



U.S. DEPARTMENT OF AGRICULTURE

DATE: February 6, 2026

SUBJECT: Information for The Emergency Food Assistance Program (TEFAP) State Agencies on Executive Order 14218

TO: Regional Directors
Supplemental Nutrition Programs
State Directors

All TEFAP State Agencies

On February 19, 2025, President Donald J. Trump issued Executive Order 14218 to uphold the rule of law, defend against the waste of hard-earned taxpayer resources, and protect benefits for American citizens in need, including individuals with disabilities and veterans. Under Executive Order 14218, the United States Department of Agriculture (USDA) is reviewing federally funded programs to ensure that illegal aliens cannot obtain taxpayer-funded benefits, and, consistent with applicable law, taking appropriate actions to this end.

Under the leadership of Secretary Brooke Rollins, USDA is also taking swift action to minimize instances of fraud, waste, and program abuse and clarify statutory, regulatory, and administrative requirements.

In support of these actions, the USDA Food and Nutrition Service (FNS) advises TEFAP State agencies to review their available options to implement Executive Order 14218.

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In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, P.L. 104-193), and Section 742(b) of PRWORA permits TEFAP State agencies to provide program services only to otherwise eligible individuals who are U.S. citizens and/or qualified aliens.

USDA FNS stands ready to provide technical assistance to support State agencies in effectively and efficiently administering TEFAP and preventing access by illegal or other ineligible aliens. Interested State agencies are encouraged to contact your FNS Regional Office for questions about the required next steps.

In taking steps to limit program services provided to illegal aliens or other ineligible aliens, USDA recommends each State agency consult with its legal counsel prior to implementation to ensure consistency with all applicable State, Tribal, or territorial laws. TEFAP State agencies making eligibility changes must submit an amendment to their state plan to their FNS regional office for approval. Submission of such plans should follow the procedures outlined in [Policy Memorandum FD-153: Guidance for Submitting Amendments to TEFAP state plans per 7 CFR 251.6](#).

Thank you for the critical work that you do to serve this Nation's most vulnerable while safeguarding program integrity and exercising sound stewardship of taxpayer dollars.

Sincerely,



Patrick A. Penn

Acting Administrator, Food and Nutrition Service

Deputy Under Secretary, Food, Nutrition, and Consumer Services

United States Department of Agriculture

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