

Brennan Center Strategic Fund

City Council General Welfare Committee Hearing on the Ready Access to Assistance Act (REAACT)

**Testimony of the Brennan Center
December 18, 2006**

Members of the General Welfare Committee, thank you for the opportunity to speak to you today about the Ready Access to Assistance Act (also known as REAACT, Introduction #359). My name is David Pedulla, and I am a Research Associate with the Brennan Center. I am here to ask you to support the REAACT bill in light of the commitment we share to the principles of opportunity, fairness, compassion, and accountability – the hallmarks of good government.

REAACT will enable low-income families and individuals seeking public benefits, including food stamps and Medicaid, to obtain valuable assistance with the application process from advocates inside government offices. This means that more New Yorkers will have access to the vital work supports and public benefits that they need.

REAACT would also play an important role in advancing the City Council's Food Access Campaign, "Food Today, Healthy Tomorrow," by ensuring that all eligible New Yorkers have the necessary support to obtain critical nutrition assistance to keep their families healthy.

Here are some of the specifics of the bill. REAACT will allow advocates to staff help desks and provide information to assist low-income people with questions that arise in the complex application and recertification processes associated with receiving public benefits. Advocates could translate documents, provide interpretation, and ease communication with government officials for New Yorkers whose primary language is not English. Advocates could also clarify program requirements for individuals who become frustrated when benefits are denied, advise people about their rights and obligations, and provide representation in interactions with government officials.

In addition, REAACT provides protections for government officials, agencies, and welfare recipients. It allows agencies to regulate the presence of advocates, and to bar tables from places where they would obstruct traffic. The bill also prohibits advocates from soliciting funds. And it limits access to the staff and volunteers of non-profit organizations, ensuring that the advocates are truly there to help.

We know that allowing advocates into public benefits offices helps both people seeking benefits and the government agencies where they apply. For years, Buffalo, Los Angeles, and San Diego have allowed advocates access to public benefits offices.

And for at least two decades, starting in the early 1970s, advocates in New York City were able to have the access that the REACT bill would allow. Last week, I talked to Barry Ensminger, who served as HRA General Counsel from 1990-1993. He spoke positively about his experience allowing advocates into what were then called Income Maintenance Centers. He said, "When HRA implemented the policy of allowing advocates access to public benefits offices, we were able to work out guidelines that allowed advocates to set up help desks and assist people in public areas without interfering with the functioning of the Income Maintenance Centers or the privacy of clients."

REACT stands in sharp contrast to local laws that have been invalidated by the courts in recent years. The bill falls squarely within the Council's power to further the general welfare, it would not conflict with any existing state law, and the state has not indicated an intent to occupy the field. On the contrary, the City clearly has authority to regulate day-to-day operations of its public benefits offices. REACT would not impinge on any of the Mayor's powers. In fact, the Council has passed other local laws prescribing what materials HRA must post on its walls, and what information HRA, ACS, DHS and other agencies must provide to people seeking benefits. Laura Abel, deputy director of the Justice Program at the Brennan Center, has drafted a legal memo discussing these issues in more detail, and she is here to answer any questions you may have on this issue. Copies of the memo are also available for your review.

Thank you again for this opportunity. I am happy to answer any questions you may have.