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Mr. Keith Williams
General Counsel to the Speaker of the House
206 Washington Street SW
State Capitol Room 332
Atlanta, GA 30334

Via Email

June 23, 2020

Dear Mr. Williams,

We write today to oppose proposed budget cuts to the Georgia Department of Human Services (DHS) due to the proposed cuts' impact on Georgia's Supplemental Nutrition Assistance Program (SNAP). The proposed cuts will harm Georgia residents and risk further systemic violations of federal SNAP statutes.

NCLEJ has decades of experience monitoring and enforcing compliance with the SNAP Act's timeliness requirements across the country, including, recently, in Georgia. We have also advocated on behalf of SNAP recipients in the wake of natural and economic disasters, including Hurricane Katrina, Superstorm Sandy, and the Great Recession. In times of crisis, need for SNAP inevitably increases, and with that increased need comes an increased burden on administering agencies.

The proposed cuts will exacerbate DHS's long-standing failure to timely provide direly-needed SNAP benefits. Indeed, DHS is currently under a Court order resulting from this failure.¹ The governor's proposed budget, released before the COVID-19 crisis, included a \$28.8 million cut. This funding cut includes the elimination of more than 100 caseworker positions, and a funding cut for the Georgia Gateway online eligibility system, both of which will only exacerbate existing shortcomings in Georgia's administration of SNAP. Meanwhile, the budget bill passed by the Senate Appropriations Committee calls for an even more catastrophic \$100 million budget cut.²

The proposed cuts would have been devastating even under normal circumstances, but the COVID-19 pandemic has led to historically high unemployment, and the need for SNAP is greater than ever.³ Social services agencies across the country, including DHS, face skyrocketing caseloads. Caseworkers, many of whom are working from home for the first time,

¹ *Melanie K. et al v. Horton*, No. 1:14-cv-710-WSD, 2015 U.S. Dist. LEXIS 103245 (N.D. Ga. Aug. 6, 2015).

² Welch, Alex, *Senate Passes FY 2021 Budget Proposal*, Georgia Budget and Policy Institute, (June 17, 2020), <https://gbpi.org/senate-appropriations-committee-passes-fy-2021-budget-proposal/>.

³ Economy at a Glance: Georgia, Bureau of Labor Statistics, <https://www.bls.gov/eag/eag.ga.htm>.

and who were overworked and under paid prior to the COVID-19 crisis, have even greater difficulty meeting the increased needs of the communities they serve.

As a requirement of participating in SNAP, Georgia agrees to meet certain requirements, enumerated in federal statute and regulations.⁴ These requirements include processing SNAP applications and disbursing funds within federal time limits. Critically, SNAP benefits themselves do not cost the state a cent—the federal government pays for 100% of SNAP benefits and half of all administrative expenses related to SNAP.⁵ Indeed, SNAP benefits are an economic boon for states. Recent USDA analysis indicates that every dollar spent on SNAP benefits leads to a Gross Domestic Product increase of \$1.54—and this multiplier effect is heightened in times of economic hardship.⁶ Given the expense and beneficial impact of SNAP, the program is a bargain for states, but adequate funding for the state’s share of administrative expenses is still essential. The proposed cuts threaten to make such a program impossible in Georgia.

A lack of funding in the face of budget cuts does not excuse agency noncompliance with SNAP requirements. Federal courts have held that while states are entitled to make their own policy and funding choices, they “cannot lose sight of the requirements imposed by federal statutes and regulations.” *Reynolds I*, 35 F. Supp. 2d 331 at 342 (S.D.N.Y. Jan. 1999). States are likewise obligated to timely provide SNAP benefits in compliance with federal law, even in the face of “struggles...to provide public services in times of increasingly constrained resources.” *Morel v. Giuliani*, 927 F. Supp. 622 (S.D.N.Y. 1995).

DHS could not meet its burden if the proposed budget cuts were enacted. The agency has struggled for years to comply with federal time limits for SNAP applications. These struggles were the subject of *Melanie K.* and are the cause of our office’s continued involvement in monitoring Georgia’s SNAP program. It has been six years since the *Melanie K.* order was entered, and at no point has DHS’s performance improved to the point where it can be released from federal court oversight. Because of our role in monitoring the above referenced Court order, our office has seen DHS struggle for several months immediately prior to the onset of the COVID-19 crisis to timely process the applications of SNAP recipients who were due to renew their eligibility, as required by federal law. Since the onset of the COVID-19 crisis, DHS has also struggled to keep pace with the increase in destitute households who require—and are entitled to—expedited SNAP benefits. Further budget cuts will only exacerbate these struggles

In light of the struggles currently faced by DHS even at present funding levels, the urgent need for SNAP benefits in the state of Georgia, and the state’s obligation to comply with federal law and timely provide SNAP benefits to Georgians in need, we urge you to reconsider proposed budget cuts to DHS and adequately fund Georgia’s contribution to the SNAP program.

⁴ 7 USC § 2020 (e)

⁵ 7 USC § 2025 (a)

⁶ Canning, Patrick and Morrison, Rosanna Mentzer, *Quantifying the Impact of SNAP Benefits on the U.S. Economy and Jobs*, United States Dep’t of Agriculture, July 18, 2019, <https://www.ers.usda.gov/amber-waves/2019/july/quantifying-the-impact-of-snap-benefits-on-the-us-economy-and-jobs/>.

Sincerely,

/s/ Katharine Deabler-Meadows

Katharine Deabler-Meadows

Staff Attorney

National Center for Law and Economic Justice

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