

United States Senate

WASHINGTON, DC 20510

October 28, 2025

The Honorable Brooke Rollins
Secretary U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Rollins,

We write in strong opposition to the Department of Agriculture's decision not to use contingency to pay SNAP benefits in November, despite having the legal authority to do so. This decision will leave 42 million Americans without access to critical food assistance benefits.

A memo issued by the USDA last week states that "contingency funds are not legally available to cover regular benefits." This claim is in direct conflict with previous guidance from your own Department. Just last month, the USDA's 2025 Lapse in Appropriations plan, which has since been removed from the Department's website, stated:

"Congressional intent is evident that SNAP's operations should continue since the program has been provided with multi-year contingency funds that can be used for State Administrative Expenses to ensure that the State can also continue operations during a Federal Government shutdown. These multi-year contingency funds are also available to fund participant benefits in the event that a lapse occurs in the middle of the fiscal year."

Similarly, guidance from USDA to states during President Trump's 2018-19 shutdown stated that funding from the SNAP contingency fund was available to process applications accepted after the expiration of a continuing resolution.

The removal of this language from USDA's website, and recent statements from your Administration lead to serious concerns about whether the Department plans to unjustly terminate SNAP payments. Any politically motivated decisions to stop SNAP payments is unacceptable.

We demand the Department immediately provide a complete and detailed legal analysis of your decision to not release the contingency funding for SNAP, including who authorized the removal of past guidance from the USDA's website.

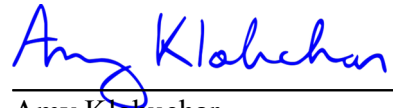
Given the USDA's prior interpretations of the law relating to the use of contingency funding, the recent decision not to fund November benefits seems designed to manufacture a crisis. Using the USDA's existing contingency funding remains the quickest way to ensure that 42 million

Americans receive food assistance in the month of November. We urge you to release this funding immediately.

Sincerely,



Cory A. Booker
United States Senator



Amy Klobuchar
United States Senator
Ranking Member, Committee
on Agriculture, Nutrition, and
Forestry