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December 19, 2023

The Honorable Muriel Bowser Mayor of The District of Columbia 1350 Pennsylvania Avenue NW Washington, DC 20004

Via email

Re: The Administration must raise Supplemental Nutrition Assistance Program ("SNAP") benefits

Dear Mayor Bowser,

Legal Aid DC urges you and your administration to implement the requirements in the Fiscal Year 2024 Budget Support Act of 2023 ("BSA") to increase SNAP benefits. In addition, we urge you to fully fund the Give SNAP a Raise Amendment Act of 2022 in the Fiscal Year 2025 Budget.

The Administration Must Follow the Budget Support Act and Increase SNAP Benefits

At Legal Aid, we represent District residents who rely on SNAP benefits to feed themselves and their families. For many of our clients, these benefits are necessary – but by no means sufficient – to put food on their tables, especially as the cost of food continues to rise.¹ Without a corresponding increase in SNAP benefits, District residents who are struggling to make ends meet will go hungry. The Council recognized the stark reality our neighbors face and made the policy decision to fund an increase to SNAP benefits should revenue become available – a decision to which you agreed by signing the BSA.

Under the BSA,² if the CFO certified that the September 2023 quarterly revenue estimates exceed the revenue estimate dated February 28, 2023, then excess local funds must be allocated and expended as follows:

² Fiscal Year 2024 Budget Support Act of 2023 § 7102, <u>https://lims.dccouncil.gov/downloads/LIMS/52613/Signed_Act/B25-0202-Signed_Act.pdf?Id=166874</u>.

¹ See U.S. Cities Where Food Prices Have Increased the Most, <u>https://personalinjurylawcal.com/blog/u-s-cities-where-food-prices-have-increased-the-most/</u>.



- The first \$39,612,000 of one-time funds must be allocated to the Department of Human Services ("DHS") to increase SNAP benefits beginning on January 1, 2024, until September 30, 2024; and
- (2) Up to \$300,000 may be used to update information technology systems supporting the provision of food assistance benefits.

On September 29, 2023, the CFO certified that the District had the revenue necessary to fund the temporary SNAP increase.³ Despite the certification triggering enhanced SNAP benefits, on December 4, 2023, Deputy Mayor Wayne Turnage testified at a DC Council Roundtable held jointly by the Housing and Health Committees that the SNAP increase was "put on hold."⁴ Deputy Mayor Turnage's statement on the record confirmed what Councilmember Christina Henderson told the rest of the Council in a "dear colleague" letter dated November 30, 2023: that the Administration "does not intend to implement the Give SNAP a Raise Amendment Act of 2022."⁵

The Administration's refusal to implement the Budget Support Act as drafted is not only unlawful, but it is devastating for our neighbors in need. More than 140,000 residents are relying on these increases, and many have made financial decisions in reliance on the law the Council passed and the CFO's revenue estimates. Pulling the rug out from under them at the last minute is unlawful and unjustifiable.⁶ We join the statement that all 13 Councilmembers made on December 13 in asking you to reconsider this decision and to implement the law as written.

The Administration Should Fully Fund the Give SNAP a Raise Act of 2022

While the 2024 temporary funding increase for SNAP is critical, it does not go far enough. Instead, we urge you to fully fund the Give SNAP a Raise Act of 2022 (D.C. Act 24-733) in the FY 2025 budget.

³ Government of the District of Columbia, Office of the Chief Financial Officer, September 2023 Revenue Estimates,

https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/release_content/attachments/Sep_2023_Estimate_lett er_09292023_FINAL.pdf.

⁴ Roundtable on Health and Human Services Benefits Enrollment and the DC Access System, <u>https://www.youtube.com/watch?v=og6SL6fHaso&t=13642s</u> beginning at 3:10:35.

⁵ See Christina Henderson, Councilmember At-Large, Chairperson Committee on Health, <u>https://janeeseward4.com/wp-content/uploads/2023/12/Give-SNAP-a-Raise-Dear-Colleagues-Letter.pdf</u>.

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District residents need the increase in SNAP benefits that this measure proposes. The current average SNAP benefit in the District is \$188 per person per month, roughly \$6.19 a day.⁷ For many of the District residents who receive these benefits, SNAP makes up *most or all* of their food budget, making the current allotment inadequate to meet families' needs.⁸ Insufficient SNAP assistance forces families to resort to less healthy options in order to stay within their limited budgets. Seventy percent of households served by Capital Area Food Bank, the District's largest hunger relief organization, reported "purchasing inexpensive, unhealthy" food as a common coping strategy for inadequate food resources.⁹

The lack of appropriate food resources for District households has serious health implications. For example, food insecurity is devastating for children, who stand to benefit the most from increasing SNAP benefits. According to D.C. Hunger Solutions, the struggle to afford enough food is almost twice as high in households with children in the District as in households without children.¹⁰ Food insecure children are more likely to experience stomach aches, headaches, colds, ear infections, and fatigue.¹¹ They are sick more often, recover more slowly, and are more likely to be hospitalized than children who are not food insecure.¹² National research that has studied the impacts of food insecurity on children has found that food insecurity is associated with increased risks of congenital disabilities, anemia, lower nutrient intakes, cognitive problems, aggression and anxiety.¹³ Food insecurity is also

https://www.cbpp.org/sites/default/files/atoms/files/snap_factsheet_district_of_columbia.pdf (Average SNAP benefit in nominal dollars, fiscal year 2023 (estimated, after all pandemic measures expire).

⁹ Capital Area Foodbank, Hunger in Our Region, <u>https://www.capitalareafoodbank.org/hunger-in-our-region/</u>.

¹⁰ D.C. Hunger Solutions, Hunger in D.C., <u>https://www.dchunger.org/hunger-in-</u> dc/#:~:text=1%20in%207%20households%20in,on%20the%20table%20in%202017.&text=The%20str uggle%20to%20afford%20enough,percent%20compared%20to%2011%20percent

¹¹ *Id*.

¹² *Id*.

⁷ Center on Budget and Policy Priorities, District of Columbia, Supplemental Nutrition Program (Feb. 13, 2023),

⁸ Feeding America, What Hunger Looks Like in District Of Columbia, <u>https://www.feedingamerica.org/hunger-in-america/district-of-columbia - :~:text=In District Of</u> Columbia, 70,480,of them 19,250 are children.&text=face hunger.,to meet their food needs.

¹³ Craig Gundersen & James P. Ziliak, Food Insecurity and Health Outcomes (2015), <u>https://www.healthaffairs.org/doi/10.1377/hlthaff.2015.0645 - :~:text=The majority of research examining,9 and aggression and anxiety</u>.



associated with higher risks of being hospitalized and poorer general health and with having asthma, behavioral problems, depression, suicidal ideation, and worse oral health.¹⁴

Making sure our neighbors have nutritious food is not only a moral imperative, it is also fiscally wise. The devastating consequences of malnutrition will increase costs to the government in terms of health care and public safety.¹⁵ Funding this bill provides urgent assistance to hungry people and, in doing so, such funding addresses many of the downstream consequences we are seeing across the District.

A supposed lack of resources to fund a SNAP increase is not an excuse for inaction. There are options to raise revenue without harming vulnerable families that would offset any projected or unexpected costs to the District. Ensuring that people living in poverty can put food on their tables for their families and children is an urgent priority, and we urge you to fund this important increased benefit.

Conclusion

Legal Aid DC urges you to fund the FY 2024 increase in SNAP benefits and ultimately fund the Give SNAP a Raise Act of 2022. Thank you for your attention to this urgent matter. If you want to discuss these issues further, please contact me at (202) 661-5957 or <u>vswaruup@legalaiddc.org</u>.

Sincerely,

Vikram Swaruup Executive Director Legal Aid DC

CC:

Wayne Turnage, Deputy Mayor for Health and Human Services Laura Zeilinger, Director of the DC Department of Human Services Brian Schwalb, Attorney General Phil Mendelson, Chairman of the DC Council

¹⁴ *Id*.

¹⁵ See Center for Disease Control and Prevention, State-Level and County-Level Estimates of Health Care Costs Associated with Food Insecurity, <u>https://www.cdc.gov/pcd/issues/2019/18_0549.htm -</u> :~:text=Among approximately 28,266,000 food-insecure,expenditures associated with food insecurity; Jonathan Randel Caughron, An Examination of Food Insecurity and Its Impact on Violent Crime in American Communities, <u>https://tigerprints.clemson.edu/cgi/viewcontent.cgi?article=3571&</u>.