

**Tribal Leaders Consultation Work Group (TLCWG)  
Food Distribution Program on Indian Reservations (FDPIR)  
February 22, 2023  
In-Person and Virtual Meeting**

**I. Opening Prayer**

**II. Welcome and Opening Remarks**

- *Lt. Governor Wayne Martinez*, Acting Chair, Tribal Leaders Consultation Work Group, Pueblo de San Ildefonso
- *Deputy Under Secretary Stacy Dean*, USDA Food, Nutrition, and Consumer Services
- *Cindy Long*, Administrator, USDA Food and Nutrition Service
- *Heather Dawn Thompson*, Director, USDA Office of Tribal Relations

**III. Introductions—Welcome and Recognize Tribal Leaders and USDA Leadership**

- Lt. Governor Martinez
- Deputy Under Secretary Dean
- Administrator Long

**IV. Previous Business and Agenda-Setting**

- Acceptance of December 6, 2022, Meeting Minutes without exception
- Approval of Agenda

**Summary of Topics Discussed**

**V. TLCWG History and Update, *Perry Martinez*, Former Governor, Eight Northern Indian Pueblos Council**

- Former Governor Martinez shared the history of NAFDPIR and the FDPIR Tribal Leader’s Consultation Work Group and emphasized the importance of collaboration between USDA-FNS and Tribal leaders to further the goal of addressing food insecurity.

**VI. 638 Self-Determination Contracting**

- Update on new round of applications
  - FNS shared background on the FDPIR Self-Determination Demonstration project and shared that a “Round 2” Federal Register notice was published in October 2022 to solicit additional Tribal Organization participation in the project. The application period for Round 2 funding was open for a substantially longer period of time than Round 1 and closed on January 31, 2023. FNS shared that they expect to fully utilize available funds for the demonstration project (\$6M) on proposals received in response to the Round 2 notice. FNS also shared next steps associated with reviewing and awarding the proposals.
  - Tribal leaders inquired about the timeline for the selection of new participants. FNS staff stated that they expect to award contracts in late spring or early summer.

- One Tribal leader shared that some Tribal vendors are unable to participate in the demonstration project because they do not meet the “commercially available” requirement as outlined in the Federal Register notice; and another Tribal leader shared that their Tribe is unable to participate in the project because they do not operate FDPIR directly. USDA encouraged both ITOs to explore whether the Local Foods Purchase Assistance (LFPA) cooperative agreement program would be able to fit their needs.
- Tribal leaders commented on increasing funding and authority for the project and inquired about whether FNS will continue to rely on BIA to award the self-determination contracts. USDA expressed a commitment to establishing a process that best serves Tribal Organizations. Tribal leaders expressed that USDA should create its own self-determination contracting office.
- USDA (Director Thompson) encouraged Tribal leaders to reach out to their legislators regarding the demonstration project and any changes they would like to see to the project in the upcoming Farm Bill. USDA also suggested that it may be helpful for NAFDPIR and or other groups to establish a small working group with the Tribal Organizations currently participating in the demonstration project, to identify areas of improvement.
- There was additional discussion about the merits of self-determination contracting when compared to other funding mechanisms, and about future expansion of the project to incorporate non-procurement activities. Tribal leaders also shared their specific experiences with self-determination contracting.
- Update on current contracts
  - FNS provided an update on the first round of projects which continue to distribute planned foods to participants. FNS intends to visit some of the projects in the upcoming year.

## **VII. Proposed Rulemaking on FDPIR**

- FNS invited feedback from Tribal leaders about an upcoming proposed rule, *Food Distribution Programs: Improving Parity and Access*, which will touch on several USDA Foods programs, including FDPIR.
- Tribal leaders provided the following feedback and comments about the upcoming rulemaking:
  - Tribal leaders expressed concern about the impact that SNAP emergency allotments had on participation in FDPIR during the COVID-19 pandemic and suggested that FNS reconsider parity between SNAP and FDPIR to prevent future drops in FDPIR participation.
  - Tribal leaders mentioned that recent changes in Supplemental Security Income (SSI) benefit levels have resulted in some participants no longer being eligible for FDPIR.

## **VIII. Indigenous Representation in FNS Positions**

- Tribal leaders inquired about the progress FNS has made in hiring Tribal citizens or people with experience working in Indian country to open positions. They also inquired about how the open positions were advertised. FNS stated that it is not able to require Tribal enrollment in hiring, but that FNS has seen an increase in Native persons applying to open Tribal-facing positions as a result of revised hiring practices. The revised hiring practices incorporated outreach to Tribes and Tribal organizations; and FNS believes that the new approach resulted in a diverse applicant pool. FNS plans to continue implementing the revised hiring practices moving forward.
- FNS announced that all Tribal liaison staff positions are now filled and introduced the new staff members during the meeting.
- Tribal leaders expressed the importance of FNS employees visiting FDPIR locations and gaining familiarity with Indian Country. FNS acknowledged the importance of such travel and stated that they are prioritizing staff travel to Tribal areas for training purposes whenever possible. Tribal leaders also encouraged Department of Defense, Defense Logistics Agency (DLA) staff to visit Indian country in light of ongoing issues identified with the USDA-DoD Fresh program. Tribal leaders invited DLA to attend the Food Package Review Workgroup site visit, which is planned to take place in Arizona in March.
- Tribal leaders also emphasized the importance of cultural competency trainings for both FNS and DLA staff. FNS welcomed input from Tribal leaders regarding specific trainings and training organizations. Tribal leaders encouraged FNS to look to existing models to implement and stated that they would follow up with additional ideas.

## **IX. Food Package Updates**

- Food package review updates: progress in improving dialogue, traditional foods additions
  - FNS provided an update on the five new foods that the FDPIR Food Package Review Workgroup voted to add to the food package:
    - Bison stew meat – a two-pound pack of stew meat, credited as one unit, will soon enter a pre-solicitation period.
    - Frozen strawberries – USDA will move forward with a pre-solicitation for the product in March, with expected deliveries to the national warehouses to begin sometime between July and September.
    - Frozen stir fry mix - the Workgroup will decide in their March meeting which vegetables to include in the mix.
    - Low-sodium turkey deli meat – the product will be offered for sampling at the Workgroup meeting in March.
    - Olive oil – the product is in the market research stage.
  - FNS continues to explore ways in which the FDPIR guide rate can be increased to increase parity with the Thrifty Food Plan market basket.
- Fresh produce: food quality issues and complaint mechanism problems – joint discussion with FNS and Defense Logistics Agency representatives

- DLA, Tribal leaders, and FNS met on February 21, 2023, to discuss ongoing produce and delivery problems. FNS provided a summary of feedback received during the meeting, noting that Tribal leaders expressed concerns about produce quality, the complaints process, timeliness of deliveries, availability of product, and communications. FNS restated its commitment to remedying these issues and listed several action items discussed during the meeting that will soon be implemented. These include holding additional stakeholder meetings, updating the memorandum of understanding between DLA and FNS, implementing a produce inspection pilot with USDA's Agriculture Marketing Service (AMS), and compiling educational resources for various USDA-DoD Fresh stakeholders.
- Tribal leaders stated there were limitations on who could attend the meeting with FNS and DLA and requested inclusivity in any future meetings. FNS committed to ensuring that happens moving forward.
- Tribal leaders expressed continued concern with the USDA-DoD Fresh Program. DLA responded by saying that it has 60 vendors, 40 of which are specific to FDPIR, and they hear concerns raised by Tribal leaders. They plan to address the issues by analyzing problems by region to identify problematic vendors. DLA advised that vendors have a "score card" which reflects their performance as a vendor. If a vendor is underperforming, the score card will reflect that. DLA also explained that they plan to send field representatives to more FDPIR locations after rolling back such visits during the pandemic. The visits will be useful in better understanding the issues mentioned in the meeting.
- Tribal leaders inquired more about DLA's complaint process and vendor management practices, asking what remedies are taken when a vendor underperforms. DLA responded that underperforming vendors will be put on a corrective action plan. DLA also employs a contract performance rating system, and complaints received affect contractors' ratings. Tribal leaders requested a timeline from DLA for corrective actions; DLA responded that it is not a linear problem with a finite timeline but is committed to resolving the concerns. DLA also stated that certain areas are very rural and have very few vendors to choose from. In response, Tribal leaders suggested identifying local and regional Tribal producers to use as vendors.
- Tribal leaders also commented about the availability of certain fresh items, like peaches and nectarines, which are only available for a few months even though they are considered high-demand items by participants. They also expressed a desire to include non-domestic items (e.g., jalapenos and avocados) in the food package.

## **X. Indian Tribal Organization Coordination with State Agencies on SNAP**

- Implementation of SNAP call centers; education on FDPIR for States where FDPIR is offered.
  - Tribal leaders expressed frustration about SNAP call center wait times and being routed to the wrong agency through the call center when attempting to do dual participation checks. Tribal leaders requested a timeline for implementation of improvements to the call centers. They also commented that FNS should implement mandatory training for call center staff on dual participation requirements and include the FNS Tribal liaisons in the process. They requested generally that FNS consider how to reduce the administrative burden of dual participation checks on FDPIR agencies.
  - FNS responded that responsibility for the dual participation check is supposed to be shared by the FDPIR and SNAP agency. They also reported that after the last consultation in which the same issue was brought up, FNS had the regional Tribal affairs specialists look into the issue. The Tribal affairs specialists did find that the responsibility was not being shared in some cases. They also noted that in other cases, the dual participation check responsibility is equally shared and established processes are working as intended.
  - FNS is revisiting previously issued guidance for SNAP State agencies regarding dual participation checks and the requirement to cooperate with FDPIR agencies so that the burden does not fall on FDPIR only. FNS agreed to follow up with a timeline for revised guidance. FNS is also exploring how to incorporate oversight of dual participation requirements into the management evaluation process to ensure SNAP State agency compliance.
  - Tribal leaders also shared they want to maintain their sovereignty by not ceding it to States through information sharing processes. FNS responded that data sharing agreements are governed by State laws and not Federal laws, so FNS' ability to influence the agreements is minimal. FNS will do its best to encourage States to set up data sharing agreements in a way that does not impinge on Tribal sovereignty. FNS is also aware that there are some instances in which FDPIR and SNAP programs have been able to reach an agreement about information sharing.

## **XI. SNAP-Ed Consultation**

- Update on webinar training and feedback from Tribal leaders
  - FNS recapped efforts to increase awareness of and compliance with SNAP-Ed consultation requirements by SNAP State agencies. These efforts include publication of two memos and facilitation of several webinars on topic. FNS is also planning to implement several Communities of Practice on the topic in 2023 to provide further

technical assistance and they provided an update on registration for those Communities of Practice in the meeting.

- FNS also commented on efforts to promote SNAP State plans that include robust collaboration with Tribal communities, to provide examples to other States who may be lacking in that area. FNS stated that staff will continue to gather information and feedback from Tribal partners on how consultations can be further improved.
- Tribal leaders requested that Tribal partners be invited and involved with ongoing technical assistance efforts, and FNS assured them that Tribal stakeholders will be invited to planned webinars, consultations, and technical assistance meetings as appropriate.

## **XII. Nutrition Education Funding for FDPIR**

- FNS provided an update on nutrition education funding for FDPIR, stating that over \$2.3M in funding has been released to over 75 Tribal organizations to date through a noncompetitive process. FNS has issued five rounds of funding and will issue additional rounds of funding as needed or until available funding is exhausted. Tribal leaders expressed their appreciation for the progress made to date on issuing funds.
- FNS is looking forward to seeing the impacts of the funding, and that is undertaking various actions to promote use of the funds. Actions include the launch of an online ordering portal for FDPIR nutrition education resources. FNS reminded Tribal leaders that the funding is not limited to FDPIR participants, but also to FDPIR-eligible populations.
- In response to a question by Tribal leaders, FNS confirmed that gardening is an allowable cost of the funding.
- FNS also provided an update on the FDPE grant and announced that they will not run the competitive program this year. Instead, FDPNE funding will be utilized for other and ongoing nutrition education activities.
- Tribal leaders expressed the importance of nutrition education but also the need for food quality to match the quality of nutrition education.

## **XIII. IFMS and Alternative Computer Systems**

- Tribal leaders provided feedback on the Integrated Food Management System (IFMS). One Tribal leader shared their experience participating in a tailgate pilot for IFMS and stated they experienced issues with internet access and participation numbers not reflecting accurately. Additionally, each time the system timed out, the ITO had to call FNS to restart it and downloaded information sometimes did not reappear upon restart. There was also concern expressed about system issues preventing the ITO from submitting monthly and annual reports in a timely manner. Tribal leaders emphasized that such issues should be resolved prior to implementing the tailgate functionality with other Tribal organizations.
- FNS agreed to look into the issues identified and work with the specific pilot sites to address any issues prior to implementing the tailgate functionality more widely. FNS also assured Tribal leaders that issues related to the system will not be reflected in FNS management evaluations as findings. FNS also explained that

there are two ways in which they test IFMS functionality: script testing and ad-hoc testing. FNS continues to utilize both methods to refine the system.

- FNS provided an update on the recent launch of the Certification Module, stating that it was recently released to about 93 ITOs who now have the choice to use the feature. Tribal leaders provided feedback on the module, explaining an issue experienced with the date field and difficulty experienced with the approver function. FNS shared that there is flexibility in the workflow of who can be an approver.
- Tribal leaders shared information about cyber security and expressed their appreciation for the fact that IFMS uses a closed system. Tribal leaders asked who has access to the data from all the programs and how it is being used. FNS explained the different custodians of IFMS data and that permissions are based on role. FNS also commented generally about program data for FNS programs, noting that program statute often dictates how data can be shared.
- Tribal leaders requested extending the timeline for retiring AIS and that FNS create an easier pathway for Tribes to move to Sygnal, noting that the in-kind match for administrative funds to license Sygnal is often a barrier for Tribes. FNS shared that a previously created checklist for Tribal organizations is intended to serve as a resource and facilitate the transition to an alternate system.
- In response to requests from Tribal leaders, FNS also provided additional guidance on the procurement process associated with licensing Sygnal, stating that sole source procurement may be used to purchase Sygnal licenses noncompetitively as outlined in 7 CFR 277.14.
- One Tribal leader inquired about an issue in which a Tribal organization with abundant inventory and declining participation had to justify the circumstances to the Regional Office during a management evaluation and associated with a food loss claim. FNS committed to investigating the issue (note: since the February 22 consultation FNS has worked to resolve this issue, working with the Tribal leader to implement a plan to forgive the food loss claim following onsite technical assistance and monitoring of inventories.)

#### **XIV. Scheduling Future Consultations**

- June 2023 at Tribal Self-Governance Conference in Tulsa, Oklahoma
- December 2023 at Intertribal Agriculture Council annual conference

## List of Attendees

### USDA and Tribal Consulting Officials

Name	Title	Tribe/USDA
Lt. Governor Wayne Martinez	Acting Chair Tribal Leaders Consultation Work Group	Pueblo de San Ildefonso
Cindy Long	Administrator	USDA, FNS

### Tribal Leaders, Representatives, and Other Attendees

February 23, 2023—Zoom Registration List. Note: Registration was done via a virtual service which captures the identifying information below.

### Registrants (as entered)

First Name	Last Name	Tribal Leader	Tribe/Organization	Attendance
Aaron	Shroulote	Not indicated	Pueblo of Acoma Tribal Interpreter	In person
Abi	Fergus	No	WTCAC	Virtual
Alex	Bush	No	FNS	Virtual
Alison	Hard	No	FNS	In person
Amelia	Arkansas	No	EBCI	In person
Andrey	Khalkachan	No	Alaska Sustainable Community Kitchen	Virtual
Aneva	Hagberg	Yes	EBCI	In person
Angela	Kline	No	FNS	Virtual
Anna	Sterner	No	Muscogee (Creek) Nation	Virtual
Audrey	Estes	No	Lower Brule Sioux Tribe	Virtual
Aurora	Calvillo Buffington	No	FNS	Virtual
Beatrice	Panteah	No	Zuni Tribe - Food Distribution Program	Virtual
Becky	Chandler	No	The Chickasaw Nation	In person
Beverly	Waln	No	Rosebud Sioux Tribe WIC Program	Virtual
Blake	Garrison	Not indicated	Prairie Band Potawatomi	In person
Bonnie	Brathwaite	No	FNS	Virtual
Brandon	Wisneski	No	Oneida Nation	Virtual
Brian	Howard	No	USET Sovereignty Protection Fund	Virtual
Charles	Tobin	No	N/A	Virtual
Cheyenne	Robinson	Not indicated	Omaha Tribe of Nebraska	In person



Christina	Riley	No	FNS	Virtual
Christopher	Ludwig	No	DLA TS	In person
Claire	Brown	No	N/A	Virtual
Clinton	Knife	No	Cheyenne River Sioux Tribe Food Distribution Program	Virtual
Coach		Not indicated	World Famous Skidrow Community Clean Up	Virtual
Connie	Martinez	Not indicated	Pueblo of Acoma Food Distribution Director	In person
Dana	Platin	No	FNS	Virtual
Dana	Rasmussen	No	FNS	Virtual
Daniel	Guzman	Yes	Oneida Nation	Virtual
Danielle	Lyons	No	FNS	Virtual
Dave	Tuckwiller	No	AMS	In person
Deb	DuMontier	No	USDA	Virtual
Diane	Kriviski	No	FNS	Virtual
Elizabeth	Lober	No	AMS	In person
Erica	Antonson	No	FNS	Virtual
Erica	Walther	No	USDA	Virtual
Erin	Dahlin	No	FNS	Virtual
Ethan	Green	Not indicated	Cherokee Nation	In person
Frankie	Hill	No	FNS	In person
Fred	Goodwin	No	Sygnal Partners	Virtual
Gene	Malveaux	No	FNS	Virtual
Gloribelisse	Vega Pagan	Yes	Glori	Virtual
Gordon	Sam	No	MBCI Choctaw Food Distribution	Virtual
Gwen	Holcomb	No	N/A	Virtual
Hedayatullah	Habibi	No		Virtual
Heriberto	Martinez	Yes	FNS	In person
Hunjin	Lee	No	FNS	Virtual
Jaime	Prouty	No	Comanche Nation	In person
James	Hellings	No	DLA TS	In person
James	Phoenix	Yes	Pyramid Lake Paiute Tribe	Virtual
Jamie	Friedel	No	Little River Band of Ottawa Indians	Virtual
Janell	Conway	No	USDA	Virtual
Janelle	Winter	No	FNS	Virtual
Jasmin	Pacheco	Yes		Virtual
Jeff	Harris	No	USDA-OTR	In person

Jermaine	Porter	No	American	Virtual
Joe	Bunch	Yes	United Keetoowah Band of Cherokee	In person
John	VanPool	No	IFAI	In person
John	Enggren	No	FNS	In person
John	Sheehan	No	DLA Troop Support	Virtual
Joseph	Geary	No	FNS	In person
Joseph	Adams	No	Sygnal Partners	Virtual
Josh	Protas	No	MAZON	In person
Juan Pablo	Diaz	Yes	Unknown	Virtual
Julie	Griffith	No	USDA	Virtual
Kathleen	Staley	No	FNS	Virtual
Kathy	Young	No	FNS	In person
Kathy	Sweitzer	No	FNS	Virtual
Katie	Treen	No	FNS	Virtual
Kavitha	Sankavaram	No	FNS	Virtual
Kelli	Case	No	IFAI	In person
Kelly	Stewart	No	n/a	Virtual
Kiley	Larson	No	FNS	In person
Kristin	Garcia	No	FNS	In person
Laura	Castro	No	FNS	Virtual
Lauren	King-Dillon	No	FNS	Virtual
Lea	Zeise	No	United South and Eastern Tribes	Virtual
Leslie	L	No	FNS	Virtual
Lilly	Bouie	No	FNS	Virtual
Lisa	O'Brien	No	MAZON	Virtual
Liz	Zendejas	Yes	FBICC	Virtual
Lucille	Contreras	Yes	Texas Tribal Buffalo Project	Virtual
Mario	Ramos	No	FNS	Virtual
Marisa	Fuller	No	Omaha Tribe of Nebraska	In person
Marisa	Cheung	No	FNS	Virtual
Mark	Woommavovah	Yes	Chairman, Comanche Nation	In person
Mary	Greene Trottier	No	Spirit Lake Tribe	In person
Mary	Wahpat	No	Yakama Nation	Virtual
Mary Rose	Conroy	No	FNS	Virtual
Max	Young	No	FNS	Virtual
Melissa	Nuthals	No	Oneida Nation	Virtual
Mia	Hubbard	No	MAZON	Virtual
Michael	Ladd	No	FNS	In person
Michael	Szklarski	No	DLA TS	In person

Monika	Ladke	No	FNS	In person
Mr. Boyd Alto	Way Jr	Yes	Bury Me at Wounded Knee	Virtual
Mykisha	Clark	Yes	Betterment	Virtual
Nasiru	T	No	N/A	Virtual
Natalie	Christopherson	No	FNS	In person
Nicole	Benally	No	University of Montana	Virtual
Perry	Martinez	No	Eight Northern	In person
Rachael	Collins	No	Chickasaw Nation	In person
Rachel	Schoenian	No	FNS	Virtual
Rachel	Yandell	No	Choctaw Nation of Oklahoma	Virtual
Rex	Hailey	Not indicated	Seminole Nation	In person
Rhodesia	Bell	No	Quechan Food Distribution	Virtual
Robbin	Durie	No	DLA	Virtual
Ronnie	Willis	No	Cherokee	Virtual
Roxanna	Newsom	Yes	Chickasaw Nation	In person
Royleen	Ross	No	Eight Northern	In person
Samantha	Prins	No	FNS	In person
Samia	Hamdan	No	FNS	Virtual
Sandra	Benton-Davis	No	FNS	Virtual
Sara	Olson	No	FNS	In person
Sarah	Kellogg	No	FNS	Virtual
Sarah	Sims	Yes	Delta Head Start	Virtual
Savina	Velasco	No	FNS	Virtual
Shalanda	Long	No	Frsp	Virtual
Shenique	Bridges	No	FNS	In person
Silvia	Morales	No		Virtual
Staysha	Caffery	No		Virtual
Stefanie	Lynn	No	FNS	Virtual
Tamara	Vegas	No	N/A	Virtual
Tammy	Johnson	No	Chickasaw	Virtual
Tatanka	Petite	No	Winnebago Tribe of NE	Virtual
Teresa	Meehan	Not indicated	Pueblo of Acoma Food Distribution Executive Director	In person
Texas	Project	Yes	Texas Tribal Buffalo Project	Virtual
Tiffany	Postell	No		Virtual
Tim	English	No	FNS	Virtual
Tina	Hanes	No	FNS	Virtual
Traci	Mouw	No	FNS	Virtual

Virginia	Chavez	Yes	Pueblo of Zuni	Virtual
Wendell	Chino	Yes	First Lt. Governor Pueblo of Acoma	In person
William	Kearney	No	FNS	In person
William	Reynolds	Yes	St. Croix Chippewa of Wisconsin	Virtual