

No. 25-2089

**IN THE UNITED STATES COURT OF APPEALS FOR THE FIRST
CIRCUIT**

RHODE ISLAND STATE COUNCIL OF CHURCHES; NATIONAL COUNCIL OF NONPROFITS; SERVICE EMPLOYEES INTERNATIONAL UNION; MAIN STREET ALLIANCE; CITY OF CENTRAL FALLS; CITY OF PAWTUCKET; CITY OF PROVIDENCE; CITY OF ALBUQUERQUE; CITY OF BALTIMORE; CITY OF COLUMBUS; CITY OF DURHAM; CITY OF NEW HAVEN; AMOS HOUSE; DR. MARTIN LUTHER KING, JR. COMMUNITY CENTER; EAST BAY COMMUNITY ACTION PROGRAM; FEDERAL HILL HOUSE ASSOCIATION; THE MILAGROS PROJECT; UNITED WAY RHODE ISLAND; NEW YORK LEGAL ASSISTANCE GROUP; BLACK SHEEP MARKET,

Plaintiffs-Appellees, v.

BROOKE ROLLINS; UNITED STATES DEPARTMENT OF AGRICULTURE; RUSSEL VOUGHT, in his official capacity as Director of the United States Office of Management and Budget; UNITED STATES OFFICE OF MANAGEMENT AND BUDGET; SCOTT BESSENT, in his official capacity as Secretary of the United States Department of Treasury; and UNITED STATES OF AMERICA,

Defendants-Appellants.

On Appeal from the United States District Court for the District of Rhode Island
(Case No. 25-cv-00569-JJM-AEM)

**BRIEF OF BIPARTISAN FORMER GOVERNORS AS *AMICI CURIAE* IN
SUPPORT OF PLAINTIFFS-APPELLEES AND AFFIRMANCE**

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RULE 29 STATEMENTS

This brief is filed with the consent of all parties who responded as of time filing pursuant to Federal Rule of Appellate Procedure 29(a)(2). No part of this brief was authored, in whole or in part, by counsel for any party. No person, including but not limited to any party or party's counsel, other than amici, contributed any money to fund the preparation or submission of this brief. *See* Fed. R. App. P. 29(a)(4)(E).

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IDENTITY AND INTEREST OF *AMICI CURIAE*

Amici curiae are a bipartisan group of former governors of various states who have directly witnessed the critical importance of Supplemental Nutrition Assistance Program (SNAP) benefits to their respective states. During their tenures, *amici* and their administrations collaborated extensively with the United States Department of Agriculture (USDA) and the federal government to ensure the efficient distribution of SNAP benefits, including processing applications, determining eligibility, and distributing the benefits to their states' most vulnerable populations. As governors, *amici* bore the responsibility to provide the best possible services, resources, and aid to every person in their states and to safeguard their residents' health, safety, and well-being. Each of the undersigned *amici* depended on SNAP—and its reliable disbursement—to help fulfill that mission.

The undersigned former governors represent diverse political affiliations, geographies, and tenures, yet they are unified in their recognition that the continuous distribution of SNAP benefits is critical to populations across the county, based on their firsthand experience with the program's tangible benefits to states, local communities, and individuals. The former governor *amici* in support of this brief are:

Janet Napolitano, former Governor of Arizona (2003-2009)

Jerry Brown, former Governor of California (1975-1983, 2011-2019)

Gray Davis, former Governor of California (1999-2003)

Jack Markell, former Governor of Delaware (2009-2017)

Tom Vilsack, former Governor of Iowa (1999-2007)

Bill Graves, former Governor of Kansas (1995-2003)

Kathleen Sebelius, former Governor of Kansas (2003-2009)

Deval Patrick, former Governor of Massachusetts (2007-2015)

Bill Weld, former Governor of Massachusetts (1991-1997)

Jennifer M. Granholm, former Governor of Michigan (2003-2011)

Arne Carlson, former Governor of Minnesota (1991-1999)

Marc Racicot, former Governor of Montana (1993-2001)

Roy Cooper, former Governor of North Carolina (2017-2025)

Eliot Spitzer, former Governor of New York (2007-2008)

Theodore Strickland, former Governor of Ohio (2007-2011)

Terry McAuliffe, former Governor of Virginia (2014-2018)

Christine Gregoire, former Governor of West Virginia (2005-2013)

Gary Locke, former Governor of West Virginia (1997-2005)

Jim Doyle, former Governor of Wisconsin (2003-2011)

INTRODUCTION AND SUMMARY OF ARGUMENT

State governors and their administrations rely on critical federally-assisted food benefits to provide for their most vulnerable constituents. For decades, those benefits have been one of the most successful examples of federal-state partnerships. SNAP has reduced food insecurity and, as a corollary, improved child development, health outcomes, and poverty. SNAP has also boosted local economies, supporting, in particular, the American agriculture industry. What’s more, by improving health outcomes for families in need, SNAP creates substantial savings for the federal government that more than repay the federal investment in the program.

Until now, governors, states, and local communities could depend on SNAP. It has always been above politics, even during previous government shutdowns. Today’s unprecedented halt in SNAP funding leaves states handicapped in their ability to address urgent hunger. And while partial payments are better than none, retrofitting states’ complex disbursement systems to provide partial payments may ultimately prove ineffective. *Amici*, as former governors of diverse states, have unique insight into the crisis states face as a result of the freeze in SNAP funding. They urge this Court to deny any stay and to affirm the district court’s relief.

ARGUMENT

SNAP benefits have long been a critical—and uninterrupted—tool for states to safeguard the health and safety of citizens in need. Federally-subsidized food

assistance began as a pilot program in 1939 during the Great Depression and became permanent nationwide in 1964.¹ Since then, Congress has refined, adjusted, and improved the program many times—but Congress has never interrupted it.² This history reflects a fundamental truth: Improving access to food improves lives, and it bolsters local economies. Without full funding, states face an unprecedented emergency for their most vulnerable populations.

I. SNAP Benefits Are Essential to States’ Ability to Care for Their Citizens’ Well-Being

SNAP is the nation’s largest nutrition assistance program. Each month, 41.7 million people across the nation depend on SNAP to feed themselves and their families.³ SNAP recipients live in every community and represent every demographic. Around 1.2 million SNAP beneficiaries are veterans.⁴ Nearly 20 percent—about 8 million—are over the age of 60. Nearly 40 percent—over 16 million—are children. Nearly 5 million are under the age of 5.⁵ *Amici*, through their

¹ *A Short History of SNAP*, U.S. Dep’t of Agric., <https://www.fns.usda.gov/snap/history> (last updated Aug. 29, 2025).

² *Id.*

³ *Supplemental Nutrition Assistance Program (SNAP)—Key Statistics and Research*, U.S. Dep’t of Agric. (July 24, 2025), <https://www.ers.usda.gov/topics/food-nutrition-assistance/supplemental-nutrition-assistance-program-snap/key-statistics-and-research> (hereinafter “SNAP Key Statistics”).

⁴ Luis Nunez, *SNAP Helps 1.2 Million Veterans with Low Incomes, Including Thousands in Every State*, Ctr. on Budget & Pol’y Priorities (updated Apr. 2, 2025), <https://www.cbpp.org/research/food-assistance/snap-helps-12-million-veterans-with-low-incomes-including-thousands-in>.

⁵ SNAP Key Statistics.

work overseeing the SNAP state-federal partnership and administering SNAP benefits to their constituents, know first-hand the impact SNAP makes in the lives of millions. SNAP’s effects start first with the immediate reduction of food insecurity. But the benefits don’t stop there. SNAP in turn improves child development, improves health outcomes, and alleviates poverty.

A. SNAP Reduces Food Insecurity, Providing a Path to Health.

The profound benefits of allowing hungry people to eat should be self-evident. SNAP is designed to provide targeted aid only to the nation’s most vulnerable. It has “one of the most rigorous eligibility determination systems of any federal benefit program.”⁶ To be eligible, a recipient’s gross household income generally must fall below 130 percent of the poverty line.⁷

Given these levels of need, SNAP makes a significant difference in reducing food insecurity and hunger. According to the USDA’s Economic Research Service (ERS), food security—which is “a leading indicator of well-being among vulnerable households”—improves immediately after the date of a recipient’s SNAP disbursement.⁸ By contrast, the SNAP “benefit *decreases* reduced food spending

⁶ *The Supplemental Nutrition Assistance Program (SNAP)*, Ctr. on Budget & Pol’y Priorities (Nov. 25, 2024), <https://www.cbpp.org/research/food-assistance/the-supplemental-nutrition-assistance-program-snap> (hereinafter “*Supplemental Nutrition Assistance Program*”).

⁷ *A Quick Guide to SNAP Eligibility and Benefits*, Ctr. on Budget & Pol’y Priorities (Oct. 3, 2025), <https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits>.

⁸ SNAP Key Statistics.

and led to higher rates of food insecurity and very low food security.”⁹ According to another study, SNAP food assistance reduces the overall prevalence of food insecurity by as much as 30 percent.¹⁰

Without full SNAP benefits—which historically average around \$188 per month¹¹—many families face genuine crisis. A local food bank in New Mexico, for example, recently reported “seeing panic” among the 83,000 households it served each week at the prospect of frozen funds.¹² In New Hampshire, a 35-year-old mother described the situation as “reminiscent to disaster preparing,” explaining she might have to choose between food and her daughter’s daycare.¹³ As these examples show, SNAP is a lifeline to many people in need.

⁹ *Id.* (emphasis added).

¹⁰ Caroline Ratcliffe, Signe-Mary McKernan, & Sisi Zhang, *How Much Does the Supplemental Nutrition Assistance Program Reduce Food Insecurity?*, 93 *Am. J. Agric. Econ.* 1082 (2011), <https://pmc.ncbi.nlm.nih.gov/articles/PMC4154696/>.

¹¹ Paul Massari, *How SNAP Cuts Will Impact American Communities*, Harvard Kenneth C. Griffin Graduate School of Arts and Sciences (July 2, 2025), <https://gsas.harvard.edu/news/how-snap-cuts-will-impact-american-communities>.

¹² Aimee Picchi & Mary Cunningham, *With Food Stamps Set to Dry Up Nov. 1, SNAP Recipients Say They Fear What’s Next*, CBS News (updated Nov. 1, 2025, 7:43 am EDT), <https://www.cbsnews.com/news/snap-benefits-food-stamps-november-shutdown/>.

¹³ Aria Bendix et al., *As SNAP recipients brace to receive less, panic, political infighting and misinformation swirl*, NBC News (Nov. 3, 2025, 6:06 pm EST), <https://www.nbcnews.com/news/us-news/snap-partial-benefits-november-rcna241605>

B. SNAP Is Critical for Child Development.

SNAP benefits also have important downstream effects, including for child development. Nearly 40 percent of SNAP’s 42 million beneficiaries are children, for whom the effects of food insecurity are particularly insidious.

Food insecurity among the very young can lead to irreversible physical and cognitive impairments and developmental setbacks. Among those younger than 5, food insecurity directly contributes to slower brain development, impeding children’s progress and outcomes for the rest of their lives.¹⁴

For school-age children and adolescents, food insecurity “negatively impacts ... social, emotional, and behavioral development,” and “exacerbates their risk for behavioral issues that interfere with learning and achieving academic success.”¹⁵ Indeed, a “growing body of literature” shows that food insecurity has “a high correlation with mental health issues, depression, and anxiety.”¹⁶ Adolescents who lack steady access to food are less likely to attend school regularly, and when they do attend, empty stomachs often correlate to difficulty paying attention, negatively

¹⁴ Rubab Qureshi et al., *Food Insecurity in Early Childhood*, Am. Nurse (Jan. 6, 2025), <https://www.myamericannurse.com/food-insecurity-in-early-childhood/>

¹⁵ *Research Brief: The Connections Between Food Insecurity, the Federal Nutrition Programs, and Student Behavior* Food Rsch. & Action Ctr. at 1 (2018), <https://frac.org/wp-content/uploads/breakfast-for-behavior.pdf>

¹⁶ Morgan Coulson, *What is SNAP? And Why Does It Matter?*, Johns Hopkins Bloomberg Sch. Pub. Health (Oct. 29, 2025), <https://publichealth.jhu.edu/2025/what-is-snap-and-why-does-it-matter>. (hereinafter “*What is SNAP? And Why Does It Matter?*”).

impacting academic outcomes. Researchers have also concluded that, for children and teenagers, anxiety alone about where a next meal may be coming from adversely impacts development and behavior.¹⁷ These early struggles lead to decreased employment opportunities—ultimately perpetuating the cycle and putting greater burdens on states and local communities to step in and fill in the gaps.¹⁸

SNAP has a proven track record in improving outcomes for young people and their communities. Studies reveal that, when benefits increased, “children in families receiving SNAP were *significantly* more likely to be classified as ‘well’ than young children whose families were eligible but did not receive SNAP.”¹⁹ Over their lifetimes, the health and development of these children have huge impacts in their communities and states, as *amici* know firsthand. One study estimated that every SNAP dollar invested in children, over the long-term, returns \$62 dollars in value through increases in economic self-sufficiency, human capital, and increases in life expectancy—and a corresponding decrease in likelihood of being incarcerated.²⁰

¹⁷ Danielle Gallegos et al., *Food Insecurity and Child Development: A State-of-the-Art Review*, 18 Int’l J. Env’t Rsch. Pub. Health 14 (2021), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8431639/>.

¹⁸ *Id.*

¹⁹ *Boost to SNAP Benefits Protected Young Children’s Health*, Children’s Healthwatch (Oct. 2011), https://childrenshealthwatch.org/wp-content/uploads/SNAPincrease_brief_October2011.pdf (emphasis added).

²⁰ Martha J Bailey et al., *Is the Social Safety Net a Long-Term Investment? Large-Scale Evidence From the Food Stamps Program*, 91 Rev. Econ. Stud.1291 (2024), <https://academic.oup.com/restud/article-abstract/91/3/1291/7191876?login=true>.

Another study concluded that lower food insecurity was associated with “higher perceived neighborhood safety and social cohesion,” as well as “lower police-recorded violent crime rates.”²¹

To be sure, children are not the only vulnerable population that relies on SNAP benefits. In total, two-thirds of SNAP participants are children, the elderly, or individuals with disabilities. ²²

C. SNAP improves overall health and reduces poverty.

As the USDA reports, “SNAP benefits reduced the depth and severity of poverty experienced by recipient households, especially among children, who experience higher poverty rates than the population at large.”²³ SNAP’s benefits take three key forms: health gains, reduced financial stress, and income stabilization.

First, greater food security leads to downstream gains in health. Food insecurity results in “nutrient deficiencies, resulting in malnutrition, which in turn can weaken the immune system, making individuals more susceptible to infections.”²⁴ Such conditions can also “contribute to poor oral health, including

²¹ Gabrielle DiFiore et al., *Associations Between Food Insecurity and Neighborhood Safety, Social Cohesion, Social Control, and Crime Among Mothers of Preschool-Aged Children*, 33 *J. Health Care Poor Underserved* 1258 (2022), <https://pubmed.ncbi.nlm.nih.gov/36245162/>.

²² *Id.*

²³ Joseph Llobera & Lauren Hall, *SNAP Provides Critical Benefits to Workers and Their Families*, Ctr. on Budget & Pol’y Priorities (Apr. 28, 2025), <https://www.cbpp.org/research/food-assistance/snap-provides-critical-benefits-to-workers-and-their-families> (hereinafter “*SNAP Provides Critical Benefits to Workers and Their Families*”).

²⁴ *What is SNAP? And Why Does It Matter?*

tooth decay and gum disease.”²⁵ Often, individuals with food insecurity have limited access to healthy, nutrient-dense foods, and must rely on the cheapest available options. Over the long run, economically-induced poor diet is linked to chronic diseases such as obesity, heart disease, and diabetes.²⁶ And the resulting “overall increased need for care culminates in higher health care costs.”²⁷ Additional figures show that low-income SNAP participants incur nearly 25 percent less in medical care costs, compared to those who do not participate.²⁸ These costs are then passed on to the broader community. Indeed, research shows that once SNAP benefits were increased in Massachusetts, the cost growth for the Medicaid population decreased.²⁹

Second, SNAP alleviates poverty and financial stress on families. Specifically, studies show that SNAP “eases the financial tradeoffs families must

²⁵ *Id.*

²⁶ Angela Odoms-Young et al., *Food Insecurity, Neighborhood Food Environment, and Health Disparities: State of the Science, Research Gaps, and Opportunities*, 119 *Am. J. Clin. Nutr.* 850 (2023), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10972712/#:~:text=Food%20insecurity%20and%20the%20lack, strategies%20to%20address%20these%20disparities.>

²⁷ *What is SNAP? And Why Does It Matter?*

²⁸ Ty Jones Cox, *Building on SNAP’s Effectiveness in the Farm Bill*, *Ctr. on Budget & Pol’y Priorities* (Apr. 19, 2023), <https://www.cbpp.org/research/food-assistance/building-on-snaps-effectiveness-in-the-farm-bill>.

²⁹ Rajan Anthony Sonik, *Massachusetts Inpatient Medicaid Cost Response to Increased Supplemental Nutrition Assistance Program Benefits*, *Am. J. Pub. Health* (Mar. 2016), <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2015.302990> (hereinafter “*Massachusetts Inpatient Medicaid Cost Response to SNAP Benefits*”).

make as they strive to bring their budgets into balance, and may starve off material hardship in a variety of domains.”³⁰ For instance, SNAP may mean that a single mother need not choose between food for herself or for her children, or feeding her family or paying for rent, diapers, or electricity.

Third, and relatedly, SNAP often stabilizes income for low-wage workers. Many individuals who participate in SNAP are employed or are members of households where someone is employed. In 2019, almost two-thirds of SNAP-recipient households with children and a non-disabled, non-elderly adult had some amount of earnings while receiving SNAP.³¹ Because SNAP benefits phase out as individuals’ income rises, most of these workers are in low-paying jobs that are subject to volatility—positions like cashiers, cooks, and nursing aides.³² For these workers, SNAP benefits stabilize their income by supplementing low wages or making up for lost income during periods of unemployment.³³ Most working-age adults who receive SNAP benefits do so for only part of the year. A USDA study

³⁰ Kathryn Edin et al., *SNAP Food Insecurity In-Depth Interview Study: Final Report* xii, Food & Nutrition Serv., Off. of Rsch. & Analysis, U.S. Dep’t of Agric. (Mar. 2013), https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=7118&context=faculty_scholarship (hereinafter “*Final Report*”).

³¹ *SNAP Provides Critical Benefits to Workers and Their Families*.

³² *Supplemental Nutrition Assistance Program*; Kristin F. Butcher & Diane Whitmore Schanzenbach, *Most Workers in Low-Wage Labor Market Work Substantial Hours*, in *Volatile Jobs*, Ctr. on Budget & Pol’y Priorities (July 24, 2018), <https://www.cbpp.org/research/poverty-and-inequality/most-workers-in-low-wage-labor-market-work-substantial-hours-in>.

³³ *SNAP Provides Critical Benefits to Workers and Their Families*.

found that three-quarters of workers whose low-incomes made them eligible for SNAP at some point in 2012 were eligible for only part of the year.³⁴

On the other side of the coin, reducing SNAP benefits is especially pernicious. Families “often build their monthly budgets around SNAP, allocating their fungible cash resources toward their bills and other, often urgent, financial needs triggered by a sudden loss of income or increase in expenditure.”³⁵ Any reduction of SNAP thus threatens not only to leave the vulnerable hungry, but also to worsen poverty and financial stress. By forcing citizens to choose between food and other needs, reduction of SNAP can trigger job loss if parents cannot find childcare, evictions if they cannot pay rent, health consequences if they cannot pay for medicine.³⁶

II. SNAP Benefits Fuel Local Economies.

SNAP benefits do more than ensure the wellbeing of the country’s most vulnerable populations; they also fuel local economies. While SNAP dollars circulate throughout the economy, they have outsized impacts on agriculture and food service, as well as in rural communities. And by improving health outcomes, SNAP benefits also produce federal savings.

³⁴ *Id.*

³⁵ *Final Report* at xi-xii.

³⁶ Alanna Quillen, *Dallas Nonprofit Warns SNAP Freeze Could Trigger Surge in Evictions*, 5NBC (Nov. 5, 2025), <https://www.nbcdfw.com/news/local/dallas-nonprofit-warns-snap-freeze-could-trigger-surge-in-evictions/3941232/>.

By the USDA's own estimate, during times of economic downturn, every dollar spent on SNAP benefits increases the national GDP by \$1.54.³⁷ This growth is the result of substitution effects: SNAP benefits allow low-income households to redirect funds that they would otherwise need to stave off hunger. The USDA estimates that each year from 2009 to 2014, households were able to spend an additional \$44.3 billion on nonfood purchases because they substituted SNAP benefits for income they would have directed toward food.³⁸ Because of this substitution effect and because many sectors are involved in the provision of food, SNAP benefits spur growth across the economy. According to the USDA, one billion dollars in SNAP funding leads to \$406 million new income in the trade and transportation industries; \$218 million in manufacturing; \$59 million in mining, utilities, and construction; and \$151 million in healthcare and social services.³⁹

The food service and agricultural industries are two primary beneficiaries of this growth. According to the USDA, \$1 billion spent on SNAP benefits leads to

³⁷ Patrick Canning & Brian Stacey, *The Supplemental Nutrition Assistance Program (SNAP) and the Economy: New Estimates of the SNAP Multiplier*, U.S. Dep't of Agric. Econ. Rsch. Serv. at 28 (July 2019), https://ers.usda.gov/sites/default/files/_laserfiche/publications/93529/ERR-265.pdf?v=77429 (hereinafter "*New Estimates of the SNAP Multiplier*").

³⁸ Stephen Vogel et al., *Impact of USDA's Supplemental Nutrition Assistance Program (SNAP) on Rural and Urban Economies in the Aftermath of the Great Recession*, U.S. Dep't of Agric. Econ. Rsch. Serv. at 31 (Oct. 2021), https://ers.usda.gov/sites/default/files/_laserfiche/publications/102287/ERR-296.pdf?v=97499 (hereinafter "*Impact of USDA's Supplemental Nutrition Program*").

³⁹ *New Estimates of the SNAP Multiplier*, at 25.

\$32 million in added farm income, which sustained 480 new agricultural jobs, and \$47 million in new income—and 1,080 new jobs—for the food services and accommodation industry.⁴⁰ This spending makes a real difference for food retailers in states across the country. For example, in Michigan, 9,287 retailers earned \$1.7 billion from SNAP in 2019; in Kansas, 1,949 stores earned \$265.3 million from SNAP; and in Montana, 753 stores earned \$146.9 million.⁴¹ Nationwide, 248,000 retailers redeemed about \$55.6 billion in SNAP benefits.⁴²

SNAP benefits play a particularly important role in supporting rural economies by driving key industries (farming and food processing) and putting money in the pockets of rural citizens. The USDA estimates that from 2009 to 2014, SNAP benefits generated an annual increase in rural industry of \$48.8 billion, which translated to the employment of 279,000 workers.⁴³ As for food spending, 15.3 percent of the population in rural areas lives in poverty, compared to 11.1 percent of the U.S.'s general population.⁴⁴ That means people in rural communities rely more

⁴⁰ *Id.* at 24-25.

⁴¹ *SNAP Is an Important Public-Private Partnership*, Ctr. on Budget & Pol'y Priorities, <https://www.cbpp.org/snap-is-an-important-public-private-partnership#Alaska> (last visited Nov. 6, 2025).

⁴² *SNAP Retailers Database*, Ctr. on Budget & Pol'y Priorities, <https://www.cbpp.org/snap-retailers-database#Kansas> (last visited Nov. 6, 2025).

⁴³ *Impact of USDA's Supplemental Nutrition Program*, at 23.

⁴⁴ Gina Plata-Nino, *SNAP's Critical Role in Rural Communities – and the Consequence of Cuts*, Food Rsch. & Action Ctr. (Aug. 25, 2025), <https://frac.org/blog/snaps-critical-role-in-rural-communities-and-the-consequences-of-cuts>.

on SNAP: One in seven rural households receives benefits, compared to one in eight in urban areas.⁴⁵ Money into SNAP therefore translates directly into business for rural food retailers. According to a farmer and co-op founder in rural Arizona, SNAP constitutes 17 percent of the co-op's business.⁴⁶ If SNAP funding disappears, the co-op would lose its "ability to keep prices low—and that affects everyone, not just SNAP users."⁴⁷

Finally, SNAP benefits also lead to important savings by reducing government spending on healthcare. Because food insecurity leads to worse health outcomes, funding for SNAP can alleviate healthcare costs. A recent study on food access in Massachusetts found that food insecurity may have been linked to an estimated \$1.3 billion in emergency room and hospitalization costs for Medicaid recipients in 2023.⁴⁸ That constituted almost 6 percent of all Medicaid spending in Massachusetts for that year.⁴⁹ Another study found that Medicaid costs fell in

⁴⁵ *Id.*

⁴⁶ Gina Plata-Nino, *Part 7: Cutting SNAP: How Harmful Policy Proposals Threaten Communities and Rural Food Systems*, Food Rsch. & Action Ctr. (May 8, 2025), <https://frac.org/blog/part-7-cutting-snap-how-harmful-policy-proposals-threaten-communities-and-rural-food-systems>.

⁴⁷ *Id.*

⁴⁸ *The Cost of Hunger in Massachusetts*, The Greater Boston Food Bank & Mass General Brigham at 12 (2025), https://www.gbfb.org/wp-content/uploads/2025/06/GBFB_Food-Access-Report_2025_final.pdf.

⁴⁹ *Id.*

Massachusetts once SNAP funding was increased, especially for individuals who suffered from chronic illnesses and food insecurity.⁵⁰

The data paints is clear. SNAP funding drives economic growth across the country, particularly in rural states, and it produces cost-savings at the federal level.

III. States Depend on SNAP Benefits Being a Reliable Source of Funding.

Amici have witnessed firsthand how reliable federal funding for SNAP enables their states to provide essential services to vulnerable residents. As the foregoing shows, SNAP benefits have proven critical in improving individual wellbeing and health, and benefit local communities, from decreased healthcare costs to boosting local economies. Governors depend on these benefits to help their states thrive, and with good reason: For over half a century, SNAP benefits have been paid in full by the federal government. States have built their SNAP administration on this reliable partnership. Breaking that commitment now—when Congress has appropriated and obligated contingency funding for SNAP benefits—inflicts irreparable harm that no state can prevent or fully remedy.

A. States Lack the Resources to Fully Fill SNAP Funding Gaps.

States are not able to fully fill unplanned funding shortfalls for SNAP. Each year, governors must work hand-in-hand with state legislatures to balance state budgets. When we served in office, we made these decisions based on what the

⁵⁰ *Massachusetts Inpatient Medicaid Cost Response to SNAP Benefits.*

federal government had committed to funding. States do not and should not need to keep tens of millions of dollars in reserves for federal programs that have never before lapsed on the off-chance that the federal government may decide to cease funding.

The program’s basic features illustrate why. Congress established SNAP as a federal-state partnership in which the federal government covers 100 percent of benefit costs while delegating to states the responsibility to administer the program efficiently. *See e.g.*, 7 U.S.C. § 2020(e)(3) (state plan of operation must include provision that the State agency will “promptly determine the eligibility of each applicant household” within 30 days); *see also* 7 C.F.R. § 276.1(a)(4) (describing the responsibilities of state agencies in SNAP administration). States have fulfilled these federal mandates by developing sophisticated eligibility determination systems, contracting with Electronic Benefit Transfer vendors, training caseworkers, and building partnerships with thousands of retailers—all premised on reliable federal funding.

Throughout SNAP’s history, the federal government has consistently honored this partnership and prioritized preventing interruptions in SNAP benefits during government shutdowns. When a lapse in appropriations for state administrative costs occurred in October 2015, the USDA informed states that limited funds would be

available through a contingency reserve,⁵¹ and confirmed in subsequent guidance that contingency reserves were available to pay states' administrative costs and provide benefits. In September 2015, when another lapse was possible, USDA issued guidance confirming that "USDA [would] have limited funding for SNAP benefits" and could "use its limited contingency funds to provide some October SNAP benefits."⁵² During the December 2018 to February 2019 government shutdown in the first Trump Administration, USDA directed states multiple times that "limited funding within the SNAP contingency reserve is available" and that states should "handle new applications for February benefits according to normal procedures."⁵³

Never before has the federal government cut off or even only partially funded SNAP benefits. This consistent pattern across administrations of both parties reflects

⁵¹ Dottie Rosenbaum, *SNAP's Contingency Reserve Is Available for Regular SNAP Benefits, as USDA and OMB Have Ruled in Past*, Ctr. on Budget & Pol'y Priorities (Oct. 27, 2025), <https://www.cbpp.org/research/food-assistance/snaps-contingency-reserve-is-available-for-regular-snap-benefits-as-usda>

⁵² *Q&A for SNAP Recipients in the Event of a Government Shutdown*, U.S. Dept. of Agriculture (Sept. 25, 2015), <https://web.archive.org/web/20150929143006/https://www.fns.usda.gov/snap/2015-qas/>.

⁵³ Email from Jessica Shahin, Associate Administrator SNAP, to FNS Regions (Jan. 10, 2019) <https://fns-prod.azureedge.us/sites/default/files/EarlyIssuanceQAEmail1-10-19.pdf>; *see also* Email from Jessica Shahin, Associate Administrator SNAP, to FNS Regions (Jan. 14, 2019), <https://fns-prod.azureedge.us/sites/default/files/EarlyIssuanceStateQAEmail1-14-19.pdf>; Email from Jessica Shahin, Associate Administrator SNAP, to FNS Regions (Jan. 18, 2019), https://fns-prod.azureedge.us/sites/default/files/SNAPEarlyIssuanceQA1-18-19_0.pdf; *also* Gov't Accountability Off., B-331094, U.S. Department of Agriculture—Early Payment of SNAP Benefits, Government Accountability Office (Sept. 9, 2019), <https://www.gao.gov/products/b-331094> (finding that USA had contingency funds available to pay benefits for February 2019).

USDA’s longstanding interpretation that contingency funds are available for regular SNAP benefits during appropriations lapses. As recently as September 30, 2025, USDA’s own Lapse of Funding Plan acknowledged that “multi-year contingency funds are also available to fund participant benefits in the event that a lapse occurs in the middle of the fiscal year.”⁵⁴ States have reasonably relied on this unbroken federal commitment in structuring their food assistance programs.

The scale of federal SNAP investment makes state replacement impossible. In fiscal year 2024, the federal government provided \$93.7 billion in SNAP benefits, serving 41.7 million Americans each month.⁵⁵ States receive substantial monthly federal SNAP allocations that would be impossible to replace with state resources alone.⁵⁶ These allocations range from \$5.0 million for Wyoming to over \$1 billion for California, with Iowa receiving \$45.2 million, Kansas \$33.0 million, Massachusetts \$232.1 million, Michigan \$258.6 million, Minnesota \$71.6 million, Montana \$13.7 million, North Carolina \$240.9 million, Virginia \$143.4 million, Washington \$167.1 million, and Wisconsin \$113.0 million. These substantial sums represent funding commitments that no state budget could absorb, particularly with

⁵⁴ U.S. Department of Agriculture, *Lapse of Funding Plan* at 15 (as of Sept. 30, 2025), <https://www.documentcloud.org/documents/26196921-fy2026-usda-lapse-plan-sept30/>.

⁵⁵ *Supplemental Assistance Program Data* from U.S. Dep’t of Agric. (hereinafter “*Program Data*”) (data as of Aug. 8, 2025), <https://fns-prod.azureedge.us/sites/default/files/resource-files/snap-4fymonthly-8.pdf>.

⁵⁶ *Supplemental Assistance Program Data* from U.S. Dep’t of Agric., <https://fns-prod.azureedge.us/sites/default/files/resource-files/snap-benefits-8.pdf>

little to no notice. While some states are making efforts to try, their outlay of funds will in no way be sufficient or equivalent, will decrease resources needed for other projects, and ultimately, are only a partial stopgap. Without SNAP, states cannot meet their obligations to provide for their citizens.

B. Partial or Delayed Payments Cannot Meet States' Obligations to Residents.

Even if USDA were to provide partial federal funding rather than full benefits, such an approach would fail to meet recipients' needs and would be administratively unworkable for states. SNAP benefits are calculated monthly based on household size, income, and expenses to provide adequate nutrition. 7 C.F.R. § 273.10. As of May 2025, the average monthly household benefit was up to \$350.89.⁵⁷ These amounts are carefully calibrated to meet each household's monthly food needs. Recipients depend on receiving these precise amounts at predictable times each month to plan grocery shopping and family budgets. Partial payments would force impossible choices between adequate nutrition and other necessities like rent or medical care.

The state administrative systems that deliver SNAP benefits are similarly incapable of accommodating partial payments. States use case management systems to generate benefit files containing eligibility determinations and precise benefit

⁵⁷ *Program Data.*

amounts for each household. These files are transmitted to third-party EBT vendors on preset, contractual schedules. If only partial funding is available, states would need to recalculate benefits for millions of households, regenerate all benefit files with reduced amounts, and retransmit them to vendors—a process that would take weeks, not days. During this recalculation period, no benefits would flow to recipients at all.

Recipients cannot simply wait for delayed payments. SNAP serves the nation’s most food-insecure households—families living paycheck to paycheck with no reserves to cover grocery costs if benefits arrive late. A household expecting \$350 in benefits on November 1 cannot wait until November 15 or December 1 for that assistance. Families facing delayed SNAP payments must make desperate short-term decisions: skipping meals, missing work to seek emergency food assistance, falling behind on rent to buy groceries, or turning to high-interest debt. And in turn, these choices will put a strain on state and local resources that may have side effects for years to come. Hunger does not wait, and neither should this Court.

CONCLUSION

For the foregoing reasons, *amici curiae* respectfully urge this Court to deny a stay and to affirm the relief granted below.

Date: November 7, 2025

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CERTIFICATE OF COMPLIANCE

In accordance with Federal Rule of Appellate Procedure 32(a)(7), I certify that the foregoing brief has been prepared in Microsoft Word 2025 using 14-point Times New Roman typeface and is double-spaced (except for headings, footnotes, and block quotations). I further certify that the brief is proportionally spaced and contains 4,569 words, excluding the parts of the brief exempted by Federal Rule of Appellate Procedure 32(f). Microsoft Word 2025 was used to compute the word count.

Dated: November 7, 2025

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CERTIFICATE OF SERVICE

I hereby certify that, on November 7, 2025, a true and correct copy of the foregoing was filed with the Clerk of the United States Court of Appeals for the First Circuit via the Court's CM/ECF system, which will send notice of such filing to all registered CM/ECF users.

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