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Georgia Dept of Early Care and Learning

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Area	Memo: Civil Rights
Programs	CACFP, SFSP

Modifying the FNS Instruction 113-1: Civil Rights Compliance and Enforcement - Nutrition Programs and Activities

Legal Authority

USDA Policy Memorandum CRD 01-2026

Program Requirements

This memorandum seeks to ensure that current Food and Nutrition Service (FNS) guidance pertaining to federal civil rights and nondiscrimination obligations remains aligned with applicable laws, regulations, executive orders and directives relevant to the Agency's 16 nutrition assistance programs. In that vein, FNS is modifying the FNS Instruction 113-1: *Civil Rights Compliance and Enforcement — Nutrition Programs and Activities*, and developing a new guidance tool which will be used to provide assistance and direction to FNS employees and recipients of federal financial assistance in accordance with applicable laws and regulations. Amended guidance will be released when finalized.

In the interim, civil rights and nondiscrimination laws and regulations remain in effect, along with related compliance and enforcement requirements. FNS Program offices and State agencies are advised to immediately discontinue citing FNS Instruction 113-1 when there are noncompliance issues or concerns resulting from management evaluations (MEs), compliance reviews or any similar monitoring and oversight activities, and to discontinue utilizing FNS Instruction 113-1 for technical guidance.

Rather, pertinent civil rights and nondiscrimination laws[1] and regulations[2] should be cited and utilized instead.

FNS Program offices and State agencies are reminded to distribute this memorandum to their staff, local agencies and other program providers. In the interim while release of amended guidance is pending, FNS Program offices and State agencies should direct all questions regarding civil rights and nondiscrimination obligations to CRD at SM.FN.CR-Compliance@usda.gov. Local agencies and other program providers should direct all questions regarding civil rights and nondiscrimination obligations to

their respective State agency.

Note from Georgia DECAL: At this time, Georgia DECAL has no specific guidance on when new *And Justice for All* posters will be established and distributed. Program operators will be notified as soon as additional guidance is received.

Comments

For questions concerning this memorandum, please contact the Policy Administrator at (404) 651-8193.

[1] Laws may include, but are not limited to: Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act (ADA) of 1990, ADA Amendments Act of 2008, Age Discrimination Act of 1975, Civil Rights Restoration Act of 1987.

[2] Regulations may include, but are not limited to: 7 CFR 15, 7 CFR 16, 28 CFR 35, 28 CFR 36, 28 CFR 42, USDA Departmental Regulations, FNS Program Regulations.

Attachments

Modifying the FNS Instruction 113-1.pdf