



7 CFR Part 16 – Equal Opportunity for Religious Organizations

Clarification for Faith-Based Organizations Operating The Emergency Food Assistance Program (TEFAP) and The Commodity Supplemental Food Program (CSFP)

Purpose – Ensures that religious organizations have a level playing field when participating in USDA programs

Rights of Religious Organizations Operating TEFAP or CSFP

- ❖ FNS and TEFAP/CSFP State agencies, in the selection of service providers, are prohibited from discriminating for or against an organization based on that organization’s religious character or affiliation.
- ❖ Decisions about awards of USDA assistance must be free from political interference.
- ❖ Organizations can retain their independence.
- ❖ Organizations can use their facilities to provide services without removing religious materials.

Responsibilities of Organizations Participating in TEFAP or CSFP

- ❖ Organizations must not discriminate against program participants or prospective participants on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.
- ❖ Organizations may not engage in explicitly religious activities as part of TEFAP or CSFP. This includes activities that involve overt religious content, such as worship, religious instruction, or proselytization.
- ❖ Organizations must not require program participants or prospective participants to participate in explicitly religious activities in order to receive TEFAP or CSFP. If there is an explicitly religious activity that takes place at the distribution site, it must be separate in time or location.
- ❖ Organizations must make it clear that explicitly religious activities are not endorsed by the USDA.
- ❖ Organizations cannot use TEFAP or CSFP funds to support any explicitly religious activities, speech, or materials.
- ❖ Beneficiary Protections – for more information see [Policy Memorandum FD -138: Clarification on Written Notice and Referral Requirements for Religious Organizations](#).

EXAMPLE DO’S & DON’TS FOR ORGANIZATIONS OPERATING TEFAP OR CSFP

<i>It is acceptable to...</i>	<i>It is unacceptable to...</i>
Have a cross hanging on a wall at the food distribution facility.	Require participants to stand by the cross and recite a prayer prior to receiving USDA Foods.
Have a menorah on a table at the food distribution facility during the holiday season.	Refuse USDA Foods to participants who do not practice the Jewish faith.
Have a display stand at the front/back of the facility that contains faith-based pamphlets for anyone interested.	Insert faith-based pamphlets in bags or boxes when distributing USDA Foods.
Have a pastor or other religious official assist with the distribution of USDA Foods.	Force or encourage participants to have a religious conversation with the pastor or official prior to receiving USDA Foods.