



Testimony by the New York Legal Assistance Group,
Oversight – Hunger and Food Insecurity in New York City,
And in Support of 0025-2024, Res. 0227-2024, Res. 0237-2024 and Res 0057-2024
Before the New York City Council Committee on General Welfare
May 29, 2024

Deputy Speaker Ayala, Council Members, and staff, thank you for the opportunity to speak to the Committee on General Welfare on the topics of hunger and food insecurity in New York City, and on the importance of these resolutions encouraging the United States Congress to pass and the President to sign vital reforms to the Supplemental Nutrition Assistance Program; an expanded Child Tax Credit; and a renewed Farm Bill with increased funding for life-saving food aid. My name is Graham Horn, and I am a staff attorney in the Shelter Advocacy Initiative and the Public Assistance and SNAP Project at the New York Legal Assistance Group (“NYLAG”).

NYLAG uses the power of the law to help New Yorkers experiencing poverty or in crisis combat economic, racial, and social injustices. We address emerging and urgent needs with comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. We aim to disrupt systemic racism by serving clients whose legal and financial crises are often rooted in racial inequality.

The Shelter Advocacy Initiative at NYLAG provides legal services and advocacy to low-income people residing in and trying to access homeless shelter placements in New York City. We work to ensure that every New Yorker has a safe place to sleep by offering legal advice and representation throughout each step of the shelter application process. We

also assist and advocate for clients who are already in shelter as they navigate the transfer process, seek adequate facility conditions and resources for their needs, and offer representation at administrative Fair Hearings.

This work often overlaps with our representation of clients having trouble accessing or maintaining their Public Assistance and SNAP benefits. We represent these clients at Administrative Fair Hearings and conduct advocacy with the Department of Social Services (“DSS”), Benefits Access and SNAP centers, and bring impact litigation to ensure that our clients are obtaining and maintaining an adequate level of benefits.

While our clients are resilient and strong, they often face the simultaneous and intersecting insecurities of hunger and housing instability. Based on my experiences, and those of my clients, I appreciate the opportunity to offer the following comments.

I. Hunger and Food Insecurity in New York City

Community health is inextricably linked to adequate nourishment, and research overwhelmingly demonstrates that food insecurity has significant health and economic consequences.¹ In adults, the medical implications of inadequate nutrition include but are not limited to, diabetes, obesity, heart disease, depression, and fatigue.² In children, the consequences extend to low birth weights and delayed cognitive development.³ Such health concerns can then lead to higher medical costs throughout their adult lives.⁴ In contrast,

¹ <https://www.harvesters.org/Learn/How-Many-are-Hungry/The-Impact-of-Hunger>

² *Id.*

³ *Id.*

⁴ *Id.*

children who are well fed do better in school; seniors with adequate food access need not make the choice between feeling nourished and purchasing other necessities; families that are satiated thrive. As such, a discussion of food access is not only about individuals, but also extends to a concern for our collective health and communal strength.

In a city of roughly 8 million people, over 1 million New York City residents are currently struggling to feed themselves and their families.⁵ When pandemic-era Emergency Allotments (SNAP-EA) ended in February 2023 (which brought all households up to the maximum SNAP benefit level and for those already receiving the maximum SNAP benefit, provided an increase of \$95), FeedNYC data showed a 60% jump in monthly visits to soup kitchens and food pantries across the City.⁶ 1 in 5 children in New York City are suffering from food insecurity.⁷ When the FeedNYC data is analyzed for families with children, average monthly visits to community food programs increased 67% compared to pre-pandemic numbers.⁸

These statistics do not fall equally across the City's diverse population. One of the many pernicious products of systemic racism is that families and communities of color are the hungriest.⁹ Similarly, rates of diabetes and hypertension, tethered as they are to nutritional intake, are higher for people of color, with people of color twice as likely to experience diabetes as compared to their white neighbors.¹⁰

⁵ <https://www.cityharvest.org/hunger-in-nyc/>

⁶ *Id.* See also, <https://www.hungersolutionsny.org/federal-nutrition-programs/snap/end-of-snap-ea/>

⁷ <https://www.cityharvest.org/hunger-in-nyc/>

⁸ *Id.*

⁹ <https://www.nyc.gov/assets/foodpolicy/downloads/pdf/nycfoodbythenumbers.pdf>

¹⁰ *Id.*

a. Homeless Shelter Residents Have Insufficient Access to Food While in Shelter

1. Meals Are Too Small

Before turning to NYLAG’s support for the hunger-related Resolutions considered today by the Committee, we would like to offer some reflections on the state of food insecurity in the City’s shelter system. NYLAG clients frequently report that the meals they are served in shelter are too small to abate their hunger. They say they are only allowed to have one serving of each item per meal, and that the serving sizes themselves are very small. As a result, clients in shelter are left perpetually hungry. As we are sure that the Committee on General Welfare is already aware, and as aforementioned, such practices are inevitably damaging to the physical health of shelter residents; food insecurity is disproportionately linked to chronic diseases such as high blood pressure and diabetes.¹¹ For children, the consequences are particularly devastating. Research shows an association between food insecurity and delayed development in young children; risk of chronic illnesses like asthma and anemia; and behavioral problems like hyperactivity, anxiety and aggression in school-age children.¹² Hunger has a direct impact on children’s academic achievement and ensuing economic prosperity.¹³ Inadequately feeding shelter residents only further disenfranchises them. “Providing food” is not the same as providing enough food.

2. Residents Who Have Jobs Don’t Have Access to Meals

¹¹ <https://www.feedingamerica.org/hunger-in-america/impact-of-hunger>

¹² *Id.*

¹³ *Id.*

Shelter residents with a job are often faced with an impossible choice: work or eat. NYLAG clients who are employed or have work assignments report difficulty accessing food served by their shelters. This is due to the fact that shelter meals are served at specific times and if the residents are not present at those times, they cannot get a meal. Additionally, they cannot get a meal when they return to shelter and are not allowed to take their meals early. Thus, if an employed resident wants to eat, he or she cannot go to work, and vice versa. This is further complicated by the fact that recipients of cash public assistance are not awarded the “restaurant allowance” supplement if they reside in a shelter that serves meals. As such, not only do job hours preclude residents from accessing food at their shelter, but those same residents, because they lack the “restaurant allowance,” are left with reduced means with which to purchase food in the community. New policies need to be put into place whereby residents who work or have other commitments can be provided with food at times that work with their schedules. Working shelter residents should not be punished with hunger for being employed.

3. Residents are Not Permitted to Bring in Outside Food

The problem of shelter resident hunger is further amplified by shelter policies that prevent residents from bringing in outside food. When residents miss meals and are prevented from bringing in and/or storing outside food, they are left with little option but to skip a meal. This is particularly harmful for residents with health issues or disabilities that need to eat between meals for their wellbeing or to safely take medication. While residents can be granted reasonable accommodations, the reasonable accommodation process can take months to approve and requires the active cooperation of the resident’s

health care provider. A system must be put into place where residents can eat at non-mealtimes.

These problems with the provision of food in shelters are further exacerbated by the fact that individuals and families who reside in shelters that purport to provide meals, have their public assistance benefits reduced based on the fiction of readily available food. For the reasons outlined above, that equation does not represent the lived reality of NYLAG clients in shelter.

b. Recent Immigrants in Emergency Shelter Have Insufficient Access to Food

In September of 2022, the Mayor determined that our newest New Yorkers were not to be absorbed into the existing shelter system, and instead created a new shelter system that did not comply with the minimum shelter guidelines mandated in New York City and did not provide the residents with adequate assistance transitioning to permanent housing. Among numerous other problems, NYLAG clients residing in these shelters report that they are not being provided with adequate food, and that they are not being served hot food.

Compounding the difficulty for our new immigrant neighbors, most new immigrant shelter residents are not eligible for SNAP benefits.¹⁴ Though many can achieve classification as Permanently Residing Under Color of Law (“PRUCOL”), most commonly by applying for asylum or being paroled into the country, which grants access to Safety Net Assistance benefits through the Office of Temporary and Disability Assistance, SNAP benefits are largely unavailable to new immigrants in shelter, and their public assistance

¹⁴ <https://www.fns.usda.gov/snap/eligibility/citizen/non-citizen-policy>

grants are reduced based on the alleged availability of meals in shelter. Our clients consistently report anxiety about food security and must turn to community groups for gap-filling services to address their persistent hunger.

II. Support For Res. 0025-2024: Calling For Passage of S.2258/H.R.3519: The “Hot Foods Act of 2023”

Res. 0025-2024, which calls on Congress to pass and the President to sign, the “Hot Foods Act of 2023,” would inject some much-needed dignity into the SNAP regulations, which at the current moment explicitly exclude “hot foods or hot food products ready for immediate consumption” from SNAP eligibility.¹⁵ Hot foods provide dignity to all those receiving SNAP benefits, and especially to those with special diets, whether as part of their religious practices; due to disabilities; or as a feature of cultural difference. This is particularly pronounced in shelter, where, as referenced above, the reasonable accommodation process impedes residents’ speedy access to appropriate and specialized diets. Moreover, shelters that provide meals do not allow residents access to kitchens, further necessitating those residents’ need for hot food.

Increasing equitable access to hot foods would signal that our Nation’s leaders take seriously the impact of “time poverty,” the weight of which is highlighted in a 2021 study by the USDA, and powerfully cited in Res. 0025. According to that study, nearly a third of participants cited lack of time to prepare meals from scratch as preventing the “primary food preparer from preparing meals that are part of a healthy diet.”¹⁶ Conceptually, “time

¹⁵ U.S.C. Title 7, Chapter 51, Section 2012, Sub-Section (k).

¹⁶ <https://fns-prod.azureedge.us/sites/default/files/resource-files/SNAP-Barriers-SurveyFindings.pdf>

poverty” allows us to work against the stigma that perniciously suggests that we shouldn’t make public assistance “too comfortable.” Such a framing functions to hold our focus on the various collateral consequences of poverty - the exhaustion, the stress - which themselves are also deeply intertwined with adverse health outcomes.¹⁷

III. Support For Res. 0227-2024: Calling For a Renewed Farm Bill with Increased SNAP Funding

Res. 0227-2024, which calls on Congress to pass, and the President to sign, a renewed Fam Bill, has the potential to expand the reach and effectiveness of SNAP benefits for food insecure Americans and New Yorkers. The fact that SNAP rules and eligibility requirements (and thus the broad outline of its operating expenses) originate in the Farm Bill, which also comprises 12 separate titles of safety net support for American farmers, creates a powerful political and lobbying tension between the American agricultural industry and the American poor.¹⁸ More than 40 million Americans currently receive SNAP benefits, but their lobbying power is minimal in the face of American industry.¹⁹ In the face of efforts to reduce the scope of SNAP assistance, and in support of calls to instead expand its scope, NYLAG is honored to stand with City Council in calling on our federal government to increase funding for food assistance.

IV. Support For Res. 0237-2024: Calling For Passage of S.1488/H.R.3183, the “Enhance Access to SNAP Act of 2023”

¹⁷ <https://bmcpyschology.biomedcentral.com/articles/10.1186/s40359-020-0395-8>

¹⁸ <https://www.snapttohealth.org/farm-bill-usda/snap-in-the-farm-bill/>

¹⁹ <https://www.npr.org/2023/07/11/1185499996/congress-tackles-food-stamp-changes-in-the-farm-bill>

Res. 0237-2024, which calls on Congress to pass, and the President to sign, the “Enhance Access to SNAP Act,” would remove eligibility disqualifications that exclude otherwise eligible students from receiving SNAP benefits. Expanding access to SNAP benefits cuts against hunger, and its cascading side-effects enumerated above. The Council’s resolution cites powerful reports from Temple University’s Hope Center, which estimate that 39 percent of students at two-year post-secondary programs and 29 percent of students at four-year programs experienced food insecurity in 2020.²⁰ By eliminating eligibility disqualifications for college students, we can dramatically reduce the number of students suffering hunger and its health and welfare consequences.

V. Support for Res. Res 0057-2024

Resolution 0057-2024, calling for the State of New York to provide food support benefits for those not eligible for federal SNAP programming, would provide our new immigrant neighbors with essential food assistance. Modeled on the California Food Assistance Program, which broadened eligibility requirements for immigrants to include lawful permanent residents, refugees, and asylum seekers, even when they had been in the country for fewer than five years, such a New York program expansion would assist our new neighbors in finding stability for themselves and their families. California has gone even further - providing food protection to entirely undocumented immigrants who are over the age of 55. We would be wise to follow California's lead. We know the risks of food insecurity to be dire - and that the reduction of that insecurity can have profound health

²⁰ <https://hope.temple.edu/sites/hope/files/media/document/HopeSurveyReport2021.pdf>

and wellness benefits. Beyond the physical and physiological, providing food to those who are here to build a better life offers them dignity. We very much support all efforts to do so.

We thank the Committee on General Welfare for the work it has done to facilitate services for vulnerable New Yorkers, for holding this hearing and taking this opportunity to engage the community's perspectives on hunger and food insecurity in New York City, and for uplifting the voices of its constituents so that the federal government can hear them. We hope to continue to be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group