



AUG 14 2014

Food and  
Nutrition  
Service  
  
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Center  
  
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**SUBJECT:** The Emergency Food Assistance Program (TEFAP) - Implementation of the Agricultural Act of 2014 (P.L. 113-79)

**TO:** Regional Directors  
Special Nutrition Programs  
MARO, MPRO, MWRO,  
NERO, SERO, SWRO, and  
WRO

State Directors  
TEFAP State Agencies  
All Participating States

On February 7, 2014, the Agricultural Act of 2014 (P.L. 113-79, Farm Bill) was signed into law, reauthorizing TEFAP through Fiscal Year (FY) 2018. The purpose of this memorandum is to implement two provisions of the Farm Bill relative to TEFAP funding levels and the carryover of food entitlement funds.

### Food Funding Levels

Section 4027 of the Farm Bill continues the current funding formula established in Section 27(a) of the Food and Nutrition Act of 2008, 7 USC 2036(a). Section 27(a) established the amount of funding available for TEFAP food purchases for FY 2009, and indexed that amount to annual changes in the Thrifty Food Plan (TFP). In FY 2014, \$268.75 million is available for TEFAP food purchases. As the Farm Bill did not specify additional funding for FY 2014, this number includes only the FY 2009 food funding level adjusted to reflect changes in the TFP. The Funding Memorandum for FY 2014 may be found at:

[http://www.fns.usda.gov/sites/default/files/FY14\\_TEFAP\\_Funding\\_Memorandum\\_01-31-14.pdf](http://www.fns.usda.gov/sites/default/files/FY14_TEFAP_Funding_Memorandum_01-31-14.pdf).

The Farm Bill also added specified amounts annually, separate and distinct from the inflation adjustments referenced above, to begin in FY 2015 and continue through FY 2018. Total TEFAP food funding amounts are calculated as follows, by FY:

- FY 2015: The FY 2009 TFP-adjusted funding level, plus an additional \$50,000,000;
- FY 2016: The FY 2009 TFP-adjusted funding level, plus an additional \$40,000,000;
- FY 2017: The FY 2009 TFP-adjusted funding level, plus an additional \$20,000,000; and
- FY 2018: The FY 2009 TFP-adjusted funding level, plus an additional \$15,000,000.

As in prior years, FNS will inform States annually of that FY's food and administrative funding levels via the annual TEFAP Funding Memorandum. Per the President's 2015

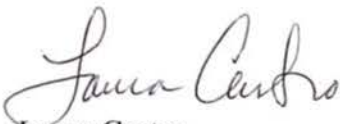
budget request, total TEFAP food funding in FY 2015 is *estimated* to be \$324 million. This amount includes the FY 2009 food funding level adjusted by estimated changes in the TFP, plus the additional \$50 million provided through the Farm Bill. Please note, the TFP index for FY 2015 has not been finalized and is subject to change. States will be informed of the finalized TEFAP food funding levels in the FY 2015 TEFAP Funding Memorandum.

### **Carryover of State TEFAP Food Entitlement**

Prior to enactment of the Farm Bill, USDA was permitted to use funds authorized for the purchase of TEFAP food in only the FY for which the funds were appropriated. Section 4027 of the Farm Bill amended Section 27(a) to allow food funds to remain available for two FYs, subject to such terms and conditions as determined by USDA. Pending appropriations legislation allowing for carryover, this Farm Bill provision takes effect in FY 2015; TEFAP food entitlement funds for FY 2014 will not carry forward to FY 2015. Beginning in FY 2015, pending the above referenced appropriations legislation, States will be able to keep any remaining TEFAP food entitlement balance at the end of a FY and place orders against it during the subsequent FY. However, funds remaining at the end of the FY after the FY in which they were initially appropriated will no longer be available to USDA, and therefore, will be unavailable for States to place orders against. For example, any State balance of FY 2015 TEFAP food entitlement will expire at the end of FY 2016. Thus, State agencies should continue to make every effort to use their food entitlement in the year in which it is provided by USDA. Further guidance detailing procedures for carryover of TEFAP food entitlement will be forthcoming in FY 2015.

The Farm Bill did not make changes to the availability of TEFAP administrative funds. TEFAP administrative funds provided to each State will continue to be available for only the FY in which they were appropriated.

Should State agencies have any questions regarding the implementation of the amendments made by the Farm Bill's TEFAP provisions, they should contact their FNS Regional Offices, which may in turn contact Anne Fiala or Jeramia Garcia at (703) 305-2662.



Laura Castro

Director

Food Distribution Division