

Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250

Dear Secretary Vilsack:

As organizations working directly with and/or advocating for young adults who are homeless or were in foster care, we urge you to develop guidance to help states implement the recently enacted exemptions for accessing food through the Supplemental Nutrition Assistance Program (SNAP) that responds to the needs and circumstances of these vulnerable young people. Accessing and maintaining eligibility for SNAP will provide a level of stability that will allow them to thrive as young adults. We ask that:

1. guidance provide clear definitions on homelessness and former foster care status,
2. processes for verification be low barrier and streamlined to respond to the circumstances of young adults and avoid administrative burden for the agency,
3. proactive screening of SNAP applicants and recipients for all available exemptions be required and use clear, consistent language on homelessness and foster care, and
4. education and training be provided regarding young adults with experience in foster care and homelessness.
5. consulting the U.S. Department of Health and Human Services (HHS) and the Department of Education (ED) on these policies and procedures to ensure that they are informed by agencies with the most expertise on youth experiencing homelessness (including college students) and youth who were in foster care.

I. Recommendations for Clarifying Definitions

Homelessness is a fluid experience. Youth and young people, in particular, move frequently based on where they can find space, or feel safe. Many youth who experience homelessness do not stay in shelters due to lack of space and/or fear of being preyed upon by older adults. In many rural and suburban areas, there are no shelters at all. As a result, many young people who experience homelessness stay temporarily with other people in situations that are unstable, precarious, and often dangerous, putting them at risk of trafficking, violence, and other harm. A national study¹ on youth homelessness found that 72% of youth and young adults who slept on the streets or in shelters also stayed with other people while experiencing homelessness. In recognition of this reality, and the unique vulnerabilities of young people, the two major federal programs that are geared specifically for youth experiencing homelessness — the Runaway and Homeless Youth Act (RHYA), and the education subtitle of the McKinney-Vento Act — define homelessness more broadly than shelter or outdoor locations.

¹Voices of Youth Count webpage, <https://voicesofyouthcount.org/>

Section 3(l) of the Food and Nutrition Act defines homeless individuals to include those who lack a fixed and regular nighttime residence, which covers a variety of temporary situations, such as young people who may be in a motel due to lack of alternatives. This definition also explicitly includes individuals who have a primary nighttime residence that is “a temporary accommodation for not more than 90 days in the residence of another individual.” While the Food and Nutrition Act definition of homelessness is not as broad as the definitions included in RHYA and federal education programs, it does cover people experiencing homelessness who are not in shelters or outdoor locations. Therefore – and in particular because of the vulnerabilities of youth and young adults in these situations – it is important to clearly communicate this definition of homelessness to SNAP offices, to aid in eligibility and participation determinations.

The Fiscal Responsibility Act exempts the following young people who had experience with the foster care system from work requirements for SNAP: “an individual who is 24 years of age or younger and who was in foster care under the responsibility of a State on the date of attaining 18 years of age or such higher age as the State has elected under section 475(8)(B)(iii) of the Social Security Act (42 U.S.C. 675(8)(B)(iii)).” We recommend that guidance clarify that: (1) the source of funding for foster care is irrelevant to foster care status, (2) the exemption applies regardless of whether or not the young person applies for SNAP in a state different from the one they were in foster care, and (3) the exemption applies not only to youth who exit foster care on or after their 18th birthday whose exit occurs subsequent to the enactment of the law, but also to those who aged out prior to the enactment of the law, provided the youth is not yet 25 years of age.

In addition, because some states provide foster care placements for youth in the juvenile justice system, we ask that guidance make clear that as long as these young people were in foster care, they are eligible for this exemption even if they are supervised by the juvenile justice system.

II. Recommendations for Processes for Verification of Youth Homelessness and Former Foster Care Status

We urge you to issue guidance to SNAP offices on trauma-informed, streamlined ways to make determinations of homeless and former foster youth status that do not create additional documentation barriers. Without processes that are responsive to the circumstance of young adults facing the unique barriers created by foster care and homelessness, many young people eligible for these exemptions will not have access to them. For example, requiring documentation from a “host household” that an individual is staying with another person might jeopardize the housing of both parties, and increase instability. Former foster youth may already face challenges accessing vital documents such as birth certificates, Social Security cards, and proof of residency.² Requiring that young people who have aged out of foster care who may be very mobile to provide court or agency documentation of foster care may be highly burdensome.

² The Preventing Sex Trafficking and Strengthening Families Act of 2014 required child welfare agencies to provide foster youth aging out of care with crucial documents, like a birth certificate, Social Security

To address the unique challenges that young adults face in providing documentation and verification, we ask that USDA urge states to implement current flexibilities in SNAP that allow self-attestation.³ We believe self-attestation will provide sufficient safeguards around verification of eligibility and will greatly reduce barriers transition aged youth face to access critical food assistance.

III. Recommendation for Proactive Notification and Screening of All Individuals for Available Exemptions

Many individuals who qualify for an exemption to the work requirements due to their status as a homeless individual, foster youth, or Veteran are unlikely to be aware of the availability of these exemptions. We ask that USDA urge state agencies to implement the current practice of pre-screening applicants for exemption eligibility to encourage quick and early identification of individuals who fall into these new exceptions, and for the USDA to consult with homeless and foster youth advocates, ED, and HHS to ensure that screening language is clear, consistent, and effective.

IV. Recommendation for Education and Training

Young people who experienced homelessness and/or foster care are a distinct population. Those working in SNAP offices may not have the background and other information that will help them serve and support these populations. USDA has recognized the unique barriers faced by youth experiencing homelessness in its 2013 Memo Clarification of Policies Barriers Facing Homeless Youth.⁴ We ask this memo be reissued and updated, and that specific training be provided to SNAP offices on this population and relevant resources, programs, and policies, including how homeless and foster youth who are college students may access SNAP. We ask that USDA consider issuing a similar memo on the unique barriers facing youth who experienced foster care, or include foster-youth specific information in an updated homeless youth memo. The Center for Study of Social Policy (CSSP) has issued the following publication, Supporting Youth Aging Out of Foster Care through SNAP,⁵ which could serve as a starting point for foster care provisions in such a memo. We would be happy to collaborate on

card, state-issued identification card and health insurance information. Nevertheless, youth do not always have these documents. Of California former foster youth interviewed in 2019 and 2020, 14.2% reported not having their Social Security card and 21.3% reported not having their birth certificate. See Mark E.Courtney, et al. Findings from the California Youth Transitions to Adulthood Study (CalYOUTH): Conditions of youth at age 23 (Chapin Hall 2020).

³ While we urge the USDA and agencies to use self-attestation as a means to encourage access to SNAP, if the USDA chooses to require (or allow states the option to require) verification of homeless or former foster youth status, we recommend that verification be consistent with the evidence allowed in the FAFSA Simplification Act for homeless young people and former foster youth for the purposes of federal financial aid. See 20 U.S.C.A. 1087uu-2.

⁴ SNAP - Clarification of Policies Barriers Facing Homeless Youth (May 17, 2013), <https://www.fns.usda.gov/snap/snap-clarification-policies-barriers-facing-homeless-youth>

⁵ Supporting Youth Aging Out of Foster Care through SNAP (Center for the Study of Social Policy 2018), <https://cssp.org/wp-content/uploads/2018/08/supporting-youth-aging-out-of-foster-care-through-SNAP.pdf>

developing guidance, including opportunities to consult with youth with lived experiences of homelessness and/or foster care.

V. Recommendation for Consultation and Coordination with Other Agencies

The U.S. Department of Health and Human Services (HHS) and the Department of Education (ED) are the lead agencies administering specific federal programs that are targeted to youth experiencing homelessness and youth in foster care, as well as policies for such youth who seek federal financial aid for higher education. Therefore, we urge USDA to consult these agencies to ensure that guidance, policies, and practices are consistent and reflective of the needs of these populations.

Sincerely,