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June 16, 2025

James Miller

Administrator, Food and Nutrition Service
U.S. Department of Agriculture
1320 Braddock Place
Alexandria, VA 22314

**Re: Comments on Proposed Rule, "Supplemental Nutrition Assistance Program:
Rescission of Changes to Civil Rights Data Collection Methods" (Docket No. FNS-2025-
0006; RIN: 0584-AF19)**

Dear Administrator Miller,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the civil and human rights of all persons in the United States, and its Census Task Force co-chairs, Asian Americans Advancing Justice | AAJC and NALEO Educational Fund, we write in strong opposition to the proposed rescission of the 2023 Final Rule that prohibited visual observation and required state agencies to collect voluntary, self-reported race and ethnicity data from Supplemental Nutrition Assistance Program (SNAP) participants.

The 2023 Final Rule was the result of extensive stakeholder input and a long-overdue recognition that collecting race and ethnicity data through visual observation is an outdated and deeply flawed practice. The rule removed references to visual observation from SNAP data collection regulations and made clear that demographic information must be solicited through voluntary self-identification. It also established the Food and Nutrition Service's (FNS) responsibility to provide future guidance on best practices for collecting these data and to monitor how states implement those practices. These changes were a meaningful step toward ensuring consistency, accuracy, and fairness in how participant data are gathered across the country.

The 2023 Final Rule is grounded in established federal principles for statistical data collection, including the foundational guidance in Statistical Policy Directive No. 15, which states that "wherever possible, race and/or ethnicity data should be collected through self-report." This guidance reflects the understanding that individuals are the most authoritative sources of their own identities. In contrast, visual observation introduces substantial risk of misclassification, particularly for individuals of mixed heritage or those who do not identify with common racial and ethnic categories. These potential inaccuracies are not merely

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technical concerns; they would compromise the quality of national data, hinder accurate program evaluation, and obscure disparities that SNAP is intended to help address.

Rescinding this rule would degrade the integrity of demographic data about SNAP participants and undercut the very purpose of collecting the information. Allowing states to revert to observation-based methods would result in inconsistent practices across jurisdictions and eliminate comparability at the national level. This rescission would undermine the Department of Agriculture's ability to understand whether SNAP is reaching all communities fairly and to make improvements to the program's efficiency. It also creates opportunities for manipulation by weakening the standards that safeguard how demographic data are collected and used. In the absence of clear, self-reported data protocols, states may adopt inconsistent or biased approaches that obscure who is being served, opening the door to misrepresentation, misuse, or politically motivated narratives that could undermine the integrity of the program.

Rolling back the 2023 rule would reintroduce ambiguity into SNAP operations, and send the wrong message about the value of reliable, participant-centered data in federal programs. It would set a precedent for accepting inconsistent, potentially biased data collection methods, and would diminish trust among the communities served by SNAP.

We strongly urge the department to withdraw this proposed rescission and retain the requirement that race and ethnicity data for SNAP participants be collected through voluntary self-identification, as federal statistical policy provides. Discarding the 2023 Final Rule would reverse years of progress toward better data quality and deeper understanding of how underlying needs of individuals and communities are met. The department must affirm that SNAP, and all federal programs, are built on data practices that respect the individuals they serve, produce reliable insights, and support fair and effective administration.

Thank you again for your timely attention to this critical issue. If you have any questions, please contact Meeta Anand, senior program director of census and data equity at The Leadership Conference on Civil and Human Rights, at anand@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights
Asian Americans Advancing Justice | AAJC
NALEO Educational Fund