

**Testimony of Mary Greene Trottier  
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**Before the  
U.S. House Subcommittee on Nutrition, Oversight, and Department Operations  
Oversight Hearing on “Review of USDA Nutrition Distribution Programs”**

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**Introduction**

Chairwoman Hayes, Ranking Member Bacon, and members of the Committee, my name is Mary Greene Trottier. I am a member of the Spirit Lake Sioux Nation and President of the National Association of Food Distribution Programs on Indian Reservations (NAFDPIR). I also serve as the manager for my food distribution program in Fort Totten, North Dakota, where we regularly serve approximately 850 people through FDPIR each month. This program is a critical part of our food security safety net in my community, and I would like to thank the Committee for asking me to testify today about this important program.

**About FDPIR**

The Food Distribution Program on Indian Reservations (FDPIR) provides both food assistance and nutrition education to nearly 100,000 people across Indian Country each month. The program employs Tribal and local community members in over 100 Indian Tribal Organizations (ITOs) who administer the program locally for citizens of 276 different Tribes. While over half of FDPIR participants are working men and women, many of whom have young children at home, FDPIR also serves a significant number of elders—nearly half of FDPIR households have members over the age of sixty.

We employ Tribal members like myself at ITOs across the country, where we serve our communities as ITO managers, ITO staff, warehouse employees, and more. FDPIR has also provided a means for some of our Tribal food businesses and producers to access the USDA Commodity Foods market and sell food directly to USDA for use in our food packages. In this way, our participants gain access to traditional foods like wild rice, bison, blue cornmeal, salmon, and catfish, while Tribally owned food businesses see the benefits of economic development through agricultural production. Recent developments in the 2018 Farm Bill have further opened up that market opportunity for our Tribal producers, and I will discuss those impacts later in my testimony.

FDPIR is a critical part of our food security safety net for our rural and remote reservation communities where many of our people lack meaningful access to a full-service grocery store or convenience store that might serve as a Supplemental Nutrition Assistance Program (SNAP) vendor. As a commodities program providing food directly to our participants, FDPIR serves as a critical stopgap for Tribal citizens in places with no or limited access to stores or transportation. In addition to providing a food package that ranks incredibly high on the USDA’s Healthy Eating Index, we also

strive to provide nutrition education opportunities to our participants, to the extent that we are able with our limited nutrition education funding.

The ITO program managers who administer this program across Indian Country have been working with their Tribal leadership for decades—some of us since the program began in the 1970s—to improve the quality and nutrition of the products offered in the food package. Today, because of that work and advocacy, we offer fresh fruits and vegetables in the food package year-round, as well as a small but growing variety of traditional and culturally appropriate foods, including wild rice, bison, salmon, blue cornmeal, lamb and mutton, catfish, and more. These foods are not only incredibly nutritious—high in omega 3 fatty acids that support heart health and cognition—but they are also more frequently being sourced from Tribal food producers, which supports Tribal economies across Indian Country.

### **Current Operations**

Currently, FDPIR is serving approximately 75,000-80,000 people each month across Indian Country, administered on the ground by a little over 100 Indian Tribal Organizations (ITOs), the Indian Country equivalent of State Agencies. Although federal regulations are in place that guide the overall structure of the program and available foods in the package, ITOs do have some flexibility with program setup and delivery. Some ITOs are set up as a warehouse model where participants come to pick up assembled food packages, while others are set up as a storefront concept where participants come and shop for their monthly food package like they would in a store, selecting allowable products as determined by USDA.

One of the distribution practices in FDPIR that has received some criticism is the practice of tailgating, or what is essentially delivery of FDPIR food packages to participants who may be homebound or otherwise unable to come to the ITO for pickup. While I do not agree that tailgating should be ended, because in many cases those deliveries are the only ways Tribal elders receive their food packages, the criticisms of this practice that have come from some Tribal nutrition advocates are understandable. From their perspective, this practice is a direct callback to a time when the federal government “fulfilled” its trust responsibility to Tribal Nations by dumping rotting foodstuffs in Tribal communities. The impact of that historical trauma is still present in our communities today, and that drives a lot of the critiques of tailgating. Modern tailgating as offered by Tribes, for Tribal citizens, however, is not at all like that horrible practice of dumped food from a faceless and uncaring federal government. Instead, ITOs making food deliveries and tailgating today do it as part of a service to their community. Food is delivered safely in refrigerated vehicles where refrigeration is needed, and prior to COVID-19 and the need for social distancing, ITO staff would often be welcomed into our elders’ homes to help unpackage heavy boxes of food and visit with them at the same time, providing a vital social lifeline for our homebound elders.

The main issue we are actually having with tailgating now is not bad service from the federal government, but bad internet service. Tribal communities have some of the lowest access to broadband in the entire country, and where that access does exist it comes with an average speed that is 66% slower than other areas. This is problematic for FDPIR for many reasons, but especially now as we are working to transition to a new inventory management software. This software, the Integrated Food Management System (IFMS) was developed by a federal contractor using USDA specifications. Unfortunately, despite early feedback and concerns from ITOs, IFMS does not accommodate mobile usage, so sites that offer tailgating services are finding it difficult if not impossible to utilize this new software on tailgating runs because of the lack of mobile functionality and limited internet service. To

be able to properly adjust inventory while on deliveries, the software needs to be able to function on a mobile phone using cellular data, or more ideally, a strong WiFi signal, neither of which is currently possible with the system as developed.

There are other inventory management software programs that could both meet federal data and privacy standards and work better for ITOs. In the spirit of self-determination and to solve some of these problems ourselves, Tribes have recently requested that USDA look more broadly at allowable software systems and authorize FDPIR sites to use our administrative funds to support licensing our own software that suits our daily operations. While USDA has agreed that they do have the legal authority to authorize this, the Department has not yet decided whether or not they want to utilize that authority. We continue to work with our Tribal leadership to discuss this issue in government-to-government consultation with USDA officials, and just concluded a consultation yesterday on this issue.

### **Pandemic Impacts on FDPIR**

The ongoing COVID-19 pandemic has had disastrous impacts on supply chains and the overall U.S. food system, and FDPIR has certainly felt those impacts as well. When the pandemic began in March 2020, our program saw an immediate rise in participation as Tribal governments closed borders and businesses to try and slow the spread of the coronavirus. Between March and April 2020, the program as a whole saw a 14% average rise in participation, with 50% of all ITOs reporting that they certified over 600 new households in one week in March 2020. That rise in participation put a strain on inventory initially, with 66% of ITOs reporting in March/April 2020 that they were out of some inventory items and 43% of ITOs reporting that fresh fruits and vegetables were out of stock.

Fresh produce deliveries were very much impacted by the pandemic. Many of our sites are so rural and remote that fresh produce trucks servicing our sites are not only carrying produce for FDPIR on their delivery trucks, but also shipments for local schools, restaurants, and other businesses. As schools and restaurants closed down in response to the pandemic, those delivery companies could no longer fill trucks and justify the expense of sending a driver and paying for fuel to just one site—so in my region, Mountain Plains, we had deliveries of produce that were incredibly delayed. Delaying shipment of fresh produce of course means that there is a higher potential for produce to be spoiled when it does finally arrive, and waiting for USDA to work with the Department of Defense Fresh Program to replace that produce frequently took weeks. This reduced the fresh produce offerings we were able to provide to our participants. Those issues have not entirely stopped, either—even now in late 2021, we are still experiencing supply chain issues around fresh produce.

One way to address the ongoing produce issues that some FDPIR sites experience would be opening up more local sourcing opportunities for those products, in a way that looks similar to what USDA accomplished with the early rounds of the Farmers to Families Food Box Program in 2020. When that program debuted, Tribal leaders and the NAFDPIR Board recognized the model AMS was using immediately, because it was exactly what we have been asking for in FDPIR for years. Moving to a system like Farmers to Families, where ITO's and Tribes are able to work directly with local vendors to source fresh fruits and vegetables would eliminate a whole host of fresh produce delivery problems and result in more regular offerings of nutritious food for our participants. Because the food would be traveling shorter distances, it would also be far less likely to arrive spoiled or rotten, and because we would be prioritizing local purchasing it would also provide that market opportunity for Native

producers. Investing in agriculture through nutrition programs is a huge benefit for everyone: Tribal citizens have more access to good food, and Native producers have a chance to grow their businesses, create jobs, and support the local Tribal economy.

### **Farm Bill 2018 Implementation: “638” for FDPIR**

The 2018 Farm Bill made several adjustments to FDPIR that ITO program managers and Tribal leaders had been seeking for a long time, but the most exciting one of those changes is likely the application for the first time of “638” authority to USDA. This demonstration project acknowledges Tribal sovereignty in food systems by authorizing Tribes to produce food products directly for the food package instead of going through USDA and having the federal government choose what food products are best for us.

The first 638 contracts started work just a couple of months ago, and are already ensuring that Tribally grown nutritious foods are making their way to their participants, like halibut in programs served by the Alaska Native Tribal Health Consortium; bison, whitefish, wild rice, apples and lake trout from Oneida and Menominee; walleye, shell eggs, and an entire package of fresh produce from Little Traverse Bay Bands of Odawa Indians; beef and roast beef from Chickasaw Nation; fresh produce from Mississippi Band of Choctaw Indians; salmon from Lummi Nation; and whitefish, wild rice, and fresh produce from Red Cliff Band of Superior Chippewa. These contracts and associated award costs totaled \$3.5 million in spending, leaving USDA with \$2 million remaining in current appropriations to continue the good work this program is doing for Tribal citizens and Native food producers.

Aside from ensuring that the demonstration project continues to receive annual appropriations of at least \$3 million, if not the full \$5 million authorized by the 2018 Farm Bill, one of the more significant hurdles to swiftly implementing this provision has actually been the computer systems issue that I raised earlier. Because the food products Tribes are sourcing have not previously been part of the food package, they must have product codes created for them so that they can be received into and processed out of site inventory. This is a best practice for inventory management that ITOs are happy to follow, however, the delays in addressing technical issues with IFMS have also delayed creation and deployment of these new product codes. The end result of this delay is that although 638 contracts were awarded at the end of September 2021 and Tribes were prepared to immediately purchase and provide Native produced foods to their people through these contracts, the system was not ready to receive them. At least 2 of the 638 Tribes have had to make the decision to either wait up to 8 additional weeks to start delivering fresh products to their participants, or undertake the process of manually recording inventory until product codes can be pushed out through system updates.

All of these things may sound like a normal cost of doing business in a retail environment—but it’s important to remember that FDPIR is not a retail environment. Our program is a public service that provides food to our people, and in some cases, we are their sole source of nutritious food products or nutrition education, especially nutrition education done in a culturally relevant way. As Tribal Nations, we also come to the administration of this program from a different perspective than similar commodity programs run primarily for non-Native audiences. For Tribes, this is a matter of sovereignty and a means of renewing our food systems in a good way that seeks to heal from some of the past historical trauma associated with federal food provisioning, like the example about food dumped on riverbanks. Those traumas are still associated with food in our communities, and that means when problems like these discussed here today continue to occur over decades in a program we see as an extension of the trust responsibility the federal government owes to Tribal Nations, we

view those problems not just as frustrations, but as further disparate treatment from the federal government.

Continued Nation to Nation consultation with USDA has gone a long way to solving some of our longstanding programmatic issues, however. Over the past three Presidential administrations our Tribal leaders have talked directly with USDA officials about FDPIR and the service it provides to our communities. We are hopeful that this continued dialogue will support further progress, not only for FDPIR, but for other commodity assistance programs, such as the Commodity Supplemental Food Program (CSFP). CSFP is one of the only other commodity programs that Tribes are legally eligible to administer—others, like The Emergency Food Assistance Program (TEFAP) currently do not include Tribal Nations as statutorily eligible to administer. I run my Tribe's CSFP program in addition to our FDPIR program, and can state unequivocally that there is significant work to be done in bringing CSFP food offerings up to the standard that we are able to offer in FDPIR. The inventory we are provided through CSFP is not of the same quality as FDPIR and often comes in truly bizarre packaging—one recent example from the past year were gallon ziplock bags of spaghetti sauce intended to be handed out through CSFP to our tribal elders. We have requested consultation with USDA on these and similar CSFP issues and hope to open up that conversation soon so that we can address some of these problems.

### **Future Policy Pathways to Improved Nutrition Distribution Service in Indian Country**

Expanding the FDPIR 638 demonstration project from the 2018 Farm Bill and making it permanent, with mandatory funding, would be a wonderful pathway to continue increasing Tribal citizens' access to nutritious, traditional and culturally appropriate foods, as well as fresh fruits and vegetables. The program could also use another influx of infrastructure dollars—the \$50 million in CARES Act funds that Congress appropriated last year for this was a significant help to program sites that have not been able to upgrade their warehouse facilities and vehicles in decades, but the cost increases in materials for those upgrades, especially construction, meant that not every FDPIR site was able to take advantage of that new funding to response to coronavirus pandemic impacts. Some FDPIR sites actually declined to apply for the funds because they knew their neighboring sites or other sites in their regions had deeper needs. Another influx of infrastructure dollars would help serve every site and make sure each ITO has their needs met.

We also need increased access to nutrition education dollars so that Tribes can provide nutrition education directly to Tribal citizens instead of forcing us to go through State Agencies to access those funds. The President's FY22 budget requested a small increase in nutrition education funds for FDPIR, which is a great start. But the largest pool of nutrition education dollars in USDA's programming is the SNAP-Ed program, and Tribal Nations and ITOs are not included as eligible applicants for these programs. That would require a statutory change in the 2023 Farm Bill. Having an increased opportunity to provide nutrition education right now would be well-timed, as our program is starting to see more traditional foods and fresh produce from the 638 contracting, and USDA is partnering with Indigenous chefs like Sean Sherman to do demo recipes using those traditional foods. That kind of Indigenous-led education about our foods reconnects Indigenous people to the nutritious foods that kept us healthy and thriving for thousands of years, but we currently lack the funding capacity within our program to provide that as a regular service. Instead, ITOs compete for a small amount of funding annually that cannot cover every FDPIR participant. This pits Tribes against each other when we could be working more cooperatively if we were all fully eligible for funding, but ultimately the people who are harmed by this lack of funding are our Tribal citizens.

It is always important to remember that not every Tribe is a self-governance Tribe, however, and we need to continue to see policies that support both self-governance and direct service Tribes in feeding their people the best possible food. Working with USDA to offer more localized purchasing of fresh fruits and vegetables through the Agricultural Marketing Service (AMS), for example, would be a way to support direct service Tribes; expanding 638 to source more foods and making that a permanent part of the program would support self-governance Tribes. Both policy pathways lead to a place where Tribal citizens are eating better food likely sourced from Native producers, and both are important to have in place at the same time, because there is no one size fits all solution when you are addressing the needs of 574 sovereign Tribal Nations.