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October 13, 2023

Attention: Polly Fairfield
Food and Nutrition Service
United States Department of Agriculture
1320 Braddock Place
Alexandria, Virginia 22314

Dear Deputy Under Secretary Stacy Dean and Administrator Cindy Long:

We appreciate the opportunity to comment on the “Food Distribution Programs: Improving Access and Parity” rule proposal. As the state association for nine Feeding America food banks that serve all 67 counties in Pennsylvania, all of whom distribute TEFAP foods, we are keenly interested in making sure the program runs efficiently and effectively.

Limiting Income Eligibility Guidelines to between 185% and 250% of the FPL

Pennsylvania’s TEFAP income eligibility is 185% of the federal poverty level. We support this level as the floor as it will not disrupt our current TEFAP operations and will not negatively impact neighbors currently accessing the program. We also support this floor as it will help streamline the program across the country.

We are opposed to the idea of an eligibility ceiling at 250% of the federal poverty level. While Pennsylvania is not at that ceiling, we believe states should be able to set income eligibility guidelines based on local economic conditions, the local cost of living, and firsthand knowledge of their service territory. If Pennsylvania believes it is in the best interest of its citizens to raise the threshold to above 250%, they should be allowed to do so.

Requesting Residency Information

We support this provision to discontinue required proof of residency. While we understand the importance of verifying residency for eligibility purposes, requiring an address and/or identification is a barrier for unhoused neighbors and other populations, including immigrant communities, who may share a physical address with multiple families. Removing this barrier will help reduce stigma and administrative burden on participants, resulting in increased access to TEFAP. Removing this requirement will also lessen the administrative burden on our members and other TEFAP distributing agencies, making it easier and more efficient to serve.

Annual Public Notice of TEFAP Eligibility Information and Recipient Agencies

We believe increased transparency and accessibility will make the program better and generally support these measures to do that. TEFAP eligibility criteria should be publicly posted on the state agency website, in easy-to-understand language, and available in different languages.

In Pennsylvania, TEFAP *lead* agencies by county are already publicly available on our state agency's website. However, this does not include all organizations who distribute TEFAP foods, only lead agencies by county. We encourage clarification of whether this rule would require all TEFAP agencies to be publicly available or only county leads. If it requires all TEFAP agencies, we would be concerned with the administrative burden this would put on our member food banks and other agencies to collect and maintain lists of names, addresses, contact information, and hours of operation for potentially hundreds of TEFAP distribution locations.

Reporting TEFAP Participants Quarterly

We support streamlining data collection to include only the total number of participants rather than also requiring additional information such as addresses. However, we are again concerned about the administrative burden this would put on our member food banks and other TEFAP distributing agencies across Pennsylvania. While household size is already collected by all TEFAP agencies, the added step of reporting quarterly to our state agency could pose a challenge to some agencies, especially those that are entirely volunteer operated.

If this rule goes into effect, we encourage USDA to align these new reporting requirements with other quarterly reporting requirements to streamline the process at both the state agency and distributing agency level.

Participant Privacy & Confidentiality

Privacy and confidentiality are of critical importance to our network. We know first-hand the detrimental effects stigma and lack of privacy can have on an individual's choice to access the charitable food network. We support ensuring these principles are upheld in TEFAP.

However, we are concerned with the negative impacts this proposed rule could have on state-approved, electronic intake platforms. All nine of Feeding Pennsylvania's members use electronic intake tools such as Feeding America's Service Insights. As members have rolled out these platforms across our network, they have reported increased efficiency at food distributions, more accurate data collection, and higher levels of privacy than paper intake methods. We encourage USDA to ensure confidentiality regulations are aligned with ongoing best practices, including the use of state-approved electronic intake platforms. This will allow our members to continue using these platforms in a way that benefits both our food banks and the communities we serve.

Expanding TEFAP in Rural Areas

We support inclusion of this language encouraging TEFAP access in rural, remote, and tribal areas - all of which are historically underserved populations. Pennsylvania is a large and diverse state with vast urban, suburban, and rural areas. And while not all of our members serve rural areas, aligning this regulatory language with that of the TEFAP Reach & Resiliency grants is a positive.

We hope you will consider these comments and thank you for the opportunity to share our thoughts and concerns.

Sincerely,



Julie Bancroft

Chief Executive Officer, Feeding Pennsylvania

Common Good for the Commonwealth

• Central Pennsylvania Food Bank, *Harrisburg* • Community Food Warehouse of Mercer County, *Sharon* • Greater Pittsburgh Community Food Bank, *Duquesne* • H & J Weinberg Northeast Pennsylvania Regional Food Bank, *Wilkes Barre* • Philabundance, *Philadelphia* • Second Harvest Food Bank of Northwest Pennsylvania, *Erie* • Westmoreland County Food Bank, *Delmont* • Second Harvest Food Bank of the Lehigh Valley and Northeast Pennsylvania, *Allentown* • Helping Harvest Fresh Food Bank, *Reading* •