

**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 VICTORIA NEGUS IN SUPPORT OF  
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to 28 U.S.C. § 1746, I, Victoria Negus, 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 a paralegal and anti-hunger advocate at the Massachusetts Law Reform Institute (MLRI). MLRI is a statewide legal advocacy and support center. Our mission is to represent very low-income individuals, including parents, children, persons with disabilities and other barriers to employment, and older adults in their struggle for basic human needs. Our activities include policy analysis, research, technical assistance and public information. We pay particular attention to SNAP – the Supplemental Nutrition Assistance Program – because of its critical role in reducing the hunger and food insecurity suffered by low-income households. In addition to providing legal support and technical assistance to legal services field programs, MLRI chairs the Massachusetts SNAP Coalition, which brings together hundreds of anti-hunger community partners across Massachusetts.
3. In the course of my work, I have interacted directly with hundreds of low-income households applying for or receiving SNAP, formerly known as the Food Stamp Program. SNAP is Massachusetts' most significant anti-hunger program. It provides crucial non-cash nutritional support for over 760,000 low-income individuals in Massachusetts – 1 in 9 of all Massachusetts residents. I have seen close up the importance of SNAP in alleviating hunger and malnutrition, and making it possible for people with limited incomes to obtain nutritious food that they otherwise would not have. Many times when I have assisted people to qualify for or keep their SNAP benefits, they have told me what a relief it is to know that they can buy the food they need.
4. I understand from my work with SNAP recipients that SNAP benefits are especially critical in Massachusetts because our very high housing costs force low income

individuals to use a greater proportion of their limited household budgets for housing, leaving less money available for food.

5. I am very familiar with the policies governing the ABAWD time limit, which requires certain non-exempt able-bodied adults without dependents (ABAWDs) to meet specified work requirements in order to receive more than three months of SNAP benefits in a 36-month period. I have personally spoken with and advised dozens of individuals who were determined by the state to be subject to the ABAWD rule and who lost or were at risk of losing the SNAP benefits that made it possible for them to meet some of their nutritional needs.

6. I am aware of the federal government's recently issued final rule "Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents" ("the Rule"). Effective April 1, 2020, 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 concerned about its impact on the administration of SNAP in Massachusetts and on ABAWDs served by MLRI. I understand that this lawsuit challenges the Rule.

7. In my experience, consistent with national data, many SNAP recipients determined to be ABAWDs have low educational attainment, health challenges, and few support systems. They suffer higher rates of housing instability and poverty than the general population. They face enormous impediments to securing and sustaining employment.

8. ABAWD SNAP recipients in Massachusetts in my experience also rarely have the skills needed for key Massachusetts industries such as healthcare, finance, insurance, and technology, which often require advanced degrees and skills. The jobs available for the low-skilled workers with whom MLRI works, such as work in the hospitality, transportation, and other service or gig economy sectors, are often contract-based and many do not offer reliable

schedules. Many ABAWD SNAP recipients served by MLRI are working, but are not working the number of weekly hours required to meet the work requirement.

9. Based on MLRI's experience working with rural Massachusetts residents, the lack of access to technology and transportation in rural Massachusetts presents additional challenges for ABAWD SNAP recipients trying to secure steady employment.

10. Once the waivers are eliminated, many very low-income individuals with whom MLRI works will be subject to the ABAWD work requirement and will lose access to SNAP benefits if they are unable to demonstrate they are exempt from or are meeting the ABAWD work requirement. In my experience, these individuals include vulnerable populations such as low-income veterans, individuals who do not have stable housing or with undiagnosed and untreated mental health and cognitive impairments; domestic violence survivors; and young people who are aging out of foster care. These individuals will no longer be able to meet their basic nutritional needs.

11. Many ABAWD SNAP recipients served by MLRI live with and get SNAP with other people – such as aging parents, siblings, or adult children. When these ABAWDs lose SNAP benefits, the extended household also has fewer resources to pay for food and is harmed as a result.

12. In addition to the more immediate harm, the Rule's elimination or restriction of key waiver criteria will harm the ability of Massachusetts to quickly and effectively respond to an economic downturn and provide needed benefits to populations served by MLRI.

13. In sum, the Rule will have severe negative impacts on the nutritional status, health and well being of ABAWDs served by MLRI, who are many of Massachusetts' most vulnerable residents and the communities in which they reside.

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.



December 30, 2019

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Victoria Negus

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Date