

July 23, 2025

James C. Miller  
Administrator  
Food and Nutrition Service  
1320 Braddock Place, 5<sup>th</sup> Floor  
Alexandria, VA 22314

RE: Privacy Act of 1974; System of Records (Document Number: 2025-11463; Document Citation: 90 FR 26521)

**Dear Administrator Miller,**

On behalf of the American Public Human Services Association (APHSA), we appreciate the opportunity to comment on the proposed routine uses for the National SNAP Information Database, as published in the Federal Register on June 23, 2025. APHSA is the bipartisan national membership organization representing state, county, and city human services agencies that administer the Supplemental Nutrition Assistance Program (SNAP). Our members are responsible for eligibility determinations, data and technology systems, and overall program oversight – all functions that are central to administering a SNAP program that operates accurately, efficiently, and builds public trust.

We share the goal with USDA that SNAP must be operated with integrity and respect to the taxpayer's dollar, and that the establishment of this new database is one way in which USDA seeks to address that goal. However, based on feedback from our members and our experience supporting SNAP modernization efforts nationally, we believe the current proposal raises significant and complex concerns that warrant further consideration and clarification to ensure that states are able to prioritize efforts that most effectively and efficiently meet these shared goals of accuracy and integrity, as well as remain accountable to the people they serve.

**Existing State Responsibilities and Concerns of Duplicative Efforts**

State agencies hold the responsibility for ensuring the accuracy of SNAP eligibility determinations. That accountability is deeply embedded in federal law, operational practice, and the longstanding Quality Control (QC) review system. Each state's eligibility determinations are regularly reviewed, and their error rates are used to inform federal assessments of program integrity. In this context, we note that the new database is described as a tool to ensure eligibility is determined correctly, yet it is unclear exactly how the new database will interact with eligibility determinations and how it will improve their accuracy. Furthermore, this creates questions as to what larger scale changes may be made to how local, state, and federal agencies will interact to make eligibility determinations, and what role each entity must play.

Additionally, states have already begun implementing the National Accuracy Clearinghouse (NAC), a nationwide data matching initiative specifically designed to detect and prevent duplicate participation. NAC is a significant undertaking that requires extensive state investment in system upgrades, legal review, staff training, vendor contracting, and interagency collaboration. While several states have formally launched NAC, the remaining states are actively planning to onboard NAC, with many still deep in the implementation process. Even though the implementation of NAC has been delayed longer than originally intended due to both ongoing complexities with eligibility systems as well as necessary pivots over the last five years, the experience reinforces a clear

point: launching a new, multi-jurisdictional data sharing platform takes substantial time, funding, legal clarity, and operational capacity – all of which we believe are needed to be further developed in the current proposal for the National SNAP Information Database.

### **State Legal Responsibility and Uncertainty of Routine Uses**

Many of our members are concerned that the proposed routine uses outlined in the Federal Register notice are overly broad or undefined. Language such as “potential violation of law” in proposed routine use #8 or “potential fraud, waste, or abuse” in proposed routine use #11 raise significant questions about how they will be interpreted and the breadth of their use. Without clearly defined terms, states cannot determine how their data will be used, or whether doing so would be permissible under their own privacy statutes, regulations, or constitutional protections. This ambiguity has direct consequences: states will be unable to update eligibility system logic, public consent notices, or legal agreements without certainty about what is being authorized.

Further complicating the legal landscape is the question of data classification. In many states, SNAP applicants and current participants fall under different consent rules or privacy protections. Yet the proposed system appears to collect and use data from both categories without any acknowledgement of those distinctions. Using applicant data retroactively - without notice at the time of collection - may also violate existing state consent policies, further complicating compliance.

Many states are concerned about whether they, as the original custodians of client data, could be ultimately held accountable for how that data is used and protected. The proposed routine uses allow for redisclosure to contractors, other federal agencies, and - in some cases - foreign governments, without a defined process for state notification or consent. This raises questions about liability, transparency, and public trust. As outlined, the state data would be used by the federal government as national data, and states remain concerned about how their data will be used and in ways that they are not privy to or may not have directly consented to. Because states bear the responsibility to their own applicants and customers, this leaves them exposed to potential legal and reputational harm in the event of a breach or misuse. Several states have already indicated concern about how they would respond to audit findings or litigation stemming from uses of data that occur beyond their control.

### **Recommendations**

To ensure that the National SNAP Information Database supports the goals of program integrity without undermining state legal obligations or operational capacity, APHSA respectfully recommends that USDA:

- Establish a longer timeline for implementation that would allow states the necessary time to responsibly implement the new data sharing agreements that would be needed to successfully share data.
- Clarify and narrow the language of the proposed use cases, particularly those referencing “potential” violations of law or fraud, to ensure appropriate legal boundaries and alignment with state privacy laws.
- Provide definitions and legal citations for each routine use to enable states to evaluate compliance obligations and risks with greater certainty.
- Clearly outline who may receive data and under what conditions, including any limits on redisclosure and whether states will be notified or consulted in advance.
- Affirm that state agencies will retain oversight and accountability for the data they provide, including protections from liability if data is misused outside of their control.




In addition to the operational and compliance concerns that have been outlined, states will be required to invest significant financial resources to implement and operationalize these data sharing processes, including both modifying vendor contracts and establishing new data sharing agreements. At a time when states are being asked to invest more of their own resources into SNAP than have ever been mandated before, it is essential that their role as administrators and implementors is not weakened through new mandates that shift authority without corresponding funding or legal clarity. States must also be supported in being able to prioritize the most needed investments to deliver effective, efficient, and accessible programs to their constituents while maintaining strong integrity.

We appreciate USDA's efforts to strengthen the integrity of SNAP through improved data coordination and thank you for the opportunity to provide feedback. The success of any new system hinges on ensuring that it aligns with federal and state legal frameworks, builds on, rather than duplicates, existing tools, and preserves the trust of the individuals and families who rely on SNAP.

We look forward to continued partnership with USDA and our shared commitment to a modern, effective, and accountable SNAP program. For further questions and discussion, please contact Chloe Green, Manager of Food and Nutrition Services, and [cgreen@aphsa.org](mailto:cgreen@aphsa.org).

Sincerely,

A handwritten signature in black ink, reading "Linda Schroeder".

**Linda Schroeder**

Chair,  
American Association of SNAP Directors (AASD);  
Administrator, Benefits Support Team,  
Arizona Department of Economic Security

A handwritten signature in black ink, reading "Chloe Green".

**Chloe Green**

Manager,  
Food and Nutrition Services;  
American Public Human Services Association  
(APHSA)

