one of employment and action. Bowes explains:

“When we began in the 1980s, welfare caseworkers were only telling clients ways to increase benefits. With welfare reform the culture changed to an employment focus. Though caseworkers initially felt threatened that they would lose their jobs, they came to find their new roles much more gratifying.”

Second, work requirements helped move forward a portion of the welfare population who had become stuck in their lives—due to depression or inability to identify resources, or a hundred other different reasons. The work requirements helped them to get “unstuck”.

“At the beginning people were so afraid because many believed no one would ever hire them. As they saw their friends get jobs and keep jobs their motivation increased. I remember one woman who saw a neighbor, walking down the city streets, dressed at 8 in the morning. She was told that her neighbor obtained a job and here’s where you should go to get a job. Word of mouth and the efforts on the government totally transformed the nature of the lives of those on public assistance.”

Today, America Works collaborates in job placement with social services departments and local workforce boards throughout the nation, including in Fresno County, California. Blake Konczal, the Executive Director of the Fresno Regional Workforce Development Board, has been active in the public workforce system since the 1990s. In Fresno County, the years since the welfare reform of 1996 have resulted in a heightened job placement orientation at the social services department, and partnership with the workforce board. Additional supports and supportive services have accompanied the work requirements, to aid the transition of TANF recipients into jobs. Konczal explains:

“Welfare reform in 1996 and the work requirements brought new and logical partnerships between local workforce boards and social service offices. Logical in that we had a common goal of assisting public welfare recipients into unsubsidized employment. Welfare offices came to see themselves in a new way, as job placement agents. This was of immense benefit to the entire workforce system and more importantly to our common (and now employed) clients.”

America Works provides employment preparation and job search assistance as part of the County’s Job Readiness program (JobWISE).² Nuvia Varela, the program manager for America Works in Fresno, adds:

“It can be challenging for many of our participants to find and keep a job due to coping with many obstacles such as substance abuse, domestic violence, child support, or mental health issues. JobWISE allows us to meet the needs of the participant and assist them in achieving financial independence in our community.”

Marsha Netus, Vice President and Regional Director of America Works in the Baltimore-Washington D.C. area, has been involved in placement efforts for TANF recipients and also ex-offenders since the late 1990s. Today, one of her main projects is a bail diversion initiative for non-violent offenders in Baltimore, that incorporates

² <https://www.youtube.com/watch?v=jhZ5bOvpOg>.

strong work requirements. She highlights the structure that work requirements have provided for ex-offenders as well as TANF recipients:

“Individuals not accustomed to a formalized system like a basic work schedule often struggle adapting into employment. Getting a job is not the issue; learning to sustain a routine can be daunting for those reentering into the workplace. A formalized system like work requirements can be the stepping stone for this training.”

Netus further notes that in practice welfare departments make wide allowance for recipients who have significant mental or physical health illnesses or other serious impediments to employment. These recipients are exempted from work requirements. There remains wide discretion in the program administration, that is utilized by individual case managers.

“America Works is not oblivious to the challenges that affect families into complying with regulations. We pride our ourselves in fostering relationships that provide comprehensive services for those transitioning into employment. Our collaboration with local agencies ensure customers have the adequate support for success. There are cases where exemptions may be the best course of action, and provisions are already available to support them.”

America Works is only one of hundreds of workforce providers throughout the nation that daily interact with benefit recipients. I urge critics of work requirements to talk to these providers as well as former recipients of TANF, food stamps or bail diversion programs.

No one in the workforce system regards the work requirements as the full answer. Other policies remain to be developed, particularly policies *that can improve low wage jobs for all workers*.³ But the work requirements are one element in an effective workforce system.

Meanwhile, America Works itself evolves with the evolving job market, updating training curricula, adding new programs for workers with disabilities as well as refugees, introducing a Fellows program for aspiring workforce professionals. Cove and Bowles continue to be at the center of America Works, not at all beaten down, even after nearly a half century of battling the social welfare and political establishments.

ARTICLE 3



[<https://www.foxbusiness.com/economy/job-openings-unexpectedly-surge-april-highest-level-months>]

May 31, 2023 11:57 a.m. EDT

Job openings unexpectedly surge in April to highest level in 3 months

Job vacancies surge above 10M, keeping pressure on the Federal Reserve

By MEGAN HENNEY,¹ *FOXBusiness*²

³ <https://www.forbes.com/sites/michaelbernack/2023/05/16/hell-to-pay-michael-lind-on-a-true-good-jobs-strategy/?sh=5b7d22bb4d16>.

¹ <https://www.foxbusiness.com/person/h/megan-henney>.

² <https://www.foxbusiness.com/>.



Editor's note: the above video is retained in Committee file.

*Probability for July rate cut falls on strong jobs data*³

NewEdge Wealth chief investment officer Cameron Dawson discusses seasonal stretch as investors eye the Presidential cycle for stock guidance on 'Making Money with Charles Payne.'

U.S. job openings unexpectedly jumped in April to the highest level in 3 months, keeping pressure on Federal Reserve policymakers as they try to cool the economy with an aggressive interest-rate hike campaign.

The Labor Department said Wednesday that there were 10.1 million job openings in April, an increase from the upwardly revised 9.75 million openings reported in the previous month. Economists surveyed by Refinitiv expected a reading of 9.38 million.

It marked a major increase from March, when the government reported an upwardly revised 9.75 million number of *available jobs*.⁴

Job openings remain historically high: Before the *COVID-19 pandemic*⁵ began in early 2020, the highest on record was 7.6 million. There are roughly 1.7 jobs per unemployed American.

³ <https://www.foxbusiness.com/video/6326849329112>.

⁴ <https://www.foxbusiness.com/category/jobs>.

⁵ <https://www.foxbusiness.com/category/coronavirus>.

*The Housing Recession Isn't Over Yet*⁶

A general view shows construction workers standing before the Manhattan skyline and Empire State Building in New York City on Jan. 24, 2023. (Ed Jones/AFP via Getty Images/Getty Images).

The *Federal Reserve*⁷ closely watches these figures as it tries to gauge labor market tightness and wrestle inflation under control. The higher-than-expected figure indicates that demand for employees still far outpaces the supply of available workers.

The central bank has responded to the inflation crisis and the extremely tight labor market by raising interest rates at the fastest pace in decades. Officials have so far approved ten straight rate hikes and have signaled that another increase is on the table at their June meeting following a slew of surprisingly hot economic data.

The latest jobs data could give policymakers more space to hike again.

Traders are now pricing in a 66.3% chance of another quarter-percentage-point increase during the Fed's June 13–14 meeting—a significant rise from just 1 day ago, when 36.4% projected another hike, according to the CME Group's FedWatch tool.

⁶ <https://foxbusiness.com/economy/housing-recession-isnt-over-yet>.

⁷ <https://foxbusiness.com/category/the-fed>.

Majority Of Workers Regret Quitting During ‘Great Resignation’⁸



A “Now Hiring” sign is seen outside a job fair at a Schneider Electric manufacturing facility in Hopkins, South Carolina, on Jan. 18, 2023. (Micah Green/Bloomberg via Getty Images/Getty Images)

“Not only did today’s job openings number come in much stronger than expected at 10.1 million, last month’s number was revised higher,” said Mike Loewengart, head of model portfolio construction at Morgan Stanley Global Investment Office. “Friday’s jobs report may tell a different tale, but this is just one more sign the labor market is still hot and raises the pressure on the Fed to raise interest rates further this year.”

The number of Americans quitting their jobs, meanwhile, was mostly unchanged at 3.8 million, or roughly 2.4% of the workforce, indicating that workers remain confident they can leave their jobs and find employment elsewhere.

Switching jobs has been a windfall for many workers over the past year: Roughly 49% of job-switchers saw their real hourly wage increase faster than inflation last year, compared with just 42% of workers who stayed in the same job, according to recent *Atlanta Fed* data.⁹

ARTICLE 4

NEW YORK POST

[<https://nypost.com/2023/06/10/the-political-battle-over-food-stamps-and-welfare-programs/>]

The political battle over food stamps and welfare programs

By PETER COVE¹ and JASON TURNER¹

June 10, 2023 4:00 p.m.

Updated¹

⁸ <https://foxbusiness.com/economy/majority-workers-regret-quitting-during-great-resignation>.

⁹ <https://foxbusiness.com/economy/americans-switching-jobs-still-seeing-huge-pay-gains>.

¹ <https://nypost.com/2023/06/10/the-political-battle-over-food-stamps-and-welfare-programs/>.



The debt-ceiling deal from earlier this month thrust the issue of work requirements for welfare and food stamps back into the spotlight. During the Giuliani Administrations, programs were devised to help support such requirements—but they've mostly been disbanded.
Shutterstock.

The furious Beltway debate over raising the national debt ceiling earlier this month mostly hinged on just a few Federal programs, with Republicans aiming to score political points for cutting spending and Democrats committed to preserving entitlements at all costs.

One issue featured in the debate inspired superheated rhetoric from both sides of the political spectrum: food stamps.

The nation's largest welfare program has grown dramatically since 2000: from 17 million to 41 million² recipients, even though unemployment has dropped from 4% to 3.4% during the same period. Today in the prime working-age years of 18–49 only 28% of singles without dependents and 50% of adults³ with school age children are working. Why is that?

Currently, few food stamp recipients are required to either work or look for work as a condition of receiving benefits. Over the past decade, the work-based welfare reforms which were so successful in the 1990s have been mostly dismantled. Which is why the debt ceiling's most significant provision may be a renewed focus on compulsory employment for older recipients of food stamps,⁴ which are officially known as SNAP (Supplemental Nutrition Assistance Program).

² <https://fns-prod.azureedge.us/sites/default/files/resource-files/SNAPsummary-5.pdf>.

³ <https://www.bls.gov/data/>.

⁴ <https://www.nytimes.com/2023/05/29/us/politics/debt-limit-deal-food-stamps.html>.



While some older Americans may now be forced to work to receive food stamps under the debt deal, veterans will be exempt from such rules. Getty Images.

Food stamp benefits are associated with a host of chronic diet-related conditions, such as hypertension, obesity, diabetes and heart disease. The diseases exist *among some 30% of adults*⁵ receiving benefits, and are only exacerbated by idleness and non-work.



Under the debt-limit deal, some Americans 54 and under will be compelled to work in order to receive foods stamps; previously the cut-off age was 49. But the deal also exempts from work employment obligations those who need it most: homeless folks with drug addictions who would benefit from structured workdays while they recover; unemployed veterans who have shown themselves able-bodied enough to defend the country; and foster-care children turning 18 and about to be launched into adulthood and self-care.

⁵ <https://www.aei.org/wp-content/uploads/2023/04/Promoting-Mobility-Through-SNAP.pdf?x91208>.

These three populations are among the most in need of work and income. Yet progressives treat them as if no-strings-attached coddling is actually in their best interests.



During the tenure of former Mayor Rudy Giuliani, mandates were initiated to compel folks receiving food stamps and welfare to also secure employment. By the end of his tenure, 42% of welfare recipients were in the labor force, up from 16% before he took office.

Getty Images.

In the 1990s, Mayor Rudy Giuliani declared he wanted all welfare recipients to go to work. But not all welfare recipients *want* to work. So the Giuliani Administration developed a welfare system in which work obligations were applied to applicants of *all* capabilities—which we called “universal work engagement.”

Three work tiers were created, starting with unsubsidized private work. During the 6 week application process, every applicant was obligated to participate in a formalized job search overseen by the City’s welfare agency. The vast majority of applicants went right to work on their own once they knew that benefits would not otherwise be forthcoming.



Editor's note: the above video is retained in Committee file.

The next tier was the Work Experience Program (or WEP)—city “workfare” jobs. At its peak, over 4,000 recipients served New York by working in the parks, maintaining city streets and answering phones in city offices, all in exchange for temporary assistance.



Homeless folks will also be exempt from work mandates even though they are among the most in need of steady employment.
 Getty Images.

Last, for those who claimed a health condition, the new system did not just accept a “doctor’s note.” New York’s welfare agency hired its own physicians, who performed a rigorous, independent health review of each applicant. Most were found capable of work and were required to do so. Only 17% of those claiming health problems were deemed likely to qualify for Federal disability.

The Giuliani reforms did not stop there. The mayor also ended the usual practice of awarding guaranteed contracts to private agencies which “help” recipients find work. Instead, he only paid these nonprofit and for-profit agencies each time they

placed a recipient in a job. Bonuses were awarded for the newly employed who remained in their jobs. Unsurprisingly, many of those private agencies ended their partnerships with City Hall or went bankrupt.



Food stamps are the nation's largest welfare program with some 41 million recipients nationwide.
Shutterstock.

Other organizations such as America Works, thrived in the new environment, viewing work not as a four-letter-word, but as a vital weapon in the war on poverty. As we chronicled in our recent documentary, *Gotham: The Fall and Rise of New York*,⁶ welfare rolls in New York City dropped from 1.2 million to an astounding 300,000 in just over a decade.

Two years into Mayor Giuliani's term in 1996 the census bureau found that of New York's single mothers without a high school education only 16% were working. By 2001, *Giuliani's last year 42% were in the labor force.*⁷

⁶ <https://gothammovie.com/>.

⁷ <https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/MotherWork.Sept2002.pdf>.



Decades ago, thousands of New Yorkers were involved in “workfare” programs which helped them secure employment while they received aid. The program was criticized and protested by some progressive groups. Boycott Workfare.

About 1/3 of young adult food stamp recipients report feeling hopeless or worthless. Work requirements for welfare benefits are not cruel and unusual; rather those required to work typically thrive both during and after participation in mandatory employment programs.

ARTICLE 5



[<https://www.reuters.com/markets/us/us-job-openings-unexpectedly-rise-april-2023-05-31/>]

US labor market remains resilient as job openings climb, layoffs drop

By LUCIA MUTIKANI¹

May 31, 2023 5:12 PM EDT Updated 21 days ago

¹<https://www.reuters.com/authors/lucia-mutikani/>.



Editor's note: the above video is retained in Committee file.

- Job openings increase 358,000 to 10.1 million in April
- Layoffs drop 264,000; voluntary quits decrease 49,000

Washington, May 31 (Reuters)—U.S. job openings unexpectedly rose in April and data for the prior month was revised higher, pointing to persistent strength in the labor market that could compel the Federal Reserve to raise interest rates again in June.

The Job Openings and Labor Turnover Survey, or JOLTS report, from the Labor Department on Wednesday also showed layoffs declined significantly last month. There were 1.8 job openings for every unemployed person in April, up from 1.7 in March, and well above the 1.0–1.2 range that is considered consistent with a jobs market that is not generating too much inflation.

The report added to data this month, including consumer spending, in suggesting that the economy regained speed at the start of the second quarter.

Demand has remained resilient despite 500 basis points worth of interest rate increases from the Fed since March 2022, when the U.S. central bank embarked on its fastest monetary policy tightening campaign since the 1980s to tame inflation. The flow of strong data has diminished expectations that the Fed could pause further rate increases next month.

“This is not what the Fed was hoping to see,” said Priscilla Thiagamorthy, a senior economist at BMO Capital Markets in Toronto.

Job openings, a measure of labor demand, increased by 358,000 to 10.1 million on the last day of April. Data for March was revised higher to show 9.75 million job openings instead of the previously reported 9.59 million. The April data ended three straight monthly decreases in job vacancies. Economists polled by *Reuters* had forecast 9.375 million job openings.

The increase in job vacancies was led by retail trade, where there were an additional 209,000 openings. There were 185,000 more job openings in healthcare and social assistance, while vacancies jumped by 154,000 in the transportation, warehousing, and utilities sector. Notable increases were also reported in construction as well as finance and insurance industries.

But job openings declined in durable goods manufacturing, which has seen demand for goods slowing as higher interest rates increase the cost of credit. Spending is also shifting back to services.

Job openings surged in the West and Midwest. They rose moderately in the South, but fell in the Northeast.

Businesses with one to nine employees and those with 250 to 999 workers accounted for last month's rise in job vacancies. Companies with 10 to 49 workers reported a sharp drop.

The job openings rate rose to 6.1% from 5.9% in March.

The Fed's "*Beige Book*"² report on Wednesday described the labor market as having "continued to be strong" in May, "with contacts reporting difficulty finding workers across a wide range of skill levels and industries."

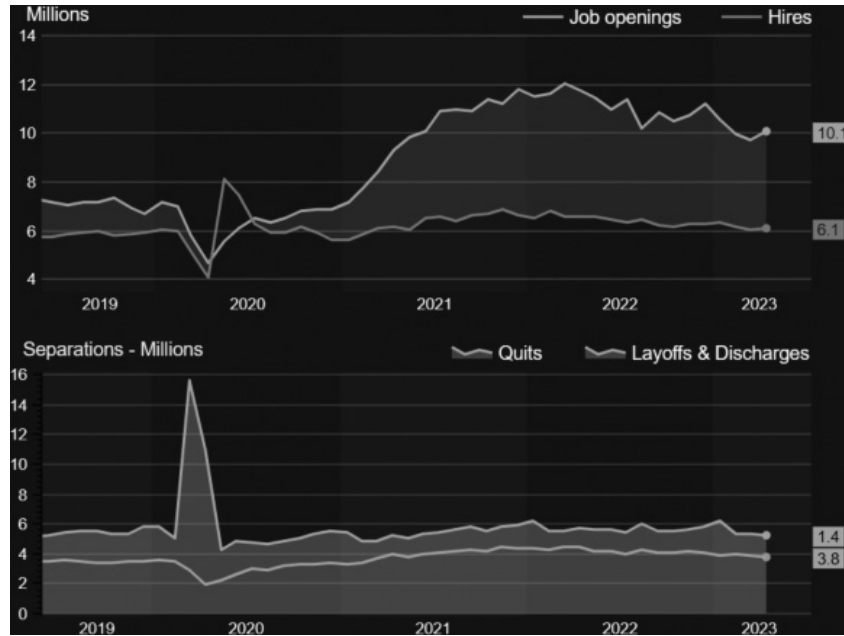
But it also noted that contacts across districts reported that "the labor market had cooled some, highlighting easier hiring in construction, transportation and finance."



A 7-Eleven convenience store has a sign in the window reading "Now Hiring" in Cambridge, Massachusetts, U.S., July 8, 2022. *Reuters/Brian Snyder*

Stocks on Wall Street were trading lower. The dollar rose against a basket of currencies. U.S. Treasury prices rose.

²<https://www.reuters.com/markets/us/us-economy-little-changed-recent-weeks-outlook-deteriorated-fed-survey-2023-05-31/>.

JOLTS: U.S. Labor Market Churn

Source: Refinitiv Datastream—Reuters graphic/Stephen Culp 31/05/2023.

Fewer Resignations

Minutes of the Fed's May 2–3 policy *meeting*,³ which were published last week, showed policymakers “generally agreed” the need for further rate hikes “had become less certain.”

Some economists are, however, skeptical that the JOLTS report is offering a clear read of the labor market.

According to Goldman Sachs economist Ronnie Walker, a low response rate to the survey, which has reduced the sample size, could be boosting the JOLTS data, noting that some alternative measures of job openings from LinkUp and ZipRecruiter, have declined sharply in the past year.

But Walker also acknowledged that some of the alternative measures of job openings could be downwardly biased, as their samples could be skewed toward companies which are more likely to have an online presence and have cut job openings sharply.

“As a result, we suspect that the ‘true’ level of job openings lies somewhere in the middle of the range implied by JOLTS and alternative measures of job openings,” Walker said.

The JOLTS report showed layoffs fell 264,000 to 1.6 million, consistent with the very low levels of weekly unemployment claims data. Layoffs decreased by 113,000 in construction, another sector hard hit by the Fed's rate hikes.

There were also notable declines in information, leisure and hospitality as well as healthcare and social assistance.

Despite the strong demand for labor, workers are growing less confident, leading to fewer resignations. The quits rate, viewed as a measure of labor market confidence, fell to 2.4% from 2.5% in March.

That aligns with a *Conference Board*⁴ survey on Tuesday that showed the share of people viewing jobs as “plentiful” dropped in May to the lowest level since April 2021.

³ <https://www.reuters.com/markets/us/fed-agreed-may-need-more-rate-hikes-was-less-certain-meeting-minutes-show-2023-05-24/>.

⁴ <https://www.reuters.com/markets/us/us-consumer-confidence-dips-may-survey-2023-05-30/>.

Resignations declined in the professional and business services, healthcare and social assistance categories as well as in durable goods manufacturing. They dropped in the Northeast and South. There were modest increases in the West and Midwest. “This suggests that the labor market is slackening, despite the reported increase in job openings, and that workers are increasingly sheltering in place in their jobs as better alternatives become less available,” said Julia Pollak, chief economist at ZipRecruiter.

Reporting by Lucia Mutikani; Editing by Andrea Ricci and Paul Simao.

ARTICLE 6

Washington Examiner

[<https://www.washingtonexaminer.com/news/michigan-catches-4m-of-food-stamp-fraud-mum-on-fraud-scope>]

Michigan catches \$4M of food stamp fraud; mum on fraud scope

By SCOTT MCCLALLEN¹The Center Square

June 03, 2023 08:45 a.m.



Editor's note: the above video is retained in Committee file.

(The Center Square)—Standing in the checkout lines or in virtual lines at Sam’s Clubs in metro Detroit, criminals are spending government benefits stolen from people more than 2,000 miles away in California.

On May 24, three people—Travis Newby, 39, of Detroit, Derrin Williams, 23, of Detroit, and Vanessa Williams, 47, of Highland Park—were arrested and arraigned on felony charges.

The three are charged in connection to \$4 million of interstate food stamp fraud wherein they allegedly obtained electronic benefit card data from 8,000 cardholders mostly residing in California.

The trio allegedly reproduced EBT cards in Michigan and then spent funds on fraudulent purchases from metro Detroit Sam’s Club stores.

The amount of SNAP fraud known by Michigan is unclear. The Center Square’s record request seeking that number from The Michigan Department of Health and Human Services has been pending for 2 months. That request was approved but hasn’t been fulfilled as of Wednesday, May 31.

The state health department plans to fight SNAP fraud by blocking common PINS, restricting card functionality in high-fraud areas, and giving more access to a fraud interface system, according to documents obtained through the Freedom of Information Act.

¹<https://www.washingtonexaminer.com/news/michigan-catches-4m-of-food-stamp-fraud-mum-on-fraud-scope>

MDHHS submitted a plan to reduce SNAP fraud to the United States Department of Agriculture’s Food and Nutrition Services, which doesn’t appear to be approved yet.

Haywood Talcove, the CEO of LexisNexis Risk Solutions’ Government Group, which provides fraud prevention tools to 26 state unemployment programs and the 50 top U.S. banks, told The Center Square that state government should take additional steps to prevent fraud.

“The needed resources to investigate each of these claims is significant, it goes well beyond a signature and requires access to third-party tools, law enforcement databases, *etc.*,” Talcove wrote in an email. “These investigations many of which will center around criminal groups need to be conducted by trained law enforcement personnel with arrest authority.”

Talcove recommended Michigan eliminate SNAP card functionality outside of the state. He suggested state government file police reports to help investigators crack organized criminal groups.

“Their report is like moving deck chairs around the *Titanic*—it does nothing to prevent fraud, it does nothing help the food-insecure whose benefits are stolen and it hasn’t even been approved by USDA,” Talcove wrote in an email.

The Federal Government must approve Michigan’s plan before the state can enact solutions to save taxpayer money.

For example, Ohio submitted its plan to reduce SNAP fraud in late February. USDA didn’t approve the plan until May, which will be enacted in late July, according to documents obtained by The Center Square.

Michigan’s plan included restricting EBT usage in areas of high fraud, which Talcove said does nothing to stop identity fraudsters from stealing SNAP benefits from vulnerable citizens.

“Worse, it only creates a barrier to access for legitimate SNAP recipients, especially those living in ‘high fraud’ areas,” Talcove wrote. “Worse yet, this policy can disproportionately impact minorities. This goes against common sense administration.”

Nessel says more arrests are expected as Michigan works with seven other retailers to investigate millions of dollars of taxpayer fraud.

ARTICLE 7

WSJ | OPINION

[<https://www.wsj.com/articles/house-republicans-welfare-work-requirements-debt-ceiling-negotiations-pete-aguilar-democrats-1ebc862d>]

The GOP Can Win on Work Requirements and Welfare

The details show how reasonable the House debt-ceiling proposals are.

By *The Editorial Board*¹

Updated May 17, 2023 7:00 p.m. ET

¹<https://www.wsj.com/news/author/editorial-board>.



Photo: Will Oliver/EPA/Shutterstock.

House Republicans are holding firm as they negotiate a deal with President Biden to raise the debt ceiling—a small miracle for the GOP—and one sticking point is work requirements in welfare. Democrats are digging in, calling the rules this week a “nonstarter,” but the attacks are false, and the GOP has the high ground on the merits and the politics.

The House GOP’s Limit, Save, Grow Act that passed this spring stiffens work requirements in programs such as food stamps and Medicaid. The Supplemental Nutrition Assistance Program currently stipulates 20 hours per week of work or training for able-bodied adults under age 50 without children. Those who don’t comply can only receive benefits for 3 months out of every 36.

House Republicans want to raise the age requirement to 55. The bill would also crack down on states that water down the requirements with exemptions. Decide for yourself if a part-time work program aimed at able-bodied men without children at home constitutes taking “food out of the mouths of kids,” as House Democrat Pete Aguilar said in a Tuesday press conference.

Then there’s the cash benefit Temporary Assistance for Needy Families (TANF). As a condition of Federal funding, states are supposed to engage at least half of families in some type of work, including training or job hunting. But only six states hit the 50% target in 2021, according to the *House Ways and Means Committee*,² and 34 had a 0% effective rate.

Why? For one, states can claim a “credit” against the work target if they reduce their caseload relative to the welfare year 2005, and most do. Republicans would update the year to 2022 so states can’t exploit this provision based on antiquated data. What radicals.

States can also pay away the work requirement by spending more of their own money on the program, which the GOP wants to end. Most egregious: Some states goose their stats by sending \$10 or \$20 TANF checks to food-stamp recipients who work, and then counting them in their calculations. The term for this is scam, and offenders include *California*³ and Oregon.

The GOP’s boldest proposal is to introduce a work requirement in Medicaid. This is also not an obligation to hold a full-time job, and it doesn’t apply to anyone caring for dependent children or an ailing relative, or to pregnant women, or to anyone who is in treatment for substance abuse, among other exemptions.

² https://waysandmeans.house.gov/wp-content/uploads/2023/04/Restoring-Work-Requirements-in-TANF_one-pager55.pdf.

³ <https://www.aei.org/opportunity-social-mobility/is-president-biden-about-to-triangulate-democrats-on-welfare-work-requirements/>.

The biggest budget savings from the GOP work proposals would come from Medicaid, with the Congressional Budget Office estimating \$109 billion in reduced spending over 10 years. States could still pick up the tab for those on Medicaid who refuse to work, and CBO predicts that many would.

President Biden acknowledged on Saturday that he has supported work requirements in the past, most notably Bill Clinton's 1996 welfare reform. He said Medicaid is "a different story" as a healthcare program, but then why not agree on food stamps? The next day the President's Twitter account claimed the GOP proposal would put a million older adults at risk of "going hungry."⁴

Republicans didn't extend work requirements to parents, even to those with children in school for more than 20 hours a week, and the lesson is that such concessions don't stop Democratic attacks. But now Republicans can hold firm, and even if Mr. Biden won't agree on Medicaid they can bank the incremental wins and build on the progress later.

"They're coming for the children. They're coming for the poor. They're coming for the sick, the elderly and the disabled," Democrat John Lewis wailed on the House floor in the 1995. He was wrong about that 1996 welfare reform, which included a work requirement and has been an engine for upward mobility. By one analysis, single-parent household poverty fell more than 60% between 1995 and 2016.⁵

Democrats have slowly reversed much of the 1996 reform in recent years. This is one reason so many prime-age Americans are now out of the labor force, which hurts the economy and social cohesion. Republicans can win this debate, if they can explain that welfare should be a temporary hand up, not a permanent sinecure in return for doing nothing.



Editor's note: the above video is retained in Committee file.

Wonder Land: The attorneys general of 19 states have sent a letter to JPMorgan Chase, accusing it of discrimination against conservative religious groups. The bank denies it. The business of America should become business again, not politics. Images: Zuma Press/Bloomberg News Composite: Mark Kelly.

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Appeared in the May 18, 2023, print edition as 'The GOP Can Win on Work and Welfare'.

ARTICLE 8

WSJ | OPINION

⁴ <https://twitter.com/POTUS/status/1658217034075742241>.

⁵ <https://www.cato.org/research-briefs-economic-policy/change-poverty-1995-2016-among-single-parent-families>.

[<https://www.wsj.com/articles/make-welfare-reform-part-of-the-debt-ceiling-deal-mccarthy-biden-1996-98bf6afb>]

Opinion¹ Upward Mobility²

Make Welfare Reform Part of the Debt-Ceiling Deal

The Clinton-era law added work requirements, but politicians since have chipped away at them.

By JASON L. RILEY³

May 23, 2023 6:14 p.m. ET



A supermarket displays stickers indicating they accept food stamps in West New York, N.J. Photo: Seth Wenig/Associated Press.

Work requirements for healthy welfare recipients make sense to most Americans. But in Washington those are fighting words, and they have become a welcome point of contention in the debate over raising the nation's debt ceiling.

House Speaker Kevin McCarthy surprised the White House and much of the political press last month when he brought together his Republican caucus to pass a bill that raises the debt limit. President Biden had reasoned that GOP infighting would doom any chance of that happening and that Democrats ultimately would be able to lift the debt ceiling without significant policy reform. That gambit failed, and now the pressure is on the President to compromise on a final deal. Democrats performed better than expected in last year's midterm elections, but they still lost control of the House.

Worse for Democrats, the House bill imposes or expands work rules for able-bodied people who receive benefits from Federal programs. Medicaid recipients without dependents would have to work or volunteer for 80 hours a month. States would be limited in their ability to grant waivers that bypass work requirements for those on food stamps. Asking something of people on the dole is perfectly rational, but liberals in Washington have long prioritized making the poor comfortable over helping them out of poverty. These days, weaning people off welfare by encouraging them to be more productive is an afterthought on the political left.

House Democratic leader Hakeem Jeffries spoke for many in his party when he told CNBC that the proposed work rules are "entirely unreasonable." The remark was entirely predictable. In the late 1980s and early 1990s, welfare dependence grew by a third as people figured out that they could receive more in public benefits than they could earn in the labor force. When Bill Clinton joined forces with a Re-

¹ <https://www.wsj.com/news/opinion?mod=breadcrumb>.

² <https://www.wsj.com/news/types/upward-mobility?mod=breadcrumb>.

³ <https://www.wsj.com/news/author/jason-l-riley>.

publican Congress in 1996 to pass a welfare-reform bill that included work mandates, party leaders from Ted Kennedy to Pat Moynihan and Dick Gephardt predicted social carnage. Yet by the end of the decade, the welfare rolls had fallen by more than 50% nationwide. Poverty rates among blacks and female-headed households—groups with disproportionately high welfare-use rates—also plunged.

Since then, lawmakers have chipped away at those reforms, usually in the wake of an economic downturn. Under Democratic and Republican Administrations, unemployment insurance has been expanded and work requirements have been suspended. The public is assured that the changes will be temporary, but they seldom are. Most politicians can't resist using government largess to win over voters, and it's easy to demonize the few who do resist. Nevertheless, this is a good fight for Republicans to wage and the right time to wage it. That we have millions more jobs available today than we have people looking for work is a strong indication that these programs have become too generous.

The unemployment rate has reached historic lows, and wages have been rising, including among historically marginalized groups. A headline in Friday's *Journal* read "Job Market for Black Workers Is Best Ever." Black unemployment was a record low 4.7% in April, and the number of blacks in the labor force today is some 1.1 million higher than it was before the pandemic. "Black workers have long been at the bottom of the ladder in terms of wages and job security," the story noted. "But the confluence of strong demand for labor and demographic shifts in the country over the past few years, when many older white workers retired, benefited Black Americans." If now isn't the time to rethink qualifications and requirements for public assistance, when is?

Too many healthy adults are opting out of work because public policy has made unemployment too attractive. As Mr. McCarthy has noted, *Joe Biden*⁴ once understood this. As a senator, he was among the Democrats who supported the 1996 welfare reform. These days, the White House is claiming that work requirements for food stamps would result in mass starvation. Given that it's hard to enter a business establishment these days without seeing a help-wanted sign, that could be a tough sell for Democrats.

Republicans say the reforms will help cut costs, and a Congressional Budget Office analysis predicted savings of more than \$100 billion over 10 years. Republican lawmakers might have more credibility with voters if they had been equally concerned about excessive spending when *Donald Trump*⁵ was President, but Mr. McCarthy is right to assume that most people don't want their tax dollars being used by the government to subsidize laziness. I once saw a bumper sticker that read "Work harder: Millions of welfare recipients are depending on you." So are a lot of liberals in Washington.



Editor's note: the above video is retained in Committee file.

⁴<https://www.wsj.com/topics/person/joe-biden>.

⁵<https://www.wsj.com/topics/person/donald-trump>.

Wonder Land: A beside-the-point President is the best thing that has ever happened to the progressive centralization project. But its success in 2024 depends on whether Republicans back Trump or not. Images: Warner Bros/Kobal/Shutterstock/AP/Zuma Press Composite: Mark Kelly.

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Appeared in the May 24, 2023, print edition as 'Make Welfare Reform Part of the Debt-Ceiling Deal'.

ARTICLE 9

WSJ | OPINION

[<https://www.wsj.com/articles/debt-ceiling-negotiations-food-stamps-work-requirements-welfare-foundation-for-government-accountability-b04159f0>]

Fixing the Food-Stamp Work Requirement Loopholes

New evidence shows how states let recipients skirt even part-time work.

By *The Editorial Board*¹

Updated May 24, 2023 6:46 p.m. ET



Photo: Daniel Acker/Bloomberg News.

Work requirements, even minimal ones, are a sticking point in the debt-ceiling talks, and it's worth adding a dose of reality to the political histrionics.

The Supplemental Nutrition Assistance Program, or food stamps, now requires able-bodied adults ages under 50 without dependent children to work or train 20 hours a week. Hold a part-time job or benefits expire after 3 months. The House GOP debt-ceiling bill would raise the working age to all of 55. States can currently exempt a certain number of recipients, and the bill would also crack down on carrying these carve-outs from year to year.

Democrats say the current work rules are tough enough, but what they don't say is how much regulators have watered down what Congress passed in the 1996 welfare reform. Take the waiver process for food stamps. States can ask the feds to waive work requirements in areas with high unemployment.

¹<https://www.wsj.com/news/author/editorial-board>.

*New research*² from the Foundation for Government Accountability (FGA) shows how states have abused that privilege. Roughly half of states are waiving requirements. States rely on antiquated data, including figures from [COVID]-19 lockdowns, to claim that it's tough to find a job. States also lump disparate geographic areas into a single region to drive up jobless figures.

FGA found that, of 800 counties nationwide where work is waived, only 20 have unemployment rates above the 10% threshold prescribed by the waiver process. FGA says there are four million able-bodied adults without dependents on food stamps, and three in four don't work at all. Less than 3% work full-time.

The GOP's bill also imposes work requirements on Medicaid, which would account for \$109 billion of the \$120 billion in savings from the GOP work provisions, according to the Congressional Budget Office. The savings are so large because the health entitlement covers so many prime-age men out of the labor force. If Democrats can't abide work in return for free healthcare, they should at least be willing to fix the work loopholes in food stamps.

President Biden in 1996 said the U.S. needs a "culture of self-sufficiency and personal responsibility." Time for that guy to make an appearance and cut a debt-ceiling deal.



Editor's note: the above video is retained in Committee file.

Wonder Land: A beside-the-point President is the best thing that has ever happened to the progressive centralization project. But its success in 2024 depends on whether Republicans back Trump or not. Images: Warner Bros/Kobal/Shutterstock/AP/Zuma Press Composite: Mark Kelly.

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Appeared in the May 25, 2023, print edition as 'Fixing the Food-Stamp Work Loopholes'.

ARTICLE 10

WSJ | OPINION

[<https://www.wsj.com/articles/debt-ceiling-deal-work-requirements-welfare-gop-kevin-mccarthy-2dcd6029>]

The GOP's Progress on Work and Welfare

The debt-ceiling deal is a step toward restoring a culture of work.

By *The Editorial Board*¹

May 30, 2023 6:42 p.m. ET

²<https://thefga.org/research/waivers-gone-wild-food-stamp-loopholes>.

¹<https://www.wsj.com/news/author/editorial-board>.



President Joe Biden shakes hands with House Speaker Kevin McCarthy on Feb. 7. Photo: Pool/Via Reuters.

Some Republicans aren't enthused about the debt-ceiling deal that Speaker Kevin McCarthy brokered with President Biden—not enough spending cuts, too few policy concessions. But one reason the deal is worth passing: The provisions on work and welfare are incremental progress the GOP can build on.

The Fiscal Responsibility Act makes several changes to social safety net programs, notably food stamps. The Supplemental Nutrition Assistance Program imposes a 3 month limit on able-bodied adults under age 50 without dependent children—unless they work or train 20 hours a week.

That rule was suspended during the interminable [COVID] emergency, and spending on the program exploded to \$114 billion in 2021 from \$60 billion in 2019. Of four million Americans on food stamps ages 18 to 60 without a disability or children at home, fewer than 30% are in a household with earnings. The House bill would raise the working age to 54.

States can exempt 12% of their rolls from the requirement, which the House bill reduces to 8%. The bill also cracks down on stockpiling these exemptions year to year. Yet another way states water down the requirements: states can apply to suspend the rules in areas where jobs are hard to find, and they have gerrymandered regions to goose unemployment data.

Arizona has a statewide waiver even as the state has about 1.5 open jobs for every person looking. Minnesota relied on data as old as September 2020 to justify its request, *according to the Foundation for Government Accountability*.² The House bill forces the Agriculture Department to publish state waiver requests and data, and the hope is that such scrutiny can shame states into better behavior.

The changes are similarly sensible in cash assistance known as Temporary Assistance for Needy Families (TANF). States are supposed to have 50% of families working. Yet states can claim a “credit” if they reduce their cases compared with 2005. The House bill updates that baseline year to 2015.

The House bill also slays an embarrassment known as the “small checks scheme.” To meet the TANF work requirement, states could find food-stamp beneficiaries who are working and mail them a \$10 or \$20 check. Voila! Another person is classified as working under TANF.

One mistake in the debt deal is that the food-stamp work requirement exempts veterans and the homeless. These Americans could perhaps most benefit from the dignity and stability of work. Ditto for parents of children attending school, whom Republicans exempted in their initial proposal. Some of the food-stamp provisions expire in 2030.

² <https://thefga.org/research/waivers-gone-wild/>.

Still, the GOP has won improvements, and making the food-stamp work rules permanent can be a priority for the farm bill this year. Republicans could also flesh out their proposal to require work in Medicaid, which Democrats refused to allow.

The left has managed over many years to water down the 1996 bipartisan welfare reform, so small improvements matter. The House bill emphasizes that one purpose of food stamps is to help Americans find jobs and boost their earnings. That will reinforce local administrators trying to make welfare programs more than a check-writing exercise.

A major difference between the two political parties these days is that most Democrats favor a culture of dependency. The GOP's task, which is popular with voters, is to rebuild a culture of work. The debt-ceiling bill starts to do that, which is one reason to support it.



Editor's note: the above video is retained in Committee file.

Journal Editorial Report: Can anyone cut into Trump's big polling lead?

Images: AP/Reuters Composite: Mark Kelly.

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Appeared in the May 31, 2023, print edition as 'The GOP's Progress on Work and Welfare'.

ARTICLE 11

WSJ | OPINION

[<https://www.wsj.com/articles/lost-lessons-of-the-1996-welfare-reform-robot-doar-aei-work-requirements-snap-food-stamps-medicare-5bdd598e>]

Opinion¹ The Weekend Interview²

Work Requirements and the Lost Lessons of 1996

The left fought to stop welfare reform and failed. Now they want us to forget the law's success. But Robert Doar remembers.

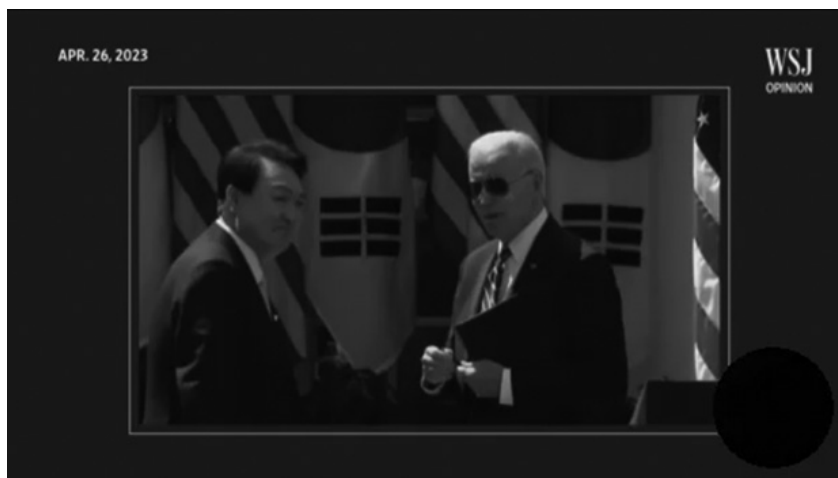
By KATE BACHELDER ODELL³

June 2, 2023 6:16 p.m. ET

¹ <https://www.wsj.com/news/opinion?mod=breadcrumb>.

² <https://www.wsj.com/news/types/the-saturday-interview?mod=breadcrumb>.

³ <https://www.wsj.com/news/author/kate-bachelor-odell>.



Editor's note: the above video is retained in Committee file.

Wonder Land: The country is drifting right and opposition conservatives better not miss the turn. Images: AP/AFP/Getty Images/Zuma Press Composite: Mark Kelly. *Washington*.

No sooner did House Republicans and President Biden reach a debt-ceiling deal than the histrionics began. One magazine writer accused lawmakers of “selling out some of America’s poorest and most vulnerable families.” She was referring to the bill’s provision that will require some Americans to work in exchange for welfare benefits. Rep. Ayanna Pressley (D., Mass.), *said the bill*⁴ “takes food away from hungry people.”

The rhetoric is familiar. Opponents of the 1996 Personal Responsibility and Work Opportunity Act raised similar alarms, but that bill passed with bipartisan support, Bill Clinton signed it, and for a time nearly everybody recognized it as a success. But the Democratic Party has moved to the left and forgotten the policy lessons of welfare reform.

Robert Doar remembers. Mr. Doar, 62, is President of the American Enterprise Institute, but earlier in his career he ran safety-net programs in New York, with stints in both state and city offices. He spent 7 years running social services for Mayor Michael Bloomberg, overseeing everything from cash benefits and Medicaid to food stamps. Mr. Doar is unequivocal: Work matters, and when paired with public assistance it’s a powerful “path out of poverty,” a phrase he deploys more than once in our conversation at his Washington office.

In New York City, around the time of welfare reform in 1996, Mr. Doar says, “the number of men, women and children on cash welfare was 1.1 million, in a city of less than eight million.” Yet “over a long period of time, in multiple Administrations,” that figure plummeted to about 360,000, even as the city’s population grew. How? By “applying a consistent policy focused on work.”

New York “transformed a system that was entirely focused on signing people up for benefits and enrolling them, and helping them become dependent on government aid and not work, to a system that wanted to help them get into work.” Offices called “income maintenance centers” were recast as “job centers,” and “eligibility workers” restyled as “job opportunity specialists.”

“We sent notices to people who didn’t comply with certain requirements that their benefits were at risk, and they complied by going to work,” Mr. Doar says. This wasn’t a harsh order to report to the salt mines. Government provided daycare for families with preschool children.

“The labor-force participation rate in New York City and around the country went from roughly 50% or less for never-married single mothers to roughly 65% or 70%,” Mr. Doar says. “That is enormous change in behavior. That was good. It gave them the dignity of work. It gave them structure and a schedule. It gave them earnings.”

⁴<https://twitter.com/RepPressley/status/1664087239515668480>.

Some of his AEI colleagues have found in research that, since the 1996 welfare reform, *poverty in single-parent households has dropped by more than 60%*.⁵ Yet the “focus on work has been eroded,” Mr. Doar says. The current debate in Washington doesn’t even involve parents, notwithstanding the evidence that they and their children are better off when someone in the house is working.

Take food stamps, whose work rules were adjusted by Congress’s debt-ceiling bill. In theory, the Supplemental Nutrition Assistance Program already requires adults without kids at home to work or train for 20 hours a week: Hold down a part-time job or benefits expire in 3 months. It doesn’t apply to those with disabilities, among other exemptions.

Yet these requirements are nonexistent in practice. States can exempt a percentage of beneficiaries right off the bat. They can then apply for waivers based on dubious data suggesting that jobs are hard to find—and these waivers are in effect even as a labor shortage leaves employers desperate for more workers. “Look at the history of the Great Depression,” Mr. Doar says. “People were out of work, and the solution was jobs. And now we have jobs available, and people aren’t taking them, but we’re giving people assistance. And I think that makes Americans uncomfortable.”

States have little incentive to behave differently. SNAP “is 100% Federal money,” Mr. Doar notes. States are enrolling residents, “sucking down the Federal money” and funneling it to local grocery stores. “The problem with that is that you’re not serving well the low-income population in your community.”

One rejoinder from the left is that those on food stamps *are* working. “Many, many people do have earnings and receive these benefits,” Mr. Doar acknowledges. But then why fight a requirement? “Whenever anybody says, ‘These individuals you’re trying to impose this work requirement on—they’re working two jobs,’ I want to say, ‘Well, if they’re working two jobs, then they’re not going to be affected by these changes.’”

Some Americans on food stamps report “no earnings—zero,” Mr. Doar says, forming a circle with his index finger and thumb. *AEI research published last month*⁶ looked at able-bodied adults 18 to 49 without children at home. Only about ¼ worked while receiving food stamps, and the low figure couldn’t be explained away by caring for relatives or other such obligations.

“We should ask what’s going on, and let’s address it,” Mr. Doar says. “It’s not one program. It’s a combination of programs.” More Americans, particularly prime working-age men, are cobbling together benefits from a constellation of benefits—from food stamps and housing subsidies to Medicaid and disability.

The debt deal’s provisions are modest. The bill Congress passed this week would raise the maximum age at which the food-stamp work requirement applies to 54 from 49. Some Republicans were disappointed the bill didn’t go further and revolted when the Congressional Budget Office said the work requirements wouldn’t save money. Mr. Doar argues that work requirements aren’t about “savings” anyway, but “helping people get to a healthier, stronger, more positive life” even if they still need government benefits while they work.

But the reason for the bad CBO score is new carve-outs from work for veterans and the homeless. “That was a mistake,” Mr. Doar says. The homeless can benefit from the stability and dignity of work. “People on the street who you see—and your heart goes out to them—they are recipients of public assistance,” often in programs that don’t require work. Programs such as disability aid have “financed their situation without actually helping them.” As for veterans, they are often caricatured as traumatized or incapacitated—a stereotype perpetrated by endless movies about derailed Vietnam vets. Most veterans are more capable, not less, for their years in uniform.

Yet while Mr. Doar says the new work requirements aren’t “transformative,” he points out a sleeper provision that hasn’t attracted much attention. The bill enshrines helping low-income Americans find employment and increasing their earnings as a purpose of food stamps, an update to the program’s “mission statement” that will let reform-minded states focus more on work. He suggests the Federal Government could offer bonuses to states that boost their work-participation rates—a ripe idea for Republicans, who can build on their incremental progress in negotiations over the farm bill this year.

Even the bill’s limited work provisions were a tough sell for President Biden, although he voted for welfare reform as a senator in 1996. The bipartisan consensus on work has devolved into “truly a party divide,” Mr. Doar says. Democrats largely

⁵ <https://www.cato.org/research-briefs-economic-policy/change-poverty-1995-2016-among-single-parent-families>.

⁶ <https://www.aei.org/wp-content/uploads/2023/04/Promoting-Mobility-Through-SNAP.pdf?x91208>.

view welfare programs as universal entitlements. One example is the brawl over the child tax credit, which Democrats temporarily transformed into a cash allowance as part of the [COVID]-19 emergency. Democrats aspired to make that change permanent, “sneaking through a real retrenchment” against the 1996 welfare reform, Mr. Doar says.

The argument on the left is that work requirements merely punish children for the failures of their parents. Better to deposit cash every month. Yet unconditional money can leave children stuck in suffering far beyond what a check can heal—such as a parent with untreated mental illness or addiction. “Sending a check from Washington with no human connection” allows struggling families “to remain in the shadows,” Mr. Doar says, or in “houses with the curtains drawn.” On this issue, West Virginia Sen. Joe Manchin was “the only real ally” among Democrats. His opposition helped scuttle a permanent cash allowance for parents.

Mr. Doar’s view is popular with the public. A *May opinion poll*⁷ showed roughly $\frac{2}{3}$ of Americans, including $\frac{1}{2}$ of Democrats, support work requirements on food stamps and Medicaid. That support holds in other surveys across income and racial demographics. In April an advisory ballot referendum asked Wisconsin voters whether they support work requirements on welfare. It won with nearly 80% of the vote. And Mr. Doar notes that in the 2020 primaries, Mr. Biden “handily” outperformed Bernie Sanders and Elizabeth Warren among black voters. He says one reason may be those senators’ “welfare entitlement perspective.”

One Republican seizing this political high ground is Sen. Tim Scott. “If you’re able-bodied, you work,” Mr. Scott promised in his 2024 Presidential campaign announcement, crediting his mother for offering an example of hard work. But Republicans are sometimes cowed by the accusations that they’re heartless.

Mr. Doar suggests that the progressive resistance to work reflects a dim view of low-income Americans: “They’re saying that those seeking assistance aren’t capable of working, aren’t capable of stepping up and fulfilling some form of responsibility and moving toward self-sufficiency. And what we found in welfare reform is—actually, they are capable. And when you ask these families to make some commitment to employment,” then “they’ll do it. And they can do it.”

Republicans can also explain to voters that these rules aim to fix a broken bureaucracy—to put pressure “on the agency to make a better and more concerted effort to help someone get a job,” he says. Those receiving benefits are responding to bad incentives in government. “If the message is, ‘Don’t worry about it. Here’s your card. See you in a year,’ they’ll take the card, and you won’t see them for a year, and you won’t have really helped them.”

One important misconception is that poverty is uniquely awful in America compared with, say, Europe. Such comparisons tend to “isolate one program” or fail to count a bevy of refundable tax credit for low-income Americans.

“The sad part of the popular impression is that the official poverty measure doesn’t count all the benefits we provide,” Mr. Doar says. A 2019 paper by economist Bruce Meyer of AEI and the University of Chicago and James Sullivan of Notre Dame found that taking better account of benefits and increased consumption power *reduced poverty*⁸ from the official rate of about 12%—barely changed since the 1970s—to less than 3%.

“I think we really are”—Mr. Doar searches for the right word—“plagued by this failure to recognize that we have made progress on these issues, and that we are a good and generous country to people who struggle.”

That hesitancy to acknowledge success crosses partisan and ideological lines. On parts of the left, “they think if we say we’ve made great progress on reducing poverty, which we have, then we won’t be able to justify further investments. We have to paint a dark, bad picture because that’s what justifies more spending.” For some on the right, declaring success “would mean that government actually could do something well over time.”

*Mrs. Odell is a member of the **Journal’s** editorial board.*

SUBMITTED *FEDERAL REGISTER* RULE BY HON. GLENN THOMPSON, A
REPRESENTATIVE IN CONGRESS FROM PENNSYLVANIA

[<https://www.govinfo.gov/content/pkg/FR-2015-12-16/pdf/2015-31532.pdf>]

⁷ <https://www.axios.com/2023/05/18/axios-ipsos-poll-work-requirements-medicaid-snap>.

⁸ <https://www.aei.org/research-products/speech/poverty-in-america-before-and-after-covid-19/>

Federal Register

Vol. 80, No. 241, Wednesday, December 16, 2015, 78119–78130

Rules and Regulations**Department of Agriculture***Commodity Credit Corporation*

7 CFR Part 1400

RIN 0560–AI31

Payment Limitation and Payment Eligibility; Actively Engaged in Farming**Agency:** Commodity Credit Corporation, USDA.**Action:** Final rule.

Summary: This rule changes the requirements for a person to be considered actively engaged in farming for the purpose of payment eligibility for certain Farm Service Agency (FSA) and Commodity Credit Corporation (CCC) programs. Specifically, this rule amends and clarifies the requirements for a significant contribution of active personal management to a farming operation. These changes are required by the Agricultural Act of 2014 (the 2014 Farm Bill). The provisions of this rule do not apply to persons or entities comprised entirely of family members. The rule does not change the existing regulations as they relate to contributions of land, capital, equipment, or labor, or the existing regulations related to landowners with a risk in the crop or to spouses. This rule will apply to eligibility for payments earned for the 2016 crop or program year for farming operations with only 2016 spring planted crops, and to eligibility for payments for the 2017 and subsequent crop or program years for all farming operations (those with either spring or fall planted crops).

Dates: This rule is effective December 16, 2015.

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Supplementary Information:**Overview**

CCC programs managed by FSA, specifically the Market Loan Gains (MLG) and Loan Deficiency Payments (LDP) associated with the Marketing Assistance Loan (MAL) Program, the Agriculture Risk Coverage (ARC) Program, and the Price Loss Coverage (PLC) Program, require that a person or legal entity be “actively engaged in farming” as a condition of eligibility for payments. As specified in 7 CFR part 1400, a person or legal entity must contribute: (1) Land, capital, or equipment; and (2) active personal labor, active personal management, or a combination of active personal labor and active personal management to be considered “actively engaged in farming” for the purposes of payment eligibility.

Section 1604 of the 2014 Farm Bill (Pub. L. 113–79) requires the Secretary of Agriculture to define in regulations what constitutes a “significant contribution of active personal management” for the purpose of payment eligibility. CCC published a proposed rule in the *Federal Register* on March 26, 2015, (80 FR 15916–15921) to implement the changes required by the 2014 Farm Bill. CCC received 95 comments on the proposed rule. The comments and responses are discussed later in this document. No major changes are being made in response to comments, because FSA has determined that the comments support the definitions and requirements for “actively engaged in farming” specified in the proposed rule and support limiting eligibility for farm payments. Also, there was no consensus amongst the comments for any alternative payment eligibility provisions that would address the 2014 Farm Bill requirements. FSA has made minor changes from the proposed rule in this final rule to respond to commenters’ requests for clarifications of certain provisions.

As specified in the proposed rule, this final rule amends 7 CFR part 1400 to define what constitutes a significant contribution of active personal management and to revise the requirements for active personal management contributions. The 2014 Farm Bill also directed the Secretary to consider the establishment of limits on the number of persons per farming operation who may be considered actively engaged in farming based on a significant contribution of active personal management. Based on this directive, a limit was established in the proposed rule and this final rule therefore amends 7 CFR part 1400 to set a limit on the number of persons per farming operation who may qualify as actively engaged in farming based on a significant contribution of active personal management, or a combination of active personal management and active personal labor. The new requirements and definitions are specified in a new subpart G to 7 CFR part 1400.

Exceptions for Entities Comprised Solely of Family Members

As required by the 2014 Farm Bill, the provisions of this rule do not apply to farming operations comprised solely of family members. This rule does not revise the definition of “family member.” As specified in 7 CFR 1400.3, a family member is “a person to whom another member in the farming operation is related as a lineal ancestor, lineal descendant, sibling, spouse, or otherwise by marriage.” This definition is consistent with 7 U.S.C. 1308, which is the authority for the definition. FSA handbooks further clarify that eligible family members include: Great grandparent, grandparent, parent, child, including legally adopted children and stepchildren, grandchild, great grandchild, or a spouse or sibling of family members.

In 7 CFR 1400.208, there are existing provisions for family members to be considered actively engaged in farming by making a significant contribution of active personal labor, or active personal management, or a combination thereof, to a farming operation comprised of a majority of family members, without making a contribution of land, equipment, or capital. The new subpart G does not change these provisions.

Existing Provisions and Exceptions for Actively Engaged Requirements That Are Not Changed

As specified in the current regulations, there are exceptions to the requirement that a person must contribute labor or management to be considered actively engaged in farming. These exceptions for certain landowners and for spouses are not changed with this rule. Specifically, a person or legal entity that is a landowner who makes a significant contribution of owned land to the farming operation and receives rent or income for such use of the land based on the land’s production or the operation’s operating results, and who therefore shares a financial risk in the crop (profit or loss is based on value of crop and not from a fixed rent amount) is considered to be actively engaged. A landowner who meets that requirement of sharing financial risk in the crop is not required to contribute labor or management to be considered actively engaged in farming. If one spouse, or an estate of a deceased spouse, is considered to be actively engaged in farming the other spouse is considered to be actively engaged without making a separate, additional contribution of management or labor. The spouse exemption as specified in the current regulations applies regardless of whether the other spouse has qualified as actively engaged through a contribution of management or labor or as a landowner sharing risk in the crop.

The final rule specifies how persons and legal entities comprised of non-family members may be determined eligible for payments, based on a contribution of active personal management made by persons with a direct or indirect interest in the farming operation. Payments made to persons or legal entities are attributed to persons as specified in 7 CFR 1400.105 and the methods for attribution remain unchanged with this rule.

Additional Requirements for Certain Nonfamily General Partnerships and Joint Ventures

The revised definition of what constitutes a significant contribution of active personal management in this rule apply only to certain nonfamily farming operations seeking to have more than one person qualify as actively engaged in farming by providing a significant contribution of active personal management. Such person is referred to as a “farm manager” for the purposes of this rule. This rule only applies to farming operations structured as general partnerships or joint ventures that seek to qualify more than one farm manager. The existing requirements that farming operations supply information to FSA county committees (COC) on each member’s contribution or expected contribution of labor or management related to actively engaged determinations remain unchanged and continue to apply. However, each of the members of farming operations subject to this final rule that are determined to be actively engaged in farming by their contribution of active personal management, or the contribution of the combination of active personal labor and active personal management, will also be required to keep and provide a management log.

For most farming operations that are legal entities, such as corporations and limited liability companies, adding an additional member to the entity does not affect the number of payment limits available; it simply increases the number of members that can share a single \$125,000 payment limit, should such a limit be reached. But for general partnerships and joint ventures, adding another member to the operation can provide the availability of an additional \$125,000 payment limit if the new member meets the other eligibility requirements, including being determined as actively engaged in farming. This potential for a farming operation being able to qualify for multiple payment limits provides an opportunity to add members and to have those members claim actively engaged in farming status, each with an additional

and separate payment limitation, especially for farming operations earning annual program payments in an amount close to or in excess of the payment limitation.

For this reason, several additional requirements now apply to nonfamily farming operations seeking to qualify more than one farm manager. Specifically, in addition to the existing requirements that farming operations must provide information to FSA on how each of their members qualify as actively engaged based on a contribution of labor, management, land, capital, and equipment, a limit is placed on the number of members of a farming operation that can be qualified as a farm manager. Also, an additional recordkeeping requirement now applies for each member of such farming operations contributing any active personal management. These additional requirements also apply to individuals requesting to qualify with a combination of labor and management if their farming operation is seeking to have more than one farm manager (combinations of labor and management can qualify as actively engaged in farming).

Number of Farm Managers That May Qualify As Actively Engaged

This rule restricts the number of farm managers to one person per farming operation, with exceptions. Nonfamily farming operations seeking only one member to qualify as actively engaged in farming with only a significant contribution of management or a combination of labor and management (one farm manager) are not subject to the new requirements of 7 CFR part 1400 subpart G. They are still, however, subject to the existing requirements of being actively engaged, as they were prior to this rule. In other words, such operations will continue to be subject to the existing regulations in subparts A and C of 7 CFR part 1400 that specify the requirements to be considered actively engaged in farming.

Any farming operation seeking two or three farm managers must meet the requirements of subpart G for all farm managers in the farming operation, including documenting that each of the two (or three) individuals are actively engaged in farming by their contribution of active personal management (or a combination of labor and management) by the maintenance of the records or logs discussed below for all the members in the farming operation. If one person of the farming operation meets the requirements for being actively engaged in farming by making a contribution of active personal management, and that farming operation seeks to qualify an additional farm manager, the farming operation must meet the requirements that it is a large operation or a complex operation as specified in this rule. To qualify a total of three farm managers, the operation is required to meet the requirements specified in this rule for both size and complexity. In other words, a very large farm operation that is not complex (for example, one growing a single crop) may only qualify for two farm managers, not three. Under no circumstances is a farming operation allowed to qualify more than a total of three persons as farm managers.

The default standard for what constitutes a large farming operation is an operation with crops on more than 2,500 acres (planted or prevented planted) or honey or wool with more than 10,000 hives or 3,500 ewes, respectively. The acreage standard is based on an analysis of responses to the Agricultural Resource Management Survey (ARMS) conducted by the USDA Economic Research Service and National Agricultural Statistics Service. The results of that survey indicate that on average, farms producing eligible commodities that required more than one full time manager equivalent (2,040 hours of management) had a size of 2,527 acres. (See <http://www.ers.usda.gov/data-products/arms-farm-financial-and-crop-production-practices.aspx> for more information on the survey.) The size standards for honey and wool did not have comparable survey information available. The honey standard for the number of hives is based on the beekeepers participating in 2011 through 2012 Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish that met or exceeded the payment limit. These large operations averaged 10,323 hives. The standard established for sheep was based on industry analysis that showed that operations with 1,500 through 2,000 ewes could be full time. The 3,500 ewes standard is approximately double that threshold. Each State FSA committee (STC) has authority to modify these size standards for their state based on the STC's determination of the relative size of farming operations in the state by up to 15 percent (that is plus or minus 375 acres, 1,500 hives, or 525 ewes). In other words, the standard in a particular state may range from 2,125 acres to 2,875 acres; 8,500 to 11,500 hives; or 2,975 to 4,025 ewes. Any deviation from the state level standards may only be granted on a case by case basis by the FSA Deputy Administrator for Farm Programs (DAFP).

If a farming operation seeks an additional farm manager based on the complexity of the operation, such operation must make a request to the FSA state committee that demonstrates complexity by addressing the factors established in this rule. The complexity factors specified in this rule take into account the diversity of the oper-

ation including the number of agricultural commodities produced; whether irrigation is used; the types of agricultural crops produced such as field, vegetable, or orchard crops; the geographical area in which an operation farms and produces agricultural commodities; alternative marketing channels (that is, fresh, wholesale, farmers market, or organic); and other aspects about the farming operation such as the production of livestock, types of livestock, and the various livestock products produced and marketed annually. The addition of a second or third farm manager to be considered actively engaged in farming must be approved by the STC, and is subject to review by DAFP. The final review and concurrence by DAFP is intended to ensure consistency and fairness on a national level.

Records on the Performance of Management Activities

As specified in this final rule, if a farming operation seeks to qualify more than one farm manager as actively engaged in farming, then all persons that provide any management to the farming operation are required to maintain contemporaneous records or activity logs of their management activities, including the management activities that may not qualify as active personal management under this rule. Specifically, activity logs must include information about the hours of management performed for the farming operation. While the recordkeeping requirements under this rule are similar to the current provisions at 7 CFR 1400.203 and 1400.204 in which contributions must be identifiable and documentable, and separate and distinct from the contributions of other members, these additional records or logs must also include the location of where the management activity was performed (either on-site or remote) and the time expended or duration of the management activity performed. These records and logs must be made available if requested by the appropriate FSA reviewing authority. If a person or member initially determined as actively engaged in farming by a represented contribution of active personal management to the farming operation fails to provide these management activity records within a reasonable amount of time, usually 30 days, the represented contribution of active personal management will be disregarded and the person's eligibility for payments will be re-determined.

Section 1604 of the farm bill requires USDA to ensure that any additional paperwork required by this rule be limited only to persons in farming operations who would be subject to this rule. As described above, the additional recording and recordkeeping requirements of this rule only apply to persons in farming operations that seek to qualify more than one farm manager as actively engaged in farming.

New Definition of Significant Contribution of Active Personal Management

The existing definition of a "significant contribution" in 7 CFR 1400.3 specifies that for active personal management, a significant contribution includes "activities that are critical to the profitability of the farming operation," but that definition does not specify what specific types of activities are included, whether these activities need to be direct actions and not passive activities, and to what level or quantity such activities must be performed to achieve a level of significance.

This final rule specifies a new definition of "significant contribution of active personal management" that applies only to non-family farming operations that seek to qualify more than one person as a farm manager. Similar to the existing requirements in 7 CFR 1400.3 for a substantial amount of active personal labor, the new definition for a significant contribution of active personal management requires an annual contribution of 500 hours of management, or at least 25 percent of the total management required for that operation. This final rule also adds a new, more specific definition for "active personal management" that includes a list of critical management activities that qualify as a significant contribution if such activities are annually performed to either of the minimum levels established (500 hours or 25 percent of the total management hours required for the operation on an annual basis).

The new definition changes what constitutes "active personal management" only for farm managers in nonfamily farming operations seeking to qualify two or three farm managers. The requirements for such farm managers clarify that eligible management activities are critical actions performed under one or more of the following categories:

- Capital, land, and safety-net programs: Arrange financing, manage capital, acquire equipment, negotiate land acquisition and leases, and manage insurance or USDA program participation;
- Labor: Hire and manage labor; and
- Agronomics and Marketing: Decide which crop(s) to plant, purchase inputs, manage crops, price crops, and market crops or futures.

The management activities described place emphasis on actions taken or performed by the person directly for the benefit and success of the farming operation. Passive management activities such as attendance of board meetings or conference calls, or watching commodity markets or input markets (without making trades), are not considered as making a significant contribution of active personal management. Only critical actions as specified in the new definition of “active personal management” are counted towards the required hourly threshold for a significant contribution of active personal management.

As required by the 2014 Farm Bill, the new definition and requirements in the final rule take into account the size and complexity of farming operations across all parts of the country. The final rule also takes into consideration all of the actions of the farming operation associated with the financing; crop selection and planting decisions; land acquisitions and retention of the land assets for an extended period of time; risk management and crop insurance decisions; purchases of inputs and services; utilization of the most efficient field practices; and prudent marketing decisions. Furthermore, this new definition takes into account advancements in farming, communication, and marketing technologies that producers must avail themselves to remain competitive and economically viable operations in today’s farming world.

Eligible management activities include the activities required for the farming operation as a whole, not just activities for the programs to which the “actively engaged in farming” requirement applies. For example, if a farming operation is participating in ARC or PLC and using grain produced under those programs to feed dairy cattle, those management activities with respect to the dairy component of the operation can be considered for eligibility purposes to qualify a farm manager. Similarly, if a farming operation receives MLG or LDPs on some crops, but not on others, all the management activities for all the crops are considered for eligibility purposes.

The final rule clarifies that the significant contribution of a person’s active management may be used only to qualify one person or legal entity in a farming operation as meeting the requirements of being actively engaged in farming. For example, if members of a joint operation are entities, one person’s contribution will only count toward qualifying one of the entities (and not any other entity to which the person belongs), as actively engaged in farming.

Summary of Comments Received and FSA Responses

The 60 day comment period on the proposed rule ended May 26, 2015. CCC received 95 comments on the proposed rule. Comments were received from individual farmers, members of the public, slow food and sustainable agriculture groups, environmental groups, rural advocacy groups, the USDA Office of the Inspector General, an FSA employee, and groups representing farmers and growers. Most of the comments supported the idea of restricting eligibility for farm payments, but many of those supportive comments also suggested additional restrictions on eligibility. The rest of the comments, primarily from groups representing farmers and growers, did not support restricting eligibility for farm payments based on active contribution of management, or suggested that additional persons be made eligible for payment.

Many of the suggestions to further restrict farm program payments were out of scope or exceed FSA’s authority. For example, some commenters objected to the family member operation exemption that is required by the 2014 Farm Bill. The suggestion of one payment limit per farm, no exceptions, would eliminate the spouse exemption for actively engaged in farming, which FSA does not have authority to change. Other suggestions were good ideas that are already addressed by existing regulations. For example, the attribution rules already specified in 7 CFR part 1400 prevent one person from earning multiple payment limitations based on their participation in multiple farming enterprises.

The following discussion summarizes the issues raised by commenters, and FSA’s responses to those comments as reflected in this rule:

Family Members and Family Farm Exemptions

Comment: The new requirements on the contribution of active personal management should be applied to all farming operations including family operations as a matter of clarity and equity.

Response: Section 1604(c) of the 2014 Farm Bill specifically states that any revisions to the actively engaged in farming provisions will not apply to farming operations comprised entirely of family members. Therefore, no change to the rule is made in response to this comment.

Comment: The definition of family member should be extended an additional generation to great great grandchildren.

Response: If such a familial relationship of great great grandparent and great great grandchild is represented between members in the same farming operation, who are both currently members at the same time of such farming operation, this would fall under the existing definition of family member because the great great grandchild is a lineal descendant of the great great grandparent and would therefore be recognized as such by the FSA reviewing authority. No revision to the rule or handbooks is needed to accommodate five generations within the same farming operation in the application of this rule.

Comment: FSA should interpret the definition of family member to include cousins, nieces, nephews, aunts, and uncles. While not lineal descendants, an extended family relationship exists between such individuals that many times are involved in the same farming operations.

Response: The existing definition of family member in 7 U.S.C. 1308 is centered on the term lineal descendant. FSA does not have authority to revise the current definition of family member in 7 CFR part 1400 and therefore, cousin, niece, nephew, aunt, and uncle will not be included or considered to be included as a family member under the current definition. No change is made to the definition of “family member.”

Comment: The changing legal landscape regarding definitions of marriage, and the effect, if any, it has on the related definitions within the rule, should be considered for this rule.

Response: The text in 7 CFR part 1400 refers only to “spouse” and has no reference to husbands or wives. No revisions to the regulations are necessary to address the issue of marriage equality.

Comment: Given the importance now placed on family members for operations to meet specific payment eligibility requirements, clarification is needed regarding the continuity of a farming operation’s eligibility and the immediate consequences of unplanned events such as death, incapacitation, or forced retirement of a family member that otherwise negates this family relationship amongst all members. (For example, a grandparent retires from the operation, and one of the grandchildren remaining is a cousin but not a lineal descendant or sibling of any other remaining members.) Furthermore, FSA should consider a “grandfather clause” for existing members of a family farming operation (non-lineal descendants) that have succeeded former members due to death or retirement of a parent or grandparent.

Response: Current regulation and FSA policy as specified in the handbooks provide that if an individual is determined to be actively engaged in farming and is otherwise eligible to receive program benefits subsequently dies or becomes incapacitated and is no longer able to make contributions to the farming operation, that person is considered to be actively engaged in farming and eligible for the duration of the program year. Consistent with this policy, eligibility determinations for a farming operation and its members for a specific program year, and that are dependent upon the family member exemption, will remain effective for the entire program year regardless of when the death, disability, or incapacitation of a family member occurred during the same program year. Then, for the following program year, new determinations for payment eligibility and payment limitation purposes will be made by FSA based on the representations made by the farming operation, and its members, and applicable rules in effect at that time.

Regarding “grandfathering” existing members of a farming operation, as noted above, the eligibility of a particular person or operation is effective for a program year. No other accommodations for additional years will be adopted or allowed based on the historical relationship of an operation’s former members, because we do not have the authority to do so. The definition of “family member” as specified in 7 U.S.C. 1308 specifies that a family member is one to whom “a member in the farming operation is related as lineal ancestor, lineal descendant, sibling, spouse, or otherwise by marriage.” The plain language meaning of the authority is that a family member is one who is currently related to another member of the farming operation, and does not include a historical relationship for one who was related to someone who was formerly in the farming operation. Therefore, no change to the rule is made in response to this comment.

Implementation Timing

Comment: If the rule is making the changes in requirements for certain producers’ eligibility effective for the 2016 crop year, we will have only a few months to potentially reorganize a farm operation to come into compliance. The effective date for the implementation of all changes to the actively engaged in farming provisions should be postponed until at least the 2017 crop year.

Response: There is no requirement that a farm operation needs to be reorganized to come into compliance with the rule changes; the rule changes how many payment

limitations the farming operation may qualify for based on managers' activities and the size and complexity of the farming operation. We have considered the implementation timing and made a change in the in response to this comment and will make the rule effective for the 2016 crop year for producers who only have spring planted covered crops and loan commodity crops and effective for the 2017 crop year for producers who have both spring and fall planted covered crops and loan commodity crops.

Definitions

Comment: Although we are in agreement to FSA's new definition of active person management and the categories of management activities, FSA should include all of the management activities found in the Joint Explanatory Statement of the Committee of Conference (commonly referred to as the Managers' Report) on the 2014 Farm Bill.

Response: FSA handbook instructions will be revised to include a list of all eligible management activities. The rule specifies the categories, and the handbook provides more details, so the categories are applied consistently. Therefore, no change to the rule is made in response to this comment.

Comment: The phrase "critical to the profitability of a farming operation" used in the description of a significant contribution of active person management should be defined in the final rule.

Response: The proposed rule outlined the three specific categories of management activities that will be considered as a contribution of active personal management and used in determining whether the person or member has made a significant contribution of active personal management. Although not explicitly stated, it must be understood that to be successful in farming, the timing of those management activities is critical and the failure to make a management decision or failing to take a management action, may make a difference in a farming operation remaining viable. So unless those specific management activities are timely completed by the person or member of a farming operation, the person or member will not only be considered to not meet the requirements to be determined actively engaged in farming, but also that such a failure of the person or member to timely perform the specified management activities would adversely affect the viability and continued existence of the farming operation itself. Therefore, we believe that the term critical is being used in the normal dictionary definition and an additional regulatory definition is not necessary.

Comment: Rather than 500 hours or at least 25 percent of the total management needed for the farming operation, the new measurable standard for management should be increased to 1,000 hours or 50 percent, equal to the existing labor contribution requirement.

Response: Various proposals and concepts were considered in the development of this rule, including a minimum level of interest a person must hold in a farming operation before the person could qualify as actively engaged in farming with only an active personal management contribution, a weighted ranking of critical activities performed, Internal Revenue Service tax code requirements for a person to be considered a material participant in a business to claim a percentage of profit or loss from the business for personal income tax purposes, ARMS data of average size farming operations, and a higher hourly threshold, such the current hourly standard for active personal labor. The 500 hour or 25 percent standard was chosen because the ARMS found that generally in a farming operation, at least twice the amount of hours is devoted to labor activities as compared to the performance of actual management activities. Therefore, we are not making a change in the regulation in response to this comment.

Comment: A numerical standard is not suitable to be applied at all to the performance of management activities.

Response: The Managers' Report on the 2014 Farm Bill specifically directed the Secretary in implementing Section 1604 to develop clear and objective standards that can easily be measured and accounted for by members of the farming operation. In the absence of a consensus on an alternative standard for measuring a management contribution, the numerical standard from the proposed rule was adopted in the final rule. A numerical standard meets the requirements for being clear and objective, as well as easily measured and accounted for. Therefore, we are not making a change in the regulation.

Comment: An equitable, measurable standard of significance should be one that combines both labor and management contributions due to the difficulty at times of deciding whether an activity or action is labor or management.

Response: We have revised the rule in response to this comment to address the issue of a combined significant contribution of management and labor for farming

operations that are subject to the new Subpart G. The existing regulations in 1400.3(b)(4) specify how such a combined significant contribution can meet the requirements of actively engaged in farming for operations that are not subject to new subpart G, where the activity is primarily labor or primarily management. This rule specifies a new measurable standard for a significant contribution of the combination of active personal labor and active personal management to a farming operation that is subject to subpart G that takes into account the reality of most farming operations where a person or member contributes not just labor or just management, but contributes a combination of both.

The new standard for a contribution of the combination of active personal labor and active personal management balances these realities and establishes a minimum hourly requirement based on the existing hourly standard for a significant contribution of active personal labor of 1,000 hours and the new hourly standard adopted for a significant contribution of active personal management of 500 hours. However, the threshold for a significant contribution of combined labor and management is based on the proportionate share of the person's or member's combined contribution of both labor and management activities performed. Accordingly, under a combination of labor and management, the labor contribution is counted towards the existing 1,000 hours threshold for labor, and the management contribution is counted towards the 500 hours threshold for management. Because the rule establishes a combined limit for the combination of both labor and management, the minimum contribution amounts for each component are less than their individual limits if such determination would be made based on their sole contribution of labor (1000 hours) or management (500 hours) alone and the contributions under the combination are weighted to the activity that is greatest.

There are five total hourly thresholds for a significant contribution of the combination of labor and management, based on a prorated combination of each type of contribution. For example, a combined contribution where the majority of the contribution is management is measured against a 550 total hour threshold that is weighted towards the 500 hour standard for management, whereas a combined contribution where the majority of the contribution is labor is measured against a 950 total hour threshold that is weighted toward the 1,000 hours required for a significant contribution of labor.

The following table specifies the hourly thresholds for the combined contribution of active personal labor and active personal management based on the proportionate share of both labor and management activities reported.

**Combination of Active Personal Labor and Active Personal Management
Minimum Requirement for a Significant Contribution**

[In hours]

Management contribution in hours	Labor contribution in hours	Meets the minimum threshold for significant contribution, in hours
475	75	550
450	100	550
425	225	650
400	250	650
375	375	750
350	400	750
325	425	750
300	550	850
275	575	850
250	600	850
225	625	850
200	650	850
175	675	850
150	800	950
125	825	950
100	850	950
75	875	950
50	900	950
25	925	950

Under these weighted thresholds, two contributions of the same total contributed number of hours could have a different result, as it will depend upon how many hours of such total contribution are management and how many are labor. For example, a total combined contribution of 650 hours consisting of 250 hours of management and 400 hours of labor would not qualify as a significant contribution, whereas a total combined contribution of 650 hours consisting of 400 hours of management and 250 hours of labor would qualify as a significant contribution.

This standard will apply to each person that a farming operation requests to qualify as actively engaged in farming by making a significant contribution of the combination of labor and management, rather than only a significant contribution of management.

This rule treats a combination of labor and management as a subset of the manager requirements. This new provision to clarify a combined significant contribution does not change the limit of three farm managers. As part of an entity seeking more than one payment limit for management, those farm managers qualifying because of a combination of labor and management are also covered by the new definition and recordkeeping requirements. In no case may more than three persons per farming operation qualify as actively engaged in farming based on a contribution of active personal management or a combination of labor and management activities.

Comment: Section 1604 of the 2014 Farm Bill prohibits FSA from making changes or revisions to any of the existing regulations other than for the contribution of active personal management.

Response: That is correct, and this rule does not change the measurable standard for the significant contribution of active personal labor, which remains at 1,000 hours or 50 percent of the labor required for the operation. The statute is clear and this rule changes the regulations only for a contribution of active personal management, including for a significant contribution of combined labor and management. The regulations that apply solely to a contribution of labor have not changed.

Restrictions on Active Personal Management Contributions

Comment: No restriction should be placed on the number of persons that a farming operation is allowed to qualify as actively engaged in farming with the significant contribution of management and no labor.

Response: Section 1604 of the 2014 Farm Bill directs the Secretary to consider placing limits on the number of persons in a farming operation that may qualify as actively engaged in farming by only contributing management. Having no restriction would not address Section 1604. We considered various options while developing the proposed rule. As explained in the proposed rule, one option considered was a strict limit of one farm manager; however, we determined that it was reasonable to provide an option for a second and third farm manager in specific circumstances. The adoption of this restriction or limit addresses the 2014 Farm Bill provision while providing flexibility for large or complex operations. Therefore, no change to the rule is made in response to this comment.

Comment: There should be only one additional manager, period, the same as included in the House and Senate farm bills. The total payment limit for a farm should be decoupled from the number of managers by setting a strict limit of one manager.

Related comment: A non-family farm operation should not be allowed to exceed two eligible managers under any scenario.

Response: Consideration was given to allowing only one manager, or two managers, per non-family farming operation for all circumstances. However, the 2014 Farm Bill contained requirements that consideration be given to other factors such as operation size and operation complexity. The decision was made to allow up to a total of three managers, but only with documentation of the need for the additional managers, based on both operation size and complexity. Therefore, no change to the rule is made in response to these comments.

Comment: Restricting the number of managers completely negates the new definition of active personal management, and the removal of this restriction would provide flexibility for operations to adjust to the new management requirements and lessen the impact of implementation.

Response: The new limit of one farm manager with exceptions for up to three farm managers is flexible and recognizes that many diverse farming operations and farming practices are in existence today and may require multiple persons in farm management roles. Therefore, no change to the rule is made in response to this comment.

Comment: The standards for the allowance of additional managing members based in the operation's size and complexity are a recipe for abuse, permissiveness, and inconsistent application by COCs and STCs.

Response: All COC and STC recommendations for variances to the established standards for operation size and complexity, and all approvals of requests for additional managing members in a farming operation, are subject to approval and concurrence by DAFP before implementation. In addition, there will be no instances in which more than three farm managers per operation will be allowed by DAFP. Therefore, no change to the rule is made in response to this comment.

Comment: The new restriction of one contribution qualifies only one person or member in the farming operation is unreasonable because for liability or other purposes, a non-family manager may need to spread his or her management contributions over more than one entity or member to make all of them eligible for payment.

Response: In this rule, one person's contribution of active personal management or a combination of management and labor can only qualify only one person or one legal entity as actively engaged. Aside from the spousal provision for actively engaged in farming that allows one spouse's actions to be used to qualify the other spouse as actively engaged, we have no statutory authority to permit the contributions of one person to qualify additional persons and legal entities that represent multiple payment limitations in the same farming operation. Furthermore, without this restriction, the tracking and measurement of actual contributions of labor or management being made to a farming operation would be difficult, if not elusive, to determine to any measurable level or degree of risk. Therefore, we are not making a change in the regulation.

Recordkeeping Requirements

Comment: The requirement to keep a written log of the performance of management activities should be eliminated on the premise that such records would be overly burdensome to the members, disruptive to the workflow, and too expensive for an operation to maintain.

Response: With the implementation of a measurable standard for the contribution of active personal management in hours or percentage of total hours expended in the farming operation, a written record or log of the performance of management activities is required from all members. These records are essential to enable county and State FSA committees to determine whether or not a significant contribution of specific management activities was performed to at least the minimum level necessary to qualify as a significant contribution as defined. Furthermore, the implementation of a measurable standard is meaningless in the absence of actual documentation to verify that the minimum level of the standard established has been met by the person who represents as meeting the standard. The new recordkeeping requirements apply only to joint operations and legal entities comprised of non-family members that are seeking to qualify more than one farm manager. Therefore, we are not making a change in the regulation.

Comment: The 2014 Farm Bill had a provision that FSA develop and implement a plan to monitor compliance reviews to ensure producers' compliance to the provisions of part 1400. Why was that not specifically in the rule?

Response: This requirement was already met prior to the implementation of the 2014 Farm Bill. FSA implemented an automated tracking system to record compliance review results and to monitor completion of compliance reviews in 2012. Review results and progress on the completion of compliance reviews for the 2009 through 2013 program years are currently being tracked. The United States Government Accountability Office (GAO) used FSA's tracking system in completion of the most recent audit of payment eligibility and payment limitation provisions (GAO 13-781, "Farm Programs: Changes Are Needed to Eligibility Requirements for Being Actively Involved in Farming," September 2013). The current regulations in 7 CFR 1400.2(h) already specify that compliance reviews of farming operations and corresponding documentation may be conducted at any time.

To address this comment and further clarify the compliance review process, this final rule adds a new provision to 7 CFR 1400.2 to specify that the Deputy Administrator will periodically monitor the status of completion of the assigned compliance reviews, and take any actions deemed appropriate to ensure the timely completion of the reviews for payment eligibility and payment limitation compliance purposes.

General Comments

Comment: This rule removes certain flexibilities to where many farm families will become less sustainable to the point that they may lose their ability to participate in farm programs.

Response: It is unclear how limiting the number of persons who may qualify for payment based solely on management will in any way reduce the sustainability of family farms. Furthermore, family farming operations are exempt from this rule. Therefore, no change to the rule is made in response to this comment.

Comment: Farm policy must seriously address the aging farmer crisis and effective payment caps are one tool USDA has to address this issue.

Response: Payment limits have been in place since the 1970s, and are not changed with this rule. The eligibility requirements for the receipt of farm program payments have been made more restrictive with each successive legislation to date. FSA does not have authority to modify the current payment limitations below what is specified in the 2014 Farm Bill. We have outreach programs that target beginning farmers, and many of our programs have special provisions, such as fee waivers, to encourage beginning farmers.

Comment: Lax payment limits allow big farms to outbid beginning farmers for land and leases. Limit or restrict the issuance of program payments to new and small farm operators only.

Response: FSA does not have authority to implement such a restriction. However, the average Adjusted Gross Income (AGI) provisions first implemented under the Farm Security and Rural Investment Act of 2002 (Pub. L. 107-171, generally referred to as the 2002 Farm Bill) and that remain, as amended by subsequent legislation, do restrict the payment eligibility of recipients with incomes above the specified AGI levels. As specified in 7 CFR 1400, persons with an AGI above the limit are not eligible for payments or benefits under ARC and PLC, price support programs including MAL and LDP, the Conservation Reserve Program, the Noninsured Crop Disaster Assistance Program, most FSA disaster assistance programs, and some conservation programs operated by the Natural Resources Conservation Service. Therefore, no change to the rule is made in response to this comment.

Comment: Require any operation that reorganizes to qualify for the family farm exemption to wait 5 years following the effective date of this rule to qualify for the exemption.

Response: The 2014 Farm Bill does not authorize such a provision. The 2014 Farm Bill requires that this rule not apply to any farming operation comprised entirely of family members, and with no such waiting period. Therefore, no change to the rule is made in response to this comment.

Comment: FSA's failure to evaluate the effects of this proposal on the environment would violate the National Environmental Policy Act (NEPA, 42 U.S.C. 4321-4347), current FSA regulations, and would be arbitrary, capricious, an abuse of discretion, and contrary to the law under the Administrative Procedure Act (5 U.S.C. 553).

Response: FSA has evaluated the effects of this proposal and determined that this final rule does not constitute a major Federal action that would significantly affect the quality of the human environment, individually or cumulatively. Therefore, FSA will not prepare an environmental assessment or environmental impact statement for this regulatory action.

Effective Date

The Administrative Procedure Act (5 U.S.C. 553) provides generally that before rules are issued by government agencies, the rule is required to be published in the *Federal Register*, and the required publication of a substantive rule is to be not less than 30 days before its effective date. One of the exceptions is when the agency finds good cause for not delaying the effective date. Subsection 1601(c)(2) of the 2014 Farm Bill makes this final rule exempt from notice and comment. Therefore, using the administrative procedure provisions in 5 U.S.C. 553, FSA finds that there is good cause for making this rule effective less than 30 days after publication in the *Federal Register*. This rule allows FSA to make the changes to the actively engaged regulations in time for the new 2016 program year. Therefore, this final rule is effective when published in the *Federal Register*.

Executive Orders 12866 and 13563

Executive Order 12866, "Regulatory Planning and Review," and Executive Order 13563, "Improving Regulation and Regulatory Review," direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

The Office of Management and Budget (OMB) designated this rule as significant under Executive Order 12866, "Regulatory Planning and Review," and therefore, OMB has reviewed this rule. The costs and benefits of this final rule are summarized below. The full cost benefit analysis is available on regulations.gov.

Summary of Economic Impacts

About 3,200 joint operations could lose eligibility for around \$106 million in total crop year 2016 to 2018 benefits from the PLC, ARC, and MAL Programs. The largest savings, around \$38 million, are projected for both the 2016 and 2017 crops (note that the exemption for operations with fall plantings ends with the 2016 crops). Savings are projected to decline to around \$29 million for the 2018 crop if prices improve, and in that case, producers would be eligible for lower benefits from the MAL, LDP, ARC, and PLC Programs, independent of the requirements of this rule. These savings can also be viewed as a cost of this rule for producers. This rule does not change the payment limit per person, which is a joint \$125,000 for the applicable programs. As specified in the current regulations, the payment limits apply to general partnerships and joint ventures (collectively referred to as joint operations) based on the number of eligible partners in the joint operation; each partner may qualify the joint operation for a payment of up to \$125,000. In other words, each person in the joint operation who loses eligibility due to this rule will lose eligibility for up to \$125,000 in payments for the joint operation.

Other types of entities (such as corporations and limited liability companies) that share a single payment limit of \$125,000, regardless of their number of owners, would not have their payments reduced by this rule. Each owner must contribute management or labor to the operation to qualify the operation to receive the member's share of the single payment limit.

No entities comprised solely of family members will be impacted by this rule.

If commodity prices are sufficiently high that few producers are eligible for any benefits, the costs of this rule to producers (and savings to USDA) would be less, possibly even zero. That is, if very few joint operations were to earn farm program payments due to high commodity prices, limiting eligibility on the basis of management contributions would not have much impact. Government costs for implementing this rule are expected to be minimal (\$0.4 million). The applicable joint operations' opportunity costs associated with keeping management logs over the course of each year are expected to be about \$7 million, but that amount could decline over time as managers standardize their recordkeeping.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), generally requires an agency to prepare a regulatory analysis of any rule whenever an agency is required by APA or any other law to publish a rule, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. This final rule will not have a significant impact on a substantial number of small entities. The farming operations of small entities generally do not have multiple members that contribute only active personal management to meet the requirements of actively engaged in farming.

Environmental Review

The environmental impacts of this final rule have been considered in a manner consistent with the provisions of NEPA, the regulations of the Council on Environmental Quality (40 CFR parts 1500–1508), and the FSA regulations for compliance with NEPA (7 CFR part 799). The Agricultural Act of 2014 (the 2014 Farm Bill) requires that USDA publish a regulation to specifically define a “significant contribution of active personal management” for the purposes of determining payment eligibility. This regulation clarifies the activities that qualify as active personal management and the recordkeeping requirements to document eligible management activities. This rule is making a mandatory administrative clarification. As such, FSA has determined that this final rule does not constitute a major Federal action that would significantly affect the quality of the human environment, individually or cumulatively. Therefore, FSA will not prepare an environmental assessment or environmental impact statement for this regulatory action.

Executive Order 12372

Executive Order 12372, “Intergovernmental Review of Federal Programs,” requires consultation with state and local officials that would be directly affected by proposed Federal financial assistance. The objectives of the Executive Order are to foster an intergovernmental partnership and a strengthened Federalism, by relying on state and local processes for state and local government coordination and review of proposed Federal financial assistance and direct Federal development. For reasons specified in the final rule related notice regarding 7 CFR part 3015, subpart V (48 FR 29115, June 24, 1983), the programs and activities in this rule are excluded from the scope of Executive Order 12372.

Executive Order 12988

This final rule has been reviewed under Executive Order 12988, "Civil Justice Reform." This rule will not preempt state or local laws, regulations, or policies unless they represent an irreconcilable conflict with this rule. This rule will not have retroactive effect. Before any judicial actions may be brought regarding the provisions of this rule, the administrative appeal provisions of 7 CFR parts 11 and 780 are to be exhausted.

Executive Order 13132

This final rule has been reviewed under Executive Order 13132, "Federalism." The policies contained in this rule would not have any substantial direct effect on states, on the relationship between the Federal Government and the states, or on the distribution of power and responsibilities among the various levels of government, except as required by law. Nor would this rule impose substantial direct compliance costs on state and local governments. Therefore consultation with the states is not required.

Executive Order 13175

This final rule has been reviewed in accordance with the requirements of Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments." Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

FSA has assessed the impact of this final rule on Indian Tribes and determined that this rule would not, to our knowledge, have Tribal implications that require Tribal consultation under Executive Order 13175. If a Tribe requests consultation, FSA will work with the USDA Office of Tribal Relations to ensure meaningful consultation is provided where changes, additions, and modifications identified in this rule are not expressly mandated by the 2014 Farm Bill.

Unfunded Mandates

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA, Pub. L. 104-4) requires Federal agencies to assess the effects of their regulatory actions on state, local, and Tribal governments or the private sector. Agencies generally must prepare a written statement, including cost benefits analysis, for proposed and final rules with Federal mandates that may result in expenditures of \$100 million or more in any 1 year for state, local or Tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the more cost effective or least burdensome alternative that achieves the objectives of the rule. This final rule contains no Federal mandates, as defined in Title II of UMRA, for state, local and Tribal governments or the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Federal Domestic Assistance Programs

The title and number of the programs in the Catalog of Federal Domestic Assistance to which this rule applies are: 10.051 Commodity Loans and Loan Deficiency Payments; 10.112 Price Loss Coverage; and 10.113 Agriculture Risk Coverage.

Paperwork Reduction Act

The regulations in this final rule are exempt from requirements of the Paperwork Reduction Act (44 U.S.C. Chapter 35), as specified in Section 1601(c)(2)(B) of the 2014 Farm Bill, which provides that these regulations be promulgated and administered without regard to the Paperwork Reduction Act. Section 1604 of the farm bill requires us to ensure that any additional paperwork required by this rule be limited only to persons who are subject to this rule. The additional recording and record-keeping requirements of this final rule will only apply to persons who are claiming eligibility for payments based on a significant contribution of active personal management or a combination of labor and management to the farming operation.

E-Government Act Compliance

FSA is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to government information and services, and for other purposes.

List of Subjects in 7 CFR Part 1400

Agriculture, Loan programs—agriculture, Conservation, Price support programs.
For the reasons discussed above, CCC amends 7 CFR part 1400 as follows:

Part 1400—Payment Limitation and Payment Eligibility

- 1. The authority citation for part 1400 continues to read as follows:

Authority: 7 U.S.C. 1308, 1308–1, 1308–2, 1308–3, 1308–3a, 1308–4, and 1308–5.

§ 1400.1 [Amended]

- 2. In § 1400.1(a)(8), remove the words “C and D” and add the words “C, D, and G” in their place.
- 3. Amend § 1400.2 by adding paragraph (i) to read as follows:

§ 1400.2 Administration

* * * * *

(i) The Deputy Administrator will periodically monitor the status of completion of assigned compliance reviews and take any actions deemed appropriate to ensure timely completion of reviews for payment eligibility and payment limitation compliance purposes.

- 4. Add subpart G to read as follows:

Subpart G—Additional Payment Eligibility Provisions for Joint Operations and Legal Entities Comprised of Non-Family Members or Partners, Stockholders, or Persons With an Ownership Interest in the Farming Operation

Sec.

1400.600 Applicability.
1400.601 Definitions.
1400.602 Restrictions on active personal management contributions.
1400.603 Recordkeeping requirements.

Subpart G—Additional Payment Eligibility Provisions for Joint Operations and Legal Entities Comprised of Non-Family Members or Partners, Stockholders, or Persons With an Ownership Interest in the Farming Operation**§ 1400.600 Applicability.**

(a) This subpart is applicable to all of the programs as specified in § 1400.1 and any other programs as specified in individual program regulations.

(b) The requirements of this subpart will apply to farming operations for FSA program payment eligibility and limitation purposes as specified in subparts B and C of this part.

(c) The requirements of this subpart do not apply to farming operations specified in paragraph (b) of this section if either:

(1) All persons who are partners, stockholders, or persons with an ownership interest in the farming operation or of any entity that is a member of the farming operation are family members as defined in § 1400.3; or

(2) The farming operation is seeking to qualify only one person as making a significant contribution of active personal management, or a significant contribution of the combination of active personal labor and active personal management, for the purposes of qualifying only one person or entity as actively engaged in farming.

§ 1400.601 Definitions.

(a) The terms defined in § 1400.3 are applicable to this subpart and all documents issued in accordance with this part, except as otherwise provided in this section.

(b) The following definitions are also applicable to this subpart:

Active personal management means personally providing and participating in management activities considered critical to the profitability of the farming operation and performed under one or more of the following categories:

- (i) Capital, which includes:
 - (A) Arranging financing and managing capital;
 - (B) Acquiring equipment;

- (C) Acquiring land and negotiating leases;
- (D) Managing insurance; and
- (E) Managing participation in USDA programs;
- (ii) Labor, which includes hiring and managing of hired labor; and
- (iii) Agronomics and marketing, which includes:
 - (A) Selecting crops and making planting decisions;
 - (B) Acquiring and purchasing crop inputs;
 - (C) Managing crops (that is, whatever managerial decisions are needed with respect to keeping the growing crops living and healthy-soil fertility and fertilization, weed control, insect control, irrigation if applicable) and making harvest decisions; and
 - (D) Pricing and marketing of crop production.

Significant contribution of active personal management means active personal management activities performed by a person, with a direct or indirect ownership interest in the farming operation, on a regular, continuous, and substantial basis to the farming operation, and meets at least one of the following to be considered significant:

- (i) Performs at least 25 percent of the total management hours required for the farming operation on an annual basis; or
- (ii) Performs at least 500 hours of management annually for the farming operation.

Significant contribution of the combination of active personal labor and active personal management means a contribution of a combination of active personal labor and active personal management that:

- (i) Is critical to the profitability of the farming operation;
- (ii) Is performed on a regular, continuous, and substantial basis; and
- (iii) Meets the following required number of hours:

**Combination of Active Personal Labor and Active Personal Management
Minimum Requirement for a Significant Contribution**

[In hours]

Management contribution in hours	Labor contribution in hours	Meets the minimum threshold for significant contribution, in hours
475	75	550
450	100	550
425	225	650
400	250	650
375	375	750
350	400	750
325	425	750
300	550	850
275	575	850
250	600	850
225	625	850
200	650	850
175	675	850
150	800	950
125	825	950
100	850	950
75	875	950
50	900	950
25	925	950

§ 1400.602 Restrictions on active personal management contributions.

- (a) If a farming operation includes any non-family members as specified under the provisions of § 1400.201(b)(2) and (3) and the farming operation is seeking to qualify more than one person as providing a significant contribution

of active personal management, or a significant contribution of the combination of active personal labor and active personal management, then:

(1) Each such person must maintain contemporaneous records or logs as specified in § 1400.603; and

(2) Subject to paragraph (b) of this section, if the farming operation seeks not more than one additional person to qualify as providing a significant contribution of active personal management, or a significant contribution of the combination of active personal labor and active personal management, because the operation is large, then the operation may qualify for one such additional person if the farming operation:

- (i) Produces and markets crops on 2,500 acres or more of cropland;
- (ii) Produces honey with more than 10,000 hives; or
- (iii) Produces wool with more than 3,500 ewes; and

(3) If the farming operation seeks not more than one additional person to qualify as providing a significant contribution of active personal management, or a significant contribution of the combination of active personal labor and active personal management, because the operation is complex, then the operation may qualify for one such additional person if the farming operation is determined by the FSA state committee as complex after considering the factors described in paragraphs (a)(3)(i) and (ii) of this section. Any determination that a farming operation is complex by an FSA state committee must be reviewed and DAFP must concur with such determination for it to be implemented. To demonstrate complexity, the farming operation will be required to provide information to the FSA state committee on the following:

- (i) Number and type of livestock, crops, or other agricultural products produced and marketing channels used; and
- (ii) Geographical area covered.

(b) FSA state committees may adjust the limitations described in paragraph (a)(2) of this section up or down by not more than 15 percent if the FSA state committee determines that the relative size of farming operations in the state justify making a modification of either or both of these limitations. If the FSA state committee seeks to make a larger adjustment, then DAFP will review and may approve such request.

(c) If a farming operation seeks to qualify a total of three persons as providing a significant contribution of active personal management, or a significant contribution of the combination of active personal labor and active personal management, then the farming operation must demonstrate both size and complexity as specified in paragraph (a) of this section.

(d) In no case may more than three persons in the same farming operation qualify as providing a significant contribution of active personal management, or a significant contribution of the combination of active personal labor and active personal management, as defined by this subpart.

(e) A person's contribution of active personal management, or the contribution of the combination of active personal labor and active personal management, to a farming operation specified in § 1400.601(b) will only qualify one member of that farming operation as actively engaged in farming as defined in this part. Other individual persons in the same farming operation are not precluded from making management contributions, except that such contributions will not be recognized as meeting the requirements of being a significant contribution of active personal management.

§ 1400.603 Recordkeeping requirements.

(a) Any farming operation requesting that more than one person qualify as making a significant contribution of active personal management, or a significant contribution of the combination of active personal labor and active personal management, must maintain contemporaneous records or activity logs for all persons that make any contribution of any management to a farming operation under this subpart that must include, but are not limited to, the following:

- (1) Location where the management activity was performed; and
- (2) Time expended and duration of the management activity performed.

(b) To qualify as providing a significant contribution of active personal management each person covered by this subpart must:

- (1) Maintain these records and supporting business documentation; and

(2) If requested, timely make these records available for review by the appropriate FSA reviewing authority.

(c) If a person fails to meet the requirement of paragraphs (a) and (b) of this section, then both of the following will apply:

(1) The person's contribution of active personal management as represented to the farming operation for payment eligibility purposes will be disregarded; and

(2) The person's payment eligibility will be re-determined for the applicable program year.

VAL DOLCINI,
Executive Vice President, Commodity Credit Corporation, and Administrator, Farm Service Agency.

[FR Doc. 2015-31532 Filed 12-15-15; 8:45 a.m.]

BILLING CODE 3410-05-P

SUBMITTED PRESS RELEASE BY HON. GLENN THOMPSON, A REPRESENTATIVE IN
CONGRESS FROM PENNSYLVANIA



[<https://www.justice.gov/usao-cdca/pr/15-arrested-law-enforcement-operation-targeting-fraudulent-withdrawal-benefits>]

Press Release

15 Arrested in Law Enforcement Operation Targeting Fraudulent Withdrawal of Benefits Designated for Low-Income Families

Thursday, March 2, 2023

For Immediate Release

U.S. Attorney's Office, Central District of California

Los Angeles—"Operation Urban Justice," a large-scale law enforcement operation this week, has resulted in the arrest of 15 individuals who allegedly used information from "skimmed" electronic benefit transfer (EBT) cards to make unauthorized withdrawals of funds that had been disbursed to low-income individuals, the Justice Department announced today.

More than 300 law enforcement officers early Wednesday morning began monitoring about 20 ATM locations across the Los Angeles area and identified individuals who were making multiple cash withdrawals with cards encoded with information that had been stolen from cards used by the California Department of Social Services to provide CalFresh and CalWORKs benefits to qualified recipients.

Authorities made arrests after determining that the suspects at the ATMs were not entitled to access funds that had been deposited into beneficiary's accounts. At this time, Federal prosecutors have filed five criminal complaints charging defendants with the use of unauthorized access devices (the cards used to make the cash withdrawals) or possession of 15 or more unauthorized access devices, and they are expected to file additional cases later today and tomorrow. The defendants arrested, many of them Romanian nationals, are expected to begin making initial appearances this afternoon in United States District Court.

The Los Angeles Police Department started the investigation into the fraudulent withdrawal of benefits in August 2022, and the United States Secret Service soon after joined "Operation Urban Justice" as a joint partner.

A number of law enforcement agencies are providing significant support, which included participating in Wednesday's takedown, including U.S. Customs and Border Protection, Homeland Security Investigations, U.S. Immigration and Customs Enforcement, the Glendale Police Department, the Los Angeles County Sheriff's Department, the California Department of Social Services, the United States Department of Agriculture's Office of Inspector General, and the Romanian Brigade for Combatting Criminal Organizations (which is part of the Romanian National Police).

Documents filed in Federal court outline how the California Department of Social Services has identified more than \$38.9 million in funds stolen from victims' EBT cards. This fraud has targeted CalWORKs and CalFresh (previously known as "food

stamps”), both of which are intended to help low-income beneficiaries purchase food and provide for basic needs.

The investigation has revealed that the fraudulent withdrawal of these benefits is done with “cloned” cards, which are debit cards, gift cards or other devices with magnetic strips that have been encoded with information from legitimate EBT cards. Court documents allege that at least some of those involved in the fraudulent withdrawals obtained stolen EBT card information from “skimming” devices that were installed on ATM machines.

“By stealing public benefits using counterfeit EBT cards, the defendant in these cases plundered the accounts of some of our community’s poorest residents—people who need these benefits to survive,” said United States Attorney Martin Estrada. “These actions are part of a larger assault on the EBT system, one which has caused tens of millions of dollars in losses. Working with our law enforcement partners who have devoted untold resources to combating this issue, my Office will continue to do everything in our power to stop criminals from victimizing people in our community, especially those who are most vulnerable.”

“Today’s successful operation demonstrates how a sophisticated and extensive criminal scheme can be disrupted and dismantled by a team of law enforcement professionals who approach their investigation with an even greater degree of cooperation,” said James Huse, Special Agent in Charge with the Los Angeles Field Office of the United States Secret Service. “The results of this investigation are a testament to strong partnerships across the law enforcement community. Our efforts today serve to protect the Electronic Benefits Transfer system and ensure that public funds reach those who need them without delay or distress.”

“On March 1, 2023, the Los Angeles Police Department’s Commercial Crimes Division partnered with the United States Secret Service and other Federal law enforcement agencies to conduct a collaborative enforcement operation targeting the State of California’s Electronic Benefits Transfer (EBT) fraud issue with losses in the tens of millions of dollars,” said Los Angeles Police Chief Michel Moore. “The operation involved numerous Los Angeles Police Department personnel and resulted in the recovery of 429 cloned state issued EBT cards, \$129,000 in U.S. currency unlawfully drawn from ATM machines at several Southern California banking institutions, as well as resulting in the arrests of 11 Romanian national individuals for EBT access card fraud with losses totaling over \$1,000—a Federal felony. All of the individual cases will be filed by the United States Department of Justice (USDOJ), United States Attorney’s Office (USAO) for Federal prosecution.”

On February 2, as part of Operation Urban Justice, three additional defendants were arrested after they allegedly withdrew funds from ATM machines in Hollywood and Tarzana with cloned EBT cards. All three were subsequently named in Federal indictments that charge them with bank fraud (which carries a statutory maximum penalty of 30 years in Federal prison), aggravated identity theft, unlawful use of unauthorized access devices and possession of 15 or more unauthorized access devices.

Criminal complaints and indictments contain allegations that a defendant has committed a crime. Every defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

The United States Secret Service and the Los Angeles Police Department are investigating these matters.

Assistant United States Attorneys Nisha Chandran and Joshua O. Mausner of the General Crimes Section are prosecuting these cases. Substantial assistance was provided by the following Assistant United States Attorneys, all from the General Crimes Section: Laura A. Alexander, Jeremy K. Beecher, Haoxiaohan H. Cai, Declan T. Conroy, Alexander S. Gorin, David C. Lachman, Kelly L. Larocque, Jena A. MacCabe, Angela C. Makabali, Sonya A. Nevarez, Daniel H. Weiner, and David W. Williams.

Contact: Ciaran McEvoy, Public Information Officer,
 ciaran.mcevoy@usdoj.gov, (213) 894-4465.

Updated March 2, 2023.

SUBMITTED REPORTS BY HON. GLENN THOMPSON, A REPRESENTATIVE IN CONGRESS
FROM PENNSYLVANIA

REPORT 1

[<https://www.aei.org/research-products/report/promoting-mobility-through-snap-toward-better-health-and-employment-outcomes/>]



Perspectives on Opportunity

Promoting Mobility Through SNAP: Toward Better Health and Employment Outcomes

By Angela Rachidi and Thomas O'Rourke, [American Enterprise Institute for Public Policy Research]

May 2023

The Supplemental Nutrition Assistance Program (SNAP) is among the nation's largest safety-net programs, helping low-income households afford food, improve nutrition, and support employment. As program expenditures continue to grow, assessing SNAP from the perspective of employment and health outcomes is crucial. We analyze administrative and survey data to document trends in employment and health outcomes for adult SNAP recipients from 1996 to 2019. We find the fastest-growing groups of the adult caseload suffer from low employment levels and poor health outcomes. These results suggest that program reforms should focus on not only reducing hunger but also improving employment and nutrition.

The Supplemental Nutrition Assistance Program (or SNAP, formerly called the Food Stamp Program) provides food benefits to 40 million Americans each month at a total cost of over \$110 billion in 2022 (USDA 2023b). One of SNAP's primary goals is to reduce hunger and malnutrition by helping low-income households afford food. However, the program's purpose goes beyond simply providing resources for food. It also aims to help families escape poverty by encouraging proper nutrition and stable, gainful employment.

A growing body of research shows that SNAP's design can work against these goals by discouraging employment and contributing to poor diet (Hoynes and Schanzenbach 2012; East 2018; Andreyeva, Tripp, and Schwartz 2015; Mande and Flaherty 2023). Unlike other Federal food assistance programs, SNAP has no nutritional standards, allowing participants to purchase any food or beverage product intended for consumption, except alcohol. As a result, data show that sizable portions of SNAP dollars purchase non-nutritious foods, such as sugary beverages and ultra-processed foods, which can lead to poor health (USDA 2016).

Additionally, SNAP's work requirements have a limited scope, with the most stringent work requirements applying only to age 18–49 able-bodied adults without dependents (ABAWDs). Over the past several years, states have exploited exceptions in the law to waive these work requirements, resulting in many ABAWDs not subject to a work requirement at all. Moreover, research suggests that SNAP benefits can disincentivize work among some low-income families, reducing the prospects of upward mobility.

Although previous research has investigated SNAP's health and employment effects, we know little about trends in employment and health outcomes for adult SNAP participants over time. To document trends in SNAP participants' health and employment outcomes over the past 2 decades, we analyzed data from the U.S. Department of Agriculture's (USDA) Quality Control (QC) dataset to explore changes in the composition and employment levels of the SNAP adult caseload from 1996 to 2019 and health data from the National Health Interview Survey (NHIS).

SNAP QC data compile demographic and economic information on a representative sample of SNAP households from all 50 states, collected to determine SNAP eligibility. The NHIS is a household survey conducted yearly by the Centers for Disease Control and Prevention asking respondents a variety of health- and employment-related questions, including whether anyone in the household receives SNAP. Both datasets are cross-sectional, meaning the results reflect the SNAP caseload at points in time, not necessarily the same individuals over time. For our analyses, we

grouped SNAP adults by age and parent status, stemming from how SNAP policy is currently structured.¹

Our results show that adult SNAP recipients have had especially poor health and employment levels over the past 2 decades. We found that the average age of adults receiving SNAP has risen substantially over time and that these adults were more likely than ever to be childless. Older and childless adults displayed the lowest employment levels of all recipients consistently across years. Additionally, we documented high rates of physical and mental health issues among all groups of SNAP adults, especially when compared to other groups of U.S. adults. Making matters worse, these health and employment challenges are affecting a greater number of low-income Americans as SNAP caseloads have grown over time. Our findings raise serious concerns about the employment and health status of SNAP adults and the program's potential contribution to these alarming statistics.

In the sections that follow, we first describe SNAP's history, including the evolution of policies related to employment and nutrition. Next, we document SNAP's caseload and expenditure growth since 1996, along with changes to the composition of the SNAP caseload by age and parent profiles. In the third section, we review employment levels for the SNAP caseload by age and parent profiles using SNAP QC data. In the fourth section, we review health outcomes using data from the NHIS, also according to age and parent profiles. We conclude with key takeaways for policymakers as they consider SNAP reforms.

Program History

The Food Stamp Program began in the 1930s as a small effort to match excess commodities from farmers with hungry families, offering disadvantaged Americans an essential social service throughout the Great Depression. The modern-day SNAP—retitled from the Food Stamp Program in 2008—has roots in this early program but long ago shifted its purpose away from redistributing excess commodities to reducing poverty. Upon signing the Food Stamp Act of 1964, President Lyndon B. Johnson signaled this shift, saying, “As a permanent program, the food stamp plan will be one of our most valuable weapons for the war on poverty” (Johnson 1964).

Several additional legislative efforts in the following decade further transformed the program into its current form. Notably, President Richard Nixon set a goal in 1969 to end hunger in America (Nixon 1969), and Congress responded by mandating that states offer the Food Stamp Program nationwide by 1974, which began a period of exceptional program growth.

The language used in the 1964 Food Stamp Act outlined the core goals of the program, which remain in place today: “It is hereby declared to be the policy of Congress, in order to promote the general welfare . . . to safeguard the health and well-being of the nation's population by raising levels of nutrition among low-income households.”² The program's goals were not limited to the vision of “reducing hunger and malnutrition”; they also included promoting more nutritious diets among low-income Americans and supporting domestic agriculture. In the 1977 Food Stamp Act, Congress attributed “limited purchasing power” as a factor leading “to hunger and malnutrition in the U.S.” and authorized food stamps to “permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation.”³

Consistent with Congress's motivation to promote nutrition (while also supporting domestic agriculture), SNAP has always been an in-kind benefit that recipients can use only for food and beverages, making it different from other safety-net programs that offer direct cash assistance, such as cash welfare. Efforts to restrict benefit use even further—such as excluding items with no nutritional value—invited intense debate throughout the 1970s that continues today, but Congress has never restricted benefit use beyond a few goods, such as alcohol and tobacco products (NRC 2013).

Another common theme across legislative efforts over the years has involved employment. Policymakers have long debated what, if any, work expectations the program should place on recipients (NRC 2013). Proponents of work requirements argue that able-bodied Americans should work insofar as they are able, whereas opponents argue that work requirements effectively penalize the most disadvantaged Americans. In early legislation, participants had to register for work, and by 1977,

¹ For example, non-parent adults age 18–49 are subject to work requirements, so for our analyses, we use the same age range.

² Food Stamp Act of 1964, Pub. L. No. 88–525; and Food and Nutrition Act of 2008, Pub. L. No. 88–525.

³ Food Stamp Act of 1977, Pub. L. No. 88–525.

certain participants were required to search for a job. Later, as part of welfare reforms in 1996, Congress required ABAWDs age 18–49 to work (USDA 2018).

This brief program history frames how researchers and policymakers tend to think about SNAP’s goals and effectiveness. Reducing hunger and food insecurity (defined as “not having access to sufficient food, or food of an adequate quality, to meet one’s basic needs”) has always been the most prominent program goal (USDA 2023a). For this reason, the USDA has tracked food insecurity rates since 1996 and has used these trends to assess SNAP’s performance. This research generally shows that SNAP reduces food insecurity in the short term. But given SNAP’s negative effects on employment and health—both necessary for upward mobility and self-sufficiency—questions remain over whether SNAP effectively reduces food insecurity in the long run.⁴ Although the government does not routinely assess nutrition outcomes or employment, a body of research suggests that SNAP reduces employment and contributes to poor diet (Hoynes and Schanzenbach 2012; East 2018; Andreyeva, Tripp, and Schwartz 2015; Mande and Flaherty 2023).

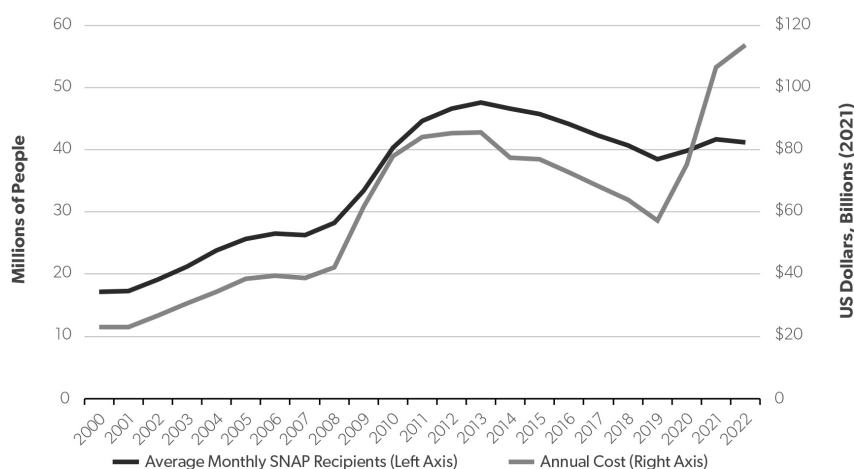
SNAP Growth and Demographic Changes

SNAP participation and costs have grown tremendously over the past 2 decades. The percentage of the U.S. population participating in SNAP increased from 7.1 percent in 1980 to 14.9 percent at its peak in 2013 after the Great Recession. Even with pre-pandemic unemployment rates at record lows, one in ten Americans received SNAP in 2019 (Crouse 2022). Increases in the costs of the program have tracked closely with increases in participation. From 2000 to 2019, SNAP’s annual costs grew from \$23 billion to \$57 billion (in 2021 dollars) (USDA 2023b).⁵ During the pandemic, a number of measures increased SNAP spending on a per-person basis, resulting in a near doubling of costs from 2019 to 2022 (*Figure 1*). Given these benefit increases, the Congressional Budget Office projects that total costs will top \$110 billion annually through 2033 (CBO 2023).

The growth of SNAP is the result of a confluence of changes to both policy and economic conditions starting in the mid-to-late 2000s (Rachidi 2021). First, changes to the program’s administration from paper coupons to electronic benefits occurred in the early 2000s, as did the reinstatement of eligibility for some immigrants. Second, the economic distress the Great Recession caused increased the number of low-income Americans eligible for SNAP. Additionally, the 2008 Farm Bill changed the program title, adding the term “nutrition” among other things and liberalizing some operational program components. Altogether, these economic and policy changes reduced program stigma and extended its reach.

⁴ One study examined increases in SNAP benefits stemming from the 2009 American Recovery and Reinvestment Act (ARRA) and found that it decreased food insecurity by 2.2 percentage points (Nord and Prell 2011). However, another study using a different data source found that the ARRA SNAP expansions did not affect food insecurity rates for youth, nor did higher benefits result in healthier diets (Hudak, Racine, and Schulkind 2021). Yet another study using an even different data source and methodology found that SNAP participation lowered food insecurity for households after receiving 6 months of benefits but did not affect very low food security (*i.e.*, a proxy for hunger) among some subgroups (USDA 2013). Moreover, it is difficult to ignore the reality that despite the exceptional growth in SNAP participation, food insecurity rates have held relatively steady over the past 2 decades, only fluctuating with the business cycle.

⁵ SNAP costs were adjusted using the Consumer Price Index for All Urban Consumers.

Figure 1. SNAP Participation and Costs, 2000–22

Note: Costs were adjusted for inflation using the Consumer Price Index for All Urban Consumers.

Source: USDA (2023b).

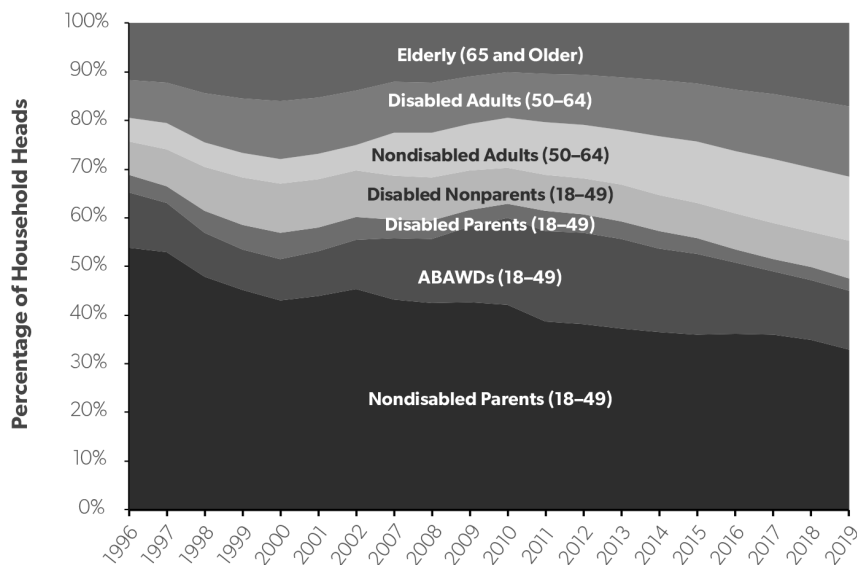
Perhaps the most consequential effects on SNAP participation during this time, however, involved three important policy changes. First, in response to the Great Recession, the American Rescue and Recovery Act of 2009 waived the ABAWD time limit nationwide from April 2009 through September 2010, and many states continued to request waivers in subsequent years, citing a struggling economy and limited labor market prospects for recipients. However, even as the economy recovered and the labor market grew stronger, many states were slow to reinstate the ABAWD time limit, often exploiting loopholes in the law (USDA 2019).

Secondly, many states eliminated SNAP's asset test during this time, which the law allowed but states increasingly opted to do after the Great Recession (Sykes 2017). Lastly, when the pandemic hit in 2020, SNAP participation increased due to rising levels of economic hardship and pandemic-related emergency measures, such as delaying recertification requirements, issuing emergency allotments, and suspending the ABAWD work requirement. SNAP also ignored the value of over \$1 trillion in Federal pandemic stimulus checks, tax credits, and unemployment bonuses in determining claimant eligibility, further driving caseload increases (Weidinger 2023). Because the Federal public health emergency remained in effect well into 2023, SNAP caseloads have remained stubbornly high, even though economic conditions have improved.

Despite SNAP's rising caseloads over the past 2 decades, such growth has not been uniform across demographic groups. We used SNAP QC data to categorize SNAP household heads into mutually exclusive groups by parent status, age, and disability status. For our purposes, non-disabled individuals include those who were not receiving Federal disability assistance.

As displayed in *Figure 2*, the composition of SNAP household heads has changed considerably over the past 2 decades. The average age of household heads has become substantially older, and those household heads have become much more likely to be childless, evidenced by an increasing share of adults age 50–64 and a decreasing share of parents age 18–49. In 1996, adults age 50–64 accounted for only 12.6 percent of all household heads, but by 2019, this group's share had more than doubled, accounting for over a quarter of all SNAP household heads (27.6 percent). Much of the growth of this group is attributable to *nondisabled* adults age 50–64, which has nearly tripled from five percent of heads of households in 1996 to 13 percent in 2019.

Figure 2. SNAP Composition by Age, Disability, and Parental Status Among Household Heads, 1996–2019



Note: See SNAP QC (n.d.) for a definition of “disability.” Although the data stop identifying individuals with disability at age 59, we construct a similar measure of disability for those age 60–64. We use age 49 as a cutoff for adults because this is the upper age limit at which ABAWD work requirements apply. Percentages reflect the share of household heads, not all recipients.

Source: SNAP QC (n.d.) for individual years 1996–2019.

In contrast, the group of SNAP household heads witnessing the most dramatic declines in caseload share were non-disabled parents age 18–49, falling from 53.5 percent in 1996 to 33 percent by 2019. Childless household heads age 18–49 fluctuated over time but remained a similar share in 2019 as in 1996. As a result, among household heads age 18–49, the share with children outnumbered those without children three to one in 1996, but by 2019, the ratio was 1.8 to 1. The other groups shown in *Figure 2* fluctuated over time but did not change as dramatically from 1996 to 2019.

Notably, when Congress passed the ABAWD work requirement as part of welfare reform in 1996, ABAWDs constituted 11.2 percent of SNAP household heads, whereas non-disabled 50 to 64 year olds accounted for 4.9 percent. After 2 decades, non-disabled 50 to 64 year olds now constitute a greater share of SNAP household heads than ABAWDs (13.3 and 12 percent, respectively) despite the much larger age span for ABAWDs, raising concerns over the rising reciprocity of older, non-disabled SNAP household heads.

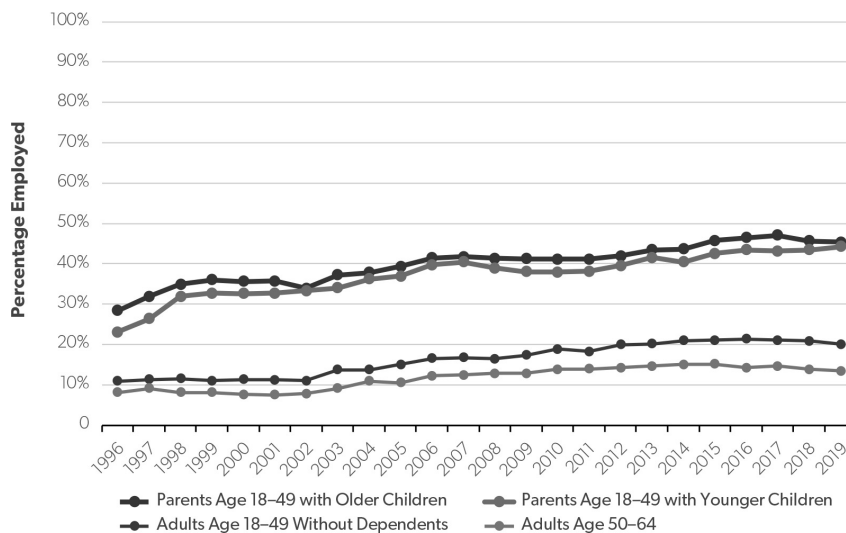
In some ways, the growing share of older SNAP recipients simply reflects broader demographic trends observed throughout the entire U.S. As baby boomers age into retirement and fewer younger Americans have children, the country has become progressively older over time—evidenced by an increase in the median age by 3.4 years since 2000 and fertility falling below the replacement rate (Census Bureau 2022).

While these population-wide shifts likely play a role in dictating SNAP trends, they certainly are not large enough to explain such dramatic changes in the composition of the SNAP caseload. As a share of the entire poor population (according to the Official Poverty Measure), 50 to 64 year olds have grown from 15 percent in 1997 to 22 percent in 2019. But among adults receiving SNAP, 50 to 64 year olds grew from 14 percent to 28 percent over the same period.⁶ Policy changes—including

⁶ Authors’ calculations using the Current Population Survey. The “poor population” includes those who are below 125 of the Federal poverty line.

the waiving of work requirements and asset tests—have almost certainly affected who did and did not receive SNAP benefits over the past 2 decades.

Figure 3. Percentage of SNAP Recipients Employed by Group, 1996–2019



Note: Parents of “older” children are parents who only have children age 5 or above. Parents of “younger” children are those who have any children younger than age 5.

Source: SNAP QC (n.d.) for individual years 1996–2019.

The analyses of caseload data show that the SNAP caseload of today does not resemble the caseload of previous decades. Around the time of welfare reform, parents with children headed the majority of SNAP households, yet today less than 40 percent fall into this category. Rising reciprocity among older and childless adults calls attention to their employment and health outcomes, along with SNAP’s contribution to their challenges.

Employment and SNAP

When examining employment levels, we maintained the same age groups as in *Figure 2*, but we disaggregated 18 to 49 year old parents by the age of their children to reflect their differing caretaking responsibilities and attachment to the labor force. We also excluded the oldest cohort of recipients (age 65 and older) from the analysis, given that many Americans of this age are retired.

As displayed in *Figure 3*, in the most recent years of data, slightly less than ½ of SNAP parents age 18–49, regardless of the children’s age, worked while receiving SNAP, a rate that has increased modestly over time.⁷ Older household heads age 50–64 (with or without dependents) experienced the lowest employment levels consistently across time, with 13 percent reporting employment while receiving SNAP in 2019, marginally higher than in 1996.⁸

Moreover, only about one in five household heads age 18–49 without dependents reported employment while receiving SNAP in 2019, also marginally better over time. Employment levels for SNAP parents have increased steadily over time. However, the gains have been small, and overall employment levels remain low.

One reason for such low employment levels was due to a high incidence of disability. Undeniably, disabilities and work limitations can majorly inhibit stable and gainful employment, and SNAP receipt often goes hand in hand with disability benefits. For example, one of the nation’s largest disability programs, Supplemental Security Income (SSI), makes SSI individuals living alone (or with other SSI recipients) categorically eligible for SNAP (Trenkamp and Wiseman 2007). *Figure 4* shows that, among SNAP recipients, disabilities were more common among adults age 18–

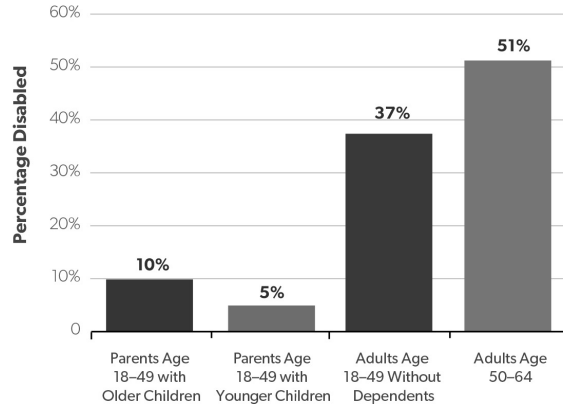
⁷ For definitions of “older” and “younger” children, see *Appendix A*.

⁸ In the most recent year of data, only 11.4 percent of SNAP household heads age 50–64 had a dependent in the household.

49 without dependents and adults age 50–64 than they were for parents, which partly explains the low employment levels observed in *Figure 3*.

Older and childless SNAP household heads were much more likely to be disabled than younger SNAP adults with children were—and presumably less able to work. However, even when considering the employment levels for non-disabled SNAP adults, employment rates remained remarkably low. As *Figure 5* shows, while employment levels have risen over time, still only about ¼ of non-disabled adults age 18–49 without dependents and household heads age 50–64 worked while receiving SNAP (27.8 percent and 24.1 percent, respectively) in 2019.

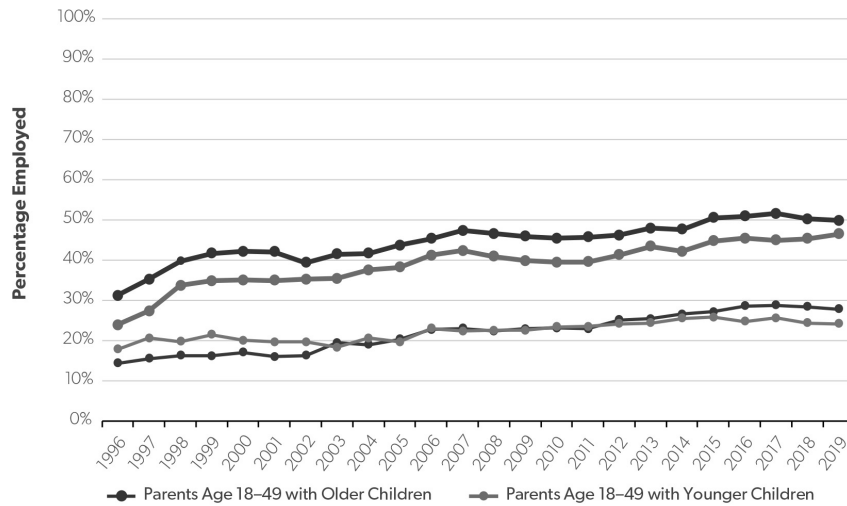
Figure 4. Percentage of SNAP Recipients Who Receive Disability Assistance by Group



Note: The rates of disability are pooled across the most recent 3 years of data, 2017–19. Disability rates for each groups do not vary substantially across time.

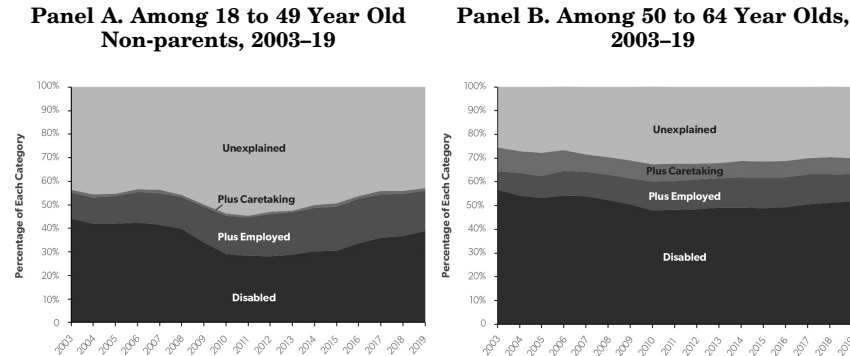
Source: SNAP QC (n.d.) for individual years 2017–19.

Figure 5. Percentage of non-disabled SNAP Recipients Employed by Group, 1996–2019



Source: SNAP QC (n.d.) for individual years 1996–2019.

Figure 6. Percentage of SNAP Recipients Who Are Either Disabled, Employed, or Engaged in Caretaking



Note: See *Appendix A* for a description of calculations for each category. We begin the series in 2003 rather than 1996 because, for 50 to 64 year olds, our method for identifying disabled 60 to 64 year olds is not consistent with the data provided in previous years.

Source: SNAP QC (n.d.) for individual years 2003–19.

Because SNAP targets low-income households (and employment offers a substantial source of income), it is unsurprising that SNAP adults generally have low levels of employment. But these data raise the question of why so many non-disabled, childless adults remain without employment, especially in years when nationwide unemployment rates were low and job opportunities were plentiful.

To gain a fuller understanding of the factors that could be contributing to low employment rates—especially among SNAP recipients age 18–49 without dependents and those age 50–64—we accounted for the share of each group that was either disabled, already employed, or had caretaking responsibilities. As *Figure 6 Panels A and B* show, a sizable share of household heads age 18–49 without dependents and household heads age 50–64 were not disabled, did not have caretaking responsibilities, and lacked employment.⁹ This leaves major shares of these groups’ status while receiving SNAP unexplained.

In sum, our findings suggest that the fastest-growing groups of SNAP household heads had low levels of employment across much of the past 3 decades. Even after accounting for a variety of factors that might explain these low levels of employment, we found that a large share of these SNAP recipients were not working, caretaking, or disabled.

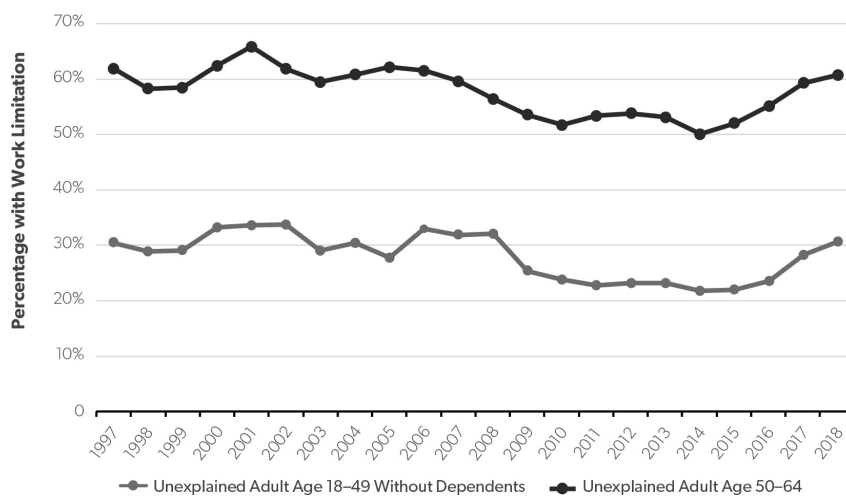
Health and SNAP

Employment and health are interdependent, but it can be difficult to disentangle cause and effect. Poor health might cause unemployment, but not working might also cause deteriorating health (Hussam, *et al.* 2021). SNAP’s status as a nutrition benefit that provides income support offers a unique opportunity to promote both health and employment, potentially spurring a cycle of healthy living and stable employment among low-income adults. However, the health status of SNAP adults suggests that the program falls well short of promoting good health.

To analyze health outcomes among SNAP adults, we used data from the NHIS—a nationally representative health survey. We explored physical and mental health outcomes for SNAP adults based on parent and age status from 1997 to 2018. We also compared their outcomes to two groups of adults not receiving SNAP: low-income non-recipients and high-income non-recipients.¹⁰

⁹We used a generous definition of caretaking, to include if they had (1) a child below age 18 residing in their SNAP-defined household, (2) an elderly person age 65 or older in their household, or (3) anyone in their household who was disabled.

¹⁰Specifically, we define “low-income non-recipients” as those who are below 125 percent of the Federal poverty line but do not receive SNAP. And we define “high-income non-recipients” as those who are above 125 percent of the poverty line and do not receive SNAP.

Figure 7. Percentage of Unexplained with Self-Reported Work Limitation, 1997–2018

Note: The unexplained are SNAP recipients who are non-disabled, not working, and have no caretaking responsibilities. A work limitation is defined as any physical, mental, or emotional problem that prevents the respondent from working or limits the kind or amount of work that the respondent is able to undertake.

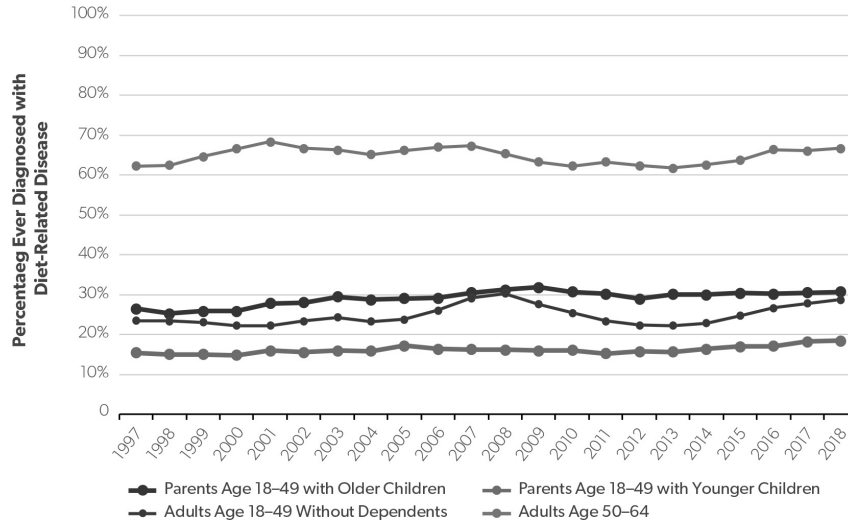
Source: NHIS (n.d.) for individual years 1997–2018.

First, we explored self-reported health limitations for the “unexplained” SNAP adults identified in *Figure 6*. As displayed in *Figure 7*, a large share (between 50 and 60 percent across time) of the 50 to 64 year old unexplained group reported a health-related work limitation, which changed only slightly over time. A smaller percentage of unexplained adults age 18–49 without dependents reported a work limitation, suggesting that something other than a health issue was driving low employment within this group. This suggests that a large share of the nonworking 50 to 64 year old group had a health issue that limited their employment, while health issues explained a smaller share of employment problems for those age 18–49.

Next, we explored physical and mental health outcomes among all adults receiving SNAP to understand the health issues facing the SNAP population as a whole. As shown in *Figure 8*, across age and parent profiles, SNAP adults reported high rates of ever having a diet-related disease (including diagnosed with diabetes, heart disease, stroke, or hypertension) (CDC 2022)—especially recipients age 50–64. Between 60 to 70 percent of this group reported ever having a diet-related disease over the past 2 decades; even among SNAP parents of young children, almost 20 percent reported ever having a diet-related disease in 2018.

Figure 9 displays how, for each age and parent profile, ever having a diet-related disease was much more common among SNAP recipients compared to low- and high-income non-recipients (non-recipients below 125 percent of the Federal poverty line and non-recipients above 125 percent of the poverty line, respectively). For example, 65 percent of 50 to 64 year old SNAP recipients reported having at least one diet-related disease, whereas only 44 percent of similarly aged high-income non-recipients and 57 percent of low-income non-recipients reported having a diet-related disease. That diet-related disease was much more common among SNAP recipients than other low-income adults suggests that SNAP serves a particularly unhealthy population.

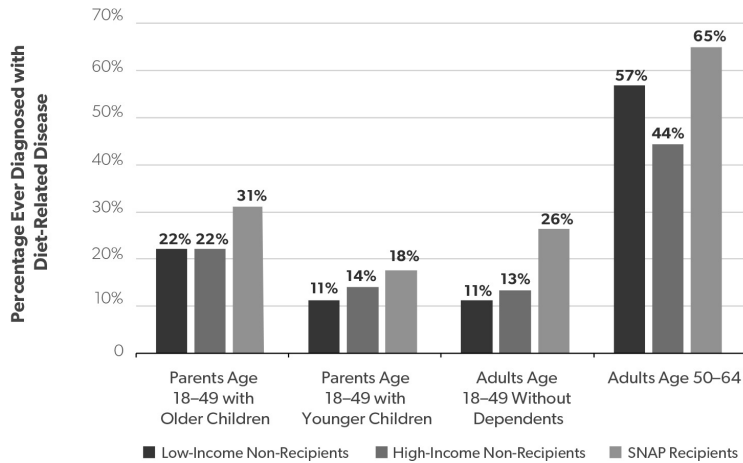
Figure 8. Percentage of SNAP Adults with Diet-Related Disease, 1997–2018



Note: Results are 3 year running averages. Diet-related disease is defined as ever being diagnosed with diabetes, non-congenital heart disease, stroke, or hypertension.

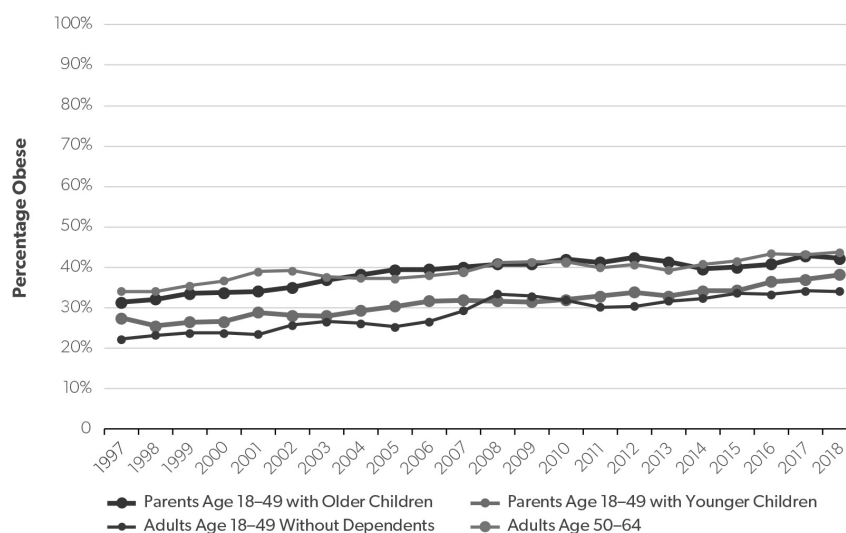
Source: NHIS (n.d.) for individual years 1997–2018.

Figure 9. Diet-Related Disease by SNAP Status and Age and Parent Profiles, 2014–18



Note: Diet-related disease is defined as ever being diagnosed with diabetes, non-congenital heart disease, stroke, or hypertension. The figure reflects pooled averages of diet-related disease from 2014 to 2018. All differences between SNAP recipients and the two comparison groups are statistically significant at the 0.05 level.

Source: NHIS (n.d.) for individual years 2014–18.

Figure 10. Percentage of SNAP Recipients with Obesity, 1997–2018

Note: Results are 3 year running averages. Obesity is defined as having a body mass index of 30 or greater.

Source: NHIS (n.d.) for individual years 1997–2018.

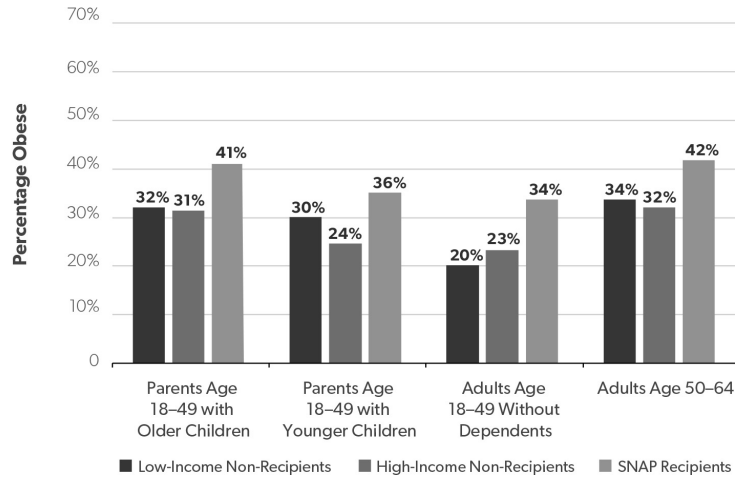
We observed the same pattern for obesity rates. Like U.S. adults broadly, rates of obesity among adults receiving SNAP have increased over the past 2 decades. As shown in *Figure 10*, among SNAP adults age 18–49 with children and SNAP adults age 50–64, obesity rates at the time of the survey increased from approximately 30 percent in the late 1990s to around 40 percent by 2018. But the group of household heads experiencing the most rapid rise in obesity has been adults age 18–49 without dependents, whose rate has grown from 22 percent to 34 percent, a 55 percent increase.

Although obesity plagues U.S. adults of all socioeconomic statuses, SNAP adults were much more likely to be obese than were low-income non-recipients and high-income non-recipients, suggesting again that there is something uniquely substandard about the health status of adults receiving SNAP. As *Figure 11* displays, over $\frac{1}{3}$ (34 percent) of SNAP adults age 18–49 without dependents were obese, while only 20 percent of low-income non-recipients and 23 percent of high-income non-recipients were obese.

Unsurprisingly, given SNAP recipients' high rates of diet-related disease and obesity, a relatively large percentage of SNAP adults, especially those age 50–64, rated their health as fair or poor at the time of the survey. As *Figure 12* shows, this trend improved over time for the oldest cohort of SNAP recipients, but still $\frac{1}{2}$ reported fair or poor health by 2018. Consistent with the other health measures, SNAP adults also reported fair or poor health at higher rates than non-recipients did, as shown in *Figure 13*.

Many of the health problems facing low-income Americans—and SNAP recipients in particular—are not merely physical. *Figure 14* presents the share of SNAP adults who reported feeling either “hopeless” or “worthless” in the 30 days preceding the survey. We focused on these two indicators because research has shown these to be two of the strongest predictors of severe mental health issues (Shand, *et al.* 2015). For SNAP adults age 50–64, these mental health issues subsided slightly over time as more people in this age category joined SNAP, but still 35 percent reported these feelings in 2018—a higher percentage than any other group. Like other health measures, SNAP adults reported higher rates than non-recipients did, as shown in *Figure 15*.

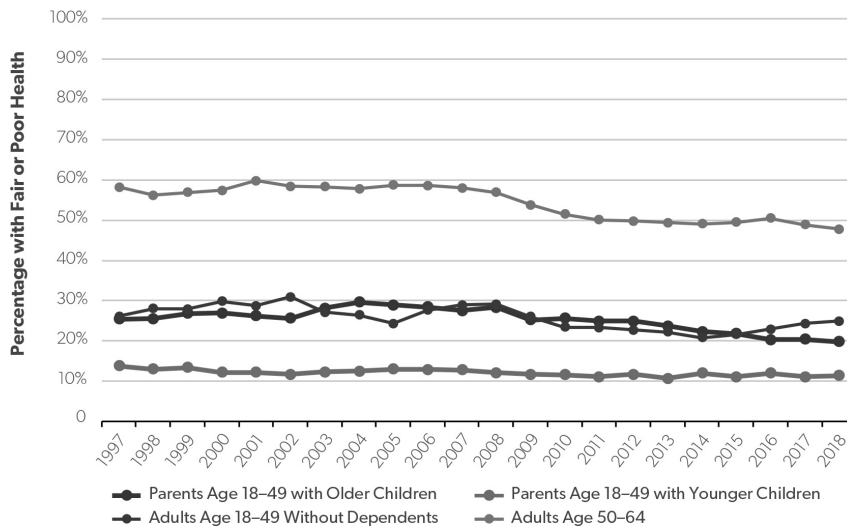
Figure 11. Obesity by SNAP Status and Age and Parent Profiles, 2014–18



Note: Results are averages across the past 5 years of data (2014–18). All differences between SNAP recipients and the two comparison groups are statistically significant at the 0.05 level.

Source: NHIS (n.d.) for individual years 2014–18.

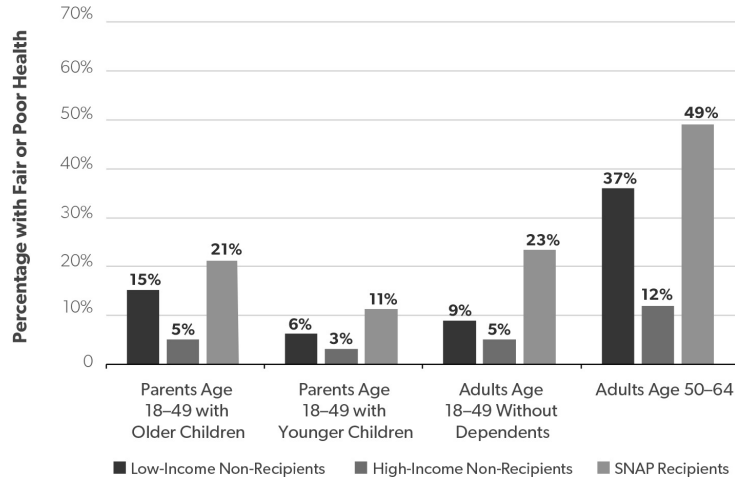
Figure 12. Percentage of SNAP Recipients That Rate Their Health Status as Fair or Poor, 1997–2018



Note: Results are 3 year running averages. Fair and poor health status are the two lowest self-assessments on a five-point Likert scale, ranging from “poor” to “excellent.”

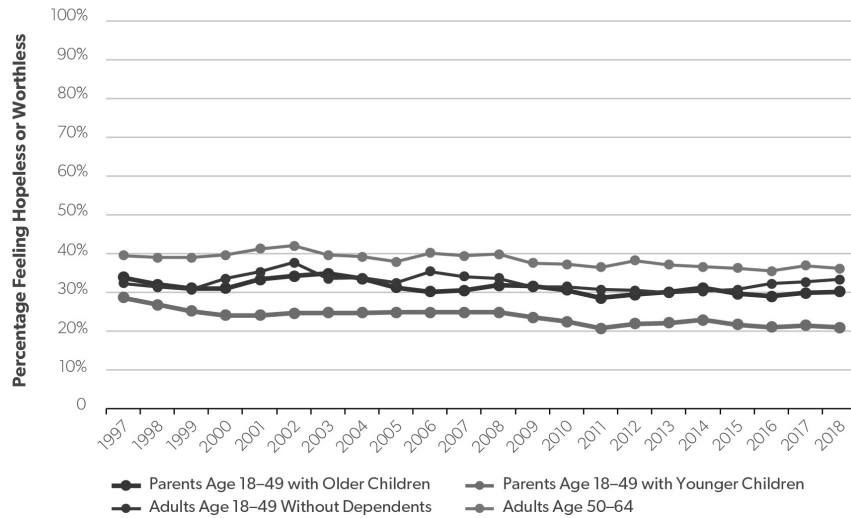
Source: NHIS (n.d.) for individual years 1997–2018.

Figure 13. Fair or Poor Health Status by SNAP Status and Age and Parent Profiles, 2014–18



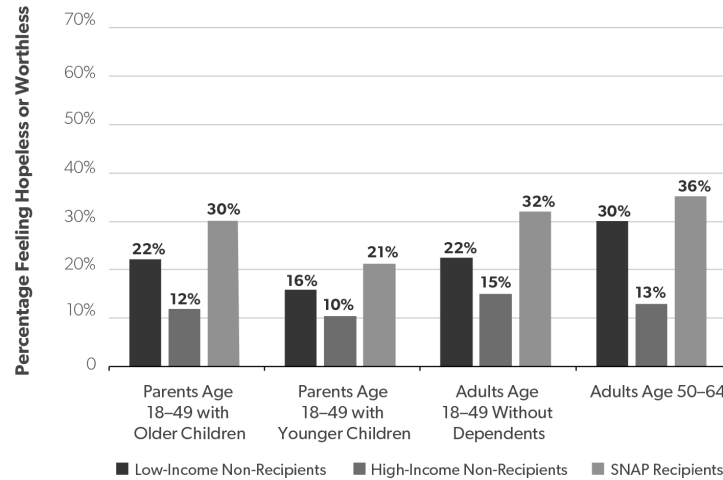
Note: Results are averages across the past 5 years of data (2014–18). All differences between SNAP recipients and the two comparison groups are statistically significant at the 0.05 level.
 Source: NHIS (n.d.) for individual years 2014–18.

Figure 14. Percentage of SNAP Recipients Who Report Feeling Hopeless or Worthless in the Past Month, 1997–2018



Note: Results are 3 year running averages.
 Source: NHIS (n.d.) for individual years 1997–2018.

Figure 15. Feelings of Hopelessness or Worthlessness by SNAP Status and Age and Parent Profiles, 2014–18



Note: Results are averages across the past 5 years of data (2014–18). All differences between SNAP recipients and the two comparison groups are statistically significant at the 0.05 level.

Source: NHIS (n.d.) for individual years 2014–18.

Altogether, these data show that physical and mental health problems were common among adults receiving SNAP and likely contributed to their relatively low employment levels over the past 2 decades. These data also raise questions about the degree to which SNAP might be exacerbating health issues among low-income adults by contributing to poor nutrition and discouraging employment. It is cause for concern that almost 70 percent of SNAP adults age 50–64 reported ever having a diet-related disease, and 40 percent reported feeling “hopeless” or “worthless” in recent years.

Whether SNAP causes poor health or attracts people with already poor health remains up for debate. However, the persistently high rates of health problems among adults receiving SNAP—along with enduring gaps between recipients and non-recipients—suggest that SNAP is falling short on leading participants toward good health and may even make matters worse by supporting non-nutritious diets for millions of disadvantaged adults.

Conclusion

SNAP is one of the nation’s largest safety-net programs, transferring more than \$100 billion per year to low-income households. Although research shows that SNAP may reduce food insecurity in the short run, our results document low employment levels and poor—and, in the case of disease and obesity rates, worsening—health status, raising questions about the program’s long-term effectiveness. Specifically, we find that two of the fastest-growing groups of SNAP recipients—50 to 64 year olds and adults age 18–49 without dependents—face the worst health and employment outcomes.

Approximately $\frac{1}{2}$ of household heads age 50–64 and $\frac{1}{3}$ of adults age 18–49 without dependents were disabled while receiving SNAP. However, even when we exclude disabled recipients from our calculations, employment levels remained low. In 2019, at a time of historically low unemployment in the U.S. economy, only 28 percent of ABAWD household heads worked while receiving SNAP, and only 24 percent of non-disabled 50 to 64 year olds worked. Further, we found that caretaking responsibilities played a limited role in depressing labor force participation among these groups. We found that three in ten SNAP household heads age 50–64 and 43 percent of those age 18–49 without dependents were not working and were neither caretaking nor disabled. In other words, their inability to work remains unexplained.

One reason we discovered for a large share of unexplained SNAP adults was poor health that did not rise to the level of disability, according to data from the NHIS. Alarming, more than $\frac{2}{3}$ of unexplained 50 to 64 year olds reported a health prob-

lem that limited their ability to work. However, our analyses also found that these health problems were not limited to unexplained recipients. SNAP adults consistently reported high rates of diet-related disease and obesity and viewed their health poorly. When compared to the rest of U.S. adults—both low-income and high-income non-recipients—SNAP recipients consistently reported higher rates of physical and mental health problems.

These findings reveal a concerning picture of SNAP. One of SNAP's main goals is to improve nutrition for low-income households by giving them additional resources to afford a healthy diet. And proper nutrition is a crucial ingredient to helping people be healthy so that they can work and escape poverty. Put simply, the poor employment and health outcomes associated with SNAP adults suggest that the program is failing in both regards.

Some might argue that SNAP benefit levels are insufficient for households to afford a healthy diet, requiring that SNAP participants purchase unhealthy food because they cannot afford to eat an appropriate diet. However, little evidence exists to support this contention when properly scrutinized. Contrary to conventional wisdom, research shows that when measured properly (per nutrient or per serving, for example), healthy foods actually cost less than unhealthy foods (Carlson and Frazao 2012; Savoie-Roskos and Durward n.d.). In fact, research suggests that people who eat ultra-processed foods (common in SNAP participant diets) on average consume 500 more calories per day than those who eat diets full of unprocessed foods such as fruits and vegetables (Hall, *et al.* 2019).

Additionally, over the long run, diets full of ultra-processed foods have substantial secondary costs, such as high medical costs and employment disruptions due to poor health (Savoie-Roskos and Durward n.d.). Collectively, this shows that unhealthy diets like those common among SNAP participants are likely more costly in the short run and definitely more costly in the long run than are healthy diets rich in minimally processed foods.

SNAP is due for reauthorization in 2023 as part of the farm bill, and policymakers must act to address the myriad health and employment challenges facing SNAP recipients. With the proper reforms, policymakers can maintain SNAP as a vital income support while also addressing the alarmingly low employment rates and poor health outcomes of its participants. The first priority must be to place commonsense nutritional standards on SNAP, similar to those that already apply to other Federal food assistance programs such as the National School Lunch Program and the Special Supplemental Nutrition Program for Women, Infants, and Children. This can start with excluding sugary beverages from the list of eligible food items for purchase with SNAP benefits. The next priority must be to strengthen existing work requirements for ABAWDs and extend the positive aspects of work requirements to other SNAP populations (Rachidi 2023).

Acknowledgments

Special thanks to Antonia Bleser for her research and writing assistance and to Matt Weidinger for his review and comments.

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Appendix A. Data and Methods

For all original analyses in this report, we primarily rely on two different data sources. The first is the U.S. Department of Agriculture's (USDA) Supplemental Nu-

trition Assistance Program (SNAP) Quality Control (QC) data, an administrative dataset containing tens of thousands of observations each year. The second data source we use is the National Health Interview Survey (NHIS), which is a yearly study that has been conducted since 1963, asking a representative sample of Americans about a variety of health and employment outcomes.

In this appendix, we give a detailed account of each dataset, including any methodological decisions that we made in cleaning and preparing the data for our analyses. We then go through a series of terms that we use throughout the report, clearly articulating our definition of each term within each dataset. We begin with the NHIS.

National Health Interview Survey

The NHIS, conducted yearly by the Centers for Disease Control and Prevention, asks respondents a variety of different health- and employment-related questions. Beginning in 2019, the survey underwent a significant redesign, which makes comparability with prior years difficult. However, the survey was conducted using consistent methods from 1997 to 2018, making it an optimal source for examining yearly trends in health outcomes for various populations. The sample sizes are sufficiently large to break out by SNAP reciprocity, age, and parental status.

We extracted our sample of NHIS variables from the University of Minnesota's Integrated Public Use Microdata Series. Our subset of variables includes a standard set of demographic and income variables, a variety of variables asking respondents about their physical and mental health status, and household-level indicators of SNAP receipt.

SNAP QC Data

As part of SNAP's administration, the program implemented a quality control system to ensure that SNAP recipients are receiving the proper amount of benefits given their income and household size. A random sample of households is selected each year to participate in a quality control review, in which a SNAP caseworker meets face-to-face with the randomly selected household. Throughout this review, caseworkers ask recipients a variety of questions about their employment, income, household size, and participation in other government programs.

Each year, the USDA publishes anonymized data collected through this process in the form of SNAP QC data. Because these data are collected directly by the USDA and administered face-to-face, it is viewed as the authoritative data source on SNAP receipt. However, due to a variety of different coding discrepancies and survey methodologies over the past 2 decades, the data are difficult to compare across time.

In certain years, the administrators of SNAP QC data warn those using the data about potential coding errors or inconsistencies. On some variables, SNAP QC data recommend either against using a given variable—evidence that the variable was coded so inconsistently that it is totally unreliable—or that users take caution when using a variable. Although we never used any variable that the SNAP QC data recommend against using, we did, in some cases, use variables for which the QC data recommended caution. In each case we did so, we detailed what measures we took to ensure that our data were accurate.

We also dropped some observations from the data. Most notably, we dropped those who were deemed ineligible for SNAP as a result of the review process. These observations are households that, as a result of being reviewed, no longer qualify for SNAP and lose their SNAP benefits. After 2002, QC data administrators dropped these observations from the sample before releasing the public use data. Before 2002, there were usually only a few hundred such observations that we dropped. Additionally, we dropped households for which there was no identifying information—such as head of household status or employment—again, resulting in a negligible number of observations dropped per year.

We now turn to our definitions of each term that we employ throughout the report, highlighting any important methodological decisions that we made and any definitional discrepancies between our two data sources.

Disability

The NHIS data have asked respondents about their disability status every year from 1997 to 2018. We define an individual as disabled if they report receiving Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI). The NHIS asked respondents four questions about whether they receive SSI or SSDI, and if they answered in the affirmative in any of those questions, then they are categorized as disabled. Conversely, we refer to any respondent who did not receive SSI or SSDI as non-disabled.

The SNAP QC data, on the other hand, define disability slightly differently. From 2012 onward, SNAP QC defines “non-elderly individuals identified as disabled using receipt of SSI or a combination of hours worked, work registration status, receipt of Social Security, veterans’ benefits, or workers’ compensation, and/or unit medical expense deduction.” For the full list of criteria used by the QC data to identify disability, refer to *Appendix B* in SNAP QC data’s technical documentation (Cornquist, Lauffer, and Vigil 2020).

Curiously, from 2007 to 2011, SNAP QC data documentation does not include individual-level disability identifiers, but the data files available for download include consistent measures of individual-level disability identifiers. After performing a series of checks, it appears that SNAP QC retroactively coded disability for these years just as they did from 2012 onward. From 2003 to 2006, however, the data files do not have individual-level disability information, so we reconstructed SNAP QC’s measure of disability, replicating their methods with the given information. From 1996 to 2002, SNAP measured disability in a nearly identical manner, using information from a similar combination of programs.

Importantly, SNAP QC data identify disability only among the nonelderly population—therefore excluding those age 60 and older. Because we are interested in the employment trends of those between age 50 and 64, we create individual-level disability identifiers for heads of households between age 60 and 64. If an individual between age 60 and 64 receives SSI or veterans’ benefits, then we also count them as disabled. And if an individual is age 60 or 61 and receives Social Security, then we count them as disabled. Our justification for the latter is that SNAP QC data do not uniquely identify SSDI receipt, so we assume that all Social Security recipients age 60 and 61 are receiving SSDI. Despite our relatively simple measure of disability for those age 60 to 64, our analyses show that disability rates for this group are similar to external sources of data and are consistent with disability incidence for those below 60.

However, because of methodological differences in how the QC collected data on disability before 2003, we are unable to consistently measure disability for those 60 and older before 2003. Therefore, our analyses of the unexplained (*Figure 6, Panels A and B*) only extend back to 2003.

With the SNAP QC data, we also define anyone not meeting any of the above criteria as “non-disabled.” Although the NHIS and SNAP QC data employ slightly different definitions of “disability,” we contend that these differences do not affect any of our conclusions. We also never use the two different definitions interchangeably—using the NHIS definition of disability when referring to health outcomes and using the QC definition of disability when referring to demographic changes or employment outcomes.

Employment and Labor Force Participation

The NHIS asks respondents about their employment status and gives them five possible responses: (1) working for pay at a job, (2) working without pay at a job, (3) with job but not at work, (4) unemployed, or (5) not in the labor force. We define anyone who responds one, two, three, or four as a part of the labor force and define anyone who responds one, two, or three as employed.

In most years, the SNAP QC data recommend caution when using their employment variables, because there are often inconsistencies between their two employment variables and between them and other income variables. Because the sample sizes in the SNAP QC data are large (and without information on whether inconsistencies were more or less likely among the employed), we took a conservative approach when navigating these potential data issues, dropping all observations for which we witnessed significant inconsistencies between these variables.

Specifically, we dropped all observations that do not have employment data. We also dropped any observation for which one employment variable indicated that the observation was employed and the other employment variable indicated that they were not employed. We did not drop any observation based on inconsistencies between employment status and income, as we were only interested in trends in employment, not income.

After dropping these observations, we define any observation as employed if they claim to be working for at least 1 hour per week. And we define any observation as being in the labor force if they are employed or actively looking for work.

Head of Household

When examining demographic or employment changes using the QC data, we are only interested in trends among adults. Although the share of children on SNAP has been growing over time, the scope of this report was to review the health and em-

ployment outcomes of adults on SNAP. Specifically, our focus on health and employment outcomes motivated us to narrow our focus to adults.

We conducted several tests to ensure that the heads of SNAP households were representative of all adults receiving SNAP, and our results were not sensitive to such changes.

The Unexplained

Using the SNAP QC data, we define the unexplained as an individual between age 50 and 64 who is not employed, not disabled, and not caretaking. See above for our definitions of employment and disability.

We define an individual as caretaking if they have (1) a child below age 18 residing in their SNAP-defined household, (2) an elderly person age 65 or older in their household, or (3) anyone in their household who is disabled.

We also progressively account for disability, employment, and caretaking, meaning that we first count the overall share of the given group of recipients who are disabled. Then, among those who are non-disabled, we account for the share who are employed. Then, among those who are non-disabled and unemployed, we account for the share who are caretaking. The remainder—those not disabled, unemployed, and not caretaking, are the unexplained. Therefore, the shares reflected in *Figure 6* are not meant to be representative of the *overall* disability, employment, and caretaking responsibilities in each group.

We also replicated the unexplained in the NHIS data. For this, we use the NHIS definition of disability and employment. (See above.) And because the NHIS does not allow us to identify individuals who have caretaking responsibilities for elderly or disabled household members, an individual has caretaking responsibilities only if they have a child in the household under age 18.

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Robert Doar, President; Scott Winship, Director of the AEI Center on Opportunity and Social Mobility; Kevin Corinth, Editor, *Perspectives on Opportunity*. The American Enterprise Institute (AEI) is a nonpartisan, nonprofit, 501(c)(3) educational organization and does not take institutional positions on any issues. The views expressed here are those of the author(s).

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REPORT 2



[https://risk.lexisnexis.com/-/media/files/government/case%20study/lhrs%20true%20cost%20of%20fraud_snap%20report%20pdf.pdf]



2020 LexisNexis® Risk Solutions

True Cost of Fraud™ Study for Supplemental [Nutrition] Assistance Program (SNAP)—Mobile and Web Channels Drive Bot and Fraud Attacks

Overview

Background and Objectives

LexisNexis® Risk Solutions conducted a research study that can drive government segment revenue growth via thought leadership, particularly in the Social Services area with the Supplemental Nutrition Assistance Program (SNAP) as an initial tar-

get. This True Cost of Fraud™ Study for SNAP serves as a model framework by informing the level and impact of fraud on SNAP agencies, including the challenges, volume, and cost, as well as the resources that agencies utilize to detect and prevent fraud.



Fraud Definitions:

- Account takeover by unauthorized persons
- Fraudulent transactions due to identity fraud, SNAP benefits are exchanged for cash (trafficking—generally involving two parties—typically a household and a SNAP retailer)
- A household intentionally lies to the state to qualify for benefits or to get more benefits than they are supposed to receive

The LexisNexis Fraud Multiplier™ cost:

- Estimates the total amount of loss a firm incurs based on the actual dollar value of a fraudulent transaction

Methodology

LexisNexis® Risk Solutions partnered with KS&R, a global market research firm, to collect the survey responses for this research study.

- Data was collected on line and by phone in August 2022 with a total of **74 completions** in the United States.
- Respondents included mostly senior executives responsible for fraud mitigation and decisions with SNAP.

Type		Region						
County	State	NERO	MARO	SERO	MWRO	MPRO	SWRO	WRO
49	25	15	9	9	18	12	4	7

States: Alaska, Arizona, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Montana, Pennsylvania, South Carolina, Texas, Utah, Vermont, Virgin Islands, Washington, D.C.

Counties from the ten states (California, Colorado, Minnesota, New York, New Jersey, North Carolina, North Dakota, Ohio, Virginia, Wisconsin) that delegate to the county level: Alameda, Albany, Anoka, Arapahoe, Arlington, Bergen, Boulder, Bronx, Buncombe, Burleigh, Burlington, Butte, Cass, Clermont, Cuyahoga, Dakota, Dane, Denver, Douglas, Durham, El Paso, Fairfax, Grand Forks, Hamilton, Hennepin, Henrico, Hudson, Kenosha, Kings, Milwaukee, Morris, Onondaga, Onslow, Pender, Ramsey, Richmond, San Bernardino, San Francisco, Somerset, St. Louis, Suffolk, Summit, Wake, Ward, Warren, Williams

Significant Differences

Statistical significance is determined by a set level of confidence sought in an estimate. Results are considered *statistically significant* if the observed difference is large based on sample size(s) and confidence level. This means the observed difference in the estimates is extreme enough to conclude with confidence (*usually 90% or 95%*) that the results would not have occurred by chance and a real difference between them exists. For this study with 74 completions at the total level, the sampling error is +/- 11.4% in order to highlight two findings as statistically different.

Directional significance, commonly referred to as practical significance, on the other hand, is when the magnitude of the difference is large enough to be meaningful given the situation, though not statistically different.

Comparing the two, note that *statistical significance* relates to **existence of a difference**, while *directional significance* refers to the **meaningfulness/magnitude of a difference**. No statistical test can determine directional significance, as it varies greatly depending on the area of study, issue at hand, *etc.*, and instead, must be decided upon by those using the results. When reporting on directional significance, it is often helpful, especially when dealing with extremely large/small base sizes, to set a predetermined threshold agreed upon in collaboration with the client and apply to all results.

A **finite population correction** may be applied to the margin of error when the sample size is at least 5% of the overall population. While this is the case for the total sample relative to the number of states and counties as we achieved just shy of 10%, the difference in significance testing outcomes for reporting is minimal. In an effort to simplify reporting and explanation for publication, the finite population correction is ignored.



Summary of Key Findings

#1: Digital transactions channels, particularly mobile devices and apps, are contributing to the cost of fraud across SNAP agencies.

Every \$1 value of lost benefits through fraud actually costs SNAP agencies \$3.72 based on additional costs related to labor and administrative activities. The cost of fraud is higher for agencies that have more mobile channel applications.

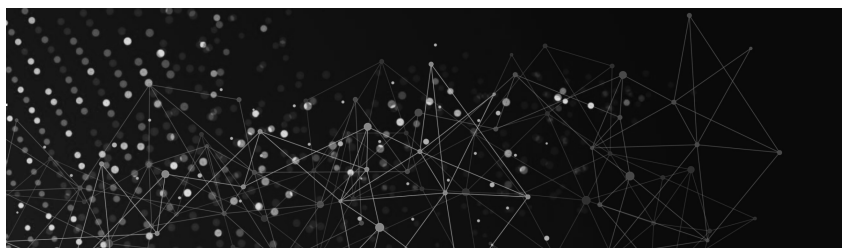
#2: Inadvertent household errors (IHEs) and suspicious cases not worked because of limited resources represent the majority of SNAP fraud losses. Malicious bots and the mobile channel are influencing this.

Identity-related fraud represents over half of fraud losses. The mobile channel continues to be a challenge, with agencies that have an above average volume of mobile transactions also reporting a higher number of fraud attacks per month.

#3: Verifying household composition, identifying malicious bots, address verification, and identity verification are among a number of challenges SNAP agencies have with online and mobile channel applications.

Verifying identities is directionally more of a challenge with mobile channel applications compared to those via online.

#4: There is limited use of best-practice fraud mitigation methods involving a multi-layered solution approach and the integration of fraud solutions with cybersecurity and digital customer experience operations.



Key Findings 1

Every \$1 value of lost benefits through fraud actually costs SNAP agencies \$3.72 based on additional costs related to labor and administrative activities. The cost of fraud is higher for agencies that have more mobile channel applications.

- While in-person is the single largest channel for SNAP application submissions and Electronic Benefits Transfer (EBT) card use, the on line and mobile channels contribute to the cost of fraud.
- The volume of applications through the mobile channel is still emerging, though fraudsters have increased their focus on mobile devices and mobile apps during the past 12 months.

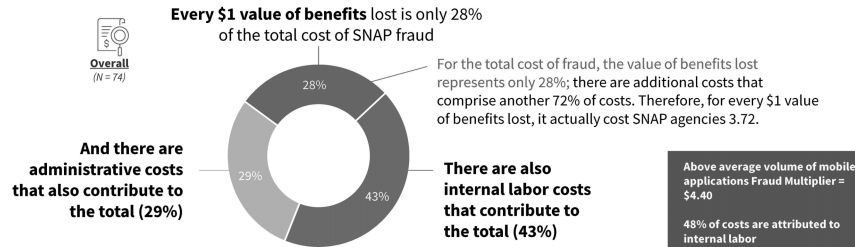
Distribution of Direct Fraud Costs

For every \$1 value of benefits lost through fraud, it actually costs SNAP agencies \$3.72.

This is based on the LexisNexis Fraud Multiplier, which demonstrates that the cost of fraud is more than just the lost value, but also additional costs.

Agencies that have an above average level of applications through the mobile channel have a higher cost of fraud (\$4.40), with nearly half of costs related to internal labor.

Distribution of Direct Fraud Costs

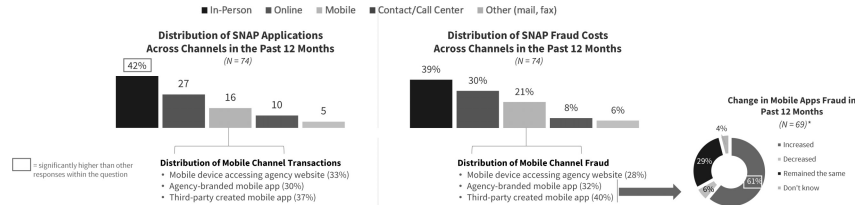


Survey Q5E: Adding to 100%, what percentage do each of the following direct fraud costs account for your total SNAP fraud losses during the past year?

Distribution of SNAP Applications and Fraud Across Channels

In-person is the single largest channel for submitting SNAP applications, though online applications represent just over 1/4 of these transactions and account for a similar level of SNAP fraud while mobile channel fraud is growing.

Mobile channel submissions are limited but are likely to grow given the increased use of mobile transactions in the larger market. Mobile apps account for the majority of submissions and fraud through this channel, with 61% of agencies that allow these types of transactions saying that fraud has increased through them during the past 12 months.



Survey Q1: Please indicate the percentage of SNAP applications submitted over the past 12 months across each of the following channels used by your agency.

Survey Q3: You indicated that approximately [INSERT# FROM Q1_4] % of your agency's total number of SNAP applications during the past 12 months were submitted through a mobile device. Of that [INSERT # FROM Q1_4] %, what is the distribution of applications through the following:

Survey Q8: Adding to 100%, please indicate the percent of fraud costs generated through each of the following channels currently used for SNAP applications (as a percentage of total annual fraud losses).

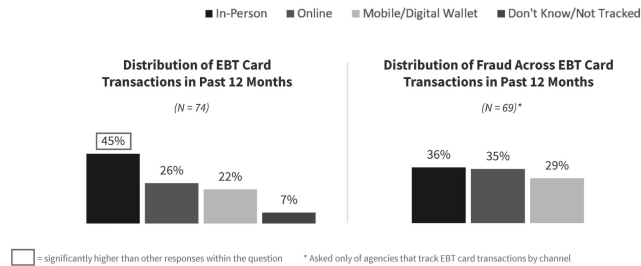
Survey Q11: For SNAP applications conducted through a mobile device or mobile app, what percentage do the following account for applications fraud?

Survey Q11B: Has fraud with applications through mobile devices or mobile apps increased, decreased or stayed during the past 12 months?

Distribution of EBT Card Transactions and Fraud Across Channels

In-person is also the single largest channel used for Electronic Benefits Transfer (EBT) transactions, though online and mobile use contributes to EBT card fraud just as much as in-person use.

Distribution of Electronic Benefits Transfer (EBT) Card Transactions and Fraud Costs Across Channels in the Past 12 Months



Survey Q4: Please distribute 100 points to indicate the approximate percentage that total transactions/purchases during the past 12 months were completed through the following methods.

Survey Q9: Adding to 100%, please indicate the distribution of fraud across the following types of EBT card transactions during the past 12 months.



Key Findings 2

Inadvertent household errors (IHEs) and suspicious cases not worked because of limited resources represent the majority of SNAP fraud. Malicious bots and the mobile channel are influencing this.

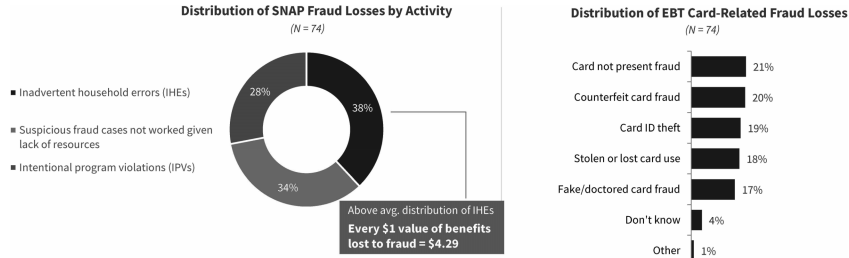
- SNAP agencies that experience an above average (>38%) distribution of fraud losses due to IHEs have a higher cost of fraud compared to the overall average.
- Identity-related fraud represents over half of fraud losses.
- The mobile channel continues to be a challenge, with agencies that have an above average volume of mobile transactions also reporting a higher number of fraud attacks per month. They are also more likely to have indicated an increase in bot attacks during the past 12 months.

Distribution of SNAP Fraud Losses

A majority of SNAP application fraud losses are either suspicious cases not worked on given lack of resources or inadvertent household errors (IHEs) that have not been formally designated as an intentional program violation but could be provable or reasonably be assumed as fraud.

EBT card-related fraud losses are distributed similarly across various factors, including card not present, counterfeit or doctored cards and stolen/card theft. SNAP agencies that experience an above average (>38%) distribution of fraud losses due to IHEs have a higher cost of fraud compared to the overall average.

Distribution of SNAP/Electronic Benefits Transfer (EBT) Card Fraud Losses



Survey Q5C: Adding to 100%, what percentage do each of the following account for your total SNAP fraud losses during the past year?

Survey Q10: For fraud losses related to EBT transactions/purchases, please indicate the distribution across the following types of card fraud.

Identity-related fraud accounts for over half of SNAP fraud losses. Automated malicious bot attacks have increased.

As shown later, the rise of malicious bot attacks is a driver of identity verification challenges for roughly half when assessing the risk of on line and mobile channel applications. Directionally, those with an above average volume of applications through the mobile channel are even more likely to indicate an increase in bot attacks from last year.

Distribution of SNAP Fraud Losses by Activity and Fraud Type



Survey Q6: Approximately, how much of your fraud losses would you attribute to each of the following types of fraud?

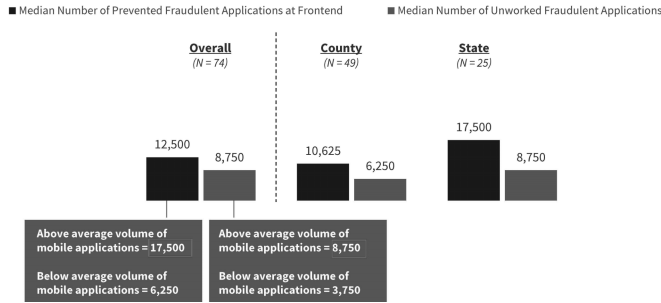
Survey Q15A: In a typical month, what percent of your transactions are determined to be malicious automated bot attacks?

Survey Q15B: How does this compare to the same time last year? Would you say the percent of monthly automated malicious bot attacks has:

Median Volume of Fraudulent Applications

SNAP agencies that have a higher, above average volume of applications submitted through the mobile channel are dealing with more fraud attacks per month, including those that are unworked due to limited resources.

Median Volume of Fraudulent Applications per Month



Survey Q13: In a typical month, approximately how many fraudulent applications are prevented at the front-end by your agency?
 Survey Q14: In a typical month, approximately how many fraudulent applications are unworked/not prosecuted at your agency?



Key Findings 3

Verifying household composition, identifying malicious bots, address verification, and identity verification are among a number of challenges SNAP agencies have with on line and mobile channel applications.

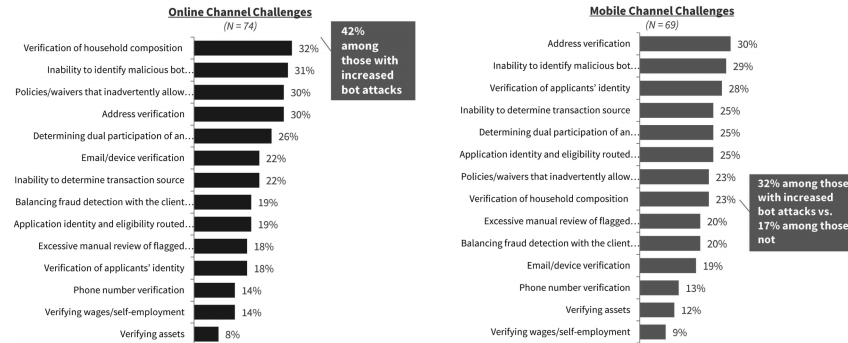
- Verifying identities is directionally more of a challenge with mobile channel applications compared to those via online.
- Those experiencing increased bot attacks are directionally more likely to rank verification of household composition as an on line and mobile channel challenge.

Top Online and Mobile Applications Fraud Challenges

There are many similar fraud detection challenges between online and mobile channel applications, including identifying malicious bot attacks. Verifying applicants' identity is directionally more challenging with mobile channel applications.

Those experiencing increased bot attacks are directionally more likely to rank verification of household composition as an on line and mobile channel challenge.

Top Online and Mobile Channel Applications Fraud Challenges
 (% Ranked in Top 3)

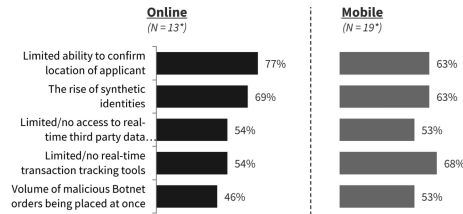


Survey Q12A: Please rank the top 3 challenges related to fraud when the application process is submitted online through your agency's website (via a PC).

Survey Q12B: Please rank the top 3 challenges related to fraud when the application process is submitted through a mobile device or mobile app.

Top Factors Challenging Customer Identity Verification

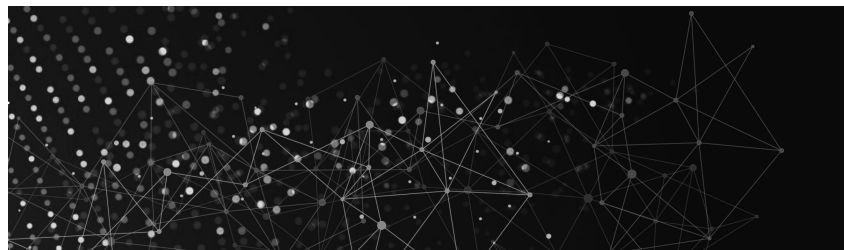
Confirming location of applicant, the rise of synthetic identities, malicious bot attacks and the need for real-time data are challenges with identity verification.



* No segment analysis because of small sample size.

Survey Q12C: Please rank the top 3 factors that make customer identity verification a challenge when SNAP applications are submitted through your agency website (via a PC).

Survey Q12D: Please rank the top 3 factors that make customer identity verification a challenge when SNAP applications are submitted a mobile device or mobile app.



Key Findings 4

There is limited use of best-practice fraud mitigation methods involving a multi-layered solution approach and the integration of fraud solutions with cybersecurity and digital customer experience operations.

- Few agencies have fully implemented the USDA Food and Nutrition Service (FNS) SNAP Fraud Framework, though over half have partially done so.
- FNS SNAP Fraud Framework, though over half have partially done so.

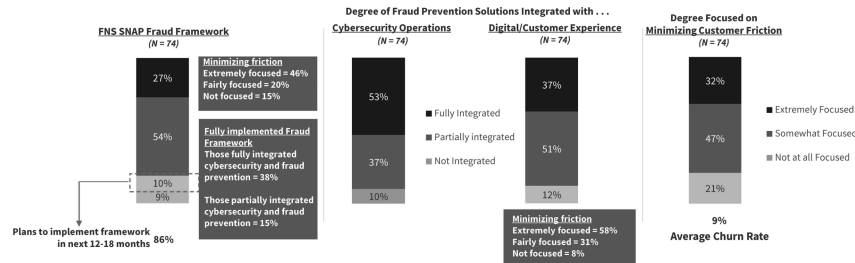
- The use of fraud mitigation solutions is limited, particularly those that assess digital identity attributes to address challenges with on line and mobile channel fraud detection challenges.

FNS SNAP Fraud Framework and Other Best Practice Approaches

Many agencies are still in the process of implementing the SNAP Fraud Framework, though agencies are moving towards this. Half of participating agencies have integrated their cybersecurity operations with their fraud prevention efforts.

Fewer have fully integrated their digital/customer experience with fraud prevention efforts as a majority are less than extremely focused on minimizing friction. Those that are extremely focused on minimizing customer friction are more likely to have implemented these best practice approaches.

FNS SNAP Fraud Framework and Other Best Practices Implementation



Survey Q16A: Has your agency implemented recommendations from the FNS SNAP Fraud Framework?

Survey Q16B: Does your agency have plans to implement the FNS SNAP Fraud Framework during the next 12–18 months?

Survey Q18: To what degree has your agency integrated its cybersecurity operations with its fraud prevention efforts?

Survey Q19: Approximately, what is your agency’s typical rate of churn (i.e., the number of clients that are denied and reapply within the same eligibility period)?

Survey Q19B: To what degree is your agency focused on minimizing customer friction when a SNAP application is completed online (via a PC) or through a mobile device or mobile app?

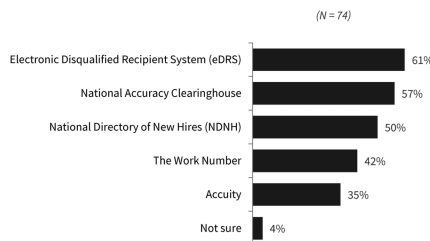
Survey Q20: To what degree has your agency integrated its digital/customer experience operations with its fraud prevention efforts?

Providers Helping to Detect and Mitigate SNAP Fraud

An Electronic Disqualified Recipient System {eDRS} is mentioned by many participating agencies as a source of fraud detection information. The National Accuracy Clearinghouse and National Directory of New Hires {NDNH} are similarly mentioned.

Fewer have fully integrated their digital/customer experience with fraud prevention efforts as a majority are less than extremely focused on minimizing friction. Those that are extremely focused on minimizing customer friction are more likely to have implemented these best practice approaches.

Sourcing Information from Providers to Detect and Mitigate SNAP Fraud

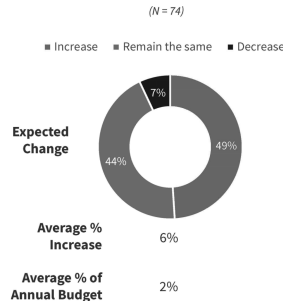


Survey Q17B: Does your agency participate in/source information from any of the following in order to detect and mitigate SNAP fraud?

Fraud Prevention Solutions Cost

The amount of budget dedicated to the detection and mitigation of fraud is 2% on average, with nearly half of participating agencies expecting this to increase next year by an average of 6%.

Fraud Prevention Solutions Budget



Survey Q5D: Approximately, what percent of your annual budget is dedicated to the detection and prevention of fraud?

Survey Q5F: Do you expect the amount you spend on fraud prevention solutions to increase, remain the same, or decrease in the next year?

Fraud Prevention Solution Use

Overall, there is limited use of digital identity solutions that specifically support fraud detection in the online and mobile channels.

These types of solutions are designed to assess both individual and device risks (E-mail Risk Verification, Geolocation, Device ID, Biometrics and Behavioral Biometrics) and risk of the transaction (Real-Time Fraud Detection), which provide fast, seamless, and “behind the scenes” fraud detection that reduces customer efforts and delays while more effectively distinguishing synthetic identities and malicious bots.

Fraud Prevention Solutions Budget & Use

In other LexisNexis® Risk Solutions True Cost of Fraud™ studies, findings have shown that organizations which use a multi-layered solutions approach involving both traditional and digital identity verification solutions along with integrating cybersecurity and the digital customer experience with these solutions experience a lower cost of fraud and greater effectiveness at detecting and mitigating fraud.



□ = significantly or directionally higher than same response in other segment

Survey Q17: Which solutions does your agency currently use to detect and mitigate fraud associated with SNAP applications/eligibility, account login and/or trafficking of benefits?

For more information, please visit <https://risk.lexisnexis.com/GovFraud> or call 1-888-216-3544

About LexisNexis Risk Solutions

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SUBMITTED WEBSITE SNAPSHOT BY HON. SCOTT DESJARLAIS, A REPRESENTATIVE IN CONGRESS FROM TENNESSEE



[<https://www.fns.usda.gov/snap/eligibility/citizen/non-citizen-policy>]

Supplemental Nutrition Assistance Program (SNAP)

SNAP Policy on Non-Citizen Eligibility

Only U.S. citizens and certain lawfully-present non-citizens may receive SNAP benefits. Non-citizens who are eligible based on their immigration status must also meet other SNAP eligibility requirements such as income and resource limits.

Non-citizens eligible with no waiting period

The following non-citizens are eligible with no waiting period:

- Qualified alien children under 18 years old
- Refugees admitted under section 207 of INA (includes victims of severe forms of trafficking)
- Victims of Trafficking under the Trafficking Victims Protection Act of 2000
- Asylees under Section 208 of the Immigration and Nationality Act (INA)
- Deportation withheld under 243(h) or 241(b)(3) of INA
- Amerasian immigrants under 584 of the Foreign Operations, Export Financing and Related Programs Appropriations Act
- Cuban or Haitian entrants as defined in 501(e) of the Refugee Education Assistance Act of 1980
- Iraqi and Afghan special immigrants under Section 101(a)(27) of the INA
- Certain American Indians born abroad
- Members of Hmong or Highland Laotian Tribes, legally living in the U.S., that helped the U.S. military during the Vietnam era, and their spouses or surviving spouses and unmarried dependent children
- Elderly individuals born on or before August 22nd, 1931 and who lawfully resided in the U.S. on August 22nd, 1996
- Lawful Permanent Residents in the U.S. who are receiving government payments for disability or blindness
- Lawful Permanent Residents with a military connection (veteran, on active duty, or spouse or child of a veteran or active duty service member)

Qualified aliens eligible after a waiting period

A qualified alien is a non-citizen with a certain immigration status defined under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).

A qualified alien who does not belong to one of the non-citizen groups listed above can be considered for SNAP benefits after a waiting period if the person is:

- A Lawful Permanent Resident (LPR) who has earned, or can be credited with, 40 quarters of work, or

- Is an alien in one of the following groups who has been in qualified status for 5 years:
 - Paroled for at least 1 year under section 212(d)(5) of INA
 - Granted conditional entry under 203(a)(7) of INA in effect prior to April 1, 1980
 - Battered spouse, child or parent with a petition pending under 204(a)(1)(A) or (B) or 244(a)(3) of INA

09/04/2013

SUBMITTED LETTERS BY HON. DAVID SCOTT, A REPRESENTATIVE IN CONGRESS FROM
GEORGIA

LETTER 1

ON BEHALF OF HOA PHAM, DEPUTY SECRETARY, OFFICE OF INCOME MAINTENANCE,
PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES

June 15, 2023

Committee on Agriculture,
U.S. House of Representatives,
Washington, D.C.

Dear Representatives:

Thank you to the U.S. House Committee on Agriculture for organizing the June 7, 2023 hearing, “Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV.” On behalf of the Pennsylvania Department of Human Services, I am submitting this statement for the record.

The Pennsylvania Department of Human Services (PA DHS) administers the Supplemental Nutritional Assistance Program (SNAP) for over 1.9 million food-insecure individuals across the Commonwealth. We are proud of the important work we have done to create vital access to nutrition. At the same time, we take seriously our responsibility to steward taxpayer funds, and have in place a robust array of program integrity measures to ensure public funds are directed to people in need, and only people in need. First, DHS prioritizes fraud prevention: we regularly review twelve state and Federal databases to verify ongoing eligibility for our programs. Second, DHS works closely with the Office of State Inspector General (OSIG) to target, investigate, and defer trafficking of SNAP benefits. Indeed, OSIG conducts investigations specifically into suspected fraud cases most of which are referred directly from DHS.

PA DHS would like to submit for the record that the testimony offered by Ms. Dawn Royal, Director and Past President of United Council on Welfare Fraud during the June 7, 2023 House Committee on Agriculture’s Hearing “Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV,” and specifically the citation of Commonwealth of Pennsylvania’s Inspector General “told lawmakers during a recent budget hearing that the agency uncovered a 40% fraud rate among public assistance beneficiaries—primarily in the Supplemental Nutritional Assistance Program” is not a direct quote, and was offered by Ms. Royal outside of the context in which OSIG described in its testimony. The reality is that 40% of OSIG’s field investigations—most of which occur when DHS refers suspected fraud to OSIG—result in fraud findings. This is a wholly different statement than 40% of Pennsylvania’s public beneficiaries commit fraud. Ms. Royal’s testimony provided in the hearing is an untrue mischaracterization that at best, belies PA DHS and OSIG’s diligent work to prevent and deter fraud, and at worst, risks making dangerous decisions on false grounds to minimize support for vulnerable families.

PA DHS appreciates the opportunity to submit this statement for the record, and we are happy to provide additional information about our fraud monitoring and OSIG’s investigations as it would be helpful. We look forward to ongoing discussion to strengthen and modernize the SNAP program in ways that support food-insecure households.

Sincerely,



HOA PHAM,
Deputy Secretary, Office of Income Maintenance,

Pennsylvania Department of Human Services.

LETTER 2

ON BEHALF OF ACADEMY OF NUTRITION AND DIETETICS, *ET AL.*

June 5, 2023

<p>Hon. DEBBIE STABENOW, <i>Chair,</i> Senate Agriculture, Nutrition, and For- estry Committee;</p>	<p>Hon. GLENN THOMPSON, <i>Chairman,</i> House Agriculture Committee;</p>
<p>Hon. JOHN BOOZMAN, <i>Ranking Minority Member,</i> Senate Agriculture, Nutrition, and For- estry Committee;</p>	<p>Hon. DAVID SCOTT, <i>Ranking Member,</i> House Agriculture Committee;</p>

Dear Chairwoman Stabenow, Ranking Member Boozman, Chairman Thompson, and Ranking Member Scott:

As Congress considers the 2023 Farm Bill, the undersigned organizations write in ***strong support for maintaining the ability of individuals to choose the groceries they feel are best for their families rather than items decided by the government within the Supplemental Nutrition Assistance Program (SNAP).***

SNAP provides households with resources to supplement their overall food budgets to meet basic needs in a manner that allows them to address allergy or dietary needs as well as budgetary or medical challenges.

Dividing SNAP food items into a complex system of variable, government-administered state-specific lists from among the 40,000 items in a grocery store would be confusing to customers and retailers and would increase the cost of administering the program for retailers that accept SNAP benefits. This would particularly burden smaller retailers in key rural and urban markets.

To create and maintain a government-approved list of foods that would be SNAP eligible and those that would not be, stores would need to manage the data and determination of eligibility of the more than 20,000 new food and beverage items introduced each year, requiring them to program any updates into computer systems to ensure compliance. Store associates would have to attempt to explain the restrictions to customers leading to confusion. Managing a SNAP-eligible foods list would be an unending task that would have to be staffed and maintained, and communicated to retailers, customers, and manufacturers on a real-time basis.

Defining foods as “in” or “out” based on some type of undetermined government definition of “healthy” means picking winners and losers for families simply trying to feed their families. USDA has rejected state requests over a number of years to restrict purchases of types of foods within SNAP because of the additional program complexity and costs. Additionally, Federal dietary guidance applies to a total diet, not individual foods.

Furthermore, most customers paying with SNAP benefits are supplementing those food purchases with another form of tender—cash, WIC, TANF or debit card. In those instances, any restrictions could be complicated for store personnel based on the location of the item on the conveyor belt and which form of payment is accessed first in the order, simply complicating and slowing the transactions for both customers and retailers.

The data is clear that SNAP already improves diet-related health outcomes. If the Federal Government were to put in place a single list of eligible products or ineligible products, it would be easier for those rules to change from state-to-state, county-to-county or Administration-to-Administration—deepening the complexity. Since its inception as a program, there have been several attempts to impose a wide variety of restrictions including those on certain dairy foods, frozen foods, imported foods, meats, seafood, cake mixes, snack foods, and carbonated or sugar-sweetened beverages.

We should not lose ground on the efficiencies that have been added to SNAP and the dignity it provides to SNAP recipients. Much of the stigma that used to be attached to participation in SNAP stemmed from the visibility participants received when redeeming paper “food stamp” coupons in a supermarket line. Implementation of EBT technology and online SNAP have enhanced the dignity experienced by SNAP customers along with the efficiencies of administration. Implementing restrictions is a step backwards, reducing both the efficiencies of the program and the dig-

nity of SNAP customers, most of whom are experiencing a short-term need, and are already struggling to feed their families.

As you consider the upcoming farm bill, we encourage you to maintain the long-held policy position that recipients should be allowed to buy the foods their families need without following a government-issued list.

Sincerely,

Academy of Nutrition and Dietetics
Alliance to End Hunger
American Bakers Association
American Beverage Association
American Frozen Food Institute
Can Manufacturers Institute
Congressional Hunger Center
Consumer Brands Association
Corn Refiners Association
Feeding America
Food Research & Action Center
FMI—the Food Industry Association
National Association of Convenience Stores

National Confectioners Association
National Council of Farmer Cooperatives
National Grocers Association
National Milk Producers Federation
National Pork Producers Council
National Retail Federation
National Turkey Federation
North America Millers' Association
North American Meat Institute
Share Our Strength
SNAC International
United Food and Commercial Workers

CC:

The Honorable Chuck Schumer, Majority Leader, U.S. Senate
The Honorable Mitch McConnell, Minority Leader, U.S. Senate
The Honorable Kevin McCarthy, Speaker, U.S. House
The Honorable Hakeem Jeffries, Minority Leader, U.S. House

SUBMITTED NEWS RELEASE BY HON. JAMES P. MCGOVERN, A REPRESENTATIVE IN
CONGRESS FROM MASSACHUSETTS



[<https://www.ewg.org/news-insights/news/2023/03/city-slickers-receiving-federal-farm-subsidies-soared-under-trump>]

By JARED HAYES¹ (EWG), EVE DEVENS² (EWG)

March 9, 2023

'City slickers' receiving Federal farm subsidies soared under Trump



From coast to coast, almost 29,000 people in the 50 largest U.S. cities had received a combined \$555 million in farm subsidies as of 2021, as the payments soared during the Trump Administration.

The surge in Department of Agriculture farm subsidy recipients in these cities was mostly due to payouts from two Trump-era disaster programs—the Market Fa-

¹<https://www.ewg.org/news-insights/our-experts/jared-hayes>.

²<https://www.ewg.org/who-we-are/our-team/eve-devens>.

cilitation Program and the Coronavirus Food Assistance Program, an Environmental Working Group Analysis finds.

In Chicago, Los Angeles, New York and other major cities, between 1995 and 2021, exactly 28,831 people got subsidies totaling just under \$555 million. That's a significant increase over the number of recipients and value of subsidies just a few years ago.

In 2018, an EWG analysis *identified*³ 19,832 “city slickers”—urban dwellers—in the nation’s largest cities who had received \$109 million in farm subsidies as of 2017. Those figures also represented an increase over previous years—EWG found that 17,836 people living in the 50 biggest U.S. cities got \$63 million in farm subsidies in 2015 and 2016.

The size of payments to city slickers and the amount of recipients has increased significantly in the years since 2017. Since then, the average payment has increased, from just over \$3,000 going to just over 16,000 people, up to its highest in 2020, when average payments reached nearly \$22,000 going to more than 20,000 people.

Farm subsidy recipients must be “*actively engaged*”⁴ in farming. But under current law, urban residents can and do get farm subsidies even if they do not live or work on a farm.

The Government Accountability Office in 2018 *found*⁵ that roughly ¼ of farm subsidy recipients do not contribute personal labor to farms.

By contrast, anti-hunger assistance programs are subject to *much stricter income and asset tests*,⁶ so people living on low income stay eligible for Supplemental Nutrition Assistance Program benefits for only *12 months*,⁷ on average.

Rather than closing *loopholes*⁸ that allow city slickers to receive farm subsidies, the 2018 Farm Bill created new subsidy loopholes by allowing a farmer’s cousins, nieces and nephews to receive payments, whether they live or work on a farm or not.

Table: Farm subsidies rose during Trump Administration for people in 50 largest U.S. cities

City	Recipients	Total
Albuquerque, N.M.	468	\$5,771,058.69
Arlington, Texas	429	\$3,640,827.72
Atlanta	351	\$3,147,202.18
Austin, Texas	1,287	\$15,537,323.24
Bakersfield, Calif.	474	\$61,044,895.85
Baltimore, Md.	43	\$1,000,288.84
Boston	25	\$837,805.07
Charlotte, N.C.	210	\$2,621,918.84
Chicago	526	\$6,324,579.32
Colorado Springs, Colo.	589	\$6,582,394.43
Columbus, Ohio	321	\$4,411,185.39
Dallas	1,318	\$17,172,774.93
Denver	975	\$10,657,980.86
Detroit	40	\$290,485.73
El Paso, Texas	209	\$5,984,905.26
Fort Worth, Texas	865	\$17,215,142.34
Fresno, Calif.	1,266	\$97,680,950.65
Houston	1,992	\$21,181,654.30
Indianapolis	731	\$9,109,378.78
Jacksonville, Fla.	202	\$1,883,606.30
Kansas City, Mo.	1,337	\$14,189,115.33

³ <https://www.ewg.org/news-insights/news/2018/11/nearly-20000-city-slickers-received-farm-subsidies-2017>.

⁴ <https://fas.org/sgp/crs/misc/R44656.pdf>.

⁵ <https://www.gao.gov/assets/700/691864.pdf>.

⁶ <https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits>.

⁷ <https://www.cbpp.org/research/testimony-of-robert-greenstein-president-center-on-budget-and-policy-priorities-before-1>.

⁸ <https://www.ewg.org/agmag/2018/05/23andme-farm-bill#.WuGKy1Mvx-U>.

Table: Farm subsidies rose during Trump Administration for people in 50 largest U.S. cities—Continued

City	Recipients	Total
Las Vegas	253	\$4,350,693.56
Long Beach, Calif.	76	\$1,703,985.70
Los Angeles	223	\$9,490,534.54
Louisville, Ky.	467	\$3,736,138.60
Memphis, Tenn.	999	\$14,482,809.39
Mesa, Ariz.	321	\$8,240,067.71
Miami	403	\$25,711,196.50
Milwaukee	114	\$1,236,818.69
Minneapolis	720	\$10,908,305.55
Nashville, Tenn.	440	\$3,732,030.10
New York	191	\$2,733,103.60
Oakland, Calif.	81	\$770,859.82
Oklahoma City	1,267	\$13,826,522.53
Omaha, Neb.	1,602	\$26,807,446.88
Philadelphia	39	\$922,061.15
Phoenix	436	\$13,268,156.76
Portland, Ore.	450	\$5,127,831.47
Raleigh, N.C.	249	\$3,813,354.85
Sacramento, Calif.	227	\$7,490,124.81
San Antonio	1,078	\$16,900,412.28
San Diego	315	\$3,494,921.68
San Francisco	202	\$3,498,127.90
San Jose, Calif.	192	\$5,321,126.13
Seattle	465	\$5,014,325.01
Tucson, Ariz.	430	\$6,565,064.45
Tulsa, Okla.	719	\$9,312,075.32
Virginia Beach, Va.	173	\$4,043,436.94
Washington, D.C.	165	\$2,141,955.14
Wichita, Kan.	2,876	\$34,052,859.60
Total	28,831	\$554,981,820.71

SUBMITTED RESOLUTION BY HON. JAMES P. MCGOVERN, A REPRESENTATIVE IN
CONGRESS FROM MASSACHUSETTS



[91st Annual Meeting (Columbus, 2023), Adopted Resolutions, Committee on Children, Health, and Human Services, U.S. Conference of Mayors]



[<https://legacy.usmayors.org/resolutions/91st—Conference/proposed-review-list-full-print-committee-individual.asp?resid=a0F4N00000S4ulBUAR>]

2023 Adopted Resolutions

Protect and Strengthen SNAP in the 2023 Farm Bill

1. **Whereas**, Mayors across the country recognize that farm bill programs provide essential support to cities, their residents, and their economies; and
2. **Whereas**, the farm bill's unique focus on eliminating hunger and increasing nutrition security builds a stronger society for all of our residents; and
3. **Whereas**, the provisions of the farm bill support both urban and rural communities, and provide critical assistance to those facing the devastating effects of hunger and poverty; and
4. **Whereas**, a key part of the farm bill, the Supplemental Nutrition Assistance Program (SNAP), the largest anti-hunger program in the United States, provides critical food and nutrition assistance to over 42 million low-income Americans; and
5. **Whereas**, SNAP has proven to be a crucial tool for mitigating food hardship and supporting local economies especially during the pandemic; and
6. **Whereas**, eligibility for SNAP is limited to households with a gross income under 130% of the Federal poverty guidelines, which is about \$36,000 for a family of four; and
7. **Whereas**, 14 million children, or one in five U.S. children participate in SNAP, and 66% of all SNAP households contain children; and
8. **Whereas**, 84% of SNAP families had at least one person working in the past 12 months, but the average SNAP household had an annual gross income of only \$10,464; and
9. **Whereas**, SNAP improves food security by increasing access to nutritious food, and is linked to approximately 25% lower health care costs; and
10. **Whereas**, the Thrifty Food Plan, a set of standards reflective of the real-life costs to maintain a nutritious diet, was revised by the USDA in 2021 for the first time in 45 years since being introduced in 1975, increasing the value of SNAP benefits 21%; and
11. **Whereas**, the Thrifty Food Plan sets the maximum level of benefits available to SNAP household by family size, and increased the benefits by \$6 a person per day; and
12. **Now Therefore Be It Resolved**, that The United States Conference of Mayors calls on Congress to reauthorize the nation's nutrition and agricultural legislation, the farm bill, before September 30th, 2023; and
13. **Be It Further Resolved**, that The United States Conference of Mayors urges Congress to protect the nutrition portion of the farm bill that provides critical food assistance to 42 million Americans, more than half of whom are children and seniors; and
14. **Be It Further Resolved**, that SNAP helps the most vulnerable in our cities and rural communities, SNAP participation contributes to improved nutrition and positive long-term health outcomes; and
15. **Be It Further Resolved**, the farm bill should modernize the program and reduce the administrative burden on participants and state agencies with improved technology that strengthens the integrity and efficiency of the program; and

16. **Be It Further Resolved**, that Mayors strongly support all efforts to increase the safety and security of Electronic Benefit Cards, including chip technology and consumer protections; and

17. **Be It Further Resolved**, that Mayors strongly oppose proposals to increase the work requirements on SNAP recipients, which do little to improve employability or self-sufficiency, and actually increase food insecurity; and

18. **Be It Further Resolved**, the Mayors strongly oppose limiting SNAP eligibility to only 3 months every 3 years for Able-Bodied Adults without Dependents; and

19. **Be It Further Resolved**, the Mayors support maintaining the option for any state to choose to expand participation through the adoption of Broad Based Categorical Eligibility for households with an income at or below 200% of the Federal Poverty Limit, and to streamline income and resource guidelines with other Federal benefit programs; and

20. **Be It Further Resolved**, that Mayors support maintaining SNAP-ED as mandatory funding, and expanding food and nutrition education programs; and

21. **Be It Further Resolved**, that Mayors support programs that promote food security, nutrition, and health by maintaining nutrition programs funding opportunities like the Gus Schumacher Nutrition Incentive Program (GusNIP) providing incentives to increase the purchase of fruits and vegetables by low-income consumers; and

22. **Be It Further Resolved**, that Mayors strongly support simplifying and expanding SNAP eligibility for all students who are enrolled in an institution of higher learning; and

23. **Be It Further Resolved**, that Mayors support programs that increase equitable access to SNAP in historically underserved communities, including immigrants and others impacted by the suggested rule changes to the Public Charge policy; and

24. **Be It Further Resolved**, the Mayors support full access to SNAP for Tribal communities, regardless of participation in other nutrition programs, and the full transition to SNAP for Puerto Rico and other U.S. Territories; and

25. **Be It Further Resolved**, that The United States Conference of Mayors supports the passage of a farm bill that incorporates the following principles: protect the value of SNAP benefits, maintain and increase equitable access to SNAP and nutrition education, and streamline SNAP program administration to increase cost efficiencies while improving access to benefits, and access to nutritious, fresh, and local food.

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[Sponsored by: Levar Stoney (Richmond, VA); Andy Schor (Lansing, MI); Satya Rhodes-Conway (Madison, WI); John Giles (Mesa, AZ); Eric L. Adams (New York, NY); Alix Desulme (North Miami, FL); Ron Nirenberg (San Antonio, TX); Paige G. Cognetti (Scranton, PA); Tishaura O. Jones (St. Louis, MO); Martha Guerrero (West Sacramento, CA)].

SUBMITTED REPORT BY HON. ABIGAIL DAVIS SPANBERGER, A REPRESENTATIVE IN CONGRESS FROM VIRGINIA



[<https://trac.syr.edu/reports/705/>]

A Sober Assessment of the Growing U.S. Asylum Backlog

Published Dec. 22, 2022

The latest available data reveal that the number of asylum seekers waiting for asylum hearings in the U.S. has now reached at least 1,565,966 individuals. About half of this total, or 787,882, are waiting for hearings before judges in the Immigration Courts housed in the Department of Justice. The other half, or 778,084 asylum seekers, are waiting for hearings before United States Citizenship and Immigration Services (USCIS) asylum officers who are housed in the Department of Homeland

Security.¹ Many other asylum seekers have been allowed to enter the United States to go through the asylum process but have not yet submitted an asylum application.

These asylum applications—nearly 1.6 million—represent the largest total number of pending asylum applications on record. Asylum backlogs are not new (as TRAC has shown many times), since the number of people requesting the type of protection that asylum provides has typically exceeded the capacity of government agencies to process applications quickly and fairly.

Yet in recent years, with political, economic, and environmental instability in places like Mexico, Venezuela, Haiti, Central America, Ukraine, and elsewhere, the United States has seen a growth in migrants' needs that outpace even the growing number of Immigration Judges and asylum officers added by both Democratic and Republican Administrations. Even so, 1.6 million applications are a lot of applications, and a lot of human lives represented by those applications, many of them children. This growth has contributed to bureaucratic pressures on government agencies and no doubt contributed to vigorous (but not always research-informed) public debate about asylum policies.

In this report, TRAC aims to contribute to the public's understanding of the current state of the asylum system by providing a detailed portrait of the nearly 800,000 cases in the asylum backlog before the Immigration Courts. The report is based on detailed case-by-case Court records obtained and analyzed by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University. TRAC has been making monthly requests under the Freedom of Information Act for data dumps of these court records for many years and has compiled an extensive and detailed time series on the Court's growing backlog. Unfortunately, comparable records are not yet available from USCIS on its asylum backlog. TRAC looks forward to when similar detailed case-by-case records become available from that agency so that a more comprehensive portrait of the total set of asylum seekers before both agencies can be compiled.²

Asylum Seekers Before the Immigration Court

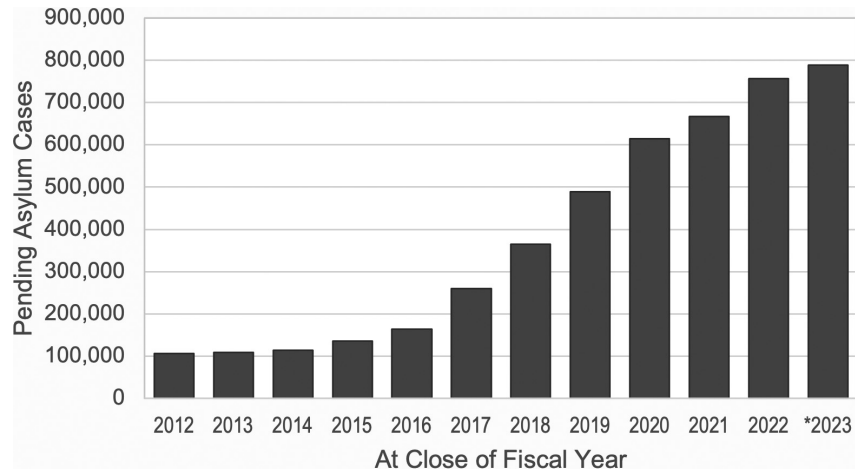
At the end of FY 2012, over 100,000 asylum cases were pending in the Immigration Court's backlog. A decade later, the backlog had grown over seven-fold to over 750,000 cases in September at the end of FY 2022. Since then, in just the first 2 months of FY 2023 (October–November 2022), the asylum backlog jumped by over 30,000 new cases and now totals 787,882. See *Figure 1*.

¹These asylum backlog figures are of individuals for both EOIR and USCIS. While EOIR counts each individual as a case, usually USCIS reports its backlog in terms of *applications*, rather than the number of *individuals covered by these applications*. Thus, USCIS figures used here of the number of individuals in its asylum backlog differ from agency *published reports* (<https://www.uscis.gov/sites/default/files/document/outreach-engagements/Asylum-Quarterly-Engagement-Oct-6-22.pdf>) about its pending asylum applications.

²Earlier TRAC reported on *outcomes of asylum seekers* (<https://trac.syr.edu/immigration/reports/672>) in the U.S. combining results from USCIS and Immigration Court hearings. The report demonstrated the additional insights gained by examining asylum cases through this more comprehensive lens.

Figure 1. Pending Cases in the Immigration Court Asylum Backlog at the End of Each Fiscal Year, as of November 2022

Growth in Immigration Court Asylum Backlog



* As of Nov. 30, 2022.
©TRAC 2022.

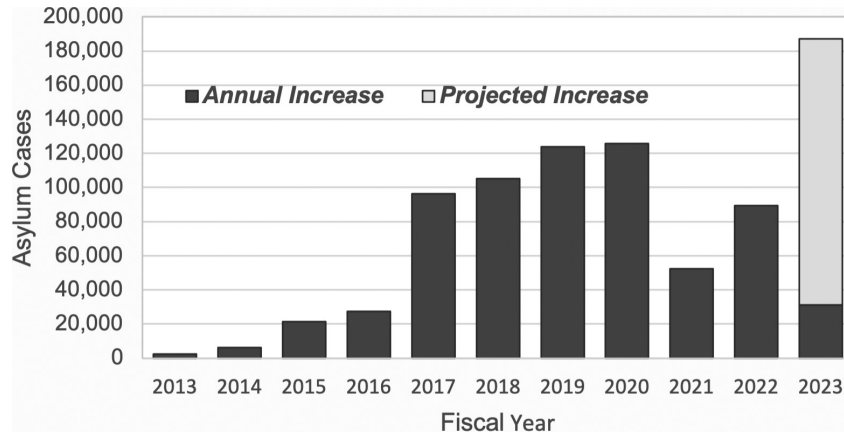
As *TRAC* previously reported,^[1] the Biden Administration has substantially increased the number of asylum cases completed by Immigration Judges. As a result, even though the backlog continues to increase, its rate of increase has been slower than the previous Administration. See *Figure 2* and *Table 1*.

But the situation may be changing. During October and November 2022 (the first 2 months of FY 2023), the Immigration Court's asylum case backlog grew by more than the growth during the entire last year of the Obama Administration in FY 2016. The termination of Title 42, a public health policy that allows asylum seekers to be expelled without a hearing, is likely to lead to an increase in the arrival of asylum seekers at the U.S.-Mexico border. While projections from just 2 months to an entire fiscal year is highly speculative, if the current pace continues, the asylum backlog as shown in *Figure 2* would jump by a record-breaking number during FY 2023.

^[1] <https://trac.syr.edu/reports/703/>.

Figure 2. Asylum Cases Added to the Immigration Court Backlog Since FY 2012, as of November 2022

Asylum Cases Added to the Immigration Court Backlog Each Year, FY 2013–2023



©TRAC 2022.

Table 1. Immigration Court Asylum Case Backlog

Fiscal Year End *	Number Pending	Annual Change
2012	105,919	
2013	108,398	2,479
2014	114,603	6,205
2015	136,145	21,542
2016	163,451	27,306
2017	259,871	96,420
2018	364,990	105,119
2019	489,003	124,013
2020	614,751	125,748
2021	667,229	52,478
2022	756,690	89,461
2023 *	787,882	31,192

*The fiscal year ends on September 30; latest data for FY 2023 is at the end of Nov 2022.

These rising case numbers, however, still underestimate the actual total backlog of asylum seekers in the United States awaiting their hearings. For asylum seekers who are put into the deportation process, their deportation case begins before their asylum case begins. The formal application for asylum is usually filed months after their NTA is issued and after the case is added to the Immigration Court, typically due to the time needed to get an attorney and assemble what can often be quite complex cases. But from a data tracking perspective, it is only with the filing of an asylum application that a case can be identified as part of the asylum backlog. If the number of asylum seekers are rising, the asylum backlog count lags behind the number of asylum seekers who have entered the Court's workload.

Affirmative *versus* Defensive Asylum Cases in Immigration Court

There are two main types of asylum applications each decided (at least at first) by a different Federal agency. Most asylum applications today are considered defensive applications and filed in response to the Department of Homeland Security (DHS) initiating removal proceedings in Immigration Court by filing a Notice to Appear (NTA). An individual may then claim that they are entitled to asylum as a de-

fense against removal (*i.e.*, deportation)—although in most cases, the migrants came to the U.S. for the purpose of seeking asylum in the first place.³

Affirmative applications, in contrast, are those which are filed with USCIS. However, if USCIS denies the affirmative asylum application, the agency then generally refers the application to the Immigration Court. Within the Immigration Court context, this is still considered an affirmative application.⁴ Thus, *unsuccessful* affirmative asylum applications can make their way to a second hearing and decision by an Immigration Judge and become part of the Court's asylum backlog.

At one time in the past, these referrals from USCIS made up more than half of the Court's asylum backlog. However, the proportion of new affirmative asylum cases began steadily declining starting in FY 2007. At that time, affirmative cases referred from USCIS made up 70 percent of the Court's new asylum cases. By FY 2017 they had fallen to just 15 percent.⁵

The Court's affirmative asylum backlog reflects these filing trends. It declined slowly from FY 2012, when TRAC's available data begins, until 2017 when affirmative cases then began an upward rise. The number of affirmative asylum cases in the Court's backlog grew steadily from FY 2017 through FY 2021. See *Figure 3*.

Starting in FY 2022, affirmative cases again began to decline. The implementation of the new Asylum Officer Rule, where asylum officers are given new authority to hear asylum cases in place of Immigration Judges, may change these trends once again.

In contrast, the sheer number of defensive asylum cases has seen an unbroken rise. The growth, while slow at first, picked up speed and by the end of FY 2015 the number of defensive asylum cases in the Court's backlog surpassed these affirmative referrals from USCIS for the first time. Numbers have continued a sharp upward trajectory as shown in *Figure 3*.

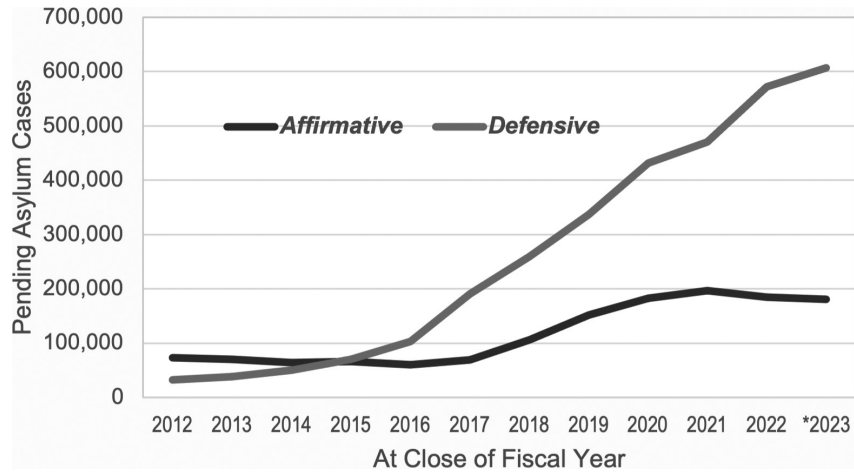
³As a matter of practice, asylum seekers who cross the border unlawfully are currently typically assigned by DHS to the defensive asylum path in the Immigration Courts, even though their sole purpose for crossing was to affirmatively request asylum. The Biden Administration has recently implemented a change in policy that would provide these asylum seekers with a hearing before USCIS asylum officers. This so-called Asylum Officer Rule calls for expedited hearings in these cases and is being phased in currently.

⁴Despite the many nuanced legal differences between affirmative and defensive asylum, perhaps the most important practical difference is that affirmative asylum interviews take place in an administrative, non-adversarial (or at least less adversarial) setting with an asylum officer and with the option of having an attorney and interpreter present, but without an opposing counsel. In contrast, defensive asylum hearings take place in an adversarial setting in Immigration Court with an Immigration Judge and an opposing attorney from Immigration and Customs Enforcement.

⁵See *TRAC's Asylum Filings* (<https://trac.syr.edu/phptools/immigration/asyfile/>) web query tool.

Figure 3. Pending Affirmative and Defensive Cases in the Immigration Court Asylum Backlog at the End of Each Fiscal Year, as of November 2022

Immigration Court Asylum Backlog



* As of Nov. 30, 2022.
©TRAC 2022.

Table 2. Affirmative and Defensive Immigration Court Asylum Case Backlog

Fiscal Year End *	Number of Pending Cases		
	All	Affirmative	Defensive
2012	105,919	73,676	32,243
2013	108,398	69,999	38,399
2014	114,603	64,001	50,602
2015	136,145	66,263	69,882
2016	163,451	60,553	102,898
2017	259,871	69,024	190,847
2018	364,990	105,818	259,172
2019	489,003	152,396	336,607
2020	614,751	182,778	431,973
2021	667,229	196,994	470,235
2022	756,690	185,057	571,633
2023 *	787,882	181,144	606,738

* The fiscal year ends on September 30; latest data for FY 2023 is at the end of Nov. 2022.

Custody of Asylum Seekers

A major political debate, one which is playing out in part in the U.S. Federal courts,⁶ continues to rage over whether asylum seekers should be detained while their cases are waiting to be heard. As a practical matter, Immigration and Customs

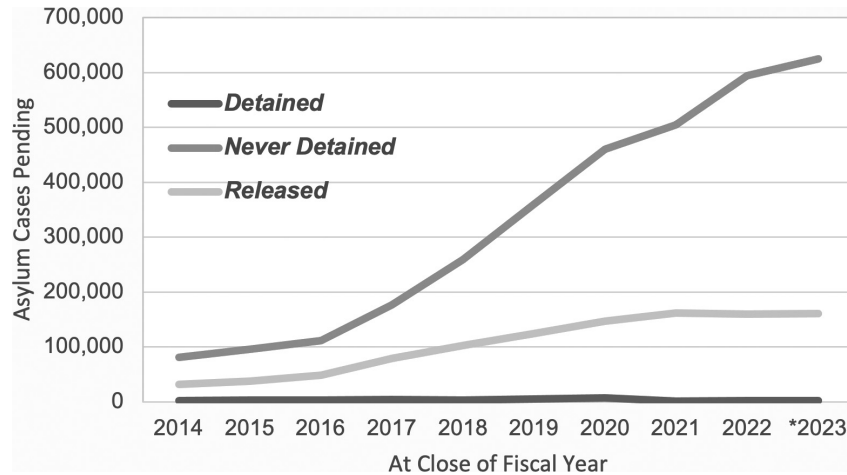
⁶This is one of the legal issues that has been raised challenging the Biden Administration’s attempts to end the MPP program. On remand from the U.S. Supreme Court, a *Texas judge on December 15, 2022* (https://storage.courtlistener.com/recap/gov.uscourts.txnd.346680/gov.uscourts.txnd.346680.178.0_2.pdf) issued a nationwide injunction against ending MPP. One aspect of his ruling was a provision in the Immigration and Nationality Act which provides: “[I]f an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding . . .”

Enforcement (ICE) currently is *detaining just 29,000 immigrants*.^[2] Detaining everyone in just the current Immigration Court asylum backlog would require more than 27 times current detention numbers.⁷ If individuals in the USCIS asylum backlog were also required to be detained, the U.S. would need 54 times its current detention level.

In fact, ICE now detains only a small portion—around 2,000—of asylum seekers pending before the Immigration Court. Due in part to the priority given to quickly scheduling hearings for detained cases, the component of detained cases has remained generally below two percent. Indeed, with the onset of COVID and the need to increase spacing for health reasons among those being held, this proportion has fallen. Today only 0.3 percent of those in the current asylum backlog are detained. See *Table 3* and *Figure 4*.

Figure 4. Custody Status of Pending Cases in the Immigration Court Asylum Backlog at the End of Each Fiscal Year, as of November 2022

Immigration Court Asylum Backlog



* As of Nov. 30, 2022.
©TRAC 2022.

Table 3. Custody Status of Individuals in Immigration Court Asylum Backlog at the End of Each Fiscal Year

Fiscal Year End*	All Pending Cases	Detained	Never Detained**	Released	Percent Detained
2014	114,603	1,852	80,701	32,048	1.6%
2015	136,145	2,710	95,536	37,868	2.0%
2016	163,451	3,085	111,750	48,585	1.9%
2017	259,871	3,595	176,870	79,376	1.4%
2018	364,990	3,348	259,338	102,273	0.9%
2019	489,003	4,825	360,169	123,932	1.0%
2020	614,751	7,069	460,311	147,296	1.1%
2021	667,229	1,175	504,100	161,882	0.2%
2022	756,690	2,177	594,542	159,908	0.3%
2023*	787,882	2,076	624,768	160,975	0.3%

* The fiscal year ends on September 30; latest data for FY 2023 is at the end of Nov 2022; data for 2012 and 2013 unavailable. Case totals include a small number where custody unknown.

** Only covers period after case reached Immigration Court.

^[2] <https://trac.syr.edu/immigration/quickfacts/detention.html>.

⁷ Significant components include individuals being processed for removal without any pending court proceedings or after proceedings have concluded and removal was ordered, as well as individuals from countries that refuse to allow the U.S. to deport their citizens back to their home countries.

While most immigrants in the asylum backlog are not detained, a growing segment are being electronically monitored under ICE's *Alternatives to Detention (ATD) program*.^[3] For example, one of the *stated conditions*^[4] of families being assigned to the Court's Dedicated Docket was assignment first to the ATD program. Case-by-case internal ICE data obtained and compiled by TRAC reveals that 26,780 families assigned to the Court's Dedicated Docket have been monitored by ATD. For some of these, monitoring was discontinued after a period of time—that is their cases became “inactive.” But as of June 30, 2022, a total of 16,569 families were being actively monitored while they were awaiting their hearing and decision.

Given that only one member of a family and not all family members likely are being monitored, this implies that virtually all of the *110,000 asylum seekers assigned to the Dedicated Docket*^[4] are (or were) subject to ATD monitoring.

No solid figures exist as to how many in the current asylum backlog, beyond those in the DD program, are being monitored by ATD. However, for recent asylum applicants it is likely that their numbers have been increasing along with the *rapid growth in the ATD program*.^[6]

Representation

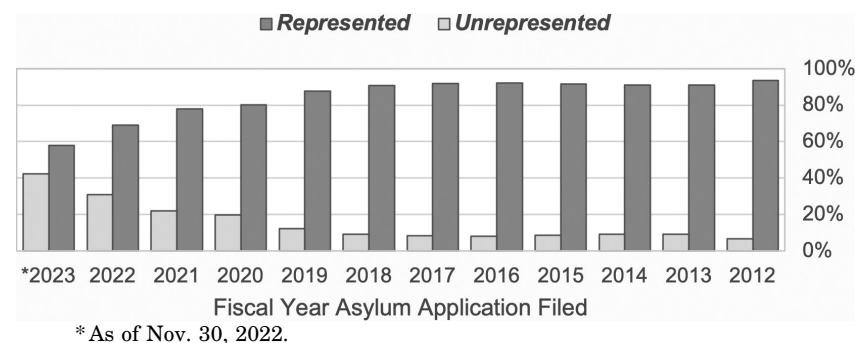
Without representation, many asylum seekers are unable to complete the paperwork needed to file a formal asylum application. Hence, these individuals never end up part of the asylum backlog and they never receive a hearing before an Immigration Judge on their asylum claims. Nonetheless, some unrepresented immigrants do manage to file an application. In cases decided in FY 2022, *less than one out of ten asylum seekers were unrepresented*.^[7]

However, within the current asylum backlog, one in five (21%) are recorded as unrepresented. This ratio appears to greatly overstate the actual percentage who are unrepresented, and this could be because of how and when representation status is recorded in the Immigration Court's files. A record of attorney representation only occurs when an attorney files an *E-28 form*^[8] with the Court. Some attorneys may register their appearance when the Court actually schedules the case for hearing rather than when filing the asylum application earlier. Thus, it is possible that a large number of asylum seekers are recorded as unrepresented in the Court's files even when the asylum application was actually prepared and submitted with the assistance of an attorney.

In fact, 42 percent of those who filed their applications during the last 2 months (October–November 2022) are currently shown as unrepresented in the Court's records. Many of these asylum applications in all likelihood had actually been prepared by an attorney. Indeed, the longer ago the application was filed, the more show up as being represented. This would be the pattern we would expect if delays frequently occur before the E-28 form is filed. See *Figure 5* and *Table 4*.

Figure 5. Current Representation Status of Immigration Court Pending Cases by When Asylum Application Was Filed

More in Asylum Backlog Find Attorneys the Longer They Have Waited



[3] <https://trac.syr.edu/whatsnew/email.221128.html>.
 [4] <https://www.justice.gov/opa/pr/dhs-and-doj-announce-dedicated-docket-process-more-efficient-immigration-hearings>.
 [5] <https://trac.syr.edu/reports/704/>.
 [6] <https://trac.syr.edu/immigration/quickfacts/detention.html>.
 [7] <https://trac.syr.edu/reports/703/>.
 [8] <https://www.justice.gov/eoir/file/639746/download>.

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Table 4. Immigration Court Pending Cases by Current Representation and Fiscal Year Asylum Application Filed

Fiscal Year	Total	Not Represented		Represented	
		Number	Percent	Number	Percent
2012	3,416	223	7%	3,193	93%
2013	4,718	426	9%	4,292	91%
2014	6,873	623	9%	6,250	91%
2015	12,637	1,078	9%	11,559	91%
2016	20,136	1,598	8%	18,538	92%
2017	52,634	4,346	8%	48,288	92%
2018	79,611	7,308	9%	72,303	91%
2019	113,957	14,027	12%	99,930	88%
2020	133,018	26,308	20%	106,710	80%
2021	73,393	16,104	22%	57,289	78%
2022	222,949	68,989	31%	153,960	69%
2023*	57,733	24,333	42%	33,400	58%

* The fiscal year ends on September 30; latest data for FY 2023 is at the end of Nov 2022.

Gender and Age

There is a fairly even split between male and female asylum seekers. About three out of ten are children under 18 years of age. The children who make up the Court's asylum backlog almost all enter as part of a family group. This is because for most unaccompanied children their asylum applications are filed with the USCIS under special provisions of the law and not with the Immigration Court.

While the gender of a significant number (24%) is not recorded, where gender is known 48 percent are females and 52 percent are males. Children between the ages of 0–11 are fairly evenly divided between males and females. However, 61 percent of those between 12 and 17 years of age are male. Adults from 18 years on up are again fairly evenly divided between males and females. Forty-nine percent of all adults are females. A slightly higher percentage of 51% of young adults—those between 18 and 24 years of age—are females. See *Table 5*.

Table 5. Age and Gender of Individuals in Immigration Court Asylum Backlog, November 30, 2022

Age *	Total	Female	Male	Unknown	Percent Female **
All	787,882	284,168	311,862	191,852	48%
0–4	55,246	24,472	25,634	5,140	49%
5–11	73,526	32,282	34,761	6,483	48%
12–17	72,092	25,357	40,050	6,685	39%
18–24	77,658	37,096	35,019	5,543	51%
25–34	153,848	72,317	71,390	10,141	50%
35–44	112,937	49,825	57,224	5,888	47%
45–59	46,634	20,199	24,305	2,130	45%
60+	5,687	2,846	2,606	235	52%

* All includes 190,254 individuals where age was unknown.

** Percent of persons whose gender was known.

Asylum Seekers by Nationality

Asylum seekers recorded as speaking 418 different languages from 219 different countries plus those who are stateless or from countries that no longer exist are in the current Immigration Court's asylum backlog.⁸ But some countries dominate the asylum roles. Indeed, nearly six out of every ten (59%) come from just five countries. Guatemala has the largest number of asylum seekers (111,184) in the current Court's backlog. This is followed by Honduras with 101,195 and El Salvador with 97,260. Together, these three countries from the so-called Northern Triangle comprise 39 percent of the Court's asylum backlog. Mexico with 82,837 asylum seekers and Venezuela with 71,991 complete the list of the top five.

⁸ A complete country-by-country and language breakdown of asylum seekers in the Court's backlog is available from TRAC's *Asylum Backlog* (<https://trac.syr.edu/phptools/immigration/asylumb/>) web query tool.

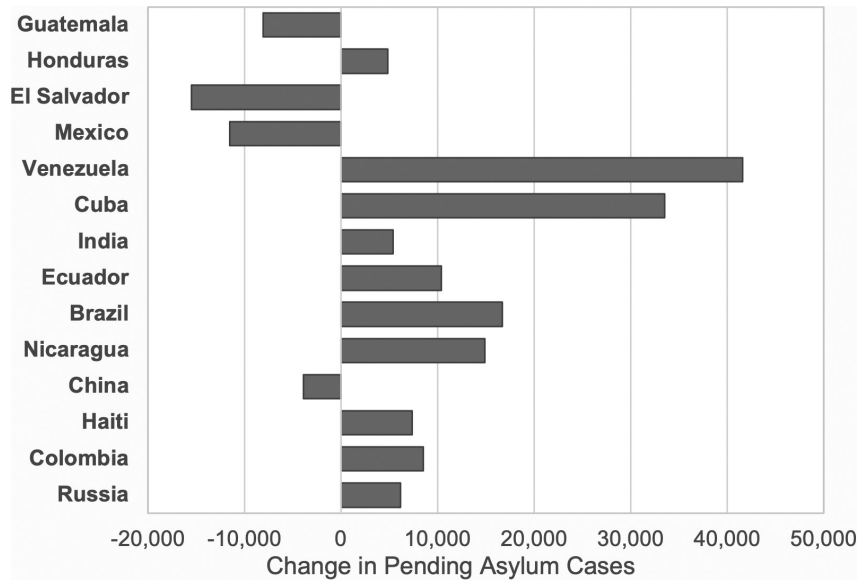
Beyond these five dominant players, there are an additional nine countries with at least 10,000 asylum seekers in the current backlog. Driving the increasing asylum backlog have been the increasing numbers not just from Venezuela which is in the top five, but from Cuba and Brazil who are part of this longer nationality list. See *Figure 6* and *Table 6* for figures on the changing composition of asylum seekers from these fourteen countries.

As shown in *Figure 6*, in the midst of the growing backlog, four nationalities have actually seen net declines. During the last fourteen months since the end of FY 2021, declines have occurred in the number of asylum seekers from El Salvador, followed by Mexicans, Guatemalans, and asylum seekers from China.

The shifting composition of nationalities reflects not just the volume of individuals arriving at our borders seeking asylum, but the country's policies and practices of which nationalities are being allowed to actually enter the U.S. and seek asylum. Asylum seekers from the Northern Triangle countries and Mexico were usually immediately turned away under Title 42 and not allowed to enter and seek asylum. The Biden Administration has created some exceptions to this policy, exceptions that have been structured by nationality. For instance, as TRAC previously found, *Ukrainian nationals were allowed to enter*^[9] the country at ports of entry through a special program designed in response to the war in Ukraine. Later, using that same model, the Biden Administration *allowed 24,000 Venezuelan nationals to enter*^[10] the United States for humanitarian reasons. The Biden Administration has also allowed particularly vulnerable asylum seekers to enter the country through an exemption process, a process that has also benefitted Haitians, though at much smaller numbers and fewer ports of entry.

Figure 6. Top Nationalities in Immigration Court Asylum Backlog, Fiscal Year 2021 to November 30, 2022

Change in Immigration Court Asylum Backlog Since FY 2021



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^[9]<https://www.dhs.gov/ukraine>.

^[10]<https://www.dhs.gov/news/2022/10/12/dhs-announces-new-migration-enforcement-process-venezuelans>.

Table 6. Top Nationalities in Immigration Court Asylum Backlog, Fiscal Year 2021 to November 30, 2022

Nationality*	Pending Cases at End of:			Change Since FY 2021
	FY 2021	FY 2022	Nov. 2022	
Guatemala	119,247	113,074	111,184	-8,063
Honduras	96,345	101,958	101,195	4,850
El Salvador	112,759	100,202	97,260	-15,499
Mexico	94,357	84,595	82,837	-11,520
Venezuela	30,398	60,410	71,991	41,593
Cuba	12,913	35,333	46,456	33,543
India	28,827	32,479	34,230	5,403
Ecuador	19,796	30,455	30,208	10,412
Brazil	12,092	26,128	28,810	16,718
Nicaragua	8,867	20,087	23,748	14,881
China	27,403	24,036	23,508	-3,895
Haiti	9,493	16,163	16,837	7,344
Colombia	6,253	12,127	14,785	8,532
Russia	4,647	9,042	10,830	6,183

* Countries with 10,000 or more pending asylum cases.

Asylum Backlogs Differ by Court Location

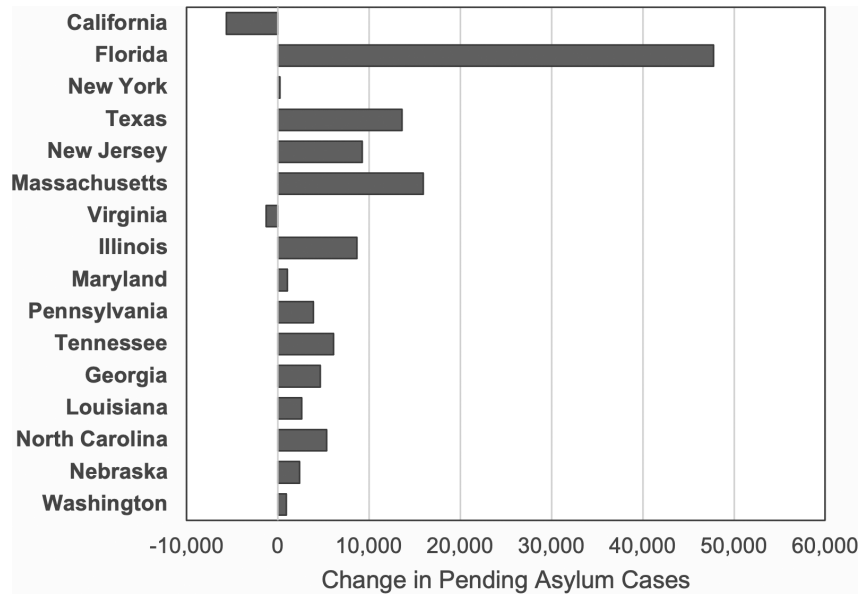
Historically, Immigration Courts in California and New York have had the largest asylum caseloads and decided the largest numbers of asylum claims. Over the years, these two states have experienced more asylum cases filed than any other locales. During FY 2022, for example, Immigration Courts in these two states *accounted for just under half (48%) of all asylum cases decided on their merits.*^[11]

But the location of asylum backlogs has been undergoing change as the location of new asylum filings has shifted. Florida has seen explosive growth in asylum filings. So has Massachusetts. These growth patterns have been driven in large part by shifts in the nationality groups seeking asylum in this country. Asylum seekers from Venezuela and from Cuba—two nationalities that have seen the largest rise—have tended to head to Florida. Most Brazilians have sought to start their new life in Massachusetts. And largely as a result, the asylum backlogs in these two states have experienced the largest growth. See *Figure 7* and *Table 7*.

Asylum seekers from Mexico, Guatemala and El Salvador have been declining as we saw in *Figure 6*. California has been the largest destination for these groups, and we have seen a decline in the asylum backlog in California courts. Chinese asylum seekers have been another nationality with declining numbers. New York has historically been their primary destination, and in part as a result, as shown in *Figure 7* courts in New York have experienced little increase in their backlog.

Backlogs, of course, are largely driven by having an inadequate number of judges available relative to the volume of asylum cases needing to be heard. So it is not surprising that as asylum seekers from different countries locate in different regions of the country and their relative numbers change, asylum backlogs will also reflect these changes.

^[11] <https://trac.syr.edu/phptools/immigration/asylum/>.

Figure 7. Top States With Immigration Court Asylum Backlogs, Fiscal Year 2021 to November 30, 2022*Change in Immigration Court Asylum Backlog Since FY 2021*

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Table 7. States With Immigration Court Asylum Backlogs, Fiscal Year 2021 to November 30, 2022

State*	Pending Cases at End of:			Change Since FY 2021
	FY 2021	FY 2022	Nov. 2022	
Total	667,229	756,690	787,882	120,653
California	133,463	127,046	127,804	-5,659
Florida	66,640	102,657	114,409	47,769
New York	110,434	111,041	110,669	235
Texas	66,967	76,718	80,587	13,620
New Jersey	37,604	45,087	46,830	9,226
Massachusetts	28,869	42,198	44,802	15,933
Virginia	37,087	35,383	35,769	-1,318
Illinois	27,066	33,716	35,746	8,680
Maryland	20,670	22,382	21,703	1,033
Pennsylvania	14,709	17,867	18,607	3,898
Tennessee	9,781	14,934	15,882	6,101
Georgia	10,011	13,446	14,636	4,625
Louisiana	11,741	13,908	14,346	2,605
North Carolina	8,240	12,390	13,585	5,345
Nebraska	9,917	11,740	12,315	2,398
Washington	10,765	11,554	11,659	894
Ohio	7,757	8,033	8,771	1,014
Minnesota	7,904	8,468	8,702	798
Missouri	7,106	8,064	8,333	1,227
Colorado	8,040	7,010	7,309	-731
Arizona	6,807	6,718	7,166	359
Connecticut	4,872	5,958	6,132	1,260
Oregon	6,122	6,212	6,132	10
Nevada	4,386	5,340	5,751	1,365
Utah	2,150	4,549	5,719	3,569
Michigan	3,225	3,896	4,115	890

Table 7. States With Immigration Court Asylum Backlogs, Fiscal Year 2021 to November 30, 2022—Continued

State *	Pending Cases at End of:			Change Since FY 2021
	FY 2021	FY 2022	Nov. 2022	
New Mexico	93	57	98	5
Hawaii	120	71	67	-53

*Not all states have Immigration Courts based in them.

Wait Times and How Quickly Do Cases Get Heard?

There is no simple answer to the question of how long asylum seekers have to wait before they can have their claims heard and decided. Under Biden Administration initiatives, including the Dedicated Docket and the Asylum Officer Rule initiatives, some newly arriving asylum seekers are being moved to the head of the line and their hearings expedited. Indeed, criticism is growing that cases are being heard too quickly before the asylum seeker has a chance to locate an attorney, or for the attorney to prepare adequate support for the asylum claims.

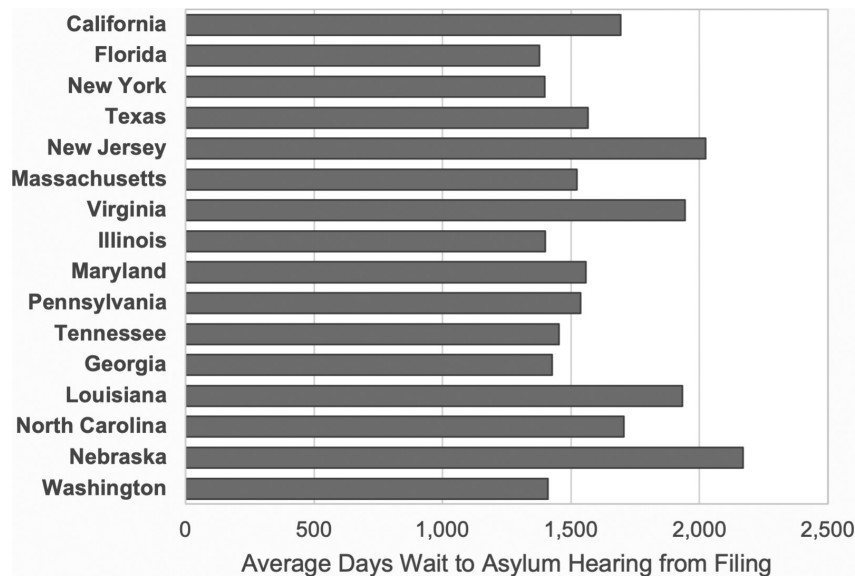
For most others who are not detained, especially those who entered the backlog queue a while ago, the wait can be very long. An estimate of the average backlog wait times from when the case was filed in the Immigration Court to when their asylum hearing will be scheduled and their claims heard is currently 1,572 days, or 4.3 years.

Average wait times also vary by the location of the Court. Currently the Immigration Court based in Omaha, Nebraska has the longest wait time averaging 2,168 days. This is followed by the Court based in Newark, New Jersey where the average wait time is also over 2,000 days. See *Figure 8. Table 8* contains a complete state-by-state listing of Immigration Court average wait times as of the end of November 2022.

But even these estimates are subject to a number of additional important caveats examined in the next section.

Figure 8. Estimated Days From Court Filing Until Asylum Hearing Scheduled for Immigration Court Pending Asylum Cases, by State

Estimated Wait Times for Pending Asylum Cases



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Table 8. Estimated Days From Court Filing Until Asylum Hearing Scheduled for Immigration Court Pending Asylum Cases, by State

State *	Pending Asylum Cases	Ave. Wait Time (days)	
		All Cases	(excludes detained)
All	787,882	1,572	1,576
Arizona	7,166	1,200	1,210
California	127,804	1,691	1,693
Colorado	7,309	1,239	1,251
Connecticut	6,132	1,315	1,315
Florida	114,409	1,376	1,377
Georgia	14,636	1,416	1,427
Hawaii	67	355	355
Illinois	35,746	1,399	1,400
Louisiana	14,346	1,896	1,933
Maryland	21,703	1,554	1,558
Massachusetts	44,802	1,521	1,522
Michigan	4,115	1,295	1,298
Minnesota	8,702	1,505	1,507
Missouri	8,333	1,985	1,985
Nebraska	12,315	2,168	2,169
Nevada	5,751	1,212	1,217
New Jersey	46,830	2,023	2,024
New Mexico	98	103	**
New York	110,669	1,393	1,398
North Carolina	13,585	1,705	1,705
Ohio	8,771	997	1,007
Oregon	6,132	1,799	1,799
Pennsylvania	18,607	1,537	1,537
Tennessee	15,882	1,454	1,454
Texas	80,587	1,557	1,566
Utah	5,719	780	780
Virginia	35,769	1,941	1,943
Washington	11,659	1,391	1,409

* Not all states have Immigration Courts based in them.

** All pending cases involved detained individuals.

Serious Challenges to Estimating Average Wait Times

Estimating even average wait times poses serious challenges, so that any reported values resemble more “guesstimates” rather than something having a solid basis. The first problem is that even if TRAC had information for when each asylum seeker’s hearing was scheduled (which we do not) hearings schedules often change. Hearings are not infrequently canceled because of the unavailability of the judge, or for other reasons. When hearings are scheduled further into the future, the odds that circumstances may arise requiring rescheduling also increases. A hearing can, of course, be postponed or advanced depending upon the needs and practices of that Court, or in some circumstances the needs of the parties.

The second challenge is that, in fact, the majority of hearings that will be needed are not yet even scheduled. Only about four out of ten (43%) individuals in the current asylum backlog have an actual individual proceeding scheduled to hear the evidence on the merits of that asylum seeker’s claims.

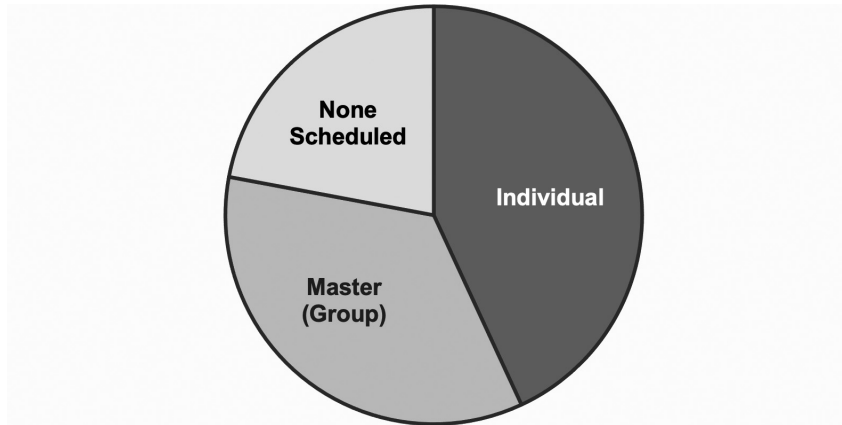
The remaining majority of cases fall into one of two groups. For 35 percent of those waiting in the asylum backlog, the hearing scheduled is still at the “*master calendar*”⁽¹²⁾ stage. For these initial hearings, a group of individuals are summoned to appear together where they are advised of their rights and procedures, the charges and factual allegations contained in the Notice to Appear (NTA) are explained, and cases are sorted as to what comes next. More than one of these master calendar hearings may occur if an individual needs more time to find an attorney to represent them, or an attorney once found, needs time to secure documents and

⁽¹²⁾ <https://www.justice.gov/eoir/reference-materials/ic/chapter-4/15>.

obtain testimony to support the asylum application. Only after these master calendar hearings come to a conclusion, is an individual hearing scheduled on the asylum seeker's claims. Only one hearing is set at any point in time. Thus, for those scheduled for master calendar hearings, no information is available on just when the actual merits hearing eventually may occur.

Figure 9. Scheduled Hearings in Pending Immigration Court Asylum Cases, as of November 30, 2022

Scheduled Hearing in Pending Asylum Cases



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Table 9. Scheduled Hearings in Pending Immigration Court Asylum Cases

Scheduled Hearing	Pending Asylum Cases at End of:*			
	FY 2020	FY 2021	FY 2022	Nov. 2022
All	614,751	667,229	756,690	787,882
Individual	350,167	349,720	337,877	339,469
Master (Group)	188,282	205,178	260,648	274,583
None Scheduled	76,302	112,331	158,165	173,830
Percent None	12%	17%	21%	22%

*The fiscal year ends on September 30; latest data for FY 2023 is at the end of Nov. 2022.

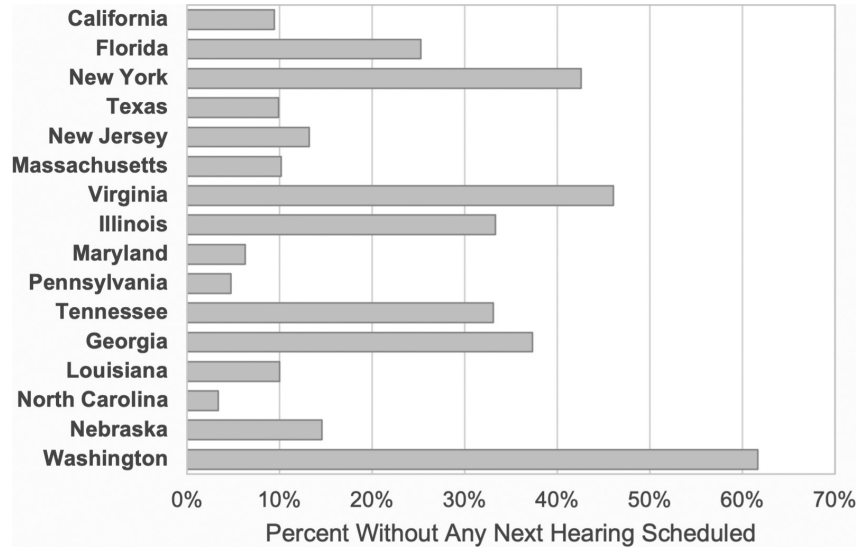
On the remaining 22 percent of asylum seekers waiting in the backlog, no hearing of either kind is currently scheduled. These don't tend to be newly arriving cases. Those without any scheduled hearing have already been waiting an average of 1,092 days, or 3 years.

The percentage of asylum seekers with no next hearing scheduled has grown. For example, during FY 2020 only 12 percent of cases in the backlog had no hearing scheduled as compared with 22 percent now. However, this percentage varies a great deal. Some courts with thousands in their backlog such as Michigan, Missouri, North Carolina, and Pennsylvania have hearings scheduled on 95 percent or more of their cases. In contrast, courts in New York, Virginia and Washington State had respectively 43%, 46%, and 62% of asylum cases without any currently scheduled hearings. For these, it appears they are avoiding scheduling hearings too far in advance. See *Figure 10* and *Table 10*.

Average wait times are of necessity based upon the recorded times of the next scheduled hearing for each case. Where many cases do not even have their asylum hearing scheduled, clearly the resulting estimate is a mere "guesstimate" at best.

Figure 10. No Scheduled Hearing by State in Current Pending Immigration Court Asylum Cases

No Scheduled Hearing in Pending Asylum Cases



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Table 10. Scheduled Hearings by State in Current Pending Immigration Court Asylum Cases, November 2022

State *	Scheduled Hearing			Percent None
	Individual	Master	None	
All	338,165	274,023	173,618	22%
Arizona	4,933	1,169	990	14%
California	87,309	28,329	12,037	9%
Colorado	1,598	1,876	3,795	52%
Connecticut	2,107	2,930	1,094	18%
Florida	22,774	62,640	28,876	25%
Georgia	2,049	7,044	5,452	37%
Hawaii	46	15	6	9%
Illinois	8,249	15,555	11,904	33%
Louisiana	8,625	4,011	1,420	10%
Maryland	10,022	10,252	1,354	6%
Massachusetts	18,210	22,015	4,556	10%
Michigan	3,217	687	197	5%
Minnesota	3,692	1,266	3,721	43%
Missouri	4,391	3,823	117	1%
Nebraska	3,446	7,065	1,794	15%
Nevada	2,701	1,131	1,899	33%
New Jersey	22,491	18,137	6,170	13%
New Mexico	0	0	0	—
New York	48,100	15,203	47,128	43%
North Carolina	5,180	7,950	454	3%
Ohio	5,781	1,313	1,562	18%
Oregon	4,179	1,254	699	11%
Pennsylvania	10,934	6,793	880	5%
Tennessee	5,207	5,417	5,254	33%
Texas	34,041	38,170	7,895	10%
Utah	3,702	1,305	712	12%
Virginia	11,816	7,454	16,455	46%

Table 10. Scheduled Hearings by State in Current Pending Immigration Court Asylum Cases, November 2022—Continued

State *	Scheduled Hearing			Percent None
	Individual	Master	None	
Washington	3,247	1,157	7,182	62%

*Not all states have Immigration Courts based in them.

Conclusion

In this report, TRAC examined half of the total (but likely undercounted) 1.6 million pending asylum applications, specifically the nearly 800,000 asylum applications in the Immigration Court backlog. Regardless of the many reasons for the growth in outstanding asylum applications, this large and growing number of applications has real consequences for the U.S. immigration system, for public and political discussion about asylum policy, and certainly for asylum seekers themselves. By taking a closer data-driven look at who is affected, where asylum cases are being heard, and how the Courts are processing these cases, TRAC hopes to provide a sober foundation for public understanding and debate.

TRAC is a nonpartisan, nonprofit data research center affiliated with the Newhouse School of Public Communications^[13] and the Whitman School of Management,^[14] both at Syracuse University.^[15] For more information, to subscribe, or to donate, contact trac@syr.edu or call 315-443-3563.

SUBMITTED STATUTE EXCERPT BY HON. ABIGAIL DAVIS SPANBERGER, A
REPRESENTATIVE IN CONGRESS FROM VIRGINIA

[<https://www.govinfo.gov/content/pkg/USCODE-2021-title7/pdf/USCODE-2021-title7-chap51-sec2015.pdf>]

United States Code, Title 7—Agriculture, Chapter 51—Supplemental Nutrition Assistance Program, Sec. 2015—Eligibility disqualifications

* * * * *

(e) Students

No individual who is a member of a household otherwise eligible to participate in the supplemental nutrition assistance program under this section shall be eligible to participate in the supplemental nutrition assistance program as a member of that or any other household if the individual is enrolled at least half-time in an institution of higher education, unless the individual—

- (1) is under age 18 or is age 50 or older;
- (2) is not physically or mentally fit;
- (3) is assigned to or placed in an institution of higher education through or in compliance with the requirements of—

(A) a program under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.];

(B) an employment and training program under this section, subject to the condition that the course or program of study—

(i) is part of a program of career and technical education (as defined in section 2302 of title 20) that may be completed in not more than 4 years at an institution of higher education (as defined in section 1002 of title 20); or

(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language;

(C) a program under section 2296 of title 19; or

(D) another program for the purpose of employment and training operated by a state or local government, as determined to be appropriate by the Secretary;

^[13]<http://newhouse.syr.edu/>.

^[14]<http://whitman.syr.edu/>.

^[15]<http://www.syr.edu/>.

(4) is employed a minimum of 20 hours per week or participating in a state or federally financed work study program during the regular school year;

(5) is—

(A) a parent with responsibility for the care of a dependent child under age 6; or

(B) a parent with responsibility for the care of a dependent child above the age of 5 and under the age of 12 for whom adequate child care is not available to enable the individual to attend class and satisfy the requirements of paragraph (4);

(6) is receiving benefits under a state program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

(7) is so enrolled as a result of participation in the work incentive program under title IV of the Social Security Act [42 U.S.C. 601 et seq.] or its successor programs; or

(8) is enrolled full-time in an institution of higher education, as determined by the institution, and is a single parent with responsibility for the care of a dependent child under age 12.

* * * * *

(o) Work requirement

(1) “Work program” defined

In this subsection, the term “work program” means—

(A) a program under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.];

(B) a program under section 2296 of title 19;

(C) a program of employment and training operated or supervised by a state or political subdivision of a state that meets standards approved by the Governor of the state, including a program under subsection (d)(4), other than a supervised job search program or job search training program;

(D) a program of employment and training for veterans operated by the Department of Labor or the Department of Veterans Affairs, and approved by the Secretary; and

(E) a workforce partnership under subsection (d)(4)(N).

(2) Work requirement

Subject to the other provisions of this subsection, no individual shall be eligible to participate in the supplemental nutrition assistance program as a member of any household if, during the preceding 36 month period, the individual received supplemental nutrition assistance program benefits for not less than 3 months (consecutive or otherwise) during which the individual did not—

(A) work 20 hours or more per week, averaged monthly;

(B) participate in and comply with the requirements of a work program for 20 hours or more per week, as determined by the state agency;

(C) participate in and comply with the requirements of a program under section 2029 of this title or a comparable program established by a state or political subdivision of a state; or

(D) receive benefits pursuant to paragraph (3), (4), (5), or (6).

(3) Exception

Paragraph (2) shall not apply to an individual if the individual is—

(A) under 18 or over 50 years of age;

(B) medically certified as physically or mentally unfit for employment;

(C) a parent or other member of a household with responsibility for a dependent child;

(D) otherwise exempt under subsection (d)(2); or

(E) a pregnant woman.

(4) Waiver

(A) In general

On the request of a state agency and with the support of the chief executive officer of the state, the Secretary may waive the applicability of paragraph (2) to any group of individuals in the state if the Secretary makes a determination that the area in which the individuals reside—

(i) has an unemployment rate of over 10 percent; or

(ii) does not have a sufficient number of jobs to provide employment for the individuals.

(B) Report

The Secretary shall report the basis for a waiver under subparagraph (A) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(5) Subsequent eligibility

(A) Regaining eligibility

An individual denied eligibility under paragraph (2) shall regain eligibility to participate in the supplemental nutrition assistance program if, during a 30 day period, the individual—

- (i) works 80 or more hours;
- (ii) participates in and complies with the requirements of a work program for 80 or more hours, as determined by a state agency; or
- (iii) participates in and complies with the requirements of a program under section 2029 of this title or a comparable program established by a state or political subdivision of a state.

(B) Maintaining eligibility

An individual who regains eligibility under subparagraph (A) shall remain eligible as long as the individual meets the requirements of subparagraph (A), (B), or (C) of paragraph (2).

(C) Loss of employment

(i) In general

An individual who regained eligibility under subparagraph (A) and who no longer meets the requirements of subparagraph (A), (B), or (C) of paragraph (2) shall remain eligible for a consecutive 3 month period, beginning on the date the individual first notifies the state agency that the individual no longer meets the requirements of subparagraph (A), (B), or (C) of paragraph (2).

(ii) Limitation

An individual shall not receive any benefits pursuant to clause (i) for more than a single 3 month period in any 36 month period.

(6) Exemptions

(A) Definitions

In this paragraph:

(i) Caseload

The term “caseload” means the average monthly number of individuals receiving supplemental nutrition assistance program benefits during the 12 month period ending the preceding June 30.

(ii) Covered individual

The term “covered individual” means a member of a household that receives supplemental nutrition assistance program benefits, or an individual denied eligibility for supplemental nutrition assistance program benefits solely due to paragraph (2), who—

- (I) is not eligible for an exception under paragraph (3);
- (II) does not reside in an area covered by a waiver granted under paragraph (4);
- (III) is not complying with subparagraph (A), (B), or (C) of paragraph (2);
- (IV) is not receiving supplemental nutrition assistance program benefits during the 3 months of eligibility provided under paragraph (2); and
- (V) is not receiving supplemental nutrition assistance program benefits under paragraph (5).

(B) General rule

Subject to subparagraphs (C) through (H), a state agency may provide an exemption from the requirements of paragraph (2) for covered individuals.

(C) Fiscal year 1998

Subject to subparagraphs (F) and (H), for fiscal year 1998, a state agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 15 percent of the number of covered individuals in the state in fiscal year 1998, as estimated by the Secretary, based on the survey conducted to carry out section 2025(c) of this title for fiscal year 1996 and such other factors as the Secretary considers appropriate due to the timing and limitations of the survey.

(D) Fiscal years 1999 through 2019

Subject to subparagraphs (F) through (H), for fiscal year 1999 and each subsequent fiscal year through fiscal year 2019, a state agency may provide a number of exemptions such that the average monthly number of the exemptions in effect during the fiscal year does not exceed 15 percent of the number of covered individuals in the state, as estimated by the Secretary under subparagraph (C), adjusted by the Secretary to reflect changes in the state's caseload and the Secretary's estimate of changes in the proportion of members of households that receive supplemental nutrition assistance program benefits covered by waivers granted under paragraph (4).

(E) Subsequent fiscal years

Subject to subparagraphs (F) through (H), for Fiscal Year 2020 and each subsequent fiscal year, a state agency may provide a number of exemptions such that the average monthly number of exemptions in effect during the fiscal year does not exceed 12 percent of the number of covered individuals in the state, as estimated by the Secretary under subparagraph (C), adjusted by the Secretary to reflect changes in the state's caseload and the Secretary's estimate of changes in the proportion of members of households that receive supplemental nutrition assistance program benefits covered by waivers granted under paragraph (4).

(F) Caseload adjustments

The Secretary shall adjust the number of individuals estimated for a state under subparagraph (C), (D), or (E) during a fiscal year if the number of members of households that receive supplemental nutrition assistance program benefits in the state varies from the state's caseload by more than 10 percent, as determined by the Secretary.

(G) Exemption adjustments

During fiscal year 1999 and each subsequent fiscal year, the Secretary shall increase or decrease the number of individuals who may be granted an exemption by a state agency under this paragraph to the extent that the average monthly number of exemptions in effect in the state for the preceding fiscal year under this paragraph is lesser or greater than the average monthly number of exemptions estimated for the state agency for such preceding fiscal year under this paragraph.

(H) Reporting requirement

A state agency shall submit such reports to the Secretary as the Secretary determines are necessary to ensure compliance with this paragraph.

(7) Other program rules

Nothing in this subsection shall make an individual eligible for benefits under this chapter if the individual is not otherwise eligible for benefits under the other provisions of this chapter.

* * * * *

(Pub. L. 88-525, § 6, Aug. 31, 1964, 78 Stat. 704; Pub. L. 94-339, § 3, July 5, 1976, 90 Stat. 800; Pub. L. 95-113, title XIII, § 1301, Sept. 29, 1977, 91 Stat. 964; Pub. L. 96-58, §§ 5, 9, Aug. 14, 1979, 93 Stat. 391, 392; Pub. L. 96-249, title 1, § 109,

110, 114, 115, 139, 140, May 26, 1980, 94 Stat. 359, 361, 370; Pub. L. 97-35, title I, §§ 108(b), (c), 109, 112, Aug. 13, 1981, 95 Stat. 361, 362; Pub. L. 97-98, title XIII, §§ 1310, 1311, Dec. 22, 1981, 95 Stat. 1284, 1285; Pub. L. 97-253, title I, §§ 145(e), 154-161, 189(b)(1), 190(a), (b), Sept. 8, 1982, 96 Stat. 774, 777, 778, 787; Pub. L. 98-204, §§ 5, 6, Dec. 2, 1983, 97 Stat. 1385, 1386; Pub. L. 99-198, title XV, §§ 1513(b), 1516, 1517(a), Dec. 23, 1985, 99 Stat. 1571-1573; Pub. L. 100-435, title II, § 202(b), (c), title IV, § 404(a)-(d), Sept. 19, 1988, 102 Stat. 1656, 1665-1667; Pub. L. 101-624, title XVII, §§ 1723-1726(b)(1), (c), (d), 1727, Nov. 28, 1990, 104 Stat. 3786-3788; Pub. L. 102-237, title IX, §§ 907, 941(3), Dec. 13, 1991, 105 Stat. 1885, 1892; Pub. L. 103-66, title XIII, §§ 13922(b), 13942, Aug. 10, 1993, 107 Stat. 675, 677; Pub. L. 103-225, title I, §§ 101(a), 104(b), Mar. 25, 1994, 108 Stat. 106, 107; Pub. L. 103-296, title I, § 108(f)(1), (2), Aug. 15, 1994, 108 Stat. 1486, 1487; Pub. L. 104-193, title I, § 109(b), title VIII, §§ 813-815(a), 816, 817(a), 818, 819(a), (c), 820-824(a), Aug. 22, 1996, 110 Stat. 2169, 2314, 2315, 2318, 2320-2323; Pub. L. 104-208, div. C, title III, § 308(g)(7)(D)(i), Sept. 30, 1996, 110 Stat. 3009-624; Pub. L. 105-33, title I, § 1001, Aug. 5, 1997, 111 Stat. 251; Pub. L. 105-277, div. A, § 101(f) [title VIII, § 405(d)(2)(B), (f)(2)(B)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-418, 2681-429; Pub. L. 107-171, title IV, §§ 4109, 4115(b)(2), 4121(c), May 13, 2002, 116 Stat. 309, 315, 324; Pub. L. 110-234, title IV, §§ 4001(b), 4002(a)(3), 4105, 4108, 4112, 4115(b)(4), 4131, May 22, 2008, 122 Stat. 1092, 1101, 1102, 1106, 1114; Pub. L. 110-246, § 4(a), title IV, §§ 4001(b), 4002(a)(3), 4105, 4108, 4112, 4115(b)(4), 4131, June 18, 2008, 122 Stat. 1664, 1853, 1862-1864, 1868, 1875; Pub. L. 113-79, title IV, §§ 4007, 4008(a), 4009(a), 4030(d), Feb. 7, 2014, 128 Stat. 787-789, 814; Pub. L. 113-128, title V, § 512(1)(2), July 22, 2014, 128 Stat. 1709; Pub. L. 115-334, title IV, § 4005(a), (b), Dec. 20, 2018, 132 Stat. 4627-4631.)

Editorial Notes

REFERENCES IN TEXT

The Social Security Act, referred to in subsecs. (c)(3), (5), (d)(1)(D)(iii)(II), (2), (4)(I)(i)(II), (K), (e)(6), (7), (g), (i)(2), (1)(1), (3), (m), and (n)(2)(B), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, which is classified generally to chapter 7 (§ 301 et seq.) of Title 42, The Public Health and Welfare. Part D of title IV of the Act is classified generally to part D (§ 651 et seq.) of subchapter IV of chapter 7 of Title 42. Title IV-A of the Act (part A of title IV) is classified generally to part A (§ 601 et seq.) of subchapter IV of chapter 7 of Title 42. Titles IV and XVI of the Social Security Act are classified generally to subchapters IV (§ 601 et seq.) and XVI (§ 1381 et seq.), respectively, of chapter 7 of Title 42. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The Fair Labor Standards Act of 1938, referred to in subsec. (d)(2), (4)(B)(ii)(I)(cc), (F)(i), is act June 25, 1938, ch. 676, 52 Stat. 1060, which is classified generally to chapter 8 (§ 201 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see section 201 of Title 29 and Tables.

The Workforce Innovation and Opportunity Act, referred to in subsecs. (d)(4)(M), (e)(3)(A), and (o)(1)(A), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425. Title I of the Act is classified generally to subchapter I (§ 3111 et seq.) of chapter 32 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

Section 212(a) of Pub. L. 93-66, referred to in subsec. (g), is Pub. L. 93-66, title II, § 212(a), July 9, 1973, 87 Stat. 155, which is set out as a note under section 1382 of Title 42, The Public Health and Welfare.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

* * * * *

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2014 AMENDMENTS

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

Amendment by section 4008(a) of Pub. L. 113-79 inapplicable to a conviction if the conviction is for conduct occurring on or before Feb. 7, 2014, see section 4008(c) of Pub. L. 113-79, set out as a note under section 2014 of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, except as otherwise provided, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of this title.

Amendment by sections 4001(b), 4002(a)(3), 4105, 4108, 4112, 4115(b)(4), and 4131 of Pub. L. 110–246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110–246, set out as a note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–171, title IV, § 4121(e), May 13, 2002, 116 Stat. 324, provided that: “The amendments made by this section [amending this section and section 2025 of this title] take effect on the date of enactment of this Act [May 13, 2002].”

Amendment by sections 4109, 4115(b)(2) of Pub. L. 107–171 effective Oct. 1, 2002, except as otherwise provided, see section 4405 of Pub. L. 107–171, set out as an Effective Date note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 101(f) [title VIII, § 405(d)(2)(B)] of Pub. L. 105–277 effective Oct. 21, 1998, and amendment by section 101(f) [title VIII, § 405(f)(2)(B)] of Pub. L. 105–277 effective July 1, 2000, see section 101(f) [title VIII, § 405(g)(1), (2)(B)] of Pub. L. 105–277, set out as a note under section 3502 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105–33, title I, § 1005(b), Aug. 5, 1997, 111 Stat. 257, provided that: “The amendments made by sections 1001 and 1002 [amending this section and section 2025 of this title] take effect on October 1, 1997, without regard to whether regulations have been promulgated to implement the amendments made by such sections.”

EFFECTIVE DATE OF 1996 AMENDMENTS

Amendment by Pub. L. 104–208 effective, with certain transitional provisions, on the first day of the first month beginning more than 180 days after Sept. 30, 1996, see section 309 of Pub. L. 104–208, set out as a note under section 1101 of Title 8, Aliens and Nationality.

Amendment by section 109(b) of Pub. L. 104–193 effective July 1, 1997, with transition rules relating to state options to accelerate such date, rules relating to claims, actions, and proceedings commenced before such date, rules relating to closing out of accounts for terminated or substantially modified programs and continuance in office of Assistant Secretary for Family Support, and provisions relating to termination of entitlement under AFDC program, see section 116 of Pub. L. 104–193, as amended, set out as an Effective Date note under section 601 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–296 effective Mar. 31, 1995, see section 110(a) of Pub. L. 103–296, set out as a note under section 401 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–66 effective, and to be implemented beginning on, Sept. 1, 1994, see section 13971(b)(4) of Pub. L. 103–66, set out as a note under section 2025 of this title.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by section 908 [probably should be 907] of Pub. L. 102–237 effective Sept. 30, 1991, and amendment by section 941(3) of Pub. L. 102–237 effective and to be implemented no later than Feb. 1, 1992, see section 1101(d)(1), (3) of Pub. L. 102–237, set out as a note under section 1421 of this title.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–624 effective and implemented first day of month beginning 120 days after publication of implementing regulations to be promulgated not later than Oct. 1, 1991, see section 1781(a) of Pub. L. 101–624, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by sections 202(b), (c) and 404(a)(2)–(4), (b), (d) of Pub. L. 100–435 to be effective and implemented on Oct. 1, 1988, and amendment by section 404(a)(1), (c) of Pub. L. 100–435 to be effective and implemented on July 1, 1989,

except that amendment by section 404 of Pub. L. 100-435 to become effective and implemented on Oct. 1, 1989, if final order is issued under section 902(b) of Title 2, The Congress, for fiscal year 1989 making reductions and sequestrations specified in the report required under section 901(a)(3)(A) of Title 2, see section 701(a), (b)(4), (c)(2) of Pub. L. 100-435, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-253 effective Sept. 8, 1982, see section 193(a) of Pub. L. 97-253, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1981 AMENDMENTS

Amendment by Pub. L. 97-35, except section 108(c) of Pub. L. 97-35 (which amended this section), effective on earlier of Sept. 8, 1982, or date such amendment became effective pursuant to section 117 of Pub. L. 97-35, set out as a note under section 2012 of this title, see section 192(a) of Pub. L. 97-253, set out as a note under section 2012 of this title.

Amendment by Pub. L. 97-98 effective on earlier of Sept. 8, 1982, or date such amendment became effective pursuant to section 1338 of Pub. L. 97-98, set out as a note under section 2012 of this title. See section 192(b) of Pub. L. 97-253, set out as a note under section 2012 of this title.

Amendment by Pub. L. 97-98 effective upon such date as Secretary of Agriculture may prescribe, taking into account need for orderly implementation, see section 1338 of Pub. L. 97-98, set out as a note under section 2012 of this title.

Amendments by Pub. L. 97-35, except for amendment made by section 108(c) of Pub. L. 97-35, effective and implemented upon such dates as Secretary of Agriculture may prescribe, taking into account need for orderly implementation, see section 117 of Pub. L. 97-35, set out as a note under section 2012 of this title.

Pub. L. 97-35, title I, § 108(c), Aug. 13, 1981, 95 Stat. 361, provided that the amendment made by section 108(c) is effective Oct. 1, 1983.

EFFECTIVE DATE OF 1979 AMENDMENT

Secretary of Agriculture to issue final regulations implementing the amendment of subsec. (b) of this section by Pub. L. 96-58 within 150 days after Aug. 14, 1979, see section 10(b) of Pub. L. 96-58, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-113, title XIII, § 1301, Sept. 29, 1977, 91 Stat. 958, provided that the amendment made by section 1301 is effective Oct. 1, 1977.

REGULATIONS

Pub. L. 105-33, title I, § 1005(a), Aug. 5, 1997, 111 Stat. 257, provided that: "Not later than 1 year after the date of enactment of this Act [Aug. 5, 1997], the Secretary of Agriculture shall promulgate such regulations as are necessary to implement the amendments made by this title [amending this section and sections 2020 and 2025 of this title]."

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

TRANSITION PROVISION FOR WORK REQUIREMENT

Pub. L. 104-193, title VIII, § 824(b), Aug. 22, 1996, 110 Stat. 2324, provided that: "The term 'preceding 36 month period' in section 6(o) of the Food Stamp Act of 1977 [now the Food and Nutrition Act of 2008, 7 U.S.C. 2015(o)], as added by subsection (a), does not include, with respect to a state, any period before the earlier of—

"(1) the date the state notifies recipients of food stamp benefits of the application of section 6(o); or

"(2) the date that is 3 months after the date of enactment of this Act [Aug. 22, 1996]."

EXEMPTION FROM MONTHLY REPORTING SYSTEMS FOR HOUSEHOLDS RESIDING ON INDIAN RESERVATIONS

Pub. L. 102-237, title IX, § 908(a)(2), Dec. 13, 1991, 105 Stat. 1886, as amended by Pub. L. 103-11, § 1, Apr. 1, 1993, 107 Stat. 41; Pub. L. 103-205, § 1, Dec. 17, 1993, 107 Stat. 2418, provided that no state agency be required to exempt households residing on Indian reservations from food stamp program monthly reporting systems until Mar. 15, 1994, and directed Secretary of Agriculture to issue final reg-

ulations requiring exemption of households residing on Indian reservations from food stamp program monthly reporting systems no later than Dec. 1, 1992, prior to repeal by Pub. L. 103–225, title I, § 104(a), Mar. 25, 1994, 108 Stat. 107.

MANDATORY MONTHLY REPORTING—RETROSPECTIVE BUDGETING FOR FOOD STAMP PROGRAM; PROHIBITION

Pub. L. 98–107, § 101(b), Oct. 1, 1983, 97 Stat. 735, provided in part that no part of any of the funds appropriated or otherwise made available by Pub. L. 98–107 or any other Act could be used to implement mandatory monthly reporting—retrospective budgeting for the food stamp program during the first 3 months of the fiscal year ending Sept. 30, 1984.

SUBMITTED LETTER BY HON. ANDREA SALINAS, A REPRESENTATIVE IN CONGRESS FROM OREGON; ON BEHALF OF MARC EGAN, DIRECTOR OF GOVERNMENT RELATIONS, NATIONAL EDUCATION ASSOCIATION

June 6, 2023

Committee on Agriculture
U.S. House of Representatives
Washington, D.C.

Dear Representative:

On behalf of the three million members of the National Education Association, who teach and support nearly 50 million students in public schools across America, thank you for holding this hearing, “Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV.” We submit these comments for the record.

NEA members are teachers and education support professionals in 14,000 communities nationwide. They know firsthand that hungry students cannot focus on learning. The Fiscal Responsibility Act of 2023 included additional work requirements that place *750,000 adults at risk of losing food assistance*,^{1*} according to the Center on Budget and Policy Priorities (CBPP), placing their families at higher risk for food insecurity as well. Therefore, it is essential that you take steps to protect and strengthen SNAP, our nation’s largest Federal food assistance program and the first line of defense against childhood hunger.

Approximately $\frac{2}{3}$ of SNAP households include a child, an older person, or an individual with a disability, *according to the CBPP*.² Millions of working-age SNAP recipients already work; in fact, a Government Accountability Office analysis of employment data from 11 states found that *70 percent of adult SNAP recipients hold at least one job*.³ SNAP serves a crucial role in the lives of these workers, who sometimes hold multiple, low-paying jobs with unreliable hours and scant benefits, or no benefits at all. For them, any unexpected expense, health crisis, or other unforeseen emergency could force a choice between buying groceries, or paying a bill. Among these SNAP recipients are approximately ten percent of education support professionals and approximately 16 percent of the school food professionals who serve students healthy meals.

By providing monthly benefits to eligible low-income individuals, SNAP is crucial in reducing hunger, malnutrition, and poverty, enhancing families’ overall sense of security, and improving child and adult health. Children living in SNAP households are automatically certified to receive free school meals, which help fight hunger and promote student health and lead to greater student growth, development, and learning. But, given the expiration of both USDA waivers for free school meals for all students and emergency SNAP allotments, many more children and families are experiencing hunger. Congress must make SNAP benefits more robust so that children can have healthy meals not only at home, but also at school.

NEA members urge you to enhance Title IV and SNAP benefits by:

Ensuring that benefits reflect the economic hardships families and individuals face. SNAP benefits should be based on the **Low-Cost Food Plan**, which better aligns with household costs, permits greater food variety, and supports healthier diets than the Thrifty Food Plan (TFP). TFP is based on premises that

¹ <https://www.cbpp.org/research/food-assistance/debt-ceiling-agreements-snap-changes-would-increase-hunger-and-poverty-for>.†

* **Editor’s note:** references annotated with † are retained in Committee file.

² <https://www.cbpp.org/research/food-assistance/the-supplemental-nutrition-assistance-program-snap>.†

³ <https://www.gao.gov/products/gao-21-45>.†

do not hold true for all families and individuals, such as the assumption that everyone has access to full-service grocery stores that carry fresh produce and whole-grain products. The TFP also assumes healthier foods are affordable and similarly priced across the country, but these foods are often more costly than foods that are higher in sodium and sugar, and therefore less healthy.

Removing the shelter deduction cap. The current shelter deduction cap of \$623 is a fraction of the actual \$2,000 cost of median rent. This arbitrary cap does not capture the rising cost of housing and penalizes families and individuals for our current runaway housing market. Removing the shelter deduction cap will allow families to spend more on food.

Eliminating the time limits on SNAP eligibility. People who are unemployed and underemployed should not be penalized for being unable to document sufficient hours of work each month.

Enacting a standard medical-expense deduction. A standard medical deduction of at least \$140 would increase recipients' monthly benefit. Currently, only 12 percent of households that are eligible for the medical deduction claim it, despite the high out-of-pocket medical costs many SNAP families face.

Extending SNAP benefits to college students. Recent studies estimate that as many as 50 percent of college students⁴ have experienced food insecurity, and fewer than 40 percent earn a certificate or degree within 6 years. The rising cost of education, housing, and food is not only pushing more college students into food insecurity; it makes finishing college, achieving self-sufficiency, and entering the workforce more difficult and time-consuming. Removing the overly burdensome work-study and minimum employment requirements on college students would put them on equal footing with other eligible SNAP participants.

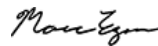
Strengthening food and nutrition security in our most vulnerable communities. One in four Native Americans experiences food insecurity compared to one in nine Americans overall, according to *Feeding America*.⁵ Currently, individuals who receive benefits from the Food Distribution Program on Indian Reservations (FDPIR) cannot also use SNAP benefits within the same month. Congress can address this gap in services by:

- Permitting the simultaneous use of SNAP and FDPIR;
- Allowing Tribal nations to administer SNAP by granting the USDA Food and Nutrition Service (FNS) the requisite 638 authority; and
- Increasing funding to expand FDPIR's self-determination projects.

Granting SNAP assistance to parents with prior drug-related felony convictions. Parents with drug-related felony convictions have paid their dues; they should not be "doubly punished" by being denied assistance to get back on their feet. Meeting their basic food needs with SNAP benefits will help position them—and their children—for success.

Students' opportunity to thrive should not be limited because they lack the nourishment needed for healthy development. All students deserve the support to learn, and having access to robust SNAP benefits will create the conditions for academic engagement and achievement. We urge you to support a strong nutrition Title IV in farm bill negotiations.

Sincerely,



MARC EGAN,
Director of Government Relations,
National Education Association.

SUBMITTED STATEMENT BY HON. DONALD G. DAVIS, A REPRESENTATIVE IN CONGRESS FROM NORTH CAROLINA; ON BEHALF OF MAZON: A JEWISH RESPONSE TO HUNGER

Chairman Thompson, Ranking Member Scott, and distinguished Members of the Committee, thank you for the opportunity to share this statement for the record from MAZON: A Jewish Response to Hunger for this hearing on opportunities for modernization in Title IV in the farm bill.

⁴<https://drexel.edu/hunger-free-center/news-events/voices-blog/2021/December/college-student-food-insecurity/>.†

⁵<https://hungerandhealth.feedingamerica.org/2020/11/november-native-american-heritage-month/>.†

Inspired by Jewish values and ideals, MAZON: A Jewish Response to Hunger is a national organization fighting to end hunger among people of all faiths and backgrounds in the United States and Israel. MAZON is not just a Jewish response to hunger, it is the *the* Jewish response to hunger. In Jewish tradition—and across all faith traditions—there is a fundamental value of taking care of the most vulnerable among us. In Leviticus, we are commanded to leave the corners of our fields and the gleanings of our harvest and vineyards for the poor and the stranger. This commandment is a clear expression of our collective responsibility for each other. It reminds us that we are not to judge those who are poor, nor should we assume to know the circumstances of their lives. Its wisdom respects the dignity of every human being, all created in the image of God, by empowering individuals to decide what they need, not presuming to know what is best for them.

When he founded MAZON in 1985, Leibel Fein (of blessed memory) posed challenging questions that drew upon Jewish texts and traditions and envisioned the possibilities for the Federal Government in fulfilling our collective responsibility to address hunger in the United States:

“Can we move from the language of kindness to the language of justice? Can we move from philanthropic sensibility to political commitment? MAZON’s work is a step. It moves us from indifference to charity, but the question is whether we can then be moved from charity to advocacy, thence to policy?”

Leibel’s questions remain relevant and urgent today as Congress takes up the farm bill reauthorization. We will never “food bank” our way to an end of hunger. Responsibility for addressing this far-reaching and preventable crisis cannot be abdicated by the Federal Government and passed off to a charitable sector that does not have the capacity nor the purview to achieve the necessary systemic changes and fully address the problem. Regardless of a person’s circumstance, no one deserves to be hungry.

This hearing takes place in the wake of proposals by some in Congress to make cuts to the Supplemental Nutrition Assistance Program (SNAP) and other safety net programs in the name of deficit reduction and as a bargaining chip to raise the debt ceiling and avoid catastrophic default. There is a stark moral deficit in such ideologically driven proposals made on the backs of low-income Americans. Our country and our leaders should be held accountable for how they treat those in need. It is reprehensible that some politicians and pundits continue to perpetuate harmful stereotypes and place blame on the very people who face challenges.

We must prioritize policy solutions that reduce hunger and hardship rather than policies that exacerbate stigma and struggle. The farm bill reauthorization presents a meaningful and timely opportunity to reinforce our collective values and strengthen our nation through fair, just, and compassionate policies that fulfill our collective responsibility for each other and provide life-saving support for those who struggle with hunger. This is rightly the role and responsibility of the Federal Government.

The rhetoric employed in recent weeks by some in Congress and the media has been incredibly problematic and harmful. Speaking about a safety net program as a work program, repeating myths and misinformation about SNAP participants, and calling into question who is “deserving” of assistance to justify restrictions and cuts leads to dangerous consequences. It hurts veterans and others by reinforcing negative stereotypes and adding to the stigma that limits SNAP participation. It hurts older adults on fixed incomes. It hurts families living paycheck to paycheck. It hurts women and people of color, who disproportionately endure hunger and poverty. And this mean-spirited and ideological agenda hurts us all—because food insecurity is devastating at a personal level and costly for our society.

MAZON was disappointed both in the process and policy outcome of the debt ceiling negotiations, and we remain deeply concerned about how these will impact the farm bill. Regarding process, raising the debt ceiling should be separate from important decisions around budget and appropriations. It was irresponsible to bring our country dangerously close to the brink of default and make policy changes that should have been considered in a different context.

We have observed the carefully guarded policy of the House Committee on Agriculture over the years not to “reopen the farm bill” out of cycle for legislative changes and matters within its scope. The Committee violated this principle by allowing statutory changes to SNAP to be included in the debt ceiling negotiations. This choice sets a concerning precedent and raises questions about the integrity and future actions of the Committee. Does this signal that the Committee will now be amenable to other policy changes that would normally be taken up in the farm bill cycle? Will this include changes to agriculture policy and other matters under its jurisdiction, or does this only apply to programs that serve low-income Americans? Will the Committee now be open to considering legislation outside of the farm bill

to make improvements to nutrition assistance programs and help remove barriers to accessing them?

In terms of the policy outcome, MAZON was disappointed that the Committee went along with the choice to cut Federal spending on the backs of those facing food insecurity in America. SNAP is our nation's most powerful anti-hunger program. SNAP is not a work program. It never was and it never should be. It is a safety net for those who fall on hard times and need help to put food on the table. We know historically from repeated studies that work requirements simply do not work. The overwhelming body of peer-reviewed research and respected analysis reflect that work requirements do not lead to long-term increases in earnings or employment outcomes. Instead, they reduce program participation by design, which increases hunger and hardship. This devastating impact will be felt more acutely by certain populations, such as older women who will now be subjected to arbitrary time limits for SNAP while they continue to face great challenges in securing stable employment.

Not only will expanding work requirements for SNAP be ineffective, but this policy change signifies a historic and stunning shift in the definition of SNAP as a social safety net program—from decades of a values-based perspective to one that bends to political winds. This change, and the misguided rhetoric wielded to justify it, will exacerbate the stigma around SNAP that contributes to under-participation by millions of Americans who need the assistance. The judgments, stereotypes, and misinformed policy priorities for SNAP in the debt ceiling negotiations will create real harm for low-income Americans who struggle with food insecurity and for the farm bill process.

The bottom line is that SNAP and other Federal nutrition assistance programs ensure that people can feed themselves and their families with dignity and choice, rather than forcing them to seek emergency assistance from an overwhelmed charitable sector. This Committee should use its power and leadership to ensure that Federal programs work as effectively as possible and reach all those in need of assistance to reduce food insecurity in this country. We fear that recent actions may result in the opposite, with more people falling through the cracks and struggling with food insecurity.

MAZON is committed to shining a spotlight on issues and populations where the government and larger organizations have yet to turn their focus. Blanket solutions cannot meet the needs of every community, and our special focus has been pivotal to help remove the unique policy barriers that overlooked and challenged communities face in accessing adequate, nutritious food. These populations include currently serving military families, veterans, Indigenous communities, the people of Puerto Rico and the territories, single mothers, and LGBTQ+ older adults.

The farm bill is one of the most transformational pieces of legislation that Congress regularly reauthorizes. In addition to authorizing SNAP and other Federal nutrition programs that serve tens of millions of Americans each year, the farm bill presents a unique opportunity to advance long-overdue policy solutions to the food security challenges of many of the aforementioned populations.

In addition to the statement above that re-centers consideration of Title IV programs outside of the misguided, disingenuous, and cruel campaign to expand so-called work requirements to Federal safety net programs, MAZON is resharing our farm bill priorities below, which were submitted in our statement for a previous Committee hearing.

Hunger in the United States, the wealthiest country in the world, is far too pervasive. And sadly, this crisis is preventable, but for the lack of the political will to realize the true sense of collective responsibility that is interwoven in the fabric of the American experiment. MAZON's farm bill priorities cover the needs of millions of Americans who routinely fall through the cracks and face barriers to receiving the vital food assistance to which they are entitled. Rather than imposing new barriers and restricting access to critical nutrition assistance programs, this Committee must take seriously its central responsibility to ensure that those who struggle with food insecurity have access to affordable, nutritious food.

The farm bill must protect against hunger by strengthening and improving SNAP and other essential Federal nutrition assistance programs and remove barriers for struggling individuals and families; and increase access to affordable, nutritious food for vulnerable populations to support good nutrition and health. We urge you to reflect on our shared values, explore effective policy solutions, and act with compassion and humanity toward those among us experiencing hardship who need assistance. As such, the next farm bill must:

Protect and Strengthen the Supplemental Nutrition Assistance Program (SNAP) and Other Federal Nutrition Programs

- Maintain the update to the Thrifty Food Plan benefit and explore transition to more adequate benefit levels, including shifting to the Low-Cost Food Plan as the basis for SNAP benefit allotments.
- Prevent the reinstatement of harmful and ineffective work requirements/time limits for able-bodied adults without dependents or “ABAWDs.”
- Streamline client access and eligibility standards for individuals seeking to benefit from The Emergency Food Assistance Program (TEFAP).

Promote Food Security Among Active-Duty Military Families

- Eliminate the barrier to SNAP for low-income military families by excluding the Basic Allowance for Housing as counted income.

Address Food Insecurity Among Veterans

- Lower the VA disability rating required for veterans for SNAP purposes.
- Support veteran access to affordable healthy foods and expand veteran farmers market nutrition programs and produce prescription programs through the Gus Schumacher Nutrition Incentive Program (GusNIP).
- Establish a veteran food security grant program open to states, Tribal Nations, and territories, and formalize the establishment of the Office of Veteran Food Security at the VA.
- Establish a transition assistance pilot program to support low-income military families as they separate from the Service and begin the transition back to civilian life.

Empower Tribal Food Sovereignty and Address Food Insecurity in Indian Country

- Empower Tribal Nations to self-administer SNAP, the Food Distribution Program on Indian Reservations (FDPIR), and The Emergency Food Assistance Program (TEFAP) using Section 638 authority, if they choose to do so.
- Eliminate the prohibition on dual participation in SNAP and FDPIR.
- Allow Tribal eligibility for SNAP-Ed funds.
- Enable more Native-produced and culturally appropriate foods to be purchased as part of FDPIR, CSFP, and TEFAP, and CSFP and expand the traditional foods pilot program under FDPIR.

Improve Equity and Food Security for the People of Puerto Rico

- Authorize plan for transition for Puerto Rico from the block-granted and inadequate Nutrition Assistance Program (NAP) back into SNAP.

Remove Barriers to SNAP for Single Mothers

- Eliminate the state option in effect in several states that requires SNAP applicants to comply with state child support authorities.

Improve Nutrition Support for LGBTQ+ Older Adults

- Expand SNAP access and participation for LGBTQ+ older adults through targeted outreach and develop innovative approaches to strengthen nutritional support for this community, including an understanding of and response to the nutritional needs of those aging with HIV or AIDS.

MAZON urges the House Committee on Agriculture to strengthen and improve Federal nutrition programs in the 2023 Farm Bill process and ensure that in this land of plenty, there is plenty for all to eat. We stand ready with expertise, passion, and resolve to work together to achieve a farm bill that endeavors to end hunger in the United States.

SUBMITTED LETTER BY HON. SALUD O. CARBAJAL, A REPRESENTATIVE IN CONGRESS FROM CALIFORNIA; ON BEHALF OF STEPHANIE JOHNSON, RDN, VICE PRESIDENT, GOVERNMENT RELATIONS, NATIONAL GROCERS ASSOCIATION

June 7, 2023

The National Grocers Association (NGA) writes to provide a statement for the record for the U.S. House Committee on Agriculture hearing titled, “Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV.” We request that all Members publicly oppose any efforts that increase the administra-

tive costs and retailer burden of SNAP by restricting what families can purchase in the grocery store.

NGA is the national trade association representing retail and wholesale grocers that comprise the independent sector of the food retail and distribution industry. An independent community grocer is a privately owned or controlled food retail company operating in a variety of formats. Independents are the true “entrepreneurs” of the grocery industry and dedicated to their customers, associates, and communities. Much of NGA’s membership is comprised of family-owned and family-operated small businesses. Nearly ½ of NGA’s members are single-store operators, and another ¼ operate less than five stores. Independent retail and wholesale grocers are an important part of America’s economy. Independent community grocers account for 33% of all grocery sales, exceeding \$250 billion, and more than 1.1 million American jobs. We are inherently tied to the strength and vitality of the markets we serve—at the heart of local communities and the U.S. economy. According to USDA Economic Research Service (ERS) analysis, independents tend to locate in the rural, low-income and underserved areas providing critical food access to Americans who would otherwise live in a food desert. Having often been in the business for generations, independent grocers are dedicated to their customers, associates, and communities.

Federal nutrition programs are an important resource to struggling families and independent grocery stores are an indispensable partner in these programs. Retailers take pride in participating in the SNAP program to support their communities and local families in need. Independent grocers are committed to advancing access to healthy food in an equitable manner and maintaining SNAP choice is critical to those efforts.

SNAP is a shining example of a public-private partnership. In 2020, SNAP was responsible for nearly 200,000 U.S. grocery industry jobs earning wages totaling more than \$6.7 billion. SNAP not only works as it is intended but it also features one of the lowest error rates of any Federal program in existence. Independent community grocers are a key private partner with the Federal Government to administer SNAP and the program is critical to the health of local communities.

One of the many reasons this program is successful is the ease of processing SNAP transactions for retailers and beneficiaries who can make their own decisions about which food items to purchase for their household. This choice ensures families can shop with the same dignity as any other grocery customer. Ill-conceived proposals to restrict the choices of SNAP participants would turn this efficient and effective program into an untested public health intervention overrun by bureaucracy.

Restricting the choices of SNAP customers to items approved by the USDA will increase program implementation costs for the government and discourage business participation in the program. The government will need to categorize more than 600,000 products and thousands more each year to create and maintain a food code to determine what foods can be purchased with SNAP. Grocery store cashiers will become the food police telling parents what they can and cannot feed their families.

Restricting SNAP choice will not create meaningful public health outcomes. The diet of an individual on SNAP is not significantly different than the average American diet. To improve public health, nutrition incentives are more effective and can be targeted to high need communities. Additionally, most SNAP transactions are split tender, meaning they are partially paid for out of pocket. Foods not allowed on the program will just be moved to out-of-pocket purchases and not change an individual’s purchasing habits.

The current flexibility is key to the program’s success. The dietary needs of the SNAP population are diverse and no one diet would be appropriate for all participants leading to the need for different meal plans and nutrition counseling for each participating in turn increasing the cost of the program. SNAP choice allows the program to remain flexible during a supply chain shortage and declared emergencies. Restrictions would limit the program’s ability to react to the changing needs of the community.

Additionally, NGA strongly opposes the collection of retailer-specific basket-level purchasing data. Collection of such data would impose a significant burden on small businesses with no benefit to the government. USDA has already collected troves of data from third-party data collecting agencies on the purchasing habits of SNAP customers without having to surveil SNAP customers and requiring retailers to turn over highly sensitive and proprietary transaction information.

Massive data collections from the Federal Government would require additional staffing and expertise that many small businesses do not have. Many small businesses, especially those with small margins like grocery stores, do not have the capacity to bring on additional compliance staff with each new regulation.

Broad data collection is not necessary to ensure that the program is running effectively and efficiently. USDA already receives bulk redemption data that assists the agency to pinpoint anomalies and investigate fraud.

Restrictions will harm participants, taxpayers, and small community businesses. For these reasons, **NGA urges you to oppose any efforts to restrict purchases and limit choices of SNAP recipients.** Thank you for your attention to these important matters.

Sincerely,



STEPHANIE JOHNSON, RDN,
Vice President, Government Relations,
National Grocers Association.

SUPPLEMENTARY MATERIAL SUBMITTED BY PATRICK J. STOVER, PH.D., DIRECTOR,
INSTITUTE FOR ADVANCING HEALTH THROUGH AGRICULTURE, TEXAS A&M
UNIVERSITY

Insert

Mr. LAMALFA. So, in all the existence of the SNAP Program, we don't really have data that has been gathered yet that the increased dollar amount per user of the program would lead to healthier food choices in their diet?

Dr. STOVER. Some of those data are available, and we can make those available to you, but I don't have those in my fingertips.

As discussed in detail in my response to Congressman Bost, (see Response to Mr. Bost's Question for the Record on p. 251.) there are no systematic evaluation metrics employed in SNAP that would include lowering rates of diet-related chronic disease and related health care costs. The IHA is currently conducting a systematic review of the literature that is focused on health-related outcomes among SNAP-eligible participants, and we anticipate a completion date in 2024.

SUPPLEMENTARY MATERIAL SUBMITTED BY DAWN ROYAL, MEMBER, BOARD OF
DIRECTORS AND PAST PRESIDENT, UNITED COUNCIL ON WELFARE FRAUD

June 15, 2023

Hon. GLENN THOMPSON,
Chairman,
House Committee on Agriculture,
Washington, D.C.;

Hon. DAVID SCOTT,
Ranking Minority Member,
House Committee on Agriculture,
Washington, D.C.

Dear Chairman Thompson and Ranking Member Scott,

On behalf of the United Council on Welfare Fraud, thank you for the opportunity to provide testimony and address issues impacting the Supplemental Nutrition Assistance Program (SNAP). I would like to offer several points of [clarification] for the record following the June 7, 2023, hearing, "Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV."

I was asked several questions about error and fraud rates. As I testified, this contentious issue is problematic to answer as the two issues are often co-mingled. The SNAP payment error rate is a performance measure for accountability at state and county SNAP offices and is impacted by SNAP eligibility workers and policy waivers and options in place.^{1*}

Fraud rates, conversely, include overpayments but are impacted by the lack of fraud detection staff as discussed in my written testimony. They can also vary from state to state and county to county depending on many factors. Fraud is a moving

¹ USDA Office of Inspector General: *FNS Quality Control Process for SNAP Error Rate*. † 2023 rates are expected to be released by end of June. <https://www.oversight.gov/sites/default/files/oig-reports/27601-0002-41.pdf>.

* **Editor's note:** references annotated with † are retained in Committee file..

target, and government agencies are always playing catchup, which is why we encourage moving from “pay and chase” to front-end fraud prevention.

A research study was ordered by the Florida state legislature and released on November 28, 2012. It established a 7.5% SNAP fraud rate, which is in line with my testimony.² It should be noted that this fraud rate only pertained to provable recipient eligibility fraud and did *not* address fraud attempts, trafficking, or identity theft (to include account takeover.) A copy of this report is attached. Concerns with the 40% rate reported by the Pennsylvania Inspector General should be directed to that agency, but this also aligns with UCOWF member experiences.³

I would also like to clarify questions about the Name/Address/Signature and Social Security Number discussions. According to 7 CFR §273.2(b)(1)(v): [**Emphasis added**]

*“In plain and prominent language on or near the front page of the application, notification of the household’s right to immediately file the application as long as it contains the applicant’s name and address and the signature of a responsible household member or the household’s authorized representative. Regardless of the type of system the state agency uses (paper or electronic), it must provide a means for households to immediately begin the application process with name, address, and signature;”*⁴

Should a household apply for Expedited Benefits, all that is required under current regulations is the name, address, and signature. While well intentioned to provide maximum benefits immediately to applicants in need, this loophole is exploited by identity thieves. A savvy fraudster applying after the 15th of the month would receive 1½ months SNAP benefits—up to \$421.50 for a single household.⁵ After the expedited benefit time has expired, the recipient must provide the remaining eligibility information to continue receiving SNAP. Per FNS, “The significant aspect of expedited service is the postponing of verification when it is necessary to issue an allotment by the 7 day deadline.”⁶

Modernization of regulations to require all mandatory identity components is a common-sense reform both sides of the aisle should agree to—it protects the program from waste, fraud, and abuse. The current “EBT skimming” epidemic impacting vulnerable recipients is a great example that can be fixed with program modernization.

Again, thank you for the opportunity to discuss these critical matters impacting SNAP program integrity. We remain at your disposal and available for additional opportunities to discuss fraud and integrity with all Committee and Subcommittee Members.

Respectfully submitted,
DAWN ROYAL,
Director and Past-President,
United Council on Welfare Fraud (UCOWF).

ATTACHMENT

Statistical Analysis of Fraud in the Florida Food Assistance Program

Prepared for The Florida Strike Force on Medicaid & Public Assistance Fraud

Prepared by: CHARLES J. MULLIN, PH.D., ERS Group, Tallahassee, FL

November 28, 2012

ERS Group was requested by The Florida Strike Force on Medicaid & Public Assistance Fraud (the Strike Force) to (1) review information on metrics and methodologies used to measure fraud, waste, and abuse in government food and nutrition or other public assistance programs, and (2) to design and implement a methodology to provide the Strike Force with an estimate of the amount of fraud, waste and abuse leading to overpayments in the Florida Food Assistance Program, also known as the Supplemental Nutrition Assistance Program (SNAP). In the interest of brevity, throughout this report we often refer to “fraud, waste and abuse” simply as “fraud.” ERS Group staff worked closely with Strike Force staff, the Department of

²“Statistical Analysis of Fraud in the Florida Food Assistance Program,” ERS Group, November 28, 2012.

³https://www.bradfordera.com/news/key-pa-budget-negotiator-hopes-for-welfare-fraud-com-promise/article_560351bf-6e3e-5beb-8177-18282b864774.html.†

⁴[https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273#part-273.2\(b\)\(1\)\(v\).†](https://www.ecfr.gov/current/title-7/subtitle-B/chapter-II/subchapter-C/part-273#part-273.2(b)(1)(v).†)

⁵<https://www.fns.usda.gov/snap/recipient/eligibility.†>

⁶USDA FNS Memo dated February 17, 2006. <https://www.fns.usda.gov/snap/admin/expedited-service-and-interviews.†>

Children and Families (DCF), and the Department of Financial Services' Division of Public Assistance Fraud (DPAF). ERS Group would like to thank the Strike Force members for the opportunity to contribute to their efforts to reduce fraud in the State of Florida, and to thank the numerous individuals within these agencies for their cooperation and assistance, without whom this project could not have been completed.¹

Executive Summary

- The estimate of fraud incidence in the Florida SNAP program is 7.5 percent. For the purpose of this estimate, fraud includes any potential overpayment of benefits due to a misrepresentation of information, regardless of size. Therefore, this estimate indicates that 7.5 percent of the discrete payments were potentially larger than justified under the program rules.
- In addition to calculating a rate of fraud incidence, we employed two methodologies to estimate the overall overpayment rate in dollar terms. One method, based on the benefit payments received by those in our sample who committed fraud, yields an estimated dollar overpayment rate of approximately 2.75 percent.
- The second method, based on historical fraud overpayment calculations provided by DPAF, yields an estimated dollar overpayment rate of approximately 3.7 percent.
- These estimates do not include vendor trafficking (purchase of SNAP electronic benefit transfer (EBT) cards by vendors at a fraction of their value), which cannot be detected by the methodologies employed in this study. A recent U.S. Department of Agriculture (USDA) report estimates the dollar cost of SNAP vendor trafficking at one percent.
- Fraud was detected by four of the nine distinct fraud detection methodologies that were employed by investigators during the study. The most effective methods of detection were income verification, site visits, and desk reviews.
- Over 70 percent of the fraud that was detected in our sample was related to non-reporting or under-reporting of income. Florida's SNAP system would benefit from routine computer comparisons of recipient income (as reported on applications) *vs.* earned income as reported to the Department of Economic Opportunity, along with follow-up on identified discrepancies. Similarly, routine verification of household composition through available data may help to prevent fraud.
- Logistic regression analysis of the sample revealed one statistically significant difference in the characteristics of those who committed fraud and those who did not: As the number of adults in the household increased, the likelihood of fraud increased, after controlling for other factors.
- Current policy requires SNAP recipients to report changes in income (and other living conditions) every 6 months (or every year in certain cases). The USDA's Food and Nutrition Service (FNS) allows states several choices with regards to how often recipients are required to report changes. We recommend DCF review the current 6 month change reporting policy to determine if a shorter time threshold is in the best interest of the State of Florida.
- Per the SNAP State Activity Report for FY 2010, 87 percent of pre-certification fraud investigations in Florida result in a positive finding, while only 12 percent of post-certification investigations result in a positive finding. However, only 32 percent of investigations are done on a pre-certification basis. Florida would benefit from moving further away from a post-certification, "pay-and-chase" system and towards a more rigorous pre-payment fraud detection system.

I Background

The Supplemental Nutrition Assistance Program is implemented by the Food and Nutrition Service, a division of the United States Department of Agriculture. SNAP provided nearly \$65 billion in benefits to American families in fiscal year 2010, and as of September, 2011 provided assistance to 46 million people per month.^{2, 3} While

¹ERS Group would like to thank Jeri Flora, Yameche Madry and Peter Bull of DCF's Economic Self Sufficiency Division; Amanda Huston, Director of the Office of Public Benefits Integrity; Randy Burkhalter, Director of Florida's Division of Public Assistance Fraud; and Chuck Faircloth, Executive Director of the Strike Force. Special thanks are due to Strike Force staff member Cynthia Godbey, Department of Children and Families ACCESS Integrity Chief Fred Young, and Florida Department of Financial Services' Financial Crimes Investigator Kim Harrison.

²*SNAP Quality Control Annual Report*, September 2011, page i.

the program's funds are provided by the Federal Government, the program is administered by each state. Within the State of Florida, the program is administered by DCF. In Fiscal Year 2010, Florida's share of SNAP funds totaled over \$4.4 billion, the fourth highest amount in the nation.⁴ It is worth noting that Florida's SNAP issuance increased from almost \$1.8 billion in 2008 to \$4.4 billion in 2010, a growth rate of almost 150 percent, the second highest in the nation (only Idaho had a higher growth rate).⁵ With sums of this magnitude, even a relatively low rate of fraud can represent significant monetary loss.

In consultation with Strike Force staff, we first endeavored to define the phrase "fraud, waste and abuse". While similarities in definitions exist across Federal and state entities, it does not appear that any two units of government use exactly the same definition. For example, the Texas health care claims studies described later in this report, which were pilot studies for the Federal Payment Error Rate Measurement Program (PERM) used for Medicare and Medicaid, define fraud as ". . . an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit." The studies defined abuse as ". . . provider practices that are inconsistent with sound fiscal, business or medical practices and result in an unnecessary cost to the Medicaid program."⁶

In contrast, the current definition of fraud on the Federal Government's FNS website is as follows:

- "SNAP fraud is when SNAP benefits are exchanged for cash. This is called trafficking and it is against the law.
- SNAP fraud also happens when someone lies on their application to get benefits or to get more benefits than they are supposed to get.
- SNAP fraud also happens when a retailer has been disqualified from the program for past abuse and lies on the application to get in the program again."⁷

The above is roughly consistent with the FNS's December, 2011 statement on the USDA's efforts to reduce waste, fraud and abuse. That document suggests a definition that includes elements related to providing false information connected to eligibility and benefits, trafficking, and reducing improper payments and errors.⁸

Lastly, The Florida Department of Children and Families indicates that "fraud means to commit an intentional violation of law or a deliberate misrepresentation or concealment so as to secure unfair or unlawful financial or personal gain."⁹

We have chosen throughout this report to focus first and foremost on fraud. Within the SNAP universe and Florida DCF, this encompasses primarily at least one of two elements. The first is trafficking, or the exchange of benefits for cash. While direct investigation of vendor trafficking was outside the scope of this report, we did research this issue and have provided information related to estimates of vendor trafficking. The second element is an *intentional or unintentional material misrepresentation provided by a SNAP applicant (or re-applicant) that could result in the receipt of unauthorized benefits*. While other criteria, such as agency error or a misapplication of rules, could also result in a finding of fraud, waste or abuse, for the purposes of this report we have defined fraud in terms of such material misrepresentation. It is important to note that we did not attempt to differentiate between the distinct terms (fraud, waste, abuse) but rather treated them as a single phrase which encompasses the full range of activity associated with the receipt of improper benefit amounts due to material misrepresentation of information. Identifying fraud, waste and abuse as separate and distinct items would require a measurement of intent, which was beyond the scope of these investigations.

Fraud is an ongoing and pervasive problem within the SNAP program, both nationwide and within Florida. Of the nearly 800,000 fraud investigations conducted nationwide during (Federal) Fiscal Year 2010, the State of Florida conducted over 51,000, approximately 16,000 of which were pre-certification investigations and

³ *State Fraud Detection Efforts for the Supplemental Nutrition Assistance Program*, Audit Report 27703-0002-HY, January 2012, page 4.

⁴ *SNAP Quality Control Annual Report*, September 2011, page 11.

⁵ *Supplemental Nutrition Assistance Program (SNAP) State Activity Report: Federal Fiscal Year 2010*. U.S. Department of Agriculture, Food and Nutrition Service, Program Accountability and Administration Division, December 2011, page 55.

⁶ *Texas Health Care Claims Study*, January 2001, Section II, page 15. *Texas Health Care Claims Study*, March 2003, Section I, page 16. *Texas Health Care Claims Study*, March 2005, Section I, page 17.

⁷ http://www.fns.usda.gov/snap/fraud/fraud_2.htm.

⁸ *USDA Efforts to Reduce, Waste, Fraud and Abuse in the Supplemental Nutrition Assistance Program (SNAP)*, December 2011, <http://www.fns.usda.gov/cga/FactSheets/Integrity.pdf>.

⁹ See for example, *Cf Operating Procedure No. 180-4, Florida Department of Children and Families*, December 13, 2011.

35,000 of which were post-certification investigations. Of those 51,000 investigations, 18,000 resulted in a positive determination of fraud (a 35 percent rate compared to the national average of 27 percent). Of those, approximately 4,100 were post-certification instances involving approximately \$5.7 million in disbursements.¹⁰ The investigations resulted in 291 prosecutions which led to 283 convictions and eight acquittals.¹¹ These 283 convictions involved over \$900,000 of fraudulent activity.¹² The State of Florida also conducted 2,856 administrative disqualification hearings resulting in 2,811 waivers or convictions and only 45 acquittals. These administrative disqualifications involved approximately \$1.8 million of fraudulent activity.¹³ In Fiscal Year 2010, Florida collected nearly \$2.4 million in fraudulent SNAP claims, about 54 percent of which was collected through recoupment from ongoing recipients.¹⁴

II Review of Literature and Previous Government Fraud Measures

Academic Studies

We reviewed a variety of academic literature to obtain an understanding of how economists and statisticians (or experts in other fields) have previously conducted studies to measure fraud rates. There exists very limited academic literature addressing the actual rates of fraud in programs such as SNAP. There is however a considerable body of literature on the current methodologies used to detect such fraud. Not unexpectedly, most academic efforts in this arena are designed to determine the factors (demographic characteristics, education, income, *etc.*) that are correlated with fraud, rather than to directly measure incidence.

One such methodology is regression analysis. Regression is a mathematical technique used to estimate the statistical relationship between a dependent variable and a set of explanatory variables. This estimate can then be used to predict the dependent, or outcome variable, given the values of the explanatory variables. Regression models for fraud detection are most commonly discussed in the literature concerning automobile insurance fraud. In contrast, efforts to detect credit card fraud and fraud in health care have favored a variety of machine learning methods. Machine learning involves the use of computer algorithms that improve automatically through experience. Applications of machine learning range from data-mining programs that discern general rules in large data sets, to information filtering systems that automatically learn users' interests.¹⁵ Machine learning in the context of fraud takes primarily two forms. One methodology involves having the computer learn to identify potential fraud using a training data set where instances of fraud are first identified by human subject matter experts. The second involves the use of computers that learn to identify suspicious transactions based on a more general set of rules and/or identification of anomalous values in selected data fields. These methods are worthwhile and certainly aid in the detection of fraud; however, as noted, they do not actually measure the rate of fraud, but rather identify transactions that are more likely to be fraudulent.

Government Studies

In addition to researching the academic literature, we reviewed a number of government studies, both state and Federal, that do measure fraud rates. In August 1998, the State of Illinois completed what was then believed to be "the first ever payment accuracy review of any state Medical Assistance Program."¹⁶ For purposes of the review, state investigators selected a random sample of 599 records of payment for medical services, stratified by category (physician and pharmacy services, inpatient hospital and hospice services, and all other types of services). Investigators found 96 instances in which payments had been made in error. The study did not estimate a fraud rate, nor, according to the authors, was it intended to do so. The authors state however that 54.7 percent of the inaccurate payments were the result of "questionable" errors, meaning "the provider's intention to bill correctly is very doubtful, but no intent was proven."¹⁷ Twenty-nine of the payments were judged to be so serious that they were referred for additional reviews.

¹⁰ *Supplemental Nutrition Assistance Program (SNAP) State Activity Report: Federal Fiscal Year 2010*. U.S. Department of Agriculture, Food and Nutrition Service, Program Accountability and Administration Division, December 2011, page 25.

¹¹ *Ibid.*, page 27.

¹² *Ibid.*, page 27–28.

¹³ *Ibid.*, pages 29–30.

¹⁴ *Ibid.*, pages 42–43.

¹⁵ Mitchell, Tom, *Machine Learning*, McGraw Hill, 1997.

¹⁶ "Payment Accuracy Review of the Illinois Medical Assistance Program: A Blueprint for Continued Improvement". Illinois Department of Public Aid, August 1998, page 3.

¹⁷ *Ibid.*, page 4.

In 2001, 2003 and 2005, the State of Texas conducted studies of potential overpayments in the state Medicaid program using random samples of patients and associated payments.¹⁸ In each case where such a determination was made, a relatively small portion of the overpayment errors were found to represent fraud or “abuse”. The 2001 *Texas Health Care Claims Study*, for example, presented results of an examination of a sample of 1,609 Medicaid Fee-for-Service (FFS) Claims. Investigators found 269 potential overpayment errors, including 14 that were classified as representing potential fraud or abuse.¹⁹ The 2003 *Texas Health Care Claims Report* was expanded to encompass a separate study of potential overpayments in the Medicaid Vendor Drug Program (VDP). The amount of fraud in the Medicaid VDP is not addressed in the 2003 report; however, the authors of the report found 29 instances of potential overpayments due to fraud or abuse in the Medicaid FFS sample of 2,122 paid claims.²⁰

The 2005 *Texas Health Care Claims Report* included a Medicaid FFS study based on a review of 2,202 medical services’ payments.²¹ The review indicated that 28 (about seven percent) of 387 potential overpayment errors represented potential “fraud or abuse”.²² For purposes of the Medicaid VDP study a sample of 4,036 prescriptions were randomly selected for audit. After review, 916 were found to have potential overpayment errors.²³

The Texas state studies discussed above were pilots for the Federal Payment Error Rate Measurement Program (PERM). The pilot programs were overseen by the Centers for Medicare and Medicaid Services and covered the period from 2002–2005. The PERM program was designed to measure payment error rates in Medicaid and the Children’s Health Insurance Program (CHIP) in response to the requirements of the (Federal) Improper Payments Information Act of 2002 (IPIA).²⁴ The IPIA required Federal agencies overseeing programs susceptible to “significant” erroneous payments (as defined by the Office of Management and Budget (OMB)) to estimate the amount of improper payments each year and to report on measures taken to reduce them.²⁵ An overpayment is defined as a payment for a service that is not in accordance with the policies of the Medicaid program, and may include fraud and abuse.²⁶ Under the plan, 17 states (including DC as a state) are reviewed each year, so that all are reviewed on a rotating basis every 3 years.²⁷ The first wave of states was reviewed in fiscal year 2006.

Each fiscal quarter the states provide to a statistical contractor the universe of claims data for Medicaid, CHIP FFS and managed care that were paid by the Federal Government.²⁸ The statistical contractor then draws random samples from the claims. After receiving supporting data for the samples from the states, the statistical contractor forwards the data to a review contractor who sends records requests to medical service providers represented in the sample.²⁹ The review contractor employs medical personnel who review the medical records for accuracy and consistency with the claims submitted to the states. The statistical contractor then calculates state specific error rates and a national error rate for FFS transactions and managed care. These rates are calculated overall, as well as by program and by type of error.³⁰ The estimated overall Medicaid error rate for the nation for fiscal year 2008 was 8.71 percent. The estimated overall Medicaid error rate for Florida for fiscal year 2008 was 14.63 percent.³¹

¹⁸They also examined the extent of overpayment in the state employees’ workers’ compensation program.

¹⁹*Texas Health Care Claims Study*, January 2001, Section II, pages 29–30.

²⁰*Texas Health Care Claims Study*, March 2003, page 2, Section I, page 31.

²¹*Texas Health Care Claims Study*, March 2005, page, 2, Section I, page 25.

²²*Ibid.*

²³*Ibid.*, section II, page 79.

²⁴The IPIA was subsequently amended by the Improper Payments Elimination and Recovery Act (IPERA) of 2010.

²⁵*Payment Error Rate Measurement Manual*, Centers for Medicare and Medicaid Services, 2010.

²⁶*Ibid.*

²⁷*Texas Health Care Claims Study*, March 2005, page I–17.

²⁸*Payment Error Rate Measurement Manual*, Centers for Medicare and Medicaid Services, 2010, page 12.

²⁹*Payment Error Rate Measurement Manual*, Centers for Medicare and Medicaid Services, 2010, page 10–12.

³⁰*Ibid.*

³¹*Ibid.*

³²*Fiscal year 2008 PERM Medicaid Corrective Action Plan*, Executive Summary, page 1.

III Supplemental Nutritional Assistance Program (SNAP)

Similarly to Medicaid, SNAP, formerly known as the food stamp program,³³ was also identified by the OMB as a “high error program”.³⁴ The USDA first reported on improper payments in the SNAP program in the 2004 Performance and Accountability Report (PAR), which covered outlays for fiscal year 2003.³⁵ The most recent (2011) PAR covered improper payments in fiscal year 2010. The improper payment error rate for the U.S. was 3.8 percent in fiscal year 2010 (consisting of an overpayment error rate of 3.05 percent and an underpayment error rate of 0.75 percent).³⁶ For the State of Florida the reported SNAP improper payment rate was 0.72 percent for fiscal year 2010 (consisting of a 0.68 percent overpayment rate and a 0.04 percent underpayment rate).³⁷ The process of calculating the improper payment rate for SNAP is described below.

Each month, states select a statistically random sample of cases from a universe of all households receiving SNAP benefits that month and perform a quality control review to measure the accuracy of eligibility and benefit determinations for each sampled case against SNAP standards. State agencies are required to report to FNS the findings for each case selected for review. FNS then sub-samples the completed state quality control reviews and re-reviews selected individual case findings for accuracy. Based on this sub-sample, FNS determines each state agency’s official error rate using a regression formula. The national payment error rate is computed by averaging the error rate of the active cases for each state weighted by the amount of issuance in the state.³⁸

According to the FNS document which provides the guidelines for the quality control audit process, the quality control review should consist of “a face-to-face interview for active cases subject to review to determine the identity of the applicant and whether the household did exist and to explore household circumstances affecting the sample month’s eligibility and allotment”.³⁹ The FNS guidelines also require income verification.⁴⁰ These are just two of several ways in which the quality control audit process is similar to our methodology. However, there are several exceptions to the process which differentiate the quality control audit process from our methodology and may be the source of the contrast in our results, which are detailed later in this report.

First, there are several case types that are not to be included in the quality control sample per the FNS guidelines.⁴¹ Examples include but are not limited to:

- Cases pending a hearing appealing an adverse action,
- Cases already referred for investigation,
- Cases under active investigation or pending an intentional program violation hearing,
- Cases where household members have moved out of state,
- Cases in which the household members could not be interviewed after all reasonable efforts to do so have been made and documented.

In several instances, these types of cases are ones in which there is a heightened likelihood of fraudulent activity. Since these cases are not subject to review and are removed from the FNS sampling process, it may serve to reduce the subsequent error estimate. Second, the quality control process is designed to determine allotment errors, not to detect fraud *per se*. Accordingly, although incorrect applications of policy, or deviations between the information that was used and what should have been used to determine eligibility/allotment, may exist, they do not result in a finding unless they result in an allotment error. Lastly, the allotment error must reach a specific monetary threshold before it is included as an error (\$25 per the FNS handbook; \$50 according to quality control personnel at DCF). There may be a significant number of instances where the threshold requirement could reduce the overall error rate reported through the quality control process.

³³ *Analysis of Florida’s Supplemental Nutrition Assistance Program (SNAP) Eligibility Data*, Audit Report 27002-0002-13, November 2011, page 1.

³⁴ *Improper Payments: Recent Efforts to Address Improper Payments and Remaining Challenges*, GAO-11-575T, April 15, 2011. Footnote 14, page 8.

³⁵ *2011 Performance and Accountability Report*, U. S. Department of Agriculture, page 27.

³⁶ *Supplemental Nutritional Assistance Program Quality Control Annual Report Fiscal Year 2010*, page 4.

³⁷ *Ibid.*, page 5.

³⁸ *2011 Performance and Accountability Report*, U. S. Department of Agriculture, pp. 218–219.

³⁹ *SNAP Quality Control Review Handbook (FNS Handbook 310)*, U.S. Department of Agriculture, Food and Nutrition Services, October, 2011, section 420—Household Interview.

⁴⁰ *FNS Handbook 310*, section 1021—Wages and Salaries.

⁴¹ *FNS Handbook 310*, sections 330–338, section 442.

The USDA Office of Inspector General (OIG) also conducts audits of the SNAP eligibility data for selected states. The most recent OIG audit report of SNAP in Florida found that 2,689 of the 2.6 million average monthly recipients, or 0.1 percent, either (1) were deceased, (2) had invalid Social Security Numbers (SSNs), (3) were receiving duplicate benefits in Florida and in one or more nearby states, or (4) were listed in the Electronic Disqualified Recipient System (eDRS) and had therefore been disqualified from receiving benefits because of intentional program violations.⁴² Similar audits of Alabama and Louisiana found that 0.2 percent and 0.3 percent respectively of the recipients were ineligible for benefits for one or more of the four reasons above.^{43, 44}

The OIG also reviewed state and FNS SNAP fraud control efforts in Colorado, New York, Florida and New Jersey.⁴⁵ A common recommendation is that states make better use of Electronic Benefits Transfer (EBT) Management Reports. Recipients of SNAP assistance receive debit cards that can be used to purchase food from approved vendors. The funds are transferred from an account monitored by a database manager to the vendors. Anomalous transactions could suggest fraud. Using the available EBT Management Reports, OIG identified 2,600 questionable transactions during a 3 month period in New Jersey and Florida that had not previously been found.⁴⁶ The transactions could represent up to \$181,700 in fraudulent activity.⁴⁷ These included out of state transactions that could indicate recipients who are receiving benefits in more than one state. They also include cases with unusual numbers of whole-dollar transactions at a retail location and instances involving excessive refunds by retailers to SNAP recipients. The latter may indicate instances in which recipients are trading SNAP benefits for cash.

Instances in which retailers excessively manually enter the benefits card numbers may also represent fraud. Using one of the EBT Management Reports, the Manual Transaction Report, the OIG found 122 retailers in New Jersey who processed more than 400 manual transactions each during the review month. They note that these transactions totaled over \$4.4 million and represented 49 percent of the retailers' total SNAP transactions during the month.⁴⁸ The OIG also found 15 retailers in Florida whose manual SNAP transactions totaled over \$155,000 during the month of the review.⁴⁹ Nationwide, the USDA estimates retailer fraud in the SNAP program occurs in 8.2 percent of stores and diverts "about 1¢ of each SNAP dollar".⁵⁰

We also reviewed the ACCESS Florida Food, Medical Assistance and Cash program policy manual. The manual, which is available online, contains 23 sections and 1,096 pages. The glossary alone is 27 pages. While a complete review of the entire manual was neither practical nor necessary, we did find one critical area of policy which may lead to waste and abuse within the SNAP program. The FNS guidelines provide states the freedom to choose SNAP recipient reporting requirements, that is, when recipients must report changes to their income, expenses or living conditions that determine their benefit levels. Choices include time requirements (which include monthly, quarterly or semi-annually) and threshold requirements, which require recipients to report changes above a certain amount as soon as they occur.⁵¹ The DCF policy manual indicates that Florida SNAP recipients are required to report changes semi-annually, with certain categories of recipients subject to annual reporting.⁵² So, for example, if a recipient were to receive an increase in income such that they were no longer even eligible for food stamp assistance, they would not be required to report that change for as much as 6 months. Under these

⁴² *Analysis of Florida's Supplemental Nutrition Assistance Program (SNAP) Eligibility Data*, Audit Report 27002-0002-13, November 2011, page 1.

⁴³ *Analysis of Alabama's Supplemental Nutrition Assistance Program (SNAP) Eligibility Data*, Audit Report 27002-0004-13, January 2012, page 1.

⁴⁴ *Analysis of Louisiana's Supplemental Nutrition Assistance Program (SNAP) Eligibility Data*, Audit Report 27002-0003-13, January 2012, page 1.

⁴⁵ *State Fraud Detection Efforts for the Supplemental Nutrition Assistance Program*, Audit Report 27703-0002-HY, January 2012, pp. 1-21.

⁴⁶ *State Fraud Detection Efforts for the Supplemental Nutrition Assistance Program*, Audit Report 27703-0002-HY, January 2012, page 7.

⁴⁷ *Ibid.*

⁴⁸ *State Fraud Detection Efforts for the Supplemental Nutrition Assistance Program*, Audit Report 27703-0002-HY, January 2012, page 8-9.

⁴⁹ *Ibid.*

⁵⁰ See the March, 2011 USDA FNS report entitled "The Extent of Trafficking in the Supplemental Nutrition Assistance Program (SNAP): 2006-2008". See <http://www.fns.usda.gov/ora/menu/Published/SNAP/FILES/ProgramIntegrity/Trafficking2006Summary.pdf>.

⁵¹ *FNS Handbook 310*, section 223.1-223.6.

⁵² *Access Florida Food, Medical Assistance and Cash Program Policy Manual*, 1., Chapter 0800, section 0810-0200 to 0810-0400. <http://www.dcf.state.fl.us/programs/access/esspolicymanual.shtml>.

rules, a recipient could continue to receive benefits for 6 months (or possibly a year) and not be in violation of reporting requirements. While there is technically no fraud, the potential for waste under these reporting requirements is significant. It is our recommendation that DCF and other stakeholders review this policy to determine if it is in the best interest of the State of Florida.

IV Our Methodology

While not all of the studies noted above included an analysis of random samples, use of sample data sets was a common methodology, particularly among the analyses conducted by government entities attempting to either investigate fraud or to measure payment error rates. Random sampling is a common technique used to measure incidence rates of various types in large data sets where examination of all observations is simply not economically practicable, as is the case here (Florida's SNAP program provided assistance to roughly 2.6 million recipients per month in fiscal year 2010).⁵³ At ERS Group's request, DCF selected a random sample of 545 payments from the universe of all payments made during the 3 month period from May, 2011 through July, 2011. The sample data provided information on the recipient, including but not limited to personally identifying information, residence, income, expenses and that month's benefit amount. We also received information on household composition, including but not limited to personally identifying information on all individuals listed as being in the household, their relationship to the recipient, their employment status as of the last eligibility review, and recorded income contributions.

This information was then provided to Florida's DPAF, where in conjunction with DCF, investigators conducted the following investigations to determine whether or not the sampled payments involved any fraud, waste or abuse.⁵⁴

Household Composition / Site Visits

One of the primary factors in determining benefit eligibility and benefit levels is the composition of the household. According to DPAF investigators and DCF personnel, one of the common means by which fraud occurs is through over-reporting of individuals within the household (or conversely, by not reporting a household member who is earning income). Verification of household composition and residency is best done through site visits. Unfortunately, this is a very time consuming element of fraud investigation, and it was prohibitively time consuming to perform site visits for all of the recipients in the full sample. Accordingly, ERS Group selected a random sub-sample of 100 recipients from our sample population of 545 SNAP recipients and DCF personnel conducted site visits on the sub-sample. In addition to determining which, if any, of the recipients in the sub-sample had a household composition that was different than what was reported at the time they received benefits, investigators also found program violations of other types during these visits. With regard to household composition, violations could have consisted of either (1) over-reporting of individuals in the household, (2) under-reporting of income earning members in the household or (3) residency issues. Any of these constitutes fraud, waste or abuse in that such misrepresentation could (and likely would) materially affect SNAP benefits.

Income Verification

The other primary factor in determining both benefit eligibility and benefit amount is household income. DPAF investigators have access to a variety of sources for income verification purposes, including the Florida Retirement System, Unemployment Compensation Benefits, Interstate Unemployment Compensation Benefits, Worker's Compensation Benefits, and earned wage information reported to the Department of Economic Opportunity (DEO), which receives quarterly information from Florida employers documenting income earned within the state (with the exception of self-employment income). Each household member's income (or absence of income) was compared to information from these various sources to determine if there was any un-reported or under-reported income. Any discrepancies were followed up and verified independently. In the case of verified material differences, these generally resulted in a determination that fraud, waste or abuse had occurred.

⁵³ *Analysis of Florida's Supplemental Nutrition Assistance Program (SNAP) Eligibility Data*, Audit Report 27002-0002-13, November 2011, page 1.

⁵⁴ The investigative work was overseen by Randy Burkhalter. Mr. Burkhalter is the Director of DPAF and has been investigating fraud for the State of Florida in some capacity for over 35 years.

Identity Verification

One of the ways in which fraud can occur within SNAP is if an individual's identity has been stolen. Investigators and computer programmers at ERS Group, DPAF and DCF compared each recipient's identity against a variety of databases to determine that both the recipient's identity appeared valid and they were eligible for SNAP benefits. The data sources for these comparisons included the U.S. Social Security Administration's Master Death File, the Florida Bureau of Vital Statistics database and the Stop Inmate Fraud database. Instances in which a recipient was identified as ineligible through these comparisons and subsequently verified were counted as fraudulent.

Electronic Disqualified Recipient System

We also requested that programmers at DCF compare the recipient sample against the Electronic Disqualified Recipient System. The eDRS is a national internet-based program that tracks and identifies SNAP recipients who are found guilty of violations in other states and therefore disqualified from receiving benefits. This is often the only way in which violators from other states can be identified.

PARIS Match

We also requested that DCF conduct a search using the Public Assistance Reporting Information System (PARIS) to determine if any of the recipients in our sample were receiving SNAP benefits from any other states. The PARIS database is an information exchange system administered by the U.S. Administration for Children and Families and is designed to provide state public assistance agencies with appropriate data as a result of a Federal computer matching initiative.⁵⁵ This database enables agencies to determine if a recipient is receiving funds from multiple states under a variety of public assistance programs, including SNAP.

Address Matches

In addition to the computer matches to external databases, we also requested that DCF determine for each of the recipients in our sample, how many SNAP payments are going to the recipient's address. One way in which fraud or abuse can manifest itself is if many recipients receive SNAP funds at the same address. This may indicate that a recipient is using false information. While some multiple recipient locations are legitimate (churches, homeless shelters, *etc.*), many are not. For each recipient address, DCF determined the number of payments going to that address during the sample month. For those addresses that were receiving three or more SNAP payments, DCF personnel conducted follow-up investigations to determine if the multiple payments were the result of program violations.

Desk Reviews

Despite each of the above procedures, it is entirely possible to commit fraud or abuse of the SNAP system which is undetectable either by computer match or home visit. Accordingly, DPAF investigators also conducted what is referred to as a desk review. A desk review consists of an overall review of the benefit recipient's case file in an attempt to identify irregularities which are undetectable by any of the means noted above. For example, an investigator might conduct a comparison of expenses to income over time. An investigator might also conduct a review of Department of Motor Vehicle records and vehicle registration, driving history, insurance information or employment records to determine who is living at the address listed.⁵⁶ Investigators also review information from the Clerk of Courts, as well as birth records and property records. While there is no specific manual or checklist that is followed as part of a desk review, investigators report that it is an invaluable tool in the investigation of fraud, waste and abuse of public assistance programs. DPAF investigators conducted desk reviews on all 545 files in our sample and conducted follow-up investigations as necessary as part of the overall fraud investigation effort. The results of these reviews, as well as all of the aforementioned procedures are discussed in detail in the next section.

V Results

On the basis of the investigations discussed above, DPAF/DCF investigators determined the existence of fraud, waste or abuse in 28 cases from our random sample of 545. *Table 1* below details the investigator's findings by fraud type. In several instances, multiple types of fraud were detected on a single case, and therefore the total incidence of fraud is not equal to the sum by type.

⁵⁵ <http://www.acf.hhs.gov/programs/paris/state>.

⁵⁶ Most of this information is available through DAVID, the Florida Driver And Vehicle Information Database.

Table 1

Fraud Type	Number of Cases
Household Composition	4
Residency	1
Non-Reporting of Income	21
Under-Reporting of Income	1
False Reporting of Expenses	2
Identity Theft	1

Several of the investigation methods described above resulted in some detection of fraud. However, the PARIS database match, the SSN Death Master File match and the match to the eDRS failed to detect any fraud within our sample of 545 records. This is not unexpected given the results reported in the November 2011 Audit Report of the Florida SNAP conducted by the OIG. That report notes finding 883 instances of multi-state beneficiaries through PARIS, 807 Death Master File matches and 160 previously ineligible recipients through the eDRS database.⁵⁷ These matches were conducted on over 2.6 million recipients and consequently represent a fraud detection rate of 0.07 percent for those three methods combined.⁵⁸ Given this low rate of detection, it is not surprising that those methods did not detect any fraud within our sample.

Table 2 summarizes detected cases of fraud, waste and abuse by detection method. As detailed in *Table 2*, the income matches detected a large number of cases of fraud (20). While most of these 20 cases were identified through comparisons to the earned wage information reported to the DEO, matches to the Florida Retirement System also detected fraud. Site visits to verify household composition and residency also detected six instances of fraud. Desk reviews led to detection of five instances of fraudulent activity, ranging from residency issues, to un-reported or under-reported income, to identity theft. It is also worth noting that in several cases, fraudulent activity was discovered through multiple detection methods, which were implemented concurrently.

Table 2

Detection Method	Number of Cases
Site Visit *	6
Desk Reviews	5
Income Verification—Wages	19
Income Verification—Unemployment	0
Income Verification—Florida Retirement	1
Address Matches	0
Death Master File Match	0
PARIS Match	0
eDRS Match	0

* Site visits conducted on sub-sample of 100 only.

As noted, investigators detected 28 instances of fraud in our sample of 545 households.⁵⁹ Three of those cases were found solely through the site visits conducted on the sub-sample. The remaining 25 cases were found in the course of investigations conducted on the entire sample of 545.⁶⁰ The overall fraud rate is based on a combination of the results from both the original sample and the sub-sample. We estimate the overall rate of fraud incidence in the Florida SNAP system to be 7.5 percent.⁶¹

⁵⁷ *Analysis of Florida's Supplemental Nutrition Assistance Program (SNAP) Eligibility Data*, Audit Report 27002-0002-13, November 2011, page 5-7.

⁵⁸ *Ibid.*, page 1.

⁵⁹ Information detailing the sample by county can be found in the *Appendix*.

⁶⁰ Several of the instances of fraud were detected by both the site visits and other methodologies.

⁶¹ This is calculated using the 25 cases detected in the overall sample and the three cases identified in the sub-sample (out of 97 remaining from the sub-sample that had no fraud detection prior to the site visits). The resulting fraud rate calculation is $[(3/97)*(545 - 25) + 25]/545$.

In addition to the 28 cases of fraud noted above, we have been asked to note that there were an additional six recipients identified through the desk review process which DPAF investigators believe have a high likelihood of having fraudulently received excess SNAP funds. DPAF has opened additional investigations into those cases and the results are pending. However, as of the date of this report, investigators have not yet categorized those cases as fraudulent. If some or all of those cases are eventually revealed to have been fraudulent, we would supplement this report at the Strike Force's request to update the calculations. If all six cases are found to have involved fraudulent activity, the fraud rate estimate would rise from 7.5 percent to 8.6 percent.

Sampling Error

Because our estimate is based on a sample, we cannot expect it to be perfectly accurate. The situation is akin to flipping a coin some number of times (the sample size) to determine if it is a fair coin. Different samples give different estimates, and few of the samples are likely to result in exactly 50 percent heads, so each estimate comes with a likely error due to sampling. The sampling error is determined primarily by the size of the sample. Thus, if we flipped a coin ten times and the results were 60% heads, we would not be concerned about its fairness because the sample is so small. However, if we flipped a coin 1,000 times and the results were 60% heads, we would conclude that the coin is not fair because 60% is "too far away" from 50% for a sample of that size. More precise estimates (that is, ones with smaller sampling error and narrower confidence intervals) require larger samples. However, they also typically incur greater time and expense in performing the estimation.

When we allow for the likely error from sampling, we estimate that the fraud rate for the population of all payments is between 4.2 percent and 11.7 percent with 95% confidence. The "95% confidence" means that, applying our methods to many different samples of this size, the fraud rate would lie within the calculated interval 95% of the time.⁶²

Descriptive Statistics

We have detailed below a comparison of the characteristics of those within the sample who were found to have committed fraud to those who did not. Such a comparison may reveal differences between the two groups. However, we caution the reader regarding any attempt to use applicant characteristics to profile individuals regarding their likelihood to commit fraud. The use of averages to draw conclusions about specific individuals or groups has any number of unforeseen complications. *Table 3* below highlights a variety of descriptive statistics for the households in our study sample. In each case, we show the average or proportion for the households, grouped by those whom investigators concluded committed fraud and those they concluded did not. We performed commonly used statistical tests (t-tests or Chi-square tests) to determine if the averages between the two groups were statistically significantly different. Statistically significant differences are those that are large enough that one is not able to attribute them to random chance. For most characteristics, the groups were not different. Those characteristics that were statistically significantly different relate to the size of the household, including both the number of children and the number of adults in the household.

Table 3. Study Sample Statistics
Characteristics of SNAP Recipients by Fraud Status

Characteristic	Study Sample (n = 545)	
	Fraud (n = 28)	No Fraud (n = 517)
Household Composition	Means	
Number in Household (Reported)*	2.79	1.87
Number in Household (Computed)*	2.93	2.02
Number of Adults*	1.71	1.28
Number of Children (17 and under)*	1.21	0.74
Number of Adult Males	0.82	0.55

⁶²Note that the estimated range of the 95 percent confidence level is not precisely centered around our estimate of 7.5 percent. This is a standard statistical effect that occurs the further away one gets from an estimate of 50 percent.

Table 3. Study Sample Statistics—Continued
Characteristics of SNAP Recipients by Fraud Status

Characteristic	Study Sample (n = 545)	
	Fraud (n = 28)	No Fraud (n = 517)
Household Composition	Means	
Percent of Households with at least 2 Adults*	0.50	0.25
Age of Head of Household (HHH)	40.21	44.21
Age of Adults	37.70	43.63
Age of Children*	9.73	7.11
Percent of Households where HHH is Female	0.75	0.63
Percent of Households where HHH is U.S. Citizen	0.82	0.87
Monthly Income & Expenses		
Gross Income	\$725.75	\$638.82
Shelter	\$406.68	\$339.29
Disposable Income ¹	\$319.07	\$299.53
Utilities	\$219.82	\$200.69
SNAP related		
Percent of Households with Expedited Application	0.14	0.15
Percent of Households with Simplified Eligibility	0.75	0.66

* Statistically significantly different at 5% probability.

¹ Defined as (Gross Income – Shelter Expense).

In order to further determine whether or not these variables appear to be statistically significantly related to fraud, we conducted additional statistical analyses. Logistic regression analysis is a commonly used technique in which one can control for a variety of factors to determine whether or not they are correlated with a categorical dependent variable, in this case committing fraud or not. We ran regressions controlling for characteristics of the head of household (age, gender, *etc.*), the number of minors, number of adults, income and expense variables, as well as eligibility characteristics (simplified or expedited). In each of our models, the sole variable that was statistically significantly correlated with fraud was the number of adults present in the household. More precisely, the greater the number of adults, the more likely that household was to have committed fraud.

Estimated Overpayment Rate

It is important to note that the 7.5 percent figure is a rate of fraud incidence and not a measure of the proportion of total dollars overpaid to fraudulent recipients. In the vast majority of instances, the elimination of fraudulent activity would likely result in a lower payment for recipients, but not complete ineligibility and elimination of all benefits. Only if 100 percent of the dollars associated with these incidents are fraudulent, or alternatively, if these incidents are for disproportionately larger dollar figures than the average SNAP payment, could the overpayment rate in dollar terms be 7.5 percent (or more). While we were not able to directly calculate the reduction in payments that would occur in the absence of the fraud that was detected in our sample, we provide here an estimated overpayment rate in dollars using two separate calculation methods.

The first methodology involves comparing the average monthly payment amount received by recipients who were identified as having misrepresented information to the average monthly payment amount in the entire SNAP universe. It is important to recognize that these 28 cases represent a very small sample of recipients and thus the corresponding estimate has a potentially large sampling error. It is also important to note that we did not compare the characteristics of those who committed fraud to the characteristics of all individuals within the SNAP universe. Ideally, one would want to determine if these individuals would have been entitled to greater benefits, even in the absence of fraud, because they possessed more of the characteristics that correlate with higher benefits than those in the SNAP universe on the whole. If it is the case that the individuals committing fraud are different than the average SNAP recipient (aside from the fact they have misrep-

sented information), then the estimate may suffer from sample bias. Sample bias can occur when an estimate is based on a sample that is not representative. While our sample of recipients used to determine the fraud incidence rate was randomly drawn and very likely to be representative, it may not be the case that those who committed fraud are representative of the average recipient. Unfortunately, that determination was beyond the scope of this study.

The recipients in this study who were identified as having committed fraud received an average benefit in the month they were sampled of \$389.14. The average Florida SNAP recipient received a monthly benefit of \$247.30 during the months from which our sample was drawn. If we assume the difference of \$141.84 is due to fraud, we would estimate the overpayment rate among those who commit fraud to be 36.4 percent. In order to estimate the overpayment rate for the SNAP program, we multiply the estimated rate of fraud incidence (7.5 percent) times the estimated rate of overpayment among those who commit fraud (36.4 percent). This yields an estimated dollar overpayment rate for the SNAP program of approximately 2.75 percent.

The second methodology involves the use of historical information regarding fraud loss that was provided to ERS Group by the Division of Public Assistance Fraud. At ERS Group's request, DPAF was able to provide average overpayment amounts based on fraud cases within the SNAP program during the 3 year period from March, 2009 to March, 2012. During that time, DPAF was involved in the investigation of over 6,000 cases in which fraudulent activity was found. According to DPAF, those cases resulted in an average monthly overpayment of \$241.88. In contrast, as noted above, the average monthly SNAP payment during our sample period was \$247.30. Under the assumption that those who commit fraud are similar to other SNAP recipients in terms of the characteristics that define eligibility and benefits (such as income, expenses, household composition, *etc.*), this represents an overpayment rate on fraudulent cases of 49.4 percent.⁶³ As above, the estimated overpayment rate for the SNAP program would be the estimated rate of fraud incidence (7.5 percent) multiplied by the historical fraud case overpayment rate (49.4 percent). That resulting dollar overpayment estimate is 3.7 percent. However, as above, there are concerns regarding this second overpayment rate estimation as well. First, as noted above, this estimate is dependent upon the assumption that those who commit fraud have similar characteristics to those who do not. In addition, this estimate is also dependent upon the assumption that the fraud cases that have been investigated by DPAF are similar to fraud cases on average with regard to the resulting overpayment. In most instances, the cases that are discovered, referred to and investigated by DPAF and subsequently result in a finding of fraud are likely to be biased toward larger overpayment amounts. This is because DCF and DPAF are more likely to discover, refer and investigate cases where the potential loss due to fraud is higher than the average loss due to fraud (discovered and not discovered). Thus, there is some likelihood that one or both of these assumptions are violated, either of which would lead to bias. Accordingly, it is more likely that the 3.7 percent estimate represents an upper bound on the dollar overpayment rate.

It is also important to note that one type of fraudulent activity, trafficking, was not examined by our study. Trafficking of SNAP benefits occurs when a vendor (grocery store, mini mart, *etc.*) purchases the monthly SNAP benefit from a recipient for a fraction of its worth. The recipient receives cash, which can be spent as he or she wishes, while the vendor is reimbursed for the entire amount of monthly benefit. This form of fraud is not detectable by any methodology we could readily employ. In addition, it is not entirely clear that the SNAP benefits paid to these recipients would change based on this type of fraud, and so it may not directly impact the overall overpayment rate to recipients. However, it is clearly a type of fraud and it is therefore noteworthy as part of this effort. A recent study by the USDA indicated that approximately 8.2 percent of stores trafficked in this manner and estimates SNAP trafficking (in dollar terms) at approximately one percent.⁶⁴

VI Concluding Remarks

The Florida Medicaid & Public Assistance Fraud Strike Force contracted ERS Group to review information on metrics and methodologies used to measure waste, fraud, and abuse in public assistance programs. The Strike Force also requested we estimate the amount of fraud, waste or abuse leading to overpayments in the Florida Food Assistance Program. There are a number of ways in which fraud is exam-

⁶³ $\$241.88/(\$241.88 + \$247.30) = 49.4$ percent.

⁶⁴ See the March, 2011 USDA FNS report entitled "The Extent of Trafficking in the Supplemental Nutrition Assistance Program (SNAP): 2006–2008". See <http://www.fns.usda.gov/ora/menu/Published/SNAP/FILES/ProgramIntegrity/Trafficking2006Summary.pdf>.

ined in academic studies and government programs. However, the most useful methodology for estimating fraud within Florida's SNAP was to draw a random sample of payments and have Florida's professional fraud investigators examine those cases for any misrepresentation of information, (*i.e.*, fraud). The investigators for DPAF and DCF discovered 28 instances of fraud within the randomly drawn sample of 545 cases. Based on the various investigative methodologies employed on the entire sample, as well as the site visits employed on a sub-sample of 100 cases, we estimate fraud incidence within SNAP to be 7.5 percent. There were an additional six cases with pending investigations, which could raise that estimate to as much as 8.6 percent.

Further, we employed two methodologies to estimate the dollar overpayment rate within SNAP, both based in part on the fraud incidence rate estimate. First, we compared the average monthly payment amount received by recipients who were identified as having committed fraud to the average monthly payment amount in the entire SNAP universe. Multiplying this average overpayment rate of 36.4 percent by the fraud incidence rate of 7.5 percent yields an estimated dollar overpayment rate of approximately 2.75 percent.

The second method utilized historical information, provided by DPAF, regarding average monthly overpayment amounts on cases involving fraud. Multiplying the average overpayment rate indicated by the DPAF data, 49.4 percent, by the fraud incidence rate of 7.5 percent yields an estimated dollar overpayment rate of approximately 3.7 percent. Additionally, a recent USDA report estimates national vendor trafficking in dollar terms at approximately one percent.

It is critical to recognize that with both of these methodologies, the dollar overpayment estimates have the potential to be unreliable due to the relatively small number of fraud cases identified in the sample (28), or biased by the nature of the information on fraud overpayment provided by DPAF. Further study of the 28 identified cases and recalculation of their monthly benefit based on additional information would provide a more accurate estimate of the dollar overpayment rate in Florida's Food Assistance Program.

The two most common mechanisms by which fraud was perpetrated in the sample were through false reporting of income and/or household composition. While investigators employed nine different methods of fraud detection, the vast majority of the fraud uncovered in the sample was related to one of these two reasons. Accordingly, we recommend that DCF, the agency tasked with administering the SNAP program, institute computer comparison of applicant's (or re-applicant's) reported income to that found in other state databases, including Florida wage income reported to the Department of Economic Opportunity. We also recommend implementation of a system in which household composition and residency are more routinely checked. This may include partnering with a vendor who can perform these types of checks using publicly available or privately held databases.

We also ran regression analyses to determine if there were any characteristics correlated with a higher likelihood of committing fraud. While an increased number of adults in the recipient household was correlated with an increased likelihood of fraud, we caution stakeholders against using this information proactively.

Further, it is our understanding that households are not required to report changes in income (or other characteristics) that have occurred within 6 months of application (or re-application). While we did not identify any fraud based on that criteria since that is the rule under which the system operates, the potential for waste due to that rule may be significant. Households with meaningful changes in financial or other circumstances can receive what could be termed excess benefits for as much as 6 months. Accordingly, we recommend a review of this policy to determine if it is in the best interest of the State of Florida.

Lastly, Florida, like many states, operates primarily in the fraud arena under what is commonly referred to a "pay-and-chase" system. Many investigations, though not all, are conducted post-eligibility and after benefits have already been received. Recovering these benefits after they have already been paid is difficult and typically results in a small proportion being recouped. We recommend Florida consider a more rigorous pre-certification system, perhaps partnering with vendors who can provide machine learning software designed specifically to detect this type of fraudulent activity.

APPENDIX
Results by County

County	Households (2010 Census)		SNAP Households (October 2011)		Study Sample (Total)		Study Sample (Fraud)	
	Number	Percent Share	Number	Percent Share	Number	Percent Share	Number	Percent Share
Alachua	100,516	1.35%	20,413	1.14%	13	2.39%	—	—
Baker	8,772	0.12%	2,384	0.13%	—	—	—	—
Bay	68,438	0.92%	16,964	0.95%	4	0.73%	1	3.57%
Bradford	9,479	0.13%	2,807	0.16%	1	0.18%	—	—
Brevard	229,692	3.10%	41,171	2.31%	7	1.28%	—	—
Broward	686,047	9.24%	142,139	7.97%	55	10.09%	4	14.29%
Calhoun	5,061	0.07%	1,373	0.08%	—	—	—	—
Charlotte	73,370	0.99%	11,248	0.63%	3	0.55%	—	—
Citrus	63,304	0.85%	12,729	0.71%	4	0.73%	—	—
Clay	68,792	0.93%	10,895	0.61%	5	0.92%	—	—
Collier	133,179	1.79%	19,911	1.12%	8	1.47%	—	—
Columbia	24,941	0.34%	7,543	0.42%	1	0.18%	—	—
DeSoto	11,445	0.15%	3,665	0.21%	2	0.37%	—	—
Dixie	6,316	0.09%	2,146	0.12%	1	0.18%	—	—
Duval	342,450	4.61%	91,938	5.16%	40	7.34%	—	—
Escambia	116,238	1.57%	30,803	1.73%	8	1.47%	2	7.14%
Flagler	39,186	0.53%	6,589	0.37%	1	0.18%	—	—
Franklin	4,254	0.06%	960	0.05%	—	—	—	—
Gadsden	16,952	0.23%	7,134	0.40%	5	0.92%	1	3.57%
Gilchrist	6,121	0.08%	1,590	0.09%	—	—	—	—
Glades	4,533	0.06%	655	0.04%	—	—	—	—
Gulf	5,335	0.07%	1,309	0.07%	—	—	—	—
Hamilton	4,617	0.06%	1,875	0.11%	1	0.18%	—	—
Hardee	8,245	0.11%	2,971	0.17%	1	0.18%	—	—
Hendry	12,025	0.16%	5,125	0.29%	2	0.37%	1	3.57%
Hernando	71,745	0.97%	15,913	0.89%	4	0.73%	—	—
Highlands	42,604	0.57%	9,112	0.51%	2	0.37%	—	—
Hillsborough	474,030	6.39%	134,121	7.52%	48	8.81%	4	14.29%
Holmes	7,354	0.10%	2,412	0.14%	1	0.18%	—	—
Indian River	60,176	0.81%	10,747	0.60%	2	0.37%	—	—
Jackson	17,417	0.23%	4,578	0.26%	—	—	—	—
Jefferson	5,646	0.08%	1,453	0.08%	—	—	—	—
Lafayette	2,580	0.03%	481	0.03%	—	—	—	—
Lake	121,289	1.63%	23,721	1.33%	7	1.28%	—	—
Lee	259,818	3.50%	51,963	2.91%	17	3.12%	1	3.57%
Leon	110,945	1.50%	20,447	1.15%	7	1.28%	—	—
Levy	16,404	0.22%	4,359	0.24%	1	0.18%	—	—
Liberty	2,525	0.03%	687	0.04%	—	—	—	—
Madison	6,985	0.09%	2,308	0.13%	1	0.18%	—	—
Manatee	135,729	1.83%	26,774	1.50%	8	1.47%	—	—
Marion	137,726	1.86%	34,389	1.93%	13	2.39%	—	—
Martin	63,899	0.86%	8,338	0.47%	2	0.37%	1	3.57%
Miami-Dade	867,352	11.69%	362,450	20.33%	94	17.25%	8	28.57%
Monroe	32,629	0.44%	5,435	0.30%	—	—	—	—
Nassau	28,794	0.39%	4,866	0.27%	1	0.18%	—	—
Okaloosa	72,579	0.98%	10,351	0.58%	5	0.92%	—	—
Okneechee	14,013	0.19%	4,663	0.26%	1	0.18%	—	—
Orange	421,847	5.68%	108,594	6.09%	25	4.59%	—	—
Osceola	90,603	1.22%	33,380	1.87%	14	2.57%	—	—
Palm Beach	544,227	7.33%	93,010	5.22%	22	4.04%	1	3.57%
Pasco	189,612	2.56%	40,368	2.26%	13	2.39%	—	—
Pinellas	415,876	5.60%	85,889	4.82%	20	3.67%	1	3.57%
Polk	227,485	3.07%	62,197	3.49%	18	3.30%	2	7.14%
Putnam	29,409	0.40%	11,135	0.62%	7	1.28%	—	—
St. Johns	75,338	1.02%	8,224	0.46%	2	0.37%	1	3.57%
St. Lucie	108,523	1.46%	26,189	1.47%	11	2.02%	—	—
Santa Rosa	56,910	0.77%	8,081	0.45%	1	0.18%	—	—
Sarasota	175,746	2.37%	26,678	1.50%	9	1.65%	—	—
Seminole	164,706	2.22%	23,976	1.34%	6	1.10%	—	—
Sumter	41,361	0.56%	5,017	0.28%	—	—	—	—
Suwannee	15,953	0.21%	4,589	0.26%	—	—	—	—
Taylor	7,920	0.11%	2,277	0.13%	1	0.18%	—	—
Union	4,048	0.05%	1,351	0.08%	—	—	—	—
Volusia	208,236	2.81%	48,887	2.74%	15	2.75%	—	—
Wakulla	10,490	0.14%	2,003	0.11%	1	0.18%	—	—
Walton	22,301	0.30%	2,980	0.17%	4	0.73%	—	—
Washington	8,864	0.12%	2,307	0.13%	—	—	—	—
Total	7,420,802		1,783,037		545		28	

SUBMITTED QUESTIONS

Response from Tikki Brown, Assistant Commissioner, Children and Family Services Administration, Minnesota Department of Human Services

Question Submitted by Hon. David Scott, a Representative in Congress from Georgia

Question. Ms. Brown, are SNAP applicants and recipients required to provide a Social Security Number to receive and retain SNAP benefits?

Answer. Hon. DAVID SCOTT,

It was a pleasure to testify at the June 7, 2023, Congressional Full Committee hearing, *Innovation, Employment, Integrity, and Health: Opportunities for Modernization in Title IV*. Thank you for your recent question following my testimony: Are SNAP applicants and recipients required to provide a Social Security Number to receive and retain SNAP benefits?

In Minnesota, applicants must provide a Social Security Number. They do not have to provide the card, just the number, which is entered into the eligibility system, where a data exchange occurs with the Social Security Administration to verify the number that was entered. If the number is verified, the system enters a “V” in the system next to the Social Security Number to indicate it’s been verified. If applicants don’t have a number, they must apply for one, and provide proof they applied.

For participants, the system will generate a message after 60 days if the Social Security Number has not been verified. There is a process for Supplemental Nutrition Assistance Program workers to follow up with the participants. If the workers receive no response, after follow-up, the participants will be removed from the SNAP grant.

I hope this fully answers your question.

TIKKI BROWN,
Assistant Commissioner,
Children and Family Services.

Response from Patrick J. Stover, Ph.D., Director, Institute for Advancing Health Through Agriculture, Texas A&M University

Questions Submitted by Hon. Glenn Thompson, a Representative in Congress from Pennsylvania

Question 1. Dr. Stover, your testimony mentions nutrition education; what is your take on programs like the Expanded Food and Nutrition Education Program (EFNEP) and SNAP-Ed, and do you have ideas for carrying out a systematic evaluation to see where they are impactful *versus* not?

Answer. Nutrition education programs provide individuals who participate in assistance programs with strategies to meet nutrient needs and reduce the risk of diet-related chronic diseases. The largest nutrition education programs in terms of investment and reach are SNAP Education (SNAP-Ed), the WIC (Women, Infants and Children) program (that contains an educational component), and the Expanded Food and Nutrition Education Program (EFNEP). For some programs, the education component is voluntary (SNAP-Ed and EFNEP) whereas others are not (WIC). Each of these programs has a different level of rigor in the program evaluation of the education component and in scientific evaluations that have been carried out on these programs, some of which has been quantified in terms of return on investment. I believe that given the expense of these programs that a systematic program and scientific evaluation remains as a key need, recognizing that SNAP-Ed and EFNEP, but not WIC, are under the House Committee on Agriculture’s jurisdiction.

SNAP-Ed, WIC nutrition education, and EFNEP are administered by state and local government agencies who subcontract with implementing agencies including nonprofits, health departments and hospitals, daycare centers and schools, community centers, food banks, land-grant universities, and cooperative extension services. This distributed network of agencies enables innovation in designing programs tailored to the needs of local communities, but the distributed implementation framework presents challenges for systematic program evaluation due to variability in delivery, content, data collection, and reporting measures, which are sometimes due to policy constraints at the institutional or state level.¹⁻³ When asked to evaluate the effectiveness of USDA nutrition education programs in 2019, the Government Accountability Office (GAO) concluded that data on state-administered program effectiveness, reported at the state level, are not sufficient for aggregation and review at the Federal level.⁴

While innovation and consideration of local and cultural contexts should be encouraged in the *delivery* of nutrition education programs, a program common evaluation framework that includes a common set of core measures, such as the RE-AIM⁵ (Reach, Effectiveness, Adoption, Implementation, and Maintenance) framework, is needed for robust evaluation of program effectiveness. There is an additional need for rigorous scientific evaluations of these programs outside of programming evaluations. Collection of common and impactful outcome measures is needed to allow data aggregation, comparison of program learning outcomes and systematic evaluation of the impact and cost effectiveness of all Federal nutrition education programs. It would also permit the identification of best practices and innovations in the delivery of these education programs.

Scientific Evaluation: Scientific evaluations should be performed by investigators external to these educational programs yet working hand-in-hand with program administrators to allow for more rigorous study designs, use of gold-standard and rigorous assessments, and the mitigation of program biases that all promote potentially stronger evidence. Such evaluations could be optimally funded through competitive funding processes that support creative approaches and collaborative teams comprised of researchers and program administrators. Currently no mechanisms for external scientific evaluations for these programs exist. The scientific evaluations that have been completed, including the few studies on program impact on program goals (*e.g.*, improving diet and food security), have been investigator driven proposals awarded from a variety of general funds, none of which were specifically marked for nutrition education evaluations.

Program Evaluation: There are opportunities to harmonize approaches and program evaluation of all nutrition education programs for public benefit and to develop consensus on the intended and desired outcomes of these programs. Currently, SNAP-Ed programs are evaluated through the SNAP-Ed Evaluation Framework, which provides 51 indicators each with multiple outcome measures and data collection methods. State agencies select from this list of indicators to evaluate their nutrition education programs at the individual, organizational, and sectoral levels with metrics for readiness and capacity, changes, effectiveness and maintenance, and outcomes. Seven of the indicators are prioritized by the USDA, but none are mandatory, and the data are often not comparable even if the same indicators are used because each indicator includes multiple data collection methods and outcome measures. WIC education programs are periodically evaluated through state-developed reports, national surveys, and pilot studies.⁶ EFNEP programs have the most consistent evaluation standards, and every EFNEP intervention collects demographic data, food questionnaire data, and behavior change data captured in 24 hour dietary recalls when individuals enter and exit a nutrition education program to track behavior change. EFNEP data is reported through an integrated data tool called the Web-based Nutrition Education Evaluation and Reporting System (WebNEERS), which can be used for program management and impact assessment. Data from this system can be aggregated to estimate program effectiveness across state programs and at the national level. Data to date suggest that WIC and EFNEP have a large ROI, with less consistent evidence available for SNAP-Ed. This may be largely driven by the heterogeneity of content delivery and the lack of systematic evaluation of program effectiveness. Some means to address this gap are underway https://snaped.fns.usda.gov/sites/default/files/documents/N-PEARS_Memo_508_0.pdf.^{†*}

Consistent, rigorous, and nationally-harmonized evaluation of nutrition education program effectiveness may be best performed through the Land-Grant universities and cooperative extension services. They have the knowledge, experience, expertise, and community relationships to monitor data collection and conduct common dissemination and evaluation of nutrition education programs across states or territories. Land-grant institutions are also ideally positioned to carry out external scientific evaluations as they usually house researchers representing the many important disciplines necessary for effective rigorous scientific evaluation, for example, nutrition, statistics, agriculture economics, family studies, data science, and health sciences, among many others. These evaluations could employ common data models, evaluation frameworks, and data harmonization, allowing comparison and review at the Federal level through the USDA, who in turn could quickly update nutrition education program guidelines and policies with the latest empirical evidence.

Notes

1. Yetter D., Tripp S. *SNAP-Ed FY2019: A Retrospective Review of LGU SNAP-Ed Programs and Impacts*.[†] 2020. https://www.nifa.usda.gov/sites/default/files/resource/LGU-SNAP-Ed-FY2019-Impacts-Report-12-16-2020_508.pdf.
2. Atoloye A.T., Savoie-Roskos M.R., Guenther P.M., Durward C.M. *Effectiveness of Expanded Food and Nutrition Education Program in Changing Nutrition-Related Outcomes Among Adults With Low Income: A SYSTEMATIC REVIEW*. *J. NUTR. EDUC. BEHAV.* 2021; 53(8): 691–705. doi:10.1016/j.jneb.2021.03.006
3. Rivera R.L., Maulding M.K., Eicher-Miller H.A. *Effect of Supplemental Nutrition Assistance Program—Education (SNAP-Ed) on food security and dietary outcomes*.[†] *NUTR. REV.* 2019; 77(12): 903–921. doi:10.1093/nutri/nuz013
4. *Nutrition Education USDA: Actions Needed to Assess Effectiveness, Coordinate Programs, and Leverage Expertise*.[†] United States Government Accountability Office; 2019. Accessed December 20, 2022. <https://www.gao.gov/assets/gao-19-572.pdf>.
5. Glasgow R.E., Vogt T.M., Boles S.M. *Evaluating the public health impact of health promotion interventions: the RE-AIM framework*. *Am. J. Public Health.*[†] (1999) 89: 1322–7. doi: 10.2105/AJPH.89.9.1322

* **Editor's note:** items annotated with † are retained in Committee file.

6. U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support. *WIC Nutrition Education Study: Phase II Final Report* WIC Nutrition Education Study: Phase II Final Report,[†] by Sheryl Cates, Jonathan Blitstein, Linnea Sallack, Karen Deehy, Lorrene Ritchie, Nila Rosen, Shawn Karns, Katherine Kosa, Gina Kilpatrick, Stacy Bell, Caroline Rains. Project Officer: Karen Castellanos-Brown.; 2018.

Question 2. Dr. Stover, I have long been frustrated by the current *Dietary Guidelines for Americans* process and outcomes, especially because they underpin most Federal nutrition programs. What are we doing wrong, and how can we get it right?

Answer. Briefly, every 5 years a scientific committee (Dietary Guidelines Advisory Committee; DGAC) is formed to evaluate the scientific literature and deliver a report to HHS and USDA, who in turn develop the *Dietary Guidelines for Americans* (DGA). While I stand behind the DGA, there is always room for improvement. My major concerns are consistent with those raised by the National Academies of Sciences, Engineering and Medicine (NASEM) that are highlighted below. Chiefly, there are serious conflict of interest (COI) concerns in the Systematic Review process and the need for a tripartite committee model (discussed in the NASEM report)—neither of which is being fully addressed in the current cycle.

NASEM recently conducted a study evaluating the process to develop the DGA, 2020–2025. Two reports were generated from this study. In 2022, a midcourse report was published for which I served as an external reviewer,¹ and the final report that was published in 2023.² The reports focused on progress made in meeting the previous recommendations from a 2017 NASEM report “Redesigning the Process for Establishing the Dietary Guidelines for Americans.”³

The reports^{1, 2} evaluated how effectively the seven recommendations from the 2017 report were implemented. The 2017 recommendations related to: (1) reorganizing the DGAC structure and responsibilities; (2) increasing transparency in articulating the inclusion/exclusion of DGAC recommendations into the final DGA guidelines; (3) the need to separate the roles of the Nutrition Evidence Systematic Reviews (NESR) from the DGAC; (4) ensure NESR systematic reviews align with best practices including continuous training and technology infrastructure to conduct reviews; (5) improve food pattern modeling; (6) standardize the methods and criteria for establishing nutrients of concern; and (7) implement systems approaches into the DGA. I will focus my comments on the organizational structure of NESR (#3 above) and the NESR systematic review methodology (#4 above) as these two elements are critical to ensuring transparent, objective and science-informed policy.

The importance of having a rigorous and transparent scientific process to establish the DGAs cannot be overstated, and it is critical that the concerns raised regarding the creation of the DGAs, which emerge every cycle, be addressed. The appreciation of the importance of food, nutrition and nutrition science in public health has never been greater, as diet-related chronic disease is a major driver of health care costs. Now more than ever we need to ensure the rigor of the science that underpins the DGAs engenders confidence and public trust in the DGAs, leading to public acceptance and adherence to the recommendations. Scientific integrity is key to achieving these goals. The government scientists involved in the current process are committed to improving public health, but there are both methodological and structural limitations to the current processes. There continues to be a need to increase adherence to rigorous and transparent processes used to conduct the systematic reviews that are the scientific underpinning of the DGAs.

The methods used to evaluate and grade the strength of the scientific evidence in support of the DGA recommendations, which have recently been published,⁴ should be improved. The methods and grading rubric used by NESR differ from the gold standard method in other areas of health, which is GRADE (Grading of Recommendations, Assessment, Development, and Evaluations). Furthermore, DGAC members assign the evidence rating with guidance from NESR, and then make recommendations based on that same evidence. This is a potential source of bias because the same people who are rating the evidence are then turning around and using that same evidence for recommendations.

The second concern relates to the intrinsic conflict of interest of having the same institution (*i.e.*, the USDA) oversee both the conduct of the evidence synthesis by NESR and be responsible for policy decisions (*i.e.*, DGAs) based on the evidence review. The 2017 NASEM report called for *greater differentiation between NESR and DGAC*. Fundamental to evidence-based policy is a firewall between those who generate the systematic review and those who use the systematic review as evidence for decision making; otherwise, you run the risk of bias and “policy informed evidence” (see above). Best practices for science integrity and science-informed policy include having a distinct third party conduct the scientific evidence synthesis. Similarly, better processes are needed regarding the selection of the specific questions the DGAC is asked to address, especially when there are not sufficient high-quality data available to make assessments and recommendations.

Finally, federally-funded scientific research should be prioritized to strengthen the evidence base for establishing both nutrient and food-based guidance for the public and investments made in data-science technologies that allow more rapid translation of scientific evidence into nutrition policy, practice and guidance. This would allow for regular updates for the Dietary Reference Intake values for nutrients, which are a foundation of the DGAs.

Notes

1. National Academies of Sciences, Engineering, and Medicine. 2022. *Evaluating the process to develop the Dietary Guidelines for Americans, 2020–2025: A midcourse report.*† Washington, D.C.: The National Academies Press. <https://doi.org/10.17226/26406>.
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3. National Academies of Sciences, Engineering, and Medicine. 2017. *Redesigning the process for establishing the Dietary Guidelines for Americans.* Washington, D.C.: The National Academies Press. doi: <https://doi.org/10.17226/24883>.
4. Spill, M.K., English, L.K., Raghavan, R., Callahan, E., Güngör, D., Kingshipp, B., Spahn, J., Stoody, E., and Obbagy, J. 2022. *Perspective: USDA Nutrition Evidence Systematic Review Methodology: Grading the Strength of Evidence in Nutrition- and Public Health-Related Systematic Reviews.*† Adv. Nutr.; 13: 982–991; doi: <https://doi.org/10.1093/advances/nmab147>.

Question Submitted by Hon. Mike Bost, a Representative in Congress from Illinois

Question. Dr. Stover, you mentioned that through your research, you have documented health outcomes among SNAP participants. Can you discuss the metrics that you used to quantify those health outcomes? Do you believe there is a benefit to utilizing these metrics in nutrition programs and particularly SNAP, to evaluate participants' health and nutrition, so that once they reach a certain metric they can begin to transition off the program?

Answer. SNAP is a supplemental nutrition program whose purpose is to provide food to address instances of hunger and food insecurity. As currently designed and administered, it is not intended to be a health promotion program; there are no systematic evaluation metrics employed that would include lowering rates of diet-related chronic disease and related health care costs.

The IHA, an entity of the Texas A&M University System, is currently conducting a systematic review of the literature that is focused on health-related outcomes by comparing people who are eligible *and* participate in SNAP to people who are SNAP-eligible participants but do not participate in SNAP. The outcomes to be evaluated include household food insecurity; food insufficiency; diet quality; and dietary intake of fruits, vegetables, whole grains, meat/meat alternatives, milk and dairy, sodium, added sugars, saturated fat and fiber.

The review will also evaluate health outcomes including anthropometrics (*e.g.*, weight status, BMI), cardiovascular disease markers and outcomes, and Type 2 diabetes outcomes. The analyses are now in progress, and we anticipate a completion date in 2024.

Response from Angela K. Rachidi, Ph.D., Research Fellow in Poverty Studies, American Enterprise Institute

Question Submitted by Hon. Mike Bost, a Representative in Congress from Illinois

Question. Dr. Rachidi, you mentioned that through your research, you have documented health outcomes among SNAP participants. Can you discuss the metrics that you used to quantify those health outcomes? Do you believe there is a benefit to utilizing these metrics in nutrition programs and particularly SNAP, to evaluate participants' health and nutrition, so that once they reach a certain metric they can begin to transition off the program?

Answer. In my study with Thomas O'Rourke "*Promoting Mobility Through SNAP: Toward Better Health and Employment Outcomes*", we used data from the nationally representative National Health Interview Survey (NHIS). We explored the following health outcomes (all self-reported): health limitations to work, ever diagnosed with a diet-related disease, obesity, ratings of health status (poor to excellent), and reports of feeling hopeless or worthless. However, it would be challenging to use these measures directly in administering or assessing SNAP because many other factors contribute to these health conditions. Rather, I would recommend metrics that reflect consumption while people are receiving SNAP—the quantity and quality of foods people purchase and eat. The Healthy Eating Index is one useful metric. Also,

data on the types of foods SNAP participants purchases with benefits would be useful. Finally, reports of what people eat would also be helpful.

