

Section 10

Disaster Policies and Procedures

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Section 10

Disaster Policies and Procedures

The U. S. Department of Agriculture (USDA) Food and Nutrition Service (FNS) coordinates with state, local, and voluntary organizations to accomplish the following goals:

1. Provide food for shelters and other mass feeding sites.
2. Distribute food packages directly to households in need in limited situations.
3. Issue Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits.

Presidentially Declared Disasters and Situations of Distress

Resources

In addition to the discussion below, the following resources provide information about disasters and situations of distress.

- USDA maintains the *USDA Foods Program Disaster Manual* at www.fns.usda.gov/disaster/disaster-assistance.
- www.SquareMeals.org contains frequently updated information for CEs and subagencies. From the home page, choose Food Assistance for Disaster Relief.

The Texas Department of Agriculture (TDA) distributes Commodity Supplemental Food Program (CSFP) foods during a presidentially declared disaster, emergency, or situation of distress. Contracting entities (CEs) must obtain approval from TDA (via USDA regional and national offices) before diverting USDA Foods from intended purposes to assist victims of disasters.

These definitions are pertinent to the discussion below:

disaster – A presidentially declared disaster or emergency that results in USDA Foods assistance (and other federal assistance) for eligible people because of the disaster or emergency. Throughout this discussion, disaster is used for emergency and distress.

situation of distress – A natural catastrophe or another event that does not meet the definition of disaster as defined above, but that TDA or USDA determines warrants the distribution of USDA Foods to assist survivors. Examples include, but are not limited to, a hurricane, flood, snowstorm, or explosion. Throughout this discussion, disaster is used for a situation of distress.

Sites as Emergency Feeding Organizations

When necessary, a CE and subdistributing agency identifies an organization as an emergency feeding organization (EFO). See the USDA Foods Program Disaster Manual at www.fns.usda.gov/disaster/disaster-assistance.

Approval of Disaster Organizations

An organization that wishes to become a disaster organization with TDA must apply to TDA electronically or in written form. TDA must review and approve an application from each disaster organization before the distribution of USDA Foods to that organization. The table below, Application for Disaster Organization, details the information for each particular type of distribution.

Application for Disaster Organization		
1. Type of benefit	2. To the extent possible, necessary information	3. Additional, required information
Congregate meals	<ul style="list-style-type: none"> • A description of the disaster situation • The number of people requiring assistance • The time period for which USDA Foods are requested • The quantity and types of necessary foods • The number and location of sites where USDA Foods are to be used 	None
Household distribution	<ul style="list-style-type: none"> • A description of the disaster situation • The number of people requiring assistance • The time period for which USDA Foods are requested • The quantity and types of necessary foods • The number and location of sites where USDA Foods are to be used 	<ul style="list-style-type: none"> • An explanation of why the distribution is necessary • The available method(s) of distribution • A statement assuring that D-SNAP benefits will not be provided simultaneously with USDA Foods assistance in the form of household distribution • A description of the system that will prevent dual participation in D-SNAP and household distribution

Disaster Household Distribution (DHD) Program

USDA's Disaster Household Distribution (DHD) Program¹ is designed to provide food assistance in disasters through USDA Foods that are typically distributed through The Emergency Food Assistance Program (TEFAP) or CSFP. CEs and subagencies must not initiate DHD — TDA will contact CEs when DHD is to be implemented.

Congregate Meals

TDA may provide a disaster organization with USDA Foods from any recipient agency's (RA's) current inventories to provide congregate meals during a disaster. A disaster organization may provide USDA Foods to emergency relief workers at congregate meal sites who are engaged in providing relief assistance.

Households

TDA may provide a disaster organization with USDA Foods from any RA's current inventories to provide foods to households during a disaster. Occasionally, a household has been approved for Disaster SNAP (D-SNAP) benefits but has not yet received the benefits. In this case, the disaster organization must obtain the following information from the household and report the information to TDA:

1. Name and address of household members applying
2. Total number of household members
3. A statement from the head of the household certifying the following:
 - The household needs food assistance.
 - The household is not receiving D-SNAP benefits.
 - An indication of understanding that selling or exchanging USDA Foods is prohibited.

Further, the disaster organization must maintain a system to prevent dual participation in CSFP and D-SNAP.

Frequently Asked Questions

The policies and procedures are conveyed below in a question and answer (Q&A) format. Additional questions and answers, as well as more information regarding the U. S. Department of Agriculture (USDA) Food Distribution Division disaster and emergency policies and procedures, may be found online.²

¹ For more information, see the USDA Foods Program Disaster Manual at www.fns.usda.gov/disaster/disaster-assistance.

² Website: www.fns.usda.gov/disaster/disaster-assistance

Q 1. Will the Food and Nutrition Service (FNS) automatically replace foods used for disaster or emergency assistance?

FNS will replace all USDA Foods removed from inventory at the state or local level that are used 1) for FNS-approved disaster or emergency mass feeding programs and 2) through the Disaster Household Distribution Program within presidentially declared disaster or emergency areas. Texas must submit a request for a replacement within 30 days of the end of the disaster, although interim requests for replacement may be made.

FNS has neither the authority nor the resources to replace non-USDA Foods used for disaster or emergency feeding. Except for intra-state transportation costs (see below), FNS has neither the authority nor resources to reimburse organizations for other costs. All requests for such reimbursement should be directed to the Texas Division of Emergency Management³ for possible reimbursement, either directly or through submission to the Federal Emergency Management Agency (FEMA), which has the primary responsibility for providing disaster assistance.

Q 2. Will FNS replace foods in inventory at the local level that were lost or made unfit for consumption by a disaster or emergency?

FNS does not have the authority to replace foods that are lost, destroyed, contaminated, or otherwise rendered unusable in a disaster or emergency. Per federal regulations at 7 CFR 250.12(d), certain agencies⁴ must obtain insurance to protect the value of USDA Foods at their storage facilities. See USDA Policy Memorandum FD-139, Clarification on Inventory Protection Requirements, for further information on insurance requirements. The memo is available at www.fns.usda.gov/usda-foods/clarification-inventory-protection-requirements.

Q 3. Are disaster or emergency evacuees who are boarders or residents of institutions eligible for CSFP benefits?

No. Consistent with federal regulations at 7 CFR 250.2 (see the definition of *household*), boarders or residents of institutions are not eligible to receive CSFP benefits. Should these individuals' circumstances change to where they are no longer considered boarders or residents of institutions, they are encouraged to apply for CSFP benefits where available.

Q 4. May CSFP participants who have evacuated their homes and are temporarily living in areas not normally served by CSFP continue to pick up benefits from the agency in the service area they evacuated?

Yes. During a presidentially declared disaster or emergency, evacuees may be temporarily housed at a location where CSFP service is not normally available. In such circumstances, CSFP participants who have evacuated their homes may choose to continue to pick up benefits from the agency in the service area they evacuated if that agency continues to operate and retains the ability to serve participants.

³ Website: www.tdem.texas.gov.

⁴ CEs and state-contracted warehouses must obtain insurance. The following are not required to obtain insurance: distribution sites; food pantries; soup kitchens; community action agencies. This list may not be all-inclusive. For more information about insurance requirements, see *CSFP Handbook*, Section 4, *USDA Foods*.

The evacuation of a CSFP participant during a presidentially declared disaster or emergency is considered a temporary absence from home. During this time, evacuees may choose to be considered residents of the service area they evacuated. Therefore, evacuees who choose this option will continue to meet CSFP residency requirements for the duration of the presidential declaration or until the evacuee establishes a permanent residence outside the original service area. CSFP participants must continue to meet all other CSFP eligibility requirements to continue to receive benefits.

Evacuees must provide the agency with their temporary address and date of evacuation. The agency must note this information in the certification or case file, if applicable, as well as the beginning and ending dates of the presidential declaration, if available. Certification periods may be assigned to coincide with the expected timeframe of the presidential declaration.

Q 5. Will agencies be required to set up distribution sites outside their normal service areas to serve CSFP participants who have evacuated to temporary housing?

Agencies are not required to establish temporary distribution sites (that is, tailgate distribution sites) in areas where displaced CSFP participants have relocated if CSFP does not normally serve those areas. At the option of the applicable agency, however, accommodations may be made to serve evacuees in these areas. Accommodations may include, but are not limited to, the following:

- Adjusting food issuance schedules
- Assisting evacuees in designating authorized representatives or proxies to pick up foods
- Using CSFP staff or volunteers to deliver foods to eligible evacuees living in temporary housing outside the established service area

Q 6. What options are available to disaster/emergency evacuees for participation in CSFP when they are housed with a host family?

During a presidentially declared disaster or emergency, evacuees may choose to evacuate their homes and temporarily stay with a host family in an area served by CSFP. For the duration of the presidential declaration, agencies must give the evacuees the option to be considered a separate household from the host family to determine eligibility for CSFP.

Eligible evacuees may pursue **one** of the following three options for CSFP participation:

1. Pick up benefits from the service area they evacuated, but only if the individual or family participated in CSFP before the presidentially declared disaster or emergency. This is applicable only if the agency continues to operate and retains the ability to serve participants in that area. If evacuees choose this option and CSFP service is available, the agency must consider the evacuees to be residents of its service area. This applies only until the presidential declaration ends, or the evacuees establish permanent residence outside the original service area, whichever occurs first.
2. Apply for CSFP benefits as a separate household in the service area where they are temporarily living with the host family. The household must end CSFP participation in the evacuated area by notifying the appropriate agency before applying for CSFP benefits in the service area where the host family resides.

3. Apply for CSFP benefits as a combined household in the service area where they are temporarily living with a host family. If the individual or family opts to be considered part of the host household, the newly combined household must meet CSFP eligibility standards in effect for the agency serving the host family's place of residence. If the evacuee household participated in CSFP prior to evacuation, it must end program participation in the evacuated area by notifying the appropriate agency prior to applying for CSFP participation with the host family.

Q 7. In addition to the flexibility provided concerning evacuee residency requirements during a presidentially declared disaster or emergency, will FNS waive or modify other eligibility requirements for CSFP?

FNS does not have the authority to waive or to modify other CSFP eligibility requirements. Under CSFP legislation and regulations, the applicant must meet the CSFP categorical and income requirements to receive CSFP foods.

Q 8. Are disaster or emergency evacuees eligible for CSFP benefits after the presidential declaration or temporary housing status ends?

When the presidentially-declared disaster or emergency ends, or the household chooses to leave temporary housing to establish permanent residence, **whichever occurs first**, an otherwise eligible household must reside in an area currently served by CSFP and meet all other applicable criteria to remain eligible for CSFP. Self-declaration by the household of temporary or permanent residence is acceptable.

If individuals or families choose to relocate to a permanent residence in an area not currently served by CSFP, they would no longer be eligible to participate in CSFP. These individuals and families may qualify for benefits under other nutrition assistance programs, such as the Supplemental Nutrition Assistance Program (SNAP) (formerly known as the Food Stamp Program).

Q 9. Will FNS provide additional CSFP caseload to states where disaster or emergency evacuees relocate, to provide continuing assistance to those evacuees that were participating in CSFP in the state where they resided before the disaster?

FNS does not have the authority to increase the total caseload that may be served by CSFP, nor can FNS authorize CSFP states to exceed assigned caseload in order to provide service to disaster or emergency evacuees. This is due to the limited resources available to CSFP. However, FNS encourages CSFP states in areas to which disaster or emergency evacuees are relocated to use their entire caseloads to provide continuing service to current participants, and, to the extent possible, to provide assistance to evacuees that are in need of assistance.

Q 10. Will FNS waive the eligibility requirements for organizations that wish to distribute regular CSFP benefits to evacuees?

No. FNS believes there are sufficient organizations that already meet the eligibility requirements and can provide the necessary assistance to disaster or emergency evacuees. Waiving CSFP requirements would be unnecessary and would compromise CSFP integrity. CSFP has well-established distribution networks in most areas in which CSFP operates. Therefore, FNS does not believe that it is in the best interest of CSFP or individuals requiring assistance for FNS to waive the current eligibility requirements for

organizations that wish to participate in CSFP.

Q 11. How can my agency determine and monitor the duration of a presidential declaration?

Agencies should monitor the FEMA website at www.fema.gov or contact FEMA via telephone at 1-800-621-3362 to determine and monitor the duration of a presidential disaster or emergency declaration.