



DEC 18 2014

Food and
Nutrition
Service

SUBJECT: Men Who Are Residents of Shelters for Battered Women and Children

Park Office
Center

TO: All Regional Directors
Supplemental Nutrition Assistance Program

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Center Drive
Alexandria
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This memorandum is intended to clarify Food and Nutrition Service's (FNS) policy regarding men who are victims of domestic violence residing in shelters for battered women and children, which will henceforth be referred to as shelters for battered persons. Both the Food and Nutrition Act of 2008, as amended (the Act), and Supplemental Nutrition Assistance Program (SNAP) regulations allow certain flexibilities for victims of domestic violence who are fleeing their abuser. These include:

- Section 3(n)(5) of the Act: Conferring separate household status to temporary residents of shelters for battered persons;
- Section 3(k) of the Act: Allowing those residents to use their SNAP benefits to purchase food from the shelter; and
- 7 CFR 273.3(a): Allowing duplicate participation of an individual who is a resident of a shelter for battered persons, and was a member of a household containing the person who had abused him or her.

Although some of the language in the Act and regulations is not gender neutral, language in other provisions is gender neutral. The specific language of the Act refers to "temporary residents" of shelters, which conveys that the flexibilities are not limited to one gender or sex. The provisions containing gender neutral language would be overly narrowed in scope if they were interpreted to only refer to women. Furthermore, were these flexibilities restricted to only women and children, SNAP rules regarding children living with their parents would prevent a child residing in a shelter with her/his father from receiving benefits.

In consideration of these issues, FNS finds that all provisions related to persons fleeing domestic violence shall be interpreted to apply to all victims of domestic violence, regardless of gender or sex. If you have questions concerning this change of policy, please contact Sasha Gersten-Paal of my staff at Sasha.Gersten-Paal@fns.usda.gov.

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