Attorney General Ellison sues Trump administration for illegally suspending SNAP benefits

USDA repeatedly claimed it has the authority to continue SNAP benefits during shutdown – and that Congress intended it to do exactly that

Coalition urges court to immediately restore SNAP funding relied upon by 440,000 Minnesotans

Coalition will also be filing for a temporary restraining order to halt the funding cuts

October 28, 2025 (SAINT PAUL) — Attorney General Ellison co-led a coalition of 22 other attorneys general and three governors today in filing a lawsuit against the United States Department of Agriculture (USDA) and its Secretary Brooke Rollins for unlawfully suspending the Supplemental Nutrition Assistance Program (SNAP), which helps more than 40 million Americans buy food, due to the ongoing federal government shutdown. An average of 440,000 Minnesotans receive SNAP benefits every month, including over 180,000 children and about 67,000 seniors. The coalition is also seeking a temporary restraining order blocking USDA from halting SNAP funding while this lawsuit proceeds.

"It is hard to be shocked by the cruelty and illegality of the Trump administration anymore, yet I am shocked that Donald Trump is deliberately allowing 440,000 Minnesotans, to go hungry," **said Attorney General Ellison.** "Congress put a rainy-day fund in place so nutrition support could continue during a government shutdown, yet despite that clear Congressional intent, Trump's USDA is refusing to tap into that fund. It is a disgrace to the presidency that Donald Trump is using hungry children throughout Minnesota as bargaining chips in the fight over his government shutdown. His actions aren't just cruel though, they are unlawful. It's my job to help Minnesotans afford their lives, and today that means taking the Trump administration to court to help feed people in need."

On October 1, 2025, the new federal fiscal year began without an appropriation by Congress to fund the federal government, creating a "government shutdown." On October 10, USDA sent a letter to state SNAP agencies saying that if the shutdown continues, there will be insufficient funds to pay full November SNAP benefits for the approximately 42 million individuals across the country that rely on them.

Despite USDA's claim of insufficient funds, the agency has access to billions of dollars in SNAP-specific contingency funds appropriated by Congress for this very purpose. On September 30, 2025, the USDA released a plan in the event of a government shutdown. On page 15 of that plan, USDA states that:

> "Core programs of the nutrition safety net, including the Supplemental Nutrition Assistance Program (SNAP)... shall continue operations during a lapse in appropriations, subject to the availability of funding."
>
> ...

> “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.”

This has long been the policy of USDA. During the 2018-2019 government shutdown, and again in preparation for a shutdown in 2021, USDA repeatedly confirmed that contingency funding was available to continue providing SNAP benefits if necessary. For example, in 2019 guidance issued by USDA, the agency noted that “limited funding is available from the contingency that can be used to provide [SNAP] benefits.” USDA has clearly acknowledged that it has the authority to continue providing SNAP benefits during a government shutdown, and that Congress intended for it to do exactly that. Furthermore, USDA has funded other programs with emergency funds during this shutdown, but has refused to fund SNAP.

USDA’s decision not to fund SNAP will leaving millions of Americans without the assistance they need to buy food. It is clear the federal government is making a deliberate, illegal, and inhumane choice not to fund the crucial SNAP program.

The lapse in benefits will have dire consequences for the health and well-being of millions across the country, who rely on the program to feed themselves and their families. This lapse will also put unnecessary strain on state and local governments and community organizations, as families increasingly rely on emergency services and local food pantries that are already struggling to fill a growing nutrition gap. It will affect our school systems and college and university communities, where food insecurity will stand in the way of educating our students. Suspending SNAP benefits will also harm the hundreds of thousands of grocers and merchants that accept SNAP payment for food purchases across the country. USDA has estimated that in a slowing economy, every $1 in SNAP benefits generates $1.54 in economic activity.

While the federal government funds and sets the monthly amount of SNAP benefits, states are responsible for administering programs in their state. Suspending SNAP benefits in this manner is both contrary to law and arbitrary and capricious under the Administrative Procedure Act. Where Congress has clearly spoken, providing that SNAP benefits should continue even during a government shutdown, USDA does not have the authority to say otherwise. The coalition is asking the Court to immediately turn benefits back on to prevent further harm to residents.

Joining Attorney General Ellison in filing this lawsuit, which he co-led alongside the attorneys general of Arizona, California, and Massachusetts, are the attorneys general of Colorado, Connecticut, Delaware, the District of Columbia, Hawai‘i, Illinois, Maine, Maryland, Michigan, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and Wisconsin. The Governors of Kansas, Kentucky, and Pennsylvania have also joined.