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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF RHODE ISLAND

RHODE ISLAND STATE COUNCIL OF CHURCHES, et al.	C.A. No. 1:25-cv-00569-JJM
VS.	OCTOBER 31, 2025
BROOKE ROLLINS, in her official capacity as Secretary of the United States Department of Agriculture, et al.	VIA VIDEOCONFERENCE PROVIDENCE, RHODE ISLAND

BEFORE THE HONORABLE JOHN J. McCONNELL, JR.,

CHIEF JUDGE

TRO Hearing

APPEARANCES:

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APPEARANCES:

FOR THE DEFENDANTS:	TYLER J. BECKER, AUSA DEPARTMENT OF JUSTICE - CIV Office of the Assistant Attorney General, Civil Division 950 Pennsylvania Avenue, NW Room 3632 Washington, DC 20530
ALSO PRESENT:	SHELLY PIERCE, Director of the Issuance Policy and Innovation Division, Food and Nutrition Service, USDA
Court Reporter:	Denise A. Webb, RPR One Exchange Terrace Providence, RI 02903

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VIA VIDEOCONFERENCE
1:25-cv-00569-JJM
31 OCTOBER 2025

THE COURT: So we are here today in the case of Rhode Island State Council of Churches, et al. versus Brooke Rollins, et al., Case Number 25-569. And we are here for an emergency relief requested by the Plaintiffs for a temporary restraining order.

Would counsel identify themselves for the record.

MS. ROMERO: Amy Romero for the Plaintiffs. And I'm joined with my co-counsel, Kevin Love Hubbard, Jyoti Jasrasaria, and Michael Torcello.

THE COURT: Great. Welcome, folks.

MR. BECKER: Tyler Becker for the Defendants. And with me here is not another counsel but we have Shelly Pierce from USDA. She is the Director of the Issuance Policy and Innovation Division of the Food and Nutrition Service. She's just here -- we're not offering her as a witness, but she's just here if the Court has any questions given this hearing about the procedures for funding for SNAP.

THE COURT: Great. I appreciate that, Mr. Becker. I also want to thank all counsel for acting as expeditiously as they are able to, including Mr. Becker that didn't have much notice, I don't think, that this was coming yet and was able to file something briefly this afternoon. So I want to thank you all for that.

I also just want it to be clear, consistent with our local rules, the Court is narrowcasting this on our YouTube channel so the public has access to it and can hear it. It's unusual in a TRO that we do hearings publicly. Usually TROs just are done informally in chambers, but because of the public interest involved, the Court thought it was better to be transparent and allow the public to watch.

So I think, unless counsel think otherwise, I have read the extensive briefing of the Plaintiffs, and I'm wondering if perhaps we should begin with the Defendants arguing first, and then we can go to the Plaintiffs. Nothing other than it's just going to help me think a little better, Mr. Becker. I know I probably put you on the spot, which I apologize for, but if you don't mind going first, I think we know what the issues are here, and I know extensively what the Plaintiffs' position is, so I'd really like to hear in a more extensive fashion what the Defendants' position is on those points.

MR. BECKER: Yes, your Honor. Of course.

THE COURT: Great.

MR. BECKER: So there are two issues in this case. One deals with SNAP benefits and the other deals with the waiver -- work requirement waivers. On the work requirement waivers issue, I don't plan to spend a lot of time on this, because Plaintiffs -- this occurred on October 3rd, and it is now October 31st, and Plaintiffs are requesting relief in two days. There is clearly not irreparable harm, and a Judge in the Southern District of New York yesterday just denied a TRO in a similar case. So I don't think that that is much worth the Court's time, although I'm happy to get into the merits if you'd like --

THE COURT: Well, we can talk about that later, Mr. Becker, when we get to it. But I went on the docket of the SDNY for the Judge, and I didn't see any entry, I didn't see any minute entry, there's clearly, obviously, no order, but there was nothing even acknowledging a hearing on it, so you'll have to explain that a little bit more to me when we get to the waiver part.

MR. BECKER: Yes, your Honor. We've been waiting for that as well. And we apologize as well, in the SNAP case that was argued yesterday in Massachusetts, the court reporter has let the Government know -- there's a couple of things that I'm going to refer to that occurred in that hearing -- the court reporter has let the Government know that they're not able to provide a transcript until Sunday, but we will update the Court as soon as that is available.

THE COURT: Okay.

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MR. BECKER: On SNAP, the Plaintiffs here are asking for required -- for relief by November 1st and argue that it is required for the Government to provide SNAP benefits on November 1st. The Government has determined that it is, in fact, the opposite of that. The Government may not provide those benefits because there is not a funding allocation, an appropriation for those benefits as a result of the current shutdown in the Government.

Plaintiffs, instead, choose to -- Plaintiffs do cite Section 2014 and say that the Government shall provide these benefits, however, that mixes up -- that misses Section -- I think it's 2257 or I might -- no, no, that's a different section. It mixes up -- it misses 2027(b), which says that the amount that's allocated must be not in excess of the appropriation for such fiscal year. And this is in our briefing in the Massachusetts case, which we have provided to the Court. There is not a -- the Government is not -- certainly not required to provide those benefits, but, also, the Government is prohibited from doing so under 2027(b).

Even if the Court were to disagree with us about that, there is clearly no requirement here under the *Lincoln* case, which you can find at pages 12 to 13 of our brief in the Massachusetts case. This is -- this would be a discretionary decision, and it would be an extreme remedy at this point to force -- to force SNAP -- the Government to rely on a contingency fund or other funds that the Plaintiffs discuss to pay SNAP benefits on November 1st when the states themselves kind of actually said that they won't be able to work, they needed to go back to their agencies yesterday to be able to even figure out how long this is going to take.

The Government needs -- the USDA would need to issue a new table, and the states would have to reprogram systems to be able to calculate a partial payment, which has never been done before, and there's no requirement to have such a partial payment.

THE COURT: Mr. Becker, right now you're talking just about the 2014(a), what has been referred to as the $6 billion pot, the 2, 3 billion-dollar contingency fund piece. You're not talking -- I mean, you separate the Section 32 funds from how one analyzes under 2014(a), don't you?

MR. BECKER: That's correct. Yes. And I'm happy to talk about the Section 32 funds, as well.

THE COURT: You can put that off for a bit. I just want to make sure that for now we are talking about the requirements that are under the 2014(a) $6 billion pot.

MR. BECKER: Yes, your Honor. And we think that is the primary issue in Plaintiffs' case. The idea that Section 32 funds, that it's mandatory for the Government to tap into those, when that would have an impact on school lunches and actually create a massive deficit in that system, we do not think that there's -- we think that's entirely discretionary whether to use those. And right now, because it's a shutdown, Congress has not passed appropriations where the Government is in a very tough spot. And Congress has put the Government in a spot that it's in, and the idea that we would actually -- there's definitely no mandate in that. And Judge Talwani yesterday did not think so either and focused more on the contingency funds, but I'm happy to go where your Honor wants on both of those.

THE COURT: No. I just wanted it clear for the time being we're talking about the $6 billion 2014(a) funds.

MR. BECKER: Correct. Yes. Those funds, your Honor, are not mandatory for the Government to provide, and, in fact, as we said, those are to maintain program operations when there is a program. There is no program currently. Congress has not funded SNAP benefits for fiscal year 2026, and that is -- and that is where we are.

THE COURT: Okay. Why don't we -- if that's what you want on the SNAP benefits themselves, other than the waiver, we could hear from the Plaintiffs or you can make your full argument, Mr. Becker, whichever you want.

MR. BECKER: I'm having to talk a little bit about Section 32, the Section 32 funds, because Plaintiffs say in their brief, I believe it's on page 27, that it's mandatory to tap into both of these funds. We think that is clearly incorrect under the *Lincoln* case that we cite. We just don't -- there's just no requirement that the Government do this even if you disagree with us on whether we can tap into the contingency fund or the Section 32 funds at all. And we don't think we can, but if you disagree with us on that, we think on the *Lincoln* case that the Government does not -- is not required to do either. And Plaintiffs are really trying to make a claim that we should tap into those funds, which is -- which would be a political judgment.

THE COURT: You would agree with me, Mr. Becker -- let's assume I agree with everything you said about the Section 32 funds. You would agree with me that the Section 32 funds, however, the decision of the agency on the Section 32 funds must be done consistent with the APA and must be -- the use of the discretion by the agency has to not be contrary to law and must be -- can't be arbitrary and capricious in that decision-making process? You'd agree with that part, right.

MR. BECKER: Your Honor, we think this is committed to agency discretion by law under *Lincoln*.

THE COURT: Okay.

MR. BECKER: So it would not be reviewable under the APA for those standards.

THE COURT: Okay. You would agree under statutory reading that the agency could use Section 32 to pay benefits?

MR. BECKER: Yes, your Honor, but doing so would cause an extreme deficit in that program. It's a lot more money than was being used to transfer into WIC, and, again, we've already, I don't think we're transferring into WIC for next month at this point because there's just a lot of considerations that go into this.

And, yes, we agree that the Government could tap into those funds to do many things that need to happen, but it's just a limited pot of funds, and Congress is going to have to reappropriate in whatever ends up getting passed when we reopen the Government. It's going to have to deal with whatever occurs with those funds because there's going to be less funds for school lunches and the like.

THE COURT: Right. But you had said earlier that one of the reasons you think that the 2014(a) funds shouldn't be -- you shouldn't be ordered to expend those is because there's not sufficient money in those two pots in order to pay all SNAP benefits due on November 1st, and getting the agency to be able to get its systems working in time for that would be difficult. You could resolve that problem by tapping into Section 32 funds and pay the full amount if the Court were to so order it to pay the contingency funds amount, correct? There's nothing that prohibits the Government from taking Section 32 funds and making up the deficit so that the full SNAP benefits can be paid --

MR. BECKER: Your Honor --

THE COURT: -- other than the use of your discretion, which I understand and tend to agree with so far.

MR. BECKER: As to the Section 32 funds, there is simply not enough money to do this and actually be able to fund other things and make sure that, for example, WIC is funded. There's just not a way for us to do that practically. And we don't think that there is any sort of appropriation for SNAP now, but it's our back-line argument, our back of argument as well that we just -- that even if -- it would be discretionary and it's at the discretion of the agency, and, yes, we could do that.

THE COURT: Okay. Why don't I hear from the Plaintiffs on the SNAP portion before we, then, turn to the waiver. Ms. Romero.

MS. ROMERO: Sure. Thank you, your Honor. And thank you also to you and your staff for holding this hearing despite sort of the limited operations. I know the Court is supposed to be furloughed today, many of the staff, so we --

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THE COURT: The judges are not furloughed because we're paid, but the staff --

MS. ROMERO: The staff who helps makes this possible, so we appreciate it.

THE COURT: While we're at it, let me just do a particular shout out besides to Mike Simoncelli, who you know is there and others that are supporting him, but I have two very, very, very, very tired law clerks who since we were assigned this case yesterday and are sitting off to the side, both of them are incredible public servants. So I just want to publicly thank them while you brought that up, Ms. Romero.

MS. ROMERO: And we thank them as well. But this is a crisis, and this is why we're here. So I think that my co-counsel, Mike Torcello, maybe it makes sense for him to go next, because he can respond to the legal arguments that the Government raised, and then Jyoti can respond to the harm. He talked about sort of deficit to the Government if this were to, you know, be ordered. But we can talk about the harm to the people, to the Plaintiffs and to the people if this is not stopped.

And then Attorney Kevin Love Hubbard, who you know, can talk about sort of -- respond to the -- if the Court has questions about the other litigation; that is, you know, the state AG litigation as well as the one in SDNY that was referenced in the Government's notice. So if that makes sense to you --

THE COURT: Why don't we start it out and see and --

MS. ROMERO: Okay. Sounds good. Mike, do you want to go ahead?

MR. TORCELLO: Yes. Thank you. Good afternoon, your Honor. Mike Torcello --

THE COURT: Good afternoon.

MR. TORCELLO: -- on behalf of the Plaintiffs. And as Ms. Romero said, I'll be addressing likelihood of success on the merits. So I'll respond to the first of the two actions we're challenging. The suspension of SNAP benefits, and that agency action is contrary to law, it is arbitrary and capricious, and it constitutes the failure to make benefits available, constitutes agency action unlawfully withheld. So let me begin with the contrary to law arguments.

Congress, when it created the SNAP program, used mandatory language providing that, quote, (reading) assistance under SNAP shall be furnished to all eligible households who make application. And that's 7 U.S.C. Section 2014(a). And that language is clear, and it is mandatory. Where there are appropriated funds available, benefits have to be furnished. And in this case, appropriated funds are available. The Government's position is, there's no Appropriations Act in light of the shutdown, and, therefore, there's no funds we could use. But Congress contemplated --

THE COURT: In addition, though, I heard Mr. Becker say not only that, but he said there is no program. He didn't say there were no appropriated funds; he said there is no program.

MR. TORCELLO: Well, your Honor, I think that's not correct. I think there is a program. Congress created the SNAP program by statute, it authorized the program, and it said that the program benefits have to be furnished under the program. And so I think the fact that there is no appropriations bill at this particular time doesn't simply eliminate Congress's clearly expressed intention to create this program for vital food benefits for millions of Americans and to make sure that those benefits were furnished whenever funds were available. And I think --

THE COURT: So the contingency funds, the two pots of what we're calling the 2, 3 billion-dollar pots I refer to as contingency funds. If people want to call it something else, let me know, but that's what I'm referring to. The language has both "may" and "shall" in it. And I'm just looking for the exact language here, but it says that it may be determined that it's necessary to carry out the program operations, right? It says necessary to carry out the program operations. And why isn't that an operative section when the program itself is shut down in a Government shutdown? Why does that contingency money -- why does that get triggered when there is, in fact, no program operation currently under the shutdown of October 1st?

MR. TORCELLO: Your Honor, I think perhaps the Appropriations Act language on its own, you know, perhaps there could be some argument that there's -- that itself doesn't trigger a duty. But I think read in tandem with the language in the SNAP statutory scheme says, benefits shall be furnished, and I think that is mandatory language that Congress uses when it intends -- when it intends to create a duty. And so the agency has a duty here to make sure that benefits are provided, and, luckily, Congress foresaw that there might be an emergency, and it designated specific funds to be used in that situation.

And so I think that completely undermines the Government's position that, you know, there's simply no funds at all that we could use. I think Congress very clearly and very directly contemplated that when there is -- when there is a contingency or an emergency, here's $6 billion that is to be used for this vital program, and --

THE COURT: What do you say to the Government's position that they're saving that money up for a hurricane, and that it's within their discretion when to use that money or not use that money to carry out the program operation and they're saving that $6 billion in case there's a hurricane?

MS. ROMERO: Well, your Honor, I think it's difficult to see how Congress would have intended for the agency to say, in light of a present emergency, you know, tomorrow benefits will be suspended for millions of Americans. In light of that emergency, it's difficult to imagine that Congress thought funds did not have to be provided at all because there might be another different emergency in the future. And I think the Government's position that it doesn't have to spend any funds at all on this emergency, because it's possible that there will be another emergency somewhere else, cannot possibly be what Congress intended. And it is not consistent at all with what Congress said in the statute, that benefits shall be furnished.

And on top of that, to tie it back to the APA challenge that we're bringing here, it's completely -- I think it's arbitrary and capricious, because the agency didn't offer any reasoning at all when issuing its directive here. It didn't say, here's how we're exercising our discretion, here are the factors we've considered, here are the reliance interests, the real weighty reliance interests of our clients, here are the reliance interests that we've looked at, the Government didn't do any of that. And so I think for all of those reasons, it's not only -- the agency action here is not only contrary to law but also arbitrary and capricious.

THE COURT: Thanks. Ms. Romero, where do we want to go next?

MS. ROMERO: I think because you raised emergency and hurricane, I think it makes sense for Jyoti to talk about what this emergency is right now.

THE COURT: I didn't raise the emergency; the Government did, the hurricane.

MS. JASRASARIA: Thank you, your Honor. Jyoti Jasrasaria for Plaintiffs. I did just want to speak briefly about the irreparable harm that Plaintiffs in this case will face as a result of the withholding of SNAP funding. It would mean that 42 million individual recipients, like Plaintiff SEIU's members, will lose the ability to feed themselves and their families and be forced to make difficult choices between paying for food and other essentials, which will be irreversible consequences for their health and wellbeing.

I wanted to highlight, for example, one SEIU member who works at a Waffle House in Georgia has attested that she would have to choose between paying her November rent or buying food for her son. And even if she wanted to visit a local food bank during its opening hours, she would have to skip a shift at work.

This withholding of funds also irreparably harms churches and nonprofits that provide emergency supplemental food assistance for individuals who would typically receive SNAP benefits. Like Plaintiffs -- sorry -- like Plaintiff Amos House and East Bay Community Action Program here in Rhode Island, as well as the National Council of Nonprofits, members like Johnston Partnership Food Pantry in Iowa, which are already so stretched and are unable to fulfill their missions even as they divert resources from other critical programs to meet the influx.

For example, our lead Plaintiff, Rhode Island State Council of Churches, includes members like St. Peter's and St. Andrew's Episcopal Church, which is diverting time and funds from its core ministry services and social worker internship program just to meet the food needs of its community.

And the withholding, also, acutely affects cities like Providence, who are often the first line of defense for their residents in times of crisis and are standing up to fund emergency food services programs of their own. For example, Central Falls, where nearly 1/4th of the population receives SNAP benefits is hosting a citywide food drive tomorrow in light of the shutdown and its effect on SNAP benefits. And doing that is requiring it to divert resources and staff, you know, directly from the police department, the Department of Public Works, and the Office of Constituent Services. And it will continue to do things like that.

As well, other cities across the country, including Plaintiff Columbus, which is a City of nearly a million people and which is notably not covered by the Attorney General's lawsuit in the District of Massachusetts, that city is, you know, has already allocated emergency funding for food collectives and is working on another emergency response plan as well.

And, finally, another piece of this story is, of course, the withholding of funds to businesses that rely on SNAP benefits to keep their doors open. One of our Plaintiffs, Plaintiff Black Sheep Market, in South Carolina will lose upwards of $28,000 which makes up 40 percent of its weekly revenue each week, and that will harm its ability to keep its doors open, keep its employees' hours in place, maintain its relationships with suppliers. None of these effects can be recovered, and those are just a small sliver of the examples of ways in which families, residents, clients, programs, organizations and communities will suffer if SNAP benefits are suspended.

And, of course, on the other hand, as the Court is aware, if the Court were to -- all the Defendants would have to do if the Court were to grant relief is draw on the SNAP contingency reserve funds that have already been deemed available by Defendants USDA and OMB for such uses in the past.

And so I certainly am happy to also speak to the waiver issue but wanted to just --

THE COURT: Why don't we hold off on waiver until we finish --

MS. JASRASARIA: Of course.

THE COURT: -- the SNAP benefits. I can't remember, Ms. Romero, was Mr. Hubbard going to address a point on that?

MS. ROMERO: Only if your Honor had questions as to sort of how this fits in with the litigation by the states. But it's up to you whether you want to do that now or later.

THE COURT: No. I mean, I have read the docket in DMass. I don't know anything about SDNY except that which the Defendants have represented, but I'm more intrigued by the SDNY ruling as to the waiver issue. So why don't we wait until we get to waiver before we call on you for that. I'm pretty up to date on the Massachusetts thing because everything is on the docket versus SDNY.

Mr. Becker, did you want to -- before we move on to waiver, did you want to address any of the issues that were raised by the Plaintiffs?

MR. BECKER: Yes, your Honor. A few things. This -- a shutdown is not an emergency. This, to the extent it is a crisis or an emergency at all, has been created by Congress, and Congress has not appropriated money or SNAP. It is not -- the Government is currently shut down. There is no SNAP program, and as a result of that, the Government is -- the Government cannot just provide SNAP benefits. And even if we could draw on our funding, such as Section 32, that funding, that is a discretionary decision on the part of the Government.

At this point -- at this point, no reduction has ever occurred, doing a partial SNAP benefit every month. And I know USDA is very concerned that doing so now in this rushed manner would -- could actually cause immense harm to the SNAP system itself. This is not on the record, not in Massachusetts, but USDA has an initial preliminary assessment that 70 percent of households have carryover funds. And one of the things they're worried about is there being a run in the system and the system having to basically shut down and people not be able to use those funds. This is a real -- this is a crisis created by Congress. It is something that could be -- by Congress opening, reopening the Government tomorrow, could be resolved.

There is no mandate that the SNAP program actually be funded after November 1st. Your Honor, opposing counsel has repeatedly gone to Section 2014(a); however, it is very clear from the statute that Congress -- that under 2027(b), that if there's no appropriation, there really is no program. The Government cannot just add -- cannot just add funding when no program exists. And --

THE COURT: Mr. Becker, can you give me the language from 2027(b) that you state stands for that proposition? And then, Mr. Torcello, I'm going to ask you to respond to that one. I forgot to -- I meant to ask you that when you were making your presentation. I apologize.

MR. BECKER: Yes, your Honor. The 2027(b) says that -- it refers back to 2014 and says that USDA must limit allotments to an amount not in excess of the appropriation for such fiscal year. And for such fiscal year, we interpret to -- refer to the fiscal year 2026 here.

THE COURT: Okay. Got it. Great. Is there anything else in rebuttal that you wanted to say or, Mr. Torcello, did you want to address 2027(b)?

MR. TORCELLO: I did, your Honor. If I could just respond to a couple other points, as well. I did want to say with respect to 2027(b), the Government's position I think appears to be that if fiscal appropriations for this year are zero, the contingency fund can never be tapped into. And that simply can't be what Congress intended. The very existence of the contingency fund suggests that Congress thought it would be used when there are emergencies. And I think in the past, there has been guidance across presidential administrations from the first Trump administration and dating back to the Obama administration, USDA's position over and over again, it has issued guidance saying that -- making clear that when funds lapse due to a Government shutdown, the contingency fund is available to ensure that people get their SNAP benefits. And we cite that guidance at page 27 of our TRO brief.

And I just also wanted to respond to Counsel's contention that the shutdown is not an emergency, although Counsel I think also said that this is a crisis. So their position I think is a bit inconsistent on this, but the shutdown is absolutely an emergency for our clients. As of tomorrow, these benefits will not be available to millions of Americans. And as my co-counsel detailed, the harms here are real and they are immediate. And so this is absolutely an emergency for our clients.

As for the arguments Counsel has raised about, you know, the kinds of logistics, logistical concerns and operational concerns that might arise if they didn't have full funding coming out of the contingency fund, I think your Honor was exactly right earlier when you noted that one obvious solution to that would be to tap into the Section 32 funds, and that's precisely what the Government did to keep the WIC program funded, and it could do precisely the same thing here.

And then the final note I would make is that --

THE COURT: Are you asserting -- Mr. Torcello, are you asserting that that is mandatory; that is, that the Government must tap into Section 32 funds to fund any difference between 2014(b) funds and what's required to make the November 1st payment?

MR. TORCELLO: Your Honor, we think what is mandatory is, yes, what Congress said, that benefits shall be furnished means where funds are available, the SNAP program has to be funded. And so, you know, the choice to draw that from Section 32, I think if the Government had some other place they wanted to draw the money from, we would be fine with that as well. But we think where funds are available, they have to do it.

And we also think, though, at the very least, they have to make a reasoned decision. That's what the APA requires, it requires reasoned decision-making. And here what we've had from the Government is nothing but kind of post hoc logistical concerns that appear nowhere on -- in the directives themselves. And I think for that reason alone this Court should vacate those agency actions.

THE COURT: Okay.

MR. TORCELLO: If I could just respond to the agency discretion -- committed to agency discretion point, your Honor?

THE COURT: Sure.

MR. TORCELLO: So just to say on that point, *Lincoln versus Vigil* I think Counsel cited sets a very high bar for something to be committed to agency discretion by law. And, here, the SNAP statutory scheme, as we've been discussing, contains mandatory spending requirements, and so that provides I think a clear standard for this Court to evaluate and apply and to say that the agency hasn't met.

THE COURT: Is it your position that in the SNAP mandatory language that -- let's pretend there's no shutdown, let's pretend there's no contingency funds, 2014(a) doesn't exist. Let's even say Section 32 doesn't exist. Is it your position that the Government must continue to fund beyond the appropriated funds SNAP benefits, even though there are not appropriated funds?

MR. TORCELLO: Your Honor, I think we take as an assumption of our argument that the statute -- I'm sorry -- the mandatory language depends on appropriated funds being available. So we accept that premise, but our position is here they clearly are available and, therefore, the mandatory language applies.

THE COURT: Okay. Got it. Why don't -- are you going to take likelihood of success on the waiver? Are we doing the same round robin?

MR. TORCELLO: Yup.

THE COURT: Okay. Why don't we turn to the waiver issue.

MR. TORCELLO: Yes, your Honor. And I'm happy to address the likelihood of success on the merits on that, and then my co-counsel will address the harm again.

So our second challenge concerns USDA's abrupt and premature terminations of waivers for certain SNAP work requirements. So SNAP includes work requirements for, quote, abled bodies without dependents but provides -- prior to July 2025, a state could request and USDA could grant a waiver of those work requirements in areas with an unemployment rate over 10 percent or an insufficient number of jobs to provide employment for recipients in that area. Many states requested these waivers, and USDA granted them. Those waivers had set time limits, some expiring as late as June 2026.

This July, Congress passed H.R.1, the One Big Beautiful Bill Act, and that act changed the standard for granting waiver by removing the second option for granting a waiver where there's an insufficient number of jobs. But it said nothing to give the USDA authority to terminate existing waivers. And so for the many states that have active waivers for areas with a lack of sufficient jobs to provide employment, on October 3rd, the agency suddenly (inaudible) all of those existing waivers. And that action we contend plainly exceeded the agency's statutory authority. Nothing in H.R.1, the One Big Beautiful Bill Act, nothing in that statute authorizes USDA to terminate duly authorized waivers before their said expiration dates, and the terms of the waivers themselves also don't authorize early termination.

And so the abrupt decision by the agency to all of a sudden terminate these waivers, which has thrown -- has thrown things into chaos for many of our clients, that decision plainly exceeded agency's statutory authority. And that decision was also arbitrary and capricious.

For many of the same reasons as we were discussing with respect to the suspension, the agency failed to consider numerous weighty reliance interests in the SNAP program, and that includes the interests of SNAP beneficiaries who rely on the program to feed themselves and feed their families, as well as the interests of municipalities and nonprofits rely on the program to provide food security in their communities. The agency didn't consider that at all, and that makes its action arbitrary and capricious.

THE COURT: Can you briefly address the standing issue here? And I have tried mightily, as have my colleagues here, tried to figure out why you identified some people as waiver Plaintiffs and not others as waiver Plaintiffs, and I'm wondering if you could explain to me what the basis of standing is on the people you designated as waiver Plaintiffs.

MR. TORCELLO: Yes, your Honor. I apologize for jumping around again, but co-counsel will address standing.

THE COURT: Okay.

MS. JASRASARIA: Yes. Thank you, your Honor. So --

THE COURT: Mr. Becker, you're being out-teamed here. You might want to call for more resources.

MS. JASRASARIA: So I will just speak to your question about the waiver Plaintiffs. So the reason that we had a separate category of waiver Plaintiffs is that those Plaintiffs, one, they are operating in jurisdictions that are current -- that are subject to waiver, and some of our clients are, you know, from other parts of the country that did not have an existing waiver. And then we also have specifically identified Plaintiffs who have kind of typical diversion of resources and frustration of mission injuries with respect to the ABAWD waiver termination, in particular.

And, you know, I will just outline some of these injuries, and then I'm happy to answer any questions. But if the ABAWD waivers are allowed to prematurely expire, right, that means that ABAWDs in jurisdictions where USDA already approved a finding that there was a lack of sufficient jobs, would have to find work or risk losing benefits all together.

And so that irreparably harms and, you know, creates cognizable injuries for nonprofits that provide assistance with SNAP applications and representation, as well as with job placement services.

So, for example, Plaintiff United Way of Rhode Island operates the states only two-on-one contact center, as well as an aging and disability resource center, and it's a central access point for residents who are seeking help with benefits, including SNAP and navigating the eligibility requirements. So the removal of the ABAWD waiver would lead to a significant increase in the number of individuals that are contacting the hotline for factual information and referrals, and it would really stretch the United Way's human and financial resources beyond sustainable limits because of all of the influx that it would be receiving. And so that would make it impossible for the -- for our Plaintiff to maintain timely responses across all of its other categories.

And I think that, you know, that's true of many of our Plaintiffs, including Plaintiff Federal Hill House, which makes the specific -- which attested that even though they were expecting this change later in, you know, at the end of

February, it was in the process of starting to build capacity to provide this type of assistance with navigating ABAWD requirements. But now it has to do that on an extremely expedited basis that doesn't allow it to build that into its regular operations. And so because of that, it's forcing the organization to divert resources from all of its core programming to focus on educating itself about these requirements, educating its clients about these requirements and developing, you know, operational infrastructure, including technology, to support the changing, you know, reporting requirements and all of the things that come with the termination of this waiver. So even though they would have to do some of this, they were expecting to have a much longer runway, and that in itself is creating a crisis for the organization itself.

THE COURT: Wouldn't it not have been cleaner to have either a direct Plaintiff who is going to be an able-bodied adult without dependent children who will no longer receive SNAP benefits, say in Rhode Island, whose exemption applies through the end of November, or even an associational standing Defendant who could represent directly that Defendant as opposed to the waiver Plaintiffs here, all of whom are either agencies themselves or associational standing on behalf of agencies. But there's no body on the waiver issue representing an actual recipient who will lose benefits if the existing waiver is not left in place.

MS. JASRASARIA: Your Honor, that's correct. We're not representing any individuals here with respect to this challenge, but I will say that one of the things that's unique about the organizations that we are representing here is that they, you know, regardless of individuals' eligibility and when and whether those individuals would choose to, you know, take their three months of exemption from the ABAWD work requirements over the course of the next three years, these organizations are forced to act now.

And I think that's what makes that harm so immediate for the organizations themselves, because they are expecting to be overwhelmed, and they have direct experience with the state and county and city agencies that administer these programs, including, for example, our Plaintiff The New York Legal Assistance Group, which speaks specifically to the fact that the human resources administration in New York City, which administers these benefits to their clients, is not going to be able to do this in a fashion that, you know, complies with this very short time frame without extremely high error rates and other things that will undoubtedly overwhelm NYLAG, the Plaintiff, in responding and representing its own clients.

And so in some ways just the immediacy of the harm to the Plaintiffs' organizations that are forced to respond here is just very clear, and it's something that I think is different than what would happen if these were just able to expire in their ordinary course.

THE COURT: I got it. Mr. Becker, do you want to talk waiver? Wait a minute. Just before you do, Mr. Hubbard, do you want to tell me about SDNY?

MR. LOVE HUBBARD: Yes, your Honor. Good afternoon. It's my pleasure to be back before you. We basically don't know anything about SDNY other than what the Government puts in its file. Expect that we wanted to give you the context of why we filed this suit and why we are in front of you given the existence of those two other suits.

So the action in SDNY that was specific to the waiver provided to the State of New York and 61 other townees and sought relief on a class-wide basis only within New York, and so all of our Plaintiffs wouldn't have benefited from any relief had the Court provided it. As you said, we've looked on the docket consistently, including right before I joined you, and I haven't seen anything reflecting the order from the bench that the Government put in its filing.

But, obviously, the challenge there was different than this one in that it was specific to the waiver in New York, and, you know, we would submit that the Court can give whatever presidential weight to a district court opinion in a different circuit that it deems fit.

THE COURT: What about the fact that the states who are the ones that administer SNAP and who agreed or entered into the waiver agreement with the feds didn't raise this issue before Judge Talwani in DMass?

MR. LOVE HUBBARD: I would be remiss to speculate as to why they didn't include that in their complaint, but that is, again, the context for why we ended up before you with that same challenge, because absent us bringing this lawsuit to provide that relief, we weren't going to be able to get it from any order in the District of Massachusetts. And just before I started speaking to you, I checked again, and there is also nothing on the District of Massachusetts' docket yet either about the issue of relief or the scope of that relief. So all of these issues are still very much live and before you.

THE COURT: And then let me ask you this, if you know and maybe Mr. Becker will know, so we have -- I have read in some of the papers in either -- somewhere, Massachusetts more than likely but maybe it was here, that to make the full SNAP benefit payments on November 1st is in the $8.2 billion range. Is that a number that you all use or think about or can confirm it's in the right ballpark or can I just make it up and use it?

MR. BECKER: I think, your Honor, it's a little closer to 9 billion. I think we cited 8.65 or something.

THE COURT: Okay. Massachusetts -- Judge Talwani has just issued her order. She has granted the TRO on the SNAP benefit issue.

Does that $9 billion account for the existence of the existing waivers or is that with the new waivers implied? In other words, do we know what the waiver amount total is of those states in November that still have applicable waivers?

MR. BECKER: Your Honor, I don't have that offhand. I don't know if any of our opposing Counsel do. I'll just say on the waiver issue, no (inaudible) is at risk of losing benefits before March of 2026, so there's currently no irreparable harm here, and, also, that's why I don't think the number is really relevant at all.

THE COURT: Okay. Tell me why there's no irreparable harm and why the waiver, if it's not honored during its period of extension, doesn't cause irreparable harm?

MR. BECKER: Yes, your Honor. So the way the waiver system works is that you have to not be in a qualifying position, et cetera, for three months before there is any action taken. These waivers, the termination of the waivers is not effective until November 2nd, which is why Plaintiffs asked for relief by that date. It's also why they haven't brought individual Plaintiffs, because that would clearly be inappropriate for a 705 stay, a TRO or anything of the like, because they're not actually going to suffer any sort of harm until March of 2026, because they'll still be receiving their benefits regardless of the waiver.

THE COURT: Mr. Hubbard, you look like you want to respond to that.

MR. LOVE HUBBARD: Yeah. I wanted to say two things about that, your Honor. In response to your earlier question about why we don't have individuals here, I just wanted to highlight that, you know, the risk of litigation for an individual for joining a suit, you know, we take that seriously as people who are thinking about litigation strategy and the impact that this is going to have on peoples' lives.

I'll note, for example, that the *Southern District of New York* case, they have an individual Plaintiff, and the Government's response was that that person didn't have standing because they would have plenty of time to look for work, and if they weren't looking for work, it would be their fault. And there are a lot of sort of negative externalities that come into effect when we have, you know, I would say submit per agents, organizational Plaintiffs who are willing to step up and put their names forward. But I also would note that those associate -- the association for the nonprofits here, the impact on them is immediate. It's not until March. We have in the declarations that they are currently having to deal with an influx of calls and diverting resources to this issue because of the crisis created by the Government unleashing this uncertainty, and, you know, I just don't think it's responsive to say that people will have until March.

It's also the case that those months that people can -- that months are specific over a long period. So if you use those three months now, you don't get them again. And so having to use them when a waiver should be in place because the USDA granted it and has terminated it in an arbitrary and capricious manner does have an effect even if people are able to find jobs by March, because it eliminates their ability to use that time later on.

THE COURT: Thanks. Let me do this. Unfortunately, time is our enemy here on so many levels, and I'm sure you're all anxious to read Judge Talwani's opinion. But in the case that is before me, the Court is going to grant the temporary restraining order, and let me explain briefly and broadly my rationale and then get specific about it.

I first want to talk about the use of the contingency funds; that is, the $6 billion that we're talking about. There's really no question that the Plaintiffs have at a minimum associational standing, if not direct standing, showing an injury in fact, causal relationship and redressability. And their interests of the organizations themselves are germane to the purpose SEIU as a classic example of associational standing on this issue.

On the issue of likelihood of success, it is very -- it is clear to the Court, having put the issue through a very high standard, that the October 24th letter ordering the stop of SNAP funds violates the Administrative Procedure Act both in terms of it being contrary to law as well as it being arbitrary and capricious. It clearly is a final agency action. There's no question about that. It is arbitrary to law in that, as has been argued, SNAP is a, to use a colloquial term, an entitlement where those benefits are guaranteed.

Obviously to the extent there are appropriated funds, there is no doubt that the $6 billion, approximately, contingency funds are appropriated funds that are without a doubt necessary to carry out the program's operation.

The shutdown of the Government through funding doesn't do away with SNAP, it just does away with the funding of it. There could be no greater necessity than the prohibition across the board of funds for the program's operations.

In addition, SNAP benefits have never until now been terminated. And the United States has, in fact, admitted that the contingency funds are appropriately used during a shutdown, and that occurred in 2019. Secondly, it is arbitrary and capricious in that there has been no explanation, legitimate or otherwise, that's consistent with the APA as to why the contingency funds should not be used as they were planned to be used in 2019. The excuse that they can't be paid because there's a shutdown directly is contradicted by the actions that this administration took in 2019 acknowledging that those contingency funds are a mandate from Congress, that tells us about the importance of food benefits, particularly to the vulnerable in our society, which leads me to the third element of the TRO, which is irreparable harm.

There is no doubt and it is beyond argument that irreparable harm will begin to occur, if it hasn't already occurred, in the terror it has caused some people about the availability of funding for food for their family, that irreparable harm will occur if this injunction does not pass and if SNAP benefits are not paid consistent with the mandate from Congress.

And the final two, which are combined here, the equities and the balancing because we have the Government involved, it's clear that when compared to the millions of people that will go without funds for food versus the agency's desire not to use contingency funds in case there's a hurricane need, the balances of those equities clearly goes on the side of ensuring that people are fed.

As to the waiver issue, the Court is also going to issue an injunction that involves the existing waivers shall be honored. First on the issue of standing, there is standing consistent with Supreme Court precedent by at least United Way and New York LAG that was well put out by Plaintiffs' counsel through the 211 program and their responsibilities to determine eligibility, to document, collect, to work with people concerning -- with people concerning the resources that may be available to them. Each of them would have diverted resources to address the injury, which the Supreme Court in the *FHA Havens* case acknowledged, granted those Plaintiffs' standing. Similarly here, the Plaintiffs, at least United Way and New York LAG, if not others, have standing.

As to the likelihood of success, the failure to honor existing waivers is contrary to law. The waivers have been granted, they're time limited, the time in many of them has not yet expired. The H.R.1 bill that was passed does not give the agency authority to retroactively apply new waiver requirements, it does not give the agency the power to take back existing and relied upon waivers that have been given to certain states, and it certainly is arbitrary and capricious because there's no logical or rational reason why that was done. And it's particularly egregious, as the Court has pointed out in the past, when you consider the reliance on it, the balance of the equities, again, balance out, and the public interest to requiring that waivers that have been granted be honored for their duration.

So the Court is orally at this time ordering that USDA must distribute the contingency money timely or as soon as possible for the November 1st payment to be made. The Court wants to receive by noon on Monday a report on the agency's compliance with this or, at a minimum, the status of it performing that.

If USDA finds that the money is insufficient to make the full money funds, then the agency should, consistent with the APA, determine whether it should use Section 32 or other funds to make that full payment. If the agency chooses not to use its discretion available in Section 32 and elsewhere to make full SNAP funds, then it must come up with a plan that is not arbitrary and not capricious as a way to distribute the contingency funds to all entitled beneficiaries.

The agencies must honor all preexisting waivers and do this during the time frame contained in the waivers themselves.

With that, until I hear from you, we will stand adjourned. Thank you, all.

MS. ROMERO: Thank you, your Honor.

(Proceedings Adjourned)

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C E R T I F I C A T I O N

I, Denise A. Webb, RPR, do hereby certify that the foregoing pages is a correct transcription from the official digital sound recording of the proceedings in the above-entitled matter.

Dated this 1st day of November, 2025

/s/ Denise A. Webb

Denise A. Webb, RPR
Federal Official Court Reporter

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF RHODE ISLAND

RHODE ISLAND STATE COUNCIL OF CHURCHES, et al.	C.A. No. 1:25-cv-00569-JJM
VS.	NOVEMBER 6, 2025
BROOKE ROLLINS, in her official capacity as Secretary of the United States Department of Agriculture, et al.	VIA VIDEOCONFERENCE PROVIDENCE, RHODE ISLAND

BEFORE THE HONORABLE JOHN J. McCONNELL, JR.,

CHIEF JUDGE

Motion to Enforce TRO hearing

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VIA VIDEOCONFERENCE
1:25-cv-00569-JJM
06 NOVEMBER 2025

THE CLERK: The court is now in session before Chief Judge John J. McConnell, Jr. This session is being recorded to the cloud on Zoom. There is a public YouTube narrowcast being streamed as we speak, and we have a court reporter here who will have the hearing on the record. Judge.

THE COURT: Thank you, Ryan. Good afternoon, everyone. We are here in the case of Rhode Island State Council of Churches, et al. versus Brooke Rollins, in her official capacity as Secretary of the United States Department of Agriculture, et al., Civil Action 25-569.

Would counsel identify themselves for the record.

MS. ROMERO: Good afternoon, your Honor. Amy Romero for the Plaintiffs, along with my colleagues, Kevin Love Hubbard and Kristin Bateman.

THE COURT: Great. Good afternoon, folks. Mr. Becker.

MR. BECKER: Tyler Becker for the Government, Counsel to the Assistant Attorney General.

THE COURT: Great. Welcome back, Mr. Becker. We're here on the Plaintiffs' motion to enforce and/or for a second TRO. I think one of my clerks put it right when they said, This is not a new rodeo, we've been here before, the matters have been well briefed. And with that, I would like each side to just take 15 minutes to make their argument, and then we'll go from there.

Unlike the last time, why don't we begin with the Plaintiffs. Ms. Romero, who's going to take the lead?

MS. ROMERO: Thank you, your Honor. Attorney Kristen Bateman will argue for the Plaintiffs.

THE COURT: Great. Welcome, Ms. Bateman.

MS. BATEMAN: Good morning, your Honor. And thank you and thank you to your staff and clerks for continuing to work on this case in the lapse of funding.

THE COURT: And I might add, and aren't getting paid.

MS. BATEMAN: Exactly.

THE COURT: As is Mr. Becker, I would imagine. So we have a lot of public servants --

MR. BECKER: That's correct, your Honor.

THE COURT: We have a lot the public servants who continue to do their duty on all sides, known and unknown, who deserve our thanks. So thank you for mentioning that, Ms. Bateman.

MS. BATEMAN: Thank you, your Honor. This Court's order gave the Defendants a choice. They could fully fund November SNAP benefits or they could come up with a plan to partially fund those benefits using the contingency funds, so long as that plan allowed for expeditious and timely payment to the beneficiaries who rely on SNAP for food and so long as that plan was not arbitrary and capricious. The Defendants have not done that. By their own admission, their plan will mean that in some states, beneficiaries don't get the money they need for food for weeks or even months.

And the reasons they have given for making that choice are facially implausible. They say that they are doing that to conserve the needed funding for child nutrition programs like school lunches, but tapping into those funds now to fully fund the November SNAP benefits will not take needed money away from those child nutrition programs unless the Government shutdown lasts until next June.

Basing a decision on such a highly unlikely set of events is not reasoned decision making. And it's particularly unreasonable because the Defendants have not explained why they would choose to let 42 million Americans, including 16 million children, go hungry now in order to guard against the extreme outside chance that come June there won't be enough money to fund child nutrition programs.

In fact, the record shows that conserving money for child nutrition programs is not the reason. That's a pretext. What Defendants are really trying to do is to leverage people's hunger to gain partisan political advantage in the shutdown fight. In these particular facts and circumstances, the Defendants' choice not to fully fund November SNAP benefits is arbitrary and capricious, and in these particular facts and circumstances, the Court should order Defendants to provide that full funding immediately.

It's already six days into November, people are waiting for the assistance they need to be able to afford food, and there's no more time to wait. So we would ask that the Court enforce its existing order by requiring immediate release of the funds necessary to make full November SNAP payments, or, in the alternative, we would ask that the Court enter a new TRO and stay order primarily setting aside the decision not to fully fund those benefits and requiring Defendants to release that funding immediately.

I welcome the Court's questions.

THE COURT: No. Thank you. Very consistent with your argument. Ms. Romero or Mr. Hubbard, are you adding anything?

MR. LOVE HUBBARD: No, thank you, your Honor.

THE COURT: Great. Mr. Becker.

MR. BECKER: Thank you, your Honor. The Government appreciates the time to be able to speak about this issue which we know is affecting vulnerable populations. And, ultimately, as we stated in the last hearing, this all comes down to Congress not -- Congress not having appropriated funds. The Government is shut down currently.

This Court ordered last time that the Government -- that the Government make one of few decisions as Plaintiffs recognized: The Government could fully fund the SNAP benefits in its discretion if it used Section 32 funds, or the Court also mentioned other funds, although the Government was not able to find other funds within the same bureau that would actually be able to be transferred, or the Government could provide partial benefits using the full SNAP contingency fund.

The Government has complied with the Court's order --

THE COURT: But, Mr. Becker, stop for a second, because you're leaving out a key element of the second option that was given to you, which is that the funds would be expeditiously and efficiently paid by Wednesday. That's why the Court gave you three more days than if full payment was made so that you -- I apologize when I say "you," I mean the Government, so if I do that again, my apologies, Mr. Becker -- that when the Administration, to give them some days to straighten out those issues so that full payment -- so that partial payment could get to people immediately.

One, the contingency funds the Court found were compulsory, having to be spent, it pointed to where, if there was going to be such a delay, you could find other funds, that being Section 32, but said the payments had to be made by Wednesday. And that's the key part I think that -- the key part of the Court's Order that represents the difference between the Administration's position and the Plaintiffs' position.

MR. BECKER: Your Honor, the Court's Order says if the Government does not want to use its discretion to use funds available to make a full payment of SNAP benefits in November, then it must expeditiously resolve the administrative and clerical burdens and papers, but then requiring payments to be made by Wednesday, November 5th.

THE COURT: It says under no circumstances. I wrote that. I know exactly what it says.

MR. BECKER: Yes, your Honor. The Government has resolved -- the States are not parties to this litigation, but the Government has resolved all of the administrative and clerical burdens that it is responsible for in this context.

THE COURT: But that's not what the Order said, Mr. Becker. And the Administration problems at making a partial payment are the exact -- the notice that the Government sent about the problems are the exact same problems that you mentioned in opposition to the Plaintiffs' original motion. Exact same. Word for word. It might take weeks; it might takes months in some states. So, in fact, nothing was done consistent with the Court's Order to clear the weight to expeditiously resolve it.

Now, maybe that's a State problem, maybe not, but if it was something that the Government could not resolve expeditiously; that is, by Wednesday, two days ago -- no -- yesterday, then you were required to make the full payment, which didn't have any of those administrative burdens.

That's the plain reading of the Court's Order. And, instead, the Government did nothing to ensure that the money would be paid on Wednesday, which is the issue that was the problem that you highlighted beforehand.

MR. BECKER: Your Honor, the Government did make the payments -- is making the payments to the States. That's all the Government does in the SNAP program. That's in the statute; that is in the regulations.

The Government did -- has presented different reasons that it did not -- than it did before. Yes, there are issues with regard to States actually being able to administer the -- it being able to administer. We knew that; we knew that before.

But the Government also presented before reasons that even calculating and going through these calculations so quickly to make the partial payment would be difficult to expend the contingency fund. And the Government resolved those. We, in fact, submitted late last night a correction because this was done very quickly. But the Government made that money available. The money is available to the States.

Within the last couple of hours, the States have admitted in a filing in the District of Massachusetts that some of them can do this immediately and the funds can go out immediately. Some of the States cannot. This is a State problem. States are not parties to this litigation, they are parties to the Massachusetts litigation.

THE COURT: Mr. Becker, what this Court's Order said was to resolve the problems to ensure that the money would be paid so that people got their SNAP benefits so that the irreparable harm would not continue. The problem that the Government identified needed to be resolved one way or the other by Wednesday. And if it wasn't resolved by Wednesday, then you had to make the full payments because that's the only way we could get money to people immediately and alleviate the irreparable harm.

Whether you could or couldn't do anything about that, I'm not challenging. I'm not challenge that at all. But if -- I'm going to take you at your word that you couldn't or you didn't do anything, therefore, you had an obligation -- the Government had an obligation of following the order to make the full payment so that people everywhere throughout the country would get their SNAP benefits immediately.

We have now gone six days without needed food to the 42 million, 16 million children. Irreparable harm, that's what the Court's temporary retraining order attempted to resolve. I gave you the option because contingency money, I think, had to be paid, I think using Section 32 money was discretionary, but when you can't fix the irreparable harm and you've lost the ability to exercise that discretion, that's what the Order said. And I think it's straightforward, and I think it's simple. And I --

MR. BECKER: Your Honor, the reason that people have not received their SNAP benefits is because the States have not distributed the partial benefits. The partial benefits on Monday were released on Monday. It was not even by Wednesday. We actually tried to do this early to really comply with the Court, to also give the Court a couple of days to be able to tell the Government that they needed to do more than that.

We specifically stated in our filing on Monday that this would fully -- that by providing and making available the partial payments on Monday, and it was done by Tuesday morning, that that was the end of the Government's obligation. We've heard nothing from the Court besides scheduling a new hearing about this until -- and I'm just hearing about this now that this has been a problem.

(Overspeaking)

THE COURT: Whoa, whoa, whoa, whoa, whoa. Time out, Mr. Becker. The Plaintiffs filed their paperwork setting this out, putting it forward about their desire to have the order enforced and the plain language of the order two, three days ago. So this isn't the first you've heard about it. You heard about it I believe with the plain reading of the Order, and then you heard about it from the Plaintiff days ago that the Court said the irreparable harm needs to be remedied. It needs to be remedied under one or two ways, your decision. Either fix the administrative problem so food stamps get in peoples' pocket -- I'm sorry -- SNAP benefits get in peoples' pockets -- I'm showing my age -- get in peoples' pockets immediately so that the irreparable harm can be remedied, or, or, then go the route that includes some discretion, Section 32 funds, and pay the full benefits because you represented to the Court correctly so that those could just fly like they normally do.

And I'm not accusing you, and I don't think the Plaintiffs are either, of bad faith in it, of acting inappropriately. I think what the Plaintiffs are saying -- I mean, they have not, and I think rightly so, haven't asked for contempt. What they're merely saying is enforce the

Order that is plain and straightforward. And, clearly, the Government didn't read the Order in its plain language in that regard, because it shows to allow the same problems that the Court said must be expeditiously eliminated, and they existed when you filed -- same exact problems it listed when you made the decision.

MR. BECKER: Your Honor, the Government complied with the Court's Order. We stated on Monday night when we filed with the Court that because all of the additional issues would be on the States, we resolved all of the burdens that the Government is responsible for under the regulations and under the statute.

SNAP is a system that is a joint system between the States and the Federal Government. For example, they share 50 percent of each benefit. The Government reasonably interpreted the Order as the Government having to resolve all of its own administrative burdens, some of which were actually administrative burdens that are on the Government. As you've seen, calculating a partial is not that easy. The Government has never had to do this before. USDA has never had to do it before. The Government has been complying and has released the contingency funds.

THE COURT: Okay. So hold on a second. Thanks, Mr. Becker. I appreciate the argument.

Let me give you my ruling. In addition to this oral ruling, the Court will issue a more detailed written order shortly there afterwards, but because irreparable harm continues by the minute, the Court is going to give you its oral Order.

It is clear to the Court that the Administration did not comply with this Court's oral Order of 10/31/25 or its written Order of November 1, '25. The Court was clear that the Administration had to either make the full payment by this past Monday, or it must, quote, "expeditiously resolve the administrative and clerical burdens it described in its papers but under no circumstances shall the partial payments be made later than Wednesday, November 5th, 2025." The record is clear that the Administration did neither.

In fact, the day before the compliance was ordered, the President stated his intent to defy the Court Order when he said, quote, "SNAP payments will be given only when the Government opens" unquote.

The Administration then filed the notice with this Court saying that it chose partial payment, but it did not do anything to resolve the administrative and clerical burdens that it had described in its paper and that the Order directly referred to. How do we know this? Because in their notice of compliance, the Administration states the exact same thing they did before the Order; that is, "the system-changes States must implement to provide the reduced benefit amounts will take anywhere from a few weeks to up to several months," unquote. If that continued to be the case, the Administration was required under this Court's Order to immediately make the full payment for November SNAP benefits considering the finding of irreparable harm that would occur.

And just to be clear, irreparable harm means harm to families, elderly, children, and others that cannot be undone. The evidence shows that people will go hungry, food pantries will be overburdened, and needless suffering will occur. That's what irreparable harm here means.

Last weekend, SNAP benefits lapsed for the first time in our Nation's history. This is a problem that could have and should have been avoided.

Therefore, the Court grants the Plaintiffs' Motion to Enforce and consistent with its prior Order, orders the Administration to make the full SNAP payment to the States by tomorrow, Friday, November 7th, utilizing available Section 32 funds in combination with the contingency funds.

Second, as to Plaintiffs' request for a second TRO, the Court finds that all four elements are present requiring an additional TRO to issue.

To recap, the Administration decided not to use available funds from Section 32 to make the full November SNAP payment. That decision, as the Court ordered and as the APA required, had to be made in a non-arbitrary and non-capricious way. However, the record is abundantly clear that the Administration's decision not to use available Section 32 funds to fully fund November's SNAP payment was arbitrary and capricious, signifying a high degree of likelihood of success by the Plaintiffs.

Because the use of the contingency funds was not permissive, it was mandatory, USDA had an obligation beginning on November 1st at least -- I'm sorry -- beginning on October 1st, when the shutdown began, to prepare to use the contingency funds so that the recipients would get their benefits as expected on November 1. USDA did not do so. Even when November 1st came, USDA refused to use the congressionally mandated contingency funds. USDA cannot now cry that it cannot get timely payments to beneficiaries for weeks or months because States are not prepared to make partial payments. USDA arbitrarily and capriciously created this problem by ignoring the congressional mandate for contingency funds and failing to timely notify the States.

So why is this decision arbitrary and capricious in violation of the Court's Order and in violation of the APA? At least four reasons.

First, the Defendants failed to consider the practical consequences associated with its decision to only partially fund SNAP. They knew that there would be a long delay in paying partial SNAP payments and failed to consider the harms individuals who rely on those benefits would suffer.

Second, the Defendant's claim that transferring Section 32 funds, quote, "to support SNAP would further stray from congressional intent," but, throughout their declaration, the Administration erroneously and intentionally conflate Section 32 funds and the child nutrition programs by referring to them in tandem, as though they were one in the same. In essence, they erroneously claim that Section 32 funds are to be used exclusively to fund the Child Nutrition Program, but that is incorrect.

Section 32 of the Agricultural Adjustment Act of 1935 states in relevant part, quote, "Congress has set forth a mandatory and permanent appropriation that stems from 30 percent of customs receipts on all imports from the prior calendar year," unquote. While much of this funding has been appropriated for the Child Nutrition Program, USDA has the authority under Section 7 U.S. Code 2257 to authorize transfers of these funds interchangeably for the, quote, "miscellaneous expenses of the work of any bureau, division, or office of the Department of Agriculture," unquote. There is no statute prohibiting USDA from using the funding for SNAP. In fact, at the start of the current Government shutdown, USDA transferred Section 32 funds to fund the WIC program. This undermines the Defendants' point that Section

32 funds are to be exclusively used to fund the Child Nutrition Program.

A rational premise on such -- a rationale premised on such legal errors must be set aside as arbitrary and capricious.

Third, the Defendants' argument that forcing it to use Section 32 funds will cause children to go hungry is incredible, contrary to the evidence, and implausible.

The Defendants' claim that transferring, quote, "Child Nutrition Funds to top off SNAP contingency funds to issue full November SNAP allotments would leave the Child Nutrition Program, which feeds at least 29 million children, with an unprecedented and significant shortfall," unquote.

Contrary to the Defendants' argument, 29 million children are not at risk of going hungry should this transfer occur. Rather, transferring approximately $4 billion to fully fund November SNAP benefits would still leave $19.35 billion in Section 32 funds, quote, "enough to fully fund child nutrition programs through May and beyond, and even if the current lapse in appropriations were to last that long," unquote.

It is also implausible that such a transfer, quote, "would be a permanent loss," unquote, considering that, one, Congress, with bipartisan support, has always funded the Child Nutrition Program; and, two, once a new appropriations bill is passed, quote, "amounts appropriated for SNAP could be transferred to the Child Nutrition Program account to effectively reimburse it for the amount the account covered."

More importantly, without SNAP funding for the month of November, 16 million children are immediately at risk of going hungry. This should never happen in America. In fact, it's likely that SNAP recipients are hungry as we sit here.

Fourth and finally, the Defendants' stated desire to conserve funding for the Child Nutrition Program is entirely pretextual given the numerous statements made in recent weeks by the President and his Administration officials who admit to withholding full SNAP benefits for political reasons.

Therefore, in addition to granting Plaintiffs' Motion to Enforce, the Court also enters a Temporary Restraining Order and finds that the Plaintiffs are likely to succeed on the merits of their claim, that irreparable harm has and will occur, and the equities balance in favor of fully funding SNAP benefits now.

Therefore, the Defendants are ordered to make the full payment to the States due for November's SNAP benefits by tomorrow, Friday, November 7th, 2025.

The request for a stay of this decision, either a stay or an administrative stay is denied. People have gone without for too long. Not making payments to them for even another day is simply unacceptable.

I'll issue the written Order shortly. And with that, we'll stand adjourned.

(Proceedings Adjourned)

C E R T I F I C A T I O N

I, Denise A. Webb, RPR, do hereby certify that the foregoing pages are a true and accurate transcription of my stenographic notes in the above-entitled case.

Dated this 6th day of November, 2025

/s/ Denise A. Webb

Denise A. Webb, RPR
Federal Official Court Reporter

EXHIBIT 3

DECLARATION OF MARIA RIVERA, MAYOR, CITY OF CENTRAL FALLS

I, Maria Rivera, declare as follows:

1. I am over the age of 18 and competent to testify to the facts contained in this Declaration. I am the Mayor of the City of Central Falls, Rhode Island.

2. I have served as the Mayor of the City of Central Falls, Rhode Island, since 2021. In this capacity, I have direct responsibility for overseeing the City's operations, public safety, city services, and budget, and I am familiar with the needs of Central Falls residents and the challenges facing our community. The facts set forth in this declaration are based on my personal knowledge, information provided to me by City staff in the course of their duties, and review of City records. If called as a witness, I could and would testify competently to the matters stated herein.

I. CITY OF CENTRAL FALLS

3. The City of Central Falls, Rhode Island, is a municipal corporation organized under the laws of the State of Rhode Island and is authorized to bring the cause of action in this lawsuit under R.I. Gen. Laws § 45-15-1, which grants municipalities the power to sue and be sued and to exercise all powers necessary for the effective operation of municipal government and the welfare of its inhabitants.

4. Central Falls has a population of approximately 22,500 residents and is the smallest and most densely populated city in Rhode Island, covering just 1.29 square miles. Despite our small geographic size, Central Falls is home to a vibrant, diverse community that reflects the immigrant heritage that has defined our city for generations.

5. Central Falls is also one of the most economically vulnerable communities in Rhode Island. Our residents face significant economic challenges, including high rates of poverty, unemployment, and food insecurity. According to recent data, approximately 22%of Central Falls residents live

below the federal poverty line, compared to just 10% statewide. Our residents include high percentages of children, seniors, people with disabilities, veterans, and immigrants with limited English proficiency—populations that are particularly vulnerable to food insecurity and economic instability.

II. CENTRAL FALLS RESIDENTS RELY ON SNAP BENEFITS

6. According to data from the Rhode Island Department of Human Services, approximately 5,100 residents—nearly one-fourth of the city's population — in Central Falls receive SNAP benefits. These benefits are critical to preventing hunger and supporting food security among the City's residents.

7. For many of these households, SNAP benefits constitute the primary or sole means by which they can afford to purchase food. These benefits are typically loaded onto Electronic Benefits Transfer ("EBT") cards at the beginning of each month, and families plan their food budgets around the availability of these benefits.

8. Many of our City's residents live paycheck to paycheck with no savings or financial cushion. They depend on the timely and predictable issuance of their SNAP benefits to feed themselves and their families.

9. Central Falls is also one of the nine Rhode Island municipalities covered by the able-bodied adults without dependents ("ABAWD") waiver that USDA approved effective March 1, 2025, through February 28, 2026. This waiver was granted based on the lack of sufficient jobs for ABAWDs in Central Falls and was intended to ensure that individuals who want to work but cannot find adequate employment would not lose their food assistance.

10. A significant number of Central Falls residents are subject to ABAWD work requirements. These individuals—able-bodied adults without dependents between the ages of 18 and 54—are subject to a time limit on their SNAP benefits unless they meet certain work requirements or live in an area covered by a waiver of those requirements.

III. IMPACT OF SNAP BENEFIT SUSPENSION ON CENTRAL FALLS

11. On October 10, 2025, USDA issued a letter to all State SNAP agencies directing them to "hold their November issuance files and delay transmission to State EBT vendors until further notice." As a result, SNAP benefits will not be issued beginning November 1, 2025, to approximately 140,000 Rhode Islanders—including thousands of Central Falls residents.

12. USDA stated in its letter that if the lapse in appropriations continues, there will be "insufficient funds to pay full November SNAP benefits." However, USDA did not cite any legal authority for its directive and did not explain why it could not use available contingency funds and appropriations to continue SNAP benefits, as it reportedly has done for the WIC program. As a direct and immediate result of USDA's October 10, 2025 directive, and its October 24, 2025 memo formally suspending SNAP benefits, SNAP benefits will not be available to recipients in Rhode Island beginning November 1, 2025.

13. As a municipality, Central Falls provides essential services and programs to support our residents, including public safety, public health, education, recreation, and various social services designed to help individuals and families achieve stability and self-sufficiency, including food security. The City operates and/or funds the Office of Constituent Services, the Parks and Recreation Department, the Adams Library, youth programs, recreation programs, public health initiatives such as of the Office on Health and our EMS services within our Fire Department, that serve thousands of Central Falls residents each year.

14. The City also partners with and provides funding to local nonprofit organizations and food pantries that provide emergency food assistance and other support services to Central Falls residents, including Progreso Latino and the Elisha Project.

15. The City's ability to provide these services depends on careful planning and allocation of limited municipal resources. As a City that came out of State Receivership and Federal Bankruptcy

in the last decade, Central Falls operates with a constrained budget, and any significant increase in demand for City services or need to divert resources to address emergency situations creates substantial strain on our operations and impairs our ability to serve our residents effectively.

16. The suspension of SNAP benefits will have immediate and severe consequences for the City of Central Falls and its residents. Many households in the City rely on SNAP as their primary source of food assistance. When those benefits are suspended, the burden of meeting basic nutritional needs falls to local government and nonprofit service providers that already operate at capacity.

17. The City's community partners—including local food pantries, schools, and senior centers—have reported an increase in residents seeking emergency food assistance since the federal government shutdown began in early October. If November SNAP benefits are not issued, the City anticipates a surge in food insecurity and hunger that will far exceed available resources.

18. The City expects to experience a dramatic and unprecedented increase in demand for City services and programs as a result of the SNAP suspension. Residents who suddenly lose their primary means of purchasing food will turn to City resources, local food pantries, and other emergency assistance programs.

19. The City will be forced to expend significant additional financial resources to address the crisis created by the SNAP suspension. This may include overtime for public safety staff, staffing from multiple city departments at emergency food distribution centers, increased funding for emergency food assistance programs, including the purchasing of gift cards for families to purchase food and/or expanded hours at city facilities serving as emergency response centers.

20. As one example, this Saturday, November 1, 2025, because SNAP will be suspended, the City is hosting a city-wide food drive. This food drive, designed to provide food for up to 800 families, will require the City to expend resources, including thousands of dollars to purchase grocery store gift cards and staffing from the police department, the department of public works and the office

of constituent services; resources that would have otherwise been spent on the delivery of city services and public safety.

21. The City's Office of Constituent Services and Office on Health will experience immediate strain. Staff are already fielding calls from residents seeking information about the SNAP lapse. City personnel will be required to divert time and resources from their normal duties to assist affected households, including coordinating emergency food distribution, connecting residents with nonprofit partners, and responding to increased public safety and health concerns.

22. Central Falls will also face higher costs related to emergency services, including increased demand on its public schools (as more children arrive hungry or without adequate meals), health programs, and senior nutrition programs.

23. Although we understand that community members and philanthropic organizations are stepping up to donate to food banks and food pantries in this time of need, we have no expectation that donations will close the gap that SNAP benefits typically provide. Even if we saw exponential growth in charitable support, it would not replace the essential role that SNAP benefits play in ensuring food security for Central Falls residents.

24. The SNAP suspension undermines the City's ability to meet its legal and moral obligations to safeguard the welfare of its residents. The harm to Central Falls will continue to worsen each day that SNAP benefits remain suspended. These diversions of staff time and financial resources impair the City's ability to carry out its regular municipal functions and thus frustrate our mission of serving and supporting our residents. We cannot sustain this level of emergency response without devastating consequences for our City government and the community we serve.

IV. IMPACT OF ABAWD WAIVER TERMINATION ON CENTRAL FALLS

25. Rhode Island received approval from USDA's Food and Nutrition Service for a partial ABAWD waiver effective March 1, 2025, through February 28, 2026. This waiver was granted based

on the lack of sufficient jobs for ABAWDs in nine Rhode Island municipalities, including Central Falls, and was intended to ensure that individuals who want to work but cannot find adequate employment would not lose their food assistance. A significant portion of Central Falls residents are individuals who will be subject to ABAWD work requirements when the waiver expires.

26. In addition to suspending SNAP benefit issuances during the shutdown, USDA has also terminated Rhode Island's ABAWD waiver effective November 2, 2025. This termination occurred despite the fact that Rhode Island's waiver had been approved through February 28, 2026, and was based on USDA's own finding that Rhode Island lacks sufficient jobs for ABAWDs. The early termination of this waiver will directly harm City residents and City operations.

27. USDA's termination of the ABAWD waiver means that able-bodied adults without dependents in Central Falls who do not meet work requirements will begin losing their SNAP benefits after three months, even if they want to work but cannot find adequate employment.

28. Many residents in Central Falls who are subject to ABAWD requirements face significant barriers to employment, including limited English proficiency, lack of transportation, criminal records, or health issues that do not meet the threshold for disability. When these residents lose their SNAP benefits after three months of noncompliance, they will turn to City agencies for assistance with food, housing, and emergency needs.

29. The termination of the ABAWD waiver thus independently harms the City because it means that even if the immediate SNAP suspension is resolved, a significant portion of our population subject to ABAWD requirements will face loss of benefits in the coming months.

30. The termination of the ABAWD waiver will result in an entire category of Central Falls residents losing SNAP benefits four months earlier than expected and turning to City services and local food pantries for emergency assistance. For the same reasons that a suspension of SNAP benefits during the shutdown will frustrate the City's ability to serve residents and force us to divert

municipal resources in response, the early waiver termination will also increase demand on our already-strained resources and prevent us from effectively carrying out our municipal functions.

31. The City anticipates that the termination of the ABAWD waiver will increase demand on its workforce development assistance and emergency food services. The City will be forced to divert staff time away from other municipal functions to meet the additional demand for job placement support, benefits navigation assistance, and emergency services for residents losing SNAP benefits under the waiver termination.

32. The early termination of the ABAWD waiver will also exacerbate public health and safety issues within Central Falls. Hunger and poverty contribute to increased stress, mental health challenges, and instability that strain City resources across departments, including police, fire, and emergency medical services.

V. HARM TO CENTRAL FALLS AND OUR CITIZENS ABSENT A TRO WOULD BE IRREPARABLE

33. The combined effect of the SNAP suspension and the ABAWD waiver termination poses an existential challenge to Central Falls' capacity to serve its residents. The City operates with a modest budget and limited reserve funds. The additional burdens caused by these federal actions will require the City to divert money and personnel away from essential municipal services, impairing its ability to function effectively. Each day that SNAP benefits remain suspended, and each additional day that ABAWDs are at risk of losing their SNAP eligibility, more families will go hungry.

34. The harm is not merely financial. Central Falls' relationship with our residents, the City's capacity to provide essential services, our public health and safety systems, and our ability to plan and operate effectively are all being damaged in ways that cannot be quantified or compensated after the fact.

35. Similarly, the disruption to the City's educational, workforce development, and other programs caused by the need to divert resources to emergency food response or ABAWD-specific

job placement and benefits advice would cause irreparable harm to the individuals and families who depend on those programs. Delays in education, job training, and support services can have lasting consequences that cannot be remedied later.

36. The uncertainty and crisis atmosphere created by the SNAP suspension and ABAWD waiver termination also harm the City's ability to plan effectively for our programs and services.

37. More than 2,000 children in Central Falls will suffer irreparable developmental, educational, and health consequences from food insecurity that cannot be remedied by later restoration of SNAP benefits. The harm of going hungry during critical developmental periods cannot be undone.

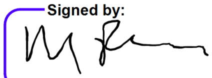
38. A temporary restraining order requiring USDA to immediately release November SNAP benefits and to restore Rhode Island's ABAWD waiver would directly remedy the harms to Central Falls. SNAP recipients would receive their benefits, reducing the demand on City services to sustainable levels and allowing the City to continue normal operations and provide our full range of municipal programs and services to residents.

39. Without such relief, the harm to Central Falls will be immediate and worsen each day. The longer the SNAP suspension continues, the more difficult it will be for the City to recover and restore our operations to normal functioning. The same is true for each day that Central Falls must absorb the responsibility of providing emergency support to ABAWDs affected by Rhode Island's early waiver termination.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

Signed by:



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Maria Rivera
Mayor

EXHIBIT 7

DECLARATION OF CHRISTOPHER LONG, DIRECTOR, COLUMBUS DEPARTMENT OF FINANCE AND MANAGEMENT

I, Christopher Long, declare as follows:

1. I am over the age of 18 and competent to testify to the facts contained in this Declaration. I am the Director of the Columbus Department of Finance and Management.

2. I have served as the Director of the Columbus Department of Finance and Management since 2025.

3. The Columbus Department of Finance and Management has a staff of over 300 employees responsible for the development and administration of the City of Columbus's operating budget and capital budgets. The Department is further tasked with facilitating, crafting, and monitoring of the City's fleet, facilities maintenance, procurement, and real estate and construction management.

4. In my capacity as Director, I have direct responsibility for overseeing certain parts of the City's operations, services, and budget, and I am familiar with the needs of Columbus residents and the challenges facing our community. In my role, I am responsible for overseeing the City's budget management as well as supervising our multi-year capital improvements program. The facts set forth in this declaration are based on my personal knowledge, information provided to me by City staff in the course of their duties, and review of City records. If called as a witness, I could and would testify competently to the matters stated herein.

I. CITY OF COLUMBUS SERVICES

5. The City of Columbus, Ohio, is a municipal corporation organized under Ohio law. *See* Ohio Const. Art. XVIII. Columbus has all the powers of local self-government and home rule under the constitution and laws of the state of Ohio, which are exercised in the manner prescribed by the Charter of the City of Columbus.

6. Columbus, located in Franklin County, is the capital of Ohio. It is the largest city in the state and the fifteenth largest city in the United States, with a population of 905,748, according to the 2020 Census.

7. Columbus provides a wide range of services on behalf of its residents, including operating the municipal electric, water and sewer services, and covering certain medical expenses for uninsured individuals living in Columbus, providing a sliding scale of no cost and low-cost clinics through the Columbus Public Health Department (CPH). The City also operates low cost and no cost drop-in health clinics and no cost inhalers, Columbus community/recreation centers and their accompanying free early schooling and arts programming, and supports a range of human services needs through a network of community partners such as rental assistance, work force development programs, financial skills programs, and after school childcare programs.

II. COLUMBUS RESIDENTS RELY ON SNAP BENEFITS

8. According to data from the Ohio Jobs and Family Services, approximately 12.8% of households in Columbus receive SNAP benefits. These benefits are crucial to preventing hunger and supporting food security among the

City's residents. Franklin County has 173,523 SNAP beneficiaries obtaining approximately $31 million per month in benefits and Columbus City Schools estimates that approximately 29,000 students receive SNAP benefits.

9. For many of these households, SNAP benefits constitute the primary or sole means by which they can afford to purchase food. These benefits are typically loaded onto Electronic Benefits Transfer ("EBT") cards at the beginning of each month, and families plan their food budgets around the availability of these benefits.

10. Many of our City's residents live paycheck to paycheck with minimal savings or financial cushion. They depend on the timely and predictable issuance of their SNAP benefits to feed themselves and their families.

III. IMPACT OF SNAP BENEFIT SUSPENSION ON COLUMBUS

11. This week, with SNAP benefits set to run out, the Columbus City Council has been forced to allocate $25,000 in emergency funding for the area's largest food bank collective. The Administration is also working on an emergency response plan, which includes coordinating with other local governmental units, local non-profits and for-profit corporations to further address issues of food insecurity as a result of this loss of benefits. The City also expects to provide additional funding in support of individuals who have had their SNAP benefits cancelled. Although a finalized dollar amount has not yet been established, the City will be using its limited financial resources to support individuals who are facing food insecurity issues.

12. On October 10, 2025, USDA issued a letter to all State SNAP agencies directing them to "hold their November issuance files and delay transmission to State EBT vendors until further notice."

13. On October 24, 2025, USDA issued a memo formally suspending SNAP benefits.

14. As a result, SNAP benefits will not be issued beginning November 1, 2025, to approximately 1.5 million Ohioans—including 173,523 Franklin County residents.

15. As a municipality, Columbus provides essential services and programs to support our residents, including public safety, public health, education, recreation, refuse collection, housing, and various social services designed to help individuals and families achieve stability and self-sufficiency. The City operates and funds early schooling, arts programming, community centers, and public health initiatives that serve thousands of Columbus residents each year. The City and many of its employees have been forced to step away from their normal duties to work with our non-profit partners and others in the community to make sure that we have the necessary resources available to our residents for them to coordinate and gather resources to community residents while SNAP benefits are unavailable.

16. Columbus also partners with and provides funding to local nonprofit organizations and food pantries that provide emergency food assistance and other support services to residents, including Mid-Ohio Food Collective, Childrens Hunger Alliance, LifeCare Alliance, and other partners such as the Columbus City Schools.

17. The City's ability to provide these services depends on careful planning and allocation of limited municipal resources. Columbus operates with a constrained budget, and any significant increase in demand for City services or need to divert resources to address emergency situations creates substantial strain on our operations and impairs our ability to serve our residents effectively. With SNAP benefits set to run out in a few short days, Columbus has already been forced to deploy emergency funding that was not originally budgeted for. The City of Columbus operates under a balanced budget, and its financial resources are not unlimited. Therefore, the need to redirect funding for emergency needs carries with it certain opportunity costs. These costs come in the form of forgoing other investments central to maintaining core city services.

18. The suspension of SNAP benefits will have immediate and severe consequences for Columbus and its residents. Many households in the City rely on SNAP as their primary source of food assistance. When those benefits are suspended, the burden of meeting basic nutritional needs falls to local government and nonprofit service providers that already operate at capacity.

19. The City's community partners—including local food pantries—have reported an increase in residents seeking emergency food assistance since the federal government shutdown began in early October. If November SNAP benefits are not issued, the City anticipates a surge in food insecurity and hunger that will far exceed available resources.

20. Columbus expects to experience a dramatic and unprecedented increase in demand for City services and programs as a result of the SNAP suspension. Residents who suddenly lose their primary means of purchasing food will turn to City resources, community centers, local food pantries, and other emergency assistance programs.

21. The emergency $25,000 allocated by the City Council is not sufficient to address a massive and sustained increase in food demand in the City. Community partners, including the Human Services Chamber, a conglomeration of local non-profits, have told the City that existing issues will only get worse than they are now if SNAP benefits are not issued.

22. The City anticipates that as residents are forced to find alternatives to their SNAP benefits, they will redirect their money away from core needs, such as housing, transportation, and other expenses into money needed for food. This may result in these residents not having sufficient resources to pay for their housing, transportation, or health needs.

23. We also anticipate that the City will face additional financial burdens, including higher strain on the Columbus Emergency Medical Services system and the public health department as residents will be forced to skip paying their insurance premiums to buy food. As individuals living in Columbus that do not have health insurance do not receive a bill for emergency ambulance transport, that cost will be passed on to the City. Additionally, as more folks are forced to skip insurance premium payments, they will get pushed to seek care from Columbus Public Health

Department clinics that serve as providers of last resort. City services will become increasingly overburdened at a time when there is less money than usual to bolster their programs.

24. Additionally, we expect to see reduced economic activity in Columbus, as $1.50 of economic activity is generated by every $1 in SNAP benefits spent.

25. Columbus will also face higher costs related to emergency services, including increased demand on its public school system (as more children arrive hungry or without adequate meals), health programs, and after-school programming. The City anticipates that there will be an increased demand for rental and utility assistance as SNAP benefits are no longer available. In addition, because of the widespread use of school breakfast and lunch programs, the City anticipates that malnutrition will become a health issue that will need to be addressed due to missed meals at home because of a lack of SNAP benefits. Further, this will cause other problems as this leads to loss of educational opportunities due to malnutrition and lack of concentration.

26. Although we understand that Columbus community members and local philanthropic organizations are stepping up to donate to food banks and food pantries in this time of need, we have no expectation that donations will close the gap that SNAP benefits typically provide. Even if we saw exponential growth in charitable support, it would not replace the essential role that SNAP benefits play in ensuring food security for Columbus residents. SNAP benefits are approximately $31 million

per month for 173,523 recipients. Local government and local partners simply cannot make up that shortfall.

27. The SNAP suspension undermines the City's ability to meet its legal and moral obligations to safeguard the welfare of its residents. The harm to Columbus will continue to worsen each day that SNAP benefits remain suspended. These diversions of staff time and financial resources impair the City's ability to carry out its regular municipal functions and thus frustrate our mission of serving and supporting our residents. We cannot sustain this level of emergency response without devastating consequences for our City government and the community we serve.

IV. <u>HARM TO COLUMBUS AND OUR CITIZENS ABSENT A TRO WOULD BE IRREPARABLE</u>

28. The effect of the SNAP suspension poses an existential challenge to the City's capacity to serve its residents. Columbus operates with a balanced budget and limited financial resources. The additional burdens caused by these federal actions will require the City to divert money and personnel away from essential municipal services, impairing its ability to function effectively. Already, $25,000 have been diverted to address the upcoming SNAP suspension. We continue to work closely with our local for profit and nonprofit partners to further address this shortfall and expect the City to respond with additional resources. However, the city is not able divert an additional $1 million each day to make up for the loss of SNAP benefits. Each day that SNAP benefits remain suspended more families will go hungry and poverty in Columbus will deepen.

29. Municipal budgeting requires the city to plan based upon its population and its reasonable expectation that programs that have existed for decades continue. Prior to November 1, 2025, Columbus budgeted based upon its reasonable belief that SNAP benefits would be available to its residents. Because of this cutoff, Columbus has had to turn on a dime and immediately determine how to reallocate funds to support residents who may desperately need assistance.

30. The harm is not merely financial. Columbus's relationship with our residents, the City's capacity to provide essential services, our public health and safety systems, and our ability to plan and operate effectively are all being damaged in ways that cannot be quantified or compensated after the fact.

31. Similarly, the disruption to the City's educational, workforce development, and other programs caused by the need to divert resources to emergency food response would cause irreparable harm to the individuals and families who depend on those programs. A similar hardship is suffered directly by the City itself in that it must redirect the efforts of its employees in order to react to this crisis. Those same employees will face extra responsibilities at health clinics, after school programs, rental assistance, and other city services. Delays in education, job training, and support services can have lasting consequences that cannot be remedied later.

32. The City has already been forced to divert some resources and planning as a result of the federal governmental shutdown. With the additional loss of SNAP

benefits, that uncertainty has been compounded and made even more difficult for the City to plan and attempt to address.

33. The uncertainty and crisis atmosphere created by the SNAP suspension also harm the City's ability to plan effectively for our programs and services.

34. Children in Columbus will suffer irreparable developmental, educational, and health consequences from food insecurity that cannot be remedied by later restoration of SNAP benefits. The harm of going hungry during critical developmental periods cannot be undone.

35. A temporary restraining order requiring USDA to immediately release November SNAP benefits would directly remedy the harms to Columbus. SNAP recipients would receive their benefits, reducing the demand on City services to sustainable levels and allowing the City to continue normal operations and provide our full range of municipal programs and services to residents.

36. Without such relief, the harm to Columbus will be immediate and worsen each day. The longer the SNAP suspension continues, the more difficult it will be for the City to recover and restore our operations to normal functioning.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

Signed by:
Christopher Long
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Christopher Long
Director of the Columbus Department of Finance and Management

EXHIBIT 11

DECLARATION OF KIMBERLY FERNANDEZ, EXECUTIVE DIRECTOR, FEDERAL HILL HOUSE

I, Kimberly Fernandez, declare as follows:

1. I am over the age of 18 and competent to testify to the facts contained in this Declaration. I am the Executive Director of Federal Hill House ("FHH"), a multi-service community-based organization located in Providence, Rhode Island.

2. I have served as Executive Director of Federal Hill House since 2017. In this capacity, I have direct responsibility for overseeing FHH's operations, programs, and services, and I am familiar with the needs of the individuals and families we serve. The facts set forth in this declaration are based on my personal knowledge, information provided to me by FHH staff in the course of their duties, and review of FHH's records. If called as a witness, I could and would testify competently to the matters stated herein.

I. FEDERAL HILL HOUSE'S MISSION AND SERVICES

3. Federal Hill House is one of the oldest community centers in Providence, Rhode Island, having served as a second home to its neighbors for more than 138 years. Founded in 1887, FHH has a long history of serving low-income, immigrant, and limited English-speaking individuals and families in the City of Providence – first Irish immigrants, then Italians, and now community members from both near and far.

4. FHH's mission is to help our neighbors in Federal Hill, Olneyville, and the surrounding community thrive, at every stage of life. We provide education, opportunities, and support across the lifespan of an individual, and often serve multiple

family members across programs and over time. We pride ourselves on being a place where people can access the resources that all of us need to thrive. We draw from and build upon the strengths of the people who come through our doors, whether they come to volunteer, access services, or join our programs.

5. Each year, FHH serves more than 7,500 households in Providence and the surrounding communities. Our core services include emergency food assistance, early childhood education, after school programs, parent education, youth workforce development, senior programs, free tax preparation, and various support services designed to help individuals and families achieve stability and self-sufficiency.

II. FEDERAL HILL HOUSE'S FOOD ASSISTANCE PROGRAMS

6. Food assistance is a critical component of FHH's services. FHH operates one of the busiest food pantries in Rhode Island—and until the end of 2024, operated a second food pantry that was the busiest in the entire state. From January 1 through October 28, 2025, FHH has provided emergency food assistance to 3,600 unique households through 19,046 visits, an 11% increase over the same period in 2024. At the FHH food pantry, individuals and families can access up to a week's worth of culturally responsive produce, meat, dairy, and non-perishables, and can visit twice each month. FHH's food pantry serves as an entry point for FHH's other programs and services, and for information and referrals to community resources and organizations through our family support team.

7. Many of the individuals and families we serve rely on both SNAP benefits and our food pantry services to meet their basic nutritional needs. The individuals and families who use FHH's food pantries include families with children, seniors

(42%), veterans, people with disabilities, immigrants with limited English proficiency, and other vulnerable populations struggling to afford adequate food. A substantial portion of our clients are SNAP recipients who use their benefits as their primary means of purchasing food, supplementing those benefits with emergency food assistance from our pantries when necessary.

8. In 2024, FHH food pantries served more than 7,000 unique households across more than 45,000 visits. We distributed more than 2,000,000 pounds of food to those families – valued at more than $4 million. At the end of 2024, Federal Hill House had to give up operation of the Olneyville Food Center due to the financial constraints its operating costs placed on the rest of our programs and services. Despite our mission to respond to the directly-expressed needs of our community, we simply could not keep up with continuously rising demand for food assistance at two locations, and shifted our focus to our Swiss Street Food Pantry location, which is co-located with many of our other programs and services.

9. Demand for food assistance continues to rise. From January through September of 2025, compared with the same nine-month period for 2024, FHH's food pantry saw an 11% increase in unduplicated households; an 18% increase in total visits; a 32% increase in individual served per month; and a 18% growth in average visits per month. More than 1,200 unique households accessed our food pantry for the first time in 2024.

10. FHH's food pantry services are already operating at capacity. We carefully manage our food inventory, volunteer schedules, and distribution operations to

efficiently serve the existing demand from our community. In addition to at least two staff members supporting pantry operations at all times, and a driver to pick up daily food donations, we rely on an average of ten volunteers at any given time when the pantry is open or food is being delivered or restocked.

III. FEDERAL HILL HOUSE'S CLIENTS WHO ARE SNAP RECIPIENTS

11. Based on my knowledge of our client population and information gathered from intake procedures and client interactions, I estimate that approximately 75% of the households served by FHH's food pantry include at least one member who receives SNAP benefits. Of the individuals and households served by FHH's other programs and services, the overwhelming majority are low or extremely low-income, meaning they are also likely eligible for SNAP benefits.

12. For many of these households, SNAP benefits constitute the primary or sole means by which they can afford to purchase food. These benefits are typically loaded onto Electronic Benefits Transfer ("EBT") cards at the beginning of each month, and families plan their food budgets around the availability of these benefits.

13. Many of our clients live paycheck to paycheck with no savings or financial cushion. Many are on fixed incomes due to their age or disability. They depend on the timely and predictable issuance of their SNAP benefits to feed themselves and their families, and to manage their other basic needs such as housing, transportation, and healthcare.

IV. INJURY TO FEDERAL HILL HOUSE FROM SNAP BENEFIT SUSPENSION

14. On October 10, 2025, USDA issued a letter to all State SNAP agencies directing them to "hold their November issuance files and delay transmission to State EBT vendors until further notice." This directive will prevent Rhode Island and other states from issuing SNAP benefits that were already calculated and ready for distribution to approximately 42 million individuals nationwide, including approximately 140,000 SNAP recipients in Rhode Island, 46,000 of whom are children.

15. USDA stated in its letter that if the lapse in appropriations continues, there will be "insufficient funds to pay full November SNAP benefits." However, USDA did not cite any legal authority for its directive and did not explain why it could not use available contingency funds and appropriations to continue SNAP benefits, as it reportedly has done for the WIC program.

16. As a direct and immediate result of USDA's October 10, 2025 directive, and its October 24, 2025 memo formally suspending SNAP benefits, SNAP benefits will not be available to recipients in Rhode Island beginning November 1, 2025.

17. The suspension of SNAP benefits will cause immediate and severe harm to FHH and our ability to fulfill our mission. Specifically:

18. We have already seen a dramatic increase in demand in our food pantry since the news came out that SNAP benefits would not be released for November 1. During the week of October 20, we had three out of four days with more than 140 visits, a record for our pantry. We have had to divert employees and volunteers from other programs, particularly our family support team and senior services, to manage

this influx. This disruption impairs our ability to carry out other essential services and strains our limited administrative and financial resources.

19. FHH expects to experience a dramatic and unprecedented increase in demand for emergency food assistance at our food pantry after November 1. Individuals and families who normally rely on SNAP benefits to purchase food will be forced to turn to emergency food sources to avoid going hungry. Individuals and families who already rely on our food pantry once a month will return for a second time each month. We anticipate that seniors who rely on SNAP will come for a hot lunchtime meal through our congregate meal site instead, forcing FHH to spend unbudgeted funding on food and staff to meet the increased demand.

20. Based on reports from our food pantry coordinator and other FHH staff members, FHH clients across programs have expressed panic and desperation about the pending cuts, not knowing how they will feed their children or themselves without their SNAP benefits. We know from our experience when the Covid-19 emergency SNAP benefits were terminated towards the end of 2023 that demand increases at our food pantry – in 2024, we served 1,635 more unique households over 3,909 more visits than in 2023, which was already a higher number of visits than in 2022 and each year prior.

21. This surge in demand is unsustainable for FHH. Our food pantry is designed and resourced to provide *supplemental* emergency food assistance, not to serve as the primary food source for thousands of households that have suddenly lost their SNAP benefits.

22. The dramatic increase in demand would rapidly deplete FHH's food inventory, which already includes daily deliveries that are completely distributed before the next delivery arrives. We are already distributing food at a rate that far exceeds our normal pace, and our existing supply chains were not designed to accommodate this level of sustained demand. For context – so far in 2025 we've distributed 623,147 pounds of food, at a value of $1,227,600.

23. FHH will be forced to expend significant additional resources to secure emergency food supplies to meet the increased demand and do our best to counteract the loss of SNAP benefits for those we serve. We will be forced to divert staff time and funds from other programs and services to ensure we can provide food to the families coming to our doors. We will also be forced to divert fundraising efforts by agency administration and development to respond to this need, rather than to raise support for our portfolio of important programs and services.

24. As of October 28, we have already diverted staff and volunteers from other programs to support food pantry operations, and from our administrative and development team to attempt to secure food and financial resources to meet the demand. For example, our family support team is designed to circulate across FHH programs to offer resources and support, but instead is stationed primarily in our food pantry to assist clients accessing both food and resources.

25. If the SNAP suspension continues, FHH will be forced to turn away hungry families who have nowhere else to turn for food. This is not acceptable, represents a fundamental frustration of FHH's core mission, and will prevent FHH from offering

additional programs, services, and resources that can help hungry individuals and families in other areas of their lives (housing, education, healthcare, transportation, workforce development, etc.). We will also be forced to limit our food distribution to once per month, reducing by half the amount of food that individuals and families can access to supplement their nutritional needs.

26. The increased demand will also place extraordinary strain on FHH's staff and volunteers. Our food pantry staff, who are already working at full capacity, will be forced to work longer hours and manage far greater numbers of clients than our operations were designed to handle. Our volunteers, many who are retired or have disabilities, will be asked to volunteer longer hours with more manual labor and increased demands for customer service, putting them at risk for strain and burnout.

27. We will be forced to reassign staff from other programs to help manage the food pantry operations if SNAP benefits are suspended. This will disrupt our other services and prevent us from fully delivering on our commitments to clients in our senior programs, parent education, and family support programs.

28. Although we understand that community members and philanthropic organizations are stepping up to donate to food banks and food pantries like ours in this time of need, we have no expectation that donations will close the gap that SNAP benefits typically provide. I am aware that the national Feeding America food bank network, for example, states that for every meal that its network provides, SNAP provides nine. Even if we saw exponential growth in support, we would not be able to scale our food assistance operations without significant cuts to our other

programming due to staff and space limitations. In addition, without SNAP benefits, food insecure families will not have the choice they deserve to select what they need to eat for any number of reasons, including health and cultural preference. We anticipate that a "surge" in emergency support from philanthropy will focus on staple items, reduce "shoppers' choice" (a very successful food pantry model where clients select their own food items), and reduce the percentage of food available that is fresh and culturally responsive, which are the items with the highest demand at our pantry but also more costly to purchase.

29. FHH's mission is to provide comprehensive support services that help individuals and families achieve stability and self-sufficiency. The SNAP suspension would undermine this mission by forcing us to operate in crisis mode, focusing all available resources on emergency food distribution while our other programs suffer.

30. The harm to FHH will worsen each day that SNAP benefits are suspended. These diversions of staff time and financial resources impair FHH's ability to carry out its regular programs and thus frustrate our mission. We cannot sustain this level of emergency response without devastating consequences for our organization and the community we serve. We also anticipate that clients in our other programs and services may no longer be able to afford the transportation it takes to participate in senior center activities and parent education programs, or to pick their children up from after school, or to pay tuition or co-pays for childcare. Families across our programs who receive SNAP benefits are worried that they will have to

chose between food and medicine, food and housing, food and transportation, or food and programs / services for their child(ren).

V. FEDERAL HILL HOUSE'S CLIENTS WOULD BE SUBJECT TO ABAWD WORK REQUIREMENTS

31. Rhode Island received approval from USDA's Food and Nutrition Service for a partial ABAWD waiver effective March 1, 2025, through February 28, 2026. This waiver was granted based on the lack of sufficient jobs for ABAWDs in nine Rhode Island municipalities, including Providence, and was intended to ensure that individuals who want to work but cannot find adequate employment would not lose their food assistance.

32. FHH serves a significant population of individuals who will be subject to ABAWD work requirements when the waiver expires. These individuals—able-bodied adults without dependents between the ages of 18 and 64—are subject to a time limit on their SNAP benefits unless they meet certain work requirements or live in an area covered by a waiver of those requirements.

33. In addition to suspending SNAP benefit issuances during the shutdown, USDA has also terminated Rhode Island's ABAWD waiver effective November 2, 2025. This termination occurred despite the fact that Rhode Island's waiver had been approved through February 28, 2026, and was based on USDA's own finding that Rhode Island lacks sufficient jobs for ABAWDs.

VI. INJURY TO FEDERAL HILL HOUSE FROM ABAWD WAIVER TERMINATION

34. USDA's termination of the ABAWD waiver means that able-bodied adults without dependents in Rhode Island who do not meet work requirements will

begin losing their SNAP benefits after three months, even if they want to work but cannot find adequate employment.

35. The termination of the ABAWD waiver independently harms FHH because it means that even if the immediate SNAP suspension is resolved, a significant portion of our client population subject to ABAWD requirements will face loss of benefits in the coming months.

36. Many of the FHH clients who are subject to ABAWD requirements face barriers to employment, including limited English proficiency, lack of transportation, physical or mental health challenges that do not rise to the level of disability, lack of work experience, or criminal records that make finding employment extremely difficult.

37. We also anticipate that our staff will be inundated with requests for assistance navigating new ABAWD requirements. We are building capacity to provide this type of assistance as part of our family support team, stationing them in our food pantry to help clients access community resources and support. We did not expect that Rhode Island's waiver would be terminated until the end of February and have not yet developed plans for educating our clients about how the waiver's termination will affect their work requirements. USDA's sudden termination of the waiver requires us to expend time and resources educating ourselves about these changes, training staff members to assist clients with these changes, developing operational infrastructure, including technology, to support changing reporting requirements, and educating clients that our support will be available. We are already stretched

thin and will have to divert resources from our parent education and family support programs to meet this need.

38. The termination of the ABAWD waiver will result in an entire category of individuals losing SNAP benefits four months earlier than expected and turning to FHH's food pantries for emergency assistance. For the same reasons that a suspension of SNAP benefits during the shutdown will frustrate FHH's mission and force us to divert resources in response, the early waiver termination will also increase demand on our already-strained resources and prevent us from effectively serving our community.

39. We will need to significantly expand our food assistance operations to fill even some of the gap for ABAWDs losing their benefits under the waiver termination. Although we would have had to make adjustments for the eventual termination on February 28, 2026, the extra four months of emergency support that we will need to provide will be a substantial drain on our resources, and our other programs and mission will suffer as a result.

40. The waiver termination's significant impact on two of our core activities—food assistance, and support accessing community resources, including benefits—threatens to overwhelm FHH's capacity from multiple directions and causes ongoing, irreparable harm to our organization and mission.

VII. THE HARM TO FEDERAL HILL HOUSE AND OUR CLIENTS ABSENT A TRO WOULD BE IRREPARABLE

41. The harms to FHH and our clients described above would be irreparable if SNAP benefits are suspended or if Rhode Island's waiver is terminated early. Each

day that SNAP benefits remain suspended, and each additional day that ABAWDs are at risk of losing their SNAP eligibility, more families will go hungry, more resources will be diverted from FHH's other critical programs, and more damage will be done to our ability to fulfill our mission of supporting individuals and families across the lifespan.

42. If FHH exhausts its food inventory and financial resources, we may be forced to reduce or close our food pantry operations temporarily, leaving vulnerable families with no source of emergency food assistance. The harm to those families—and to FHH's relationship with the community we have served for 138 years—would be irreparable. It would also prevent individuals and families from accessing other critical programs and services through FHH, which relies on the food pantry as a main point of entry to our services.

43. Similarly, the disruption to FHH's educational and other programs caused by the need to divert resources to emergency food response or ABAWD-specific compliance and benefits access would cause irreparable harm to the individuals and families who depend on FHH's regular programs. Delays in education and support services can have lasting consequences that cannot be remedied later.

44. The uncertainty and crisis atmosphere created by the SNAP suspension and ABAWD waiver termination also harm FHH's ability to maintain partnerships with food suppliers and community organizations, and plan effectively for our programs and services. It also impairs our ability to raise critical funds for other important programs and services that rely on philanthropic support.

45. A temporary restraining order requiring USDA to immediately release November SNAP benefits and to restore Rhode Island's ABAWD waiver would directly remedy the harms to FHH. SNAP recipients would receive their benefits, reducing the demand on FHH's food pantries to sustainable levels and allowing us to continue our normal operations and our full range of programs and services.

46. Without such relief, the harm to FHH will be immediate and worsen each day. The longer the SNAP suspension continues, the more difficult it will be for FHH to recover and restore our programs to their normal functioning. The same is true for each day that FHH needs to absorb the responsibility of providing food and benefits assistance to ABAWDs affected by Rhode Island's early waiver termination.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

Kimberly Fernandez

Kimberly Fernandez
Executive Director, Federal Hill House

EXHIBIT 13

DECLARATION OF CORTNEY NICOLATO, PRESIDENT AND CEO, UNITED WAY OF RHODE ISLAND

I, Cortney M. Nicolato, declare as follows:

1. I am over the age of 18 and competent to testify to the facts contained in this Declaration. I am the President and CEO at United Way of Rhode Island ("UWRI"), a multi-service community-based organization located in Providence, Rhode Island.

2. I have served as President and CEO at United Way of Rhode Island since 2018. In this capacity, I have direct responsibility for overseeing UWRI's operations, programs, and services, and I am familiar with the needs of the individuals and families we serve. The facts set forth in this declaration are based on my personal knowledge, information provided to me by UWRI staff in the course of their duties, and review of UWRI's records. If called as a witness, I could and would testify competently to the matters stated herein.

I. UNITED WAY OF RHODE ISLAND'S MISSION AND SERVICES

3. From our inception in 1926, United Way of Rhode Island has effectively moved people from crisis to stability while working to shore up the systems that provide support across the community. United Way of Rhode Island is a proud member of the National Council of Nonprofits.

4. United Way of Rhode Island is uniting our community and resources to build racial equity and opportunities for all Rhode Islanders. As a member of the world's largest nonprofit network, we bring together individuals, business, nonprofit, community leaders and government to tackle the root causes of inequity and achieve

specific, measurable goals. Our programs include 211, the statewide front door connecting Rhode Islanders with social services, resources, and vital programs. Both directly and through grants to nonprofits, we are investing to build economic opportunity, advance childhood learning, expand philanthropy, and drive policy and participation.

5. Each year, United Way connects hundreds of thousands of Rhode Islanders to critical resources that support every aspect of their wellbeing. Through our contact centers, outreach teams, and VITA programs we provide assistance to families and individuals across Rhode Island that helps secure pathways to lasting stability.

II. UWRI'S FOOD ASSISTANCE PROGRAMS

6. Assisting members of the community in receiving SNAP benefits is a critical component of services provided by UWRI. In SFY25, our efforts helped more than 9,000 households understand their SNAP eligibility and over 300 households complete or renew applications, concrete steps toward reducing food insecurity. In addition, more than 3,200 residents received factual, easy to understand information about SNAP, ensuring that families who may not yet be ready to apply left with empowering knowledge about their options. Lastly, in 2025 there has been over 6,200 contacts seeking information on food resources, a 26% increase from the previous year.

7. Our 211, ADRC, and Community Outreach teams play a pivotal role in food assistance, serving as the first point of contact for residents seeking help with food access. Call specialists and resource navigators provide factual information

about SNAP, explain eligibility criteria, and make direct referrals to SNAP outreach staff for application or recertification assistance. In addition to phone and online assistance, all three teams also provide in-person application support for walk-in clients at the United Way offices in Providence and at over 40 outreach events per month across the state of Rhode Island.

8. In 2024 we provided information and assistance to more than 100,000 Rhode Islanders across more than 40 sites and calls.

9. Our contact centers have already seen an increase in food requests with food-related needs in the wake of the government shutdown, surpassing rent and utility assistance for the top spot this week. Additionally, on October 27th, 90% of contacts were in search of food assistance.

10. In examining our clients served, in 2025 food related needs rose 15% in our contact centers and SNAP outreach contacts rose over 200%.

III. INJURY TO UWRI FROM SNAP BENEFIT SUSPENSION

11. The suspension of SNAP benefits will cause immediate and severe harm to UWRI and our ability to fulfill our mission. Specifically:

12. Should SNAP be unavailable, the impact on Rhode Island's communities, and on United Way's frontline teams, would be immediate and profound. Families would lose a vital source of nutrition support, forcing them to make impossible choices, whether to pay rent or buy groceries, whether to heat their homes or put food on the table. These tradeoffs are not theoretical; they are decisions that low-income Rhode Islanders already face on tight budgets.

13. Without SNAP benefits to help stabilize household food access, the "heat or eat" dilemma would become a daily reality for thousands. Parents would skip meals so their children could eat. Seniors living on fixed incomes would ration medication to afford food. Workers would come to their shifts hungry, exhausted, and less able to focus or stay healthy. Community food pantries and mutual aid networks, already stretched thin, would face overwhelming demand.

14. Based on reports, our contact centers have already seen an increase in food requests with food related needs, and have become the top concern of people who reach out to UWRI for assistance. We anticipate these numbers will continue to increase within our contact centers and outreach teams if SNAP benefits are withheld and families find themselves in an impossible situation, determining how to feed themselves and their families.

15. This surge will be unsustainable as resources will continue to be depleted at food pantries.

16. A sudden loss of SNAP would create demand for food assistance that would skyrocket overnight. Our partners are already moving food faster than ever before, and even with our strong 211 network and community partnerships, the calls for help would far outpace what local food systems can sustain. We would be facing a volume of need that no single organization, no matter how dedicated, could meet alone.

17. When individuals lose SNAP benefits, they turn to trusted organizations like United Way for help understanding what happened and what to do next. The

influx of calls, emails, and in-person visits would require exorbitant additional staff hours across multiple departments. Our contact center specialists would need to spend more time on each call explaining complex policy changes, walking clients through new eligibility rules, and connecting them to alternative food and employment resources. Outreach staff would need to expand their schedules to attend additional community events and respond to partner requests, while program managers would need to divert capacity from other critical initiatives to coordinate this emergency response.

18. For United Way, this would also create significant strain on our 211 and ADRC teams, who would see a surge in calls from desperate households seeking help that may no longer exist. Every day, these teams serve as the connective thread between Rhode Islanders in crisis and the resources that sustain them. If SNAP were unavailable, the phone lines and inboxes would fill with voices of fear and uncertainty—parents trying to stretch a few remaining groceries, seniors deciding between food and life-saving medication, and families suddenly unsure how they will make it through the week.

IV. HARM TO UWRI FROM ABAWD WAIVER TERMINATION

19. USDA's termination of the ABAWD waiver means that able-bodied adults without dependents in Rhode Island who do not meet work requirements will begin losing their SNAP benefits after three months, even if they want to work but cannot find adequate employment.

20. UWRI serves a significant population of individuals through its contact centers and outreach teams who will be subject to ABAWD work requirements when

the waiver expires. These individuals—able-bodied adults without dependents between the ages of 18 and 64—are subject to a time limit on their SNAP benefits unless they meet certain work requirements or live in an area covered by a waiver of those requirements.

21. The anticipated removal of Rhode Island's ABAWD time-limit waiver will have a profound effect on individuals who rely on SNAP for their most basic nutritional needs. If this waiver is removed, a large number of people will lose their SNAP benefits, often suddenly and without clear understanding of why. Many of those affected will experience confusion, fear, and frustration as they try to interpret complex eligibility rules and meet new participation requirements.

22. The removal of the ABAWD waiver and the resulting loss of SNAP benefits for many Rhode Islanders would create a significant financial and operational burden on United Way of Rhode Island. As the state's primary connector through 211, the Aging and Disability Resource Center, and our Community Outreach and Impact teams, we would face an unprecedented surge in demand for assistance, guidance, and case support.

23. The termination of the waiver will also trigger a surge in individuals urgently seeking appropriate work or volunteer opportunities in order to retain their benefits. As the operator of the state's only 211 Contact Center and Aging and Disability Resource Center (ADRC), as well as through our Community Outreach and Impact teams, United Way of Rhode Island serves as a central access point for residents seeking help with benefits, employment, and community resources.

24. The removal of the ABAWD waiver would lead to a significant increase in the number of individuals contacting 211 and ADRC for factual information, referrals, and direct support, as well as a rise in in-person visits and outreach requests. Staff would face an influx of calls and cases requiring complex explanations of new rules, employment requirements, and reinstatement procedures. This would not only strain our contact center capacity but also extend to our outreach, community impact, and partnership networks, as more residents seek urgent help navigating an unfamiliar and often intimidating process and we are forced to divert resources from other programs to meet those needs.

25. This heightened demand would stretch our human and financial resources beyond sustainable limits. Overtime costs would rise, staff fatigue and burnout would increase, and our ability to maintain timely responses across all 211 and ADRC call categories would decline. In effect, a single policy shift could disrupt the entire ecosystem of assistance that United Way provides to tens of thousands of Rhode Islanders every year.

26. The ripple effect would extend to our core mission work. Programs that focus on long-term stability, such as financial empowerment, education, workforce development, and equity initiatives, would experience reduced capacity as staff are redirected to meet the urgent and immediate demand for food and benefits support. Partnerships that rely on our leadership and coordination could slow or stall, affecting progress across the broader community impact landscape.

V. HARM TO UNITED WAY OF RHODE ISLAND WILL BE IRREPARALBE ABSENT A TRO

27. The harms to UWRI and our clients described above would be irreparable if SNAP benefits are suspended or if Rhode Island's ABAWD waiver is terminated early. For United Way staff, the emotional toll would be profound. Our 211 and ADRC specialists, who take thousands of calls each year, would bear the heartbreak of listening to residents describe their hunger and knowing that fewer options exist to help them. Outreach staff, accustomed to connecting people to practical solutions, would find themselves in the painful position of having to say, "there's nothing available right now." The weight of those conversations cannot be overstated. It erodes morale, contributes to burnout, and challenges the very mission that drives our team—to ensure that everyone in Rhode Island can meet their basic needs.

28. United Way of Rhode Island's mission is to build stable communities where every person has the opportunity to thrive. A suspension or loss of SNAP would directly undermine that mission, forcing us and our partners to shift from long-term, empowerment-focused work to constant crisis response. Instead of helping families move toward stability and self-sufficiency, we would be consumed with meeting urgent, short-term needs—diverting staff, funding, and energy away from the broader programs that strengthen our community.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

Cortney M. Nicolato
President and CEO, United Way of Rhode Island

EXHIBIT 14

DECLARATION OF PATRICK CHEATHAM, OWNER, BLACK SHEEP MARKET

I, Patrick Cheatham, declare as follows:

1. I am over the age of 18 and competent to testify to the facts contained in this Declaration. I am the Owner of Black Sheep Market, a meat market with two locations in Greenville, South Carolina and Laurens, South Carolina.

2. The facts set forth in this declaration are based on my personal knowledge, information provided to me by Black Sheep Market staff in the course of their duties, and review of Black Sheep Market records.

3. I spent years working in grocery stores as a meat cutter before opening Black Sheep Market in Greenville in 2021. My goal was to utilize my skills to provide something to my community during the pandemic, as opposed to catering to high-end customers like many of the grocery stores I had worked in.

4. I pride myself on providing quality meat for people on an everyday budget, and my business model is built with affordability in mind. For example, we operate on a commercial market instead of local farm to table meat, and our customers have agreed to purchase their food products in the manufacturer's packaging. That allows us to keep our labor and packaging costs down and focus on selling high volumes rather than making a margin on each individual purchase.

5. In addition to fresh meat, Black Sheep Market offers vegetables such as onions, potatoes, and carrots. We also carry in-season fruit.

6. We employ nine people at our Greenville location, which opened in 2021, and three people at our Laurens location, which just opened in August 2025.

7. Because of our competitive pricing and our locations, most of our customer base is low-income. In fact, community resource programs and churches often refer low-income individuals to shop at Black Sheep.

8. At our Greenville location, we accept SNAP benefits. We have also partnered with South Carolina's Healthy Bucks Program, which allows SNAP recipients to obtain additional fresh fruits and vegetables when they use their benefits to purchase fresh produce.

9. We applied to accept SNAP benefits at our new Laurens location as well, but because of the federal government shutdown, we have not yet received approval. We have had to turn customers away because of it.

10. We also started a "Meat Mobile" program in 2022. On weekends, we fill up our refrigerated truck with hundreds of pounds of beef, chicken, and pork and travel to low-income communities and food deserts where buying those products is not affordable or accessible. We accept SNAP benefits at our designated mobile pick-up sites.

11. Over the course of the past year, about 40 percent of our revenue came from transactions paid for with an Electronic Benefits Transfer card loaded with SNAP benefits. We make 50 to 60 thousand dollars in sales per week, so the total amount of SNAP sales is significant. And because we operate on very slim profit margins, SNAP recipients are the customers that keep our doors open.

12. With SNAP funds set to be suspended on November 1, 2025, we expect to lose the 40 percent of our revenue that is paid by SNAP benefits. That will cause substantial harm to our business that cannot be recovered.

13. The uncertainty and crisis atmosphere created by the SNAP suspension also harm our ability to maintain partnerships with our suppliers and community organizations, and to plan effectively for our day-to-day operations. We will likely have to cut back our employees' hours, which will in turn make it more difficult for our employees to make ends meet. We had to make similar adjustments to our labor force during the last emergency that our community faced: Hurricane Helene in 2024.

14. I am especially concerned about the impact that the loss of SNAP benefits will have on members of my community who depend on them for daily nutritional needs. I opened by business to help serve these needs, but I am powerless to do that if my customers do not have the resources to pay for affordable groceries.

15. The harm to Black Sheep Market will worsen each day that SNAP benefits are suspended. A temporary restraining order requiring USDA to immediately release November SNAP benefits would directly remedy the harms to Black Sheep Market.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

Signed by:

A09FEF8791554E8...

Patrick Cheatham
Owner, Black Sheep Market

EXHIBIT 19

DECLARATION OF ELENA MEDINA NEUMAN, SEIU ASSOCIATE GENERAL COUNSEL

I, Elena Medina Neuman, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am an Associate General Counsel with the Service Employees International Union (SEIU). I have been employed by SEIU for 13 years. My office is located at 3055 Wilshire Blvd., Suite 1050, Los Angeles, California. SEIU is headquartered at 1800 Massachusetts Ave., N.W., Washington, D.C. 20036.

3. I am familiar with the broad range of work performed by SEIU members and the experiences of SEIU members and workers engaged in SEIU organizing campaigns through my work, materials I have reviewed, and information made available to me pursuant to my duties at SEIU.

4. The U.S. Department of Agriculture's (USDA) failure to distribute Supplemental Nutrition Assistance Program (SNAP) funds and the premature termination of existing waivers of federal work requirements for SNAP recipients who are classified as Able-Bodied Adults Without Dependents (ABAWDs) will irreparably harm SEIU, our members, and the communities our members serve.

5. SEIU represents approximately two million members in healthcare, the public sector, and property services. SEIU has over 150 affiliates across the United States, Puerto Rico, and Canada. SEIU members include physicians, technicians, long-term care workers, janitors, security officers, airport workers, child care workers, educators, fast food workers, city, county, state, and federal employees, and many more.

6. Our work is guided by our vision for a just society where all workers are valued and all people respected—no matter where we are from or the color of our skin; where all families and communities can thrive; and where we leave a better and more equitable world for generations to come.

7. To achieve this vision, SEIU's work is centered on forging a multi-racial, multi-generational, multi-lingual labor movement that builds worker power through unions, raises standards in workplaces and in communities, and—crucially—seeks to end poverty wages forever.

8. When SEIU members negotiate collective bargaining agreements (CBAs), they are able to meaningfully improve their wages and working conditions. On average, union workers' wages are 11.2% higher than their nonunion counterparts, and 96% of union workers have employer-provided health insurance as compared to only 69% of nonunion workers.[1]

9. SEIU and our affiliates also advocate for local, state, and federal laws, regulations, policies, and programs that advance the interests of all working people. For instance, SEIU helped launch the Fight for $15 and a Union movement, which has won an estimated $150 billion in raises for 26 million workers nationwide.[2]

10. Nonetheless, tremendous wealth inequality persists in the United States. In fact, the worsening wealth gap correlates with the decline in union membership, which is attributable in significant part to broken labor laws, restrictive anti-union laws, and the rise of the gig economy. In 2022, the top 10% of families held 69% of the country's wealth, while the bottom 50% owned a mere six percent.[3] Just 12 U.S. billionaires are collectively worth more than $2 trillion.[4]

11. The wealth gap widens significantly when race is taken into account. In 2019, the median Black family owned $24,100 in wealth and the median Latino family owned $36,050—12.7% and 19.1% of the $189,100 in wealth held by the typical white family, respectively.[5] That

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[1] AFL-CIO, *Union Facts: The Value of Collective Voice*, https://aflcio.org/formaunion/collective-voice (last visited Oct. 29, 2025).
[2] Fight for a Union, About, *fightforaunion.org/about* (last visited Oct. 29, 2025).
[3] Cong. Budget Off., *Trends in the Distribution of Family Wealth, 1989 to* 2022 (Oct. 2024), https://www.cbo.gov/publication/60807.
[4] Sarah Anderson, *Ten facts about wealth inequality in the USA*, London Sch. of Econ. (Jan. 2, 2025), https://blogs.lse.ac.uk/inequalities/2025/01/02/ten-facts-about-wealth-inequality-in-the-usa/.
[5] *Id.*

year, 28% of Black households and 26% of Latino households had zero or negative wealth, which means they are "just one minor economic setback away from tragedy."[6]

12. SNAP is therefore a crucial program that reduces food insecurity, provides essential, nutritious food to adults and children alike, and stimulates local economies. The program serves more than 41 million low-income people in the United States, including 1 in 5 workers.[7] Households with children comprised one-third of all SNAP households in Fiscal Year 2023.[8]

SEIU Represents and Organizes Workers who Rely on the SNAP Program and will be Irreparably Harmed by the Nonfunding of SNAP Benefits

13. SEIU represents and is organizing workers who are SNAP recipients. These workers are employed in four of the ten occupations with the largest number of workers receiving SNAP benefits in 2022: (1) home health and personal care aides (31% of whom received SNAP); (2) school bus monitors (24% of whom received SNAP); (3) nursing assistants (22% of whom received SNAP); and (4) ambulance drivers and attendants, except emergency medical technicians (22% of whom received SNAP).[9] SEIU also represents workers employed in the California fast-food industry. According to a 2021 study, 27% of California fast-food workers were enrolled or had a family member enrolled in SNAP.[10]

14. SEIU members and associate members (most of whom have not yet won a union contract) have described how losing SNAP benefits will detrimentally impact themselves and their families. They shared plans to forego food so their children could eat instead (especially when their children require specialized diets), contemplated giving up beloved pets to reduce

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[6] *Id.*

[7] Morgan Coulson, *What is SNAP? And Why Does it Matter*, Johns Hopkins Bloomberg Sch. of Pub. Health (Oct. 29, 2025), https://publichealth.jhu.edu/2025/what-is-snap-and-why-does-it-matter; Joseph Llobrera and Lauren Hall, *SNAP Helps Millions of Workers in Low-Paying Jobs*, Ctr. on Budget and Pol'y Priorities (July 30, 2024), https://www.cbpp.org/research/food-assistance/snap-helps-millions-of-workers-in-low-paying-jobs.

[8] Mia Monkovic and Ben Ward, *Characteristics of Supplemental Nutrition Assistance Program Households: Fiscal Year 2023* xiv (Apr. 2025), https://www.fns.usda.gov/research/snap/characteristics-fy23.

[9] *See* Llobrera and Hall, *supra* note 7, at Appendix Table 5.

[10] Kuochih Huang et al., *The Fast-Food Industry and COVID-19 in Los Angeles*, UCLA Lab. Ctr. 8 (Mar. 2021).

household expenses, and worried about how they would pay bills for basic necessities like rent and diapers. The unifying theme was that these workers rely heavily on SNAP benefits to make ends meet and they will be seriously and irreparably harmed by the suspension of benefits beginning November 1, 2025.

SEIU Members who Help Administer SNAP Benefits will be Irreparably Harmed by the Nonfunding of SNAP Benefits and the Early Termination of ABAWD Waivers

15. SEIU also represents state and local government workers who help administer SNAP benefits to eligible recipients across the country, including members of SEIU Locals 221, 521, 721, and 1021 in California; COWINS in Colorado; Local 2001 CSEA in Connecticut; Local 1989 MSEA in Maine; Local 509 in Massachusetts; Local 1984 in New Hampshire; Local 4053 PEF in New York; Local 1199WKO in Ohio; Local 503 in Oregon; and Local 668 in Pennsylvania. SEIU members are the human face of the government when it comes to deciding whether or not a family's basic needs for income, food, and shelter can and will be met. They process and review applications, determine and certify eligibility for applicants, advise clients receiving benefits, provide technical support, and supervise day-to-day administration of SNAP and other benefit programs.

16. SEIU members are deeply concerned about the impact the denial of benefits will have on the vulnerable populations they serve. By definition, SNAP recipients are low income, and do not have the resources to help adjust to a sudden loss in benefits or bridge a gap until benefits resume. Members report concerns particularly about disabled and elderly SNAP recipients, whose health status can quickly become dire if they cannot eat for even a day, and families with children being evicted from their housing when they use rent money to buy food instead. SEIU Local 509 in Massachusetts reported that members are already fielding phone calls from recipients who are panicked at the prospect of losing SNAP benefits for their families.

17. Workers who have dedicated their careers to administering benefit programs understand the extreme and overlapping vulnerabilities of SNAP recipient households. As a Maintenance Caseworker who is a member of SEIU Local 668 in Pennsylvania explained: "It's

going to be pure chaos, and the overwhelming stress on the whole community will be devastating. There is no doubt in my mind that, without SNAP benefits, people are going to die."

18. SEIU members are also concerned for the safety of themselves and their co-workers. At least some of the government offices that members work out of do not have a security presence, metal detectors, or other protection for workers. Recipients who depend on SNAP benefits for survival are likely to be frustrated and angry when they do not receive their expected benefits. Although some state and local government employers are increasing security in anticipation, workers do not know what to do if their office is overwhelmed or attacked.

19. Benefit workers are proud of their work and the service they provide in their communities. They work long hours and overtime to keep up with high demands. It is heartbreaking for our members—who worked hard over the past month to certify SNAP eligibility for November—to now see clients unnecessarily deprived of the benefits they desperately need. It will be distressing and traumatic for workers to respond as client after client asks for help, with no way to meet the increasing needs for food. An Economic Assistance Supervisor, who oversees SNAP benefit application processing and is a member of SEIU Local 509, described concerns about retaining benefits staff under such stressful circumstances: "It's going to be a trauma response like secondary PTSD. There's nothing we can give them—just a piece of paper with resources. This is these workers' communities—they live here, they have to witness families and individuals suffering."

20. SEIU members are also concerned about the cascading economic implications of both the nonfunding of SNAP benefits during the shutdown and the premature termination of existing waivers of federal work requirements for ABAWD SNAP recipients. The USDA pays for approximately 50% of states' administrative costs for implementing the SNAP program, which include funding for staff salaries, training, and quality control oversight.[11]

[11] U.S. Dep't of Agric., *Exploring the Causes of State Variation in SNAP Administrative Costs*, https://www.fns.usda.gov/research/snap/state-variation-administrative-costs (last visited Oct. 29, 2025).

21. In an October 10, 2025 memorandum, USDA informed SNAP agencies that funding was "available for benefits and operations through the month of October."[12] The Department did not address whether funding for operations would be available after October and later encouraged SNAP agencies to limit administrative costs, leaving states in doubt as to whether USDA will continue to pay its share of administrative costs.

22. If states are not reimbursed for SNAP administrative costs, they will likely have to shift funds from elsewhere and/or cut costs, including potential furloughs and layoffs. States and local governments are already stretched thin, and there is substantial concern about whether SEIU members' state and local government employers will be able to cover federally obligated administrative costs for SNAP. For example, last week, Maine's Commissioner of Administrative and Financial Services warned that as many as 2,500 public employees could be laid off unless the state receives federal funding for its programs.[13] As state and local governments struggle to cover or cut program costs, SEIU members' jobs will be on the line.

23. Declarations from individual SEIU members who are irreparably harmed by the government's actions are attached.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

Elena Medina Neuman

[12] Memorandum from U.S. Dep't of Agric. on Supplemental Nutrition Assistance Program (SNAP) Benefit and Administrative Expense Update for November 2025 (Oct. 10, 2025), chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://oag.ca.gov/system/files/attachments/press-docs/2025.10.10_SNAP%20November%202025%20Issuance%20File%20Guidance.pdf.

[13] Emma Davis, *Here's how Maine is being impacted by the federal government shutdown*, Maine Morning Star (Oct. 17, 2025), https://mainemorningstar.com/2025/10/17/heres-how-maine-is-being-impacted-by-the-federal-government-shutdown/.

Attachment A

DECLARATION OF ALICIA CLEVELAND, ASSOCIATE SEIU MEMBER

I, Alicia Cleveland, declare as follows:

1. I am a member of the Service Employees International Union ("SEIU"), and an active participant in SEIU's Union of Southern Service Workers ("USSW") campaign. The statements made in this declaration are based on my personal knowledge.

2. I live in Atlanta, Georgia and currently work in customer service for the State of Georgia's Clean Air program which provides emission inspections. I am paid $16 per hour and I work 40 hours per week. In addition, I also provide child care services part-time where I can potentially make $80 to $90 per week. However, I do not have a steady schedule, so some weeks, I do not earn anything from my part-time job.

3. I have received SNAP benefits on and off since the pandemic starting in 2020. I am a single mom and I use my SNAP benefits to provide food for myself and my 16-year-old daughter. I receive around $536 per month in SNAP benefits on the 21st each month. I am certified to receive benefits until November 30th but I just applied for recertification and I have an interview on November 3rd. Even with the SNAP benefits, I still have to pay $300 per month for groceries out of my pocket. Overall, my monthly grocery budget is $800. I try to use my SNAP benefits to purchase healthy food items such as fruits and vegetables. However, if my SNAP benefits are cut, I will be forced to choose less expensive food over healthier choices.

4. I am already making hard decisions in this difficult economy, and with the possibility of SNAP benefits being terminated, I will have to choose between paying my bills including rent, utilities, and transportation and providing food for myself and my daughter. I currently do not have health insurance, and I have to pay for my medication out of pocket. In a few months, I was hoping to be in a financial position to be able to pay for health insurance

coverage, but if SNAP benefits are cut, then my hopes of obtaining health insurance will go to the wayside.

5. In addition to supporting my 16-year-old daughter, I also provide support for my son who is attending college. If my SNAP benefits are cut, I will have less money available to support my children. I will be unable to help with my son's college expenses. Furthermore, my daughter participates in after-school activities, such as cheerleading. Without SNAP benefits, I will not have enough money to continue to support my daughter's extracurricular activities.

6. The SNAP benefits cuts will also be detrimental to my mental health. Despite working 40 hours per week, I have feelings of shame and guilt because I am unable to successfully provide for my family. If SNAP benefits are cut, I am unsure how I will be able to make the difficult financial decisions I described earlier.

7. I do not have any food banks near me. When I have gone to food banks in the past, the demand has been so high that I am unable to even get an appointment because they are booked. If SNAP benefits are cut, then I am sure that demand will skyrocket and it will be impossible to get access to food banks.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

/s/ Alicia Cleveland
Alicia Cleveland

Attachment B

DECLARATION OF AMARA BERRY, SEIU ASSOCIATE MEMBER

I, Amara Berry, declare as follows:

1. I am a member of the Service Employees International Union ("SEIU"), and an active participant in SEIU's Union of Southern Service Workers ("USSW") campaign. The statements made in this declaration are based on my personal knowledge.

2. I live in Fairburn, Georgia. I am currently a self-employed hairstylist who works around 35-30 hours per week. My earnings change weekly based on whether I am able to get clients. I previously worked at a fast food restaurant called Touch Down Wings; however, I was fired after my manager found out that I was pregnant.

3. I use my SNAP benefits to provide food for myself and my two-year-old toddler. At the beginning of each month, I receive around $500 in SNAP benefits. I am certified to receive SNAP benefits at least until the end of next month. However, I still have to pay between $100 to $200 per month out of pocket for my groceries. My overall monthly grocery budget is around $600 to $700. With my SNAP benefits, I am able to purchase everyday groceries including proteins and veggies, as well as lunch snacks and juice for my son.

4. If my SNAP benefits are cut, I am not sure how I will provide for my son and me. Even now with SNAP benefits, I skip several meals to ensure my son is able to eat. However, skipping meals is even more difficult now because I am currently pregnant with my second child, and I am due April 2026. As a pregnant person, I am constantly hungry and feel sick when I am unable to eat food. However, I have to make sacrifices for my family. I am only 20 years old and in the middle of a divorce. Soon, I will be a single mom responsible for taking care of two children.

5. I have significant monthly bills, including paying $600 to $800 per month for car insurance, $100 per month for the phone bill, and paying $100 per month for an old car I purchased that cannot be driven due to transmission issues. In addition, I have to worry about childcare expenses and how to transport my son to places since my car does not work. I was hoping to purchase a new car soon but with SNAP benefits cuts, that will not be possible.

6. On October 27, 2025, I used the last of my October snap benefits to purchase pasta, milk, and cereal for my son. With the last of my benefits being spent, I do not know where our next meal will come from. I have gone to food banks near my house, which have been helpful in the past. However, it is difficult to go to the food banks because they are only open a few times a month and only provide food during certain hours. Generally, if you get to the food banks late, there is not much food left. Even when I get to the food banks early, I still do not get a lot of food. Once SNAP benefits are cut, I expect that it will be even more difficult to get food from food banks due to the number of people who will also need food.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 28, 2025.

/s/ Amara Berry

Amara Berry

Attachment C

DECLARATION OF KATELYN GIEDE, ASSOCIATE SEIU MEMBER

I, Katelyn Giede, declare as follows:

1. I am a member of the Service Employees International Union ("SEIU"), and an active participant in SEIU's Union of Southern Service Workers ("USSW") campaign. The statements made in this declaration are based on my personal knowledge.

2. I live in Covington, GA. I am currently employed as a server at Waffle House in Atlanta, Georgia. Until recently, I have worked 40 hours per week. However, my hours were recently cut to 14 hours per week. I am paid $3.50 plus tips. Generally, I work first shift between the hours of 7 am and 2 pm.

3. I have been receiving SNAP benefits on and off for over 12 years. I receive $500 per SNAP benefits per month on the 7th. My total grocery bill is around $800 per month, with $300 being paid out of pocket. I am certified to receive SNAP benefits until June 2026. As a single mom, I use my SNAP benefits to purchase everyday grocery items such as meat, breakfast items, and snacks for my child's lunch. I am limited on what food I can purchase because my stove is broken. Currently, I am only able to cook meals in an air fryer and one burner electric stove. With the rising costs of groceries, I have to buy lower-quality food items. For example, I am unable to buy regular eggs, and instead, have to purchase cheap processed pre-boiled eggs.

4. Even with SNAP benefits, I go hungry many nights in order to provide food for my 7-year-old son. When I skip meals, it impacts me both physically and mentally. I need enough energy to take care of my son and to work. Without food, I am unable to think clearly at work.

5. If my SNAP benefits are cut, I am not sure how I will provide for my son and me. I pack lunches and snacks for my son to take to school. He goes to a Title I school where all of the parents are struggling to provide food for their children. If my benefits are cut, I will not have the ability to even provide my child with a school lunch. In addition, the holidays are coming up, and I am not sure if I will be able to provide holiday meals or gifts for my son.

6. The SNAP cuts will not only impact my ability to feed myself and my son but also my ability to provide a roof over our heads. I am already struggling to pay November's rent along with my other bills including phone bill, car maintenance, and utilities. I will likely have to use money that I set aside for bills in order to feed my son. It is very likely that I may miss my November rent payment and lose my home. If I lose my home, my son can likely stay with family and friends, but I will be left out on the streets.

7. I have a food bank close to my house. However, the food bank is only open from 11 am to 1 pm, and I currently work from 7 am until 2 pm. If I go to the food bank, I will likely have to take time off from work, when I'm already struggling to pay for food and bills.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

/s/ Katie Giede
Katie Giede

Attachment D

DECLARATION OF ROSA GONZALEZ

I, Rosa Gonzalez, declare as follows:

1. I am a member of and active in the California Fast Food Workers campaign. The California Fast Food Workers Union, is a campaign of SEIU.
2. I live in Los Angeles, California. I was recently terminated from my employment and am not employed. I believe I was let go from my job because of my union activities.
3. I worked at the fast food restaurant Yoshinoya in Los Angeles, California, for the last year and a half. I earned $20 an hour and for most of my employment, I typically worked 27 to 25 hours a week. My typical shift was 5 pm to 10 pm. However, in or about February or March of 2025, my hours were cut to approximately 15 hours a week when a new manager started working at the restaurant. From that time through the date of my recent termination, I earned approximately $200 a week.
4. We are a family of five. Together, my partner and I have three children ages 12, 16, and four.
5. I have been receiving SNAP benefits for the last year. I receive monthly benefits that vary month by month. I have received approximately anywhere from $1,100 to $700 a month in the form of food stamps. I receive my benefits every 8th of the month.
6. I purchase groceries, food, meat, and all necessities to feed my family. On occasion I may purchase food from Subway or Burger King as well. Weekly I spend $300 in food for my family of five.
7. I will be greatly affected if I do not receive benefits. I'm currently out of work. No benefits will impact my family and my children. I will not be able to feed my family and my children. This will be devastating for my family.

8. If I do not receive benefits, I will be greatly affected. I am without work and still need to pay rent. Moreover, there's always emergencies. I don't know where I'd get money to pay for rent and other necessities. Getting credit cards or going into debt is also not an option because I would not have the money to pay the debt and could end up going into bankruptcy. I also would have trouble paying for my auto insurance. I also help support my mother in my home country and would not be able to send her money which would impact her ability to support herself.

9. Without a job, I would have to find a way to find money. This will hurt my family terribly.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2025.

<u>/s/ Rosa Gonzalez</u>

Rosa Gonzalez

CERTIFICATE OF TRANSLATION

I, Monica T. Guizar, am competent to translate from Spanish to English, and certify that the translation of the Declaration of Rosa Gonzalez is true and accurate to the best of my abilities.

*_/s/ Monica T. Guizar_*

Monica T. Guizar
3055 Wilshire Blvd., Suite 1050
Los Angeles, CA 90010
(213) 393-4303

Attachment E

DECLARATION OF FAWN HOLDRIDGE, SEIU MEMBER

I, Fawn Holdridge, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am an Income Maintenance Caseworker with the Lehigh County Assistance Office. I have been employed at the Lehigh County Assistance Office for almost 4 years. My office is located at 555 Union Blvd, Allentown, Pennsylvania. I am also a union member with Service Employees International Union ("SEIU") Local 668, where I serve as a Shop Steward and member of the state-wide Rank and File Committee.

3. My work entails the processing of applications from the general public for government assistance programs, including Supplemental Nutrition Assistance Program ("SNAP") benefits and Medicaid. I review both new applications and renewal applications that clients must file periodically to keep their benefits. I take phone calls from clients and also meet with those who walk into our office seeking services. The amount of applications I review in a day varies based on time of year and other factors, but I typically review between 10 and 15 applications a day currently. My coworkers also process similar applications for SNAP and Medicaid benefits, as well as applications for other programs, such as cash assistance through the Temporary Assistance for Needy Families ("TANF") program and utility bill assistance through the Low-Income Home Energy Assistance Program ("LIHEAP").

4. Many clients come to me seeking help with either food or medical costs and I frequently am able to sign them up for both SNAP and Medicaid benefits. I am worried that, if clients feel they cannot come in to apply for SNAP benefits, they may not come in to be signed up for Medicaid or other programs and may not have healthcare or other necessary support if an emergency happens.

5. The non-payment of SNAP benefits during the shutdown will likely have devastating effects on our clients and office. Most of our clients are understanding now, but I believe that will change once their benefits are cut off. They have been through shutdowns before, but they still got their food stamps. I do not think they are ready to suddenly lose their benefits. I am especially worried about our elderly and disabled clients, whose health status can quickly become dire if they are unable to eat, even for a day. I am also worried about the children who may go to school hungry and not be able to have dinner when they come home.

6. I am very concerned about what the public's reaction to suddenly losing benefits might mean for our safety at work. As I mentioned before, a lot of our clients come as walk-ins to our office. Unlike some other agencies, we do not have armed security or safety measures like metal detectors. We already occasionally have some very angry members of the public, who often are experiencing mental health crises or homelessness, come into our office, but I think this will be taken to a whole different level if their benefits are suddenly ended. I don’t want to be hurt or feel scared of being hurt when I go to work.

7. Dealing with the sudden cessation of SNAP benefits will likely have significant negative implications for all of our work. We are already having to spend additional time out of our day speaking to concerned clients who have heard they may lose their food stamps, and we expect the number of those calls to skyrocket if their benefits are ended. We also expect a significant uptick in applications for our other benefit programs for relief, like for cash assistance through TANF. But these programs have very different requirements compared to SNAP and many of our clients will likely be denied them, so we will be spending a lot of time processing and rejecting these applications, all while clients get more and more upset with us.

8. I am worried that the resulting higher caseloads and increase in applications will result in a significantly more stressful workplace, much slower processing times, and more errors in our processing, which cost our office a significant amount to correct. Our office's cost of administering the program is already slated to go up to 25% and we will lose funding if increased applications lead to a higher error rate.

9. The sudden ending of SNAP benefits will also likely impact our whole community by affecting our local economy. Many local businesses rely on people who pay with food stamps. If they lose all the business, it might mean they need to close or raise prices, which affects us all. It would be a vicious cycle.

10. We are directing our clients to any available non-government assistance, like food banks through the United Way; but these programs cannot provide anywhere near enough support to make up for losing all food stamps at

their current capacity, let alone how strained they will be once everyone is suddenly seeking help from them. It's going to be pure chaos, and the overwhelming stress on the whole community will be devastating. There is no doubt in my mind that, without SNAP benefits, people are going to die.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed October 29, 2025 in Washington, District of Columbia.

/s/ Fawn Holdridge
Fawn Holdridge

EXHIBIT 1

SUPPLEMENTAL DECLARATION OF ELENA MEDINA NEUMAN, SEIU ASSOCIATE GENERAL COUNSEL

I, Elena Medina Neuman, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am an Associate General Counsel with the Service Employees International Union (SEIU). I have been employed by SEIU for 13 years. My office is located at 3055 Wilshire Blvd., Suite 1050, Los Angeles, California. SEIU is headquartered at 1800 Massachusetts Ave., N.W., Washington, D.C. 20036.

3. I am familiar with the work performed by SEIU members and the experiences of SEIU members and workers engaged in SEIU organizing campaigns through my work, materials I have reviewed, and information made available to me pursuant to my duties at SEIU.

4. The U.S. Department of Agriculture's (USDA) failure to timely distribute and fully fund Supplemental Nutrition Assistance Program (SNAP) payments is harming SEIU, our members, and the communities our members serve.

5. Since the Trump administration's announcement that SNAP benefits would be halted, our affiliates have reported that our members who receive SNAP benefits are scared, stressed, and extremely confused. Although the restarting of SNAP benefits is an enormous relief, reduced and delayed payments continue to cause tremendous hardship for SEIU members. They must decide which bills will be paid or not, what and how much food their children can access, and whether they will forego meals altogether to ensure their children are fed.

6. Three SEIU members from different regions of the country—North Carolina, Georgia, and Massachusetts—describe their experiences in the attached declarations.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2025.

Elena Medina Neuman

Attachment A

DECLARATION OF ESHAWNEY GASTON, SEIU MEMBER

I, Eshawney Gaston, declare as follows:

1. I am a member of the Service Employees International Union ("SEIU"), and an active participant in SEIU's Union of Southern Service Workers ("USSW") campaign. The statements made in this declaration are based on my personal knowledge.

2. My employment as a full-time seasonal employee at a Halloween costume store in Durham, North Carolina ended this week. I was paid $11.80 per hour.

3. I have been receiving SNAP benefits on and off for at least two years. I use my SNAP benefits to support myself and my three children who are the ages of three, two, and one. I receive around $994 per month in SNAP benefits on the 17th of every month. I am certified to receive benefits until the end of the year. I am currently expecting my fourth child on November 18th. With my SNAP benefits, I am able to purchase protein, veggies, and baby food. All of my children have health conditions that cause them to be underweight. Even though some of my children are able to get breakfast and lunch at school, I still need to rely upon SNAP to purchase additional groceries in order to ensure they are able to stay a healthy weight.

4. Only receiving a partial payment of my SNAP benefits is not enough. Even when I receive my full SNAP benefits, although it helps me significantly, I have to make things stretch. In order to make sure my kids have enough to eat, especially considering their specific dietary needs due to health conditions, I may spend $200-$300 in one trip to the grocery store. Partial payments will not cover the food my kids need for the entire month.

5. Even though I am pregnant, I already have to skip meals in order to have enough food for my children to eat. While I live with my mother, I am still responsible for paying for my phone bill, storage fees, and other life necessities. I have been saving money to take care of my

newborn, and hopefully move out of my mother's home. However, if SNAP benefits are cut, even with partial payments, my savings will be wiped out.

6. Any delay in receiving any SNAP benefits is will seriously impact my family. Food banks only give out certain foods like pasta, canned goods, and sometimes fruit snacks. Also, when my kids have a scheduled doctor's appointment, I can get a bag of food from the doctor's office. The doctor's office usually provides the same foods as the food bank. However, protein is a critical part of my kids' diets. Making sure my kids have sufficient protein is medically necessary to maintain their health. Cutting and/or delaying my SNAP benefits puts my kids' health in jeopardy.

7. If the SNAP benefits are cut, reduced, or delayed, it will impact my mental and physical health. I already suffer from mental health issues and the idea of going without food for myself and my children will exacerbate my mental condition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2025.

/s/ Eshawney Gaston
Eshawney Gaston

Attachment B

DECLARATION OF AMARA BERRY, SEIU MEMBER

I, Amara Berry, declare as follows:

1. I am a member of the Service Employees International Union ("SEIU"), and an active participant in SEIU's Union of Southern Service Workers ("USSW") campaign. The statements made in this declaration are based on my personal knowledge.

2. I live in Fairburn, Georgia. I am currently a self-employed hairstylist who works around 35-30 hours per week. My earnings change weekly based on whether I am able to get clients. I previously worked at a fast food restaurant called Touch Down Wings; however, I was fired after my manager found out that I was pregnant.

3. I use my SNAP benefits to provide food for myself and my two-year-old toddler. At the beginning of each month, I receive around $500 in SNAP benefits. I am certified to receive SNAP benefits at least until the end of next month. However, I still have to pay between $100 to $200 per month out of pocket for my groceries. My overall monthly grocery budget is around $600 to $700. With my SNAP benefits, I am able to purchase everyday groceries including proteins and veggies, as well as lunch snacks and juice for my son.

4. If my SNAP benefits are cut, I am not sure how I will provide for my son and me. Even now with SNAP benefits, I skip several meals to ensure my son is able to eat. However, skipping meals is even more difficult now because I am currently pregnant with my second child, and I am due April 2026. As a pregnant person, I am constantly hungry and feel sick when I am unable to eat food. However, I have to make sacrifices for my family. I am only 20 years old and in the middle of a divorce. Soon, I will be a single mom responsible for taking care of two children.

5. I have significant monthly bills, including paying $600 to $800 per month for car insurance, $100 per month for the phone bill, and paying $100 per month for an old car I purchased that cannot be driven due to transmission issues. In addition, I have to worry about childcare expenses and how to transport my son to places since my car does not work. I was hoping to purchase a new car soon but with SNAP benefits cuts, that will not be possible.

6. On October 27, 2025, I used the last of my October snap benefits to purchase pasta, milk, and cereal for my son. With the last of my benefits being spent, I do not know where our next meal will come from. I have gone to food banks near my house, which have been helpful in the past. However, it is difficult to go to the food banks because they are only open a few times a month and only provide food during certain hours. Generally, if you get to the food banks late, there is not much food left. Even when I get to the food banks early, I still do not get a lot of food. Once SNAP benefits are cut, I expect that it will be even more difficult to get food from food banks due to the number of people who will also need food.

7. I have recently become aware that the government will provide partial SNAP benefits and that the payment of SNAP benefits will be delayed. Even when I receive my normal monthly SNAP benefits, I have to make those benefits stretch in order to have enough food for me and my son and I can barely pay for other essential household costs like transportation. If I receive only a partial amount of SNAP benefits, I am concerned it will not be enough to cover the cost of my essential monthly groceries. A delay in the payment of SNAP benefits will also be difficult for me, because I can't afford to cover the full cost of groceries for me and my son and still pay for all of my other monthly costs. That will be particular difficult this month, because I will not be able to plan for a Thanksgiving meal for me and my son.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2025.

/s/ Amara Berry
Amara Berry

Attachment C

DECLARATION OF ALFREDO CUEVAS, SEIU MEMBER

I, Alfredo Cuevas, declare as follows:

1. I am a member of the Service Employees International Union ("SEIU") 32BJ. The statements made in this declaration are based on my personal knowledge.

2. I live in Lynn, Massachusetts and currently work as a cabin cleaner at Boston Logan International Airport. I am paid $21 per hour and I work 32 hours per week. Due to medical reasons, I am not able to work more hours.

3. I have received SNAP benefits for about five years. I use my SNAP benefits to provide food for myself and four family members, including my grandchild. I receive around $520 per month in SNAP benefits on the 1st of each month. I was certified to receive benefits on November 1, but when I went to receive my benefits, I was provided none. Even with the SNAP benefits, I still have to pay $1,700 per month for groceries out of my pocket. Overall, my monthly grocery budget is $1,200. I use my SNAP benefits to purchase nutritious food items. As a result of the reduced benefits, I will be forced to limit my meals to twice a day instead of three times a day in order to stretch my limited resources.

4. The overall cost of living has significantly increased. Groceries, rent, and other daily necessities continue to rise in price, while income levels have remained the same. I currently pay $3,200 per month in rent. I also pay $60 per month for prescription medications and $110 per month for health insurance. If I need to get hospitalized, that costs another $50. Until last year, I received free healthcare coverage. However, that benefit was discontinued, and I am now required to pay for my own health insurance. I

have undergone nine surgeries to date and am currently in the process of obtaining a tenth surgery. These ongoing medical needs have placed additional financial strain on me. On top of these financial pressures, my SNAP benefits are gone.

6. To make up for the loss of food assistance, I have been searching for food at local churches and food banks. Even with this help, it remains difficult to maintain consistent access to healthy meals. The SNAP benefits are not only detrimental for me, but for all of the families that have to sacrifice many basic necessities to make up for the loss of benefits they once relied on. This is a heavy burden for low-income families, who are already struggling to survive while the cost of living continues to rise and wealth disparities widen.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2025.

/s/ Alfredo Cuevas
Alfredo Cuevas

CERTIFICATE OF TRANSLATION

I, Faride Sender, am competent to translate from Spanish to English, and certify that the translation of the Declaration of Alfredo Cuevas is true and accurate to the best of my abilities.

/s/ Faride Sender
Faride Sender

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