



# DCF Legislative Testimony

February 05, 2026

**TESTIMONY OF:** Marc Altenbernt, General Counsel, Department for Children and Families

**TESTIMONY ON: Opponent, Written Only:** HB 2491 - AN ACT concerning state agencies; requiring quarterly reports to the secretary of state of the names and addresses of noncitizens receiving public-funded benefits

## DCF | HB 2491 | OPPONENT

Chair Proctor and members of the committee, thank you for the opportunity to speak on HB 2491 - Requiring state agencies to make quarterly reports to the secretary of state with the names and addresses of noncitizens receiving public benefits.

Federal benefits are not available to undocumented illegal aliens. There are few circumstances within each program in which a legally residing non-citizen may receive federal benefits.

Depending on the program and the verification source, federal regulations prohibit the sharing of this information. The SNAP (Supplemental Nutrition Assistance Program) heavily regulates what data can be shared and with whom, while Child Care and Temporary Assistance for Needy Families (TANF) have few restrictions on participant data.

DCF is tasked with maintaining SNAP data that is necessary to determine whether the program is being conducted in compliance with Federal law regarding the administration of the SNAP program (7 U.S.C. 2020(a)(3)(A)). The SNAP data held by DCF is to be made available for inspection by the USDA for auditing purposes (7 U.S.C. 2020(a)(3)(B)). DCF must otherwise protect the data from disclosure for any reason other than the following:

- Disclosure of the information is permitted to “persons directly connected with the administration or enforcement of the provisions of this chapter, regulations issued pursuant to this chapter, Federal assistance programs, or federally assisted State programs;
- The subsequent use of the information contained in paragraph 1 above, but “only for such administration and enforcement;”
- Use by the “Comptroller General of the United States for audit and examination authorized by any other provision of the law;”
- Information obtained “from an applicant household shall be made available...to law enforcement for the purpose of investigating an alleged violation of this chapter or any regulation issued under the chapter;”
- Information may be given to the agencies of the Federal Government for purposes of collecting the amount of over issuance of benefits;
- Information such as “address, social security number, and photograph of any member of a household if the law enforcement officer furnishes the State agency with the name of the member and notifies the agency that the member is fleeing to avoid prosecution, or custody or confinement, or is violating a condition of probation or parole;”
- “For the immediate reporting to the Immigration and Naturalization Service by the State agency...that a member of a household is ineligible to receive SNAP benefits because that member is present in the United States” illegally.

Due to the above federal rules, the agency would be unable to provide the names or addresses of those receiving SNAP to the Secretary of State's Office.

Additionally, SNAP is limited to a small number of individuals who are not residents and reside in the United States. Citizenship requirements, since the passing of H.R.1 are below:

- A citizen or national of the United States, OR
- An alien who has been granted the status of Cuban or Haitian Entrant (CHE) as defined in section 501(e) of the Refugee Education Assistance Act of 1980, OR
- An individual who lawfully resides in the United States in accordance with a Compact of Free Association referred to in section 402(b)(2)(G) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, OR
- A Lawful Permanent Resident (LPR) after 5-year waiting period or LPR that meets a qualifying condition.

HB 2491 has no fiscal impact on the Department for Children and Families.

Thank you for the opportunity to provide information on the agencies inability to implement HB2491.