



**COVID-19 Crisis Response:**  
*Proposed Legislative Text*  
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April 22, 2020

**FDPIR and SNAP/FDPIR Legislative Language**

CLARIFICATION, ADDITIONAL AUTHORITIES, AND WAIVERS FOR THE FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

(a) CARES Act of 2020 Funding for the Food Distribution Program on Indian Reservations

(1) To support the immediate access and use of the appropriations provided to the Food Distribution Program on Indian Reservations as established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)), in Division B of the Coronavirus Aid, Relief, and Economic Security Act of 2020, the Secretary of Agriculture shall:

(A) Immediately utilize the appropriated funding for Indian Tribal Organizations and State agencies for food purchasing, including emergency food purchasing, facility improvements, new construction, and equipment upgrades, and allow for the funds to be used to cover any administrative costs;

(B) Waive administrative cost-sharing requirements to all funds provided to the Food Distribution Program on Indian Reservations under Division B of the Coronavirus Aid, Relief, and Economic Security Act of 2020; and

(C) Allow any remaining funds provided to the Food Distribution Program on Indian Reservations under Division B of the Coronavirus Aid, Relief, and Economic Security Act of 2020 to be used to cover any additional costs or expenses of the programs not accounted for under this provision.

(b) Purchasing Authority and Administrative Flexibility.—

(1) Beginning immediately after the date of passage of this Act, the Secretary of Agriculture shall allow all Indian Tribal Organizations and State agencies that operate the Food Distribution Program on Indian Reservations, as established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) to have the authority to:

(A) Purchase foods locally and regionally that are nutritionally equivalent to foods provided and authorized for the program;

(B) Expand any service methods and service areas to be responsive to need; and

(C) Determine and exercise the necessary administrative flexibility, including verifications and certifications, to serve existing and new program participants as needed.

(c) Temporary Waiver of SNAP/FDPIR Prohibition.—

(1) Beginning immediately after the date of passage of this Act, the prohibition on simultaneous usage of the Supplemental Nutrition Assistance Program and the Food Distribution Program on Indian Reservations in Section 4(b)(2)(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(2)(c)) is initially waived/suspended through September 30, 2021, only to end after consultation with tribal governments to review any lasting economic impacts.

**TEFAP Legislative Language**

Amend 7 U.S.C. 7501(3) by inserting the following at the end:

(D) is an “Indian tribe” which has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), and an “tribal organization” which has the meaning given the term in section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)).

Amend 7 U.S.C. 7501 by adding the following:

(11) Indian Tribes and Indian Tribal Organizations Eligibility

An “Indian tribe” which has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), and a “tribal organization” which has the meaning given the term in section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)), shall be considered included within the definitions of “state,” “state agency,” and “eligible recipient agency” for the purposes of carrying out this program.

**FSA Legislative Language**

Create a new Section under 7 U.S.C. Chapter 50 – Agriculture Credit, Subchapter IV:

Deferral of Principal Payments for COVID-19 Relief 7 U.S.C. XXXX

- (a) Irrespective of any other guidance in this title, the Secretary shall defer all principal payments and extend the maturity date by two years on any farm program loan existing or made during the 2020 and 2021 production years;
- (b) FSA Farm Ownership Loans may be used for refinance of FSA Guaranteed Loans or any other real estate debt if such application is made before December 31, 2021; and
- (c) The Secretary shall expend such funds as are needed to offer a 2 percent interest buy down on any existing agriculture debt through a guaranteed or direct loan provided the participating lenders grant the same principal deferral and maturity date extension, for 2020 and 2021.