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The Emergency Food Assistance Program (TEFAP): Background and Funding

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SUMMARY

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The Emergency Food Assistance Program (TEFAP): Background and Funding

The Emergency Food Assistance Program (TEFAP) is a federal food distribution program that supports food banks, food pantries, soup kitchens, and other emergency feeding organizations serving low-income Americans. Federal assistance takes the form of federally purchased commodities—including fruits, vegetables, meats, and grains—and funding for administrative costs. Food aid and funds are distributed to states using a statutory formula that takes into account poverty and unemployment rates. TEFAP is administered by the U.S. Department of Agriculture's (USDA's) Food and Nutrition Service (FNS).

TEFAP was established as the Temporary Emergency Food Assistance Program by the Emergency Food Assistance Act of 1983. The Emergency Food Assistance Act continues to govern program operations, while the Food and Nutrition Act authorizes funding for TEFAP's *entitlement* commodities. TEFAP also incorporates *bonus* commodities, which are distributed at USDA's discretion throughout the year to support different crops using separate budget authority. A smaller amount of discretionary funding is appropriated annually to cover administrative and distribution costs under Emergency Food Assistance Act authority. In addition to normal aid, additional commodities and administrative funds have been distributed through TEFAP in recent years as a result of USDA's Trade Mitigation Food Purchase and Distribution Program and supplemental appropriations from COVID-19 pandemic response laws. In FY2020, federal spending on TEFAP was nearly $2.8 billion.

FNS coordinates the purchasing of commodities and the allocation of commodities and administrative funds to states, and provides general program oversight. State agencies—often state departments of health and human services, agriculture, or education—determine program eligibility rules and allocations of aid to feeding organizations (called *recipient agencies*). States often task food banks, which operate regional warehouses, with distributing foods to other recipient agencies. TEFAP aid makes up a modest proportion of the food and funds available to emergency feeding organizations, which are reliant on private donations as well.

TEFAP is the primary federal program supporting emergency feeding organizations. Other related food distribution programs focus on specific subpopulations; for example, the Federal Emergency Management Agency's (FEMA's) Emergency Food and Shelter Program distributes food to homeless individuals and USDA's Commodity Supplemental Food Program distributes food to older individuals with lower incomes.

TEFAP is typically amended and reauthorized through farm bills. Most recently, the 2018 farm bill (P.L. 115-334) extended funding for TEFAP's entitlement commodities through FY2023. The law also funded new projects aimed at incorporating non-federally donated foods into the program and reducing food waste. Recent program developments include TEFAP's use in response to the COVID-19 pandemic and receipt of trade mitigation commodities.

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Introduction

The Emergency Food Assistance Program (TEFAP; previously the Temporary Emergency Food Assistance Program) provides federally purchased commodities and a smaller amount of cash support to food banks, food pantries, soup kitchens, shelters, and other types of emergency feeding organizations serving low-income households and individuals.[1] Commodities include fruits, vegetables, meats, and grains, among other foods.[2] In addition to serving individuals, TEFAP's domestic commodity purchases support the agricultural economy by reducing supply on the market, thereby increasing food prices. TEFAP is administered by the U.S. Department of Agriculture's (USDA's) Food and Nutrition Service (FNS).

TEFAP was established under the Emergency Food Assistance Act of 1983 in an effort to dispose of government-held agricultural surpluses and alleviate hunger in the wake of a recession and declining food stamp benefits.[3] Since then, TEFAP has evolved into a permanent program that includes mandatory, annually appropriated funding that operates in all 50 states, the District of Columbia, and four U.S. territories.[4] The program was most recently reauthorized by the 2018 farm bill (P.L. 115-334).

At the federal level, TEFAP is administered by FNS in collaboration with USDA's purchasing agency, the Agricultural Marketing Service (AMS). At the state level, TEFAP is administered by a *state distributing agency* designated by the governor or state legislature; generally, they are state departments of health and human services, agriculture, or education. Federal commodities and funds may flow through the state or directly to feeding organizations (called *recipient agencies*) based on how the state structures the program.[5] States will often task food banks with processing and distributing food to local feeding organizations. Food banks typically operate regional warehouses and distribute food to other organizations rather than to households directly.[6] **Figure 1** depicts the flow of commodities and funds through TEFAP.

[1] The 1990 farm bill (P.L. 101-624) removed "Temporary" from the program title.

[2] USDA, FNS, *USDA Foods Available List for The Emergency Food Assistance Program (TEFAP) 2021*, March 15, 2021, https://www.fns.usda.gov/tefap/usda-foods-available-list-tefap.

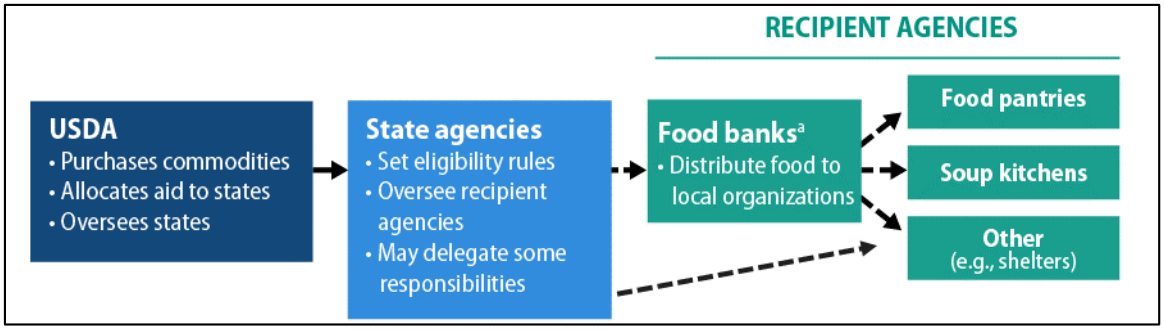
[3] See **Appendix C** for further legislative history.

[4] Puerto Rico, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Guam. Throughout this report, the term *states* includes these other jurisdictions. For an explanation of appropriated mandatory funding, see CRS Report RS20129, *Entitlements and Appropriated Entitlements in the Federal Budget Process*.

[5] Consistent with statute and regulations, this report uses the term *recipient agency* to describe organizations receiving TEFAP support, with the understanding that emergency feeding organizations are the most common type of recipient agency.

[6] See "Program Administration" for further discussion of federal, state, and local roles. C. Cabili, E. Eslami, and R. Briefel, *White Paper on the Emergency Food Assistance Program (TEFAP)*, prepared by Mathematica for the Office of Policy Support, Food and Nutrition Service, U.S. Department of Agriculture, August 2013, https://fns-prod.azureedge.net/sites/default/files/TEFAPWhitePaper.pdf.

Figure 1. Flow of Foods and Funds through TEFAP



Source: Adapted from USDA, FNS, *White Paper on the Emergency Food Assistance Program*, 2013.

a. States may distribute food to recipient agencies directly or task recipient agencies with food distribution to other recipient agencies. States often delegate this responsibility to food banks.

TEFAP is part of a larger web of food assistance programs.[7] Some of these programs provide cash assistance while others primarily distribute food. TEFAP foods may reach individuals who do not qualify for other food assistance programs or supplement the assistance that individuals receive through other programs. Related federal programs include the Federal Emergency Management Agency's (FEMA's) Emergency Food and Shelter Program, which, among its other services for homeless individuals, provides food through shelters, food banks, and food pantries.[8] In addition, USDA's Commodity Supplemental Food Program distributes monthly food packages to low-income elderly individuals through local organizations, which can include food banks and pantries.[9] The Farmers to Families Food Box Program, which USDA operated from May 2020 to June 2021, provided food boxes to food banks and other nonprofit organizations for distribution to households in need during the COVID-19 pandemic.[10]

This report begins by describing the population using emergency food assistance. It goes on to discuss the TEFAP program, including its administration at the federal, state, and local levels, eligibility rules, and funding structure. The report concludes by summarizing TEFAP's role in disaster response and recent reauthorization efforts. **Appendix A** lists TEFAP expenditures from the program's inception in 1983 to present; **Appendix B** lists TEFAP funding by state; and **Appendix C** provides a brief legislative history of TEFAP.

Definitions

Emergency feeding organizations (EFOs): "The term 'emergency feeding organization' means a public or nonprofit organization that administers activities and projects (including the activities and projects of a charitable institution, a food bank, a food pantry, a hunger relief center, a soup kitchen, or a similar public or private nonprofit eligible recipient agency) providing nutrition assistance to relieve situations of emergency and distress through the provision of food to needy persons, including low-income and unemployed persons."

Common types of EFOs:

- **Food banks:** "The term 'food bank' means a public or charitable institution that maintains an established operation involving the provision of food or edible commodities, or the products of food or edible

[7] See CRS Report R42353, *Domestic Food Assistance: Summary of Programs*.

[8] For more information, see CRS Report R42766, *The Emergency Food and Shelter National Board Program and Homeless Assistance*.

[9] For more information, see CRS Report R42353, *Domestic Food Assistance: Summary of Programs*.

[10] For more information, see CRS Report R46681, *USDA Nutrition Assistance Programs: Response to the COVID-19 Pandemic*.

commodities, to food pantries, soup kitchens, hunger relief centers, or other food or feeding centers that, as an integral part of their normal activities, provide meals or food to feed needy persons on a regular basis."

- **Food pantries:** "The term 'food pantry' means a public or private nonprofit organization that distributes food to low-income and unemployed households, including food from sources other than the Department of Agriculture, to relieve situations of emergency and distress."
- **Soup kitchens:** "The term 'soup kitchen' means a public or charitable institution that, as an integral part of the normal activities of the institution, maintains an established feeding operation to provide food to needy homeless persons on a regular basis."

Source: Section 201A of the Emergency Food Assistance Act (codified at 7 U.S.C. §7501)

The Demand for Emergency Food Assistance

According to an analysis of Current Population Survey (CPS) data by USDA's Economic Research Service (ERS), an estimated 5.7 million households (4.4%) utilized food pantries (see **Figure 2**) and at least 129,200 households (0.5%) utilized soup kitchens at least once in 2019.[11] However, this is likely an underestimate of the population using emergency food assistance because the sample excluded households with incomes over 185% of the poverty guidelines that did not report any indications of food insecurity on screener questions, and the CPS does not fully capture households who are homeless or in tenuous housing arrangements. For comparison, a survey by Feeding America, a nonprofit membership and advocacy organization, estimated that approximately 15.5 million households accessed its network of feeding organizations in 2013 (the same year, ERS estimated that 6.9 million households used food pantries and soup kitchens). The Feeding America network represents a large segment of emergency feeding organizations nationwide.[12]

More recent analyses indicate that use of emergency feeding organizations rose during the COVID-19 pandemic. An analysis by the Urban Institute (a nonprofit research organization) found that 19.7% of nonelderly adults utilized food banks, food pantries, soup kitchens, and similar organizations in December 2020, up from 13.2% in December 2019.[13]

Data on the number of TEFAP food recipients are not available, in part because TEFAP commodities are mixed in with other commodities provided by emergency feeding organizations and because of "the transient nature of participation."[14]

[11] Households utilizing food pantries included 14.3 million individuals, and households utilizing soup kitchens included 323,200 individuals. *Food pantry use* was defined as "receiving emergency food from a church, food pantry, or food bank." A. Coleman-Jensen, M.P. Rabbitt, C.A. Gregory, and A. Singh, *Statistical Supplement to Household Food Security in the United States in 2019*, AP-084, U.S. Department of Agriculture, Economic Research Service, September 2020, pp. 22-23, https://www.ers.usda.gov/webdocs/publications/99289/ap-084.pdf?v=6449.

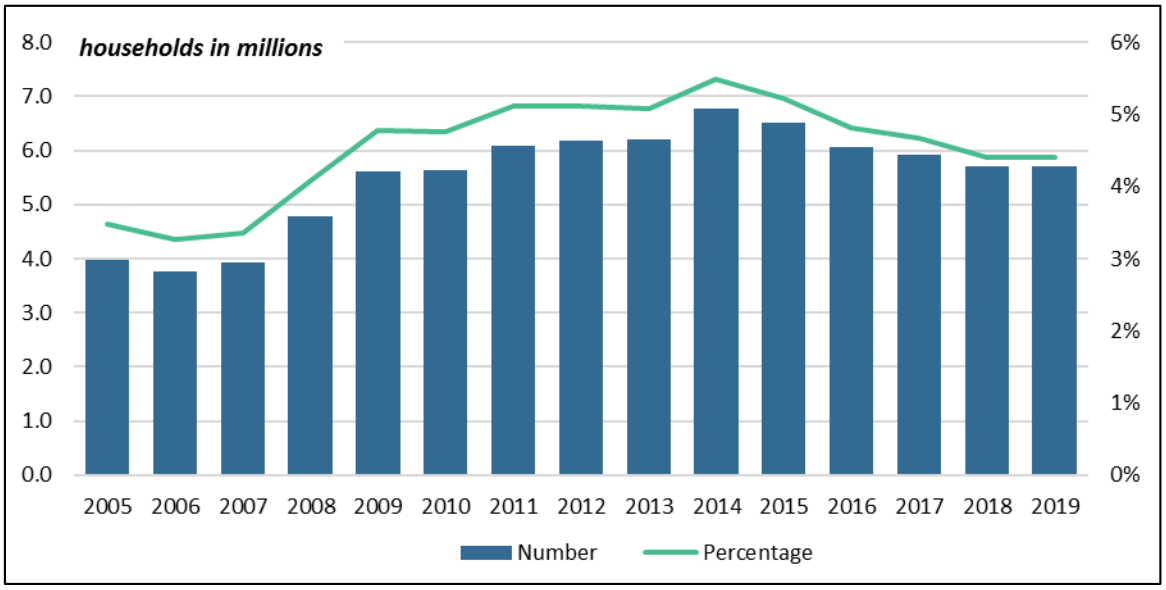
[12] Feeding America's network includes 200 food banks and 60,000 food pantries, according to FeedingAmerica.org, *Our Network*, http://www.feedingamerica.org/our-work/food-bank-network.html. In 2000, Feeding America's network included 80% of emergency feeding organizations according to J.C. Ohls et al., *The Emergency Food Assistance System—Findings From the Provider Survey*, prepared by Mathematica Policy Research, Inc. for the Food and Rural Economics Division, Economic Research Service, USDA, October 2002, p. 2, https://www.ers.usda.gov/publications/pub-details/?pubid=46507.

[13] Elaine Waxman, Poonam Gupta, and Dulce Gonzalez, "Charitable Food Use Increased Nearly 50 Percent from 2019 to 2020," Urban Institute, March 2021, https://www.urban.org/sites/default/files/publication/103825/charitable-food-use-increased-nearly-50-percent-from-2019-to-2020_0.pdf.

[14] USDA, FNS, *Nutrient and MyPyramid Analysis of USDA Foods in Five of Its Food and Nutrition Programs*, prepared by Westat for the Office of Research and Analysis, January 2012, p. 3-84, https://fns-prod.azureedge.net/sites/default/files/ops/NutrientMyPyramid.pdf.

Figure 2. Number of Households Using Food Pantries, 2005-2019

And as a percentage of low-income households nationwide



Source: CRS graphic based on data contained in statistical supplements to *Household Food Security in the United States*, USDA Economic Research Service, for 2005-2019.

Notes: This represents the number of households who reported that they received emergency food from a food pantry, food bank, or church in the last 12 months. This may be an underestimate of the number of households using food pantries due to the fact that the Census's Current Population Survey (CPS) Food Security Supplement focuses on households with incomes under 185% of the poverty guidelines and excludes homeless individuals and underrepresents those in tenuous housing arrangements.

Characteristics of Emergency Food Recipients

Food insecurity is common among households using emergency feeding organizations.[15] According to the ERS analysis, 65.7% of households using food pantries and soup kitchens were food insecure in 2019, meaning that they had difficulty providing enough food for all of their members at times during the year due to a lack of resources.[16] Roughly half of these households experienced very low food security, meaning that the food intake of some household members was reduced and normal eating patterns were disrupted due to limited resources.

According to the ERS analysis, in 2019 households using food pantries were more likely to have incomes below 185% of poverty compared to other respondents (66% vs. 20%) and to include children (34% vs. 29%).[17] Meanwhile, according to the 2014 Feeding America survey, individuals

[15] A. Coleman-Jensen, M.P. Rabbitt, C.A. Gregory, and A. Singh, *Statistical Supplement to Household Food Security in the United States in 2019*, AP-084, U.S. Department of Agriculture, Economic Research Service, September 2020, pp. 21-23, https://www.ers.usda.gov/webdocs/publications/99289/ap-084.pdf?v=6449https://www.ers.usda.gov/publications/pub-details/?pubid=94869.

[16] Ibid. "Food security" focuses on economic and access-related factors associated with an individual's ability to purchase food or otherwise obtain enough to eat, as opposed to hunger, which is considered a physiological condition. For more information on the differences between food insecurity and hunger, see CRS Report R42353, *Domestic Food Assistance: Summary of Programs*.

[17] A. Coleman-Jensen, M.P. Rabbitt, C.A. Gregory, and A. Singh, *Statistical Supplement to Household Food Security in the United States in 2019*, AP-084, U.S. Department of Agriculture, Economic Research Service, September 2020,

using meal programs (e.g., soup kitchens and shelters) were generally single-person households and were more likely to be homeless. In 2013, just over 70% of households using the Feeding America network of meal programs had a single member and nearly 34% were homeless or living in temporary housing.[18]

In addition, emergency feeding organizations may act as a safety net for food insecure households who are ineligible for or do not participate in other federal food assistance programs. For example, in the case of the Supplemental Nutrition Assistance Program (SNAP), households may have an income too high to qualify for assistance but still experience difficulty purchasing food, or they may fail to meet other program eligibility rules.[19] Among households using feeding organizations affiliated with Feeding America's network, a little more than half (55%) reported receiving SNAP benefits in 2013.[20]

Program Administration

Federal Role

FNS is responsible for allocating aid to states (see "State Allocation Formula") and coordinating the ordering, processing, and distribution of commodities. Specifically, FNS allocates entitlement aid and administrative funds to states and decides which foods will be available in the USDA Foods catalog. States and recipient agencies then place orders for certain quantities and types of commodities based on their entitlement allocation (discussed further in the next section).[21] FNS collaborates closely with USDA's purchasing agency—the Agricultural Marketing Service (AMS)—to process and fulfill the orders.[22] AMS and FNS also collaborate to purchase and distribute bonus commodities throughout the year that are not based on state requests but rather USDA's discretion to support different crops. Selected vendors deliver both entitlement and bonus commodities to state-selected distribution points.[23]

FNS also issues regulations and guidance and provides general oversight of states' TEFAP operations. FNS provides oversight by reviewing and approving state TEFAP plans, which are documents that outline each state's operation of TEFAP. States are required to submit amendments to the plan for approval "when necessary to reflect any changes in program

pp. 22-23, https://www.ers.usda.gov/webdocs/publications/99289/ap-084.pdf?v=6449.

[18] Weinfield et al., *Hunger in America 2014*, Feeding America, prepared by Westat and the Urban Institute, August 2014, pp. 91, 100-102, http://help.feedingamerica.org/HungerInAmerica/hunger-in-america-2014-full-report.pdf.

[19] For more information on SNAP eligibility, see CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*.

[20] Weinfield et al., *Hunger in America 2014*, Feeding America, prepared by Westat and the Urban Institute, August 2014, http://help.feedingamerica.org/HungerInAmerica/hunger-in-america-2014-full-report.pdf.

[21] For the 2021 list of TEFAP food selections, see USDA, FNS, "The Emergency Food Assistance Program; Availability of Foods for Fiscal Year 2021," 86 *Federal Register* 3988, January 15, 2021, https://fns-prod.azureedge.net/sites/default/files/tefap/tefap-foods-available.pdf.

[22] C. Cabili, E. Eslami, and R. Briefel, *White Paper on the Emergency Food Assistance Program (TEFAP)*, prepared by Mathematica for the Office of Policy Support, Food and Nutrition Service, U.S. Department of Agriculture, August 2013, https://fns-prod.azureedge.net/sites/default/files/TEFAPWhitePaper.pdf.

[23] Section 203B of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7505); 7 C.F.R. §251.4.

operations or administration as described in the plan, or at the request of FNS, to the appropriate FNS Regional Office."[24]

State Role

TEFAP is administered at the state level by an agency designated by the governor "or other appropriate State executive authority" that enters into an agreement with FNS.[25] As of 2021, states most commonly housed TEFAP in a health, human, or social services department (21 states), agriculture department (14 states), or education department (10 states).[26] State agencies administering TEFAP are responsible for creating eligibility and other program rules (see "Eligibility Rules for Individuals and Households"), which are outlined in state plans approved by FNS.[27] They are also responsible for selecting and overseeing recipient agencies.

Federal regulations allow states to delegate a number of responsibilities to recipient agencies (e.g., regional food banks), including selecting and subcontracting with other recipient agencies.[28] States often delegate the ordering and distribution of USDA Foods to food banks, which receive foods and make deliveries to other recipient organizations, such as food pantries.[29] According to a 50-state analysis conducted by Feeding America in 2020, nearly all states reported that commodities were delivered directly to recipient agencies (often to food banks for distribution to other organizations).[30] States cannot delegate their responsibility to set eligibility rules or oversee recipient agencies.[31]

States must review at least 25% of recipient agencies contracting directly with the state (e.g., food banks) at least once every four years, and at least one-tenth or 20 (whichever is fewer) of other recipient agencies each year.[32] If the state finds deficiencies in the course of review, the state agency must submit a report with the findings to the recipient agency and ensure that corrective action is taken.

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[24] Section 202A of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7503).

[25] 7 C.F.R. §251.2.

[26] USDA, FNS, *TEFAP State Contacts*, https://www.fns.usda.gov/contacts, accessed on June 15, 2021. The remaining 9 states/territories housed TEFAP in another department, such as a family services or economic security agency. The state agency was not listed for the U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands.

[27] Individual state plans can usually be found on the state agency's website that administers TEFAP. A list of state agencies that administer TEFAP is available at https://www.fns.usda.gov/contacts. According to Section 202A of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7503), state plans must include eligibility rules.

[28] 7 C.F.R. §251.2, 7 C.F.R. §251.5; C. Cabili, E. Eslami, and R. Briefel, *White Paper on the Emergency Food Assistance Program (TEFAP)*, prepared by Mathematica for the U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support, August 2013, https://fns-prod.azureedge.net/sites/default/files/TEFAPWhitePaper.pdf.

[29] Feeding America, *The Emergency Food Assistance Program: State Guide*, February 2020, https://feedingamericaaction.org/wp-content/uploads/2021/04/Resource_Feeding-America-TEFAP-State-by-State-Guide.pdf; Washington State Department of Agriculture, *The Emergency Food Assistance Program (TEFAP): Distribution National Survey 2015*, AGR 609-574. Per Section 202A of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7503), state plans must describe how the state will give recipient agencies an opportunity to provide input on the commodities selected.

[30] Washington State Department of Agriculture, *The Emergency Food Assistance Program (TEFAP): Distribution National Survey 2015*, AGR 609-574. Larger states often reported multiple, regional warehouses while smaller states sometimes had one central warehouse.

[31] 7 C.F.R. §251.5.

[32] 7 C.F.R. §251.10.

Local Role

Organizations that are eligible for TEFAP aid are referred to as *recipient agencies* in the Emergency Food Assistance Act. According to the statute, recipient agencies are public or nonprofit organizations that administer

- emergency feeding organizations;
- charitable institutions;
- summer camps or child nutrition programs;
- nutrition projects operating under the Older Americans Act of 1965; or
- disaster relief programs.[33]

The first category of organizations—emergency feeding organizations—receive priority under TEFAP statute and regulations and also receive the majority of TEFAP aid.[34] Emergency feeding organizations are defined as public or nonprofit organizations "providing nutrition assistance to relieve situations of emergency and distress through the provision of food to needy persons, including low-income and unemployed persons."[35] They include food banks, food pantries, soup kitchens, and other organizations serving similar functions.

Recipient agencies are responsible for serving and distributing TEFAP foods to individuals and households. As discussed above, they may also have additional responsibilities as delegated by the state agency; for example, food banks may be tasked with distributing food to subcontracted recipient agencies like food pantries and soup kitchens, which in turn distribute foods or serve prepared meals to low-income individuals and families.

In addition, recipient agencies must adhere to program rules. For example, they must safely store food and comply with state and/or local food safety and health inspection requirements.[36] Recipient agencies must also maintain records of the commodities they receive and a list of households receiving TEFAP foods for home consumption.[37] There are also restrictions on the types of activities that can occur at distribution sites. Recipient agencies must ensure that any unrelated activities are conducted in a way that makes clear that the activity is not part of TEFAP and that receipt of TEFAP foods is not contingent on participation in the activity.[38] Activities may not disrupt food distribution or meal service and may not be explicitly religious.[39] In addition, recipient agencies may not engage in recruitment activities designed to persuade an individual to apply for SNAP benefits.[40]

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[33] Section 201A of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7501).

[34] Section 203B of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7505) gives states the option to give emergency feeding organizations priority. When they cannot meet the full demand of all eligible recipient organizations, states *must* give priority to emergency feeding organizations according to TEFAP regulations (7 C.F.R. §251.4). The statement that emergency feeding organizations receive the majority of TEFAP aid is based on CRS communication with the Food and Nutrition Service in September 2018.

[35] Section 201A of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7501).

[36] 7 C.F.R. §250.14.

[37] 7 C.F.R. §251.10.

[38] Ibid.

[39] Ibid; USDA, FNS, *Further Clarification on the Prohibition Against Explicitly Religious Activities As Part of TEFAP and CSFP Activities*, FD-142, November 28, 2016, https://fns-prod.azureedge.net/sites/default/files/fdd/FD-142-Prohibition-Religious-Activities.pdf.

[40] USDA, FNS, *Prohibition of SNAP Recruitment and Promotion Activities by FDPIR and TEFAP Administering*

Characteristics of Emergency Feeding Organizations

The most recent nationally representative survey of emergency feeding organizations was conducted in 2000 by USDA's Economic Research Service (ERS).[41] ERS found that there were approximately 400 food banks, 32,700 food pantries and 5,300 soup kitchens in the United States in 2000.[42] These organizations were reliant on both private and public donations, including TEFAP support. According to the survey, TEFAP foods comprised 14% of foods distributed by the emergency food assistance system and TEFAP administrative funds comprised 12% to 27% of organizations' operating costs in 2000.[43] However, this proportion may fluctuate from year to year.

Most food banks in the ERS survey were secular, nonprofit organizations, while the majority of food pantries and soup kitchens were nonprofit organizations associated with a religious group.[44] Food banks were likely to be affiliated with a national organization, including Feeding America (previously Second Harvest), United Way, Foodchain, Salvation Army, the Red Cross, and Catholic Charities.[45] All types of emergency feeding organizations were dependent on volunteers.[46]

Eligibility Rules for Individuals and Households

Under broad federal guidelines, states set eligibility rules for individuals and households participating in TEFAP. Eligibility rules differ for organizations distributing commodities directly to households (e.g., food pantries) and organizations providing prepared meals (e.g., soup kitchens). States must develop income-based standards for households receiving foods directly, but cannot set such standards for individuals receiving prepared meals. However, organizations serving prepared meals must serve predominantly needy persons, and states "may establish a higher standard than 'predominantly' and may determine whether organizations meet the applicable standard by considering socioeconomic data of the area in which the organization is located, or from which it draws its clientele."[47]

Income eligibility rules for households receiving TEFAP foods directly vary by state. Many states limit income eligibility to household incomes at or below 185% of the poverty guidelines.[48] Some states also confer household eligibility based on participation in other federal and state programs (known as *categorical eligibility*).[49]

Agencies, Policy Memorandum No. FD-143, May 2017, https://fns-prod.azureedge.net/sites/default/files/fdd/FD-143-prohibition-snap-recruitment.pdf.

[41] Feeding America published a study in 2014 of its network of feeding organizations (discussed in this report). However, while the Feeding America network comprises a large portion of the emergency feeding network, it is not a nationally representative sample of organizations.

[42] J.C. Ohls et al., *The Emergency Food Assistance System—Findings From the Provider Survey*, 16-2, prepared by Mathematica Policy Research, Inc. for the Food and Rural Economics Division, Economic Research Service, USDA, October 2002, https://www.ers.usda.gov/publications/pub-details/?pubid=46507.

[43] Ibid; see pp. 133-134 for TEFAP's proportion of foods and pp. 45, 77, 110 for its proportion of operating costs.

[44] J.C. Ohls et al., *The Emergency Food Assistance System—Findings From the Provider Survey*, 16-2, prepared by Mathematica Policy Research, Inc. for the Food and Rural Economics Division, Economic Research Service, USDA, October 2002, pp. 16 and 50, https://www.ers.usda.gov/publications/pub-details/?pubid=46507.

[45] Ibid, p. 81.

[46] Ibid, pp. 39, 72, 108.

[47] 7 C.F.R. §251.5.

[48] Examples include Arizona, Hawaii, Indiana, Iowa, Massachusetts, Nevada, New Mexico, and Wisconsin. Individual state plans can usually be found on the state agency's website that administers TEFAP. A list of state agencies that administer TEFAP is available at https://www.fns.usda.gov/contacts.

[49] See page 10 of Feeding America, *The Emergency Food Assistance Program: State Guide*, February 2020, https://feedingamericaaction.org/wp-content/uploads/2021/04/Resource_Feeding-America-TEFAP-State-by-State-

States may also create other eligibility rules for households' receipt of TEFAP foods, such as requiring identification or proof of residency within the state or a specific locality.[50] However, according to federal regulations, length of residency cannot be a criterion.[51]

Funding and Appropriations

Federal assistance through TEFAP is primarily provided in the form of USDA-purchased domestic agricultural commodities (*USDA Foods*). A smaller amount of assistance is provided in the form of cash support for administrative and distribution costs.

There are two types of TEFAP commodities: *entitlement commodities* and *bonus commodities.* Funding for entitlement commodities is considered appropriated mandatory spending, meaning that the authorizing law sets the level of spending but an annual appropriation is needed to provide funding.[52] Funding for bonus commodities is not included in the TEFAP appropriation and is instead provided by separate USDA budget authority. These funds are used by USDA for bonus commodity purchases for the program throughout the year. TEFAP's administrative funds are discretionary spending, requiring an annual appropriation.[53]

In FY2021, there is nearly $2.3 billion available for entitlement purchases and administrative funds, including funds from COVID-19 pandemic response acts (shown in **Table 1**, and discussed further in the "COVID-19 Pandemic Response" section). USDA may also distribute bonus commodities in FY2021 (not reflected in the table). In FY2020 (the most recent year with complete data), USDA distributed $701 million in bonus commodities through TEFAP.[54] Bonus commodities increased in FY2019 and FY2020 as a result of the Administration's trade aid package (discussed below).

Table 1. TEFAP Funding, FY2021

Budget Authority for TEFAP Entitlement Foods, Administrative Funds, and Other Activities (Excluding Bonus Foods) in FY2021

Authority	Description	Budget Authority (millions of dollars)
The Agriculture Improvement Act of 2018 (Section 4018 of P.L. 115-334)	Mandatory funding for TEFAP's Farm to Food Bank Projects (available through FY2022)	3.7[a]

Guide.pdf.

[50] See individual state plans for state-specific eligibility rules, which can usually be found on the state agency's website that administers TEFAP. A list of state agencies that administer TEFAP is available at https://www.fns.usda.gov/contacts. For a summary of state policies as of February 2020, see Feeding America, *The Emergency Food Assistance Program: State Guide,* February 2020, https://feedingamericaaction.org/wp-content/uploads/2021/04/Resource_Feeding-America-TEFAP-State-by-State-Guide.pdf.

[51] 7 C.F.R. §251.5(b); Feeding America, *The Emergency Food Assistance Program: State Guide,* February 2020, https://feedingamericaaction.org/wp-content/uploads/2021/04/Resource_Feeding-America-TEFAP-State-by-State-Guide.pdf.

[52] For an explanation of appropriated mandatory spending, see CRS Report R44582, *Overview of Funding Mechanisms in the Federal Budget Process, and Selected Examples*.

[53] Funding for TEFAP's entitlement commodities is typically contained in the Supplemental Nutrition Assistance Program (SNAP) account and appropriations for administrative costs is typically contained in the Commodity Assistance Program (CAP) account of annual appropriations acts.

[54] USDA, FNS, "FY2022 USDA Explanatory Notes – Food and Nutrition Service," p. 34-129, https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf.

Authority	Description	Budget Authority (millions of dollars)
The Further Consolidated Appropriations Act, 2020 (P.L. 116-94)	Carryover funds from FY2020 for TEFAP entitlement foods and administrative costs (available through FY2021)	190.6
Families First Coronavirus Response Act (FFCRA; P.L. 116-127)	Supplemental funding for TEFAP entitlement foods and administrative costs (available through FY2021)	197.1
CARES Act (P.L. 116-136)	Supplemental funding for TEFAP entitlement foods and administrative costs (available through FY2021)	81.2
Consolidated Appropriations Act, 2021 (Title IV, Division A, P.L. 116-260)	Annual appropriation for TEFAP entitlement foods and administrative costs (available through FY2022)	421.6
Consolidated Appropriations Act, 2021 (Section 711 of Title VII, Division N, P.L. 116-260)	Supplemental funding for TEFAP entitlement foods and administrative costs (available through FY2021)	400.0
Consolidated Appropriations Act, 2021 (Section 751 of Title VII, Division N, P.L. 116-260)	Supplemental funding for the Office of the Agricultural Secretary ("available until expended, to prevent, prepare for, and respond to coronavirus")	500.0[b]
American Rescue Plan Act of 2021 (ARPA; Section 1001 of P.L. 117-2)	Supplemental funding for the Office of the Agricultural Secretary (available through FY2021)	500.0[b]
Total		**2,294.2**

Source: CRS, based on current law; correspondence with USDA, FNS, in June 2021; USDA, FNS, "FY 2021 Food and Administrative Funding for The Emergency Food Assistance Program," February 16, 2021, https://www.fns.usda.gov/tefap/fy-2021-funding; and USDA, FNS, "FY2022 USDA Explanatory Notes – Food and Nutrition Service," p. 34-129, https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf.

Notes: Excludes budget authority for bonus commodities that may be distributed through TEFAP in FY2021.

a. FY2021 funding after sequestration (Section 4018 of P.L. 115-334 provides $4 million for TEFAP's Farm to Food Bank Projects in each of FY2019-FY2023).

b. On June 4, 2021, USDA announced that it would use $500 million in Consolidated Appropriations Act, 2021 funds and $500 million in ARPA funds for TEFAP to support the Build Back Better initiative (USDA, "USDA to Invest $1 Billion to Purchase Healthy Food for Food Insecure Americans and Build Food Bank Capacity," June 4, 2021, https://www.usda.gov/media/press-releases/2021/06/04/usda-invest-1-billion-purchase-healthy-food-food-insecure-americans). According to CRS communication with FNS on June 28, 2021, these funds were from Section 751 of the Consolidated Appropriations Act, 2021 and Section 1001 of ARPA, both of which included funding for the Secretary of Agriculture to purchase and distribute agricultural commodities to individuals in need.

Commodity Food Support

Entitlement Commodities

Mandatory funding for TEFAP commodities is authorized by Section 27 of the Food and Nutrition Act (codified at 7 U.S.C. §2036). The act authorizes $250 million annually plus additional amounts each year in FY2019 through FY2023 as a result of amendments made by the 2018 farm bill (P.L. 115-334). In FY2019, the additional amount was $23 million; for each of FY2020-FY2023, the additional amount is $35 million. Both the base funding of $250 million

and the additional amounts are adjusted for food price inflation.[55] Appropriations may also provide additional discretionary funding for commodities beyond the levels set in the Food and Nutrition Act.

Historically, appropriations laws have allowed states to convert a portion of their funds for entitlement commodities into administrative funds. In past years, states were allowed to convert 10% of funds; FY2018 and FY2019 appropriations acts increased the proportion to 15%, and the FY2020 and FY2021 appropriations acts increased the proportion to 20%.[56] States generally exercise this option; for example, in FY2020, states converted $52.8 million out of a possible $63.5 million in eligible funds.[57] States are also allowed to carry over entitlement commodity funds into the next fiscal year.[58]

Within USDA, FNS works closely with AMS to determine what purchases are made for TEFAP. FNS also solicits input from state and local agencies. According to TEFAP's authorization of appropriations in the Food and Nutrition Act, USDA must, "to the extent practicable and appropriate, make purchases based on (1) agricultural market conditions; (2) preferences and needs of States and distributing agencies; and (3) preferences of recipients."[59]

TEFAP's Authorizing Laws

The Emergency Food Assistance Act of 1983: governs TEFAP operations and authorizes discretionary funding for administrative costs (codified at 7 U.S.C. §7501-7516)

The Food and Nutrition Act of 2008 (previously the Food Stamp Act): Section 27 authorizes mandatory funding for TEFAP commodities (codified at 7 U.S.C. §2036)

Bonus Commodities

Bonus commodities are purchased at USDA's discretion throughout the year using separate (non-TEFAP) USDA budget authority for that purpose. USDA's purchases of bonus commodities are based on agricultural surpluses or other economic problems, as raised by farm and industry organizations or USDA's own commodity experts. The amount and type of bonus commodities that USDA purchases for TEFAP fluctuates from year to year, and depends largely on agricultural market conditions. States and recipient agencies are not required to accept bonus foods.

USDA's purchases of bonus commodities stem from two authorities: Section 32 of the Act of August 24, 1935 and the Commodity Credit Corporation (CCC).[60] Section 32 is a permanent

[55] Amounts are adjusted using the Thrifty Food Plan (TFP), a USDA-calculation that estimates the cost of purchasing a nutritionally adequate low-cost diet. The TFP is the cheapest of four diet plans meeting minimal nutrition requirements devised by USDA. USDA calculates the cost of the TFP each year to account for food price inflation; however, the contents of the TFP—often thought of as its own market basket of goods—were last revised in 2006.

[56] The Consolidated Appropriations Act, 2021 (P.L. 116-260). For FY2002-FY2008, states were allowed to convert $10 million of entitlement commodity funds into administrative funds. For FY2009-FY2017, states were allowed to convert 10% of entitlement commodity funds into administrative funds. For FY2018 and FY2019, they were allowed to convert 15%. For FY2020 and FY2021, they were allowed to convert 20%. States may convert any amount of administrative funds into food funds, but this happens to a lesser extent.

[57] USDA, FNS, "FY2022 USDA Explanatory Notes – Food and Nutrition Service," p. 34-129, https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf.

[58] This has occurred since FY2015 as a result of a provision in the 2014 farm bill (P.L. 113-79).

[59] Section 27 of the Food and Nutrition Act of 2008 (codified at 7 U.S.C. §2036(b)).

[60] For Section 32 purchasing authorities, see Section 32 of the act of August 24, 1935 (P.L. 74-320). For CCC purchasing authorities, see Section 5 of the CCC Charter Act. The Secretary's authority to donate such commodities to TEFAP is established by Section 17 of the Commodity Distribution Reform And WIC Amendments Act Of 1987.

appropriation that sets aside the equivalent of 30% of annual customs receipts to support the farm sector through the purchase of surplus commodities and a variety of other activities.[61] The CCC is a government-owned entity that finances authorized programs that support U.S. agriculture. Its operations are supported by USDA's Farm Service Agency. The CCC has permanent, indefinite authority to borrow up to $30 billion from the U.S. Treasury to finance its programs.[62]

Section 32 has historically financed TEFAP commodities to a greater extent than the Commodity Credit Corporation.[63] Unlike CCC support, which is normally limited to price-supported commodities (such as milk, grains, and sugar), Section 32 is less constrained in the types of commodities that may be provided, and can include meats, poultry, fruits, vegetables, and seafood.

In FY2020, USDA distributed $701 million in bonus commodities purchased under Section 32 through TEFAP.[64] Other bonus commodities were funded under CCC authority (discussed below). The level of bonus commodities has fluctuated substantially over time (see **Figure 3**).

Trade Mitigation Purchases

In 2018 and 2019, the Trump Administration announced two trade aid packages aimed at assisting farmers impacted by retaliatory tariffs, using CCC authority.[65] The first trade aid package, announced in August 2018, included $1.2 billion in purchases of bonus commodities for distribution to TEFAP and other domestic food assistance programs.[66] The second trade aid package, announced in May 2019, provided another $1.4 billion for such purposes.[67] In total, USDA distributed $1.1 billion worth of trade mitigation foods through TEFAP in FY2019 and $1.2 billion in FY2020.[68] The Biden Administration has not announced any plans to purchase trade mitigation commodities.

Types of Foods

USDA-purchased agricultural products (*USDA Foods*) in TEFAP include a variety of products, such as meats, eggs, vegetables, soup, beans, nuts, peanut butter, cereal, pasta, milk, and juice.[69] Most foods are nonperishable and ready for distribution when delivered to states, although some

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[61] For more information, see CRS Report RL34081, *Farm and Food Support Under USDA's Section 32 Program*.

[62] For more information, see CRS Report R44606, *The Commodity Credit Corporation (CCC)*.

[63] CRS communication with the Food and Nutrition Service in September 2018.

[64] USDA, FNS, "FY2022 USDA Explanatory Notes – Food and Nutrition Service," p. 34-129, https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf.

[65] For more information, see CRS Report R45310, *Farm Policy: USDA's 2018 Trade Aid Package*; and CRS Report R45865, *Farm Policy: USDA's 2019 Trade Aid Package*.

[66] For more information, see CRS Report R45310, *Farm Policy: USDA's 2018 Trade Aid Package*; and CRS Report R45865, *Farm Policy: USDA's 2019 Trade Aid Package*. USDA, "USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation," press release, August 27, 2018, https://www.usda.gov/media/press-releases/2018/08/27/usda-announces-details-assistance-farmers-impacted-unjustified. The largest purchases announced include pork, sweet cherries, apples, pistachios, dairy, and almonds.

[67] USDA, "USDA Announces Support for Farmers Impacted by Unjustified Retaliation and Trade Disruption," press release, May 23, 2019, https://www.usda.gov/media/press-releases/2019/05/23/usda-announces-support-farmers-impacted-unjustified-retaliation-and.

[68] USDA, FNS, "FY2022 USDA Explanatory Notes – Food and Nutrition Service," p. 34-129, https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf.

[69] USDA, FNS, *USDA Foods Available List for The Emergency Food Assistance Program (TEFAP) 2021*, March 15, 2021, https://www.fns.usda.gov/tefap/usda-foods-available-list-tefap.

foods, such as some meat and dairy products, require refrigeration.[70] States and recipient agencies can request entitlement commodities from a list of USDA Foods. USDA selects bonus foods based on market conditions. In FY2020, bonus food purchases included "apples, beans, cheese, dried cherries, chicken, eggs, fig pieces, milk, orange juice, plums, pollock, potatoes, spaghetti sauce, lentils, shrimp, deli turkey breast, and almonds."[71]

According to a 2012 USDA study, TEFAP foods are relatively nutritious compared to foods in the average American diet.[72] The study found that TEFAP entitlement and bonus foods delivered to states in FY2009 scored 88.9 points out of a possible 100 points on the Healthy Eating Index—a measure of compliance with federal dietary guidelines—compared to 57.5 points scored by the average American diet.[73] Keeping in mind that TEFAP foods are generally meant to supplement diets, the study also found that these foods would supply 81% of fruits, 69% of vegetables, 98% of grains, 171% of protein, 36% of dairy, 84% of oils, and 39% of the maximum solid fats and added sugars recommended for a 2,000-calorie diet.[74]

Administrative Cash Support

TEFAP provides funds to cover state and recipient agency costs related to processing, storing, transporting, and distributing USDA-purchased commodities, as well as administrative costs related to determining eligibility, training staff, recordkeeping, and publishing announcements.[75] Administrative funds can also be used to support states' food recovery efforts.[76]

The Emergency Food Assistance Act of 1983 authorizes $100 million to be appropriated annually for administrative costs.[77] In recent years, annual appropriations acts have provided nearly $80 million in discretionary funding for TEFAP administrative funds.[78]

The Emergency Food Assistance Act of 1983 also authorizes up to $15 million to be appropriated for TEFAP infrastructure grants (and this authority was extended by the 2018 farm bill). Funds were last appropriated for these grants in FY2010.[79] In FY2021, USDA made $100 million

[70] C. Cabili, E. Eslami, and R. Briefel, *White Paper on the Emergency Food Assistance Program (TEFAP)*, prepared by Mathematica for the Office of Policy Support, Food and Nutrition Service, U.S. Department of Agriculture, August 2013, https://fns-prod.azureedge.net/sites/default/files/TEFAPWhitePaper.pdf.

[71] USDA, FNS, "FY2022 USDA Explanatory Notes – Food and Nutrition Service," p. 34-128, https://www.usda.gov/sites/default/files/documents/34FNS2022Notes.pdf.

[72] See USDA, FNS, *Nutrient and MyPyramid Analysis of USDA Foods in Five of Its Food and Nutrition Programs*, prepared by Westat for the Office of Research and Analysis, January 2012, p. 3-76 to 3-84, https://fns-prod.azureedge.net/sites/default/files/ops/NutrientMyPyramid.pdf.

[73] Federal dietary guidelines refer to the 2010 USDA Food Patterns, which are based on the Dietary Guidelines for Americans.

[74] USDA, FNS, *Nutrient and MyPyramid Analysis of USDA Foods in Five of Its Food and Nutrition Programs*, prepared by Westat for the Office of Research and Analysis, January 2012, https://fns-prod.azureedge.net/sites/default/files/ops/NutrientMyPyramid.pdf.

[75] Section 204 of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7508).

[76] Section 203D and Section 204 of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. 7§507). Also see C. Cabili, E. Eslami, and R. Briefel, *White Paper on the Emergency Food Assistance Program (TEFAP)*, prepared by Mathematica for the Office of Policy Support, Food and Nutrition Service, U.S. Department of Agriculture, August 2013, https://fns-prod.azureedge.net/sites/default/files/TEFAPWhitePaper.pdf.

[77] Section 204 of the Emergency Food Assistance Act Of 1983 (codified at 7 U.S.C. §7508).

[78] The Further Consolidated Appropriations Act, 2020 (P.L. 116-94) and the Consolidated Appropriations Act, 2021 (P.L. 116-260) provided an annual appropriation of $79.6 million for TEFAP administrative funds in each of FY2020 and FY2021.

[79] USDA, FNS, *The Emergency Food Assistance Program (TEFAP) General Infrastructure Grant*,

available for a new program that will include infrastructure improvements (discussed further in the "COVID-19 Pandemic Response" section).[80]

The statute specifies that administrative funds must be made available to states, which must in turn distribute at least 40% of the funds to emergency feeding organizations.[81] However, states are required to match whatever administrative funds they keep. As a result, states typically send nearly all of these funds to emergency feeding organizations.[82]

States can convert any amount of their administrative funds to food funds, but this happens to a lesser extent than the conversion of food funds to administrative funds.[83]

Funding Trends

Figure 3 displays TEFAP's expenditures on administrative costs, entitlement commodities, and bonus commodities from the program's inception (FY1983) to FY2020 in constant (inflation-adjusted) dollars (see **Appendix A** for specific dollar amounts). TEFAP expenditures reached a recent high in FY2019 and FY2020 as a result of additional funding for entitlement commodities and administrative costs provided by COVID-19 pandemic response acts and the Trump Administration's trade mitigation program. Previously, spending was highest around the time of the program's inception, when TEFAP served as a means for disposing of large stockpiles of government-held commodities (for further legislative history, see **Appendix C**).

https://www.fns.usda.gov/emergency-food-assistance-program-tefap-general-infrastructure-grant; Section 209 of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7511a).

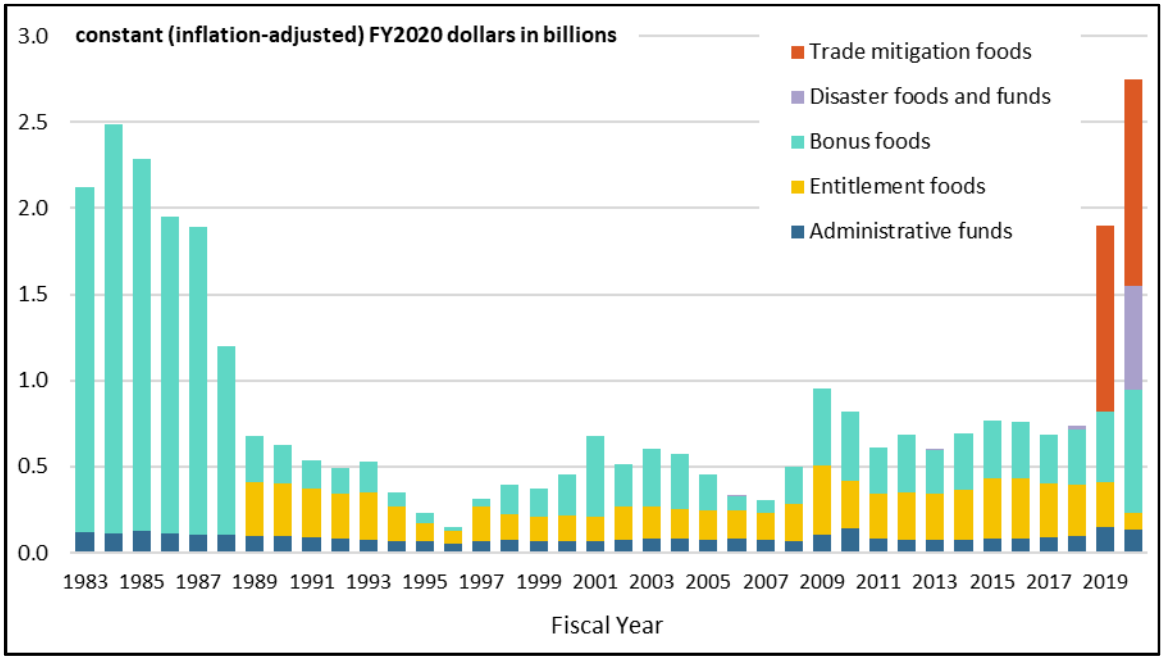
[80] USDA, "USDA to Invest $1 Billion to Purchase Healthy Food for Food Insecure Americans and Build Food Bank Capacity," June 4, 2021, https://www.usda.gov/media/press-releases/2021/06/04/usda-invest-1-billion-purchase-healthy-food-food-insecure-americans.

[81] Section 204 of the Emergency Food Assistance Act Of 1983 (codified at 7 U.S.C. §7508).

[82] For the percentage of administrative funds distributed to recipient organizations by state, see USDA, FNS, "Percentage of TEFAP Administrative Funds Passed Through from State Agencies to Emergency Feeding Organizations: FY2019," https://www.fns.usda.gov/tefap/percentage-tefap-administrative-funds-passed-through-state-agencies-emergency-feeding.

[83] USDA, AMS, "FY2022 USDA Explanatory Notes – Agricultural Marketing Service," p. 23-116, https://www.usda.gov/sites/default/files/documents/23AMS2022Notes.pdf.

Figure 3. TEFAP Expenditures, FY1983-FY2020



Source: CRS calculations using USDA, FNS Congressional Budget Justifications for FY1983-FY2022. Amounts are in FY2020 dollars, adjusted for GDP inflation by CRS using Office of Management and Budget (OMB), "Historical Tables: Table 10.1—Gross Domestic Product and Deflators Used in the Historical Tables: 1940–2026," April 2021.

Notes: Expenditures are after conversion of any entitlement commodity funds to administrative funds, and administrative funds to commodity funds, and include any entitlement food and administrative funds that states carried over from the prior fiscal year. In FY2009 and FY2010, entitlement food and administrative fund amounts include supplemental American Recovery and Reinvestment Act (ARRA) funding. ARRA included $100 million in TEFAP commodity funding and $50 million in TEFAP administrative funding that was distributed in FY2009 and FY2010. An additional $28 million in ARRA funds were reprogrammed as TEFAP administrative funds in FY2010.

State Allocation Formula

TEFAP's entitlement commodity and administrative funds are allocated to states based on a statutory formula that takes into account poverty and unemployment rates.[84] Specifically, USDA calculates each state's share of the total national number of households with incomes below the federal poverty level and each state's share of the total national number of unemployed individuals. A state's share of households in poverty is then multiplied by 60% and its share of unemployed individuals is multiplied by 40% to calculate the state's share of TEFAP commodities and funds. For example, if a state has 4% of all households in poverty and 2% of all unemployed individuals, it would receive (4% x 60% = 2.4%) + (2% x 40% = 0.8%) = 3.2% of TEFAP funds.[85] As noted previously, states may carry over any extra food or administrative funds for one fiscal year (e.g., from FY2020 to FY2021).

[84] 7 C.F.R. §251.3(h). Administrative funds use the same formula as commodities according to Section 204 of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7508).

[85] This explanation draws upon Appendix B of C. Cabili, E. Eslami, and R. Briefel, *White Paper on the Emergency Food Assistance Program (TEFAP)*, prepared by Mathematica for the Office of Policy Support, Food and Nutrition Service, U.S. Department of Agriculture, August 2013, https://fns-prod.azureedge.net/sites/default/files/

State Funding

States must match any administrative funds that are not allocated to emergency feeding organizations or expended by the state on behalf of such organizations.[86] In practice, most states use 80% to 100% of their administrative funds to support emergency feeding organizations, resulting in a small state match requirement.[87]

Beyond the state match, 14 states reported supplying additional state funds "to support the TEFAP program either directly or indirectly" in a national survey conducted by the Washington State Department of Agriculture in 2015.[88]

There is also a maintenance of effort requirement in TEFAP, meaning that states cannot reduce their own funding or commodity support for recipient agencies below the level that they were supporting such organizations at the program's inception or FY1988 (when the maintenance of effort went into effect)—whichever is later.[89]

Role of TEFAP During Disasters and Emergencies

There are two main ways TEFAP can be deployed in disaster response: (1) transferring TEFAP foods to disaster response organizations for distribution to households (*Disaster Household Distribution* programs) and (2) adjusting TEFAP program rules and/or distributing additional aid through TEFAP. Both of these approaches have been used during the COVID-19 pandemic (discussed in the next section).

During a presidentially declared disaster or emergency, USDA may approve state requests to operate Disaster Household Distribution programs and repurpose USDA Foods (largely from TEFAP) for direct distribution to households in areas affected by an emergency or disaster.[90] USDA later replenishes or reimburses TEFAP and federal nutrition assistance programs for the reprogrammed foods.[91] Disaster Household Distribution facilitates faster distribution to households by reducing administrative requirements (e.g., removing eligibility determinations); however, it temporarily results in lower USDA Foods inventory for TEFAP and other federal nutrition assistance programs. USDA authorized Disaster Household Distribution using TEFAP foods in several states in recent years, including during the COVID-19 pandemic.[92]

TEFAPWhitePaper.pdf.

[86] Section 204 of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7508).

[87] USDA, FNS, "Percentage of TEFAP Administrative Funds Passed Through from State Agencies to Emergency Feeding Organizations (EFO): FY2019," https://www.fns.usda.gov/tefap/percentage-tefap-administrative-funds-passed-through-state-agencies-emergency-feeding. Note that territories are exempt from the matching requirement if it is under $200,000 (7 C.F.R. §251.9).

[88] See Washington State Department of Agriculture, *The Emergency Food Assistance Program (TEFAP): Distribution National Survey 2015*, AGR 609-574.

[89] Section 215 of the Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7516).

[90] 7 C.F.R. §250.69; USDA, FNS, Food Distribution Division, "USDA Foods Program Disaster Manual," revised September 2017, https://fns-prod.azureedge.net/sites/default/files/fdd/disaster-manual.pdf; USDA, FNS, "USDA Foods Disaster Assistance," https://www.fns.usda.gov/disaster/usda-foods-disaster-assistance. Note that households cannot receive both disaster SNAP benefits and disaster USDA Foods. USDA Foods for household consumption are most often obtained from inventories intended for TEFAP, the Commodity Supplemental Food Program, and the Food Distribution Program on Indian Reservations.

[91] 7 C.F.R. §250.69(g).

[92] For example, foods intended for TEFAP were used for disaster response in Florida, Texas, and Puerto Rico following

Additional foods may also be distributed through TEFAP to aid in disaster and emergency response, and additional flexibilities may be provided. For example, USDA and/or states may adjust certain program rules during a disaster or emergency (e.g., by amending state plans). In addition, Congress may provide supplemental funding for disaster or emergency feeding through TEFAP, as was the case during the COVID-19 pandemic and during hurricanes and wildfires in recent years.[93]

COVID-19 Pandemic Response

TEFAP has been involved in responding to the COVID-19 pandemic both in terms of transferring foods to Disaster Household Distribution programs and distributing a higher volume of foods through TEFAP.

During the COVID-19 pandemic, USDA authorized some states' requests to use TEFAP foods for Disaster Household Distribution. Following the presidential emergency declaration for COVID-19, USDA approved requests from 21 states, Guam, and 33 tribal nations to repurpose TEFAP foods for Disaster Household Distribution during the early months of the pandemic.[94] These approvals had different timeframes but typically ended by July 2020.

There was also additional federal aid distributed through TEFAP as a result of funding provided by COVID-19 pandemic response acts. Specifically, supplemental appropriations for TEFAP were provided by FFCRA ($400 million), the CARES Act ($450 million), and the Consolidated Appropriations Act, FY2021 ($400 million).[95] In addition, the Biden Administration announced its intent to use funds provided by the Consolidated Appropriations Act, FY2021 ($500 million) and ARPA ($500 million) for TEFAP (1) entitlement food purchases with priority for small, women-owned, minority-owned, and veteran-owned businesses and to continue a fresh produce box initiative announced earlier in the year;[96] (2) cooperative agreements with state and tribal governments or other local entities to purchase local and regional foods and foods from socially disadvantaged producers, and (3) infrastructure grants for emergency feeding organizations, with an emphasis on those in "underserved communities and communities of color."[97] TEFAP funds available in FY2021 are displayed in **Table 1**. FFCRA and CARES Act funds expended in FY2020 are included in **Figure 3** and **Table A-1**.

Hurricanes Irma, Harvey, and Maria in 2017. For a list of FNS's disaster response by state, see USDA, FNS, "State by State FNS Disaster Assistance," https://www.fns.usda.gov/disaster/state-by-state.

[93] For example, the Bipartisan Budget Act of 2018 (P.L. 115-123) provided $24 million in supplemental funding for TEFAP commodities and administrative funds to jurisdictions that received a major disaster or emergency declaration related to the consequences of Hurricanes Harvey, Irma, and Maria or wildfires in 2017.

[94] USDA, FNS, "Disaster Household Distribution," June 11, 2020, https://www.fns.usda.gov/usda-foods/covid-19-disaster-household-distribution.

[95] FFCRA (P.L. 116-127, Division A, Title I); CARES Act (P.L. 116-136, Division B, Title I); Consolidated Appropriations Act, 2021 (P.L. 116-260, Division N, Title VII, §711). These laws also specified the proportion of funding could be used for administrative/food distribution costs.

[96] USDA, FNS, "TEFAP Fresh Produce," March 30, 2021, https://www.fns.usda.gov/tefap/fresh-produce.

[97] USDA, "USDA to Invest $1 Billion to Purchase Healthy Food for Food Insecure Americans and Build Food Bank Capacity," June 4, 2021, https://www.usda.gov/media/press-releases/2021/06/04/usda-invest-1-billion-purchase-healthy-food-food-insecure-americans.

USDA also encouraged states to make policy changes within TEFAP to facilitate safe food distribution, such as expanding eligibility rules for participants and waiving signature requirements for the receipt of TEFAP foods.[98]

The 2018 Farm Bill

In addition to reauthorizing and extending TEFAP's funding, the 2018 farm bill (§4018 of P.L. 115-334) made policy changes to TEFAP. The law authorized *Farm to Food Bank Projects* (as termed by USDA), which are projects that support the harvesting, processing, packaging, and/or transporting of raw or unprocessed commodities from agricultural producers, processors, and distributors to emergency feeding organizations. The law provided $4 million in annual mandatory funding for the projects from FY2019 to FY2023 and required at least a 50% nonfederal match. States must include a plan of operations for Farm to Food Bank Projects in their state TEFAP plans in order to receive federal funding. The law gives USDA discretion to determine how funds are allocated to such states; through rulemaking published in October 2019, USDA established that funds would be allocated the same way as current TEFAP entitlement funds, based on their share of households in poverty and unemployed persons (see "State Allocation Formula").[99] FNS awarded funds to 19 states in FY2020 and 24 states in FY2021 that submitted plans to implement Farm to Food Bank Projects.[100]

The 2018 farm bill also required states to include, in their TEFAP state plans, a plan to provide emergency feeding organizations and other recipient agencies with the opportunity to provide input on commodity preferences and needs (e.g., in regards to USDA Foods), such as through a state advisory board. In addition, the law required USDA to issue guidance outlining best practices to minimize food waste of commodities donated by non-USDA entities. USDA issued guidance regarding this provision on August 15, 2019.[101]

[98] USDA, FNS, "Questions and Answers related to COVID-19 and the Emergency Food Assistance Program (TEFAP)," May 22, 2020, https://www.fns.usda.gov/tefap/covid-19-qas.

[99] USDA, FNS, "The Emergency Food Assistance Program: Implementation of the Agriculture Improvement Act of 2018," 84 *Federal Register* 52997 October 4, 2019, https://www.federalregister.gov/documents/2019/10/04/2019-21665/the-emergency-food-assistance-program-implementation-of-the-agriculture-improvement-act-of-2018. For more information on Farm to Food Bank Projects, see USDA, FNS, "The Emergency Food Assistance Program Farm to Food Bank Project Grants," https://www.fns.usda.gov/tefap/farm-to-food-bank-project-grants.

[100] USDA, FNS, "The Emergency Food Assistance Program Farm to Food Bank Project Grants," March 4, 2021, https://www.fns.usda.gov/tefap/farm-to-food-bank-project-grants.

[101] USDA, FNS, "Best Practices to Minimize Food Waste of Privately Donated Foods to The Emergency Food Assistance Program (TEFAP) State Agencies and Emergency Feeding Organizations," August 15, 2019, https://www.fns.usda.gov/tefap/best-practices-minimize-food-waste.

Appendix A. TEFAP Spending, FY1983-FY2020

Table A-1. Total TEFAP Expenditures, FY1983-FY2020

Constant (inflation-adjusted) FY2020 dollars in millions

Fiscal Year	Annual Administrative Funds	Annual Entitlement Foods	Bonus Foods	Disaster Foods and Funds	Trade Mitigation Foods and Funds	Total
1983	120.5	-	2,001.4	-	-	**2,121.9**
1984	115.0	-	2,369.8	-	-	**2,484.9**
1985	126.5	-	2,157.3	-	-	**2,283.8**
1986	108.7	-	1,839.3	-	-	**1,948.0**
1987	105.6	-	1,786.9	-	-	**1,892.5**
1988	102.1	-	1,097.3	-	-	**1,199.4**
1989	98.2	314.4	265.7	-	-	**678.3**
1990	95.5	303.6	227.0	-	-	**626.1**
1991	91.4	277.8	163.2	-	-	**532.4**
1992	78.9	265.7	149.5	-	-	**494.0**
1993	76.6	272.9	180.1	-	-	**529.7**
1994	67.1	200.2	81.1	-	-	**348.3**
1995	65.1	106.1	57.3	-	-	**228.6**
1996	48.9	78.3	22.8	-	-	**150.0**
1997	65.1	203.5	46.1	-	-	**314.7**
1998	71.9	154.9	168.5	-	-	**395.2**
1999	70.1	136.5	164.5	-	-	**371.0**
2000	65.1	147.3	241.7	-	-	**454.0**
2001	65.0	144.8	464.4	-	-	**674.2**
2002	77.8	193.0	245.4	-	-	**516.2**
2003	83.1	181.4	337.1	-	-	**601.6**
2004	80.3	174.4	316.2	-	-	**570.9**
2005	76.9	171.2	202.4	-	-	**450.5**
2006	80.5	165.0	85.0	7.6	-	**338.1**
2007	71.6	161.2	71.8	-	-	**304.5**
2008	68.1	217.4	212.4	-	-	**497.9**
2009	105.7	401.0	445.8	[a]	-	**952.5**
2010	142.6	271.8	406.2	[a]	-	**820.6**
2011	80.5	261.5	269.4	-	-	**611.5**
2012	73.9	272.7	341.6	-	-	**688.2**
2013	71.2	273.7	253.0	6.3	-	**604.1**

Fiscal Year	Annual Administrative Funds	Annual Entitlement Foods	Bonus Foods	Disaster Foods and Funds	Trade Mitigation Foods and Funds	Total
2014	75.3	292.1	325.7	-	-	**693.1**
2015	80.3	354.6	328.5	-	-	**763.4**
2016	83.9	345.1	329.1	-	-	**758.1**
2017	88.3	314.7	284.6	-	-	**687.5**
2018	93.9	297.8	320.0	24.9	-	**736.6**
2019	151.2	259.4	410.0	-	1,077.8	**1,898.4**
2020	137.2	92.2	716.2	606.5	1,193.3	**2,745.4**

Source: CRS calculations using USDA, FNS Congressional Budget Justifications for FY1983-FY2022. Amounts are in FY2020 dollars, adjusted for GDP inflation by CRS using Office of Management and Budget (OMB), "Historical Tables: Table 10.1—Gross Domestic Product and Deflators Used in the Historical Tables: 1940–2026," April 2021.

Notes: Expenditures are after conversion of any entitlement commodity funds to administrative funds, and administrative funds to commodity funds, and include any entitlement food and administrative funds that states carried over from the prior fiscal year.

a. In FY2009 and FY2010, entitlement food and administrative fund amounts include supplemental American Recovery and Reinvestment Act (ARRA) funding. ARRA included $100 million in TEFAP commodity funding and $50 million in TEFAP administrative funding that was distributed in FY2009 and FY2010. An additional $28 million in ARRA funds were reprogrammed as TEFAP administrative funds in FY2010.

Appendix B. TEFAP Spending by State, FY2020

Table B-1. TEFAP Expenditures by State, FY2020

	Annual Administrative Funds	Annual Entitlement Foods	Bonus Foods	Disaster Foods and Administrative Funds	Trade Mitigation Foods and Administrative Funds	Total
AL	2,416,876	1,884,512	10,079,875	7,111,754	19,211,823	40,704,839
AK	254,805	364,083	2,017,364	1,786,460	4,148,451	8,571,164
AZ	3,042,206	2,789,227	21,035,100	18,641,094	40,538,597	86,046,224
AR	1,212,770	969,500	9,863,773	6,836,149	14,603,019	33,485,211
CA	17,916,310	14,880,295	76,312,849	76,333,354	117,628,056	303,070,863
CO	2,116,982	1,086,040	11,415,399	9,914,270	18,654,199	43,186,891
CT	815,588	1,286,099	5,939,293	4,610,285	7,444,506	20,095,771
DE	267,403	130,006	3,525,000	1,867,418	9,286,649	15,076,475
DC	433,634	274,029	338,824	1,422,749	217,727	2,686,963
FL	9,142,328	6,337,604	48,514,642	37,929,440	87,236,931	189,160,946
GA	3,857,469	2,653,095	18,341,519	23,969,641	34,568,067	83,389,790
HI	242,030	476,767	939,477	2,080,045	3,717,137	7,455,456
ID	624,397	237,607	1,499,410	2,499,844	3,574,673	8,435,931
IL	5,739,798	1,409,892	23,509,815	21,343,646	42,473,754	94,476,906
IN	1,944,168	1,592,146	14,689,215	11,907,345	26,896,267	57,029,141
IA	1,089,875	921,169	5,929,043	4,803,909	8,760,129	21,504,125
KS	968,459	474,158	6,703,799	3,552,832	11,062,076	22,761,325
KY	2,311,433	3,667,035	12,362,674	8,680,332	21,199,353	48,220,827
LA	2,226,831	2,834,513	15,109,533	9,686,075	29,851,681	59,708,632
ME	532,615	505,570	3,519,840	2,391,208	5,792,533	12,741,767
MD	2,219,784	1,276,880	1,697,832	8,328,103	2,482,106	16,004,705
MA	1,544,339	1,685,894	10,115,480	9,242,547	15,567,489	38,155,749
MI	4,716,937	4,033,319	26,167,468	20,189,612	44,043,384	99,150,720
MN	1,993,209	926,677	8,514,277	9,113,046	14,754,589	35,301,799
MS	1,746,415	1,207,461	4,990,716	4,648,082	12,660,830	25,253,504
MO	2,017,670	2,250,109	12,606,370	12,178,642	23,166,588	52,219,380
MT	460,125	323,151	1,646,198	2,010,609	3,309,845	7,749,929
NE	678,105	322,619	3,333,124	3,694,943	5,553,989	13,582,780
NV	933,213	825,341	11,390,703	5,097,111	17,899,463	36,145,831
NH	380,854	327,811	846,858	1,347,453	2,455,531	5,358,507
NJ	3,312,345	2,924,583	11,549,043	15,241,824	30,235,673	63,263,468

	Annual Administrative Funds	Annual Entitlement Foods	Bonus Foods	Disaster Foods and Administrative Funds	Trade Mitigation Foods and Administrative Funds	Total
NM	1,270,631	1,131,967	7,569,670	6,888,500	11,531,199	28,391,968
NY	8,877,416	3,785,046	42,763,190	31,435,702	73,227,932	160,089,286
NC	4,776,108	3,702,518	29,120,389	19,421,051	45,526,553	102,546,620
ND	254,065	267,487	1,644,296	1,275,128	2,361,738	5,802,715
OH	5,646,341	3,854,383	27,547,274	19,388,485	51,550,022	107,986,505
OK	1,427,873	1,026,147	9,807,909	3,571,335	17,601,723	33,434,988
OR	1,906,720	1,723,620	9,431,259	7,065,632	15,333,656	35,460,887
PA	5,560,867	4,277,991	28,594,165	19,391,138	45,063,382	102,887,543
RI	437,017	436,766	1,883,918	732,292	2,604,983	6,094,975
SC	1,305,764	1,129,469	11,406,820	8,718,053	12,682,493	35,242,599
SD	228,414	69,628	1,905,537	1,270,131	2,669,239	6,142,947
TN	2,998,407	2,711,936	14,981,343	10,158,368	21,313,942	52,163,996
TX	10,833,176	9,814,295	76,497,612	58,846,435	118,172,451	274,163,969
UT	809,501	600,608	5,457,175	3,930,415	10,391,706	21,189,406
VT	212,760	15,738	700,268	737,093	1,417,633	3,083,492
VA	2,994,962	2,664,565	9,504,834	13,364,753	14,919,215	43,448,329
WA	3,217,224	2,655,232	16,917,919	12,151,286	25,355,706	60,297,367
WV	1,012,307	1,031,282	5,680,108	4,109,585	16,360,375	28,193,656
WI	2,148,841	1,890,100	10,688,250	6,766,668	18,448,207	39,942,066
WY	132,564	239,875	1,263,310	1,160,016	2,907,455	5,703,220
CNMI[a]	49,607	182,719	-	494,914	-	727,240
GU	127,613	91,303	680,111	515,948	904,942	2,319,918
PR	3,536,800	652,183	999,512	14,001,945	3,902,695	23,093,136
USVI	67,075	111,204	16,954	119,380	79,598	394,210
Total	**137,164,951**	**92,238,004**	**716,234,057**	**606,466,988**	**1,193,321,963**	**2,745,425,962**

Source: Data acquired through CRS communication with USDA on June 28, 2021.

Notes: Entitlement foods and administrative funds categories include funds carried over from FY2020 and funding from COVID-19 pandemic response acts. Table shows expenditures after conversion of any entitlement commodity funds to administrative funds, and administrative funds to commodity funds.

Amounts may not sum to total. Entitlement food total includes $3.6 million in spending on federal food procurement administrative expenses. Bonus food total includes $16.7 million for a commodity barter of peanuts in exchange for peanut butter that was delivered to multiple states. Totals for administrative costs, entitlement foods, and disaster aid include anticipated adjustments of $173,925, -$16,281,242, and $12,492,912, respectively.

a. USDA provided the Commonwealth of the Northern Mariana Islands with cash in lieu of commodities in FY2020.

Appendix C. Legislative History of TEFAP

Program Inception[102]

In 1982, the Reagan Administration created a discretionary dairy distribution program to dispose of stockpiles of CCC-purchased commodities (namely, cheese and butter). This effort occurred in the aftermath of reductions in federal food assistance (e.g., food stamps) legislated in 1981 and 1982, and in the midst of an economic recession and concern over hunger and homelessness. USDA distributed the foods to states, which selected the recipient organizations.

As the program developed, there were requests for additional types of commodities such as flour, rice, and non-fat dry milk that USDA had purchased and put in storage. In addition, there were reports of local organizations declining foods because of a lack of storage and distribution capacity. These and other factors prompted pressure for federal cash assistance as well as increased variety and volume of foods. In 1983, Congress followed up with funding for grants to help with distribution costs and legislative authority that created the Temporary Emergency Food Assistance Program (TEFAP) (P.L. 98-8 and P.L. 98-92). Establishment of TEFAP helped reduce federal commodity inventory (and storage costs), provided an alternative source of food assistance for low-income individuals, and supported an expanding network of charitable emergency feeding providers that also drew food and resources from private sources.[103]

Changes to TEFAP's Funding[104]

USDA continued to distribute large amounts of CCC-purchased foods (including cheese, butter, nonfat dry milk, cornmeal, flour, honey, and rice) through FY1988. That year, CCC holdings began to drop substantially because of changes in agricultural policies and the economy, and the Reagan Administration indicated plans to phase out TEFAP. Instead, Congress authorized appropriated mandatory funding (starting at $120 million for FY1989) to buy commodities for distribution through TEFAP, entitling the program to a minimum level of support regardless of the level of federal commodity holdings (P.L. 100-435). The law also created a separate program to buy commodities for soup kitchens and food banks not receiving TEFAP commodities (mandatory funding was provided at $40 million for FY1989). The separate program was established out of a concern that some food banks had trouble meeting TEFAP rules, and that most commodities for emergency feeding were going to local agencies that distributed food packages directly to individuals and families (e.g., food pantries), rather than to soup kitchens, homeless shelters, and other organizations serving meals in congregate settings.

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[102] Adapted from CRS Report RL30164, *The Emergency Food Assistance Program and Emergency Feeding Needs*; and CRS Issue Brief IB85095, *Commodity Donations to the Poor: The Temporary Emergency Food Assistance Program*. (Both reports are available to congressional clients upon request to CRS).

[103] Further discussion of the history and expansion of the emergency feeding network is in Doug O'Brien, Erinn Staley, Stephanie Uchima, Eleanor Thompson, and Halley Torres Aldeen, *The Charitable Food Assistance System: The Sector's Role in Ending Hunger in America,* UPS Foundation and the Congressional Hunger Center, 2004, https://www.hungercenter.org/wp-content/uploads/2012/10/The-Charitable-Food-Assistance-System-Americas-Second-Harvest.pdf.

[104] Adapted from CRS Report RL30164, *The Emergency Food Assistance Program and Emergency Feeding Needs*; and CRS Issue Brief IB85095, *Commodity Donations to the Poor: The Temporary Emergency Food Assistance Program*. (Both reports are available to congressional clients upon request to CRS).

In 1990, the omnibus farm bill (P.L. 101-624) changed funding for TEFAP and the soup kitchen program from appropriated mandatory to discretionary (dependent on annual appropriations decisions). The law also removed the word "Temporary" from the program title. Over the next few years, funding for TEFAP declined, reaching an all-time low in FY1996. However, that same year, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA; P.L. 104-193) reinstated appropriated mandatory funding ($100 million per year through FY2002) for TEFAP's entitlement foods, partly in an effort to provide a safety net for households losing access to food stamps as a result of other provisions in the law. PRWORA also incorporated the soup kitchen program into TEFAP.

Following these changes, funding generally increased in the late 1990s and early to mid-2000s. There was another dip in appropriations in FY2006 and FY2007, but the 2008 farm bill raised annual entitlement purchases to $250 million starting in FY2009 (indexed annually for food-price inflation in later years).[105] There were also supplemental funds available for TEFAP in FY2009 and FY2010 as a result of ARRA. In addition, the 2014 farm bill increased mandatory funding for TEFAP's entitlement commodities by a Congressional Budget Office (CBO)-estimated $125 million over five years.[106] Total funding from FY2011 to FY2018 hovered around $600-$700 million annually.[107]

Recent Changes and Increases in Spending

As discussed in this report, there have been several changes to, and an influx of federal aid in, TEFAP in recent years. The 2018 farm bill once again increased funding for TEFAP's entitlement foods, by a CBO-estimated $105 million over five years. It also provided mandatory funding of $4 million for each of FY2019-FY2023 for new Farm to Food Bank Projects (discussed in the "The 2018 Farm Bill" section). These projects, which provide funds directly to local organizations, are emblematic of a recent debate over USDA's food purchasing role in TEFAP. This debate resurfaced at the start of the COVID-19 pandemic and contributed to USDA's creation of a temporary program, the Farmers to Families Food Box Program, which attempted to expedite the federal purchasing process.[108]

In August 2018, the Trump Administration announced an additional $1.2 billion for TEFAP bonus purchases as part of its trade aid package.[109] These and another round of purchases ($1.4 billion) were distributed through TEFAP in FY2019 and FY2020.[110] In FY2020 and FY2021, TEFAP saw another influx of aid as lawmakers aimed to use the program to address increased demand for

[105] CRS Report RL33934, *The 2008 Farm Bill: A Summary of Major Provisions and Legislative Action* (available to congressional clients upon request).

[106] CRS Report R43332, *SNAP and Related Nutrition Provisions of the 2014 Farm Bill (P.L. 113-79)*.

[107] USDA, FNS Congressional Budget Justifications for FY2008-FY2020, available at USDA, "Congressional Justifications: Archived USDA Explanatory Notes," https://www.usda.gov/obpa/congressional-justifications.

[108] USDA, AMS webinar on April 21, 2020, recording available at https://www.ams.usda.gov/selling-food-to-usda/farmers-to-families-food-box.

[109] For more information, see CRS Report R45310, *Farm Policy: USDA's 2018 Trade Aid Package*; and CRS Report R45865, *Farm Policy: USDA's 2019 Trade Aid Package*. USDA, "USDA Announces Details of Assistance for Farmers Impacted by Unjustified Retaliation," press release, August 27, 2018, https://www.usda.gov/media/press-releases/2018/08/27/usda-announces-details-assistance-farmers-impacted-unjustified. The largest purchases announced include pork, sweet cherries, apples, pistachios, dairy, and almonds.

[110] USDA, "USDA Announces Support for Farmers Impacted by Unjustified Retaliation and Trade Disruption," press release, May 23, 2019, https://www.usda.gov/media/press-releases/2019/05/23/usda-announces-support-farmers-impacted-unjustified-retaliation-and.

food assistance during the COVID-19 pandemic.[111] In total, approximately $2.7 billion was available for TEFAP in FY2020, and at least $2.3 billion is available in FY2021 (excluding bonus purchases)—three times the amount available in FY2018. It is unclear whether this level of spending is a new normal for TEFAP, or whether it will return to prior levels.

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[111] Nicholas Kulish, "'Never Seen Anything Like It': Cars Line Up for Miles at Food Banks," April 8, 2020, *New York Times,* https://www.nytimes.com/2020/04/08/business/economy/coronavirus-food-banks.html.