

Attorneys General of the District of Columbia, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, Wisconsin, and the Corporation Counsel of the City of New York

March 19, 2021

Hon. Nancy Pelosi
Speaker
House of Representatives
Washington, DC 20515

Hon. Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

Hon. Kevin McCarthy
Minority Leader
House of Representatives
Washington, DC 20515

Hon. Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

Re: Support for the Improving Access to Nutrition Act

Dear Speaker Pelosi, Leader Schumer, Leader McCarthy, and Leader McConnell,

We, the undersigned Attorneys General of the District of Columbia, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, Wisconsin, and the Corporation Counsel of the City of New York write to express our support for the Improving Access to Nutrition Act. The legislation would amend the Food and Nutrition Act (“FNA”) of 2008 to eliminate the Supplemental Nutrition Assistance Program’s (“SNAP”) three-month time-limit on the receipt of food assistance for some Americans. Under existing law, unemployed individuals aged 18 to 49 not living with children cannot receive more than three months of SNAP benefits in any 36-month period unless they are employed or in a work or training program for at least 20 hours a week.¹ That time-limit is punitive and ineffective, prohibiting low-income individuals in areas with limited employment opportunities from receiving the food assistance they need to survive and escape poverty.

SNAP has long been the country’s primary weapon against hunger and an important safety net for low-income Americans. The program provides access to nutrition for millions of Americans who struggle with food insecurity. To be eligible for SNAP benefits, household net income – that is, income after deductions for a limited list of necessary expenses – must be at or below the poverty line. The 2021 poverty line for a family of four in all states except Alaska and Hawaii is \$26,500.² The average monthly household SNAP benefit was \$246 in 2020.³

¹ 7 U.S.C. § 2015(o)(2); 7 C.F.R. § 273.24.

² U.S. Department of Health and Human Services, *2021 Poverty Guidelines*, <https://aspe.hhs.gov/2021-poverty-guidelines#thresholds>.

³ U.S. Department of Agriculture Food and Nutrition Service, *2020 SNAP Data Tables*, <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>.

The number of Americans in need of food assistance has surged during the COVID-19 pandemic. Approximately 44 million individuals now receive SNAP benefits, up more than 20 percent from 2019.⁴ Recent data also revealed that 22 million adults – 11 percent of all adults in the country – reported that their household sometimes or often did not have enough to eat in the last seven days.⁵ That is a sharp contrast to pre-pandemic rates when 3.4 percent of adults reported not having enough food to eat at some point during the entirety of 2019.⁶ Unemployment remains high – 6.2 percent in February 2021 – and even higher for Black workers – 9.9 percent – and Latino workers – 8.5 percent.⁷

Congress suspended the three-month benefit limit until the Secretary of Health and Human Services lifts the public health emergency, but the increased need for food assistance will persist long thereafter. The country will be ill-prepared for the future without the Improving Access to Nutrition Act. The Act's elimination of the arbitrary three-month limit, which functions to punish more than to uplift, would allow individuals who cannot find work to obtain healthy and nutritious meals. Work requirements – particularly when they are a prerequisite for aid that is necessary for survival – can be destructive and dehumanizing. Such requirements deprive assistance to those in need, ignore the realities faced by low-income Americans, and are ineffective in encouraging employment.⁸ Additionally, while the time-limits may be subject to waiver for particular groups of individuals who live in areas with too few job opportunities, the need to substantiate and implement these waivers impose significant administrative burdens on states, and, because appropriately accurate data regarding the true availability of jobs for this specific population is often unavailable or incomplete, cannot be guaranteed.⁹ Moreover, the time-limit can be weaponized to inappropriately deprive our most vulnerable residents of essential sustenance.¹⁰

Ensuring that all Americans have food on the table is a fundamental obligation of a functioning democracy. We urge passage of the Improving Access to Nutrition Act.

⁴ Helena Bottemiller Evich, *Food stamp spending jumped nearly 50 percent in 2020*, Politico, Jan, 27, 2021, <https://www.politico.com/news/2021/01/27/food-stamp-spending-2020-463241>.

⁵ Center on Budget and Policy Priorities, *Tracking the COVID-19 Recession's Effects on Food, Housing, and Employment Hardships*, Mar. 15, 2021, <https://www.cbpp.org/research/poverty-and-inequality/tracking-the-covid-19-recessions-effects-on-food-housing-and->

⁶ *Id.*

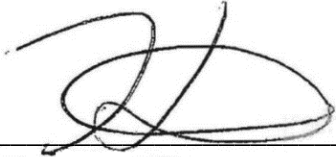
⁷ *Id.*

⁸ Josh Bivens and Shawn Fremstad, *Why punitive work-hours tests in SNAP and Medicaid would harm workers and do nothing to raise employment*, Economic Policy Institute, July 26, 2018, <https://www.epi.org/publication/why-punitive-work-hours-tests-in-snap-and-medicaid-would-harm-workers-and-do-nothing-to-raise-employment/>.


⁹ See *D.C. v. United States Dep't of Agric.*, No. 20-CV-00119, 2020 WL 6123104 (D.D.C. Oct. 18, 2020) (granting summary judgment in favor of plaintiffs).

¹⁰ *Id.*

Sincerely,



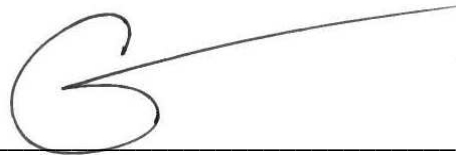
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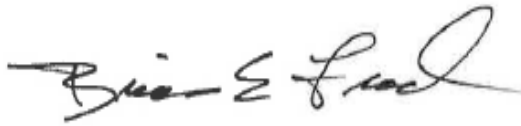
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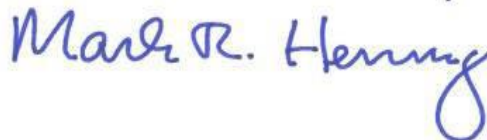
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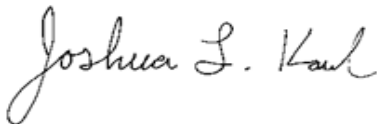
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