



March 31, 2021

Agricultural Marketing Service
U.S. Department of Agriculture
1400 Independence Ave SW
Washington, DC 20228

RE: NFBC, IAC, & IFAI Letter - USDA AMS Request for Comments on COVID Stimulus

Dear Agricultural Marketing Service Branch:

On behalf of our respective organizations, we appreciate the opportunity to provide comments on the USDA - Agricultural Marketing Service AMS on the development, coordination and implementation of grant programs to support food processing, distribution, seafood processing, farmers markets, and producers and other businesses identified in the Consolidated Appropriations Act, 2021, and on the development, coordination and implementation of a food purchase and distribution program intended to provide additional aid to nonprofits serving Americans in need of nutrition assistance.

Tribal agriculture production and food systems are essential economic development and community drivers in Indian Country. According to the 2017 Census of Agriculture, nearly 80,000 tribal producers are operating on over 59 million acres of land and generating over \$3.5 billion in economic activity.¹ However, during the pandemic, the USDA's relief programs have little impact in Indian Country. Tribal producers received less than 0.5 percent of direct payments under the Coronavirus Food Assistance Program (CFAP), as an overwhelming majority, upwards of 97-99 percent went to large and non-socially disadvantaged producers. Due to the Farmers to Families Food Box roll out and structure, very few – if any – Tribal producers successfully had their products included in the food boxes, and very few – if any – Tribal governments/entities were able to be purchasers or distributors of the boxes.

AMS Food Purchasing Programs

On January 25, 2021, President Biden issued an Executive Order directing federal agencies to explore opportunities to source more American products. When he signed the order, he specifically mentioned sourcing more from underserved communities, including Native communities. This directive from President Biden gives AMS clear direction from the White House that the agency should be actively seeking more Native grown foods, especially for programs that serve Native communities. Moving more traditional foods, and more

¹ USDA - National Agricultural Statistics Service, 2017 Census of Agriculture Highlights - American Indian/Alaska Native Producers, Oct. 2019, available at: https://www.nass.usda.gov/Publications/Highlights/2019/2017Census_AmericanIndianAlaskaNative_Producers.pdf.

Native-sourced foods, into USDA programs promotes racial equity, provides healthy and culturally appropriate foods, and provides Native food producers a valuable market opportunity. Where those foods are sourced from local Native growers who are using regenerative practices, this also promotes a response to climate change. All of this is in line with the top priorities identified by the new Biden administration.

During the pandemic, USDA-AMS was responsible for coordinating the Farmers to Families Food Box relief effort, which paired Americans in need with boxes of domestically grown food. This was done regionally, much like Tribal leaders have been asking USDA to operate with the Food Distribution Program on Indian Reservations, or FDPIR. USDA successfully deployed a regional food sourcing effort during the pandemic in the form of the Farmers to Families Food Box. Regional sourcing for FDPIR is something Tribal leaders have asked for before, because it would enable easier sourcing of more culturally appropriate traditional foods.

USDA can re-examine opportunities for more regionalized sourcing efforts for FDPIR foods in light of the pandemic, but USDA can also look at utilizing existing infrastructure like FDPIR ITOs to deliver a new round of this Farmers to Families program. FDPIR ITOs are located throughout Indian Country. They maintain warehouses with refrigerators and freezers for storage, trucks for delivery, and meet regularly with their community members in need. They are experienced at serving as distribution sites for food products. FDPIR ITOs should be an allowable distribution site for any future Farmers to Families programs, and if they do choose to apply, they should receive priority points. AMS should not run this entire program through FDPIR ITOs, however. Because of the pandemic, not all sites have the capacity to handle an additional distribution program at the moment. But those that do and wish to apply should be considered eligible. AMS should create a clear pathway for Tribal governments and other Tribal entities to apply as distributors for any future Farmers to Families programs.

Setting aside a portion of this funding that is dedicated to supporting Indian Country can cure some of the problems of the previous program, which saw minimal Tribal participation because it was not set up in a way that accounted for Tribal governments or Tribal producers. As part of this set aside for Tribes, the Tribal government or Tribal entity serving as the distributor should be able to determine which foods they want to procure for the food boxes. This ensures that traditional, culturally appropriate foods can be included in these food boxes. The law allows a wide variety of food products to be sourced for this program, and enabling Tribal distributors to select specific products that fall into those categories instead of having AMS pre-select those specific products is a way that USDA can support Tribal sovereignty and self-determination in this program, and remove another barrier to racial equity that exists in food sourcing at the Department.

If AMS elects not to prioritize Tribal sovereignty in this way and enables Tribal distributors to select specific food items to source for food boxes, then AMS should at least prioritize the sourcing of additional food products that represent traditional, culturally appropriate foods, as well as fresh fruits and vegetables.

Traditional and culturally appropriate foods fall into multiple categories that are allowable purchases under the COVID Stimulus package: seafood, fresh produce, dairy and meat

products. These could include but should not be limited to: bison, walleye, salmon, whitefish, lamb/mutton, catfish, geoducks, corn/cornmeal, berries, squashes, legumes/pulses, chiles. Tribes were largely left out of this process during the previous program. Many small and midsized producers, including Tribal producers, were no longer able to participate in the program after the criteria changed in round 3 of Farmers to Families.

Creating a Tribal set aside for any future Farmers to Families style purchasing programs that prioritizes Tribal distributors as applicants and enables them to determine which specific food products they will be sourcing is a model that will ensure Tribal citizens in need get access to the most culturally appropriate, locally produced foods possible. It will save money in distribution costs because distribution, purchasing, and delivery will be localized. It will also serve as a significant price support for small and midsized Native producers who need market opportunities to recover from the impacts of COVID19 on supply chains, and who want to serve their communities at the same time. In addition to providing food for their citizens for thousands of years, Tribal governments are also already preparing to source foods for a federal government program through the 638 opportunity for FDPIR.

AMS Response Grants

Tribal governments have been investing heavily in their food systems as part of pandemic response, using CARES Act funds to look at processing facilities, expanding existing operations, and more. To fully respond to the pandemic and the impacts to food security and food markets in Indian Country, ensuring that there is a Tribal set aside in this grant program will be critical. Tribal markets have been disproportionately impacted by the pandemic. According to a survey of Native producers conducted by the Intertribal Agriculture Council, by May 2020:

- 37% of Native producers reported loss of future sales;
- 36% of Native producers reported a loss in workforce;
- 34% of Native producers reported a loss in cash flow reserves;
- 33% of Native producers were experiencing supply chain disruption, and
- 31% of Native producers had already experienced a business closure.

Healing from that disruption will take a significant investment in infrastructure to help small and midsized tribal farms and ranches recover from the pandemic. Many of these operations that have survived the pandemic are in the process of expanding their operations, but need infrastructure to help. AMS should read the statute broadly in terms of what is able to be funded with these grants. AMS grants and funding should be as flexible as possible. Tribes and Tribal producers also need easier grant application processes especially during the pandemic as most ever federal agencies are using grant processes which come burdensome applications, reporting requirements, and limitations. The funding options should be a wide range from small to larger, as well as allow for market access, marketing, infrastructure, value-added, and other options that support Tribal producers adaptability to market realities. Further, all matching requirements should be waived.

Thank you for the opportunity to provide these comments, and we look forward to working with AMS on its new programs and opportunities to ensure that our Tribal governments and

Tribal producers have equitable access to the funding to respond to the ongoing pandemic and food insecurity issues.

Sincerely,



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