

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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WASHINGTON, DC 20515-6143

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<http://oversight.house.gov>

April 23, 2018

Mr. Brandon Lipps
Acting Deputy Under Secretary
U.S. Department of Agriculture
219A Whitten Building
1400 Independence Avenue, S.W.
Washington, DC 20250

Dear Mr. Lipps:

On February 23, 2018, the Food and Nutrition Service (FNS) of the Department of Agriculture (Department) placed an Advance Notice of Proposed Rulemaking (ANPRM) in the Federal Register concerning the Supplemental Nutrition Assistance Program (SNAP). Specifically, the FNS sought public comment on several questions relating to the requirements and services for able-bodied adults without dependents (ABAWD) who qualify for SNAP.¹

Of particular interest is the ANPRM's request for comment on limiting ABAWD waivers. As you know, the authorizing statute for SNAP vests discretion with the Secretary in granting a waiver of the work requirements for ABAWDs receiving benefits through SNAP.² However, the regulations implementing this section state FNS *will* approve requests for waivers when certain information is provided by a state agency requesting a waiver.³ The regulation in question was pushed through less than three days before President Clinton left office, wresting away discretion granted to the Secretary by Congress.⁴

Restoring this discretion is vital to ensuring SNAP once again becomes a transitional program, helping those who are in need of assistance while providing resources so they can become self-sufficient, instead of serving as a mechanism for long-term dependence on the government. The Committee is conducting oversight over the ABAWD waiver processes. To assist the Committee, please arrange for your staff to brief Committee staff on the following topics:

¹ See generally 83 Fed. Reg. 8013 (Feb. 23, 2018).

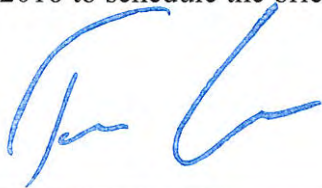
² 7 U.S.C. § 2015(o)(4) (2016).

³ 7 C.F.R. § 273.24(f)(3) (2016).

⁴ 66 Fed. Reg. 4438 (Jan. 17, 2001).

1. The current process by which the Secretary evaluates and responds to requests for waivers of the ABAWD work requirements in accordance with 7 U.S.C. § 2015(o)(4), 7 C.F.R. § 273.24(f), and existing FNS operating guidance to states;
2. The Department's progress in processing comments received from the aforementioned ANPRM;
3. The Department's plan for moving forward with a Notice of Proposed Rulemaking and the remainder of the regulatory process for the subject matter discussed in the aforementioned ANPRM; and
4. The timeline of when waivers are granted, including the length of the grant period, and whether the timeline is based on the fiscal or calendar year.

Please contact Betsy Ferguson of the Majority staff at (202) 225-5074 no later than April 25, 2018 to schedule the briefing. Thank you for your attention to this matter.

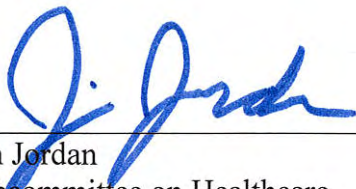


Trey Gowdy

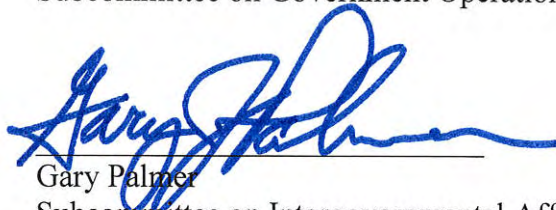
Sincerely,



Mark Meadows
Subcommittee on Government Operations



Jim Jordan
Subcommittee on Healthcare,
Benefits, and Administrative Rules



Gary Palmer
Subcommittee on Intergovernmental Affairs

cc: The Honorable Elijah E. Cummings

The Honorable Gerald E. Connolly
Subcommittee on Government Operations

The Honorable Raja Krishnamoorthi
Subcommittee on Healthcare, Benefits, and Administrative Rules

The Honorable Jamie Raskin
Subcommittee on Intergovernmental Affairs