



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance

MAURA T. HEALEY
GOVERNOR

KIAME MAHANIAH, MD, MBA
SECRETARY

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

JEFF McCUE
COMMISSIONER

August 19, 2025

Sent via email to FNCS.USEC@usda.gov and SNAPdatabase@usda.gov

Patrick A. Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services
U.S. Department of Agriculture

Re: August 12, 2025 Demand and Threat to State SNAP (Supplemental Nutrition Assistance Program) by U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS)

Dear Deputy Under Secretary Penn:

The Massachusetts Department of Transitional Assistance (DTA) has been informed that, on August 12, 2025, you wrote to the Office of the Governor for the Commonwealth of Massachusetts (the Commonwealth), threatening suspension or disallowance for State SNAP administrative expenses. Your letter has been referred to DTA for response, on the timeline communicated by your counsel at the Department of Justice in the pending lawsuit captioned *California, et al. v. U.S. Dep't of Agriculture, et al.*, Civ. Action No. 3:25-6310 (N.D. Cal.) (the Action).

Your August 12, 2025, letter asserts that this threat is due to the Commonwealth not having met a prior USDA/FNS deadline of July 30, 2025, to produce an unprecedented quantity of data, spanning 5.5 years, and including the personally identifying information (PII) of tens of millions of applicants and recipients of SNAP benefits, as well as the household members of such individuals, in the Commonwealth.

As the USDA/FNS is aware, and as explained in DTA's letter of July 30, 2025, the USDA/FNS demand for data is the subject of the Action, which was brought by several states, including the Commonwealth. In our letter of July 30, we requested that the USDA/FNS withdraw its demand for data, or, alternatively, stay the deadline for compliance with the same, pending resolution of the Action. Your August 12, 2025, letter neither acknowledges DTA's letter of July 30, 2025, nor responds to the points made therein. We consequently reiterate here our request that the USDA/FNS withdraw its demand for the data, or, alternatively, stay the deadline for compliance with that demand pending the outcome of the Action.

Even putting aside the pending Action, as we previously explained in our July 30 letter, complying with the outstanding data request on the timeline the USDA/FNS has sought to impose is simply not possible for multiple reasons. For example, and as previously explained by DTA, there has been no clear guidance from the USDA/FNS on various categories of the requested data, including “other identifiers or data elements maintained by States, vendors, or contractors to identify SNAP recipients” or “information derived from and associated with EBT transactions.” Further, prior to any legally authorized ongoing or large-scale data transmission, DTA follows standard data security protocols, which include negotiating and executing a data sharing agreement or memorandum of understanding to govern the transfer, use, and retention of the data. Indeed, the USDA/FNS has not identified (or even approached DTA regarding) the data and security protocols that would serve as a prerequisite for any such large-scale transmission of this highly sensitive data (which includes PII). See 7 U.S.C. § 2020(a)(3)(B)(i). Finally, the request seeks an overwhelming volume of data – over 5 years’ worth of data regarding each of DTA’s applicants and clients, across multiple data points, including both eligibility and EBT transaction data. DTA stores this data across multiple applications and environments. As a result, DTA would need a significant amount of time to complete the processing of a request of the magnitude involved here.

The USDA/FNS’s decision to ignore these facts and other critical points raised in our July 30 letter and to impose a new production deadline of less than four days following the issuance of the USDA/FNS’s communication of August 12 indicates that the USDA/FNS is not proceeding in good faith. To the contrary, the USDA/FNS appears to be intent on seeking to impose penalties that would effectively deprive millions of low-income SNAP beneficiaries of basic sustenance. While threatening suspension or disallowance of administrative funds for failure to comply with a timeline you are aware cannot possibly be met, you have also imposed an additional deadline of August 13, 2025—allowing one day for a response—for the Commonwealth to send the USDA/FNS “a description of the actions Massachusetts will undertake in order to ensure that it will submit the requested data to FNS no later than close of business Friday, August 15, 2025.” For the reasons set forth above, as well as in the Action and in our prior correspondence, the Commonwealth simply cannot meet this impossible deadline. Nevertheless, we are taking steps that will position the Commonwealth to gather and produce responsive data, as and to the extent required and authorized by law and on a timeline that is feasible.

For all the reasons stated, we again ask that the USDA/FNS change course and withdraw or at least stay its unprecedented, unreasonable demand for State SNAP data. Thank you for your attention to this request.

Respectfully,



Jeff McCue
Commissioner

Copies:

Cassandra Thomson, Assistant Attorney General, Office of Attorney General Andrea Joy Campbell
Kiame Mahaniah, Secretary of Health and Human Services
Jeff McCue, Commissioner, DTA
Sharon Boyle, General Counsel, EOHHS
Lauren Picone, General Counsel, DTA



**Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance**

MAURA T. HEALEY
GOVERNOR

KIAME MAHANIAH, MD, MBA
SECRETARY

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

JEFF McCUE
COMMISSIONER

July 30, 2025

Sent via Email and First Class Mail to:

**Secretary Rollins at Brooke.Rollins@usda.gov
Deputy Under Secretary Penn at SNAPDatabase@usda.gov
Senior Policy Advisor for Integrity Gina Brand at Gina.Brand@usda.gov**

Re: USDA System of Record Notice USDA/FNS-15 and Related Correspondence

Dear Secretary Rollins, Deputy Under Secretary Penn, and Senior Policy Advisor Brand:

The Department of Transitional Assistance (DTA) is in receipt of the July 9, 2025, July 23, 2025, and July 25, 2025 letters from the United States Department of Agriculture Food and Nutrition Services (USDA-FNS) requesting DTA Supplemental Nutrition Assistance (SNAP) data in relation to the System of Records Notice (SORN) published on June 23, 2025, which proposed the creation of a large federal database of SNAP participant information, including sensitive personally identifiable information (PII). The letters demand production of the data by July 30, 2025. DTA notes that on July 28, 2025, the Massachusetts Attorney General and the attorneys general of numerous other states filed a suit to challenge the development of this new system of records and corresponding demands for state-held data, alleging that they are contrary to statute and the Constitution and reflect an arbitrary and capricious departure from past policy. *See California, et al. v. U.S. Dep't of Agriculture, et al.*, Civ. Action No. 3:25-6310 (N.D. Cal.).

Even if the scope of the data demands were lawful, there are significant legal and logistical hurdles that would need to be resolved before DTA could act on the overly burdensome demand by USDA-FNS for the SNAP participant data outlined in the SORN. There has been no clear guidance from USDA-FNS on "other identifiers or data elements maintained by states, vendors and/or contractors to identify SNAP recipients" or "information derived from and associated with EBT transactions." Further, prior to any legally authorized ongoing or large-scale data transmission, DTA follows standard data security protocols, which include negotiating and executing a data sharing agreement or memorandum of understanding to govern the transfer, use, and retention of the data. Indeed, USDA-FNS has not identified (or even approached DTA

regarding) the data and security protocols that would serve as a prerequisite for any such large-scale transmission of this highly sensitive data (which includes PII). *See* 7 U.S.C. § 2020(a)(3)(B)(i).

Furthermore, it would be virtually impossible for DTA to comply with the data demand by July 30, 2025. USDA-FNS has demanded over 5 years of data regarding each of DTA's applicants and clients, across multiple data points, including both eligibility and EBT transaction data. The request thus implicates a massive amount of data stored across multiple applications and environments. In light of all of these considerations, the July 30, 2025 deadline for State agencies to submit the SNAP participant and applicant data outlined in the SORN would be unfeasible to meet even if there were no other considerations precluding transmission.

DTA will continue to comply with federal and state law when it comes to awarding and administering benefits, including by ensuring that SNAP is only provided to individuals and families who are eligible, and by continuing to meet our obligations under existing data sharing agreements. For the reasons stated herein, DTA respectfully urges that USDA-FNS withdraw the requests for data delineated in the above-referenced letters or, at minimum, stay the deadline to submit the requested data pending resolution of the litigation referenced above.

If you have any questions, please feel free to contact me at jeffrey.g.mccue@mass.gov, or (617) 301-3192.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff McCue". The signature is fluid and cursive, with the first name "Jeff" and last name "McCue" clearly distinguishable.

Jeff McCue
Commissioner

Copies:

Kiame Mahaniah, Secretary of Health and Human Services
Sharon Boyle, General Counsel, EOHHS
Lauren Picone, General Counsel, DTA



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance

MAURA T. HEALEY
GOVERNOR

KIAME MAHANIAH, MD, MBA
SECRETARY

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

MICHAEL COLE
ACTING COMMISSIONER

September 19, 2025

Sent via E-mail to Patrick.Penn@usda.gov

Patrick Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services
U.S. Department of Agriculture

Dear Deputy Under Secretary Penn:

The Massachusetts Department of Transitional Assistance is in receipt of your letter dated August 20, 2025 to Governor Healey. We have also received notice of the Court Order filed on September 18, 2025 in California v. USDA, No. 3:25-cv-06310-MMC (N.D. Cal.). In that Order, the Court temporarily enjoined USDA "from acting on the above-discussed formal warning letters, including by disallowing SNAP funding." Because the Order enjoins any actions that would flow from your August 20, 2025 letter, we understand that today's deadline for submitting data or a corrective action proposal has been stayed pending further Court action.

As we have previously stated, our agency will continue to comply with federal and state law when it comes to awarding and administering benefits, including by ensuring that SNAP is only provided to individuals and families who are eligible, and by continuing to meet our obligations under existing data sharing agreements.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Cole".

Michael Cole
Acting Commissioner

Copies:

Cassandra Thomson, Assistant Attorney General, Office of Attorney General Andrea Joy Campbell
Kiame Mahaniah, Secretary of Health and Human Services
Michael Cole, Acting Commissioner, DTA
Sharon Boyle, General Counsel, EOHHS
Lauren Picone, General Counsel, DTA



May 9, 2025

VIA EMAIL AND COURIER

FIS Confidential Pursuant to the Agreement

RE: Notification of USDA Request for SNAP Information

Dear State Partner:

As communicated in the FNS Data Sharing Guidance dated May 6, 2025 ([guidance](#)), USDA has made a formal request for records regarding SNAP cardholder and transaction data. Based on this guidance, we understand that USDA is entitled to receive the requested information and that FIS as your “contractor” is required to disclose it. As such, FIS intends to fully cooperate with the USDA in facilitating its request for information, as required by applicable law and the guidance.

With the approval and support of USDA, I am writing to notify you of USDA’s formal request for the above-referenced information and to seek your consent for FIS to disclose this information to USDA.

Please confirm your written consent by responding to this email by May 14th. Your timely response is appreciated.

We will continue to engage with you as this matter evolves.

Sincerely,

Prashant Gupta

Prashant Gupta
Fidelity Information Services, LLC
SVP, Government Services EBT

August 26, 2025

JEFF MCCUE
Commissioner
Executive Office of Health and Human Services
Commonwealth of Massachusetts
One Ashburton Place
Boston, MA 02108

Dear Commissioner McCue,

Thank you for your July 30, 2025, letter to Secretary Rollins regarding the United States Department of Agriculture's (USDA) data sharing request on recipients of the Supplemental Nutrition Assistance Program (SNAP). I am responding on behalf of the Secretary.

USDA is committed to fulfilling President Trump's Executive Order 14243, Stopping Waste, Fraud, and Abuse by Eliminating Information Silos. As noted by Secretary Rollins in her letter dated May 6, 2025, the request for SNAP data is consistent with FNS's statutory authority and the President's Executive Order. USDA is committed to ensuring Americans in need receive assistance, while at the same time safeguarding taxpayer dollars from waste, fraud, and abuse. We value our partnership with State agencies and look forward to working with you to protect the integrity of the SNAP program.

If you or your staff have any questions, please have your staff contact FNS Tech Team at SNAPdatabase@usda.gov.

Sincerely,



Patrick A. Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services
U.S. Department of Agriculture



Secretary Brooke L. Rollins

July 9, 2025

Dear SNAP State Agencies,

On March 20, 2025, President Trump issued Executive Order 14243, [Stopping Waste, Fraud, and Abuse by Eliminating Information Silos](#). This Executive Order required agency heads to “take all necessary steps, to the maximum extent consistent with law, to ensure the Federal Government has unfettered access to comprehensive data from all state programs that receive federal funding, including, as appropriate, data generated by those programs but maintained in third-party databases.” The Department of Agriculture (USDA) is committed to effectuating this Executive Order with respect to all programs in its purview.

The Food and Nutrition Service (FNS) at USDA works in partnership with State agencies to provide nutrition assistance to Americans in need through the Supplemental Nutrition Assistance Program (SNAP). It is imperative that USDA eliminates bureaucratic duplication and inefficiency and enhances the Government’s ability not only to have point-in-time information but also to detect overpayments and fraud. As noted in the May 6, 2025, announcement of the Department’s plan to request these data from EBT processors, USDA is committed to ensuring appropriate and lawful participation in SNAP.

On June 23, 2025, pursuant to the provisions of the Privacy Act of 1974 and Office of Management and Budget (OMB) Circular No. A-108, USDA published a [notice in the Federal Register](#) that the department proposes to create a new system of records (SOR) entitled USDA/FNS-15, “National Supplemental Nutrition Assistance Program (SNAP) Information Database.” This system is owned, administered, and secured by FNS, and the system’s primary purpose is to strengthen SNAP and government program integrity.

In accordance with [5 USC 552a\(e\)\(4\)](#) and [\(11\)](#), this system of records notice becomes effective upon publication in the Federal Register, except for the routine uses, which will become effective on July 23, 2025. To ensure efficient implementation of this system, and to ensure USDA has a complete and accurate database, we are requiring collection of SNAP data from EBT processors or State agencies beginning on July 24, 2025, with submissions to USDA no later than the close of business on July 30, 2025. The required data are listed in the notice section, “Categories of Records in the System.”

Thank you for your continued work to help address the needs of vulnerable Americans and safeguard taxpayer dollars. If you or your staff have any questions, please have your staff contact the FNS Governmental Affairs Team at fnsgovaffairs@usda.gov.

Sincerely,

A handwritten signature in black ink that reads "Brooke L. Rollins".

Brooke L. Rollins

Secretary

U.S. Department of Agriculture



United States Department of Agriculture
Washington, D.C. 20250
July 23, 2025

Dear State agency Directors,

On May 6, 2025, State agencies were advised of the United States Department of Agriculture's (USDA) intent to implement President Trump's March 20, 2025, Executive Order 14243, *Stopping Waste, Fraud, and Abuse by Eliminating Information Silos* through State data sharing to the Food and Nutrition Service (FNS). In the May 6, 2025, memo, States were advised that the USDA/FNS was working with Supplemental Nutrition Assistance Program (SNAP) payment processors to assist with data collection. As requested by State agencies, States are welcome to determine the most appropriate and feasible method to share the requested data with FNS. State agencies can work through their payment processor, a vendor of their own choosing, or with their State Information Technology team.

Data Elements

The requested data elements are for individuals who have received, are currently receiving, or have applied to receive SNAP benefits from January 1, 2020, through present date. Requested data elements shall include records sufficient to identify individuals as applicants for, or recipients of, SNAP benefits, including but not limited to all household group members names, dates of birth, social security numbers, residential and mailing addresses used or provided, as well as all data records used to determine eligibility or ineligibility. It is understood that these data records will vary household to household, and may include earned and unearned income, absent parent(s), and other data used in the determination process. Please do not include supporting documents or case comments.

Additionally, transactional records from each household are also requested, and must be sufficient to calculate the total dollar value of SNAP received by recipients over time, with the ability to filter benefits received by date ranges, as well as SNAP usage and retailer data.

Data Transmission

Each State agency shall transmit data to FNS via the platform called Box. Once you identify the individual who will be responsible for transmitting the data for your State agency, please send their name, title, and email address to SNAPDatabase@usda.gov. The State agency identified contact will then receive an email for account creation and access for data transmission.

Box is a secure platform which employs various security measures, including encryption, access controls, and compliance features to handle the sensitive data that States will be transmitting.

Data shall be transmitted to FNS no later than Wednesday, July 30, 2025.

Follow-Up Steps

Upon completion of data analysis, FNS will follow up with State agencies in respect to any applicable next steps of reconciliation.

For questions related to the required data elements and/or assistance with the transmission of data, please send inquiries to SNAPDatabase@usda.gov.

We look forward to expanding this partnership with our State partners to ensure and enhance Program integrity.

Sincerely,

Gina Brand
Senior Policy Advisor for Integrity
United States Department of Agriculture
Food, Nutrition, and Consumer Services



U.S. DEPARTMENT OF AGRICULTURE

July 25, 2025

Dear State Agency Directors,

The Food and Nutrition Service (FNS) of the U.S. Department of Agriculture (USDA, Department) plays a key role, in conjunction with our State agency partners, providing Federally funded nutrition services to Americans in need through the Supplemental Nutrition Assistance Program (SNAP). The Department is dedicated to upholding the commitments of both President Trump and Secretary Rollins to strengthening government program integrity, as directed by Executive Order 14243, Stopping Waste, Fraud, and Abuse by Eliminating Information Silos.

To that end, USDA has established the SNAP Information Database. In accordance with Secretary Rollins' July 9, 2025, [letter](#), and in order to ensure a complete and accurate database, State agencies must be compliant with the requirement of transmitting SNAP participant data to FNS no later than July 30, 2025. As a reminder, 7 U.S.C. 2020(e)(8)(A) provides that State data protections must allow for this disclosure.

State agencies should refer to the SNAP Data Sharing Guidance [letter](#), published on July 23, 2025, to confirm the steps each State agency shall follow to transmit the data. Departmental staff stand ready to assist State partners with any technology challenges and/or provide clarifications as necessary to ensure State agency partners are compliant, and meet the July 30, 2025, deadline.

Failure to take the steps necessary to provide the relevant data to FNS may trigger noncompliance procedures codified in 7 U.S.C. 2020(g).

The Food and Nutrition Service thanks you for your dedication to improved program integrity and transparency in not only addressing the needs of vulnerable Americans, but safeguarding taxpayer dollars.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick A. Penn", written over a light blue circular stamp or seal.

Patrick A. Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services



United States Department of Agriculture
Washington, D.C. 20250
May 6, 2025

Dear State Agency Directors,

On March 20, 2025, President Trump issued Executive Order 14243, *Stopping Waste, Fraud, and Abuse by Eliminating Information Silos*. Among myriad important directives, this Executive Order required agency heads to “take all necessary steps, to the maximum extent consistent with law, to ensure the Federal Government has unfettered access to comprehensive data from all State programs that receive Federal funding, including, as appropriate, data generated by those programs but maintained in third-party databases.” The Department of Agriculture (USDA) is committed to effectuating this Executive Order with respect to all programs in its purview.

The Food and Nutrition Service (FNS) at USDA plays a key role in providing nutrition services to Americans in need through the Supplemental Nutrition Assistance Program (SNAP or the Program). SNAP, which is Federally funded, is administered by the States, districts, and territories through partnerships with FNS and several payment processors.

This distributed administration takes advantage of our federal system to enable States to meet the needs of their residents. However, as explained in the President’s Executive Order, USDA must retain “unfettered access to comprehensive data” from federally funded programs like SNAP even if such data is “maintained in third-party databases.” This is the only way to eliminate “bureaucratic duplication and inefficiency” and enhance “the Government’s ability to detect overpayments and fraud.”

At present, each State, district, territory, and payment processor is a SNAP information silo. These various entities maintain discrete collections of SNAP application, enrollment, recipient, and transaction data, each of which is necessary in ensuring the integrity of the Program. Thus, pursuant to the President’s Executive Order and to confirm that SNAP is being administered appropriately and lawfully, USDA and FNS are working to eliminate these information silos.

7 U.S.C. 2020(a)(3) and (e)(8)(A) and 7 C.F.R. 272.1(c)(1) and (e) authorize USDA and FNS to obtain SNAP data from State agencies and, by extension, their contractors. FNS is therefore working with several SNAP payment processors to consolidate SNAP data. If they have not yet done so, your processors may reach out to you to provide notice of this partnership and data sharing.

FNS will use the data it receives from processors to ensure Program integrity, including by verifying the eligibility of benefit recipients. This is consistent with FNS's statutory authority and the President's Executive Order and will ensure Americans in need receive assistance, while at the same time safeguarding taxpayer dollars from abuse. Upon completion of its analysis, and to the extent necessary, FNS will follow up with State agencies regarding next steps.

Additionally, pursuant to, among other authorities, the President's Executive Order, 5 U.S.C. 553(a)(2), 7 U.S.C. 2020(a)(3), and 7 C.F.R. 272.1(e), USDA is taking steps to require all States to work through their processors to submit at least the following data to FNS, as applicable:

1. Records sufficient to identify individuals as applicants for, or recipients of, SNAP benefits, including but not limited to personally identifiable information in the form of names, dates of birth, personal addresses used, and Social Security numbers.
2. Records sufficient to calculate the total dollar value of SNAP benefits received by participants over time, with the ability to filter benefits received by date ranges.

Requested data will cover the period beginning January 1, 2020, through present. Please contact me at gina.brand@usda.gov with any questions related to this data sharing request.

Failure to grant processor authorizations or to take the steps necessary to provide SNAP data to FNS may trigger noncompliance procedures codified at 7 U.S.C. 2020(g).

Thank you for your continued work to help address the needs of vulnerable Americans and safeguard taxpayer dollars.

Sincerely,

Gina Brand
Senior Policy Advisor for Integrity
United States Department of Agriculture
Food, Nutrition, and Consumer Services

From: SM.OSEC.FNCS.USEC <FNCS.USEC@usda.gov>

Sent: Tuesday, August 12, 2025 2:25 PM

To: Cook, Kate R. (GOV) <Kate.R.Cook@mass.gov>; Nudelman, Joshua (GOV) <Joshua.Nudelman@mass.gov>

Cc: Penn, Patrick - OSEC, DC <Patrick.Penn@usda.gov>; SM.FN.SNAPDatabase <SNAPDatabase@usda.gov>

Subject: USDA SNAP Data Sharing

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

The following message is being transmitted to you from the FNCS Under Secretary's Office.



Food, Nutrition, and Consumer Services

August 12, 2025

Governor Maura Healey

Massachusetts State House

24 Beacon St.

Office of the Governor, Room 280

Boston, Massachusetts 02133

Dear Governor Healey,

On May 6, 2025, you were notified that the U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) would be collecting Supplemental Nutrition Assistance Program (SNAP)

participant data from January 1, 2020, to present date and that failure to take the steps necessary to provide SNAP data to FNS may trigger noncompliance procedures codified at 7 USC 2020(g). On July 9, 2025, in a letter from Secretary Brooke Rollins, you were reminded of this collection, pursued in accordance with section 11(e)(8)(A) of the Food and Nutrition Act of 2008 (the Act), and informed that you were required to submit this data no later than the close of business July 30, 2025. Again, on July 25, 2025, in a letter from me, you were reminded of this data collection, of the July 30, 2025 deadline, and that failure to take the steps necessary to provide the relevant data to FNS may trigger noncompliance procedures codified in 7 U.S.C. 2020(g). As of the date of this letter, FNS has not received this participant data and, as a result, the State of Massachusetts is out of compliance with SNAP requirements.

As provided by 7 CFR 276.4, this letter serves as an advance notice that Massachusetts could be subject to suspension or disallowance of Federal funding for State SNAP administrative expenses if it does not submit to FNS the requested SNAP participant data. Section 11(e)(8)(A) of the Act requires that Massachusetts permits disclosure of this data “to persons directly connected with the administration or enforcement of the provisions of [the Act], [and] regulations issued pursuant to” the Act. The July 9th letter directed that the requested data to be submitted using a system owned, administered, and secured by FNS.

In order for FNS to determine that Massachusetts has made adequate progress towards meeting the data collection requirements, by August 13, 2025, FNS must receive a description of the actions Massachusetts will undertake in order to ensure that it will submit the requested data to FNS **no later than close of business Friday, August 15, 2025.**

If Massachusetts fails to comply with the requirements outlined in this advance notification, the USDA may proceed with issuing a formal warning to pursue the suspension or disallowance of Federal funding for State SNAP Administrative expenses and may take any other available legal action.

As always, the USDA stands ready to provide technical assistance to you so that Massachusetts may come into compliance with this requirement. You may request this assistance by contacting:

FNS Tech Team at SNAPdatabase@usda.gov.

A handwritten signature in blue ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke.

Sincerely,

Patrick A. Penn
Deputy Under Secretary

Food, Nutrition, and Consumer Services

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



U.S. DEPARTMENT OF AGRICULTURE

August 20, 2025

Governor Maura Healey
Massachusetts State House
24 Beacon St.
Office of the Governor, Room 280
Boston, Massachusetts 02133

Dear Governor Healey,

This formal warning is sent as a follow-up to our August 12, 2025 advance notification to Massachusetts's Department of Health and Social Services for non-compliance with the U.S. Department of Agriculture's (USDA) requirement to submit Supplemental Nutrition Assistance Program (SNAP) enrollment data by July 30, 2025.

The advanced warning followed USDA's several earlier requests¹ for SNAP enrollment data and required Department of Health and Social Services to come into compliance with Federal requirements at 7 U.S.C. 2020(e)(8)(A) by transmitting SNAP enrollment data no later than close of business Friday, August 15, 2025. In response to State requests, on August 14, 2025, USDA extended the deadline for compliance to August 19, 2025. Although many states have fully complied with the law and submitted SNAP enrollment data to USDA, as of the date of this letter, the Food and Nutrition Service (FNS) has not received complete enrollment data from Department of Health and Social Services.

This letter serves as a formal warning under 7 C.F.R. § 276.4(d)(2) to Massachusetts's Department of Health and Social Services for failure to comply with requirements for providing SNAP enrollment data. Unless Department of Health and Social Services can demonstrate compliance by transmitting the SNAP enrollment data for Massachusetts, FNS will initiate a disallowance of Federal funding.

FNS will determine whether Department of Health and Social Services has demonstrated such compliance based on successful completion of either of the two actions outlined in this letter.

- Department of Health and Social Services must submit, within 30 days from receipt of this letter, evidence that it has complied.
- If Department of Health and Social Services is unable to provide such evidence of compliance, it must submit, within 30 days from receipt of this letter, a corrective action proposal that FNS finds acceptable. The corrective action proposal must demonstrate how and by what date it will comply with the data sharing requirements outlined in USDA Secretary Brooke Rollins' letter to State agencies on July 9, 2025. Department of Health

¹ In letters dated May 6, 2025, July 9, 2025, and July 25, 2025, USDA informed Department of Health and Social Services of this data collection.

and Social Services must also submit progress reports to FNS as set forth in the approved corrective action proposal.

If Department of Health and Social Services fails to demonstrate compliance with the data sharing requirements to the satisfaction of FNS, FNS will disallow up to \$92,314,320.90 for Department of Health and Social Service's SNAP administrative expenses for each quarter in which Department of Health and Social Services is out of compliance with the requirements of this letter, in accordance with 7 CFR 276.4. Because the data is needed to enhance the Government's ability to detect overpayments and fraud in SNAP, FNS has calculated this amount using Massachusetts's Federal Fiscal year (FFY) 2024 SNAP Quality Control payment error rate of 14.10%. As Department of Health and Social Services is aware, the SNAP Quality Control system measures how accurately State agencies determine eligibility and benefit amounts and, therefore, is the best measure available to FNS to estimate the cost of Department of Health and Social Service's noncompliance with USDA's data request. The amount of \$92,314,320.90 represents 14.10% of Massachusetts's FFY 2024 total allotments, divided by four.

The complete transmission of the required SNAP enrollment data is imperative to ensure FNS and the State agency have full insight into SNAP program integrity. In the absence of data, FNS lacks key information necessary to ensure effective stewardship of taxpayer dollars. FNS has already discovered from states that are complying with this statutory data sharing requirement that fraud or duplication in state distribution of federal funds has gone unreported and needs remediation. FNS stands ready to assist Department of Health and Social Services with resolving the deficiencies through continued technical assistance to ensure its data is transmitted in compliance with Federal requirements.

If Department of Health and Social Services wishes to discuss these matters further, please contact the FNS Tech Team at SNAPdatabase@usda.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Patrick A. Penn', with a stylized, circular flourish at the beginning.

Patrick A. Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services

From: "Henschel, Matthew - FNS" <matthew.henschel@usda.gov>

To: 'Barbara Guinn' <BarbaraC.Guinn@otda.ny.gov>, "'Beliveau, Amanda'" <Amanda.Beliveau@vermont.gov>, "'Boshart, Stephanie M (OTDA)'" <Stephanie.Boshart@otda.ny.gov>, "'Brown, Jill'" <Jill.M.Brown@dhhs.nh.gov>, "'Cross, Aletha'" <Aletha.Cross@vermont.gov>, "'Deborah A. Barclay'" <Deborah.Barclay@ohhs.ri.gov>, "'Demarco, Wendy (OTDA)'" <Wendy.DeMarco@otda.ny.gov>, "'Dushuttle, Patricia'" <patricia.dushuttle@maine.gov>, 'Elida Esposito' <Elida.Esposito@otda.ny.gov>, 'Emmanueline Archer' <emmanueline.archer@dhs.vi.gov>, "'Giacomi, Daniel R.'" <Daniel.Giacomi@ct.gov>, "'Hadler, Peter B.'" <Peter.Hadler@ct.gov>, 'Ian Yaffe' <Ian.Yaffe@maine.gov>, 'Iwona Ramian' <Iwona.Ramian@dhs.ri.gov>, 'Jenna Simeone' <Jenna.Simeone@dhs.ri.gov>, 'Jill Brown' <Jill.M.Brown@dhhs.nh.gov>, 'Kim Rauch' <kimberly.rauch@dhs.ri.gov>, 'Kimberly Merolla-Brito' <Kimberly.Brito@dhs.ri.gov>, "'Lorna.sutton@dhs.vi.gov'" <'Lorna.sutton@dhs.vi.gov'>, 'Michael Downs' <Michael.E.Downs@maine.gov>, 'Natalie Bailey' <Natalie.Bailey@dhs.vi.gov>, "'Nestra Lawrence'" <nestra.lawrence1@dhs.vi.gov>, "'ODonnell, William (DHS)'" <william.odonnell@dhs.ri.gov>, 'Rajni Chawla' <Rajni.Chawla@otda.ny.gov>, "'Ransom-Canning, Frances (DTA)'" <frances.ransom-canning@state.ma.us>, "'Ray, Liz'" <Liz.Ray@maine.gov>, 'Rebecca Beaman' <Rebecca.P.Beaman@dhhs.nh.gov>, 'Rick Steventon' <rick.steventon@vermont.gov>, "'Rinaldi, Ellen (OTDA)'" <Ellen.Rinaldi@otda.ny.gov>, "'Sorli, Debra'" <Debra.E.Sorli@dhhs.nh.gov>, 'Stefani Bissonnette' <Stefani.Bissonnette@vermont.gov>, "'Tomasky, Sherry (OTDA)'" <Sherry.Tomasky@otda.ny.gov>, 'Valerie Figueroa' <Valerie.Figueroa@otda.ny.gov>, "'Ward, Nola (DTA)'" <nola.ward@state.ma.us>, "'Wisdom, Leslie'" <Leslie.Wisdom@vermont.gov>, "'Ward, Lorraine (DTA)'" <lorraine.ward@mass.gov>, "'Hebert, Karen'" <Karen.E.Hebert@dhhs.nh.gov>, "'Cabana, Tina'" <Tina.L.Cabana@dhhs.nh.gov>, "'Kajubi, Birabwa (DTA)'" <birabwa.kajubi@state.ma.us>, "'Maroni, Denise'" <Denise.B.Maroni@dhhs.nh.gov>, 'Yarnie, Shelly (DTA)' <Shelly.Yarnie2@mass.gov>, 'Weeks, Jamie (OTDA)' <Jamie.Weeks@otda.ny.gov>, 'Evan.Denno@maine.gov' <Evan.Denno@maine.gov>, 'rebecca.frederick@otda.ny.gov' <rebecca.frederick@otda.ny.gov>, 'karen.vartebedian@dhs.ri.gov' <karen.vartebedian@dhs.ri.gov>, 'Jonathan.Savinelli@maine.gov' <Jonathan.Savinelli@maine.gov>, 'erin.quinn@mass.gov' <erin.quinn@mass.gov>, 'Lynch, Rebecca (OTDA)' <Rebecca.Lynch@otda.ny.gov>, 'robert.paliotta@dhs.ri.gov' <robert.paliotta@dhs.ri.gov>, 'Donald.R.Ellis@maine.gov' <Donald.R.Ellis@maine.gov>

Cc: "Ruggieri, M.Christine - FNS" <christine.ruggieri@usda.gov>, "Krebs, Ashley - FNS" <ashley.krebs@usda.gov>, "Nembhard, Mishka - FNS" <mishka.nembhard@usda.gov>, "Orphanides, Lefki - FNS" <lefki.orphanides@usda.gov>, "Jamal, Cole - FNS" <Cole.Jamal@usda.gov>, "Kelley, Diane - FNS" <diane.kelley@usda.gov>, "Fulgencio, Raymond - FNS" <Raymond.Fulgencio@usda.gov>, "English, Kara - FNS" <Kara.English@usda.gov>, "Pasquaretta, Kevin - FNS" <kevin.pasquaretta@usda.gov>, "Mei, Ellen - FNS" <Ellen.Mei@usda.gov>

Subject: FNS - Data Sharing Guidance Letter & Executive Order 14243

Date: Tue, 6 May 2025 21:50:36 +0000

Importance: Normal

Attachments: FNS_-_Data_Sharing_Guidance_(5.6)_V6.pdf; Executive_Order_14243.pdf

Inline-Images: image001.png

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content is safe.

Greetings State Partners:

Please see the attached FNS – Data Sharing Guidance letter that outlines the expectation for State agencies to provide authorization to SNAP EBT processors to work with and transmit SNAP data to the USDA. This request aligns with the signed Executive Order 14243, Stopping Waste, Fraud, and Abuse by Eliminating Information Silos (also attached).

For any questions or concerns, please contact Gina Brand, Senior Policy Advisor for Integrity at gina.brand@usda.gov.

Best regards,

Matt

Matthew Henschel
Regional Director
SNAP
Northeast Regional Office

 **U.S. DEPARTMENT OF AGRICULTURE**
Food and Nutrition Service Northeast Regional Office
10 Causeway Street, Boston, MA 02222
p: (617) 565-1610 | c: (617) 549-7971

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United States Department of Agriculture
Washington, D.C. 20250
May 6, 2025

Dear State Agency Directors,

On March 20, 2025, President Trump issued Executive Order 14243, *Stopping Waste, Fraud, and Abuse by Eliminating Information Silos*. Among myriad important directives, this Executive Order required agency heads to “take all necessary steps, to the maximum extent consistent with law, to ensure the Federal Government has unfettered access to comprehensive data from all State programs that receive Federal funding, including, as appropriate, data generated by those programs but maintained in third-party databases.” The Department of Agriculture (USDA) is committed to effectuating this Executive Order with respect to all programs in its purview.

The Food and Nutrition Service (FNS) at USDA plays a key role in providing nutrition services to Americans in need through the Supplemental Nutrition Assistance Program (SNAP or the Program). SNAP, which is Federally funded, is administered by the States, districts, and territories through partnerships with FNS and several payment processors.

This distributed administration takes advantage of our federal system to enable States to meet the needs of their residents. However, as explained in the President’s Executive Order, USDA must retain “unfettered access to comprehensive data” from federally funded programs like SNAP even if such data is “maintained in third-party databases.” This is the only way to eliminate “bureaucratic duplication and inefficiency” and enhance “the Government’s ability to detect overpayments and fraud.”

At present, each State, district, territory, and payment processor is a SNAP information silo. These various entities maintain discrete collections of SNAP application, enrollment, recipient, and transaction data, each of which is necessary in ensuring the integrity of the Program. Thus, pursuant to the President’s Executive Order and to confirm that SNAP is being administered appropriately and lawfully, USDA and FNS are working to eliminate these information silos.

7 U.S.C. 2020(a)(3) and (e)(8)(A) and 7 C.F.R. 272.1(c)(1) and (e) authorize USDA and FNS to obtain SNAP data from State agencies and, by extension, their contractors. FNS is therefore working with several SNAP payment processors to consolidate SNAP data. If they have not yet done so, your processors may reach out to you to provide notice of this partnership and data sharing.

FNS will use the data it receives from processors to ensure Program integrity, including by verifying the eligibility of benefit recipients. This is consistent with FNS's statutory authority and the President's Executive Order and will ensure Americans in need receive assistance, while at the same time safeguarding taxpayer dollars from abuse. Upon completion of its analysis, and to the extent necessary, FNS will follow up with State agencies regarding next steps.

Additionally, pursuant to, among other authorities, the President's Executive Order, 5 U.S.C. 553(a)(2), 7 U.S.C. 2020(a)(3), and 7 C.F.R. 272.1(e), USDA is taking steps to require all States to work through their processors to submit at least the following data to FNS, as applicable:

1. Records sufficient to identify individuals as applicants for, or recipients of, SNAP benefits, including but not limited to personally identifiable information in the form of names, dates of birth, personal addresses used, and Social Security numbers.
2. Records sufficient to calculate the total dollar value of SNAP benefits received by participants over time, with the ability to filter benefits received by date ranges.

Requested data will cover the period beginning January 1, 2020, through present. Please contact me at gina.brand@usda.gov with any questions related to this data sharing request.

Failure to grant processor authorizations or to take the steps necessary to provide SNAP data to FNS may trigger noncompliance procedures codified at 7 U.S.C. 2020(g).

Thank you for your continued work to help address the needs of vulnerable Americans and safeguard taxpayer dollars.

Sincerely,

 Digitally signed by
GINA BRAND
Date: 2025.05.06
15:53:29 -04'00'

Gina Brand
Senior Policy Advisor for Integrity
United States Department of Agriculture
Food, Nutrition, and Consumer Services

Presidential Documents

Executive Order 14243 of March 20, 2025

Stopping Waste, Fraud, and Abuse by Eliminating Information Silos

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose. Purpose. Removing unnecessary barriers to Federal employees accessing Government data and promoting inter-agency data sharing are important steps toward eliminating bureaucratic duplication and inefficiency while enhancing the Government's ability to detect overpayments and fraud.

Sec. 2. Definitions. (a) "Agency" has the meaning given to it in section 3502 of title 44, United States Code, except that such term does not include the Executive Office of the President or any components thereof.

(b) "Agency Head" means the highest-ranking official of an agency, such as the Secretary, Administrator, or Director. With respect to multimember agencies, "Agency Head" means the Chairman or equivalent official.

Sec. 3. Eliminating Information Silos. (a) Agency Heads shall take all necessary steps, to the maximum extent consistent with law, to ensure Federal officials designated by the President or Agency Heads (or their designees) have full and prompt access to all unclassified agency records, data, software systems, and information technology systems—or their equivalents if providing access to an equivalent dataset does not delay access—for purposes of pursuing Administration priorities related to the identification and elimination of waste, fraud, and abuse. This includes authorizing and facilitating both the intra- and inter-agency sharing and consolidation of unclassified agency records.

(b) Within 30 days of the date of this order, Agency Heads shall, to the maximum extent consistent with law, rescind or modify all agency guidance that serves as a barrier to the inter- or intra-agency sharing of unclassified information specified in subsection (a) of this section. Agency Heads shall also review agency regulations governing unclassified data access, including system of records notices, and, within 30 days of the date of this order, submit a report to the Office of Management and Budget cataloging those regulations and recommending whether any should be eliminated or modified to achieve the goals set forth in this order. Regulatory modifications pursuant to this order are exempt from Executive Order 14192.

(c) Immediately upon execution of this order, Agency Heads shall take all necessary steps, to the maximum extent consistent with law, to ensure the Federal Government has unfettered access to comprehensive data from all State programs that receive Federal funding, including, as appropriate, data generated by those programs but maintained in third-party databases.

(d) Immediately upon execution of this order and without limiting the above directives, the Secretary of Labor and the Secretary's designees shall receive, to the maximum extent consistent with law, unfettered access to all unemployment data and related payment records, including all such data and records currently available to the Department of Labor's Office of Inspector General.

(e) This order supersedes any prior Executive Orders and rules or regulations subject to direct Presidential rulemaking authority to the extent they

serve as a barrier to the inter- or intra-agency sharing of unclassified information as specified in this order.

(f) Agency Heads shall conduct a review of classified information policies to determine whether they result in the classification of materials beyond what is necessary to protect critical national security interests and, within 45 days of the date of this order, submit a report to the Office of Management and Budget cataloguing those classified information policies and recommending whether any should be eliminated or modified to achieve the goals set forth in this order.

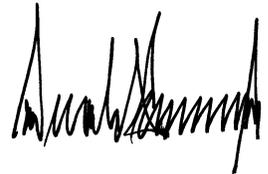
Sec. 4. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be a stylized name, located on the right side of the page.

THE WHITE HOUSE,
Washington, March 20, 2025.

From: "Terio, Jenna - FNS" <Jenna.Terio@usda.gov>

To: "Ransom-Canning, Frances (DTA)" <frances.ransom-canning@mass.gov>

Cc: "English, Kara - FNS" <Kara.English@usda.gov>

Subject: FW: MA FFY25 Request for APT CAP

Date: Thu, 24 Jul 2025 16:46:26 +0000

Importance: Normal

Attachments: MA_FFY25_Request_for_APT_CAP.pdf; APT-CAP_Example.docx

Inline-Images: image001.png

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Fran,

As I am sure you are already aware, MA's APT CAP is due today. I wanted to send a quick reminder email just in case! Please let me know if you need anything.

Thanks,
Jenna

Jenna Terio

Program Specialist
SNAP | Program Operations
Northeast Regional Office



U.S. DEPARTMENT OF AGRICULTURE

Food and Nutrition Service
p: (857) 317-5131

From: SM.FN.NE-SNAPDivision <SM.FN.NE-SNAPDivision@usda.gov>

Sent: Tuesday, June 24, 2025 2:51 PM

To: Jeffrey.g.mccue@mass.gov

Cc: michael.cole@mass.gov; Quinn, Erin (DTA) <erin.quinn@mass.gov>; Frances Ransom Canning <frances.ransom-canning@mass.gov>; Yarnie, Shelly (DTA) <shelly.yarnie2@mass.gov>; Ward, Nola (DTA) <nola.ward@mass.gov>; Ruggieri, M.Christine - FNS <christine.ruggieri@usda.gov>; Casale, Lauren - FNS <lauren.casale@usda.gov>; Henschel, Matthew - FNS <matthew.henschel@usda.gov>; Krebs, Ashley - FNS <ashley.krebs@usda.gov>; Nembhard, Mishka - FNS <mishka.nembhard@usda.gov>; Orphanides, Lefki - FNS <lefki.orphanides@usda.gov>; English, Kara - FNS <Kara.English@usda.gov>; Glidden, Jennifer - FNS <Jennifer.Glidden@usda.gov>; Terio, Jenna - FNS <Jenna.Terio@usda.gov>; Mei, Ellen - FNS <Ellen.Mei@usda.gov>; Kelley, Diane - FNS <diane.kelley@usda.gov>; Fulgencio, Raymond - FNS <Raymond.Fulgencio@usda.gov>; SM.FN.NE-SNAPDivision <SM.FN.NE-SNAPDivision@usda.gov>

Subject: MA FFY25 Request for APT CAP

Good Afternoon Commissioner McCue,

On behalf of NERO Acting Regional Administrator, Christine Ruggieri, attached please find FNS' request for Massachusetts' Application Processing Timeliness (APT) Corrective Action Plan (CAP) due **July 24, 2025**.

Also attached is an APT CAP template ("*APT-CAP Example.docx*"), but the use of it is *not required*. If your State agency is interested in setting up a technical assistance call as you work to develop your CAP, or if you have any questions, please reach out to Jenna Terio at (857) 317-5131 or at Jenna.Terio@usda.gov.

Please confirm receipt of this email.

Thank you.

Jennifer Glidden

Program Specialist
Program Operations | SNAP
Northeast Regional Office



U.S. DEPARTMENT OF AGRICULTURE

Food and Nutrition Service
p: (857) 317-5106

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Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

June 24, 2025

Jeff McCue, Commissioner
Massachusetts Department of Transitional Assistance
One Ashburton Place, 5th Fl.
Boston, MA 02108

Dear Commissioner McCue:

The Food and Nutrition Service (FNS) monitors Supplemental Nutrition Assistance Program (SNAP) Application Processing Timeliness (APT) rates as part of its oversight responsibility to ensure State agency compliance with requirements under the Food and Nutrition Act of 2008 (the Act). Federal law requires that households have the opportunity to participate in SNAP within 7 days for expedited cases and 30 days for regular cases. While State agencies are required to process all SNAP applications within the timelines provided in the statute, FNS considers an APT rate of 95 percent and above acceptable performance.

FNS recognizes the challenges State agencies have faced after the unprecedented COVID-19 pandemic, however, low APT rates have a real and significant impact on eligible families who struggle to put food on the table. Timely application processing is paramount to customer service and meeting families' nutrition needs. FNS recently revised the escalation process to identify noncompliance with the statutory requirements and to promote significant improvements in State agencies with APT rates falling below 90 of the upper bound of the confidence interval.¹

Based on the latest FNS Quality Control (QC) data covering July 2024 through December 2024, Massachusetts' APT rate is 89.43 percent.

Massachusetts is out of compliance with Federal requirements related to SNAP APT. This has resulted in a hardship to households in need across Massachusetts who are not consistently receiving access to SNAP benefits, as required by the Act.

While FNS appreciates the State agency's partnership and efforts to improve APT, additional action is required to bring Massachusetts into compliance.

As such, Massachusetts is required to submit an initial Corrective Action Plan (CAP) in accordance with 7 CFR 275.17 within 30 calendar days. These requirements include, but are not limited to:

¹ The FNS APT rate in the context of corrective action throughout this letter refers to the upper bound of the 95 percent confidence interval of the estimated sample APT rate calculated from available State agency data. For more information on the revised escalation procedures, see FNS' August 3, 2023, memorandum, [SNAP - Updated Guidance for Improving State Agency Application Processing Timeliness Rates: Standardizing the Escalation Process](#).

- Geographic extent of the State agency's unacceptable APT rate (statewide or only in specific counties/offices);
- Detailed root cause analysis with data metrics to support the identified causal factor(s) contributing to the unacceptable APT rate;
- Identification of any action(s) already completed to improve the State agency's APT rate;
- Outline of specific actions to be implemented based on the identified causal factor(s), the expected outcome of each action, the target date for each action, and the date by which each improvement will be achieved;
- A description of the way the State agency will monitor and evaluate the effectiveness of the corrective action in reaching an acceptable APT rate, including data metrics to measure the success of each action implemented; and
- Positions of State staff members responsible for implementing and monitoring the specific strategies.

As part of the CAP, FNS will require monthly submission of State agency calculated APT rates. FNS expects to see measurable outputs that will help the State agency progress towards 95 percent timeliness for SNAP application processing. Once FNS receives the CAP, FNS will work with the State agency to set benchmark(s) and associated timeframes and require the State agency to improve its APT rate by a certain percentage every set number of months. The minimum benchmark for improvement shall be at least 5 percentage points every 6 months. FNS will take into consideration current State agency initiatives and review current and historical APT data when determining benchmarks. If the State agency fails to meet these benchmarks, an advance warning may be issued in accordance with 7 CFR 276.4.

With the submission of its initial APT CAP, the State agency may present FNS with State agency-calculated timeliness data following the State Agency Timeliness Data Protocol (the Protocol) for the preceding 6 months to demonstrate how recent actions may have improved timeliness. The State agency-calculated data may help support activities the State agency will include in the APT CAP and may guide FNS in its review of the APT CAP. FNS will review this data to ensure the State agency collects it in accordance with the Protocol and other applicable standards.

FNS is committed to working with Massachusetts to ensure SNAP access is provided in accordance with statutory timeframes. FNS will continue to provide technical assistance as needed to support your ongoing efforts to come into compliance with Federal application processing requirements. The SNAP: Keys to Application Processing Timeliness provides guidance on the most important strategies or "Keys" to achieving and maintaining acceptable timeliness rates. If you have any questions, please contact Jenna Terio at jenna.terio@usda.gov or (857) 317-5131.

Sincerely,

MARY CHRISTINE RUGGIERI

Digitally signed by MARY CHRISTINE
RUGGIERI
Date: 2025.06.24 13:48:39 -04'00'

Christine Ruggieri
Acting Regional Administrator
Office of the Regional Administrator
Northeast Regional Office

cc: Michael Cole
Erin Quinn
Fran Ransom-Canning
Shelly Yarnie
Nola Ward

[STATE] – Supplemental Nutrition Assistance Program
(SNAP)

Application Processing Timeliness (APT)
Corrective Action Plan (CAP)

Initial CAP [MM/YYYY]

Semi-annual Updates due: May 1 and Nov 1 of each year

Instructions: (Remove the watermark, before submitting to FNS: Select “Design”, “Watermark”, then “Remove Watermark”) This document has been adapted to address State’s Low Application Processing Timeliness (APT) rate of xx.x percent based on MM/YYYY – MM/YYYY Quality Control APT data. Each root cause is listed under its own section, with additional questions included under each sub-topic. In addition to the root causes, answers to the following questions are provided:

- Specific strategies, with timeframes for completion, to bring State APT rate into compliance with Federal guidelines of 95 percent timeliness.
- Long-term initiatives that will sustain an acceptable APT rate of 95 percent.
- Positions of State staff members responsible for implementing and monitoring the specific strategies, and
- Plans for monitoring and critically evaluating the effectiveness of the strategies for reaching an acceptable APT rate.

Root Cause #1: Interview not scheduled timely

Lead Responsible: Self Sufficiency Program (SSP) SNAP Policy and State Eligibility Partnership (OEP) teams.

When: Analysis of the Quality Control data shows that timely processing is not being met at initial application.

Why: As a standard procedure to aid with the workflow, DHS follows a statewide cold call process intended for applications received by Virtual Eligibility Center (VEC) and Store-Front Offices (SFO). The process entails two cold calls that are made to the applicant a minimum of two hours apart from one another. During the first call staff attempt to leave a message advising the applicant of the need to complete an interview and advising them that they will call back at a later time.

If the worker successfully reaches the applicant and conducts a full interview, a future dated appointment would not be needed. However, if the worker’s attempts were unsuccessful, the two cold calls would then be logged into the ONE system, triggering a scheduling task for support staff.

A review of 39 sample untimely applications approved between 03/2023 to 09/2023 was used to determine the average time in days each application spent at each step of processing:

- 26 days from filing date to completion of two cold call process.
- 11 days from cold call process to scheduling an appointment.
- 28 days until interview date to case authorization.

The top errors discovered included:

- 77 percent appointment not scheduled timely.
- 26 percent cold call process not completed.

The intent of the cold call process is to reduce the need for a scheduled interview and to expedite processing. Although most of the cases received the required two (2) calls, about 90 percent resulted in no contact. This has resulted in appointments being scheduled outside the typical processing time frame of 20 days from the filing date for regular service and seven (7) days for expedited service.

Internal data teams are conducting ongoing analysis to understand barriers to timeliness in the current process and to identify efficiencies.

What: Initial analysis identified trends in the following areas:

- Appointments are not being scheduled within 20 days of the filing date.
- Established processes are not consistently being followed by staff.
- The majority of untimely applications are processed by the VEC.

Source Data: A review of 39 untimely applications as reported in weekly timeliness data.

Corrective Action to Address Root Cause

- Describe the initiative(s) the State is implementing to address the root cause. Include specifics of who, what, where, when, and how frequently the action(s) will take place.
- Include the scope of the proposed or ongoing initiative and its start and end dates.

State is implementing the following initiatives to address the root cause:

- **Initiative 1:** Align statewide prescheduled appointment timeframes.

Short term strategy: State's VEC has a high volume of prescheduled appointments that can be weeks out, placing the application past processing timeframes. State is moving the prescheduled appointments from the VEC to Store Front Offices (SFO) serving the area the applicant resides in. To reduce the number of applications scheduled past timeframes SFO staff will take the following steps:

- Call the applicant and conduct the eligibility over the phone, or
- If not feasible for the applicant, schedule a prescheduled appointment sooner or keep the prescheduled appointment date (per applicant's preference).

Long term goal: A workgroup is being established to develop long term workshare processes between VEC and SFO areas. The workgroup will implement long term practices that share work between offices to ensure timeliness statewide and improve

customer service. The statewide workshare process will ensure equitable treatment of applications regardless of how they are submitted to DHS.

Responsible Team(s): OEP

Start: State began implementing strategies in September 2023 with long-term planning starting at the end of December 2023.

Evaluation/Monitoring method: Workshare monitors interview appointments weekly and will monitor pre-scheduled appointments for timeliness. OEP Dashboard data may also be utilized by each district to manage timeliness of scheduled applications and tasks.

- **Initiative 2**: Increase availability within State’s Virtual Eligibility Center (VEC)
Short Term Strategy: Increased availability of eligibility workers to complete interviews on-demand when an applicant is on the phone. Answering calls means increased “real-time” eligibility for benefits. Increasing availability of eligibility workers lowers the need for prescheduled appointments for future dates.
Long Term Goals: State will pursue a waiver allowing for on-demand interviews once call center capacity has increased. The on-demand interview waiver is expected to add efficiencies and improve customer service while improving timely interviews.
Responsible Team(s): OEP
Start: Started end of October 2023 through Incident Management Team.
Evaluation/Monitoring method:
Call center and OEP dashboard data will be tracked monthly to evaluate if initiative is helping to build capacity at the VEC.
- **Initiative 3**: Offer Overtime Opportunities
Short term strategy: Staff will be offered opportunities to engage in overtime during non-business hours to focus on processing overdue applications.
Long term strategy: Overtime will continue to be utilized as needed to maintain timeframes based on workload.
Responsible Team(s): OEP
Start: December 2021. Will continue throughout the Winter 2023 – Spring 2024.
Evaluation/Monitoring method: Monitored weekly by OEP utilizing production reports.
- **Initiative 4**: Decrease Abandoned Tasks
Short term strategy: Workflow Control will monitor abandoned tasks and route for immediate processing when abandoned tasks are discovered. Education and communications to increase awareness of how tasks become abandoned will be provided to staff. Statewide regionals were held during the Summer 2023 to educate and bring awareness to tasks (initial applications) that are left “unfinished” by eligibility staff in the system.
Long Term Goals: Abandoned tasks are the result of incorrect worker actions being taken in the system during application processing. Once a task is abandoned it will no longer appear on the regular for staff to pull as part of the normal work assignment process. The long-term goal of this initiative is to continuously monitor abandoned tasks to reduce the number of applications that are untimely due to this reason.
Responsible Team(s): OEP
Start: Summer 2023

Evaluation/Monitoring method: Utilize Workflow Control to monitor and track abandoned tasks statewide.

Root Cause #2: Late processing of outstanding tasks

Lead Responsible: Self Sufficiency Program (SSP) SNAP Policy and State Eligibility Partnership (OEP) teams.

When: Analysis of the Quality Control data shows that application processing is untimely when there is an outstanding Request for Information (RFI).

Why: Following the interview, staff may request additional verification from the applicant to determine eligibility. Households are given 10 days to respond which could delay eligibility decisions past the 30th day, depending on when the request for information was sent. Once the pending information is received, a task is created for staff. Untimely tasks create additional delays in eligibility decisions and denial notices being sent prior to staff working the RFI task.

What:

The top error trends related to late processing of RFI tasks includes:

- Task not assigned a correct due date.
- Invalid reason to pend.
- Lack of staff understanding of processes and system functionality.

Source Data: Quality Assurance, Quality Control and available processing and pending data were analyzed and used to inform the initiatives below. Frequently asked questions and staff feedback were also incorporated in the review process.

Corrective Action to Address Root Cause

- Describe the initiative(s) the State is implementing to address the root cause. Include specifics of who, what, where, when, and how frequently the action(s) will take place.
- Include the scope of the proposed or ongoing initiative and its start and end dates.

State is implementing the following initiatives to address the root cause:

- **Initiative 1**: Specialty teams focusing on backlog tasks.

Short Term Strategy: Teams are rotated in every 6-8 weeks to primarily focus on backlog tasks. The statewide workshare coordinator team will review task lists generated by ONE and assign teams priority work based on the volume of tasks and the need.

Long Term Goals: Statewide tasks are regularly reviewed, and resources designated to specialty teams prior to the work becoming untimely.

Responsible Team(s): VEC Eligibility Teams

Start: 12/2021- ongoing

Evaluation/monitoring method: Lists are pulled regularly and evaluated by the workshare coordinator team.

- **Initiative 2:** Blitz Teams

Short Term Strategy: Assign teams to work both renewal and tasks associated with cases that lost benefits (Priority 1) or at risk of losing benefits within 10 days (Priority 2) concurrently. State addresses renewal workload monthly, beginning with the second week of the month in parallel to Priority 1 (P1) and Priority 2 (P2) tasks. The goal is to get as many renewals processed before the end of the month as possible to lessen or eliminate the number of cases that will/would close. The blitz team is comprised of VEC staff that rotate every 6 weeks.

Assistance is also received from the Able Bodied Without Dependents (ABAWD) Team and the Complex Long-Term Care (CLTC) Team to process these tasks mid-month, when not engaged in their primary focus areas.

Long Term Goals: Statewide tasks are regularly reviewed and resources designated to blitz teams prior to the work becoming untimely. Staff are able to process tasks associated with changes to existing benefits (Priority 3) timely.

Responsible Team(s): Statewide Workflow

Start dates: 06/20/2023 - ongoing

Evaluation/monitoring method: Reports from the ONE system will also be used indicating what work is completed. Timeliness data will help show effectiveness of initiative to improving timeliness.

- **Initiative 3:** Increase processing of in person and virtual storefront applications.

Short Term Strategy: Storefront offices strategically focusing on lobby flow and staff capacity to meet the daily, weekly, monthly and seasonal demands.

Long Term Goals: VEC scheduling board is scheduled in similarly to SFO scheduling boards.

Responsible Team(s): Store Front Offices (SFO) and OEP Workshare

Start: January 2023 due to the Public Health Emergency (PHE) unwinding - ongoing

Evaluation/Monitoring method: Leadership will have monthly check-ins with local branch management. OEP will share data maintained by the Workshare coordinators and will be reviewed and monitored for progress. The report is pulled bi-weekly and shows capacity and appointment timeliness. Prior reports will be reviewed and tracked as initiatives are implemented.

- **Initiative 4:** Identify Store Front Offices (SFO) with higher capacity to assign processing of applications from other areas.

Short Term Goals: Daily check-ins with storefront offices statewide are utilized to manage priority work. Storefront offices will support work statewide by assigning staff resources to processing and completing interviews. Storefront office capacity will be tracked based on each branch response to the request which includes the reason why, if staffing resources are not available.

Long Term Goals: Receive a daily response from all branches with availability or capacity status. Information can then be used to allocate workload statewide from areas of low to high capacity.

Responsible Team(s): Statewide workshare and Store Front Offices

Start: 11/06/2023 – ongoing

Evaluation/Monitoring method: OEP data sharing page is maintained by the OEP Workshare coordinators. The report is pulled bi-weekly and it shows capacity and appointment timeliness.

- **Initiative 5**: Explore automation opportunities to streamline the eligibility processes and increase the overall staff productivity.
Short term strategy: Optical character recognition software will be implemented to reduce staff time spent doing data entry allowing them to focus on other priority work.
Long term goals: Continuously evaluate and upgrade the technology and systems used for application processing.
Responsible Team(s): OEP Service Delivery and SNAP Policy
Start: May 15, 2024
Evaluation/Monitoring method: regularly reviewing timeliness data to analyze the effectiveness of the project in reducing the amount of time it takes for the state to act on information or applications submitted by SNAP households.

Root Cause #3: SNAP expedited applications are not being processed timely

Lead Responsible: Self Sufficiency Program (SSP) SNAP Policy and State Eligibility Partnership (OEP) teams.

When: State has two different methods to screen for expedited criteria based if the application is new or attached to an existing case. New applications are screened directly in ONE based on the answers to questions which trigger a yes/no response. Staff review this response, inform applicants of their eligibility for expedited timeframe and schedule appointments no later than seven (7) days, when possible.

However, applicants who have an existing ONE case are screened using the online ESNAP Screening Tool. The tool requires the worker manually review the answers and interpret the response to expedited questions outside of the ONE system.

Applications are not being screened timely which is leading to late processing for applications eligible for expedited processing.

Why: Once a filing date is established, each application is screened to determine eligibility for expedited processing. Applications eligible for expedited processing must receive benefits within seven (7) days. Applications are not being identified as expedited and are following regular processing timelines.

What: Weekly FNS Timeliness data shows that out of the total applications not being processed correctly, more than 50 percent of those applications can be attributed to applications that meet expedited criteria.

Date	Total Expedited (TEX)*	TEX Processed Timely (PT)**	% TEX PT
11/27/2023	11,806	6,388	54%
10/30/2023	10,776	5,848	54%
9/18/2023	12,050	6,579	55%
8/28/2023	12,979	7,569	58%
7/25/2023	12,191	6,771	56%

*TEX = Total # of cases that are eligible for expedited service in the reference (calendar month prior to report pull) month

**TEX PT = Total # of expedited cases identified which were processed within 7 calendar days

Source Data: Weekly FNS timeliness data was used to identify expedited processing as a root cause contributing to State’s APT rate.

Corrective Action to Address Root Cause

- Describe the initiative(s) the State is implementing to address the root cause. Include specifics of who, what, where, when, and how frequently the action(s) will take place.
- Include the scope of the proposed or ongoing initiative and its start and end dates.

State is implementing the following initiatives to address the root cause:

- **Initiative 1:** Staff will be offered additional coaching on screening and scheduling expedited interviews timely.
Short term strategy: Train-the-Trainer for Support Staff Leads
Long term goals: Identify system solutions to align the screening process of application type received.
Responsible Team(s): SNAP policy and OEP-Learning and Engagement Training (LET)
Start: Winter 2023 and Spring 2024
Evaluation/Monitoring method: Timeliness Data
- **Initiative 2:** Update Expedited Screening reference materials
Short term strategy: Identify and correct information used by support staff to identify expedited cases.
Long term goals: Maintain reference materials and make updates as needed based on feedback or identified trends.
Responsible Team(s): SNAP policy and OEP-LET
Start: Winter 2023 and Spring 2024
Evaluation/Monitoring method: Timeliness Data
- **Initiative 3:** Explore system efficiencies that streamline the expedited screening process.

Short term strategy: The process for completing the expedited screening process is different depending on whether the application is new or connected to an existing case. Support staff can complete the screening tool directly in ONE for new cases but must utilize a separate online tool for existing cases. As part of this initiative, State will identify and evaluate solutions that simplify the process for staff to improve the screening process to ensure applications are routed correctly.

Long term goals: Implement changes improve number of applications screened and routed correctly for expedited processing.

Responsible Team(s): SNAP policy and OEP-LET

Start: Spring 2024 and Summer 2024

Evaluation/Monitoring method: Progress towards this initiative will be measured through the Eligibility Continuous Improvement Committee and/or ONE System Change Management processes.

State Agency-calculated APT Rate

State is including data from the SNAP Caseload Universe from June 2023 through November 2023 as part of this APT CAP. See attached excel file “*SNAP Calculated APT Rate 2023_06_01 through 2023_11_30_V2*”.

EXAMPLE CAP

From: SM.FN.NE-SNAPDivision <SM.FN.NE-SNAPDivision@usda.gov>

To: "McCue, Jeffrey G (DTA)" <jeffrey.g.mccue@mass.gov>

Cc: "Ruggieri, M.Christine - FNS" <christine.ruggieri@usda.gov>, "Krebs, Ashley - FNS" <ashley.krebs@usda.gov>, "Nembhard, Mishka - FNS" <mishka.nembhard@usda.gov>, "Jamal, Cole - FNS" <Cole.Jamal@usda.gov>, "Orphanides, Lefki - FNS" <lefki.orphanides@usda.gov>, "Kelley, Diane - FNS" <diane.kelley@usda.gov>, "Kajubi, Birabwa (DTA)" <birabwa.kajubi@state.ma.us>, "Cole, Michael (DTA)" <Michael.Cole@mass.gov>, "Ward, Lorraine (DTA)" <lorraine.ward@mass.gov>, "Ward, Nola (DTA)" <nola.ward@state.ma.us>, "Rosado, Carlos (DTA)" <carlos.rosado@mass.gov>, "frances.ransom-canning@mass.gov" <Frances.Ransom-Canning@mass.gov>, "Fulgencio, Raymond - FNS" <Raymond.Fulgencio@usda.gov>, "English, Kara - FNS" <Kara.English@usda.gov>, "Yarnie, Shelly (DTA)" <shelly.yarnie2@mass.gov>, "Quinn, Erin (DTA)" <erin.quinn@mass.gov>, "Henschel, Matthew - FNS" <matthew.henschel@usda.gov>

Subject: CONFIRM RECEIPT: Massachusetts' FY 2024 Payment Error Rate Announcement

Date: Mon, 30 Jun 2025 16:00:38 +0000

Importance: Normal

Attachments: MA_PER.pdf

Inline-Images: image001.png

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Greetings Commissioner McCue:

On behalf of Christine Ruggieri, Acting FNS Northeast Regional Administrator, please see the attached letter regarding the Federal Fiscal Year 2024 Payment Error Rate.

In accordance with 7 CFR 275.16(b)(1), States with payment error rates above 6% are required to submit corrective action plans. Those plans are due within 60 days of this announcement.

Please let us know if you have any questions and **please confirm receipt of this email.**

Thank you,

Ashley Krebs

Ashley Krebs

Branch Chief

SNAP Operations

Northeast Regional Office



U.S. DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

p: (617) 565-1612 | c: (774) 533-0687

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U.S. DEPARTMENT OF AGRICULTURE

June 30, 2025

The Honorable Jeff McCue
Commissioner
Massachusetts Department of Transitional Assistance
One Ashburton Street, 5th Floor
Boston, Massachusetts 02108

Dear Commissioner McCue:

Today, the U.S. Department of Agriculture (USDA) is releasing the official Supplemental Nutrition Assistance Program (SNAP) overpayment, underpayment, and payment error rates for Fiscal Year (FY) 2024, as required under the quality control (QC) provisions of Section 16(c) of the Food and Nutrition Act of 2008, as amended (the Act).

The SNAP national performance measure (national average payment error rate) for FY 2024 is 10.93 percent. Massachusetts' payment error rate is the sum of the overpayment rate and the underpayment rate, though these rates may not add up to the exact payment error rate due to rounding.

Massachusetts' QC error rates for FY 2024 are:

Overpayment Rate	13.03	percent
Underpayment Rate	1.07	percent
Payment Error Rate	14.10	percent

Under the Act, a 2-year liability system is in place, which requires USDA to establish a liability amount when, for the second or subsequent consecutive FY, the department determines there is a 95 percent statistical probability that a State's payment error rate exceeds 105 percent of the national performance measure.

For FY 2024, USDA determined there is a 95 percent statistical probability that Massachusetts' payment error rate of 14.10 percent exceeds 105 percent of the national performance measure. FY 2024 is the first year of Massachusetts' excessive payment error rate, and this places the State agency in a position of potential future liability. If USDA determines there is a 95 percent statistical probability that Massachusetts' FY 2025 payment error rate exceeds 105 percent of the national performance measure, and the rate is equal to or exceeds six percent, USDA will establish a liability amount for your State agency for FY 2025. Under the Act, States may appeal a financial liability.

The Honorable Jeff McCue
Page 2

Massachusetts' proper administration of SNAP is essential to ensuring the Program operates efficiently, effectively, and with integrity and accountability. The Northeast Regional Office is your partner in reducing payment error rates. Together, we are stewards of the taxpayer's money, and our collaborative efforts will serve to improve program integrity. As Secretary Brooke Rollins wrote in her February 13, 2025, letter to government partners that administer USDA's nutrition assistance programs, we have before us a historic opportunity to improve nutrition programs to both better serve individuals who need additional support and to lift millions of Americans out of dependency into hopeful futures. Consistent with the Secretary's vision for nutrition programs, it is imperative that we take swift action to minimize instances of fraud, waste, and program abuse.

If you have any questions or need more information, please call your Acting Regional Administrator, Christine Ruggieri, at (617) 565-7110.

Regards,

A handwritten signature in blue ink, appearing to read 'Patrick Penn', with a stylized flourish at the end.

Patrick Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services
U.S. Department of Agriculture

From: "Brand, Gina - FNS" <gina.brand@usda.gov>

To: SM.FN.SNAPDatabase <SNAPDatabase@usda.gov>

Subject: FNS - Data Sharing Guidance Update

Date: Wed, 23 Jul 2025 22:32:54 +0000

Importance: Normal

Attachments: FNS_-_Data_Sharing_Guidance_7.23.2025.pdf

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good evening,

Please see the attached FNS guidance in respect to SNAP data elements and the transmission of data for State agencies.

Thank you,
gina

Gina Brand
Senior Policy Advisor for Integrity
United States Department of Agriculture
Food, Nutrition, and Consumer Services (FNCS)
Mobile: 720.916.4859

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United States Department of Agriculture
Washington, D.C. 20250
July 23, 2025

Dear State agency Directors,

On May 6, 2025, State agencies were advised of the United States Department of Agriculture's (USDA) intent to implement President Trump's March 20, 2025, Executive Order 14243, *Stopping Waste, Fraud, and Abuse by Eliminating Information Silos* through State data sharing to the Food and Nutrition Service (FNS). In the May 6, 2025, memo, States were advised that the USDA/FNS was working with Supplemental Nutrition Assistance Program (SNAP) payment processors to assist with data collection. As requested by State agencies, States are welcome to determine the most appropriate and feasible method to share the requested data with FNS. State agencies can work through their payment processor, a vendor of their own choosing, or with their State Information Technology team.

Data Elements

The requested data elements are for individuals who have received, are currently receiving, or have applied to receive SNAP benefits from January 1, 2020, through present date. Requested data elements shall include records sufficient to identify individuals as applicants for, or recipients of, SNAP benefits, including but not limited to all household group members names, dates of birth, social security numbers, residential and mailing addresses used or provided, as well as all data records used to determine eligibility or ineligibility. It is understood that these data records will vary household to household, and may include earned and unearned income, absent parent(s), and other data used in the determination process. Please do not include supporting documents or case comments.

Additionally, transactional records from each household are also requested, and must be sufficient to calculate the total dollar value of SNAP received by recipients over time, with the ability to filter benefits received by date ranges, as well as SNAP usage and retailer data.

Data Transmission

Each State agency shall transmit data to FNS via the platform called Box. Once you identify the individual who will be responsible for transmitting the data for your State agency, please send their name, title, and email address to SNAPDatabase@usda.gov. The State agency identified contact will then receive an email for account creation and access for data transmission.

Box is a secure platform which employs various security measures, including encryption, access controls, and compliance features to handle the sensitive data that States will be transmitting.

Data shall be transmitted to FNS no later than Wednesday, July 30, 2025.

Follow-Up Steps

Upon completion of data analysis, FNS will follow up with State agencies in respect to any applicable next steps of reconciliation.

For questions related to the required data elements and/or assistance with the transmission of data, please send inquiries to SNAPDatabase@usda.gov.

We look forward to expanding this partnership with our State partners to ensure and enhance Program integrity.

Sincerely,

 Digitally signed by
GINA BRAND
Date: 2025.07.23
18:15:04 -04'00'

Gina Brand
Senior Policy Advisor for Integrity
United States Department of Agriculture
Food, Nutrition, and Consumer Services

From: "Farnham, Beth C (DTA)" <Bethany.C.Farnham@mass.gov>

To: "Brooke.Rollins@usda.gov" <Brooke.Rollins@usda.gov>, "SNAPDatabase@usda.gov" <SNAPDatabase@usda.gov>, "Gina.Brand@usda.gov" <Gina.Brand@usda.gov>

Cc: "Mahaniah, Kiame J (EHS)" <Kiame.J.Mahaniah@mass.gov>, "Boyle, Sharon (EHS)" <sharon.c.boyle@mass.gov>, "McCue, Jeffrey G (DTA)" <Jeffrey.G.McCue@mass.gov>, "Picone, Lauren (DTA)" <lauren.picone@mass.gov>

Subject: USDA System of Record Notice USDA/FNS-15 and Related Correspondence

Date: Wed, 30 Jul 2025 20:33:24 +0000

Importance: Normal

Attachments: 7.29.25_DTA_FNS_Letter.pdf

Dear Secretary Rollins, Deputy Under Secretary Penn, and Senior Policy Advisor Brand:

Enclosed please find a letter dated July 30, 2025, from the Commissioner of the Massachusetts Department of Transitional Assistance.

Thank you,

Beth Farnham

Executive Assistant to the Commissioner

Commonwealth of Massachusetts

Department of Transitional Assistance (DTA)

(617) 359-6242 Bethany.C.Farnham@mass.gov



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance

MAURA T. HEALEY
GOVERNOR

KIAME MAHANIAH, MD, MBA
SECRETARY

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

JEFF McCUE
COMMISSIONER

July 30, 2025

Via email to Secretary Rollins, Deputy Under Secretary Penn, and Senior Policy Advisor for Integrity Gina Brand

Re: USDA System of Record Notice USDA/FNS-15 and Related Correspondence

Dear Secretary Rollins, Deputy Under Secretary Penn, and Senior Policy Advisor Brand:

The Department of Transitional Assistance (DTA) is in receipt of the July 9, 2025, July 23, 2025, and July 25, 2025 letters from the United States Department of Agriculture Food and Nutrition Services (USDA-FNS) requesting DTA Supplemental Nutrition Assistance (SNAP) data in relation to the System of Records Notice (SORN) published on June 23, 2025, which proposed the creation of a large federal database of SNAP participant information, including sensitive personally identifiable information (PII). The letters demand production of the data by July 30, 2025. DTA notes that on July 28, 2025, the Massachusetts Attorney General and the attorneys general of numerous other states filed a suit to challenge the development of this new system of records and corresponding demands for state-held data, alleging that they are contrary to statute and the Constitution and reflect an arbitrary and capricious departure from past policy. *See California, et al. v. U.S. Dep't of Agriculture, et al.*, Civ. Action No. 3:25-6310 (N.D. Cal.).

Even if the scope of the data demands were lawful, there are significant legal and logistical hurdles that would need to be resolved before DTA could act on the overly burdensome demand by USDA-FNS for the SNAP participant data outlined in the SORN. There has been no clear guidance from USDA-FNS on "other identifiers or data elements maintained by states, vendors and/or contractors to identify SNAP recipients" or "information derived from and associated with EBT transactions." Further, prior to any legally authorized ongoing or large-scale data transmission, DTA follows standard data security protocols, which include negotiating and executing a data sharing agreement or memorandum of understanding to govern the transfer, use, and retention of the data. Indeed, USDA-FNS has not identified (or even approached DTA regarding) the data and security protocols that would serve as a prerequisite for any such large-scale transmission of this highly sensitive data (which includes PII). *See* 7 U.S.C. § 2020(a)(3)(B)(i).

Furthermore, it would be virtually impossible for DTA to comply with the data demand by July 30, 2025. USDA-FNS has demanded over 5 years of data regarding each of DTA's applicants and clients, across multiple data points, including both eligibility and EBT transaction data. The request thus implicates a massive amount of data stored across multiple applications and environments. In light of all of these considerations, the July 30, 2025 deadline for State agencies to submit the SNAP participant and applicant data outlined in the SORN would be unfeasible to meet even if there were no other considerations precluding transmission.

DTA will continue to comply with federal and state law when it comes to awarding and administering benefits, including by ensuring that SNAP is only provided to individuals and families who are eligible, and by continuing to meet our obligations under existing data sharing agreements. For the reasons stated herein, DTA respectfully urges that USDA-FNS withdraw the requests for data delineated in the above-referenced letters or, at minimum, stay the deadline to submit the requested data pending resolution of the litigation referenced above.

If you have any questions, please feel free to contact me at jeffrey.g.mccue@mass.gov, or (617) 301-3192.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff McCue". The signature is fluid and cursive, with the first name "Jeff" and last name "McCue" clearly distinguishable.

Jeff McCue
Commissioner

Copies:

Kiame Mahaniah, Secretary of Health and Human Services
Sharon Boyle, General Counsel, EOHHS
Lauren Picone, General Counsel, DTA

From: "Farnham, Beth C (DTA)" <Bethany.C.Farnham@mass.gov>

To: "patrick.penn@usda.gov" <patrick.penn@usda.gov>

Cc: "Thomson, Cassandra (AGO)" <Cassandra.Thomson@mass.gov>, "Mahaniah, Kiame J (EHS)" <Kiame.J.Mahaniah@mass.gov>, "Cole, Michael (DTA)" <michael.cole@mass.gov>, "Boyle, Sharon (EHS)" <sharon.c.boyle@mass.gov>, "Picone, Lauren (DTA)" <lauren.picone@mass.gov>

Subject: 9.19.25 DTA FNS Letter

Date: Fri, 19 Sep 2025 21:27:27 +0000

Importance: Normal

Attachments: 9.19.25_DTA_FNS_letter.pdf

Dear Deputy Under Secretary Penn:

Enclosed please find a letter dated September 19, 2025, from the Acting Commissioner of the Massachusetts Department of Transitional Assistance.

Thank you,

Beth Farnham

*Executive Assistant to the Commissioner
Commonwealth of Massachusetts
Department of Transitional Assistance (DTA)
(617) 359-6242 Bethany.C.Farnham@mass.gov*



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance

MAURA T. HEALEY
GOVERNOR

KIAME MAHANIAH, MD, MBA
SECRETARY

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

MICHAEL COLE
ACTING COMMISSIONER

September 19, 2025

Sent via E-mail to Patrick.Penn@usda.gov

Patrick Penn
Deputy Under Secretary
Food, Nutrition, and Consumer Services
U.S. Department of Agriculture

Dear Deputy Under Secretary Penn:

The Massachusetts Department of Transitional Assistance is in receipt of your letter dated August 20, 2025 to Governor Healey. We have also received notice of the Court Order filed on September 18, 2025 in California v. USDA, No. 3:25-cv-06310-MMC (N.D. Cal.). In that Order, the Court temporarily enjoined USDA "from acting on the above-discussed formal warning letters, including by disallowing SNAP funding." Because the Order enjoins any actions that would flow from your August 20, 2025 letter, we understand that today's deadline for submitting data or a corrective action proposal has been stayed pending further Court action.

As we have previously stated, our agency will continue to comply with federal and state law when it comes to awarding and administering benefits, including by ensuring that SNAP is only provided to individuals and families who are eligible, and by continuing to meet our obligations under existing data sharing agreements.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Cole".

Michael Cole
Acting Commissioner

Copies:

Cassandra Thomson, Assistant Attorney General, Office of Attorney General Andrea Joy Campbell
Kiame Mahaniah, Secretary of Health and Human Services
Michael Cole, Acting Commissioner, DTA
Sharon Boyle, General Counsel, EOHHS
Lauren Picone, General Counsel, DTA



**Supplemental Nutrition Assistance Program
Information SNAP Database**

SNAP Eligibility Data Elements

The following elements should be included in the data sharing file from each State agency on all household members that are listed in the SNAP case. Please provide a data dictionary if one is available to reduce the burden to both the State agency and USDA.

Case Number: The case number is a unique identifier, typically 7 to 10 digits long, assigned to a household when they apply and/or are approved for SNAP.

First, Middle, Last Names: The full name of all household members.

Known Alias: Assumed or alternative name(s) used by any of the household members.

Authorized Representative(s): Provide any identified authorized representative for the household, and their corresponding information such as full name, means of verbal and written communication.

Date of Birth: The specific month, day and year the household member was born.

Individual Recipient Identification Number: The unique identifier assigned to that specific household member within the case by the State agency.

Social Security Number: The unique 9-digit identifier issued by the Social Security Administration and provided by the household member.

Status on SNAP (recipient/individual level): Identify if the household member in the case is actively receiving SNAP, disqualified, sanctioned, or excluded.

Application and/or Recertification Date: The date the household applied for SNAP (this can be the first application date, or most recent recertification date).

Reporting Status: Following initial certification, or recertification, households are determined to be a simplified or change reporting household. This data element should indicate the reporting status the household has been designated to be.

Relationship: The relationship identifies who all household group members are to one another and assists with determining mandatory group members. The data should reflect who each household member is to one another.

Absent Parent (as applicable): This identifies the parent of a minor child who resides in a separate household.

Citizenship and/or Immigration Status: This identifies if the individual is a U.S. citizen or immigrant.

Sponsorship: This identifies if an individual applying or receiving SNAP has been sponsored to enter the U.S. Data should identify the name or organization of the sponsor.

Residential Address: The address the household has provided as to where they reside.

Mailing Address: The address the household has provided as to where they would like all correspondence sent to (if different than residential).

Homeless Status: Please include if the household is identified as homeless.

Phone Number(s): The contact number(s) provided by the household as a means of contact.

Email Address(es): The email address(es) provided by the household as a means of contact.

Unearned Income: The unearned income (RSDI, unemployment, child support, etc.) identifies the unearned income source, pay frequency, the household member receiving the pay, and the total amount of income budgeted to determine the SNAP allotment.

Earned Income: The earned income identifies the earned income source, pay frequency, the household member receiving the pay, and the total amount of income budgeted to determine the SNAP allotment.

Self-Employment Income: Self-employment should be identified as to what the self-employment is (type or business name), pay frequency, the household member who is self-employed, and the total amount of income budgeted as well as the amount of allowed expenses.

Shelter Expenses: The shelter expenses should be identified as to shelter type (i.e. rent), and the budgeted dollar amount. Shelter expenses may be separated out as various expenses are taken into consideration for eligibility and those should be included if used in the SNAP allotment determination (i.e. telephone, heating, cooling). If the household is active with Section 8, which pays a portion of the rental expenses, please ensure that is included.

Assets/Resources: Any known assets (i.e. bank accounts, boat, collector vehicle) or resources used to determine SNAP eligibility and must identify the asset type, amount and what household member the asset belongs to.

Sanctions/Disqualifications: Identify any household members who are serving a sanction and/or disqualification that is impacting their eligibility to participate in SNAP. The sanction and/or disqualification type and any applicable time periods should be identified (i.e. IPV, 10/1/2024-9/30/2025). This field should correspond to the data provided in the status on SNAP if the household member is currently serving a disqualification, as well as any income field(s) that may pertain to the disqualified member due to income proration.

SNAP EBT Card Number: The unique set of digits on the household's issued SNAP EBT card that connects the case to the associated transactions.



**Supplemental Nutrition Assistance Program (SNAP) Information Database
Fraud, Waste and Abuse Detection Protocol**

1. OVERVIEW

- 1.1. U.S. Department of Agriculture (USDA) and the Food and Nutrition Service (FNS) will use the Supplemental Nutrition Assistance Program (SNAP) recipient data to ensure the integrity of Government programs, including by verifying SNAP recipient eligibility against federally maintained databases, identifying duplicate enrollments for elimination, and performing additional eligibility and program integrity checks specified herein.
- 1.2. This protocol establishes a framework for State SNAP agencies to share data with the USDA/FNS for detection of fraud, waste, and abuse and program integrity purposes.
- 1.3. The protocol balances federal data access requirements under Executive Order 14243 and the Food and Nutrition Act of 2008 (FNA) with privacy protections, minimizes unnecessary data collection, and incorporates security standards while maintaining public trust and compliance with applicable law.

2. FRAMEWORK AND AUTHORITY

2.1. Authority

- 2.1.1. Executive Order 14243 (March 20, 2025): "Stopping Waste, Fraud, and Abuse by Eliminating Information Silos" directs agency heads to "take all necessary steps, to the maximum extent consistent with law," to ensure federal government has "unfettered access to comprehensive data" from state programs receiving federal funding, including data maintained in third-party databases.
- 2.1.2.7 U.S.C. § 2020(a)(3) that requires that each State agency shall keep records as may be necessary to determine whether the program is being conducted in compliance with this chapter, and all records shall be made available for inspection and audit by the Secretary, subject to data and security protocols agreed to by the State agency and Secretary.
- 2.1.3.7 CFR 272 stipulates use or disclosure of information obtained from SNAP applicant or recipient households shall be restricted to persons directly connected with the administration or enforcement of the provisions of the FNA or regulations, other Federal assistance programs, federally-assisted State programs providing assistance on a means-tested basis to low-income individuals, or general assistance programs which are subject to joint processing requirements.

2.2. Prohibited Purposes

2.2.1. USDA shall NOT use the provided data for:

- Tax administration or tax compliance
- Law enforcement investigations beyond coordination regarding criminal and administrative SNAP violations
- Administration of non-SNAP federal assistance programs (e.g., Medicaid, TANF, housing assistance)
- Sharing with foreign governments or international organizations
- Commercial use or transfer to private entities



U.S. DEPARTMENT OF AGRICULTURE

2.2.2. USDA shall collect only the data elements necessary to achieve specific, legally permissible goals, such as fraud detection, duplicate enrollment prevention, and program integrity checks. The scope of data collection shall be limited by excluding sensitive PII unless directly relevant to these goals (*i.e.*, the collection of data elements spelled out in the Privacy Impact Assessment).

3. DATA CATEGORIES

3.1. Data Definition

3.1.1. All data obtained by States or their vendors in administering SNAP or that otherwise may be necessary to determine whether the program is being conducted in accordance with the FNA or regulations issued under the FNA.

3.1.2. Data derived from third-party sources (employment verification databases, financial institution records, property records) that States use for verification but are not part of applicant-reported information are excluded.

3.2. Permitted Data

- Information that the applicant household reported on application/recertification forms including but not limited to personally identifiable information in the form of names, dates of birth, personal addresses used, and Social Security numbers.
- Direct verifications that the State conducted to confirm applicant-reported information Records that the State maintains of SNAP applications, approvals, denials, certifications, and benefits issued.
- Household composition and income exactly as reported by the applicant (not third-party verified amounts).
- Transactional data necessary for fraud detection

4. LIMITED ACCESS

4.1. The SNAP Information Database is accessed and used ONLY by employees of the USDA who are:

- 4.1.1. Designated by the Chief of Staff at Food, Nutrition, Consumer Services (FNCS)
- 4.1.2. Trained in SNAP Act, Privacy Act, and this protocol
- 4.1.3. In compliance with all information security annual recertifications

4.2. No Access to the SNAP Information Database may be provided to:

- 4.2.1. Other USDA agencies (APHIS, ERS, NASS, etc.)
- 4.2.2. Divisions within FNS without an explicit need-to-know
- 4.2.3. OIG employees, unless in direct support of a law enforcement investigation related to SNAP fraud, waste, or abuse
- 4.2.4. Any other federal agency



5. SYSTEM OF RECORDS NOTICE (SORN) AND PRIVACY IMPACT ASSESSMENT (PIA)

5.1. SORN

The applicable SORN for this protocol is USDA/FNS-15 “National Supplemental Nutrition Assistance Program (SNAP) Information Database,” 90 FR 26521.

The SORN location can be found here: <https://www.federalregister.gov/documents/2025/06/23/2025-11463/privacy-act-of-1974-system-of-records>

5.2. Privacy Impact Assessment (PIA)

The applicable Privacy Impact Assessment for the SNAP Information Database can be found here: <https://www.usda.gov/sites/default/files/documents/fns-snap-information-database-pia.pdf>

6. FRAUD, WASTE, AND ABUSE DETECTION FRAMEWORK

6.1. Core Fraud Detection Functions

6.1.1. USDA will employ a foundational fraud, waste, and abuse verification similar to the SNAP Quality Control program that focuses on:

- identity verification
- income and eligibility verification
- immigration status
- verification against disqualified recipients

6.2. Enhanced Fraud, Waste, and Abuse Detection Techniques

6.2.1. In addition to the core fraud detection functions, USDA will employ additional techniques including, but not limited to:

- Intrastate and interstate duplicate detection
- Deceased individuals’ detection
- Synthetic identity patterns (new SSNs with inconsistent biographical data)
- Geographic anomalies

6.2.2. New data mining techniques will be limited to identifying recipient and retailer fraud with a direct nexus to SNAP.

7. DATA OUTPUT

7.1. States

7.1.1. USDA will provide flagged data back to the State agency for review. States are encouraged to verify the accuracy of fraud detection flags and provide feedback to USDA to refine detection logic and reduce false positives. Collaborative processes will be established to ensure accurate identification of fraud and appropriate corrective actions.

7.2. Law Enforcement

7.2.1. The USDA may refer fraud detection leads to USDA OIG and other law enforcement agencies where a criminal nexus has been drawn specifically to SNAP.

7.3. USDA SNAP Retailer Operations Center (ROC)

7.3.1. The USDA may refer fraud detection leads to the ROC where, during fraud detection analysis, a compromised EBT card or terminal ID may have been identified.



8. DATA MINIMIZATION AND RETENTION

8.1. Retention Period

8.1.1. Until a record schedule is approved, data will be retained only as long as necessary for purposes set forth in the SORN and this protocol, and in no case longer than 3 years per the SORN.

8.2. Automatic Deletion

8.2.1. Data shall be retained for no longer than three years, consistent with the USDA/FNS-15 SORN. An automated process will be implemented to delete data upon expiration of the retention period, except for records related to ongoing audits, investigations, or litigation.

8.3. Ongoing Cases

8.3.1. Data pertaining to ongoing audit, investigation, or potential litigation retained only as long as necessary, then deleted.

9. DATA SECURITY AND TECHNICAL REQUIREMENTS

9.1. Infrastructure and Location

9.1.1. Primary storage location: AWS GovCloud (US) region

9.1.2. Backup/disaster recovery: Secondary AWS region

9.1.3. No storage, processing, or backup outside GovCloud or federal secure environments

9.1.4. All infrastructure must meet or exceed FedRAMP High baseline standards

9.1.5. AWS Personnel Access: Data is encrypted such that AWS personnel cannot access unencrypted data. Encryption keys are managed exclusively by federal USDA personnel and are not accessible to AWS or third-party vendors.

9.2. Access Controls

9.2.1. Multi-factor authentication required for all access

9.2.2. Role-based access control (RBAC) with principle of least privilege

9.2.3. Access is limited to specifically designated USDA employees engaged to assist in determining whether the program is being conducted in accordance with the FNA.

9.2.4. Access logging and audit trail maintenance (minimum period equal to data retention period, see Section V.E).

9.2.5. Quarterly access reviews by USDA

9.2.6. Immediate revocation of access upon employee termination or assignment change

9.3. Encryption Standards

9.3.1. Encrypted data at rest and in transit

9.3.2. Encryption keys managed solely by USDA federal personnel

9.3.3. No encryption keys held by commercial vendors

9.4. Data Segregation and Compartmentalization

9.4.1. SNAP data isolated in separate, dedicated AWS GovCloud environment

9.4.2. SNAP data not directly integrated with other USDA systems

9.4.3. Limiting access to individuals with specialized training and oversight



9.5. Data Transfer

9.5.1. All data transfers shall utilize secure tools that meet or exceed FedRAMP High baseline standards.

10. INCIDENT RESPONSE AND BREACH NOTIFICATION

10.1. Incident Response

10.1.1. Incident response procedures are aligned with FNS Handbook Chapter 10 security incident and breach notification requirements that USDA already follows internally. This protocol extends equivalent procedures to State notification.

10.2. Incident Definition

10.1.2. Unauthorized access, use, or disclosure of data

10.1.3. Security vulnerability or control failure affecting data

10.1.4. Data loss, corruption, or destruction

10.1.5. Encryption failure or key compromise

10.1.6. Failed access control or authentication mechanism

10.1.7. Any event that may reasonably be expected to compromise data security or confidentiality

10.3. Incident Notification Timeline

10.3.1. Initial Notification within 12 hours

10.3.1.1. Within 12 hours of discovery (by phone + email to State security/privacy contact and Director).

10.3.2. Preliminary Report within 24 hours

10.3.2.1. Description of incident and timeline

10.3.2.2. Data elements affected (specific fields and estimated number of records)

10.3.2.3. Estimated number of individuals affected

10.3.2.4. Preliminary assessment of whether unencrypted sensitive data may have been exposed

10.3.2.5. Preliminary remedial actions taken

10.3.2.6. Root cause analysis plan and timeline

APPENDIX A - SOURCES

- Privacy Impact Assessment: <https://www.usda.gov/sites/default/files/documents/fns-snap-information-database-pia.pdf>
- SORN: <https://www.federalregister.gov/documents/2025/06/23/2025-11463/privacy-act-of-1974-system-of-records>
- SNAP Act: <https://www.law.cornell.edu/uscode/text/7/2020>
- SNAP QC Handbook
- Executive Order 14243 (March 20, 2025) "Stopping Waste, Fraud, and Abuse by Eliminating Information Silos: <https://www.govinfo.gov/content/pkg/DCPD-202500382/pdf/DCPD-202500382.pdf>

November 24, 2025

Governor Maura Healey
Massachusetts State House
24 Beacon Street
Office of the Governor, Room 280
Boston, Massachusetts 02133

Dear Governor Healey,

Pursuant to 7 U.S.C. § 2020(a)(3), the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS), directs that your State provide to FNS records including the Supplemental Nutrition Assistance Program (SNAP) Eligibility Data Elements for the period of January 1, 2020, to present, listed in Attachment A to this letter. The federal government provided funds to assist your State in collecting these records, and FNS needs the records to determine whether SNAP is being conducted in compliance with law.

Since last summer, 28 States have complied with FNS’s request for this same type of data. FNS’s preliminary review of this data indicates that billions of dollars in federal funds may have been lost due to fraud or other errors undetected by States in their administration of SNAP. Your State, however, has not yet provided FNS the data it seeks, citing the absence of agreed-upon “data and security protocols” specified in 7 U.S.C. § 2020(a)(3). Attachment B to this letter provides a set of data and security protocols that FNS observes with the 28 complying States. This set of protocols, which include FedRAMP High data security, provides a higher level of security than that which States, including your State, historically have accepted in releasing similar data to FNS—including social security numbers and addresses. FNS will inspect and audit the data provided pursuant to this request, and maintain it under the applicable System Of Records Notice, solely for the purposes of “determin[ing] whether the program is being conducted in compliance with [the Food and Nutrition Act of 2008 (FNA)] (including regulations issued under [the FNA].” *See* 7 U.S.C. § 2020(a)(3).

In view of the facts that 28 other States have produced their records to FNS, operating under FNS’s data and security protocols, and that your State previously delivered the same type of data to FNS under *less stringent* protocols than those we set forth in Attachment B, there can be no good faith objection to the attached protocols. In *California, et al v. USDA, et al*, 3:25-cv-06310 (N.D. Calif., July 28, 2025), the Court acknowledged that the plain language of the FNA at 7 U.S.C. § 2020(a)(3) entitles USDA to obtain all the requested records, subject to data and security protocols agreed to by the States and USDA:

“Congress, in the ‘Records’ section of § 2020, did use clear, **mandatory** language, specifically ‘shall ... be made available for inspection and audit,’ thereby **giving USDA the right to obtain**, subject to data and security protocols, all records necessary to determine whether the program is being conducted in accordance with the SNAP Act. See 7 U.S.C. § 2020(a)(3)(B).”

Order Granting Plaintiff States' Motion for Preliminary Injunction, Oct. 15, 2025, 15: 2-6 (emphasis added).¹

Because FNS is operating under a higher level of data security than has proven acceptable to States, including yours, when producing to FNS the same type of information it requests here, we anticipate your State will now join the others in complying with Congress's mandate that USDA be able to obtain records to ensure that its federally-funded programs are being operated in compliance with law.

Our preliminary review of data provided to FNS by States complying with FNS's data requests indicates an estimated average of \$24 million dollars per day of federal funds is lost to fraud and errors undetected by States in their administration of SNAP. That estimated loss will likely increase when data withheld by non-complying States factors into the analysis. Preventing such losses could save approximately \$9 billion or more per year.

We respectfully request that your State respond in writing within seven days of the date of this letter with confirmation of your agreement to produce the requested data to FNS subject to the attached security and data protocols. Because the protection afforded by our data and security protocols exceeds that which your State historically has required before producing the same type of data to FNS, your State should have no difficulty nor reservations agreeing to these protocols. Based on our experience with States complying with FNS data requests, about which we provided notice last summer, your State should be able to produce its records no later than 30 days after the date of this letter. Your State's timely compliance with this letter is essential to safeguarding the public interest in securing federal SNAP funds from loss due to fraud, waste and abuse. If, for some reason, your State declines to produce the requested data subject to the attached protocols, we request that you inform us in writing within seven days of the date of this letter of: (1) the basis for your lack of agreement and (2) any proposed edits to the protocols that you deem necessary to produce the requested data.

In addition, please take all steps necessary to preserve all records covered by this request, whether possessed by your State or your vendors. We expect to be able to review historical data in its native, unaltered form, from January 1, 2020, to the present. It is imperative the Federal

¹ Specifically, 7 U.S.C. § 2020(a)(3)(B) requires that “*such records as may be necessary* to determine whether the program is being conducted in compliance with this [SNAP Act] (including regulations issued under this [SNAP Act])” “**shall be made available**” to USDA (emphasis added). The question presented and ruled upon by the Court in *California* was whether to preliminarily enjoin FNS from disallowing SNAP funding “based on Plaintiff States’ failure to comply with the demands set forth in the above-discussed formal warning letters or otherwise acting thereon.” *Id.* at 25:10–13. Those formal warning letters relied only on 7 U.S.C. § 2020(e)(8)(a), as to which the Court opined that “shall permit” in 7 U.S.C. § 2020(e)(8)(A) is permissive, as contrasted with the “clear, mandatory language” of 7 U.S.C. § 2020(a)(3)(B) “giving USDA the right to obtain” the requested data. *Id.* at 13:25–17:13. USDA respectfully disagrees with an interpretation that “shall permit” allows states to elect to withhold data requested under 7 U.S.C. § 2020(e)(8)(A), and maintains all rights to appeal and otherwise contest such an interpretation.

Government obtains unaltered data reflecting the actual performance of States in administering this federally-funded program for all time periods covered by this request.

Thank you for your continued work to help address the needs of vulnerable Americans and safeguard taxpayer dollars.

Sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Patrick A. Penn
Acting Administrator, Food and Nutrition Service
Deputy Under Secretary, Food, Nutrition, and Consumer Services
U.S. Department of Agriculture

From: SM.FN.NE-SNAPDivision <SM.FN.NE-SNAPDivision@usda.gov>

To: "Jeffrey.G.McCue@mass.gov" <Jeffrey.G.McCue@mass.gov>

Cc: "Cole, Michael (DTA)" <michael.cole@mass.gov>, "Quinn, Erin (DTA)" <erin.quinn@mass.gov>, "Ransom-Canning, Frances (DTA)" <frances.ransom-canning@mass.gov>, "Yarnie, Shelly (DTA)" <shelly.yarnie2@mass.gov>, "Ward, Nola (DTA)" <nola.ward@mass.gov>, "Henschel, Matthew - FNS" <matthew.henschel@usda.gov>, "Krebs, Ashley - FNS" <ashley.krebs@usda.gov>, "Nembhard, Mishka - FNS" <mishka.nembhard@usda.gov>, "Orphanides, Lefki - FNS" <lefki.orphanides@usda.gov>, "English, Kara - FNS" <Kara.English@usda.gov>, "Terio, Jenna - FNS" <Jenna.Terio@usda.gov>, "Mei, Ellen - FNS" <Ellen.Mei@usda.gov>, "Kelley, Diane - FNS" <diane.kelley@usda.gov>, "Fulgencio, Raymond - FNS" <Raymond.Fulgencio@usda.gov>, SM.FN.NE-SNAPDivision <SM.FN.NE-SNAPDivision@usda.gov>

Subject: MA FFY25 APT CAP FNS Response - Approval

Date: Wed, 20 Aug 2025 19:42:39 +0000

Importance: Normal

Attachments: MA_FFY25_APT_CAP_FNS_Response.pdf

Inline-Images: image001.png

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Commissioner McCue,

On behalf of NERO SNAP Director Matthew Henschel, attached please find FNS' approval for Massachusetts' Application Processing Timeliness (APT) Corrective Action Plan (CAP) submitted July 24, 2025.

Thank you for the State's effort in addressing these deficiencies through the corrective action process. If the State has any questions, concerns, or requests additional technical assistance, please reach out to Jenna Terio at (857) 317-5131 or at Jenna.Terio@usda.gov.

Please confirm receipt of this email.

Thank you,
Jenna

Jenna Terio
Program Specialist
SNAP | Program Operations
Northeast Regional Office

 **U.S. DEPARTMENT OF AGRICULTURE**
Food and Nutrition Service
p: (857) 317-5131

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August 20, 2025

Jeffrey McCue, Commissioner
Massachusetts Department of Transitional Assistance
One Ashburton Place, 5th Fl.
Boston, MA 02108

Dear Commissioner McCue:

This letter is in response to the Massachusetts Department of Transitional Assistance (DTA): Application Processing Timeliness (APT) Corrective Action Plan (CAP) submitted to the Food and Nutrition Service (FNS) on July 24, 2025, with revisions submitted on August 1, 2025. FNS finds the State has submitted an acceptable APT CAP in accordance with 7 CFR 275.17.

The State agency identified the following root causes affecting timeliness and developed activities to address timeliness as outlined in the chart below. FNS expects that initiatives outlined, when enacted properly, will be sufficient to come into compliance with Federal application processing requirements.

Root Cause Affecting Timeliness	Activity to Address Timeliness Root Cause	Estimated Implementation Date
1. Low-Yield Cold Call Contact	<ol style="list-style-type: none"> 1. Integrate Monitoring into Supervision 2. Emphasize Standard Use of Cold Call Reports 3. Set Cold Call Connection Rate targets: 	<ol style="list-style-type: none"> 1. Standardize Use of Cold Call Reports - <i>Completed</i> 2. Emphasize Standard Use of Cold Call Reports - <i>September 30, 2025</i> 3. Set Cold Call Connection Rate targets - <i>September 30, 2025</i>
2. Interview Appointments Scheduled at or Beyond the Expedited Processing Window	<ol style="list-style-type: none"> 1. Formation of the Expedited Processing Workgroup 2. Evaluation of Eligibility System Prompts 3. Policy and Job Aid Updates 	<ol style="list-style-type: none"> 1. Formation of the Expedited Processing Workgroup - <i>Completed in June 2025</i>, alerts sent in advance of scheduled interviews - <i>September 30, 2025</i> 2. Evaluation of Eligibility System Prompts - <i>December 31, 2025</i> 3. Policy and Job Aid Updates - <i>December 31, 2025</i>
3. Delayed Recovery After a Missed Interview Appointment	Adjust Call Prioritization	<ol style="list-style-type: none"> 1. Initial Implementation of Call Prioritization Adjustment - <i>October 2024</i> 2. Technical Refinements and User Acceptance Testing to

		Strategic Adjustments of Call Prioritization – <i>October 31, 2025</i> 3. Full Reimplementation with Strategic Adjustments to Call Prioritization: – <i>December 31, 2025</i>
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As part of the CAP, the State agency must submit monthly State agency calculated timeliness rates for the entire SNAP caseload. FNS recommends the State agency submit this data in alignment with the [Updated Guidance for Improving State APT Rates: Standardizing the Escalation Process](#). State APT data that is unable to be validated according to the FNS protocol may be used for monthly monitoring but could not be used to release the State agency from the CAP.

FNS has determined that an appropriate benchmark for measuring progress is 5% improvement in APT every 6 months. FNS will measure the 5% benchmark using the FNS APT data, unless the State decides to provide State APT data in accordance with the protocol above. The State agency's baseline timeliness percentage is an upper bound of 89.43% for the month of July 2024 to December 2024. The State agency's timeliness should be 94.43% by February 2026 to meet the established benchmark above. FNS will continue to meet with the State agency quarterly to provide technical assistance to meet the 5% improvement. If the State agency fails to meet these benchmarks, an advance warning may be issued in accordance with 7 CFR 276.4.

The State agency must submit ongoing CAP updates to FNS by May 1 and November 1 of each year. These updates should include specific progress made with each activity outlined in the CAP and any effect on its timeliness rate that the activity has made. FNS will review the State agency's update and may adjust benchmarks to encourage progress towards an APT timeliness rate of at least 95 percent. FNS will communicate any new or adjusted benchmarks in its response to each CAP update.

FNS will release the State agency from the APT CAP when the State agency has a FNS timeliness rate of 95 percent for two consecutive quarterly reports or State agency data following the State Data Protocol validated by FNS shows a timeliness rate of 95 percent for 6 consecutive months.

Thank you for the State agency's effort in addressing these deficiencies through the corrective action process. For questions, concerns, or additional technical assistance, please contact Jenna Terio at Jenna.Terio@usda.gov.

Sincerely,

MISHKA

NEMBHARD

Digitally signed by
MISHKA NEMBHARD
Date: 2025.08.20
13:42:02 -04'00'

For

Matthew Henschel, Director
Supplemental Nutrition Assistance Program
Northeast Region

cc: Birabwa Kajubi
Erin Quinn
Frances Ransom
Nola Ward
Shelly Yarnie