

Tribal Leaders Consultation Work Group (TLCWG) Food Distribution Program on Indian Reservations (FDPIR)

December 11, 2023

In-Person and Virtual Meeting

I. Opening Prayer

II. Welcome and Opening Remarks

- *Chairman Mark Woommavovah*, Chair, Tribal Leaders Consultation Work Group, Comanche Nation
- *Stacy Dean*, Deputy Under Secretary, USDA Food, Nutrition & Consumer Services

III. Introductions

- Chairman Woommavovah
- Deputy Under Secretary Dean

IV. Previous Business & Agenda-setting

- Acceptance of June 20, 2023, Meeting Minutes without exception
- Approval of Agenda

Summary of Agenda Topics Discussed

V. FDPIR Participant and Program Operations (FDPIR PCPO) Study (includes Self-Determination Demonstration Evaluation)

- a. Tribal Outreach Plan
 - i. FNS staff provided study updates and introduced Kaufman and Associates, Inc. (KAI), a Native American owned small business, who will be assisting FNS in conducting the FDPIR PCPO study and Self-Determination Demonstration evaluation. KAI uses an indigenous evaluation framework rooted in indigenous values, knowledge, and histories. A Tribal working group (TWG) will be organized for this study.
- b. Tribal Working Group Membership
 - i. KAI staff explained further about the study, site visits, speaking with Tribal leadership, participants, and eligible participants. The technical working group will be comprised of approximately nine members, involved in informing the study plan, outreach approach, understanding data collection, and data interpretation. The TWG may include tribal leaders, representatives, FDPIR staff, or State Agency staff. KAI provided more information for those interested in joining the TWG.
 - ii. Tribal leaders expressed concern about the additional burden that studies place on Tribes. KAI described various methods, including in-person and

virtual, it will use to collect data to lessen the burden on FDPIR operators, as well as speaking with a variety of people including participants, FDPIR operators, and Tribal leaders in ways that build capacity with the respective Tribal communities.

VI. FDPIR Program Access Survey (FDPIR QRS)

- a. Update on final report
 - i. FNS shared an update on the QRS (Quick Response Survey) study targeted at FDPIR homebound and elderly populations. Ken Consulting, the lead contractor of the study, conducted a pre-test of six FDPIR administering agencies and incorporated feedback. FNS provided outreach materials and webinars. The final survey was sent to all FDPIR administering agencies in May 2023 and closed in June 2023. The data analysis was recently completed.
 - ii. FNS provided a summary of key findings including: challenges in outreach due to SNAP cancellation, lack of transportation to FDPIR sites, limited FDPIR staff and resources, and operational constraints such as road conditions and availability of delivery vehicles. FDPIR administering agencies recommended increasing the variety in the food package, including more traditional foods, support for home delivery resources, modifying regulations to reach more people, and simplifying the certification process.
 - iii. The report of findings will be submitted to Congress at the beginning of 2024, and FNS will also share the findings with the FDPIR administering agencies.

VII. Cultural Competency Training Update

- a. Continued FNS Efforts
 - i. FNS shared that Tribal Tech, an Indigenous woman-owned business, has been contracted to provide cultural competency training, the plan for which will be sent to the board soon for feedback. FNS described the series of trainings which will be partially virtual and partially in person. Some of the trainings will be mandatory for all FNS staff, while other more robust and tailored trainings will be required for FNS staff that regularly engage with Tribes and staff that work on program design and management. DoD and DLA will be invited to participate in the trainings.
 - ii. Tribal leaders expressed the importance of ensuring the training reaches those who engage with Tribes and make sure that Tribal leaders can give feedback on the training.
 - iii. Tribal leaders also inquired whether State SNAP programs may participate in the training. FNS cannot mandate this training for State SNAP agencies but can offer and encourage State SNAP programs to participate. FNS suggested offering this as an agenda item at the SNAP August conference.

- iv. FNS shared the training plan with NAFDPIR Board members for feedback on December 19th and discussed further in a NAFDPIR Board quarterly meeting on January 9th. All feedback has been incorporated.

VIII. 638 Self-Determination Contracting

- a. Updates from FNS
 - i. Round One projects included eight Tribes, and Round Two included another eight Tribes. Round One Tribes' contract year ends in September 2024. FNS intends to use any available funds to do contract extensions for Round One Tribes if interested. For Round Two Tribes, FNS plans to do a similar analysis in 2025 for funding modifications.
 - ii. There is currently a balance of \$1.3M. FNS awaits the full year appropriations, and the President's Budget requested \$5M. FNS' goal is to keep the current projects operating without a break in distribution.
 - iii. FNS meets quarterly with the two different groups to check-in and discuss any modifications or questions.
 - iv. Tribal leaders encouraged FNS to demonstrate to Congress the success of the self-determination projects. Tribal leaders asked what administrative changes would be made if Congress made 638 contracts permanent in the next Farm Bill to better support Tribal-FNS partnership. FNS provided that the process would be opened to all Tribes and would not be competitive. FNS encouraged Tribal leaders to join FNS to do a Congressional briefing on the success of the self-determination projects.
 - v. Tribal leaders expressed concern about programs that are not permanent, like the self-determination projects, and the vulnerability this places on participants and vendors if at the end of the contract cycle, the projects ends and no further funding is acquired. FNS stated that this project is a priority and will use all available funding to offer operational predictability under a contract period.

IX. USDA DoD Fresh

- a. Summary of activities from June 2023 to December 2023
 - i. FNS continues to facilitate regularly scheduled collaborative meetings with DLA and FDPIR stakeholders to listen and discuss concerns and determine remedies. The work group meetings are open to everyone and are held quarterly.
 - ii. FNS shared fill rate data with ITOs and welcomes input about this data. FNS is looking at incorporating unique and specific performance measures and provisions for tribal recipient locations in new contracts with vendors. FNS and DLA are actively monitoring contractors' performance to ensure vendors provide produce, in accordance with the standards set forth in the contract



and take action to cure instances of poor performance. FNS has revised the interagency agreement (IAA) with DLA. Many of the revisions focus on ensuring ITO concerns and needs are addressed timely and properly accounted for in future vendor contracts. The IAA further defines DLA and FNS responsibilities to be more responsive to Tribal needs. DLA described how fill rates may meet goals in the aggregate across all their customers, but not for individual Tribal organizations. To better understand Tribal needs, DLA's contracts will use fill rate metrics specific to ITOs.

- iii. Updates to DLA contracts will take 2-3 years to implement, as the renewals come forward. Tribal leaders asked to review and comment on the contracts and DLA requested FNS facilitate that.
- b. Continued discussion on fresh produce
 - i. DLA visited all 19 vendors that support ITOs.
 - ii. Tribal leaders asked what legal authority AMS has if AMS inspects produce and finds quality issues. FNS implemented an interagency agreement with the Specialty Crop Inspection Division of AMS to inspect produce at vendor's location prior to delivery to recipients. If SCI inspector found an item did not meet U.S.No.1 the vendor was able to replace the product with product that met the quality requirements. AMS shared inspection results with FNS and DLA so DLA could address performance issues with vendors.
 - iii. Tribal leaders asked about availability of seasonal items and whether the changes to the vendor must go through the food package work group. FNS has been working with DLA to identify potential changes to fruit and vegetable list. Tribal leaders indicated that spoilage has been found in the center of packaging and they're not able to reject the delivery.
 - iv. Concern was also expressed about vendors ability to be able to meet 24-hour replacement delivery for some large or remote Tribes. FNS provided that a produce training course modeled after USDA's Produce Safety University will be rolled out for ITOs to train FDPIR staff in produce safety, assessing produce quality, and condition and receiving practices. Tribal leaders also expressed concern that their monthly FNS-152 report for food loss looks negative upon the ITO for rejecting spoiled or bad product. FNS will follow up on this with the specific ITO. FNS, with DLA staff, will also follow-up with Navajo Nation who expressed interest in having DLA staff visit their FDPIR operations which crosses three states: Arizona, New Mexico, and Utah.

X. Improving Access and Parity Proposed Rule

- a. FNS provided an overview of the changes proposed in the rule, many based upon past feedback from consultations. FNS received around 150 comments and is currently analyzing them for the final rule, which will be published in September 2024. FNS will provide technical assistance as the rule is rolled out.



- b. FNS suggested that at the next consultation, final rule implementation should be an agenda item to ensure Tribal feedback throughout the implementation process.

XI. State SNAP-Ed Consultations

- a. Impact on FNS guidance on the most recent round of State Plans and Consultations
 - i. FNS provided updates on the implementation of the National Program Evaluation and Reporting System modules to facilitate gathering information. Tribal leaders report a lack of State outreach and absence of consultation.
- b. FNS report of State consultation efforts documented in State SNAP-Ed Plans
 - i. FNS reported the first round of Tribal consultation data under SNAP's National Program Evaluation and Reporting System (N-PEARS) is currently under review, with expected analysis completion by end of March 2024. This analysis will then be used in the regions to ensure that Tribal consultation requirements are met. Tribal leaders requested to see this data once it is reported after analysis.
 - ii. FNS also reported that the SNAP-Ed Management Evaluation Guide was updated to include a review of the Tribal consultation process for States. Management Evaluations (ME) are periodic compliance assessments of State agency or local program operations and administration. The updated SNAP-Ed ME Guide now includes new interview questions to determine how States are reporting they meet federal Tribal consultation requirements for SNAP-Ed. This fiscal year, regions will pilot its use in States that have federally recognized Tribes and require a SNAP-Ed management evaluation. FNS will continue to gather feedback to inform future SNAP-Ed ME guide updates to ensure Consultation obligations are understood and met.
 - iii. Tribal leaders suggested Tribal consultation on SNAP-Ed early in the spring so that ITOs have time to learn of any changes and implement them. Some Tribal leaders meet regionally each month for a Board of Directors meeting and invited FNS to join those meetings.
 - iv. FNS suggested a session on Tribal consultation at the next SNAP-Ed Directors' Meeting and American Public Human Services Administration (APHSA) meeting.
 - v. Tribal leaders suggested the Indigenous Food and Agriculture Initiative (IFAI) from the University of Arkansas provide language for FNS to define what meaningful consultation looks like with the States and Tribes.
 - vi. FNS recommended inviting the SNAP agencies national representative organization, American Public Human Services Administration (APHSA) to the next Consultation in February 2024.



XII. Alternatives to Using State SNAP Call Centers to Check for Duplicate Participation

- a. FNS provided an update about the status of the issue of Tribes using the general call center phone line to check on duplicate participation.
 - i. FNS drafted a memo providing guidance on detecting and preventing dual participation. The memo outlines ways for communication between SNAP and FDPIR aside from call centers such as providing designated points of contact with direct phone numbers. It discusses the requirement to have a method of detecting dual participation. Regional offices will provide technical assistance to ITOs and State agencies in implementing this memo. The memo will be published in early calendar year 2024.
 - ii. Additionally, FNS will host a webinar and other relationship building opportunities to create connections amongst the programs.
- b. Tribal leaders suggested FNS provide training to State agencies about the work that ITOs do, the certification process, and movement between the two programs.
 - i. FNS will work with both SNAP and FDPIR to ensure that connections are being made. Tribal leaders expressed concern that some certifiers relay incorrect information and don't understand FDPIR well, and that the localized customer service has been taken away and replaced with the call centers.
- c. Additionally, mail delivery is difficult in some rural areas, and participants are not able to access SNAP benefits while waiting on their SNAP card to arrive in the mail, which sometimes takes months. FNS provided that there is a statutory requirement for how quickly a participant should be able to obtain access to their SNAP card.
- d. FNS committed to resolving the communication issues so that SNAP and FDPIR have each other's direct contact information and ensuring that FDPIR operators are treated like a partner State and do not have to go through a call center.
 - i. Tribal leaders stated that, particularly in North Dakota, some participants cannot wait for long periods of time while the FDPIR operator calls to certify and thus they do not get a FDPIR food package.
 - ii. FNS suggested discussing these topics with the SNAP Directors Meeting and APHSA. FNS staff will also follow-up with the SNAP North Dakota State agency regarding call centers and FDPIR.

XIII. Integrated Food Management System (IFMS) and Alternative Computer Systems

- a. FNS continues to support its legacy system, the Automated Inventory System (AIS), until all programs have successfully transitioned from the system. AIS will continue to be updated with food material codes and any food package updates.
- b. Currently, we believe that six ITOs and states agencies are using AIS, 97 are using IFMS, and 12 are using Signal. Three of the six on AIS are working to transition to Signal, and three are transitioning to IFMS.



- c. FNS provided updates on IFMS including: a redesign of testing business processes, independent testing by a contractor, release schedules on a monthly basis, using testing teams earlier in development process, updated signature pads including Topaz Signature pads, the guide rate, and hiring another help desk employee for added support. FNS continues to provide updates in monthly IFMS working group meetings.
- d. Tribal leaders encourage flexibility for software selection and asked about consistent access and implementation across all participants. FNS ensured that the messaging across all ITOs and regions is consistent and is committed to supporting the software options.
- e. Tribal leaders inquired about certain sites having little or no internet access or broadband issues for IFMS, internet capability is required. For sites that do not have internet: (1) use a laptop and a cellphone with a hotspot to get access, (2) use satellite capabilities, or (3) use the IFMS app to issue food and then bring the data back to IFMS websites to sync online.
- f. FNS confirmed that the purchase of software is an allowable administrative cost, and it would count towards the 20 percent match requirement if non-FDPIR funds were used for its purchase. FNS highlighted the match waiver option.
- g. Tribal leaders asked for the timeline for switching between technology systems, and FNS stated this must be addressed on a case-by-case basis to evaluate the availability of funding.
- h. Tribal leaders inquired whether IFMS will take food ordering. FNS responded that currently fresh produce is ordered through FFAVORS (Fresh Fruit and Vegetable Ordering and Reporting System) and shelf stable is through WBSCM (Web Based Supply Chain Management System). FNS leadership is looking to see whether that can be consolidated.

XIV. Other Business

- a. Veteran service-connected disability compensation
 - i. FNS provided that veterans service-connected disability compensation is currently counted as income in SNAP statute, but for FDPIR, it is not. If the compensation were to be excluded from income, FNS would need to undertake new rulemaking to implement the change.
 - ii. Tribal leaders also expressed concern that foster care payments are counted against income.
 - iii. FNS clarified that both foster care payments and veterans service-connected disability compensation payments are statutorily required in SNAP but could be changed for FDPIR in a new rulemaking.

XV. Scheduling Future Consultations

- a. February 2024—In conjunction with National Congress of American Indians (NCAI) Winter Session, hosted by USDA.

- i. In follow-up communication, Tribal leaders and FNS agreed to host the next Consultation on February 16, 2024.

XVI. Closing Comments

XVII. Follow-Up Items:

- a. FNS staff will share with the NAFDPIR Board members training documents produced by Tribal Tech for review and feedback. **[COMPLETED]**
- b. FNS will follow-up with Regional Office staff regarding FNS-152 reporting and how to properly record food loss when product is damaged due to no fault of the Tribe. **[IN PROGRESS]**
- c. DoD DLA staff will follow-up with Navajo Nation who expressed interest in having DLA staff visit their FDPIR operations. **[IN PROGRESS]**
- d. FNS will invite members of the American Public Human Services Administration (APHSA) to the next Tribal consultation meeting in February 2024. **[COMPLETED]**
- e. FNS staff will follow-up with the SNAP North Dakota State agency regarding call center efforts and FDPIR. **[COMPLETED]**

List of Attendees

USDA and Tribal Consulting Officials

Name	Title	Tribe/USDA
Mark Woommavovah	Chair	Comanche Nation
Stacy Dean	Deputy Under Secretary	USDA

Tribal Leaders, Representatives, and Other Attendees

December 11, 2023 – In Person and 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	Payment	No	Kauffman and Associates	Virtual
Amanda	Sheppard	No	USDA FNS	Virtual
Amanda	Gomes	No	USDA FNS	Virtual
Amber	Torres	No	Food Bank of Northern Nevada	Virtual
Amelia	Arkansas	No	Eastern Band of Cherokee Indians	Virtual

First Name	Last Name	Tribal Leader	Tribe/Organization	Attendance
Aneva	Hagberg	No	Eastern Band of Cherokee Indians	Virtual
Ashton	Tongco	No	USDA FNS	Virtual
Audrey	Estes	Yes	Lower Brule Sioux Tribe	Virtual
Aurora	Calvillo Buffington	No	USDA FNS	In-Person
Barbara	Lopez	No	USDA FNS	In-Person
Becky	Chandler	No	Chickasaw Nation	In-Person
Benita	Lewis	No	STOWW	Virtual
Bill	Jenkins	No	USDA FNS	Virtual
Blair	Tucker-Gruchala	No	USDA FNS	Virtual
Brittany	McGill	No	USDA FNS	Virtual
Calvin	Miller	No	The Klamath Tribes	Virtual
Carmen	Hui	No	USDA FNS	Virtual
Chad	Davis-Montgomery	No	USDA FNS	In-Person
Cheryl	Kennedy	No	USDA FNS	In-Person
Christina	Riley	No	USDA FNS	Virtual
Christine	Berberich	No	USDA FNS	Virtual
Christine	Ruggieri	No	USDA FNS	Virtual
Claire	Brown	No	USDA FNS	Virtual
Claudeen	Tallwood	No	Navajo Nation	In-Person
Clinton	Knife	No	Cheyenne River Sioux Tribe	Virtual
Connie	Thompson	Yes	Crow Creek	Virtual
Cora	Rosebear	No	Red Lake Band of Chippewa Indians	Virtual
Crysandra	Sones	No	Makah	Virtual
Cynthia	Begay	No	Kauffman and Associates	In-Person
Darrell	Allen	No	USDA FNS	In-Person
David	Gagliardi	No	USDA FNS	Virtual
Diana	Limbacher	No	USDA FNS	Virtual
Diane	Kriviski	No	USDA FNS	Virtual
Fred	Goodwin	No	Sygnal Partners	In-Person
Gary	Besaw	Yes	Menominee Indian Tribe of Wisconsin	Virtual
Gary	Shifton	No	DLA	In-Person

First Name	Last Name	Tribal Leader	Tribe/Organization	Attendance
Genaro	Cordova	No	DLA	In-Person
Greg	Breasher	No	NFNRA	In-Person
Gregory	Nothstine	No	Enrolled Tribal Member of Native Village of Wales / Employee of ANTHC	Virtual
Heather	Thorne	No	Nve	Virtual
Heriberto	Martinez	No	USDA FNS	In-Person
Isaac	Taylor	No	FDPIR Program management	Virtual
Jacob	Hoots	No	USDA FNS	Virtual
Jaime	Prouty	No	Comanche Nation	In-Person
Jaimie	Griffin	No	USDA FNS	Virtual
James	Cross	No	USDA FNS	In-Person
James	Hellings	No	DoD	Virtual
Jamie	Friedel	Yes	Little River Band of Ottawa Indians	In-Person
Jamie	Prouty	No	Comanche Nation	In-Person
Janell	Conway	No	USDA FNS	Virtual
Jenelle	Gimlin	No	NFNRA	In-Person
Jennifer	Nagy	N	I am a federal employee, interested in learning	Virtual
Jerome	Hamilton	Yes	Omaha	In-Person
Jesus	Mendoza, Jr.	No	USDA FNS	In-Person
Joe	Van Alstine	No	LTBB Odawa	In-Person
Joe	Geary	No	USDA FNS	Virtual
John	Van Pool	No	IFAI	In-Person
John	Enggren	No	USDA FNS	In-Person
John	Sheehan	No	DLA	Virtual
Joseph	Adams	No	Sygnal Partners	In-Person
Joseph	Damaso	No	IFAI	In-Person
Judy Goforth	Parker	Yes	Chickasaw Nation	In-Person
Julie	Yee	No	USDA FNS	In-Person
Julie	Taylor	No	Lac Courte Oreilles	Virtual
Katie	Treen	No	USDA FNS	Virtual
Kavitha	Sankavaram	No	USDA FNS	Virtual
Kelli	Case	No	IFAI	In-Person

First Name	Last Name	Tribal Leader	Tribe/Organization	Attendance
Kelly Nalani	Beym	No	Diné (Navajo Nation)	Virtual
Kiley	Larson	No	USDA FNS	In-Person
Kim	Hartzell	No	DLA	In-Person
Kristin	Garcia	No	USDA FNS	Virtual
Kyle	Rockbridge	No	Navajo Nation	In-Person
Kylee	Witcraft	No	The Klamath Tribes	Virtual
Laura	Castro	No	USDA FNS	Virtual
Laura	Griffin	No	USDA FNS	Virtual
Lauren	King-Dillon	No	USDA FNS	Virtual
Lisa	O'Brien	No	Mazon	In-Person
Lisa	Mays	No	USDA FNS	Virtual
Lizbeth	Silbermann	No	USDA FNS	Virtual
Lyle	Silversmith	No	Navajo Nation	In-Person
Mallory	Moore	No	IFAI	In-Person
Marisa	Fuller	No	Omaha	In-Person
Mark	Woommavovah	Yes	Comanche Nation	In-Person
Marvin	Weatherwax	Yes	Blackfeet	Virtual
Mary	Greene Trottier	No	Spirit Lake Tribe	In-Person
Melissa	Baker	No	USDA FNS	In-Person
Melissa	Kress	Yes	Choctaw Nation	Virtual
Melissa	Baker	No	USDA FNS	In-Person
Melissa	Abelev	No	USDA FNS	Virtual
Mia	Hubbard	No	Mazon	In-Person
Michael	Bia	No	Dine College	In-Person
Michael	Ladd	No	USDA FNS	Virtual
Michael	Szklarski	No	DLA	In-Person
Mitchel	Goodman	No	Tohono O'odham Nation	Virtual
Monica	Lopez	No	DLA	Virtual
Monika	Lacka	No	USDA FNS	In-Person
Monique	Feeny	No	USDA FNS	Virtual
Nancy	Ranieri	No	USDA FNS	In-Person
Natalie	Christopherson	No	USDA FNS	In-Person
Natasha	Seaforth	No	Jamestown S'Lallam Tribe, Squaxin Island Tribe, Choctaw Nation of Oklahoma	Virtual
Patti	Connolly	No	USDA FNS	Virtual

First Name	Last Name	Tribal Leader	Tribe/Organization	Attendance
Patty	Bennett	No	USDA FNS	Virtual
Paul	Scott	No	Advocate/Employee	Virtual
Polly	Fairfield	No	USDA FNS	Virtual
Rachael	Collins	No	Chickasaw Nation	In-Person
Rachel	Schoenian	No	USDA FNS	Virtual
Rachel	Collins	No	Chickasaw Nation	In-Person
Rena	Lohnes	Yes	Spirit Lake Tribe	In-Person
Rex	Hailey	No	Seminole Nation	In-Person
Robbin	Durie	No	DLA	Virtual
Ronald	Buckman	Yes	Tule River Tribe	In-Person
Roxanna	Newsom	No	NFNRA	In-Person
Roy	Baldrige	Yes	Shawnee Tribe	Virtual
Ruth	Reifel	No	Rosebud Sioux Tribe	Virtual
Ruth	Morgan	No	USDA FNS	Virtual
Sam	Spang	No	Sac and Fox Nation	Virtual
Samantha	Prins	No	USDA FNS	Virtual
Sarah	Kellogg	No	USDA FNS	Virtual
Shenique	Bridges	No	USDA FNS	Virtual
Sheryl	McKerchie	No	Sault Tribe of Chippewa Indians	Virtual
Sherylene	Yazzie	No	Navajo Nation	In-Person
Susie	Roy	No	Leech Lake Band of Ojibwe	Virtual
Sylvia	Muniz	No	DLA	In-Person
Terry	Gunnell	No	USDA FNS	In-Person
Tim	English	No	USDA FNS	Virtual
Traci	Mouw	No	USDA FNS	Virtual
Vince	James	Yes	Navajo Nation Council	Virtual
Vista	Fletcher	No	USDA FNS	In-Person
Vivian	Lian	No	Native Village of Eyak	Virtual
Willie	Taylor	No	USDA FNS	In-Person