

# PUBLIC SUBMISSION

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**Docket:** FNS-2015-0038

Supplemental Nutrition Assistance Program: Student Eligibility, Convicted Felons, Lottery and Gambling, and State Verification Provisions of the Agricultural Act of 2014

**Comment On:** FNS-2015-0038-0001

Supplemental Nutrition Assistance Program: Student Eligibility, Convicted Felons, Lottery and Gambling, and State Verification Provisions of Agricultural Act

**Document:** FNS-2015-0038-0002

Comment on FR Doc # 2016-28520

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**Government Agency Type:** State

**Government Agency:** Department of Social and Health Services

## General Comment

Regarding Section 4009:

Washington state acknowledges the potential public relations cost of continuing benefits to a recipient that who wins a significant prize from gambling. However, we also know that the number of potential SNAP benefit recipients that could become gambling winners of \$25,000 or over does not warrant the burden on the SA to establish a multitude of data share contracts, at least one new verification system, and the increased administrative costs due to increased touch time. In Washington State there are 29 federally recognized tribes with gaming compacts allowing them to operate casinos. There are also 2,177 licensed gambling organizations operating card rooms, bingo, pull tabs, punch boards, raffles and fund raising events with cash prizes.

Washington State requests FNS define the following before implementing the proposed rule:  
 Will winnings of \$25,000 or more that are issued in monthly payments disqualify recipients? If so, for how long?

What is considered a practical number of gaming entities for data matching?

What is considered a good faith effort for establishing data matching agreements?

Regarding Section 4008:

Washington State does not support the codification of the proposed rule. Removing the availability of support systems like SNAP to convicted felons that have served their sentence can only lead to an increase in recidivism. Requiring these individuals to self attest to convictions serves no purpose other than to shame them. These individuals have served their sentence and have the same rights as other citizens. Washington State does not see the purpose in imposing a continued sentence on them by ensuring they do not have the same rights and access to nutritious foods as other citizens. Washington State encourages FNS to resist the implementation of this rule.

Should FNS proceed to codify this rule, we strongly recommend FNS clarify this regulation as it relates to the Fleeing Felon regulations at 7 CFR 273.11 (n). We also recommend that FNS not codify the rule until the US Department of Justice (DOJ) establishes regulations or guidance on which state offenses are substantially similar to the Federal offenses listed in section 4008.