

February XX, 2023

Dear Chairwoman Stabenow, Chairman Thompson, Ranking Member Boozman and Ranking Member Scott:

We, the undersigned organizations, write to urge that you repeal the [lifetime ban](#) on individuals with a past felony drug conviction from receiving Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF) as part of the next Farm Bill.

SNAP and TANF provide minimal, supplemental support during times of financial hardship and food insecurity. Individuals and families who qualify for SNAP and TANF generally live below 200% of the federal poverty line. SNAP provides monthly benefits to help low-income families buy food, as well as access to work-based learning, vocational services, and support services via SNAP Employment & Training (SNAP E&T). States receive federal TANF block grant funds to provide assistance in various forms, including income assistance (such as wage supplements for working-poor families), childcare, education and job training, transportation, aid to children at risk of abuse and neglect and a variety of other services. Economic and food security supports are as critical now as ever, as historically high inflation and supply chain disruptions have substantially impacted the cost of food and other basic needs.

In 1996, Congress imposed a lifetime ban on individuals convicted of a drug felony from receiving SNAP and/or TANF. Although Congress gave states the ability to opt-out of the ban, [many states](#) still bar individuals entirely or impose onerous and costly requirements that create barriers to restoring eligibility.

The lifetime drug felony bans on SNAP and TANF imposed by Congress undermine efforts by individuals to transition successfully from the criminal legal system into their communities and to provide for their families. Formerly incarcerated people [struggle](#) with unemployment and other barriers to reentry. Food insecurity is also pervasive among people transitioning from the criminal legal system. A [study](#) by researchers at the Yale University School of Medicine found that 91 percent of individuals suffer from food insecurity upon release from prison. A second [study](#) found that 20 percent of formerly incarcerated people report suffering from food insecurity — double that of the general population — with even higher rates among formerly incarcerated women and Black individuals also at elevated risk of being impacted by the lifetime ban. Based on the experience of many of the undersigned organizations, people convicted of a drug felony are also often in need of essential supports such as SNAP and TANF assistance as they seek substance use disorder treatment and strive to achieve recovery. Preventing people convicted of a drug felony from accessing vital SNAP and TANF assistance makes pathways to recovery and prosperity much harder to secure.

The lifetime drug felony bans on SNAP and TANF assistance disproportionately impacts people of color. Policing and drug law enforcement activity is typically concentrated in low-income communities of color, resulting in higher drug-related conviction rates for Black and Brown

people. While Black and Latino people use drugs at similar rates as other people, [nearly](#) 80 percent of people in federal prison and almost 60 percent of people in state prison for drug offenses are Black or Latino. Women of color—who also comprise a [third](#) of non-elderly recipients of SNAP and TANF—are increasingly likely to be subject to this lifetime ban. Over the past 35 years, drug-related arrests have risen nearly 216 [percent](#) for women.

The lifetime felony drug bans hurt not only individuals with convictions, but also their children. Families receive a much lower overall benefit when a parent is ineligible for SNAP/TANF as a result of a drug felony conviction. This means that families with an adult who is banned from benefits have access to less food and support, causing those family members to experience food insecurity and increased stress that can lead to preventable [health](#) problems for both adults and children.

Ultimately, the lifetime drug felony bans on SNAP and TANF can increase the risk of recidivism. One study by an economist at the University of Maryland [estimated](#) that individuals still subjected to the drug felony ban in Florida are about nine percentage points more likely to return to prison after release than individuals with prior drug convictions who have access to SNAP under Florida's partial opt-out of the federal ban. Similarly, a 2017 study by a researcher at the Harvard University School of Law [found](#) that eligibility for SNAP and TANF significantly reduces recidivism.

After twenty-five years, we believe it is time for Congress to end these punitive bans.

We urge you to prioritize lifting the ban on SNAP and TANF for those with prior drug convictions in the next Farm Bill reauthorization. Please contact Grant Smith, Deputy Director of the Office of National Affairs with Drug Policy Alliance, at [gsmith@drugpolicy.org](mailto:gsmith@drugpolicy.org) for questions about this letter or to discuss this request.

Thank you in advance for your consideration of the issues outlined above.

Sincerely,