



Food and  
Nutrition  
Service

1320 Braddock Place  
Alexandria, VA  
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DATE: January 6, 2023

SUBJECT: Supplemental Nutrition Assistance Program (SNAP) – SNAP  
Emergency Allotments (EA) Provision in the Consolidated  
Appropriations Act, 2023

TO: All SNAP State Agencies  
All Regions

On December 29, 2022, President Joseph R. Biden signed into law the [Consolidated Appropriations Act, 2023](#). Division HH, Title IV, Section 503(b), of the Act ends SNAP EA that were provided by Section 2302(a)(1) of the Families First Coronavirus Response Act (FFCRA). The law terminates EA after the issuance of February 2023 benefits. Therefore, the last benefit month that may include EA is February 2023.

This memorandum supersedes the guidance issued by FNS on [April 1, 2021](#) and [December 14, 2021](#), which allowed State agencies to issue EA for one phase-out month after the expiration of the national Public Health Emergency or state-level emergency declaration. Under the new authority, State agencies cannot issue EA for a phase-out month after benefit month February 2023. In other words, States are not allowed to issue EA for benefit month March 2023, or later, under any circumstance.

States who issue EA the month after the benefit month (e.g., issue February 2023 EA in March 2023) may continue this practice. In addition, when a State retroactively updates a household's case and is providing benefits for February 2023 or prior, they should adjust the SNAP emergency allotment along with the normal monthly allotment, as appropriate. States should continue to report any retroactive adjustments to emergency allotments as a "supplement" on the FNS 388 form.

For technical assistance on preparing for the end of EA, please view the recording of the September 2022 webinar on [Preparing for the End of Emergency Allotments: Lessons Learned from State Agencies](#). Disregard any webinar references to an EA "phase-out month".

As part of your communication plan to program participants, please include Tribal Organizations that operate the Food Distribution Program on Indian Reservations (FDPIR) in your state. The sunseting of EA may impact participation in the FDPIR, and this information, including the month the State agency's EA will end, is necessary to allow Tribal Organizations adequate time to prepare.

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State agencies with questions should contact their respective Regional Office representatives.

Sincerely,

Tim English  
Acting Associate Administrator  
Supplemental Nutrition Assistance Program