



WHY THE TRUMP  
ADMINISTRATION SHOULD

# Move able-bodied adult siblings from welfare to work

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# KEY FINDINGS

1

A CLINTON-ERA RULE CONFLICTS WITH THE PLAIN MEANING OF THE FOOD STAMP STATUTE.



2

AS A RESULT OF THIS BROKEN RULE, ABLE-BODIED ADULT SIBLINGS ARE EXEMPT FROM WORK REQUIREMENTS.



3

MORE THAN 82 PERCENT OF ABLE-BODIED ADULT SIBLINGS ON FOOD STAMPS DO NOT WORK AT ALL.



4

WORK REQUIREMENTS WOULD HELP MOVE THESE ABLE-BODIED ADULTS TO SELF-SUFFICIENCY.



5

IF THE RULE IS REALIGNED WITH FEDERAL STATUTE, TENS OF THOUSANDS OF ABLE-BODIED ADULTS COULD MOVE FROM WELFARE TO WORK, SAVING TAXPAYERS UP TO \$800 MILLION PER YEAR.



## BOTTOM LINE:

THE TRUMP ADMINISTRATION SHOULD HELP ABLE-BODIED ADULT SIBLINGS OUT OF DEPENDENCY.

Under the federal food stamp statute, able-bodied adults without dependents are required to work, train, or volunteer at least part-time in order to maintain their eligibility.<sup>1</sup> Able-bodied adult parents and other caretakers who are responsible for dependent children are automatically exempt from this requirement.<sup>2</sup> However, three days before leaving office, the Clinton administration issued new regulations that broadened this exemption even further.<sup>3</sup>

This new rule exempted all adults in households with children, regardless of whether they are parents or caretakers.<sup>4</sup> Not only did this move increase dependency, but it conflicts with the statutory language, Congressional intent, how most states initially interpreted the terms, and the agency's interpretation of similar terms in other contexts.

## Clinton-era rules conflict with the plain meaning of the statute

By interpreting the exemption to include all adults in households with children, the Clinton administration ignored the plain meaning of the statute. The food stamp statute specifically limited the exemption to parents and other adults with responsibility for caring for dependent children.<sup>5</sup> But the federal regulation goes far beyond the statutory limit, creating a separate exemption for any adult "residing in a household" with someone under the age of 18.<sup>6</sup>

This interpretation means that able-bodied adults who live with siblings younger than 18 are made exempt from the work requirement, even though the statute specifically limited the exemption to parents and other caretakers responsible for the care of children.

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## Clinton-era rules are internally inconsistent

The Clinton administration’s interpretation is also inconsistent with its interpretation of similar terms in other areas of the food stamp program.

The food stamp statute provides that an able-bodied adult is exempt from the work requirement if he or she is “a parent or other member of a household with responsibility for a dependent child.”<sup>7</sup> In another provision, an able-bodied adult is exempt from work registrant rules if he or she is “a parent or other member of a household with responsibility for the care of a dependent child under age six.”<sup>8</sup> But the Food and Nutrition Service (FNS) has interpreted these terms in different and conflicting ways.

In the regulations concerning work registration, the agency interpreted “a parent or other member of a household with responsibility for the care of a dependent child under age six” to mean a parent or other caretaker, consistent with the plain meaning and common understanding of the phrase.<sup>9</sup> But the agency interpreted similar language in a completely different way when it comes to the work requirement, which it interprets to include able-bodied adult siblings of dependent children, thereby exempting them from work requirements.<sup>10</sup>

## Able-bodied adult siblings were not always exempt from the work requirement

Before the U.S. Department of Agriculture (USDA) adopted the January 2001 regulations, states defined the exemption policy. In 28 states, food stamp officials had interpreted the statutory exemption to apply only to parents or other adults who could demonstrate that they were responsible for caring for a dependent child, consistent with the statute.<sup>11</sup>

When the 2001 regulations were implemented, these states had to reverse course and begin exempting able-bodied adults who did not meet the statutory definition.

## Dependency is growing among exempt able-bodied adult siblings

With no work requirement in place, the number of able-bodied adult siblings on food stamps has skyrocketed in recent years. Today, nearly 650,000 able-bodied adult siblings are on the program—more than twice as many as in 2000.<sup>12-15</sup> This enrollment surge now costs taxpayers nearly \$900 million per year.<sup>16</sup>

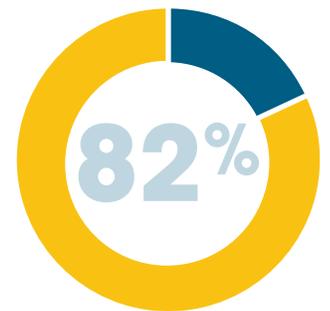
Nearly 92 percent of these able-bodied adults are between the ages of 18 and 22.<sup>17</sup> Nearly 500,000 of these able-bodied adults were exempt from the work requirement simply because they lived with teenage siblings who were a few years younger than them.<sup>18</sup>

With no real work requirement or time limit, few of these able-bodied adults actually work. According to federal data, more than 82 percent of able-bodied adult siblings do not work at all, while fewer than two percent work full-time.<sup>19</sup>

## Work requirements would help move able-bodied adult siblings to self-sufficiency

Work requirements are a proven, highly effective way to not only reduce caseloads but also increase incomes. After Kansas implemented work requirements for able-bodied adults on food stamps, caseloads dropped by 75 percent, and individuals who left welfare saw their wages more than double within a year.<sup>20</sup> When Maine implemented the same work requirements, it saw similar impressive results: incomes of former enrollees more than doubled, and caseloads declined by 90 percent.<sup>21</sup> And in Arkansas, enrollment dropped by 70 percent and wages more than tripled in the two years after these able-bodied adults left welfare.<sup>22</sup>

**THIS ENROLLMENT SURGE NOW COSTS TAXPAYERS NEARLY \$900 MILLION PER YEAR**



**MORE THAN 82 PERCENT OF ABLE-BODIED ADULT SIBLINGS DO NOT WORK AT ALL**

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The Trump administration can roll back the exemption loophole on its own and restore the exemption policy to its statutory limit.  
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## There has never been a better time for welfare reform

The lack of work in today's food stamp program is alarming in an era of record-low unemployment.<sup>23-24</sup> With more than seven million open jobs across the country, employers are desperate for workers.<sup>25-26</sup> In fact, there are more job openings today than at any point since the U.S. Department of Labor began tracking them.<sup>27</sup> Employers are so desperate for workers that they are offering signing bonuses, incentive payments, and record-high wages even for entry-level and low-skill positions.<sup>28</sup> If today's booming economy is not enough to move able-bodied adults off the sidelines, more policy changes are needed to ensure they move from welfare to work.

## The Trump administration should move able-bodied adult siblings from welfare to work

The Clinton administration unilaterally created the exemption for able-bodied adult siblings through regulation and sub-regulatory guidance.<sup>29</sup> The current regulation conflicts with the plain meaning of the food stamp statute, Congressional intent, how most states initially interpreted the terms, and the agency's interpretation of similar terms in other contexts.

When first adopted, these rules overrode state interpretations of the exemption policy and were ultimately inconsistent with the agency's interpretation of other provisions with similar terms. As such, the Trump administration can roll back the exemption loophole on its own and restore the exemption policy to its statutory limit.

**If the rule is reversed and realigned with the food stamp statute, tens of thousands of able-bodied adults could move from welfare to work, saving taxpayers up to \$800 million per year.<sup>30</sup>**

Even with a divided Congress, the Trump administration can help restore program integrity and work-first policies, helping more able-bodied adults find self-sufficiency and protecting resources for the truly needy.

## APPENDIX

CLOSING THE EXEMPTION LOOPHOLE FOR ABLE-BODIED ADULT SIBLINGS WOULD SAVE TAXPAYERS UP TO \$800 MILLION PER YEAR.

	POTENTIAL ENROLLMENT DECLINE	POTENTIAL SAVINGS
Alabama	10,700	\$14,340,000
Alaska	1,200	\$2,700,000
Arizona	10,700	\$15,580,000
Arkansas	3,200	\$4,550,000
California	80,800	\$113,060,000
Colorado	5,400	\$7,670,000
Connecticut	5,000	\$6,930,000
Delaware	2,000	\$2,680,000
District of Columbia	3,300	\$5,190,000
Florida	30,600	\$39,970,000
Georgia	21,800	\$31,850,000
Hawaii	1,500	\$4,170,000
Idaho	1,600	\$1,980,000
Illinois	22,900	\$32,800,000
Indiana	8,600	\$12,070,000
Iowa	4,000	\$4,830,000
Kansas	2,500	\$3,370,000
Kentucky	6,600	\$9,050,000
Louisiana	12,600	\$16,980,000
Maine	1,400	\$1,960,000
Maryland	8,800	\$13,200,000
Massachusetts	8,600	\$11,840,000
Michigan	12,700	\$16,730,000
Minnesota	3,700	\$3,730,000
Mississippi	9,100	\$12,210,000

## APPENDIX (CONTINUED)

	POTENTIAL ENROLLMENT DECLINE	POTENTIAL SAVINGS
Missouri	9,900	\$13,340,000
Montana	900	\$1,120,000
Nebraska	1,000	\$1,450,000
Nevada	5,600	\$8,130,000
New Hampshire	900	\$1,040,000
New Jersey	12,000	\$18,880,000
New Mexico	4,900	\$6,190,000
New York	51,600	\$73,530,000
North Carolina	20,500	\$27,100,000
North Dakota	100	\$210,000
Ohio	17,200	\$23,190,000
Oklahoma	6,400	\$8,820,000
Oregon	8,600	\$10,170,000
Pennsylvania	30,100	\$43,880,000
Rhode Island	1,400	\$2,060,000
South Carolina	8,900	\$12,720,000
South Dakota	900	\$1,290,000
Tennessee	10,200	\$16,150,000
Texas	51,600	\$76,480,000
Utah	1,500	\$2,000,000
Vermont	700	\$700,000
Virginia	12,400	\$19,110,000
Washington	10,900	\$16,090,000
West Virginia	3,000	\$4,360,000
Wisconsin	9,700	\$12,500,000
Wyoming	200	\$240,000
<b>TOTAL</b>	<b>560,100</b>	<b>\$790,170,000</b>

Source: Authors' calculations

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