



November 20, 2013

Honorable David Vitter
United States Senate
Washington, DC 20510

Dear Senator:

This letter responds to your request that the Congressional Budget Office (CBO) estimate the budgetary effects of section 4020 of S. 954, the Agriculture Reform, Food and Jobs Act of 2013, as passed by the Senate on June 10, 2013.¹ The provision would disqualify an individual from receiving benefits from the Supplemental Nutrition Assistance Program (SNAP) “if the individual is convicted of” certain specified crimes including murder, sexual assault, and child sexual abuse.

It is unclear to CBO whether section 4020 would be interpreted as applying only to people convicted of committing one of the specified crimes *after* enactment or applying to all people *ever* convicted of one of the specified crimes whether the crime occurred before or after enactment. Therefore, CBO prepared estimates for both possible interpretations.

Estimate for Prospective Implementation

If the policy specified in section 4020 was applied only to people convicted of committing the specified felonies *after* enactment, CBO estimates that enacting the provision would reduce costs in SNAP by \$21 million over the 2014-2023 period. Those effects would be the same as those estimated by CBO for section 137 of H.R. 3102, the Nutrition Reform and Work Opportunity Act of 2013, as passed by the House of Representatives on September 19, 2013.² That provision specified that only individuals who were convicted of committing one of the crimes specified in section 4020

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1. On May 17, 2013, CBO transmitted a cost estimate for S. 954 as reported by the Senate Committee on Agriculture, Nutrition, and Forestry (<http://www.cbo.gov/publication/44248>). Section 4020 was added to the bill as an amendment on the Senate floor prior to passage.
 2. CBO transmitted a cost estimate for H.R. 3102 on September 16, 2013 (<http://www.cbo.gov/publication/44583>).

after enactment of the policy would be prohibited from receiving SNAP benefits.

Estimate for Both Prospective and Retrospective Implementation

If the policy in section 4020 was applied to all people ever convicted of one of the specified felonies, including felonies that occurred prior to enactment, CBO estimates the provision would reduce costs in SNAP by \$5 million in 2014 and by approximately \$20 million each year from 2015 to 2023. Therefore, in total, applying the provision to both prior and future felonies would reduce costs by \$185 million over the 2014-2023 period, CBO estimates. If the provision was applied both prospectively and retrospectively, we expect it would affect less than one-half of 1 percent of SNAP participants (in 2013, nearly 48 million people participated in SNAP each month).

Basis of Estimate

There is no available data on the number of people convicted of felonies who receive SNAP benefits. Therefore, to estimate the effects of this proposal on SNAP spending, CBO used information from the Bureau of Justice Statistics (BJS) at the Department of Justice and other research on felony convictions, prison sentences, and recidivism, as well as reports from the Department of Agriculture on participation in SNAP.

The BJS has estimated that more than 7 million people in the current U.S. population have ever served time in prison for a felony (the total number of people with felony convictions is higher, since not all convictions lead to incarceration). However, we expect that only a small portion of this group would be affected by the proposal, for several reasons:

- Only a small share of individuals convicted of a felony have been convicted of a crime specified by the proposal.
- Among those convicted of one of those felonies, many will spend time in prison at some point during the 2014-2023 period, either for the disqualifying conviction, another conviction, or a technical violation—and all such prisoners are ineligible for SNAP benefits under current law.

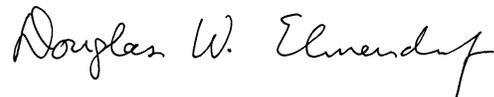
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- Not all felons meet the income conditions for eligibility for SNAP, although CBO expects that individuals convicted of felonies are more likely to be income-eligible for SNAP than the general population, based on educational attainment and employment among this group. Among those who would qualify for SNAP based on their income, some may already be ineligible because of existing bans on drug felons in some states and existing time limits for able-bodied adults without dependents.
- CBO expects that eligible felons are less likely to participate in the program than other eligible individuals.
- Enforcement of the provision relies on self-reporting by SNAP applicants. CBO expects that not all applicants would correctly report their felony status, and therefore, some individuals convicted of the specified felonies might obtain or continue to receive SNAP benefits.

I hope this information is helpful to you. If you have any questions, please feel free to contact us. The primary CBO staff contact for this analysis is Emily Stern.

Sincerely,



Douglas W. Elmendorf
Director

cc: Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture,
Nutrition, and Forestry

Honorable Thad Cochran
Ranking Member