



**An Advocate's Guide
to the
Disaster Supplemental
Nutrition Assistance
Program (D-SNAP)**

Updated July 2017

Table of Contents

About FRAC	3
Acknowledgements	3
Introduction.....	4
Types of Disaster Food Assistance	5
Disaster SNAP (D-SNAP)	6
Regular SNAP With Waivers	6
Commodity Distribution.....	7
Child Nutrition Programs	7
School Meals Programs.....	8
Summer Nutrition Programs	8
The Child and Adult Care Food Program (CACFP).....	8
The Special Supplemental Nutrition Program for Women, Infants and Children (WIC).....	10
Administering Disaster SNAP (D-SNAP): Timelines and Key Players	11
Before a Disaster	12
When Disaster Strikes	13
Administering Disaster SNAP (D-SNAP).....	16
Phasing Out of Disaster SNAP (D-SNAP)	18
Eligibility and Benefits	19
Income and Resource Test for Disaster SNAP (D-SNAP).....	20
Other Eligibility Requirements	20
Disaster SNAP (D-SNAP) Rules Broader Than Regular SNAP.....	21
Verification	21
Benefit Amounts	21
How Advocates can Make a Difference.....	23
Download This Guide and Other Documents now	23
Don't Wait Until a Disaster Hits	23
Influence the Disaster Response.....	23
Advocate for Clients After Disaster SNAP (D-SNAP) is Under way.....	25
Conduct Disaster SNAP (D-SNAP) Outreach	26
Help Clients Transition From Disaster SNAP (D-SNAP) to Regular SNAP.....	27
Recognize a job Well Done	28
A Future Pandemic?	29
Conclusion.....	31
Links and Resources.....	33
Appendix 1: FRAC's 10 Key Ways SNAP Advocates can Help Low-Income People in a Disaster	37
Appendix 2: Disaster SNAP (D-SNAP) Legislation	38

About FRAC

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

Sign-up for FRAC's *Weekly News Digest* at frac.org.

Acknowledgments

This guide was prepared and updated by the following Congressional Hunger Center Emerson National Hunger Fellows, under the direction of FRAC Legal Director Ellen Vollinger: Shawn Powers (11th Class), Larisa Bowman (12th Class), and Deondre' Jones, (23rd class). FRAC Director of Early Childhood Nutrition Geri Henchy and FRAC Director of School and Out-of-School Time Programs Crystal FitzSimons provided assistance with the child nutrition sections of this report.

FRAC wishes to acknowledge the support of the following for its work to expand SNAP's use to serve more Americans in need:

- Annie E. Casey Foundation;
- The California Endowment;
- Convergence Partnership Fund of Tides Foundation;
- Eos Foundation;
- Evangelical Lutheran Church in America;
- General Mills;
- The JPB Foundation;
- MAZON: A Jewish Response to Hunger;
- New Directions Foundation;
- Sand Dollar Fund;
- Solidarity Giving, an Advised Fund of the Silicon Valley Community Foundation;
- Walmart Foundation; and
- Wellspring Philanthropic Fund.

For more information about the Supplemental Nutrition Assistance Program (SNAP), visit FRAC's website at frac.org. If you have further questions about SNAP and eligibility to participate, please email Ellen Vollinger via evollinger@frac.org.

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 with more than 1,800 lives lost during and after the hurricane.¹ Over three-quarters of a million people were forced to flee their homes,² and 10 months after the storm, repopulation estimates for Orleans parish (i.e., county) 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 one-quarter (23.2 percent) of New Orleans residents were impoverished, and the city's rate of childhood poverty was more than double the national average (38.1 percent as compared to 18.4 percent).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 Service (USDA-FNS) broad authority to provide emergency food relief after disasters. The cornerstone of federal nutrition assistance in a disaster scenario is the Disaster Supplemental Nutrition Assistance Program (D-SNAP). The federal child nutrition programs and the distribution of commodity foods also play important roles in assisting people hit hard by disaster.

Advocates, service providers, public officials, business people, and individuals should be aware of the potential for SNAP and other federal nutrition benefits to expedite and strengthen the response to disasters of various types. In the past, D-SNAP has provided relief after flooding in North Carolina, 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

¹ CNN. (2016). *Hurricane Katrina Statistics Fast Facts*. Available at:

<http://www.cnn.com/2013/08/23/us/hurricane-katrina-statistics-fast-facts/>. Accessed on July 20, 2017.

² U.S. Department of Homeland Security. (2006). *The Federal Response to Hurricane Katrina Lessons Learned*. Available at: <http://library.stmarytx.edu/acadlib/edocs/katrinawh.pdf>. Accessed on July 23, 2017.

³ The Star Online. (2006). *New Orleans population whiter, smaller post-storm*. Available at: <http://www.thestar.com.my/news/world/2006/06/08/new-orleans-population-whiter-smaller-poststorm/>. Accessed on July 20, 2017.

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.

the 2005 hurricanes (Katrina, Rita, and Wilma), D-SNAP served 2.4 million households and distributed \$928 million in benefits.⁵

D-SNAP provides replacement benefits for regular SNAP recipients who lose food in a disaster and extends benefits to many households that would not ordinarily be eligible for, but suddenly need, food assistance. In order to ease the administrative burden on states, D-SNAP typically includes temporarily relaxed verification and reporting requirements for the state's ongoing case processing activities. Like regular SNAP, D-SNAP 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 D-SNAP, 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 a disaster strikes.

This paper explains how D-SNAP 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 domestic disasters, including the 2005 hurricanes (Katrina, Rita, and Wilma), the terrorist attacks of September 11, 2001, 2012 Hurricane Sandy, 2015 Hurricane Matthew, and many others.

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. Most of the nutrition programs are entitlements and can respond quickly and effectively in very substantial ways, without waiting

⁵ After Hurricane Katrina alone, close to 751,000 new households enrolled in D-SNAP 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.

Source: Waldron, P. (2006). "Ready for Stormy Weather?" (PowerPoint presentation at the 2006 National EBT State Directors Meeting in May 2006.) This is not available online.

for further legislative action. While this guide is primarily about D-SNAP, this section also reviews other nutrition programs that can offer assistance in the wake of a disaster.⁶

Disaster SNAP (D-SNAP)

D-SNAP provides replacement benefits for SNAP households that lose food and also extends benefits to many other households that would not ordinarily be eligible for SNAP. The latter part of D-SNAP 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 regular SNAP. Conducting D-SNAP 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 D-SNAP operations and rules.

Regular SNAP With Waivers

In lieu of implementing a full D-SNAP, a state may opt to rely on regular SNAP, but seek waivers from USDA to better meet the needs of those affected by the disaster. Under SNAP regulations, it is always possible for individual SNAP recipients who lose food in a “household misfortune” to obtain replacement benefits if they report the loss within 10 days.⁶ 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 10-day time frame for reporting a loss of food, and temporarily waived employment and training requirements.⁷ Using this strategy to expand access to regular SNAP 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.

One particularly effective and easy-to-administer waiver involves the automatic replacement of benefits without SNAP households having to report a loss of food to their local offices.

Following Hurricane Matthew’s landfall in October of 2016, North Carolina obtained a waiver to automatically replace 50 percent of a month’s worth of benefits for all SNAP recipients in select counties.⁸ The replacement benefits were simply posted to each recipient’s Electronic

⁶ Mass Legal Services has a fairly comprehensive resource to guide Massachusetts residents through this process. <https://www.masslegalservices.org/content/snap-replacement-benefits-due-natural-disaster-or-household-misfortune-including-power-loss>

⁷ When applying for regular SNAP, 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 SNAP benefits. Certain so-called able-bodied adults without dependents (ABAWD) have to meet employment and training requirements in some localities to receive regular SNAP for more than three months. However, in a disaster scenario, many of these verification and eligibility rules and regulations are often waived. See USDA-FNS’s Waivers of Rules for more information. <https://www.fns.usda.gov/snap/waivers-rules>

⁸ USDA-FNS approved more than one waiver in the wake of Hurricane Matthew in North Carolina. Many of the waivers focused on issuing replacement SNAP benefits; however, waivers were also approved to expand D-SNAP

Benefits Transfer (EBT) card with no special action required by the client. The waiver provided replacement benefits to many people quickly and easily, while SNAP households experiencing more severe disaster-related hardships 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 South Carolina and Florida in 2016, and in Tennessee in 2017. Such broad-based replacement of benefits may also be a component of a full D-SNAP.

Commodity Distribution

With approval from USDA, states may release commodity foods — which are ordinarily intended for the National School Lunch Program (NSLP), 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 supplemented the diets of low-income pregnant and postpartum women, children under age six, and seniors.⁹ 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 the Feeding America network of food banks 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, however, such channels are available, USDA gives preference to D-SNAP.

Child Nutrition Programs

While D-SNAP is the first line of defense in a disaster situation, other federal nutrition programs can make critical contributions to relief efforts. In a disaster situation, USDA works closely with the state child nutrition agency, usually housed in the department of education to waive program requirements that would limit access to nutrition programs. USDA encourages state agencies to review the options available to ensure access to the child nutrition programs

into more counties as well as augment child nutrition policies. The complete list of North Carolina waivers associated with Hurricane Matthew can be found here: <https://www.fns.usda.gov/disaster/north-carolina-disaster-nutrition-assistance>.

⁹ Pursuant to the 2014 Farm Bill, CSFP now serves only low-income seniors.

in order to prepare and plan prior to a disaster so the response can be swift. Policy guidance on disasters and the child nutrition programs can be found on USDA's website:

https://www.fns.usda.gov/sites/default/files/SP46_CACFP%2012_SFSP%2018-2014os.pdf.

School Meals Programs

The state child nutrition agency can work with school nutrition departments to waive requirements to ensure access. In the past, USDA has allowed the state to provide free meals in hard-hit areas to all students, regardless of income, and did so for New York City after Hurricane Sandy in 2012 displaced around 40,000 of the city's families.¹⁰ 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 in 2005, 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. In addition, children in households receiving D-SNAP are categorically eligible for free school meals and can be directly certified through the SNAP agency or through a school meal application.

It is important to note that children certified for free or reduced-price school meals because of a disaster situation, including eligibility based on homelessness or receipt of D-SNAP benefits, remain eligible for the entire school year and up to 30 days in the next school year.

Households are not required to report changes in income or household size that take place during the school year.

Summer Nutrition Programs

The Summer Food Service Program (SFSP) (which can be operated by school nutrition departments, local government agencies, and private nonprofit organizations) and the Seamless Summer Option (which can be operated by school nutrition departments) normally provide reimbursements for meals and snacks served during summer vacation or year-round schools' extended breaks. State agencies may allow school nutrition departments and current summer food sponsors to operate SFSP or the Seamless Summer Option when schools or child care facilities must be closed due to disasters. USDA directs states to pre-approve school nutrition departments and sponsors to serve meals in the event of a disaster to accelerate the response. In addition, approval of summer meal sites can be expedited during an emergency.

The Child and Adult Care Food Program (CACFP)

In some cases, 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

¹⁰ Patch. (2012). *USDA Will Fund Free Meals for NYC Schools Post-Sandy*. Available at: <https://patch.com/new-york/windsorterrace/amp/13558120/usda-will-fund-free-meals-for-nyc-schools-post-sandy>. Accessed on July 20, 2017.

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, and enrollment and location requirements. Some states have disaster plans that include CACFP as part of a comprehensive response to disaster.

In the immediate aftermath of the September 11 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, which, 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 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.

After Hurricane Katrina in 2005, 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.¹¹

In 2014, Norma Birkhead (Manager, CACFP and Summer Food Service Program) issued a memorandum that details ways that CACFP, NSLP, and other programs can aid in the process of rebuilding after a disaster. Providing emergency shelter and food for children in these shelters were clearly outlined as eligible for CACFP participation.¹²

¹¹ See the following source for an overview of CACFP, WIC, and other USDA-FNS programs' involvement in relief efforts.

Source: Congressional Research. (2006). Federal Food Assistance in Disasters: Hurricanes Katrina and Rita. Available at:

<http://www.congressionalresearch.com/RL33102/document.php?study=Federal+Food+Assistance+in+Disasters+Hurricanes+Katrina+and+Rita>. Accessed on July 20, 2017.

¹² The memo outlines protocol for many other programs that become vital in periods after a disaster.

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 that are distributed monthly through EBT and WIC checks or coupons for specific food vouchers redeemable at a retail grocery store.¹³

WIC's role in disaster assistance is not defined by legislation. USDA's WIC policy memorandum, "WIC Disaster Policy and Coordination," provides guidance on how WIC should respond in disaster situations.¹⁴ 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 recommended that state disaster strategies also include plans for "being a recipient state for a disaster occurring elsewhere."¹⁵ Advocates should consider reviewing the state plan or offering to be part of the effort to create a plan if one does not exist.¹⁶ Without a pre-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. Conducting WIC outreach to eligible recipients prior to a disaster can also lead to a more robust post-disaster response.

USDA strongly discourages the suspension of WIC services because the program is regarded as an adjunct to health care and 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, Ultra-High Temperature Processing milk, or smaller packages of other food items.

Source: Child and Adult Care Food Program. (2014). Memo regarding CACFP and SFSP participation. Available at: <https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/CACFP%20%2312-2014%20Disaster%20Response.pdf>. Accessed on July, 2017.

¹³ 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.

¹⁴ 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.

¹⁵ Brumble, L. (2006). "Disaster: Lessons Learned in Texas." (PowerPoint at the National WIC Association 2006 Annual Conference in May 2006.) This is not available online.

¹⁶ Georgia Department of Public Health. (n.d.). Emergency Plans (webpage). Available at: <https://dph.georgia.gov/emergency-plans-o>. Accessed on July 20, 2017.

- Replacing lost unredeemed WIC food vouchers, pro-rated for the remainder of the month. According to federal WIC rules, WIC does not replace WIC food lost in a disaster. However, states do have the authority to exceed this ruling, as seen in the Texas WIC disaster plan.¹⁷
- 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 SNAP, Medicaid, or Temporary Assistance for Needy Families (TANF).
- Shortening or lengthening WIC eligibility certification periods up to 30 days.
- 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.
- Maintain the State WIC toll-free line to help WIC clients displaced by disasters locate the nearest open WIC clinic.
- Modify nutrition education requirements, such as offering participants lessons that can be completed at home. Many states have online nutrition education options as well.

USDA-FNS's website has a section on WIC disaster assistance that provides resources, including a list of policy changes that might be available. WIC State agencies, advocates, and participants should consider what resources and policy changes would be appropriate to the particular circumstances of the affected community.

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-serving 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.¹⁸

Administering Disaster SNAP (D-SNAP): Timelines and Key Players

The primary responsibility for requesting, planning, and executing D-SNAP rests with the state agency responsible for administering SNAP; however, USDA-FNS headquarters and regional

¹⁷ Texas Department of State Health Services. (2011). Memo regarding "Procedures for Disaster Situations." Available at: <https://www.dshs.texas.gov/wichd/data11/11116-acc.pdf>. Accessed on July 20, 2017.

¹⁸ 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>.

offices, 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 SNAP agencies also must have a D-SNAP 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 more.^{19,20} USDA-FNS's *Disaster SNAP Guidance* advises states to “identify private disaster relief agencies within the State such as the Red Cross, Salvation Army, or community groups and a description of their role in D-SNAP implementation.”²¹

Each state's D-SNAP plan must be approved by USDA. State SNAP agencies must review their disaster plans annually and submit any revisions to USDA by August 15 of each year. If states do not submit revisions, they then must submit a notice of no substantial change, according to USDA-FNS's proposed D-SNAP rule of 2016. Advocates who are interested in reviewing their state's disaster plan should contact their USDA regional office.²²

Provisions for EBT service in a disaster situation should be negotiated in advance of a disaster with the state's EBT contractor.²³ (In all states, regular SNAP benefits are no longer delivered via coupons, but rather electronically via a debit-like card for use at retail outlets.) States

¹⁹ 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: https://www.fns.usda.gov/sites/default/files/PL_106-580.pdf.

²⁰ See the proposed D-SNAP rule that would expand the requirements for a disaster plan at: https://www.federalregister.gov/documents/2016/05/10/2016-10923/supplemental-nutrition-assistance-program-snap-disaster-supplemental-nutrition-assistance-program?utm_campaign=subscription%20mailing%20list&utm_medium=email&utm_source=federalregister.gov.

²¹ See the *Disaster SNAP Guidance*, Food and Nutrition Services Handbook, p. 21 (2014), available at: https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_o.pdf.

²² Regional disaster contacts are available at: <https://www.fns.usda.gov/fns-regional-offices>.

²³ 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).

should consider planning an expedited process for obtaining additional EBT cards²⁴ and procedures for handling SNAP transactions when food retailers are open, but unable to communicate with the EBT contractor in case either should become necessary.

When Disaster Strikes

Following a disaster, the president may, at the request of a state's governor, issue a declaration of a "major disaster."²⁵ 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 D-SNAP 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 D-SNAP 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;²⁶ however, coordinating the two agencies' messages to the public has been a challenge in past disasters. For example, after the terrorist attacks of September 11, advocates in New York recommended efforts to increase FEMA's familiarity with D-SNAP operations and effective outreach methods.

Although the majority of recent D-SNAP implementation has 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 D-SNAP at the request of a state without requiring a presidential declaration of a major disaster.²⁷ However, the Food Stamp Act imposes an additional requirement for D-SNAP under this route: commercial channels of food distribution must have been disrupted and subsequently

²⁴ 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.

²⁵ 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.

²⁶ USDA's response to the disaster – including commodity distribution, waivers for school meal programs, and implementation of D-SNAP – 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 <https://georgewbush-whitehouse.archives.gov/reports/katrina-lessons-learned/chapter5.html>. Also, on June 21, 2006, FRAC recognized the regional and national staff of USDA FNS with a Distinguished Service Award for their fast, effective, and compassionate efforts to get SNAP, WIC, and child nutrition benefits to those devastated by Hurricanes Katrina, Rita, and Wilma.

²⁷ See the Food Stamp Act, Section 5(h), available at: https://www.fns.usda.gov/sites/default/files/PL_106-580.pdf.

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."²⁸

Whichever statutory route is invoked to authorize D-SNAP, 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 D-SNAP, regular SNAP with waivers, and commodity distribution. As the D-SNAP guide from USDA 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.²⁹

As the state weighs its policy options, USDA assembles a Disaster Task Force, which includes senior USDA officials, representatives of SNAP and other nutrition programs, and representatives from USDA regional office(s) affected by the disaster. The Disaster Task Force oversees the disaster relief efforts from USDA headquarters and maintains contact with FEMA and the Department of Homeland Security. If needed, USDA-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 D-SNAP details and provides a toolkit with handouts, applications, public relations materials, checklists, and information on eligibility and verification requirements. USDA also has produced a *Disaster SNAP Handbook* for state agencies.³⁰

If the state seeks authorization for D-SNAP, it must submit an informal application to the regional USDA office by phone or fax within a "reasonable time" after the disaster.

Pursuant to the proposed rule issued in 2016, USDA would require that the formal application include the date and type of the disaster, the geographic areas in need of assistance, a draft press release, a sample application, preliminary damage assessments, the start and end dates of the application period, a map of the disaster area, an estimate of how many low-income households are in need of assistance, and the start and end dates of the 30-day benefit period.

²⁸ U.S. Department of Agriculture, Food and Nutrition Service. (2014). Disaster SNAP Guidance. Available at: https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_o.pdf. Accessed on July 20, 2017.

²⁹ U.S. Department of Agriculture, Food and Nutrition Service. (n.d.). Disaster Outreach. Available at: https://www.fns.usda.gov/sites/default/files/D-SNAP_Guidance_Handbook_Toolkit.pdf. Accessed on July 20, 2017.

³⁰ U.S. Department of Agriculture, Food and Nutrition Service. (2014). Disaster SNAP Guidance. Available at: https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_o.pdf. Accessed on July 20, 2017.

The application must also identify any options the state has chosen, including whether or not food loss alone will be a qualifying expense, if households that worked — but did not live — in the disaster area will be eligible, and whether or not a Disaster Standard Expense Deduction will be used.³¹ Most tools necessary for a state to apply for D-SNAP can be found on USDA-FNS’s website.³²

The default length for a D-SNAP application is seven days. 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 hurricanes Katrina and Rita, the application period for disaster or expedited SNAP 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 time frame.³³ More recently, Louisiana sought and received federal approval to provide victims of the 2016 summer floods with two months’ worth of federally funded D-SNAP benefits. The second month of benefits were estimated to reach 106,000 households that had not been enrolled in regular SNAP.³⁴

Taken as a whole, the post-Katrina 2005 evacuee policies marked an unprecedented move on the part of USDA. In issuing the policies, the agency exhibited not only its awareness of the 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,”³⁵ and the agency showed great leadership in

³¹ U.S. Government. (2016). Supplemental Nutrition Assistance Program (SNAP): Disaster Supplemental Nutrition Assistance Program (D-SNAP). Available at: https://www.federalregister.gov/documents/2016/05/10/2016-10923/supplemental-nutrition-assistance-program-snap-disaster-supplemental-nutrition-assistance-program?utm_campaign=subscription%20mailing%20list&utm_medium=email&utm_source=federalregister.gov. Accessed on July 20, 2017.

³² See USDA-FNS’s “D-SNAP Resources for State Agencies and Partners” page on their website, available at: <https://www.fns.usda.gov/disaster/d-snap-resources-state-agencies-and-partners>.

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. All of these policies are accessible through USDA-FNS’s website. <https://www.fns.usda.gov/sites/default/files/NationalEvacueePolicy.pdf>

³⁴ Gallo, A. (2016). *The Advocate*. “Another month of disaster food stamps available to flood victims.” Available at: http://www.theadvocate.com/louisiana_flood_2016/article_7c441654-8f35-11e6-a8d5-939be190b5e2.html. Accessed on July 20, 2017.

³⁵ This particular quote is from the aforementioned “Questions & Answers on Evacuees,” found here: <https://fns-prod.azureedge.net/sites/default/files/qas.pdf>. The sentiment is also echoed in the other policies and press releases that USDA issued during that time.

meeting its goal. As this example demonstrates, USDA will allow states to employ alternative application and benefit periods in the instance of a major disaster.³⁶ 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 Disaster SNAP (D-SNAP)

Once the D-SNAP application has been approved, the next step for the State SNAP agency 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 D-SNAP's reporting systems, which help monitor the program and justify extensions if necessary.

The D-SNAP application and issuance sites are where most of the action happens. In the event of a major disaster, local SNAP 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 D-SNAP, 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. USDA has advised that 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.³⁷

Schools, stadiums, piers, police stations, libraries, mobile vans, rented trailers and tents, high school parking lots, and regular social services offices have all served as application sites in the past. State officials must decide whether to co-locate D-SNAP sites with FEMA and other emergency services and whether to process new D-SNAP 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 applicants who are elderly or live with disabilities. Signage and

³⁶ 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: <https://www.congress.gov/bill/109th-congress/senate-bill/1695>.

³⁷ Section 5 of the "Disaster SNAP Guidance" Handbook, published by USDA-FNS, talks about the various factors that should be considered when choosing application sites, among other important needs to keep in mind when designing a D-SNAP site. This handbook is available at: https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_o.pdf.

handouts can help applicants understand how the process works, what verification is required, and 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 unaffected areas, and temporary hires all can help fill staffing needs.³⁸ 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 D-SNAP, 53 human service employees were rushed from Iowa, Kansas, Oklahoma, and South Dakota to Baton Rouge on September 14. Along with Delaware and Washington, several of these states again sent workers just two weeks later for Hurricane Rita relief. Given the extent of the devastation, arranging transportation and housing for the out-of-state workers posed the most significant hurdle to this process;³⁹ once on the ground, the out-of-state workers were easily integrated into D-SNAP operations on account of their familiarity with the program. Newly hired staff not experienced with D-SNAP will need to be trained in the program's specific provisions, fraud prevention measures, public relations, and personnel matters. 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 substantial number of persons seeking assistance after the 2005 hurricane, D-SNAP 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

³⁸ Based on its experience with Hurricanes Katrina and Rita, the Louisiana Department of Social Services recommended that states: 1) develop a database of staff willing to come from unaffected areas to provide disaster assistance; and 2) formalize agreements with other states for the exchange of staff. Source: Louisiana Department of Social Services. (2006). "Louisiana Disaster Planning 2006." (PowerPoint at the 2006 National EBT State Directors Meeting in May 2006.) This is not available online.

³⁹ 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.

Source: Owen, A. D. (2006). "Mississippi's Hurricane Katrina Disaster Management: Key Strategies." (PowerPoint at the 2006 National EBT State Directors Meeting in May 2006.) This is not available online.

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 D-SNAP application to facilitate legibility, using the last four digits of the case number as the EBT card's personal identification number (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 in 2006 when the state launched another new approach to disaster relief: having households pre-register for assistance. D-SNAP pre-registration also has been implemented with similar guidelines by Louisiana. As soon as possible after a disaster strikes, clients can pre-register by phone or internet, so that they may enter an express line upon arrival at an application site. After either swiping the client's driver's license or entering in the number manually, the worker links the electronic application to an EBT card. The client leaves with the EBT card in hand and receives notification of eligibility by mail. The mailed notification includes the EBT card's PIN, though this information also is accessible online. If the pre-registration process fails due to a technological shortcoming, Florida plans to manually process all applications. The manual process — for clients who are not pre-registered — requires on-site identity verification and completion of paper applications before following the same steps to benefits issuance.⁴¹

Louisiana's system is similar to Florida's, with one key difference: Louisiana's D-SNAP pre-registration accepts year-round applications, not just immediately after a disaster.⁴²

Phasing Out of Disaster SNAP (D-SNAP)

As the initial application period ends, the state agency should decide, based on how many people remain to be served, whether to continue D-SNAP. 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 D-SNAP ends, states also may — and often should — facilitate the transition to regular SNAP with waivers. For example, a state may experience or anticipate an administrative backlog in regular SNAP caseloads after devoting workers and resources to the disaster effort. The state could apply to extend certification periods — increasing the length of time at the end

⁴⁰ Owen, A. D. (2006). "Mississippi's Hurricane Katrina Disaster Management: Key Strategies." (PowerPoint at the National EBT State Directors Meeting in May 2006.) This is not available online.

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://articles.sun-sentinel.com/2006-07-17/news/0607170024_1_debit-cards-applicants-service-centers.

⁴² See the Louisiana Department of Children and Family Services press release at: <http://www.dss.state.la.us/index.cfm?md=newsroom&tmp=detail&articleID=733>.

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.

It is also worth noting that many people who receive D-SNAP benefits will be eligible for regular SNAP 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 D-SNAP recipients to regular SNAP. 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 D-SNAP from each issuance site and a final Report of Disaster Issuance (form FNS-292) at the conclusion of D-SNAP. The daily reports must include the number of households and persons approved for D-SNAP, 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 1 percent sample of cases and conduct an error analysis.⁴³ Errors in D-SNAP do not count against a state’s general SNAP error rate for the purposes of awarding high performance bonuses or assessing liabilities for excessive error rates.⁴⁴ The results of the error analysis, combined with the state’s experience with the disaster program, may lead to amendments of the state’s D-SNAP plan.

Eligibility and Benefits

This section details the eligibility criteria for, and benefit amounts issued through, D-SNAP. The eligibility criteria apply to persons who are not currently receiving SNAP. As noted above, existing SNAP 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 regular SNAP, they need only report their lost food or EBT card to be eligible for replacement benefits.

⁴³ 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 1 percent sample.

Source: Owen, A. D. (2006). “Mississippi’s Hurricane Katrina Disaster Management: Key Strategies.” (PowerPoint at the 2006 National EBT State Directors Meeting in May 2006.) This is not available online.

⁴⁴ States are not excused from higher error rates in regular SNAP that may arise as a byproduct of the extra administrative burden of D-SNAP. For that reason, states affected by disasters should seriously consider requesting waivers that extend certification periods in regular SNAP or provide other administrative relief.

Income and Resource Test for Disaster SNAP (D-SNAP)

To qualify for D-SNAP, a household must meet D-SNAP income and resource test. The household's income during the disaster benefit period,⁴⁵ plus its accessible liquid resources, less a deduction for its expected disaster-related expenses, must not exceed the disaster gross income limit.

One key element here is that the resources counted are only accessible liquid resources (the asset test for regular SNAP 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.

Having arrived at the net income for the household, the household is eligible if the amount is less than the disaster gross income limit for the given household size. The limit is equal to the sum of three maximums for regular SNAP: the maximum monthly net income limit, plus the maximum standard income deduction, plus the maximum excess shelter expense deduction.⁴⁶

Other Eligibility Requirements

To be eligible for D-SNAP under USDA policy, applicants must reside in, or have evacuated from, the disaster area (defined in the presidential disaster declaration or D-SNAP waiver request) at the time of the disaster.⁴⁷ Typically, working — but not residing — in a disaster area has not made someone eligible for D-SNAP benefits; however, USDA-FNS has made exceptions in the past for certain circumstances. For example, after severe storms, tornadoes, and flooding struck Mississippi, relief was open to “households who resided or worked in these 12 counties on April 27, 2014, and who suffered disaster-related adverse effects from the severe storms and tornadoes were eligible for certification using D-SNAP criteria.”⁴⁸ USDA-FNS

⁴⁵ The disaster-benefit period is defined as the period for which disaster benefits are issued, typically one month (*Disaster SNAP Guidance*, Food and Nutrition Services Handbook, available at: https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_o.pdf).

⁴⁶ The income limits can be found under the “D-SNAP Allotments and Eligibility Standards” section at: <https://www.fns.usda.gov/disaster/d-snap-resources-state-agencies-and-partners>.

⁴⁷ 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, while keeping his or her job, might be eligible. The Nutrition Consortium report reiterates that geographic eligibility criteria are not required by statute; however, USDA-FNS generally expects states to have a defined area for assistance.

⁴⁸ U.S. Department of Agriculture. (n.d.). FNS Response to Southwest/Southeast Severe Storms, Tornadoes, and Flooding. Available at: http://www.fns.usda.gov/sites/default/files/Response_to_SE-SW_Tornadoes.pdf. Accessed on July 20, 2017.

proposed a D-SNAP rule that would extend D-SNAP to people who live and/or work in a disaster area.

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 assets. Pursuant to USDA's 2016 proposed D-SNAP rule and prior policy, 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.^{49,50} Advocates should encourage their states to deem food loss alone to be a basis for D-SNAP aid; after all, the core purpose of the program is to meet food and nutrition needs.

Disaster SNAP (D-SNAP) Rules Broader Than Regular SNAP

A number of requirements for regular SNAP are dropped for D-SNAP. An applicant's citizenship or immigrant status does not affect eligibility for D-SNAP, 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 regular SNAP for Intentional Program Violations (IPV), such as falsely reporting income or resources on a SNAP application, generally may participate in the disaster program; however, an IPV in the disaster program does count against eligibility for regular SNAP.

Verification

D-SNAP verification requirements are relaxed compared to those for regular SNAP. 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 when 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 regular SNAP for a given household size. Households that are not currently SNAP recipients but are approved for disaster benefits receive the maximum monthly disaster benefit.

⁴⁹ See memo, "FNS — Food Loss as an Eligibility Factor for the Disaster SNAP," from Clarence H. Carter, Deputy Administrator, SNAP, to FNS Regional Administrators (May 5, 2005), available at: https://fns-prod.azureedge.net/sites/default/files/050505_o.pdf.

⁵⁰ UDA-FNS's proposed rule is available at: https://www.federalregister.gov/documents/2016/05/10/2016-10923/supplemental-nutrition-assistance-program-snap-disaster-supplemental-nutrition-assistance-program?utm_campaign=subscription%20mailing%20list&utm_medium=email&utm_source=federalregister.gov.

For households already in SNAP, 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.⁵¹ Some existing SNAP recipients may need more assistance than they had received previously, which might occur if they faced significant disaster-related expenses or a termination of income. In those cases, already participating SNAP 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.⁵²

An eligible household must receive its benefits within three days of the approval of its application. As with regular SNAP, 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 SNAP recipients may buy with their benefits generally apply to D-SNAP 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 D-SNAP recipients to purchase hot and prepared foods from authorized retailers — an option normally given only in regular SNAP for persons who are homeless, elderly, or have disabilities. After major flooding occurred in Louisiana during summer 2016, USDA approved a waiver to permit disaster victims to use their benefits through December 31, 2016, to purchase hot, prepared foods.⁵³ In the past, USDA also has encouraged retailers in areas with such hot, prepared food waivers to post special notices. 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.”⁵⁴

⁵¹ 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.

⁵² The benefit amounts can be found under “D-SNAP Allotments and Eligibility Standards” section at: <https://www.fns.usda.gov/disaster/d-snap-resources-state-agencies-and-partners>.

⁵³ USDA's notice of this waiver can be found at: <https://www.fns.usda.gov/sites/default/files/disaster/Louisiana-Hot-Foods-Notice.pdf>.

⁵⁴ Food Marketing Institute. (2005). Statement of Rich Savner. Available at: <http://www.fmi.org/docs/newsletters-comments/food-stamp-benefits.pdf?sfvrsn=2>. Accessed on July 20, 2017.

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 10 key ways 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 SNAP 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 SNAP 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;⁵⁵ and the pace of their response is critical as well.

Advocates should engage with states to ensure that the disaster response reaches as many people as possible and as quickly as possible. Advocates should stress that SNAP 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 SNAP for existing clients saves administrative time and money, while reaching more people in need by not requiring clients to visit their local SNAP office.⁵⁶

Advocates should point out that D-SNAP not only assists low-income people during a difficult period, but also helps the local economy recover. Bringing in federal funds, SNAP benefits signify revenue for local retailers, generating a “multiplier effect” as the dollars cycle through

⁵⁵ For more information, contact FRAC for information on the array of waivers that states have been granted in the past as well as what are being considered.

⁵⁶ As with regular SNAP, D-SNAP benefits are fully federally funded and administrative costs are shared nearly equally by state and federal governments.

the local economy. USDA researchers have estimated that, under certain conditions, every \$5 in new SNAP benefits generates as much as \$9 of economic activity.⁵⁷ Disaster relief in the form of immediate purchasing power, such as cash or EBT-based benefits, rather than in-kind donations or commodities brought in from elsewhere, helps local economies to recover from disasters.

Additionally, financial institutions have touted prepaid and EBT cards as an effective form of disaster relief not only for pre-existing customers but also “unbanked” households that do not have the security of a savings or checking account.⁵⁸ To this end, the Red Cross adopted a Client Assistance Card in 2003, which works like a debit card and enables recipients to purchase supplies that they need to begin rebuilding their lives.⁵⁹ 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.⁶⁰ Advocates should promote forms of relief, such as D-SNAP, which give households immediate purchasing power as well as insert much-needed funds into the local economy.⁶¹

⁵⁷ U.S. Department of Agriculture, Economic Research Service. (n.d.). Economic Linkages Supplemental Nutrition Assistance Program (SNAP) Linkages with the General Economy (webpage). Available at: <https://www.ers.usda.gov/topics/food-nutrition-assistance/supplemental-nutrition-assistance-program-snap/economic-linkages/>. Accessed on July 20, 2017.

⁵⁸ Cheny, J. S. & Rhine, S. L. W. (2006). *How effective were the financial safety nets in the aftermath of Katrina?* Available at: <https://ideas.repec.org/p/fip/fedpdp/06-01.html>. Accessed on July 20, 2017. 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 U.S. Department of the Treasury, USDA, major U.S. banks, and the American Red Cross.

⁵⁹ Business Wire. (2015). *U.S. Bank Offers Prepaid Card Services for the American Red Cross*. Available at: <http://www.businesswire.com/news/home/20150408005686/en/U.S.-Bank-Offers-Prepaid-Card-Services-American>. Accessed on July 20, 2017.

⁶⁰ 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 cards.” Source: FEMA. (2006). *Improving Safeguards in the Delivery of FEMA Assistance Programs*. Available at: http://www.fema.gov/txt/media/2006/safeguards_fact_sheet.txt. Accessed on July 23, 2017.

See also the statement of Donna M. Daniels, Acting Deputy Director of Recovery at FEMA, before the Investigations Subcommittee of the Homeland Security Committee, U.S. House of Representatives (June 14, 2006), available at: http://www.fema.gov/txt/media/2006/dannels_statement.txt. Note, however, 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.

⁶¹ The Department of Health and Human Services (HHS) 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: <https://www.gpo.gov/fdsys/pkg/FR-2006-06-14/html/E6-9314.htm>. The RFI also poses good questions that could help guide the development of state disaster plans.

Advocates can also affect the disaster response by partnering with food banks, who often work closely with federal, state, and local officials in distributing commodity relief. Food banks are also well-positioned to alert officials and other partners to the best practices in expediting D-SNAP assistance and helping to incorporate information about D-SNAP into communications with the public. As mentioned earlier, Feeding America partners with FEMA in disaster planning and response and thus could be a key contact for other advocates seeking involvement in publicizing or implementing D-SNAP.⁶²

Advocate for Clients After Disaster SNAP (D-SNAP) is Under way

In times of heightened stress and confusion following a disaster, a state may be too slow to adopt D-SNAP 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.

In the days after Hurricane Sandy, AARP New York, Hunger Solutions New York, and 18 other New York-based organizations advocated to then-Mayor Bloomberg and NYC Human Resources Administration Commissioner Doar to seek authority to activate D-SNAP for parts of the city that were hit particularly hard by the storm.⁶³ Those organizations then supported disaster relief efforts once D-SNAP was activated for certain parts of the city. Also in New York City, legal aid attorneys successfully sued the state and city SNAP agencies for violating the rights of Hurricane Sandy disaster victims with disabilities by not providing those persons with reasonable accommodations to apply for D-SNAP.⁶⁴

In Maryland (post-Hurricane Sandy), Maryland Hunger Solutions (MDHS) joined Members of Congress in urging the federal government to issue a presidential disaster declaration for Individual Assistance for Somerset county after the state's initial request had been denied. Once the declaration was secured, efforts to highlight the availability of D-SNAP benefits included a visit to the affected area by Senator Ben Cardin (D-MD) and a "Food Resource Day" sponsored by MDHS, AARP MD, Maryland Food Bank, and the Maryland Department of Human Resources. During the latter event, the groups provided D-SNAP information and application assistance.⁶⁵

⁶²FEMA engages with Feeding America and other members of the National Voluntary Organizations Active in Disaster (VOAD). For a list of organizations that VOAD members, go to: <https://www.nvoad.org/voad-members/https://www.nvoad.org/voad-members/national-members/>.

⁶³ The letter, compiled by 20 various organizations, was sent to Bloomberg and Doar on November 12, 2012. Available at: <http://www.empirejustice.org/assets/pdf/policy-advocacy/advocates-call-on-nyc-to.pdf>.

⁶⁴ See the press release for this lawsuit at: <http://www.legal-aid.org/en/mediaandpublicinformation/inthenews/proposedsettlementintoney-dick.etal.aspx>.

⁶⁵ Maryland Hunger Solutions. (2013). Press release regarding "Somerset County Residents Recovering from Hurricane Sandy Participate in *Food Resource Day*." Available at: http://www.mdhungersolutions.org/pdf/storm_sandy_food_resource_day_jan2013.pdf. Accessed on July 20, 2017.

Conduct Disaster SNAP (D-SNAP) 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 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 nonprofits, 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 SNAP 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 banks, advocates, and state and local elected officials also can help potential beneficiaries become aware of D-SNAP by pressing for media attention for the program.⁶⁶ Insufficient publicity of D-SNAP has been a shortcoming cited by some advocates involved with some prior disaster programs. After finding out that that D-SNAP was not publicized by New York City, the state, or FEMA after the September 11 attacks, Hunger Solutions New York (then called the Nutrition Consortium) recommended that future government disaster relief announcements mention D-SNAP specifically, not just assistance in general.

Elected officials can play pivotal roles in encouraging the state to operate a broad D-SNAP as well as 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 (NLC) helped to get out the word about D-SNAP to mayors in states affected by the 2003 power outages. NLC's *Cities Weekly* featured an article co-authored with D.C. Hunger Solutions about how city officials and advocates worked together to leverage SNAP assistance for those affected by Hurricane Isabel.⁶⁷

⁶⁶ In relation to the summer floods of Louisiana in 2016, an example of a media publication of D-SNAP can be found at: <http://www.weeklycitizen.com/news/20170218/snap-benefits-available-for-tornado-victims-through-march>.

⁶⁷ Kim Perry and Abby Hughes Holsclaw. (2003). *Cities Weekly*. "D.C. Officials Help Secure Post-Hurricane Emergency Food Stamps." Available at: http://oldweb.nlc.org/nlc_org/site/newsroom/nations_cities_weekly/display3.cfm?id=F3F576D4-47CE41C7-951AAD8FBF03D88E. Accessed on July 20, 2017.

According to the Food and Nutrition Act of 2008, funding authorized for SNAP may not be used for certain promotional activities, such as television, radio, or billboard advertisements. However, this prohibition does **not** apply to D-SNAP.⁶⁸ Therefore, advocates and agencies should consider various forms of media outlets and activities to increase awareness of D-SNAP logistics after a disaster. 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 their hotline capacity, knowing that the number of calls received after a disaster is likely to put a strain on normal operations.

The internet and social media provide additional tools for disseminating information to clients, service providers, regular media, and the general public. 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 that time period

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 SNAP agency, so that information about available disaster relief can be easily and quickly accessed by the public.⁶⁹ The USDA-FNS website posts an interactive map to find information about current and recent D-SNAP operations and related waivers approved for disaster areas.⁷⁰

Help Clients Transition From Disaster SNAP (D-SNAP) to Regular SNAP

D-SNAP is, by definition, a temporary program. While a D-SNAP 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 D-SNAP ends, some households will

⁶⁸ This information can be found in Section II of the following USDA-FNS briefing, under the heading "Disaster SNAP": <https://www.federalregister.gov/documents/2016/12/20/2016-30621/supplemental-nutrition-assistance-program-promotion>.

⁶⁹ 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).

⁷⁰ U.S. Department of Agriculture, Food and Nutrition Service. (n.d.). Food Assistance for Disaster Relief (webpage). Available at: <https://www.fns.usda.gov/disaster/disaster-assistance>. Accessed on July 20, 2017.

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 D-SNAP assistance were eligible for regular SNAP prior to the disaster, but not participating.⁷¹ Ideally, state agencies and advocates should plan in advance to assist households in the transition from the disaster program to the regular program.

Since providing information about regular SNAP 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 or in the months following. For example, in the 10 months following Hurricane Sandy, Maryland Hunger Solutions coordinated four “Food Resource Days” in communities that had been hit hard and offered SNAP eligibility screenings.⁷²

No one would wish for a disaster, but the heightened attention to SNAP during a disaster can help eligible, but nonparticipating, families connect with regular SNAP. According to the *Montgomery Advertiser*, officials in Alabama attributed an increase in regular SNAP enrollment to Hurricane Ivan, which struck in September 2004. From January 2004 to January 2005, SNAP payments in three affected counties increased by 18 percent, while unemployment in the area remained virtually unchanged.⁷³ This experience indicates that D-SNAP can reach and bring into regular SNAP low-income households that ordinarily would not have known they were eligible for SNAP.

Recognize a job Well Done

Federal, state, and local SNAP 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. Praising effective disaster relief efforts can help cement good relationships between advocates and SNAP agencies long after the disaster is over.⁷⁴ Media attention to the positive contributions D-SNAP makes to people and communities affected by a disaster also bolsters public awareness, confidence, and support for regular SNAP.

⁷¹ At the time that this report was written, this sentiment was more powerful. Due to the Great Recession, SNAP participation rates among eligible individuals rose to about 85 percent in 2013. SNAP costs and caseloads are now falling. See the Center on Budget and Policy Priorities report on SNAP costs in 2016 at: <http://www.cbpp.org/research/food-assistance/snap-costs-and-caseloads-declining>.

⁷² Maryland Hunger Solutions. (2013). Press release regarding "Hundreds of Residents Benefit from Garrett County Food Resource Day. Available at: http://www.mdhungersolutions.org/pdf/aug_2013_md_garrett_county_food_resource_day_release.pdf. Accessed on July 20, 2017.

⁷³ Linn, M. (2005). *Montgomery Advertiser*. “Ivan’s wake fuels SNAP.” This is not available online.

⁷⁴ 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?

D-SNAP has proven countless times to be an effective form of relief after hurricanes, blackouts, tornadoes, floods, fires, and even terrorist attacks. It is conceivable, however, that a considerably worse disaster could require D-SNAP to respond in entirely new and different ways. According to a 2017 *Washington Post* article on pandemic preparedness, “Americans are at greater risk than ever from new infectious diseases, drug-resistant infections and potential bioterrorism organisms, despite advances in medicine and technology, experts say. Not only has the total number of outbreaks increased in the past three decades, but the scale, impact and methods of transmission also have expanded because of climate change, urbanization and globalization.”⁷⁵ 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 (1918–1919, 1957–1958, and 1968–1969). The recent spread of a highly pathogenic flu strain, H7N9, in China 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. 1,258 infections of H7N9 have been identified thus far, resulting in a fatality rate of 41 percent.⁷⁶ Predictions include “high levels of illness, death, social disruption, and economic loss,”⁷⁷ with communities quarantined and schools closed.⁷⁸ 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 the basic necessities. The 42.2 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. While online grocery shopping with an EBT card is being piloted in select

⁷⁵ Sun, L. H. (2017). *The Washington Post*. “The Trump administration is ill-prepared for a global pandemic.” Available at: https://www.washingtonpost.com/national/health-science/the-trump-administration-is-ill-prepared-for-a-global-pandemic/2017/04/08/59605bc6-1a49-11e7-9887-1a5314b56a08_story.html?utm_term=.266991204ee2. Accessed on July 20, 2017.

⁷⁶ Centers for Disease Control and Prevention. (2017). Increase in human Infections with Avian Influenza A (H7N9) Virus During the Fifth Epidemic. Available at: https://www.cdc.gov/mmwr/volumes/66/wr/mm6609e2.htm?s_cid=mm6609e2_w. Accessed on July 20, 2017.

⁷⁷ The government maintains two useful websites on the subject of a pandemic influenza outbreak: <https://www.cdc.gov/flu/pandemic-resources/> and <https://www.cdc.gov/flu/avianflu/>.

⁷⁸ U.S. Department of Health and Human Services. (2006). *Pandemic Influenza Planning: A Guide for Individuals and Families*. Available at: <http://www.olemiss.edu/emergency/files/indivfam.pdf>. Accessed on July 20, 2017

areas within the U.S., it still is not an option that is accessible to all SNAP users.⁷⁹ 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 how to manage such a disaster. Considerations might include advancing SNAP participants an additional month's worth of benefits at the first signs of an outbreak, which would allow households to buy extra food and water, or working with grocers to accept SNAP for at-home deliveries in the event of an emergency. While recognizing the program's limits, advocates also should explore the means by which D-SNAP could respond to a pandemic flu and work with SNAP officials to revise state disaster plans accordingly. Since the devastation would reach across geographic areas, large in-person application and issuance sites would not be recommended, and since food channels likely would be interrupted, D-SNAP — 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 D-SNAP 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 former Department of Health and Human Services Secretary Mike Leavitt⁸⁰ 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.”⁸¹ 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.⁸²

⁷⁹ For information about USDA projects for home delivery of SNAP purchases and online SNAP purchases, go to: <https://www.fns.usda.gov/snap/request-volunteers-food-purchasing-and-delivery-services> and <https://www.fns.usda.gov/snap/online-purchasing-pilot>.

⁸⁰ Secretary Leavitt undertook a nationwide tour to support local pandemic flu preparedness measures. Summits were held in each state from December 2005 to May 2006.

⁸¹ 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: <https://www.fws.gov/home/feature/2006/avian-flu-transcript.html>.

⁸² 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-

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 U.S. today are one disaster away from a similar fate. Every day, millions of low-income individuals — similar to many of the people who were left behind in New Orleans — struggle with food insecurity, hunger, and poverty. Living day-to-day and week-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 take shelter, disposable income to buy extra food and water, or health insurance to seek medical care. For the poor and near-poor, a natural or man-made crisis often signifies a “second disaster,”⁸³ 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, it is important to start facing 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 nutritional needs of low-income people in a disaster’s aftermath by utilizing the federal food assistance programs. D-SNAP, regular SNAP with waivers, commodity distribution, the school meals programs, CACFP, and WIC all play important roles in emergency food relief. D-SNAP — 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 SNAP spending generates nearly twice that amount in economic activity.

By becoming familiar with D-SNAP 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.

based organizations — the last of which could be a useful tool for advocates seeking to develop disaster plans. It is available at: http://www.who.int/csr/resources/publications/influenza/WHO_CDS_CSR_GIP_2005_4/en/.

⁸³ Pastor, M., Bullard, R. D., Boyce, J. K., Fothergill, A., Morell-Frosch, R., & Wright, B. (2006). *In the Wake of the Storm: Environment, Disaster, and Race after Katrina* Available at: https://www.e-education.psu.edu/geog882/sites/www.e-education.psu.edu/geog882/files/file/in_the_wake_of_the_storm.pdf. Accessed on July 23, 2017.

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 and improve programs, such as D-SNAP, that maximize assistance to the most vulnerable populations and most devastated communities in times of greatest need.

Links and Resources

Federal Statute:

- The Food Stamp Act of 1977, as amended (disaster program authorized in Sections 5(h) and 11(e)(14)): https://www.fns.usda.gov/sites/default/files/PL_106-580.pdf
- The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, Sec. 412:
<https://www.fema.gov/robert-t-stafford-disaster-relief-and-emergency-assistance-act-public-law-93-288-amended>.

Federal Regulations:

- USDA-FNS's Proposed D-SNAP Rule:
https://www.federalregister.gov/documents/2016/05/10/2016-10923/supplemental-nutrition-assistance-program-snap-disaster-supplemental-nutrition-assistance-program?utm_campaign=subscription%20mailing%20list&utm_medium=email&utm_source=federalregister.gov
- Replacement issuance of SNAP (7 CFR §274.6):
<https://www.law.cornell.edu/cfr/text/7/274.6>
- Emergency food assistance for victims of disasters (7 CFR §280.1):
<https://www.law.cornell.edu/cfr/text/7/280.1>

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:
<https://www.fns.usda.gov/fns-regional-offices>
- EBT Disaster Guidelines:
http://www.fns.usda.gov/sites/default/files/disaster_handout.pdf
- Disaster Outreach Guide:
https://www.fns.usda.gov/sites/default/files/disaster_outreach.pdf
- D-SNAP Allotments and Eligibility Standards:
<https://www.fns.usda.gov/disaster/d-snap-resources-state-agencies-and-partners>
- D-SNAP Toolkit for State Agencies:
https://www.fns.usda.gov/sites/default/files/D-SNAP_Guidance_Handbook_Toolkit.pdf
- D-SNAP Guidance Handbook:
https://www.fns.usda.gov/sites/default/files/D-SNAP_handbook_o.pdf
- D-SNAP policies issued after Hurricanes Katrina and Rita:
 - National Evacuee Policy:
<https://www.fns.usda.gov/sites/default/files/NationalEvacueePolicy.pdf>
 - Expanded Disaster Evacuee Policy:

- <https://www.fns.usda.gov/sites/default/files/ee-policy.pdf>
 - National Enhanced Policy for Evacuees:
<https://www.fns.usda.gov/snap/national-enhanced-policy-evacuees>
 - Questions and Answers on Evacuees:
<https://www.fns.usda.gov/snap/questions-answers-evacuees>
 - Sale of Hot Foods to Food Stamp Customers in Affected Areas:
<https://www.fns.usda.gov/sites/default/files/disaster/Louisiana-Hot-Foods-Notice.pdf>
- School Meals Programs policies issues after Hurricanes Katrina and Rita:
 - Emergency Feeding of Schoolchildren in Areas Devastated by Hurricane Katrina:
<https://www.fns.usda.gov/emergency-feeding-school-children-areas-devastated-hurricane-katrina>
 - Extension of 30 Day Limit for Initial Carry-over of Previous Year's Eligibility due to Hurricane Katrina:
<https://www.fns.usda.gov/extension-30-day-limit-initial-carry-over-previous-year%E2%80%99s-eligibility-due-hurricane-katrina>
 - School Meals Programs: Extension of Waivers due to Emergency Conditions Caused by Hurricane Katrina:
<https://www.fns.usda.gov/school-meals-programs-extension-waivers-due-emergency-conditions-caused-hurricane-katrina>
 - School Meals Programs: Verification and Hurricane Katrina:
<https://www.fns.usda.gov/school-meals-programs-verification-procedures-and-hurricane-katrina>
 - School Meals Programs: Verification and Hurricane Katrina:
<https://www.fns.usda.gov/school-meals-programs-hurricane-rita-extending-waivers-hurricane-katrina>
- Summer Food Service Program (SFSP) policies issued after Hurricanes Katrina and Rita:
 - Summer Food Service Program (SFSP) Policy #02-2005: Extension of Waivers due to Emergency Conditions Caused by Hurricane Katrina:
<https://www.fns.usda.gov/school-meals-programs-extension-waivers-due-emergency-conditions-caused-hurricane-katrina>
- 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:
<https://www.fns.usda.gov/child-and-adult-care-food-program-cacfp-policy-06-2005-extension-waivers-due-emergency-conditions>

WIC Disaster Resources:

- FNS:
<https://www.fns.usda.gov/wic/wic-disaster-response>.

- FRAC: https://s3.amazonaws.com/aws.upl/nwica.org/ellenvollinger_inwake.pdf.
- Texas WIC Disaster Plan: <http://www.dshs.texas.gov/wichd/gi/administrative.shtm>.

Other Federal Resources:

- Federal Emergency Management Agency (FEMA) webpage: <http://www.fema.gov/>.
- Avian or pandemic flu resources: <https://www.cdc.gov/flu/avianflu/>, <https://www.cdc.gov/flu/pandemic-resources/>, and <https://permanent.access.gpo.gov/lps64971/nspi.pdf>
- The White House report, “Federal Response to Hurricane Katrina: Lessons Learned”: <https://georgewbush-whitehouse.archives.gov/reports/katrina-lessons-learned/chapter5.html>
- Federal Disaster Assistance webpage: <https://www.disasterassistance.gov/#>

Food Research & Action Center Resources:

- Supplemental Nutritional Assistance Program (SNAP): <http://www.frac.org/programs/supplemental-nutrition-assistance-program-snap>
- National School Lunch Program (NSLP): <http://frac.org/programs/national-school-lunch-program>
- Child and Adult Care Food Program (CACFP): <http://frac.org/programs/child-adult-care-food-program>
- WIC: <http://frac.org/programs/wic-women-infants-children>
- Disaster Supplemental Nutritional Assistance Program (D-SNAP): <http://www.frac.org/programs/supplemental-nutrition-assistance-program-snap/disaster-snap-food-stamps>
- FRAC’s Disaster SNAP Webinar: <http://frac.peachnewmedia.com/store/streaming/seminar-launch.php?key=a7wIV%2BfMHzQXuA%2BVkDu1Y%2Fk8kPXNw3x1ewbtokoU09A%3D>
- FRAC’s SNAP in the Aftermath of Disaster: Advocacy and Outreach Best Practices: <https://frac.peachnewmedia.com/store/seminar/seminar.php?seminar=20757>
- Vollinger WIC Power Point: https://s3.amazonaws.com/aws.upl/nwica.org/ellenvollinger_inwake.pdf

Other Information on Past Disasters:

- National League of Cities’ disaster preparedness resource page: <http://www.nlc.org/topics/public-safety/disaster-preparedness>
- USDA-FNS Disaster Relief page: <https://www.fns.usda.gov/disaster/disaster-assistance>
- FEMA Disaster homepage. Contains searchable database of disaster declarations:

<https://www.fema.gov/disasters/grid/year>











Sample Outreach Materials:

- USDA-FNS's 10 Ideas for D-SNAP Outreach:
https://www.fns.usda.gov/sites/default/files/SNAP_SpecService_10IdeasDisasterOutreach.pdf.
- USDA-FNS Outreach Page:
<https://www.fns.usda.gov/snap/outreach>

State D-SNAP Manuals:

- Iowa Legal Aid Manual on D-SNAP:
<http://www.iowalegalaid.org/resource/disaster-supplemental-nutritional-assistance-program-disaster-food-stamps?ref=6sxoK>
- North Carolina Department of Health and Human Services:
<http://info.dhhs.state.nc.us/olm/manuals/dss/ei-70/man/FSDM-02.htm>
- New York Disaster Supplemental Nutrition Assistance Program Plan:
<https://otda.ny.gov/resources/NY-DSNAP-Plan.pdf>

Appendix 1: FRAC's 10 Key Ways SNAP Advocates can Help Low-Income People in a Disaster

	1. Develop a constructive relationship with your state and local SNAP 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 D-SNAP 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 nonprofit organizations to promote D-SNAP.
	6. Press local elected officials, the media, and FEMA to mention D-SNAP specifically, not just assistance in general.
	7. Use all of your normal outreach channels and methods to inform people about D-SNAP, 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 D-SNAP recipients who might be eligible for regular SNAP 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 SNAP (D-SNAP) 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 regular SNAP 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 SNAP 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 SNAP 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.

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/>.