
FOOD AND NUTRITION SERVICES MANUAL
GENERAL PROCEDURES & REQUIREMENTS
FNS 125 DISCLOSURE OF INFORMATION AND INQUIRIES

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125.01 DISCLOSURE OF INFORMATION

In accordance with Section 11(e)(8) of the Food Stamp Act (7 U.S.C. 2020) and 7 CFR 272.1(c), the agency must restrict the use of information obtained from applicant or recipient households, exclusively for the program, to:

- A. Persons directly connected with the administration and enforcement of the Food and Nutrition Services (FNS) Program or with other federal assistance programs or federally assisted State programs that provide assistance on a means-tested basis to low-income individuals.
- B. Persons directly connected with the administration or enforcement of the programs which are required to participate in the State Income and Eligibility Verification System (IEVS) to the extent that FNS information is useful in establishing or verifying eligibility or benefit amounts under those programs.
- C. Persons directly connected with the verification of immigration status of aliens applying for Food and Nutrition Services benefits, through the Systematic Alien Verification for Entitlement (SAVE) Program, to the extent the information is necessary to identify the individual for verification purposes.
- D. Persons directly connected with the administration of the Child Support Program under Part D, Title IV of the Social Security Act in order to assist in the administration of that program.
- E. Employees of the Secretary of Health and Human Services, as necessary, to assist in establishing or verifying eligibility or benefits under Titles II and XVI of the Social Security Act.
- F. Employees of the Comptroller General's Office of the United States for audit examination authorized by any other provision of law.
- G. Persons directly connected with nutrition education and outreach efforts may be provided with the names and addresses of participating households.
- H. Local, State, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food Stamp Act or regulation. The request must include the identity of the individual requesting the information and his authority to do so, violation being investigated, and the identity of the person on whom the information is requested.
- I. The agency must make available, upon written request by any law enforcement officer (including parole/probation officials), the address, social security number (SSN), and photograph (if available) of any active or inactive Food and Nutrition Services recipient if the officer furnishes the recipient's name and notifies the agency that :
 - 1. The recipient is fleeing to avoid prosecution, custody, or confinement for a felony; or

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2. The recipient is violating a condition of parole or probation; or
3. The recipient has information necessary for the officer to conduct an official duty related to a felony parole violation for a household member.

NOTE: Recipients of information released under 130.01 A. of this section must adequately protect the information against unauthorized disclosure to persons or for purposes not specified in this section. In addition, information received through the Income and Eligibility Verification System (IEVS) must be protected from unauthorized disclosure as required by regulations established by the information provider. Information released to the agency pursuant to Section 6103(1) of the Internal Revenue Code of 1954 is subject to the safeguards established by the Secretary of the Treasury in Section 6103(1) of the Internal Revenue Code and implemented by the Internal Revenue Service in its publication, Tax Information and Security Guidelines.

125.02 INQUIRIES

A. Congressional Inquiries

The Food and Nutrition Services Program policy makes case file information available to individuals outside the administration of the program when the subject of the case file agrees to the review in writing. A congressional inquiry, or inquiry by other government officials at the State level, on behalf of a household, can be construed as meeting this requirement. Therefore, any request for case file information that originated from an inquiry by the household for which the information is requested should be honored. In any case, when there is doubt that the household wants the information released, contact the household regarding their wishes.

B. Collateral Contacts

Information divulged as a necessary part of the collateral contact process required by this manual is not a violation of the disclosure of information provisions of the Food and Nutrition Services Program.

C. Written Request by a Household

If there is a written request by a responsible member of the household, its currently authorized representative, or a person acting on its behalf to review materials contained in its case file, make material and information in the case file available for inspection during normal business hours. However, the county department may withhold confidential information, such as the names of individuals who have disclosed information about the household without the household's knowledge or the nature or status of pending criminal prosecutions.