



USET

SOVEREIGNTY PROTECTION FUND

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Transmitted Electronically

June 11, 2026

The Honorable John Boozman
Chairman
Senate Committee on Agriculture
328-A Russell Senate Office Building
Washington, DC 20510

The Honorable Amy Klobuchar
Ranking Member
Senate Committee on Agriculture
328-A Russell Senate Office Building
Washington, DC 20510

Re: Urging the Senate Committee on Agriculture to Make Permanent the Food Distribution Program on Indian Reservations 638 Demonstration Program

Dear Chairman Boozman and Ranking Member Klobuchar,

On behalf of the United South and Eastern Tribes Sovereignty Protection Fund (USET SPF), we write to urge the Senate Committee on Agriculture to include language in the 2026 Farm Bill that permanently authorizes the Food Distribution Program on Indian Reservations (FDPIR) 638 authority. The FDPIR 638 Demonstration Program has successfully allowed 16 Tribal Nations and Tribal organizations to procure traditional, culturally relevant, nutritious foods for our people, promoting community well-being while creating new economic development opportunities for regional producers. In addition, the authority strengthens self-governance by assisting Tribal Nations in mitigating the negative impacts of government shutdowns and U.S. Department of Agriculture (USDA) warehouse disruptions. Failure to extend and permanently authorize this authority will create unnecessary uncertainty for participating Tribal Nations, deny additional Tribal Nations the opportunity to participate, disrupt critical food distribution operations, reduce and prevent access to higher quality and culturally relevant food items for FDPIR participants, and jeopardize investments made to strengthen Tribal food sovereignty and local and regional supply chains. For these reasons, we encourage the Senate Committee on Agriculture to include a permanent authorization of the FDPIR 638 Demonstration Program as it works to finalize its 2026 Farm Bill language.

USET SPF is a non-profit, inter-Tribal organization advocating on behalf of thirty-three (33) federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Turtle Island.¹ USET SPF is dedicated to promoting, protecting, and advancing the inherent sovereign rights and authorities of Tribal Nations and in assisting its membership in dealing effectively with public policy issues.

¹ USET SPF member Tribal Nations include: Alabama-Coushatta Tribe of Texas (TX), Catawba Indian Nation (SC), Cayuga Nation (NY), Chickahominy Indian Tribe (VA), Chickahominy Indian Tribe–Eastern Division (VA), Chitimacha Tribe of Louisiana (LA), Coushatta Tribe of Louisiana (LA), Eastern Band of Cherokee Indians (NC), Houlton Band of Maliseet Indians (ME), Jena Band of Choctaw Indians (LA), Mashantucket Pequot Indian Tribe (CT), Mashpee Wampanoag Tribe (MA), Miccosukee Tribe of Indians of Florida (FL), Mi'kmaq Nation (ME), Mississippi Band of Choctaw Indians (MS), Mohegan Tribe of Indians of Connecticut (CT), Monacan Indian Nation (VA), Nansemond Indian Nation (VA), Narragansett Indian Tribe (RI), Oneida Indian Nation (NY), Pamunkey Indian Tribe (VA), Passamaquoddy Tribe at Indian Township (ME), Passamaquoddy Tribe at Pleasant Point (ME), Penobscot Indian Nation (ME), Poarch Band of Creek Indians (AL), Rappahannock Tribe (VA), Saint Regis Mohawk Tribe (NY), Seminole Tribe of Florida (FL), Seneca Nation of Indians (NY), Shinnecock Indian Nation (NY), Tunica-Biloxi Tribe of Louisiana (LA), Upper Mattaponi Tribe (VA), and the Wampanoag Tribe of Gay Head (Aquinnah) (MA).

Because there is Strength in Unity

The FDPIR 638 Demonstration Program Has a Proven Successful Track Record for Tribal Nations and the Authority Should be Available to All

USET SPF reminds the Committee that the FDPIR Demonstration Program authorized under the 2018 Farm Bill is not a permanent authorization. Rather, the FDPIR Demonstration Program was established by Congress to provide USDA with the opportunity to see how Tribal procurement under a 638 process would work in FDPIR. Since its creation, 16 Tribal participants have accessed the FDPIR 638 Demonstration Program to improve improved the health and well-being of Tribal communities, build regional food economies, and ensure reliable sources of food during USDA warehouse disruptions and federal government shutdowns. The FDPIR 638 Demonstration Program has yielded major successes and must receive a permanent reauthorization in the upcoming Farm Bill reauthorization.

Permanent authorization and expansion of the 638 FDPIR Program would provide greater opportunities for Tribal Nations and Tribal organizations to participate. Due to the limited funding available it makes it difficult for Tribal Nations and Tribal organizations to plan for long term participation. Further, Tribal Nations and Tribal organizations are subject to a competitive process to participate in the Demonstration Program since it is not a permanent program and has limited funding. This runs counter to the federal government's trust and treaty obligations to support Tribal sovereignty and self-determination. USET SPF firmly believes it is time to expand and make permanent 638 contracting opportunities to the entire FDPIR program. USET SPF strongly recommends that Congress authorize and fully appropriate the necessary funds to ensure 638 opportunities are available for Tribal Nations and Tribal organizations to participate in FDPIR for years to come.

The FDPIR 638 Program Promotes Tribal Public Health and Regional Food Economies

The FDPIR 638 Program empowers Tribal Nations and Tribal organizations to procure culturally relevant and nutritious foods that better reflect the dietary traditions, preferences, and health needs of our communities. Program participants have proved that Tribal Nations and Tribal organizations can leverage this authority to build relationships with regional producers and suppliers to source traditional, culturally, and regionally relevant and significant foods at a higher quality than products typically available through USDA's national procurement system. In addition to improving food quality and participant satisfaction, the program is helping Tribal Nations revitalize cultural and historical food knowledge, strengthen food sovereignty efforts, and generate economic opportunities for Tribal producers, vendors, and local food economies. This program has created meaningful economic opportunities for Tribal producers and local food suppliers by providing a reliable and consistent source of revenue that allows producers to invest in and expand their operations. Through partnerships, participating Tribal Nations and Tribal organizations are helping local producers increase production while simultaneously addressing food insecurity in our communities. The 638 authority also strengthens local processing infrastructure and keeps food dollars circulating within Tribal and rural economies, creating a model that truly puts farmers, ranchers, and Tribal communities first.

FDPIR 638 Agreements Protected Demonstration Sites from Experiencing the Full Impact of USDA's Warehouse Disruptions and Government Shutdowns

During a February 2024 [Tribal consultation](#), USDA informed Tribal Nations of the Department's plan to consolidate FDPIR and Commodity Supplemental Food Program (CSFP) warehouse operations from two contractors to one. Tribal leaders opposed the consolidation citing prior experiences with missed deliveries and short supplies and requested that USDA instead employ a regional sourcing model. USDA ignored this request and moved forward with the warehouse consolidation in April 2024, and just as Tribal Nations warned, many FDPIR sites received orders that were significantly delayed, incomplete, spoiled, and/or infested. USDA tried to remedy the disruption by putting forth four short-term solutions to provide

emergency relief. However, many of these options failed to address the disruption. In stark contrast, Tribal participants in the FDPIR 638 Demonstration Program were able to respond quickly and maintain stable food supplies for their citizens and communities. This contrast between federally administered and Tribally administered operations demonstrates the effectiveness of Tribal self-governance in addressing supply chain disruptions and ensuring reliable access to food. Since USDA has again warned FDPIR sites of potential upcoming food shortages due to the 2025 federal government shutdown, Congress must make permanent and expand the FDPIR 638 authority.

The Congressional Budget Office's Score for Making FDPIR Permanent is Fundamentally Flawed

The Congressional Budget Office (CBO) has estimated that making the FDPIR 638 authority permanent would cost \$380 million over the 2025–2033 period. This score stands in stark contrast to the scores of other Indian Self-Determination and Education Assistance Act (ISDEAA) amendment or expansion bills because CBO fundamentally does not understand how ISDEAA works. Extending ISDEAA 638 to USDA programs does not increase federal spending. Rather, it changes who administers and expends already appropriated federal funds. In essence, when Tribal Nations or Tribal organizations enter into 638 agreements, they assume the obligations of the federal government to administer programs and services directly for their Tribal citizens and Tribal communities.

The Native Farm Bill Coalition (NFBC)—of which USET SPF is a member of—sent a [letter](#) to USDA in August 2024 expressing deep concern and surprise regarding CBO's cost estimate and the underlying USDA data used to support it. In the letter, the NFBC questioned both the accuracy of USDA's projections and the methodology employed by CBO, noting that prior CBO analyses had consistently recognized the expansion of ISDEAA carries little to no significant impact on federal spending. In addition, on March 3, 2026, Rep. Tom Cole also raised concerns about the CBO score in a [letter](#) to House Agriculture Committee Chairman Glenn Thompson prior to the markup of the Farm Bill, which noted CBO's failure to consider how self-determination contracts are carried out. For these reasons, we urge the Committee to ignore the erroneous CBO score for making the 638 FDPIR program permanent due to its inaccurate and fundamentally flawed determination.

Conclusion

USET SPF calls upon the Senate Agriculture Committee to continue advocating for maximum Tribal Nation inclusion in the Farm Bill reauthorization. The federal government must enact policies that uphold our status as sovereign governments, our right to self-determination and self-governance, and honor the federal trust and treaty obligation in full. We remind the Committee that the 638 FDPIR Program has received broad, bipartisan support in the past, and this should continue with the current Farm Bill reauthorization. Inclusion of language in the Farm Bill that permanently authorizes and expands the 638 FDPIR Program will empower Tribal Nations to administer this program to better align with our priorities in food sovereignty and nutrition to provide culturally and regionally relevant foods for our citizens and communities. USET SPF looks forward to working with the Senate Agriculture Committee to build upon the demonstrated success of this program by making the 638 authority permanent and expanding the program to support participation for more Tribal Nations and Tribal organizations.

Sincerely,



Chief Kirk Francis
President



Kitcki A. Carroll
Executive Director