

States challenge USDA conditions on nutrition program funds

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A coalition of states filed a lawsuit Monday challenging a Trump administration effort to impose certain conditions on billions of dollars for key federal nutrition programs from the Department of Agriculture.

The lawsuit, filed in the U.S. District Court for the District of Massachusetts by 20 states and the District of Columbia, argues the USDA has angled to put in place vague conditions on programs and grants, including those responsible for providing assistance to women, children and low-income Americans.

“USDA has now thrown unconstitutional and unlawful roadblocks between the programs created by Congress and the States that rely on them,” the lawsuit states.

At the center of the case are a slate of funding conditions outlined months ago by USDA that relate to “gender ideology,” immigration and “fair athletic opportunities” for women and girls, the lawsuit states. The conditions are designed to coerce states into adopting USDA policies to continue receiving billions of dollars in food and critical funding, the lawsuit states.

One condition prevents the grant recipients from using funding to “promote gender ideology,” while another bans funding from going toward programs that allow undocumented immigrants to receive benefits funded by taxpayers, the lawsuit states.

The USDA, the lawsuit argues, has signaled it intends to enforce the conditions “aggressively” and pursue “harsh penalties for violations.”

Vulnerable families, infants and children count on federal support from federal programs, California Attorney General Rob Bonta said at a press conference Monday. Billions of dollars in funding for California could be impacted by the conditions, he said.

“The USDA doesn’t have the authority to impose these conditions,” Bonta said. “It doesn’t have the authority to trample over Congress’ constitutional power of the purse. The sheer vagueness of the conditions themselves, some of which are so vague they can’t even be implemented, violate the law.”

The coalition of states, which include Democrat-dominated jurisdictions like New York, Massachusetts and California, asked a federal court to find the conditions violate the Constitution and the Administrative Procedure Act. It also asked the judge to issue a preliminary injunction stopping the administration from enforcing the requirements.

“The federal government cannot hold critical funding hostage to force states to comply with vague, ideological directives,” New York State Attorney General Letitia James said in a statement.

The lawsuit argues a range of programs could be subject to the conditions, including the Supplemental Nutrition Assistance Program, also known as SNAP.

Illinois Attorney General Kwame Raoul, speaking at the press conference, said the USDA and the Trump administration are again trying to bully and coerce the states into complying with unlawful policies.

“They are targeting our daily food and nutrition as well as the agricultural programs that we rely on,” Raoul said.