

NONDISCRIMINATION STATEMENT FAQs

When Must the Statement Be Used?

The Statement implementation date is May 24, 2013.

When Do You Use the Full Versus the Short statement?

If the written materials previously had the full statement on them, you should replace the revised full statement in its place.

Can State or Local Agencies Shorten the Statement OR Must all Three Paragraphs Be Used?

The full statement(s) as applicable must be used in its/their entirety. The usage requirements in FNS Instruction 113-1 have not changed – only the verbiage (and phone numbers).

What is the Short Statement?

“USDA is an equal opportunity provider and employer.” Please note that use of the **shorter version** is the **exception**, not the rule.

Can Existing Materials with the Old Statement Still Be Used?

Yes. Continued use of existing forms is permitted until further notice. Once the final Departmental Regulation is issued, FNS will establish a final implementation date in which all materials must have the new statement. However, new forms and publications must be printed with the updated statement. Websites, online applications and IT systems should be updated immediately.

Does The Change Apply to Vendor Materials?

Yes. The revised Nondiscrimination Statements apply to all programs and are to be used by (and apply to) all State agencies, recipients, and sub-recipients. Continued use of existing forms is permitted until further notice. Once the final Departmental Regulation is issued, FNS will establish a final implementation date in which all materials must have the new statement. However, new forms and publications must be printed with the updated statement. Websites, online applications and IT systems should be updated immediately.

When Will the “And Justice for All” Poster be Re-printed

A new *And Justice for All* poster with the updated nondiscrimination statement will be printed and distributed to State agencies by FNS when the Departmental Regulation is issued. Until then, the existing posters remain authorized for use.

How Would a Sponsor or Program Recipient Know Which Protected Class or Bases are Valid for a SNAP or SNP Program?

The bases that apply to the programs have not changed.

All State or local office staff should be familiar with the Civil Rights requirements. This is a long-standing requirement and is an area upon which the Civil Rights training requirements for State Agency personnel at all levels is based. Local representatives must be aware of a program’s protected bases and advise applicants and participants accordingly. The public notification requirement also requires proper posting of Civil Rights information, including (but not limited to) use of the “And Justice For All” poster and use of the Nondiscrimination Statement on applications, notices, and other forms. (FNS Instruction 113-1 Sections IX, X, XI, and Appendix A).

“Not all prohibited bases will apply to all programs...” How would States Know if the Additional Protected Classes Will or Will Not Apply?

Use of the (program appropriate) Nondiscrimination Statement without alterations is required (see above response). If a State has an additional statement or other protected bases that apply only at the State and Local level, the additional information may be added (separately) at the end. (FNS Instruction 113-1 Section IX.)

If The State Has the Rights and Rules Signed Electronically By Participants On a Signature Pad, Does This Need To Be Included On the Screen If Participants Are Provided a Copy of Their Rights and Rules?

IT systems should be updated immediately. Does the signature pad use the current statement? If so, it should be replaced with the updated statement.

Contact the Civil Rights staff if you have additional questions

