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Attorney General Brown Opposes USDA Proposal to Share Sensitive Data of SNAP Participants

BALTIMORE, MD (July 21, 2025) – Attorney General Anthony G. Brown, as part of a coalition of 14 attorneys general, submitted comments on Friday opposing the United States Department of Agriculture’s (USDA) proposal to collect personal and sensitive information about millions of food stamp recipients and share that information with other federal agencies for purposes that have nothing to do with ensuring the integrity of the Supplemental Nutrition Assistance Program (SNAP).

SNAP is a federally funded, state-administered program providing billions of dollars in food assistance to tens of millions of low-income families across the country. SNAP applicants provide their private information to the states on the understanding, backed by long-standing state and federal laws, that their information will not be used for unrelated purposes. In the letter, Attorney General Brown and the coalition argue that USDA’s unprecedented actions are unnecessary, inefficient, and unlawful.

Public reports indicate that federal officials are amassing huge databases of personal information on Americans and using that data for undisclosed purposes, including immigration enforcement. The Department of Homeland Security has already obtained troves of personal information from both the Internal Revenue Service and the U.S. Department of Health and Human Services, including private medical information and other personal details on Medicaid recipients, which Maryland has already challenged in court. USDA’s attempts to collect data from states about SNAP applicants and recipients appear to be the next step in this campaign.

In June, USDA published a “System of Records Notice” stating that it intends to “leverage data-sharing across Federal and State systems to identify and rectify” improper payments, and to share information across the federal government, as directed by one of President Trump’s executive orders.

As the attorneys general explain in their comment letter, USDA’s actions are unprecedented, threaten the privacy of millions of families, and ignore long-standing restrictions on the use and redisclosure of SNAP data. Furthermore, the proposed collection and sharing of SNAP data is wholly unnecessary and inefficient; SNAP fraud rates are already low, thanks to robust auditing mechanisms that states and the federal government have cooperated on for years. And those

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mechanisms do not, and have never, required that states turn over sensitive, personally identifying information about millions of Americans without any meaningful restrictions on how that information is used or shared with other agencies.

The attorneys general also highlight The Paperwork Reduction Act, which seeks to “minimize the cost to the Federal Government of the creation, collection, maintenance, use, dissemination, and disposition of information.” USDA purports to seek data to reverify the eligibility of SNAP participants, a function that is already subject to other quality control mechanisms and already completed by the states. Although USDA’s Notice claims the agency may share data with law enforcement, it overlooks key limits set by the federal Privacy Act (5 U.S.C. § 552a). USDA’s own rules further restrict SNAP data use to program-related purposes, like prosecuting fraud. The letter defends SNAP enrollees’ reasonable expectation of privacy, urging USDA “not to lose sight of the fact that SNAP exists to fight hunger.”

In submitting this letter, Attorney General Brown joins the attorneys general of California, Arizona, Colorado, Connecticut, Illinois, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, and Washington.

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