State of California
Office of the Attorney General

ROB BONTA
ATTORNEY GENERAL

Via Federal eRulemaking Portal
James C. Miller
Administrator
Food and Nutrition Service
U.S. Department of Agriculture
1320 Braddock Place
Alexandria, VA 22314

RE: Comments on USDA/FNS System of Record Notice Update: Docket No. FNS-2025-11463, USDA/FNS–15, Nat'l SNAP Info. Database, 90 Fed. Reg. 26521 (Jun. 23, 2025)

Dear Mr. Miller:

We, the Attorneys General for the States of California, Arizona, Colorado, Connecticut, Illinois, Maryland, Michigan, Minnesota, New Mexico, New Jersey, New York, Oregon, Rhode Island, and Washington (collectively "States") write to urge the U.S. Department of Agriculture and its Food and Nutrition Service (collectively "USDA") to withdraw or modify its proposal to create a National SNAP Information Database, as described in the System of Record Notice published at 90 Fed. Reg. 26,521 (SORN) (June 23, 2025). USDA's proposal to create a new Supplemental Nutrition Assistance Program (SNAP) participant database, populated by SNAP records, would necessarily require that States unlawfully turn over Americans' sensitive, personal information. Relevant to this comment, USDA's proposal would duplicate Congressionally mandated eligibility determinations already performed by the States, which is not only a profound threat to individuals' privacy, but also a waste of funds that could be used to fight hunger. Not only that, the SORN then purports to allow USDA to disclose individuals' personal information for any legal or regulatory enforcement purpose, in violation of the Privacy Act of 1974. Currently, such data can generally only be used for SNAP purposes, such as administering the program or enforcing SNAP-related laws and regulations. Simply put, USDA's unprecedented proposal improperly seeks to acquire SNAP participant data long held by the States, to do a job already done by the States, and then disclose that data in ways federal law prohibits the States from doing. USDA should rethink this flawed and unlawful proposal and instead work with the States to improve program efficiency and integrity through the robust processes already in place.

Legal and Factual Background

SNAP is a federally-funded, state-administered program providing billions of dollars in food assistance to tens of millions of needy families across the country. Under The Food and Nutrition Act of 2008, 7 U.S.C. § 2011 *et seq*. (the "SNAP Act"), States determine the eligibility of SNAP recipients under criteria determined by USDA. 7 U.S.C. §§ 2014(b), 2020(a)(1); 7 C.F.R. §§ 273, 276.1(a)(4). Because States administer SNAP, many aspects of program regulation are governed by the statutorily-required State Plan of Operations, which USDA approves as a condition of providing funding. 7 U.S.C. § 2020(d). The SNAP Act specifies many elements to be included in the State Plan. *Id.* § 2020(e).

State Plans thus "establish procedures governing [program] operation" and pursuant to the plan, States must "promptly determine the eligibility of each applicant household." 7 U.S.C. § 2020(e)(2)(A), (3). States determine recipients' eligibility through a mandatory "income and eligibility verification system" and verify immigration status through another system maintained by the federal government. *See* 7 CFR §§ 272.8 & 272.11. States must also maintain "a system for monitoring and improving [their] administration of SNAP." 7 C.F.R. § 275.1. The State Plan must also contain a Quality Control Sampling Plan and plans on how to use the systems to verify income and immigration status. 7 C.F.R. § 272.2(d)(1)(i), (iv) & (vii). As USDA itself describes it, "[S]tates are responsible for ensuring recipient eligibility and monitoring their benefit use."[1]

While the States administer SNAP, USDA, in contrast, annually reviews "certain functions performed at the State agency level," performs "a management evaluation of at least two State Quality Control Systems," and validates States' "payment error rate[s]." 7 C.F.R. § 275.3(a), (c), & (d). USDA's current Quality Control process already assesses whether States' denials are accurate and whether the state's eligibility and benefits determinations are accurate; those processes are known as the Case and Procedural Error Rate (CAPER) and the Payment Error Rate (PER).[2] USDA also reviews, at least biennially, the State's own "Management Evaluation System." 7 C.F.R. § 275.3 (b).

USDA also maintains two systems to detect and prevent fraud. The first, the National Accuracy Clearinghouse, prevents people from fraudulently claiming benefits from multiple states, which States check when they determine eligibility. 7 C.F.R. § 272.18. USDA also maintains a point-in-time system for detecting EBT fraud, the Anti-Fraud Locator Using Electronic Benefits Transfer Retailer Transactions (ALERT). The ALERT system provides daily EBT transaction information to USDA to identify and stop fraud waste and abuse under a robust set of privacy protections.[3] Under this system, "Records will be available only to identified State agency personnel charged with SNAP enforcement."

Lastly, the SNAP Act contemplates that USDA can perform targeted inspections and audits of State programs, subject to privacy protections. 7 U.S.C. § 2020(a)(3)(A) provides that

---

1 https://www.fns.usda.gov/snap/fraud (visited July 9, 2025).

2 https://www.fns.usda.gov/snap/qc/caper (last visited July 11, 2025); https://www.fns.usda.gov/snap/qc/per (last visited July 12, 2025).

3 https://www.federalregister.gov/documents/2010/12/27/2010-32457/privacy-act-revision-of-privacy-act-systems-of-records.

States must maintain "such records as may be necessary to determine whether the program is being conducted in compliance" with the SNAP Act and regulations. Those records and related systems shall "be made available for inspection and audit by the [USDA], subject to data and security protocols agreed to by the State agency and [USDA]." *Id.* § 2020(a)(3)(B).

Despite the existence of these oversight processes and anti-fraud systems, USDA states in its recently issued SORN that the "primary purposes" of the new SNAP database are "to validate the accuracy of eligibility determinations and strengthen SNAP and government program integrity." USDA cites two recent Executive Orders[4] and states that it will "will leverage data-sharing across Federal and State systems to identify and rectify" improper SNAP payments. "This includes verifying eligibility based on immigration status, identifying and eliminating duplicate enrollments, … and performing other eligibility and program integrity checks using lawfully shared internal and interagency data." Importantly, USDA cannot directly "rectify" benefits that it believes should not be paid. The SNAP Act and regulations provide that only States Agencies can terminate benefits and must afford a "fair hearing" to SNAP recipients whose benefits are terminated. 7 U.S.C. § 2020(e)(10); 7 C.F.R. § 273.15(a).

State Agencies' records of SNAP applicant and recipient data are subject to significant safeguards under the statutory administration scheme, and disclosure of States' SNAP data is only permitted under strictly limited circumstances. Federal law specifies that States are responsible for making their SNAP records "available for inspection and audit" by USDA, as noted above, but that access must be "subject to data and security protocols." 7 U.S.C. § 2020(a)(3)(B)(i). To permit this inspection and audit, the statute provides for certain delineated exceptions to the general prohibition on "the use or disclosure of information obtained from applicant households." *See e.g. 7* U.S.C. § 2020(e)(8)(A). For example, one permitted disclosure is to "persons directly connected with the administration and enforcement" of SNAP and other assistance programs. Those persons, in turn, can use SNAP records "only for such administration or enforcement." *Id.* The SNAP Act includes other exceptions for disclosure to capture fleeing felons, recoup overpayments, or investigate or prosecute violations of the SNAP Act or regulations. *See id.* Consistent with the Act, USDA's regulations similarly limit the use or disclosure of SNAP-participant data. *See* 7 C.F.R. § 272.1(c)(1). For example, the regulations limit disclosure to "Local, State, or Federal law enforcement officials, upon their written request," but expressly limit such disclosure to "investigating an alleged violation of the [SNAP Act] or regulation." *Id.*, § 272(c)(1)(vi). Disclosures for other purposes are not allowed.

As part of the State Plan, and as mandated by the SNAP act, States must maintain similar limitations on disclosure of SNAP applicant and recipient data. California's State Plan, for example, incorporates its Food Stamp Manual, which provides that "[u]se or disclosure of information obtained from food stamp applicant or recipient households" is limited to "[p]ersons directly connected with the administration or enforcement of the provisions of the Food Stamp Act or regulations." § 63-201.311. Like the SNAP regulations, California's State Plan permits

[4] Executive Order 14243 of March 20, 2025, *Stopping Waste, Fraud, and Abuse by Eliminating Information Silos* and Executive Order 14218 of February 19, 2025, *Ending Taxpayer Subsidization of Open Borders.*

disclosures of SNAP data to law enforcement to "investigat[e] an alleged violation of the Food Stamp Act or regulations." § 63.313(a). Other States' plans have similar restrictions.[5] USDA approved California's State Plan and agreed "to act in accordance with the provisions of the Food and Nutrition Act of 2008, as amended, implementing regulations and the FNS approved State Plan of Operation" on September 27, 2024. USDA has approved other States' plans on the same or similar terms.

Consistent with the SNAP Act and regulations' limitations on disclosures of SNAP data, many States also have laws that similarly limit disclosure of data regarding applicants and recipients of SNAP and other benefits programs.[6]

Putting aside the conditions by which USDA can rightfully access State SNAP data, this SORN creates a system that ignores statutory limitations on sharing SNAP-applicant and recipient data. This includes multiple broadly worded "routine use" provisions purporting to authorize USDA to share data with various entities that do not appear to have any connection to benefits administration or enforcement. Of particular concern, one proposed routine use would allow disclosure of SNAP records to a government agency when "a record on its face, or in conjunction with other records," indicates a violation or potential violation of law, "whether civil, criminal, or regulatory in nature." Another routine use purports to allow disclosures to "investigate fraud, waste, or abuse" in other federal benefits programs. Unlike the limitations on disclosure described above, these broad provisions do not include any connection to the enforcement or administration of the SNAP Act or regulations, which violates the Privacy Act as discussed below.

Discussion

USDA's proposed collection of State-held, SNAP-participant data is both novel and unnecessary, and its proposed disclosure of data to other agencies for non-SNAP related purposes exceeds what federal law allows.

A. USDA's proposed collection of SNAP applicant data is unnecessary, impracticable, and risks violating federal law.

USDA's proposed SNAP database is not needed to accomplish its professed purposes and will generate government waste and increase States' burdens, rather than reducing them. As discussed above, USDA's stated rationale for the database is "to validate the accuracy of eligibility determinations and strengthen SNAP and government program integrity." But as set out above, USDA and the States already have extensive processes and systems to determine and

---

[5] For example, New York's SNAP Source Book contains nearly identical restrictions on disclosure of SNAP records as the SNAP regulations, including limiting disclosure to "persons directly connection with administration and enforcement" of federal benefits programs and law enforcement for "the purpose of investigating an alleged violation of the Food Stamp Act or regulations," following a "written request." Section 3(E), pp. 3-9-3-11.

[6] *See, e.g.*, Cal. Welf. & Inst. Code, § 10850; 503 Ill. Con. Stat. 5/11-9; Ore. Rev. Stat. 411.320; Col. Rev. Stat. § 26-1-114 & 10 Co. Code Reg. 2506-1 § 4.140.B.3; N.J. Admin. Code 10:87-1.14

review eligibility and prevent fraud. USDA also has processes to determine payment error rates, including over- and under-payments, and it publishes the CAPER and PER annually.[7] The USDA itself describes SNAP as having "one of the most rigorous quality control systems in the federal government . . . leveraging both state agency reviews and federal reviews . . . ."[8]

The States' interest in avoiding duplicate eligibility determinations is not solely rooted in good policy. Federal law counsels for both an efficient and privacy-protective approach to collecting, maintaining and using peoples' data. The Paperwork Reduction Act was passed by Congress for the purpose of "ensur[ing] the greatest possible public benefit from and maximize the utility of information created, collected, maintained, used, shared and disseminated by or for the Federal Government." 44 U.S.C. § 3501(2). When collecting information, Congress wanted federal agencies to "minimize the paperwork burden" on States and "minimize costs to the Federal Government." OMB, which implements the act, has therefore directed agencies to "perform[] information resources management activities in an efficient, effective, economical, secure, and privacy-enhancing manner." OMB Circular A-130, *Managing Information as a Strategic Resource* (July 28, 2016). Thus, federal agencies "shall…reduce [their] [personally identifiable information] to the minimum necessary for the proper performance of authorized agency functions." *Id.* at ¶ 5(a)(1)(a)(ii). The Privacy Act of 1974 also directs federal agencies to minimize records concerning individuals. 5 U.S.C. § 552a(e)(1).

While the SORN does not provide specific details related to how the data collection will be facilitated or at what frequency, it would appear to cause significant administrative burden and cost to the States. This may include preparing data for transfer to USDA on an ongoing basis or establishing automated data transfer protocols integrated with the States' eligibility system. There is also a strong risk to recipients and efficient program administration posed by potential inconsistent determinations on eligibility between the federal and state or local levels, particularly when the household and income data maintained by the states can change more quickly than it could be updated in this proposed new system. As a related example, there have been public statements by the federal administration about comparing SNAP data to IRS data. Doing so would result in a faulty comparison due to misaligned data sets. SNAP qualification is calculated, and can change, on a monthly basis; it is based on anyone in a home who purchases or eats food together. By contrast, IRS data is based on annual income of legal households, such as spouses and dependents. Importantly, any increase in error rates caused by comparing misaligned data has potentially severe consequences under recently passed legislation and could cost States and families hundreds of millions in benefits.

And, as noted above, only States Agencies can determine eligibility or terminate benefits, and in the latter case, they must provide a "fair hearing" to aggrieved individuals. 7 U.S.C. § 2020(e)(10); 7 C.F.R. § 273.15(a).

As USDA is aware, it already has a more efficient and data-minimizing means of validating States' eligibility determinations and payments. Most obviously, USDA can and

---

[7] https://www.fns.usda.gov/snap/qc/per (visited July 9, 2025); https://www.fns.usda.gov/snap/qc/CAPER (visited July 12, 2025).

[8] https://www.fns.usda.gov/snap/qc (visited July 11, 2025).

already does perform regular quality control ***sampling*** of SNAP data, which it also requires the States to do. 7 C.F.R. § 275.11 ("Each State agency shall develop a quality control sampling plan which demonstrates the integrity of its sampling procedures."). As described in a USDA-commissioned study, "[t]he current two-tier SNAP QC process relies on State reviews of SNAP cases to make error determinations followed by Federal re-reviews ***of a subset of the cases***; the final error rates combine the results of the State and Federal reviews."[9]

The federal government has repeatedly defended the use of statistical sampling given the cost of case-by-case review. As a result, "courts have routinely permitted the use of statistical sampling to determine whether there has been a pattern of overpayments spanning a large number of claims where case-by-case review would be too costly." *Chaves County Home Health Service, Inc. v. Sullivan*, 931 F.2d 914, 919 (D.C. Cir. 1991).[10] Indeed, "[a]udit on an individual claim-by-claim basis of the many thousands of claims submitted each month by each state ***would be a practical impossibility*** as well as unnecessary." *State of Ga., Dept. of Human Resources v. Califano*, 446 F.Supp. 404, 410 (N.D. Ga. 1977) (emphasis added). In contrast to the "thousands of claims" that proved impracticable in *Califano*, California alone has over 5.5 million beneficiaries who receive SNAP benefits on a monthly basis. Nationwide, these numbers balloon well beyond what USDA could meaningfully review.

Even if USDA wished to perform a far more extensive quality control review of all SNAP participants, pursuant to an agreed data and security protocol, 7 U.S.C. § 2020(a))(3), the agency could do so while still complying with the Paperwork Reduction Act and OMB's privacy guidance. USDA could request deidentified data in samples to perform its reviews or exclude other unnecessary information, like addresses. As currently used with some systems – including the National Accuracy Clearinghouse, which collects much of the same information – States could use hashing algorithms to render certain data unreadable to the recipient, but capable of reidentification by the sender. Using hashing would comport with existing regulations: if the government has adequate reason to believe an individual is wrongfully collecting SNAP benefits, federal law enforcement could submit a "written request" for the specific individual's data as it is permitted to do "for the purpose of investigating an alleged violation of the [SNAP Act] or regulation." 7 C.F.R. § 272.1(c)(1)(vi). In other words, protecting privacy does not mean the government must let wrongdoers off the hook.

Conducting a quality control review as proposed in this SORN is also impracticable. USDA has studied the feasibility of performing all quality control reviews at USDA and identified numerous challenges. *See* Feasibility Study, *supra*, note 5. That study determined that consolidating review at the federal level "would involve a significant undertaking" that faced both legal and operational impediments. For example, "FNS would need to significantly expand its workforce to conduct QC reviews without the State tier of review." FNS would also need

---

[9] Feasibility of Revising the SNAP Quality Control Review Process, USDA, FNS Office of Policy Support (Dec. 2019) (emphasis added).

[10] *See also Illinois Physicians Union v. Miller*, 675 F.2d 151, 155 (7th Cir.1982) (Medicaid); *Michigan Dep't of Edu. v. United States Dep't of Edu.*, 875 F.2d 1196, 1204–06 (6th Cir.1989) (vocational rehabilitation programs).

access to various federal, state, and local systems, which likely would require legislative changes, data use agreements, and implicate "privacy requirements related to integrated eligibility systems [that] are stringent and do not currently allow this type of access in most instances." *Id.* As the study makes abundantly clear, performing quality control review is not as simple as creating a new database for all SNAP participant data and asking States for a current copy of their SNAP records.

B. USDA's proposed broad disclosure to law enforcement is not a valid "routine use" under the Privacy Act.

USDA's broad proposed "routine use" to disclose SNAP records to government agencies, if the records, alone or in conjunction with others, indicate even a potential violation of any law, runs afoul of the Privacy Act of 1974. The Act generally prohibits federal agencies from disclosing personal records without the individual's consent or some other statutory exception. 5 U.S.C. § 552a(b). USDA invokes the "routine use" exception in the act to assert in the SORN that it may share with any government agency any records potentially indicating a violation or potential violation of any law. This swings too broadly to fit within the Privacy Act's limits.

The Privacy Act limits routine uses to disclosures for "a purpose which is compatible with the purpose for which it was collected." *Id.* § 552a(a)(7). Thus, to be a valid routine use, the reason for disclosing records must match the reason for collecting them. "There must be a more concrete relationship or similarity, some meaningful degree of convergence, between the disclosing agency's purpose in gathering the information and in its disclosure." *Britt v. Naval Investigative Service*, 886 F.2d 544, 549–550 (3d Cir. 1989). In *Britt*, an NCIS investigator met with a reserve Marine Corps major's federal civilian supervisor for background on an investigation into military ordnance found in a private home. The investigator gave the supervisor his investigatory files, thinking the supervisor might find it "relevant" to employing the major at his federal civilian job. The major then sued under the Privacy Act. The Third Circuit held that the government failed to establish that the investigator's disclosure was a valid routine use because it was not related to the original purpose of collection—a criminal investigation into improperly requisitioned and stored ordnance.

Here, States collected SNAP participant's data for the purposes of administering SNAP benefits[11] and ultimately ameliorating hunger. SNAP data can therefore be used for any routine SNAP purpose, assuming it is properly disclosed in a SORN. But USDA appears to propose to disclose SNAP records for any law enforcement purpose, regardless of its connection to SNAP. To allow such a disclosure would, "by the mere publication of broad routine use purposes, evade the statutory requirement that disclosure must be compatible with the purpose for which the material was collected." *Britt,* 886 F.2d at 550; *see also Swenson v. U.S. Postal Serv.*, 890 F.2d 1075, 1078 (9th Cir. 1989) (EEOC complaint data not compatible with disclosure to congress about number of rural mail routes); *Covert v. Harrington*, 876 F.2d 751, 755 (9th Cir. 1989) (information collected for security clearance purposes is incompatible with disclosure for criminal investigation of subsequent actions); *Mazaleski v. Treusdell*, 562 F.2d 701, 713 n. 31

[11] Thus, SNAP data can be used to prosecute SNAP fraudsters, including retailers or EBT skimmers, as a valid part of overseeing or administering the program.

(D.C. Cir.1977) (derogatory information concerning a federal employee's dismissal not compatible with disclosure to prospective employer); *see also* S. Rep. No. 1183, 93d Cong., 2d Sess., *reprinted in* 1974 *U.S. Code Cong. & Admin. News* 6916, 6983 (Privacy Act intended to prevent "an agency from merely citing a notice of intended 'use' as a routine and easy means of justifying transfer or release of information.").

As OMB itself stated, in its original 1975 Guidelines and Responsibilities for Privacy Act Implementation:

> A record may also be disclosed to a law enforcement agency at the initiative of the agency which maintains the record when a violation of law is suspected; *provided*, that such disclosure has been established in advance as a 'routine use' and that misconduct is related to the purposes for which the records are maintained…."[12]

40 Fed. Reg. 28955 (July 9, 1975). More recently, OMB reiterated that "Routine uses shall be narrowly tailored to address a specific and appropriate use of the records…[and] may be appropriate…when the use is both related to and compatible with the original purpose for which the information was collected." OMB Circular No. A-108, *Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act*.

Indeed, both the States' original collection of SNAP records, and USDA's contemplated collection of those records from the States, did not occur in a vacuum. Instead, both these collections have or will occur pursuant to a regulatory regime that by-and-large limits disclosures of SNAP records to SNAP-related purposes only, with some very specific exceptions not relevant here. *See* 7 U.S.C. § 2020(e)(8); 7 C.F.R. § 272.1(c)(1). Unlike the broad purposes contemplated by USDA's new SORN, the existing SNAP law-enforcement exception permits disclosures only when "investigating an alleged violation of the [SNAP Act] or regulation[s]." 7 C.F.R. § 272(c)(1) (vi). Thus, the proposed "routine use" is not compatible with USDA's own regulatory framework regarding how SNAP records may be disclosed.

Lastly, the fact that applicants were told their personal data would only be used for SNAP purposes forecloses USDA's proposed broad "routine use" disclosures for general law enforcement. Like the Privacy Act, other privacy laws prohibit uses or disclosures of data that are incompatible with the original collection's purpose. *E.g.* Cal. Civ. Code § 17908.100(c); Tex. Bus. & Comm. Code § 541.101(b)(1). In determining compatible uses, these regimes often inquire into "the reasonable expectations of the consumer." Cal. Code Regs. § 7002(b); *see also* Tex. Bus. & Comm. Code § 541.201(a)(2) (allowing internal uses of data "reasonably aligned with the expectations of the consumer"). In other words, when collecting data from a person, it's not the collecting entities' subjective purpose that controls, but what the individual who provided their personal information reasonably thought those purposes could be. Otherwise, an entity's ulterior motives for collection would eviscerate protections in privacy laws, like the Privacy Act.

---

[12] Discussing requests initiated by an agency under the related law enforcement exception to the Privacy Act, OMB noted that "blanket requests for all records pertaining to an individual are not permitted" either. 40 Fed. Reg. 28955.

SNAP applicants are told their data will not be used for non-SNAP investigations, whether expressly or implicitly. New York's SNAP application, for example, requires applicants to specifically consent to "any investigation by" the state or local agencies administering SNAP, but only "in connection with my request for SNAP benefits."[13] California's application for SNAP is particularly explicit that immigration status will not be used for non-SNAP purposes:

> **Important Information for Noncitizens**
> You can apply for and get [benefits] for people who are eligible . . . [such as] immigrant parents may apply for . . . their U.S. citizen or qualified immigrant children, even though the parents may not be eligible.… Immigration information is private and confidential . . . [but may be] checked with the U.S. Citizenship and Immigration Services (USCIS). Federal law says the USCIS cannot use the information for anything else except cases of fraud.[14]

USDA has not previously expressed any concerns with the applications' language during any management review. California counties also reinforce the message that applicants' "personal information is protected and only used to determine your eligibility for benefits . . . with limited exceptions."[15] These assurances to applicants are not just required by law; they help ensure the success of the program by reassuring applicants that their data will not be used or re-disclosed for improper purposes. Without those assurances, many people may decide to forego applying for benefits and go hungry—a risk that is particularly acute for citizen or qualified-immigrant children of ineligible parents.

Indeed, even USDA has told applicants that their personal information won't be used for non-SNAP purposes. As recently as February 2, 2025, the USDA FNS website contained a section titled "SNAP Eligibility for Non-Citizens" that had a banner at the top of the page that said "**Important**" and then "You can apply for or receive SNAP without immigration consequences."[16] The website's FAQ stated, "you will not be deported, denied entry into the U.S., denied permanent resident status (Green Card holder), or the ability to become a U.S. citizen solely because you or a family member applied for or received SNAP."

To be clear, the States are not proposing that SNAP records cannot be disclosed for longstanding anti-fraud purposes. But to the extent that USDA's new SORN purports to allow new uses of SNAP records for enforcing other laws, that is not a "routine"—or lawful—use.

Conclusion

The States remain committed to working with our federal partners to eliminate fraud and waste in benefits program using the mechanisms that already exist today, and to finding ways of improving those mechanisms that respect both the program's governing statutes and regulations

---

13 https://otda.ny.gov/programs/applications/4826.pdf (visited July 10, 2025).
14 https://www.cdss.ca.gov/cdssweb/entres/forms/English/SAWS2_PLUS.pdf (emphasis added)
15 https://www.sfhsa.org/services/food/calfresh/calfresh-immigrants-frequently-asked-questions (visited July 10, 2025).
16 See https://web.archive.org/web/20250202100047/https://www.fns.usda.gov/snap/recipient/eligibility/non-citizen (last visited July 17, 2025, but archived Feb. 2, 2025).

and SNAP applicants' reasonable expectations of privacy. But, ultimately, the undersigned States urge the USDA not to lose sight of the fact that SNAP exists to fight hunger. The Privacy Act and other limitations on disclosure in the SNAP Act and its implementing regulations exist to protect people's privacy. Lawful recipients of these vital food benefits should not have to choose between protecting their privacy and getting enough to eat. Congress mandated that federal and state agencies accomplish both, and it gave them the tools to do so.

For the foregoing reasons, we urge USDA to withdraw the SORN set forth at USDA/FNS–15, Nat'l SNAP Info. Database, 90 Fed. Reg. 26521 (Jun. 23, 2025), and instead continue to work with the States to improve the efficiency and integrity of SNAP through the well-developed oversight processes already in place.

Sincerely,

ROB BONTA
California Attorney General

LAETITIA JAMES
New York Attorney General

DAN RAYFIELD
Oregon Attorney General

KWAME RAOUL
Illinois Attorney General

RAÚL TORREZ
New Mexico Attorney General

PETER NERONHA
Rhode Island Attorney General

KEITH ELLISON
Minnesota Attorney General

NICK BROWN
Washington Attorney General

DANA NESSEL
Michigan Attorney General

ANTHONY G. BROWN
Maryland Attorney General

WILLIAM TONG
Connecticut Attorney General

KRISTIN K. MAYES
Arizona Attorney General

PHILIP J. WEISER
Colorado Attorney General

MATTHEW J. PLATKIN
New Jersey Attorney General