

United States Senate

WASHINGTON, DC 20510

July 17, 2025

Brooke L. Rollins
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

James C. Miller
Administrator
Food and Nutrition Services
1400 Independence Avenue SW
Washington, D.C. 20250

Dear Secretary Rollins and Administrator Miller,

We write to you today to express serious concerns regarding Federal Register notice *Vol. 90, No. 118* published by the Food and Nutrition Service (FNS) within the U.S. Department of Agriculture (USDA) on June 23, 2025. This policy would turn a program that feeds millions of Americans into a tool of government mass surveillance. On April 29, 2025, Secretary Rollins laid out her vision for rural prosperity, including plans to “rein in ... federal overreach.” Yet this unprecedented effort to collect and share Americans’ private information about their families is certainly federal government overreach. We demand that USDA cease the unlawful compiling of sensitive and personally identifying information regarding American families under the guise of “defend[ing] against” unsubstantiated allegations of fraud, waste, or abuse.

The new FNS policy would violate federal law and undoubtedly lead to a loss of trust in the federal Supplemental Nutrition Assistance Program (SNAP)—our country’s largest source of food assistance. The alarming notice outlines the agency’s plan to launch the SNAP Information Database for the purposes of collecting, maintaining, and sharing the personal data of U.S. citizens. This data includes the names, addresses, dates of birth, and Social Security Numbers belonging to all individuals in the United States that have received, are currently receiving, or have applied to receive SNAP benefits in the last three years. According to the notice, the purpose of this system is to “use the SNAP data to ensure the integrity of Government programs,” including, “verifying eligibility based on immigration status.” Simply put, this plan negates the right to privacy for any of the tens of millions of Americans in need of food assistance during economic hardship. It also undermines section 11(e)(8) of the Food and Nutrition Act of 2008 that clearly outlines the “use or disclosure of information obtained from applicant households” for state agencies and state agencies alone. While it does note some instances in which recipient data can be shared with parties pertinent to administration or enforcement of the Food and Nutrition Act, it is not nearly as expansive as what the Federal Register notice contemplates. We demand you immediately cease work on the SNAP Information Database and provide an explanation of how this new regulation complies with federal law.

Under the notice, USDA authorizes itself with far-reaching authority to disclose highly sensitive personal information on tens of millions of Americans with federal, state, and local government agencies and non-government entities. The system and processes outlined in this notice is deeply troubling and a clear violation of the privacy of millions of Americans. The astonishingly broad authority that USDA is granting itself is unprecedented and a clear violation of federal laws including the Food and Nutrition Act of 2008, Privacy Act of 1974, Paperwork Reduction Act,

and E-Government Act of 2002. We demand USDA immediately reverse all actions related to the creation of the National SNAP Information Database and cease all efforts to collect and disseminate Americans' sensitive personal data. If USDA moves forward with the July 23, 2025, implementation of this notice, the agency will be at serious risk of violating federal law. It is therefore no surprise that USDA has put on hold its initial request that states and payment processors turn over sensitive data about SNAP recipients.

SNAP helps over 42 million Americans each month afford groceries, including working families with low-paying jobs, low-income older adults, veterans, and people with disabilities. Each state, district, and territory maintain the discretion of SNAP enrollment records to protect the identity and privacy of each enrollee and their families. Under the Federal Register notice, USDA justifies its plans by citing an immediate and urgent need to combat waste, fraud, and abuse within the SNAP program. However, according to data published by USDA itself, errors in SNAP payments were far less than other USDA programs, including those whose payment error rates were nearly four times the payment error rate under the SNAP program.¹ This is further evidence that USDA is seeking broad authority to surveille Americans under the false premise of combatting fraud, waste, or abuse.


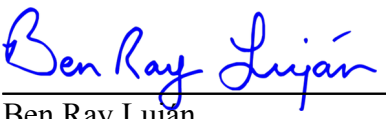

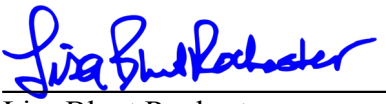
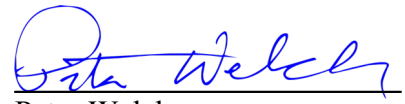
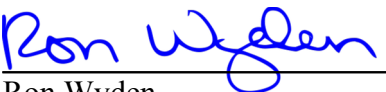
According to the notice, USDA will be authorized to collect and disclose personal information – including Social Security Numbers, birthdays, and home addresses – of individuals who have received, are currently receiving, or have applied to receive SNAP benefits with a vast number of government agencies, law enforcement, and non-government entities. The system will also collect information derived from and associated with EBT card transactions but fails to impose any limitations on the type of data, such the date, time, and location of specific transactions. The disclosure of all personal data by USDA is allowed – but not limited to – the following:

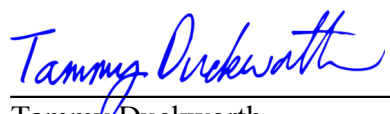
1. USDA is authorized to share enrollees' personal data with any other federal agency or entity if USDA determines the information is necessary in "remedying the risk of harm" to the Federal Government. (Routine Use (5))
2. USDA is authorized to share enrollees' personal data with USDA contractors, grantees, experts, and consultants if deemed by USDA to be "necessary to accomplish an agency function related to this system of records." (Routine Use (7))
3. USDA is authorized to share enrollees' personal data with any "Federal, foreign, State, local, or tribal" agency or "other public authority responsible for enforcing, investigating, or prosecuting" the law if the record "on its face" indicates a "potential violation of law." (Routine Use (8))
4. USDA is authorized to share enrollees' personal data with any Federal or State agency responsible for "the administration of other Federal benefits programs." (Routine Use (9))
5. USDA is authorized to share enrollees' personal data with any Federal agency "that has the authority to investigate or assist USDA to investigate potential fraud, waste, or abuse in, a Federal benefits program funded in whole or in part by Federal funds" if USDA deems the sharing of data is "reasonably necessary by USDA to prevent, deter, discover, detect, investigate, examine, prosecute, sue with respect to, defend against, correct, remedy, or otherwise combat fraud, waste, or abuse in such programs." (Routine Use (11))

This notice follows alarming reports just weeks ago that administration officials at the U.S. Department of Health and Human Services (HHS) ordered the transfer of highly sensitive personally identifiable information belonging to millions of Medicaid enrollees to the Department of Homeland Security (DHS). These actions represent a pattern by this Administration of violating privacy laws that are intended to protect Americans from overreach by the federal government.

It is clear that the notice published by USDA in the Federal Register on June 23, 2025, is merely intended to give the illusion of compliance. USDA is trying to grant itself endless authority to share Americans' private information and is a serious violation of government norms. We demand that USDA rescind the System of Record notice and return to its statutory and moral commitment to protecting the privacy of Americans.

Sincerely,


Adam B. Schiff
United States Senator
John Fetterman
United States Senator
Ben Ray Lujan
United States Senator
Alex Padilla
United States Senator
Lisa Blunt Rochester
United States Senator
Peter Welch
United States Senator
Ron Wyden
United States Senator
Mazie K. Hirono
United States Senator



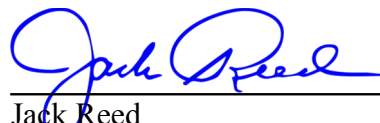
Tammy Duckworth
United States Senator



Tammy Baldwin
United States Senator



Jeffrey A. Merkley
United States Senator



Jack Reed
United States Senator



Bernard Sanders
United States Senator