

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

DISTRICT OF COLUMBIA, STATE  
OF NEW YORK, STATE OF  
CALIFORNIA, STATE OF  
CONNECTICUT, STATE OF  
MARYLAND, COMMONWEALTH  
OF MASSACHUSETTS, ATTORNEY  
GENERAL DANA NESSEL ON  
BEHALF OF THE PEOPLE OF  
MICHIGAN, STATE OF  
MINNESOTA, STATE OF NEVADA,  
STATE OF NEW JERSEY, STATE  
OF OREGON, COMMONWEALTH  
OF PENNSYLVANIA, STATE OF  
RHODE ISLAND, STATE OF  
VERMONT, COMMONWEALTH OF  
VIRGINIA, and CITY OF NEW  
YORK,

Plaintiffs,

v.

U.S. DEPARTMENT OF  
AGRICULTURE; GEORGE ERVIN  
PERDUE III, in his official capacity as  
Secretary of the U.S. Department of  
Agriculture, and UNITED STATES  
OF AMERICA,

Defendants.

Case No. 1:20-cv-00119

**DECLARATION OF BRITTANY MANGINI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to 28 U.S.C. § 1746, I, Brittany Mangini, declare and state as follows:

1. I am over the age of eighteen (18) years, competent to testify to the matters contained herein, and testify based on my personal knowledge and information.

2. I am the Director of Food Security and Nutrition for the Commonwealth of Massachusetts (Massachusetts) Department of Transitional Assistance (MA-DTA). In this role, I am responsible for oversight of the Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps, which provides nutrition support and benefits to more than 750,000 individuals and families in the Commonwealth. I oversee the development of all policy, procedures, and regulatory requirements to ensure access to stable nutrition benefits for Massachusetts's most vulnerable residents. I am also responsible for promoting economic opportunity and employment for the un- and under-employed individuals and families MA-DTA serves through SNAP. I joined MA-DTA in 2016, and prior to my current role I was the SNAP Director and, prior to that, the Assistant Director for SNAP Outreach. Prior to joining MA-DTA, I was the Manager for Federal Food Programs at the Greater Boston Food Bank where I was responsible for the development and oversight of the SNAP Outreach Program and the Commodity Supplemental Food Program. Both programs focused on improving access to nutrition programs for the elderly and disabled population.

3. I am aware of the federal government's recently issued final rule "Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents," effective April 1, 2020 (the Rule). Currently, able-bodied adults without dependents (ABAWDs) must work or engage in certain other qualifying activities in order to receive more than three months of benefits from the Supplemental Nutrition Assistance Program (SNAP) in a 36-month

period. However, states with areas of high unemployment may apply for waivers of this three-month time limit for those areas. The Rule will eliminate or restrict many of the criteria upon which Massachusetts and other states have relied when applying for a waiver of the ABAWD time limit. I have reviewed the Rule and am aware of its direct implications on the administration of SNAP, formerly known as the Food Stamp Program, within Massachusetts. I understand that this lawsuit challenges the Rule.

4. MA-DTA serves one in nine residents of the Commonwealth with direct economic assistance (also known as cash benefits) and food assistance. MA-DTA's mission and purpose is to assist and empower low-income individuals and families to meet their basic needs, improve their quality of life, and achieve long-term economic self-sufficiency. MA-DTA administers the SNAP program in Massachusetts.

5. Between 2009 and 2015, Massachusetts received a statewide geographic ABAWD time limit waiver based on extended unemployment benefits accessed by Massachusetts residents. The Rule will make a similar option unavailable in the event of a future economic downturn by eliminating use of extended unemployment benefits to show eligibility for a waiver.

6. Massachusetts has relied on a partial ABAWD time limit waiver since 2016 to support ABAWDs in areas having aggregate average unemployment rates 20 percent above the national average for a recent 24-month period.

7. Massachusetts's current waiver, effective January 1, 2020, was awarded in December 2019 and applies to 83 cities and towns. While seven of these cities and towns have an unemployment rate higher than the Rule's six percent floor, none of the 83 cities and towns are located in Labor Market Areas that meet the six percent floor. Therefore, as a result of the Rule,

each of the 83 cities and towns in Massachusetts that currently qualify for an ABAWD time limit waiver would no longer be qualified to receive such a waiver under the Rule.

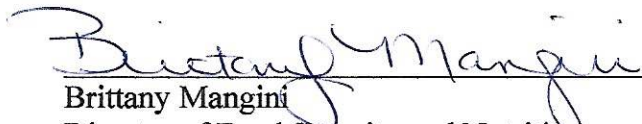
8. Approximately 104,000 SNAP recipients aged 18-49 live in the 83 cities and towns of Massachusetts currently under the ABAWD time limit waiver. While MA-DTA recognizes that 84 percent of these individuals are currently eligible for an exemption from the ABAWD work requirement with the result that their continued access to SNAP benefits will not be affected by the Rule, approximately 16,600 SNAP recipients have no known exemption and will therefore likely become newly subject to the ABAWD work requirement under the Rule. These individuals are at risk of losing their SNAP benefits within three months of the Rule's implementation if they do not engage in work or other qualifying volunteer or training activity. These individuals may include low-income veterans and recently discharged military service members; homeless individuals, including those in doubled-up temporary living situations; returning citizens with criminal records struggling to find work; individuals with undiagnosed and untreated mental health and cognitive impairments; victims of domestic violence; and individuals who are aging out of foster care or youth services programs.

9. MA-DTA's SNAP Employment and Training (E & T) program (known as SNAP Path to Work) offers SNAP recipients job-focused education and training opportunities, job search assistance, and employment supports. SNAP Path to Work serves approximately 1,300 recipients each year. MA-DTA currently prioritizes the development of these opportunities in the cities and towns not qualified for an ABAWD time limit waiver. As a result of the Rule, more SNAP recipients from formerly waived areas may seek E & T.

10. DTA will incur additional costs as a result of the Rule. DTA will need to engage in a case review process to identify SNAP recipients who may become newly subject to ABAWD work requirements under the Rule. This case review process will involve oversight, paperwork, case management, administrative time and resources, and systems changes. DTA will also need to conduct outreach and provide notice to impacted SNAP recipients. For example, DTA will be required to expand its mailing of targeted materials to appropriately notify all impacted clients of their rights and responsibilities with respect to the latest work requirements, reporting obligations, and any adverse actions taken as a result of the Rule. Furthermore, DTA caseworkers will be required to engage a larger number of SNAP recipients on an individual basis to explain the new requirements and counsel them through the process. Local office foot traffic and incoming phone calls will increase as recipients become subject to the work requirement or lose benefits and inquire about their status. The additional cost of engaging all impacted clients and the staff time required to do so will result in an additional unreimbursed cost to Massachusetts.

I declare under penalty of perjury that the forgoing is true and correct and of my own personal knowledge.

Executed on December 30, 2019 in Boston, Massachusetts.

  
Brittany Mangini  
Director of Food Security and Nutrition  
Commonwealth of Massachusetts  
Department of Transitional Assistance