The Food Distribution Program on Indian Reservations (FDPIR)
Flexibilities for Indian Tribal Organizations and State Agencies

During an emergency situation such as the COVID-19 public health emergency, there are flexibilities available to Indian Tribal Organizations (ITOs) and State agencies (SAs) that administer FDPIR to assist them in continuing to provide food to people in need. FDPIR is available to assist current participants and those who may become newly eligible for the program.

- **Application Processing:** To support social distancing and reduce the exchange of paper applications, new FDPIR applicants may use an authorized representative to file an application. FDPIR employees may act as authorized representatives if written approval is received from the Food Distribution Director or supervisor and if it is determined that no one else is available. Due to the nature of COVID-19, FNS accepts that no one else would be available in most cases. Thus, FDPIR employees can gather applicant information over the telephone, e-mail, mail, fax, or text, and then sign and submit an application on behalf of the new applicant. After the application is submitted, the required certification interview can be performed with the new applicant over the telephone. Any mandatory verifications can be done by email, mail, fax, text and/or through a phone collateral contact. Note that authorized representatives may represent one or more households.

- **Income Verification:** Mandatory verifications, such as income, the child support deduction, the medical expense deduction, and the shelter and utility expense deduction can be performed via email, mail, fax, text and/or through a collateral phone contact.

- **Certification Periods:** For households with a certification period less than 12 months (or less than 24 months if all adult members are elderly or disabled), an ITO/SA can verbally confirm with the household that circumstances remain the same and extend their certification period additional months, provided that it does not exceed 12 months (or 24 months if applicable) from the start date of their certification. Households assigned 24 month certification periods must be contacted by the ITO/SA at least once every 12 months to determine if the household wishes to continue to participate in the program and whether there are any changes in household circumstances that would warrant a redetermination of eligibility or a change in benefit level. This contact cannot be done via an authorized representative, the ITO/SA must contact a household member. The ITO/SA may use any method it chooses for this contact with household members, including a telephone call.

- **Distribution models that accommodate social distancing:** FDPIR distribution procedures can be adjusted to limit contact between those involved. For example, participants can communicate their food orders via phone, email, fax, or text; and deliveries can be made through home delivery or another arrangement at the food distribution facility. Pick-up of FDPIR food packages can be done by appointment, with food packages placed for pick-up at a distance. An ITO/State agency can also implement a drive-through model in which food packages are placed directly into participants’
vehicles. ITOs/SAs may also explore adding or changing tailgate locations to better serve the community. Implementing this last flexibility can be achieved by the ITO/SA simply submitting a written explanation via email (i.e., amendment to their FDPIR Plan of Operation) to the USDA FNS Regional Office for expedited review and approval.

- **Signature Requirements:** An ITO/SA can explore electronic signatures (e.g., email or text) in lieu of written signatures to indicate receipt of benefits, as long as the electronic signature can be saved to the casefile. At the request of the participant, it would also be acceptable for FDPIR merit employees, to sign on behalf of the participant at the time of benefit issuance.

Under the National Emergency declared by the President on March 13, 2020, FNS may approve ITO/SA requests for USDA’s Disaster Household Distribution (DHD) program for targeted areas to meet specific needs when traditional channels of food are unavailable and not being replenished on a regular basis. DHD provides boxes of foods to households using existing inventories of USDA-purchased foods. Existing FDPIR inventories should be utilized to operate a disaster household distribution including orders that have already been placed and are scheduled for delivery. Replacement foods will not be available until the next quarter at the earliest. A plan outlining the scope of the distribution must be submitted and approved by FNS in advance. The plan must describe the scope of the program and be targeted to high need areas. ITOs/SAs that have a high-need area with disrupted access to food located on or near their reservation should contact their USDA FNS Regional Office to receive information about how to apply for DHD. Please note that ITOs/State agencies are still expected to continue operating FDPIR.