

Congress of the United States

Washington, DC 20515

June 18, 2025

The Honorable Brooke Rollins
Secretary of Agriculture
United States Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Rollins:

We write with deep concern about the United States Department of Agriculture's (USDA) effort to consolidate the personal data of applicants to and recipients of the Supplemental Nutrition Assistance Program (SNAP) currently held by states and third-party vendors. In particular, we seek information about USDA's attempt to gain "unfettered access" to sensitive, state-level SNAP information and, in the interim, urge USDA to immediately cease any data collection related to its May 6th letter to states.

There are several troubling aspects of USDA's recent actions. First, USDA's request to states and their vendors who process SNAP payments, known as Electronic Benefit Transaction (EBT) processors, for unconstrained access to sensitive program data is capricious and unnecessarily risky. Given existing, targeted efforts to utilize SNAP data in a secure manner to promote program integrity, like SNAP's Quality Control system and National Accuracy Clearinghouse (NAC), there is simply no reasonable justification for authorizing such a sweeping collection of information, particularly given the cybersecurity and privacy risks. In addition, USDA's effort risks irreparably damaging SNAP's reputation by eroding Americans' trust in state agencies and EBT processors as good-faith stewards of their personal data, thereby imperiling effective program administration.

For months, this Administration has been on an unprecedented quest to collect and consolidate as much personal data from the American people as possible. Initiated by the so-called Department of Government Efficiency and bolstered by executive actions, including Executive Order 14243 on "Stopping Waste, Fraud, and Abuse by Eliminating Information Silos," the administration has combined the sensitive information of millions of individuals, creating major cybersecurity risks, endangering Americans' privacy, and repeatedly violating the letter and spirit of longstanding laws, like the Privacy Act of 1974.

USDA's May 6th request opened a new frontier in this effort, extending the Administration's activities to the domain of states. In the context of SNAP, such data includes Social Security numbers, dates of birth, addresses, employment and citizenship statuses, incomes, health information, history of substance abuse treatment, paternity, and history of child support payments.

USDA's request for such wide-ranging access to personal data lacks any real policy justification, especially given the countervailing cybersecurity and privacy risks. In its May 6th letter, the department argued that this sprawling request for data is necessary to "ensure program integrity" and that it is the "only way" to detect improper payments. Officials also wrote that refusal to comply with this unprecedented request could "trigger noncompliance procedures," which include withholding of federal funds, a move that could endanger countless families who rely on SNAP to put food on their tables.

It is particularly important to note that the claim that unfettered access to state-level data is the “only way” to detect improper payments is patently false. SNAP’s Quality Control system, anti-fraud investigators, and the NAC help states and USDA detect and address improper payments.

SNAP has one of the most rigorous Quality Control systems of any federal program. Each year, states select a representative sample of about 50,000 cases nationwide and conduct a robust review to ensure that SNAP benefits are being delivered to eligible households in the correct amounts. Federal officials then re-review a subsample of these cases to ensure that each state’s reviews are valid. In addition to SNAP’s Quality Control process, every state conducts fraud investigations to identify the relatively rare cases of participants intentionally violating program rules. These processes ensure that program integrity is upheld without the federal government amassing the highly sensitive personal information of more than 40 million people.

Further, the NAC is an interstate data matching system which prevents issuance of SNAP benefits to an individual by multiple states with a narrowly-tailored technology solution to protect personally identifiable information – a privacy-preserving record linkage. From its System of Record Notice:

The [NAC] contains the following categories of records: information on SNAP participants and applicants, SNAP case information, and match resolution information. SNAP participant and applicant names, social security numbers, and dates of birth are used by the State agencies to find a positive match. However, these identifiers are not uploaded directly to the NAC. In order to protect participant information, State agencies will use a privacy-preserving record linkage (PPRL) process to convert these data elements to a secure cryptographic hash before sharing the information to the NAC. The PPRL process allows the NAC to accurately match individuals, while preventing the collection and storage of the names, social security numbers, and dates of birth in the NAC system.

According to USDA, NAC went live in February 2024, already operates in 7 states, and all SNAP state agencies are expected to implement the NAC ahead of the October 2027 regulatory deadline. In addition to SNAP’s Quality Control system and existing anti-fraud measures, the NAC further establishes that, through conscientious application of technology, USDA can promote program integrity while upholding Americans’ privacy.

USDA’s actions, without urgent recourse, risk eroding trust in state agencies and EBT processors and jeopardizing effective program administration. USDA’s letter makes clear the Administration’s desire to consolidate data previously held independently by state SNAP agencies and their vendors. Systems with centralized databases, in general, are more enticing for hackers and are therefore more susceptible to data breaches than systems with decentralized data stores and zero-trust architectures. And the concrete risks of data breaches to Americans are well-known, especially identity theft that often leads to serious financial and psychological harm.

If Americans begin to lose trust in state SNAP agencies and EBT processors as good-faith stewards of their personal data, it will become increasingly difficult—and costly—to effectively administer SNAP. Americans may even forgo participation in SNAP entirely. These are unacceptable and, frankly, entirely avoidable outcomes.

To inform Congressional oversight of USDA’s recent efforts to collect SNAP data from states and EBT processors, we ask that you respond in writing to the following questions by June 30, 2025:

1. Did USDA consider other, more privacy-preserving measures before issuing its request for data from states and EBT processors?

2. Which states has USDA had additional contact with related to its May 6th request for data sharing? Has USDA reached preliminary agreement with any of these states to share data? If so, please provide a list.
3. Which third-party vendors, including EBT processors, has USDA contacted related to its May 6th request for data sharing? Has USDA reached preliminary agreements with any of these third-party vendors to share data? If so, please provide a list.
4. According to public reporting, Alaska, Ohio, Missouri and Iowa have provided data or have reached agreements with USDA to provide data. For each of these states, what data and security protocols exist to protect cybersecurity and uphold privacy? How are states or EBT processors providing data to USDA (for example, via bulk download or an Application Programming Interface (API))? How will the data be stored by USDA once it is received?
5. Which USDA and non-USDA officials (including details from the White House or other agencies) officials will have access to state-level SNAP data, and for what purposes? What cybersecurity and privacy training will those officials have completed prior to receiving access? Will they receive background checks or security clearances? What level of access will those officials have (for example, read-only, read-write, or administrator)? Can you commit to producing and retaining system logs for all actions taken against the database (for example, create, read, update, and delete operations, or the granting and revoking of access)?
6. Will data obtained from states or third-party vendors be used to train, develop, test, or otherwise be processed by artificial intelligence systems? If so, which systems?
7. In USDA's May 6th letter to states, the department requests from states "records sufficient to identify applicants." Under the Privacy Act, any collection of records where information is retrievable by an individual's name or other identifier qualifies as a "system of record." Any creation of or significant modification to a system of record requires USDA, like all agencies covered by the Privacy Act, to publish a system of record notice, or SORN, in the *Federal Register*. When does USDA plan to publish a system of records notice corresponding to the data it receives from states?
8. In USDA's May 6th letter to states, the department requests from states "records sufficient to identify applicants." Under the E-Government Act of 2002, an agency must conduct a privacy impact assessment (PIA) before "initiating a new collection of information;" that PIA must address, among other aspects, why the information is being collected and the "intended use" of the information by the agency; and the PIA must be made publicly available on a website or via the *Federal Register*. Does USDA plan to make publicly available one or more PIAs corresponding to the sensitive data it receives from the states? If so, when? If not, why?
9. How will USDA ensure that any SNAP data disclosure or usage is fully in compliance with the Food and Nutrition Act's restriction on the disclosure of SNAP data to only "persons directly connected with the administration or enforcement [of SNAP statute and its regulations], Federal assistance programs, or federally-assisted State programs" and restriction on the use of such data only for the purposes of such administration and for certain law enforcement purposes?

Until you provide Congress with more information about the scope and purpose of USDA's data collection activities, we urge you to cease data collection from states and EBT processors and disgorge any data you've

already collected. To this end, we request that you provide a staff-level briefing on USDA's plans to collect SNAP data from states within two weeks of your response to our questions.

Thank you for your attention to this matter.

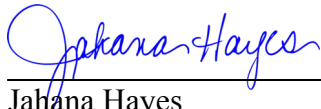
Sincerely,



Lori Trahan
Member of Congress



Angie Craig
Member of Congress
Ranking Member, Committee on
Agriculture



Jahana Hayes
Member of Congress



Shontel M. Brown
Member of Congress



James P. McGovern
Member of Congress



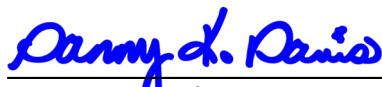
Eleanor Holmes Norton
Member of Congress



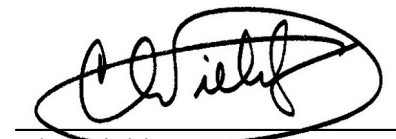
Shri Thanedar
Member of Congress



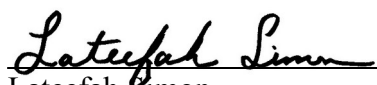
Rashida Tlaib
Member of Congress



Danny K. Davis
Member of Congress



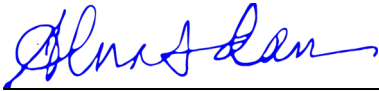
Cleo Fields
Member of Congress



Lateefah Simon
Member of Congress



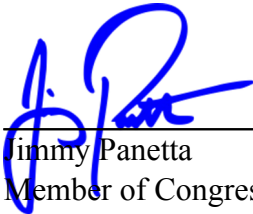
Pramila Jayapal
Member of Congress




Alma S. Adams, Ph.D.
Member of Congress



Emanuel Cleaver, II
Member of Congress



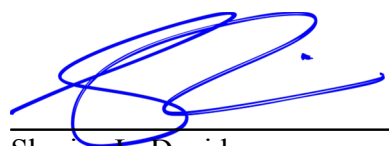
Jimmy Panetta
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Nydia M. Velázquez
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Josh Gottheimer
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Sharice L. Davids
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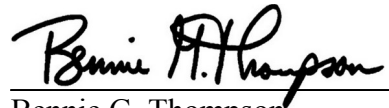
Maggie Goodlander
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Alexandria Ocasio-Cortez
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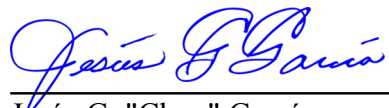
Chris Pappas
Member of Congress



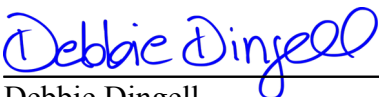
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Jesús G. "Chuy" García
Member of Congress



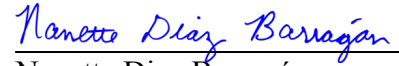
Debbie Dingell
Member of Congress



Julie Johnson
Member of Congress



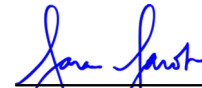
Jim Tokuda
Member of Congress



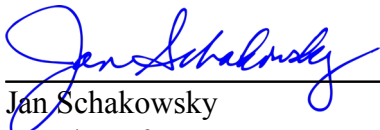
Nanette Diaz Barragan
Member of Congress



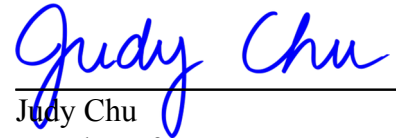
Diana DeGette
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Yassamin Ansari
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