

J6. Federal Register Comment from Alaska Legal Services

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August 19, 2022

Eric Williams
Food and Nutrition Service
United States Department of Agriculture
1320 Braddock Place, 5th Floor
Alexandria, VA 22314

Submitted via e-mail to: eric.williams@usda.gov

Re: Serving SNAP Applicants and Participants with Limited English Proficiency (LEP), Docket Number FNS-2022-0022, OMB Number 0584-NEW.

Dear Mr. Williams:

Thank you for the opportunity to comment on USDA's proposed study, outlined in 87 FR 41101-41106, on July 11, 2022.

Alaska Legal Services Corporation (ALSC) strongly supports using the study to ensure language justice for LEP households, and we write to encourage you to improve the study by requiring submission of additional data and by providing the opportunity for stakeholder input.

ALSC is a statewide non-profit law firm that serves low-income Alaskans and Tribes in a variety of civil legal matters, including applicants and participants in the SNAP program. Through our work, we have helped thousands of Alaskans access SNAP benefits, including people with limited English proficiency. We write to suggest ways to enhance the quality, utility, and clarity of the information to be collected in the proposed study.

To ensure that the LEP population has meaningful access to the SNAP program, language assistance must be provided in a way that avoids an undue burden on or delay in access to benefits. For many LEP households, the assistance provided falls far short of this goal. A starting point to measure how much meaningful access is being provided is to collect data. Although the notice indicates that detailed data from all 53 state SNAP agencies will be gathered via a web-based survey, it does not indicate precisely what data will be gathered.

ALSC encourages you to pursue extensive data collection. Here in Alaska, the state has failed to collect the majority of the data needed to ensure LEP households have meaningful access to the SNAP program. Despite the requirements of 7 CFR § 272.4(b) Alaska has not conducted a study to determine the number of low-income single-language minority households, both participating and not participating in the

program, nor has it developed a language access plan for the SNAP program. The most recent publicly available data estimated that there are 48,401 LEP households in Alaska, which is over 19% of the total households in the state.¹ Despite these large numbers the state of Alaska currently only provides vital documents in English. Since the state has not begun the required study, it cannot effectively compare outcomes for LEP households and non-LEP households.

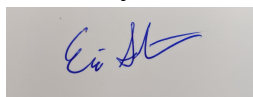
We believe it is essential for the proposed study to collect data comparing the rates of LEP households versus non-LEP households in each state for the following elements, to name just a few:

(1) SNAP applicants; (2) SNAP recipients; (3) basis for denial; (4) payment error rates; (5) fair hearing outcomes; and (6) provision of documents in the applicant's or recipient's preferred language. This detailed data is needed to measure the level of meaningful access more accurately for people with limited English proficiency.

The notice also indicates that case studies will be conducted in four states, including only SNAP agency staff and management. Including only the various SNAP agencies, given the historical failings of these agencies to collect accurate data, is a recipe for inaccurate information. FNS is likely to get a more complete picture from the study if it includes the voices of those most impacted by language access policies. SNAP applicants and recipients with limited English proficiency, and the advocates who assist them, are a vital resource that can provide a more detailed view of the impact of current policies and places where they can be improved.

We encourage you to amend the plan for the study on serving SNAP applicants with limited English proficiency by increasing the scope of data collection and by expanding respondents to include LEP applicants and participants in SNAP and their advocates. Thank you for your consideration of this request.

Sincerely,



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¹ U.S. Census Bureau (2019). LIMITED ENGLISH SPEAKING HOUSEHOLDS. Retrieved from [<https://data.census.gov/cedsci/table?q=language%20spoken&g=0400000US02&tid=ACST1Y2019.S1602>]