

An Advocate's Guide to the Disaster Food Stamp Program

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The Food Research and Action Center (FRAC) is the leading national organization working for more effective public and private policies to eradicate domestic hunger and undernutrition.

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Introduction

On August 29, 2005, Hurricane Katrina barreled into the United States' Gulf Coast, leaving terrible devastation in its wake. The storm leveled homes, businesses, and property near the water and inland for miles. The human toll of Hurricane Katrina was also tremendous: 1,836 lives were lost during and after the hurricane, and another 1,840 individuals are still missing.¹ Over three-quarters of a million people were forced to flee their homes,² and ten months after the storm repopulation estimates for Orleans parish continued to hover around a mere 40 percent.³ Hurricane Katrina also exposed the longstanding and widespread problems of hunger and poverty that disproportionately affect low-income communities. Prior to the storm, close to a quarter (23.2%) of New Orleans residents were impoverished, and the city's rate of childhood poverty was more than double the national average (38.1% as compared to 18.4%).⁴ Ironically, those with the least to lose were the ones who lost the most.

While Hurricane Katrina was uniquely catastrophic, each year many lesser disasters can and do wreck personal property, cut access to financial resources, break off links to human services programs, interrupt employment, or result in sudden medical expenses. Any of these misfortunes may precipitate a crisis for low-income communities. In recognition of the need to assist low-income people in such precarious situations, the Food Stamp Act and the Robert T. Stafford Disaster Relief and Emergency Assistance Act grant the President and the U.S. Department of Agriculture Food and Nutrition Services (USDA FNS) broad authority to provide emergency food relief after disasters. The cornerstone of federal nutrition assistance in a disaster scenario is the Disaster Food Stamp Program (DFSP). The federal child nutrition programs and the distribution of commodity foods also play important roles.

Advocates, service providers, public officials, business persons, and individuals should be aware of the potential of food stamps and other federal nutrition benefits to expedite and

¹ These numbers are from the online encyclopedia Wikipedia and are current as of May 19, 2006, available at http://en.wikipedia.org/wiki/Hurricane_Katrina#Death_toll.

² The White House, "Federal Response to Hurricane Katrina: Lessons Learned" (February 23, 2006). The number of 770,000 displaced persons is derived from testimony given by Michael Chertoff, Secretary of the Department of Homeland Security, during a hearing on "Hurricane Katrina: The Homeland Security Department's Preparation and Response," on February 15, 2006, before the Senate Homeland Security and Governmental Affairs Committee. Other sources have recorded the number as over one million.

³ Peter Whoriskey, "New Orleans' population remains low," *Contra Costa Times* (June 11, 2006), available at <http://www.contracostatimes.com/mld/cctimes/news/nation/14793901.htm>. See also Peter Henderson, "New Orleans population whiter, smaller post-storm," *Reuters AlertNet* (June 7, 2006), available at <http://www.alertnet.org/thenews/newsdesk/N07185461.htm>.

⁴ For poverty-related data for New Orleans, see the 2004 American Community Survey at <http://factfinder.census.gov>. Enter table number "S1701" (entitled "Poverty Status in the Past 12 Months"), and then select "place" as the geographic type, "Louisiana" as the state, and "New Orleans city" as the geographic area.

strengthen the response to disasters of various types. In the past few years, the DFSP, for example, has provided relief after flooding in Pennsylvania, forest fires in Arizona, a tornado in Iowa, windstorms in Tennessee, a black-out in Michigan, ice storms in Oklahoma, and terrorist attacks in New York City. In the case of the 2005 hurricanes (Katrina, Rita, and Wilma), the DFSP served 2.4 million households and distributed \$928 million in benefits.⁵

The DFSP provides replacement benefits for regular food stamp recipients who lose food in the disaster and extends benefits as well to many households that would not ordinarily be eligible but suddenly need food assistance. In order to ease the administrative burden on states, the DFSP typically includes temporarily relaxed verification and reporting requirements for the state's ongoing case processing activities. Like the regular Food Stamp Program (FSP), the DFSP is a state-administered program with fully federally-funded benefits that provide an economic boost to hard-hit communities.

In the aftermath of a disaster, advocates for low-income people are likely to find themselves confronted with new and urgent needs for assistance. Advocates can play a critical role in helping their state and USDA move quickly to implement the DFSP, distributing information about disaster benefits, assisting with outreach to vulnerable populations, and encouraging state agencies to design their relief efforts to reach as many individuals as possible. State and local agencies, along with the clients themselves, are likely to need more support than usual from the advocacy, food bank, and broader nonprofit communities when disaster strikes.

This paper explains how the DFSP works and what advocates, elected officials, and service providers can do to help meet nutrition needs before, during, and after a disaster. Whenever possible, it draws on the experience of recent disasters, including the Hurricanes Katrina, Rita, and Wilma, the terrorist attacks of September 11, 2001, the northeast blackout of 2003, and others.⁶

Types of Disaster Food Assistance

There are a number of ways in which the federal government and the states can provide emergency food assistance following a disaster. Which program or programs are conducted depends on the nature of the disaster, the number of people affected by it, and the availability of normal infrastructure following the disaster. Importantly, however, most of

⁵ After Hurricane Katrina alone, close to 751,000 new households enrolled in the DFSP and received nearly \$461 million in food stamp benefits, while over 450,000 existing food stamp households received more than \$54 million in supplemental benefits (Patrick Waldron, "Ready for Stormy Weather?," PowerPoint, 2006 National EBT State Directors Meeting, May 2006). See also Appendix 3: Data on Selected Disaster Food Stamp Assistance, 2001-2005.

⁶ The Nutrition Consortium of New York State's report on the DFSP following the September 11, 2001, terrorist attacks is a compelling examination of the strengths and weaknesses of disaster food stamps. It is available at <http://www.hungernys.org/programs/publications/disaster.html>.

the nutrition programs are entitlements and can respond quickly and effectively in very substantial ways, without waiting for further legislative action. While this guide is primarily about the DFSP, this section also reviews other nutrition programs that can offer assistance in the wake of a disaster.⁷

Disaster Food Stamp Program

The DFSP provides replacement benefits for food stamp households that lose food and also extends benefits to many other households that would not ordinarily be eligible for food stamps. The latter part of the DFSP may be appropriate whenever there are large numbers of affected people who would not be helped under the eligibility criteria and benefit replacement processes of the regular FSP. Conducting a DFSP requires that normal channels of food distribution, such as grocery stores, are or are becoming operational. Subsequent sections of this guide provide extensive details on DFSP operations and rules.

Regular Food Stamp Program with Waivers

In lieu of a full DFSP, a state may opt to rely on the regular FSP but seek waivers from USDA to better meet the needs of those affected by the disaster. Under FSP regulations, it is always possible for individual food stamp recipients who lose food in a “household misfortune” to obtain replacement benefits if they report the loss within ten days.⁸ In a disaster situation, however, this client-by-client process may not adequately serve the large numbers of people suddenly in need of replacement benefits. In past disasters, waivers granted by USDA have temporarily relaxed verification requirements, temporarily lifted restrictions on populations such as students, extended the usual ten-day time frame for reporting a loss of food, and temporarily waived employment and training requirements.⁹ Using this strategy to expand access to the regular FSP with waivers may be an appropriate option if the disaster is relatively small or short-term or if a few modifications to the existing program would meet disaster victims’ needs.

⁷ In past disasters, some localities have established a “disaster checkbook” to provide immediate cash assistance to those who did not meet eligibility criteria for the DFSP or other programs or whose benefits would be delayed. Unlike the DFSP and the child nutrition programs, “disaster checkbook” benefits are not federally funded. On a related note, see footnotes 57 and 58 of this report for information about the Federal Emergency Management Agency and the Department of Health and Human Services’ perspectives on the role of EBT and/or debit cards in delivering disaster assistance.

⁸ See Code of Federal Regulations, 7 CFR §274.6, available at <http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=7&PART=274&SECTION=6&TYPE=TEXT>.

⁹ When applying for the regular FSP, households must verify identity, resources, income, and citizenship/immigration status, among other factors. Certain groups of people, such as students who neither work at least 20 hours per week nor care for a dependent, are ineligible for benefits. Others, specifically able-bodied adults without dependents (ABAWDs), have to meet employment and training requirements, in some localities. However, in a disaster scenario, many of these verification and eligibility rules and regulations are often waived.

One particularly effective and easy-to-administer waiver involves the automatic replacement of benefits without food stamp households having to report a loss of food to their local offices. Following the 2003 blackout in the failure of the northeast power grid, Michigan obtained a waiver to automatically replace a half month's worth of benefits for all food stamp recipients in select counties.¹⁰ The replacement benefits were simply posted to each recipient's Electronic Benefits Transfer (EBT) card with no special action required by the client. The waiver provided replacement benefits to many people quickly and easily, while food stamp households experiencing more severe disaster-related retained the option to apply for further benefits. Similar geographically-based waivers were used to put replacement allotments onto EBT cards for current recipients in many areas hit hard by hurricanes in the District of Columbia, Maryland, North Carolina, and Virginia in 2003, in Florida in 2004, and in Alabama, Florida, Louisiana, Mississippi, and Texas in 2005. Such broad-based replacement of benefits may also be a component of a full DFSP.

Commodity Distribution

With approval from USDA, states may release commodity foods – which are ordinarily intended for the National School Lunch Program, The Emergency Food Assistance Program (TEFAP), and other federal programs – and provide them to mass feeding sites. After the disaster is over, USDA replaces the commodities. If the President declares a major disaster, states may also distribute commodities directly to households.

In Louisiana, congregate disaster feeding sites operated for over two months to serve those affected by Hurricanes Katrina and Rita. USDA headquarters also granted the state close to \$1.8 million in additional commodities, nearly \$900,000 for TEFAP administrative costs, and an additional caseload allocation of 2,000 for the Commodity Supplemental Food Program (CSFP), which supplements the diets of low-income mothers, young children, and seniors. Ten months after the disasters, some impacted households continued to access food through these channels.

The Federal Emergency Management Agency (FEMA), The American Red Cross, local food banks, and America's Second Harvest-The Nation's Food Bank Network are also likely to be involved in commodity distribution. Many food banks utilize commodities from TEFAP and other federal programs, and in a time of disaster food banks will likely reach into their supplies of donated and purchased food as well. Commodity distribution is most appropriate in the immediate aftermath of a disaster, when ordinary channels of food distribution, such as grocery stores, may be disrupted. If such channels are available, however, USDA gives preference to the DFSP.

School Meals Programs

¹⁰ Associated Press, "Food stamp recipients to receive new benefits" (August 19, 2003), available at <http://www.woodtv.com/Global/story.asp?s=1408944>.

While the DFSP is the first line of defense in a disaster situation, other federal nutrition programs can make critical contributions to relief efforts. USDA has not developed specific guidance or regulations for disaster relief in relation to the School Breakfast, National School Lunch, or Summer Food Service Programs. Instead, in a disaster situation, USDA works closely with the state education agency to waive program requirements that would limit access to nutrition programs.

In the past, for example, USDA has allowed the state to provide free meals in hard-hit areas to all students, regardless of income. Lee County, Florida, obtained a waiver from USDA after Hurricane Charley in 2004 to temporarily provide free school meals to all students in the county's public schools.¹¹ USDA also has waived meal pattern requirements, allowing schools to serve meals that ordinarily would not meet federal nutritional guidelines because certain items, such as milk, were unavailable after the disaster. After Hurricane Katrina, USDA allowed school officials to count displaced children as homeless, making them automatically eligible for free meals. Moreover, pursuant to current policy for homeless children, school officials were able to keep lists documenting eligibility for free meals in lieu of individual applications.¹²

The Child and Adult Care Food Program

In some cases, the Child and Adult Care Food Program (CACFP), a federal program providing reimbursements for meals and snacks served to children in child care homes and centers, can continue to provide support in a disaster situation. In the event of a disaster, state CACFP agencies can use an expedited waiver process to apply to USDA for permission to temporarily relax program requirements. USDA evaluates the waiver request to determine whether it is reasonable, necessary, and consistent with the intent of the program as well as protects the health and safety of the children in care. This process allows states to suspend or make more flexible program requirements that simply cannot be met in a disaster, such as defined meal components, record keeping, enrollment and location requirements. Some states have state disaster plans that include CACFP as part of a comprehensive response to disaster.

In the immediate aftermath of the September 11th terrorist attacks, some CACFP child care centers and family child care providers in New York City became temporary homes for the children in care and in some cases their parents. Transportation problems stranded children at child care centers and family child care homes, in some cases prevented parents from reaching their children, and in others prevented parents from getting any further than the child care location. To help support these CACFP child care centers and family child care homes, the New York State CACFP agency issued waivers allowing additional meals to be served, increasing the flexibility in meal component requirements to account

¹¹ Dave Breitenstein, "Students eat up free meals following Charley," *The News-Press* (September 18, 2004), available at

<http://vh10066.v1.moc.gbahn.net/apps/pbcs.dll/article?AID=/20040918/NEWS0104/40918007/1006>

¹² USDA's memoranda regarding emergency feeding for schoolchildren after Hurricanes Katrina and Rita are available at <http://www.fns.usda.gov/disasters/disaster.htm>.

for the lack of milk and other perishable items, eliminating the prohibition against residential child care, and reducing the record-keeping requirements. In addition, New York State CACFP staff worked with anti-hunger advocates to connect the day care programs with emergency relief organizations.

When Florida was hit with back-to-back hurricanes in 2004, the state agency issued a waiver allowing CACFP child care centers that had survived the storms to accept and serve children from destroyed child care centers without requiring new CACFP enrollment forms. In addition, Florida waived meal component requirements and allowed bottled water to count as a reimbursable expense.

After Hurricane Katrina, USDA acted quickly to issue a comprehensive set of waivers streamlining program operations and eligibility that allowed the maximum use of CACFP resources to feed children in homeless shelters, child care centers, and family child care homes in areas affected by the hurricane and other places where there were significant numbers of displaced families and children. Facilities serving homeless children could serve three meals each day to children through age 18 as well as elderly and disabled adults normally eligible to receive benefits in the adult day care segment of CACFP.¹³

The Special Supplemental Nutrition Program for Women, Infants and Children (WIC)

In most low-income communities affected by a disaster, the majority of pregnant women and infants and many of the young children (ages one to four) and new mothers will be WIC participants. In a disaster, it is crucial to preserve access to WIC, a federal program providing supplemental nutritious foods distributed monthly through WIC checks or coupons for specific food vouchers redeemable at a retail grocery.¹⁴

USDA's WIC policy memorandum "WIC Disaster Policy and Coordination" provides guidance on how WIC should respond in disaster situations.¹⁵ State WIC agencies are strongly encouraged to prepare disaster plans ensuring the continued delivery of WIC benefits and outreach to potential newly eligible individuals in the event of an emergency. Having provided assistance to Hurricane Katrina evacuees, the Texas WIC agency now recommends that state disaster strategies also include plans for "being a recipient state for a disaster occurring elsewhere."¹⁶ Advocates should consider reviewing the state plan or offering to be part of the effort to create a plan if one does not exist. Without a pre-

¹³ USDA's guidance on the Child and Adult Care Food Program with respect to Hurricanes Katrina and Rita can be found through the links on the right-hand side of the page <http://www.fns.usda.gov/cnd/care/>.

¹⁴ WIC foods include infant formula, milk, cheese, eggs, iron fortified cereal, high vitamin C fruit juice, peanut butter, and beans. In some areas, WIC benefits are provided by EBT cards.

¹⁵ See "WIC Policy Memorandum 95-9: WIC Disaster Policy and Coordination" (February 24, 1995) and "WIC Policy Memorandum 95-9A: Revision of WIC Disaster Policy and Coordination" (December 29, 1995) from Stanley C. Garnett, Director, Supplemental Foods Program Division, to USDA FNS Regional Directors. These memoranda are not currently available online.

¹⁶ Linda Brumble, "Disaster: Lessons Learned in Texas," PowerPoint, National WIC Association 2006 Annual Conference (May 2006).

approved plan, the WIC state agency will have to seek USDA's approval of all alternative procedures during the disaster, which is most likely not the best time to start the process.

USDA strongly discourages the suspension of WIC services, because the program is regarded as an adjunct to health care and as such is considered a vital service in a disaster. There are a range of "alternate procedures" that state WIC agencies can employ to continue WIC services in a disaster, including:

- Modifying WIC food package components to accommodate disaster conditions, such as loss of refrigeration or unsafe drinking water, by issuing, for example, ready-to-feed infant formula, UHT milk, or smaller packages of other food items.
- Replacing lost unredeemed WIC food vouchers, pro-rated for the remainder of the month. (WIC does not replace WIC food lost in a disaster.)
- Using mobile equipment to provide certification/issuance service to WIC participants in a disaster area.
- Simplifying eligibility certification procedures by using automatic income eligibility for applicants who receive food stamps, Medicaid, or Temporary Assistance for Needy Families (TANF).
- Shifting to a direct WIC food distribution system, allowing WIC participants to receive food directly from WIC when the retail stores are out of commission. This strategy is generally used only after the initial mass distribution of commodity foods.

When Hurricane Andrew struck southeast Florida in 1992 with such a tremendous impact that many people were left living in tent cities, the state WIC agency set up temporary WIC sites in the tent cities and converted the usual WIC retail-purchase system to a direct distribution system, including ready-to-feed infant formula in single-serve bottles. In 2005, Hurricane Katrina evacuees applying for WIC were considered to be at "special nutritional risk" on account of their homeless status, thereby allowing for expedited processing and deferral of the anemia blood test. In addition, WIC participants displaced from their homes by the storm were able to use their WIC vouchers in any state.¹⁷

Administering the Disaster Food Stamp Program: Timelines and Key Players

The primary responsibility for requesting, planning and executing the DFSP rests with the state agency responsible for administering the FSP. However, USDA FNS headquarters

¹⁷ USDA's guidance and memoranda regarding assistance for WIC recipients and WIC-eligible individuals affected by Hurricane Katrina are available at <http://www.fns.usda.gov/wic/hurricanekatrina.htm>.

and regional offices, the Federal Emergency Management Agency (FEMA), other federal agencies, and advocacy organizations may and often should be involved as well.

Before a Disaster

All USDA regional offices are required to have a disaster plan, which is reviewed by USDA headquarters each year. The plan defines roles and lines of authority and lists current contact information for appropriate personnel. The regional offices also should conduct an annual disaster training meeting for program officials in the states in their regions or at least maintain an annual check-in regarding disaster readiness.

State food stamp agencies also must have a disaster food stamp plan, which should include definitions of responsibilities, contact information for key personnel and private relief agencies, and procedures for informing the public about the program, preventing fraud, streamlining applications, training caseworkers, issuing benefits, and reviewing the disaster response after the fact.¹⁸ The USDA FNS *Disaster Food Stamp Program Handbook* advises states to “establish working relationships and/or partnerships with other players involved in responding to disasters [in order to] increase the effectiveness of pre-disaster planning and disaster responsiveness.”¹⁹

Each state’s disaster food stamp plan must be approved by USDA. State food stamp agencies must review their disaster plans annually and submit any revisions to USDA by August 15th of each year. If states do not submit revisions, USDA assumes that the most recent disaster plan is current. Advocates who are interested in reviewing their state’s disaster plan should contact their USDA regional office.²⁰

Provisions for Electronic Benefits Transfer (EBT) service in a disaster situation should be negotiated in advance of a disaster with the state’s EBT contractor.²¹ (In all states, regular food stamp benefits are no longer delivered via coupons but rather electronically via a debit-like card for use at retail outlets.) States should consider planning an expedited process for obtaining additional EBT cards²² and an emergency manual voucher process²³

¹⁸ See the Food Stamp Act of 1977 as amended, Section 11(e), for this requirement. The text of the Food Stamp Act is available at <http://agriculture.senate.gov/Legislation/Compilations/FNS/FSA77.pdf>.

¹⁹ See the *Disaster Food Stamp Program Handbook*, Food and Nutrition Services Handbook 320, p. 2-2 (1995). This handbook is not currently available online, but as of this report USDA is developing an updated handbook with a probable 2007 release date.

²⁰ Regional disaster contacts are available at <http://www.fns.usda.gov/disasters/response/contacts.htm>.

²¹ Based on its experience with the hurricanes of 2005, Texas Health and Human Services recommends formalizing disaster plans with EBT contractors by replacing verbal agreements with memoranda of understanding and developing strategies that can be scaled up or down appropriately (Kay Jones, “Disaster Services: the Tall Texas Tale – A Storm Named Katrina and Her Little Sister Rita,” PowerPoint, 2006 National EBT State Directors Meeting, May 2006).

²² States should consider whether to order additional EBT cards in advance, have the capacity to produce the necessary amount if a disaster strikes, or pursue a combination of these two options. Whichever route is followed will then affect the state’s plans for storing and shipping the cards as well.

²³ An emergency manual voucher process can be used when food retailers are open but unable to communicate with the EBT contractor. Typically, the state establishes a floor limit for purchases (i.e. a

in case either should become necessary. In 2005, Texas actually had to undertake both of these processes. First, after Hurricane Katrina, the state had to process emergency orders for a total of 200,000 cards and 50,000 PIN packets.²⁴ Then, just weeks later, with Hurricane Rita looming on the horizon, Texas chose to ship manual vouchers to grocery store chains in the forecasted disaster areas.²⁵

When Disaster Strikes

Following a disaster, the President may, at the request of a state's governor, issue a declaration of a "major disaster."²⁶ Intended for situations in which the state's capacity to provide emergency services is overwhelmed, the official declaration entitles the state to a broad range of federal assistance in relief efforts.

The federal Robert T. Stafford Disaster Relief and Emergency Assistance Act authorizes the President to establish the DFSP following a disaster declaration, and Executive Order 12673 delegates this authority to the Secretary of Agriculture. This means that, following a presidential declaration of a disaster, USDA may conduct the DFSP without the President's further approval or involvement.

FEMA is charged with overall coordination of federal relief efforts in a presidentially-declared disaster, and USDA FNS is the lead agency for food assistance under FEMA's leadership. While FEMA was widely criticized for its overall disaster response to Hurricane Katrina, USDA's nutrition assistance delivery was considered effective.²⁷ However,

maximum amount per transaction guaranteed to retailers without authorization), provides retailers with a supply of voucher forms, and establishes a simple redemption process. It should be noted that an emergency manual voucher process is usually time-consuming for all involved parties, and demand can often outstrip supply.

²⁴ An EBT card can only be used when the food stamp recipient keys in his or her personal identification number (PIN) at the point of sale. Generally, under the regular FSP, each recipient personally selects his or her PIN over the phone upon receipt of the EBT card. This measure is to ensure security while allowing the recipient to choose a number that he or she will easily remember. However, in past disasters, particularly when phone lines are down or overwhelmed with calls, it has been necessary for states to streamline procedures and pre-assign PINs to all disaster food stamp recipients. In the case of Katrina, Texas mailed recipients the pre-assigned PINs in what are known as PIN packets. The packets were ordered daily and shipped nightly. In the end, the state recorded 123,000 self-selected PINs, 8,000 new PIN packets, and 150 replacement PIN packets as well as 103,000 new EBT cards and 4,000 replacement cards. (Kay Jones, "Disaster Services: the Tall Texas Tale - A Storm Named Katrina and Her Little Sister Rita," PowerPoint, 2006 National EBT State Directors Meeting, May 2006).

²⁵ Kay Jones, "Disaster Services: the Tall Texas Tale - A Storm Named Katrina and Her Little Sister Rita," PowerPoint, 2006 National EBT State Directors Meeting (May 2006).

²⁶ See FEMA's "Guide to the Disaster Declaration Process and Federal Disaster Assistance," available at http://www.fema.gov/pdf/rebuild/recover/dec_proc.pdf.

²⁷ USDA's response to the disaster - including commodity distribution, waivers for school meal programs, and implementation of the DFSP - is described in the "What Went Right" section of the White House's official report, "Federal Response to Hurricane Katrina: Lessons Learned" (February 23, 2006). This section of the report is available at <http://www.whitehouse.gov/reports/katrina-lessons-learned/appendix-b.html>. Also, on June 21, 2006, FRAC recognized the regional and national staff of USDA FNS with a Distinguished

coordinating the two agencies' messages to the public has been a challenge in past disasters. For example, after the terrorist attacks of September 11, 2001, advocates in New York recommended efforts to increase FEMA's familiarity with DFSP operations and effective outreach methods. One new and potential avenue for nutrition advocates to educate FEMA is through America's Second Harvest-The Nation's Food Bank Network, which formalized its partnership with the federal agency in planning for and responding to disasters through a Memorandum of Understanding (MOU), signed in August 2005.²⁸

Although the majority of recent DFSPs have followed a presidential declaration of a major disaster, there is another statutory route for establishing a disaster program. The Food Stamp Act authorizes the Secretary of Agriculture to operate the DFSP at the request of a state without requiring a presidential declaration of a major disaster.²⁹ However, the Food Stamp Act imposes an additional requirement for the DFSP under this route: commercial channels of food distribution must have been disrupted and subsequently restored. Indicators of disruption include damaged transportation systems, hampered food deliveries, closure of retail food outlets for a significant period of time, reduced retail hours, reduced supplies that limit households' opportunities to purchase food, or a power failure that severely limits food outlets' operations. Commercial channels of food production are considered restored when conditions have improved enough that households have "reasonable access" to food outlets with "sufficient food supplies."³⁰

Whichever statutory route is invoked to authorize the DFSP, the process begins when USDA regional and field office personnel along with state officials conduct a damage assessment. The assessment collects facts on the extent and kinds of damage, determines which geographic areas are in need of assistance, and notes the viability of commercial food channels. Following the assessment, the state must evaluate its potential responses, including the DFSP, the regular FSP with waivers, and commodity distribution. As a past memo from USDA headquarters regarding disaster preparedness notes, a state can minimize the time needed to evaluate these options by having a thorough disaster plan in place before a disaster strikes.³¹

As the state weighs its policy options, USDA assembles a Disaster Task Force, which includes senior USDA officials, representatives of the FSP and other nutrition programs, and representatives from the USDA regional office(s) affected by the disaster. The Disaster

Service Award for their fast, effective, and compassionate efforts to get food stamps, WIC, and child nutrition benefits to those devastated by Hurricanes Katrina, Rita, and Wilma.

²⁸ FEMA and America's Second Harvest-The Nation's Food Bank Network released press releases announcing their partnership, available at: <http://www.fema.gov/news/newsrelease.fema?id=18287> and http://www.secondharvest.org/news_room/2005_News_Releases/080905.html.

²⁹ See the Food Stamp Act, section 5(h), available at <http://agriculture.senate.gov/Legislation/Compilations/FNS/FSA77.pdf>.

³⁰ See the *Disaster Food Stamp Program Handbook*, Food and Nutrition Services Handbook 320 (1995).

³¹ See memo "FNS – Need to Be Prepared for Requests for the Disaster Food Stamp Program," from Clarence H. Carter, Deputy Administrator, Food Stamp Program, to USDA FNS Regional Administrators (June 23, 2005), available at <http://www.fns.usda.gov/fsp/rules/Memo/05/062305.pdf>.

Task Force oversees the disaster relief efforts from USDA headquarters and maintains contact with FEMA and the Department of Homeland Security.

If needed, FNS also sends a Disaster Assistance Response Team (DART) to the affected area. The DART includes federal staff with expertise in logistics, communications, and policy. The DART helps the state agency evaluate and negotiate DFSP details and provides a toolkit with handouts, applications, PR materials, checklists, and information on eligibility and verification requirements. USDA also has produced a *Disaster Food Stamp Program Handbook* (not yet available online) and an *EBT Disaster Plan Guide* for state agencies.³²

If the state seeks authorization for the DFSP, it must submit an informal application to the regional USDA office by phone or fax within two weeks of the disaster, followed by a formal application in writing within 24 hours of the informal application. Of course, states normally should move as quickly as possible and not wait up to two weeks.

The formal application must include the date and type of the disaster, the geographic areas in need of assistance, a statement that a statutory prerequisite (presidential declaration or disrupted food distribution) has been fulfilled, an estimate of how many low-income households are in need of assistance, and a recommended length of time for households to apply for assistance. The application must also describe security and crowd control plans, fraud control measures, application and issuance processes, and plans for notifying the public about the program.

The default length for the DFSP is a seven-day application period for households, and in most cases qualified households receive one month's worth of benefits. However, states may propose alternative application and benefit periods, as typified by the response to the 2005 hurricanes. For victims of Katrina and Rita, the application period for disaster or expedited food stamps was extended until October 31, 2005, nearly two full months after the first hurricane occurred. Moreover, USDA's series of policies pertaining to evacuees allowed households to participate at the maximum benefit level for the month of certification and the following complete three-month period. In other words, households certified in September were able to receive benefits through the end of December with verification postponed for this entire timeframe.³³

Taken as a whole, the evacuee policies marked an unprecedented move on the part of USDA. In issuing the policies, the agency exhibited not only its awareness of the

³² The EBT Guide is available at http://www.fns.usda.gov/fsp/ebt/pdfs/disaster_guide_10_00.PDF.

³³ USDA issued the "National Refugee Policy" following Hurricane Katrina, and it was quickly replaced with the "National Evacuee Policy," which removed the term "refugee" but was otherwise identical. Later USDA issued the "Expanded Disaster Evacuee Policy," "National Enhanced Policy for Evacuees," and "Questions & Answers on Evacuees" to give guidance on eligibility and verification requirements, application and benefit periods and allotments, and EBT card replacement and usage. These policies can be found at <http://www.fns.usda.gov/disasters/disaster.htm>. The original "National Refugee Policy" is available through FRAC at http://www.frac.org/pdf/refuge_policy.pdf.

magnitude of the catastrophe but also its commitment to serving disaster victims in an appropriate and humanitarian way. USDA's "overriding concern" was defined as "getting benefits to the evacuee as quickly as possible,"³⁴ and the agency showed great leadership in meeting its goal. As this example demonstrates, USDA will allow and even encourage states to employ alternative application and benefit periods in the instance of a major disaster.³⁵ Additionally, states may generate their own application forms for the disaster victims or use a template provided by USDA, but states may not make their eligibility criteria more restrictive than federal regulations.

Administering the DFSP

Once the application for the DFSP has been approved, the next step is to establish a command center and application and issuance sites. The command center may include staff from FEMA, USDA FNS, and the state agency. The command center is the coordinating hub for staffing, acquisition and distribution of supplies, and publicity. It also coordinates the DFSP's reporting systems, which help monitor the program and justify extensions if necessary.

The actual DFSP application and issuance sites are where most of the action happens. In the event of a major disaster, local food stamp offices and their staff are unlikely to have the capacity to handle all of the potential new applicants. Additional or alternative sites may be selected on short notice, and new caseworkers often have to be hired and trained in a matter of hours. While encouraging an expedited rollout of the DFSP, advocates should be aware that USDA's priority in a disaster situation is organization and efficiency, though this may slow the speed at which the program is implemented. In the agency's opinion, taking the additional day or two needed to establish well-coordinated sites with trained workers generally leads to better provision of service and assistance for disaster victims.

Schools, stadiums, piers, police stations, libraries, mobile vans, rented trailers and tents, and even high school parking lots, as well as regular social services offices, have all served as application sites in the past. State officials must decide whether to co-locate the DFSP sites with FEMA and other emergency services and whether to process new DFSP applicants and replacement benefit applicants together or separately.

In planning the application and issuance sites, states should take measures to ensure the safety and comfort of applicants and maximize the efficiency of the process. Issues to consider include security, accessibility, capacity, and human comfort concerns, such as water, restrooms, and the needs of elderly and disabled applicants. Signage and handouts can help applicants understand how the process works, what verification is required, and

³⁴ This particular quote is from the aforementioned "Questions & Answers on Evacuees," but the sentiment is echoed in the other policies and press releases that USDA issued during this time.

³⁵ On a related note, Senators Tom Harkin (D-IA) and Patrick Leahy (D-VT) pushed to further expand and sustain USDA's authority with the introduction of their bill "Hurricane Katrina Food Assistance Relief Act" in the Senate on September 13, 2005. To access the full text, enter bill number S.1695 into the search engine at <http://thomas.loc.gov/>.

what other resources may be available. Planners can improve service by designating staff or volunteers to answer questions, spot language issues, help applicants who cannot read or write, and screen applications for completeness and verification prior to the interview phase. State agencies also should try to provide immediate, on-site supervisory review for the cases of denied applicants.

Due to the potentially large number of applicants in a disaster area, state agencies should prepare to have additional staff and volunteers on hand. State, USDA regional and field office staff, field staff from non-affected areas, and temporary hires all can help fill staffing needs.³⁶ After Hurricanes Katrina and Rita, the American Public Human Services Association (APHSA), an organization of state and local human services agencies and individuals, facilitated efforts to bring out-of-state workers into the disaster areas. Responding to a request from the Louisiana Department of Social Services for assistance with the state's post-Katrina DFSP, 53 human service employees were rushed from Kansas, Oklahoma, Iowa, and South Dakota to Baton Rouge on September 14th. Along with Delaware and Washington, several of these states again sent workers just two weeks later for Hurricane Rita relief.³⁷ Given the extent of the devastation, arranging transportation and housing for the out-of-state workers posed the most significant hurdle to this process;³⁸ once on the ground, the out-of-state workers were easily integrated into the DFSP operations on account of their familiarity with the program.

Newly-hired staff not experienced with disaster food stamps will need to be trained in the program's specific provisions, fraud prevention measures, public relations, and personnel matters. Experience from past disasters suggests that each interviewer can process approximately six applicants per hour, and one food stamp issuance clerk is needed for every nine to ten interviewers.³⁹ Volunteers can help walk applicants through the process and help address human comfort concerns.

Regarding the actual issuance of benefits, EBT cards may be given to clients immediately at the application site, by mail, or at a secondary site such as a supermarket. States may use any of these issuance methods depending on which is most feasible in a particular disaster situation. Prior to Hurricane Katrina, Mississippi's disaster plan called for not only issuance but also activation of EBT cards at the application sites. However, given the

³⁶ Based on its experience with Hurricanes Katrina and Rita, the Louisiana Department of Social Services now recommends that states: 1) develop a database of staff willing to come from non-affected areas to provide disaster assistance and 2) formalize agreements with other states for the exchange of staff (Louisiana Department of Social Services, "Louisiana Disaster Planning 2006," PowerPoint, 2006 National EBT State Directors Meeting, May 2006).

³⁷ The links on the left-hand side of the website <http://www.aphsa.org/katrina/news/> detail APHSA's assistance with relief efforts after Hurricanes Katrina and Rita.

³⁸ Staff brought from non-disaster areas to work at the application centers set up after Hurricane Katrina were housed in the centers themselves or local church facilities, due to a lack of availability of rooms at hotels and motels (Annette D. Owen, "Mississippi's Hurricane Katrina Disaster Management: Key Strategies," PowerPoint, 2006 National EBT State Directors Meeting, May 2006).

³⁹ See *Disaster Food Stamp Program Handbook*, Food and Nutrition Services Handbook 320, p. 333 (1995), which, as previously mentioned, is not available online but is in the process of being updated.

substantial number of persons seeking assistance after the 2005 hurricane, disaster food stamp applications had to be batched and processed off-site at separate processing centers. The state was forced to issue inactive EBT cards and to instruct clients to activate them via phone three days later using their date of birth and Social Security number.⁴⁰ Florida also faced difficulties with benefits' issuance, such as data entry errors, an overloaded phone system, and undeliverable mail, after Hurricanes Dennis and Wilma hit in 2005. The state's plans for future disasters now include revising the layout of the DFSP application to facilitate legibility, using the last four digits of the case number as the EBT card's PIN, distributing EBT cards on-site, and creating an online, real-time match with the Florida Department of Motor Vehicles to verify addresses.

Florida also gained attention recently when it unveiled another new and unique approach to disaster relief: having households pre-register for assistance. As soon as possible after a disaster strikes, clients will be able to pre-register by phone or internet, so that they may enter an express line upon arrival at the application site. After either swiping the client's driver's license or entering in the number manually, the worker will link the electronic application to an EBT card. The client will leave with the EBT card in hand but receive notification of eligibility by mail. The mailed notification will include the EBT card's PIN, though this information will also be accessible online. If the pre-registration process fails due to a technological shortcoming, Florida will manually process all applications. The manual process - currently planned only for clients who are not pre-registered - will require on-site identity verification and completion of paper applications before following the same steps to benefits issuance.⁴¹

Phasing Out of the DFSP

As the initial application period ends, the state agency should decide, based on how many people remain to be served, whether to continue the DFSP. States may extend the application and benefit periods or expand the geographic area of the program by submitting an informal and then a formal application, as described previously.

When the DFSP ends, states also may and often should facilitate the transition to the regular FSP with waivers. For example, a state may experience or anticipate an administrative backlog in the regular FSP after devoting workers and resources to the disaster effort. The state, for example, could apply to extend certification periods - increasing the length of time at the end of which regular cases must be recertified, thus reducing the number of re-certifications needed in the immediate aftermath of the disaster - to ease the administrative burden on caseworkers.

⁴⁰ Annette D. Owen, "Mississippi's Hurricane Katrina Disaster Management: Key Strategies," PowerPoint, 2006 National EBT State Directors Meeting (May 2006).

⁴¹ Florida Department of Children and Families - ACCESS Florida, "Lessons Learned: Chapter 3, Dennis and Wilma," PowerPoint, 2006 National EBT State Directors Meeting (May 2006). See also Bill Hirschman, "State revamps hurricane relief food program for faster delivery, less fraud," *Orlando Sentinel* (July 17, 2006), available at <http://www.orlandosentinel.com/news/local/state/sfl-panestamps15jul17,0,7688774.story?coll=orl-home-headlines>

It is also worth noting that many people who receive DFSP benefits will be eligible for regular FSP benefits over the long term. This may be because they already were eligible before the disaster but had not applied or because the disaster has adversely affected their income or resources. Advocates should monitor and support the state's efforts to transition DFSP recipients to the regular program. Given their strong connection to the community, advocates can be essential to the state in assisting with identifying and reaching out to those individuals and families who are potentially eligible for ongoing assistance.

The state must submit to USDA FNS daily reports on the DFSP from each issuance site and a final Report of Disaster Issuance (form FNS-292) at the conclusion of the DFSP. The daily reports must include the number of households and persons approved for the DFSP, the number of households denied, the value of benefits approved, and the average benefit per household, all demarcated into new and existing cases. The state agency also must select a one percent sample of cases and conduct an error analysis.⁴² Errors in the DFSP do not count against a state's general food stamp error rate for the purposes of awarding high performance bonuses or assessing liabilities for excessive error rates.⁴³ The results of the error analysis, combined with the state's experience with the disaster program, may lead to amendments of the state's DFSP plan.

Eligibility and Benefits

This section details the eligibility criteria for and benefit amounts issued through the DFSP. The eligibility criteria apply to persons who are not currently receiving food stamps. As noted above, existing food stamp participants are eligible for replacement benefits if they lose food or benefits in the disaster. Since those households have already met the generally more stringent eligibility requirements of the regular FSP, they need only report their lost food or EBT card to be eligible for replacement benefits.

Income and Resource Test for the DFSP

To qualify for disaster food stamps, a household must meet the DFSP income and resource test. The household's income during the disaster benefit period,⁴⁴ plus its accessible liquid

⁴² To ensure program integrity, Mississippi elected to review 100 percent of the post-Katrina disaster food stamp applications submitted by state and county employees on their own behalf, in addition to the customary one percent sample (Annette D. Owen, "Mississippi's Hurricane Katrina Disaster Management: Key Strategies," PowerPoint, 2006 National EBT State Directors Meeting, May 2006).

⁴³ However, states are not excused from higher error rates in the regular FSP that may arise as a byproduct of the extra administrative burden of a DFSP. For that reason, states affected by disasters should seriously consider requesting waivers that extend certification periods in the regular FSP or provide other administrative relief.

⁴⁴ The disaster benefit period is defined as the period for which disaster benefits are issued, typically one month (*Disaster Food Stamp Program Handbook*, Food and Nutrition Services Handbook 320, p. 351 (1995)).

resources, less a deduction for its expected disaster-related expenses, must not exceed the disaster gross income limit. (See worksheet in Appendix 4.)

One key element here is that the resources counted are only accessible liquid resources (the assets test in the regular FSP is generally more restrictive). Accessible liquid resources include cash and checking and savings accounts but omit disaster insurance payments or other disaster assistance.

The deduction from the sum of income plus liquid resources includes disaster-related expenses not expected to be reimbursed during the disaster benefit period, such as repairs, temporary shelter, evacuation expenses, protection of home or business, or hospital or funeral expenses.

Disaster Gross Income Limit (48 States & DC, FY06)	
Persons in Household	Income Limit
1	\$1,332
2	\$1,604
3	\$1,875
4	\$2,147
5	\$2,442
6	\$2,735
7	\$3,007
8	\$3,279
each additional person	\$272

Having arrived at the net income for the household, the household is eligible if the amount is less than the disaster gross income limit – shown in the chart on this page – for the given household size. The limit is equal to the sum of three maximums for the regular FSP: the maximum monthly net income limit, plus the maximum standard income deduction, plus the maximum excess shelter expense deduction.

Other Eligibility Requirements

To be eligible for the DFSP under USDA policy, applicants must reside in or have evacuated from the disaster area (defined in the presidential disaster declaration or DFSP waiver request) at the time of the disaster.⁴⁵ Working but not residing in the area is insufficient.

Applicants must plan to purchase food during the disaster benefit period. In addition, applicants must have experienced at least one of the following adverse effects: a loss of food or EBT card; damage to or destruction of their home or self-employment business; disaster-related expenses as described above; lost or inaccessible income, including a reduction, termination or delay of income; or inaccessible liquid resources. There has reportedly been some debate as to whether food loss alone should qualify a household for the DFSP if that is the only hardship experienced by the household as a result of the disaster. USDA has

⁴⁵ Advocates have pointed out in past disasters that the geographic eligibility criteria imposed by USDA FNS have shortcomings. For example, the Nutrition Consortium report notes that the official disaster area following the attacks on the World Trade Center in 2001 was Manhattan below 14th Street. The problem with this designation was that an individual who worked in lower Manhattan and lost his or her job but lived in New Jersey would be ineligible for disaster benefits, while an individual who lived below 14th Street and kept his or her job might be eligible. The Nutrition Consortium report reiterates that geographic eligibility criteria are not required by statute; however, FNS generally expects states to have a defined area for assistance.

ruled that state agencies may decide for each individual disaster whether food loss alone is satisfactory or whether households must experience other disaster-related losses to be eligible.⁴⁶ Advocates should encourage their states to deem food loss alone to be a basis for disaster food stamp aid. After all, the core purpose of the program is to meet food and nutrition needs.

DFSP Rules Broader than the Regular Food Stamp Program

A number of requirements for the regular FSP are dropped for the DFSP. An applicant's citizenship or alien status does not affect eligibility for the DFSP, and applicants are not required to provide Social Security numbers. There are no special restrictions on students or strikers for the disaster program, nor is there any work or training requirement. Those who are disqualified from the regular FSP for Intentional Program Violations (IPVs), such as falsely reporting income or resources on a food stamp application, generally may participate in the disaster program. However, an IPV in the disaster program does count against eligibility for the regular program.

Verification

The DFSP verification requirements are considerably relaxed in comparison with those of the regular FSP. Only verification of identity is absolutely mandatory, and a signed affidavit from a collateral contact is sufficient verification for those who lack identification or lost it in the disaster. Residency and loss or inaccessibility of income or liquid resources are verified where possible. Household composition and food loss are verified only if questionable.

Benefit Amounts

The maximum disaster benefit amount is equal to the maximum monthly allotment under the regular FSP for a given household size. Households that are not currently food stamp recipients but are approved for disaster benefits receive the maximum monthly disaster benefit.

⁴⁶ See memo "FNS – Food Loss as an Eligibility Factor for the Disaster Food Stamp Program," from Clarence H. Carter, Deputy Administrator, Food Stamp Program, to FNS Regional Administrators (May 5, 2005), available at <http://www.fns.usda.gov/fsp/rules/Memo/05/050505.pdf>.

For households already in the regular program, states usually determine a uniform replacement amount (e.g. one month's or one half of one month's benefits), which may be added automatically to all clients' EBT cards or only to those who come into the disaster application site to report lost food.⁴⁷ Some existing food stamp recipients may need more assistance than they had received previously, as might occur if they faced significant disaster-related expenses or a termination of income. In those cases, already participating food stamp recipients may be eligible for both replacement benefits and a supplemental benefit up to the difference between the maximum disaster benefit and their usual benefit.

Maximum Disaster Benefit (48 States & DC, FY06)	
Persons in Household	Maximum Benefit
1	\$152
2	\$278
3	\$399
4	\$506
5	\$601
6	\$722
7	\$798
8	\$912
each additional person	\$114

Appendix 3 lists the total food stamp benefits issued after several recent disasters. After the 2004 hurricanes in Florida, for example, the average household in the DFSP received \$252 in disaster benefits, or \$98.17 per person. Households already receiving food stamps received an average of \$142.78 in replacement benefits and supplemental disaster benefits. New households received an average of \$372.08 in disaster benefits.⁴⁸

An eligible household must receive its benefits within three days of the approval of its application. As in the regular FSP, benefits are delivered via EBT cards. In the event of a prolonged loss of power or telephone connection, a manual voucher process may be used until those services are restored.

The rules that govern what regular food stamp recipients may buy with their benefits generally apply to the DFSP as well. However, states may seek to waive certain regulations when warranted by the circumstances of the disaster. For example, if property damage leaves a significant number of households unable to cook at home, the state may ask USDA to allow disaster food stamp recipients to purchase hot and prepared foods from authorized retailers – an option normally given only to homeless, elderly, or disabled participants in the regular FSP. After Hurricane Katrina in 2005, USDA provided guidance to licensed food retailers on permitting disaster victims to use their benefits for prepared foods through November 30th in the states of Florida, Georgia, Louisiana, Mississippi, and Texas as well as six counties in Alabama.⁴⁹ USDA also encouraged

⁴⁷ In past disasters some states have combined automatic replacement benefits in the hardest hit areas with on-request replacement benefits in other areas. For example, after Hurricane Isidore in 2002, Louisiana provided automatic replacement benefits to food stamp recipients in 11 parishes, and food stamp recipients in 18 other parishes were eligible for replacement benefits if they came in and reported lost food.

⁴⁸ Since the chart includes full DFSPs as well as disasters where only already participating households received disaster benefits, average benefits may not necessarily be comparable across different disasters.

⁴⁹ USDA's guidance allowing those in hard-hit areas to use disaster food stamps for the purchase of hot foods can be found at <http://www.fns.usda.gov/fsp/retailers/pdfs/special-rules.pdf>. Note that the District of Columbia applied for this waiver in 2005 to assist Hurricane Katrina evacuees but was denied its request on the grounds that the jurisdiction took in too few evacuees (the number was roughly 100 individuals).

retailers in these areas to post special notices about the waiver in order to better serve those affected by Katrina. Based on their experiences with the disaster, some food retailers have since suggested to USDA that “the hot foods waiver for authorized food stores be automatically triggered with a disaster declaration” since it is often “too difficult to communicate efficiently and clearly with the spotty telecommunications and power available after a disaster.”⁵⁰

How Advocates Can Make a Difference

Advocates can play a critical role in helping low-income people recover from disasters. This section suggests a few of the ways in which advocates can support and improve food assistance following a disaster. See also Appendix 1 for FRAC’s checklist of ten key ways in which advocates can help disaster food relief efforts.

Download this Guide and Other Documents Now

In the event of a disaster, you may not have electricity or an internet connection, and it would be very helpful to have hard copies of disaster-related materials in those circumstances. If you are reading this guide online, download and print it, along with other important documents such as disaster contacts and outreach plans.

Don’t Wait Until a Disaster Hits

Talk with your state about its disaster preparedness, including who would be your liaison for information on food stamp relief in the event of a disaster. Ask to review the state’s disaster plan and note whether it covers those components with which advocates can be particularly helpful, such as outreach. Advocates who have regular meetings or working groups with state and local food stamp officials should consider bringing up the topic of disaster plans during these times, since it can be difficult to develop constructive relationships during the chaotic and fast-moving days that follow a disaster.

Influence the Disaster Response

The Food Stamp Act and the Stafford Act give state agencies and USDA a great deal of flexibility in how they respond to disasters. State agencies have a wide array of options as they apply for disaster waivers,⁵¹ and the pace of their response is critical as well.

⁵⁰ Rich Savner, “Statement of Rich Savner, Director of Public Affairs and Government Relations, Pathmark Stores Inc., on behalf of the Food Marketing Institute, to Undersecretary Bost and USDA FNS Officials” (August 29, 2005), available at <http://www.fmi.org/newsletters/uploads/CommentsFiled/FoodStampStatement9-05.pdf>.

⁵¹ For more information, contact FRAC, which is familiar with the array of waivers that states have been granted in the past as well as others that are being considered.

Advocates should engage with states to ensure that the disaster response reaches as many people as possible as quickly as possible. Advocates should stress that food stamp administrators can make life easier for caseworkers, as well as clients, by seeking broad eligibility criteria and streamlined application and issuance processes. For example, an automatic issuance of replacement food stamps for existing clients saves administrative time and money⁵² while reaching more people in need by not requiring clients to visit their local food stamp office.

One point to emphasize in advocating for disaster food stamp benefits is that the DFSP not only assists low-income people during a difficult period but also helps the local economy recover. Bringing in federal funds, food stamp benefits signify revenue for local retailers, generating a “multiplier effect” as the dollars cycle through the local economy. USDA researchers have estimated that, under certain conditions, \$1 in federal food stamp benefits generates approximately \$1.80 in related economic activity.⁵³ Disaster relief in the form of immediate purchasing power, like cash or EBT-based benefits, rather than in-kind donations or commodities brought in from elsewhere, helps local economies to recover from disasters. As a case in point, in Houma, Louisiana – a city hit by Hurricane Katrina that also served many evacuees – the shelves at the Good Samaritan Food Bank remained well-stocked at Thanksgiving for the first time in recent memory because the DFSP reached so many people. One supermarket chain in the area actually reported a 35 percent increase in sales due to food stamp usage.⁵⁴

Additionally, financial institutions have touted prepaid and EBT cards as an effective form of disaster relief not only for preexisting customers but also “unbanked” households that do not have the security of a savings or checking account.⁵⁵ To this end, the Red Cross in 2003 adopted a Client Assistance Card, which works like a debit card and enables recipients to purchase supplies that they need to begin rebuilding their lives.⁵⁶ FEMA pursued a similar strategy after Hurricane Katrina, giving displaced individuals and families debit cards preloaded with \$2,000 for food, transportation, and other essentials.⁵⁷

⁵² As in the regular FSP, DFSP benefits are fully federally-funded and administrative costs are shared nearly equally by the state and federal governments.

⁵³ Kenneth Hanson and Elise Golan, “Effects of Changes in Food Stamp Expenditures across the U.S. Economy,” Food Assistance and Nutrition Research Report Number 26-6 (2002). The report is available at <http://www.ers.usda.gov/publications/fanrr26/fanrr26-6/fanrr26-6.pdf>.

⁵⁴ See “Houma food bank is full: usual patrons have hurricane food stamps,” *The Times-Picayune* (November 23, 2005), summary available at <http://www.frac.org/html/news/newsdigest/12.05.05.html>.

⁵⁵ Julia S. Cheney and Sherrie L.W. Rhine, “How Effective Were the Financial Safety Nets in the Aftermath of Katrina?” (January 2006). The paper is available at <http://www.philadelphiafed.org/pcc/HurricaneKatrinaJan06.pdf>. Following this publication, the Payment Cards Center Federal Reserve Bank of Philadelphia hosted a conference entitled “The Role of Electronic Payments in Disaster Recovery: Providing More Than Convenience” (May 2006), which included panelists from the US Department of the Treasury, USDA, major US banks, and the American Red Cross.

⁵⁶ Eilene Guy, “Better Red Cross Service is in the Cards” (October 8, 2003), available at http://www.redcross.org/article/0,1072,0_507_1747,00.html.

⁵⁷ FEMA’s issuance of these preloaded cards, as part of the agency’s Expedited Assistance program, was halted after several days. Recently, FEMA announced improvements to the Expedited Assistance program that include “reducing the amount of assistance provided in this initial payment and eliminating the use of debit

Advocates should promote forms of relief, like disaster food stamps, which give households immediate purchasing power as well as insert much-needed funds into the local economy.⁵⁸

Advocates can also affect the disaster response by partnering with food bankers, who often work closely with federal, state, and local officials in distributing commodity relief. Food bankers are also well-positioned to alert officials and other partners to the best practices in expediting disaster food stamp assistance and helping to incorporate information about disaster food stamps into communications with the public. As mentioned earlier, America's Second Harvest-The Nation's Food Bank Network is now officially partnering with FEMA in disaster planning and response and thus could be a key contact for other advocates seeking involvement in publicizing or implementing the DFSP.

Advocate for Clients After the Program Is Under Way

In times of heightened stress and confusion following a disaster, a state may be too slow to adopt a DFSP program or unduly limit its scope or access to the program. Inevitably, officials will need help in recognizing problems, publicizing the program, and identifying clients whose needs are not being served. Following the 2003 blackout, End Hunger Connecticut! was unable to convince the state to provide automatic replacement food stamps but was able to advocate successfully for clients who missed the usual ten-day deadline for reporting lost food. Also during the blackout, the Nutrition Consortium of New York State was informed that one county was denying replacement food stamps to clients who lost power for only six hours. By citing USDA food safety guidelines, which indicate that potentially hazardous food should be discarded after four hours without refrigeration, the Consortium persuaded the county that those clients were in need of replacement benefits.

Conduct DFSP Outreach

Advocates can play a central role in outreach efforts following a disaster. Outreach strategies should take into account the kind of disaster assistance offered, which

cards" (FEMA, "Improving Safeguards in the Delivery of FEMA Assistance Programs" (June 9, 2006), available at http://www.fema.gov/txt/media/2006/safeguards_fact_sheet.txt). See also the statement of Donna M. Daniels, Acting Deputy Director of Recovery at FEMA, before the Investigations Subcommittee of the Homeland Security Committee, US House of Representatives (June 14, 2006), available at http://www.fema.gov/txt/media/2006/dannels_statement.txt. However, note that FEMA's stance on the use of debit cards in disaster relief is not necessarily indicative of the entire federal government's position. For instance, the following footnote of this report details the Department of Health and Human Services' consideration of EBT cards as a primary and effective way to distribute disaster aid.

⁵⁸ The Department of Health and Human Services (HHS) recently issued a request for information (RFI) on "the feasibility of establishing a system of Electronic Benefits Transfer (EBT) as a simple, comprehensive, and efficient means to deliver to disaster victims the Federal, State, and local human services for which they qualify." In response to FEMA's bungled disaster relief witnessed after Hurricane Katrina, the Bush administration charged HHS with improving the delivery of such relief, prompting the agency to consider the benefits of EBT cards. For the full RFI, see Federal Register: June 14, 2006 (Volume 71, Number 114), available at <http://www.hhs.gov/emergency/rfi>. The RFI also poses good questions that could help guide the development of state disaster plans.

populations are most likely to need help, and which channels of communication are most likely to reach those people, given the nature of the disaster and the aftermath. Advocates should be prepared to use any and all of their normal outreach channels, such as congregations and faith-based service agencies, organizations representing ethnic or immigrant groups, emergency food and shelter providers, child care providers, after-school and summer programs, other non-profits, supermarkets, community centers, and other public gathering places. To the extent possible, advocates should provide information about other disaster benefits, such as disaster Medicaid.

Outreach efforts should be geared toward current food stamp recipients who are eligible for replacement or supplemental disaster benefits as well as those who are newly eligible for food assistance as a result of the disaster. Even if a state opts for automatic replacement benefits, outreach still is necessary because recipient households will not use the benefits if they do not know they have them: i.e., they have not been told that benefits have been added to their EBT cards. In areas without automatic replacement benefits, advocates will need to conduct aggressive outreach to help ensure that eligible households report their food loss in a timely fashion.

Food bankers, advocates, and state and local elected officials also can help potential beneficiaries become aware of the DFSP by pressing for media attention for the program. Insufficient publicity of the DFSP has been a shortcoming cited by some advocates involved with recent disaster programs. The Nutrition Consortium report states that the DFSP was not publicized by New York City or the state or FEMA after the September 11th attacks. That report recommends that disaster relief announcements mention disaster food stamps specifically, not just assistance in general.

Elected officials can play pivotal roles in encouraging the state to operate a broad DFSP as well as in publicizing the available benefits to their constituents. In cities, a press release or announcement from a mayor or city council member can significantly increase awareness of the program. The National League of Cities helped to get out the word about disaster food stamps to mayors in states affected by the 2003 power outages. The NLC “Cities Weekly” featured an article co-authored with DC Hunger Solutions about how city officials and advocates worked together to leverage food stamp assistance for those affected by Hurricane Isabel.⁵⁹

In addition to conducting planned outreach, advocates should prepare for a much greater volume of clients contacting them for help. During the 2004 hurricanes in Florida, for example, the Tallahassee-based advocacy group Florida Impact was deluged with phone calls from disaster victims in need of food assistance. Since state hotlines are likely to be overwhelmed with callers, advocates can be a crucial additional source of timely information on disaster benefits. At the same time, advocates should ask states to expand

⁵⁹ Kim Perry and Abby Hughes Holsclaw, “D.C. Officials Help Secure Post-Hurricane Emergency Food Stamps,” *Cities Weekly* (October 27, 2003), available at http://oldweb.nlc.org/nlc_org/site/newsroom/nations_cities_weekly/display3.cfm?id=F3F576D447CE41C7-951AAD8FBF03D88E.

their hotline capacity, knowing that the number of calls received after a disaster is likely to put a strain on normal operations.

The internet is another way in which advocates can disseminate information not only to clients but also to other advocates. FRAC, monitoring USDA's policies and states' announcements, created an online Special Hurricane Katrina Center that became the unofficial clearinghouse for the most up-to-date federal disaster policies throughout the 2005 hurricane season. The Jackson-based Public Policy Center of Mississippi played a similar role during this time period and now plans to issue a report assessing the post-Katrina implementation of the DFSP in its state.

Additionally, advocates should urge local, state, and federal officials to prioritize outreach in a disaster scenario. To this effect, FRAC has suggested that contingency funds be made available for disaster-related outreach. Others have supported the development of websites specific to each USDA regional office, if not each state and local food stamp agency, so that information about available disaster relief can be easily and quickly accessed by the public.⁶⁰ Similarly, Florida Impact has asked USDA to post on its main homepage not only federal disaster policies but also details about when and where affected households can access disaster assistance at the local level. Such a move would require greater coordination between federal, state, and local agencies but could streamline dramatically the dissemination of vital information.⁶¹

Help Clients Transition from the DFSP to the Regular Food Stamp Program

The DFSP is, by definition, a temporary program. While a DFSP benefit period typically ends after about 30 days, three months of benefits were allowed for households affected by the particularly severe 2005 hurricane season. Whenever the DFSP ends, some households will continue to be in need of food assistance thereafter, perhaps due to a disaster-related loss of employment or ongoing expenses. In addition, it is likely that many households that receive disaster food stamp assistance were eligible for the regular FSP prior to the disaster but not participating.⁶² Ideally, state agencies and advocates should plan in advance to assist households in the transition from the disaster program to the regular program.

⁶⁰ The Louisiana Department of Social Services notes that it learned from its experience with Hurricane Katrina that making the latest policies and procedures available via the internet is of great importance (Louisiana Department of Social Services, "Disaster Planning - 2006," PowerPoint, 2006 National EBT State Directors Meeting, May 2006).

⁶¹ Debra Susie, "Farm Bill Nutrition Forum: Transcript of Public Hearing" (November 2, 2005), available at http://www.fns.usda.gov/oane/Farm_Bill/Transcripts/atlantatranscript.pdf.

⁶² According to the most recent estimate from USDA FNS, only 60.5 percent of people who are eligible for the FSP nationwide are participating in the program. Many of the more than 15 million eligible but nonparticipating individuals are unaware that they qualify food stamp benefits. See Allison Barrett and Anni Poikolainen, "Food Stamp Participation Rates: 2004" (June 2006), available at <http://www.fns.usda.gov/OANE/MENU/Published/FSP/FILES/Participation/FSPPart2004.pdf>.

Since providing information about the regular FSP at disaster application sites may cause unnecessary confusion about what clients should do in the short term, better strategies may entail follow-up with disaster assistance households as the emergency program is ending. Contacting households after a disaster, while essential, poses unusual challenges. As the Nutrition Consortium report notes, some households may experience “unstable living environments” after a disaster, and addresses provided on disaster applications may not be valid over time. Another post-disaster approach is to seek local media coverage of the regular FSP after the disaster, perhaps profiling a family that received disaster assistance and then connected with the regular program. Once again, states and advocates should tailor their post-disaster outreach efforts to their particular circumstances.

No one would wish for a disaster, but the heightened attention to food stamps during a disaster can help eligible but nonparticipating families connect with the regular FSP. According to the *Montgomery Advertiser*, officials in Alabama attributed an increase in regular FSP enrollment to Hurricane Ivan, which struck in September 2004. From January 2004 to January 2005, food stamp payments in three affected counties increased by 18 percent, while unemployment in the area remained virtually unchanged.⁶³ This experience indicates that the DFSP can reach and bring into the regular FSP low-income households that ordinarily would not have known they were eligible for food stamps.

Recognize a Job Well Done

Federal, state, and local food stamp agencies deserve credit and recognition for what they do well, especially under the extremely difficult circumstances of a disaster. Letters to appropriate officials, op-ed pieces, and press releases are among the ways of providing this recognition. Advocates may also consider nominating local food stamp offices which have provided outstanding disaster service for a Hunger Champions award from the Food Stamp Outreach Coalition. The Coalition is “a national group of interested organizations and individuals that provide a forum for the sharing of outreach ideas, strategies, and resources in order to improve the accessibility of the FSP and increase participation by eligible persons.” Each year the Coalition selects two local food stamp offices that “provide exemplary service in assisting eligible clients [to] obtain food stamps.”⁶⁴ Praising effective disaster relief efforts can help cement good relationships between advocates and food stamp agencies long after the disaster is over.⁶⁵ Media attention to the positive contributions the DFSP makes to people and communities affected by a disaster also bolsters public awareness, confidence, and support for the regular FSP.

⁶³ Mike Linn, “Ivan’s wake fuels food stamp program,” *Montgomery Advertiser* (March 14, 2005).

⁶⁴ See the Hunger Champions webpage, available at <http://www.fns.usda.gov/fsp/outreach/champions.htm>.

⁶⁵ On June 21, 2006, FRAC honored the Louisiana Department of Social Services, Office of Family Support, in recognition of the Family Assistance Program’s quick and effective delivery of disaster food stamps and other aid in the wake of Hurricanes Katrina and Rita as well as its ongoing efforts to combat hunger in Louisiana.

A Future Pandemic?

The DFSP has proven countless times to be an effective form of relief after hurricanes, blackouts, tornadoes, floods, fires, and even terrorist attacks. However, it is conceivable that a considerably worse disaster could require the DFSP to respond in entirely new and different ways. One example of such a scenario could be a pandemic flu.

Scientists anticipate an influenza pandemic at some point in the future, three such outbreaks having occurred in the past century (1918-19, 1957-58, and 1968-69). In light of this, the recent spread of a highly pathogenic flu strain, H5N1, among wild and domestic birds across the globe is troubling. The virus is not yet easily transmittable from human to human; however, if it adapts to spread in this way, the situation could rapidly escalate to one of a global or pandemic outbreak. Predictions include “high levels of illness, death, social disruption, and economic loss,”⁶⁶ with communities quarantined and schools closed.⁶⁷ Measures to reduce the spread of the flu by decreasing the interactions between individuals – known collectively as “social distancing” – could quickly have other effects that interfere with food supplies, including children missing school meals, workers losing pay, and access to health care and other basic necessities being cut off.

While the threat of a pandemic flu applies to everyone, low-income people would be particularly vulnerable in the event of an actual outbreak. Preparation methods that the federal government has proposed for individual households – such as the stockpiling of food and water – pose a significant hardship for populations already struggling to afford to the basic necessities. The 38 million people living in food insecure households in this country by definition have trouble obtaining enough food to meet even their immediate needs. Other complications could arise because of rules and regulations pertaining to the federal food and nutrition programs. For example, food stamp recipients cannot currently use their benefits to buy groceries online or over the phone for at-home delivery.⁶⁸ This could mean millions of individuals would be forced to venture into public areas and risk potential infection in order to access food.

Advocates for low-income individuals should work with state and local officials to help plan to manage such a disaster. Considerations might include advancing food stamp participants an additional month’s worth of benefits at the first signs of an outbreak, which

⁶⁶ The government maintains two useful websites on the subject of a pandemic influenza outbreak: <http://www.pandemicflu.gov> and <http://www.avianflu.gov>. This quote can be found at <http://www.avianflu.gov/general/>.

⁶⁷ Homeland Security Council, “The National Strategy for Pandemic Flu: Implementation Plan” (May 2006), available at www.whitehouse.gov/homeland/nspi_implementation.pdf

⁶⁸ EBT transactions are debit purchases that require a PIN, and there is currently no secure way to make an online purchase with a debit card and PIN. Also, an online transaction requires payment to be received before goods are delivered. While there are no federal regulations specifically prohibiting authorized retailer firms from accepting food stamp benefits for at-home delivered groceries, there are regulations that prohibit a retailer’s acceptance of payment prior to the delivery of grocery items. (See 7 CFR § 278.2(e) at http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/cfr_2003/7CFR278.2.htm.) Lastly, under the regular rules, food stamps cannot be used to cover the non-food charge for delivery.

would allow them to buy extra food and water, or working with grocers to accept food stamps for at-home deliveries in the event of an emergency. While recognizing the program's limits, advocates also should explore the means by which the DFSP could respond to a pandemic flu and work with food stamp officials to revise state disaster plans accordingly. Since the devastation would reach across geographic areas, since large in-person application and issuance sites would not be recommended, and since food channels likely would be interrupted, the DFSP as it has been traditionally employed might in fact not be the most suitable form of relief. Yet, it is nearly certain that some form of food assistance, particularly for low-income individuals, would be necessary during a pandemic, and thus advocates should think creatively about how the DFSP and other nutrition programs could be adapted to meet the need.

Advocates should also be aware that the federal government has placed the onus not only for planning but also for responding to a pandemic flu on local communities. As Department of Health and Human Services Secretary Mike Leavitt⁶⁹ stated, "Local preparedness is the foundation of pandemic readiness. Any community that fails to prepare with the expectation that the federal government will at the last moment be able to come to the rescue will be tragically wrong, not because the federal government lacks will, not because we lack wallet, but because there is no way in which 5,000 different communities can be responded to simultaneously, which is a unique characteristic of a human pandemic."⁷⁰ Without the guarantee of federal intervention, advocates and the faith- and community-based organizations that they represent could face a greater demand for services than ever before. To this end, advocates should devise their own disaster plans that address key personnel and responsibilities, internal functions in the event of a decreased workforce, and coordination with external organizations in order to serve clients as best as possible during a pandemic flu or other unprecedented crisis.⁷¹

Conclusion

Because Hurricane Katrina's physical devastation was so extraordinary, there is a tendency to see the human tragedy that it exposed as out of the ordinary as well. In truth, many households in the US today are but one disaster away from a similar fate. Everyday millions of low-income individuals – like many of the people who were left behind in New Orleans – struggle with food insecurity, hunger, and poverty. Living day-to-day and week-

⁶⁹ Secretary Leavitt recently undertook a nationwide tour to support local pandemic flu preparedness measures. Summits were held in each state from December 2005 to May 2006.

⁷⁰ Secretary of Agriculture Mike Johanns, "Transcript of Secretary of Agriculture Mike Johanns, Secretary of the Interior Gale Norton, and Secretary of Health and Human Services Mike Leavitt – Regarding National Preparedness for Avian Flu," Release No. 0096.06 (March 20, 2006), available at <http://www.usda.gov/wps/portal/!ut/p/.s.7.0.A/7.0.1OB?contentidonly=true&contentid=2006/03/0096.xml>.

⁷¹ The federal government has published checklists for planning for a pandemic flu. The checklists are targeted at state and local governments, businesses, schools, health care providers, individuals, and community- and faith-based organizations – the last of which could be a useful tool for advocates seeking to develop disaster plans. It is available at <http://www.pandemicflu.gov/plan/faithcomchecklist.html>.

to-week, the poor generally lack the material and financial resources needed to withstand a disaster: be it a car to leave the city, a home with a safe place to hunker down in, disposable income to buy extra food and water, or health insurance to seek medical care. For the poor and near-poor, a natural or manmade crisis often signifies a “second disaster,”⁷² whether total economic ruin, physical harm, or worse.

In recognizing disasters as a frequent occurrence as well as understanding their devastating impact on low-income households, we must begin to face such situations in a different way. All sectors of society, and particularly advocates for the poor, should engage collectively in the preparation for and response to disasters. Such collaboration should involve plans for meeting the nutrition needs of low-income people in a disaster’s aftermath by utilizing the federal food assistance programs. The regular FSP with waivers, commodity distribution, the school meals programs, CACFP, WIC, and the DFSP all play important roles in emergency food relief. The DFSP – with the broad policy options it offers to waive eligibility, verification, issuance, and reporting standards – has displayed an exemplary level of effectiveness and flexibility. It provides not only emergency nutrition assistance to affected households but also economic support in the form of federal funds to hard-hit communities. As noted above, each dollar in federal food stamp spending generates nearly twice that amount in economic activity.

By becoming familiar with DFSP rules and policy options as well as past examples of the program’s implementation, advocates for low-income individuals can push for a more inclusive approach to disaster preparation and response. Advocates should work with other involved players – primarily federal, state, and local officials but also food retailers, the EBT industry, and other social service providers – to plan and stage disaster relief in a way that prioritizes aid to low-income households.

As a society, we share a responsibility to ensure that the needs of the poor are neither forgotten nor disregarded, particularly in moments of crisis. To meet this charge, we must implement as well as improve programs like the DFSP that maximize assistance to our most vulnerable populations and most devastated communities in their time of greatest need.

⁷² Manuel Pastor, Robert D. Bullard, James K. Boyce, Alice Fothergill, Rachel Morello-Frosch, and Beverly Wright, “In the Wake of the Storm: Environment, Disaster, and Race after Katrina,” Russell Sage Foundation (May 2006), available at <http://www.russellsage.org/news/060515.528528>.

Links and Resources

Federal Statute:

The Food Stamp Act of 1977, as amended (disaster program authorized in Sections 5(h) and 11(e)(14)): <http://agriculture.senate.gov/Legislation/Compilations/FNS/FSA77.pdf>

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, Sec. 412: <http://www.fema.gov/library/stafact.shtm#sec412>

Federal Regulations:

Replacement issuance of food stamps (7 CFR §274.6):

<http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=7&PART=274&SECTION=6&TYPE=TEXT>

Emergency food assistance for victims of disasters (7 CFR §280.1):

<http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=7&PART=280&SECTION=1&TYPE=TEXT>

USDA FNS Resources:

Disaster assistance main page (includes disaster FAQ, information on disaster relief programs, and food safety information): <http://www.fns.usda.gov/disasters/disaster.htm>

National and regional disaster contacts:

<http://www.fns.usda.gov/disasters/response/contacts.htm>

Food Stamp EBT Disaster Plan Guide:

http://www.fns.usda.gov/fsp/ebt/pdfs/disaster_guide_10_00.PDF

Disaster Food Stamp Program chart (shows estimated expenditures and households served): http://www.fns.usda.gov/disasters/response/disaster_chart.pdf

Memo with recommendations to improve state preparedness for the Disaster Food Stamp Program: <http://www.fns.usda.gov/fsp/rules/Memo/05/062305.pdf>

Disaster Food Stamp Program policies issued after Hurricanes Katrina and Rita:

- National Refugee Policy: <http://www.frac.org/pdf/refuge-policy.pdf>
- National Evacuee Policy:
<http://www.fns.usda.gov/fsp/rules/Memo/05/NationalEvacueePolicy.pdf>
- Expanded Disaster Evacuee Policy:

- <http://www.fns.usda.gov/fsp/rules/Memo/05/ee-policy.pdf>
- National Enhanced Policy for Evacuees:
<http://www.fns.usda.gov/fsp/rules/Memo/05/nationalenhancedpolicy.pdf>
- Questions and Answers on Evacuees:
<http://www.fns.usda.gov/fsp/rules/Memo/05/qas.pdf>
- Sale of Hot Foods to Food Stamp Customers in Affected Areas:
<http://www.fns.usda.gov/fsp/retailers/pdfs/special-rules.pdf>
- EBT Purchase without a Card: <http://www.fns.usda.gov/fsp/retailers/pdfs/relaxed-procedures.pdf>

Commodity Distribution: <http://www.fns.usda.gov/fdd/programs/fd-disasters/>

School Meals Programs policies issued after Hurricanes Katrina and Rita:

- Emergency Feeding of Schoolchildren in Areas Devastated by Hurricane Katrina:
<http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005-08-31.pdf>
- Extension of 30 Day Limit for Initial Carry-over of Previous Year's Eligibility due to Hurricane Katrina: <http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005-09-15.pdf>
- School Meals Programs: Extension of Waivers due to Emergency Conditions Caused by Hurricane Katrina: <http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005-09-25-1.pdf>
- School Meals Programs: Verification and Hurricane Katrina:
http://www.fns.usda.gov/cnd/Governance/Policy-Memos/verification_procedures.pdf
- School Meals Programs: Hurricane Rita: Extending Waivers from Hurricane Katrina: <http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005-09-26.pdf>

Summer Food Service Program (SFSP) policies issued after Hurricanes Katrina and Rita:

- SFSP Policy #01-2005: Emergency Feeding in the Summer Food Program (SFSP) in Areas Affected by Hurricane Katrina:
<http://www.fns.usda.gov/cnd/summer/library/090205.pdf>
- Summer Food Service Program (SFSP) Policy #02-2005: Extension of Waivers due to Emergency Conditions Caused by Hurricane Katrina:
<http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005-09-25-2.pdf>

Child and Adult Care Food Program (CACFP) policies issued after Hurricanes Katrina and Rita:

- Child and Adult Care Food Program (CACFP) Policy #06-2005: Extension of Waivers due to Emergency Conditions Caused by Hurricane Katrina:
<http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005-09-25.pdf>

WIC policies issued after Hurricanes Katrina and Rita:

<http://www.fns.usda.gov/wic/hurricanekatrina.htm>

Other Federal Resources:

Federal Emergency Management Agency (FEMA) webpage: <http://www.fema.gov/>

Avian or pandemic flu resources: <http://www.avianflu.gov/>,
<http://www.pandemicflu.gov/>, and
http://whitehouse.gov/homeland/nspi_implementation.pdf

The White House report “Federal Response to Hurricane Katrina: Lessons Learned”:
<http://www.whitehouse.gov/reports/katrina-lessons-learned/chapter1.html>

Food Research and Action Center Resources:

FRAC’s Special Hurricane Katrina Center (2005):

- Main page: http://www.frac.org/html/disaster/disaster_index.html
- Food Stamp Program (FSP): http://www.frac.org/html/disaster/disaster_fsp.html
- National School Lunch Program (NSLP):
http://www.frac.org/html/disaster/disaster_lunch.html
- Child and Adult Care Food Program (CACFP):
http://www.frac.org/html/disaster/disaster_carefood1.html (including CACFP Policy #05-2005: Additional Waivers Relating to Hurricane Katrina in the Child and Adult Care Food Program: http://www.frac.org/pdf/hk_cacpf05.pdf, which is no longer available through the USDA FNS webpage)
- Summer Food Service Program (SFSP):
http://www.frac.org/html/disaster/disaster_summer.html
- WIC: http://www.frac.org/html/disaster/disaster_wic.html (including guidance for Katrina evacuees from Debra R. Whitford, Chief, Policy and Program Development Branch, Supplemental Foods Program Division, USDA FNS: http://www.frac.org/pdf/usda9_2_05.pdf)
- “Finding the Right Disaster Resources” (including model fact sheets and templates): http://www.frac.org/html/disaster/disaster_resources.html
 - Families and individuals:
http://www.frac.org/html/disaster/disaster_resources_family.html
 - Sponsoring organizations, child care resource and referral agencies, child care centers, or family child care homes serving displaced families:
http://www.frac.org/html/disaster/disaster_resources_orgs.html
 - Churches, synagogues, mosques, temples and other faith-based or community organizations serving displaced families and individuals:
http://www.frac.org/html/disaster/disaster_resource_faith.html
 - Families hosting displaced families and individuals:
http://www.frac.org/html/disaster/disaster_resources_home.html
 - WIC and health care providers serving displaced families and individuals:
http://www.frac.org/html/disaster/disaster_resource_wic.html

- Schools serving displaced children:
http://www.frac.org/html/disaster/disaster_resource_school.html
- Advocates and food banks:
http://www.frac.org/html/disaster/disaster_res_advocate.html

FRAC's information on 2004 hurricane disaster relief:
http://www.frac.org/html/federal_food_programs/FSP/Hurricane_2004.html

FRAC's summary of disaster food stamp assistance between 1996 and 2004:
http://www.frac.org/pdf/dfsp_chart.pdf

Other Information on Past Disasters:

American Public Health Services Association's information on disaster policies related to Hurricanes Katrina and Rita: <http://www.aphsa.org/katrina/news/>

National Conference of State Legislatures' summary of federal legislative and executive branch actions taken after Hurricanes Katrina and Rita:
<http://www.ncsl.org/statefed/Kmatrix.htm>

National League of Cities' disaster recovery resource page:
http://www.nlc.org/newsroom/press_room/news_alert/6871.cfm

Nutrition Consortium of New York State's report on the DFSP in the aftermath of the 2001 World Trade Center attacks:
<http://www.hungernys.org/programs/publications/disaster.html>

Press release from the New York City Coalition Against Hunger on replacement benefits after the 2003 blackout: <http://www.frac.org/pdf/blacoutreplace.PDF>

Article on Florida Department of Children and Families' plans to improve the administration and delivery of the DFSP, based on lessons learned from the 2005 hurricane season: <http://www.orlandosentinel.com/news/local/state/sfl-panestamps15jul17,0,7688774.story?coll=orl-home-headlines>

The *News-Press* in Florida reports on the free school meals waiver in Lee County, Florida, following Hurricane Charley in 2004:
<http://vh10066.v1.moc.gbahn.net/apps/pbcs.dll/article?AID=/20040918/NEWS0104/40918007/1006>

Press release from the Florida Department of Children and Families announcing that September 2004 food stamp and Temporary Cash Assistance allotments would be released early in preparation for Hurricane Frances:

http://www.frac.org/html/federal_food_programs/FSP/Hurricane_FL_DCF_Press_Release.pdf

Article on automatic replacement benefits for food stamp recipients in Michigan counties affected by the 2003 blackout: <http://www.woodtv.com/Global/story.asp?s=1408944>

Article on automatic replacement benefits in Washington, DC, after Hurricane Isabel in 2003:
http://oldweb.nlc.org/nlc_org/site/newsroom/nations_cities_weekly/display3.cfm?id=F3F576D447CE41C7951AAD8FBF03D88E.

Sample Outreach Materials:

USDA FNS Flyer for those affected by Hurricane Katrina (English and Spanish):
<http://www.fns.usda.gov/fsp/rules/Memo/05/091805.pdf> and
<http://www.fns.usda.gov/fsp/rules/Memo/05/sp-091805.pdf>

Flyer from the Center for Civil Justice in Michigan:
<http://www.frac.org/pdf/NopowerNofood.PDF>

Benefits Guide from the New York Immigration Coalition for those affected by the World Trade Center disaster (DFSP information on page 11):
<http://www.itapnet.org/chri/resources/911resourcekit/wtcbenefitsguide.doc>

State DFSP Manuals:

Illinois Department of Human Services Policy Manual on DFSP:
<http://163.191.134.21/pmwap/Web%20Files/PM%20and%20WAG/output/PM06109.html>

Iowa DHS Employees' Manual on DFSP:
http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/Manual_Documents/Master/7-1.pdf

Nevada State Welfare Division's Eligibility and Payments Manual on DFSP:
http://www.welfare.state.nv.us/elig_pay/epm_manual/d_0200.pdf

North Carolina Department of Health and Human Services:
<http://info.dhhs.state.nc.us/olm/manuals/dss/ei-70/man/FSDM-02.htm>

Appendix 1: FRAC's Ten Key Ways Food Stamp Advocates Can Help Low-Income People in a Disaster

	1. Develop a constructive relationship with your state and local food stamp offices <i>before</i> a disaster strikes.
	2. Ask your state about its disaster plans, or bring up disaster readiness at regular meetings or working group sessions.
	3. Encourage your state to apply to USDA as quickly as possible for the DFSP when a disaster occurs, and monitor its progress during the application process.
	4. Encourage your state to ask for automatic replacement of benefits for existing recipients, broad eligibility criteria for new recipients, and food loss as a sufficient criterion for assistance.
	5. Enlist the help of the local food bank community and a broad range of other non-profit organizations to promote the DFSP.
	6. Press local elected officials, the media, and FEMA to mention the DFSP specifically, not just assistance in general.
	7. Use all of your normal outreach channels and methods to inform people about the DFSP, and think of new channels and methods as the disaster situation requires.
	8. Advocate for clients who fall through the cracks of the disaster relief efforts.
	9. Work with your state to develop a plan to help DFSP recipients who might be eligible for the regular Food Stamp Program to apply for benefits.
	10. When the disaster effort is over, recognize your state for what it did well and make constructive suggestions for future disaster relief efforts.

Appendix 2: Disaster Food Stamp Legislation

The Food Stamp Act of 1977, as amended

Section 5

(h) Temporary emergency standards of eligibility; Food Stamp Disaster Task Force; direct assistance to State and local officials

(1) The Secretary shall, after consultation with the official empowered to exercise the authority provided for by sections 402 and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 USC 5121 et seq.), establish temporary emergency standards of eligibility for the duration of the emergency for households who are victims of a disaster which disrupts commercial channels of food distribution, if such households are in need of temporary food assistance and if commercial channels of food distribution have again become available to meet the temporary food needs of such households. Such standards as are prescribed for individual emergencies may be promulgated without regard to section 4(c) of this act or the procedures set forth in section 553 of title 5 of the United States Code.

(2) The Secretary shall -

(A) establish a Food Stamp Disaster Task Force to assist States in implementing and operating the disaster program and the regular food stamp program in the disaster area; and

(B) if the Secretary, in the Secretary's discretion, determines that it is cost-effective to send members of the Task Force to the disaster area, the Secretary shall send them to such area as soon as possible after the disaster occurs to provide direct assistance to State and local officials.

(3) (A) The Secretary shall provide, by regulation, for emergency allotments to eligible households to replace food destroyed in a disaster. The regulations shall provide for replacement of the value of food actually lost up to a limit approved by the Secretary not greater than the applicable maximum monthly allotment for the household size.

(B) The Secretary shall adjust issuance methods and reporting and other application requirements to be consistent with what is practicable under actual conditions in the affected area. In making this adjustment, the Secretary shall consider the availability of the State agency's offices and personnel, any conditions that make reliance on electronic benefit transfer systems described in section 7(i) of this title impracticable, and any damage to or disruption of transportation and communication facilities.

* * *

Section 11

(e) The State plan of operation required under subsection (d) of this section shall provide, among other such provisions as may be required by regulation—

...(14) that the State agency shall specify a plan of operation for providing food stamps for households that are victims of a disaster; that such plan shall include, but not be limited to, procedures for informing the public about the disaster program and how to apply for its benefits, coordination with Federal and private disaster relief agencies and local government officials, application procedures to reduce hardship and inconvenience and deter fraud, and instruction of caseworkers in procedures for implementing and operating the disaster program;

The Robert T. Stafford Act Disaster Relief and Emergency Assistance Act, as amended:

Section 412. Food coupons and distribution

(a) Persons eligible; terms and conditions

Whenever the President determines that, as a result of a major disaster, low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture or other appropriate agencies coupon allotments to such households pursuant to the provisions of the Food Stamp Act of 1964 (Pub.L 91-671; 84 Stat. 2048) [7 U.S.C. 2011 et seq.] and to make surplus commodities available pursuant to the provisions of this chapter.

(b) Duration of assistance; factors considered

The President, through the Secretary of Agriculture or other appropriate agencies, is authorized to continue to make such coupon allotments and surplus commodities available to such households for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households, to which assistance is made available under this section.

(c) Food Stamp Act provisions unaffected

Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 [7 U.S.C.A. 2011 et seq.] except as they relate to the availability of food stamps in an area affected by a major disaster.

Note: the President's authority in this section was delegated to the Secretary of Agriculture by Executive Order 12673.

Recently Introduced Bills

“Hurricane Katrina Food Assistance Relief Act,” introduced in Senate (September 13, 2005). Enter bill number S.1695 into the search engine at <http://thomas.loc.gov/>.

“Emergency Food and Farm Disaster Assistance Act of 2005,” introduced in House of Representatives (September 15, 2005). Enter bill number H.R.3809 into the search engine at <http://thomas.loc.gov/>.

Appendix 3: Data on Selected Disaster Food Stamp Assistance, 2001-2005

This chart summarizes Disaster Food Stamp Program assistance from 2001 to 2005. When the data is available, caseload and benefits totals are disaggregated into new households and existing households (those receiving replacement and in some cases supplemental disaster benefits). See FRAC's posting (http://www.frac.org/pdf/dfsp_chart.pdf) for a complete list of disaster programs between 1996 and 2004. Since the chart includes full DFSPs as well as disasters where only already participating households received disaster benefits, average benefits may not necessarily be comparable across different disasters.

Note: the DFSP rarely covers an entire state; typically, the program takes place in select parts of states.

DISASTER	STATE	NUMBER OF HOUSEHOLDS	BENEFITS ISSUED	COMMENTS
Hurricane Wilma October 2005	Florida	New: 661,030 Existing: 224,002	New: \$269,865,856 Supplements: \$26,341,999 Total: \$296,207,855	Disaster Food Stamp Program (DFSP) and evacuee policy
Hurricane Rita September through October 2005	Louisiana	151,146	\$86,749,919	DFSP and evacuee policy
Rita	Texas	32,036	\$8,314,076	Evacuee policy
Rita	Arkansas	2,212	\$886,267	Evacuee policy
Hurricane Katrina August through October 2005	Alabama	New: 56,841 Existing: 30,000	New: \$21,191,322 Supplements: \$4,314,403 Total: \$25,505,725	DFSP and evacuee policy
Katrina	Arkansas	8,475	\$4,452,499	Evacuee policy
Katrina	Florida	10,741	\$2,890,467	Evacuee policy
Katrina	Georgia	19,469	\$4,633,068	Evacuee policy
Katrina	Illinois	3,179	\$1,394,702	Evacuee policy
Katrina	Indiana	765	\$608,904	Evacuee policy
Katrina	Kentucky	1,190	\$216,757	Evacuee policy
Katrina	Louisiana	New: 345,441 Existing: 197,914	New: \$280,905,494 Supplements: \$25,875,559 Total: \$306,781,053	DFSP and evacuee policy
Katrina	Minnesota	391	\$116,826	Evacuee policy
Katrina	Mississippi	New: 186,765 Existing: 224,165	New: \$110,836,513 Supplements: \$24,146,492 Total: \$134,983,005	DFSP and evacuee policy
Katrina	New Mexico	256	\$218,625	Evacuee policy
Katrina	North Carolina	2,394	\$1,205,055	Evacuee policy

Katrina	Oklahoma	1,498	\$383,083	Evacuee policy
Katrina	South Carolina	1,632	\$432,904	Evacuee policy
Katrina	Tennessee	7,158	\$715,800	Evacuee policy
Katrina	Texas	104,153	\$30,447,630	DFSP and evacuee policy
Katrina	Wisconsin	507	\$379,095	Evacuee policy
Hurricane Dennis July 2005	Florida	59,567	\$19,283,370	Dennis affected Monroe and Dade counties; then struck the Florida panhandle
Flooding in nine counties April 2005	Pennsylvania	4 (Monroe county only)	\$842	Estimate of amount issued is for Monroe County only; no estimates received from the other 8 counties
Winter storms and flooding January 2005	Indiana	3,642	\$1,155,445	Snow and ice storms followed by heavy rains and flooding in 62 counties; also approved the addition of 24 other counties
Hurricanes Ivan, Frances, Charley and Jeanne September through October 2004	Florida	New: 433,456 Existing: 476,519	New: \$161,279,413 Supplements: \$68,038,463 Total: \$229,317,876	
Ivan	North Carolina	18,814	\$5,202,246	Supplements
Ivan and Frances	Pennsylvania	New: 564 Existing: 316	New: \$158,584 Supplements: \$62,154 Total: \$220,738	DFSP and supplements
Ivan	Alabama	New: 55,861 Existing: 82,943	New: \$20,634,103 Supplements: \$16,397,167 Total: \$ 37,031,270	DFSP and supplements
Flooding August 2004	Pennsylvania	New: 39 Existing: 20	New: \$ 9,476 Supplements: \$3,765 Total: \$13,241	DFSP and supplements
Tornados May through June 2004	Nebraska	139	\$47,010	
Tornados May through June 2004	Iowa	65	\$16,827	
Wildfires	California	New: 2,545	\$889,516	San Bernardino and San Diego

November 2003		Existing: 96		counties
Hurricane Isabel September thru October 2003	North Carolina	New: 23,557	New: \$7,174,486 Supplements: \$640,601 Replacements: \$1,470,000 Total: \$9,285,087	DFSP, supplements, and replacements
Isabel	Maryland	59,033	\$5,829,439	Supplements
Isabel	District of Columbia	New: 11,126 Existing: 43,101	New: \$3,384,679 Supplements: \$3,891,718 Total: \$7,276,397	
Isabel	Virginia	New: 137,126 Existing: 57,205	New: \$51,419,305 Supplements: \$4,660,897 Total: \$56,080,202	
Windstorm July 2003	Tennessee	9,100	\$3,500,000	Fifty-percent replacement of July allotments for Shelby County households
Blackout August 2003	Michigan	159,905	\$14,366,480	
Ice storm December 2002	North Carolina	Existing: 50,515	\$5,486,544	Automatic replacements of 51 percent of December benefits for individuals eligible on 12-04-02
Super-typhoon December 2002	Guam	New: 20,469 Existing: 1,573	\$8,018,686	DFSP, supplements, and replacements
Tornados October 2002	Indiana	15	\$4,115	Supplements
Hurricane Isidore October 2002 thru November 2002	Louisiana	23,280	\$6,240,289	Automatic replacement in 11 parishes; replacement upon household's request in 18 parishes
Forest fire July 2002	Arizona	4,286	\$1,048,825	Supplements
Flash flood May 2002	West Virginia	7,611	\$2,057,123	Supplements
Flash flood May 2002	Virginia	894	\$228,169	Supplements
Ice Storm January 2002	Oklahoma	26,072	\$7,405,207	

Storms, tornados October 2001	Oklahoma	New: 12 Existing: 5	New: \$4060 Supplements: \$962 Total: \$5022	DFSP
World Trade Center September 2001	New York	16,668	\$4,100,573	DFSP
Ice storm and freeze January 2001	Oklahoma	138,787	\$13,687,562	

Appendix 4: Disaster Eligibility Worksheet

DFSP Income and Resource Test: the household's income during the disaster benefit period, plus its accessible liquid resources, less a deduction for its expected disaster-related expenses, must not exceed the disaster gross income limit. The disaster gross income limit, which is adjusted for family size, equals the maximum monthly net income limit for the regular FSP, plus the maximum standard income deduction, plus the maximum excess shelter expense deduction.

The household in the example below has four persons and expects to receive \$1,900 in income during the disaster benefit period. The household head has \$100 in her checking account and \$350 in her savings account. Following the disaster, the household incurs costs of \$200 for roof repairs and \$400 for out-of-pocket hospital expenses. As the calculation below shows, this household is eligible for disaster food stamps.

Disaster Gross Income Limit (48 States & DC, FY06)	
Persons in Household	Income Limit
1	\$1,332
2	\$1,604
3	\$1,875
4	\$2,147
5	\$2,442
6	\$2,735
7	\$3,007
8	\$3,279
each additional person	\$272

	<i>Example</i>			
The household's income (actual or expected) during the disaster benefit period...	\$1,900			
... plus its accessible liquid resources (checking and savings only; disaster-related cash assistance does not count)...	\$450			
... minus a deduction for its expected disaster-related expenses (not expected to be reimbursed during the benefit period)...	- \$600			
(TOTAL of first 3 lines)	\$1,750			
...must not exceed the disaster gross income limit for the household size.	\$2,147			