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United States
Department of
Agriculture

SUBJECT: Routine Checks with Neighboring States to Prevent Duplicate
Participation and Performing Deceased and Prisoner Verification Matches

Food and
Nutrition
Service

TO: Regional Directors
Supplemental Nutrition Assistance Program
All Regions

3101 Park
Center Drive

Alexandria, VA
22302-1500

The purpose of this memo is to address concerns regarding individuals receiving Supplemental Nutrition Assistance Program (SNAP) benefits who are not eligible, due to dual participation, because they are deceased or because they are incarcerated. Preventing and detecting such situations is an important component of program integrity.

The Food and Nutrition Service (FNS) expects that all States perform a match against the Social Security Administration's (SSA) Death Master File to ensure that no benefits are collected under the name of a deceased person. The deceased matching requirement was enacted by Public Law 105-379 on November 12, 1998. Public Law 105-379, which amended Section 11 of the Food Stamp Act of 1977¹ (7 U.S.C 2020), required all State agencies to enter into a cooperative arrangement with the SSA to obtain information on individuals who are deceased, and use the information to verify and otherwise ensure that benefits are not issued to such individuals. The mandated requirements were implemented by FNS directive to all SNAP State agencies on February 14, 2000, prior to the law going into effect on June 1, 2000. State agencies are responsible for entering into a matching agreement with SSA in order to access information on deceased individuals.

Further, Section 1003 of the Balanced Budget Act of 1997 (Public Law 105-33) amended Section 11(e) of the Food Stamp Act of 1977 (7 U.S.C. 2020(e)) to require States to establish systems and take periodic action to ensure that an individual who is detained in a Federal, State, or local penal, correctional, or other detention facility for more than 30 days shall not be eligible to be counted as a household member participating in SNAP.

FNS is in the process of promulgating regulations to codify both the prisoner and death match requirements. While FNS expects States to meet these statutory requirements now, FNS will have a final regulation published in fiscal year 2012.

Finally, Section 11(e)(18) of the Food and Nutrition Act requires that the State agency establish a system and take action on a periodic basis "to verify and otherwise ensure that an individual does not receive benefits in more than one jurisdiction within the State." The regulations at 7 CFR 272.4(e)(1) similarly state that each State agency shall establish a system to assure that no individual participates more than once in a month, in more than one jurisdiction, or in more than one household within the State. Additionally, FNS

¹ The Food Conservation and Energy Act of 2008 (FCEA) renamed the Food Stamp Act of 1977 to the Food and Nutrition Act of 2008.

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encourages border States to execute agreements to share data on individuals receiving SNAP to determine if an individual or household is already receiving SNAP benefits in another neighboring State. FNS expects States to routinely perform these checks in order to ensure that only those who are eligible receive SNAP benefits.

Please share this information with your States. If you have any questions about this policy, please contact Christine Daffan at 703-305-2473.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Griffin", with a stylized flourish at the end.

Laura Griffin
Acting Director
Program Accountability and Administration Division