



Food and
Nutrition
Service

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Center

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SUBJECT: SNAP – Restrictions on SNAP Client and Retailer Data Sharing
between State Agencies and FINI Grantees

TO: All FINI grantees, all FNS Regional Offices, and all SNAP State
Agencies

DATE: 08/04/2017

This letter provides guidance to Food Insecurity Nutrition Incentive (FINI) grantees, Food and Nutrition Service (FNS) Regional Offices, and Supplemental Nutrition Assistance Program (SNAP) State Agencies on whether the sharing of SNAP recipient and SNAP retailer data is allowed in relation to the FINI.

While some FINI grantees have proposed to obtain SNAP recipient and/or retailer data from SNAP State Agencies in order to simplify their self-evaluation efforts and improve their grant project promotion efforts, there are statutory and regulatory restrictions on the kinds of data that State Agencies can share with entities not directly associated with the administration and enforcement of SNAP.

SNAP recipient information is protected under Section 11(e)(8)(A) of the Food and Nutrition Act of 2008 (the Act) and SNAP regulations at 7 CFR §272.1(c)(1). SNAP retailer information is protected under Section 9(c) of the Act and SNAP regulations at 7 CFR §278.1(q). In addition, Section D of the 2017 FINI Request for Applications (RFA) and Questions 6 and 10 of the August 2016 FINI Frequently Asked Questions (FAQs) document provide that sensitive SNAP recipient and SNAP retailer data are prohibited from disclosure by State Agencies to FINI grantees. As such, SNAP State Agencies may not disclose SNAP recipient and/or retailer data to FINI grantees. Moreover, any requests to disclose or share SNAP recipient and/or SNAP retailer data will not be approved by FNS for any FINI grantee.

FNS appreciates the importance of grant project promotion and grantees' project self-evaluation. While the sharing of client and/or retailer data is not allowed for evaluation or for promotional purposes, FINI grantees do have tools available to assist with their evaluation and promotional efforts.

All FINI grantees, all FNS Regional Offices, and all SNAP State Agencies
Page 2

First, the FNS policy memorandum issued on November 1, 2016 at: <https://www.fns.usda.gov/sites/default/files/snap/Allowable-Promotion-Memo.pdf> lifted restrictions on certain forms of grant project promotion. FINI grantees may advertise their FINI grant projects in many ways including, but not limited to, radio, television, billboards, other signage, and social media. In addition, while it is not allowable to obtain names and mailing addresses for SNAP recipients from a SNAP State Agency, FINI retailers may perform direct mailing promotion campaigns using lists gleaned from other sources, such as the records associated with participating retailers' loyalty cards.

Second, the FINI grantees' self-evaluations are also an excellent tool in assessing the relative effectiveness of different methods of incentivizing fruit and vegetable purchases by SNAP recipients. FINI grantees can gather the data needed for their self-evaluations directly from the retailers and recipients participating in their grant projects using surveys and other tools. Any sensitive recipient or retailer data collected must be retained in a secured environment and parameters must be set for the timely, secure destruction of the data collected.

If you have any questions, please contact Daniel Cline on my staff at Daniel.Cline@fns.usda.gov or (703)-605-4388.

Sincerely,

/s/

Andrea Gold
Director
Retailer Policy and Management Division
Supplemental Nutrition Assistance Program