

December 21, 2023

Gregory Walton, Program Analyst  
Food Distribution Policy Branch  
Supplemental Nutrition and Safety Programs  
United States Department of Agriculture  
Food and Nutrition Service  
1320 Braddock Place  
Alexandria, Virginia 22314

120 South Riverside Plaza  
Suite 2190  
Chicago, Illinois 60606-6995  
800.877.1600

1150 Connecticut Avenue NW  
Suite 615  
Washington, D.C. 20036  
800.877.0877

*Re: Docket number FNS-2023-0026; Food Distribution Programs: Improving Access and Parity*

Dear Mr. Walton:

The Academy of Nutrition and Dietetics would like to take the opportunity to provide these unsolicited comments which are in alignment with the proposed rule “*Food Distribution Programs: Improving Access and Parity*.” Representing more than 112,000 registered dietitian nutritionists, nutrition and dietetic technicians, registered (NDTRs), and advanced-degree nutritionists, the Academy is the largest association of food and nutrition professionals in the United States. We are committed to accelerating improvements in the nation’s health and well-being through food and nutrition.

The Academy is committed to supporting policies and programs that reduce nutrition and health disparities and increase nutrition security, and thanks the agency for advancing the steps proposed to increase access to food and improve parity in food distribution programs.

The Academy supports the actions across all the food distribution programs to make the organizations, connections, and access to the programs more transparent and accessible to potential and current participants. Sharing from state administering agencies’ websites is a logical place from which to share information and links to further details. However, the Academy encourages USDA and state agencies to share information, especially about how to access benefits, in multiple formats such as posting information at community centers, senior centers, schools, community health centers and others. We applaud USDA Rural Development Programs for efforts to increase rural broadband coverage, but it is still the case that not all people can access information provided via the Internet. As highlighted in a recent analysis, “the lack of internet access at home threatens to widen already serious divides between the privileged and disadvantaged.”<sup>1</sup> Forty-two percent of older adults in the U.S., or nearly 22 million people lack access to wired broadband in the home; those with lower incomes, less formal education, and those who identify as Black or Latino are least likely to be able to access information provided via the Internet.<sup>2</sup>

---

<sup>1</sup> “Exposing the Hidden Connectivity Crisis for Older Adults,” Humana Foundation and AARP Older Adult Technology Services, 2022. Accessed at: [https://agingconnected.org/wp-content/uploads/2021/05/Aging-Connected\\_Exposing-the-Hidden-Connectivity-Crisis-for-Older-Adults.pdf](https://agingconnected.org/wp-content/uploads/2021/05/Aging-Connected_Exposing-the-Hidden-Connectivity-Crisis-for-Older-Adults.pdf)

<sup>2</sup> Ibid.

The Academy acknowledges the importance of the USDA Food Distribution Programs to strengthen the nutrition safety net and supports these proposed changes in each of the following programs.

### **Commodity Supplemental Food Program**

- Increase the maximum income eligibility threshold to 185% of the federal poverty level, with a minimum income eligibility threshold of 130% of the FPL.
- Allow for categorical eligibility from participation in Federal programs such as the Supplemental Nutrition Assistance Program, the Food Distribution Program on Indian Reservations, and Supplemental Security Income to demonstrate eligibility.
- Require local agencies, where applicable, to share written information and referrals to the Senior Farmers Market Nutrition Program with applicants to increase awareness and access to this and other senior nutrition assistance programs. As noted above, a significant number of older Americans do not have access to information online.

Using eligibility of the 185% FPL is consistent with eligibility requirements for other federal programs, including WIC and National School Breakfast and School Lunch programs. The increase to 185% also takes into consideration the reality of living on a fixed income faced by many elder Americans. Allowing State agencies to accept participation in Federal programs to demonstrate categorical eligibility can decrease administrative burden for participants and agencies, resulting in increased program access and decreased expenditures of taxpayer funds for administration.

### **The Emergency Food Assistance Program**

- Encourage State agencies and eligible recipient agencies to implement or expand distributions of USDA Foods in Tribal areas, in addition to the rural areas already listed, when meaningful tribal consultation is utilized to gain input.
- Disallow requiring of address or identification to verify residency to meet needs of people who do not have housing.
- Ensure confidentiality regulations are aligned with ongoing best practices utilized in current electronic intake platforms.

If practicable, those delivering TEFAP programs might be provided the opportunity to ascertain voluntarily from participants that they are unhoused. This information can be used to meet participants' needs for services to improve accessibility in types of food provided and in the times and locations of distribution. For example, provide more non-perishable foods or foods that do not require kitchen facilities and equipment for preparation to unhoused people.

### **Food Distribution Program on Indian Reservations**

- Work closely with tribal leaders to continue implementing revisions to food box contents, service to tribal members who live in urban areas, and improve the process for "urban place waivers."
- Assess how USDA Foods provided through the FDPIR compare to the Dietary Guidelines for Americans and Thrifty Food Plan market baskets. With tribal consultation and consideration for

cultural significance, adjust the FDPIR food package benefit as needed to ensure the package helps to meet basic dietary needs.

The Academy appreciates that the USDA worked with the National Association of Food Distribution Programs on Indian Reservations to gain insights and feedback from those who deliver the food and the programs. We encourage the agency to honor their input and adopt their recommendations as much as possible.

The Academy also recommends that the USDA prioritize regional flexibility in assessing FDPIR food packages for “cultural significance” to honor each tribe’s cultural and spiritual food traditions and choices and to support food sovereignty efforts.

### **USDA Foods Disaster Response**

- Remove the requirement that distributing agencies confirm whether a household has received D–SNAP benefits; in the event of disaster, there is a high likelihood that there would not be the option to cook foods in the home.
- Remove language that prohibits simultaneous provision of USDA Foods and Disaster Supplemental Nutrition Assistance Program (D–SNAP) benefits simultaneously during situations of distress.

The Academy appreciates that USDA is learning from previous disaster situations and for efforts to increase food access to those in need and experiencing acute situations of disaster and distress.

The Academy of Nutrition and Dietetics appreciates the opportunity to submit comments and applauds the USDA for efforts to increase access and parity in food distribution programs. Please contact either Jeanne Blankenship at [jblankenship@eatright.org](mailto:jblankenship@eatright.org) or Karen Ehrens [kehrens@eatright.org](mailto:kehrens@eatright.org) with any questions or requests for additional information.



Jeanne Blankenship, MS, RDN  
Vice President of Policy Initiatives and Advocacy



Karen K. Ehrens, RDN  
Director of Legislative and Government Affairs