



November 20, 2023

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U.S. Department of Agriculture
Food and Nutrition Service
Quality Control Branch
Program Accountability and Administration Division
c/o Branch Chief John M.
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Alexandria, VA 22314
Resubmitted to SM.FN.SNAPQCReform@usda.gov

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RE: Provisions to Improve the SNAP QC System, FNS-2020-0016

Dear Chief John McCleskey,

The United Council on Welfare Fraud (UCOWF) is grateful for the opportunity to submit our comments to the U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS) Notice of Proposed Rulemaking, “Provisions to Improve the SNAP QC System” dated September 19, 2023. UCOWF, a national professional membership association with a half-century legacy, is dedicated to combating waste, fraud, and abuse in our nation's public assistance programs. We represent local, state, and federal employees directly connected to the Supplemental Nutrition Assistance Program (SNAP) and tasked with upholding program integrity and stewardship of taxpayer resources, which includes members directly involved or overseeing Quality Control (QC).¹

As the exclusive national organization with a singular focus on detecting, preventing, prosecuting, and recovering welfare fraud, we have received direct responses from members on the notice of proposed rulemaking. We request that this feedback be considered with other comments received.

FNS is rightfully tackling Quality Control Reform in the wake of the national QC False Claims Act scandal which led to multiple states distorting quality control reviews for financial gain.² UCOWF is cautiously and broadly supportive of the proposed rulemaking intent - but our member comments/concerns are as follows:

1. The proposed modifications should result in a “more accurate” quality control methodology. Agencies should be forewarned that they will likely see an increase in Payment Error Rate (PER). As such, FNS should give latitude when considering administrative sanctions against “poor performing” agencies.
2. The QC 310 Handbook methodology on verification remains the problem for which FNS attempts to mitigate through complex QC processes and proposed rulemaking.³ The QC process to obtain verification is flawed as it accepts verification in the

¹ Our membership consists of over 1,500 local, state, and federal employees sworn law enforcement and non-sworn (civilian) investigators, analysts, and improper payment recovery subject matter experts. For the last 50 years, UCOWF provides annual training on program integrity best practices, fraud trends, and provide eligible members with the only professional certification in our field. More information about us can be found on our website, www.ucowf.net.

² <https://www.fns.usda.gov/pressrelease/2019/fns-000819>

³ <https://www.fns.usda.gov/snap/fns-handbook-310>

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certification record (case file) as fact. The unfortunate reality is SNAP agencies accept most all client self-attestation without taking any verification steps. And when conflicting data is discovered, it falls under “Unclear Information.”

UCOWF has testified in front of Congress at the propensity for both first person and third party (identity) fraud within SNAP, and that the reliance on client attestations remains the primary enabler of fraud, waste, and abuse in public assistance programs. The Government Accountability Office’s recently published guide to reduce payment errors contains a framework FNS should consider.⁴ The common root cause for improper payments continues to be a reliance on recipient/client self-attestation and failure to verify using data available. Instead of addressing the root cause of the problem, the proposed rules are merely window dressing.

For example, if a client provided income paystubs (saved in the case file), the content is considered verified and not questioned – despite the prevalence of tools designed to conceal actual wages, bank statements, or living expenses.⁵ Yet if the Work Number revealed different wage information – wages reported to the US Department of Labor – the information would be considered “unclear.”

3. The NPR contains references to “often” or “sometimes” when actual data would best capture the need for changes. Or as is the case with the proposed Request for Quality Control Contact (RFQCC), no data exists or is provided. How many households were removed from SNAP program participation under current regulations for failure to respond to a QC review? How many for refusing to cooperate? No data has been provided by FNS to justify removing a commonsense tool for states to utilize. The additional creation of a one-month suspension is just more administrative burdens. Without such data, the need for the changes remains obfuscated.
4. Face-to-face interviews remain the best source of client service and insights into the true household situation (with notable exceptions, such as Alaska). By moving to telephonic interviews without providing additional guidelines on how to verify identity, the entire QC process becomes a paper exercise not reflective of a program’s proper administration.

It is our hope that the USDA FNS will seek other avenues to reform the convoluted QC Process using data analytics and a mind towards program integrity, rather than technical computations to manipulate a payment error rate for political purposes. We applaud the USDA FNS for the effort, even though these changes fall short of meaningful reform. If you have any questions, please contact us at UCOWFmail@gmail.com.

Sincerely,

Carrol Christian, UCOWF President

⁴ <https://www.gao.gov/products/gao-23-105876>

⁵ For example, see <https://templatelab.com/bank-statement/>