

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

RHODE ISLAND STATE COUNCIL OF
CHURCHES, *et al.*,

Plaintiffs,

v.

No. 25-cv-00569-JJM-AEM

BROOKE ROLLINS, in her official capacity as
Secretary of the United States Department of
Agriculture, *et al.*,

Defendants.

SECOND SUPPLEMENTARY DECLARATION OF PATRICK A. PENN

1. I am the Deputy Under Secretary of the Food, Nutrition, and Consumer Services (FNCS) at the United States Department of Agriculture (USDA). As part of my responsibilities, I oversee the FNCS programs including the Supplemental Nutrition Assistance Program (SNAP), which is administered by the Food and Nutrition Service (FNS) within FNCS. The statements made herein are based on my personal knowledge and information made available to me in the course of carrying out my official duties and responsibilities.

2. Immediately after this Court's October 31 oral ruling, FNS began drafting a reduction notice to State agencies and calculating the reduced SNAP maximum allotment levels. These

efforts resulted in the November 4 memorandum and tables, which directed State agencies to implement a 50% reduction of the SNAP maximum allotments.

3. Since that time, USDA performed further analysis and determined that the maximum allotments need only be reduced by 35%, instead of 50%, to deplete the SNAP contingency fund,¹ and has issued a revised memorandum and allotment tables to State agencies.

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

Patrick A. Penn
Deputy Under Secretary
Food Nutrition and Consumer Services
UNITED STATES DEPARTMENT
OF AGRICULTURE

¹ We estimate that after partial benefits are distributed, there may be a small balance remaining due in part to the need to have whole numbers for administrability purposes. This remaining amount should be about \$40 million, or less than \$1 per participant.