



CONSULTATION REPORT-OUT

**USDA Food Distribution Program on Indian Reservations (FDPIR)
Tribal Leaders Consultation Work Group
Washington, DC
Capital Hilton
February 13, 2020
9:00 a.m. – 1:00 p.m.
California Room**

I. Introductions

- Opening Prayer
- Introduction of USDA Leadership and Tribal Leadership
- Opening Remarks

II. 638 Demonstration Project for FDPIR

- USDA provided an overview of the 638-provision included in the 2018 Farm Bill which establishes a demonstration project, subject to Congressional appropriations, to enter into Self-Determination Contracts (i.e., 638 Contracts) for a FDPIR Tribe(s) to purchase food directly for their Tribe. USDA was appropriated \$3 million for this demonstration project in FY 2020.
- On December 10, 2019, USDA released a Request for Information (RFI) to formally solicit comments on the process and criteria for FDPIR Tribes to participate in the demonstration project. The comment period closed on February 10, 2020.
- USDA provided a summary of the comments received, which included:
 - Selection process should be transparent.
 - Recommendation to use existing BIA regulations at 25 CFR 900 on contracts.
 - Requested limitation of adding any additional criteria.
 - Requested food selection not be made in advance or require for USDA vendors to be used.
 - Allow for diversity in selection: multiple ITOs, varying size and geographic location should be awarded.
 - Prioritize ITOs with 638 experience.
 - Prioritize ITOs who identify traditional foods or fresh produce as available for local sourcing.
- Tribal leaders shared additional comments on exercising Tribal sovereignty through 638 contracts and asked for the ability to apply existing Tribal rules for this project, such as permitting tribal food safety protocols to be followed.

III. Match Rule

- The 2018 Farm Bill provided new and revised provisions on the administrative match requirement in FDPIR. On September 3, 2019, FNS published a final rule with

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- request for comments to implement the match-related provisions. Tribal leaders requested FNS revise the substantial burden provision.
- Per the final rule, an ITO may qualify for a match waiver based on substantial burden by providing a signed letter from their Tribal Council describing why meeting the 20 percent matching requirement would impose a substantial burden, and why additional administrative funds are necessary for the effective operation of the program, along with supporting documentation, as needed.
 - Tribal leaders requested to allow for the heads of Tribal budget offices and/or Tribal departments of agriculture, health, food, or nutrition, for example, to be able to sign the waiver request that establishes a substantial burden instead of the Tribal Council.
 - FNS is currently considering this comment.

IV. Agricultural Marketing Service (AMS) Presentation & Updates

- AMS shared their market research process which involves FNS and AMS working together to identify new products to explore, based on feedback received from stakeholders like the FDPIR Food Package Review Work Group.
- AMS communicates with industry to identify parameters of retail-equivalent product, including ingredients, flavor profile, package type, package size, and other defining features. AMS will also gather information on vendor capacity, including variations in seasonal availability.
- AMS conducts market research by communicating with vendors directly, and also by communicating with relevant industry associations to gain a better understanding of standard commercial practices. When conducting market research on traditional foods, AMS/FNS will seek contact information of potential tribal suppliers from the FDPIR Food Package Review Work Group, and AMS will follow-up with tribal suppliers directly.
- Draft specification is issued to industry for a public comment period. AMS has further discussions with industry as needed to address input received during comment period. Draft specification is adjusted as needed, and final specification is issued.
- Vendors must go through an approval process to be a USDA supplier.
- AMS agreed to share resources available and provided the following post-meeting:
 - General overview of AMS Commodity Procurement:
<https://www.ams.usda.gov/selling-food>
 - Step by step process to become a registered vendor:
<https://www.ams.usda.gov/selling-food/becoming-approved>
 - Recorded webinar of certified vendor process:
https://www.youtube.com/watch?v=i_e36KkRDzo
 - Link to receive automatic alerts about upcoming solicitations and other announcements by signing up in AMS “GovDelivery” subscription system:
https://public.govdelivery.com/accounts/USDAAMS/subscriber/new?gps=USDAAMS_5

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V. USDA Department of Defense (DoD) Fresh Fruit & Vegetable Program

- USDA provided an update on the effort to standardize the Fresh Fruit and Vegetable Ordering and Receipt System's (FFAVORS) catalogs among all vendors. These catalogs, used by all FDPIR ITOs/SAs to order fresh produce, are reviewed every week for accuracy.
- Concerns and complaints continue to be actively monitored and bi-monthly meetings between FNS and DoD Defense Logistics Agency (DLA) continue to be scheduled.
- USDA stated it would conduct a webinar for FDPIR staff on February 27, 2020 entitled "What you should expect through the USDA DoD Fresh Fruit and Vegetable Program for FDPIR."

VI. SNAP-Ed

- Tribal leaders shared concerns with State SNAP agencies not reaching out and consulting with Tribes on nutrition education as required by SNAP-Ed federal regulation.
- FNS plans to strengthen language in future SNAP-Ed guidance regarding required consultation with Tribes.
- Tribal leaders requested a copy of the new revised SNAP-Ed guidance.
- Tribal leaders asked if SNAP-Ed funding can be distributed to Tribes under Public Law 638 and/or if a Tribal set-aside can be done for SNAP-Ed funding being allocated directly to Tribes. USDA shared this would require a statutory change.

VII. Integrated Food Management System (IFMS) Updates

- USDA provided an update on the new system under development, IFMS, which will replace the existing inventory system, the Automated Inventory System (AIS).
- Long range plans include combining functions of the food ordering systems FFAVORS and Web Based Supply Change Management (WBSCM).
- IFMS is scheduled to launch in May 2020 with rolling deployments continuing through March 2021.
- The IFMS Team continues to contact FDPIR Directors to discuss deployment planning activities to transition from AIS to IFMS. Included are discussions with FDPIR Directors confirming their survey results regarding internet connectivity (e.g., broadband issues).
- The IFMS Team also provides frequent web demonstrations of the new system to FDPIR Directors on the IFMS Committee. Web demos of the new system have been provided to the IFMS committee members (who are FDPIR employees) with positive feedback received.

VIII. Other Agenda Items Discussed

- **Food Package:** Tribal leaders and USDA discussed several food package items, including the pack size of frozen blueberries and peas, as well as a request to explore making frozen strawberries and pulled pork permanent items.

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- **Warehouse and Equipment:** Tribal leaders suggested a needs assessment be done on infrastructure and equipment needs, including more freezer space.
- **Nutrition Education Funding:** USDA clarified that FY 2019 carryover funds may be used for nutrition education.

IX. Identify next dates for convening the Tribal Leaders Consultation Working Group:

- USDA and Tribal leaders agreed to meet again during the FY 2020 Tribal Self-Determination Consultation Conference, April 29, 2020 in Burlingame, CA.
- USDA and Tribal leaders will work towards identifying a date to host a SNAP consultation.
- Both dates above have been postponed until further notice due to COVID-19 National Emergency Declaration.

X. Closing Prayer

XI. Adjourn

Next Steps: Requested Follow-Up Items

- **Tribal Leaders / NAFDPIR**
 - NA
- **USDA**
 - USDA agreed to provide a copy of the revised SNAP-Ed Guidance for FY 2021.

ENCLOSURES:

- **List of Attendees – Sign-In Sheets**

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February 2020 FDPIR Sign-In Sheet

Tribal Consulting Officials

Name	Tribal Affiliation
Ashlee Fox	Cherokee Nation
Avis Little Eagle	Standing Rock Sioux Tribe
Beatrice Panteah	Pueblo of Zuni
Becky Chandler	Chickasaw Nation
Charles "Red" Gates	Standing Rock Sioux Tribe
Connie Thompson	Crow Creek Sioux Tribe
Geraldine Farmer	Crow Creek Sioux Tribe
Jennifer McLeod	Sault Ste. Marie Tribe of Chippewa
Nola Taken Alive	Standing Rock Sioux Tribe
Patricia Runs	Fort Peck Tribes
Roxanna Newsom	Chickasaw Nation
Tralynna Scott	Cherokee Nation
Vanessa Vance	Wichita Tribes

USDA Consulting Officials

Name	Agency
Pam Miller	USDA - FNS
Diane Kriviski	USDA - FNS
Linda Cronin	USDA - OTR

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Other Attendees

Name	Tribal Affiliation
Chris Purdy	USDA - AMS
Colby Duren	Indigenous Food and Agriculture Initiative
Ebony James	USDA - FNS
Erin Parker	Indigenous Food and Agriculture Initiative
James Mountain	NAFDPIR
Jeffrey Harris	USDA - OTR
Kathleen Staley	USDA - FNS
Matthew Martin	USDA - FNS
Melissa Oakes	American Indian Community House NYC
Violet Rush	Hobbs Straus
Linda Munday	USDA – FNS
Barbara Lopez	USDA – FNS
Laura Castro	USDA - FNS