

THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP) HANDBOOK

Revised March 2020



Helping People Live Better Lives.

The Emergency Food Assistance Program Handbook

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The Emergency Food Assistance Program Handbook

The purpose of this Handbook is to establish policies and procedures for food banks, food pantries, soup kitchens, homeless shelters, domestic violence shelters, Kids Cafes, Kids Backpack programs and other non-profit organizations to receive, store, distribute and/or use federally-donated foods made available under The Emergency Food Assistance Program.

USDA Non-discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov

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Section I— INTRODUCTION

- A. Program Contact Information
- B. About The Emergency Food Assistance Program (TEFAP)



Section I—Introduction

A. Program Contact Information

Food Distribution Program

Nebraska Department of Health and Human Services
Division of Children & Family Services
P.O. Box 95026
Lincoln, NE 68509-5026

www.dhhs.ne.gov

Chad Mohr, Program Director

Telephone: 402-560-0480

Fax: 402-742-2328

Email: chad.mohr@nebraska.gov

Brian Gerkenmeyer, Administrative Assistant II

Telephone: 402-580-2503

Fax: 402-742-2328

Email: brian.gerkenmeyer@nebraska.gov

USDA, Food and Nutrition Services

<http://www.fns.usda.gov/tefap/emergency-food-assistance-program-tefap>

Food Bank for the Heartland

Website: www.foodbankheartland.org

10525 J Street

Omaha, NE 68127

Telephone: 402-331-1213

Food Bank of Lincoln

Website: www.lincolnfoodbank.org

4840 Doris Bair Circle

Lincoln, NE 68504

Telephone: 402-466-8170

Section I—Introduction

B. The Emergency Food Assistance Program (TEFAP)

To aid American farmers, USDA buys food under price support and surplus-removal legislation and makes this food available to states. In addition, program funds are appropriated by Congress to purchase foods on the open market. USDA pays for the initial processing and packaging of the food and for transporting it to designated points (i.e. food banks) within each state. Food banks are responsible for storing the food and distributing it at the local level to eligible food pantries, soup kitchens, homeless shelters, domestic violence shelters, Kids Cafes, Kids Back-pack programs and other non-profit organizations serving congregate meals.

The Emergency Food Assistance Program (TEFAP) provides USDA -donated foods to needy households, including low-income/unemployed persons for home consumption and to organizations serving the homeless and other non-profit organizations providing meals in a congregate setting to needy persons.

The commodities distributed through TEFAP vary from time to time depending on agricultural market conditions; preferences and needs of states and distributing agencies; preferences of recipients and the level of federal funding available for food purchases.

The purchased foods must be nutritious, of reasonable price, and available in sufficient quantities for nationwide distribution. USDA generally provides these foods in package sizes that are suitable for household use. USDA-donated foods are intended as a supplement to other sources of food. They are not intended to be used as a household's/ agency's sole or even primary food source.

Section II— Eligibility

- A. Take Home Eligibility Guide
- B. Determining Household Eligibility
- C. Individual Eligibility (Congregate Meal Sites)
- D. General Guidance for Household Eligibility
- E. Distribution of TEFAP Foods to Children
- F. Prepared Meals (Kid's Café)
- G. Backpack Program



STATE OF NEBRASKA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)
STATE PLAN ADDENDUM 3/16/2020

In light of the COVID-19 pandemic, the following provisions are being implemented for the duration of the presidentially declared disaster.

- * Statewide income eligibility will be based on 200% of federal poverty guidelines.
- *Nebraska residency requirements are waived for individuals from a neighboring state with a similar policy in effect.
- *Verbal attestation of eligibility is acceptable in lieu of a signed FDP-105 form.
- *Household distribution sites will maintain records of TEFAP foods distributed through verbal attestation.

Section II—Eligibility Requirements

TAKE HOME ELIGIBILITY GUIDELINES

The following guidelines regarding the distribution of USDA foods are provided for ERAs (Food Banks/Pantries) to use in determining which individual households are eligible for take home USDA foods.

Geographic Requirement

Household must be located within the State of Nebraska.

Income Standards—please see State Addendum 3/16/2020. 200% applies only during pandemic.

Recipient eligibility will be based on 200% of the federal poverty guidelines during each fiscal year or current participation in one of the following Social Services programs automatically meet the income guidelines: Supplemental Nutrition Assistance Program, (SNAP), Aid to Dependent Children (ADC), Low Income Emergency Assistance Program (LIEAP), Aid to the Aged, Blind, and Disabled (AABD), Medical Assistance, Refugee Resettlement Program, or State Disability Program. If the household is not participating in one of these programs, the following income guidelines apply:

Size of Household	Monthly Income	Size of Household	Monthly Income
1	\$2,126.70	4	\$4366.70
2	\$2,873.30	5	\$5113.30
3	\$3,620.00	6	\$5,860.00
For each additional household member ADD \$ 746.67			

Effective March 16, 2020

If the household's primary wage earner has been unemployed for thirty days or more, income is determined by using an average of the household's last three months' total gross weekly income rather than the earnings over the last year. If the primary wage earner of the household has just started a job, current income is determined by using the monthly income guideline as appropriate.

Instructions for Completing Declaration Form for USDA Foods (FDP-105)

Use: The Declaration Form for USDA Foods (FDP-105) is used to record recipient information.

Signature: Signature of recipient.

Address: Address of recipient

Number in Household: Number of persons residing in recipient's household.

Month: Month in which recipient received USDA donated foods.

Year: Year in which recipient received USDA donated foods.

Retention: The completed forms are to be retained for three (3) Federal fiscal years after the end of the Federal fiscal year to which they pertain. The forms are kept in the agency's file.

Section II—Eligibility Requirements * See State Addendum 3/16/2020

B. Determining Household Eligibility

Using the Eligibility To Take Food Home For Receipt of TEFAP Foods (FDP-105) the following steps, in order, should lead to determining eligibility of an applicant household by a food pantry:

- Obtain the signature of the applicant and the number of persons in the household.
- Determine the household's address. Note: Lack of a fixed residence does not disqualify the homeless.
- Determine if the household is public assistance eligible by virtue of all household members' current participation in one or more public assistance programs.
- If not receiving public assistance, determine if the household meets the financial eligibility criteria requirement by comparing the household's size and income to the household income criteria as shown in Take Home Eligibility Guidelines.

The food pantry shall accept self-declaration as the primary means of documenting eligibility. Persons receiving TEFAP foods from a food pantry shall sign the Eligibility To Take Food Home declaration form (FDP-105) For Receipt of TEFAP Foods, to attest they meet the income-based standards for the program. The applicant's signature places the responsibility for documenting eligibility directly on the recipient and relieves food pantry volunteers/staff of both legal and programmatic liability.

⇒ Site volunteers and staff are entitled to TEFAP foods only if they meet the eligibility requirements.

Section II—Eligibility Requirements

C. Individual Eligibility (Congregate Meal Sites)

Recipients of meals served at soup kitchens and other congregate meal sites are not required to complete an Eligibility To Take Food Home declaration form (FDP-105) to determine eligibility. Such persons are “deemed” eligible for TEFAP by virtue of the fact that the organization is an eligible recipient agency (ERA).

The State Agency does not require congregate meal organizations to employ a means test to determine that recipients are needy, or to keep records solely for the purpose of demonstrating that its recipients are needy.

D. General Guidance for Household Eligibility

Sites may request but must not require proof of application information, including, but not limited to, the following:

- ◇ Identification
- ◇ Address
- ◇ Income

Participants and applicants have the right to refuse to provide proof of information.

Nevertheless, sites must provide USDA Foods to eligible participants who refuse to provide proof — in other words, refusal to provide proof of ID or address must not be perceived as a barrier to participation.

The ERA is responsible to train sub-agencies on the eligibility procedures.

Section II—Eligibility Requirements

E. Distribution of TEFAP Foods to Children (FNS Policy FD-041 06/2017)

In general, Sites can provide TEFAP foods to children through Kid's Café, Backpack, or similar programs provided the child's household is certified as eligible for TEFAP and proper distribution records are maintained by the ERA.

F. Prepared Meals (Kids Café)

There is no Federal standard or State requirement for determining the eligibility of individuals, including children, to receive prepared meals. Individuals are presumed to be needy because they seek meals at an approved TEFAP site. (7 CFR 251.5(a)(2).

G. Backpack Program

Nebraska school children receiving USDA TEFAP foods in backpack programs must meet household qualification for free and reduced lunch through their school lunch program, or households receiving benefits from:

- ⇒ Supplemental Nutrition Assistance Program (SNAP)
- ⇒ Aid to Dependent Children (ADC)
- ⇒ State Supplemental Aged and Blind Disability Program (AABD)
- ⇒ Temporary Assistance for Needy Families (TANF)
- ⇒ Food Distribution Program on Indian Reservations (FDPIR)
- ⇒ Energy, Low Income Emergency Assistance Program (LIEAP)
- ⇒ Medical only, State Disability or Refugee Program

Other qualification:

Children under the legal responsibility of a foster care agency or court;

Children participating in their school's Head Start program;

Children who meet the definition of homeless, runaway, or migrant are eligible;

Children in a household where the income is within the limits of Eligibility to Take Food Home.

It is the duty of the Sites distributing TEFAP food to backpack programs, to obtain from the participating children's school a "qualified list of names of the children and households" participating in the free and reduced lunch programs and who is also receiving TEFAP foods to maintain accurate records of distribution. The list must be kept on file with the Sites regular monthly distribution forms for three years, plus the current year.

Section III— Managing the Program

- A. Administration
- B. Training for Staff and Volunteers
- C. Citizenship
- D. The Proxy
- E. Refusal of USDA Food
- F. Fraud, Negligence and Misuse
- G. Record Keeping
 - i. Accepting Electronic Signatures
- H. Site Storage Standards for USDA Foods
 - ii. Temperature
 - iii. Food Losses/Spoilage



Section III—Managing the Program

A. Administration

The State of Nebraska, Department of Health and Human Services (DHHS) a division of Children and Family Services and the Food Distribution Program (FDP) has an agreement with the United States Department of Agriculture (USDA) to administer TEFAP in Nebraska, and does so in accordance with federal and state policies and requirements including but not limited to legal requirements or those contained in this handbook.

These requirements can be referenced in the following-

Code of Federal Regulations (CFR) Title 7, Parts 250 and 251

FDP distributes USDA Foods to participating contracted eligible recipient agencies such as Food Banks with the responsibility of distributing USDA foods locally and;

- a. determine the eligibility of applicants.
- b. monitor tax exempt status of sub-recipient agencies (FNS Policy FD-118).
- c. maintain program records.
- d. receive, store, transport and distribute USDA Foods to eligible participants.

Food Banks. Food banks have an established system for the receipt, storage, transportation, and distribution of USDA Foods. Food banks 1) directly serve USDA Foods recipients; and 2) indirectly serve USDA Foods recipients through agreements with other agencies and organizations, such as food pantries and soup kitchens. As a result, FDP contracts with food banks to distribute USDA Foods in TEFAP.

FDP's responsibilities include the following tasks:

Administering TEFAP in Nebraska;

Disbursing administrative funds;

Assisting Sites in the operation and management of the program;

Reviewing the program to ensure that reimbursement is used for program purposes and USDA Foods are distributed to eligible participants.

Section III—Managing the Program

B. Training for Staff and Volunteers

Volunteer services are used in a variety of ways. Relay to volunteers the value of their contribution to the success of the program in their community.

The type and length of training depends on the activity they will perform.

It is recommended that Sites provide a brief overview of TEFAP.

Please refer to Section V—Title VI of the Civil Rights Act of 1964

A Civil Rights training must be completed **and documented** each year by each agency staff or volunteer for people involved in all levels of the TEFAP administration.

Forms of documentation include staff/volunteer signatures, completion of training documents; online certificates, meeting agenda and sign in sheets, signed civil rights checklist.

Volunteers that help on an occasional basis may require specific Civil Rights training that will address interaction with participants on the day of distribution.

This training would be less in-depth and provide basic Civil Rights information.

“Day of Distribution” Training must inform and direct volunteers how to follow Civil Rights requirements during distribution.

The six topics that must be covered are:

1. Respect for all participants regardless of race, color, age, sex, nationality, gender, and disability. Equal treatment of all participants.
2. Confidentiality when dealing with participant information or participation in program.
3. No reprisal or unfair treatment of any participant for any reason.
4. How to handle a complaint.
5. How to handle language needs.
6. Who to report to if assistance is needed during distribution.

Section III—Managing the Program

C. Citizenship

There are no citizenship requirements. Sites must not request nor require any applicant or participant to prove citizenship through any means whatsoever.

D. The Proxy

A proxy is a person designated by a eligible beneficiary to act for the beneficiary as necessary throughout the distribution process of TEFAP. For example, proxies can provide a signature on forms.

A proxy must provide proof of identification prior to picking up a food package.

Requirements. Sites must collect at least the following information:

1. Beneficiary name
2. Name of distribution site
3. Authorization including proxy name
4. Beneficiary's signature
5. Proxy's signature

The ERA must maintain each written proxy designation on file. Proxy identification must be reviewed at each application, certification, food package distribution, and recertification.

E. Refusal of USDA Foods

Recipients may refuse any USDA Foods they cannot use or do not want. Refusal will not affect eligibility.

F. Fraud, Negligence, and Misuse of USDA Foods

Eligible Recipient Agencies, Sub-distributing agencies, Sites, and Participants must report fraud, misuse, or negligence.

Section III—Managing the Program

G. Record Keeping

Accepting Signatures Electronically

Electronic information. A ERA and sub-agency may record participant and applicant information, including signatures, electronically. Sites and sub-agencies must protect electronic information to ensure confidentiality.

The concept of electronic signatures provides flexibility in terms of the methods available to capture and maintain a recipient's signature. Sites must ensure that any electronic signature used meets the following criteria:

1. The signature will be maintained by the ERA or sub-agency electronically three (3) federal fiscal years after the end of the federal fiscal year to which they pertain.
2. The following statement is included at Acceptance at the location of the electronic signature:

I, the undersigned, agree to indemnify and hold harmless this Agent and the State of Nebraska, their Departments, officers, agencies, and employees, from any and all claims, demands, damages, costs, expenses, actions, and causes of action out of any act or occurrence pertaining to the issuance and acceptance of the USDA commodity items.

I further certify that my household's current gross income is equal to or below the Current Eligible Income Limits or that I am participating in one of the following: SNAP, ADC, State Supplemental (AABD), Energy, Medical Only, State Disability, or Refugee Program.

Examples of electronic signatures include:

- a. Handwritten signature input onto an electronic signature pad;
- b. Handwritten signature, mark, or command input on a display screen (e.g. stylus device used to sign a document displayed on a touch screen);
- c. Digitized image of a handwritten signature that is attached to an electronic record;
- d. Typed name (e.g. online application);
- e. Unique identifier (e.g. code, password, or PIN);
- f. The process of using a mouse to click a button (such as clicking an "I Agree" button);
- g. Digital signature.

Section III—Managing the Program

G. Record Keeping (Continued)

All records must be maintained for a period of three years following the end of the fiscal year to which they pertain. Agency's are required to maintain records that document:

- * Recipient agency agreements for the distribution of USDA foods
- * Receipt, inventory, and distribution of USDA Foods;
- * All USDA Foods received, including any damage, shortage, or overage;
- * Temperature logs
- * Disposition of undistributed food;
- * Signature and printed name of the household member accepting the food,
- * address of the household, number in the household, and the basis for determining eligibility (FDP-105).
- * Completed Proxy documents;
- * Civil Rights training documentation for staff and volunteers;
- * Beneficiary referral requests for faith-based organizations.

Section III—Managing the Program

H. Site Storage Standards for USDA Foods

Below is a summary of best practices to ensure clean and safe storage of USDA food items.

- ⇒ Check all USDA foods at least twice per week
- ⇒ Keep USDA foods away from chemicals
- ⇒ Keep USDA foods away from water and direct sunlight
- ⇒ Keep USDA foods free from insects
- ⇒ Keep USDA foods under lock and key
- ⇒ Check refrigerator and freezer temperatures daily
- ⇒ Do not exceed a three (3) month supply of any USDA food group

Distributing agencies, sub-distributing agencies and recipient agencies (Sites) shall provide facilities for the handling, storage and distribution of donated foods which:

- a. Are sanitary and free from rodent, bird, insect and other animal infestation;
- b. Safeguarded against theft, spoilage and other loss;
- c. Maintain foods at proper storage temperatures per USDA foods fact sheets;
- d. Stock and space foods in a manner that USDA foods are readily identified;
- e. Store donated food off the floor for proper air circulation. Frozen, chilled, and dry storage areas must have air circulation and must be stored on pallets or shelves with 4-inches of clearance from the floor and walls and 2-feet of clearance from the ceiling.
- f. First In, First Out. USDA Foods with the oldest pack date or contract number, which USDA places on product cases, should be stored in front and used before other USDA Foods. The practice of first in, first out (FIFO) ensures that USDA Foods are distributed timely and in optimal condition.
- g. Stacking. Stacks of USDA Foods should be sufficiently low so that the product at the bottom will not burst or be crushed by the weight of the product above;
- h. Away from steam, heat, or moisture.

Storage conditions can have a significant impact on the quality of food products. The same product will last for different periods of time depending on the temperature of the storage facility, its humidity level and air circulation. In general, cool temperatures and low humidity provide the best storage conditions.

Sites shall ensure that storage facilities have obtained all Federal, State and/or local health inspections and/or approvals and that such inspection/approvals are current.

Section III—Managing the Program

H. Site Storage Standards for USDA Foods — Continued

- ii. **Temperature** - USDA Foods Fact Sheets may provide shelf life information for a product at various temperatures. Products should not spoil during the shelf life; however, storage at higher temperatures increases the likelihood of insect infestation and may shorten shelf life. Therefore, when possible, products must be stored at temperatures recommended by USDA.
 - a. Reliable thermometers must be used to insure that proper temperatures are maintained.
 - b. Temperature logs must be maintained for all freezers, coolers, and dry storage areas.

Recommended temperature levels (Fahrenheit) are:

- a) 50° to 70° range for dry storage areas;
- b) 36° to 40° range for refrigerated storage areas;
- c) 0° or lower for frozen storage areas

- 1. Grain products such as pasta, rice, oats, and flour can be stored in the cooler if ideal conditions are not available in the dry storage area.

<https://whatscooking.fns.usda.gov/fdd/household-material-fact-sheets>

www.Foodsafety.gov

iii. USDA Food Losses/Spoilage

In those instances in which USDA foods may become damaged, spoiled, or lost while in the possession of a pantry, soup kitchen, or food bank, a representative of the organization is to contact the office of the Food Distribution Program at the Department of Health and Human Services to inform us of the loss. Contact should be made before any USDA foods are destroyed when possible.

After considering the circumstances surrounding the loss of the USDA foods and the donated dollar value involved, this agency or the US Department of Agriculture may make a financial claim against the agency involved. It is very important that you as the authorized representative of your agency are sure that USDA foods is properly stored, secured, and that supporting documentation is on hand with reference to USDA foods received and distributed by your organization.

Section IV— Compliance Reviews

- A. Agency Compliance Reviews
- B. Findings



Section IV—Compliance Reviews

A. Agency Compliance Reviews

Compliance reviews help to ensure that Civil Rights requirements are fulfilled at each level of program administration, including the application approval process and the federal and state monitoring efforts.

Nebraska DHHS Food Distribution Program (FDP) is required to annually review at least 25% of all State Contracted Sites, provided that each agency is reviewed at least once every four years.

The FDP is also required to annually review one-tenth or 20, whichever is fewer, of all eligible sub-recipient agencies which receive TEFAP foods. These reviews will be conducted whenever possible when the agency is distributing foods and/or meals.

One half of these reviews will be based on the following risk-assessments:

- ⇒ Value of TEFAP foods received
- ⇒ History of complaints/program violations
- ⇒ Length of time since last review
- ⇒ Key staff turnover

The remaining half of annual reviews will be a random sampling.

Section IV—Compliance Reviews

A. Agency Compliance Reviews— Continued

Independently or as appropriate, in coordination with FDP, contracting Sites will review sub-distributing agencies and distribution sites to accomplish the following:

1. Evaluate operations and activities.
2. Assess the extent to which the sub-distributing agency or distribution site informs the needy population of the availability of USDA Foods.
3. Ensure program compliance according to the terms and conditions of agreements, including, but not limited to, the following:
 - ◆ Receiving, handling, distributing, and/or using USDA Foods;
 - ◆ Adherence to nondiscrimination requirements;
 - ◆ Providing needy persons and households equal access to USDA Foods (including the elderly, persons with disabilities, and homebound persons);
 - ◆ Evaluating the frequency of meal service or USDA Foods distribution, the quantity of USDA Foods included in meals or USDA Foods packages, and other factors, as may be necessary.

B. Findings

If the FDP compliance review finds violations, FDP will provide a written report of review findings that includes the following details:

- ⇒ Each violation found.
- ⇒ The factors contributing to each violation.
- ⇒ Recommendations for corrective action including timetables for completion and claims action to be pursued (if any).
- ⇒ Provisions to monitor or evaluate progress and effectiveness of corrective action/(s).

Each Contracting ERA is responsible for receiving the findings for its sub-distributing agencies.

FDP may mail, e-mail, or present the written report at the end of the review.

FDP retains, both for itself and for the Federal government, the right to conduct additional review audits as necessary. If serious deficiencies such as fraud or misuse of funds occur and corrective action would not be practical, FDP will immediately notify the Contracting ERA and require that the agency's participation in TEFAP is terminated.

Section V— Civil Rights

- A. USDA Non-discrimination Statement
- B. Protected Classes
- C. Limited English Proficiency (LEP)
- D. Public Notification
 - 1. Program Availability
 - 2. Complaint Information
 - 3. Non-discrimination Statement Policy
- E. Training
- F. Volunteers
- G. Guidelines for Processing Civil Rights Complaints



Section V—Civil Rights

Title VI of the Civil Rights Act of 1964

USDA Non-discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov

Section V—Civil Rights

Title VI of the Civil Rights Act of 1964

B. Protected Classes

Each agency is responsible for ensuring that all persons have equal access to the program. The agency cannot discriminate in employment or program participation based on the following classes:

- Race
- Color
- National origin
- Sex
- Disability
- Age

Agencies must strictly adhere to and enforce the provisions of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). The additional protected classes included in the non-discrimination statement and complaint filing procedures apply to **other** USDA programs and employment activities.

C. Limited English Proficiency (LEP)

Distribution sites must be able to manage the needs of non-English speaking participants according to the level of need at that location.

A Limited English Proficiency Plan (LEP) is required. The LEP must provide support and direction for dealing with non-English speaking participants or applicants. This plan should include “I Speak” cards or similar documents for identifying language needs, contact information for translation services, and an outline for collecting information, providing translation, and distribution of USDA donated food.

Contact your TEFAP manager for assistance or go to www.lep.com

Section V—Civil Rights

D. Public Notification

Each Eligible Recipient Agency (ERA), sub-distributing agency, and distribution site must provide three basic elements of public notification:

1. Program Availability. Each ERA, sub-recipient or distribution agency that distributes program benefits and services must take specific action to inform applicants, participants, and potentially eligible persons of their program rights and responsibility and the steps necessary for participation.

It is the responsibility of the agency to conduct appropriate outreach activities within its service area and provide information that includes the site's name, address, distribution dates, and hours of operation.

Posters, pamphlets, newsletters and public service announcements can be used to make potential participants aware of the availability of donated food.

Word-of-mouth is never acceptable as the sole or primary method of public outreach.

2. Complaint Information. Applicants and participants must be advised at the service delivery point of their right to file a complaint, how to file a complaint, and the complaint procedures. (Posting the "And Justice For All"poster).
3. Non-discrimination Statement. All information materials and sources, including websites used by FNS, State agencies, local agencies (Sites), or other sub-recipients to inform the public about programs must contain a non-discrimination statement. It is not required that the non-discrimination statement be included on every page of a website, however at the minimum the non-discrimination statement, or a link to it, must be included on the home page of the program information site.

Section V—Civil Rights

The Food and Nutrition Services (FNS) requires Civil Rights training for people involved in all levels of the administration of programs that receive Federal financial assistance.

E. Training

The ERA, sub-distributing agency, and distribution site personnel must be trained in all aspects of civil rights before assuming any TEFAP duty and every program year thereafter. Volunteers who regularly interact (i.e., have contact at recurring normal intervals) with program applicants and participants must receive full civil rights training on an annual basis. Volunteers who handle personal information of applicants and participants must also receive full training according to **FNS Instruction 113-1**.

- ⇒ Collection and use of data
- ⇒ Effective public notification systems
- ⇒ Complaint procedures
- ⇒ Compliance review techniques
- ⇒ Resolution of noncompliance
- ⇒ Requirements for reasonable accommodations of persons with disabilities
- ⇒ Requirements for language assistance
- ⇒ Conflict resolution
- ⇒ Customer service

http://dhhs.ne.gov/children_family_services/Pages/fia_fooddistribution_training.aspx

F. Volunteers

Volunteers who do not handle personal information and who interact with program applicants infrequently (i.e. seldom or rarely) must receive at a minimum, limited civil rights training. Volunteers who do not interact in any way with program applicants and participants and who do not handle personal information do not need civil rights training.

If there is a concern that any volunteer cannot understand and/or abide by the training and civil rights requirements, then that volunteer should not interact in any way with program applicants and participants or handle personal information.

Section V—Civil Rights

G. Guidelines for Processing Civil Rights Complaints

Each Site must have procedures for processing complaints.

The site personnel of each agency must be able to provide documentation and an explanation of the complaint process; know how to gather facts and complete a complaint form that will either support or refute the complainant's allegation/(s).

FDP will accept and acknowledge complaints filed with the State agency informing the complainant of the action planned or request additional information for clarification.

All discrimination complaints received at FDP will be forwarded to the State of Nebraska DHHS Civil Rights Coordinator and FNS Regional Office.

Section VI— Written Notice and Referral Requirements for Religious Organizations

- A. Written Notice and Referral Requirements for Religious Organizations
- B. Referral Requirements

* Sample forms of notice and referral documents can be found in the Resource Section VIII



Section VI—Written Notice and Referral Requirements for Religious Organizations

A. Written Notice

Effective July 5, 2016—In accordance with 7 CFR Part 16.4(f), faith-based religious organizations that receive USDA Foods for TEFAP must give written notice to all beneficiaries and prospective beneficiaries of the right to be referred to an alternate provider when available. The written notice must state that:

(i) The organization may not discriminate against beneficiaries on the basis of religion or religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice;

(ii) The organization may not require beneficiaries to attend or participate in any explicitly religious activities that are offered by the organization, and any participation by beneficiaries in such activities must be purely voluntary;

(iii) The organization must separate in time or location any privately funded explicitly religious activities from activities supported by direct Federal Financial assistance;

(iv) If a beneficiary objects to the religious character of the organization, the organization will undertake reasonable efforts to identify and refer the beneficiary to an alternate provider to which the prospective beneficiary has no objection; the organization may not be able to guarantee, however, that in every instance, an alternate provider will be available; and

(v) Beneficiaries may report violations of these protections (including denials of services or benefits) by an organization to the State agency. The State agency will respond to the complaint and report the alleged violations to their respective USDA FNS Regional Office.

<http://www.fns.usda.gov/fns-regionaloffices>

Organizations must provide the written notice to applicants prior to the time they enroll in the program or receive services from such programs.

Exception: When the service provided to the beneficiary involves only a brief interaction between the provider and the beneficiary, and the beneficiary is receiving what may be a one-time service from the provider (such as a meal at an emergency kitchen or food for home consumption at a food pantry), the service provider may post the written notice of beneficiary protections in a prominent place, in lieu of providing individual written notice to each beneficiary.

Section VI—Written Notice and Referral Requirements for Religious Organizations

B. Referral Requirements

In accordance with 7 CFR Part 16.4(g), If a beneficiary or prospective beneficiary of TEFAP objects to the religious character of an organization that provides services under the program, that organization must promptly undertake reasonable efforts to identify and refer the beneficiary to an alternate provider, if available, to which the prospective beneficiary has no objection. In making the referral, the organization must comply with all applicable State and local privacy laws and regulations.

1. A referral may be made to another faith-based organization, if the beneficiary has no objection to that provider. But if the beneficiary requests a secular provider, and a secular provider is available, then a referral must be made to that provider.
2. The referral must be to an alternate provider that is in reasonable geographic proximity to the organization making the referral and offers services that are similar in substance and quality to those offered by the organization, if one is available. The alternate provider also should have the capacity to accept additional clients, if one with a capacity to accept additional clients is available. A referral may be made to non-USDA funded organizations, including non-TEFAP providers, if necessary and available.
3. If the organization determines that it is unable to identify an alternate provider, the organization must promptly notify the State agency, or local or eligible recipient agency with which it has an agreement. That agency must determine whether there is any other suitable alternate provider to which the beneficiary may be referred. local or eligible recipient agency that receives a request for assistance in identifying an alternate provider may requests assistance from the State agency. The State agency is ultimately responsible for ensuring an alternate provider is identified, if available.

Section VII— Definitions and Acronyms

- A. Definitions
- B. Acronyms



Section VII—Definitions and Acronyms

A. Definitions

AGENT – A carrier, a company that leases storage space, or another entity that receives, handles, and/or stores USDA Foods on behalf of a TEFAP Contracted Eligible Recipient Agency.

CODE OF FEDERAL REGULATIONS (CFR) – The codification of the general and permanent rules and regulations published in the Federal Register by the executive departments and agencies of the federal government. 7 CFR 250 and 251 guide the operation and administration of TEFAP.

CONGREGATE MEAL – A meal prepared with USDA Foods and provided to eligible persons who gather in a setting to participate.

CONGREGATE SETTING – A place where people gather to receive meals prepared with USDA Foods.

ELIGIBLE RECIPIENT AGENCY (ERA) — A public or private entity that has entered into an contractual agreement with Nebraska DHHS Food Distribution Program or a sub-recipient of the ERA to receive USDA Foods.

FOOD BANK – A public or private organization that regularly provides donated food or food products to other institutions that prepare meals or distribute food to eligible persons on a regular basis as an integral part of their normal operations. “Other institutions” include food pantries, soup kitchens, hunger relief centers, and other feeding centers.

FOOD LOSS – Occurs when food provided by USDA doesn’t reach its end user. Reasons for loss include negligence, fraud, waste, theft, spoilage, damage, or the fact that an inventory control system cannot account for the food’s absence (because of a mis-pick, for instance).

FOOD PANTRY – A public or private, nonprofit organization that distributes foods, donated by USDA or others, to low-income and unemployed households to relieve situations of emergency and distress.

FOOD AND NUTRITION SERVICE (FNS) – The USDA agency that administers TEFAP and other USDA nutrition programs.

Section VII—Definitions and Acronyms

A. Definitions—Continued

FRAUD – The intentional concealment or willful misrepresentation of information to receive USDA Foods.

HOUSEHOLD— A “household” is defined as: A single individual or group of related or non-related individuals, exclusive of borders who are not residents of an institution, but who are living as one economic unit and for whom food is customarily purchased and prepared in common. A “household” (**7 CFR 273.1 Household concept**) may be:

- (1) An individual living alone;
- (2) An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or
- (3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.

MEANS TEST – A method for determining a household’s eligibility for receipt of USDA Foods on the basis of gross income.

MISUSE OF USDA FOODS – Includes (but is not limited to) selling, trading, or giving them to ineligible persons.

NEGLIGENCE – Improper distribution or use of USDA Foods; or failure to properly store, handle, or care for the food.

POLICY— A reference to a specific state rule or to a body of rules. FDP policy for operating and administering an assistance program, such as TEFAP, is based on federal laws and regulations. TEFAP policy may be communicated by handbook revisions, archived policy alerts, bulletins, notices, forms and forms instructions, and other types of communication.

PROXY – A person designated by a participant to act for the participant throughout every step of the TEFAP process: signature, application, certification, food package distribution, and recertification.

Site – Also known as distribution site. A location where TEFAP foods are distributed to participants. A site holds a TEFAP agreement with either a Contracted Eligible Recipient Agency or a Sub-distributing agency. Site can include, but is not limited to, a food pantry or soup kitchen. A site must be an eligible recipient agency.

Section VII—Definitions and Acronyms

A. Definitions—Continued

STATE AGENCY— Nebraska Department of Health and Human Services, Food Distribution Program.

SUB-DISTRIBUTING AGENCY – An entity (usually a food bank) that holds a TEFAP agreement with 1) a Contracted Eligible Recipient Agency and 2) a site. Not all Contracted Eligible Recipient Agency’s have sub-distributing agencies.

TAX-EXEMPT — Refers to a nonprofit agency or organization's status with the IRS, such as §501(c)(3) of the IRS Code, which exempts the agency or organization from paying income tax.

U.S. DEPARTMENT OF AGRICULTURE (USDA) – The federal agency responsible for administering TEFAP.

Section VII—Definitions and Acronyms

Acronyms

AABD—	Aid to the Aged, Blind, and Disabled
ADC—	Aid to Dependent Children
CFR—	Code of Federal Regulations
DHHS—	Nebraska Department of Health and Human Services
FDP—	Nebraska DHHS Food Distribution Program
FNS—	U.S. Department of Agriculture Food and Nutrition Service
LEP—	Limited English Proficiency
LIEAP—	Low Income Emergency Assistance Program
NE—	State of Nebraska
SNAP—	Supplemental Nutrition Assistance Program (formerly Food Stamps)
SSI—	Supplemental Security Income
TANF—	Temporary Assistance for Needy Families
USDA—	United States Department of Agriculture

Section VIII—Resources

FORMS—

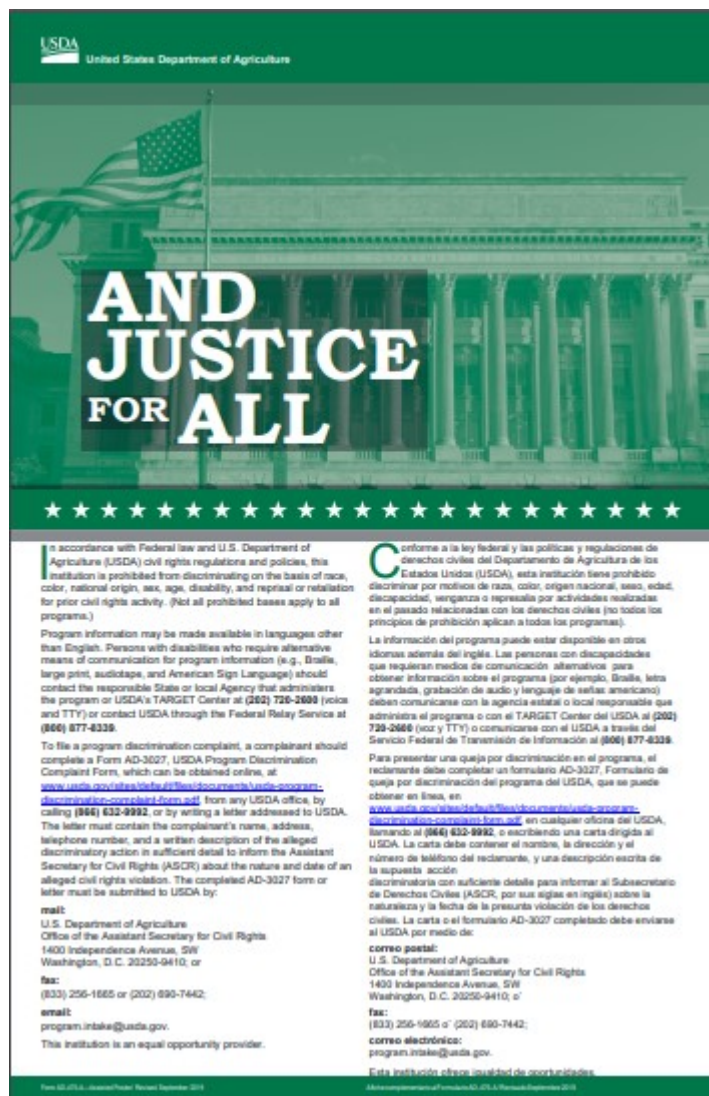
- * “And Justice for All” Posters
- * I Speak Statements
- * Written Notice of Beneficiary Rights
- * Beneficiary Referral Request
- * Eligibility To Take Food Home (FDP-105) English Version
- * Eligibility To Take Food Home (FDP-105) Spanish Version
- * Proxy Consent Form (English)
- * Proxy Consent Form (Spanish)
- * One Page Civil Rights Training for Volunteers (English Version)
- * One Page Civil Rights Training for Volunteers (Spanish Version)
- * Complaint Form USDA Donated Commodities
- * Storage Temperature Log
- * Can Safety Fact Sheet

“And Justice for All” Posters

The USDA poster “And Justice for All” is the primary method utilized to inform customers of their rights. The appropriate (assisted, conducted, or FNS SNAP and FDIPIR) “And Justice for All” poster is to be prominently displayed in all offices where there is a USDA presence and where it may be read by customers. Please note that institutions participating in or administering USDA programs are required to display the appropriate “And Justice for All” poster in their facilities where it can be viewed by customers. All “And Justice for All” posters must be displayed in a specific size: 11” width x 17” height. Agency officials can obtain “And Justice for All” posters by contacting their TEFAP manager.

Assisted Programs (AD-475A):

This Poster should be prominently displayed in offices, schools, and other sites that administer USDA assisted programs. Recipients of Federal Financial assistance must display this version.





I Speak Statements

<input type="checkbox"/> Unë flas shqip (Albanian)	<input type="checkbox"/> N' a po Klào Win . (Kru)
<input type="checkbox"/> አማርኛ እናገራለሁ (Amharic)	<input type="checkbox"/> ຂ້າພະເຈົ້າເວົ້າ ພາສາລາວ. (Lao)
<input type="checkbox"/> انا اتكلم اللغة العربية. (Arabic)	<input type="checkbox"/> Yie gorngv Mienh waac. (Mien)
<input type="checkbox"/> Ես խոսում եմ հայերեն (Armenian)	<input type="checkbox"/> म नेपाली बोल्छु (Nepali)
<input type="checkbox"/> আমি বাংলা ভাষী। (Bengali)	<input type="checkbox"/> Mówię po polsku . (Polish)
<input type="checkbox"/> Ja govorim bosanski jezik (Bosnian)	<input type="checkbox"/> Eu falo Portugês . (Portuguese)
<input type="checkbox"/> ကျွန်ုပ်တို့ပြန်ဟောတာကိုပြောသည်။ (Burmese)	<input type="checkbox"/> ਇ ਸ੍ਰਯਆਕ ਪੰਜਾਬੀ (Punjabi)
<input type="checkbox"/> 我说中文 (Chinese Simplified)	<input type="checkbox"/> Cunosc limba Română . (Romanian)
<input type="checkbox"/> 我說中文 (Chinese Traditional)	<input type="checkbox"/> Я говорю по-русски . (Russian)
<input type="checkbox"/> Ja govorim hrvatski . (Croatian)	<input type="checkbox"/> Ou te tautala faaSamoa . (Samoan)
<input type="checkbox"/> اینچنانچه به زبان فارسی صحبت می کنم (Farsi)	<input type="checkbox"/> Govorim srpski . (Serbian)
<input type="checkbox"/> Je parle français . (French)	<input type="checkbox"/> Waxaan ku hadlaa Somali . (Somali)
<input type="checkbox"/> Je parle le Français haïtien (French Creole)	<input type="checkbox"/> Yo hablo español . (Spanish)
<input type="checkbox"/> Μιλώ ελληνικά . (Greek)	<input type="checkbox"/> أَنحَدث السُّودَانِيَّة (لغويي سوداني) (Sudanese)
<input type="checkbox"/> હું ગુજરાતી બોલું છું (Gujarati)	<input type="checkbox"/> Marunong po akong magsalita ng Tagalog . (Tagalog)
<input type="checkbox"/> Mwen pale Kreyòl . (Haitian Creole)	<input type="checkbox"/> ข้าพเจ้าพูด ภาษาไทย (Thai)
<input type="checkbox"/> म हिंदी बात हूँ (Hindi)	<input type="checkbox"/> ഹി ትግርኛ ይዘረብ እየ. (Tigrinya)
<input type="checkbox"/> Kuv hais Ius hmoob . (Hmong)	<input type="checkbox"/> Я розмовляю українською . (Ukrainian)
<input type="checkbox"/> Ana m a sụ Igbo (Igbo)	<input type="checkbox"/> میں اردو بولتا/ بولتی ہوں۔ (Urdu)
<input type="checkbox"/> Parlo Italiano (Italian)	<input type="checkbox"/> Tôi nói tiếng Việt . (Vietnamese)
<input type="checkbox"/> 私は 日本語 を話します (Japanese)	<input type="checkbox"/> איך דער שייד (Yiddish)
<input type="checkbox"/> Mi chat Jamiekan langwji (Jamaican Creole)	<input type="checkbox"/> Mo gbọ Yoruba (Yoruba)
<input type="checkbox"/> yk tikqkif il (Karen)	
<input type="checkbox"/> ខ្ញុំនិយាយភាសាខ្មែរ (Khmer)	
<input type="checkbox"/> 본인의 모국어는 한국어 입니다 (Korean)	
<input type="checkbox"/> ئە ز زمانێ کوردی دە ناخفم. (Kurdish)	

USDA is an equal opportunity provider and employer.

The Emergency Food Assistance Program (TEFAP) – Written Notice of Beneficiary Rights

Name of Organization _____

Contact Information for Program Staff: Name _____
Phone Number _____
Email Address _____

Because TEFAP is supported in whole or in part by financial assistance from the Federal Government, we are required to let you know that—

- ◆ We may not discriminate against you on the basis of religion or religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice;
- ◆ We may not require you to attend or participate in any explicitly religious activities that are offered by us, and any participation by you in these activities must be purely voluntary;
- ◆ We must separate in time or location any privately funded explicitly religious activities from activities supported with USDA direct assistance;
- ◆ If you object to the religious character of our organization, we must make reasonable efforts to identify and refer you to an alternate provider to which you have no objection. We cannot guarantee, however, that in every instance, an alternate provider will be available; and
- ◆ You may report violations of these protections (including denials of services or benefits) by an organization to the State agency
(<http://www.fns.usda.gov/fdd/food-distribution-contacts>).

The State agency will respond to the complaint and report the alleged violations to their respective USDA FNS Regional Office (<http://www.fns.usda.gov/fns-regional-offices>).

We must provide you with this written notice before you enroll in TEFAP or receive services from TEFAP, as required by 7 CFR part 16.

Alternate Service Location/(s) or State Agency Contact Information:

Name of Organization and Contact Person _____
Phone Number _____
Email Address _____

This Institution is an Equal Opportunity Provider

The Emergency Food Assistance Program (TEFAP) – Beneficiary Referral Request

Name of Organization _____

Contact Information for Program Staff: Name _____
Phone Number _____
Email Address _____

If you object to receiving services from us based on the religious character of our organization, please complete this form and return it to the program contact identified above. Your use of this form is voluntary.

If you object to the religious character of our organization, we must make reasonable efforts to identify and refer you to an alternate provider to which you have no objection. We cannot guarantee, however, that in every instance, an alternate provider will be available.

() Please check if you want to be referred to another service provider.

Please provide your name: _____

Best way to reach you (phone/address/email):

FOR STAFF USE ONLY

1. Date of objection __/__/____

2. Referral (check one):

() Individual was referred to (name of alternate provider and contact information):

() Individual was given State agency-provided referral information (i.e. website, hotline, or list of other service providers funded by the State agency).

() Individual left without a referral

() No alternate service provider is available—summarize below what efforts you made to identify an alternate provider (including reaching out to State agency or local or eligible recipient agency): _____

I, the undersigned, agree to indemnify and hold harmless this Agent and the State of Nebraska, their Departments, officers, agencies, and employees, from any and all claims, demands, damages costs, expenses, actions, and causes of action out of any act or occurrence pertaining to the issuance and acceptance of the USDA donated food items.

I further certify that my household's current gross income is equal to or below the Current Monthly Income amounts, or that I am participating in one of the following: SNAP, ADC, State Supplemental (AABD), Energy, Medical only, State Disability, or Refugee Program.

Size of Household	Current Monthly Income	Size of Household	Current Monthly Income	For each additional household member Add \$746
1	\$ 2,126	4	\$ 4,366	
2	\$ 2,873	5	\$ 5,113	
3	\$ 3,620	6	\$ 5,860	

200% rate is during pandemic only

Signature	Address	No. in Household	Month	Year

FDP-105 Rev. 03/20(54004)

I, the undersigned, agree to indemnify and hold harmless this Agent and the State of Nebraska, their Departments, officers, agencies, and employees, from any and all claims, demands, damages costs, expenses, actions, and causes of action out of any act or occurrence pertaining to the issuance and acceptance of the USDA donated food items.

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FDP-105 Rev. 03/20 (54004)

In accordance with Federal Civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: How to File a Complaint, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider

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División de Servicios para el Bienestar Familiar y de Menores
Programa Temporal de Asistencia de Alimentos de Emergencia (TEFAP, por sus siglas en inglés)
Elegibilidad para llevar alimentos al hogar

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

***El 200% se aplica solo durante una pandemia.**

Yo, el abajofirmante, acepto indemnizar y eximir de toda responsabilidad a este agente y al Estado de Nebraska, sus Departamentos, directivos, agencias y empleados, por todos los reclamos, demandas, daños, costos, gastos, acciones y causas de acciones que surjan de cualquier acto u ocurrencia relacionada con la expedición y aceptación de los productos de USDA También certifico que actualmente el ingreso brutos de mi familia es igual o menor que las siguientes cantidades, o que participo en uno de los siguientes: SNAP, ADC, Suplemento del Estado (AABD). Asistencia de Energía, Asistencia médica solamente, Discapacidad del Estado, o programa para Refugiados. Entiendo que si doy información incorrecta para obtener estos alimentos, mi familia puede quedar

Tamaño de familia	Ingreso mensual actual	Tamaño de familia	Ingreso mensual actual	Para cada miembro adicional de la familia añadida \$ 746
1	\$ 2,126	4	\$ 4,366	
2	\$ 2,873	5	\$ 5,113	
3	\$ 3,620	6	\$ 5,860	
Firma		Dirección		
No. de personas en el hogar		Mes	Año	

Conforme a las leyes federales y a los derechos civiles, reglamentos y políticas del Departamento de Agricultura de los Estados Unidos (U.S. Department of Agriculture, USDA), se prohíbe a esta institución discriminar por motivo de raza, color, nacionalidad, sexo, edad, discapacidad y reprimir o tomar represalias por actividades realizadas en el pasado relacionadas con los derechos civiles. (No todos los principios de prohibición se aplican a todos los programas).

Las personas discapacitadas que requieran medios alternos para que se les comunique la información de un programa (por ejemplo, braille, letra agrandada, grabación de audio, lenguaje de señas estadounidense, etc.) deberán comunicarse con la agencia estatal o local responsable de administrar el programa o el TARGET Center del USDA al **(202) 720-2600** (voz y TTY) o comunicarse con el USDA a través del Servicio Federal de Transmisión de Información al **(800) 877-8339**.

La información del programa también está disponible en otros idiomas además del inglés.

Para presentar una queja por alegada discriminación, complete el formulario de quejas por discriminación del programa del USDA, AD-3027, que podrá encontrar en línea en http://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf o en cualquier oficina del USDA o escriba una carta dirigida al USDA que incluya toda la información solicitada en el formulario. Para solicitar una copia del formulario de presentación de quejas, comuníquese al **(866) 632-9992**. Envíe su formulario o carta completos al USDA por **correo**: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410 **fax**: (202) 690-7442; o **correo electrónico**: program.intake@usda.gov.

Esta institución ofrece igualdad de oportunidades



División de Servicios para el Bienestar Familiar y de Menores
Programa Temporal de Asistencia de Alimentos de Emergencia (TEFAP, por sus siglas en inglés)
Elegibilidad para llevar alimentos al hogar

Good Life. Great Mission.

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Tamaño de familia	Ingreso mensual actual	Tamaño de familia	Ingreso mensual actual	Para cada miembro adicional de la familia añadida \$ 746
1	\$ 2,126	4	\$ 4,366	
2	\$ 2,873	5	\$ 5,113	
3	\$ 3,620	6	\$ 5,860	
Firma		Dirección		
No. de personas en el hogar		Mes	Año	

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Esta institución ofrece igualdad de oportunidades

**Please Complete (TEFAP) Emergency Food Assistance
Program Beneficiary Information Below**

Proxy Consent Form

Beneficiary Name _____
Address _____
City and Zip Code _____
Phone Number _____

I hereby designate: _____ (Name of Proxy)
First Last

To serve as my proxy to sign required documents, and pick-up my food benefits from the following agency:

Name of Agency City

I understand that I take full responsibility for the actions of my proxy. I will inform him or her of the proper procedures when acting on my behalf. My signature declares my continued eligibility for food benefits.

Beneficiary Signature Date

Proxy Signature Date

Agency Use Only - Approved By:		
_____	_____	_____
Print Name	Signature	Date

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. Send your completed form or letter to us by mail at U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights; 1400 Independence Avenue, SW; Washington, D.C. 20250-9410. By fax: (202) 690-7442 or email at program.intake@usda.gov.

Formulario Formulario para consentimiento de apoderado

Por favor llene la información a continuación del Beneficiario para el Programa de Asistencia para Emergencias (TEFAP por sus siglas en ingles)

Nombre del Beneficiario _____

Dirección _____

Ciudad y Código Postal _____

Número de teléfono _____

Por la presente nombro a _____ (Nombre de Apoderado)
Primer Nombre Apellido

Como mi apoderado para firmar los documentos necesarios, y recoger mis beneficios alimenticios de la siguiente agencia:

Nombre de Agencia _____ Ciudad _____

Entiendo que asumo la responsabilidad total por las acciones de mi apoderado. Le informaré de los procedimientos apropiados cuando actúe en representación mía. Mi firma confirma mi elegibilidad continua para beneficios alimenticios.

Firma de Beneficiario

Fecha

Firma de Apoderado

Fecha

Agency Use Only - Approved By:

Print Name	Signature	Date
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En conformidad con la ley Federal de derechos civiles y las regulaciones y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA), el USDA, sus Agencias, oficinas y empleados, y las instituciones que participen en o administran programas del USDA tienen prohibido discriminar por motivos de raza, color, origen nacional, sexo, discapacidad, edad, o represalias o retaliación por actividades previas en derechos civiles, para cualquier programa o actividad realizada o financiada por el USDA. Las personas con discapacidades que requieren medios alternos de comunicación para la información del programa (p. ej. Braille, macrotipo, reproducciones en audio, lenguaje de señas americano, etc.) deben contactar a la agencia (del Estado o local) donde solicitaron los beneficios. Las personas que sean sordas, tengan problemas de audición o discapacidades del habla pueden comunicarse con el USDA a través del Federal Relay Service (Servicio Federal de Retransmisión) al (800) 877-8339. Adicionalmente, la información sobre el programa se puede hacer disponible en idiomas que no sean inglés. Para presentar una queja por discriminación, llene el formulario [USDA Program Discrimination Complaint Form](#), (AD-3027) disponible en línea en:

http://www.ascr.usda.gov/complaint_filing_cust.html, y en cualquier oficina de USDA o escriba una carta a USDA y provea en la carta toda la información que se pide en el formulario. Envíe el formulario lleno o carta por correo postal a U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 202509410; Por fax: (202) 690-7442 o por correo electrónico a program.intake@usda.gov.

Esta institución es un proveedor que ofrece igualdad de oportunidades.

Civil Rights Compliance in Food Distribution Programs for Volunteers

The Emergency Food Assistance Program (TEFAP)

- Civil Rights are “The nonpolitical rights of a citizen; the rights of personal liberty guaranteed to U.S. citizens by the 13th and 14th Amendments to the U.S. Constitution and by acts of Congress.”
- Discrimination: The act of distinguishing one person or group of persons from others, either intentionally, by neglect, or by the effect of actions or lack of actions based on their protected classes.

◇ **In accordance** with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture,
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

This institution is an equal opportunity provider

- Protected classes: Any person or group of persons who have characteristics for which discrimination is prohibited bases on a law, regulations, or executive order. Protected classes in TEFAP are: race, color, national origin, age, sex, and disability.
- Federal financial assistance is anything of value received from the Federal government such as: cash grants and loans, USDA food/commodities, training, property donations, permission to use Federal property and similar items and services.
- Goal of Civil Rights Legislation:
 - ◇ Equal treatment for all eligible participants
 - ◇ Knowledge of rights and responsibilities
 - ◇ Overcome the Civil Rights barriers that people have in participating in the program
 - ◇ Dignity and respect for all
- People receiving TEFAP products, have the right to fill and submit a complaint. These might be based on: race, color, age, sex, disability.
- Complaints might be verbal or written. Complaint forms are available on the food bank’s website.
- Never discourage anybody to submit a complaint.
- Customer service: Making a difference treating all people with dignity and respect. Answering questions in a non-threatening voice, clearly explain rules, rights and responsibilities to everyone, find tools and techniques to improve customer service and recognize that stress can impact customer service.

Observancia de derechos civiles en los programas de distribución de alimentos para voluntarios

El Programa de Asistencia de Alimentos de Emergencia (TEFAP)

- Los derechos civiles son “Los derechos no políticos de un ciudadano; los derechos de libertad personal garantizados a los ciudadanos de EE. UU. por las Enmiendas 13ra. y 14ta. a la Constitución de los EE. UU. y por actos del Congreso.”
- Discriminación: El acto de distinguir a una persona o grupo de personas de otros, ya sea intencionalmente, por negligencia, o por el efecto de actuar o no actuar con base en sus clases protegidas.
 - o **En conformidad** con la ley Federal de derechos civiles y las regulaciones y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA), el USDA, sus Agencias, oficinas y empleados, y las instituciones que participen en o administren programas del USDA tienen prohibido discriminar por motivos de raza, color, origen nacional, sexo, credo religioso, discapacidad, edad, creencias políticas, o represalias o retaliación por actividades previas en derechos civiles, para cualquier programa o actividad realizada o financiada por el USDA.

Las personas con discapacidades que requieren medios alternos de comunicación para la información del programa (p. ej. Braille, macrotipo, reproducciones en audio, lenguaje de señas americano, etc.) deben contactar a la agencia (del Estado o local) donde solicitaron los beneficios. Las personas que sean sordas, tengan problemas de audición o discapacidades del habla pueden comunicarse con el USDA a través del Federal Relay Service (Servicio Federal de Retransmisión) al (800) 877-8339. Adicionalmente, la información sobre el programa se puede hacer disponible en idiomas que no sean inglés.

Para presentar una queja por discriminación hecha por el programa, llene el Formulario de Quejas por Discriminación del programa del USDA (AD-3027) (USDA Program Discrimination Complaint Form, en inglés), disponible en línea en: http://www.ascr.usda.gov/complaint_filing_cust.html, y en cualquier oficina del USDA, o escriba una carta dirigida al USDA que contenga toda la información que se solicita en el formulario. Para pedir una copia del formulario de quejas, llame al (866) 632-9992. Envíe su formulario lleno o su carta al USDA por:

- (1) Correo: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; o
- (3) Correo electrónico: program.intake@usda.gov.

Esta institución es un proveedor que ofrece igualdad de oportunidades

- Clases protegidas: cualquier persona o grupos de personas que tienen características por las cuales se prohíbe discriminar con base en una ley, reglamentos u orden ejecutiva. Las clases protegidas en TEFAP son: raza, color, origen nacional, edad, sexo y discapacidad.
- La asistencia financiera federal es cualquier cosa de valor que se reciba de parte del gobierno federal tal y como: subvenciones de efectivo y préstamos, alimentos o productos del USDA, capacitación, donaciones de bienes, permiso para usar bienes federales, y artículos y servicios similares.
- Objetivo de la legislación sobre derechos civiles:
 - o Tratamiento equitativo para todos los participantes elegibles
 - o Conocimiento de los derechos y responsabilidades
 - o Derribar las barreras a los derechos civiles que las personas tienen mientras participan en el programa
 - o Dignidad y respeto para todos
- Las personas que reciben productos de TEFAP tienen derecho a llenar y presentar una queja. Estas pueden basarse en: raza, color, edad, sexo, discapacidad.
- Las quejas pueden ser verbales o por escrito. Los formularios de quejas están disponibles en el sitio web del banco de alimentos.
- Nunca desaliente a nadie de presentar una queja.
- Servicio al cliente: Hacer una diferencia, tratando a todas las personas con dignidad y respeto. Contestar preguntas en una voz no amenazante, explicar las reglas, derechos y responsabilidades con claridad a todos, hallar herramientas y técnicas para mejorar el servicio al cliente y reconocer que el estrés puede impactar el servicio al cliente.

Complaint Form USDA Donated Commodities

RECIPIENT AGENCY USE ONLY			
Recipient Agency Name:		Address: (Include Street, City, State, And Zip)	
Contact Person:		Title:	Phone #:
Date:	Commodity:		
Contract #:	Lot #:	Case/Box #:	Can Code:
Pack Date:	Date Received:	Amount Received	Vendor:
Location Of Product:		Amount Product Remaining:	
Reason For Complaint:			
Seeking Replacement: { }		For Information Only: { }	Isolated Incident: { }
Other: { }		Vendor Response Requested: { }	
Description Of Problem/Complaint: (Hand Written Or Typed)			

Return this completed form to:
brian.gerkensmeyer@nebraska.gov
 NE Food Distribution Program
 PO Box 95026
 Lincoln, NE 68509

Or Fax to:
 NE Food Distribution Program
 402-742-2328

STORAGE TEMPERATURE LOG

MONTH: _____

YEAR: _____

DAY	TIME	COOLER 32 - 40° F	FREEZER 0° F or below	DRY STORAGE 50 -70° F	INITIAL
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
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Can Safety

True or False? Dented cans containing safe food are thrown away every day.

Answer: TRUE – What a waste of food!

True or False? Some cans with dents cause food to be unsafe to eat.

Answer: TRUE - However, there are simple evaluation techniques that can be used to determine if the food will be safe or unsafe.

How Does Canned Food Become Unsafe?

When a can is dented near a seam or a junction, it makes it possible for air to enter the can. A sharp dent can cause a pinhole in the can, which could also allow air to enter. This air, combined with the moisture in the can, allows the growth of microorganisms. These microorganisms cannot be killed by cooking. Consumption of this food could potentially result in botulism. Cans that are bulging or have rust that will not wipe off are also deemed unsafe.

How Can I Tell If A Dented Can Is Safe?

Feel the can and visually inspect it.

SAFE Cans Have:

- Smooth dents
- Dents that are not on the seam
- Dents that do not compromise can junctures



DISCARD Cans With:

- Dent on Seam
- Dent Where Side and End Meet
- Sharp Dent
- Swelling or Bulging
- Rust That Does Not Wipe Off



Sharp Dent



Sharp Lid Dent



Bulging

When in Doubt, Throw it Out!

NEBRASKA
Good Life. Great Mission.
DEPT. OF HEALTH AND HUMAN SERVICES



Dent at Side and Top



Dent on Seam



Rust

Section IX—Frequently Asked Questions

Can Distribution Site staff and volunteers receive commodities?

Pantry staff and volunteers may receive commodities if they meet TEFAP income and live within the service area requirements. They must complete the TEFAP eligibility form just like any other participant. They cannot receive preferential treatment or larger food packages than others. Staff and volunteers at meal sites and shelters may receive meals prepared with commodities if it is the Distribution Site's practice to serve meals to workers and the site serves predominately low-income people.

How can food pantries serve homebound participants and determine eligibility?

Food pantries shall allow authorized persons (proxies) to pick up food for participants if they present a valid proxy note. Proxy letters are required for a client to pick up commodities for another client unable to pick-up for themselves.

What if a participant lives outside a pantry's service area?

Participants seeking food assistance at TEFAP Distribution Sites must be provided food assistance at the first visit. At that time, they should be given information about pantries serving the area where they live for the second visit. If they return the following month, they may be declined service at the site's discretion. Participants from outside the service area may sometimes ask to receive commodities only because their regular pantry does not have them.

What if it is suspected that a pantry participant is misrepresenting their income?

Contact the regional Food Bank or TEFAP manager. They have the experience and a solid foundation in Civil Rights compliance. The Food Bank or TEFAP manager can help the food pantry manager decide upon next steps and a plan of action if the situation warrants attention. The situation may or may not require intervention and a personal interview with the participant. Any concerns about abuse must not be discussed among volunteers – this can lead to a breach of confidentiality.

Can pantries decide whether to give fixed food packages or let participants choose the food?

It is up to the pantry to decide what works best for them. Many pantries have become "Participant Choice" - allowing families to choose the food they want within limits set for each household size. "Participant Choice" pantries usually find that there is less waste because participants take only the food they can use. Food pantry staff will encourage households to say "no thanks" to food items they do not want.

TEFAP pantries must serve income eligible participants at least once a month. However, pantries may serve the same eligible participants more often than that if they choose, however USDA TEFAP commodities may be distributed to the household only once per month.

Section IX—Frequently Asked Questions

Are Distribution Sites required to publicize their services?

All Distribution Sites should post an exterior sign noting the days and hours of operation, the main phone number, and where to call after hours in an emergency in English, and in languages of the LEP groups in the Distribution Site's service area.

Refer to the Public Notice Requirements.

What if stored food becomes damaged, spoiled or stolen while in our possession?

It is important not to distribute food that is in cans that are severely dented, has torn packaging, is damaged by water or insects, is out-of-condition, or has thawed and cannot safely be refrozen. Report any commodity loss due to damage, infestation, spoilage or theft immediately to your regional Food Bank /TEFAP manager contact.

Can Distribution Sites/Pantry's give participants political or religious materials during food distributions?

No. TEFAP Distribution Sites may not engage in political or religious activities when distributing food. Political candidates may not make appearances at these times and campaign signs and materials may not be evident. Bags or boxes advertising candidates or political causes may not be used for food packages containing commodities. Distribution Sites may not require or pressure participants to attend political or religious meetings or to join an organization as a condition of receiving assistance.

Can TEFAP Distribution Sites choose to serve some people but not others?

It is reasonable to decline services to an otherwise eligible participant if they behave in a belligerent or threatening fashion or appear to be intoxicated or using illegal drugs. Pantries also may decline to serve participants who live outside their service area. Ideally you have a policy clearly posted that outlines your service policy, (i.e. area, unacceptable behavior and penalties) and that you insure is enforced uniformly.

Can Distribution Sites or participants sell commodities?

Commodities are intended solely for private consumption by eligible recipients. The sale, trade, exchange or other disposal of commodities or use of commodities for personal gain is strictly prohibited and subject to Federal and/or State prosecution.

We are a church. Can we leave a donation/offering plate in the reception area or sign in table?

Pantries that receive Federal commodities may not ask participants to donate money, materials or services in exchange for food. Sites may not post signs requesting "voluntary" donations nor place donation containers in the area where participants are served.

