



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

DATE: August 12, 2024

SUBJECT: Availability of Funding to Alleviate Emergency Supply Chain Disruption in the Food Distribution Program on Indian Reservations (FDPIR)

TO: All FNS Regional Offices
All FDPIR Program Directors

This letter is to inform Indian Tribal Organizations (ITOs) and State agencies operating the Food Distribution Program on Indian Reservations (FDPIR) of the opportunity to receive funding, in the form of direct cash assistance, for the purchase of domestically grown and produced foods. These funds will enable ITOs and State agencies to alleviate supply chain challenges and national warehouse delays, which are impacting FDPIR inventory levels and more broadly, the availability of a sufficient variety and quantity of food resources for participants.

This use of funds is authorized under the Commodity Credit Corporation (CCC) Charter Act. In accordance with this CCC authority, the funds must be used to purchase agricultural commodities, which includes domestically grown and produced foods for distribution to FDPIR participants. Examples and additional information on the allowable uses is provided in Attachment A, Terms and Conditions. The food purchased with the CCC funding is in addition to the FDPIR food package items. FNS encourages ITOs/State agencies to consider the nutritional value and the diversity of inventory prior to purchasing foods with CCC funding.

Funding is being offered to every ITO and State agency operating FDPIR on the basis of that operation's highest fiscal year 2024 monthly participation at \$200 per participant. Attached to this letter is a table which shows the CCC funding offered (Attachment B). In addition to this base amount, remaining available funding will be provided at the request of those attesting that inventory levels are below one-half month for one or more food package categories.

To receive the CCC funds, ITOs and State agencies must sign the attached agreement (Attachment C) and return it to their respective FNS regional office with the total amount they choose to accept as listed in Attachment B and, indication of whether additional funds are requested based on inventory levels below one-half month for one or more food package categories. USDA requests return of the attached agreement (Attachment C) by August 19, 2024, in order to allocate the funds as quickly as possible. Agreements returned after this date will be processed as received. An ITO's /State agency's acceptance of these funds indicated by the signed agreement (Attachment C) will serve as acknowledgment of, and agreement with, the conditions in Attachment A. ITOs and State agencies must have a valid and active SAM.gov registration and funding will be provided to the bank associated with the SAM.gov profile.

/s/ Original Signature on File
Tameka Owens
Acting Administrator,
Food and Nutrition Service

/s/ Original Signature on File
Bruce Summers
Administrator,
Agricultural Marketing Service

Attachments

Attachment A

TERMS AND CONDITIONS

Allowable Uses

These funds must be used to purchase domestically grown and produced foods. Expenditure of these funds must be necessary, allowable, and reasonable costs incurred during the performance period.

Examples of some allowable foods include dairy foods such as cheese and yogurt; fruits and vegetables (including 100% juices); grain products such as pastas and rice; meats (whole, pieces, or food items such as ground meats); and meat alternates such as beans or legumes. Foods in a wide variety of minimal processing states (e.g., whole, cut, pureed, etc.) and forms (e.g., fresh, frozen, canned, dried, etc.) are allowable, to include any items like those currently listed on the FDPIR Foods Available List.

Additionally, these funds may be used to pay for necessary costs associated with the purchase of allowable foods, such as distribution and shipping costs. However, the funds cannot be used for expenses typically covered by regular FDPIR administrative funding.

These funds are not subject to the State agency matching requirements under [7 CFR 253.11](#), as these are not FDPIR administrative funds.

Procurement Standards

Federal law in 2 CFR part 200 generally requires non-Federal entities to conduct procurements using Federal funds in a competitive manner, except in certain circumstances described in [2 CFR 200.320\(c\)](#).

Under [2 CFR 200.320\(c\)\(3\)](#), noncompetitive procurement is permitted when a public emergency will not allow for a delay resulting from competitive procurement. The non-Federal entity (the ITO or State agency operating FDPIR in this instance) may use its own judgment in determining whether this condition has been met. USDA approval is not required. However, the non-Federal entity must document its justification for using noncompetitive procurements and must still comply with other procurement requirements in 2 CFR part 200 and other applicable law, and ensure that costs are reasonable.

In addition, under [2 CFR 200.320\(c\)\(4\)](#), the non-Federal entity may submit a written request to USDA for express authorization of noncompetitive procurement.

Disbursal of Funds

The funding will be provided to ITOs and State agencies according to their defined method of banking in SAM.gov. These funds will not flow directly through FNS. However, FNS will be assisting the USDA Agricultural Marketing Service (AMS) in the transfer of these funds through WBSCM. To receive payment, an active registration in SAM.gov is required, and the Unique Entity ID number must be on file in WBSCM.

The CCC funding will be deposited directly into the bank account associated with the SAM.gov profile. Please confirm the Unique Entity ID, with the correct associated bank account, when signing the agreement (Attachment C).

Period of Performance

The funds must be used to address the impacts of the supply chain disruption and warehouse delays. While we anticipate that such issues will be resolved soon, in the interest of administrative ease, the period of performance for these funds begins from the date of this letter, August 12, 2024, and runs through September 30, 2025. All of these funds must be obligated no later than September 30, 2025, and liquidated no later than December 31, 2025.

The funds may be used to cover the cost of eligible purchases as of the date of this letter, even if funds are provided to ITOs after that date.

Accountability, Recordkeeping, and Reporting

The ITO/ State agency is responsible for ensuring that these funds are used for allowable expenses. ITOs and State agencies will be required to report the total combined funds used at the end of the period of performance. USDA will provide ITOs and State agencies with additional information about how to complete and submit reporting later in the year. Reporting of these funds will fall outside of the regular FDPIR reporting requirements. These funds will not be reported on the SF-425, "Financial Status Report"

ITOs and State agencies must ensure purchases made with this funding are properly documented and records are stored for three years. This documentation may include, invoices, purchase orders, receipts, and other documentation which clearly indicates the domestic origin of the food purchase.

Federal Oversight

USDA will provide oversight to ensure that these funds are used appropriately. ITOs and State agencies may be subject to a USDA review of the State agency's documentation, including a review of invoices.

Evaluation and Access to Records

ITOs and State agencies will cooperate with any evaluation of the program by providing the USDA requested data and access to records. ITOs and State agencies will cooperate with any, as needed, on-site financial and/or technical reviews and audits at any time during the term of the agreement. In addition, ITOs and State agencies shall make all records pertaining to activities under the grant available for audit purposes.

Recovery of Unused Funds

ITOs and State agencies will be responsible for returning any unspent funds to USDA. Further guidance on the process for returning funds will be forthcoming.

Office of Management and Budget (OMB) Guidance

The CCC funding is subject to rules and regulations related to the recipient's organizational entity type as noted below.

Government-wide Regulations

1. [2 CFR Part 25: “Universal Identifier and System for Award Management”](#)
2. [2 CFR Part 170: “Reporting Sub-award and Executive Compensation Information”](#)
3. [2 CFR Part 175: “Award Term for Trafficking in Persons”](#)
4. [2 CFR Part 180: “OMB Guidelines to Agencies on Government-wide Debarment and Suspension \(Non-Procurement\)”](#)
5. [2 CFR 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”](#)
6. [2 CFR 400: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”](#)
7. [2 CFR Part 415: “General Program Administrative Regulations”](#)
8. [2 CFR Part 416: “General Program Administrative Regulations for Grants and Cooperative Agreements to State and Local Governments”](#)
9. [2 CFR Part 417: “Non-Procurement Debarment and Suspension”](#)
10. [2 CFR Part 418 “New Restrictions on Lobbying”](#)
11. [2 CFR Part 421: “Requirements for Drug-Free Workplace \(Financial Assistance\)”](#)
12. [7 CFR Part 3: “Debt Management”](#)
13. [7 CFR Part 16: “Equal Opportunity for Religious Organizations”](#)
14. [41 U.S.C. Section 22 “Interest of Member of Congress”](#)
15. Privacy Act. The Cooperator/Grantee shall follow the rules and procedures of disclosure set forth in the [Privacy Act of 1974, 5 U.S.C. 552a](#), and implementing regulations and policies, with respect to systems of records determined to be subject to the Privacy Act.
16. Freedom of Information Act (FOIA). Public access to Federal Financial Assistance records shall not be limited, except when such records must be kept confidential and would have been excepted from disclosure pursuant to the “Freedom of Information” regulation ([5 U.S.C. 552](#))

Attachment B

**Availability of Funding to Alleviate Emergency Supply Chain Disruption in FDPIR
Funding Amounts**

| Region and Indian Tribal Organization | Amount of CCC Funds |
|---|---------------------|
| Northeast Region | |
| ME INDIAN TOWNSHIP/PASSAMAQUODDY TRIBE | \$5,400 |
| NY SENECA NATION, NY | \$22,800 |
| NY ST. REGIS MOHAWK RESERVATION | \$21,000 |
| Southeast Region | |
| MS MS BAND OF CHOCTAW INDIANS | \$241,400 |
| NC EASTERN BAND OF CHEROKEE INDIANS | \$114,400 |
| Midwest Region | |
| MI KEWEENAW BAY INDIAN COMMUNITY | \$26,400 |
| MI SAULT STE MARIE TRIBE OF CHIPPEWA INDIANS | \$140,800 |
| MI POKAGON POTAWATOMI | \$18,000 |
| MI BAY MILLS INDIAN COMMUNITY | \$15,400 |
| MI LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS | \$45,000 |
| MI LITTLE RIVER BAND OF OTTAWA | \$21,800 |
| MN LEECH LAKE BAND OF OJIBWE INDIANS | \$22,600 |
| MN WHITE EARTH RESERVATION TRIBAL COUNCIL | \$104,000 |
| MN BOIS FORTE RESERVATION TRIBAL COUNCIL | \$14,200 |
| MN FOND DU LAC RESERVATION | \$48,400 |
| MN MILLE LACS BAND OF OJIBWE | \$14,200 |
| MN GRAND PORTAGE RESERVATION | \$9,000 |
| MN RED LAKE BAND OF CHIPPEWA INDIANS | \$49,600 |
| WI ST. CROIX TRIBAL COUNCIL | \$9,600 |
| WI STOCKBRIDGE-MUNSEE COMMUNITY | \$5,400 |
| WI HO-CHUNK NATION (WINNEBAGO) | \$75,800 |
| WI BAD RIVER RESERVATION | \$15,400 |
| WI LAC COURTE | \$50,600 |
| WI MENOMINEE INDIAN TRIBE | \$53,200 |
| WI RED CLIFF RESERVATION | \$19,600 |
| WI ONEIDA NATION | \$54,600 |
| WI LAC DU FLAMBEAU | \$31,800 |
| WI SOKAOGON-CHIPPEWA | \$6,400 |
| Southwest Region | |
| AZ PASCUA YAQUI | \$49,400 |
| AZ GILA RIVER INDIAN COMMUNITY | \$68,400 |
| AZ WHITE MT. APACHE TRIBE | \$75,800 |
| AZ TOHONO O'ODHAM NATION | \$58,200 |
| AZ NAVAJO TRIBE, AZ | \$521,400 |
| AZ SAN CARLOS APACHE TRIBE | \$149,600 |

| Region and Indian Tribal Organization | Amount of CCC Funds |
|---|----------------------------|
| AZ QUECHAN RESERVATION | \$103,800 |
| AZ COLORADO RIVER INDIAN TRIBES | \$63,200 |
| NM PUEBLO OF ACOMA, NM | \$33,800 |
| NM EIGHT NORTHERN INDIAN PUEBLOS COUNCIL, INC. NM | \$138,200 |
| NM PUEBLO OF ZUNI, NM | \$59,200 |
| NM FIVE SANDOVAL INDIAN PUEBLOS, NM | \$38,000 |
| OK CHOCTAW NATION, OK | \$634,600 |
| OK CHICKASAW NATION, OK | \$498,000 |
| OK MUSCOGEE (CREEK) NATION | \$358,000 |
| OK CHEYENNE-ARAPAHO | \$160,800 |
| OK CHEROKEE NATION, OK | \$1,346,600 |
| OK COMANCHE INDIAN | \$83,400 |
| OK OSAGE TRIBE, OK | \$56,600 |
| OK PAWNEE TRIBE, OK | \$24,000 |
| OK KIOWA TRIBE, OK | \$38,200 |
| OK SEMINOLE NATION OF OKLAHOMA | \$67,800 |
| OK PONCA TRIBE OF OKLAHOMA | \$39,000 |
| OK SAC AND FOX TRIBE | \$193,800 |
| OK APACHE TRIBE OF OKLAHOMA | \$69,800 |
| OK WICHITA AND AFFILIATED TRIBES | \$26,200 |
| OK INTER-TRIBAL COUNCIL, OK | \$145,000 |
| TX ALABAMA-COUSHATTA | \$15,000 |
| UT UTE INDIAN TRIBE | \$59,200 |
| Mountain Plains | |
| CO SOUTHERN UTE | \$16,200 |
| CO UTE MOUNTAIN FINANCIAL SERVICES DEPT. | \$20,000 |
| KS KICKAPOO TRIBE IN KANSAS | \$21,000 |
| KS PRAIRIE BAND OF POTAWATOMI INDIANS | \$33,400 |
| KS UN. TRB. KS. & SE NE | \$35,600 |
| MT BLACKFEET-BROWNING | \$120,400 |
| MT NORTHERN CHEYENNE | \$81,000 |
| MT CROW TRIBE OF INDIANS | \$37,800 |
| MT FORT BELKNAP COMMUNITY COUNCIL | \$94,400 |
| MT ROCKY BOY | \$44,200 |
| MT FLATHEAD RESERVATION | \$80,200 |
| MT FORT PECK RESERVATION | \$123,400 |
| MT LITTLE SHELL BAND OF CHIPPEWA INDIANS | \$4,400 |
| NE OMAHA TRIBE | \$74,800 |
| NE WINNEBAGO TRIBE | \$77,000 |
| NE SANTEE SIOUX, NE | \$65,400 |
| ND STANDING ROCK SIOUX TRIBE | \$260,000 |
| ND THREE AFFILIATED TRIBES, ND | \$69,600 |

| Region and Indian Tribal Organization | Amount of CCC Funds |
|--|----------------------------|
| ND TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS | \$378,200 |
| ND TRENTON (TISA), ND | \$46,600 |
| ND SPIRIT LAKE TRIBE | \$161,000 |
| SD CHEYENNE RIVER SIOUX TRIBE | \$157,200 |
| SD ROSEBUD SIOUX,SD | \$236,000 |
| SD SD OGLALA SIOUX | \$827,800 |
| SD SISSETON-WAHPETON OYATE | \$67,800 |
| SD LOWER BRULE SIOUX TRIBE | \$55,800 |
| SD CROW CREEK SIOUX TRIBE | \$55,200 |
| SD YANKTON SIOUX TRIBE | \$51,200 |
| WY NORTHERN ARAPAHO TRIBE | \$94,200 |
| WY SHOSHONE INDIAN TRIBE | \$25,600 |
| Western Region | |
| AK ALASKA NATIVE TRIBAL HEALTH CONSORTIUM | \$83,600 |
| CA FORT MOJAVE RESERVATION | \$41,600 |
| CA HOOPA VALLEY RESERVATION | \$112,400 |
| CA RIVERSIDE - SAN BERNARDINO | \$50,000 |
| CA SO. CALIF. TRIBAL ASSOC. | \$53,000 |
| CA TULE RIVER IND HC | \$42,800 |
| CA SHERWOOD VALLEY POMO INDIANS | \$136,000 |
| CA YUOK TRIBE | \$64,800 |
| ID NEZ PERCE TRIBE OF IDAHO | \$74,200 |
| ID SHOSHONE-BANNOCK TRIBES | \$46,800 |
| ID COEUR D'ALENE RESERVATION | \$63,200 |
| NV NEVADA DEPARTMENT OF AGRICULTURE | \$59,400 |
| NV YERINGTON PAIUTE | \$60,600 |
| NV SHOSHONE-PAIUTE TRIBE | \$24,400 |
| NV PYRAMID LAKE PAIUTE TRIBE | \$7,200 |
| OR BURNS PAIUTE | \$1,800 |
| OR SILETZ RESERVATION | \$31,200 |
| OR CONFED TRIBES WARM SPRINGS | \$12,000 |
| OR KLAMATH RESERVATION | \$23,400 |
| OR CONFED. TRIBES OF UMATILLA | \$20,600 |
| WA YAKAMA INDIAN NATION | \$33,000 |
| WA COLVILLE CONFEDERATE TRIBE | \$25,400 |
| WA LUMMI INDIAN BUSINESS COUNCIL | \$56,000 |
| WA QUINULT INDIAN NATION | \$14,400 |
| WA SOUTH PUGET INTERTRIBAL PLANNING AGENCY | \$37,800 |
| WA SMALL TRIBES ORGANIZATION OF WESTERN WASHINGTON | \$262,600 |
| WA MAKAH TRIBAL COUNCIL | \$5,800 |
| WA QUILEUTE TRIBAL COUNCIL | \$11,000 |
| WA SPOKANE TRIBE OF INDIANS | \$22,400 |

Attachment C:

Availability of Funding to Alleviate Emergency Supply Chain Disruption in the Food Distribution Program on Indian Reservations (FDPIR)

Please hardcopy sign and scan or digitally sign by August 19, 2024. Once signed, email this attachment to your FNS Regional Office contact. FNS Regional contacts will in turn provide a signed copy to the Funding and Technology Division. This agreement serves as the award document for the Funding to Alleviate Emergency Supply Chain Disruption in FDPIR. For questions regarding this agreement or the conditions please contact your Regional Office.

FDPIR Indian Tribal Organization/ State Agency Name

I _____ agree to accept and use \$ _____ of the funds offered in Attachment B of the August 12, 2024, Availability of Funding to Alleviate Supply Chain Disruption in the Food Distribution Program on Indian Reservations letter.

___ Accept and I attest that these funds will be used in accordance with the outlined terms and conditions in Attachment A.

Additional funding is available for ITOs and State agencies **with current inventory levels below one-half month for one or more food package categories.** This funding will be provided pro-rata on top of the amount accepted above.

___ Accept additional funding and I attest that current inventories are below one-half month for one or more food package categories.

___ Decline additional funding because current inventories are at or above the limit listed above.

Signed,

FDPIR Program Signature

Date

FNS Regional Office Signature

Date

If accepting the funding, please provide the following information. Funding will be directly deposited to the bank account associated with the Sam.gov Unique Entity Id.

Sam.gov Unique Entity Id (UEI): _____

Name of Organization as it appears in Sam.gov: _____

Address: _____