

**New York Legal Assistance Group**

**Testimony to the New York State Legislature  
Joint Budget Hearing Of The Senate Finance Committee  
And Assembly Ways and Means Committee**

**The 2026-2027 Executive Budget**

**Topic: Human Services**

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Thank you for the opportunity to submit this testimony on behalf of the **New York Legal Assistance Group (NLYAG)** on issues in the Executive Budget that pertain to Human Services. NYLAG is a not-for-profit legal services organization serving low-income New Yorkers. NYLAG uses the power of the law to help New Yorkers experiencing poverty or in crisis combat economic, racial, and social injustice. 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 Public Benefits Unit at NYLAG serves clients who are experiencing barriers to accessing and maintaining public benefits, including Public Assistance, SNAP, appropriate shelter, Medicaid, Homecare, Social Security Disability, Supplemental Security Income, Veterans' Benefits, and we prepare medical and financial advance planning documents for clients in need. In New York City, where the high cost of living is coupled with a level of benefits insufficient to meet basic needs, we serve clients with overlapping needs related to food scarcity, housing instability, and homelessness.

### **KEY ISSUES**

The key issues I want to bring to your attention and urge the Legislature to fund are: **investing in IOLA, increasing the basic cash grant, justice and parity in grant level for shelter residents**, addressing the **eviction crisis** and promoting **housing stability**, fraud protection against **SNAP skimming**, reimbursement for lost benefits due to SNAP skimming, state protections for prohibiting **arbitrary shelter limits**, improving **public assistance budgeting** rules for working families, combating **food insecurity** for New Yorkers, addressing the **benefits cliff**, expanding access to **rental assistance programs needed to exit the shelter system**, providing **opioid antagonists in homeless shelters**, preserving **veterans' benefits**, and adequate **funding for DAP**.

### **RECOMMENDATIONS**

#### **1. Invest in IOLA**

NYLAG is deeply concerned that the Governor's Executive Budget did not include full appropriation authority for the Interest on Lawyer Account (IOLA) Fund. The Executive budget included \$77.5 million, far short of the \$102.5 million IOLA requested, and was approved by IOLA's Board of Trustees.

IOLA is a critical, non-taxpayer funding source for civil legal services for low-income New Yorkers. This funding is not taxpayer money. It is generated through interest on attorney escrow accounts for the sole purpose of supporting civil legal services statewide as prescribed in statute. The full amount of money needed is currently in IOLA's accounts.

IOLA is now entering the second year of a five-year, competitively bid contract process that was designed specifically to provide stability and predictability for civil legal services providers. This multi-year approach allows nonprofit organizations to plan responsibly, retain staff, and meet growing demand for services at a time of unprecedented need. This approach is already supporting more effective, coordinated service delivery across the state.

Over the past year, providers have also worked closely with IOLA to plan and implement critical infrastructure investments through the Justice Infrastructure Project. These efforts are intended to create long-term efficiencies and improve service quality, including the recently announced statewide civil legal services training center and a planned online intake portal that will expand access and streamline assistance for New Yorkers seeking help. Civil legal services providers are essential partners in implementing the Governor's own budget priorities, including protecting immigrants' rights and helping New Yorkers navigate economic hardship.

Without the additional \$25 million needed to fully fund IOLA's request, there will be significant cuts in funding starting April 1, 2026 when year two contracts begin. Those reductions will mean the loss of jobs, fewer services for vulnerable communities, and the potential unraveling of carefully planned investments that were intended to strengthen the civil legal services system for the long term—directly undermining the policy goals this budget seeks to advance.

NYLAG is hoping the Executive will realize their mistake and correct this in the 30-day amendments. However, if they do not, our ask to the legislature is that the final budget includes \$102.5 million spending authority for IOLA in their one house bills.

## **2. Invest in Increasing the Basic Cash Grant and Personal Needs Allowances**

NYLAG urges the legislature to pass the following package of bills that will help New Yorkers meet their basic needs: **S.1127 (Persaud) and A.106 (Rosenthal)**, increasing the standards of monthly need (basic public assistance grant) and home energy grant amounts for persons in receipt of public assistance, and **S.113 (Cleare)**

**and A.108 (Rosenthal)**, increasing the monthly allowance for persons and families residing in shelter. These bills incorporate the 100 percent increase in Cash Assistance for basic needs recommended by the Governor’s poverty reduction council for everyone and keep levels indexed to inflation going forward.<sup>1</sup>

#### Invest in Increasing the Basic Cash Grant

NYLAG urges the Legislature to fund an increase to the basic cash grant consistent with inflation. *See S.1127 (Persaud) and A.106 (Rosenthal)*. The current basic public assistance grant is not sufficient to sustain its recipients. For example, an adult recipient of public assistance with one dependent child is maximally eligible for \$252 in basic public assistance (plus \$39.50 in a home energy allowance), for a total of \$291.50. This amounts to less than \$10 per day. Most families are forced to apply their basic needs grant toward rent, and they are left with nothing to spend on other needs, such as clothing, school supplies, and other monthly expenses. Without action, New York State is allowing residents to live in a state of “deep poverty” (defined as below 50% of the federal poverty level<sup>2</sup>), unable to meet their most basic needs, and we must do better.

Increasing the basic needs grant is important now more than ever and the advantages of increasing the basic needs grant will far outweigh the costs. First, for the obvious reason that households in New York will struggle less and afford their basic needs without depleting their funds. Second, increasing the grant will increase the Standard of Need, and allow more working families to access public assistance. Because of the budgeting rules, these families will not receive high cash benefit amounts, but they will increase the case roll of households with members who are employed, which will protect New York from any penalties attributed to a low “participation rate”.

Finally, any estimated cost associated with the passage of this legislation does not account for household members who receive Safety Net Assistance while their Supplemental Security Income (“SSI”) applications are pending (also known as

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<sup>1</sup> New York State Child Poverty Reduction Advisory Council 2024 Recommendations and Progress Report *available at* <https://otda.ny.gov/cprac/reports/CPRAC-2024-Recommendations-and-Progress-Report.pdf>

<sup>2</sup> DEPARTMENT OF HEALTH AND HUMAN SERVICES, FINANCIAL CONDITION AND HEALTH CARE BURDENS OF PEOPLE IN DEEP POVERTY (2015), *available at* [https://aspe.hhs.gov/sites/default/files/migrated\\_legacy\\_files//57191/ib\\_DeepPoor.pdf](https://aspe.hhs.gov/sites/default/files/migrated_legacy_files//57191/ib_DeepPoor.pdf)

“Interim Assistance”) which is reimbursed to the local Departments of Social Services.<sup>3</sup>

### Justice and Parity for New Yorkers in Shelter Who Receive Less

NYLAG urges funding for legislation that will increase the Personal Needs Allowance for people in shelters that provide meals, as it will provide people experiencing sheltered homelessness with a way to purchase essential personal care items such as toiletries, diapers, transportation, and clothes. *See S.113 (Cleare) and A.108 (Rosenthal)*. Legislation that provides parity for people residing in shelters with meals with those not experiencing homelessness would address this state’s long-standing failure to ensure regular increases in the allowances provided to people experiencing homelessness. This very necessary step would allow people living in shelter to purchase vital personal care items like shampoo and soap, and also remove a massive deterrent for people experiencing street homelessness to enter shelter.

Currently single adults residing in shelter receive \$45 per month as a personal needs allowance,<sup>4</sup> as opposed to the \$183 that single adults not residing in shelter receive. This amounts to \$1.50 per day, which is grossly inadequate to cover personal needs. For instance, the average bottle of shampoo in the United States costs over \$6<sup>5</sup> and the average tube of toothpaste costs over \$4.50 in New York City<sup>6</sup>. Moreover, to travel anywhere in New York City, most people must use the subway and bus system. One ride on the subway or bus has increased to \$2.90<sup>7</sup>, and for shelter residents seeking employment, the related cost of travel is prohibitive. \$45 per month is simply not enough to cover a human’s basic personal needs and is certainly not enough to cover the transportation costs necessary to support a job search.

The reduction of the personal needs allowance once a person enters shelter is a serious deterrent for people experiencing street homelessness to enter shelter. NYLAG serves many clients experiencing street homelessness. We have been told time and time again that it is hard enough for these clients to survive on the full personal needs allowance grant of \$183 dollars per month, and that they will not enter the shelter system because their sole income will be reduced to \$45 per

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<sup>3</sup> N.Y. SOC. SERV. LAW § 158; 18 N.Y.C.R.R. § 353.2; Interim Assistance Reimbursement, State Handbook available at [https://www.ssa.gov/gso/eiar/eIAR\\_InternetHandbook.pdf](https://www.ssa.gov/gso/eiar/eIAR_InternetHandbook.pdf).

<sup>4</sup> 18 N.Y.C.R.R. § 352.8(f)

<sup>5</sup> <https://www.statista.com/statistics/1441316/average-price-of-hair-care-products-in-the-us/>

<sup>6</sup> <https://www.coli.org/just-a-tube-of-toothpaste-or-a-teller-of-tumultuous-times/>

<sup>7</sup> <https://new.mta.info/fares>

month. At a time when New York City is struggling with growing numbers of people experiencing street homelessness, removing this deterrent would go a long way toward bringing people inside, which will allow them to eventually transition to permanent housing.

### **3. Address the Eviction Crisis and Promote Housing Stability**

#### Fund the Housing Access Voucher Program

NYLAG urges this Legislature, now more than ever, to fund the adoption of a Housing Access Voucher Program (“HAVP”), **S.72 (Kavanaugh) and A.1704 (Rosenthal)**, a state-funded rental voucher for individuals and families who are experiencing homelessness or facing eviction and are not in receipt of public assistance benefits. We continue to experience an unprecedented housing crisis for low wage working families.<sup>8</sup> Currently, subsidy programs tied to receipt of public assistance are often the only options for low-income families being threatened with eviction. Rent caps that are too low, and other eligibility rules tied to the current rental subsidy programs, make it even more difficult for families to secure and maintain their apartments. Household composition rules create complications in family living situations and public assistance budgeting that can lead to more benefits problems, loss of benefits, and loss of the subsidy entirely.

New York State desperately needs a voucher program that is not tied to receipt of public assistance, to avoid many of these problems. The Section 8 program has been the gold standard of rental subsidies for decades, because it provides assistance that adjusts to both market rates and an individual’s income. Unfortunately, it is nearly impossible to access, because either the application is closed or the waitlist is too long. New York State needs HAVP to provide much needed rental assistance to low-income families who are not in receipt of public assistance, or who seek to transition off public assistance. This will promote stability for working families by allowing them to pay a rent that is based on their income, that fluctuates with changes in income, and it promotes economic self-sufficiency.

#### Fund An Increase to the Public Assistance Shelter Allowance

NYLAG also urges this Legislature to increase funding to support legislation requiring the public assistance shelter allowance to be set at 100% of the fair market rent for the local social services district. *See* **S.1454 (Kavanaugh) and A.1507**

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<sup>8</sup> OKSANA MIRONOVA AND SAMUEL STEIN, LOW-INCOME NEW YORKERS ARE AN INCH AWAY FROM EVICTION: HOW TO ADDRESS RENT DEBT AND EVICTION PRESSURE TO KEEP THEM HOUSED (2022), *available at* [https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Eviction\\_Pressure\\_V2.pdf](https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Eviction_Pressure_V2.pdf)

**(Rosenthal).** The most critical component of enabling public assistance recipient families to find safe and stable housing is the ability to cover the cost of rent. The public assistance shelter allowance has not been changed since very minimal increases in 2003, despite inflation resulting in a 61.31% cumulative price <sup>9</sup> Increasing the public assistance shelter allowance is a necessary step towards creating an equitable public assistance grant that can sustain stable housing.

Currently, a family of three in New York City that includes a minor dependent child in the public assistance household will receive a maximum of \$400 in shelter allowance.<sup>10</sup> This amount is entirely insufficient in light of the cost of rent in New York City. In addition to New York State’s constitutional obligation to provide “aid, care and support of the needy,” statutory law requires the State to provide adequate allowances for legally responsible relatives to support the physical and emotional well-being of minor dependent children.<sup>11</sup> Without adequate housing or even the potential for adequate housing under the current shelter allowance and rental subsidy scheme, New York State grossly fails to meet its obligations. Increasing the shelter allowance will assist people in maintaining stable housing, as well as in exiting the shelter system and entering permanent housing. It will also provide adequate rental assistance to help people maintain their affordable apartments, and reduce the multitude of costs associated with homelessness, including payments to shelters (that are higher than current rental subsidies) and increased medical spending.

In addition to helping our clients obtain and maintain affordable housing, increasing the shelter allowance will reduce administrative burdens on the local departments of social services (“DSS”) tasked with administering rental subsidies. In New York City, the Human Resources Administration (“HRA”) must review lengthy applications for each client submitted by a legal services office or community-based organization and repeat the process if the household moves. Applications for a modification of the grant level must also be submitted by an advocate and approved by the local DSS, when there is any change in household composition. These small changes cause administrative backlogs and the loss of subsidies for families, who then frequently end up back in housing court facing eviction within a year after their previous case was discontinued. Increasing the shelter allowance would mean that households will not need to rely on these additional rental subsidies, and the local

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<sup>9</sup><https://www.in2013dollars.com/us/inflation/2003?amount=1#:~:text=Value%20of%20%241%20from%202003%20to%202022&text=The%20dollar%20had%20an%20average,Labor%20Statistics%20consumer%20price%20index>.

<sup>10</sup> NY Soc. SERV. LAW § 131-a; 18 NYCRR § 352.3(a).

<sup>11</sup> N.Y. CONST. ART. XXVII, § 1; N.Y. Soc. SERV. LAW §350(A).

agencies will not be burdened with the extra costs and demands associated with their administration.

#### **4. Protections Against SNAP Skimming and Relief for Victims**

##### Installing Fraud-Protection Chips in EBT Cards

NYLAG urges funding to support legislation that will protect SNAP recipients from the growing crisis of EBT card “skimming”. *See* **S.1465 (Serrano) and A.699 (Gonzalez-Rojas)**. Each month, we meet more clients whose SNAP and Public Assistance benefits are stolen through easily preventable card-reading fraud. Unlike modern debit and credit cards, New York’s EBT cards still lack EMV chip technology, an industry standard that dramatically reduces theft by making card-copying nearly impossible. Even though S.1465/A.699 does not replace stolen benefits, it represents a critical step toward preventing these devastating losses in the first place. For households living on the financial edge, the difference between a mag-stripe card and a chip-enabled card is the difference between stability and hunger. Implementing these EMV chips is a simple, proven, and overdue measure that will prevent thousands of families from being victimized.

##### Reimburse Recipients Who Are Victims of SNAP Skimming

NYLAG urges funding to replace stolen SNAP benefits. **S.8130 (Gonzalez) and A.7543 (Gonzalez-Rojas)** are essential bills that restore fairness and safety for low-income New Yorkers who have already fallen victim to SNAP skimming. Federal authorization for reimbursement expired in December 2024, but the theft of benefits continues unabated, leaving families with absolutely no recourse when their SNAP benefits are drained by bad actors, through no fault of their own. NYLAG has supported clients who have lost thousands of dollars in SNAP benefits in just the past six months, wiping out months’ worth of grocery money in an instant. For many of these households, there is no backup plan: once their benefits are stolen, they simply go hungry. Funding for this bill ensures that victims of fraud are not punished for systemic vulnerabilities beyond their control.

#### **5. Support for All Shelter Residents**

##### End Shelter Stay limits

NYLAG urges funding to support legislation that prohibits arbitrary shelter and emergency congregate housing stay limits by state agencies. *See* **A.712 (Cruz)**



**and S.3937 (Hoylman-Sigal).** Imposing time limits solely in shelters is cruel and inhumane, and it serves no purpose other than to penalize the most vulnerable members of our society. Even though New York City is currently choosing not to impose these limits on shelters, as they had been previously on new immigrant shelters exclusively, this proposed legislation is crucial to protecting our newest New Yorkers from this injustice in the future.

Policies imposing time limits force people into street homelessness, creating instability for families, preventing children from attending school, adults from working, and hindering immigrants from obtaining legal status and public benefits.

In the recent past, when NYC was imposing such limits, adult new immigrants were disproportionately harmed by the shelter time limit policies. Adult immigrants without children were often denied extensions of their shelter placements after the initial 30 or 60 days, leaving them street homeless. Many NYLAG clients were forced to sleep on the streets, in subway stations, in houses of worship, or in other unsuitable locations.

Families with minor children also suffered under the shelter time limits. Moving every 60 days caused severe disruption for all household members, but especially for children who could not attend school consistently. Each time families had to reapply for shelter, they were required to go to intake centers with their children, waiting for new placements. This process was especially difficult for families with disabilities, many of whom are unaware that they can request an extension or how to do so. Worse, many new immigrant families were unaware that they would receive a new placement and spent the initial 60 days preparing for street homelessness.

The need to reapply for shelter every 60 days disrupted children's education and parents' ability to work. This was exacerbated when the new shelter placement was far from the children's school, as it often was in New York City. In these cases, children sometimes could not physically attend school, and it may take months for a school bus to be assigned, if at all. The irony is that every family with minor children was assigned a new shelter placement when they reapply, suggesting that the sole purpose of requiring families to move every 60 days was to destabilize them and push new immigrants out of the city.

Shelter time limits also hindered new immigrants' access to immigration relief and public benefits. Once people were forced out of their shelters, they often

could not retrieve mail sent to their previous shelter addresses. This resulted in missed notices for critical immigration hearings, leading to potential in absentia deportations and the loss of work authorization. Clients would also miss appointments for biometric screenings, which are essential for their eligibility for employment authorization. Immigration relief is a key avenue for new immigrants to gain stability and transition out of the shelter system.

Imposing shelter time limits only on new immigrants, as it was—while allowing other shelter applicants to remain indefinitely—discriminated against them based on their national origin and economic status, in violation of City, State, and federal law. These characteristics were being used to justify treating new immigrants as less deserving of shelter and services critical to their transition out of homelessness. This policy was discriminatory and unjust.

Asylum-seeking immigrants should be provided with the same shelter and services as all other individuals experiencing homelessness in New York City. NYLAG urges funding for and enthusiastically supports this vital legislation to ensure equitable treatment for all.

## **6. Fund Broadening Public Assistance Eligibility Rules**

### Eliminate the Public Assistance Resource Test and Expand the Earned Income Disregard

NYLAG urges the Legislature to invest in policies that will promote saving and economic self-sufficiency, while assisting families with assistance to meet their needs. The elimination of the resource limit for public assistance recipients and applicants and expansion of the earned income disregard to *applicants* would permit families to obtain assistance without having to deplete all savings, which will in turn make it easier for them to transition off of public benefits, when they are financially stable. See **S.1791 (Fernandez)** and **A.2061 (Gonzalez Rojas)**. In the alternative, the Legislature should eliminate the asset test for *recipients* and raise the asset limit for public assistance *applicants*. Without being able to save some money while receiving benefits, families are forever in a cycle of crisis and near poverty. Policies that raise or eliminate the asset limit are also proven to reduce administrative burdens on local departments of social services.

New York State law currently imposes strict limits on the amount of assets applicants and recipients may have to receive public assistance.<sup>12</sup> Today, an applicant may not have cash savings of more than \$3,000 or \$3,750 if there is a household member who is sixty years or older, and a recipient of public assistance may not have more than \$10,000 in resources. The state law is complex and incorporates a number of income and resource exemptions that result in confusion for both clients and social services benefits administrators.<sup>13</sup> As a result, public assistance recipients are routinely threatened with erroneous fraud investigations, only to have the Agency concede that the triggering money in a person's account was an exempt resource, such as a Low-Income Tax Credit or a school scholarship or grant. These investigations are stressful and traumatizing to clients, put receipt of their ongoing benefits at risk, and take time from their work and childcare responsibilities. These investigations often result in clients, particularly those who are unrepresented, agreeing to repay amounts they are told they owe for benefits that they were not in fact overpaid. If they fail to pay, these clients may incur a judgment in civil court and/or be subject to wage garnishment, all for a debt that may have been collected in error.

Data from states that have eliminated the asset test shows that it does not result in an increase in public assistance recipients and additional costs to the state.<sup>14</sup> Further, it actually decreases the cost of administering benefits.<sup>15</sup> In New York, in 2014, less than 1% of applications were denied for being over the resource limit.<sup>16</sup> It is safe to conclude the resources spent conducting investigations into the assets of applicants and recipients cost the state more than the increased benefit roll.

Moreover, the low asset limit forces our clients to avoid any attempts to access and retain savings and traps them into a state of financial crisis in order to be able to apply and keep vital benefits. This makes it nearly impossible for those experiencing hardship and poverty to dig their way out.

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<sup>12</sup> NEW YORK SOC. SERVS. LAW § 131-n.

<sup>13</sup> *Id.*

<sup>14</sup> CLASP, ELIMINATING ASSET LIMITS: CREATING SAVINGS FOR FAMILIES AND STATE GOVERNMENTS 4 (2018), [https://www.clasp.org/sites/default/files/publications/2018/04/2018\\_eliminatingassetlimits.pdf](https://www.clasp.org/sites/default/files/publications/2018/04/2018_eliminatingassetlimits.pdf); See also MARTHA MOSKOWITZ, ESQ. AND SUSAN ANTOS, EMPIRE JUSTICE CENTER, DRIVEN INTO POVERTY: HOW NEW YORK'S ASSET TESTS KEEP PEOPLE POOR 10-11 (2015), <https://empirejustice.org/wp-content/uploads/2018/01/driven-into-poverty-2015.pdf>

<sup>15</sup> *Id.*

<sup>16</sup> MARTHA MOSKOWITZ, ESQ. AND SUSAN ANTOS, EMPIRE JUSTICE CENTER, DRIVEN INTO POVERTY: HOW NEW YORK'S ASSET TESTS KEEP PEOPLE POOR 10-11 (2015), <https://empirejustice.org/wp-content/uploads/2018/01/driven-into-poverty-2015.pdf>

NYLAG also urges funding for legislation that would extend the earned income disregard (“EID”) to public assistance applicants. This would allow households with inadequate work income to support their families and would further incentivize public assistance recipients to seek more hours of paid work. Low-wage working families should not be barred from eligibility while they struggle to establish greater economic stability. The current requirement to be a recipient or have had an open case in the past four months in order to benefit from more generous budgeting rules is arbitrary. For example, there could be two households facing eviction in housing court that each had their public assistance cases and associated rental subsidies closed within a week. Even with the exact same income, they will be subject to different budgeting methodologies. This could result in one family getting benefits they need to help them stop their eviction, and the other family being found ineligible for public assistance benefits and unable able to reinstate their rental subsidy. Expansion of the earned income disregard to *applicants* would prevent this type of discrepancy.

## **7. Combat Food Insecurity**

### State SNAP Minimum

NYLAG urges the legislature to fund legislation that will establish a state Supplemental Nutrition Assistance Program (“SNAP”) minimum benefit. *See S.665 (May) and A.1318 (Gonzalez-Rojas)*. This benefit would be issued to any household that receives between \$1 and \$100 of SNAP, to bring their benefit up to \$100. It is vital that we assist low-income households, struggling to make ends meet, with this boost in SNAP benefits. During the COVID-19 pandemic, all SNAP households began receiving an Emergency SNAP (“E-SNAP”) benefit that brought them up to the maximum SNAP level for their household size and helped them to avoid food insecurity. E-SNAP was estimated to have helped 4.2 million people avoid poverty in the fourth quarter of 2021.<sup>17</sup> This legislation is a step in the right direction to helping low-wage households in New York State.

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<sup>17</sup> Urban Institute, “Effect of the Reevaluated Thrifty Food Plan and Emergency Allotments on Supplemental Nutrition Assistance Program Benefits and Poverty” *available at* <https://www.urban.org/sites/default/files/2022-08/Effect%20of%20the%20Reevaluated%20Thrifty%20Food%20Plan%20and%20Emergency%20Allotments%20on%20Supplemental%20Nutrition%20Assistance%20Program%20Benefits%20and%20Poverty.pdf>

## Fund SNAP4ALL

NYLAG urges funding for a state-funded nutrition assistance program that would provide food benefits to New Yorkers who are barred from receiving federally funded SNAP, solely on the basis of their immigration status. **A. 6632 (Gonzalez-Rojas) and S.9033 (Rivera)**, which would create “SNAP for All,” respond to the gaps in federal SNAP eligibility rules. These gaps widened under H.R. 1, which further restricted SNAP eligibility and access by limiting it to only certain lawful permanent residents and U.S. citizens, while eliminating eligibility for other categories of legally present non-citizens.<sup>18</sup> As a result of these federal changes, more low-income New Yorkers who meet all other SNAP criteria will be excluded solely on the basis of their immigration status, creating a larger population of New Yorkers in need of food assistance. In addition to helping to care for these individuals and families, these types of programs have immediate and positive economic impacts, as low-income households tend to use SNAP benefits immediately, generating demand for food and other covered goods, stimulating retail sales, food production, and distribution sectors.<sup>19</sup> Providing this additional benefit will also free up household dollars for other essential spending, on rent, utilities, transportation, and health care.<sup>20</sup>

### **8. Funding to Address the Benefits Cliff**

The “benefits cliff” refers to the scenario when a household receiving benefits experiences an increase in other income that leads to the loss of benefits and ultimately leaves the family with less household income than they had before. In New York, this most commonly occurs when a household that had public assistance and a rental subsidy starts working, exceeds the income limit for public assistance, and, as a result, loses the rental subsidy. Depending on their income, they are frequently earning less than the value of their benefits and the subsidy.<sup>21</sup> Programs like HAVP reduce the harsh financial impacts of a benefits cliff by providing subsidies that are not tied to receipt of public assistance. The TANF block grant allows for some flexibility that the state should exercise to minimize the effects of

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<sup>18</sup> H.R. 1, 119th Cong. § 10108 (2025).

<sup>19</sup> <https://www.governor.ny.gov/news/numbers-devastating-impact-big-ugly-bill-food-security-throughout-new-york-state>

<sup>20</sup> *Id.*

<sup>21</sup> See WELTON, CARRIE, CLASP, FROM RHETORIC TO REALITY: WHAT IT TAKES FOR PUBLIC BENEFITS TO WORK BETTER FOR WORKERS, <https://www.clasp.org/wp-content/uploads/2022/01/From-Rhetoric-to-Reality-What-it-takes-for-Public-Benefits-to-Work-Better-for-Workers.pdf>.

the benefits cliff on low-wage workers.<sup>22</sup> S.244 (Persaud) and A.2497 (Davila) was introduced to address this issue by involving 19 members of the legislature to think creatively about how to support families more smoothly transition to work or other sources of income without experiencing an abrupt decrease in benefits that will set them back and keep them in a permanent state of economic instability. This is a cost-effective step in the right direction that we encourage the Executive branch to support.

## **9. Funding to Address Homelessness**

### Expand Housing Voucher Eligibility

NYLAG urges the Legislature to allocate funding to make housing assistance programs available to needy people regardless of immigration status. State legislation is essential to help create room in New York City's extremely overburdened shelter system and will provide stability and a pathway to permanent housing to families who would otherwise languish in shelters indefinitely. *See* S. **S.958 (Kavanaugh) and A.1503 (Rosenthal)**. It would also help promote stability for immigrants who are struggling to find affordable housing and exit the shelter system.

Districts like New York City need to help current shelter residents obtain permanent housing in order to make room for new residents, but transitioning to permanent housing is almost impossible without a housing assistance voucher. Allowing more people to access these vouchers will aid in their ability to transition to permanent housing and create sorely needed space in the shelter system.

In addition to creating space in an overburdened shelter system, expanding access to housing vouchers would provide stability to families experiencing homelessness. Families in shelter that do not have access to the programs that help homeless families transition to permanent housing are unlikely to ever to gain the means to leave the shelter system because of the prohibitive cost of housing in New York. Precluding housing voucher eligibility for these families effectively traps them in the shelter system. This is particularly problematic because life in shelter takes an enormous toll on the wellbeing of homeless families. For the most part, families are not assigned shelter placements near family support or in a familiar neighborhood. Children in shelter are often forced to transfer to new schools, and family members

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<sup>22</sup> National Conference of State Legislatures, "Introduction to Benefits Cliffs and Public Assistance Programs," *available at* <https://www.ncsl.org/human-services/introduction-to-benefits-cliffs-and-public-assistance-programs>.

must travel long distances on public transportation to continue treatment with trusted doctors and therapists. Periodic involuntary shelter transfers render it impossible for families to achieve stability by establishing roots and becoming part of a community and are particularly destabilizing for children. All families in the shelter system hope to transition to stable permanent housing, which is almost impossible without the assistance of a housing voucher. Expanding access to housing assistance will only aid families in this goal.

## **10. Safety In Shelters**

### Support for Legislation Requiring that Homeless Shelters Maintain Opioid Antagonists

NYLAG encourages this Legislature to fund legislation requiring homeless shelters to keep an opioid antagonist on hand, to have at least one employee trained in its administration on duty at all times, and to develop a training plan for opioid overdoses. This measure is critically needed at this time. *See A.658 (Rosenthal) and S.6455 (Cleare)*. In New York City alone, there were over 1,091 overdoses recorded in shelters in 2021, a 76 percent increase compared to 2019.<sup>23</sup> Opioid antagonists, such as naloxone HCl (Narcan), are easy to use, require minimal training and will immediately reverse an opioid overdose.<sup>24</sup> Given the high rate of overdose in the New York City shelter system, requiring naloxone HCl and someone trained to administer it on site is a commonsense reform that will save lives.

## **11. Preserving Veterans' Benefits**

### Priority for Veterans Seeking Public Housing and Rent-Freeze Programs

NYLAG urges funding for several initiatives aimed at improving access to housing, services, benefits, and legal protections for Veterans and their families. **S. 5350 (Comrie) and A.2066 (Rajkumar)** address barriers that Veterans with disabilities face in securing stable housing by expanding income eligibility and allowing for preference in public housing for post-service veterans and their families.

A forthcoming bill from Assemblymember Linda Rosenthal would amend the Real Property Tax Law to exclude Veterans Disability and Workers' Compensation

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<sup>23</sup> <https://citylimits.org/2022/06/30/drug-overdoses-continue-to-rise-inside-nyc-homeless-shelters/#:~:text=Overall%2C%20there%20were%201%2C091%20overdoses,adult%20shelters%2C%20the%20records%20show.>

<sup>24</sup> <https://nida.nih.gov/publications/drugfacts/naloxone>

benefits from the income calculation used to determine eligibility for the Senior Citizen Rent Increase Exemption (SCRIE) and Disability Rent Increase Exemption (DRIE) programs. Counting disability-related payments as income can reduce or eliminate eligibility for these rent-freeze programs, even though those benefits are meant to offset service-related injuries or work-related disabilities.

These bills recognize that veterans who are compensated at higher rates as a result of more severe disabilities related to military service may get pushed out of housing opportunities because of those disability payments.

#### Access to Healthcare Options

NYLAG urges funding for a measure that would promote information and access to health care for veterans. **S.4567 (Bailey)** focuses on ensuring that more veterans are informed about the healthcare options available through the federal VA system. Many veterans are either unaware of their eligibility or uncertain about how to navigate VA enrollment. This simple measure would prevent them from missing out on specialized care and benefits designed specifically for them. Improving awareness is a low-cost way to increase access to existing federally funded services.

#### Legal Supports and Protections

NYLAG urges funding for initiatives that would provide legal and other protections for veterans including **A.2360 (Epstein)** and **S. 4556 (Fernandez)**, which would establish a right to counsel for veterans at up to 400% of the federal poverty level in civil matters involving children, basic needs, or real property proceedings. It is imperative to have an attorney for these kinds of civil proceedings, as legal instability in these areas can exacerbate financial and mental-health challenges for veterans. Legal Assistance can prevent crises and improve outcomes in these civil legal proceedings.

### **12. Programs for ALL**

NYLAG urges funding that would allow New York State agencies and municipalities to provide public benefits to individuals regardless of immigration status. *See* **A176 (Cruz)**. In circumstances where federal actions can limit access to certain state-run programs, New York must ensure that its state-level benefits and programs continue to operate as intended and remain available to the individuals they have historically served.



### **13. Increase Funding For The Disability Advocacy Program (DAP)**

The Disability Advocacy Program (DAP) provides statewide legal representation to low-income disabled New Yorkers whose federal Supplemental Security Income (SSI) or Social Security Disability (SSDI) benefits are wrongly denied or terminated. DAP notably saves the state millions of dollars every year in avoided public assistance costs. When clients win their SSI benefits, state and local governments are retroactively reimbursed for public assistance benefits paid to these clients. Every \$1 invested in DAP has returned over \$2 to the state and counties. The program has generated almost \$1.5 billion to the state and local counties since its inception in 1983.

The statewide network of DAP providers request \$7.5 million in funding to support the program in the SFY 2027 Enacted Budget, inclusive of both the executive and legislative additions before county match. We also request DAP to be included in the Office of Temporary and Disability Assistance's Human Services cost of living adjustment to ensure the program can keep up with inflation linked operational costs keep up with program costs. Increased funding would allow us to better respond to clients who are facing delays in applications and appeals and general lack of access to the Social Security Administration staff due to federal destabilization.

I am grateful for this opportunity to submit this testimony on the Executive Budget based on my experience serving clients in public assistance and homeless advocacy. Thank you again for your invitation on behalf of New York State residents in need of social services. I welcome further conversation about any of these recommendations.

For more information:

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